



United Nations Human Rights Council
Twenty-first Special Session
23 July 2014

The human rights situation in the Occupied Palestinian Territory,
including East Jerusalem

Mr. President,

Amnesty International notes that yet again the UN Security Council has failed to respond adequately to another breakdown in international peace and security and the ensuing human rights emergency in the Gaza Strip and Israel. Yet again the Human Rights Council has to fill this void and act as the voice of the international community in this situation.

We urge the Security Council to impose an immediate and comprehensive arms embargo on Israel, Hamas and Palestinian armed groups with the aim of preventing further serious violations of international humanitarian law and human rights violations and abuses.

We regret that once more this Council's role is limited to intervening after a catastrophe. Ways must be found for the United Nations, including this Council, to contribute more effectively to halting violence and to preventing similar future violence. The Human Rights Council should deploy immediately a monitoring mission to report to it, the Security Council and other relevant bodies on developments in the situation.

In addition, Amnesty International supports the proposal to urgently dispatch an independent, international commission of inquiry to investigate all violations and abuses of international human rights law and violations of international humanitarian law by all parties to the current hostilities.

The Commission of Inquiry must:

- be adequately resourced to conduct impartial investigations with the necessary expertise in the conduct of criminal and forensic investigations;
- have unrestricted access to all relevant areas and the authority to gain access to all relevant documents, other evidence and persons;
- be thorough, independent and impartial and look into any violations or abuses of human rights and violations of international humanitarian law by any party to the conflict, covering the period beginning on 12 June 2014 and including the abduction and killing of three Israeli teenagers and the following measures amounting to collective punishment imposed by Israel on the Palestinian

population in the West Bank and elsewhere;

- build on the analysis and findings of the UN Fact-Finding Mission on the Gaza Conflict (2008/2009) headed by Justice Richard Goldstone; and

- make recommendations for measures to be taken by the parties to the conflict, the Security Council and others aimed at ending and preventing further violations of international law and ensuring justice, truth, full reparations for victims and guarantee of non-repetition.

Impunity inevitably fosters further violations, and it must not be allowed to continue. This time the international community must fully back measures to ensure accountability and justice for victims. It must not squander the opportunity like it did when the recommendations of the Goldstone Report were not implemented. The Israeli authorities failed to prosecute suspected perpetrators of crimes under international law. Israel and Hamas failed to conduct investigations that were credible, independent and in conformity with international law.

Amnesty International urges that the outcome of the investigation of the commission of inquiry includes a plan for ensuring prosecution of individuals suspected of ordering or committing crimes under international law. To that end, the Human Rights Council should ask the UN General Assembly to ensure that the report of the commission of inquiry is submitted to the Security Council at the earliest opportunity, so that it can consider whether the situation should be referred to the International Criminal Court. States should use the report as a basis to exercise universal jurisdiction to investigate and prosecute war crimes committed during the conflict before their national courts.

As Israeli forces continue the relentless bombardment of Gaza, which has already claimed more than 600 lives -- the majority civilians -- and destroyed hundreds of homes and civilian infrastructure, and Hamas and Palestinian armed groups persist in firing indiscriminate rockets at Israeli towns and cities, it is imperative that the Human Rights Council sends the clearest possible message that all parties must stop the violence and respect international humanitarian law and human rights, and will be held accountable for failure to do so with perpetrators of crimes under international law brought to justice.

Thank you Mr. President.