

Attn.: Dr. Makarim Wibisono, *Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*

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6 August 2014

**Re: Urgent action needed in response to Israeli attacks in the Occupied Palestinian Territory since 13 June**

Dear Dr. Wibisono,

The Palestinian Human Rights Organisations Council (PHROC), a coalition of twelve human rights organisations, with the support of Adalah, the Arab Association for Human Rights, and Habitat International Coalition, welcomes your recent appointment as Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. We are, however, extremely concerned and disappointed that you have not yet taken concrete measures to address the Israeli attacks in the Occupied Palestinian Territory (OPT) since 13 June.

In your recent Statement, and that of the Coordination Committee of the Special Procedures of the Human Rights Council, delivered during the 21st Human Rights Council (HRC) special session, in reference to the ongoing situation in the Gaza Strip, you expressed that “[m]uch more needs to be done to protect civilians and respect international human rights law and international humanitarian law.” We could not agree more.

By virtue of your mandate as Special Rapporteur, there are several operational measures at your disposal to address Israel's on-going violations of international law. Such measures include undertaking a visit to the OPT, intervening through communications mechanisms, advising States and other United Nations mechanisms on necessary measures to ensure human rights, as well as issuing public statements to raise awareness of the on-going situation on the ground. To the best of our knowledge, these critical measures included within your mandate have not yet been exercised.

The recent escalation in violence demands your utmost attention as Special Rapporteur. As such, and in anticipation of your report to the Third Committee of the United Nations General Assembly in October, we request that you urgently conduct a country visit to the OPT, and particularly to the Gaza Strip. As of today, more than 1,900 Palestinians have been killed, with over 9,500 more wounded in the Gaza Strip. Accounts from the ground have outlined Israel's recent attacks and intentional targeting of Palestinian civilians and civilian objects such as homes, schools, hospitals, mosques, universities, water, sewage and electricity

infrastructures. In light of the massive devastation and civilian deaths such a visit is crucial to fully appreciate the reality on the ground.

Your visit, particularly to the Gaza Strip, would also serve to further enhance your capacity and credibility as Special Rapporteur in your upcoming report to the General Assembly and would provide needed continuity to the upcoming HRC Commission of Inquiry. While such a visit should be an urgent priority, we also strongly urge you to utilise all measures within your remit to address the dire situation on the ground and to ensure that international law is fully respected by Israel. This includes making strong public statements addressing, *inter alia*, Israel's failure to protect the Palestinian population, and communicating with Israel and other relevant parties to ensure that human rights in the OPT are being respected.

As you are well aware, an Occupying Power has a responsibility to protect the civilian population it occupies. As such, Israel must ensure the welfare and safety of the Palestinian population and respect Palestinians' rights, including the rights to life and dignity. Regardless, Israel has consistently failed to respect fundamental principles of international law. The unlawful closure of the Gaza Strip, compounds the devastating impact on the population's right to life, health, education, food, water and adequate standard of living. As of 13 June, Israel has also subjected the Palestinian population in the OPT to renewed campaigns of mass arrests, increased measures of collective punishment, increased forcible displacement, continued settlement expansion, increased restrictions on freedom of movement, extensive destruction of property, and excessive use of force, as well as indiscriminate and disproportionate attacks leading to the death of more than 1,460 civilians, including at least 26 Palestinian civilians in the West Bank.

The sustained patterns of abuse perpetrated for the last 47 years against the Palestinian people, lead to the inevitable conclusion that such practices inherent in Israel's prolonged occupation of the OPT are in violation of international human rights and humanitarian law. Significantly, such attacks have also had an impact on the fundamental right to self-determination as they have further decreased the ability of the Palestinian people to exercise sovereignty over their land and natural resources. The utter failure of the international community to hold Israel to account for its continuous and systematic violations of international law in the OPT, including the seven-year closure of the Gaza Strip, has contributed to further hostilities and infringements of human rights on the ground.

Accordingly, we repeat our call above that you conduct a well-publicised visit to the Gaza Strip and thereafter to the West Bank, including East Jerusalem as soon as possible as a critical step towards achieving accountability. Your presence would be

significant, not only for the Palestinian population, but also to staff members of the United Nations that have been working heroically under such difficult circumstances in the Gaza Strip. Your visit would, moreover, provide an opportunity to understand the Israeli occupation in its different manifestations. To abstain from visiting the OPT at this time would only serve to undermine your mandate. To that end, we are prepared to provide support for such a visit in order to help ensure that you are able to effectively carry out this aspect of your mandate as Special Rapporteur.

We remain your disposal, should you require any further information.

Yours Sincerely,

Rina Rosenberg (Jabareen), **Adalah – the Legal Center for Arab Minority Rights in Israel;**

Sahar Francis, **Addameer Prisoners' Support and Human Rights Association;**

Khalil Abu Shammala, **Aldameer Association for Human Rights;**

Shawan Jabarin, **Al-Haq;**

Issam Younis, **Al-Mezan Center for Human Rights;**

Mohammad Zeidan, **Arab Association for Human Rights;**

Nidal Azza, **Badil Resource Center for Palestinian Residency and Refugee Rights;**

Rifat Kassis, **Defence for Children International Palestine Section;**

Hasib Nashashibi, **Ensan Center for Human Rights and Democracy;**

Joseph Schechla, **Housing and Land Rights Network – Habitat International Coalition;**

Helmi Al-araj, **Hurryyat – Centre for Defense of Liberties and Human Rights;**

Issam Aruri, **Jerusalem Center for Legal Aid and Human Rights;**

Iyad Barghouti, **Ramallah Center for Human Rights Studies;**

Maha Abu Dayyeh, **Women's Centre for Legal Aid and Counselling;**

Raji Sourani, **The Palestinian Center for Human Rights.**