

Statement by Malaysia

Follow-up to decisions of the Human Rights Council "Implementation of Resolutions S-1/1 and S-3/1"

Fourth Session of the Human Rights Council
Thursday, 22 March 2007

Mr. President,

Malaysia fully associates itself with the statement by Pakistan on behalf of the OIC, concerning the human rights situation in the Palestinian territories occupied since 1967. We extend our appreciation to Special Rapporteur John Dugard and Professor Christine Chinkin for their presentations. *his presentation*

Mr. President,

2. The non-implementation of Resolution S-1/1 and Resolution S-3/1 after 8 and 4 months of their respective adoption by this Council is indeed deplorable. The failure of Israel to cooperate with the two Fact Finding Missions is a real affront to this Council's authority and integrity. This situation certainly necessitates serious attention by this Council. It calls for sincere efforts by all who champion the cause of human rights and who genuinely desire to make this new Council as an effective and credible UN human rights organ, to redress this challenge.

3. Malaysia is indeed amazed at the speed and enthusiasm shown in relation to the implementation of and follow-up to Decision S-4/101 on the situation of human rights in Darfur. Regrettably, the same cannot be said of the resolutions adopted at the two special sessions relating to the grave human rights situation in the Occupied Palestinian Territory. Clearly, we are thus witnessing different emphasis and urgency being accorded to the

implementation of the Council's decisions. Further, different treatment had also been applied in respect of General Assembly resolution 46/59 entitled "Declaration of Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security". Yet, we do not want to be accused of applying double-standards in our approach to human rights situations.

4. What then, Mr. President, can this Council do to contribute to alleviating the grave human rights situation and the untold hardship and suffering of the Palestinians living under the prolonged Israeli military occupation? Not only have the Palestinians been deprived of their right to self-determination for the past six decades, but their other fundamental human rights also continue to be violated by the occupying power in a persistent and systematic manner on a daily basis ever since.

5. This Council is fully aware that the Palestinians have been subjected to a form of collective punishment in violation of the Fourth Geneva Convention of 12 August 1949; to frequent military incursions; to extra judicial and targeted assassinations; to demolitions of their houses and property, as well as infrastructure; to confiscations of their private lands to give way to expanding illegal settlements; to severe restrictions on their freedom of movement due to existence of over 500 checkpoints, roadblocks and the separation Wall; to the law and practice that separate thousands of their families.

6. The list of serious and persistent violations of human rights of the Palestinians continues, as discrimination against them occurs in many fields. As the Special Rapporteur has rightly put it in his report before us, the Israeli military occupation of the Palestinian Territory constitutes forms of colonialism and of apartheid, which are contrary to international law.

Yet again, instead of finding effective ways to end the subjugation and oppression of the Palestinians, some amongst us have punished them through economic isolation for they have put into practice their democratic aspirations, resulting in the deepening humanitarian crisis in the Occupied Palestinian Territory.

Mr. President,

7. If we are to be sincere to our commitment and earnest in our efforts to promote and protect all human rights for all, we have to live up to our collective responsibility to ensure that this Council can fulfill its mandate by taking measures to effectively address and improve the human rights situation of the Palestinians. This is a real test to our commitment, sincerity and earnestness. Ensuring timely implementation of the aforementioned Resolutions of the two special sessions on Palestine could have contributed to us passing that test. Sadly, we have failed.

Thank you.