

Karel Schwarzenberg
Minister of Foreign Affairs of the Czech Republic
Presidency of the European Union

Brussels, 15 April 2009
Ref: B856

Dear Mr Schwarzenberg,

Subject: Accountability for violations committed during the Gaza conflict

In view of the General Affairs and External Relations Council on 27/28 April 2009, Amnesty International once again calls on the EU to consistently apply its own Guidelines by adopting clear conclusions in favour of full investigation and accountability for violations of international law, including war crimes, committed by both parties in the recent conflict in Gaza and southern Israel.

The EU should use this opportunity to send a strong signal of support to the UN Human Rights Council-mandated independent international fact-finding mission, recently established under the chairmanship of Justice Goldstone. Both Justice Goldstone and the President of the Human Rights Council have stated that the mission will only be able to credibly fulfil its mandate if it examines violations of international law committed by Israeli forces and those committed by Palestinian armed groups. This clearly addresses the initial concern of the EU that the investigation would be biased and would specifically exclude Palestinian abuses. We therefore also urge the EU and EU members of the UN Security Council to issue a demand for the cooperation of all parties with the fact-finding mission.

In addition, we call on the EU and EU members of the UN Security Council to request that the UN Secretary-General makes public the findings and recommendations of the report of the Board of Inquiry, investigating attacks on UN personnel and facilities in Gaza.

As previously outlined to you in our letters of 7 January, 21 January and 11 February, during the course of our investigations in Gaza and southern Israel, Amnesty International has documented serious violations of international humanitarian law, including war crimes. Civilians in southern Israel came under indiscriminate rocket attacks from Palestinian armed groups, which killed three civilians, and six Israeli soldiers were also killed in the conflict. Civilians in Gaza were killed, injured and made homeless in indiscriminate and disproportionate attacks. Medical personnel and facilities also came under attack from the Israeli army and their work was hindered. Over 1400 Palestinians were killed, around 300 of whom were children and hundreds more were unarmed civilians. We are ready to discuss these findings further with you at any opportunity.

We look forward to hearing from you on this matter.

Yours sincerely,



Nicolas Beger
Director
Amnesty International EU Office



Dasa van der Horst
Director
Amnesty International Czech Republic

cc: Benita Ferrero Waldner, European Commissioner for External Relations
Javier Solana, High Representative for EU Common Foreign and Security Policy
Hans-Gert Pöttering, President of the European Parliament