
Attn.: Ambassador Choi Kyonglim, President of the Human Rights Council

E-mail: hrcpresidency@un.org

Palestine, 21 March 2016

Re: Appointment of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967

Your Excellency,

The Palestinian Human Rights Organizations Council (PHROC) is deeply concerned to learn that the appointment of a new Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 may be postponed to the 32nd session of the Human Rights Council (*hereinafter* the Council). The possibility of a delay in appointment is alarming given the urgent need for full resumption of the impartial and objective mechanism.

After learning that the Consultative Group - consisting of Ambassador representatives of Albania, Brazil, Egypt, and France - shortlisted two candidates for the position of the mandate, we were encouraged that the selection process occurred without delay and according to UN rules of procedure. We considered that the President will then act according the Council Institution-Building package and select a Special Rapporteur on the OPT this Council session. Respectively, civil society organisations in the OPT would resume their work towards the promotion and protection of human rights with the new mandate holder immediately following the 31st session of the Council.

While we are aware that intimidation campaigns and political agendas have been attempting to undermine a well-established selection process of Special Procedures mandate holders, as well as the Consultative Group, PHROC remained assured that the President of the Council would not entertain smear campaigns and political interference. Allowing such agendas to succeed in overriding state recommendations and UN rules of procedure in the appointment of a new Special Rapporteur on OPT would undermine the work of the Council and the Consultative Group. It would set a dangerous precedent, allowing the Council Presidency to act against rules of procedure to override a framework set to ensure an objective selection of Special Procedures mandate holders.

Furthermore, a delay in the selection process would suspend the mission of the Special Rapporteur on OPT and therefore delay essential work addressing the urgent human rights needs and protection of the Palestinian people. In his resignation letter, Mr. Wibisono stated that due to Israeli non-cooperation with the mandate, "his efforts to help

improve the lives of Palestinian victims of violations under the Israeli occupation have been frustrated every step of the way.”

Since 2008, Israel has prevented the mandate from accessing the OPT, reflecting a pattern of non-compliance with UN mechanisms. Such non-cooperation is representative of Israel's continued disregard for international legal principles and its obstruction of justice mechanisms so that its occupation and violations continue to go undocumented.

Your Excellency, as Israel succeeds to obstruct the mandate of the Special Rapporteur on OPT, the human rights situation there continues to deteriorate. A record number of over 185 Palestinians have been killed since October 2015, a result of Israeli state policies altered to facilitate and encourage extrajudicial executions. In the last two weeks, two children were killed following unlawful attacks on the Gaza Strip. Meanwhile, a number of unlawful policies and practices continue to be implemented, such as the 9-year closure of the Gaza Strip, the annexation of land in the West Bank (most recently in the occupied Dead Sea), the exploitation of natural resources throughout the OPT, the forcible transfer and displacement of Palestinians, and continued settlement expansion.

A delay in the selection of the mandate holder would leave the Palestinian people with diminished assurance that UN mechanisms serve to protect their basic human rights. Decades of Israeli impunity has encouraged distrust in international law as an ineffective protection or remedy for the systematic and ongoing violation of human rights. Appointing a Special Rapporteur to replace Mr. Wibisono in the 32nd session of the Council would only serve to sew further distrust.

To end, PHROC echoes the words of Mr. Wibisono who, in his resignation letter, voiced concern at the lack of effective protection of Palestinian victims of continuing human rights violations and violations of international humanitarian law. He further expressed his sincere hope that his successor might manage to resolve Israel's consistent non-cooperation with the mandate so as to “...reassure the Palestinian people that after nearly half a century of occupation the world has not forgotten their plight and that universal human rights are indeed universal.”

Accordingly, we urge your Excellency not to delay efforts towards the promotion and protection of human rights in the OPT by taking action counter to UN rules of procedure. We urge you to ensure that the appointment of the Special Rapporteur on OPT takes place on Thursday, 24 March, during the 31st Council session.

We remain at your disposal should you require any further information.

Yours sincerely,

Addameer Prisoners' Support and Human Rights Association
 Al-Haq – Defending Human Rights in Palestine since 1979
 Hurryyat-Center for Defense of Liberties and Civil Rights
 Defense for Children International – Palestine Section
 Jerusalem Center for Legal Aid and Human Rights
 Women's Center for Legal Aid and Counseling
 The Palestinian Center for Human Rights



Al-Mezan Center for Human Rights
 Aldameer Association for Human Rights
 Ramallah Center for Human Rights Studies
 Ensan Center for Human Rights and Democracy
 BADIL Resource Center for Palestinian
 Residency and Refugee Rights



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Women's Centre for Legal Aid and Counselling
 Randa Siniora
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The Palestinian Center for Human Rights
 Raji Sourani
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Residency and Refugee Rights

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