

General Assembly 79th Session

Statement by Navi Pillay, Chair of the Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel 30 October 2024, New York

Mr Chair. Excellencies. Colleagues. Good morning,

I would like to begin today by expressing our profound distress at the human lives lost in this ongoing cycle of violence. Every day we witness more atrocities, increasing attacks on civilians and civilian objects, forcible transfer, and tightening of the siege. Hospitals, shelters and schools continue being the target of attacks, with deeply disturbing reports of patients being burned alive, just two weeks ago in a hospital in central Gaza.

It is an outrage that these actions have been allowed to continue unabated.

7 October should have been a wake-up call to finally end the recurring cycles of violence and retribution, and for peace to become a viable reality. Tragically, it has instead served as a call to arms for collective punishment and dehumanization.

Humanity must prevail. An immediate ceasefire is the utmost priority and should pave the way for peace, justice and accountability for all victims.

Excellencies

Last June we presented reports to the Human Rights Council documenting some of the most egregious crimes and atrocities committed by Israeli authorities and by Palestinian armed groups since 7 October 2023, including killing, maiming, siege and starvation, forcible transfer, sexual and gender-based violence and attacks directed against civilian populations.

The report before you today, examines attacks on medical facilities and medical personnel and the treatment of detainees and hostages from 7 October 2023 to August 2024.

Our report concludes that Israeli authorities have implemented a concerted policy to destroy Gaza's healthcare system. Israeli forces have carried out hundreds of attacks on hospitals and medical facilities - including medical vehicles and

medical personnel - that enjoy special protection under international humanitarian law.

Hundreds of medical personnel were deliberately killed or wounded, including by sniper fire, detained and mistreated by Israeli forces. These acts were imposed as collective punishment, constituting the war crimes of wilful killing and torture, and the crime against humanity of extermination.

The destruction of Gaza's health infrastructure has severely impeded access to, and availability of, medical services, drastically increasing mortality and morbidity, primarily among children and vulnerable patients. At the same time, Israeli authorities tightened the siege, preventing fuel, food and medical supplies from reaching hospitals, compounding the dire situation of those in need of medical attention. Attacks on healthcare have drastically reduced the availability of paediatric and neonatal care, causing substantial harm to children and infants.

The Commission investigated one particularly egregious incident of a deliberate attack on an ambulance in January 2024. The attack resulted in the killing of seven family members including five-year-old - Hind Rajab - and two paramedics. We

concluded that the Israeli Army's 162nd Division is responsible for these actions, which constitute the war crimes of wilful killing and an attack against civilian objects.

The deliberate targeting and destruction of the infrastructure providing sexual and reproductive healthcare, combined with the lack of access and availability to healthcare, violates the reproductive rights of Palestinian women and girls, resulting in long-term irreversible repercussions on the Palestinian people's right of survival as a group.

The Commission also documented attacks by Palestinian armed groups on medical staff, facilities and ambulances in Israel on and after 7 October 2023, which we say constitute war crimes.

Excellencies,

Our report also focuses on the treatment of those captured and held by parties to the conflict.

We found that the thousands of Palestinians, mostly men and boys from Gaza, have been arbitrarily detained and held incommunicado.

Israeli forces used detainees as human shields in both the West Bank and Gaza, constituting a war crime. These incidents included transporting detainees on the bonnet of military vehicles in the middle of an exchange of fire and forcing detainees into tunnels and buildings ahead of military personnel.

The Commission found that Palestinian detainees, including older persons, children and those arrested before 7 October, were subjected to persistent mistreatment by Israeli authorities, including beatings, continuous blindfolding and handcuffing, severe overcrowding, death threats, humiliation, deprivation of food, restricting appropriate hygiene and withholding medical care. These acts amount to torture as a war crime and crime against humanity.

Acts of physical, psychological, sexual and reproductive violence were inflicted to humiliate and punish Palestinians. Palestinian male detainees endured sexualized torture, including rape and attacks on sexual and reproductive organs. Female detainees were subjected to sexual abuse and harassment, as well as threats of rape.

These acts are a result of an intentional policy of collective punishment, seen in the statements made by Israeli officials legitimizing revenge and dehumanizing Palestinians.

Excellencies,

In its June report, the Commission concluded that the taking of hostages by Palestinian armed groups on 7 October constituted a war crime.

In the report before you today, we found that hostages have been intentionally mistreated in captivity, and that war crimes and crimes against humanity, including torture, enforced disappearance and other inhumane acts were committed.