

## **Joint NGOs submission to the Foreign Affairs Committee on the FCO's position on Item 7 of the UN Human Rights Council**

- ABCD Bethlehem
- Catholic Agency for International Development (CAFOD)
- Christian Aid
- Ecumenical Accompaniment Programme in Palestine and Israel- UK and Ireland (EAPPI UK and Ireland)
- Embrace the Middle East
- Friends of Nablus and Surrounding Areas (FONSA)
- Friends of Birzeit University (FOBZU)
- Interpal
- Lawyers for Palestinian Human Rights (LPHR)
- Medical Aid for Palestinians (MAP)
- Quakers in Britain
- The Council for Arab-British Understanding (Caabu)
- War on Want

### **Contact**

Tareq Shourouh  
Director of LPHR  
Direct Line: 07949 212 795  
**Email: [contact@lphr.org.uk](mailto:contact@lphr.org.uk)**

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## **1 Introduction**

1.1 We are a coalition of UK charities and organisations that work on issues affecting Palestinians. The focus of this submission is narrowly on the issue of the UK's position towards the issue of Israel/Palestine before Item 7 of the UN Human Rights Council. In addition, there is brief relevant reference to the position taken by the UK last month at the 28<sup>th</sup> Special Session on the human rights situation in the occupied Palestinian territory.

1.2 We take the view that the UK Government should reconsider its position, as stated in March 2017 at the 34<sup>th</sup> session of the UN Human Rights Council, that it will in future adopt a policy of voting against resolutions before Item 7 that addresses accountability, settlements, human rights, and self-determination in the context of Israel's military occupation of Palestinian territory.

1.3 We are deeply concerned that implementing this position would be entirely incompatible with the UK's long-standing stated commitment to promote the rule of law and human rights in international fora. It would set a very troubling precedent for the UK to implement a policy of voting against resolutions on serious human rights issues that are grounded in fundamental principles of international humanitarian and human rights law.

## **2 The FCO's position on Item 7 at the UN Human Rights Council**

2.1 At the 34th Session of the UN Human Rights Council in March 2017, the UK Government stated that it was "putting the Human Rights Council on notice", for its "persistence of bias" against Israel, in particular because of standing item 7 of the regular agenda of the Council which addresses the human rights situation in Palestine and other occupied Arab territories. Particularly concerning was the adoption of a new position that the UK will in future "adopt a policy of voting against all resolutions concerning Israel's conduct in the Occupied Syrian and Palestinian Territories" if things do not change.

2.2 The UK's statement made comparison to the absence of Syria as a permanent agenda item as justification for this view. We do clearly acknowledge that serious and protracted violations of international humanitarian and human rights law occur in many other parts of the world, including Syria. However, it cannot reasonably follow from this that paying attention to serious violations of international law amounts to 'bias'.

2.3 To rectify discrepancy in coverage at the UN Human Rights Council, we recommend the government uses its influence to urge the inclusion of other prolonged and serious human rights crises, such as the situation in Syria, as permanent agenda items. This approach would result in greater coverage of human rights violations, rather than less. It would be an outcome that would objectively be in everyone's best interest.

2.4 In the 37th session of the UN Human Rights Council in March 2018 under item 7, we welcomed that the UK again voted to support the resolutions on the human rights situation in the occupied Palestinian territory and the self-determination of the Palestinian people.

2.5 We however were disappointed by the UK's decision to abstain again on the resolution on the issue of illegal Israeli settlements. The abstention worryingly lacked coherence with the UK Government's welcome constructive engagement on the issue of settlements at Israel's Universal Periodic Review before the Human Rights Council in January 2018, where it recommended to Israel that it "takes immediate action to reverse policy on settlement expansion in the Occupied Palestinian Territories, which is illegal under international humanitarian law".

2.6 Moreover, we were alarmed that the UK voted against the resolution on ensuring accountability for violations of international law in the occupied Palestinian territory. The UK's explanation of vote stated that the "vote against the Accountability resolution is not a vote against the importance of accountability and justice in the Occupied Palestinian Territories." Given the UK's long-standing stated support for the principles of accountability, justice and the rule of law in international fora, this mixed position with specific regard to the occupied Palestinian territory fails to send a principled and coherent message.

2.7 In this specific context it would be remiss not to express our deep concern with the position taken by the UK last month at the 28<sup>th</sup> Special Session of the UN Human Rights Council to abstain on the resolution establishing an independent Commission of Inquiry to investigate all violations of international law in the context of large-scale civilians protests in Gaza. We urge the UK to reconsider its position on the Commission of Inquiry in the interests of promoting values of human rights protection, accountability and respect for the international rule of law.

### **3. Recommendations**

3.1 Engaging in the UN Human Rights Council presents an important opportunity for the UK government to reinforce its stated commitment to promote the rule of law and human rights in international fora.

3.2 We encourage the government to support resolutions under Item 7 of the UN Human Rights Council that are grounded in fundamental principles of international humanitarian and human rights law. To blanket vote against such resolutions on principle would exclude Palestinians from the same human rights protections afforded to all other peoples, at a time when their rights are in need of protection more than ever. We are keen to see the UK protect and promote its reputation as a firm and principled supporter of human rights, without prejudice.

3.3 Where the UK may perceive imbalance in the UN Human Rights Council's focus, we reiterate our suggestion that it should work to uplift other protracted human rights situations to greater scrutiny and action, rather than seek to reduce focus on the human rights violations endured by the Palestinians under ongoing military occupation.