

Human Rights Council
Sixteenth Regular Session

Agenda Item 7

**Interactive Dialogue with the Special Rapporteur on the
Situation of Human Rights in the Palestinian Territories Occupied
Since 1967**

**Intervention made by Egypt
on behalf of the Non-Aligned Movement**

Geneva, 21 March 2011

Mr President

I have the honor to take the floor on behalf of the Non-Aligned Movement.

The NAM expresses its appreciation to Mr. Richard Falk on the important report before us today. In light of the persistent non-cooperation by the Government of Israel with the Special Rapporteur and his predecessor Mr. John Dugard, preventing them from fulfilling their mandates, we fully understand the call he is making for a more robust attempt to secure such cooperation.

The analysis of Mr. Falk of the situation in the Occupied Palestinian Territories confirms the urgency with which our Movement is calling for swift action from the part of the international community and by this Council. After all our Council has been entrusted by its establishing resolution with the responsibility to address situations of violations of human rights, including gross and systematic violations, and with the prevention of human rights violations and responding promptly to human rights emergencies. Furthermore, the members of this Council were called in the exercise of their membership rights to uphold the highest standards in the promotion and protection of human rights.

Mr Falk drew the attention of the Council, among many things, to an overall pattern combining forced expulsions of Palestinians

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outward and of Government-supported transfer of Israeli settlers inward, reflecting a systematic policy by Israel to set the stage for an overall dispossession of Palestinians and the establishment of permanent control over territories occupied in 1967. This no doubt represents a flagrant violation by Israel, the occupying power, of article 49(6) of the Fourth Geneva Convention and should in any law abiding community of nations lead to international responsibility for such acts.

The NAM is deeply disturbed by the failure by this Council to ensure respect by Israel of international human rights and humanitarian laws. Its resolutions, fact-finding missions, committee of independent experts, and special rapporteurs have been totally disregarded. At a time, when voices are calling for reinforcing the credibility and effectiveness of the Council, we see in contrast a clear risk that inaction leads to tacitly condoning impunity for gross and systematic violations which continue to be perpetrated with no accountability in sight.

The Movement therefore endorses the renewal by Mr Falk of the call of his predecessor for a referral of the situation to the International Court of Justice for an authoritative decision as to whether elements of the Israeli occupation constitute forms of colonialism and apartheid. We also support his affirmation that such referral should also seek clarification as to whether the pattern of continuing unlawful settlement, manipulation of residence credentials, expulsion in East Jerusalem qualify as ethnic cleansing and if so, how this behavior should be viewed from the perspective of the international law of belligerent occupation.

In closing, the NAM would like to ask Mr Falk, what specific measures should this Council take to induce a more serious international reaction to these flagrant violations over a period of sixty years? Until when will the international community allow Israel to walk away with impunity from the responsibility for its actions? And finally, does Mr Falk see any opening for this Council to regain the high moral ground by giving voice to the voiceless victims in the Occupied Palestinian Territories? I thank you.

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