

Statement of the Syrian Arab Republic: Ninth Open Debate on the Protection of Civilians in Armed Conflict: 7 July 2010

**Mr. Ja'afari** (Syrian Arab Republic) (*spoke in Arabic*):

Allow me to congratulate you, Madam President, on Nigeria's assumption of the presidency of the Security Council for this month and to commend the delegation of Mexico for its outstanding efforts during its presidency of the Council last month.

I also wish to express our gratitude to the Council for convening this meeting on the protection of civilians in armed conflict, in particular at such a critical time of unprecedented violations of the rights of the Palestinian people in general, and in particular those in the Gaza Strip. Those violations stem from Israel's barbaric aggression, which includes the ongoing blockade of Gaza, preventing the arrival of humanitarian assistance for civilians and attacks on ships and international peace activists transporting that aid.

Before I continue with my statement, I would like to thank Under-Secretary-General Sir John Holmes of the Office for the Coordination of Humanitarian Affairs for his efforts to implement international humanitarian law at a time when serious crises hampered that goal in various regions of the world.

The awakening of the human conscience in sympathy for civilian suffering resulted in legal developments that led to the establishment of the United Nations and various international instruments aimed at stopping and preventing war, ending foreign occupation and promoting the use of law to resolve international disputes and address the protection of civilians in armed conflict. First among those was the Geneva Convention relative to the Protection of Civilian Persons in Time of War, followed by a number of Security Council resolutions.

Despite those developments, we continue to see situations on the ground that uphold double standards — often in defence of the violation of international humanitarian law instead of protecting it. In fact, the gap between the letter of the law and its application on the ground is increasingly widening.

We are concerned by the fact that some statements by representatives of Member States in connection with deliberations on the protection of civilians in conflict situations at times display a selective understanding of the issue that is contrary to the provisions of international humanitarian law. We are also concerned by the fact that some seek to transform the suffering of civilians in certain areas of armed conflict merely into a contentious academic debate. That does not help to alleviate the suffering of civilians. I would like here to raise some of the same questions that many other Member States have asked.

Are not the 12,000 prisoners held in Israeli jails civilians? Are not the Syrian

inhabitants of the occupied Golan Heights civilians? Are not the more than 500 killed and injured as a result of Israeli mines planted in the occupied Golan Heights civilians? Do they not deserve protection? Are not those who daily face the most severe violations of their rights in the occupied Arab territories civilians? Are not the children, women and older persons who are deprived of more than 7,000 basic commodities, including chocolate, mayonnaise and other necessities, civilians? And not the people of occupied Jerusalem, whom the Israeli occupying authorities are daily expelling from their houses and their occupied city, civilians?

Were not the Lebanese who were killed by Israeli forces while seeking protection in United Nations facilities in Qana in 1996 civilians? Were those civilians launching rockets against Israel as they sought refuge in the United Nations compound? Or were United Nations forces in Qana and Gaza using those civilians as human shields? The same questions could be asked with regard to Palestinian civilians who were killed by attacking Israeli forces in Gaza during the aggression of 2008 and 2009 as they sought shelter in the schools of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in the Gaza Strip.

The Security Council adopted resolution 1894 (2009) on the occasion of the tenth anniversary of the Council's consideration of the issue of the protection of civilians in armed conflict, and two years after the Israeli aggression against the Gaza Strip and its civilian population. Since the adoption of that resolution, with which the Council has systematically dealt with on a daily basis, the Israeli aggression against the rights of civilians in Gaza has continued.

Those violations are in evidence in the blockade and in the hunger and injustice that prevail there. To date, the United Nations as a whole, including the Council, has failed to ensure the entry of basic materials necessary to rebuild UNRWA schools destroyed by Israel, in spite of the fact that resolution 1894 (2009) urged the parties to take all necessary measures to respect the rights of civilians, protect them and provide for their basic needs.

In addition to continuing to refuse to comply with that and previous resolutions, Israel is also continuing its aggressive policies against Palestinian civilians. Those include the blockade, the closing of crossing points, detentions, denial of the freedom of movement, refusing to allow students to receive medical treatment and obstacles to the flow of international assistance, not to mention the deplorable conditions of civilians in the West Bank and the Golan Heights.

Israel's actions have even affected humanitarian activists of various nationalities from the freedom flotilla, who attempted to provide assistance to the people of Gaza. Israel confronted the flotilla with acts of aggression that led to the death of nine civilians, who were only guilty of trying to provide medical and humanitarian assistance to people subjected to a blockade. All the requests, resolutions and international calls have failed to alleviate their suffering.

We do not know how much longer we can turn a blind eye to Israel's inhuman actions, which constitute a unique case of systematic wholesale violation of every principle, norm and law enshrined in international agreements. The United Nations Fact-Finding Mission on the Gaza Conflict, headed by Justice Richard Goldstone, has in its two reports provided compelling evidence of Israel's violation of the Universal Declaration of Human Rights and international humanitarian law during its aggression on Gaza. As described by Justice Goldstone himself, those violations could be considered as war crimes and crimes against humanity.

We wonder about the Council's response to all the facts contained in an international report accepted by the Human Rights Council and the relevant United Nations agencies, as well as about its response to the hundreds of reports and conclusions by other international fact-finding commissions and Special Rapporteurs, such as Richard Falk, Jean Ziegler and John Dugard, among others. The same war crimes committed by Israel against Palestinians have also been committed against the Syrian people of the occupied Golan Heights. They are therefore dual crimes, and the Council should deal with them appropriately. We say they are dual because, as we all know, Israel annexed the occupied Syrian Golan Heights and Jerusalem despite the existence of two Council resolutions condemning that annexation and requesting Israel to abolish all legislation imposed on the two occupied territories.

Israel is continuing its oppression of the civilian Syrian population of the occupied Syrian Golan, detaining them in prisons without any legal grounds and in violation of all legal and moral principles. In essence, they have been placed under house arrest. For example, house arrest was imposed for years against Fahd Shokir, a two-year-old child, under the pretext that he had been born outside Israeli territory while his parents were studying in Syria.

In order to give credibility to this debate, Syria calls upon the Council to compel Israel to allow without delay the resumption of visits by Syrian citizens to residents of the occupied Syrian Golan through the Quneitra crossing. We have addressed messages in that regard to the Secretary-General, the President of the Security Council, the President of the General Assembly and the relevant international Governmental and non-governmental organizations. We hope that they will translate into deeds the statements that we have heard during this and other meetings. Will the Security Council move from debate and declarations to committing itself to the implementation of its promises and resolutions? That is the question with which I wish to conclude my statement.

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