

Federica Mogherini  
EU High Representative for Foreign Affairs and Security  
Policy, Vice President of the European Commission  
European Commission  
Rue de la Loi 200  
1049 Brussels

**AMNESTY  
INTERNATIONAL**



**European Institutions Office**

Brussels, 15 December 2014

Our Ref: B1643

Dear High Representative Mogherini,

### **THE EU MUST PUT ITS WEIGHT BEHIND ACCOUNTABILITY IN ISRAEL AND THE OPT**

2014 has been a year of many developments in Israel and the Occupied Palestinian Territories including the collapse of the John Kerry-led Israeli-Palestinian peace negotiations, a Palestinian step towards internal reconciliation and the establishment of a national reconciliation government, Israel's military operation in the West Bank, and yet another war in Gaza, 'Operation Protective Edge'. At the same time, the wider Middle East saw the rise of the Islamic State armed group in Iraq and Syria and the expansion of a devastating refugee crisis, both contributing to an increasing destabilisation of the region.

These developments are having a profound impact on local and international public opinion and have created a small opening for the international community to push for steps in the direction of real dialogue and a sustainable solution based on accountability. Amnesty International strongly believes that now is the time for the EU to express an uncompromising prioritisation of human rights as well as its commitment to implementing the necessary measures to finally ensure that all sides of the conflict take full responsibility for their violations, most recently during 'Operation Protective Edge'.

The 50 days of the most recent Gaza war witnessed an unprecedented scale of destruction, damage, death and injury with respect to previous military escalations in the Gaza/Israel conflict. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 2,256 people were killed in the Gaza Strip, 1,568 of whom are believed to be civilians, including 538 children and 306 women. More than 11,000 Palestinians were injured, many of them permanently.<sup>1</sup> By the time of the ceasefire on 26 August 2014 there were approximately 110,000 internally displaced persons living in emergency shelter and with host families. The economic infrastructure in Gaza has been seriously affected; not only was its only power plant damaged but the damage to the water and wastewater system left 20 to 30 per cent of households without access to municipal water.

At the same time Hamas' military wing, the Izz ad-Din al-Qassam Brigades, and other Palestinian armed groups fired thousands of indiscriminate rockets and mortar rounds into civilian areas of Israel. Six civilians, one of whom was a child, were killed on the Israeli side by rockets and mortars fired by

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<sup>1</sup> OCHA, *Protection of Civilians Weekly Report, 28 October – 3 November 2014*  
([www.ochaopt.org/documents/ocha\\_opt\\_protection\\_of\\_civilians\\_weekly\\_report\\_2014\\_11\\_14\\_english.pdf](http://www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2014_11_14_english.pdf))

Palestinian armed groups, which have also caused damage to homes and other civilian properties in Israel.<sup>2</sup> 66 Israeli soldiers were killed.<sup>3</sup>

Over the past month, Amnesty International has published two reports (enclosed with this letter), 'Nothing is Immune: Israel's destruction of landmark buildings in Gaza' (9 December) and 'Families under the rubble: Israeli attacks on inhabited homes' (5 November). These reports examine Israeli attacks in light of Israel's obligations under international humanitarian law. Further outputs on violations of international humanitarian and human rights law by the Hamas authorities in Gaza are soon to be published. Our research has found strong evidence that serious violations of international humanitarian law and human rights law, including war crimes, may have been committed.

In line with your commitments to place human rights at the centre of all external action and fight against impunity, and the specific commitment in the EU strategic framework to 'ensure that victims have access to justice and redress and that those responsible are held to account', Amnesty International calls on the EU and its member states to:

- Lend full support to the UN Commission of Inquiry and its work, including through leading efforts for a strong resolution at the next UN Human Rights Council session.
- Call publicly on Israel to allow access to Gaza for human rights monitors, including international NGOs, the UN Commission of Inquiry and other UN mechanisms.
- Call publicly on the Palestinian Authority to sign and ratify the Rome Statute, in line with the EU's stated commitment to universal adherence, and clearly condemn any attempts to dissuade them from doing so.
- Lend full support to the Swiss Government's reconvening of a conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territories, including East Jerusalem.

We welcome your intention for the EU to be a strong political player in facilitating steps towards a solution in the conflict and stand ready to provide any further information you may require.

Yours sincerely,



Ivana McGowan  
Director of Programmes  
Acting Director

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<sup>2</sup> OCHA gives the figure of five civilians. In addition to these five individuals, Amnesty International considers Dror Khenin, a building project contractor who was killed on 15 July while distributing food to soldiers near the Erez crossing, to have been a civilian since, according to its information, he was not directly participating in hostilities at the time.

<sup>3</sup> OCHA, *Occupied Palestinian Territory: Gaza Emergency Situation Report (as of 4 September 2014, 08:00 hrs)* ([www.ochaopt.org/documents/ocha\\_opt\\_sitrep\\_04\\_09\\_2014.pdf](http://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf)).