

AMNESTY INTERNATIONAL PUBLIC STATEMENT



Index: MDE 15/024/2014

20 August 2014

Israel: Provide Rights Groups Access to Gaza

“The Israeli authorities appear to have been playing bureaucratic games with us over access to Gaza, conditioning it on entirely unreasonable criteria even as the death toll mounts” said Anne FitzGerald, Amnesty International’s Director of Research and Crisis Response.

Israel should immediately allow access to Gaza for Amnesty International, Human Rights Watch and other international human rights organizations so they can investigate allegations of serious violations of international humanitarian law by all parties to the conflict, Amnesty International and Human Rights Watch said today,

“The victims’ and the public’s right to know about what happened during the hostilities requires the Israeli authorities to ensure full transparency about their actions and to refrain from hindering independent and impartial research into all alleged violations.”

Since the beginning of Israel’s military operation on July 8, 2014 in Gaza, code-named “Protective Edge”, Israeli authorities have denied repeated requests by both Amnesty International and Human Rights Watch to enter Gaza via the Israeli-controlled Erez crossing. Both groups also requested access from Egyptian authorities, who so far have not granted it.

“Valuable time has already been lost and it’s essential that human rights organizations are now able to enter the Gaza Strip to begin the vital job of verifying allegations of war crimes.”

“If Israel is confident in its claim that Hamas is responsible for civilian deaths in Gaza, why is it blocking human rights organizations from carrying out on-site investigations,” said Sarah Leah Whitson, Middle East director at Human Rights Watch. “Talking points by a party to the conflict don’t determine whether attacks violated the laws of war, but field investigations could.”

Since July 7, Amnesty International’s International Secretariat has submitted three applications for permission to enter Gaza via the Erez Crossing to Israel’s Civil Administration, which operates under Israel’s Defense Ministry. In each case, the Civil Administration said it could not process the requests, and that the Erez Crossing was

closed. Journalists, UN staff, humanitarian workers, and others with permits have been able to enter and exit via Erez throughout this period.

Amnesty International requested assistance on this matter from Israel's Foreign Affairs Ministry, and various third-party governments have raised the issue with their Israeli counterparts on Amnesty International's behalf, but none of these efforts has been successful.

Human Rights Watch received similar responses from the Civil Administration to its request for permission to enter Gaza since the recent escalation in hostilities. Israeli authorities at the Erez Crossing also said that Human Rights Watch was not eligible for permits to enter Gaza because it was not a registered organization. However, the Israeli authorities acknowledged that they had discretion to make an exception. On August 17, Human Rights Watch requested such an exception as soon as possible. Prior to 2006 Israeli authorities repeatedly granted Human Rights Watch access to Gaza without requiring the group to register or seek a special exception.

During the recent hostilities, Israeli forces have intensively bombarded the Gaza Strip from the air, land and sea, severely affecting the civilian population there. According to the UN Office for the Coordination of Humanitarian Affairs, 1,976 Palestinians have been killed, including 1,417 civilians of whom 459 are children and 239 women. Thousands of unexploded remnants of war are dispersed throughout the Gaza Strip. Hundreds of thousands of people have been displaced. Sixty-seven Israelis have been killed including three civilians.

Palestinian armed groups have fired thousands of indiscriminate rockets toward Israeli population centres; have reportedly stored rockets in empty school buildings; and allegedly failed to take all feasible precautions to prevent harm to civilians, in violation of international law. Amnesty International and Human Rights Watch have some staff on the ground in Gaza but they have not been able to verify many reported violations because of the Israeli authorities' denial of access to researchers.

The Israeli government must allow all allegations of war crimes and other violations to be independently verified and the victims to obtain justice. Active human rights monitoring on the ground can also help serve to prevent further abuses being carried out – by all sides. Denying access to international human rights organizations suggests a disregard for the right to seek, receive and impart information.

The Israeli authorities last granted Human Rights Watch access to Gaza through the Erez Crossing in 2006, and Amnesty International in the summer of 2012.

Since then, Amnesty International and Human Rights Watch have repeatedly been told that they must register with Israel's Foreign Affairs Ministry, which only registers diplomats and UN personnel, or the Social Welfare Ministry. Registration with the Social Welfare Ministry is an option for humanitarian and development organizations with offices in Israel and the Occupied Palestinian Territories, but it is virtually impossible for Amnesty International and Human Rights Watch, as international human rights organizations, to meet the conditions for registration.

Background

The last time Amnesty International received permits to enter Gaza via the Erez crossing was in June 2012, when a delegation visited Gaza to conduct field research. Before that, Amnesty International researchers received permits to enter via the Erez crossing on many occasions over the years, though sometimes with a significant delay. During Israeli's military Operation "Cast Lead" in 2008/2009, Amnesty International delegates submitted permit applications for to the Israeli authorities, but (like various other organizations that applied at the time) did not receive permits during the conflict, and eventually entered Gaza via the Rafah Crossing in the last days of the hostilities.

Amnesty International did not have permits to enter Gaza via Erez when Israel launched Operation "Pillar of Defense" in November 2012, and submitted applications for several delegates to the International Organizations and Foreign Relations Department of the Coordination and Liaison Administration (CLA) at Erez shortly after the start of the hostilities. Despite extensive follow-up by phone with the CLA, Amnesty International delegates did not receive permits and eventually entered Gaza via the Rafah Crossing on 21 November 2012. On 6 December 2012, Amnesty International received an email saying that the CLA permits and coordinates access "for bodies which registered either at the Israeli Ministry of Foreign Affairs (mainly UN agencies, ICRC, EU and diplomatic missions) or at the Israeli Ministry of Social Affairs (International NGO's)".