



UN Human Rights Council 14th Session

Oral Statement*
Item 7 – SR Occupied Palestinian Territories

WILPF joins those who welcomed the report of the Special Rapporteur. The content of the report, i.e. the continuing failure to respect human rights, is something that is heard at least annually and is met with the same, or similar observations by members of the Council, but without concrete steps being taken to ameliorate the situation.

The resolution of 1st June 2010 calling for an independent fact finding mission to “investigate violations of international law resulting from the Israeli attacks on the flotilla...” , from our perspective, is far too narrow in scope, is repetitive in nature and ignores the context in which Israel and others have continued to avoid accountability for their actions. Such a limited resolution does not address the nature of accountability of actors other than Israel, nor does it open possibilities for dialogue toward reducing tensions and seeking peaceful ways of ensuring compliance with international law.

Occupation exists, and hence Israel bears the full responsibilities that arise under international law relating to occupation. The obligations arising have been set out by experts appointed by the United Nation and need not be rehearsed by WILPF. The failure of Israel to comply, and to do so with impunity, brings the international legal and political system into disrepute and weakens its authority and ability to fulfill its function.

Responsibility of other States

The ability of Israel to continue its occupation, the blockade and its military interventions would be severely curtailed without the acts, or omissions, of other States who have been on notice that Israel has been in violation of various international legal obligations. Experts, appointed by the United Nations, have drawn attention to these violations in the strongest terms. The experts on the fact finding mission to Beit Hanoun stated: “*that the international community is failing to fulfill its role in respect of the suffering of the people of Gaza, in particular in its silence which begets complicity*”.

According to the Advisory Opinion of the International Court of Justice, Israel has violated obligations of “*an erga omnes character that are the concern of all States and that all States are required to bring to an end*”.

Thus far, the response by States, if judged by visible action, has been twofold: to condemn the blockade and to a limited extent to provide humanitarian assistance. This is an extremely narrow response and one that does not fulfill obligations.

Attention is drawn to the 2005 World Summit Outcome (**Resolution of the General Assembly 60/1 2005**)

It has been posited that the protection duty encompasses a continuum of prevention, reaction,

* Please note this statement was not delivered due to time limits in the Council.



Women's International League for Peace and Freedom
Ligue Internationale de Femmes pour la Paix et la Liberté
Liga Internacional de Mujeres por la Paz y la Libertad
Consultative Status with UN ECOSOC, UNCTAD and UNESCO; Special Consultative Relations with FAO, ILO,
and UNICEF.

commitment to rebuild and to punish, from early warning, to diplomatic pressure, to coercive measures, to conflict resolution and post conflict reconstruction assistance as well as accountability for perpetrators.

All States are implicated in the responsibility to protect but there is an additional and specific responsibility on states with political, military, financial and economic ties to use that influence to prevent, react and hold accountable.

Any Commission of Inquiry appointed by the HRC must have a broad mandate to investigate all actors, with the aim of identifying responsibilities in relation to each, whether State or private actors, and accountability mechanisms if they should fail to comply with them.

Without prejudice to the outcome of such an investigation, immediate steps must be taken to hold Israel to account for its continuous contempt for international law and to ensure non-repetition. Such steps could include those mentioned by the SR in his latest report to the council at para 38.

In accordance with Security Council Resolution 1325, the role of women in the prevention and resolution of the conflict must be taken into account and particular measures must be taken to ensure that their participation is facilitated through the provision of social and economic rights producing a climate of security which facilitates participation in public life. Primary responsibility lies with the occupying State of Israel and with their continued failure, with other members of the International Community.

Conclusion.

Law exists to regulate the conduct of States and individuals, but it is imperfect. Whilst assertions can be made as to how international law should be applied, many prefer to avoid the element which demands action, and seek ways to avoid it.

The attack on the flotilla mobilised public opinion world wide to the plight of those, both on the ship attacked, but also to those in need of assistance in Gaza. In simple terms, it aroused the sense of common decency in ordinary people towards the suffering of others, not from any political perspective, but because of a common and shared humanity. It is this, which should inspire the States to take actions to achieve peace. Under the responsibility to protect, the perspective of the victim was invoked. There is no one in the region who can enjoy the peace that real security brings, to a greater or lesser extent, all are victims. For all of us who see what is happening, and for those who are experiencing it, whatever the law calls it, it is just wrong and must stop. Above all WILPF is calling for all States, to do everything in their power to end the occupation and thereby the individual suffering, to end fear, to create real security, to obtain the renunciation of violence and find a way to a just peace.

For more information please refer to the [Statement by WILPF on human rights responsibilities in Gaza](#) and associated documents on www.wilpfinternational.org.