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**HUMAN RIGHTS COUNCIL HEARS ADDRESS BY PRESIDENT OF BRAZIL AND DISCUSSES FOLLOW-UP TO SPECIAL SESSION ON SITUATION IN GAZA**

15 June 2009

The Human Rights Council this morning listened to a statement by Brazil’s President Luiz Inacio Lula da Silva. This was followed by a discussion on follow-up to the Council’s ninth Special Session on the situation in the Gaza Strip.

Luiz Inacio Lula Da Silva, President of Brazil, said he had been a child labourer, and had known social exclusion, which affected millions around the world, mainly in the developing countries. Having experienced the absence of rights, he made the protection and promotion of human rights the central part of his Government. The treatment of human rights was one of the main challenges of the multilateral system. The Council was now better prepared to respond quickly to the situations that required the urgent attention of the international community - producing tangible results to improve the living conditions of the affected population, and improving human rights situations. The Council should seek a dialogue and not impose the road to advance the cause of human rights. The fulfilment of economic, social and cultural rights was not only essential to guarantee a decent standard of living for all - it was also important to consolidate civil society, the rule of law, and to build prosperous and democratic societies.

Martin Ihoeghian Uhomoibhi, President of the Human Rights Council, said he was impressed by the results of the visionary leadership of President Lula in the fight against poverty, hunger and social exclusion in the Brazilian society. The commitment of Brazil towards the protection and promotion of human rights transcended its borders. Whether in the field of human rights or as a development partner, Brazil’s commitment and showing had been truly exemplary.

Updating the Council on the Fact-finding Mission to Gaza authorized by the ninth Special Session, Mr. Uhomoibhi said from 1 to 5 June, the Mission had conducted its first field visit to Gaza. As the team was denied access to enter Gaza through Israel, they entered the territory through Egypt via the Rafah crossing point. While in Gaza, the Mission conducted site visits and held meetings and interviews with a wide range of individuals and organizations to gather information on issues of concern that were identified during a month of preliminary research. In total, the Mission visited 14 locations in Gaza City and North Gaza. The Fact-finding Mission planned to return to Gaza for a second visit towards the end of the month, and it would produce a final report to be presented to the Council at its twelfth session in September.

Navi Pillay, United Nations High Commissioner for Human Rights, referring to the human rights situation in the Gaza Strip, said that the ongoing heavy import restrictions and near total prohibition of export had had negative cumulative effects on the realization of a wide range of economic, social and cultural rights, as well as civil and political rights of the Gaza population. Gazans’ rights continued to be severely undermined or violated. As a result, poverty was increasing. All allegations of breaches of international humanitarian law and human rights violations during the Gaza military operations and their aftermath must be investigated by credible, independent and transparent accountability mechanisms, respectful of due process. All parties concerned, as well as States and the international community as a whole, should extend full support and cooperation to all such accountability efforts.

In the discussion on follow-up to the Special Session, speakers said steps were still needed to ensure the full implementation of the resolution. The second stage of the work of the Mission, which was meeting with the civil society and with Government officials, was essential in order to complete the report. The resolution also requested Israel to fully cooperate with the Council’s Fact-Finding Mission. Speakers noted that the situation in the Occupied Palestinian Territory and in particular in the Gaza Strip remained a cause for serious concern. The violation of international human rights law, international humanitarian law and the Geneva Conventions by Israeli forces had led to the deterioration of the living conditions of the Palestinians, especially as they continued to have limited access to food and water as well as healthcare and other basic infrastructural services. The tragedy which was making the Palestinians suffer had to be ended, as should be the siege, and humanitarian assistance allowed into the country.

Palestine spoke as a concerned country.

The following speakers took the floor: Egypt on behalf of the African Group, United Arab Emirates on behalf of the Arab Group, Czech Republic on behalf of the European Union, Pakistan on behalf of the Organization of the Islamic Conference, Cuba on behalf of the Non-Aligned Movement, Mauritius, China, Egypt in its national capacity, Indonesia, Japan, Norway, Algeria, Lebanon and the Organization of the Islamic Conference.

The following non-governmental organizations spoke on the issue: Amnesty International, International Commission of Jurists, United Nations Watch and Arab Commission of Human Rights.

This afternoon, the Council will meet at 3 p.m. to hold a panel discussion on human rights and climate change.

**Statement by the President of Brazil**

LUIZ INACIO LULA DA SILVA, President of Brazil, said he had been a child labourer, and had known social exclusion, which affected millions around the world, mainly in the developing countries. Having experienced the absence of rights, he made the protection and promotion of human rights the central part of his Government. The treatment of human rights was one of the main challenges of the multi-lateral system. The creation of the Council represented a very important step forward, reflecting the need to replace the counter-productive dynamics of the past for a convincing environment of cooperation. One of its new tools was the Universal Periodic Review mechanism. When the broad and transparent analysis of all United Nations Member States was assured, then the system became more rational and more balanced. The Council was now better prepared to respond quickly to the situations that required the urgent attention of the international community - producing tangible results to improve the living conditions of the affected population, and improving human rights situations. The Council should seek a dialogue and not impose the road to advance the cause of human rights. The fulfilment of economic, social and cultural rights was not only essential to guarantee a decent standard of living for all - it was also important to consolidate civil society, the rule of law, and build prosperous and democratic societies. Example was the best way to persuade, but it was necessary to go from words to deeds.

Human rights were essential to overcome the world crisis that began in September 2008, and Brazil was working with its partners to promote a special meeting of the Council on the consequences of the financial crisis. In Brazil, the consolidation of democracy and human rights advanced with the efforts of the Government and the commitment of its civil society. Although the efforts of the international community to eliminate all forms of intolerance were noted, the world continued to see the sufferings caused by this phenomenon. At the Durban Review Conference, the international community had recommitted to fighting racism, racial discrimination, xenophobia and related intolerance, and now was the time to see the fulfilment of these promises. There could be no respect of human rights in a world where there was inequality between peoples and nations. The involvement of the developing countries in the decision-making process was essential - the dignity of the human being should always be in the centre of attention and the concerns of the international community. With this focus, it would be easier to promote a culture of respect of human rights all around the world. To guarantee and promote peace was the *raison d'être* of the United Nations - there could be no peace with injustice, inequality, and lack of tolerance. Tolerance was the basis of peace and fulfilment of all human rights. One of the main achievements of the United Nations was democracy - no-one needed the same language or colour, nor the same ideas or beliefs - there was a need to be able to discuss ideas.

It was in this place, where human rights were discussed, that there should also be a discussion about the world global economic crisis, its causes and effects. Instead of poor countries complaining about effects of crises, there was now the opportunity to gather with rich countries to discuss the crisis in a deeper way - its causes, effects and solutions. It was not the poor of the world who were responsible for the crisis - the ones responsible were the same ones who, during centuries, lectured the different Governments and States, knowing how to interfere in the poor countries. These knew nothing no more, and could not explain the situation, and had nothing to say to analyse the crisis in the rich countries. This was the moment when the poor countries needed to reassert the sovereignty of their States. The economic discussion at this moment demanded the participation of all countries in the world. The United Nations was the institution that should bring this discussion into its heart, and discuss economic issues at the highest levels, including the Least-Developed Countries, as all were suffering the consequences of a financial system that was de-regulated and relied on speculation rather than on production.

Today, Brazil did not wish to just speak - it wished that the pie of wealth in the world be distributed more fairly, with solidarity, in order to concretise human rights throughout the planet Earth.

MARTIN IHOEGHIAN UHOMOIBHI, President of the Human Rights Council, said that during his visit to Brazil he had met with the President in Manaus. He had had the privilege of participating in the launch of several Governmental initiatives and had witnessed programmes in the field of human rights, which symbolized the genuine commitment of the Government of Brazil to improving the living conditions of the Brazilian people, particularly the most vulnerable in the society. He was impressed by the results of the visionary leadership of President Lula in the fight against poverty, hunger and social exclusion in the Brazilian society. President Lula had also stressed this morning that the poor should not be made to bear the brunt of the economic crisis. The commitment of Brazil towards the protection and promotion of human rights transcended its borders. Whether in the field of human rights or as a development partner, Brazil’s commitment and showing had been truly exemplary.

**Follow-up to Special Session**

**Opening Statements**

MARTIN IHOEGHIAN UHOMOIBHI, President of the Human Rights Council, in his update on the Gaza fact-finding mission, authorized by the ninth Special Session in January, said that on 3 April, he announced his decision to appoint Justice Richard Goldstone, former Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda and current Spinoza Fellow at the Netherlands Institute for Advanced Study in the Humanity and Social Sciences, to lead the independent fact-finding mission to investigate international human rights and humanitarian law violations that may had been committed between 27 December 2008 and 18 January 2009 in relation to the conflict in the Gaza Strip. Mr. Uhomoibhi also announced his decision to appoint the following three members to the mission: Professor Christine Chinkin, Professor of International Law at the London School of Economics and Political Science; Ms. Hina Jilani, Advocate of the Supreme Court of Pakistan and former Special Representative of the Secretary General on Human Rights Defenders; and Colonel Desmond Travers, a former officer in the Irish Armed Forces and member of the Board of Directors of the Institute for International Criminal Investigations.

Upon appointing the team, Mr. Uhomoibhi expressed his confidence that the mission would be in a position to assess in an independent and impartial manner all human rights and humanitarian law violations that may have been committed in the context of the conflict that took place between 27 December 2008 and 18 January 2009 and to provide the much needed clarity about the legality of the thousands of deaths and injuries and the widespread destruction that occurred. The Mission, which was supported by a Secretariat provided by the Office of the High Commissioner for Human Rights, held its first meeting in Geneva from 4 to 8 May, during which it held initial meetings with a broad cross-section of stakeholders, including United Nations Member States and representatives of the United Nations and non-governmental organizations. At this time, the Mission also established terms of reference and a three-month programme of work.

From 1 to 5 June, the mission conducted its first field visit to Gaza. As the team was denied access to enter Gaza through Israel, they entered the territory through Egypt via the Rafah crossing point. While in Gaza, the Mission conducted site visits and held meetings and interviews with a wide range of individuals and organizations to gather information on issues of concern that were identified during a month of preliminary research. In total, the Mission visited 14 locations in Gaza City and North Gaza. As previously announced by Justice Goldstone, the Fact-finding Mission planed to return to Gaza for a second visit towards the end of this month, during which they intended to hold public hearings on some of the issues covered by their mandate. The Mission also intended to hold public hearings in Geneva and to hold consultations with Palestinian officials and with organizations from the West Bank and Israel. Mr. Uhomoibhi said the Mission Members hade not lost hope of visiting areas of Southern Israel and the West Bank, although this had not yet been possible as they have not received a positive response from the Government of Israel to repeated requests for cooperation. The fact-finding mission would produce a final report to be presented to the Human Rights Council at its twelfth session in September.

NAVI PILLAY, United Nations High Commissioner for Human Rights, in her introduction of the first periodic report on the human rights situation in Palestine and other occupied Arab territories, said that earlier this year, during the Israeli military operation “Cast Lead” in Gaza, the Human Rights Council met in its Ninth Special Session and adopted resolution S/9-1. The resolution was entitled “The grave violations of human rights in the Occupied Palestinian Territory, particularly due to the recent Israeli military attacks against the occupied Gaza Strip”. Among other tasks, it mandated the Office to strengthen the Office of the High Commissioner for Human Rights’ field presence in the Occupied Palestinian Territory, and to submit periodic reports to the Council on the implementation of that resolution.

Ms. Pillay said she regretted to inform the Council that it was not possible for her to submit her first periodic report in time for this session. Its preparation was made more complex by the need to put in place a human rights monitoring framework in the Occupied Palestinian Territories, which the Office had now begun to implement. Referring to the human rights situation in the Occupied Palestinian Territories, Ms. Pillay said that the ongoing heavy import restrictions and near total prohibition of export had had negative cumulative effects on the realization of a wide range of economic, social and cultural rights, as well as civil and political rights of the Gaza population. Gazans’ rights continued to be severely undermined or violated. This included their right to work, their freedom of movement, their right to food, their right to adequate housing, their right to the highest attainable standards of physical and mental health and their right to education. As a result, poverty was increasing. Sixty-five per cent of Gazans lived below the poverty line of $ 2 per day. These crippling conditions must be eased. Ultimately, the blockade and other restrictions that violated human rights must be lifted.

One of the priorities of the Office of the High Commissioner for Human Rights was combating impunity. Therefore, all allegations of breaches of international humanitarian law and human rights violations during the Gaza military operations and their aftermath must be investigated by credible, independent and transparent accountability mechanisms, respectful of due process. All parties concerned, as well as States and the international community as a whole, should extend full support and cooperation to all such accountability efforts.

**Statement by Concerned Country**

IBRAHIM KHRAISHI (Palestine), speaking as a concerned country, said despite the numerous hurdles and pressures that accompanied the creation of the international, independent Fact- finding Mission, it had the full support of Palestine to fulfil its mandate to investigate all forms of human rights violations by the Occupying Power in the Occupied Palestinian Territory, including East Jerusalem. The Mission was able to visit the Gaza Strip, and to get to know the great extent of the suffering of the Palestinian people, including the destruction of their socio-economic structures. The task entrusted to the Mission would not be complete without investigating the human rights violations in the West Bank and East Jerusalem by Israel. The Mission had met in Jordan with Palestinian officials and representatives of non-governmental organizations from all parts of the nation to get to know their sufferings and situation. The Mission should issue an integrated report on Israeli violations of human rights on all the Occupied Palestinian Territories and present it to the next session of the Council in September.

The High Commissioner had made great efforts for the protection of human rights in general, particularly in Occupied Palestine. The Office in Palestine needed to be reinforced in order to be able to elaborate and elucidate on all human rights violations committed by the Occupying Power in the Occupied Palestinian Territories. Ms. Pillay should present an updated integrated report on Israeli violations next September. The Occupying Power still persisted to violate human rights in a systematic and regular manner, refusing to comply with international legality, including the resolutions of the Council, and the international community should force it to respect its obligations with regards to international humanitarian law, international human rights law, and international law, including the Fourth Geneva Convention.

**Discussion on Follow-up to Special Session**

AMR ROSHDY HASSAN (Egypt), speaking on behalf of the African Group, said that the African Group expressed its concern at the status of implementation of the resolution of the Council’s ninth Special Session on: “The Grave Violations of Human Rights in the Occupied Palestinian Territory including the recent aggression in the occupied Gaza Strip”, as that was what it was called. The African Group was of the view that concrete steps were still needed to ensure the full implementation of the resolution. The Africa Group appreciated to have clarifications on the concrete and tangible steps taken by the Office of the High Commissioner for Human Rights to implement those requirements, including the reasons for the delay in the submission of the periodic report requested by the Council and issuing it in the six United Nations official languages. The resolution requested Israel to fully cooperate with the Council’s Fact-Finding Mission. The African Group asked the High Commissioner what steps had been taken to ensure Israel’s cooperation with the Mission, including clarifications for the state of silence of the Office towards the Israeli refusal to cooperate with the Mission.

OBAID SALEM SAEED AL ZAABI (United Arab Emirates), speaking on behalf of the Arab Group, said that the Arab Group expressed its appreciation for the Fact-Finding Mission looking into the human rights violations carried out by the occupying power. The second stage of the work of the Mission, which was meeting with the civil society and with Government officials, was essential in order to complete the report. It had not been possible for the Mission to conduct these meetings because it was hindered to access the territory by the occupying power. The international community should resume its responsibility to oblige Israel to follow its obligations under international law and collaborate with the Special Procedures. The Arab Group was looking forward to receiving a full report covering all human rights abuses committed by Israel during its thirteenth session.

TOMAS HUSAK (Czech Republic), speaking on behalf of the European Union, said the European Union deeply deplored the loss of life during the recent Gaza conflict, particularly the civilian casualties. The European Union hoped that the Fact-Finding Mission would be, at its report next September, in a position to assess in an independent and impartial manner all human rights and humanitarian law violations committed in the context of the conflict, and that its findings would make a meaningful contribution to the peace process in the Middle East and to provide justice for the victims. A full, impartial, comprehensive and balanced report into all violations was the only way to redress all human rights violations in the Gaza Strip. All parties should fully cooperate with the Mission and it would be in their best interests to do so. The emphasis by the High Commissioner on the immediate easing of restrictions on the entry and exit of people to and from the Occupied Palestinian Territories was supported, and the European Union echoed its calls for credible, independent and transparent accountability mechanisms which would allow the Mission to investigate the alleged human rights and international humanitarian law violations.

MARGHOOB SALEEM BUTT (Pakistan), speaking on behalf of the Organization of the Islamic Conference, said that it was regrettable that yet another mission mandated by the Council had failed to get any semblance of cooperation from Israel, the occupying power. Israel had always obstructed independent and impartial investigation of such concerns as much and as long as possible. It indeed confirmed its arrogance that continued to disregard the concerns and opinions of the international community for decades. Consistent denial to comply with the United Nations and the Human Rights Council resolutions was a challenge to the conscience of the international community, which was yet to be answered in an appropriate manner. At the same time the Organization of the Islamic Conference noted that the independent international fact-finding mission was finally able to get to Gaza from Egypt and was able to establish initial contacts with the concerned, including representatives of international organizations, specialized agencies, non-governmental organizations and relatives of the victims and witnesses, as well as to physically witness the damage caused to people and infrastructure. This would surely help them establish relevant facts and carry out their mandated tasks.

RESFEL PINO ALVAREZ (Cuba), speaking on behalf of Non-Aligned Movement, said that unfortunately this Council had had to meet several times in Special Session to address the situation in Palestine and other occupied Arab territories. The continued violation of human rights by Israel, the occupying power, against the Palestinian people, had so demanded. Since the last follow-up to the Special Session carried out by the Council last March, not much had changed. The situation remained the same. None of the recommendations of the High-level Mission to Beit Hanoun had been implemented by Israel. Along with other partners, the Non-Aligned Movement had called for the convening of the ninth Special Session. The Non-Aligned Movement strongly condemned the military aggression, including air strikes and ground invasion, carried out by Israel, the occupying power, against the Gaza Strip. In this context, the Non-Aligned Movement welcomed the appointment of the independent international Fact-finding Mission. The Non-Aligned Movement recognized the integrity and competence of the members of the mission, headed by the prominent South African Judge Richard Goldstone.

AMR ROSHDY HASSAN (Egypt) said Egypt had hoped to witness a more effective action by all United Nations organs to implement the requirements of the resolution, but this had not taken place. The resolution had requested the United Nations Secretary-General to investigate Israel’s targeting of United Nations buildings, in particular UNRWA. Although the report of the Secretary-General had been prepared, it had not been submitted to the General Assembly. The Security Council had not even discussed it, as though the issue had nothing to do with international peace and security. Although the report had not yet been distributed to the General Assembly, Egypt would refer to its contents as it contained horrendous facts. It was an internal report, and the allegation of taking a biased position against Israel was not applicable. The report referred to Israel's responsibility for killing individuals who took sanctuary in a school - no firing had been undertaken from the school. The Israeli claim that the shelling was connected to the targeting of United Nations facilities was erroneous. The Human Rights Council asked for regular reports on the violations by Israel, and the assurances given by the Office of the High Commissioner for Human Rights every three months had not yet been lived up to. Israel had refused to cooperate with the Fact-Finding Mission formed by the Human Rights Council on the attacks against the Gaza Strip. There had been no comment by the High Commissioner on Israel's behaviour.

VISHWAKARMAH MUNGUR (Mauritius) said that Mauritius remained concerned about the dire situation in the Occupied Palestinian Territory which had been further exacerbated following the Israeli military operations in the Gaza Strip a few months ago. The escalation of violence at the beginning of the year had caused a high toll of casualties and death of innocent civilians. Such acts were serious violations of human rights and international humanitarian law. Loss of life in any situation was tragic but when loss of life was avoidable, it became immoral. Despite the end of hostilities, the civilian population in the Occupied Palestinian Territory was still being denied their fundamental freedoms and basic human rights as they continued to suffer from a blockade of essential supplies, including medicine, food and fuel, restrictions on movement, settlement activities and demolition of houses, poor access to health care and education, amongst others. This situation was in turn leading to increased unemployment and poverty in a region where almost two thirds of the Palestinian population lived below the poverty line. Furthermore, economic recovery and reconstruction efforts were also hindered by heavy limitations on imports and exports of goods, including equipment and building materials. Mauritius urged all concerned parties to cooperate fully with the mission so that facts could be established in an objective manner and perpetrators of violations of human rights and international humanitarian law could be held accountable.

QIAN BO (China) said that recently the situation in the Middle East had shown signs of easing. However the human rights remained a situation of concern and the Office of the High Commissioner for Human Rights should continue its monitoring and involvement. China had always believed the concerned parties should resolutely push forward the peace process. They should actively take steps to create conditions for the development of the peace process. In China’s view, a two-country programme and the early establishment of the Palestinian State were absolutely necessary. The international community should continue to follow the issue and provide support. China would continue to maintain close contact with the concerned parties.

GUSTI AGUNG WESAKA PUJA (Indonesia) said the situation in the Occupied Palestinian Territories remained of critical importance to the international community. The situation in the Occupied Palestinian Territory and in particular in the Gaza Strip remained a cause for serious concern. The violation of international human rights law, international humanitarian law and the Geneva Conventions by Israeli forces had led to the deterioration of the living conditions of the Palestinians, especially as they continued to have limited access to food and water as well as healthcare and other basic infrastructural services. It was very disappointing that the Fact-finding Mission was not granted access by the Occupying Power. The Mission was able to witness the destruction caused to the people and infrastructure of Gaza. The Mission should proceed with the next phase of its task, which included public hearing sessions in Gaza, and meeting officials from the West Bank and East Jerusalem to be able to report on violations of human rights in all the Occupied Palestinian Territory. The Occupying Power should comply with the relevant Council resolution and cooperate fully with the Mission in pursuit of international justice and to bring peace to Palestinians who had suffered too much.

OSAMU YAMANAKA (Japan) said that Japan deeply deplored the loss of life in Gaza. Japan had abstained from voting on this resolution in January; however Japan hoped that the mission would begin its work in a timely way following the Human Rights Council’s decision to send it; Japan welcomed the field visit to Gaza by the independent fact-finding mission that was conducted earlier this month. In addition, Japan expressed appreciation for the efforts of the President of the Council toward the selection of its members. Japan hoped that the Mission would conduct its second field visit and submit a report to the twelfth session of the Human Rights Council prepared from a fair and neutral perspective that would contribute to the improvement of the human rights situation in Gaza. Japan also hoped that all parties concerned, including Israel, would cooperate with the independent Fact-finding Mission.

BEATE STIRO (Norway) said that the international community unequivocally recognized Israel’s security concerns. But Israel also had obligations under international law that must be honoured. Israel must open the border with Gaza. Each day that passed without improvement in the lives of the Gazans undermined the moderate forces on the Palestinian side, added to the failure to end the conflict and evidently brought Israel less, not more, security. The international community must not lose sight of the situation in the remainder of the Palestinian territory. Settlement activity in the West Bank continued to increase and Norway remained deeply concerned with the emerging pattern of destruction of Palestinian houses and evictions of Palestinian families. Settlements and closures had evolved into a coherent infrastructure throughout the occupied territories, strangling the Palestinian economy.

AHMED SAADI (Algeria) said with regards to the Mission, as always, the Occupying Power fully rejected to deal with international mechanisms as these would help shed light on the violations of international human rights law and international humanitarian law. The Mission went to Gaza through the Rafah crossing with Egypt, letting them get to know first-hand the devastation which had been inflicted on the area. Five months later, Gaza was still under siege, and the inhabitants subjected to violations of their human rights, including the right to food and the right to life. The Council had to put an end to putting the aggressor and the victim on an equal level, and must attribute full responsibility to the Occupying Power. The tragedy which was making the Palestinians suffer had to be ended, as should be the siege, and humanitarian assistance should be allowed into the country. The Palestinians should be allowed to retrieve their rights, and Israel should be made to comply with the resolutions of the international community, including those of the Human Rights Council.

NAJLA RIACHI ASSAKER (Lebanon) said that Lebanon welcomed the Special Session held on Gaza, and the creation of the Fact-Finding Mission led by Mr. Goldstone. International humanitarian law and international human rights law had been violated during the invasion of Gaza. Over 22 days the world saw the one of the largest armies in the world launch attacks on innocent civilians, homes, hospitals, schools and United Nations buildings. The Human Rights Council had a responsibility to act in this regard and should help to ensure the right to freedom, to life and to an independent State for the Palestinian people. The Human Rights Council should put pressure on Israel to implement the laws of the international community and only in this way would these people be able to live in peace.

BABACAR BA, of the Organization of the Islamic Conference, said that despite the obstacles posed by the occupying power, it was important to maintain all activities thwarting the fait accompli established by Israel. The Organization of the Islamic Conference believed that it was important that the persons most concerned be met by the Fact-finding Mission in order to have a more exhaustive report on their situation. This second phase of the visit was very important. A second important concern of the Organization of the Islamic Conference was to send medicine to Gaza. The Secretary-General of the Organization of the Islamic Conference was concerned about the need to shed light on the violation of human rights in Gaza which could be equated to war crimes.

PETER SPLINTER, of Amnesty International, said Israel was undermining the opportunity to establish the truth through its failure to cooperate with the independent international Fact-finding Mission, which was investigating possible war crimes and other violations of international law committed by all parties during the recent conflict. The victims of the conflict had a right to justice and reparation, and the perpetrators of grave violations of international law on both sides must be held accountable if there was to be any chance for an end to the impunity and ensuing violence that had persisted for so long. There was no excuse for Israel not to cooperate, and it was not too late for the Government to change course and do the right thing. All Member States of the United Nations should insist on Israel's cooperation with the Mission and ensure that no party was allowed to undermine the investigation.

LUKAS MACHON, of International Commission of Jurists, said that the Israeli Defence Forces’ internal investigations concluded that Israeli forces “operated in accordance with international law” during the military offensive in Gaza and conceded only a limited number of unavoidable flaws mainly due to “intelligence or operational errors”. These findings had been contradicted by the consistent reports that the International Court of Justice received about the Israeli Defence Forces’ indiscriminate attacks and disproportionate use of forces that caused the deaths and injury of hundreds of civilians and the large-scale destruction of civilian infrastructure. It was also contradicted by the testimonies of Israeli soldiers that asserted they committed serious abuses against civilians during the military operations in Gaza, including the shooting of unarmed women and children.

ABIGAIL BESS, of United Nations Watch, said that Judge Goldstone was an honourable man and had the best intentions. United Nations Watch was surprised that he had accepted the Mission. The mandate was completely one-sided and assumed guilt in advance. This was clearly not a human rights approach. That was also the reason why Japan, Canada, Switzerland and others had refused to support such a mandate. The mandate had been changed in the meantime and Judge Goldstone deserved to know whether countries supported such a changed mandate.

ABDEL WAHAB HANI, of Arab Commission for Human Rights, said he wished to pay tribute to the victims of Israel terrorists attacked in Lebanon in June 2007. The courage of the Fact-Finding Mission in the face of all the obstacles raised was noted. The lack of cooperation by Israel was regretted - this was not the first mission to be rejected, many others had had the same fate. The same victims, the same violations, the same crimes, the same refusal - and this should be denounced by the Council, with specific measures taken by the General Assembly and the Security Council to ensure that all parties to the conflict cooperated. The High Commissioner should address a message to the Prosecutor of the International Criminal Court and provide information on the situation. The results of the Fact-Finding Mission to Beit Hanoun showed not only an obligation for justice but also a pressing need for peace.