

AMNESTY INTERNATIONAL

Open Letter

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Israel/Occupied Territories: Open Letter from the Secretary General of Amnesty International to Heads of State and Government of EU member states

Jerusalem, 10 December 2006

I am writing to you from Jerusalem on International Human Rights Day on the eve of the forthcoming European Council meeting to ask you to take urgent action to address the extremely serious human rights situation in Israel and the Occupied Territories.

The current truce in the Gaza Strip is extremely fragile but it provides an opening which the international community must seize to encourage dialogue towards a political solution. However, no political initiative will succeed if it does not address, as a matter of priority, the underlying human rights concerns.

Over the past week, I have led a mission of Amnesty International to assess the human rights situation in Israel and the Occupied Territories. We see a downward spiral of human rights abuses and entrenched impunity, sowing the seeds of a disaster with catastrophic consequences for ordinary people. Despair about the foreseeable future is fuelling violence and the radicalization of a predominantly young Palestinian population who see no prospects of a normal life.

The prognosis is of widespread violence, collapse of already failing Palestinian institutions and a worsening of the human rights and humanitarian crisis.

The number of Palestinians killed has sharply increased in recent months. Most civilian deaths have been the result of deliberate and reckless shooting and artillery shelling or air strikes by Israeli forces carried out in densely populated areas in the Gaza Strip. Inter-factional killings, abductions and other abuse of human rights by Palestinians on Palestinians have also continued unabated.

Homemade rockets launched by Palestinian groups from the Gaza Strip at Israel, damaging homes and public buildings and killing Israeli civilians, have created a climate of fear, which is leading to a hardening of positions in favour of a harsh military response towards the Palestinians, reinforcing the cycle of violence and human rights abuses.

The economic situation in the Occupied Territories is dire, trapping an entire population in deep poverty. The cumulative impact of measures by the Israeli authorities, including increasingly severe restrictions on freedom of movement, expansion of settlements and the building of the wall inside the Occupied Territories has strangled the local economy. To that has now been added what is effectively an international sanctions regime against the Hamas-led Palestinian government. The Gaza Strip, in particular, is in the grip of a deep humanitarian crisis as a result of the blockade imposed by the Israeli authorities.

In a briefing published today, *Israel and the Occupied Territories – Road to nowhere* (AI Index: MDE 15/093/2006), Amnesty International makes concrete recommendations to the Israeli government, the Palestinian Authority and the international community for immediate and long-term action.

We urge you, as leaders of the European Union and important members of the international community, to use your utmost influence on all sides to immediately end the killings and attacks on civilians and to agree to human rights measures which can help to build confidence and hope among the people in a political process to establish peace.

We ask you in particular to ensure that the following measures are taken:

- Deploy an effective **international human rights monitoring mechanism** across Israel and the Occupied Territories to monitor the compliance of each party with its respective obligations under international law; report publicly; and recommend corrective measures to be adopted by the parties, other countries or international organizations.
- **Ensure accountability** of both parties, in compliance with their obligations under international human rights and humanitarian law. Investigate and where feasible prosecute through the exercise of universal jurisdiction those responsible for war crimes or other crimes under international law.
- Ensure that the Occupying Power fulfils its obligation to provide for the **protection and welfare of the Palestinian population** and refrain from imposing sanctions that negatively affect the provision of humanitarian assistance to the Palestinian population. The EU countries, as donors providing humanitarian assistance to Palestinians, must take immediate steps to minimize the adverse impact on human rights of their suspension of funding. Assistance essential to fulfilling fundamental human rights must not be used as a bargaining tool to further political goals;
- Immediately stop the **sale or transfer of weapons** to all parties until such time as guarantees can be secured that such equipment will not be used to violate human rights and international humanitarian law; and
- Ensure that any **peace process** includes concrete provisions that address fundamental human rights issues at the heart of the conflict, including the removal of Israeli settlements from the Occupied Territories; the dismantling of the fence/wall inside the West Bank; ending the closures; and in the long term a fair solution to the refugee question.

We call on you to exercise leadership and take a bold initiative to address this long-standing crisis, and to do so by putting human rights concerns at its heart.

A human rights agenda alone will not answer all concerns in Israel and the Occupied Territories, but human rights must be a central part of any process to find a solution. That is the clear message that we have received from the many survivors and human rights defenders that we have met in Israel and the Occupied Territories. The failure of past processes indicates that only an approach that recognizes the human rights of all parties will endure. Human rights norms offer a powerful tool and a set of shared values and principles for a durable solution to this conflict.

I urge the EU to make human rights a cornerstone of its efforts towards seeking a framework for peace between Israelis and Palestinians, and look forward to the outcome of your deliberations.

Yours sincerely,

Irene Khan
Secretary General

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