

*Permanent Mission
of the State of Kuwait
to the United Nations
New York*



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STATEMENT

BY

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PERMANENT MISSION OF THE STATE OF KUWAIT
TO THE UNITED NATIONS**

**BEFORE THE
GENERAL ASSEMBLY**

AGENDA ITEM (64) REPORT OF THE HUMAN RIGHTS COUNCIL

**SIXTY-FOURTH SESSION OF THE UNITED NATIONS
GENERAL ASSEMBLY**

WEDNESDAY, 04 NOVEMBER 2009

**UNITED NATIONS HEADQUARTERS
NEW YORK**

Mr. President,

The General Assembly is discussing a very important item today, relating to the report referred to it by the Human Rights Council in its 12th Session, entitled *"The Situation of Human Rights in Palestine and Other Occupied Arab Territories – Report of the United Nations Fact Finding Commission into the Gaza Conflict."*

After viewing this important report, the State of Kuwait wishes to extend its utmost appreciation and abundant gratitude to Judge Richard Goldstone and his working group on presenting a professional and factual report, which clearly shows the brutal Israeli practices against the inhabitants of Gaza, who endured a frightful nightmare for a period of three weeks, which extended from the 27th of December 2008, until the 18th of January 2009, which took the lives of 1,400 martyrs and left over 5,000 injured. This represented a serious violation by a professional army against unarmed civilians, whose right to life was usurped by the Israeli Armed Forces who have violated every custom code and law.

Israel have pursued a policy of obscuring the facts from the media and concealing the evidence. However, Judge Goldstone and his team who are characterized by their bravery, exposed Israel and the war crimes it has perpetrated, which are tantamount to crimes against humanity. For this, Judge Goldstone endured libel in the media as well as doubts raised about the impartiality of the report he had prepared. If this indicates something, it indicates how much damage to Israel this report does which is considered a special historical document in the history of the Middle East conflict, where Israel is directly condemned and held responsible for violating International Humanitarian Law.

Mr. President,

Israel have tried in various to ways to impede the work of the United Nations Fact Finding Mission. It prevented its members from entering the Palestinian territories, and banned them from contacting witnesses or have access to the locations and buildings it had destroyed to inspect them on the ground. If it was not for the cooperation of the Egyptian side in opening the Rafah crossing point as well as the cooperation of the Palestinian authority, this mission would have never been able to carry out its duty in discovering the painful truth, which affected every peace loving person in the world, and rallied behind it an unprecedented public opinion support even inside Israel proper.

The unjust blockade that Israel imposes on the Gaza Strip, in addition to the policy of collective punishment it pursues under the pretext that it wants to put an end to the launching of rockets on its territories, does not justify nor grant

Israel the right to use excessive power in response. The brutal Israeli military response, which damaged the entire infrastructure in the Gaza Strip and destroyed government buildings, mosques, hospitals and houses, is a clear demonstration of Israel's arrogance and tyranny, to conduct all kinds of exemplary punishment and torture. It has used internationally banned weapons such as white phosphorous, rockets, cluster and fission bombs, such fatal weapons seek to maim and disable the injured who do escape death. Which international law accepts such aggressive practices or overlook them without addressing them firmly and decisively?

Mr. President,

Israel did not respect the inviolability of the United Nations buildings, it bombed, the office complex of UNRWA with highly explosive and white phosphorous bombs, this in itself is another flagrant violation of international conventions and the United Nations Treaty, to be added to Israel's record of crimes which is replete in violations of human rights and international human rights.

Israel also used civilians as human shields after blindfolding them, and tying their arms, it introduced them in houses suspected of harboring militants, this contradicts all humanitarian laws and is considered a war crime. Israel also transferred hundreds of Palestinians to be detained unjustly in Israeli jails, without trials and without committing any offense. These are obvious examples of Israel's persistence in committing brutal and aggressive acts. The report also states that Israel has used depleted and non-depleted uranium munitions; this is an issue that needs further study and examinations; although the outcome of Israel's systematic actions in its violations of international laws and all United Nations resolutions including resolution 1860, calling for a cease fire during the Israeli aggression on Gaza; was known in advance.

Mr. President,

In his report, Judge Goldstone confirms from Palestinian eyewitnesses and citizens accounts, that this shall be the last report the United Nations shall prepare, any further report issued that is not followed by a strong international preventive measure, shall only make Israel bolder, more arrogant, and more convinced that it is immune and cannot be touched, this fosters the culture of impunity and mars the credibility of the United Nations and of the international community. Are the member states ready to lose the United Nations credibility and its maintenance of international peace and security because of Israel's intransigence and tyranny?

In this context, my country's delegation emphasizes its support for all the recommendations contained in the report and referred to the General Assembly, the Secretary-General, the Security Council, the Human Rights Council, the

International Criminal Court, the international community. My country's delegation also demands of the High Contracting Parties of the Geneva Conventions to take all the necessary measures to convene an urgent meeting examining the violations to human rights under the conventions. We also stress the importance of pressuring Israel to implement the recommendations of the report and establish credible national courts and commissions to prosecute the perpetrators of war crimes.

Mr. President,

The feverish Israeli settlement activity in Jerusalem and its desire in erasing the Arab identity of the city of Jerusalem, as well as its continued aggression on Islamic holy sites, its banning of the faithful to pray in the Alaqsa Mosque, as well as its protection of extremist Jews who practice their religious rites in Islamic houses of worship, is a flagrant challenge to the sentiments of 1.5 billion Moslems. These abnormal Israeli actions, which the international community condemns, inflame, sensibilities that lead to violence and extremism and opens the door wide for reactions at all levels.

Departing from this, we warn, at the same time as we appeal to the international community, the United Nations and its main bodies, the General Assembly and the Security Council, and in particular, to the influential countries who shoulder directly the responsibility of maintaining international peace and security, as well as to all peace loving nations, civil society institutions of all varieties, as well as religious institutions of all denominations in every corner of the world; to stand firm and strong towards preventing the flagrant encroachments on the Alaqsa Mosque and its surroundings, which have reached a dangerous level and can undoubtedly lead to the disappearance of its features; thus gravely jeopardizing international peace and security which will affect everyone without exception and would threaten world peace and stability.

Mr. President,

The State of Kuwait, as all other peace loving nations, commits itself before in fulfillment of its responsibilities and obligations, to work tirelessly, so that the Goldstone report will remain alive in the conscience of the international community, until the *principle of impunity is applied*, in accordance with the purposes of the Charter, which call for the respect of human rights and recognize the human dignity which Israel have violated in an incredible, unacceptable and unprecedented manner in our world today, by waging its unjust war against the civilian population in the Palestinian Gaza Strip.

We call upon the member states to work together to implement the recommendations contained in the report of the United Nations Fact Finding Mission into the Gaza Conflict, as well as support the draft Arab resolution before us, which is considered a step in the right direction to counter injustice and aggression.

Thank you, Mr. President.