

STATEMENT BY HRC PRESIDENT – UPDATE ON GAZA FACT-FINDING MISSION – 15 JUNE 09

I would like to apprise you of progress on the fact-finding mission authorized by the 9th special session held in January.

On 3 April, I announced my decision to appoint Justice Richard Goldstone, former Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda and current Spinoza Fellow at the Netherlands Institute for Advanced Study in the Humanity and Social Sciences, to lead the independent fact-finding mission to investigate international human rights and humanitarian law violations that may have been committed between 27 December 2008 and 18 January 2009 in relation to the conflict in the Gaza Strip.

I also announced my decision to appoint the following three members to the mission: Professor Christine Chinkin, Professor of International Law at the London School of Economics and Political Science; Ms. Hina Jilani, Advocate of the Supreme Court of Pakistan and former Special Representative of the Secretary General on Human Rights Defenders; and Colonel Desmond Travers, a former officer in the Irish Armed Forces and member of the Board of Directors of the Institute for International Criminal Investigations (IICI).

Upon appointing the team and to you in this chamber on the 23rd of March, I expressed my confidence that the mission would be in a position to assess in an independent and impartial manner all human rights and humanitarian law violations that may have been committed in the context of the conflict that took place between 27 December 2008 and 18 January 2009 and provide much needed clarity about the legality of the thousands of deaths and injuries and the widespread destruction that occurred.

The mission, which is supported by a Secretariat provided by the Office of the High Commissioner for Human Rights, held its first meeting in Geneva from 4 to 8 May, during which it held initial meetings with a broad cross-section of stakeholders, including UN member States and representatives of the United Nations and non-governmental organizations. At this time, the mission also established terms of reference and a three-month programme of work.

From 1 to 5 June, the mission conducted its first field visit to Gaza. As the team was denied access to enter Gaza through Israel, they entered the territory through Egypt via the Rafah crossing point. While in Gaza, the mission conducted site visits and held meetings and interviews with a wide range of individuals and organizations to gather information on issues of concern that were identified during a month of preliminary research. In total, the mission visited 14 locations in Gaza City and North Gaza.

As previously announced by Justice Goldstone, the fact-finding mission plans to return to Gaza for a second visit towards the end of this month, during which they intend to hold public hearings on some of the issues covered by their mandate. The mission also intends to hold public hearings in Geneva and to hold consultations with Palestinian officials and with organizations from the West Bank and Israel.

As conveyed to me, the Mission Members have not lost hope of visiting areas of Southern Israel and the West Bank, although this has not yet been possible as they have not received a positive response from the Government of Israel to repeated requests for cooperation.

The fact-finding mission will produce a final report to be presented to the Human Rights Council at its 12th session in September.

* * * * *