

Call for Special Session of the Human Rights Council in the Gaza Strip : Violations of International Law Must End

November 16, 2012 <http://www.fidh.org/Call-for-Special-Session-of-the-12459>

The undersigned national, regional and international human rights organisations call upon the international community to urgently convene a Special Session of the Human Rights Council in order to address the escalating situation in the Gaza Strip. The intensification of hostilities in recent days and hours has resulted in widespread death and destruction, and concrete evidence indicating the commission of war crimes by both parties. Due to the nature of the situation, precise casualty figures are unavailable, as fieldworkers continue to investigate both previous and ongoing attacks.

It is imperative that the international community intervene in order to restore the rule of law, and to prevent further harm to civilian populations on all sides. We underscore that all States and all parties to an armed conflict are subject to a binding legal obligation to respect international humanitarian law in all circumstances, and that indiscriminate fire on civilian areas violates the inalienable rights of all civilians to protection.

The failure of the United Nations Security Council to reach consensus on a resolution regarding the current situation highlights the necessity of the Human Rights Council's urgent intervention. This is further underlined by the escalation in hostilities in recent hours.

As human rights organisations, we note that the failure of the international community to ensure accountability for violations of international law committed in the occupied Palestinian territory has resulted in pervasive impunity, and increasing disregard for the rule of international law. This failure to ensure accountability has facilitated the current situation. It is imperative that the international community ensure accountability in the present context, in order to prevent further tragedy.

Article 146 of the Fourth Geneva Convention declares that all States are under the obligation to search for and prosecute all those suspected of committing, or ordering to be committed, grave breaches of the Geneva Conventions, regardless of their nationality or the place of commission of the crime.

We request the urgent convening of a Special Session of the Human Rights Council, and call upon all sides to fulfil their binding legal obligations under international humanitarian law.

During the last large-scale offensive on the Gaza Strip, civilians paid the price of political inaction. We must not allow history to repeat itself.

Signed,

Palestinian Centre for Human Rights	(PCHR)
Public Committee Against Torture in Israel	(PCATI)
International Federation for Human Rights	(FIDH)
Euro-Mediterranean Human Rights Network	(EMHRN)
Cairo Institute for Human Rights Studies	(CIHRS)
Albanian Human Rights Group - Albania	(AHRG)
Ligue des droits de l'Homme – France	(LDH)
Hellenic League for Human Rights - Greece	(HLHR)
Internationale Liga für Menschenrechte – Germany	(ILMR)
Unione Forense per la Tutela dei Diritti Umani – Italy	(UFTDU)
Center for Constitutional Rights - USA	(CCR)