

UK NATIONAL STATEMENT: HRC SPECIAL SESSION ON OPTs

The UK supports the statement made by Sweden on behalf of the EU. The UK does not consider it necessary that a special session be held at this time, but the UK takes the issues under consideration by this session extremely seriously.

As we made clear in the Security Council open debate on the situation in the Middle East yesterday, the UN Fact Finding Mission on Gaza does have its flaws.

- Neither the report, nor the resolution before us, adequately recognises Israel's right to protect its citizens or pays sufficient attention to Hamas's actions.
- The report makes broad assertions about detailed interpretation of international law with which we differ.
- Because Israel did not cooperate with the Mission, which we regret, the report lacks an authoritative Israeli perspective on the events in question, so crucial to determining the legality of actions.

For these reasons we cannot fully endorse the report and its recommendations and cannot vote for this resolution as tabled.

However, the report raises important issues that are of serious concern and cannot be ignored.

Rocket attacks by Palestinian militants targeted at innocent civilians in Southern Israel constitute a breach of international humanitarian law. These actions as well as the ruthless killing of political opponents by Hamas are deplorable and must cease immediately.

Israel has the right to defend its citizens from attacks, but must do so in accordance with International law. The report makes serious allegations about Israeli conduct during Operation Cast Lead, both about incidents where individual soldiers are alleged to have acted unlawfully, for example allegations of the shooting of civilians, and overall Israeli tactics, such as the targeting of Police stations and Infrastructure.

We note that the IDF is conducting a number of investigations. However, concerns remain and we urge the Israeli government to carry out full, credible and impartial investigations into the concerns raised by the report.

The UK is committed to ensuring accountability for violations of international humanitarian law and international human rights law wherever they occur.

This brings us to the wider situation in Gaza which also continues to concern us. The lives of Gazans will only become harder as the winter sets in. Despite repeated representations from the international community, the Israeli government has not eased border restrictions sufficiently to allow the passage of all essential humanitarian aid or significant reconstruction material. Today I repeat our call on the Israeli Government to relax these restrictions.

I also repeat our call for Hamas to release Gilad Shalit without further delay or conditions. While we note the videotape provided by Hamas on 2 October in exchange for 20 prisoners, continuing rocket fire from Gaza and Gilad Shalit's detention for over three years - without Red Cross access - are unacceptable.

Ongoing events in Jerusalem increasingly have the potential to cause a serious deterioration in the current situation. There is absolutely no room for inflammatory gestures or actions, in Jerusalem above all, because extremists will take advantage of them. We followed with concern the recent disturbing incidents of violence around the holy places. We are also concerned at ongoing settlement activity in East Jerusalem. All must act to calm the situation and avoid provocation.