



Date: 03 Oct 2006

Joint Alert by Palestinian Human Rights Organizations to Representatives of the International Community

Your Excellencies:

As non-governmental human rights organizations based in the Occupied Palestinian Territories (OPT), we are gravely concerned by the recent internal clashes between forces loyal to Fateh and forces loyal to Hamas. Six people were killed in Gaza on Sunday 2 October 2006, in the worst internal fighting for months, as striking government employees demanded the back payment of outstanding salaries. The following day gunmen forced businesses to shut their doors in several towns throughout the West Bank. The hardship created by Israel's retention of tax revenues collected on behalf of the Palestinian National Authority (PNA) and the cessation of international aid has brought the OPT to the brink of a civil war.

It must be recognized that the current crisis stems from the almost 40-year-long Israeli occupation of the West Bank, including East Jerusalem, and the Gaza Strip, and the fact that both Israel and the international community have repeatedly failed to meet their obligations under international law with regard to the OPT.

Israel's withholding of Palestinian tax revenues, amounting to 50-60 million USD per month, is a blatant violation of Israel's duty as an Occupying Power to ensure the welfare of the civilian population in the OPT. The sanctions imposed on the Palestinian population represent a form of collective punishment, prohibited under Article 33 of the Fourth Geneva Convention, and constitute an attack on the exercise of the right to self-determination of the Palestinian people. Furthermore, the lack of funds has disrupted the supply of services essential to the safeguard of fundamental human rights such as the right to health and the right to education.

While continuing its oppressive occupation, Israel has refused to abide by international law. The international community has helped to perpetuate the occupation by alleviating some of Israel's responsibilities toward the civilian population without seriously exerting pressure on Israel to end the occupation. This failed strategy of attempting to develop a nation under occupation has created an aid-reliant society, whose means of survival can be severed at any moment by the Occupying Power, as illustrated by the recent events.

Economic support given to the Palestinian population by the international community is greatly appreciated. However, a concerted effort must be made to uphold international law and bring the occupation to an end, without which there can be no solution to the conflict. The Quartet, and in particular the EU member states, have recognised the urgent need to alleviate the economic pressure imposed on the Palestinians, resulting in the creation of a temporary international mechanism to transfer funds for humanitarian purposes. This is a welcome measure, but one that

falls very short of addressing deeper problems such as the fact that more than 150,000 civil servants have not received their full salaries since March 2006. On an even more fundamental level, Palestinians are being denied their basic rights under international law. The international community is actively participating in this.

In light of Israel's disregard for its obligations as the Occupying Power and the risk of collapse of the Palestinian society, there is a vital need for third-party states to begin to uphold their international legal obligations. As Palestinian human rights organisations, we therefore urge:

- The High Contracting Parties to the Fourth Geneva Convention to uphold their obligation under Article 1 to ensure the respect of international humanitarian law by holding Israel to its obligations under the Convention, as reaffirmed by the International Court of Justice in its advisory opinion on the Wall, including by immediately ending the retention of Palestinian tax revenues.
- The EU institutions and member states to make effective use of the European Union Guidelines on promoting compliance with international humanitarian law (2005/C 327/04). Under paragraph 16 (b), (c) and (d) of these guidelines, EU institutions and member states should make general public statements that emphasise the need to ensure compliance with international humanitarian law, make demarches and issue public statements condemning Israel's violations of international humanitarian law and consider the imposition of restrictive measures or sanctions.
- All states to lift the international economic sanctions imposed on the occupied Palestinian population.

Sincerely,

Al-Haq

Al Mezan Center for Human Rights

Addameer – Prisoners' Support and Human Rights Association

The Palestinian Independent Commission for Citizen's Rights

Defence for Children International – Palestine Section

Ramallah Center for Human Rights Studies

Women's Centre for Legal Aid and Counselling

BADIL Resource Center for Palestinian Residency and Refugee Rights

Ensan Center for Democracy and Human Rights

Jerusalem Center for Legal Aid and Human Rights