



## DIVISION FOR PALESTINIAN RIGHTS

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### Bulletin on action by the United Nations system and intergovernmental organizations relevant to the question of Palestine

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*The Bulletin can be found in the United Nations Information System  
on the Question of Palestine (UNISPAL) on the Internet at:*  
<http://unispal.un.org>

## **I. SECURITY COUNCIL CONDEMNS DEATHS AND INJURIES DURING GAZA AID CONVOY RAID**

*At the 6326th meeting of the Security Council, held on 1 June 2010, in connection with the Council's consideration of the item entitled "The situation in the Middle East, including the Palestinian question," the President of the Security Council made the following statement on behalf of the Council (S/PRST/2010/9).*

"The Security Council deeply regrets the loss of life and injuries resulting from the use of force during the Israeli military operation in international waters against the convoy sailing to Gaza. The Council, in this context, condemns those acts which resulted in the loss of at least 10 civilians and many wounded, and expresses its condolences to their families.

"The Security Council requests the immediate release of the ships as well as the civilians held by Israel. The Council urges Israel to permit full consular access, to allow the countries concerned to retrieve their deceased and wounded immediately, and to ensure the delivery of humanitarian assistance from the convoy to its destination.

"The Security Council takes note of the statement of the UN Secretary-General on the need to have a full investigation into the matter and it calls for a prompt, impartial, credible and transparent investigation conforming to international standards.

"The Security Council stresses that the situation in Gaza is not sustainable. The Council re-emphasizes the importance of the full implementation of resolutions 1850 (2008) and 1860 (2009). In that context, it reiterates its

grave concern at the humanitarian situation in Gaza and stresses the need for the sustained and regular flow of goods and people to Gaza as well as unimpeded provision and distribution of humanitarian assistance throughout Gaza.

"The Security Council underscores that the only viable solution to the Israeli-Palestinian conflict is an agreement negotiated between the parties and re-emphasizes 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 the region.

"The Security Council expresses support for the proximity talks and voices concern that this incident took place while the proximity talks were under way and urges the parties to act with restraint, avoiding any unilateral and provocative actions, and all international partners to promote an atmosphere of cooperation between the parties and throughout the region."

## II. HUMAN RIGHTS COUNCIL CONDEMNS FLOTILLA ATTACK, DECIDES TO SEND FACT-FINDING MISSION

*On 1 and 2 June 2010, during the fifth and sixth meetings of its fourteenth session, the Human Rights Council, following a request received from the Group of Arab States and the Organization of the Islamic Conference, convened for an urgent debate on the raid on the flotilla by the Israel Defense Forces (see document A/HRC/14/L.10). At the seventh meeting, on 2 June 2010, the Council adopted, by 32 votes in favour and 3 against, with 9 abstentions, resolution 14/1, which is reproduced below.*

### **14/1**

#### **The grave attacks by Israeli forces against the humanitarian boat convoy**

*The Human Rights Council,*

*Guided by the purposes and the principles of the Charter of the United Nations, as well as the provisions of the Universal Declaration of Human Rights,*

*Taking into consideration the provisions of the fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War, of 12 August 1949,*

*Emphasizing the importance of the safety and well-being of all civilians, including humanitarian personnel,*

*Expressing grave concern at the deepening humanitarian crisis in occupied Gaza,*

*Emphasizing the need to ensure the sustained and regular flow of goods and people into occupied Gaza, and welcoming the initiatives aimed at creating and opening humanitarian corridors and other mechanisms for the sustained delivery of humanitarian aid,*

1. *Condemns in the strongest terms the outrageous attack by the Israeli forces against the humanitarian flotilla of ships,*

*which resulted in the killing and injuring of many innocent civilians from different countries;*

2. *Deeply deplores the loss of life of innocent civilians, and expresses its deepest sympathy and condolences to the victims and their families;*

3. *Calls upon the occupying Power, Israel, to cooperate fully with the International Committee of the Red Cross to seek and provide information on the whereabouts, status and condition of detained and injured persons;*

4. *Demands the occupying Power, Israel, to immediately release all detained men and material and facilitate their safe return to their homelands;*

5. *Calls upon the occupying Power, Israel, to immediately lift the siege on occupied Gaza and other occupied territories;*

6. *Also calls upon the occupying Power, Israel, to ensure the unimpeded provision of humanitarian assistance, including of food, fuel and medical treatment, to the occupied Gaza Strip;*

7. *Welcomes the statements made by the Secretary-General and the United Nations High Commissioner for Human*

Rights condemning the Israeli attacks and calls for full accountability and credible independent inquiries into these attacks;

8. *Decides* to dispatch an independent, international fact-finding mission to investigate violations of international law, including international humanitarian and human rights law, resulting from the Israeli attacks on the flotilla of ships carrying humanitarian assistance;

9. *Also decides* to authorize the President of the Council to appoint members to the above-mentioned fact-finding mission, who should report to the Council on their findings at its fifteenth session;

10. *Further decides* to remain seized of this matter.

### **III. ORGANIZATION OF THE ISLAMIC CONFERENCE CONDEMNS ISRAELI AGGRESSION AGAINST THE FREEDOM FLOTILLA**

*On 4 June 2010, the Permanent Representative of the Syrian Arab Republic to the United Nations, acting in his capacity as Chair of the Organization of the Islamic Conference (OIC) Group in New York, addressed a letter to the Secretary-General (A/64/804-S/2010/287) containing a statement endorsed on 3 June 2010 by the OIC Group at the ambassadorial level. On 23 June 2010, the Permanent Representative of the Syrian Arab Republic addressed a letter to the Secretary-General (A/64/840-S/2010/329), containing the final communiqué adopted at the OIC Expanded Extraordinary Executive Committee Meeting at the level of foreign minister, held in Jeddah, Saudi Arabia, on 6 June 2010. The statement and the final communiqué are reproduced below.*

3 June 2010

#### **Statement issued by the Organization of the Islamic Conference Group at the ambassadorial level on the recent illegal Israeli military aggression against the civilian convoy of humanitarian aid ships destined for the Gaza Strip**

The OIC Group strongly condemns the illegal, brutal and provocative Israeli aggression carried out in international waters against the civilian convoy of ships that was carrying vital humanitarian aid to be delivered by hundreds of international peace and human rights activists to the occupied

and besieged Gaza Strip. The OIC Group also condemns in the strongest possible terms the killing and injury of several civilians by the Israeli military forces that attacked the Turkish vessel in the humanitarian convoy. The OIC Group conveys its deepest condolences to the families of those killed in this military aggression and expresses its hopes for the early recovery of the wounded.

The OIC Group stresses that the Israeli military aggression on the civilian convoy of ships constitutes a flagrant violation of international law, including international humanitarian law and human rights law, and

also constitutes an explicit act of piracy under the United Nations Convention on the Law of the Sea. The OIC Group also recalls in this regard General Assembly resolution 3314 (XXIX) of 1974 on the definition of aggression. The international community must take all necessary measures to hold Israel accountable for the perpetration of this condemnable and illegal act. The OIC Group joins the Security Council's calls made in the presidential statement of 1 June 2010, and calls upon the United Nations Secretary-General to immediately initiate a full, impartial, transparent, independent and credible investigation in conformity with international standards into the Israeli military aggression and demands that the perpetrators of this crime be brought to justice.

The OIC Group further deplores the Israeli seizure of the civilian peace and human rights activists, the ships and the humanitarian supplies in the civilian convoy that were intended for the Palestinian civilian population in the Gaza Strip, which continues to suffer gravely under the inhumane blockade that has been illegally imposed by Israel, the occupying Power, for nearly three years, impoverishing the Palestinian population, devastating Palestinian society and causing widespread trauma and despair. The OIC Group demands the immediate and unconditional release of all of these detained civilians as well as of the ships seized, and calls for the delivery of all of the humanitarian aid and supplies to the Palestinian civilian population in the Gaza Strip, as intended by the organizers of the convoy. The OIC Group further demands that full compensation be made, in accordance with international standards, for the loss of lives and injury caused to civilians by this Israeli

military aggression on the humanitarian convoy of ships as well as compensation for all material damages caused.

The OIC Group reiterates that the Israeli blockade of the Gaza Strip constitutes collective punishment on a massive scope and scale and is tantamount to a war crime against the Palestinian people. The OIC Group reiterates its firm and unwavering demand for an immediate end to this unlawful Israeli blockade of the Gaza Strip and the opening of all crossing points to allow for the freedom of movement of persons and goods into and out of the Gaza Strip and to allow for unfettered humanitarian access. The OIC Group appeals to the United Nations Secretary-General to exert all efforts to support the suffering Palestinian people in the Gaza Strip and calls for urgent action in this regard. Moreover, the OIC Group calls upon all humanitarian organizations, including the International Committee of the Red Cross and the Red Crescent to insist on access to the besieged civilian population in Gaza, in accordance with the provisions of international humanitarian law, and to expedite the provision of humanitarian aid, including food, medical, sanitation and fuel supplies, to meet the basic needs of the population.

The OIC Group stresses in this regard the urgency of the entry of all necessary humanitarian and civilian goods into the Gaza Strip as well as the entry of reconstruction materials to allow for the long and unjustly delayed reconstruction of the homes, infrastructure and institutions, including United Nations facilities that were destroyed by the Israeli occupying forces during the military aggression against the Gaza Strip from December 2008 to

January 2009. In this regard, the OIC Group also reiterates its demand for accountability and justice for the war crimes and human rights violations perpetrated against the Palestinian civilian population during that Israeli military aggression, as called for by the General Assembly and the Human Rights Council in follow-up of the report of the United Nations Fact-finding Mission on the Gaza Conflict (Goldstone report).

The OIC Group calls upon the international community, especially the Security Council, to uphold its responsibilities with regard to this serious matter in all its aspects. Urgent action must be taken to bring an end to such blatant Israeli impunity and disregard for all norms and standards of international law. Action must also be taken to bring a halt to all other illegal Israeli practices against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem.

The OIC Group reaffirms the importance of continuing the strong coordination among OIC, the Non-Aligned Movement and the Arab Group and the need to continue the coordination and cooperation of these groups in order to ensure comprehensive follow-up of this serious and urgent matter, including to ensure the full implementation of the Security Council's presidential statement of 1 June 2010, particularly the pursuit of an impartial, credible, transparent and independent international investigation in accordance with international standards led by the United Nations Secretary-General.

The OIC Group reiterates its call for an end to the illegal Israeli occupation of the Palestinian Territory, including East Jerusalem, and all other Arab territories occupied since 1967 and for the realization

by the Palestinian people of their inalienable right to self-determination in their independent State of Palestine, with Al-Quds Al-Sharif as its capital, and the achievement of a just, lasting and comprehensive peace, including a just solution for the plight of the Palestine refugees in accordance with General Assembly resolution 194 (III).

The OIC Group decides to remain seized of this matter.

**Final communiqué of the Organization of the Islamic Conference Expanded Extraordinary Executive Committee Meeting at the level of foreign minister on the Israeli aggression against the Freedom Flotilla shipping humanitarian aid to Gaza, adopted in Jeddah, Saudi Arabia, on 6 June 2010**

The Expanded Extraordinary Ministerial Meeting of the Executive Committee of the Organization of the Islamic Conference, held in Jeddah, Saudi Arabia, on 6 June 2010, corresponding to 23 Jumada Al-Thani, 1431H,

*Proceeding* from the principles and objectives of the Charter of the Organization of the Islamic Conference and pursuant to the resolutions of the Organization of the Islamic Conference on the question of Palestine and Al-Quds Al-Sharif,

*Commending* the resistance of the Palestinian people in the face of the Israeli aggression, and affirming support for the Palestinians' just struggle to regain their inalienable national rights, including their right to self-determination and the establishment of the independent State of Palestine, with Al-Quds as its capital,

*Underlining* that the blockade imposed by Israel on the Gaza Strip, including closing the border crossings and cutting the flow of fuel supplies, food and medicines, constitutes a collective punishment of the civilian population, provokes serious humanitarian repercussions and is considered a crime against humanity by international law,

*Having considered* the circumstances surrounding the unlawful military attack of the Israeli forces against the international civilian convoy carrying humanitarian aid, that is, the Freedom Flotilla, in international waters on 31 May 2010, which resulted in loss of life and injuries among unarmed civilians,

*Emphasizing* that the safety and well-being of all civilians are of paramount importance,

*Condemning* the continued disregard of international law by Israel and its detrimental implications for regional and global peace, stability and security,

*Condemning* Israel's insistence on responding to all peace initiatives with violence and belligerency,

*Stressing* the need to respect the universally accepted human rights and norms and principles of international humanitarian law,

*Welcoming:*

- The United Nations Security Council presidential statement of 31 May 2010;
- The statement issued by the African Union at the level of Heads of State and Government on 31 May 2010;

– The joint statement issued by the Association of Southeast Asian Nations-Gulf Cooperation Council ministerial meeting held in Singapore on 1 June 2010;

– The resolution of the Extraordinary Meeting of the Ministerial Council of the Arab League, adopted in Cairo on 2 June 2010;

– The resolution of the United Nations Human Rights Council, adopted on 2 June 2010, which calls for the setting up of an independent international fact-finding mission on the violations of international law by Israel's aggression against the freedom flotilla;

*Having listened* to the report of the Secretary-General of the Organization of the Islamic Conference to the Turkish and Palestinian Ministers for Foreign Affairs and to the interventions of other ministers and heads of delegations,

1. *Condemns* in the strongest possible terms the brutal aggression by the Israeli forces against civilian ships transporting humanitarian aid material to the Gaza Strip in international waters;

2. *Conveys* its deepest condolences to the families of those killed in this military aggression and expresses its hopes for the early recovery of the wounded;

3. *Condemns* Israel for this piracy, which constitutes an act of state terrorism, a gross breach of international law and a serious violation of human rights;

4. *Condemns also* the killing and wounding of unarmed civilians by the Israeli barbaric assault in international waters, under circumstances not warranting such attack;



5. *Expresses its appreciation* to the Republic of Turkey for its unwavering stance in support of the Palestinian people;

6. *Highly commends* the humanitarian mission undertaken by the Freedom Flotilla to deliver humanitarian aid to the Israeli blockaded Gaza Strip. It further pays tribute and its full respect for those who perished in this noble endeavour;

7. *Calls upon* the member States of the Organization of the Islamic Conference to take all necessary measures, within international law, individually and collectively, to deter Israel from engaging in any assault and use of force against civilian ships;

8. *Demands* the release of the ships and individuals involved which were forced to go to Ashdod port by the Israeli forces;

9. *Further demands* that full compensation be made in accordance with international standards for the loss of lives and injuries caused to civilians by the Israeli military aggression on the humanitarian convoy of ships, as well as compensation for all material damages caused;

10. *Calls on* the United Nations Secretary-General to establish an independent international commission to launch a full investigation into the incident in order to determine, prosecute and punish those responsible for the killing of civilians, as well as attacking and forcefully seizing civilian vessels;

11. *Emphasizes* that the Israeli blockade of the Gaza Strip is not only a gross violation of Palestinians' human rights, but also represents a serious threat to international peace and security and regional

stability, as clearly demonstrated by the latest incident. It is a vivid manifestation of State terrorism, a serious crime against humanity, and a blatant breach of international law, which needs to receive proper reaction by the international community through bringing Israeli authorities who are responsible for these heinous acts to justice;

12. *Reiterates* its firm and unwavering demand for an immediate lifting of this unlawful Israeli blockade of the Gaza Strip and the opening of all Israeli-controlled crossing points to allow for the free movement of persons and goods into and from the Gaza Strip and to allow for unfettered humanitarian access;

13. *Calls on* the member States of the Organization of the Islamic Conference to coordinate their efforts with the international community to put an end to this oppressive and unacceptable Israeli blockade, including sanctions against Israel to compel it to stop such barbaric acts and crimes;

14. *Decides* to establish a governmental expert group of the Organization of the Islamic Conference, in close coordination with Palestine, in order to consider ways, means and mechanisms to ensure the lifting of the unjust Israeli blockade imposed on Gaza and to facilitate the reconstruction process of Gaza;

15. *Requests* the United Nations Secretary-General to intensify United Nations activities in order to immediately and unconditionally lift the Israeli blockade on Gaza and alleviate the sufferings of the people therein;

16. *Renews its call* that action must be taken to bring a halt to all other illegal Israeli practices against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem;

17. *Reaffirms* the importance of continuing the strong coordination among the Organization of the Islamic Conference, the Non-Aligned Movement and the Arab Group in the United Nations and other international organizations and the need to continue the coordination and cooperation of these groups in order to ensure comprehensive follow-up of this serious and urgent matter, including to ensure the full implementation of the United Nations Security Council Presidential Statement of 31 May 2010, particularly the pursuit of an impartial, credible, transparent and independent international investigation in accordance with international standards led by the United Nations Secretary-General;

18. *Expresses its concern* over the ongoing Israeli illegal acts and practices in international waters, which further targeted the Irish vessel *Rachel Corrie* on 5 June 2010 and prevent the delivery of humanitarian assistance to the Palestinian people in Gaza;

19. *Requests* the Organization of the Islamic Conference Group in Geneva to follow up the implementation of the Human Rights Council resolution of 2 June 2010, adopted with the active participation of the member States of the Organization of the Islamic Conference;

20. *Denounces* the countries which did not support the resolution adopted by the United Nations Human Rights Council on 2 June 2010 on the Israeli aggression against the Freedom Flotilla, and deems it a protection for Israel and its crimes and a manifestation of double standards and departure from international law and international humanitarian law;

21. *Requests* the Secretary-General of the Organization of the Islamic Conference to take the necessary measures towards convening a special meeting of the United Nations General Assembly within the framework of “Uniting for peace”, in order to lift the Israeli blockade on Gaza;

22. *Mandates* the Secretary-General to coordinate with the Chairs of the Islamic Summit Conference, the Council of Foreign Ministers and the member States of the Executive Committee in order to ensure implementation and the follow-up of the provisions of the present communiqué;

23. In view of the continuing Israeli challenge and violation of international law and all its international commitments, *calls on* member States to reconsider their relations with Israel, including reconsideration of normalization of such relations;

24. *Supports* the Palestinian reconciliation process and the Egyptian efforts to achieve this reconciliation, taking into consideration the need to end the Palestinian discord as soon as possible.

#### **IV. UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS ANNOUNCES PANEL TO MONITOR FOLLOW-UP TO GOLDSTONE REPORT**

*The United Nations High Commissioner for Human Rights, Navanethem Pillay, announced on 14 June 2010 the membership of a committee of independent experts mandated by Human Rights Council resolution 13/9 of 25 March 2010, to monitor and assess the investigations undertaken by both the Government of Israel and the Palestinian side, in the light of General Assembly resolution 64/254 of 26 February 2010, into the serious violations of international humanitarian and human rights law reported by the United Nations Fact Finding Mission on the Gaza conflict, led by Justice Richard Goldstone. United Nations Office at Geneva press release HC10/035 is excerpted below.*

...

The committee is mandated to “monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side ... including the independence, effectiveness, genuineness of these investigations and their conformity with international standards.”

The three experts who have agreed to form the committee are Professor Christian Tomuschat (Chair), Justice Mary McGowan Davis and Mr. Param Cumaraswamy (see biographical notes below).

“The committee will focus on the need to ensure accountability for all violations of international humanitarian and international human rights laws during the Gaza conflict, in order to prevent impunity, assure justice, deter further violations and promote peace,” Ms. Pillay said. “These three experts are eminently suited to fulfil the committee’s mandate, and I would like to take this opportunity to call on all relevant parties to fully cooperate with the committee.”

The committee of independent experts will meet shortly to define its plan of action and establish contacts with all relevant parties linked to its future activities.

#### **Biographical notes**

Professor Christian Tomuschat is Professor Emeritus at Humboldt University, Berlin. Prior to taking the chair of international law in Berlin, he worked for 22 years at the Law Faculty of the University of Bonn as the director of the Institute of International Law. A renowned international jurist and an expert on international human rights and international humanitarian law, Professor Tomuschat has also served as a member of the United Nations Human Rights Committee, president of the International Law Commission, Chair of the Guatemalan Historical Clarification Commission, member of the International Commission of Jurists, and judge of the Inter-American Development Bank and the African Development Bank. He is the author of numerous books and articles on human rights and humanitarian law.

Judge Mary McGowan Davis served as a Justice of the Supreme Court of the State of New York and as a federal prosecutor during the course of a 24-year career in the criminal justice sector in New York City. She also has extensive experience in the fields of international human rights law and transitional justice. Justice Davis has been involved in mentoring and training lawyers

and judges in Afghanistan, Iraq, Mongolia and Rwanda. She visited Cambodia and Sierra Leone on missions relating to the establishment of war crimes tribunals in those countries. She has also served as a consultant to the International Criminal Tribunal for Rwanda and the International Criminal Court. She is a member of the Board of Directors of the American Association for the International Commission of Jurists and the International Judicial Academy, and serves on the managerial board of the International Association of Women Judges.

Mr. Param Kumaraswamy, a renowned jurist and human rights expert, served from

1994 to 2003 as the Special Rapporteur of the United Nations Commission on Human Rights on the independence of judges and lawyers. He is a barrister at law from the United Kingdom, practices law in Malaysia and is a former president of the bar association of Malaysia. He is an active member of several organizations, including the Law Association of Asia and the Pacific, the International Commission of Jurists and the Advisory Council of the American Bar Association Centre of Human Rights. Mr Kumaraswamy is the author of numerous articles on human rights, humanitarian law, the rule of law and judicial independence.

...

## **V. UNITED NATIONS SPECIAL COORDINATOR FOR THE MIDDLE EAST PEACE PROCESS BRIEFS SECURITY COUNCIL**

*On 15 June 2010, the Security Council met to consider "The situation in the Middle East, including the Palestinian question". Robert Serry, Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, briefed the Council on the latest developments in the region. The following are excerpts of the briefing (see S/PV.6340).*

Following the presidential statement of the Security Council on 1 June on the flotilla incident of 31 May (S/PRST/2010/9), the Secretary-General and I have been active in addressing the immediate aftermath of the tragedy, and we renew our urgings for a fundamentally different approach to Gaza, while underscoring United Nations support for all efforts to preserve and promote the broader political process. The Secretary-General has been in contact with a number of regional and world leaders, and I have been engaged on the ground, including with the parties and Quartet colleagues.

I reiterate the Secretary-General's regret over the loss of life and injuries resulting from the use of force during the

Israeli military operation, and his condemnation of the acts, which it now appears resulted in the deaths of nine civilians and injuries to at least 30 others, together with seven soldiers of the Israel Defense Forces (IDF).

By 2 June, 682 detained civilians had been repatriated. Five Israeli citizens were questioned in Israeli custody and conditionally released between 1 and 3 June. The vessels remain in Israeli ports. A further vessel, the *Rachel Corrie*, was intercepted by Israeli naval forces as it sailed for Gaza on 5 June, without violence from any party, and was rerouted with its passengers and cargo to the Israeli port of Ashdod. There continue to be reports of intentions to send

further ships from several quarters to try to reach Gaza. I reiterate the Secretary-General's earlier comments that all parties should act responsibly and with caution to avoid any further incident.

In its 1 June presidential statement (S/PRST/2010/9), this Council called for a prompt, impartial, credible and transparent investigation conforming to international standards. The Secretary-General held consultations with the permanent members of the Security Council and a host of other concerned parties on the modalities for complying with the Council's call. In this context, he has proposed an international panel under the aegis of a third party seen as impartial and in which both Turkey and Israel actively participate. He has briefed the leadership of both Turkey and Israel.

On 14 June, the Israeli Prime Minister announced the formation of a public commission to examine the flotilla incident, to be composed of three Israeli members and two international personalities, who will participate as observers. The Secretary-General has taken note of Israel's announcement and recognizes that a thorough Israeli investigation is important and could be consistent with the Secretary-General's own proposals for an international panel. The two combined would fully meet the international community's expectation for a credible and impartial investigation. The Secretary-General's proposal is not incompatible with domestic inquiries; in fact, the two approaches are complementary, so his proposal, accordingly, remains on the table.

Consistent with the wish of this Council for the cargo to reach its destination, as expressed in the presidential statement of 1 June, and after consultations

with the parties concerned, I wish to announce that the United Nations is ready to accept this responsibility on an exceptional basis. The United Nations has obtained the consent of the cargo owners of the three Turkish-registered vessels to take possession of and responsibility for the entire cargo and ensure its timely distribution in Gaza for humanitarian purposes, as determined by the United Nations. The Government of Israel has agreed to release the entire cargo to the United Nations in Gaza, again on the understanding that it is for the United Nations to determine its appropriate humanitarian use in Gaza. We have reason to believe that the de facto authorities in Gaza will respect the independence of United Nations programming in this regard. I appreciate the constructive role played by the Government of Turkey in facilitating this process.

We will begin to operationalize this understanding as soon as possible, maintaining close contact and full transparency. It will be essential for all parties to respect the independence of the United Nations as we undertake this work. It is equally important to stress that the amount of material on the vessels in question, which includes medical and construction supplies, is comparatively modest in scale compared with the needs in Gaza.

It is these needs which must be the focus of immediate action and the Council's attention. The flotilla crisis is the latest symptom of a failed policy. As the Secretary-General has repeatedly stated, the situation in Gaza is unsustainable and the current policy is unacceptable and counterproductive and requires a different and more positive strategy. The closure and blockade of the Gaza Strip need to come to an end.

There is now a welcome international consensus on Gaza. It is fully agreed by the Quartet that there must be a fundamental change to the situation. To this end, Quartet principals have engaged with the Israeli leadership, and Quartet representative Blair has had several meetings with the Government. I have been informed that Israel is now conducting a review of its Gaza policy. I believe it is vital that this result in an end to measures that punish the civilian population. It is important that measures taken by all parties be part of a broader strategy to implement resolution 1860 (2009) in all of its aspects.

The basic principle that should guide the policy on Gaza is clear. Everything should be allowed into Gaza unless there is a specific and legitimate security reason not to. Israel should therefore move from the current policy — whereby only about 116 items are approved to enter Gaza — to a policy whereby all goods and materials are able to enter Gaza unless there is a legitimate security rationale against it. Even in such cases, existing understandings between Israel and the United Nations, which have enabled some United Nations construction projects to begin recently, demonstrate that even so-called dual use items can enter Gaza and be used for proper civilian purposes.

Accordingly, Israel should facilitate and fast-track United Nations projects on a large scale, particularly in areas such as water and sanitation, energy, education and health. At last month's briefing to the Security Council (see S/PV.6315), I stressed that the needs are immense in these sectors in the face of a collapsing aquifer, a burgeoning student population, pressures on the public health system, and an urgent need for spare parts for the power plant and

electricity grid. Other key development projects should also be approved on a similar basis to meet the needs of a growing population, half of whom are under 18 years old. In addition, we strongly hope that exports will now be facilitated at a proper scale, and that the categories of people permitted to enter and leave Gaza will be significantly expanded.

To implement these measures, it will be crucial to expand capacity at commercial crossings between Israel and Gaza. Practical steps should be taken in this regard to reinstate the framework of the Agreement on Movement and Access, including the Palestinian Authority's appropriate presence at crossings. A fundamental change in policy would empower moderation in Gaza while ensuring that its civilian population was not reliant on an illicit economy that empowers smugglers and militants.

It would also begin to address unmet needs in Gaza, which are easily illustrated with a few statistics. Given the state of economic collapse and rising poverty levels, 61 per cent of Gaza's households are food insecure and 80 per cent of the population receives some kind of humanitarian assistance, mainly food and cash assistance. At least 70 per cent of industrial establishments are totally closed, with the remainder working at very low capacity. According to a survey undertaken by the United Nations Development Programme, three quarters of the damage wrought by Operation Cast Lead — including to homes, schools and hospitals — has not been repaired or rebuilt. Electricity production from the Gaza power plant now stands at 38 per cent of its full capacity, leaving the majority of the population in Gaza with power cuts of 8 to 12 hours per day.

Between 16 May and 13 June, 566 truckloads entered Gaza on average per week, a 6 per cent drop compared to the previous reporting period. This included building materials for the approved United Nations package, on which work is proceeding, as well as for a French project to repair a hospital in Gaza City. Between 15 and 20 May, the Rafah border crossing with Egypt was exceptionally opened for six days, facilitating the entry and departure of thousands of Gazans for humanitarian purposes. Since 2 June, the Egyptian authorities have opened the Rafah crossing for pedestrian travellers to and from the Gaza Strip; some 5,000 Gazans flocked to Rafah on the first day. Egypt destroyed a number of smuggling tunnels and continues to install preventive measures, including steel sheeting, along its border with Gaza. Over the reporting period, eight people died and 14 more were injured in tunnel-related incidents.

On 25 June, Israeli Corporal Gilad Shalit will have been in captivity for four years. We call on his captors to urgently allow third-party access to him and to release him immediately. We also note the detention of over 9,000 Palestinians in Israeli jails, among them women and children, and persons detained without charge. We urge the completion of a prisoner exchange agreement, as well as further releases of Palestinian prisoners to the Palestinian Authority.

Since the flotilla incident, the de facto authorities have maintained comparative calm with Israel. Nevertheless, militant groups fired some 29 indiscriminate rockets into southern Israel during the reporting period, causing no injuries. The IDF conducted 10 incursions and 12 air strikes, killing 13 Palestinians, all of whom were

alleged militants, and injuring 44, of whom 40 were reportedly civilians, including six women and seven children. We continue to condemn rocket fire, which indiscriminately targets civilians, and acts of disproportionate military force, which endanger civilians. We urge calm and full respect by all parties for international humanitarian law. We are also making it directly clear to interlocutors in Gaza that, just as we urge a significant change in Israel's policy at the crossings, we will be looking for a significant change from Hamas in its policies as well, in particular by declaring an extended ceasefire and acting to prevent all forms of violence against Israel.

During the reporting period, there was a worrying spate of attacks on international and civil society organizations in Gaza. The Secretary-General has condemned the disturbing vandalism of a United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) summer camp for Gazan children on 23 May, with accompanying threats to the safety of United Nations personnel. I am, however, pleased to report that the UNRWA summer games, which will provide much-needed recreation and relief from the stresses of living in the Strip for some 250,000 children, have been successfully under way in 144 locations since 12 June.

In early June, Hamas security forces broke into the offices of a number of non-governmental organizations (NGOs), including United Nations partners, in Gaza City and Rafah, closing them down and confiscating their equipment. In a statement on 3 June, I called for the reversal of these repressive and unacceptable actions, which only harm Palestinians. The United Nations will continue to discharge its full responsibilities towards the civilian population in Gaza and will engage and work actively with NGO partners.

Despite continuing efforts to promote internal dialogue by Palestinian figures, Hamas continues to refuse the Egyptian-mediated proposal for Palestinian reconciliation. I can therefore report no progress in efforts to reunite Gaza with the West Bank within the framework of the legitimate Palestinian Authority. I would stress here that Palestinian unity is a key component to finding a sustainable solution to the crisis in Gaza. The need for tangible steps on intra-Palestinian reconciliation is cited in resolution 1860 (2009).

I note that on 13 June the Secretary-General of the League of Arab States visited the Gaza Strip, urging an end to the blockade of Gaza and Palestinian reconciliation in order to advance towards legitimate Palestinian aspirations for the creation of an independent Palestinian State as part of a two-State solution.

I have focused on Gaza and will speak only briefly on other issues, pending a fuller briefing next month. The Quartet is agreed that it is vital to push ahead with the proximity talks. Special Envoy Mitchell held a further round of talks with President Abbas on 19 May and with Prime Minister Netanyahu on 20 May, and both sides reaffirmed their commitment to continue the talks in the aftermath of the flotilla incident. Special Envoy Mitchell visited the region again from Wednesday, 2 June, for a further three days of what he described as constructive and substantive talks, and he is due to return to the region again this week.

I wish to underline to the Council precisely how delicate and urgent these negotiations are. Israel's settlement restraint policy will expire three months from now, while support for President Abbas from the Arab League for continuing negotiations has

a similar time frame. Within that time, we must have made sufficient progress at the table and on the ground to enable a move to meaningful direct negotiations. Otherwise, it is difficult to see how a political process can be sustained, much less how negotiations can converge, meaningfully and decisively, on an agreement on the core issues of the conflict. That, ultimately, is the only path to peace.

The proximity talks must be supported by positive actions on the ground, and I urge the parties to implement their obligations and refrain from provocations. This includes Israel's obligation to freeze all settlement activity, including natural growth, to dismantle outposts erected since March 2001, and to reopen Palestinian institutions in East Jerusalem. It also includes Palestinian action to combat violence and terror and to continue the reforms that have made important strides in recent years.

I particularly stress the sensitive situation in Jerusalem, where tensions have continued in the reporting period. I also stress the importance of calm in the West Bank, where there have been a number of worrying violent incidents, including Israeli settler attacks on Palestinians and yesterday's attack on an Israeli police patrol, resulting in the death of a policeman, which was condemned by the Palestinian Authority.

The second Palestine Investment Conference was held successfully on 2 and 3 June in Bethlehem, resulting in pledges of almost \$1 billion of investments in Palestinian businesses. This is an encouraging sign of investors' trust in the Palestinian Authority's institution-building efforts, including those to restructure the Palestinian economy and create an enabling



environment for investors. Meanwhile, the Authority has received \$491 million to support recurrent budgetary costs. In order to ensure continued support to the Palestinian Authority reform agenda, a total of \$1.2 billion in external financing is required in 2010.

The Israeli, Palestinian and other members of the International Women's Commission (IWC) met on 1 and 2 June in Madrid, where participants gathered to highlight the tenth anniversary of Security Council resolution 1325 (2000) and the work that remains outstanding to ensure its implementation. I will be working with the IWC and other groups in the coming months to ensure that the provisions of resolution 1325 (2000) and issues relating to the rights and representation of women are advanced in the effort for peace in the Middle East.

...

The Security Council clearly stated two weeks ago that the situation in Gaza is not sustainable (see S/PRST/2010/9). We agree that it must change. There is a welcome Quartet consensus on this and on

the policy changes expected from Israel to end the closure regime in a manner consistent with its legitimate security concerns. This should also be the catalyst for addressing the broader issues as set out in resolution 1860 (2009). The Secretary-General is determined to transform this crisis into an opportunity for real change on the ground, and he will continue to work towards that objective in close cooperation with the Quartet and the Council. The United Nations is already playing a crucial role in addressing the manifold issues confronting Gaza and is ready to significantly expand its interventions.

At the same time, we must not lose track of the need to sustain the proximity talks on the core issues and to buttress them with concrete progress on the ground, both in the West Bank, including East Jerusalem, and in Gaza, with a view to moving to direct talks as soon as possible.

I call on the parties to keep up their cooperative approach in this regard, and I count on the support of the Council to help maintain a climate conducive to peace.

## **VI. SECRETARY-GENERAL ENCOURAGED BY REVIEW OF ISRAEL'S GAZA POLICY**

*The following statement was issued on 17 June 2010 by the Spokesperson for United Nations Secretary-General Ban Ki-moon (Press release SG/SM/12964):*

The Secretary-General is encouraged that the Israeli Government is reviewing its policy towards Gaza, and he hopes that today's decision by the Israeli security cabinet is a real step towards meeting needs in Gaza.

The Secretary-General has asked his envoy, Robert Serry, to immediately engage the Israeli Government to learn more about the decision and the additional measures and steps of implementation still required.

The United Nations continues to seek a fundamental change in policy as agreed by the Quartet, so that humanitarian assistance, commercial goods and people are able to flow through functioning open crossings, and so that reconstruction can take place.

The United Nations has demonstrated the integrity of its programming and stands ready to scale up its efforts to help Gaza recover and rebuild if enabled to do so.

## **VII. QUARTET WELCOMES NEW ISRAELI GAZA POLICY**

*The following statement was issued on 21 June 2010 by the Quartet (press release SG/2160):*

The Quartet reaffirms that the current situation in Gaza, including the humanitarian and human rights situation of the civilian population, is unsustainable, unacceptable, and not in the interests of any of those concerned. The Quartet reiterates its call for a solution that addresses Israel's legitimate security concerns, including an end to weapons smuggling into Gaza; promotes Palestinian unity based on the Palestine Liberation Organization commitments and the reunification of Gaza and the West Bank under the legitimate Palestinian Authority; and ensures the unimpeded flow of humanitarian aid, commercial goods and persons to and from Gaza, consistent with United Nations Security Council resolution 1860 (2009). The Quartet declares its readiness to work closely with Israel, the Palestinian Government and international donors in order to achieve sustainable economic development on the basis of the full implementation of the Agreement on Movement and Access of 2005 and in the broader perspective of the two-State solution.

Consistent with these objectives, the Quartet and the Quartet Representative have worked with Israel, as well as consulted the

Palestinian Authority, Egypt, and other concerned parties, to effect a fundamental change in policy in Gaza. The new policy towards Gaza just announced by the Government of Israel is a welcome development. The Quartet notes that the elaboration of further details and modalities of implementation will be important in ensuring the effectiveness of the new policy. Full and effective implementation will comprise a significant shift in strategy towards meeting the needs of Gaza's population for humanitarian and commercial goods, civilian reconstruction and infrastructure, and legitimate economic activity, as well as the security needs of Israel. The Quartet will continue to work with Israel, the Palestinian Authority, and other concerned parties to ensure that these arrangements are implemented as quickly as possible. The Quartet affirms that much work remains to achieve fully the solution stated above, and, in consultation with the concerned parties, it will monitor closely the implementation of the policy in all its aspects. It will actively explore additional ways to improve the situation in Gaza, encourage involvement of the Palestinian Authority at the crossings and promote greater commerce between the West Bank and Gaza.

The Quartet stresses the importance of United Nations and other international interventions, as well as the work of local non-governmental organizations, to be expanded in Gaza to meet urgent civilian needs, and calls on all parties to fully enable this work.

The Quartet recognizes that Israel has legitimate security concerns that must continue to be safeguarded, and believes efforts to maintain security while enabling movement and access for Palestinian people and goods are critical. The Quartet commits to work with Israel and the international community to prevent the illicit trafficking of arms and ammunition into Gaza. It urges all those wishing to deliver goods to do so through established channels so that their cargo can be inspected and transferred via land crossings into Gaza. The Quartet emphasizes that there is no need for unnecessary confrontations and calls on all parties to act responsibly in meeting the needs of the people of Gaza.

The Quartet also calls for an end to the deplorable detention of Gilad Shalit in advance of the fourth anniversary of his capture on 25 June; it further condemns the violation of Hamas' international obligation to provide him access by the International Committee of the Red Cross and demands that Hamas immediately remedy the situation.

The Quartet also reiterates its support for proximity talks towards the resumption, without preconditions, of direct bilateral negotiations that resolve all final status issues as previously agreed by the parties. The Quartet believes these negotiations should lead to a settlement, negotiated between the parties within 24 months, that ends the occupation which began in 1967 and results in the emergence of an independent, democratic, and viable Palestinian state in the West Bank and Gaza, living side by side in peace and security with Israel and its other neighbours.

## **VIII. SECRETARY-GENERAL CONDEMNS VANDALISM AGAINST UNRWA FACILITY**

*The following statement was issued on 28 June 2010 by the Spokesperson for United Nations Secretary-General Ban Ki-moon (press release SG/SM/12978-PAL/2129):*

The Secretary General condemns the vandalism last night by masked armed men of an UNRWA summer games facility in the Gaza Strip. He is very concerned that this is the second such incident in a month. Such attacks are an assault upon the well-being of Gaza's children, 250,000 of whom attend UNRWA's summer games for recreation and education as well as a respite from the difficulties of everyday life in the Strip.

The Secretary-General calls upon the de facto authorities to combat any incitement against United Nations operations, and to ensure the safety of UNRWA and other UN personnel and programmes serving the most vulnerable in Gaza. He calls for those responsible for these incidents to be brought to justice.