



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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Mr. President,

We have all recently spent our days following the tragic events in Japan and developments in Libya as the world joins together to seek to protect the people of that country from their own leaders. I am sure that everyone here joins me in sending wishes for better days for the people of both of those nations. During the past days, perhaps, because of those events, some developments in my region may have gone a bit less noticed.

On 11 March, five members of the Fogel family were brutally murdered in their home. In the middle of the night, terrorists broke in and stabbed them to death, both parents, Udi and Ruth, their eleven year old son, Yoad, their three year old son, Elad, and their newborn three month old baby daughter, Hadas. Three other children, physically unhurt, were orphaned. 12 year old Tamar stated: "I will be strong and succeed in overcoming this. I understand the task that stands before me, and I will be a mother to my siblings." A faction of Al-Aqsa Martyrs Brigade, affiliated with the Palestinian Authority's ruling party, Fatah, publicly and proudly claimed responsibility for these horrific murders. Almost as shocking, in the day following the massacre, many Palestinians took to the streets celebrating the deaths of this family. It is difficult to comprehend how people, no matter how frustrated, could have such a reaction, and it raises many troubling questions about state building, about coexistence and about those of us who want to see Israelis and Palestinians building a future together, side by side. I can assure you, Israel will take all the necessary measures to protect its citizens and to bring to justice the terrorists who perpetrated this brutal murder. But more than this, the international community cannot remain silent. These attacks must be categorically condemned. It was a positive to hear of condemnations from key Palestinian leaders in the international media. Such statements must also be unequivocally made in Arabic, speaking to the Palestinian people, without caveats or hedging.

Another troubling, but hardly new, event took place in the high seas of the Mediterranean. The "Victoria", a cargo ship sailing under the flag of Liberia from Latakia, Syria to Alexandria, Egypt, was found to not be carrying lentils and cotton, the registered cargo, but hidden in locked boxes marked with counterfeit "Made in Britain" stickers, tons and tons of sophisticated Iranian weapons – anti ship missiles with a game-changing range of 35 km, rocket launchers, mortar launchers and tens of thousands of Kalashnikov rifle bullets. These weapons were clearly intended for Gaza, meant to be smuggled from Egypt via Sinai into the hands of Hamas terrorists to continue their assaults upon the citizens of my country.

Every day over one million Israelis in southern Israel remain under a constant state of attack. Qassam rockets, missiles and mortar attacks indiscriminately fired by Palestinian militants are intentionally directed towards innocent men, women and children – civilian residents in Israel's towns, homes, schools and playgrounds. From the beginning of 2011 alone, over 150 of these attacks have brought destruction in southern Israel and put the lives of millions of Israeli civilians at risk. This past weekend alone over 50 mortars were lobbed from Gaza seeking to kill more Israeli civilians. Hamas proudly took responsibility for many of them. In case it is unclear, Hamas, who is euphemistically described here in Geneva, as the "de facto authorities in Gaza", continues to be a terror organization, wantonly continuing to threaten their own people and call for the destruction of the State of Israel. The rockets fired at Israeli towns are fired from within Palestinian villages, from behind schools and kindergartens. The terrorist leaders place their bases and weapons factories inside homes and hospitals. In their callous way of thinking, collateral civilian damage will either deter Israel from responding, or give them a sick public relations advantage.

During the High Commissioner of Human Rights' brief visit to Israel in February, which included a visit to the town of Sderot, at least eight rockets were fired from the Gaza Strip into Israel. In her press release of 11 February she asserted that the militants firing the

rockets are committing war crimes and continuously terrorizing civilians. Nevertheless, this Council has continued to refrain from concretely addressing these attacks against the Israeli people. Why is this clear-cut issue of human rights not worthy of the time of this body? Why is it not speaking out in a clear manner to stand with civilians under such a threat? This silence from this Council is heard and understood perfectly clearly by the people of Israel.

Militant forces in the Gaza Strip have now held Israeli soldier Gilad Shalit in captivity for over five years without allowing him access to any representative from the Red Cross or other international organization. This shocking and blatant violation of human rights requires action and condemnation from the international community.

Everyone in this hall knows that extreme criticism and de-legitimatization of Israel is almost expected and condoned by some states and by NGOs. Anti-Semitic slogans are often part of that rhetoric. Recently, here in Room XX, UN approved NGO representatives such as the IHH feel free to distribute anti-Semitic materials. The Council must not be complacent about such hate speech and speak with a clear voice and action regarding these grossly unacceptable activities, deeply against the goals and procedures of the United Nations.

Mr. President,

The Middle East is now in a historic period of change. Israel, as a neighbor of Egypt, deeply feels the uncertainty and instability of these days in our region. Israel shares the hopes and good wishes of friends around the world for freedom, democracy and peace for the people of Egypt and other nations in our neighborhood. Prime Minister Benjamin Netanyahu spoke clearly, saying: "Egypt that is anchored in democratic values, would never be a threat to peace. On the contrary, if we have learned anything from modern history, it is that the stronger the foundations of democracy, the stronger the

foundations of peace. [...] We all want to see the success of freedom and democracy in the Arab world. We do not want to see it usurped by an even greater despotism."

In this regard, I would like to quote, and voice my full agreement with the OIC statement made by Pakistan during the Special Session on Libya here last month. "A new dawn has come. Rules of the game have changed. Those that do not embrace it, will be swept away."

Mr. President,

Following the Gaza Operation, Israel has ensured public access to several reports providing extensive information regarding its system of investigations, as well as updates regarding literally hundreds of specific investigations. Israel takes its obligations seriously before, during and following conflicts and lives up to the highest standards despite the daily and cynical abuses of the law, and of their own people, by the leaders of Hamas. Israel's system of investigating allegations is thorough, effective and compatible with standards under international law, including independence, impartiality and judicial review.

Additionally, Israel's military has used its investigations to learn lessons and further develop "best practices" that lead to revised IDF orders and guidelines. In recent months some new policies include, for example the adoption of new written procedures for the protection of civilians in urban warfare, the establishment of a new role of a "humanitarian officer" for every fighting battalion with responsibility for handling the civilian population and a new order regarding considerations connected with private property which should help to lessen negative impact in the future. Additionally, Israel's army has adopted new standing orders dealing with the firing of flechette rounds and a clear doctrine and strict orders on the use of munitions containing white phosphorous.

Mr. President,

This past week the Committee of Independent Experts on the investigations conducted by the Parties to the Gaza Conflict published their final report. In its previous report the Committee acknowledged that "there are mechanisms in place within the Israeli legal order to investigate allegations of war crimes. In the current report it notes that "Israel has dedicated significant resources to investigate over 400 allegations of operational misconduct in Gaza reported by the FFM [Goldstone report] and others."

The Committee has also noted that Israel's investigations have resulted in numerous policy changes and "lessons learned".

The Committee has also noted the work of the Turkel Commission, which on 8 February 2011, released the first portion of its report with findings on the maritime event of 31 May 2010. The Commission is currently continuing its work in accordance with Article 5 of its Mandate and which examines inter alia, "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." The Independent Experts Committee notes that the fully independent Turkel Commission, with independent international observers, has probed decisions and policies adopted by high-level officials in Israel, observing that "The Commission was able to interview and actively question high-level officials, including the Prime Minister, the Defense Minister, the Chief of General Staff, and the Chief Military Advocate".

Mr. President,

In conclusion, I would like to point out what many delegates here already know yet refuse to admit: the political rhetoric and discourse in the Human Rights Council does

not accurately represent the situation in my region. These are exciting but complicated times with many real issues of human rights that deeply need our attention and assistance. For this body to move towards success it must act wisely and bravely towards these issues leaving behind the politicization and Israel-bashing that have brought its work into disrepute. If this body is to approach its potential and build a real agenda for human rights it must stop with double standards and singling out.

Outside this hall, some leaders are able to come to objective, impartial and even-handed conclusions on circumstances arising out of the Israel-Palestinian situation. One example of this were the comments of a President of a young Asian country, published recently on The Huffington Post website following his visit to Israel. He wrote "I was surprised by the state of peace and economic prosperity prevailing in Israel and the West Bank. [...] At this particular point in time, Israel and Palestine (West Bank) form an oasis of tranquility in a region of turmoil. [...] Visiting the West Bank I envied the relative prosperity of the Palestinians and the progress being made in their State-building exercise. Palestinians in the West Bank are far ahead of most Sub-Sahara African States, and indeed well ahead of my own country, in economic well-being and the development of State institutions."

I thank you.