

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

Brussels, 20 January 2009
Our Ref: B843

Dear Mr Schwarzenberg,

Subject: Accountability for human rights violations in Gaza

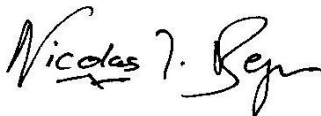
Amnesty International calls on EU Foreign Ministers, meeting on 21, 25 and 29 January 2009, to make a clear call for investigation and accountability for violations of international humanitarian and human rights law, including war crimes, committed by both parties to the conflict in Gaza.

Following on from our letter of 7 January 2009, we reiterate our call to the Presidency to show leadership and intensify diplomatic pressure to address the continuing grave situation in the Gaza Strip and southern Israel. We are concerned at the lack of any reference to allegations of violations of international law and the need for accountability in recent declarations from the Presidency. During an ongoing mission to the region, Amnesty International has identified violations and abuses of international human rights law and international humanitarian law, including the use of white phosphorus by Israeli armed forces in densely populated civilian areas. Further information is included in the attached document, "*The Conflict in Gaza: a briefing on applicable law, investigations and accountability*" (MDE 15/007/2009).

Given the allegations of violations of international law by all parties to the conflict, the mutual recriminations that may affect the impartiality of national investigations, and the poor track record of investigations by Israel into violations by its forces, Amnesty International is calling on all parties to agree to, and the international community to deploy, a full fact-finding mission to carry out a prompt, thorough, independent and impartial investigation of all allegations of serious violations of human rights and humanitarian law committed by both sides in the course of the conflict, in accordance with the strictest international standards governing such investigations, and to report publicly on its findings. Where there is sufficient admissible evidence, persons suspected of perpetrating crimes under international law must be prosecuted in proceedings which meet international standards of fairness.

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