



SECURITY COUNCIL REPORT UPDATE REPORT



26 January 2009 No. 3

ISRAEL/PALESTINE: UPDATE REPORT ON GAZA

Expected Council Action

On 27 January the Council will hear a briefing from UN Relief and Works Agency for Palestine Refugees in the Near East's (UNRWA) Commissioner General Karen Koning AbuZayd and Under Secretary General for Humanitarian Affairs John Holmes on the urgent humanitarian needs in Gaza. It will be the first time ever that UNRWA has briefed the Council.

Approximately 1,300 Palestinians were killed as a result of the Israeli operation, including 700 civilians (about 400 of them children), and more than 5,450 were injured, according to Gaza medical officials. Israel has accused Hamas of exacerbating the casualties and the humanitarian crisis by locating combatants in and around civilian areas. The fighting has caused huge damage to civilian infrastructure. More than forty thousand Gazans were displaced to UNRWA camps. On the Israeli side, 13 people died, including ten soldiers.

The Council meeting is essentially a briefing. No action is expected on 27 January. However, the briefing is likely to set the scene and establish some of the factual framework for subsequent Council discussions, both of a general nature about humanitarian problems and specifically in respect to Gaza. The Council in February is therefore likely to keep the issue under tight review and perhaps also explore ways in which it can add value.

Key Recent Developments

On 27 December Israel launched a military operation against the Gaza strip after the ceasefire that had established a period of relative calm for six months was not renewed on 19 December. Its announced purpose was to exercise its right of self defence in response to Hamas's firing of rockets against civilian targets in Israeli territory. On 17 January, after 22 days of conflict and intense diplomatic efforts by Egypt, France, and others, a unilateral ceasefire was announced by Israel, followed by a unilateral ceasefire by Hamas on 18 January.

At press time the ceasefire remained fragile despite the complete withdrawal of Israeli troops from Gaza. Egypt continues to play the lead role as mediator in talks with Israel and Hamas to try to find long-term solutions. Israel demands the end of Hamas's rocket fire and practical measures along the Egypt/Gaza border to stop the smuggling of new weapons. Hamas, with wide support from the UN and the international community, is requesting the reopening of border crossings and the end of Israeli blockade. It seems that Israel is also including in its elements a request for the freeing of Gilad Shalit, an Israeli soldier captured by Hamas in 2006, in exchange for some Palestinian prisoners.

On 21 January the Council was briefed by the Secretary-General on his return from the Middle East, where he gave support to the mediation process and visited Gaza. He urged, in addition to addressing the specific problems of Gaza, a massive international effort to resolve the underlying Arab-Israeli conflict including through implementation of Council resolutions and the framework provided by the Arab Peace Initiative. He has also announced the dispatching of John Holmes and UN Special Coordinator for the Middle East Peace Process, Robert Serry, to assess the needs on the ground. He has also emphasised the need for Palestinian reconciliation and the restoration of one Palestinian government within the framework of the legitimate Palestinian Authority under President Abbas. Finally, he demanded a thorough investigation by Israel into all incidents involving the targeting of UN facilities during the fighting, and he was expecting to receive explanations and to see those responsible held accountable.

On 21 January, after the briefing, the Council issued a press statement emphasising the need for full implementation of resolution 1860, restating concern at the humanitarian situation in Gaza and recalling the obligations of all parties to ensure respect for international humanitarian law. The Council also recalled resolution 1850 and encouraged intra-Palestinian reconciliation and the need to continue to work towards a long-term two-state solution.

On 15 and 16 January, the General Assembly, at the initiative of its president, met in emergency special session. It adopted a resolution demanding full respect for Security Council resolution 1860, calling for a ceasefire, expressing support for diplomatic initiatives underway and calling upon all states to support humanitarian efforts.

On 15 January, UNRWA headquarters in Gaza were partly destroyed after being hit by Israeli shells. Israeli Prime Minister Ehud Olmert apologised and Defence Minister Ehud Barack mentioned a "mistake". Secretary-General Ban Ki-moon expressed outrage and demanded an investigation. France, Germany and the UK condemned the attack and the EU also expressed concern. The Council received a briefing on the incident by Assistant Secretary-General Haile Menkerios. Council president, Ambassador Jean-Maurice Ripert, said to the press that all Council members expressed grave concern at the situation and called on all parties to respect international humanitarian law and to ensure the protection of civilians.

On 14 January, Ban Ki-moon began a mission to the Middle East to strengthen diplomatic efforts to obtain a ceasefire. He met with officials in Cairo, Amman, Tel Aviv, Jerusalem, Ramallah, Ankara and Damascus and attended the Arab-European summit held in Sharm el-Sheikh on 18 January and the Arab Economic Summit held in Kuwait on 19 January. He also visited Gaza on 20 January, expressed shock and anger at the devastation and condemned excessive use of force by Israel as well as Hamas's rocket fire into Israel.

The Secretary-General, before his departure, briefed the Council on 13 January in consultations and obtained from the Council strong support for his initiative. At a news conference on 12 January he had laid out key points for settling the crisis: agreement on an immediate ceasefire with, at a minimum, a halt to rocket attacks by Hamas militants and withdrawal of Israeli forces from Gaza; international cooperation to stop the smuggling of weapons into Gaza; full re-opening of border crossings into Gaza; and reconstruction after violence ends.

On 8 January, the Council adopted resolution 1860 calling for an immediate, durable and fully respected ceasefire leading to the full withdrawal of Israeli forces from Gaza and condemning violence against civilians and acts of terrorism. It also called on member states to make more efforts to guarantee a durable ceasefire including through the prevention of illicit trafficking in arms and ensuring the reopening of the crossing points. It encouraged steps towards intra-Palestinian reconciliation, and it recalled resolution 1850 supporting the Annapolis peace process and the 2002 Arab Peace Initiative (which offered Israel normal relations in return for full withdrawal from all Arab land occupied in the 1967 war and a just solution to the issue of Palestinian refugees). Although both Hamas and Israel rejected resolution 1860, it was truly noteworthy because it was the first time in many years that the US shifted away from blocking Council action which might constrain Israel's options. (The fact that this occurred under the outgoing Bush administration was seen by many as politically very significant as it frees the new administration from being the first to cross that bridge.)

On 6 January, French President Nicolas Sarkozy met with Egyptian President Hosni Mubarak and together they proposed a three-point plan to solve the crisis:

- immediate ceasefire for a specified period to allow the opening of humanitarian corridors and to allow Egypt to pursue diplomatic efforts towards a complete and permanent ceasefire;
- immediate meeting between Israel and the Palestinian sides to conclude guarantees to prevent a repetition of the present escalation, including the securing of borders, reopening of border crossings and lifting of the Israeli blockade; and
- Palestinian reconciliation.

On 28 December, the Council adopted a press statement expressing serious concern at the escalation of the situation and called for an immediate halt to all violence. It also

called for all parties to address the humanitarian and economic needs in Gaza through opening border crossings.

For more details about developments on the ground and at the Security Council, please see the Chronology of Events below.

Related Developments in the Human Rights Council

On 12 January, the Human Rights Council met in a special session and adopted resolution A/HRC/S-9/L.1, strongly condemning the ongoing Israeli military operation in Gaza, calling for the immediate cessation of military attacks and the withdrawal of Israeli forces, demanding that the occupying power stop the targeting of civilians and medical facilities, calling for an end to the siege, calling for the opening of all borders, and deciding to dispatch an independent fact-finding mission to investigate all violations of international human rights and humanitarian law by Israel. It also requested the UN Secretary-General to investigate the targeting of UNRWA facilities in Gaza.

Options

Council members seem to believe that the immediate focus should be on the political process led by Egypt and securing implementation of all elements of resolution 1860.

However, if the situation deteriorates again, and there is a failure to agree on elements of a long-term ceasefire, one option is for the Council to warn the parties by way of a demand for immediate implementation of resolution 1860.

If progress is made among the parties regarding a durable ceasefire, an option for the Council is to immediately welcome or endorse it. Another option if progress is being made, but formalising the arrangements becomes complicated because of the mutual non recognition between Hamas and Israel, would be for the Council to formalise in a binding resolution a package that the parties would acquiesce in. This could be accompanied by addressing the need for international involvement—in effect further detailing resolution 1860—perhaps covering:

- establishing a monitoring mechanism for border control, including securing access to humanitarian aid and preventing arms smuggling and either supporting a EU mechanism similar to the 2005 EU Border Assistance Mission (EUBAM) and/or deploying UN observers;
- approving the deployment of international observers or requesting the UN Truce Supervision Organisation, already in place in the region, to verify that both sides respect the ceasefire;
- reinforcing the need for border crossings to remain open;
- calling for the convening of an international donors' conference for emergency humanitarian aid and reconstruction;
- establishing a mechanism that would ensure a minimum degree of civilian protection in the area until long-term peace allows the development of state structures in the framework of a two-state solution;

- further detailing resolution 1850 regarding a permanent two-state solution to the Israeli-Palestinian conflict and in particular support for the Annapolis process and calling for the resumption of peace talks by a target date; and
- encouraging the resumption of inter-Palestinian dialogue and reconciliation.

A possible option is to take up the question of attacks on UN facilities (not only the UNRWA headquarters, but also four UN schools) and attacks by both sides on civilian sites. Given that the UN is waiting for outcomes of other inquiries, a Council investigation commission into violations by Israel and Hamas of international humanitarian law is unlikely at this stage. But it may be that the Council has something to contribute in this area as well.

Key Issues

Several interlinked issues need to be part of a package for a long-term ceasefire. Some of them have been addressed in resolution 1860 and are currently being discussed through Egyptian mediation:

- **Lifting of the blockade and reopening of border crossings:** Israel had for many years restricted passage and controlled the flow of goods to and from Gaza, but it imposed a strict blockade in June 2007 when Hamas took control over the territory, with the aim of isolating Hamas and subsequently pressuring it to stop rocket fire at Israeli civilian targets. A fence was built and border crossings were heavily guarded by Israeli forces. Under the blockade, Israel has allowed only basic humanitarian supplies to be sent to Gaza and has prevented movement of people. This has had a significant impact on Gaza's economy. The humanitarian situation had steadily deteriorated even before the recent fighting. (Secretary-General Ban Ki-moon has denounced the blockade as collective punishment.) An additional crossing lies on the border with Egypt—the Rafah crossing—which has been under Egyptian control since the 2005 Israeli pullout from Gaza. An agreement on movement and access was signed between Israel and the Palestinian Authority on 15 November 2005 in order to facilitate the movement of people and goods within the Palestinian territories. European monitors were deployed in November 2005 at the Rafah crossing with the mandate to monitor, verify and evaluate the Palestinian Authority's implementation of the agreement. EUBAM operations were suspended on 13 June 2007 when Hamas took control of the Gaza Strip because the EU has a policy of no contact with Hamas. In response to the closing of all crossing points after June 2007, Hamas and supporters as well as entrepreneurs, built tunnels under the Rafah border to bring in goods and smuggle weapons. The reopening of the border crossings is a priority for Hamas. However, since Gaza has been controlled by Hamas, implementing the 2005 agreement—which was with Fatah—has been impracticable in the absence of an agreement between Hamas and Fatah. Israel demands tight control of those crossings, if they are to be reopened, to prevent arms smuggling.

- **Arms smuggling:** On 16 January, Israel and the US signed a memorandum of understanding providing that the US would work with regional and NATO partners to address the problem of the supply of arms to Hamas and other similar organisations in Gaza. This agreement was a key element in encouraging Israel to declare a unilateral ceasefire. France, the UK and Germany have announced their readiness to send warships to the region to prevent arms smuggling to Gaza by sea. But a key question remains whether Egypt, which always denied the existence of arms smuggling across its border with Gaza, will agree to measures that will effectively close the land route for arms smuggling.
- **Monitoring mechanism:** It is probably premature to envisage peacekeepers or UN observers in Gaza to verify the implementation of the ceasefire. However, the presence of monitors at crossing points—to allow the delivery of supplies and the safe passage of people but block the passage of weapons—is an intermediate option. The EU has proposed re-deploying EUBAM for that purpose. An issue is whether this could be extended to all crossing points and whether the Palestinian Authority would be associated with the exercise as in 2005. Finally, a key issue is when the Council will address the Palestinian Authority's long-time request for the deployment of an international force to ensure protection of civilians in Gaza.
- **Humanitarian delivery and reconstruction:** An international donors' conference for the reconstruction of Gaza is currently being considered. A key issue, however, is how international aid will be delivered in practice. Israel has indicated that it would insist on control over aid deliveries so they do not fall into Hamas's hands. It has insisted that the Palestinian Authority be present at border crossings. The EU and US bans on any contact with Hamas make it difficult for either of them to play a role in monitoring how aid is delivered. The UN Secretary-General supports the idea that reconstruction could provide a window of opportunity for the Palestinian Authority to renew its presence in Gaza. It remains to be seen whether Hamas will make the calculation that the people do need outside aid and that, therefore, some accommodation with the Palestinian Authority is essential, and in a similar humanitarian spirit, whether the EU and the US will soften their approach to contacts with Hamas.
- **Palestinian reconciliation:** There is broad agreement that any long-term peace in Gaza is dependent on some measure of inter-Palestinian reconciliation. In the current circumstances, reconciliation between Hamas and Fatah will not be easy. Many analysts agree that recent events have increased divisions between Fatah and Hamas. Many Palestinians have criticised Fatah for not doing more to stop the conflict. As indicated above, this could have repercussions on the issue of reconstruction. But it is possible that the need for aid may push Hamas towards dialogue with the Palestinian Authority. Legislative and presidential elections in Palestine are also a relevant factor. President Mahmoud Abbas's term in office expired on 10 January (he decided to remain in power until elections can be organised, a decision strongly criticised by Hamas). President Abbas has been

calling for the establishment of a national unity government which would prepare for the elections. The key question is whether Hamas will agree to it.

- **Accountability:** Some in the Council have called for investigations into violations of international humanitarian law by both sides during the conflict. Hamas has been accused of war crimes based on the indiscriminate rocket attacks on Israeli civilian centres and the use of civilian sites for conduct of military attacks, in effect using civilians as shields. Israel's military action has been widely criticised as being disproportionate and therefore illegal and has resulted in a very high number of civilian casualties. Shelling of UN buildings has also been denounced. In addition, Israel has been accused of using white phosphorus illegally during its attacks on densely populated areas. It seems that accountability issues will remain in the air for some time, especially if there is not rapid progress toward a long-term sustainable peace. The Secretary-General and the Council seem to be waiting for the results of Israeli investigations first.

Council Dynamics

There seems to be little appetite for Council action at the time of the UNWRA briefing. Members argue that resolutions 1850 and 1860 have laid groundwork for a Gaza ceasefire in the short-term and long-term peace in the region, and that for now the Council should not interfere in ongoing negotiations. However, that is likely to change as the situation evolves.

Several delegations, including Mexico, Costa Rica, France, Austria and the UK made strong statements regarding violations by both sides of humanitarian law, in particular bombings of UN buildings. UK Foreign Secretary David Miliband said on 12 January that allegations of war crimes by both sides needed to be properly investigated. France has also called on all parties to respect international humanitarian law and to ensure protection of civilians. Whether this will translate into concrete Council action remains to be seen.

The arrival of new Council members in January has had an impact on dynamics. Turkey is an important player in the region. It has the unique advantage in the Council of maintaining contacts with all sides, including Israel, the US, Syria, Iran and Hamas. Turkey seems to prefer a low profile, but it has criticised Israel's operation in Gaza. It seems to be ready to bring its particular assets to assist the work of the Council. Austria and Mexico have voiced strong concerns for the humanitarian situation and, along with Japan and Costa Rica, provided significant and useful input to reaching compromise in the Council during negotiations on resolution 1860.

The Council, however, had tremendous difficulties reaching agreement on resolution 1860. It was only adopted on day 13 of the conflict. However, many contrast that very positively with the Council performance on Lebanon in 2006. It seems that the initial problem was the US refusal to have the Council respond to the situation with a resolution. The Arab group, with Libya as its spokesperson in the Council, was adamant

that the Council should adopt nothing less than a binding resolution. In the end, the P5 and Arab states, with the direct and sustained participation of foreign ministers, found solutions. It seems that Russia and China played an important role, supporting the view that Council action was necessary but working constructively with other members. France and the UK initially believed that elements for a durable ceasefire should be included in a Council presidential statement but in the end accepted the idea of having a resolution.

France, at the very last minute, sought to delay the adoption of the agreed draft resolution in order to give the French-Egyptian proposal additional time and secure a ceasefire agreement between the parties that would facilitate the implementation of a resolution. This position created some frustration for other Council members who by then unanimously supported an immediate demand for a ceasefire in view of the increasing civilian casualties.

Finally, many observed a positive shift in the US position, when Secretary of State Condoleezza Rice became personally involved. The US abstention on resolution 1860—instead of a traditional veto—was an important evolution. In her explanation of the vote, Rice emphasised that the US fully supported the principles in the resolution as it constituted a step towards the goals of stabilisation and normalisation of the situation in Gaza but explained the abstention as based on the belief that more time was needed for the Egyptian mediation.

Selected UN Documents

Security Council Resolutions
<ul style="list-style-type: none"> • S/RES/1860 (8 January 2009) called for an immediate, durable and fully respected ceasefire, leading to the full withdrawal of Israeli forces from Gaza and condemned violence against civilians and acts of terrorism. • S/RES/1850 (16 December 2008) declared Council support for the Annapolis peace process and its commitment to the irreversibility of bilateral negotiations.
Draft Resolution
<ul style="list-style-type: none"> • S/2009/11 (7 January 2009) was a draft resolution circulated by Libya demanding an immediate ceasefire in Gaza and calling for the lifting of the Israeli blockade, the immediate Israeli withdrawal from Gaza, as well as the deployment of an international observer force in the Gaza Strip to ensure the protection of civilians, allow for humanitarian aid and free movement of persons and goods, prevent illicit arms trafficking and promote restoration of calm.
Security Council Press Statements
<ul style="list-style-type: none"> • SC/9580 (21 January 2009) emphasised the need for full implementation of resolution 1860. • SC/9559 (28 December 2008) expressed serious concern for the escalation of the situation in Gaza and called for an immediate halt to all

violence.
Selected Letters
<ul style="list-style-type: none"> • S/2009/40 (14 January 2009) was a letter from the Permanent Observer of Palestine accusing Israel of war crimes in Gaza and calling for an immediate end to the Israeli aggression. • S/2009/36 (13 January 2009) was a letter from Cuba enclosing a statement issued by the Non-Aligned Movement with respect to the non-compliance by Israel of Council resolution 1860. • S/2009/33 (13 January 2009) was a letter from Cuba accusing Israeli military aggression of a grave breach of international law. • S/2009/30 (12 January 2009) was a letter from the Permanent Observer of Palestine on the situation in Gaza. • S/2009/26 (9 January 2009) was a letter from the Permanent Observer of Palestine regretting the continuation of Israeli operations in Gaza despite the adoption of resolution 1860. • S/2009/15 and S/2009/22 (5 January 2009) and S/2009/13 (29 December 2008) were letters from Cuba enclosing statements from the Non-Aligned Movement strongly condemning the Israeli military aggression in Gaza. • S/2009/7 (5 January 2009) was a letter from Qatar enclosing a 4 January speech from the Emir of Qatar to the Arab Umma regarding the Israeli aggression. • S/2009/12 (5 January 2009) was a letter from Qatar calling on the Security Council to develop a plan to mark some schools and institutions in Gaza as safe havens for students and their families. • S/2009/14 (7 January 2009) was a letter from Egypt transmitting a statement delivered by Egyptian President Hosni Mubarak on 6 January including the three-point proposal for a ceasefire. • S/2009/8 (6 January 2009) was a letter from the Permanent Observer of Palestine on the situation in Gaza. • S/2009/4 (5 January 2009) and S/2009/3 (2 January 2009) were letters from the Permanent Observer of Palestine on the situation in Gaza asking the international community to condemn Israel's criminal behaviour and demand that it respect the Geneva conventions. • S/2009/6 (4 January 2009) was a letter from Israel informing the Council of its decision to conduct a military ground campaign in Gaza in order to destroy Hamas in accordance with its inherent right of self-defence. • S/2008/845 (31 December 2008) and S/2008/817 (27 December 2008) were letters from Iran asking the Council to take urgent measures to stop Israeli crimes against humanity and war crimes in Gaza. • S/2008/843 (31 December 2008) was a letter from Libya requesting an urgent meeting of the Council to discuss the Israeli aggression. • S/2008/842 (31 December 2008) was a letter from Egypt requesting the convening of a Council emergency session to adopt a resolution insuring an immediate ceasefire.

- S/2008/841 (31 December 2008) was a letter from France transmitting a 30 December statement by the EU on the situation in the Middle East.
- S/2008/835 (30 December 2008) was a letter from the Permanent Observer of Palestine on the situation in Gaza and calling on the Council to act immediately to bring about an immediate ceasefire and respect for international law.
- S/2008/828 (29 December 2008) was a letter from the Permanent Observer of Palestine welcoming the 28 December Council press statement but maintaining that additional urgent steps need to be taken.
- S/2008/819 (27 December 2008) was a letter from Palestine informing that Israel unleashed a deadly rampage in the Gaza Strip resulting in the deaths of civilians and calling for an emergency session of the Council.
- S/2008/818 (27 December 2008) was a letter from Jordan condemning the unjustified Israeli aggression, requesting that the international community exert pressure on Israel to halt military operations and end the policy of collective punishment, and expressing concern that the Israeli aggression hurt the credibility of the peace process.
- S/2008/816 (27 December 2009) was a letter from Israel informing of its decision to exercise self-defence against Hamas terrorist attacks.
- S/2008/815 (27 December 2008) was a letter from Libya requesting an urgent Council meeting to discuss the situation in Gaza.
- S/2008/814 (24 December 2008) and S/2008/807 (22 December 2008) were letters from Israel informing of the deteriorating situation in southern Israel caused by terrorist attacks conducted by Hamas and of its right to self-defence.

Security Council Meeting Records

- S/PV.6072 (21 January 2009)
- S/PV.6063 (8 January 2009)
- S/PV.6061 resumption 1 (7 January 2009)
- S/PV.6061 (6 January 2009)
- S/PV.6060 (31 December 2008)

General Assembly Resolution

- A/ES-10/L.21/Rev.1 (16 January 2009) demanded full respect for Security Council resolution 1860.

Selected Letters to the General Assembly President

- A/ES-10/443 (10 January 2009) and A/ES-10/434 (7 January 2009) were letters from Malaysia requesting the resumption of the 10th emergency special session.
- A/ES-10/436 (7 January 2009) was a letter from Venezuela requesting personal intervention with the members of the Security Council to demand a cessation of hostilities and a convening of a General Assembly emergency session.

Detailed Chronology of Events

21 January 2009 Israel's full troop pullout from the Gaza strip was completed. Israeli forces were redeployed outside Gaza and prepared for any new occurrences.

The Secretary-General briefed the Council on his trip to the Middle East, and the Council adopted a press statement emphasising the need for full implementation of resolution 1860.

20 January 2009 The Secretary-General visited the Gaza Strip and said that the UN would work with any united Palestinian government to rebuild the Gaza Strip.

Divisions within the Arab world between supporters of Hamas led by Iran, Syria and Qatar and supporters of the Western-backed Palestinian Authority led by Egypt, Saudi Arabia and Jordan, were revealed at an Arab economic summit in Kuwait at which Arab leaders agreed to help rebuild Gaza Strip but failed to bridge differences over how to address the Israeli offensive in Gaza.

18 January 2009 A summit took place in Sharm El-Sheikh, gathering Arab and European leaders and co-headed by French President Nicolas Sarkozy and Egyptian President Hosni Mubarak, with the aim to find ways to consolidate the ceasefire in Gaza.

Hamas agreed to a one-week ceasefire.

17 January 2008 Israel declared a unilateral ceasefire going into effect from midnight. Hamas rejected the ceasefire.

16 January 2009 Israeli tanks redeployed in the periphery of Gaza City, and Israel bombed Rafah.

US Secretary of State Condoleezza Rice indicated that a ceasefire would be declared very soon after she signed a bilateral accord with Israeli Foreign Minister Tzipi Livni, aimed at preventing arms smuggling into Gaza.

The General Assembly concluded a two-day emergency special session by adopting a resolution demanding an immediate end to the Gaza conflict and full respect for Security Council resolution 1860.

15 January 2009 Israeli tanks entered Gaza City and UNRWA was hit by Israeli shells. The Council was briefed by Assistant Secretary-General Menkerios on the incident, and the president of the Council gave a statement to the press.

Increasing divisions among different Hamas factions between those ready to negotiate a ceasefire and proponents of continuing the war complicated attempts to broker a ceasefire.

Although Israel allowed a daily three-hour humanitarian ceasefire, UNRWA's head of operations in Gaza, John Ging, said that this was insufficient to meet the population's humanitarian needs.

13 January 2009 The Council heard a briefing by the Secretary-General on his plan to travel to the region to promote implementation of resolution 1860, and it held consultations.

The International Federation for Human Rights (FIDH) sent a letter to the Security Council asking it to refer the situation in Gaza to the International Criminal Court because of breaches to international humanitarian law.

12 January 2009 The Human Rights Council adopted a resolution condemning Israel's military operation in Gaza.

11 January 2009 Despite the adoption of a Council resolution calling for an immediate ceasefire, Israel continued its operation in Gaza. It said that stopping arms smuggling from Egypt to the Gaza Strip should be done by Egyptian forces and rejected the idea of an international force.

10 January 2009 Palestinian President Mahmoud Abbas met Egyptian President Mubarak, in Cairo. Egypt said it would not accept foreign troops on its side of the border with Gaza to stop arms smuggling.

9 January 2009 Three Hamas leaders went to Cairo to hold negotiations in view of reaching a ceasefire agreement with Israel.

UN High Commissioner for Human Rights Navi Pillay said that there had possibly been violations of humanitarian law in Gaza and described an incident whereby up to thirty Palestinians in one house were killed by Israeli shelling while Israeli soldiers nearby did not help the wounded, as appearing to have all the elements of war crimes.

8 January 2009 UN High Commissioner for Refugees Antonio Guterres addressed the Council. He had previously called on all Gaza borders to remain open for humanitarian purposes and safe so that Palestinian refugees can seek refuge outside Gaza.

The UN decided to suspend food deliveries in Gaza after a UN truck came under Israeli fire which led to the death of two UNWRA staff. The Red Cross also accused Israel of blocking medical assistance after Israel fired at aid workers. Israel said in a statement that it was cooperating with foreign aid groups but that Hamas was using civilians as human shields.

P3 foreign ministers presented a UK draft resolution to Arab foreign ministers present in New York, incorporating all elements of a draft presidential statement they had proposed

earlier. Several rounds of consultations followed, resulting in the incorporation of amendments into the text, in particular, the inclusion of a direct call for a ceasefire and the full withdrawal of Israeli forces from Gaza proposed by Arab ministers. This was sufficient for the P3 and Arab ministers to reach agreement. Despite France's attempt to delay the vote briefly, the Council adopted resolution 1860 calling for an immediate, durable and fully respected ceasefire. The resolution was rejected by Hamas and Israel.

7 January 2009 The Council held an open debate on the situation in Gaza.

Difficult discussions between Arab foreign ministers and P3 foreign ministers continued. The key issues were what type of outcome the Council should adopt. The P3 proposed a draft presidential statement and explained that it would be a first step towards a resolution if it produces no immediate results on the ground. The Arab ministers rejected the offer and insisted on a resolution. They threatened to put a draft resolution proposed by Libya to a vote, exposing a likely US veto to public opinion. Arab ministers held bilateral meetings with elected members and claimed to have secured more than nine votes in favour of it. The Libyan draft resolution was never put to a vote due to P3 final acceptance of a resolution as the format to be pursued.

6 January 2009 Israeli ordinance struck a UN school housing displaced persons in the Jabaliya refugee camp in Gaza, killing between thirty and forty people. Israel said that it had come under mortar fire from inside the school. UNWRA categorically denied that Palestinian militants used UN facilities in Gaza as a cover for firing position.

France organised a Council open debate on the situation in Gaza.

Libya decided to put a draft resolution prepared by the Arab ministers in blue despite the threat of a US veto.

After French President Sarkozy met with Egyptian President Mubarak, Egypt proposed a three-point plan for the crisis in Gaza.

5 January 2009 The Foreign Ministers of Saudi Arabia, Jordan, Syria, Qatar, Lebanon, Libya, Egypt and Morocco and Arab League Secretary-General Amr Moussa arrived in New York to push for a Security Council resolution. They prepared a draft resolution:

- demanding an immediate ceasefire and the cessation of all military activity including Israeli operations and the firing of rockets by Hamas and the full withdrawal of Israeli forces from Gaza;
- calling for the lifting of the blockade and on Israel to ensure access of humanitarian aid;
- calling for the establishment of an international observer force in the Gaza strip; and
- stressing the need for Palestinian reconciliation and for the resumption of the peace process.

In parallel, France, after consulting with the US and the UK, proposed elements of a presidential statement to be adopted immediately. Those elements included: a call for an immediate and durable ceasefire and for the opening of crossing points with the presence of the Palestinian Authority as provided for in the 2005 agreement; the provision of humanitarian assistance; the establishment of a monitoring mechanism to ensure that there will be no further weapons smuggling; and the return to the peace process. While it seems that the Arab ministers were in principle not opposed to elements along those lines, they insisted that the format be a resolution.

3 January 2009 Following intensive shelling from air and sea, Israel began a ground incursion into the Gaza Strip. This prompted a new Council meeting at the request of Libya, who also introduced a presidential statement, with similar language from the 28 December press statement adopted by the Council, for urgent adoption. Despite wide support for Council action this day, and apparent agreement between the P5 and Libya on the format and content of the text, it was blocked due to American objections to the timing of such adoption. French Ambassador and Council president Jean-Maurice Ripert instead made an oral statement to the press emphasising Council members' convergence on:

- expressing concern at the escalation of violence;
- calling for an immediate ceasefire;
- expressing concern at the humanitarian situation;
- maintaining the need to insure access for humanitarian supplies;
- calling on parties to protect civilians; and
- expressing full support to diplomatic efforts to resolve the crisis and to resume peace talks.

31 December 2008 The EU and the Quartet called for a permanent ceasefire. The US emphasised that it should be durable and sustainable, compelling Hamas to end its rocket attacks.

Arab foreign ministers met in Cairo in an emergency session of the Arab League to discuss the crisis. They agreed to push for Security Council draft resolution strongly condemning all military attacks and the excessive, disproportionate and indiscriminate use of force by Israel and calling for an immediate ceasefire. Libya introduced this draft resolution to the Council, which held a debate with the participation of the UN Secretary-General and the representatives of Israel and Palestine. The Secretary-General condemned indiscriminate rocket attacks by Hamas and the disproportional response of the Israeli military operation. There was no Council outcome. The US and other states called the draft resolution unbalanced because it made no mention of halting Hamas's rocket fire.

30 December 2008 The EU issued a statement proposing:

- immediate ceasefire—with an unconditional halt to rocket fire attacks by Hamas and Israeli military action—which would allow the opening of all border crossings and the redeployment of the EU Border Assistance to Rafah;

- immediate humanitarian action; and
- stepping up the peace process, including the inter-Palestinian reconciliation.

29 December 2008 Secretary-General Ban Ki-moon called on both Israel and Hamas to halt violence and curb inflammatory rhetoric. President of the General Assembly Miguel d'Escoto Brockmann said that Israel's airstrikes represented massive violations of international humanitarian law including collective punishment, targeting civilians and disproportionate military response. Palestinian and Egyptian UN Ambassadors asked the Council to bring Israel into compliance with its press statement adopted on 28 December.

28 December 2008 The Council adopted a press statement proposed by the US and negotiated with the Arab group expressing serious concern at the escalation of the situation in Gaza and calling for an immediate halt to all violence.

27 December 2008 Israel began an intense air campaign (operation "Cast Lead") against Gaza with the aim to prevent further rocket firing from Hamas. The Council held an emergency meeting at the demand of Libya.

19 December 2008 The six-month ceasefire between Israel and Hamas in the Gaza Strip expired.

Other Relevant Facts

UN Special Coordinator for the Middle East Peace Process
Robert H. Serry (The Netherlands)
UNRWA Commissioner General
Karen Koning AbuZayd (US)
UNRWA Director of Operations in Gaza
John Ging (Ireland)
Palestine Refugee Camps as of 30 June 2008
<ul style="list-style-type: none"> • <i>Gaza</i>: 8 official camps and 1,059,584 registered refugees of which 492,299 are in camp. • <i>West Bank</i>: 19 official camps and 754,263 registered refugees of which 191,408 are in camp.
UNRWA Composition and Strength
UNRWA employs some 24,324 staff, of whom more than 99 per cent are locally-recruited Palestinians, almost all of them Palestine refugees.

Useful Additional Sources

- Israel-US Memorandum of Understanding regarding the supply of arms and related materiel to terrorist groups, 16 January 2009
http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Israel-US_Memorandum_of_Understanding_16-Jan-2009.htm

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