



General Assembly

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Human Rights Council

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Agenda item 7

Human rights situation in Palestine and other occupied Arab territories

Pakistan (on behalf of the Organization of the Islamic Conference), Palestine*, Syrian Arab Republic* (on behalf of the Group of Arab States): draft resolution

15/... Follow-up to the report of the Committee of independent experts in international humanitarian and human rights law established pursuant to Council resolution 13/9

The Human Rights Council,

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

Recalling its relevant resolutions, including resolutions S-9/1 of 12 January 2009, S-12/1 of 16 October 2009 and 13/9 of 25 March 2010, adopted 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,¹

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

Recalling further 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, applicable to the Occupied Palestinian Territory, including East Jerusalem,

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 on the Rights of the Child,

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

* Non-Member State of the Human Rights Council.

¹ A/HRC/12/48.

Reiterating the importance of the safety and well-being of all civilians, and reaffirming the obligation of the international community 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 Secretary-General,² and requests the Secretary-General 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,¹ in accordance with paragraph 3 of section B of Council resolution S-12/1;

2. *Also takes note* of the report of the United Nations High Commissioner for Human Rights,³ and requests the High Commissioner to follow up on the implementation of the recommendations contained in the report of the Fact-Finding Mission, in accordance with paragraph 3 of section B of Council resolution S-12/1;

3. *Welcomes* the report of the Committee of independent experts in international humanitarian and human rights law to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side, in the light of General Assembly resolution 64/254, including the independence, effectiveness, genuineness of these investigations and their conformity with international standards;⁴

4. *Warmly welcomes* the cooperation of the Palestinian National Authority with the Committee of independent experts, and the report submitted to the Secretary-General on the investigations carried out by the Palestinian Independent Investigation Commission established pursuant to the Goldstone report;⁵

5. *Urges* the Palestinian Independent Investigation Commission to complete its investigations in order to cover the allegations relating to the occupied Gaza Strip, as contained in the report of the Fact-Finding Mission;

6. *Condemns* the non-cooperation by Israel, the occupying Power, which hampered the assessment by the Committee of independent experts of Israel's response to the call by the General Assembly and the 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 international humanitarian law and international human rights law reported by the Fact-Finding Mission;

8. *Decides* to renew and resume the mandate of the Committee of independent experts, established pursuant to Council resolution 13/9, and requests the Committee to submit its report to the Council at its sixteenth session, and requests the High Commissioner to continue to provide the members of the Committee with all administrative, technical and logistic assistance required to enable them to fulfil their mandate promptly and efficiently;

9. *Requests* the High Commissioner to present a report on the implementation of the present resolution to the Council at its sixteenth session;

² A/HRC/15/51.

³ A/HRC/15/52.

⁴ A/HRC/15/50.

⁵ A/64/890, annex II.

10. *Decides* to remain seized of this matter.
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