

Palestinian Human Rights and Civil Society Organizations in Israel

NGO Written Statement to the UN Human Rights Council

Special session on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, 23 July 2014

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Gross Human Rights and Humanitarian Law Violations and Suspicious of War Crimes in Gaza

Since 8 July 2014, when Israel launched its air, sea and land military offensive dubbed “Operation Protective Edge”, at least 500 Palestinians have been killed in Gaza, about 75% of whom the UN humanitarian office (OCHA) report to be civilians, with upwards of 3,500 people injured.¹ The casualties have included entire families, women, children and the elderly, as Israeli air strikes have deliberately targeted homes. An estimated number of 472 homes have been totally destroyed with thousands severely damaged. Mass displacement has escalated across Gaza with upwards of 100,000 displaced, with an estimated 43% of Gaza’s territory declared as a “no-go zone”. Other civilian objects bombed by the Israeli military have included hospitals, an emergency medical building, ambulances, schools, mosques, a facility for the disabled, a café and a clearly marked media car.

On 20 July 2014, “the deadliest day” so far, particularly grave and horrific events took place in the densely populated Shuja’iyeh area in eastern Gaza City. This area was subjected to intensive artillery shelling, airstrikes and fierce fighting on the ground. As a result, according to human rights organizations and media reports, upwards of 60 Palestinians including 17 children and 14 women were killed as well as 13 Israeli soldiers, and scores of civilians were injured. There was also widespread and systematic destruction of houses in this area by the Israeli military, thus terrorizing the population. Ambulances and medical teams could not evacuate the wounded and the dead or rescue people trapped under the rubble until a humanitarian pause entered into effect.

Thousands of rockets have also been fired indiscriminately at Israel from within the Gaza Strip, with most falling in open areas or intercepted by the Iron Dome. Two citizens of Israel - one who was distributing food to soldiers at Erez in a closed military area and the other a 32-year-old Arab Bedouin man living in an unrecognized village in the Naqab (Negev) desert - were killed.² As of this writing, a total of 27 Israeli soldiers have also been killed during the operation.

¹ See OCHA OPT, Gaza Emergency Situation Report, 20 July 2014, 1500 hours and 21 July 2014, 1500 hours, available at: http://www.ochaopt.org/documents/ocha_opt_sitrep_21_07_2014.pdf and http://www.ochaopt.org/documents/ocha_opt_sitrep_22_07_2014.pdf; and Palestinian Ministry of Health, Gaza, 604 Palestinians killed and 3700 injured, 22 July 1300 hours, available at: <https://twitter.com/press221>

² On 20 July 2014, the Israeli Supreme Court rejected a petition brought by human rights organizations calling on the state to immediately install rocket shelters in Bedouin villages. At the hearing on the case, the state argued that there is no need to provide additional protective facilities to these communities, and advised the

We strongly condemn Israel's unlawful targeting of civilians, civilian objects, and civilian property. These acts constitute grave violations of international humanitarian law and international criminal law and may amount to war crimes and crimes against humanity under the Rome Statute. Al Mezan Center for Human Rights and the Palestinian Centre for Human Rights, human rights organizations in Gaza, have extensively documented the most serious violations. Based on this information and sworn testimonies, human rights organizations in Israel have filed a series of complaints with the Israeli Ministry of Defense, the Military Advocate General, and the Attorney General demanding independent, genuine investigations into the circumstances of these events.

In addition to the already dire situation in Gaza due to eight years of severe closure, the current humanitarian crisis is deteriorating further. Due to the widespread destruction of civilian infrastructure and calls on the civilian population to evacuate large areas, although there is no safe place to go, there are more than 100,000 internally displaced persons in shelters and with relatives; over 1.2 million people with no or very little access to water or sanitation services; 80% of the population receiving electricity only four hours a day; a dire shortage of medicine and medical aid and assistance; and tens of thousands of people requiring food and other kinds of humanitarian assistance. Thus, the entire Palestinian population in Gaza is being subjected to collective punishment.

The Palestinian Arab community in Israel has mobilized in protest at the horrific increase in Israeli military attacks on Gaza. These demonstrations have been met by racially-motivated nationalistic attacks on Arab individuals and anti-War demonstrators by Israeli Jewish extremists, some of whom claim that hating Arabs is not racism, but a value. The police have failed to intervene and arrest these protestors who are also calling for "death to Arabs." The security forces have used excessive force and violence against Palestinian protesters, and have conducted mass arrests and detention, including that of minors. Almost 400 Palestinian citizens of Israel have been arrested in the continuing protests, and scores of people remain in detention. The demonstrations started against the increasing racism and rhetoric of incitement against Palestinian citizens of Israel by Israeli government officials and members of Knesset, as well as the killing of 15-year Mohammed Abu Khdeir in Jerusalem, and then moved to opposition to the War in Gaza.

We call on the UN Human Rights Council to:

- (1) Call for an immediate end to the War, and the targeting of civilian populations by all the parties;
- (2) Condemn the deliberate, systematic and widespread targeting of Palestinian civilians and civilian objects in Gaza, including family homes, medical facilities, mosques, among others, as well as attacks on the water supply that constitute a grave humanitarian danger to the entire population;

Bedouin residents to protect themselves by lying on the ground. H CJ 5019/14, Abu Afayesh et. al. v. the Chief of the Home Front Command, et. al, available at: <http://elyon2.court.gov.il/files/14/190/050/W02/14050190.W02.htm>. See also: Press Release of the Association for Civil Rights in Israel: <http://www.acri.org.il/en/2014/07/20/bedouin-protection-denied/>

- (3) Call for the immediate, international protection of Palestinian civilians in Gaza;
- (4) Demand that Israel lift its blockade on Gaza, lift restrictions on freedom of movement for Palestinians and allow the passage of goods necessary for the population, and allow the resumption of economic activity in Gaza;
- (5) Call for an immediate end to racial incitement and physical attacks against Palestinian citizens of Israel, the end to brutal and violent treatment by the police against demonstrators, and to respect the right for freedom of expression in Israel.
- (6) Establish an independent, international commission of inquiry, with the mandate to identify and investigate all violations of international human rights law and international humanitarian law committed within the context of Operation Protective Edge in the Gaza Strip. This commission should set forth specific facts and circumstances of such violations and concrete recommendations with a view of holding individuals responsible for those violations accountable, and ensuring victims' access to effective remedy;
- (7) Follow-up and monitor the implementation of the recommendations of the UN Fact Finding Mission on the Gaza Conflict of 2008-2009.

Signed by:

Adalah – The Legal Center for Arab Minority Rights in Israel (ECOSOC, Special)

The Arab Association for Human Rights (ECOSOC, Special)

Al Tufula Center

The Association for the Defence for the Right of the Internally Displaced in Israel

Aswat – Palestinian Gay Women

Baladna - Association for Arab Youth

The Galilee Society – The Arab National Society for Health Research & Services

Hamleh: The Arab Center for the Advancement of Social Media

I'lam Media Center for Arab Palestinians in Israel

Kayan Feminist Organization

Mada al-Carmel – Arab Center for Applied Social Research

Mossawa Center – The Advocacy Center for Arab Citizens in Israel

The Regional Council for the Unrecognized Villages in the Negev (Naqab)

Women Against Violence