

Karel Schwarzenberg
Minister of Foreign Affairs of the Czech Republic
President of the Council of the European Union

Brussels, 06 January 2009
Our Ref: B842

Dear Mr Schwarzenberg,

Subject: Humanitarian and Human Rights Crisis in Gaza

Following this week's EU Troika delegation to the region, and in preparation for the informal General Affairs Council in Prague on 8 January, Amnesty International calls on the EU and EU Member States to intensify diplomatic pressure to address the increasingly grave situation in the Gaza strip and southern Israel. It is clear that the current level of diplomatic efforts has failed to bring about any positive change in the situation on the ground. We remain deeply concerned about the safety of the civilian populations in the area and especially for the 1.5 million Palestinians in the Gaza strip who cannot leave Gaza and who are facing a humanitarian crisis, as confirmed by the ICRC, UN agencies and various humanitarian organizations.

More than 500 Palestinians have been killed since 27 December, including more than 100 unarmed civilians, scores of them children, and some 165 members of the civil police who were not participating in hostilities. Over 2000 have been injured. Furthermore three Israeli civilians and one soldier have been killed by Palestinian armed groups. As Israeli forces are now engaged in a ground offensive in addition to the air and artillery attacks which continue on an unprecedented scale, risks to the lives and safety of civilians continue to mount and the civilian population is in increasingly dire need of food, medical care and other emergency assistance. Both sides have breached their international obligations. The unlawful rocket attacks by Palestinian armed groups against towns and villages in southern Israel must be unequivocally condemned and must cease. At the same time, Israel is carrying out vastly disproportionate attacks causing numerous civilian casualties which must also be condemned as unlawful and must cease. Some of the Israeli attacks have been directed at civilian buildings not being used for military purposes such as the parliament building in Gaza city and or have targeted civilians such as police cadets.

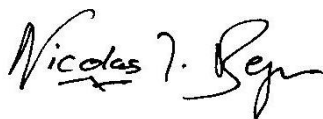
We are particularly disappointed by the abject failure of the UN Security Council to take firm and decisive action in the crisis. The EU and its Member States have a crucial role in enabling the UN Security Council to fulfil its responsibility to help ensure respect for international human rights and humanitarian law by any party involved in hostilities. We urge the EU and its Member States to work constructively with all Security Council members to enable the adoption of a resolution demanding that both parties fully respect their obligations under international humanitarian and human rights law. In the absence of any agreement on a ceasefire, we urge the EU also to secure agreement within the Security Council for an immediate humanitarian truce, and demand that parties to the conflict cease hostilities for a period to allow adequate humanitarian assistance to reach those in desperate need; provide a chance to evacuate the wounded and bury the dead; allow emergency repairs to essential infrastructure; enable those Palestinian civilians wishing to leave the conflict area to do so in safety with the assistance of neighbouring states where necessary; and ensure that humanitarian workers can provide protection and assistance in safety.

It is of paramount importance that the EU urges Israel to allow immediately the unrestricted access of humanitarian and human rights workers and journalists to the Gaza strip. With the exception of a limited number of journalists who were temporarily permitted access earlier in December, these groups have been denied entry to Gaza by the Israeli authorities since the beginning of November. There are now also reports of obstacles to access encountered by ICRC staff. Humanitarian and human rights workers and journalists are urgently needed to independently assess needs and report on the situation on the ground, including abuses of international law. Amnesty International has been seeking access to the Gaza strip since the beginning of the crisis but to date has not received authorization for passage into Gaza from the Israeli authorities. Amnesty International also urges the EU to demand access to Gaza for its own representatives and to consider the deployment of international monitors.

Finally, in order to maximise the attention given to diplomatic efforts aimed at ending the current crisis, we call on EU Foreign Ministers at the informal General Affairs Council to agree to put on hold the bilateral talks with Israel on the specific details of the future EU-Israel Action Plan, pending agreement on concrete measures to address the accelerating human rights and humanitarian catastrophe.

Amnesty International remains at your disposal to discuss this issue in greater depth.

Yours sincerely,



Nicolas Beger
Director
Amnesty International EU Office



Dáša van der Horst
Director
Amnesty International Czech Republic

CC: *Benita Ferrero Waldner, European Commissioner for External Relations*
Javier Solana, High Representative for Common Foreign and Security Policy
Hans Gert Pottering, President of the European Parliament