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L. 34
Item 7
27/9/2010 15.50

Draft Resolution

- Syria on behalf of the Arab Group
- Pakistan (oic)
- ~~Blasphemy~~ Palestine

Follow up to the report of the Committee of Independent Experts in International Humanitarian and human Rights Law pursuant to HRC resolution 13/9

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling its relevant resolutions, including resolution S-9/1 adopted on 12 January 2009, and resolution S-12/1 adopted on 16 October 2010, and resolution 13/9 adopted on 25 March 2010, in follow-up to the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict,

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

Recalling further relevant rules and principles of international law, including International Humanitarian and Human Rights law, in particular the Geneva Convention relative to the protection of civilians persons in time of war, of 12 August 1948, applicable to the Occupied Palestinian Territory including East Jerusalem, 1949

Recalling the Universal Declaration of Human Rights and 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 of the Right 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 referring the obligation to ensure the protection of civilians in armed conflicts,

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,

1. *Takes note* of the report of the United Nations Secretary General (A/HRC/15/51), and requests the UN Secretary General to follow-up on the implementation of the recommendations contained in the report of the Independent International Fact-Finding Mission on the Gaza conflict, in accordance with paragraph 3 of section B of HRC resolution S-12/1 ;
2. *Takes note* of the report of the United Nations High Commissioner for Human Rights (A/HRC/15/52) and requests the UN High Commissioner to follow-up on the implementation of the recommendations contained in the report of the United Nations Independent International Fact-Finding Mission on the Gaza conflict, in accordance with paragraph 3 of section B of HRC resolution S-12/1 ;
3. Welcomes the report of the Committee of Independent Experts in International Humanitarian and Human Rights Laws (A/HRC/15/50) to monitor and assess any domestic, legal or other proceedings undertaken by both the government of Israel and the Palestinian side , in light of General assembly resolution 64/254, including the independence, effectiveness, genuineness of these investigations and their conformity with international standards;
4. Warmly welcomes the cooperation by the Palestinian National Authority with the UN Committee of independent experts , and the report submitted to the United Nations Secretary General on the investigations carried out by the Palestinian Independent Commission of Investigations according to Goldstone's report ;
5. Urges the Palestinian Independent Commission of Investigations according to goldstone's report, to complete its investigations in order to cover the allegations contained in the report of the Independent International Fact-Finding Mission in occupied Gaza Strip ;
6. Condemns the non-cooperation by Israel, the occupying power, which hampered the UN committee's assessment of Israel's response to the call by the General Assembly and the Human rights council to conduct investigations that are independent, credible and in conformity with international standards ;
7. Urges Israel, the occupying power, in compliance with its duties to complete investigations in conformity with international standards of independence, thoroughness, effectiveness and promptness into the

serious violations of IHL and IHRL reported by the United Nations Fact Finding Mission on the Gaza Conflict ;

8. Decides to renew ^{and resume} the mandate of the UN Committee of Independent Experts in international humanitarian and human rights law established pursuant to HRC resolution 13/9, and requests this committee to present its ~~final~~ report to the Council at its sixteenth session of March 2011, and requests also the UN High Commissioner for Human Rights to continue providing its members with all administrative, technical and logistic assistance required to enable them to fulfill their mandate promptly and efficiently;
9. Requests the UN High Commissioner for Human Rights to present a report on the implementation of the present report to the council at its sixteenth session of March 2011;
10. Decides to remain seized of this matter.