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Mission permanente d'Israël
auprès de l'Office des Nations Unies
et des Organisations Internationales à Genève

משלחת ישראל
ליד משרד האומות המאוחדות
והארגונים הבינלאומיים בג'נבה

H.E. Ambassador Sihasak Phuangketkeow
President
Human Rights Council
Palais des Nations
1211 Geneva 10

Geneva, 18 August 2010.

Excellency,

I refer to the appointment of a fact finding mission to investigate the flotilla incident which occurred on May 31, 2010, pursuant to UNHRC resolution A/HRC/RES/14/1 dated 2 June 2010.

Beyond the clearly prejudicial terminology of the mandate, which determines that there were 'violations' of international law and that Israel 'attacked' the flotilla before any fact-finding has even taken place, the proposed mission is clearly superfluous in light of the Independent Public Commission of Experts which has already been established to investigate the issue.

As you may be aware, on June 14, 2010 the Government of Israel established an Independent Public Commission of Experts to the issues arising from the flotilla incident. The Commission is headed by former Supreme Court Justice Yaakov Turkel, and, in addition to legal and naval experts, includes, as international observers, Nobel Peace Prize winner Lord William David Trimble from Northern Ireland, and former Canadian Judge Advocate General Kenneth Watkin.

The Commission is authorized to request any individual or organization to testify before it, and every relevant governmental body is required to cooperate fully and to make available to the Commission any information or documents it requires.

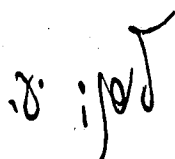
At the request of Justice Turkel and the Committee, on June 30, 2010, the authority of the Commission was expanded still further, with additional authority to summon witnesses and take evidence under oath, pursuant to Israel's Commissions of Inquiry law, 1968.

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In addition to this independent inquiry, the Secretary General of the United Nations has also established a distinguished international Panel, in order to examine and identify the facts, circumstances and context of the incident, and to consider and recommend ways of avoiding similar incidents in the future. Both Israel and Turkey are cooperating with this Panel.

In light of the fully independent Israeli inquiry into the incident, and the additional layer of review provided by the Secretary-General's own Panel, I trust you will appreciate Israel's position that an additional Human Rights Council initiative in this regard is both unnecessary and unproductive.

Please accept, Excellency, the continued assurances of my highest consideration.


Aharon Leshino Yaar
Ambassador
Permanent Representative