



Mission permanente d'Israël  
auprès de l'Office des Nations Unies  
et des Organisations Internationales à Genève

משלחת ישראל  
ליד משרד האומות המאוחדות  
והארגונים הבינלאומיים בג'נבה

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Statement by H.E. Aharon Leshno Yaar

Permanent Representative of Israel

To the United Nations, Geneva

Item 7

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Mr. President,

Israel is a unique state: a democracy that understands very well its obligations to both domestic and international law. At the same time, Israel faces threats and challenges that are faced by no other state. From north and south, Israel has been attacked by states and by terrorist entities with no respect for their own citizens, while showing both a desire and ability to intentionally target Israel's civilians.

From the very start, Israel has argued that it has the capability and the willingness to carry out investigations into allegations into violations of the laws of armed conflict and to share its findings with its public in Israel and with the international community. In the 20 months since the conclusion of Israel's Gaza Operation, Israel's military has acted strongly in accordance with international practice, investigating over 150 separate incidents and allegations. These investigations have led, in some cases, to criminal investigations, indictments and convictions. In other cases, Israel's Military Advocate General reached the conclusion that Israeli soldiers acted within the law. In many instances, lessons learned by these investigations have led to important changes in the military doctrine of the IDF.

Israel has argued that the process in this hall, a process that began in the midst of Israel's response to years of attacks by Hamas terrorists, has continually been one-sided and obsessively biased. It did not matter that steps were taken by Israel to protect its citizens while limiting damage whenever possible to Palestinian civilians. It did not matter that Israel carries out investigations at high international standards. This body has looked to act to delegitimize Israel, its leadership and its rights to act in self-defense.

In fact, while Israel is still being called upon to account for events that took place nearly two years ago, attacks from the Palestinian side on Israeli civilians continue, Kassam rockets from Gaza into Israel, this past weekend and a shooting of a pregnant woman, just last night. And this Council expects Israel to refrain from protecting its people. And let us face the truth: despite the fact that Hamas has committed grave violations for years, continues to act with impunity today and, we all know will do so again in the future, there is no groundswell in this hall for action or investigation. Any investigation of the Palestinian side would only come as a minor, even absurd, byproduct of actions against Israel.

It is instructive that despite all of these tendencies, the report that was presented today recognized Israel's ability and willingness to carry out credible and independent investigations. It also accepted Israel's argument that its military is capable of investigating itself in a manner that is consistent both with international practice and international law.

Israel chose to share its processes and findings with its public and the international community. It has published three updates, detailing information

about its policy, its legal basis and detailed findings about dozens of specific investigations.

Mr. President,

Israel understood that while we believe strongly in the investigation system and its capabilities, there were questions, both domestically and internationally. Therefore, the Turkel Commission, an independent commission led by a former Supreme Court Justice and joined by Israeli experts and two world renowned international observers, was tasked, among other things to:

"Examine the question of whether the mechanism for examining and investigating complaints and claims raised in relation to violations of the laws of armed conflict, as conducted in Israel generally, and as implemented with regard to the present incident, conform with the obligations of the State of Israel under the rules of international law."

It is expected that the findings of the Commission, which are due in the coming months, will address this issue to allow Israel's legal system to continue to improve and serve not only the citizens of Israel but any individual who seeks the rule of law.

Mr. President,

Given these processes and Israel's significant efforts, it is time to bring the activities from this hall to a conclusion. Israel calls on members of this Council who act in good faith, who truly seek out human rights and believe that this body should be used appropriately, seeking out true human rights failures, those members should reject any further action on this matter by the Council. It is time, after so many months, so many committees, so many reports; to return our efforts where they belong.

Please allow me to conclude by quoting Tony Blair, the Quartet's Representative to the Middle East, from a speech he made just last month. Prime Minister Blair told his audience:

Let me tell you why I am a passionate believer in Israel. This is a democracy. Its Parliament is vibrant. Its politics is, well, not notably restrained, let's say. Its press is free. Its people have rights and they are enforced. I had an argument with a friend about Israel. I said to him: "OK, let's assume you are charged with a crime you didn't commit and the penalty is 20 years in prison. And you're a critic of the Government. Tell me: under which country's legal system, in this region, would you prefer to be tried?" He struggled for a bit and then said: "that's not the point." "But it is", I replied.

Thank you, Mr. President.