



STATEMENT OF TURKEY
15TH SESSION
ITEM 1

Ms. Commissioner

Members of the Fact Finding Mission,

Ladies and gentleman,

Delayed justice is no justice.

We thank to the Fact Finding Mission for the timely submission of their report. They did an excellent job which is worthy of women and men of integrity. They have produced an objective and balanced report on the basis of which the Human Rights Council will be able to continue to seek justice without further delay.

With its resolution 14 / 1, the Human Rights Council reacted promptly to the Israeli military assault on the flotilla of ships carrying humanitarian assistance to Gaza. Thus the Council made proof of its capacity to respond to urgent situations. The mission, by carrying out their task within the time limit foreseen in the resolution, has further increased the credibility of the Council in translating words into deeds. Victims of human rights violations have now more confidence in the Council as the UN body where they can address their call for justice. This is a credit to the Human Rights Council.

On the other hand, this is yet another disgrace for Israel, unfortunately.

The report puts the record straight. The military attack on the humanitarian flotilla is tantamount to a series of grave violations of international law, international humanitarian law and international human rights law. A cruel military operation was organized against innocent civilians outside Israeli jurisdiction. Nine persons were killed. A tenth one is still at a very critical stage. Several others were wounded, beaten, mistreated, harassed, and humiliated. All fundamental UN instruments for human rights were breached. The report shows how far the Israeli soldiers can go in disrespect of human life and dignity. While reading the report, I could not help asking myself whether the Israeli soldiers have a heart in their chest, or a stone?

In such a case the government concerned would be expected to apologize and take necessary diplomatic and legal action to redress the situation. Alas! Israelis have chosen to enhance their reputation for non – compliance with international law and norms. They feel free to use disproportionate force whenever and wherever they wish and consider themselves above the law. The protracted investigation they are carrying on in Israel is perceived by many as a farce. Israeli authorities use subtle tactics to ensure impunity for its security and military personnel. Israeli government spares no effort to justify the crimes and other unlawful acts of its military.

Israeli decision of non – cooperation with the Council is equally inadmissible. Imagine! If every state which had an issue at the Council emulated (!) Israel, how would and could operate the Council. Israel is openly trying to undermine the Human Rights Council.

Mr. President,

In the face of such a blatant case of violation of human rights the Council is expected to show perseverance by acting on the report produced according to its own resolution. The report outlines in its conclusions what Israeli authorities should do to satisfy the right to remedy of all victims. If the perpetrators of the crimes which are identified in the report, remain unpunished, this would be yet another blow to the cause of human rights and to the victims. The report invites Israel to take swift action. By adopting a follow up resolution the Council should monitor the course of action to be taken by Israel. This is the

expectation of the victims and their families. To this effect we trust that all members of the Council will support the draft resolution on the flotilla issue which has been tabled by the OIC.

We are aware that Israel would, instead of the follow up resolution, prefer a cover up maneuver in order to push the issue gradually into oblivion. In this regard we note with concern that the process initiated by the UN Secretary General between Turkey and Israel is being misrepresented despite the clear distinction which is made in the report of the Fact Finding Mission. The New York process is a political one with a different context and background. In Geneva, the Council is dealing with human rights aspect of the issue by following the legal approach which underlines the report of the Fact Finding Mission. The existence of a different process in New York should not be misused to undermine the authority and the mandate of the Human Rights Council. The flotilla issue is not a bilateral issue between Turkey and Israel. It is an issue of human rights between the international community and Israel. The Human Rights Council is accountable to the victims.

As stated in the report "the attack on the flotilla must be viewed in the context of the ongoing problems between the Israeli Government and the Palestinian Authority and People." Against this background correctly depicted by in the report, we are confident that the Human Rights Council will once more stand on the side of the victims who defend the right and noble cause of Palestine and pursue the case until justice is done.

Thank you Mr. President.