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Israel/Occupied Palestinian Territories (OPT): Mandate of the Special Rapporteur on the OPT should be made comprehensive

Amnesty International has written to the President and Members of the UN Human Rights Council urging them to schedule a discussion to review of the mandate of the *Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*. UN General Assembly resolution 60/251 and Human Rights Council resolution 5/1 both call for the review, and where necessary, improvement and rationalization, of all Special Procedure mandates inherited from the Commission on Human Rights.

Amnesty International believes that the review, rationalisation and improvement is necessary to improve protection for victims of violations of human rights and humanitarian law and accountability for all perpetrators, in accordance with international human rights and humanitarian law.

The current mandate's focus on limitation to Israeli violations of international human rights and humanitarian law in the Occupied Palestinian Territories undercuts both the effectiveness and the credibility of the mandate. It fails to take account of the human rights of victims of violations of international human rights and humanitarian law committed by parties other than the State of Israel, providing a convenient pretext for those who seek to dismiss the findings of the Special Rapporteur as one-sided. Its limited focus has been consistently used as a pretext by the State of Israel not to cooperate with successive Special Rapporteurs – thereby undermining their ability to fully investigate violations of international human rights and humanitarian law.

The review, rationalisation and improvement of the mandate of the Special Rapporteur should provide the Special Rapporteur with a clear mandate to investigate and report on violations of international human rights and humanitarian law committed in the Occupied Palestinian Territories by all parties – Israeli and Palestinian, state agents and non-state actors. Ensuring the comprehensiveness of the Special Rapporteur's mandate is necessary to protect and promote the rights of all persons present in the Occupied Palestinian Territories or whose rights are violated as a result of acts carried out by any party in those territories – in accordance with international human rights and humanitarian law.

Amnesty International believes that the scope and the gravity of the violations of human rights and international humanitarian law in the Occupied Palestinian Territories demand that the Council take all possible measures to improve the protection of all persons whose rights are violated.

The review, rationalisation and improvement would be without prejudice to the duration of the mandate created by Commission on Human Rights Resolution 1993/2 of 19 February 1993 on the 'Question of the violation of human rights in the occupied Arab territories, including Palestine', and originally established to report to the

Commission until the end of the Israeli occupation of those territories. In its resolution 5/1, the Council confirmed the duration of the mandate until the end of the occupation.

Amnesty International urged the Council to schedule a discussion for the review, rationalisation and improvement of this mandate for the September 2008 session of the Council.

Public Document

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