

# AMNESTY INTERNATIONAL PUBLIC STATEMENT



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## **Israel/Occupied Palestinian Territories: Response to the Israeli Embassy in London's reaction to the report *'Nothing is immune': Israel's destruction of landmark buildings in Gaza***

The Israeli Embassy in London has criticized Amnesty International's report "*Nothing is immune': Israel's destruction of landmark buildings in Gaza*", published on Tuesday 9 December 2014, claiming that it focuses "on monetary Palestinian losses in wake of massive, indiscriminate rocket fire on Israel".<sup>1</sup> Amnesty International presents below responses to specific points in the embassy statement.

**1. "Amnesty in its latest report on this summer's conflict between Israel and Hamas, chooses to focus on monetary losses to Palestinian civilians, rather than investigate the systematic and deliberate firing of rockets and mortars at Israel's civilian population by an internationally-recognised Jihadist terror group."**

This is not just about monetary losses, although those are significant and very serious for families already leading precarious existences. This is about the destruction of people's homes. It is about the scores of people injured as a result of these attacks. It is about the loss of livelihoods. It is about what appears to have been war crimes and collective punishment, crimes that should be investigated and prosecuted so that the victims can access truth, justice and full reparations.

Amnesty International is crystal clear in its report and the press release that launched it that it has repeatedly and consistently condemned the firing of indiscriminate rockets and mortars at Israel's civilian population. Direct attacks on civilians and indiscriminate attacks that kill or injure civilians are war crimes. Amnesty International has also disclosed that it is currently preparing a report on violations by Hamas during the conflict.

**2. "The report offers a decontextualized description of events, while relying heavily on testimonies gathered by unnamed local 'fieldworkers', who are not identified and whose credibility is never questioned."**

The report is not in any way decontextualized. Even a cursory glance at the introduction is enough to show that Amnesty International has placed the attacks described in this report in the context of the violations committed by both Israeli forces and Palestinian armed groups in the conflict.

Amnesty International would have preferred to have been able to send its own team of researchers, accompanied by military and medical experts, into Gaza, both during and after the conflict. However, the Israeli authorities have refused to allow access to the organization, suggesting they have something to hide.

Nevertheless, Amnesty International's researchers have been able to research cases in detail using two trusted fieldworkers, corroborating testimonies of eyewitnesses with audio-visual evidence (including photos and videos), cross-checking information with reports of UN agencies and other NGOs present in Gaza and making use of analysis of military experts.

The results of Amnesty International's research were submitted to the Israeli authorities on 8 October 2014. So far there has been no response from authorities which could provide answers about cases raised in the report.

**3. "It [the report] acknowledges that the IDF went to great lengths to avoid civilian casualties, including advance phone calls, the dropping of leaflets, notice to residents to maintain a safe distance from the buildings... Nevertheless, the report goes on to make unfounded allegations concerning the conduct of the IDF, disregarding key factors: First, the IDF does not intentionally target civilians or civilian property; its activity is dictated by international law, is directed against military objectives, and abides by the principle of proportionality."**

That is not the evidence presented in this report. Three days before the ceasefire that came into effect on 26 August 2014, Israel announced that it would intensify its attacks against a broader range of targets. The title "Nothing is immune" was chosen for the report as that is what a security official was quoted as saying. This and other statements that targeting would be carried out "in a severe and massive manner" suggested a punitive motive, a policy of collective punishment, in breach of international humanitarian law.

If the Israeli authorities had wanted to explain to Amnesty International in what way the attacks were legal they could have responded after Amnesty International wrote to them on 8 October to present its findings about the air strikes and asked for explanations on why each of the attacks was carried out; what or who was being targeted; what precautions were taken to minimize the risk of harm to civilians; and whether any investigation had taken place or was ongoing.

A response was received from the State Comptroller, an ombudsman role, who simply described the focus of his inquiry into Operation Protective Edge. No one from the authorities who could have actually addressed the questions about these attacks responded.

**4. "Second, Amnesty ignores that in some cases, releasing information that would disclose in detail the target of military strikes might jeopardize classified information and intelligence sources."**

Given that the buildings that were destroyed housed civilian homes and businesses, the onus is on Israel to provide information on the reasons for each such attack and the

manner of its execution. It is difficult to imagine why there would be genuine and legitimate reasons for Israel not to indicate now why they chose to target and destroy a particular building in its entirety given that there is nothing left but rubble.

The Israeli embassy seems to be suggesting that providing the reason for a particular attack would compromise a source, but that does not explain why the Israeli authorities cannot explain the reason for destroying entire multistorey buildings.

**5. “Third, and most blatantly, Amnesty ignores the clear evidence that Hamas systematically and deliberately used civilian infrastructure for military purposes.”**

Amnesty International is on the record as condemning incidents in which Hamas and Palestinian armed groups used civilian buildings for storing munitions. However, despite extensive research, it has no evidence that Hamas or Palestinian armed groups were using the buildings mentioned in this report for military purposes at the time of their attack.

Even if one apartment in a building housing dozens or hundreds of civilians had been used by an armed group, treating the building as a single military objective would constitute a violation of the prohibition under international humanitarian law on indiscriminate attacks, particularly when the attacking party had the means to limit its attack and its effects to the part of the building that was so used. The Israeli army have previously conducted air strikes on specific apartments in high-rise buildings without their complete destruction.

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<sup>1</sup> Embassy of Israel, *Amnesty report on Israel – focusing on monetary Palestinian losses in wake of massive indiscriminate rocket fire on Israel*, 9 December 2014 ([embassies.gov.il/London/NewsAndEvents/press-release/Pages/Amnesty-report-on-Israel---press-release.aspx](http://embassies.gov.il/London/NewsAndEvents/press-release/Pages/Amnesty-report-on-Israel---press-release.aspx)).