

Statement by H.E. Dr. Palitha Kohona
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**“United Nations International Meeting of Parliamentarians in Support of
Israeli-Palestinian Peace”**

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I’m pleased to be present on this occasion to address you in my capacity as the Chair of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. I shall rely mainly on the report presented by the Special Committee to the 4th Committee for this statement.

We welcome the current agreement to cease hostilities and hope that it will lead to the much expected permanent peace, which will be a soothing balm to the region and the world in the current circumstances.

International Humanitarian and Human Rights Law, principles specifically, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and other instruments applicable to the conduct of armed conflicts, developed over the years, in particular, since the end of the Second World War, and have played a vital role in the protection of individual civilians and their communities.

The UN, which was established primarily with the aim of maintaining international peace and security, has a vital role to play in this area. Its responsibility is becoming all the more important. However, even though it has been almost 70 years since the establishment of the UN, we are still grappling with situations where glaring violations of international law and practice occur. One of the most disturbing situations is presented by the Occupied Palestinian Territories (OPT).

The Special Committee has over the years highlighted numerous instances in the Occupied Palestinian Territory where international law and the international community have simply failed.

- Perhaps the most significant violation of international law and practice relates the Israeli settlements that have been and continue to be established contrary to the rules of international law. The Security Council, the General Assembly, the Human Rights Council, et al, have all condemned the settlement activity as a gross violation of international law. In addition, the settlement policy has begun to significantly alter facts on the ground, making a final negotiated settlement all the more difficult. This policy routinely results in incidents of harassment, and violence and civilians are the main victims adding to the growing resentment and hopelessness among them. This does not bode well for a peaceful end to this tragic conflict.
- As the occupying Power, Israel is required under international humanitarian law to comply with the Hague Regulations of 1907, annexed to the Hague Convention IV respecting the Laws and Customs of War on Land, 1907, which are recognized as forming part of customary international law, and the Geneva Convention IV relative to the Protection of Civilian Persons in Time of War 1949 ("Fourth Geneva Convention"), to which Israel is a High Contracting Party. Then international instruments impose obligations on their parties.
- The Committee, in its recent report to the Fourth Committee, stated that it was appalled by the level of violence and unprecedented scale of destruction inflicted by Israel upon the people of Gaza this summer. The conflict between Israel, Hamas, and Palestinian armed groups in Gaza this summer was the third of its kind in six years. On each occasion, there have been suggestions of excessive use of military power and violations of international humanitarian and human

rights law. In this regard, the Special Committee welcomed the establishment of the independent Commission of Inquiry by the Human Rights Council. Restraint on the part of all concerned parties will contribute to a peace that we all hope for.

- Even prior to July, the population of Gaza was already suffering from critical shortages in relation to fuel, electricity, food, water and sanitation, education and health facilities and chronic unemployment as a result of the seven year blockade and access restricted areas imposed by Israel. Children are the main victims of this blockade. The seven year blockade has been described as a collective punishment which is contrary to established international legal norms.
- Since the start of the Israeli occupation in 1967, the overall number of detainees held over the years in Israeli prisons has reportedly reached 850,000, including 25,000 children. In June, the Special Committee was informed that 191 Palestinians, including 8 members of the Legislative Council were held under administrative detention, without charge or trial, for an indefinite period of time. Such detention is permitted only exceptionally under international law, but in the Occupied Palestinian Territory, it appears to have become the norm. The witnesses before the Committee have testified to ill-treatment, torture, and medical neglect of detainees, including women and children. This remains a serious issue. In this regard, The Special Committee's findings suggest that many of the recommendations made in the UNICEF report published last year remain unimplemented.
- The Committee has also highlighted the ongoing construction of the Wall in the context of the tenth anniversary of the advisory opinion of the International Court of Justice. Sadly for the international order, the views of the ICJ remain

neglected. In addition, there has been a dispossession of Palestinians from their agricultural land; settler violence has increased; increasingly frequent use of live ammunition and excessive use of force by Israeli security forces in the context of demonstrations and search and arrest operations.

- In relation to the occupied Syrian Golan, the Special Committee has drawn attention to the exploitation of natural resources including water, wind, gas and oil by both Israeli and multinational companies. The Committee has written to companies engaged in the exploitation of resources in the occupied Golan drawing their attention to the illegal nature of their operations.

The Special Committee on numerous occasions, has called on the Israeli authorities to comply with their obligations under international law. Israel is bound to respect, protect, promote and fulfil the full range of the social, economic, cultural, civil and political human rights of all persons falling under its jurisdiction, pursuant to the several international treaties that it is party to and under customary international law.

In addition, we have urged the General Assembly to adopt measures to address Israel's record of non-cooperation with the United Nations, particularly regarding the implementation of Security Council resolutions, General Assembly resolutions and mechanisms established by the Assembly and its subsidiary bodies.

The Special Committee recalled the many United Nations resolutions and reports that have made clear that the policy of Israel transferring its population to the territories it has occupied since 1967 is illegal, and urged the international community to transparently investigate the business activities of companies registered in their own respective countries that illegally profit from and exploit Israel's settlements in the West Bank and the occupied Syrian Golan.

The Special Committee has also called on civil society to exert pressure on corporations to cease their business activities in the OPT and occupied Syrian Golan and to adopt clear guidelines for corporate responsibility.

It is vital for assemblies such as this, where lawmakers of many nations have gathered, to continue to underline the importance of complying with international law norms a necessary precondition to the peaceful end to the conflict. It is through your efforts and discussions that the necessary political will, will be consolidated. In my capacity as the Chair of the Special Committee, I hope that today's meeting will result in a productive discussion on how to move our efforts forward.
