



# General Assembly

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**Human Rights Council**  
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## **Written statement\* submitted by the Al Mezan Centre for Human Rights, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 July 2014]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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## **Israel Targeting Civilians; the International Community Shamefully Silent**

The Al Mezan Centre for Human Rights is presenting this urgent written statement at a time when Israel's on-going assault on the Gaza Strip continues to result in mass destruction, displacement and mounting loss of civilian life. The failures of the international community to ensure the protection of civilians and accountability in the past have led us to this dark day. We therefore urge swift action by the honourable Council to ensure the protection of civilians and investigation and prosecution for actions that amount to war crimes.

On 7 July 2014, the State of Israel launched Operation Protective Edge (OPE) comprised of a brutal onslaught of violence by land, air and sea against the Gaza Strip. We are urging the Council to consider two matters of urgent concern:

- An Occupying Power may not resort to the right to self-defence as the occupier is the initial aggressor. Since the start of OPE, tens of statements from influential states have stressed this contested right, which has worsened the situation on the ground;
- Once hostilities begin, IHL rules must be respected. Al Mezan's documentation confirms the persistence of a consistent trend throughout OPE, which also applies to the past decades: Israeli forces are directing attacks at civilian targets. Israel's brutal attack on the Sheja'ya neighbourhood in the past four days exemplifies the grave breaches of IHL.

Exemplifying Israel's total departure from international humanitarian law (IHL) and international human rights law (IHRL) obligations, are the murders of four children playing on the beach near the Gaza City port and nine teenagers watching the World Cup in a beach café. The numerous deliberate attacks on houses evidence outright war crimes. The indiscriminate bombardment of the Shejai'ya neighbourhood in the east of Gaza City - in stated aim of covering the evacuation of Israeli combatants according to the Israeli Defence Minister, Moshe Ya'alon<sup>1</sup> - killed dozens of Palestinian civilians in their homes and in the midst of fleeing, is yet another example of the disregard Israel shows to civilian life as well as IHL rules.

Our documentation shows that 248 people have been killed inside their houses, making up 50% of the total casualties as of 21 July 2014, where the fatalities reached 505 (130 children and 46 women, 78.6% civilians). During the humanitarian ceasefire, Israeli forces directly targeted the house of the Iskafi family; six members were killed. Israeli forces directly targeted the house of the Abu Jame' family; 26 lives lost, including 19 children and five women. Another attack on an apartment in Gaza City killed eleven people, including seven children and three women. The attack on the Ziyada family house killed seven. Israeli forces - equipped with the most sophisticated surveillance technology in the world - are not observing the principle of distinction.

The vague and sometimes lethal 'warnings', often carried out by missile 'roof knocking' attacks, disregard human life and in their ineffectiveness violate standards of international law. These purported 'warnings' should not give Israel the free rein that it has taken to target the civilians left behind.

The ground invasion continues to intensify and while civilians flee their homes for safety, Israeli forces aim and shoot. Infants, children, women, people with disability, older people and other civilians have largely been the targets. Just before dawn on 20 July 2014 Israeli forces carried out a heinous mass attack on the residents of Shejai'ya. Al Mezan has verified that 56 dead bodies reached the morgue in the hours after: 55 civilians and one combatant, and 17 children, two medics and one journalist. Of those killed, 40 were killed inside their homes. The rest were on the streets running for their lives. Many people are still under the rubble of houses destroyed that day.

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<sup>1</sup> Al-Mughrabi, Nidal, and Allyn Fisher-Ilan. " Hamas Says Israeli Soldier Captured; Gaza Death Toll Jumps." *Reuters*. Thomson Reuters, 20 July 2014. Web. 21 July 2014. <<http://www.reuters.com/article/2014/07/20/uk-palestinians-israel-idUKKBN0FP00N20140720?irpc=932>>.

Gaza's most vulnerable populations, including people with severe and complex impairments who live with the challenges of disability, have increased protection concerns in access to even basic human rights at times of armed conflict. Israel's targeted attack on facilities for people with disability has exemplified its callous disregard for the lives of those who need protection the most. The death of two people with impairments, both within Mebarat Palestine for the Disabled when Israeli forces destroyed the building, is a blatant violation of the Convention on the Rights of People with Disability, which Israel ratified in 2012.

As in Shejai'ya, ambulances continue to be targeted and denied access to casualties and wounded civilians despite the relentless efforts of the ICRC to coordinate. As in the Radwan case, where four men slowly bled to death while Israeli smoke bombs prevented paramedics from gaining access to the casualties, Israel violates IHL rules that necessitate medical access for civilians at all times.

At least 62,000 people have sought refuge in UNRWA shelters; however, tens of thousands have taken shelter in government schools and in houses of relatives and friends. The situation for the population at large is exacerbated by the very long blackouts, which reach 20 hours per day.

The international community, which should be principally led by the United Nations, has failed to take effective action against the Israeli policy of targeting civilians, thereby allowing Israel to intensify egregiously criminal activities. The international community's disgrace is the result of world leaders placing political gain ahead of the principles laid out in the UN Charter. States supporting Israel's claims of self-defence in the context of illegal occupation of Palestine are complicit in Israel's war crimes. Furthermore, past military operations by Israeli forces are proof that military escalation and violence won't bring stability, security and peace to the region; it will strengthen radicalism and further antagonize the parties. The solution to the current situation is diplomatic and will only be reached when the different parties reach a long-term agreement.

IHL and IHRL stipulate that third states are obligated to hold Israel accountable for grave breaches, including those surrounding the targeting of civilians, and to uphold oblige Israel to fulfil its duties as an occupying power, as required under the Fourth Geneva Convention.

To put accountability on hold because rockets are fired from the Gaza Strip is to exercise gross oversight of Israeli forces' actions against minors, resulting in torture, ill treatment and death, in the context of demonstrations in the West Bank, and runs counter to the inviolable IHL rule that violations never justify further breaches in response. Seeking justice for these breaches of IHL will be a slow process; however, failing to take legal action to address these heinous crimes grants the perpetrators with immunity to continue such atrocities.

Palestine demands that call for fully lifting the closure (blockade) of the Gaza Strip as per the view of the UN and the ICRC necessitate the desistance in hindering actions on Palestinian unity, are in line with the need to ensure protection for human rights in occupied Palestine.

Israel's continued egregious violations against the people of Gaza during OPE amount to war crimes. The Council is called to urge the Security Council to swiftly refer the situation in the Gaza Strip to the Prosecutor of the International Criminal Court.

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