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**Statement by Dr. Makarim Wibisono
SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN
RIGHTS IN THE PALESTINIAN TERRITORIES
OCCUPIED SINCE 1967**

70th session of the General Assembly
Third Committee
Item # 72 (c)

29 October 2015
New York



Mr. Chairperson,
Excellencies,
Ladies and Gentlemen,

The human rights and humanitarian situation across the Occupied Palestinian Territory is worsening. This month's surge in violence comes against the backdrop of prevailing Israeli practices and policies in the West Bank, including East Jerusalem, and in Gaza. The violence has already claimed many Palestinian and Israeli victims and I join the several voices calling for calm and restraint, and for all efforts to be made to stop the situation escalating further and decrease tensions over the holy sites in Jerusalem. Many efforts have been made to this end, including by the Secretary-General during his recent visit to the Occupied Palestinian Territory and Israel.

The human cost of the continuation of this conflict and occupation is, yet again, made all too clear. As the Palestinian death toll rises nearly daily, there are serious concerns of excessive use of force by Israeli security forces, including against children, in the context of clashes, and when apprehending suspected assailants. While violent individual crimes against Israeli citizens are inexcusable, let me be clear that measures adopted by Israel must be in line with international human rights law and international humanitarian law.

I am very concerned about collective punishment of Palestinians, including punitive home demolitions, and the impacts on ordinary Palestinians of the extensive movement restrictions which have recently been imposed in East Jerusalem.

It is of the utmost importance, that when Palestinians and Israelis succeed in restoring relative calm, we do not forget that

the underlying issues of this protracted conflict urgently need to be resolved. Otherwise, we all know too well, that tensions will flare again and it will be but a temporary reprieve.

Without a peaceful resolution of the Israeli-Palestinian conflict, without respect for international human rights law and international humanitarian law, and without accountability for violations committed against the protected Palestinian population living under Israeli occupation, we will not have seen the end of violence and more Palestinian and Israeli lives will tragically be lost.

Let us also not forget that the hostilities in Gaza just last year that wreaked immense devastation and left thousands dead and injured followed increased tensions in the West Bank, including East Jerusalem.

Excellencies,

Having been denied access to the Occupied Palestinian Territory, through Israel's lack of formal response to my requests, I conducted my second mission to the region June of this year. I met, in Amman, with civil society organizations, United Nations representatives, Palestinian officials and Palestinians living under the Israeli occupation.

The report that I present before you today relays information from these meetings and written documentation, and conveys my impression that, as mentioned earlier, the situation across the Occupied Palestinian Territory is worsening.

Sadly, this report yet again confirms the continuation of existing Israeli practices and policies which have for years been linked to violations of Palestinian human rights and international humanitarian law.

It reflects the continuing effects of settlement expansion in the West Bank, including East Jerusalem, contrary to international law. These impacts include forced eviction and forcible transfer, including of Bedouins, in connection with land confiscations and the continued illegal construction of the Wall in the West Bank, including East Jerusalem.

Further deprivations of human rights of Palestinians result from inadequate water supply due to discriminatory allocation; pollution from settlements due to untreated sewage, obstacles to access to health, restrictions on freedom of movement; and settler violence.

Violations of human rights also results from excessive use of force by Israeli security forces; and concerns related to arrests and detention of Palestinians, including administrative detention, under the Israeli Military justice system. I continue to be very concerned by the detention and treatment of Palestinian children.

When speaking to Palestinians living in these circumstances, I was struck by how every aspect of life may be impacted. All of these impacts which are brought to bear on Palestinians, create a cumulative and coercive pressure to leave, most significantly affecting those living in areas where settlements have been built, contrary to international law.

The report also addresses the situation in Gaza, scarred by last year's Israeli military operation and left unable to recover due to the crippling effects of the 8-year-long blockade. My report addresses the critical need for accountability for violations suffered by people in Gaza.

Despite some domestic level steps of investigation taken by Israel, meaningful accountability still appears a distant hope, even in the face of many reports, including by the 2014

Commission of Inquiry, which found credible allegations of war crimes committed by both sides.

I remain extremely concerned about the precarious circumstances in Gaza: The devastated state of infrastructure, including essential utilities, such as water and electricity, as well as housing, soaring unemployment, and restricted access to health.

As people try to recover from their physical wounds and psychological traumas, they do so in a humanitarian situation which remains dire, and in which a host of their human rights, including economic and social rights, are denied to them.

Amidst reconstruction efforts, which have been slow to reach people in Gaza, it is clear that the Israeli blockade, which collectively punishes Palestinians contrary to international law, must be lifted to enable serious reconstruction and recovery.

Excellencies, if I may, allow me a word on my mandate. I took up the mandate with a firm expectation, based on assurances received on my appointment in June 2014, that I would be able to visit the Occupied Palestinian Territory.

In accordance with my mandate, I have only one objective, and that is to report independently on the situation of human rights there and to contribute to positive improvement in a conflict that often seems to be only deepening.

In this context, I find it necessary to underscore the duty of every Member State to cooperate with a United Nations appointed mandate. More than a year after my appointment, I regret to report that while the State of Palestine has fully cooperated, Israel has not formally responded to my multiple requests for access, and has, in effect, denied my access.

I have, from day one, sought to establish relations with both Israel and Palestine, especially through their respective representatives in Geneva. While Israel has engaged in dialogue, despite its reservations regarding the focus of my mandate, it is unacceptable that an appointed Independent Expert should be obstructed through lack of access when seeking to fulfill a United Nations mandate.

As noted in my report, the continued lack of access to the Occupied Palestinian Territory has forced me to reconsider how best to serve the mandate. I am not prepared to accept the lack of access indefinitely, and I have this month renewed my repeated requests for access and specified that I wish to visit by the end of 2015. I continue to await Israel's response.

Ladies and gentlemen, I would like to try to convey one final point. Allow me to underscore the general consensus as attested by countless United Nations resolutions that the situation in the Occupied Palestinian Territory is untenable and involves a persistent disregard for international law and human rights.

The continuing violations of international law under Israeli occupation of the Occupied Palestinian Territory, documented by my report before you as well as in many others, must be addressed as a matter of urgent priority. To find a way out of this occupation and the repeating cycle of violations and escalations of violence, it is necessary to insist on compliance with international humanitarian law and international human rights law. Peace starts with respect for the human rights to which all peoples and all persons are equally entitled.

Thank you.

