

AMNESTY INTERNATIONAL

Open Letter

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Israel/Occupied Territories: Open letter from the Secretary General to the parliamentary candidates Put human rights protection on the Israeli election agenda

As Israel embarks on new legislative elections on 28 March 2006, Amnesty International calls on all Israeli political parties and their candidates to put human rights at the top of their agenda and to put forward clear strategies and action plans to ensure that the enjoyment of fundamental human rights becomes a reality for people in all sectors of society.

The organization calls on candidates to propose concrete measures to address key longstanding concerns, including:

- **Enhancing access to economic, social and cultural rights – particularly the right to work, health and education, and to an adequate standard of living – for the most marginalized communities in Israel, including Israeli Arabs and migrants, who continue to suffer from discriminatory policies and practices.** As a State party to the *International Covenant on Economic, Social and Cultural Rights*, and to the International Labor Organization (ILO) *Migration for Employment Convention*, Israel has committed to promoting and protecting the rights recognized in these important treaties and candidates should ensure that their economic policies take such rights into consideration.
- **Increasing efforts to combat all forms of violence against women – including family violence, trafficking, sexual exploitation and debt bondage – notably by strengthening the mechanisms for protecting the victims and bringing the perpetrators to justice.** While significant progress has been made in recent years in the field of women's rights, both in law and in practice, more efforts are necessary to stamp out inequality, discrimination and abuses against women, including members of disadvantage sectors of society.
- **Strengthening human rights protection and oversight mechanisms with a view to increasing accountability for perpetrators of abuses.** Too often human rights abuses are not adequately investigated and go unpunished, and victims are denied justice and redress. Candidates should support the call by Israeli human rights organizations for the establishment of a national human rights commission or similar institution. Such institution should have, *inter alia*, the authority to undertake inquiries into complaints of human rights violations on its own initiative and should be required periodically to report publicly on its findings. Candidates should also commit to ensuring that the principles of human rights and equality for all citizens will be a cornerstone of any future Israeli constitution or constitutional laws.

With regards to the situation in the Occupied Territories, the spiral of violence which in the past five and a half years has claimed the lives of so many Israelis and Palestinians and wrought so much destruction and suffering makes the quest for a just and durable peace all the more urgent. Amnesty International believes that only a human rights-based approach can deliver durable peace and security for both Israelis and Palestinians. The failure of past agreements and negotiations has shown that while a human rights agenda alone may not suffice, it must be a central part of any solution.

Amnesty International unreservedly condemns attacks against civilians and has consistently called on the Palestinian armed groups to put an end to suicide bombings and other attacks against Israeli civilians. The organization is aware of the need for Israel to take measures to protect its citizens from suicide bombings and other attacks, but it is concerned that too often the policies pursued by Israel in the name of security grossly violate the fundamental rights of the Palestinians in the Occupied Territories. Security is enhanced – not undermined – by policies which respect human rights.

Amnesty International calls on all candidates to recognize that respect for human rights and international law is a fundamental obligation – not a concession – and to pledge to work for a just solution which respects the human rights of all parties, notably:

- **Ending the continued expansion of Israeli settlements and the construction of the fence/wall inside the occupied West Bank, including in the areas in and around East Jerusalem, as these practices violate international law.** Israeli settlements and the fence/wall inside the West Bank are in breach of international law and violate fundamental human rights of the Palestinian population, including their rights to an adequate standard of living, housing, health, education, work and freedom of movement within the Occupied Territories. The route of the fence/wall has been determined by the presence and location of Israeli settlements, which are unlawful. Israel's legitimate need to secure its borders and prevent access to Palestinians who may constitute a threat to its security does not justify the building of such a fence/wall inside the West Bank. Security measures, including the building of a barrier fence/wall, could be taken on Israeli territory on the Green Line.
- **Ending collective punishment against the Palestinian population in the Occupied Territories.** The stringent restrictions imposed by Israel on the movement of Palestinians inside the Occupied Territories, which have paralyzed the Palestinian economy and forced a growing percentage of the Palestinian population to depend on international aid, constitute a form of collective punishment. Such measures should be lifted forthwith; Israel must not impose further collective punishment on the Palestinian population in retaliation for the Hamas victory in the recent Palestinian elections.

Under international law, Israel, as the occupying power, is forbidden from using collective punishment and is responsible for the welfare of the occupied population. Israel has not fulfilled its obligations in this respect and has left it to the international community to provide for the Palestinian population. Such involvement and assistance by the international community does not in any way relieve Israel of its legal responsibilities.

- **Establishing an effective, independent and impartial mechanism to ensure that unlawful killings of Palestinians by Israeli forces and attacks against Palestinians and their property by Israeli settlers are investigated, and that the perpetrators are brought to justice.** There is pattern of inadequate investigations or lack of investigations into alleged unlawful killings and excessive use of force by the Israeli security forces resulting in death or injury, and into frequent attacks on Palestinians and their property by Israeli settlers in different areas of the West Bank. Perpetrators of such crimes are rarely brought to justice and in the exceptional cases when soldiers or settlers have been convicted the sentences imposed do not appear commensurate with the gravity of the acts committed. Such widespread impunity has ultimately encouraged violations to proliferate.

It is crucial that steps be taken to reverse this trend and to ensure that allegations of unlawful killings and other abuses are promptly, independently and impartially investigated and that those responsible are held accountable.

To conclude, Amnesty International urges the candidates in these elections to commit to work resolutely to enhance the protection of fundamental human rights in their future policies and, if elected, to implement the above recommendations.

Sincerely

Irene Khan
Secretary General
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