Ensuring accountability and justice for all violations of international law in the OccUPIed Palestinian Territory, including East Jerusalem

The Human Rights Council,

PP1 Guided by the purposes and principles of the Charter of the United Nations,

PP2 Recalling the relevant rules and principles of international law, including international humanitarian law and human rights law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

PP3 Recalling also the Universal Declaration of Human Rights and the other human rights covenants, 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,

PP4 Recalling also the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014 by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem, (A/RES/70/90)


PP6 Expressing its appreciation to the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, and all other relevant United Nations mechanisms, as well as treaty bodies and other United Nations bodies, for its comprehensive reports,

PP7 Affirming the obligation of all parties to respect international humanitarian law and international human rights law,

PP8 Emphasizing the importance of the safety and well-being of all civilians, reaffirming the obligation to ensure the protection of civilians in armed conflict, and deploring the civilian deaths that resulted from the conflict in and around the Gaza Strip inter alia in July and August 2014, including the killing of 1,462 Palestinian civilians, including 551 children and 299 women, and six Israeli civilians,

PP9 Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law, including possible war crimes, including the findings of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, of the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, and of the Boards of Inquiry convened by the Secretary-General,
PP10  Condemning all violations of human rights and all violations of international humanitarian law, and appalled at the widespread and unprecedented levels of destruction, death and human suffering caused in the Occupied Palestinian Territory, including East Jerusalem,

PP11  Stressing the urgency of achieving without delay an end to the Israeli occupation that began in 1967,

PP12  Deploring the non-cooperation by Israel with all Human Rights Council fact-finding missions and the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict and the refusal to grant access to, and cooperate with, international human rights bodies and United Nations special procedures seeking to investigate alleged violations of international law in the Occupied Palestinian Territory, including East Jerusalem,

PP13  Regretting the lack of implementation of the recommendations contained in the reports of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict, which follows a pattern of lack of implementation of recommendations made by United Nations mechanisms and bodies,

PP14  Alarmed that long-standing systemic impunity for international law violations has allowed for the recurrence of grave violations without consequence, and stressing the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice, deter further violations, protect civilians, and promote peace,

PP15  Regretting the lack of progress in carrying out domestic investigations in line with international law standards, and aware of the existence of numerous legal, procedural, and practical obstacles in the Israeli civil and criminal legal system contributing to the systematic denial of the right of Palestinian victims to effective judicial remedy,

PP16  Emphasizing the need for States to investigate grave breaches of the Geneva Conventions of 1949, to end impunity, uphold their obligations to ensure respect, and promote international accountability,

PP17  Noting the accession by Palestine on 2 January 2015 to the Rome Statute of the International Criminal Court,

1. Welcomes the report of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict;

2. Calls upon all duty bearers and United Nations bodies to pursue the implementation of the recommendations contained in the reports of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict, in accordance with their respective mandates;
3. **Notes** the importance of the work of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, the United Nations independent international fact-finding mission to investigate the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and the United Nations Fact-Finding Mission on the Gaza Conflict of 2009 and the information collected regarding grave violations in support of future accountability efforts, in particular, information on alleged perpetrators violating international law;

4. **Emphasizes** the need to ensure that all those responsible for violations of international humanitarian law and international human rights law are held to account, through appropriate fair and independent domestic or international criminal justice mechanisms, as well as to ensure the provision of effective remedy to all victims, including full reparations, and **stresses** the need to pursue practical steps towards these goals;

5. **Calls upon** the parties concerned to cooperate fully with the preliminary examination of the International Criminal Court and with any subsequent investigation that may be opened;

6. **Calls upon** all States to promote compliance with international law, human rights obligations, and all High Contracting Parties to the Fourth Geneva Convention to respect, and to ensure respect for, international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, in accordance with the Geneva Conventions, and to fulfil their obligations under articles 146, 147 and 148 of the said Convention with regard to penal sanctions, grave breaches, and the responsibilities of the High Contracting Parties including by ensuring that they do not become involved in internationally unlawful conduct, inter alia the provision of arms to end-users known or likely to use the arms in the commission of serious violations of international humanitarian and/or human rights law;

7. **Recommends** all States and other relevant stakeholders to accelerate efforts to develop legal and policy standards that would limit the use of explosive weapons with wide-area effects in populated areas; (A/HRC/29/52)

8. **Recommends** that the General Assembly remain apprised of the matter until it is satisfied that appropriate action with regard to implementing the recommendations made by the United Nations Independent International Fact-Finding Mission on the Gaza Conflict in its report has been or is being taken appropriately at the domestic or international levels to ensure justice for victims and accountability for perpetrators;

9. **Requests** the High Commissioner to present, as part of its reporting requested by resolutions S-9/1 and S-12/1, a report on the implementation of the present resolution, as well as on the implementation of the recommendations contained in the reports of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict and of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, to the Council at its thirty-first session; **Requests** the High Commissioner to conduct a comprehensive review detailing the status of implementation of all recommendations contained in the report of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict, as well as of the other recommendations addressed to all parties since 2009 by all relevant Human Rights Council mechanisms, including previous fact-finding missions, special procedures, the universal periodic review, as well as by United Nations treaty bodies and other United Nations bodies, in particular the Secretary-General and
the Office of the High Commissioner for Human Rights, as well as to identify patterns of non-compliance, non-implementation and non-cooperation, to propose mechanisms to be established to ensure their implementation, and to present a report to the Council at its thirty-fifth session; (A/ HRC/29/522 COI recommendation)

10. Requests the High Commissioner to present an oral update on the progress of the above-mentioned review to the Human Rights Council followed by an interactive dialogue with the High Commissioner at its thirty-third session;

11. Decides to remain seized of the matter.