*Unofficial Transcript by Human Rights Voices*

**Vote on Resolutions Under Agenda Item: 7 - 66th Meeting, 31st Regular Session Human Rights Council**

March 24, 2016

UN Human Rights Council, Geneva

PALESTINIAN REPRESENTATIVE: Thank you, President. President, I shall take the floor only once with regard to the four draft resolutions which are before this august assembly.

I would like to begin by thanking all the groups and states which support these draft resolutions. I would also like to thank the tireless efforts made by delegations during negotiations in order to strike a consensus. I would also like to express my gratitude to civil society organizations who have cooperated with us in this regard. In particular, I would like to express my thanks to the delegation of Pakistan, our brother country, which has presented these draft resolutions.

I would like to start with the first draft resolution on the right to self-determination. Nobody can tackle the issue of human rights without referring to the right to self-determination, without also addressing the very meaning of this right. This was an idea which was launched by President Wilson at the end of the first world war. It is an integral part of international law foreseen in Article 2 of the Charter and also in the Universal Declaration of Human Rights as well as the Vienna Declaration. It criminalizes attacks on the right to self-determination. As Palestinians, we believe that the right to self-determination will be achieved when the occupation ends and when the Palestinian State can exercise its right to sovereignty on the basis of the 1967 borders with a capital in Jerusalem.

Concerning the draft resolution on the human rights situation in the occupied Palestinian territory, we believe that the occupation itself is most flagrant violation of human rights. There is one case which reflects this situation. This is not an internal conflict. It is the occupation of one country by another. It is nearly 50 years since this tragedy began. Israel repeats its egregious abuse on a daily basis. If you look at the media, you will see how the Israeli soldiers and settlers kill Palestinian children. They shoot them dead. They will leave them to bleed to death for over an hour. The Israeli army prevents ambulances from providing medical care.

Is there anything that is more hideous, more heinous than that? Is there anything worse than children being held in the occupying power's prisons? There are some 300 in administrative prisons. Some of them have been locked up a very long time. Our country pays a price every day. There continues to be a blockade on Palestinians in the Gaza Strip. As some of you have said, you believe that the occupying power is the only democracy in the region, though.

I will move on to the next draft resolution, if I may. I have some further comments that I would like to make. Recently, we have tried to make appeals to quell any incitement, any provocation. I’m sure that you're aware that I refer to provocations of Israelis. Last October, Prime Minister Netanyahu launched the following idea.

He claims that the Mufti al-Husseini convinced Hitler of the need for a holocaust. Then he launched another slogan. He said that there is a great difference between Jewish terrorism and Arabic terrorism. And then the leading rabbi made comments, which appeared in the press, whereby he claimed that killing a Palestinian is an offer that one makes to God and that when Palestinians call for an end to the occupation, they are doing quite the opposite. So you can see what's happening in these situations.

In the third draft resolution, we find a slogan which is often heard in the corridors of this Council. Last July, we found a formula concerning the need to ensure accountability. As Palestinians, we state and we continue to state that we are ready to assume our legal responsibilities when it comes to the Commission of Inquiry on the Assault on Gaza. The Palestinians have formed an independent commission in order to make their own inquiries about the allegations in the Commission of Inquiry report. Nevertheless, you know that Israel has always prevented this commission from visiting Gaza in order to carry out inquiries on these allegations. Up until now, there has been a ban on meetings with Israeli victims. But have Israelis carried out their own inquiries? I think you all know the answer. Israel rejects all inquiries. They're always right; we're always in the wrong.

I would now like to move on to the next resolution on settlements. The entire international community must do everything to bring an end to the situation. There's the two-state solution in the general debate in the General Assembly. Fifty states condemned the settlements, claiming that it was an obstacle to peace and the two-state solution. Many countries made such statements, including the United States, but not Israel. Israel's response was as follows: to confiscate more property, to build more settlements. Just four days ago, there was a declaration concerning that close to Jericho 200 homes were confiscated. The settlers have for the first time formed an armed militia in order to prevent Palestinians from building in the area of Jericho and E1. If this situation continues, then credibility of Israel will be certainly undermined.

Some have tried to manipulate international law in Israel's favor, so we would like to make the following request concerning this resolution. I know that some of you are concerned. We would like to know if this resolution is based on the results of the Commission of Inquiry formed in 2012 to examine the results of settlements on the economic, social, and cultural rights of the Palestinian people. We have tried to use Resolution 117 and Article 96. Thus, we call upon the High Commissioner to undertake direct consultations with the working group on business and human rights in order to draw up a database concerning enterprises working in these illegal settlements in the occupied territories.

There are Guiding Principles on Business and Human Rights. There is a view of some that things are being mixed up, but I would like to know if you can find any political references in any of these resolutions. Please tell us if you can find any political references. We have used accepted language which has been used to address Palestinian issues. Thus, I would like to call upon the members of the Council to adopt these resolutions by consensus. This would send out a message there is true international will to bring an end to the suffering of the Palestinian people and end the occupation.

This is the message that you would send to Israel. Your vote would perhaps reduce the obstinacy of Israel in recognizing international law and ethical values.

Thank you, President.

President of the Human Rights Council: So after having heard the Distinguished Representative of Pakistan, let me ask if there is any request for explanations of vote? I see none. So may I ask there is request for vote? I see none. May I take it that draft proposal L36 may be adopted without a vote?

It is so decided.

President of the human rights council: The Council will now consider Draft Proposal, L.37, entitled Human Rights Situation in the Occupied Palestinian Territory Including East Jerusalem. I give the floor to the Distinguished Representative of Pakistan to introduce the draft proposal.

Pakistan: Thank you, Mr. President. On behalf of the OIC member states and other sponsors, I have the honor to introduce the draft resolution on Human Rights Situation in the Occupied Palestinian Territory Including East Jerusalem contained in Document A/HRC/31/L.37.

The text addresses the continuing human rights violations in the occupied Palestinian territory, including East Jerusalem. These include the use of excessive and lethal force against Palestinian civilians and violations of their rights to life, to liberty, and security of persons, to freedom of movement, to livelihood, to education, and to property, among others.

Mr. President, the preamble part of the resolution affirms the applicability of international human rights instruments and of the Fourth Geneva Convention to the occupied Palestinian territory, including East Jerusalem. It also expresses deep concern of the critical human rights situation and humanitarian conditions of the Palestinian civilian population in the Gaza Strip.

The operative part of the resolution demands that all practices and actions that violate the human rights of the Palestinian people should cease. It reaffirms the core principles and rules of international law in this regard and demands that Israel comply fully with the provisions of the Fourth Geneva Convention of 1949 and with its legal obligations under international human rights law.

It also urges member states to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip.

Mr. President, we hope that in dealing with the grave humanitarian crisis and ever worsening human rights situation in the occupied Palestinian territory, including East Jerusalem, the Council members will rise to the occasion and will adopt this resolution by consensus.

I thank you very much.

President of the human rights council: Thank you very much. I've been informed by the Secretariat that there are six additional co-sponsors. I now open the floor for members of the Council to make general comments.

I give the floor to the Distinguished Representative of Paraguay.

Paraguay: Thank you, President. President, Paraguay is a country which suffered the horrors of a genocidal war. We lost extensive swathes of our territory. We defended our cultural heritage right down to the last man. But after 120 years of sacrifice, combat, 120 years on from this fratricidal war, we have become the economic partner of our neighboring countries. We have developed a relationship of trust, of mutual support for the well-being of our peoples. It is on the basis of our experiences in nature that Paraguay reiterates its conviction that Israel and Palestine have the right and duty to live peacefully alongside each other on the basis of international recognized borders.

It is also on the basis of our national experience, however hard it has been, that we reiterate our call to Israel and Palestine, Palestine and Israel, that they have the right and duty to live in peace, in full respect for human rights. On the basis of our position based on history, we voted in favor of the GA Resolution 181 of 1947. We have been consistent to our position supporting a two-state solution. In this regard, we recognize that Palestine and Israel, Israel and Palestine, are sovereign states and that we have diplomatic relations with both of them. Paraguay is convinced that dialogue is the only way to find a fair and sustainable solution. This is why we urge all parties to reignite peace talks with a view to building trust amongst two peoples who currently fear each other. We call on both parties to respect human rights and international law.

On the basis of these basic principles and the need for dialogue, we would like to support the resolution concerning the right to self-determination of the Palestinian people. This is an absolute must.

With regard to the situation in occupied Palestinian territories, we believe that at the moment the situation is not conducive to peace. We believe that we must do more to improve the humanitarian situation. It is in the basis of these convictions that Paraguay calls for, that these resolutions be subject to a recorded vote.

I would like to round off my statement by saying, this is a very special week for many of us here in this assembly hall. We have held deep reflections. We want to send out a message of hope and optimism. Paraguay hopes that this week will help us resuscitate the peace process.

Thank you very much, President.

President of the human rights council: Thank you very much. I now give the floor to the Distinguished Representative of Saudi Arabia.

Saudi Arabia: Thank you, Mr. President. Mr. President, six decades and more have passed and unfortunately we are still witnessing the shedding of the bloods of our brothers and sisters in the Palestine by the occupation forces in Israel, that has not even taken a child or an elderly person or a woman as an exception in a total absence of ethics and unprecedented defiance of all international resolutions and international legitimacy. And if this were to continue, this would only have negative repercussions on the principles of peaceful coexistence and establishment of human rights and the promotion of human rights.

Israel has blood on its hands and the Council should not remain passive. The resolution put forward in front of you, L.37, on the Situation of Human Rights in Occupied Palestinian Territories Including East Jerusalem, I hereby call on the international community to shoulder its responsibility, vis-à-vis the Israeli practices against the Palestinian people, and to not violate the legitimate rights of the Palestinian people.

Mr. President, our Esteemed Council today is called upon, today more than ever, to have enough courage to vote in favor of this resolution. I cannot understand the words and the statements that could be put forward by states to find any justification to not vote in favor. Everybody knows the magnitude of this problem and the suffering that the Palestinian people is enduring. It's considered to be the longest in the history of people. It was hoped that the resolutions on this item, all of them without exception, would be adopted by consensus.

However, unfortunately we are hearing important statements on the importance of respecting and promoting human rights, but when it comes to actual practical application some people ask for such important resolutions to be put forward to the vote.

Mr. President, my country calls upon and pledges all the peace-loving countries that condemn human rights violations to vote in favor. And it goes without saying that this is what my country will be doing. Thank you.

President of the human rights council: Thank you very much. I give the floor to the Distinguished Representative of United Arab Emirates.

UNITED ARAB EMIRATES: Thank you, Mr. President. It has been said times and again in this room that the root of violation of human rights in Palestine is illegal occupation of Israel. This occupation is aggravated by the non-compliance of the occupying country of the relevant international instrument, including the Geneva Convention. We believe that this council should continue to address the ongoing violation of human rights in all occupied territories until the illegal occupation of Israel comes to an end. And we will vote for this resolution, L.37.

Thank you, Mr. President.

President of the human rights council: Thank you very much. I now give the floor to the Distinguished Representative of Cuba.

CUBA: Thank you, President. The human rights situation in the occupied Palestinian territories must continue to be the focus of the maximum attention from the council. This is because the occupying power, Israel, continues to seriously violate international human rights law and international humanitarian law in the occupied Palestinian territories.

Cuba condemns the constant building of illegal settlements in these territories, including in East Jerusalem. This is an egregious violation of the Fourth Geneva Convention. Cuba calls for a sustainable, fair solution to the Palestinian situation and in the Israeli-Arab conflict. This is not possible if serious human rights violations continue and there is impunity. This is why Cuba supports all the draft resolutions submitted under this item and we hope that they will warrant the support of all the member states of the council.

Thank you.

President of the human rights council: Thank you very much. Is there any other request for general comments? I see none. Next we have to hear from the concerned country. But if I understood correctly, the delegation of Palestine has already spoken on this draft proposal when we were discussing the previous draft proposal. So unless the delegation of Palestine asks us for the floor, we will move on to the next stage.

I have been informed by the Secretariat that there are PBIs for this draft proposal. Copies of the statement have been posted on the HRC Extranet.

I now open the floor for members of the Council who wish to make explanations of vote before the vote on the draft proposal. I see no request for explanations of vote, so at the request of the delegation of Paraguay the Council will now proceed to a recorded vote on draft proposal L.37.

I now ask the Secretariat to open the voting machine and I request all delegations to register their vote. Have all delegations registered their vote? I request the delegations to check whether their vote is accurately reflected on the screen. If so, I ask the Secretariat to close the voting machine. The voting is now closed.

The results of the recorded vote are as follows: 42 in favor, none against, and 5 abstentions. Draft proposal L.37 is therefore adopted. Copies of the result of the vote will shortly be distributed.

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President of the Human Rights Council: The Council will now consider draft proposal L.38 entitled Ensuring Accountability and Justice for All Violations of International Law in the Occupied Palestinian Territory Including East Jerusalem. I give the floor to the Distinguished Representative of Pakistan to introduce the draft proposal.

Pakistan: Thank you, Mr. President. On behalf of the OIC, I have the honor to introduce the draft resolution on Ensuring Accountability and Justice for All Violations of International Law in the Occupied Palestinian Territory Including East Jerusalem contained in document A/HRC/31/L.38.

The objective of the draft resolution is to welcome the report of the Commission of Inquiry on the 2014 Gaza conflict and to call for the implementation of its recommendations as well as the recommendations of other relevant fact-finding missions. It is indeed imperative to end impunity for violations of international law in the occupied State of Palestine.

Mr. President, the preambular part of the resolution recalls relevant rules and principles of international law, including international human rights and humanitarian law, in particular, the Geneva Conventions relative to the protection of civilian persons in times of war, which is applicable to the occupied Palestinian territory, including East Jerusalem. It emphasizes the importance of the safety and well-being of all civilians and reaffirms the obligation to ensure the protection of civilians in armed conflict. It deplores the civilian deaths resulting from the 2014 Gaza conflict. It notes the importance of the work of the United Nations Independent Commissioner Inquiry on the 2014 Gaza conflict and other relevant Human Rights Council's mechanisms.

The operative part of the draft resolution welcomes the report of the United Nations Independent Commission of Inquiry on the 2014 Gaza conflict and calls upon all duty bearers and United Nations bodies to pursue the implementation of all the recommendations contained in it and in the reports of other relevant Human Rights Council mechanisms in accordance with their respective mandates. It calls upon all states to promote compliance with human rights obligations and all high contracting parties to the Fourth Geneva Convention to respect and to ensure respect for international humanitarian law in the occupied Palestinian territory, including East Jerusalem in accordance with Article 1 common to the Geneva Conventions and to fulfill their obligations under Articles 146, 147, and 148 of that Convention.

It requests the High Commissioner on Human Rights to present a comprehensive review on the implementation on the recommendations contained in Human Rights Council reports on the occupied Palestinian territory, including East Jerusalem to the Council at its 34th session.

Mr. President, we urge member states to adopt this resolution by consensus.

Thank you very much.

President of the Human Rights Council: Thank you very much. I have been informed by the Secretariat that there are nine additional co-sponsors. I now open the floor for members of the Council to make general comments.

I give the floor to the Distinguished Representative of Saudi Arabia.

Saudi Arabia: Thank you, Mr. President. Once again, Mr. President, I speak on the brotherly people of Palestine and the systematic violations of their human rights they are suffering in addition to the systematic violations of their rights in living peacefully.

Mr. President, impunity and the potential impunity in such a systematic, long-term fashion has allowed the persistence of such systematic violations without any repercussions. Moreover, not achieving any results in the local investigations carried out by the occupying power according to these international law standards has contributed in depriving Palestinian victims in their right of effective compensation.

Mr. President, we reiterate the dire need to hold all Israeli officials accountable for their violations of the international humanitarian law and the international human rights law in a fair and independent manner and to provide effective means of compensating in full all victims of such systematic violations. Once again, we call upon all peace-loving nations to support this resolution.

Thank you, Mr. President.

President of the Human Rights Council: Thank you very much. I give the floor to the Distinguished Representative of United Arab Emirates.

United Arab Emirates: Thank you, Mr. President. My delegation is very concerned and deeply regrets that some delegations are against accountability when it comes to protect Palestinian population. Yet, the same delegations have also upheld accountability in situations less complicated than in Palestine.

Mr. President, accountability is fundamental for the work of the Human Rights Council. Without accountability, impunity will prevail.

I thank you, Mr. President.

President of the Human Rights Council: Thank you very much. Is there any other request for general comments? I see none. And as in the case of the previous draft proposal, we will skip the statement of the concerned country unless the delegation of Palestine asks for the floor.

I have been informed by the Secretariat that there are PBIs for this draft proposal. Copies of the statement have been posted on the HRC Extranet.

I now open the floor for members of the Council who wish to make explanations of both before the vote on the draft proposal.

I see no requests for the floor. I heard the delegation of Paraguay asking for a vote for all the remaining resolutions, but just to make sure, I'd like to ask if there is request for vote? There is.

At the request of the delegation of Paraguay, the Council will now proceed to a recorded vote on draft proposal L.38. I now ask the Secretariat to open the voting machine and I request all delegations to register their vote.

Have all delegations registered their vote? I request the delegations to check whether their vote is accurately reflected on the screen. If so, I ask the Secretariat to close the voting machine. The voting is now closed.

The results of the recorded vote are as follows: 32 in favor, none against, and 15 abstentions. Draft proposal L.38 is, therefore, adopted. Copies of the result of the vote will shortly be distributed.

President of the Human Rights Council: The Council will now consider Draft Proposal L.39 entitled Israeli Settlements in the Occupied Palestinian Territory Including East Jerusalem and in the Occupied Syrian Golan.

I give the floor to the Distinguished Representative of Pakistan to introduce the draft proposal.

Pakistan: Thank you, Mr. President. Mr President, on behalf of the OIC member states and other co-sponsors, I have the honor to introduce the Draft Resolution on Israeli Settlements on the Occupied Palestinian Territory, Including East Jerusalem and in the Occupied Syrian Golan contained in Document A/HRC/31/L.39.

The construction of settlements in the occupied Palestinian territory including in East Jerusalem and in the occupied Syrian Golan continue in violation of international humanitarian law and international human rights law. This draft text seeks to address the dire humanitarian and human rights challenges arising from this illegal policy in the occupied territories. The preamble part of the text establishes the legal framework on the illegality of the settlements in the occupied territories with reference to the UN Charter, the Fourth Geneva Convention, the relevant UN Resolutions, as well as the Advisory Opinion of the ICJ on the wall.

It affirms the transfer by the occupying power Israel of its civilian population into the territory it occupies constitutes a violation of the Fourth Geneva Convention and relevant provisions of customary law, including those qualified in Additional Protocol I to the Fourth Geneva Conventions.

Mr. President, the operative part of the text reaffirms that the Israeli settlements in the occupied Palestinian territory, including East Jerusalem and in the occupied Syrian Golan, are illegal and an obstacle to peace, and economic, and social development. It condemns the continuing settlement and related activities, including the expansion of settlements, and demands that all settlement activities in all the occupied Palestinian territory, including East Jerusalem and in the occupied Syrian Golan, immediately cease.

It calls on Israel to put an end to all the human rights violations linked to the presence of settlements, especially of the right to self-determination and to fulfill its international obligations to provide effective remedy for victims. We hope that in addressing this illegal situation, widely condemned by the international community, the Human Rights Council will keep its commitment to international humanitarian and human rights law and adopt the draft resolution by consensus.

I thank you very much.

President of the Human Rights Council: Thank you very much. I have been informed by the Secretariat that there is one additional co-sponsor. I now open the floor for members of the Council to make general comments.

I give the floor to the Distinguished Representative of Saudi Arabia.

Saudi Arabia: Thank you, Mr. President. Mr. President, my country condemns Israel’s establishing of Jewish settlements in the occupied Palestinian territories for decades, and expelling Palestinian civilians from their homes in order to expand the Palestinian—expand the Israeli settlements in flagrant violation of the international legitimacy, and it contradicts in particular with Article 49 Paragraph 6 of the Fourth Geneva Convention. And in the Advisory Opinion of the International Court of Justice it stated that it is not legal to build such settlements, notwithstanding the condemnation and the rejection of the international community of the establishment of such settlements, Israel, the occupying power, still insists on expanding the settlement activity, which leads to further violations of human rights in Palestinian occupied territories.

Moreover, it undermines the regional and international efforts that aim to achieve the two-state solution, Israel and Palestine living side by side within the recognized borders of pre-1967. Continuing such Israeli policies seriously jeopardizes the possibility of achieving the two-state solution because it undermines the capability of achieving such a solution.

Hence, my country calls upon the peace-loving nations to support this resolution put forward before your Esteemed Council and to vote in favor. And my country without a doubt would do the same.

Thank you.

President of the Human Rights Council: Thank you very much. I now give the floor to the Distinguished Representative of Qatar.

Qatar: Thank you, Mr. President. My delegation would like to express the utmost important that the Human Rights Council support this draft resolution because we believe it’s extremely important and necessary that the Human Rights Council adopt this draft resolution considering Israel’s insistence to build illegal settlements in flagrant violation of the rights of the Palestinian people and violation of the international law and Advisory Opinion of the ICJ. Constantly concealing the Israeli expansionist, their policies in the occupied Palestinian territories, including East Jerusalem, would encourage Israel to forge ahead in its racist expansionist schemes and would encourage the Israeli settlers to commit further crimes against the Palestinian, which would undermine regional and international relevant efforts.

Thank you.

President of the Human Rights Council: Thank you very much.

Is there any other request before general comments? I see none.

Now I give the floor to the Distinguished Representative of Israel as concerned country.

ISRAEL: Thank you, Mr. President. It is good for once to be able to speak for more than two minutes, and I'm grateful for that so I will speak slowly. Mr. President, we have just witnessed another performance of the theater of the absurd that is this Human Rights Council. Yesterday evening, this Council dispensed with the hellish situation in Syria with one resolution extending the work of the COI, which will produce its report.

It spent five minutes on the DPLK considering one resolution. Today it is considering five resolutions on Israel, mandating at least six reports over the coming year, overburdening the resources of the Office of the High Commissioner of Human Rights and the time of this Council for future sessions. We reject these resolutions in their entirety.

By now I have realized that this is a highly politicized UN institution, and yet I still ask myself, where is the sense of priority of the Human Rights Council? Where is its sense of purpose? Where is its moral compass? The Human Rights Council has become an inflammatory environment. Instead of promoting conciliation, it is stoking the flames on animosity. Instead of contributing to a more peaceful environment, it contributes to deepen the conflicts between Israelis and Palestinians.

Regarding the Golan Heights, absurdity reaches new heights. Family visits to the Syrian motherlands; what Syria? What motherland? Theater of the absurd it is, but I have yet to decide whether it's a farce or a tragedy.

Mr. President, despite the Council and not because of it, we will achieve peace and reconciliation, and we will overcome the difficulties the Human Rights Council is creating on our path.

I wish to thank all countries that do not support these resolutions. While the Council continues its absurd performances—sorry. Later today, Stewart Michael Lynk will be appointed as a Special Rapporteur. Again, the fox will be given the job to guard the hen house; one additional act in the theater of the absurd. While the Council continues its absurd performances, we Israelis will work hard so that we can prosper, live in security, and seek real peace.

Thank you, Mr. President.

President of the Human Rights Council: Thank you very much. I have been informed by the Secretariat that there are PBIs for this draft of proposal. Copies of the statement have been posted on the HRC Extranet.

I now open the floor for members of the Council who wish to make explanations of vote before the vote on the draft proposal.

I give the floor to the Distinguished Representative of Netherlands.

NETHERLANDS: Thank you, Mr. President. I have the honor to speak on behalf of the EU member states that are member of the Human Rights Council. This explanation of vote has been agreed by the EU as a whole. We wish to thank the Mission of Palestine for its engagement on this resolution.

The EU recalls that settlement are illegal under international law, considered an obstacle to peace, and jeopardize the two-state solution. We again reiterate our strong opposition to Israel's settlements policy and action taken in this context. The EU and its member states are committed to ensure the continued full and effective implementation of existing EU legislation and bilateral arrangements applicable to the settlement products.

The EU expresses its commitment to ensure that in line with international law, all agreements between the State of Israel and the EU must be unequivocally and explicitly indicate their inapplicability to the territories occupied by Israel in 1967. This does not constitute a boycott of Israel, which EU strongly opposes. It's the EU view that the guiding principle on business and human right endorses by consensus in this Council need to be applied globally, and we call on all companies, including European companies, to implement them in all circumstances including in Israel and occupied Palestinian territories.

While we fully recognize the need for informing companies and consumers about business and human rights and the risk of operating in the settlements, we consider that member states have the primary role to raise the awareness of business enterprise for such risk. In this regard we express our disappointment that our suggestion concerning OP 17 on looking further at holistic implementation of the guiding principle and the best practices in this context, rather than calling on the High Commissioner to establish a database of companies were not taken into account.

Due to our concern on OP 17, the EU is unable to support draft resolution L.39 and the EU member state that are member of the Human Rights Council will abstain.

We furthermore wish to clarify that the EU has not expressed itself on the use of certain legal terms in this and other resolutions, including forcible displacement, forcible transfer, forced evictions, punitive demolitions, and peremptory norms.

Thank you, Mr. President.

President of the Human Rights Council: Thank you very much.

I now give the floor to the Distinguished Representative of Switzerland.

SWITZERLAND: Mr. President, Switzerland deplores the existence of the settlements, which constitute a violation of international humanitarian law and seriously undermine civil, economic, social, and cultural rights of the Palestinian people living in the occupied Palestinian territory. Over the years, the settlements have extended to such a scope, which jeopardizes the possibility of a negotiated two-state solution and gives rise to serious doubts as to Israel's commitment to a two-state solution. This is why Switzerland will vote in favor of Resolution L.39 before us.

However, Switzerland regrets that the text of the resolution in OP 17 provides for an establishment of a database of private businesses, which are alleged to be involved in the settlements. Switzerland believes that there are more appropriate means to improve the compliance with international law by private businesses in this context. We regret that our proposal to emphasize the implementation of the Guiding Principles of the United Nations for transnational enterprises in the context of the occupied Palestinian territories was not adopted, and this is why Switzerland refrained from co-sponsoring this resolution contrary to previous years, which we much regret.

Thank you for your attention.

President of the Human Rights Council: Thank you very much. Is there any other request for explanations of vote? I see none. And once again just to make sure, I'd like to ask if there is request for vote? There is request for a vote from the Delegation of Paraguay.

So at the request of the Delegation of Paraguay, the Council will now proceed to a recorded vote on Draft Proposal L.39. I now ask the Secretariat to open the voting machine and I request all delegations to register their vote. Have all delegations registered their vote?

I request the delegations to check whether their vote is accurately reflected on the screen. If so, I ask the Secretariat to close the voting machine. The voting is now closed.

The results of the recorded vote are as follows: 32 in favor, none against, 15 abstentions. Draft Proposal L.39 is therefore adopted. Copies of the result of the vote will be shortly be distributed.

President of the Human Rights Council: We will now move to explanations of a vote and general comments after the vote on all resolutions adopted under Agenda Item 7. Are there any delegations wishing to take the floor?

I give the floor to the Distinguished Representative of Ecuador.

Ecuador: Thank you very much, President. As in previous years, the Council has considered several resolutions on the situation in the occupied Palestinian territories. Their aim is to have a real and positive impact on the life of thousands of Palestinians. Their stories, lives, and rights have been blighted by the shadow of a wall built not only in cement and steel but also in neglect and indifference. The resolutions presented in this session refer to various subjects, but they all point to the need to recognize and apply the many recommendations from international bodies, which establish useful tools for assessing the current situation in the occupied Palestinian territories. They focus in particular on the rights of civilians against all kinds of threats, intimidation, or reprisals from both state and non-state actors.

Against this backdrop and with regard to Resolution L.39, we believe that compiling a database on companies operating in occupied territories is a significant proposal for gathering information on the names of companies and their sector of activities with a view to encouraging them to honor their corporate responsibility. Furthermore, on the basis of the primacy of human rights, this information should be made public.

We would like to round off by expressing our gratitude to the Delegation of the State of Palestine for having informed us about the consultations with the Office concerning that this request for a database is a viable initiative, which can be implemented in line with previous experience and within the mandate of the Office in Special Procedures. For all of these reasons we voted in favor of this resolution.

President, would you please ask the Secretariat to record this statement in the records? Thank you.

President of the Human Rights Council: Thank you very much.

I give the floor to the Distinguished Representative of Germany.

Germany: Thank you, Mr. President. This is an explanation of vote after the vote relating to Resolution L.38.

Mr. President, I have the honor to speak on behalf of the United Kingdom, the Netherlands, Latvia, and Germany. Our overall position regarding the Israeli-Palestinian conflict, including the recurring escalations of violence, is clear and transparent. In line with the EU position, we are convinced that respect for justice, the rule of law, and international human rights, and international humanitarian law by all parties are cornerstones of peace and security. The continuing violence has led to the loss of so many lives in Israel and the occupied Palestinian territory in recent months is deeply troubling.

We condemn any violence against civilians and all acts of terror. They are simply unacceptable, and they can never be justified. We insist that all perpetrators of crimes or effects of terror against the Israelis as well against the Palestinians must be brought to justice. Both Israeli and Palestinian people have the right to live in peace and security.

We remain firm on our position on accountability. We are deeply concerned by continuing the violence, loss of life, and damage to the lives of ordinary people, both Israelis and Palestinians, of this ongoing conflict. We have urged both sides to act in a manner that is proportionate and to take all measures to prevent the loss of civilian life and comply with international humanitarian law. We fully support that allegations of violations and/or abuses must be fully investigated by all parties. Where there is evidence of wrongdoing, those responsible should be held accountable.

The review proposed in OP 8 of the draft—of the resolution in our view does not constitute an effective means for further accountability in the context of the Israeli-Palestinian conflict. In line with our position that the human rights situation in Palestine and other occupied Arab territories should properly be addressed by this Council as any other specific country situation under general item on human rights situation that requires the Council’s attention, Item 4 or other items, we do not wish to expand the scope of Item 7.

Additional follow-up mechanisms should therefore not to be introduced to the Human Rights Council, especially when based on reports like the Goldstone Report of 2009, or previous fact-finding missions that have never been endorsed by us.

We wish to clarify that the condemnation of all violations of human rights and international humanitarian law in Pp 8 of the Accountability Resolution refers to violations by all parties and accountability all that pertains to all parties.

We wish to thank the Palestinian Mission for its serious engagement on this resolution. While we expressively welcome the efforts to present a compromised version of OP 8, we would like to recall that we sought meaning changes to OP 8, limiting its scope. However, for the above stated reasons, the changes applied are not sufficient to justify support of the resolution. Therefore, the United Kingdom, the Netherlands, Latvia, and Germany have decided to abstain.

Thank you, Mr. President.

President of the Human Rights Council: Thank you very much. I give the floor to the Distinguished Representative of the United Kingdom.

United Kingdom: United Kingdom supports the statement made on behalf of the European Union. As regards Draft Resolution L.39, we’re of the opinion that calling on the High Commissioner to establish a database would be an unhelpful measure. Furthermore, it is not appropriate for the UN to take on this role. The U.K. will not cooperate with the process of compiling this database, neither will we encourage U.K. companies to do so.

Thank you.

President of the Human Rights Council: Thank you very much.