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I. UNITED NATIONS HUMAN RIGHTS EXPERTS ISSUE STATEMENT ON VIOLENCE IN GAZA

On 2 January 2009, Asma Jahangir, Chairperson of the coordinating body for independent United Nations human rights experts (known as the Coordination Committee of the Special Procedures) issued the following statement (HR09001E):

The Coordination Committee of Special Procedures is deeply alarmed at the continuing violence in Gaza. We stress that international human rights law continues to apply and that it imposes binding obligations on all parties in situations of armed conflict.

We call on all parties to immediately cease all actions that result in civilian casualties, or put them at great risk. Both air strikes by Israeli Government forces and rocket attacks from Gaza into Israel are resulting in inexcusable loss of life and placing the civilian populations in the affected areas in extreme danger.

The use of disproportionate force by Israel and the lack of regard for the life of civilians on both sides cannot be justified by the actions of the other party. They constitute clear violations of international

human rights and international humanitarian law.

We are particularly concerned at the impact of the current violence and destruction of vital infrastructure on the already dire humanitarian situation in Gaza. We call on all parties to immediately ensure full access to humanitarian actors and supplies and enable them to carry out their work of distributing food, treating the sick and injured, and guaranteeing the provision of essential energy and sanitation.

Independent human rights monitoring, including by the various United Nations Special Procedures, is particularly crucial in these circumstances, which result in an exceptionally broad range of human rights violations.

II. SECRETARY-GENERAL CONVEYS EXTREME CONCERN AND DISAPPOINTMENT TO ISRAELI PRIME MINISTER OVER GAZA GROUND OPERATION

On 3 January 2009, the Spokesperson for Secretary-General Ban Ki-moon issued the following statement (SG/SM/12033):

The Secretary-General is deeply concerned over the serious further escalation today in Gaza, including the launch of an Israeli ground operation into the Strip, use of heavy artillery and continued rocket fire.

The Secretary-General has spoken with Prime Minister [Ehud] Olmert and conveyed his extreme concern and disappointment. He is convinced and alarmed that this escalation will inevitably

increase the already heavy suffering of the affected civilian populations. He called for an immediate end to the ground operation, and asked that Israel do all possible to ensure the protection of civilians and that humanitarian assistance is able to reach those in need.

Today's developments complicate the efforts of the Quartet and others to end the violence. The Secretary-General reiterates his call for an immediate cessation of all violence, and urges regional and international partners to exert all possible influence to bring about an immediate end to the bloodshed and suffering.

III. SECRETARY-GENERAL ISSUES STATEMENT ON GAZA CONFLICT

On 4 January, the following statement by Secretary-General Ban Ki-moon was issued in New York (SG/SM/12035):

In light of the deepening crisis in Gaza, I recalled my Special Coordinator for the Middle East Peace Process, Robert Serry, to brief me in New York on the situation on the ground as well as diplomatic efforts under way. I also convened a meeting of my senior advisers as part of the ongoing response of the United Nations to all aspects of the crisis.

I believe the United Nations, in particular the Security Council, has a central role to play in bringing a speedy end to the conflict. I regret that the Security Council has not been able to reach a consensus, including during its emergency session held yesterday evening, in order to bring about an end to the violence. I will be working actively with members of the Council and other key players, in particular Arab leaders

who I am seeing tomorrow at United Nations Headquarters, to facilitate the emergence of a consensus.

Meanwhile, I remain extremely concerned about the deteriorating humanitarian situation on the ground. We are in close contact with the Israeli authorities to press them to open not only the Kerem Shalom crossing, but also Karni and Nahd Oz, to allow in, particularly, wheat grain and fuel for the power plant, as well as other essential supplies.

Given the crucial juncture at which we have arrived in the search for a ceasefire, I appeal to all members of the international community to display the unity and commitment required to bring this escalating crisis to an end.

IV. NON-ALIGNED MOVEMENT CONDEMNS ISRAELI ESCALATION IN THE GAZA STRIP

On 5 January 2009, the Permanent Representative of Cuba to the United Nations Abelardo Moreno Fernández, acting in his capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, transmitted the Coordinating Bureau's statement on the escalation of the Israeli military aggression against the Gaza Strip in the Occupied Palestinian Territory to Secretary-General Ban Ki-moon. The statement is reproduced below (S/2009/15):

The Coordinating Bureau of the Non-Aligned Movement (NAM) strongly condemns the escalation of the military aggression being carried out by Israel, the occupying Power, in the Gaza Strip. NAM is gravely concerned by and condemns in particular the launching of the Israeli ground invasion in Gaza in flagrant defiance of the calls by the international community for a cessation of military activities and of the regional and international diplomatic efforts under way to resolve the current crisis.

NAM expresses its deep regret at the loss of innocent life as a result of the ongoing Israeli military attacks against the Strip, including the killing of more than 460 Palestinian civilians, among them several children, and the injuring of nearly more than 2,500 other civilians, as well as the massive destruction of property and infrastructure in the Gaza Strip.

NAM reiterates that this unacceptable Israeli military aggression against the Palestinian civilian population in the Gaza Strip constitutes a grave breach of international law, including humanitarian and human rights law, fuels the cycle of violence and threatens international peace and security as well as the fragile peace process between the two sides.

NAM calls for an immediate cessation of all military activities and violence and for

the implementation of an immediate general ceasefire. Israel should immediately cease all its military attacks and scrupulously abide by all of its obligations, as the occupying Power, under international law and relevant United Nations resolutions. In this regard, the Movement urges Israel to unconditionally comply with its obligations under international law, including the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

In view of the indiscriminate bombings affecting the civilian population, including women and children, as well as the severe humanitarian crisis prevailing in Gaza, NAM also calls for the immediate provision of protection for the Palestinian civilian population in the Gaza Strip in accordance with the relevant provisions of international humanitarian law.

The Movement expresses grave concern about the deepening humanitarian crisis being faced by the Palestinian civilian population in Gaza as a result of the current military actions, the continued closure of all border crossings and the obstruction of access of humanitarian aid, including food and medicines, and the reduction of fuel and electricity supplies to the Gaza Strip by Israel.

In this context, NAM calls upon Israel to end the collective punishment of the Palestinian people and to allow for the immediate and sustained opening of the Gaza Strip's border crossings to ensure the free access of humanitarian aid and other essential supplies and goods as well as to facilitate the passage of persons to and from the Gaza Strip.

In light of the gravity of this crisis, NAM expresses its deep disappointment at the inability of the Security Council to uphold its responsibilities in maintaining international peace and security. Despite more than a week of sustained military attacks that have gravely affected the civilian population and heightened instability and tensions in the region, the Council has regrettably been unable to take any concrete measure to end the aggression. Once again, the Movement requests the Security Council to act urgently to address this grave situation.

NAM stresses the need for intensified and coordinated efforts by the international community to bring an end to this crisis and to exert all necessary efforts to support and promote the peace process as well as to ensure respect for international law, including international humanitarian and human rights law, the key to a peaceful settlement of the Palestinian-Israeli conflict and the Arab-Israeli conflict as a whole, as the sole means to guarantee a lasting peace in the region.

The Movement is convinced that there is no military solution to the conflict. In this context, NAM reaffirms its commitment to a peaceful solution of the Israeli-Palestinian conflict and to the right of the Palestinian people to exercise self-determination and sovereignty in their independent State of Palestine, on the basis of the 1967 borders, with East Jerusalem as its capital.

V. SECURITY COUNCIL CONVENES ON GAZA CRISIS

On 6 and 7 January 2009, the Security Council convened to consider the crisis in the Gaza Strip. Following is the statement by Secretary-General Ban Ki-moon delivered at the opening of the meeting (S/PV.6061):

As the Council meets to address the grave crisis in Gaza, I welcome the leader of the Palestinian people, President Mahmoud Abbas, who is recognized by the members of this body as the legitimate representative of the Palestinian people. His presence, and that of high-level representatives of members of the Security Council, as well as of Arab and other Member States, is a reminder that we must move from debate to action, and must do so immediately.

The situation on the ground demands nothing less. The Israeli military operation, with the stated purpose of bringing an end to rocket attacks by Hamas militants and a change in the security conditions in southern Israel, is in its eleventh day. Israel has intensified its air bombardment and sea attacks into Gaza. These attacks have caused damage and destruction both to Hamas militants' facilities and to public infrastructure, mosques, schools and homes.

Hamas militants have continued to fire rockets at Israel, most recently reaching 30 kilometres from Tel Aviv. Three days ago, in a further escalation, Israeli troops entered the Gaza Strip. There have been fierce clashes in heavily populated areas, including in and around Gaza City and in refugee camps.

According to the Palestinian Ministry of Health and media sources, over 570 Palestinians have already been killed and over 2,700 injured. United Nations teams are unable to confirm figures due to the dangerous situation on the ground, but objective assessments, including those based on visits to hospitals, suggest that the numbers are credible.

Israeli sources have confirmed the deaths of five soldiers and another 50 are injured, in addition to four civilians killed and dozens injured by the more than 500 rockets launched in the last 11 days, some of which have struck homes and schools.

As this conflict has escalated, I have repeatedly condemned indiscriminate rocket attacks by Hamas and the excessive use of force by Israel. I have called for an immediate end to the violence, and I have warned that if these appeals went unheeded, civilians were inevitably going to continue to be killed in large numbers. Today, at United Nations facilities in Gaza, that is exactly what has happened. Three United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) schools, set up by the United Nations as places of refuge for civilians fleeing the fighting, have been hit in adjacent Israeli strikes. The third strike, at a school in the Jabaliya refugee camp, has killed dozens of civilians.

These attacks by Israeli military forces, which endanger United Nations facilities serving as places of refuge, are totally unacceptable and should not be repeated. Equally unacceptable are any actions by Hamas militants that endanger the Palestinian civilian population. Today's events underscore the dangers inherent in the continuation and escalation of this conflict. I call once again for an immediate ceasefire.

In the midst of this fighting, the civilian population of Gaza faces a humanitarian crisis. Entire families, including women and children, have perished in the violence, as have United Nations staff and medical workers. There are no shelters for the vast majority of the civilian population. Food and fuel supplies are insufficient. A million people have no electricity. A quarter of a million have no running water. The only answer is an end to the violence. Whatever the rationale of the combatants, only an end to violence and a political way forward can deliver long-term security and peace.

I have been actively engaged with regional and world leaders to bring the violence to a speedy end. I stressed to President Bush today the importance of acting immediately, and I had valuable consultations with Arab leaders yesterday and today, including President Abbas. My envoys and I have been working to facilitate the emergence of a consensus, and I will continue my efforts with regional and world leaders, including many already gathered here in New York.

I am gratified by the most recent initiative by President Mubarak and President Sarkozy for a way out of the current impasse.

I also intend to travel next week to Israel and the occupied Palestinian territory and to regional capitals. But I do not believe we can wait until then to end the violence. We must achieve that now.

To do so, there must be an immediate ceasefire that is durable and respected fully by all sides. Immediate humanitarian measures, including open crossings for humanitarian assistance, should be ensured.

In addition, viable international mechanisms will be required to ensure that borders are properly functioning. This must include a plan to ensure that the crossings operate as envisaged in the 2005 Agreement on Movement and Access and that smuggling from any direction is addressed. Third parties will need to provide assistance, both on the ground and in terms of diplomatic support, to supervise and safeguard all the various elements of a ceasefire.

Gaza's enormous social relief and reconstruction needs will have to be addressed. A consolidated account of the current humanitarian needs, including the urgent appeal by UNRWA, has been issued by the Office for the Coordination of Humanitarian Affairs. I urge all Member States to respond promptly and generously to this appeal.

We urgently need to achieve Palestinian unity and the reunification of Gaza with the West Bank within the framework of the legitimate Palestinian Authority. We must also see the urgent continuation of negotiations for a political solution to the Israeli-Palestinian conflict, which we worked so hard for in 2008 but did not achieve.

This Council has the primary responsibility for the maintenance of international peace and security. I hope that the Council will act swiftly and decisively to put an end to this crisis.

VI. SECRETARY-GENERAL EXPRESSES DISMAY AT DAMAGE TO UNITED NATIONS FACILITIES IN GAZA

On 6 January 2009, Secretary-General Ban Ki-moon issued the following statement regarding Israeli military strikes on schools operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in the Gaza Strip (SG/SM/12037):

In the last day, three schools operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East have been hit by nearby Israeli military strikes. A substantial number of civilians have been killed, particularly in the third strike, and many more have been injured. I am awaiting full confirmation of the details of these incidents.

These, and over 20 other schools, are serving as temporary shelters to over 15,000

Palestinians whose homes have been destroyed or who are fleeing the violence. They are seeking sanctuary in UNRWA schools because they have no other place to go and are not able to flee the Gaza Strip.

In another incident, seven United Nations staff were injured, three seriously, together with three patients, when a strike on a neighbouring building caused substantial collateral damage to an UNRWA health centre.

The locations of all United Nations facilities have been communicated to the Israeli authorities and are known to the Israeli army. After earlier strikes, the Israeli Government was warned that its operations were endangering United Nations compounds. I am deeply dismayed that, despite these repeated efforts, today's tragedies have ensued. These attacks by Israeli military forces, which endanger

United Nations facilities acting as places of refuge, are totally unacceptable and must not be repeated. Equally unacceptable are any actions by militants which endanger the Palestinian civilian population.

Today's events underscore the dangers inherent in the continuation and escalation of this conflict. I call once again for an immediate ceasefire.

VII. UNESCO DIRECTOR-GENERAL AND UNITED NATIONS SPECIAL REPRESENTATIVE FOR CHILDREN AND ARMED CONFLICT EXPRESS GRAVE CONCERN OVER ATTACKS ON UNRWA SCHOOLS

On 7 January 2009, the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Koïchiro Matsuura, and the Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, issued a joint statement, summarized in the following press release:

UNESCO Director-General Koïchiro Matsuura and United Nations Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, expressed grave concern over the recent attacks against UNRWA schools and associated facilities. These facilities had been set up by the United Nations as places of refuge for civilians fleeing the fighting in Gaza.

This follows the shelling by the Israeli military of three schools operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). A large number of civilians, including children, were killed, particularly in the third strike, and many more were injured.

"These attacks are extremely distressing. I reiterate that schools should, in no way, be involved in military conflict",

said Mr. Matsuura. "Schools must remain zones of peace and security in all circumstances."

"All parties should agree to a ceasefire for the sake of the children and the civilian population, which bear the brunt of the conflict", stated Ms. Coomaraswamy. The Special Representative reiterated her call to Hamas to stop its indiscriminate rocket fire. She also urged the Government of Israel to take all necessary measures to limit civilian casualties and to investigate its military strikes against schools. "Something went terribly wrong and those who committed these attacks must be held responsible," she added.

Mr. Matsuura and Ms. Coomaraswamy joined their voices to the call made on 6 January to the Security Council by the United Nations Secretary-General: "These attacks by Israeli military forces,

which endanger United Nations facilities serving as places of refuge, are totally unacceptable and should not be repeated. Equally unacceptable are any actions by Hamas militants that endanger the

Palestinian civilian population. Today's events underscore the dangers inherent in the continuation and escalation of this conflict", stated Mr. Ban Ki-moon.

VIII. BUREAU OF PALESTINIAN RIGHTS COMMITTEE ISSUES STATEMENT ON ESCALATION OF GAZA SITUATION

On 8 January 2009, the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People issued a statement on the escalation of violence in the Gaza Strip. The statement is reproduced below (GA/PAL/1110):

In the days following the issuance by the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People of its statement on 31 December 2008, the situation in the Gaza Strip has sharply escalated, with Israel invading the Territory and with casualties steadily rising. According to the estimates by Gaza medics, the number of Palestinians killed now exceeds 700. More than 3,000 have been injured.

This massive and unprecedented Israeli military onslaught in the Gaza Strip is being conducted in blatant contravention of international humanitarian and human rights law and scores of United Nations resolutions. The Bureau of the Committee is particularly troubled by the fact that the Israeli invasion is being carried out with a rather scant regard for the life of the Palestinian civilian population, already suffering under suffocating Israeli occupation and in flagrant defiance of the calls by the international community for a cessation of military activities. The number of killed and injured Palestinian civilians has been mounting from day to day. In particularly horrific incidents in the last two days, United Nations Relief and Works Agency for Palestine Refugees in the Near

East (UNRWA) schools in Gaza City and the Jabaliya refugee camp, in which hundreds of Palestinian civilians sought shelter from incessant Israeli bombardment, were shelled by Israeli forces. In Jabaliya's Al-Fakhoura school incident alone, Israeli tank and mortar fire killed 43 civilians and injured more than 100.

The Bureau of the Committee wishes to reiterate most energetically that, in addition to being illegal from the standpoint of international law, the aggressive actions of Israel are unacceptable from the moral point of view. Using heavy artillery and tank fire, as well as air and naval power, Israeli forces continue to wreak havoc and destruction throughout the Gaza Strip. Palestinian civilians in Gaza are lacking elementary protection and shelter as they come under heavy Israeli fire and their homes are destroyed as a result. In spite of the official Israeli assertions to the contrary, Israel is perpetuating a humanitarian crisis in the Gaza Strip and causing daily harm to Palestinian civilians.

The Bureau of the Committee is appreciative of the regional and international diplomatic efforts, including by the European Union, the League of Arab States

and the Non-Aligned Movement, aimed at stopping the violence and resolving this crisis. In this regard, the Bureau is further encouraged by the initiative of President Hosni Mubarak of Egypt and President Nicolas Sarkozy of France. It is becoming increasingly clear that the world community should not passively observe the present carnage and crimes committed by Israeli forces in Gaza under the official pretext of stopping Palestinian rocket fire. More resolute and robust steps are needed. The present situation is absolutely unacceptable and untenable.

In light of these circumstances, the Bureau of the Committee expresses its disappointment at the inability of the Security Council to fulfil its responsibilities

even after more than a week of sustained military attacks. The Bureau of the Committee urges the Security Council to take concrete steps to demand most forcefully that an immediate and durable ceasefire is agreed, that a ceasefire monitoring arrangement is put in place, that firing rockets into Israel be stopped, that Israel withdraws its troops completely from the Gaza Strip, that all Gaza crossings be reopened, that medical and humanitarian supplies are allowed into Gaza unhindered, and that the parties return to dialogue. The Bureau calls upon the Security Council to act urgently and to exercise its primary responsibility under the United Nations Charter and show resolve that could help produce a quick impact on the ground.

IX. SECURITY COUNCIL ADOPTS RESOLUTION 1860 (2009), CALLS FOR IMMEDIATE CEASEFIRE

On 8 January 2009, the Security Council adopted resolution 1860 (2009), with 14 votes in favour and one abstention (United States). The resolution is reproduced below:

Resolution 1860 (2009)

Adopted by the Security Council at its 6063rd meeting, on 8 January 2009

The Security Council,

Recalling all of its relevant resolutions, including resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and 1850 (2008),

Stressing that the Gaza Strip constitutes an integral part of the territory occupied in 1967 and will be a part of the Palestinian state,

Emphasizing the importance of the safety and well-being of all civilians,

Expressing grave concern at the escalation of violence and the deterioration of the situation, in particular the resulting heavy civilian casualties since the refusal to extend the period of calm; and *emphasizing* that the Palestinian and Israeli civilian populations must be protected,

Expressing grave concern also at the deepening humanitarian crisis in Gaza,

Emphasizing the need to ensure sustained and regular flow of goods and people through the Gaza crossings,

Recognizing the vital role played by UNRWA in providing humanitarian and economic assistance within Gaza,

Recalling that a lasting solution to the Israeli-Palestinian conflict can only be achieved by peaceful means,

Reaffirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Stresses* the urgency of and *calls for* an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza;

2. *Calls for* the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel and medical treatment;

3. *Welcomes* the initiatives aimed at creating and opening humanitarian corridors and other mechanisms for the sustained delivery of humanitarian aid;

4. *Calls on* Member States to support international efforts to alleviate the humanitarian and economic situation in Gaza, including through urgently needed additional contributions to UNRWA and through the Ad Hoc Liaison Committee;

5. *Condemns* all violence and hostilities directed against civilians and all acts of terrorism;

6. *Calls upon* Member States to intensify efforts to provide arrangements and guarantees in Gaza in order to sustain a durable ceasefire and calm, including to prevent illicit trafficking in arms and ammunition and to ensure the sustained reopening of the crossing points on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel; and in this regard, *welcomes* the Egyptian initiative, and other regional and international efforts that are under way;

7. *Encourages* tangible steps towards intra-Palestinian reconciliation including in support of mediation efforts of Egypt and the League of Arab States as expressed in the 26 November 2008 resolution, and consistent with Security Council resolution 1850 (2008) and other relevant resolutions;

8. *Calls for* renewed and urgent efforts by the parties and the international community to achieve a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognized borders, as envisaged in Security Council resolution 1850 (2008), and recalls also the importance of the Arab Peace Initiative;

9. *Welcomes* the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009;

10. *Decides* to remain seized of the matter.

X. SECRETARY-GENERAL CONDEMNS ISRAELI FIRING ON UNRWA CONVOY

On 8 January 2009, the Spokesperson for Secretary-General Ban Ki-moon issued the following statement (SG/SM/12040/Rev.1):

The Secretary-General condemns the Israel Defense Forces firing on a United Nations aid convoy in Gaza, the killing of two UNRWA staff in separate incidents and the injuring of a contract worker. Since the conflict began 13 days ago, four UNRWA local staff have been killed. The United Nations is in close touch with the Israeli authorities about the full investigation of this and other incidents, and about the need for urgent measures to avoid them in the future.

The Secretary-General calls once again for an immediate ceasefire in order to facilitate full and unhindered humanitarian access, and to allow aid workers to work in safety to reach persons in need. UNRWA has been forced to suspend food distribution as it cannot guarantee the safety of its staff. The inability of the United Nations to provide assistance in this worsening humanitarian crisis is unacceptable.

XI. UNICEF EXECUTIVE DIRECTOR CALLS ON ALL PARTIES TO THE CONFLICT TO PROTECT CHILDREN

On 8 January 2009, the Executive Director of the United Nations Children's Fund (UNICEF), Ann M. Veneman, issued the following statement:

UNICEF is deeply concerned that the ongoing violence has forced UNRWA to suspend its humanitarian operation in Gaza. This can only deepen an already critical humanitarian situation and put children at even greater risk of death or permanent damage. The distribution of food, water, fuel and medicine should not be impeded.

The physical and psychological damage that this conflict is inflicting on children on both sides must end. Children are being killed and injured on a daily basis as a result of the current military operation. This is unacceptable and every effort must be made by all concerned to ensure that

children receive the protection that is their right and our collective duty.

UNICEF calls on all parties to the conflict to take every measure to protect children.

It is only with an end to the conflict that children's rights can be fully respected.

In the interim, safe spaces and unimpeded humanitarian access must be established in Gaza urgently to ensure that children have access to regular life-saving supplies and support.

XII. HUMAN RIGHTS COUNCIL DECIDES TO SEND FACT-FINDING MISSION TO GAZA

At its ninth special session held in Geneva on 9 and 12 January 2009, the Human Rights Council adopted resolution S-9/1, entitled “The grave violations of human rights in the Occupied Palestinian Territory, particularly due to the recent Israeli military attacks against the occupied Gaza Strip”. The resolution is reproduced below (A/HRC/RES/S-9/1):

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations and the Universal Declaration of Human Rights,

Acknowledging that peace, security, development and human rights are the pillars of the United Nations system,

Guided by the right to self-determination of the Palestinian people and the inadmissibility of the acquisition of land by the use of force, as enshrined in the Charter of the United Nations,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Affirming the applicability of international human rights law to the Occupied Palestinian Territory, including East Jerusalem,

Affirming also the applicability of international humanitarian law, namely the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, to the Occupied Palestinian Territory, including East Jerusalem,

Emphasizing that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Recalling the obligations of the High Contracting Parties to the Fourth Geneva Convention,

Reaffirming that each High Contracting Party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War is under the obligation to respect and ensure the respect for the obligations arising from that Convention,

Stressing that the right to life constitutes the most fundamental of all human rights,

Expressing serious concern at the lack of implementation by the occupying Power, Israel, of previously adopted resolutions and recommendations of the Council relating to the human rights situation in the Occupied Palestinian Territory, including East Jerusalem,

Recognizing that the massive ongoing Israeli military operation in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, has caused grave violations of the human rights of the Palestinian civilians therein, exacerbated the severe humanitarian crisis in the Occupied Palestinian Territory and undermined international efforts towards achieving a just and lasting peace in the region,

Condemning all forms of violence against civilians and deploring the loss of human lives in the context of the current situation,

Recognizing that the Israeli siege imposed on the occupied Gaza Strip, including the closure of border crossings and the cutting of the supply of fuel, food and medicine, constitutes collective punishment of Palestinian civilians and leads to disastrous humanitarian and environmental consequences,

1. *Strongly condemns* the ongoing Israeli military operation carried out in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, which has resulted in massive violations of the human rights of the Palestinian people and systematic destruction of Palestinian infrastructure;

2. *Calls for* the immediate cessation of Israeli military attacks throughout the Palestinian Occupied Territory, particularly in the occupied Gaza Strip, which to date have resulted in the killing of more than nine hundred and injury to more than four thousand Palestinians, including a large number of women and children, and the end to the launching of crude rockets against Israeli civilians, which have resulted in the loss of four civilian lives and some injuries;

3. *Demands* that the occupying Power, Israel, immediately withdraw its military forces from the occupied Gaza Strip;

4. *Calls upon* the occupying Power, Israel, to end its occupation of all Palestinian lands occupied since 1967 and to respect its commitment within the peace process

towards the establishment of the independent sovereign Palestinian State, with East Jerusalem as its capital, living in peace and security with all its neighbours;

5. *Demands* that the occupying Power, Israel, stop the targeting of civilians and medical facilities and staff and the systematic destruction of the cultural heritage of the Palestinian people, in addition to the destruction of public and private properties, as laid down in the Fourth Geneva Convention;

6. *Also demands* that the occupying Power, Israel, lift its siege, open all borders to allow access and free movement of humanitarian aid to the occupied Gaza Strip, including the immediate establishment of humanitarian corridors, in compliance with its obligations under international humanitarian law, and ensure free access of the media to areas of conflict through media corridors;

7. *Calls upon* the international community to support the current initiative aiming at putting an immediate end to the current military aggression in Gaza;

8. *Calls for* urgent international action to put an immediate end to the grave violations committed by the occupying Power, Israel, in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip;

9. *Also calls for* immediate international protection of the Palestinian people in the Occupied Palestinian Territory, in compliance with international human rights law and international humanitarian law;

10. *Urges* all parties concerned to respect the rules of international human rights law and international humanitarian law and to refrain from violence against the civilian population;

11. *Requests* the United Nations High Commissioner for Human Rights to report on the violations of human rights of the Palestinian people by the occupying Power, Israel, by:

(a) Strengthening the field presence of the Office of the High Commissioner in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, and deploying the necessary personnel and expertise to monitor and document Israeli violations of the human rights of Palestinians and the destruction of their properties;

(b) Submitting periodic reports to the Council on the implementation of the present resolution;

12. *Requests* all relevant special procedures mandate-holders, in particular the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on violence against women, its causes and consequences, the Special Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the

Special Rapporteur on the right to food, the Special Rapporteur on extrajudicial, arbitrary or summary executions, the Special Rapporteur on the right to education and the independent expert on the question of human rights and extreme poverty, to urgently seek and gather information on violations of the human rights of the Palestinian people and submit their reports to the Council at its next session;

13. *Requests* the occupying Power, Israel, to fully cooperate with all the above-mentioned special procedures mandate-holders and to desist from any further hindrance to the work of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967;

14. *Decides* to dispatch an urgent, independent international fact-finding mission, to be appointed by the President of the Council, to investigate all violations of international human rights law and international humanitarian law by the occupying Power, Israel, against the Palestinian people throughout the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, due to the current aggression, and calls upon Israel not to obstruct the process of investigation and to fully cooperate with the mission;

15. *Requests* the Secretary-General and the High Commissioner to provide all administrative, technical and logistical assistance required to enable the above-mentioned special procedures mandate-holders and the fact-finding mission to fulfil their mandates promptly and efficiently;

16. *Requests* the Secretary-General to investigate the latest targeting of facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in Gaza, including schools, which resulted in the killing of tens of Palestinian civilians, including women and children, and to submit a report to the General Assembly thereon;

17. *Decides* to follow up on the implementation of the present resolution at its next session.

XIII. COMMITTEE ON THE RIGHTS OF THE CHILD DEEPLY CONCERNED AT EFFECTS OF MILITARY ENGAGEMENT IN GAZA ON CHILDREN

On 13 January 2009, the United Nations Committee on the Rights of the Child issued the following statement:

The United Nations Committee on the Rights of the Child is deeply concerned at the devastating effects that the current military engagement in Gaza is having on children. Hundreds of children have been killed or injured, many seriously. Many others have lost their loved ones. The continuous fighting and destruction of livelihoods and basic infrastructures severely compromise enjoyment of human rights, especially in relation to health, education and family life. Children have also experienced serious difficulties in accessing humanitarian aid. The emotional and psychological effects of these events on an entire generation of children will be severe.

The Convention on the Rights of the Child has been ratified by 193 States, testifying to a universally recognized commitment for the respect and protection of the rights of children. But the rights enshrined in the Convention, including the right of children to life, survival and development and to be protected from all

forms of violence, have been blatantly violated during this crisis. The Committee recalls that human rights law, including the Convention, applies at all times, including in situations of armed conflict.

The Committee stresses that, under article 38 of the Convention, States parties - in accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts - shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict. They also undertake to respect and to ensure respect for the rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child. The Committee emphasizes that all parties must ensure the protection of children during the conflict and abide by the relevant provisions of international law in this respect.

The Committee also underlines that in the preamble of the Optional Protocol to the Convention on the involvement of children

in armed conflict - to which Israel is a party - States parties condemn: “the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places that generally have a significant presence of children, such as schools and hospitals”. This affirmation is undermined by the fact that many children have lost their lives as a result of manifest disrespect for their protection and that of their schools,

including some administered by the United Nations itself.

The Committee joins the calls of Security Council resolution 1860 (2009) (adopted on 8 January 2009), the Secretary-General, the High Commissioner for Human Rights and the Special Representative of the Secretary-General for Children and Armed Conflict for an immediate cessation of hostilities from both sides.

XIV. GENERAL ASSEMBLY EMERGENCY SPECIAL SESSION ADOPTS RESOLUTION SUPPORTING IMMEDIATE CEASEFIRE IN GAZA

At its resumed tenth emergency special session, held on 15 and 16 January 2009, the General Assembly adopted resolution ES-10/18 by a recorded vote of 142 in favour to 4 against, with 8 abstentions. The resolution is reproduced below:

The General Assembly,

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until it is solved in all its aspects, in accordance with international law,

Recalling the relevant rules and principles of international law, including international humanitarian and human rights law, particularly the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,¹ which is applicable to the Occupied Palestinian Territory, including East Jerusalem,

Expressing grave concern about the developments on the ground since the

adoption of Security Council resolution 1860 (2009) on 8 January 2009, especially following the intensified military operations in the Gaza Strip, causing heavy casualties among civilians, including children and women, and the shelling of United Nations headquarters, hospitals, media premises and public infrastructure, and emphasizing that the Palestinian and Israeli civilian populations must be protected and that their suffering must end,

Convinced that achieving a just, lasting and comprehensive settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive, just and lasting peace and stability in the Middle East,

1. *Demands* full respect for Security Council resolution 1860 (2009), including its urgent call for an immediate, durable and

^{1/} United Nations, *Treaty Series*, vol. 75, No. 973.

fully respected ceasefire, leading to the full withdrawal of Israeli forces from the Gaza Strip, and its call for the unimpeded provision and distribution throughout the Gaza Strip of humanitarian assistance, including food, fuel and medical treatment;

2. *Calls upon* all parties to exert all efforts to ensure, in cooperation with the Security Council, full and urgent compliance with resolution 1860 (2009);

3. *Expresses its support* for international and regional initiatives and efforts under way and for the mission undertaken by the Secretary-General of the United Nations;

4. *Expresses its support* for the extraordinary efforts by the United Nations agencies, particularly the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to provide

emergency relief, medical and other humanitarian assistance to the Palestinian civilian population in the Gaza Strip;

5. *Calls upon* all Member States to urgently extend the necessary support to international and regional efforts aimed at alleviating the critical humanitarian and economic situation in the Gaza Strip, and emphasizes in this regard the need to ensure the sustained opening of border crossings for the free movement of persons and goods into and out of the Gaza Strip, in accordance with the Agreement on Movement and Access of 15 November 2005;

6. *Decides* to adjourn the tenth emergency special session temporarily and to authorize the President of the General Assembly at its most recent session to resume its meeting upon request from Member States.

XV. SECRETARY-GENERAL CONDEMNS IN STRONGEST TERMS ISRAELI ATTACK ON UNRWA SCHOOL

On 17 January 2009, the following statement by Secretary-General Ban Ki-moon was issued in Beirut (SG/SM/12049):

Today, another United Nations school was hit by the Israel Defense Forces.

I condemn in the strongest terms this outrageous attack, which is the third time this has happened.

The top Israeli leaders had apologized and had given me their assurances just two

days ago while I was visiting Israel that United Nations premises would be fully respected.

I strongly demand a thorough investigation into these incidents, and the punishment of those who are responsible for these appalling acts.

XVI. SECRETARY-GENERAL WELCOMES ISRAELI DECISION TO CEASE HOSTILITIES IN GAZA

On 17 January 2009, the following statement by Secretary-General Ban Ki-moon was issued in Beirut (SG/SM/12050):

I am relieved that the Israeli Government has decided to cease hostilities as of midnight GMT.

This should be the first step towards establishing a durable and sustainable ceasefire leading to the full withdrawal of Israeli troops from Gaza, as called for by the Security Council resolution 1860 (2009). Hamas must stop firing rockets now.

Urgent humanitarian access for the people of Gaza is the immediate priority.

The United Nations is ready to act.

Any durable solution must include the reopening of the crossings and the prevention of illicit trafficking in arms.

There has been too much suffering, for too long. We have to end it now. We must begin to help people rebuild their lives.

XVII. SECRETARY-GENERAL ADDRESSES CONFERENCE ON GAZA RECONSTRUCTION AND HUMANITARIAN ASSISTANCE IN EGYPT

On 18 January 2009, Secretary-General Ban Ki-moon attended the Conference on Reconstruction and Humanitarian Assistance in Gaza, held in Sharm el-Sheikh, Egypt. His remarks to the Conference are reproduced below (SG/SM/12052; PAL/2110):

I wish to thank President [Hosni] Mubarak for hosting us at this important meeting, and for the crucial role he is playing to resolve the crisis in Gaza. And I thank President [Mahmoud] Abbas for his presence as the leader of the Palestinian people in this grave hour.

Even after the announcement of a ceasefire by Israel, the situation on the ground is still volatile and dangerous. Clashes, rockets and [Israel Defense Forces] actions have continued. For the sake of the people of Gaza, I urge in the strongest possible terms Hamas to stop firing rockets. As all of us had urged Israel

to stop its offensive, those who have influence on Hamas must press them now to stop rocket-firing.

I discussed the importance of this measure with President [Bashar al-]Assad earlier today in Damascus. I understand that Syria and Turkey's efforts are bearing fruit, and I am encouraged by President [Abdullah] Gül's remarks.

For its part, I urge Israel in the strongest possible terms to show utmost restraint and withdraw its troops from Gaza in the coming days.

I look to President Mubarak to continue his vital efforts to seek understandings and mechanisms to ensure that a durable and sustainable ceasefire is quickly put in place. And I look to the leaders assembled here, and to all Arab and international leaders, to come together to prevent further violence, help the people of Gaza in this hour of desperate need, and restore stability.

I also feel determination, shared by all United Nations staff members, to do all possible to ensure that immediate steps are taken to bring relief to the people of Gaza, and to embark without delay on the process of recovery, rebuilding and reconstruction.

I know full well that this will not replace the loss of loved ones, family, neighbours and colleagues. But it will be a step towards a better, safer and more hopeful future.

Hundreds of thousands of people need assistance now. I expect all parties to show restraint, and to fully facilitate urgent help by the United Nations to civilians. If fighting resumes, if crossings are closed, or if the United Nations is hit by further attacks, it is the people of Gaza who will suffer. This must not happen.

I will dispatch early this week a high-level humanitarian and early recovery assessment mission to Gaza. Within 10 days of this mission, I will launch a flash humanitarian appeal. And within three weeks, I will be able to present an assessment report on early recovery and essential repairs. I urge major donor countries to take part and contribute generously.

This can be presented at the envisaged conference in Cairo, and feed into the work of the Ad Hoc Liaison Committee thereafter.

Already, I have directed United Nations staff to begin the assessment process based on available information from within Gaza itself and work with all United Nations agencies and other partners in this effort.

We need to cater for the more than 5,000 sick and wounded in Gaza, provide urgent food assistance, remove rubble, unexploded ordnance and possibly landmines, provide shelter for Gazans whose homes have been destroyed, and critically increase electricity supplies for households and for the water and sanitation system.

Electricity is a lifeline for the people of Gaza as is the provision of fuel and cash. The United Nations and its partners stand ready to provide assistance quickly. The more than 10,000 Palestinian national staff will be a backbone of these efforts.

I salute their courageous and tireless efforts over the past three weeks - they deserve our utmost respect.

I appeal to all parties to refrain from any resumption of hostilities, including against United Nations staff and premises, and to guarantee conditions for the safe, rapid and unimpeded delivery of aid.

As the United Nations shoulders its full responsibilities in Gaza for humanitarian assistance, early recovery and reconstruction, I intend to consult closely with key partners: with Egypt and Arab countries, with Norway as the Chair of the Ad Hoc Liaison

Committee, with Turkey, and with European, Russian and United States leaders as members of the Quartet - including the new Administration of President [Barack] Obama.

We need to bring together these collective efforts in one common endeavour to support a sustainable ceasefire.

We all know that relief and reconstruction are an immediate priority, but more is needed. Indeed, we have rebuilt Gaza before.

The key challenge before the leaders gathered here today is to do all possible to make sure that this tragedy does not occur again.

We also need a functioning system for all the crossings in and out of Gaza, a system that will immediately allow full access for humanitarian goods and personnel.

The framework for the crossings must also ensure that we return, sooner rather than later, to the conditions reached in the Agreement on Movement and Access. Palestinians must not subsist on relief.

For such a framework to succeed, the Palestinians themselves must face the

challenge of reconciliation, and work to achieve a unified Government under the leadership of President Abbas within the framework of the legitimate Palestinian Authority. I call on all Arab leaders to unite and support this endeavour. We cannot rebuild Gaza without Palestinian unity.

A true end to violence, and lasting security for both Palestinians and Israelis, will only come through a just and comprehensive settlement to the long-festered Arab-Israeli conflict.

The violence and suffering is a mark of political failure. The efforts of the past have not proved sufficient to address the underlying conflict.

The occupation that began in 1967 must end. There must be an end to conflict between Israel and the Palestinians. This effort must have at its centre the implementation of Security Council resolutions and the framework of the Arab Peace Initiative.

The parties must return to negotiations. But more than that; there must be a massive and unprecedented effort of the community to support this process, and insist, finally, that it succeeds.

XVIII. SECRETARY-GENERAL ADDRESSES ARAB ECONOMIC SUMMIT IN KUWAIT

On 19 January 2009, Secretary-General Ban Ki-moon attended the Arab Economic, Social and Development Summit in Kuwait. His address to the Summit is excerpted below (SG/SM/12053):

I must tell you that I join you here today with strong feelings of grief, of relief, and of determination regarding the situation in Gaza.

I feel grief at the death and injury of thousands of civilians in the past 22 days. The loss of life and scale of trauma has been unbearable.

I am relieved that, early yesterday Israel announced a cessation of hostilities in Gaza and that later Hamas, too, announced a temporary ceasefire.

I also feel determination to do all possible to ensure that immediate steps are taken to bring relief to the people of Gaza, and to embark without delay on the process of recovery, rebuilding and reconstruction.

I will dispatch this week a high-level humanitarian and early recovery assessment mission to Gaza. Within 10 days of this mission, I will launch a flash humanitarian appeal. Already, I have directed United Nations staff to begin the assessment process

UNRWA's more than 17,000 Palestinian national staff will be a backbone of these efforts. I salute their courageous and tireless efforts under the most difficult conditions – they deserve our utmost respect.

The key challenge before the leaders gathered here today is to do all possible to make sure that this tragedy does not occur again. I look to President Mubarak to continue his vital efforts to ensure that a durable and sustainable ceasefire is quickly put in place and I thank him and the many other Arab leaders I have worked with this last week. And I look to you all to come together to prevent further violence, help the people of Gaza in this hour of desperate need, and restore stability.

The first step is a durable ceasefire. Hamas must cease firing rockets. Israel must withdraw its troops from Gaza.

A durable ceasefire needs an open functioning system for the crossings in and out of Gaza, one that will immediately allow full access for humanitarian goods and personnel, and that will also ensure that we return, sooner rather than later, to the conditions reached in the Agreement on Movement and Access.

As well, the Palestinians themselves must face the challenge of reconciliation, and work to achieve a unified government under the leadership of President Abbas within the framework of the legitimate Palestinian Authority. I call on all Arab leaders to unite and support this endeavour. We cannot rebuild Gaza without Palestinian unity.

A true end to violence, and lasting security for both Palestinians and Israelis, will only come through a just and comprehensive settlement to the Arab-Israeli conflict. This effort must have at its centre the implementation of Security Council resolutions and the framework of the Arab Peace Initiative. The occupation that began in 1967 must end.

We do not need new plans and processes. We have the tools we need. We need only political will and action. Peace has remained an elusive goal for far too long. Peace would be a tremendous foundation for economic and social progress throughout the region – the very subject of this timely and important Summit.

XIX. SECRETARY-GENERAL BRIEFS SECURITY COUNCIL ON VISIT TO MIDDLE EAST

On 21 January 2009, the Security Council convened to hear a briefing by Secretary-General Ban Ki-moon on his recent trip to the Middle East. Following are excerpts from the Secretary-General's statement delivered on his behalf by Under-Secretary-General for Political Affairs B. Lynn Pascoe (S/PV.6072), as well as a press statement by Security Council President Jean-Maurice Ripert of France (SC/9580):

Secretary-General Ban Ki-moon's statement

I was pleased to brief and consult with the Council eight days ago, before embarking on a trip to the Middle East that was intended to send a simple and unmistakable message about the crisis in Gaza and southern Israel: the fighting must stop; resolution 1860 (2009) must be fully respected and implemented. I deeply appreciated the Council's support for my mission, which was also reiterated by the General Assembly in its resolution ES-10/18 last Friday. I believe it significantly strengthened my efforts to stop the violence.

In the days since, I visited and met with the leaders of Egypt, Jordan, Israel, the occupied Palestinian territory, Turkey, Lebanon and Syria. I took part in a meeting convened by President Mubarak in Sharm el-Sheikh and the Arab economic summit in Kuwait. I also spoke on the telephone on many occasions with several of the leaders

and of course met with all of the leaders at the two meetings to discuss the situation in Gaza. I visited Gaza City and Sderot yesterday to show my solidarity with civilians and underscore the urgent and important tasks ahead. Throughout the mission, I have been seeking to maximize coordination in the diplomatic efforts to end the crisis and to make clear the expectations of the United Nations as embodied in resolution 1860 (2009).

I commend the leadership and initiative taken by Egyptian President Mubarak to help achieve a ceasefire. I also pay tribute to the many, many leaders from around the world who have made significant contributions to this effort.

The fighting has ended with declarations of unilateral ceasefires and, today, the withdrawal of Israeli troops. This is an important achievement and offers a much-needed respite for the suffering

civilians, especially in the Gaza Strip. But conditions are still fragile, and much more remains to be done on both the humanitarian and diplomatic fronts.

In this regard, I look to Egypt and others to continue vital efforts to seek understandings and mechanisms to ensure that a durable and sustainable ceasefire is quickly put in place. And I look to regional and international leaders, including members of the League of Arab States, the quartet and the Security Council, to come together to contribute to and help sustain these guarantees and arrangements, as called for by resolution 1860 (2009). The unilateral ceasefires must be translated into a lasting arrangement that prevents illicit trafficking in arms and ammunition and ensures the sustained reopening of the Gaza crossings on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel. This is the framework outlined in resolution 1860 (2009), and it will help stabilize the situation on the ground.

For many in Gaza, this also remains an hour of despair, grief and desperate need. They were caught throughout this crisis between Hamas' unacceptable and irresponsible actions and Israel's blockade and use of excessive and disproportionate military force.

During my visit yesterday, I saw part of the destruction and suffering caused to this small and densely populated area by more than three weeks of heavy bombardment, shelling and street fighting. This, of course, follows on top of months and years of occupation, conflict and economic deprivation. I was deeply affected by what I saw.

I went to Gaza to show my respect and concern for the deaths and injuries of so many people, and the thousands of people who lost their family and friends. I wanted to send the signal that the United Nations stands with the people who have borne this tragedy and disaster, and that we will not abandon them.

And I visited Sderot, to meet with the civilians of southern Israel who have been exposed to indiscriminate rocket and mortar fire for too long.

In both places, I underscored the urgent need for international humanitarian law to be fully respected and for civilians to be protected. As I made clear, where civilians have been killed and there are allegations of violations of international humanitarian law, there should be thorough investigations, full explanations and, where it is required, accountability.

In Gaza, I met with the United Nations staff on the ground, who worked bravely, courageously and heroically during these past weeks. They have made the United Nations proud and humbled us by their example. I cannot praise and thank them enough, and I pay tribute to the United Nations staff members and contractors who have been killed or injured.

I also assured the people of Gaza that the United Nations will work urgently and diligently to provide urgent humanitarian assistance and to start a daunting and challenging process of recovery and reconstruction.

Tomorrow, Special Coordinator Robert Serry and Under-Secretary-General for Humanitarian Affairs John Holmes will

visit Gaza to begin an urgent needs assessment focusing on immediate humanitarian priorities across the board. These include medical care, food, shelter, rubble removal, unexploded ordnance and possibly mines, electricity, cash, water and sanitation.

Mr. Holmes and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Karen AbuZayd, will report to the Council directly on the humanitarian situation next week. The United Nations intends to launch a flash humanitarian appeal within 10 days of that first mission. The United Nations is also working to support the development of assessments and plans for early recovery and the rehabilitation of critical services, even as it supports ongoing emergency repairs. It will coordinate closely in this regard with Prime Minister Fayyad. There are plans for a comprehensive report to be presented at a conference in Cairo and feed into the work of the Ad Hoc Liaison Committee thereafter. It will be crucial for major donor countries to take part and contribute generously in the humanitarian and early recovery efforts ahead.

Indeed, I wish to emphasize that as we begin to meet the challenge of humanitarian relief, early recovery and reconstruction, we need to work together in close coordination and consultation. In addition to the parties themselves, the United Nations is already in close contact with key partners: Egypt and other Arab countries; the European Commission and the World Bank; Norway as the Chair of the Ad Hoc Liaison Committee; Turkey; and the Quartet members - Europe, Russia and United States. In that regard, I will continue to urge the

new President of the United States and his team to make peace in the Middle East one of their top priorities.

I would like to note here that immediate and increased access to Gaza is key to any humanitarian effort, let alone reconstruction. In my meetings with Israeli leaders, I insisted on the importance of increased access to the Gaza Strip. I asked President Mubarak to ensure that Rafah is open for humanitarian material.

The Council is well aware of the several incidents of outrageous attacks against United Nations facilities and heard a briefing here last Thursday on the attacks that saw the UNRWA main warehouse burn down, with much urgently required assistance lost. This attack took place on the day I arrived in Israel, and I saw for myself yesterday the still-smouldering ruins of our facilities. From the outset, I have protested the attacks against United Nations facilities in the strongest possible terms and have called on all combatants to respect the sanctity of United Nations premises. I must inform the Security Council that when I was in Israel I was given personal assurances by the Israeli authorities that such attacks would not happen again. Despite that, a mere two days later there was an attack against a United Nations school that served as a refuge and shelter to those who had nowhere else to hide, and two little boys were killed.

When I met the Israeli leadership on several occasions, I demanded a thorough investigation by Israel into every one of these incidents. I expect to receive a full explanation of each incident and that those responsible will be held accountable for their actions. Prime Minister Olmert

promised to provide me with the results of their inquiry on an urgent basis. I will then decide on appropriate follow-up action.

The challenges ahead are immense and numerous. While our immediate priority now may be humanitarian relief and early recovery, we must also continue our work to ensure sustainable arrangements underpinning a durable ceasefire and our longer-term effort to achieve peace.

As part of this effort, I have discussed the political way forward at length with regional and international leaders. It is clear to me that, for any sustainable political progress to occur and for Gaza to properly recover and rebuild, Palestinians must face the challenge of reconciliation. In both Gaza and Ramallah, I made a passionate appeal for Palestinians to overcome divisions and work to restore one Palestinian Government within the framework of the legitimate Palestinian Authority. I repeat that appeal here today. I have stated clearly that the United Nations will work with a united Palestinian Government encompassing Gaza and the West Bank. In Kuwait, I appealed to the Arab world to unite in support of this endeavour, and I have taken note of the efforts of King Abdullah of Saudi Arabia in this regard. I also appeal to the international community as a whole to do the same.

...

Let me be clear. Yes, the recent crisis in Gaza and southern Israel requires conflict management and containment, but it is also a symptom of broader problems and deeper conflicts demanding conflict resolution. If the past weeks of violence are not followed

quickly by broad political action, we face the real risk of greater polarization and frustration in the region, not to mention a possible repeat of what we have seen.

A true end to violence and lasting security for both Palestinians and Israelis will only come through a just and comprehensive settlement of the Arab-Israeli conflict. This effort must have at its centre the implementation of Security Council resolutions and the framework of the Arab Peace Initiative. We do not need new plans and processes. We have the tools we need. We need only political will and action. Peace has eluded us for far too long.

The violence, destruction and suffering before us have been a mark of collective political failure. We made a genuine effort last year but did not succeed. We must do more now. Nothing short of a massive international effort is now required to support and insist on a resolution of this conflict. The peoples of the region, and indeed the international community, can afford no less.

As Secretary-General of the United Nations, I will continue to uphold the need for an end of the occupation that began in 1967, the creation of a Palestinian State to coexist in peace and security alongside Israel, and a just, lasting and comprehensive peace between Israel and all its Arab neighbours. I am more determined than ever to see this achieved.

Press statement on the Middle East read out by Security Council President Jean-Maurice Ripert (France)

The members of the Security Council were briefed this afternoon by the Secretary-General on his visit to the Middle East.

The members of the Security Council welcomed the ceasefire in Gaza, and the efforts of international and regional partners - in particular the Egyptian initiative - in helping bring this about. The members of the Security Council expressed their strong appreciation for the efforts of the Secretary-General to support the implementation of resolution 1860 (2009). The members of the Council emphasized the need for full implementation of resolution 1860 (2009), in particular for the ceasefire to be durable and fully respected by all parties, for the provision of arrangements and guarantees to prevent illicit trafficking in arms and ammunition to Gaza, and to ensure the sustained reopening of the crossing points, on the basis of the 2005 Agreement on Movement and Access between the Palestinian Authority and Israel.

The members of the Security Council restated their grave concern at the humanitarian situation in Gaza and stressed the need for unimpeded provision and distribution of humanitarian aid throughout Gaza. In this regard, Council members recognized the excellent work being carried out in Gaza under very difficult circumstances by United Nations agencies,

in particular the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the infrastructure of which was severely damaged. Council members called upon all parties to ensure these agencies receive the support and protection they need, and recalled the obligations of all parties to a conflict to ensure respect for international humanitarian law.

The members of the Security Council encouraged, as set out in resolutions 1850 (2008) and 1860 (2009), tangible steps towards intra-Palestinian reconciliation and stressed the need to continue to work towards a long-term solution. Members re-emphasized that only a two-State solution, with an independent and viable Palestinian State living side by side in peace and security with Israel and its other neighbours, could bring peace to both Israelis and Palestinians. Council members welcomed, in this regard, the initiatives and proposals aimed at organizing international meetings, including, as mentioned in resolutions 1850 (2008) and 1860 (2009), the Quartet's consideration, in consultation with the parties, of an international meeting in Moscow in 2009.

**XX. UNDER-SECRETARY-GENERAL FOR HUMANITARIAN AFFAIRS
AND UNRWA COMMISSIONER-GENERAL
BRIEF SECURITY COUNCIL**

On 27 January 2009, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, John Holmes, and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Karen AbuZayd, briefed the Security Council on the situation in the Gaza Strip. Their briefings are reproduced below (S/PV.6077):

Mr. Holmes's briefing

Let me take advantage of the presence of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to straight away express my profound admiration for what Karen AbuZayd and her UNRWA colleagues were able to achieve in the recent fighting, during extremely difficult and dangerous circumstances.

I visited the area from 21 to 25 January to discuss the way forward with Palestinian Authority representatives, the Israeli Government and representatives of Israeli and Palestinian civil society. In Cairo I met with Mrs. Mubarak, in her capacity as President of the Egyptian Red Crescent, and with Government representatives and the League of Arab States. I visited Gaza itself five days after the ceasefire, with the Special Coordinator for the Middle East Peace Process, Robert Serry, to launch the humanitarian needs assessment. I expected a distressing situation, but was nevertheless shocked by the human suffering and destruction I saw.

According to the Palestinian Ministry of Health, whose figures have not been seriously challenged, around 1,300 Palestinians were killed and more than 5,300 were injured. Thirty-four per cent of these

were children. In short, 1 out of 215 Gazans was either killed or injured during the three weeks of this conflict.

While some areas I saw were relatively untouched, in others virtually every building was destroyed or full of holes. Twenty-one thousand homes were destroyed or badly damaged altogether, according to the Palestinian Bureau of Statistics. At the height of the fighting, over 50,000 people were displaced in UNRWA structures, with tens of thousands more sheltering with families and friends. Widespread destruction was caused to Gaza's economic and civil infrastructure. I saw, for example, an entire industrial and residential area in East Jabalia that had been systematically bulldozed - an area of at least one square kilometre. One of the best schools in Gaza had been reduced to rubble and much of the Al-Quds hospital in Gaza City burned out. The International Committee of the Red Cross reports that in Jabalia between one and two thousand households are now living in the rubble of their houses. Damage to power, water, sanitation, medical, education and agricultural infrastructure was widely visible. I saw a flood of sewage coming from one bomb-damaged major pipe, forming a lake on residential and agricultural land, though thankfully this has now been fixed.

Conversations with a range of Gazans revealed the psychological trauma, as civilians cowered for three weeks with nowhere safe in Gaza and nowhere to flee to, and parents became horribly aware of their inability to protect their children.

In addition to UNRWA, I want to recognize the extraordinary efforts of Gazan medical teams and first responders and the national and international staff of other United Nations agencies, non-governmental organizations (NGOs) and the International Red Cross and Red Crescent Movement, despite tremendous risks. Thirteen local medical staff and six United Nations staff were killed. Thirty-four health facilities were damaged or destroyed. Aid workers and premises came under direct fire on far too many occasions. I saw the UNRWA compound warehouse still smouldering, and the OCHA office in the compound of the United Nations Special Coordinator for the Middle East Peace Process, where my own staff used to work, damaged beyond use.

The reckless and cynical use of civilian installations by Hamas and the indiscriminate firing of rockets against civilian populations are clear violations of international humanitarian law. However, even taking into account Israel's security concerns regarding the protection of its own civilian population, it is clear that there are major questions to be asked about the failure of the Israeli Defense Forces to protect effectively civilians and humanitarian workers in Gaza. Given the scale and nature of the damage and loss of life, there are also obvious concerns about a lack of wider respect for international humanitarian law, particularly the principles of distinction and proportionality. There must be accountability.

But it is also critical to look forward to what must be done to bring urgent relief. After eighteen months of closure, which steadily weakened health, livelihoods and infrastructure, the humanitarian situation in Gaza before 27 December last year was already very worrying. My own observation and the preliminary findings of the assessment suggest that a massive humanitarian effort is now needed in areas such as food security, nutrition, water and sanitation, shelter, essential repairs of power, roads and other basic infrastructure, rebuilding the health system, rubble removal, unexploded ordnance and psychosocial care. As only one example, 1.3 million Gazans - almost 90 per cent of the population - now need food aid.

I will launch a flash appeal on 2 February, as a prioritized plan for urgent needs. I hope that at least part of the generosity we saw during the fighting in provision of food and medical supplies and large pledges for future reconstruction can be channelled into flexible financial contributions to this multilateral appeal. But two basic conditions need to be met for us to do our work.

The first is much freer access for goods and staff. Israel allowed increased shipments of basic commodities during the fighting, and has continued this since. This is welcome. On good days, 120 truckloads of goods get into Gaza. But the normal daily requirement, including commercial traffic, is a minimum of 500. Many humanitarian workers, including most international NGOs, continue to be refused regular entry.

Moreover, returning to the kind of access restrictions which were in force before the hostilities will be neither acceptable nor workable. If aid workers continue to face rigid limits on their movement and if essential items such as construction materials, pipes, electrical wires and transformers, key equipment and spare parts continue to be effectively banned or only allowed in infrequently after endless haggling, the lives of the Gazan people cannot significantly improve. The power plant, for example, needs almost 500,000 litres of fuel per day to operate normally. Even under current arrangements, the average flow is less than half that.

We already see relief goods piling up in Egypt for lack of ready access. And the wider problems of the fragile situation were tragically illustrated today. Following an incident in south Gaza, when an Israeli patrol was attacked and a farmer killed, all Gaza crossings were shut down. That stopped today's aid shipments from going in and stranded part of our assessment team.

Commercial goods must also be allowed in, and out, and, most urgently, the cash needed for normal activity. Gazans do not want or deserve to be ever more dependent on outside aid. They must be able to work and trade, to rebuild their economy, to use their manifest skills, energy and talent and to create hope for the future, not the despair that can only breed more violence and extremism.

There are important principles at stake here too, as the Security Council itself clearly recognized in resolution 1860 (2009), which paid particular attention to the unimpeded provision and distribution of humanitarian assistance. Free and full

access for goods and humanitarian staff is something for which we have battled long and hard in other contexts, such as Darfur and in Myanmar after Cyclone Nargis. Moreover, Israel has a particular responsibility as the occupying Power in this context, because of its control of its borders with Gaza, to respect the relevant provisions of international humanitarian law. It is therefore critical that new steps are taken immediately by the Israeli authorities to move to the sustained reopening of crossing points on the basis of the 2005 Israeli-Palestinian Agreement on Movement and Access. Many countries support that. The crossings have to be opened up not because Hamas wants it or might benefit from it, but because the Gazans need it.

The Israeli Minister of Social Welfare, Mr. Herzog, who coordinates Israel's facilitation of humanitarian assistance, assured me of the Israeli Government's commitment to work with the United Nations agencies and the rest of the humanitarian community to provide emergency assistance to the people of Gaza. We have agreed to put in place new coordination arrangements to this end. However, the Minister also suggested that many categories of items capable of dual use will raise continuing security concerns.

Let me emphasize again here the unacceptability of the status quo ante, with a limited trickle of items into Gaza continuing the effective collective punishment of the civilian population, the resultant counter-productive reliance on tunnels for daily essentials and further build-up of frustration and anger. Israel's security worries are understood, but I am confident that the passage of goods can be arranged in a way that will meet reasonable security concerns.

The second condition for a successful emergency relief operation is that we be able to work effectively with the Israeli authorities, cooperate closely with the Palestinian Authority and deal practically with those in control on the ground, without any of the parties trying to exert political control over humanitarian operations. For example, Hamas must refrain from any interference with the movement or distribution of humanitarian goods. I was encouraged that Prime Minister Fayyad of the Palestinian Authority made it clear that meeting immediate needs should be kept separate from politics, and that the United Nations and its partners had a unique role to play in this respect.

Clearly the best context for the facilitation of relief and recovery activities, and the only reliable basis for long-term reconstruction, is Palestinian reconciliation, which the United Nations strongly supports, as the Secretary-General has made clear. In the meantime, the United Nations will be working closely with the Palestinian Authority in planning for longer-term recovery and reconstruction.

After my first visit to the area, I warned of the growing disconnect between the situation on the ground, particularly but not only in Gaza, and the peace process. A year later, the people of Gaza have continued to exist in what is effectively a giant open-air prison, without normality or dignity. Their lives have been put at risk recklessly by indiscriminate rocket attacks from their midst, which have also killed, injured and traumatized Israeli civilians in southern Israel. They have now endured a terrifying assault and must live with its devastating aftermath.

This is not sustainable or acceptable. It can only lead to more despair, suffering, death and destruction in the coming years, and perhaps fatally undermine the two-State solution we all seek. It must therefore be in the long-term interests of all parties, including Israel, to ease conditions for the people of Gaza by opening the crossings, facilitating the provision of assistance and allowing them to live, work and hope again.

Ms. AbuZayd's briefing

At the outset, I should like to thank members for their kind invitation to address them today on the humanitarian situation in Gaza. I am honoured to be the first Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to have been given that privilege. I also want to express my appreciation for the amount of attention that the Council has devoted to the Gaza conflict and its aftermath. The strong expressions of support heard from many members for the work of the United Nations on the ground have been very gratifying to all of us there.

I come to the Council from UNRWA headquarters in Gaza, where I spent the first week of the recent war and the first week after the ceasefire. I bring with me perspectives from our 60-year-old humanitarian and human development agency, whose mandate is to assist and protect a population of 4.6 million Palestine refugees in Jordan, Syria, Lebanon and the occupied Palestinian territory. I come to share with members what UNRWA and the refugees whom we serve are thinking and feeling at this time of distress. I hope I can convey compellingly our - and their - messages to the Council this afternoon.

In my tours around Gaza since the ceasefire of 18 January, I have been deeply saddened to see what appears to have been systematic destruction to schools, universities, residential buildings, factories, shops and farms. I have observed the atmosphere of shock and sorrow among the people of Gaza. Every Gazan projects a sense of having stared death in the face.

Every Gazan has a tale of profound grief to tell. There is rage against the attackers for often failing to distinguish between military targets and civilians, and there is also resentment against the international community for having allowed first the siege and then the war to go on for so long.

Yet, my interaction with Palestinians in Gaza has also evinced their fortitude, their determination to overcome the pain of loss and their belief in the possibilities of rebuilding their lives. I hope that the international community will respond with urgency and resolve to take advantage of the opportunities to generate recovery and renewal in Gaza.

To seize those opportunities, political action is needed to create the conditions that will allow humanitarian and human development activities to have maximum impact on Palestinian lives. The priority for early recovery is to attend to basic human needs and basic rights such as education, health care and the right to work. In the simplest terms, the way forward is to help restore normal life to Gaza.

UNRWA's early-recovery activities are already under way. Two hundred thousand refugee children were assisted to return to school last Saturday, while the 50,000 displaced Palestinians who took

refuge in UNRWA classrooms are being helped to rebuild their lives at home or in alternative accommodations. We have prepared a quick-response plan whose main components include restoring and strengthening primary education and primary health care; establishing emergency food aid, cash assistance and job creation programmes; repairing civilian homes and UNRWA facilities; supporting community-based organizations; providing environmental health services in alliance with municipal authorities; and offering psychosocial support to the most traumatized Gazans, including children in UNRWA schools. Surveys have shown that the majority of Gazans suffer from shock and are clinically depressed.

All of this work is made possible by the extraordinarily generous donor response to our flash appeal, including substantial pledges from the Arab world. Given UNRWA's recurrent financial shortfalls, particularly in its General Fund, those strong levels of support are most appreciated.

Beyond UNRWA's focus on refugees, a coordinated inter-agency response is central to the success of the recovery process. This will harness the varied capabilities of the United Nations system, working in partnership with the Palestinian Authority, the World Bank and donor countries. UNRWA's own approach to recovery and reconstruction is incremental, service-driven and designed to build on the substantial human development investments that the international community has made in Gaza over the years. We consider that approach the most effective route to making normal life possible for Palestinians in Gaza. The surest path to calm and stability is the creation of social and economic conditions in which Palestinians can sustain themselves and their families in dignity.

There are challenges, however, that go well beyond the humanitarian realm; they lie in the province of political action. For that reason, it is on the Security Council and its members that part of the burden of restoring normalcy to Gaza rests. That burden is a heavy one, but it is far from insurmountable if we act in concert in the following well-known areas.

First, law and order needs to be re-established in Gaza. That will permit the identification of reliable local interlocutors to ensure security for humanitarian personnel and operations and an environment that safeguards the protection of civilians.

Secondly, all of Gaza's borders - including those at Karni, Sofa, Nahal Oz, Kerem Shalom, Erez and Rafah - must be opened and kept open continuously to allow two-way freedom of movement for people, goods and cash.

Thirdly, negotiations to end the occupation and peacefully resolve the Israeli-Palestinian conflict are now more vital than ever - negotiations that are inclusive and balanced, allow for refugee representation and address, along with other final status matters, the question of Palestine refugees in a manner consistent with their rights.

Fourthly, moves to investigate apparent contraventions of international law, including direct attacks on United Nations personnel and facilities - such as UNRWA's own headquarters, five of its schools and the Office of the United Nations Special Coordinator for the Middle East Peace Process - and accountability under law where breaches are established, must be pursued.

And finally, none of these is achievable without reconciliation among Palestinians and restoration of the integrity of the occupied Palestinian territory.

From UNRWA's operational vantage point, addressing these issues is fundamental to the success of early recovery and human development work. Recovery requires the free flow of humanitarian and commercial supplies. Reconstruction demands open borders that permit the importation of construction materials and the export of products and goods from Gaza. Job creation programmes will be fruitless without a self-sustaining employment market. And our plans to strengthen primary education will be undermined if we fail to offer the children of Gaza a horizon of hope for a future free from fear, free from poverty and full of promise.

Throughout these days of violence, the humanitarian work of the United Nations persevered, illustrating in concrete and often heroic ways commitment to the principles of humanity on which the United Nations Charter is based. UNRWA staff ran the gauntlet of shelling, aerial bombardments and small-arms fire to attend to the injured and to deliver food and fuel to hospitals, municipalities and the people of Gaza. It is a matter of deep regret that four UNRWA staff - two of them while on duty - lost their lives in this conflict. The United Nations can be proud, as I am proud, that during the conflict, courage and dedication to service - hallmarks of UNRWA staff performance for six decades - were very much in evidence.

As to the broader implications of the recent experience in Gaza, it is worth recalling that for more than 60 years the Security Council has wrestled with the issues of Palestinians and Palestine refugees

as classic questions of international peace and security. What we witnessed in Gaza seared the global conscience with harrowing images of broken bodies and shattered homes, of thousands of Palestinian and tens of Israeli civilians - men, women and children - wounded, dying and fleeing from indiscriminate violence. The guns have fallen silent, but the images linger, reminding us of the futility of seeking military solutions to political problems and the perils of political inaction.

Those images and the human suffering they represent are a result of our failure to protect those who have no part and no stake in armed conflict. And I am afraid that this war will be remembered for the absence of restraint among the combatants and for the disregard for principles of humanity and the sanctity of human life.

Equally disturbing is that, besides the devastating impact on civilian lives and infrastructure, the conflict has placed in further jeopardy the authority of international law in the Middle East. It has raised hard questions about the ability of the community of States to be effective in its role as the custodian of international legality in this particular regional context.

Finally, there are the ultimate challenges highlighted by this conflict,

namely, the need to tackle the long-unfinished business of ensuring a just and lasting solution to the plight of Palestine refugees and to redouble efforts to establish a viable Palestinian State, living in peace and security with Israel.

We in UNRWA will persist in our devotion to the service of Palestine refugees. We will continue to discharge our mandate in a manner that promotes the inherent dignity and worth of the Palestinians we serve.

Yet that dignity and worth are not ours alone to promote. Palestinians and Palestine refugees are assured of UNRWA's help, but their greater need is to have the demonstrated support of the international community, as represented by the Security Council. In the months to come, as we build on the fragile ceasefire achieved following the passage of resolution 1860 (2009), continued engagement by the Security Council will be of utmost importance.

UNRWA appeals to the Council as the body that sits at the pinnacle of multilateral power, to exercise its authority in ways that transform into reality the shared dream of both Israelis and Palestinians for a secure, peaceful and prosperous tomorrow.
