

United Nations



Nations Unies

Executive Office of the Secretary-General
Cabinet du Secrétaire général

DPA
GA/64th

#1 PRIORITY

To: Mr. Nambiar,

Please find attached for your approval and SG's signature the three Note Verbales in respect of the SG's report pursuant to GA resolution on Goldstone. They are in line with our discussion with Legal Counsel and DPA.

Nicholas Haysom
1 December 2009

Cc: KWS

VN.
as corrected
in line with our discussion.

3/12/09

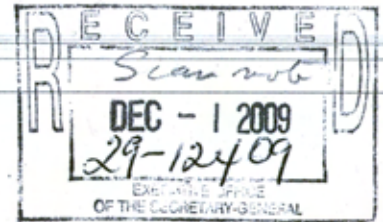
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Note to Mr. Nambiar

GENERAL ASSEMBLY RESOLUTION 64/10 NOTES VERBALE

1. As requested, please find attached draft notes verbale to the Permanent Mission of Israel, the Permanent Observer Mission of Palestine and the Permanent Mission of Switzerland in connection with the Secretary-General's reporting obligations under General Assembly resolution 64/10 ("Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict").
2. The notes verbale were prepared by OLA, in collaboration with DPA, and in accordance with the approach discussed in our meeting with Ms. O'Brien on 19 November 2009.

B. Lynn Pascoe
1 December 2009

cc Ms. O'Brien

REFERENCE: / / /

The Secretariat of the United Nations presents its compliments to the Permanent Mission of Switzerland to the United Nations and has the honour to refer to General Assembly resolution 64/10 of 5 November 2009, entitled "Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict".

In operative paragraph 3 of that resolution, the General Assembly

"Calls upon the Government of Israel to take all appropriate steps, within a period of three months, to undertake investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission [on the Gaza Conflict], towards ensuring accountability and justice".

In operative paragraph 4 of that same resolution, the General Assembly:

"Urges, in line with the recommendation of the Fact-Finding Mission, the undertaking by the Palestinian side, within a period of three months, of investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission, towards ensuring accountability and justice"

In operative paragraph 5 of its resolution, the General Assembly:

"Recommends to the Government of Switzerland, in its capacity as depositary of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to undertake the necessary steps as soon as possible to reconvene a Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure its respect in accordance with common article 1".

In operative paragraph 6 of its resolution 64/10, the General Assembly:

"Requests the Secretary-General to report to the General Assembly, within a period of three months, on the implementation of the present resolution, with a view to considering further action, if necessary, by the relevant United Nations organs and bodies, including the Security Council".



In order to assist the Secretary-General in fulfilling his responsibilities under this last paragraph, the Secretariat hereby requests the Permanent Mission to provide the Secretariat by 29 January 2010 with written information regarding the steps that the Government of Switzerland may have taken, or be in the process of taking, further to the recommendation of the General Assembly in operative paragraph 5 of its resolution.

The Secretariat is sending similar *notes verbales* to the Permanent Mission of Israel to the United Nations and the Permanent Observer Mission of Palestine to the United Nations requesting written information regarding steps taken further to the exhortation and urging of the General Assembly in operative paragraphs 3 and 4, respectively, of its resolution.

The Secretariat of the United Nations avails itself of this opportunity to express to the Permanent Mission of Switzerland to the United Nations the assurances of its highest consideration.



3 December 2009

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REFERENCE: / / /

The Secretariat of the United Nations presents its compliments to the Permanent Observer Mission of Palestine to the United Nations and has the honour to refer to General Assembly resolution 64/10 of 5 November 2009, entitled "Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict".

In operative paragraph 3 of that resolution, the General Assembly

"Calls upon the Government of Israel to take all appropriate steps, within a period of three months, to undertake investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission [on the Gaza Conflict], towards ensuring accountability and justice".

In operative paragraph 4 of that same resolution, the General Assembly:

"Urges, in line with the recommendation of the Fact-Finding Mission, the undertaking by the Palestinian side, within a period of three months, of investigations that are independent, credible and in conformity with international standards into the serious violations of international humanitarian and international human rights law reported by the Fact-Finding Mission, towards ensuring accountability and justice"

In operative paragraph 5 of its resolution, the General Assembly:

"Recommends to the Government of Switzerland, in its capacity as depositary of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to undertake the necessary steps as soon as possible to reconvene a Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure its respect in accordance with common article 1".

In operative paragraph 6 of its resolution 64/10, the General Assembly:

"Requests the Secretary-General to report to the General Assembly, within a period of three months, on the implementation of the present resolution, with a view to considering further action, if necessary, by the relevant United Nations organs and bodies, including the Security Council".

In order to assist the Secretary-General in fulfilling his responsibilities under this last paragraph, the Secretariat hereby requests the Permanent Observer Mission to provide the Secretariat by 29 January 2010 with written information regarding the steps that the Palestinian side may have taken, or be in the process of taking, further to the urging of the General Assembly in operative paragraph 4 of its resolution.

The Secretariat is sending similar *notes verbales* to the Permanent Mission of Israel to the United Nations and the Permanent Mission of Switzerland to the United Nations requesting written information regarding steps taken further to the exhortation and recommendation of the General Assembly in operative paragraphs 3 and 5, respectively, of its resolution.

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In operative paragraph 4 of that same resolution, the General Assembly:

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In order to assist the Secretary-General in fulfilling his responsibilities under this last paragraph, the Secretariat hereby requests the Permanent Mission to provide the Secretariat by 29 January 2010 with written information regarding the steps that the Government of Israel may have taken, or be in the process of taking, further to the exhortation of the General Assembly in operative paragraph 3 of its resolution.

The Secretariat is sending similar *notes verbales* to the Permanent Observer Mission of Palestine to the United Nations and the Permanent Mission of Switzerland to the United Nations requesting written information regarding steps taken further to the urging and the recommendation of the General Assembly in operative paragraphs 4 and 5, respectively, of its resolution.

The Secretariat of the United Nations avails itself of this opportunity to express to the Permanent Mission of Israel to the United Nations the assurances of its highest consideration.



3 December 2009