

**PERMANENT MISSION OF INDIA  
GENEVA**

**19th Session of the Human Rights Council  
(27 February – 23 March 2012)**

**Agenda Item 7: Human Rights Situation in Palestine and other occupied  
Arab territories**

**Resolution on the follow-up to the report of the United Nations Independent  
International Fact-Finding Mission on the Gaza conflict**

**EXPLANATION OF POSITION BY INDIA**

Madam President,

We have supported this resolution in view of our deep association and continuing commitment to Palestine. However, our position on this issue has been clearly mentioned during past sessions of the Council, the last one in October 2009 at the 12<sup>th</sup> Special Session. We reiterate our reservations in making an unqualified endorsement of the recommendations of the Fact-Finding Mission on the Gaza conflict as well as some of the procedures that it adopted. We are equally concerned at the Missions report conclusion pertaining to violations of human rights and international humanitarian law by all sides, including disproportionate response by Israel on several occasions, that has adversely impacts on vulnerable sections of society, as also at restrictions on the movements of Palestinians in the West Bank, their forced evictions and the expansion of Israeli settlements in the occupied territory.

2. Also, Madam President, our support for the resolution should not be construed as endorsing the decision of the Mission to bypass the Council and the General Assembly while making its recommendations, and the procedure adopted should not constitute a precedent. Further, it should be understood that, notwithstanding the numerous references to the International Criminal Court made by the Fact Finding Mission, our decision to support this resolution is without any prejudice to India's consistent position in the Rome Statute and the International Criminal Court.

Thank you Madam President.

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