

HUMAN RIGHTS COUNCIL – 55th SESSION

Interactive Dialogue with the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967

26 March 2024

Introducing her report ([A/HRC/55/73](#)) on the situation of human rights in the Palestinian territory occupied since 1967, the Special Rapporteur Ms. Francesca Albanese described the content of her finding as the anatomy of a genocide. She described genocide as a process rather than a single act, starting with the dehumanization a group and ending with its destruction in all or in part. In international law, genocide is defined as specific sets of acts committed with intent to destroy in whole or in part a national, ethnical, racial or religious group as such. As provided by Article 2 of the Genocide Convention, intent must be proven directly or inferred from facts which admit of no other reasonable inference. In the case of Gaza, the Special Rapporteur stated the intent was ostentatious and its consequences extensively broadcasted. She remarked that a minority of powerful Member States instead provided military, economic and political support for the atrocity. Dr. Albanese shared that Israel has killed over 30 000 Palestinians including over 13'000 children, more than all conflicts worldwide in the past 4 years. Another 12 000 Palestinians are reported missing and 71 000 are injured. She described the acts committed by Isarel since the beginning of the attacks, preventing the passage of humanitarian aid during the first two weeks, imposing extreme restrictions of water, food, electricity and fuel, and other actions leading to the starvation of many in Gaza. Pointing out that hostages have also not escaped these circumstances. Stated that 25,000 tons of explosives, equivalent to two nuclear bombs and guided munitions and hundreds of 2,000 pound bunker busters were used to level entire neighborhoods, erasing or severely damaging almost all civilian infrastructure and agricultural land.

On the evidence of the explicit and public intent of genocide, the Special Rapporteur mentioned Israeli high ranking officials routinely calling on soldiers to annihilate the people of Gaza. Evidence further indicates that this genocidal incitement has been internalized and acted upon by soldiers on the ground. Among key findings in this report is the intentional distortion of the rules of international humanitarian law by Israel's executive and military leadership and soldiers in an attempt to legitimize genocidal violence. Asserted they deliberately stretched the definitions of “human shield”, “evacuation orders”, “warnings”, “safe zones”, “collateral damage” and “medical protection”.

Concluded that the threshold indicating the commission of three acts of genocide : causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and imposing measures intended to prevent birth within the group.

The Special Rapporteur decried the colonial amnesia of the West that has condoned Israel's colonial settler project from the very birth of the state to its oppressive occupation since 1967, the crippling closure of Gaza since 1993, and its military assaults on Gaza since 2007. She reminded the Council that the Genocide Convention includes a jus cogens norm and that they have an obligation to prevent the commission of genocide, which the International Court of Justice recognized as plausible. Asserted that the continuation of Israel's impunity and exceptionalism is no longer viable, especially in light of Security Council Resolution.... And urged all Member States to impose an arms embargo and sanctions on Israel.

Interactive dialogue

State of Palestine (country concerned) commended the Special Rapporteur for providing the **historical context** behind the current commission of genocide, as well as the **policy of ethnic cleansing**. Pointed to the violation by the occupying power of every law, norm and international decision, the continued killing, abuse, theft, building of settlements, burning of infrastructure, trees, mosques, etc. Reminded the Council that over **30 000 Palestinians were killed**, including over **13 000 children** and **8 800 women**. Also mentioned the declaration of the Israeli minister of war on the 9th of October about preventing entry of water, electricity, food, and fuel into Gaza and referring to Palestinian people as human animals, as a clear demonstration of the **intent of genocide**. Added that the **policy of famine** is being used as a weapon against Palestinians. Israel refuses to abide by the International Court of Justice's decision and by General Assembly resolutions and Security Council resolutions, including resolution [2728 \(2024\)](#). Called for all recommendations in the Special Rapporteur's report to be implemented.

Israel (country concerned) was not present in the room.

Many States concurred with the Special Rapporteur's conclusion that the criteria of genocide have been met. This includes **Indonesia, Chili, Mauritania, Lebanon, Pakistan** on behalf of the **OIC**, **Brunei Darussalam, Qatar, Egypt** on behalf of the **Arab Group**, **Libya, Qatar** also on behalf of the **GCC**, **Kuwait, UAE, Iran, Malaysia, the Syrian Arab Republic, Tunisia, Bangladesh, Yemen, Oman, Iraq, Namibia, Venezuela**, and **Bolivia**. In addition, **Saudi Arabia** and Chile welcomed the report's references to these evidence. The **Syrian Arab Republic, Mauritania, Algeria, Egypt** on behalf of the **Arab Group**, and **Pakistan** on behalf of the **OIC** also welcomed the reports focus on the historical context behind the atrocities.

Some delegations including **Pakistan** on behalf of the **OIC**, **Qatar, Libya, Iran** and **Cuba** denounced the long-standing colonial settlers practices of Israel.

Most delegations, namely **Türkiye, Indonesia, South Africa, Chile, Tunisia, Yemen, Algeria, Lebanon, Zimbabwe, Pakistan** also on behalf of the **OIC**, **Qatar** also on behalf of the **GCC**, **Gambia** on behalf of the **African Group**, **Brunei Darussalam, Libya**, and **Kuwait, Chile on behalf of a group of countries** asserted the need for accountability and for the international community to take measures to end the genocide. The delegation of **Senegal** and **Chile** on behalf of a **group of countries** expressed the same view, with emphasis or prioritizing a peace process and **Malaysia** express support for South Africa bringing the case to the International Court of Justice. In addition the **Syrian Arab Republic** and **Libya** denounced the complicity of some countries. **Türkiye** also stated that an investigation on sexual assaults against Palestinian civilians should be carried out.

Several delegations called for economic and political sanctions and an arms embargo, including **South Africa, Malaysia**, and **Pakistan** on behalf of the **OIC**.

Many also called for the implementation of the provisional measures decided by the International Court of Justice, namely **Luxembourg, South Africa, Peru, Chili, Spain, Mauritania, Tunisia, Bangladesh, Yemen, Lebanon, Brazil**, the **European Union, Pakistan** on behalf of the **OIC**, and **Libya** and **Chile** on behalf of a **group of countries**.¹

The delegations of **Luxembourg, Pakistan, Peru, Senegal, Spain, Bangladesh, Yemen, Lebanon, Chile** on behalf of a **group of countries**. called for an immediate ceasefire, as did **Zimbabwe, Türkiye, Cuba, Indonesia** calling for an immediate and permanent ceasefire. **Pakistan** and **Luxembourg** opposed a ground invasion in Rafah.

¹ Belgium, Brazil, Colombia, Denmark, Finland, Iceland, Ireland, Luxembourg, Malta, Mexico, Slovenia, Spain, and Portugal

Delegations such as **Egypt, Indonesia, Senegal, Spain, Oman, Tunisia, Bangladesh, Brazil, Zimbabwe, Slovenia, and the European Union** called on Israel to allow safe passage of humanitarian aid into Gaza. A large majority of delegations also mentioned the rise of famine and that the destruction of civilian infrastructure is unacceptable, with **Peru** reiterating that hospitals cannot be considered collateral damage under international law.

Luxembourg, Malaysia, Spain, Brazil, Slovenia, the European Union, and Chile on behalf of a **group of countries** called for the release of hostages in Gaza.

Some delegations also reaffirmed their commitment to the two-State solution, according to the pre-1967 borders, including **Brunei Darussalam, Peru, Chile** on behalf of a **group of countries, Senegal, Spain, Slovenia, the European Union, Qatar, Türkiye, Gambia** on behalf of the **African Group, Saudi Arabia, Pakistan, Bangladesh, Yemen and Zimbabwe.**

Spain also stated the need to reestablish a unified government in Gaza and the West Bank.

In light of the threats the Special Rapporteur has received, such actions were condemned by many states, while **Libya, Mauritania, Pakistan** on behalf of the **OIC**, and **Qatar** on behalf of the **GCC** reaffirmed their support for the mandate. **Luxembourg, Pakistan, Indonesia, Brazil, Slovenia** also called on Israel to cooperate with the mandate.

Delegations such as **Saudi Arabia, the Russian Federation, Tunisia, Bangladesh, Slovenia, the European Union** welcomed the recent adoption of UN Security Council resolution 2728. **Egypt** on behalf of the **Arab Group** and **Türkiye** called on parties to abide by it.

Regarding funding to UNRWA, **South Africa, Yemen, Iraq** and emphasized that the agency should be properly funded. Aligned with this view, **Chile** on behalf of a **group of countries** also supports an investigation against some staff members allegedly involved in the October 7th attacks. Saudi Arabia mention that the King Salman Humanitarian Aid and Relief Centre signed a 40 million USD contract to support UNRWA. **Iraq** also recently donated 25 million USD to UNRWA.

Malaysia raised on questions on how the international community can ensure reparations will be made by Israel, to which the Special Rapporteur replied that the most urgent matter at the moment is the preservation of life in Gaza.

The Independent Commission for Human Rights of Palestine commended the Special rapporteur's efforts. Remarked that Palestinians feel exhausted by the perpetual victimhood narrative and are disillusioned by the lack of tangible justice, including as it pertains to complaints to the UN. While the genocide continues in Gaza, extrajudicial killings, widespread violations of human rights and systematic destruction of infrastructure. Denounced Israel's refusal of Palestinian's right to self-determination and settler violence and terrorism responsible for a third of displacements in the West Bank. Called for the end of the occupation, compelling adherence to international law and affirmation of the legitimate rights of Palestinians

Among NGOs, **Defense for Children International** reported that Israel is blocking aid from entering Gaza, subjecting the population to malnutrition. They demanded the international community enforce the prohibition of genocide and a ceasefire, as well as the opening of the Rafah crossing and restoration of funding to UNRWA. The Palestinian NGO **Al-Haq** stated that many States were complicit of genocide by objecting to a ceasefire and by providing arms to Israel. They called for a two-way embargo and accountability of 75 years of crimes relation to Israel settler colonial practices. **Lawyers Rights Watch Canada** denounced Israel's systematic misuse of laws and orders against people of the OPT, including lawyers and human rights defenders and called on urgent measures, including and arms embargo. The **Palestinian Return Centre** condemned the systematic Israeli attacks on humanitarian convoys and people attempting to get aid.

The World Jewish Congress and the Touro Law Center The Institute on Human Rights and the Holocaust directed derogatory statement at the Special Rapporteur and accused the mandate of spreading false narrative, with the latter stating the antisemitism is defined by the victims, not the

intent.

Delegations that took the floor

Pakistan on behalf of the Organization of Islamic Cooperation, Egypt (on behalf of the Group of Arab States), Qatar (on behalf of the GCC), Brunei Darussalam, Libya, Qatar, Kuwait, Saudi Arabia, Luxembourg, Pakistan, Türkiye, Egypt, United Arab Emirates, Colombia, Jordan, Indonesia, South Africa, Russian Federation, Iran, Peru, Cuba, Chile, Malaysia, Senegal, Spain, Syrian Arab Republic, China, Mauritania, Tunisia, Bangladesh, Yemen, Algeria, Oman, Iraq, Lebanon, Sovereign Order of Malta, Brazil, Zimbabwe, Slovenia, Honduras, European Union, Namibia, Venezuela, Bolivia.

NGOs that took the floor

Norwegian Refugee Council, United Nations Watch, Défense for Children International, World Jewish Congress, Touro Law Center, European Union of Jewish Students, Al-Haq, Lawyers' Rights Watch Canada, The Palestinian Return Centre Ltd, American Association of Jurists.

[Watch the recording on UNWebTV](#)