

General Assembly
Human Rights Council
Fourth Session

Item 2: Implementation of General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council"

Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (Mr. John Dugard)

Mr. President and Distinguished Members of the Council,

The International Federation for Human Rights, Al-Haq, and the Palestinian Centre for Human Rights are thankful for this opportunity to stress the consequences of 40 years of Israeli occupation on the Palestinian people in the West Bank, including East Jerusalem, and the Gaza Strip at this critical moment in the Council's evolution.

Today, this occupation is an entrenched regime of pervasive human rights violations and violations of international humanitarian law. As noted by the Special Rapporteur, many of the policies and practices applied by Israel in the Occupied Palestinian Territory (OPT) are reminiscent of colonialism and apartheid; regimes that are irreconcilable with the enjoyment of fundamental human rights and the very notion of self-determination.

Illegal Israeli settlements, home to some 460,000 settlers, continue to expand under the pretext of natural growth throughout the OPT. Israeli only bypass roads, built on Palestinian land, allow the free movement of settlers within the West Bank and into Israel, while Palestinians are subject to hundreds of obstacles, including manned checkpoints, and an arbitrary system of permits severely restricting their freedom of movement within their own territory. Combined with the additional confiscation of land for the construction of the Annexation Wall which surrounds the settlements and the severe restrictions placed on Palestinian access to the Jordan valley; 30% of occupied Palestinian land is now off limits to Palestinians. This renders the meaningful exercise of the right to self determination all but impossible.

Nowhere is this fragmentation and isolation of the OPT more obvious than in regard to access to East Jerusalem. As a Palestinian fortunate enough to

be able to travel, I can come to the United Nations in Geneva, but I cannot go to Jerusalem.

The work of human rights defenders in the OPT, whether Palestinian or international, is also severely curtailed by Israeli movement restrictions, with Al-Haq's own director prevented from leaving the West Bank to attend this session.

Additionally, Palestinian water resources within the OPT are exploited and effectively annexed for the benefit of Israelis, in both settlements and in Israel itself, a practice clearly reminiscent of a colonial regime.

In reference to Gaza, Israel's so-called disengagement has not ended the occupation of Gaza as made clear by the violations highlighted in the numerous reports of the Special Rapporteur. Israel's effective control of the Gaza Strip is demonstrated through repeated military incursions, sustained closure of the Gaza borders and the refusal to allow fact-finding missions called for by this Council. In addition to failing to fulfil their obligations as an occupying power, Israel's actions are effectively strangling the Gaza population.

As the body mandated with the responsibility of protecting human rights and fundamental freedoms for all, the Council has the duty to make every effort to bring the violations perpetrated against the Palestinian people to an end. One such step would be to welcome an ICJ advisory opinion addressing the legal consequences of Israel's prolonged occupation. However, such a request should not distract this Council from initiating concrete measures to end Israel's occupation of the OPT. There can be no misconception that anything but an end to the occupation will bring about a just and lasting peace. Whatever the pretext for Israel's policies in the OPT, these cannot be allowed to contradict the values for which this Council stands: respect for human rights, in particular the right to self-determination.

Thank you.