

AMNESTY INTERNATIONAL PUBLIC DOCUMENT

AI Index: IOR 41/004/2009

Check against delivery

UN Human Rights Council
Ninth Special Session

12 January 2009

Amnesty International

Mr. President,

Despite the Security Council's near unanimous adoption of resolution 1860 last Thursday, a human catastrophe continues to unfold in Gaza, where some 1.5 million civilians are trapped and exposed to death and destruction. In the first 12 days of conflict more than 670 Palestinians were killed, many of them civilians including scores of children, and approximately 3,000 Palestinians were injured in Israeli attacks. In the same period, rocket attacks by Palestinian armed groups killed four Israelis, including three civilians, and injured other civilians in southern Israel. The violence continues; the death toll of civilians in Gaza is mounting alarmingly.

As the UN body with primary responsibility for the protection of human rights, this Council must demand that all parties to the current conflict – Israel, Hamas and other Palestinian armed groups – immediately end all unlawful attacks against civilians and other serious violations of international human rights and humanitarian law. It must demand measures to relieve civilians in Gaza and an end to the indiscriminate rocket attacks that endanger civilians in southern Israel.

This Council must call on Israel to allow human rights and humanitarian workers and journalists immediate unfettered access to Gaza. Their presence is needed urgently to independently assess humanitarian needs and report on the situation there, including violations of international law.

Prima facie evidence of possible war crimes and crimes against humanity is emerging daily. This Council must not ignore it. It must use its authority

to call for an urgent and thorough independent and impartial investigation. It must call for perpetrators of war crimes, crimes against humanity and other serious violations of international law to be held to account. This Council should play a substantial role in ensuring that such an investigation is established without delay and is carried out by a body composed of suitably experienced independent experts of acknowledged integrity. They must be adequately resourced and be ready to deploy to the conflict areas as soon as security conditions permit.

There must be full accountability for war crimes and crimes against humanity. Where appropriate, states must be ready to initiate criminal investigations and carry out prosecutions before their own courts if the evidence warrants it.

This Council must also insist on the dispatch to the area without delay of international monitors fully mandated to investigate and report on any ongoing abuses of human rights or international humanitarian law by any of the parties to the conflict. It must commit to taking appropriate action in response to reports of such abuses.

Mr. President,

The grave transgressions of human rights and international humanitarian law which so conspicuously characterize this conflict must cease.

We understand that this Council will adopt a resolution that will address many of Amnesty International's recommendations. However, we also understand that this will be a voted resolution is likely. A failure of this Council to act unanimously to address the humanitarian crisis in Gaza and the related serious violations of human rights and international human rights will be a stain on this Council and on those delegations that have stood in the way of this Council acting as one.

Thank you Mr. President.