



PERMANENT MISSION OF NIGERIA

STATEMENT BY

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On behalf of the African Group

On the Situation of Human Rights in the Occupied Palestinian Territory,
Including East Jerusalem

AT THE

**12TH SPECIAL SESSION OF
THE UNITED NATIONS HUMAN RIGHTS COUNCIL,
GENEVA, SWITZERLAND**

15 - 16 October 2009

Mr. President,

I have the honour to make this statement on behalf of the African Group.

The African Group warmly welcomes the opportunity offered by the present special session of the Human Rights Council to address: "The human rights situation in the Occupied Palestinian Territory, including East Jerusalem".

Since the establishment of the Human Rights Council, half of its special sessions have been devoted to the Middle East. This is a manifestation of the acuteness and urgency required to resolve a long-standing crisis with which the international human rights community has been grappling ever since the era of Founding Members of the erstwhile Commission on Human Rights, which preceded the Human Rights Council.

At that time, the human rights situation in Palestine and other occupied Arab territories was one of two major country concerns, the other being *apartheid* in South Africa. Since then *apartheid* has been removed from the human rights agenda thanks to the courage and sense of history of the protagonists in South Africa. So no more special sessions of human rights bodies were warranted. But progress towards alleviating the sufferings of innocent victims in Palestine and other occupied Arab territories has eluded the then Commission on Human Rights and now the Council. Preserving civilians from violence and human rights violations arising from the foreign occupation of Arab lands in the region remains a pressing concern.

Why is this so? The Council is of course not an International Panel or Court. It is a *cooperative* endeavour to enhance human rights worldwide which by definition requires that protagonists should cooperate with fact-

finding missions and demonstrate readiness to respond to the Council's resolutions and decisions. The problem with the situation of human rights in Occupied Palestinian Territory, including East Jerusalem is that there is a deficit in the willingness to cooperate, which contributes to a perpetuation of human rights violations and repeated endeavours to address them.

The African Group welcomes the support provided on 12 October 2009 by the United Nations Secretary General to the position of Member States wishing to submit the Goldstone Report to appropriate scrutiny by the Human Rights Council, an opportunity now afforded by the Special Session.

Mr. President,

On the recent development in East Jerusalem, the African Group is guided by the Decision of the Executive Council of the African Union adopted at its XVth Session on 1 July 2009 which *inter alia* calls upon Israeli authorities to preserve the status of the Christian and Muslim holy sites and to desist from digging under and around the holy Al Aqsa Mosque (EX.Cl/DEC.518 (XV) Rev 2.OP.13). It accordingly calls for the guarantee of free and unhindered access to the said holy sites and to ensure the full enjoyment of religious and cultural rights of all worshippers in East Jerusalem.

The urgency of the situation is compounded by the threats to the sanctity of the holy Al Aqsa Mosque and the obstacles to the exercise of religious and cultural rights in East Jerusalem. The African Group also shares the deep concern expressed by the United Nations Secretary General, through his Coordinator for the Peace Process in the Middle East on 8 October, about the recent confrontation in Jerusalem.

Against this backdrop, the draft resolution before the Council at this Special Session, therefore, commends itself for positive consideration and adoption by consensus. Quite significantly, it covers the current human rights situation in East Jerusalem, including the recent violations of human rights by Israel occurring there and not least, the denial of enjoyment of freedom of access to religious and holy sites. It requests for the immediate cessation of those activities which are in breach of the fundamental human rights of the Palestinian citizens and other worshippers.

Mr. President,

Regarding the Report of the Independent International Fact-Finding Mission (the Goldstone Report), the African Group, guided by the Declaration on Palestine of the Executive Council of the African Union (EX.CL/Decl.I (XIV) of 30 January 2009, welcomes the said report and recommends it for appropriate action by the General Assembly.

It is the Group's view that in this Report, this Council and indeed, the broader international community, have the historic opportunity to bring positive influence to bear on the long-drawn Israeli-Palestinian conflict by addressing impunity and ensuring accountability. The Group is clear that failure to demand justice, under whatever pretence, is self-defeating and fundamentally in conflict with the higher aims and purposes of this foremost United Nations human rights body. We cannot continue under whatever guise to deny the victims of this conflict their right to peace which is guaranteed only by the exercise of justice. We hope that the Council will continue to play its role in contributing to the restoration of peace, security and stability in the Middle East, in accordance with its mandate.

I thank you.