

Opening Ceremony of the “Third Regional Conference on the Impact of Occupation and Armed Conflict on Human Rights” – Co-organized by The Office of the High Commissioner for Human Rights and the Secretariat General of League of Arab States

Location: Headquarters of the Secretariat General of the League of Arab States

Speech by Mr. Francesco Motta, Chief of Asia Pacific, Middle East and North Africa Branch, Office of the High Commissioner for Human Rights

Duration: 5 minutes

28 July 2019, 9:30 a.m.

Excellency Madam Haifa Abou Ghazala, Representative of His Excellency Ambassador Ahmad Aboul Gheit, Secretary-General of the League of Arab States,

Excellency, Dr. Mohammed Askar, Minister of Human Rights of the Republic of Yemen,

Excellencies, ladies and gentlemen,

I would like to begin by extending my deepest thanks to His Excellency, Mr. Ahmed Abu El Gheit for graciously hosting this Regional Conference in the Headquarters of the Secretariat General of the League of Arab States, as well as for the valuable cooperation with OHCHR.

International Humanitarian Law covers the protection of those who are not, or no longer, taking part in fighting. What that effectively means is that it is up to everyone on the ground to protect civilians. Whether as individuals or through governments and various organizations, we can all make important contributions.

Measures must be taken to ensure respect for international humanitarian law. States have an obligation to teach its rules to their armed forces and the general public. They must prevent violations or punish them if these occur. In particular, they must enact laws to punish the most serious violations, which are regarded as international crimes.

Increasingly, the victims of conflicts are civilians.

Given that this body of law applies during times of extreme violence, implementing the law will always be a matter of great difficulty. That said, striving for effective compliance remains as urgent as ever.

However, in the context of vulnerable groups in armed conflict situations, such as women, children, the elderly and people with special needs, international human rights laws operate complementary to International Humanitarian Law. The International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Rights of the Child – they are not irrelevant during times of armed conflict. On the contrary they become even more vitally important not just in protecting vulnerable groups but also as a reminder that women, children, the elderly and people with special needs are still rights holders. Duty-bearers have obligations beyond guaranteeing the right to life and security of person. In fact, in conflict situations,



international human rights law not only translates to rejecting responses that compromise the rights and freedoms of protected individuals, but also compels States to play an active role in providing access to medical, psychological and humanitarian assistance while also facilitating access to justice by punishing perpetrators.

Across the region there have been reports of refugees trafficked for the purpose of organ removal, women and girls subjected to forced marriages and domestic servitude, as well as children being abducted, indoctrinated and exploited for combat.

[Room for a “story” on this topic from Mr. Motta’s extensive field experience]

Military occupation (of Palestine)

Military occupation adds another layer of vulnerability.

Just last week we were yet again reminded of the precarious situation of those living under Israeli occupation when it was reported that Israeli forces had entered a community in Sur Bahir while it was still dark and demolished a number of residential buildings on the East Jerusalem side of the Wall. Some of the residents had invested their life’s savings into their homes while others were Palestinian refugees who are now facing a second displacement.¹ Hundreds of families have been displaced this way.

The blockade of the Gaza Strip has led to a critical socioeconomic and humanitarian situation for Palestinians residing there, particularly women. There is limited access to water, housing, land and property, especially for widowed women, as well as to employment opportunities, higher education and health care, including prenatal and neonatal health care. Additionally, Gender-based violence continues to be a key protection concern for women in the State of Palestine, and the situation is particularly acute in the Gaza Strip.²

Children in the occupied territories have also experienced indefensible violations of their human rights. The Palestinian child is a target for large-scale arrests, killings and unjust military sentences. Hundreds of Palestinian children are held in Israeli jails, where they are subjected to various kinds of torture and inhumane practices. When viewed through the lens of the CRC, the treatment of Palestinian children is revealed to be in violation of almost every single one of their basic rights.

The recruitment and use of children in armed conflict

The “Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict” is the most important victory for children and the culmination of the efforts of the International Committee of the Red Cross and non-governmental organizations throughout the 1990s to raise the minimum age for participation and recruitment in warfare from 15 to 18 years.

The participation of children in hostilities is in direct violation of Article 3 of the CRC which states that the best interests of the child shall be a primary consideration in all actions

¹ UN News: “Israeli destruction of Palestinian homes in West Bank, ‘not compatible’ with international humanitarian law, UN says”, retrieved from <https://news.un.org/en/story/2019/07/1042981>

² Report of the Special Rapporteur on violence against women after her visit to the occupied Palestinian territory in June 2017 (A/HRC/35/30/Add.2)

concerning children. The obligations of duty bearers is multi-faceted in this as well, including a duty to prevent the use of child soldiers and instead committing to the physical and psychosocial rehabilitation and social reintegration of children who are victims of armed conflict and children who were made to participate.

Call for Action and Cooperation

[Written in the 1st person]

Today's Conference is a testimony to our desire to address the violations of human rights caused by occupation and armed conflict. No one wants to witness war crimes in this region, but in times of conflict the rule of law is naturally weakened. However, exploring the causes and consequences of human rights violations is a valid first step to addressing them. I am sure that through our cooperation we will take several steps in the right direction today, and end up with concrete commitments and developments that will help address and promote the basic human rights of vulnerable groups within the region.

I would like to thank our Representative in Beirut Roueida El Hajj and her team and Ambassador Ahmad Abou el Gheit, Secretary General of the League of Arab States and his Representative Ambassador Haifa Abou Ghazala for facilitating this conference.

Thank you.