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Confirmed figures reveal the true extent of the destruction inflicted upon the Gaza Strip; Israel's offensive resulted in 1,434 dead, including 960 civilians, 239 police officers, and 235 fighters.

The Israeli offensive launched on the Gaza Strip between 27 December 2008 and 18 January 2009 resulted in extensive death, injury and destruction throughout the Gaza Strip. Only now is the true extent of the devastation becoming apparent.

The offensive took place in the context of an ongoing international armed conflict and belligerent occupation. International humanitarian law (IHL) lays down stringent, legally-binding, obligations regulating the conduct of hostilities. Of primary relevance is the principle of distinction, which obliges all Parties to the conflict to distinguish between combatants and non-combatants (including civilians). Civilians and civilian objects must be spared the effects of any hostilities to the greatest extent possible. This is the core premise on which IHL is founded. Consequent to this fundamental obligation, IHL also regulates the methods and means used in an attack. In short, all precautions must be taken to restrict any damage and destruction beyond that absolutely required by military necessity.

The Palestinian Centre for Human Rights' (PCHR) investigations reveal that throughout the course of the assault, Israeli Occupation Forces (IOF) used excessive, indiscriminate force, in violation of the principle of distinction. This claim is evidenced by the disproportionately high rate of death amongst the civilian population, when compared to that of resistance fighters. IOF also wilfully violated the principle of distinction as a result of their illegal classification of law enforcement officials as combatants. Uniformed units of law enforcement agencies are not considered members of armed forces (combatants), unless explicitly recognised as such.

Over the course of the 22 day Israeli assault on the Gaza Strip, a total of 1,434 Palestinians were killed. Of these, 235 were combatants. The vast majority of the dead, however, were civilians and non-combatants: protected persons according to the principles of IHL. PCHR investigations confirm that, in total, 960 civilians lost their lives, including 288 children and 121 women. 239 police officers were also killed; the majority (235) in air strikes carried out on the first day of the attacks. The Ministry of Health have also confirmed that a total of 5,303 Palestinians were injured in the assault, including 1,606 children and 828 women.

The excessively disproportionate civilian death toll, and Israel's conduct of hostilities – including, *inter alia*, indiscriminate attacks, wilful killing, the extensive destruction of property, target selection, the lack of precautions taken in attack, the excessive use of force, and the use of weapons such as white phosphorous in civilian areas – demand effective judicial redress. Many of the cases documented by PCHR constitute grave breaches of the Geneva Conventions, and war crimes. The widespread and apparently systematic violations of customary IHL witnessed in the Gaza Strip may also amount to a crime against humanity.

PCHR call on all States to fulfil their legal obligations, as codified in Article 146 of the Fourth Geneva Convention, to prosecute any persons suspected of committing grave breaches of the Geneva Conventions. All States must enact appropriate legislation to ensure that such persons may be tried in national courts, in accordance with the principle of universal jurisdiction.

Further, PCHR affirm that, if the civilian population are to rebuild their lives and attempt to recover from the devastation wreaked on the Gaza Strip, then borders must be opened: aid and reconstruction material must be allowed into the Gaza Strip. As the Occupying Power, the State of Israel has a legal obligation, codified in the Fourth Geneva Convention, to allow unrestricted humanitarian access. Further, if the resources in the occupied territory are inadequate – as is currently the case in the Gaza Strip – then Article 55 of the Fourth Geneva Convention places a specific obligation on the Occupying Power (Israel) to provide the articles necessary to ensure the safety and wellbeing of the civilian population.

While strongly condemning the actions of the IOF during their offensive on the Gaza Strip, PCHR:

1. Calls for establishing effective international investigation into crimes committed by IOF against Palestinian civilians, and Israel's conduct of hostilities.
2. Calls for the prosecution of all political and military officials who are accused of committing war crimes against Palestinian civilians.
3. Calls for an end to all measures of collective punishment inflicted on the population of the Gaza Strip, including a lifting of the siege, and ensuring the free and safe movement of persons and goods.
4. Calls upon Israel to fulfil its obligations as the Occupying Power to facilitate unrestricted humanitarian access, and to provide those articles necessary to ensure the safety and wellbeing of the civilian population.
5. Calls upon the international community to immediately intervene to prevent impunity for such crimes, and calls upon the High Contracting Parties to the Geneva Conventions to fulfil their obligation under Article 1 of the Convention to ensure respect for the Convention in all circumstances, as well as their obligation under Article 146 of the Fourth Geneva Convention to search for and prosecute those who are responsible for perpetrating grave breaches of the Geneva Conventions.

Note: PCHR will be publishing the complete list of the identities of those killed next week. The information will be available in Arabic on its website and an English version will follow soon after.