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**Human rights situation in Palestine and other
occupied Arab territories**

Report of the United Nations High Commissioner for Human Rights on the implementation of Human Rights Council resolution 15/6

Summary

The present report provides information on the implementation of Human Rights Council resolution 15/6. It reviews the key paragraphs of resolution 15/6 and the status of their implementation.

I. Background

1. At its fifteenth session the Human Rights Council adopted resolution 15/6, entitled "Follow-up to the report of the Committee of independent experts in international humanitarian and human rights law established pursuant to Council resolution 13/9". In paragraph 9 of this resolution the Council requests the High Commissioner to present a report on its implementation to the Council at its sixteenth session.
2. The present report is submitted pursuant to this request. It contains information on the status of implementation of resolution 15/6 as of 8 December 2010.
3. To prepare this report, on 1 November 2010 the Office of the High Commissioner for Human Rights (OHCHR) addressed notes verbales to the Permanent Mission of Israel to the United Nations Office and Specialized Institutions in Geneva and to the Permanent Observer Mission of Palestine to the United Nations Office at Geneva. The notes verbales requested information on any steps taken or envisaged to be taken by the Government of Israel and the Palestinian National Authority respectively, to implement resolution 15/6.
4. In the light of the short time frame between the passing of resolution 15/6 on 29 September 2010 and the deadline for the submission of the present report, the High Commissioner intends to provide in due course any relevant updated information, if available, with regard to significant developments pertaining to the implementation of the resolution.

II. Implementation of Human Rights Council resolution 15/6

5. In paragraph 1 of resolution 15/6 the Council requests the Secretary-General to follow up on the implementation of the recommendations contained in the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48), in accordance with Council resolution S-12/1. In paragraph 2 of resolution 15/6 the Council requests the same from the High Commissioner.

6. The implementation of the recommendations contained in the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict, as of 13 September 2010, is comprehensively addressed in the report of the Secretary-General entitled "Progress made in the implementation of the recommendations of the Fact-Finding Mission by all concerned parties, including United Nations bodies, in accordance with paragraph 3 of section B of Human Rights Council resolution S-12/1" (A/HRC/15/51). In accordance with paragraph 1979 of the Fact-Finding Mission's report, OHCHR will give attention to the Mission's recommendations in its periodic reporting on the occupied Palestinian territory to the Human Rights Council. In this regard, it is noted that the High Commissioner will submit a periodic report on the human rights situation in the occupied Palestinian territory to the Council at its sixteenth session (A/HRC/16/71). The report will cover the period of 4 February to 30 November 2010.

7. In paragraph 5 of resolution 15/6 the Council urges the Palestinian Independent Investigation Commission to complete its investigations in order to cover the allegations relating to the occupied Gaza Strip, as contained in the report of the Fact-Finding Mission. In paragraph 6 of resolution 15/6 the Council urges Israel to complete investigations in conformity with international standards of independence, thoroughness, effectiveness and promptness into the serious violations of international humanitarian law and international human rights law reported by the Fact-Finding Mission.

8. As of the submission of this report, OHCHR has not received or otherwise become aware of any information regarding the implementation of either paragraph 5 or 6 of resolution 15/6. It is expected that the Committee of independent experts in international humanitarian and human rights law established pursuant to Council resolution 13/9, as resumed and renewed by resolution 15/6, will report on the implementation of these paragraphs to the Council at its sixteenth session.

9. In paragraph 8 of resolution 15/6 the Human Rights Council decides to renew and resume the mandate of the Committee of independent experts, established pursuant to Council resolution 13/9, and requests the Committee to submit its report to the Council at its sixteenth session. In the same paragraph the Council also requests the High Commissioner to continue to provide the members of the Committee with administrative, technical and logistical assistance to enable them to fulfil their mandate promptly and efficiently.

10. As of the submission of this report, OHCHR has become aware that two members of the Committee of independent experts, Christian Tomuschat and Param Kumaraswamy, are unable to continue in their capacity under the renewed and resumed mandate. OHCHR has also become aware that Justice Mary McGowan Davis is able to continue as a member under the renewed and resumed mandate. It is envisaged that the two members who are unable to continue will be replaced by two new members, and that the Committee will submit its report to the Council at its sixteenth session. Also as of the submission of this report, the High Commissioner is establishing a secretariat to provide the members of the Committee with all administrative, technical, and logistical assistance required to enable them to fulfil their mandate promptly and efficiently.
