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Palestinian Authority: Hamas must stop targeting of civilians

Amnesty International today called upon Hamas (the Islamic Resistance Movement) to commit unequivocally to abide by international law, respect the rights of all Palestinians across the political spectrum, and repudiate its policy of targeting Israeli civilians.

"As it prepares to form the next Palestinian Authority (PA) government, Hamas must undertake to spare no effort to end the spiral of violence which has cost the lives of so many Palestinian and Israeli civilians," urged Amnesty International.

The prohibition on targeting civilians is absolute in international law. It applies to everyone at all times, including people under occupation who are striving for self-determination, as well as to the occupying power.

The campaign of suicide bombings and deliberate attacks against Israeli civilians by Hamas and other armed groups constitutes crimes against humanity – among the most serious crimes under international law. Hamas should publicly renounce this policy, commit to ending such attacks and cooperate in bringing to justice those who plan and take part in them.

"Leaders and spokespeople of Hamas have often condemned Israel's attacks against Palestinians as violations of international law. But they have repeatedly sought to justify killings of Israeli civilians in the name of resisting the occupation. They must recognize that the same international law is equally applicable to them – both in their conduct vis-à-vis Israel and at home," said Amnesty International.

Hamas's commitment to the so-called *tahadih* ("quiet" or "calm"), which it has largely observed for the past year, is a positive but insufficient step. The frequent launch by Hamas members of Qassam rockets from the Gaza Strip into nearby Israeli towns has terrorized the Israeli inhabitants of these areas. Though mostly ineffective, such rockets have killed and injured several Israelis in previous years. Such practices cannot be accepted in any circumstances and must be immediately abandoned.

At the domestic level, having emerged as the majority party in last week's parliamentary elections, Hamas must now refrain from taking any action which could lead to a worsening of the human rights situation in the Gaza Strip and throughout the West Bank. It should spare no effort to reduce the tension and bring an end to the inter-factional fighting that have cost scores of lives and created a high level of insecurity for ordinary Palestinians.

The conduct of Hamas members, notably their reckless use of weapons and explosives in residential areas, has contributed to the increasing lawlessness and to entrenching a culture of violence. Impunity has

become the rule, as the PA has consistently failed to take action to tackle lawlessness and to hold to account members of Hamas and other armed groups – including those loyal to Fatah – responsible for attacks which have killed and injured Palestinian bystanders.

"As a first step Hamas should condemn such abuses and lawlessness, and pledge that its members will not engage in actions which could directly or indirectly endanger the safety of others. It should make a clear and public commitment that it will not tolerate any action or incitement by its members and activists to restrict or abuse the human rights of Palestinians of other political persuasions or on grounds of gender," said Amnesty International.

Hamas should also make concrete proposals – in line with international human rights standards – to end inter-factional violence and to break the cycle of impunity which has for so long protected perpetrators of killings and other human rights abuses, and commit to enacting laws to deliver justice to and enhance the human rights of the Palestinian people. Any review of existing legislation and policies should ensure respect for the human rights of women.

"At the same time the Israeli authorities must also commit to abide by international law, and the international community, including the United Nations and the European Union, should take the necessary measures to ensure that it does," urged Amnesty International.

Notably, Israel should end extrajudicial execution and other unlawful killings of Palestinians, the destruction and confiscation of Palestinian homes and land, the expansion of Israeli settlements and the construction of a 600km the fence/wall through the West Bank, and the closures and blockades that arbitrarily restrict the movement of Palestinians within the Occupied Territories, curtailing their access to work, education and health care.

"The international community cannot continue to disregard the fact that such violations fuel the cycle of violence. Subordinating human rights to political considerations will only undermine the prospect of achieving durable peace and security between Israelis and Palestinians," warned the organization.

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