

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Gaza: International investigation of flotilla deaths needed to ensure accountability

Amnesty International has said that a prompt and credible international inquiry into the deaths caused by Israel's military action against the aid flotilla in international waters outside Gaza on 31 May is necessary to ensure accountability. Those individuals selected to conduct this should be recognized for their impartiality, competence and expertise, and Israel should to cooperate fully with this international inquiry. The organization is urging the immediate lifting of the Israeli military blockade on the Gaza Strip.

On 2 June 2010, the UN Human Rights Council adopted a resolution that provides for the dispatch of an independent international fact-finding mission to investigate violations of international law, including international humanitarian and human rights law, arising from the Israeli actions against the flotilla of ships on 31 May. The resolution authorizes the President of the Human Rights Council to appoint members of this international fact-finding mission, adding that they should report their findings to the Council at its fifteenth session in September 2010.

Amnesty International is urging the President of the Council to ensure that those appointed to the mission are appropriately qualified to carry out the task, in order to ensure that the investigation is comprehensive, thorough, credible and independent and thus provide a basis for establishing full accountability.

In addition to its call for an international investigation, Amnesty International reiterates that the blockade of Gaza is a form of collective punishment in contravention of international law and called on the Israeli government to lift it without delay.

In an oral intervention to the Human Rights Council before the resolution was adopted, Amnesty International said that the Israeli authorities have the primary responsibility to investigate the conduct of their forces, including their use of lethal force and the circumstances in which it was used, and to hold to account those responsible for human rights violations.

However, the international nature of the incident and Israel's continuing failure to conduct credible, independent investigations into alleged war crimes and other serious violations of international humanitarian and international human rights law by their forces in Gaza during the Israeli military operation "Cast Lead" (27 December 2008 to 18 January 2009), underscores the need for an immediate international investigation.

Consequently, the Israeli authorities should invite the relevant UN experts, the Special Rapporteurs on the situation of human rights on Palestinian territories occupied since 1967 and on extrajudicial, summary or arbitrary executions to visit Israel to investigate the events of 31 May. Israel should then ensure full cooperation to them, including by enabling their unfettered access to all relevant information, documentation and officials and military personnel as well as those aboard the ships who were witnesses to what occurred or may have relevant information, and take full account of their findings and recommendations.

Background

Resolution A/HRC/14/L.1 regarding 'The Grave Attacks by Israeli Forces against the Humanitarian Boat Convoy' was passed on 2 June 2010 by the Human Rights Council in its fourteenth session.

In addition to its decisions regarding an independent international fact-finding mission to investigate violations of international law, the Human Rights Council also called on Israel to fully cooperate with the International Committee of the Red Cross (ICRC) to seek and provide information on the whereabouts, status and condition of the detained and injured persons from the Convoy. The resolution also called on Israel, as the occupying power, to immediately lift the "siege on occupied Gaza and other occupied Territories... [and] ensure the unimpeded provision of humanitarian assistance, including of food, fuel and medical treatment to the occupied Gaza Strip".

A total of 32 member states of the Human Rights Council voted in favour of the resolution and three voted against it (USA, Netherlands and Italy). Nine states abstained (France, UK, Ukraine, Slovakia, Belgium, Burkina Faso, Republic of Korea, Japan and Hungary) and three states were absent from the vote (Cameroon, Madagascar and Zambia).