



MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS

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**STATEMENT BY
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CHAIRMAN OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI
PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE
AND OTHER ARABS OF THE OCCUPIED TERRITORIES
AND
PERMANENT REPRESENTATIVE OF MALAYSIA
TO THE UNITED NATIONS**

**GENERAL ASSEMBLY FOURTH COMMITTEE
(69th SESSION)**

**AGENDA ITEM 53: REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE
ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN
PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES**

NEW YORK, 6 NOVEMBER, 2014

Mr. Chairman,

- The Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories* presents its 46th report.
- Pursuant to General Assembly resolution 68/80, this report examines the human rights situation in the Occupied Palestinian Territory and the occupied Syrian Golan, based on information provided to the Committee during its mission to the region, from 1 to 5 June, and on consultations with Member States on 26 and 27 March.
- I regret to inform the Assembly that the Government of Israel continues its practice of non-cooperation with the Committee, and failed to respond to requests for meetings and to allow access to the Occupied Palestinian Territory.
- Notwithstanding, as in past years, the Committee sought information from a wide range of sources, including United Nations officials, representatives of non-governmental organizations as well as victims and

witnesses of Israeli violations from within and outside Israel and the occupied territories.

Mr. Chairman,

5. The Committee was appalled by the level of violence and unprecedented scale of destruction unleashed by Israel upon the people of Gaza this summer. Even prior to July, the population of Gaza was already suffering from critical shortages in relation to fuel, electricity, food, water and sanitation and chronic unemployment as a result of the seven year blockade and access restricted areas imposed by Israel.

6. At the time of writing the report before you today, the active hostilities were still ongoing. Today, three months after the ceasefire, it is all too clear that civilians, including children, have paid the heaviest price. The latest figures available from the United Nations indicate that 1,523 Palestinian civilians, including 519 children were killed during the hostilities in July and August.

7. This figure is shocking – not only because it exceeds the casualty figures of Israel’s previous military operations in 2008-9 and in 2012 – but also because civilian deaths represents 69 per cent of the total number of Palestinian fatalities during the hostilities. This is an unacceptably high ratio of civilian casualties that cannot be dismissed as “collateral damage”. A further 11,100 people were injured, many of whom will live with debilitating injuries and disabilities for the rest of their lives. Moreover, one third of the 1.8 million population of Gaza was affected by damage to homes, and an estimated 20,000 housing units were completely destroyed or rendered uninhabitable.

8. The conflict between Israel, Hamas, and Palestinian armed groups in Gaza this summer was the third of its kind in only six years. On each occasion, there have been indications of serious violations of international humanitarian and human rights law, but Israel’s track record on accountability has been dismal. In this regard, the Special Committee welcomes the establishment of the independent Commission of Inquiry established by the Human Rights Council, and urges Israel to cooperate with it.

9. The Committee also calls on the international community to honour its generous pledges made in Cairo last month for reconstruction to begin in earnest. Israel must implement in good faith, the Gaza Reconstruction Mechanism brokered by the United Nations. At the same time, the international community must continue to apply pressure on Israel to ensure the lifting of the blockade, which continues to impose a form of collective punishment on the population in Gaza.

Mr. Chairman,

10. The situation of Palestinian detainees, including women and children, remains a serious concern of this Committee. Since the start of the Israeli occupation in 1967, the overall number of detainees held in Israeli prisons has reportedly reached 850,000, including 25,000 children – a staggering number by any measure. As of June this year, there were 5,243 Palestinian detainees held in Israeli custody.

11. 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. Administrative detention is only exceptionally permitted under international law, but in the Occupied Palestinian Territory, it appears to have become the norm. The number of administrative detainees doubled during the period from mid-June to end of August, as 250 new administrative orders were issued in the West Bank.

12. The Committee's findings reveal that ill-treatment, torture, and medical neglect of detainees, including women and children, remain a serious issue. Some examples included: solitary confinement, verbal assaults to religion, sleep deprivation, random inspections at any time of day or night, and being forced to stand naked. Israeli Prison Service doctors were also reported to be grossly negligent in only prescribing painkillers to deal with any number of serious illnesses from kidney failure, heart disease, or cancer.

13. Of the 500 to 700 children arrested and detained by Israeli security forces every year, an estimated 76 per cent of children reportedly endured some form of abuse and physical violence during arrest, transfer or interrogation. The Special Committee's findings suggest that many of the recommendations made in the UNICEF report published last year remain unimplemented.

14. The Committee also reported on the ongoing construction of the Wall in the context of the tenth anniversary of the advisory opinion of the International Court of Justice; infringement of Palestinian rights in East Jerusalem; the dispossession of Palestinians from their agricultural land; settler violence; the 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; and the lack of serious effort by Israeli authorities to ensure accountability.

15. The Committee's findings also noted routine demolition of homes and the forcible transfer of Palestinian Bedouin and herder communities currently residing in the Jerusalem periphery. For the first time this year,

the Committee heard disturbing reports of Israeli interference in the provision of international humanitarian assistance especially targeted at the Bedouin communities. This interference includes the issuance of stop-work orders, confiscation or demolition of emergency tents, mobile latrines, water cisterns, solar panels and residential structures. In the past year, over 200 residential and livelihood structures and 66 water and sanitation facilities were reportedly affected. This should be of serious concern to international donors such as the European Union and the United States.

16. As in past years, the Committee also reported on the role of companies who do business and profit from the maintenance or construction of settlements, or exploit natural resources – whether in the occupied West Bank or the occupied Syrian Golan. There has been increasing international attention in recent years, as a result of the growing awareness among companies of the potential financial, legal and reputational risks of doing business in occupied territories.

17. The Committee reported specifically on four companies with links to the occupied territories: the Israeli cosmetics company, Ahava; and three multinational companies, HeidelbergCement, G4S and Genie Energy. The Committee sought to contact the companies prior to the presentation of this report to offer an opportunity to provide clarifications in relation to the information received through briefings and submission received by the Committee.

18. In a response letter dated 14 October, the CEO of Ahava noted that: “Since 2011, under a license from the Dead Sea Works Company, Ahava mines the mud used in its products, solely in the location of Massada, which is within the internationally-recognized borders of Israel”. The Committee has not yet had the opportunity to verify these claims. In a response dated 5 November, G4S maintained that its services, such as those relating to security systems within Israeli prisons and equipment used at Israeli checkpoints in the West Bank, did not contribute to human rights violations. Nonetheless, G4S expressed its recognition of the heightened due diligence required in conflict affected areas and stressed that the mentioned G4S service contracts would not be extended upon their expiration over the next few years. The Committee reiterates the high risk of negative human rights impacts of corporate involvement in settlements, as well as other aspects related to the occupation, and urges companies to act with heightened due diligence without delay. The Committee also calls on Member States to review national policies, legislation, regulations, and enforcement measures in relation to business activity to ensure that they effectively serve to prevent and address the heightened risk of human rights abuses in conflict-affected areas.

19. In relation to the occupied Syrian Golan, the report draws attention to the exploitation of natural resources including water, wind, gas and oil by both Israeli and multinational companies. It also draws attention to a project approved by the Government of Israel, which proposes to develop 30,000 dunams of land to establish 750 farming estates.

Distinguished Delegates,

20. The Committee's investigations over the past year have indicated that the situation of human rights in the occupied territories has continued to deteriorate. The collapse of the nine-month long negotiations brokered by the United States in April this year, together with subsequent announcements of new settlement tenders and construction, has once again diminished hopes of peace, and further undermined the two-state solution. The tensions in the West Bank, including East Jerusalem, and the renewed provocations around the Holy Site in Jerusalem, if not addressed, could ignite another round of deadly violence and a tragic loss of lives. Sustainable peace and security for both Israelis and Palestinians alike can only be achieved by addressing the root causes of the conflict.

I thank you Mr. Chairman.