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Report of the Human Rights Council**Second follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict
Report of the Secretary-General**

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| <i>Summary</i> | The present report is submitted pursuant to General Assembly resolution 64/254 . On 27 May 2010, the Secretary-General sent notes verbales to the Permanent Mission of Israel to the United Nations, the Permanent Observer Mission of Palestine to the United Nations and the Permanent Mission of Switzerland to the United Nations, drawing their attention to the relevant provisions of resolution 64/254 and requesting written information by 12 July 2010 concerning any steps taken or in the process of being taken in relation to their implementation. The full text of the materials received by the Secretariat in reply to those requests is attached as annexes. The report also contains the observations of the Secretary-General. |
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I. Introduction

1. The present report is submitted in pursuance of paragraph 5 of General Assembly resolution 64/254 of 26 February 2010, entitled "Second follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict", in which the Assembly requested the Secretary-General to report to it, within a period of five months, on the implementation of the resolution. To fulfil that request, it was therefore necessary to ascertain what steps the parties named in paragraphs 2, 3 and 4 of the resolution had taken.

2. On 27 May 2010, the Secretary-General drew the attention of the Permanent Mission of Israel to the United Nations to [resolution 64/254](#), with the request that the Permanent Mission provide the Secretariat with written information by 12 July 2010 on any steps that the Government of Israel might have taken or was in the process of taking further to the call of the General Assembly in paragraph 2 of the resolution.

3. On 16 July 2010, the Secretariat received a document from the State of Israel entitled "Gaza operation investigations: second update". The full text of the document is attached as annex I to the present report.

4. On 27 May 2010, the Secretary-General drew the attention of the Permanent Observer Mission of Palestine to the United Nations to [resolution 64/254](#), with the request that the Permanent Observer Mission provide the Secretariat with written information by 12 July 2010 on any steps that the Palestinian side might have taken or was in the process of taking further to the exhortation of the General Assembly in paragraph 3 of the resolution.

5. On 12 July 2010, the Secretary-General received a letter of the same date from the Permanent Observer Mission of Palestine to the United Nations transmitting a letter dated 11 July 2010 from President Mahmoud Abbas of the Palestinian Authority and the report of the Palestinian Independent Commission Investigating in Follow-up of the Goldstone Report, including a general introduction to the report. The full text of the letters, the general introduction to the report of the Palestinian Independent Commission Investigating in Followup of the Goldstone Report and the report itself is attached as annex II to the present report.

6. On 27 May 2010, the Secretary-General drew the attention of the Permanent Mission of Switzerland to the United Nations to resolution 64/254, with the request that the Permanent Mission provide the Secretariat with written information by 12 July 2010 on any steps that the Government of Switzerland might have taken or was in the process of taking further to the recommendation of the General Assembly in paragraph 4 of the resolution. 7. On 12 July 2010, the Secretary-General received a note verbale of the same date from the Permanent Mission of Switzerland transmitting a report entitled "Status of the talks on follow-up to paragraph 4 of General Assembly resolution 64/254". The full text of the letter and the report is attached as annex III to the present report.

8. The present report follows the report of the Secretary-General of 26 July 2010 to the General Assembly ([A/64/867](#)) submitted pursuant to paragraph 5 of resolution 64/254, in which it was reported that the submissions received from the parties totalled approximately 382 pages. In that report, the Secretary-General indicated that, for technical reasons, he was unable to issue the documents or his observations at that time and that he would report further as soon as the technical process of translation was completed.

II. Observations

9. At the beginning of 2009, I visited both Gaza and southern Israel in order to help end the fighting and to show my respect and my concern at the death and injury of so many people during the conflict in and around Gaza. In March 2010, I again visited Gaza and Israel. I was, and remain, deeply affected by the widespread death, destruction and suffering in the Gaza Strip, as well as moved by the plight of civilians in southern Israel who have been subject to indiscriminate rocket and mortar fire.

10. I reiterate that international human rights and humanitarian law need to be fully respected in all situations and circumstances. Accordingly, on several occasions, I have called upon all of the parties to carry out credible, independent domestic investigations into the conduct and consequences of the Gaza conflict. I hope that such steps will be taken wherever there are credible allegations of violations of international human rights and humanitarian law.

11. It is my sincere hope that General Assembly resolution 64/254 has served to encourage investigations by the Government of Israel and the Palestinian side that are independent, credible and in conformity with international standards.

12. I recall that on 25 March 2010 the Human Rights Council adopted [resolution 13/9](#), in which it decided, in the context of the follow-up to the report of the Independent International Fact-Finding Mission, to establish a committee of independent experts in international humanitarian and human rights laws to monitor and assess any domestic, legal or other proceedings undertaken by both the Government of Israel and the Palestinian side, in the light of General Assembly resolution 64/254, including the independence, effectiveness and genuineness of those investigations and their conformity with international standards. Also, in resolution 13/9, the Human Rights Council requested me to transmit all the information submitted by the Government of Israel and the Palestinian side pursuant to paragraphs 2 and 3 of General Assembly resolution 64/254 to the committee of independent experts. I am accordingly sending today a letter to the High Commissioner for Human Rights requesting her to transmit the documents received from the State of Israel and the Permanent Observer Mission of Palestine to the United Nations to the committee of independent experts.