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Israel/Occupied Palestinian Territories: UN must act now on Goldstone report

As the Human Rights Council closes this week's discussions on the Goldstone report, Amnesty International calls for the UN Secretary-General to refer the report to the UN Security Council without delay.

This week the UN Human Rights Council met in Geneva to discuss the findings and recommendations of the report of Judge Richard Goldstone's Fact-Finding Mission into violations of international law that occurred during the conflict in Gaza and southern Israel between 27 December 2008 and 18 January 2009.

Amnesty International expresses regret that, by taking a decision today to defer a vote on the Goldstone report until March 2010, the Human Rights Council has failed to take immediate steps to implement the report recommendations. It is concerned that this deferral indicates a lack of political will to deal robustly with issues of accountability for violations of international humanitarian law and human rights law in Gaza and southern Israel.

However, this deferral provides both the Israeli government and the Hamas de facto administration in Gaza with one last opportunity to conduct independent investigations, meeting international standards, into violations that took place during the conflict.

In the light of today's developments, Amnesty International calls on the UN Secretary General to refer the report to the UN Security Council without delay. The Security Council must ensure that both Israel and Hamas report to them on the progress of their investigations and prosecutions. Crucially, the Security Council must establish an independent committee of experts to monitor the internal investigations and prosecutions carried out by Israel and Hamas over the next six months.

If, within the set period of six months, the Israeli Government and the Hamas administration have proved unable or unwilling to conduct credible investigations, then the Security Council should refer the situation to the Prosecutor of the International Criminal Court.

Amnesty International has serious concerns about the ability and the willingness of both the Israeli government and the Hamas administration to carry out credible investigations into violations of international humanitarian law and international human rights law. To prevent impunity, it is vital that all domestic investigations are closely scrutinized by the international community through the relevant UN bodies and that concrete steps are taken to pursue accountability through international mechanisms if internal means prove inadequate.

At this time, Amnesty International also reminds all states that are party to the 1949 Geneva Conventions that they must also assume their individual responsibility for ensuring accountability. The organization calls on

these states to exercise universal jurisdiction by initiating criminal investigations in national courts, where there is sufficient admissible evidence of grave breaches of the Geneva Conventions.