



General Assembly

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Human Rights Council

Nineteenth session

Agenda item 7

Human rights situation in Palestine and other occupied Arab territories

Resolution adopted by the Human Rights Council*

19/18

Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict

The Human Rights Council,

Recalling its relevant resolutions, including resolution S-9/1, adopted on 12 January 2009, and resolution S-12/1, adopted on 16 October 2010, in follow-up to the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the report of the United Nations Fact-Finding Mission on the Gaza Conflict,¹

Recalling also relevant General Assembly resolutions, including resolutions 64/10, adopted on 5 November 2009, and 64/254, adopted on 26 February 2010, in follow-up to the report of the Fact-Finding Mission on the Gaza Conflict,

Recalling further the relevant rules and principles of international law, including international humanitarian law and international human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Recalling the Universal Declaration of Human Rights and the other international human rights instruments, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child,

Reaffirming the obligation of all parties to respect international humanitarian law and international human rights law,

Reiterating the importance of the safety and well-being of all civilians, and reaffirming the obligation to ensure the protection of civilians in armed conflict,

* The resolutions and decisions adopted by the Human Rights Council will be contained in the report of the Council on its nineteenth session (A/HRC/19/2), chap. I.

¹ A/HRC/12/48.

Stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to prevent impunity, ensure justice, deter further violations and promote peace,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive, just and lasting peace and stability in the Middle East,

1. *Reiterates its call* upon all concerned parties, including United Nations bodies, to ensure their full and immediate implementation of the recommendations contained in the report of the United Nations Fact-Finding Mission on the Gaza Conflict, in accordance with their respective mandates;

2. *Welcomes* the efforts made by the Government of Switzerland, in its capacity as depositary of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to reconvene, as soon as possible, a conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure its respect in accordance with common article 1, bearing in mind the statement adopted on 15 July 1999, as well as the reconvening of the conference and the declaration adopted on 5 December 2001, and recommends that the Government of Switzerland continue to pursue its efforts with the aim of resuming the above-mentioned conference as soon as possible;

3. *Recommends* that the General Assembly consider launching an urgent discussion on the legality of the use of certain munitions, with the assistance of the relevant international organizations and specialized agencies and interested parties and stakeholders, as recommended by the Fact-Finding Mission in its report;

4. *Also recommends* that the General Assembly remain apprised of the matter until it is satisfied that appropriate action with regard to implementing the recommendations made by the Fact-Finding Mission in its report has been taken at the domestic or international level to ensure justice for victims and accountability for perpetrators, and also remain ready to consider whether additional action within its powers is required in the interests of justice;

5. *Requests* the Secretary-General to present to the Human Rights Council, at its twenty-first session, a comprehensive report on the progress made in the implementation of the recommendations of the Fact-Finding Mission, particularly by providing detailed information on non-implementation and the measures required to ensure the most adequate and effective implementation of the recommendations by all parties concerned, including United Nations bodies, in accordance with section B, paragraph 3, of Council resolution S-12/1;

6. *Requests* the United Nations High Commissioner for Human Rights to submit to the Human Rights Council, at its twentieth session, a progress report on the implementation of the present resolution;

7. *Decides* to follow up on the implementation of the present resolution at its twentieth session.

*53rd meeting
22 March 2012*

[Adopted by a recorded vote of 29 to 1, with 17 abstentions. The voting was as follows:

In favour:

Angola, Bangladesh, Benin, Botswana, Chile, China, Congo, Cuba, Djibouti, Ecuador, India, Indonesia, Jordan, Kuwait, Kyrgyzstan, Libya, Malaysia, Maldives, Mauritania, Mauritius, Nigeria, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Thailand, Uganda

Against:

United States of America

Abstaining:

Austria, Belgium, Burkina Faso, Cameroon, Costa Rica, Czech Republic, Guatemala, Hungary, Italy, Mexico, Norway, Poland, Republic of Moldova, Romania, Spain, Switzerland, Uruguay]
