



הארגון הבינלאומי של עורכי-דין ומשפטים יהודים (ע"ר)
THE INTERNATIONAL ASSOCIATION OF JEWISH LAWYERS AND JURISTS (R.A.)

Human Rights Council 22nd Session, 18 March 2013

Item 7 – ID with FFM on Israeli Settlements

NGO: IAJLJ - The International Association of Jewish Lawyers and Jurists

Representative delivering the statement: Adv. Tom Gal

Thank you Mr. President,

The aim of this Council and its subsidiary bodies is not only to investigate violations but also to end existing and prevent future violations. This goal can only be achieved by strengthening those mechanisms inside the state that promote positive behavior and the rule of law. A year ago, this Council established a new FFM to investigate the Israeli settlements in the OPT. Many, including our Association, criticized this move. Despite such criticism, we decided to cooperate with the FFM, in the belief that it would work within its mandate and take into consideration all the information made available to it. However, to our surprise and disappointment, the results of the FFM work indicate the opposite.

The briefs we submitted to the FFM reviewed the Israeli judicial and law enforcement agencies and their continuing efforts to improve the protection of Palestinians' human rights, including the effort to abolish the so-called "price tag" incidents. The briefs mentioned the comprehensive work undertaken by the Supreme Court of Israel, its well known decisions protecting Palestinians, and the on-going improvement of law enforcement policies in the OPT. How could the FFM marginalize the simple fact that every Palestinian in the OPT is able to petition the Supreme Court of Israel? The purpose of these briefs was not to justify violations that might occur nor was it to defend other harmful policies. Quite the contrary, we wished to provide what we believe to be information crucial to the credibility of the report. We also hoped that by including this information in the report, the FFM would encourage, strengthen and thereby improve these systems.

The FFM chose to ignore our briefs completely and we wonder - why? Failing to address these issues damages the FFM itself and the credibility of its report. Moreover, it justifies a non-cooperation policy, validates the criticism expressed toward the FFM and encourages extremists on both sides. Thus, not only did the FFM fail to provide a complete and impartial report, it actually harmed any chances for progress in the area. The International Association of Jewish Lawyers and Jurists can only hope that the report will quickly be amended or, at minimum, be rejected by the Council due to its incomplete conclusions and recommendations.