

# **L'OLP refuse de mettre le rapport Goldstone à l'odj de l'Assemblée générale des Nations unies - Centre palestinien pour les droits de l'Homme**

5 décembre 2011



Le Centre palestinien pour les droits de l'Homme condamne l'échec de l'OLP à faire valoir les droits des victimes et à demander la fin de l'impunité lors de la session de l'Assemblée générale des Nations unies, en cours.

In March 2011, the 16th Session of the Human Rights Council explicitly called for the Report of the UN Fact-Finding Mission on the Gaza Conflict (the Goldstone Report) to be transmitted to the UN Security Council, with the recommendation that the situation in Israel and the occupied Palestinian territory be referred to the Prosecutor of the International Criminal Court, in accordance with Article 13(b) of the Rome Statute.

As drafters of the relevant resolutions, responsibility falls upon the PLO to initiate the procedures recommended by the Human Rights Council. The PLO's failure to do so displays a callous disregard for the rights of the victims the PLO purports to represent.

The follow up to the Report of the UN Fact-Finding Mission was scheduled to be discussed in the 6th Committee of the General Assembly during November. However, no effective action has been taken to-date.

This is the second time that the PLO has failed to act in the interest of victims' rights on the basis of political considerations. In September 2009, the PLO withdrew a draft Resolution on the Report of the UN

Fact-Finding Mission due to be voted upon by the Human Rights Council.

PCHR emphasizes that the belief that human rights and the rule of law can be brushed aside in the name of political expediency is not only illegitimate, but is also misguided. For many years, international law has been sacrificed in the name of an elusive 'peace process'. This approach has been tried, and it has clearly failed. Human rights and international law apply at all times. They may not be discarded at will, but rather must form the foundation of any sustainable peace.

All victims have a legitimate right to an effective judicial remedy, and the equal protection of the law. These rights are universal : they are not subject to political considerations. In the almost three years the Israeli offensive on the Gaza Strip, all sides have failed to conduct effective judicial investigations into the conflict. Impunity prevails. In such situations, international law demands recourse to international judicial mechanisms. Victims' rights must be upheld. Those responsible must be held to account.

PCHR calls upon the Member States of the International Community to fulfil their obligation as High Contracting Parties to the 1949 Geneva Conventions to ensure respect for international humanitarian law in all circumstances, and to bring persons suspected of committing grave breaches of the Geneva Conventions before their own courts, regardless of the suspect's nationality.

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