



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

## Human Rights Council 28<sup>th</sup> Session

### Agenda Item 7 – ID with HC and SR

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

Representative delivering the statement: Ms. Suzanne Wolfe Martin

Thank you Mr. President,

The International Association of Jewish Lawyers and Jurists wishes to express our dismay regarding the High Commissioner and Special Rapporteur reports discussed today. We have been following the debate surrounding Item 7 in this Council since the Council's establishment, yet we fail to see any change or amelioration in the procedure, content and outcomes related to this Item. We, a NGO founded by Rene Cassin, Justice Arthur Goldberg and Justice Chaim Cohen, representing lawyers and jurists worldwide, must object to the procedure, content, language and recommendations this item and these reports represent. We find all of these to be flawed.

Procedurally, it is odd, irrational and counterproductive, not to mention legally obscure, that so many mandate-holders address the same temporal and geographical scopes. Obviously, so many mandate-holders dedicated to the exact same topic are expensive and financially unjustified. Moreover, this duplication is legally absurd. From a judicial point of view, this is unfair and prejudiced. Today, for example, the High Commissioner presented his report on the events during last summer's conflict in Gaza and Israel. These events are also covered by the mandate of the Commission of Inquiry established by this same Council: Its report is to be presented before this Council in three months time. Discussing this report in advance of the CoI, whose purpose is to investigate this exact set of facts, is absurd.

Substantially, we are yet again astonished by the failure to address the human rights violations committed by the other actors in the area – mainly the Palestinian Authority and Hamas. Both these actors are well known and recognizable. Nonetheless, their alleged violations, obligations and responsibility are rarely addressed in the reports. The reports not only fail to mention these actors' responsibility for any violations committed against Israelis, but they fail even to identify the obligations and responsibility of the Palestinian Authority and Hamas toward their own citizens – the Palestinians living in areas under their effective control. This is a clear failure of this Council – which claims to respect, protect and uphold these values. This is disappointing, but unfortunately, not surprising.