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Preventing Future Atrocities in Palestine

Human Rights Council must address recommendations on accountability in UN Commission of Inquiry report

Both Israel and the State of Palestine must hold those responsible for the potential war crimes accountable if the devastating effects of another Gaza war are to be avoided, the International Coalition for the Responsibility to Protect (ICRtoP) said today.

“Civilians have paid a deadly cost for the multiple bouts of conflict in Palestine over the past few years,” **said Don Deya, chair of the ICRtoP.** “If no one is held accountable for the damage they have inflicted, Israel and Hamas will continue to commit war crimes and we could be looking at another Operation Protective Edge, Cast Lead, or Pillar of Defense in the immediate future.”

In the 2005 World Summit Outcome Document, governments unanimously agreed that they had a Responsibility to Protect (RtoP, R2P) populations from genocide, war crimes, crimes against humanity, and ethnic cleansing. Accountability for the perpetrators of such crimes serves as a vital element of upholding the Responsibility to Protect, as ending impunity functions both as a deterrent for future perpetrators and as a means to rebuild communities in the wake of atrocities.

The UN’s Commission of Inquiry report on the 2014 Gaza conflict found evidence that both Israel and Hamas had committed serious violations of international humanitarian and human rights law through indiscriminate targeting of civilians—violations which may amount to war crimes. The Commission found that “the scale of the devastation was unprecedented”, with 2,251 Palestinians and 67 Israelis killed and 11,231 Palestinians and 1,620 Israelis injured. The report will be presented to the UN Human Rights Council on Monday, 29 June.

In response to the report, the international community must take all possible measures to ensure accountability for these potential war crimes. Furthermore, actors, in order to fulfill their RtoP, must exert pressure on the parties involved to address the underlying sources of conflict that have mired these populations in misery for decades.

“Recent events show that commissions of inquiry, humanitarian relief, and reconstruction will only take us so far,” **said Fadi Abi Allam of the Middle Eastern civil society organization and ICRtoP Member Permanent Peace Movement.** “To prevent future war crimes, Israel, Palestine, and the international community have to address the root causes of the recurring violence, including Israel’s blockade of Gaza and its settlements.”

Permitting the evidence of atrocities to go ignored yet again in Israel and Palestine has proven to be a dangerous and unsuccessful conflict management strategy. By acting on the recommendations of the Commission of Inquiry, the international community has the opportunity to insist on accountability for the crimes committed against civilians and take a crucial step in protecting populations from a future war in Gaza.

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Background:

- In 2005, UN Member States unanimously agreed that they had a Responsibility to Protect (RtoP) populations from genocide, war crimes, crimes against humanity, and ethnic cleansing in the World Summit Outcome Document. Though the primary responsibility to protect lies with the State, the international community has a responsibility to assist States in fulfilling this obligation. When a state manifestly fails to protect its population or is in fact the perpetrator of these crimes, the international community has a responsibility to take collective action in a timely and decisive manner to prevent or halt the commission of atrocity crimes. Such action must be on a case-by-case basis using a broad range of political, economic, and humanitarian measures, and—should peaceful means prove inadequate—coercive measures, including the use of force as authorized by the Security Council and in accordance with the UN Charter.
- The International Coalition for the Responsibility to Protect (ICRtoP) is a network of 85 civil society organizations worldwide that works to strengthen consensus for RtoP; further the understanding of the norm; push for strengthened capacities to prevent and respond to atrocity crimes; and mobilize NGOs to push for action to save lives in RtoP country-specific situations.