



January 2, 2009

Secretary of State Condoleezza Rice
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Madam Secretary,

Amnesty International USA is deeply concerned about the escalation of human rights abuses following the series of Israeli air strikes on the Gaza Strip that began on December 27th. Since the beginning of the offensive, some 390 Palestinians have been killed, including scores of unarmed civilians, including some 62 women and children. Some 1,900 Palestinians have also been injured.

Amnesty International is also concerned about the rocket fire by armed Palestinian groups including Hamas. These attacks are against international law and have killed four Israelis and injured scores more.

But Amnesty International USA is particularly dismayed at the lopsided response by the US government to the recent violence and its lackadaisical efforts to ameliorate the humanitarian crisis in Gaza. Amnesty International, as indeed other human rights and humanitarian organizations, is concerned about attacks directed at or resulting in harm to unarmed civilians. We expect the US government to share this concern for all unarmed civilians, be they Israeli or Palestinians, who are caught in this conflict, and we urge the US government to spare no effort to pressure all sides in the conflict to immediately cease indiscriminate or disproportionate attacks which cause civilians fatalities and casualties.

Without diminishing the responsibility of Hamas and other Palestinian armed groups for indiscriminate and deliberate attacks on Israeli civilians, the US government must not ignore Israel's disproportionate response and the longstanding policies which have brought the Gaza Strip to the brink of humanitarian disaster. While Israel has the right and the duty to protect its citizens, it must do so in accordance with international human rights and humanitarian law. International law takes security concerns into consideration and allows states to use reasonable means to confront legitimate threats. However, operations must be strictly necessary, proportionate and make every effort to discriminate between combatant and civilian. The least intrusive means must be selected to confront the threat.

In its latest bombing campaign, Israel is completely failing to meet these requirements under international law. The Gaza Strip is one of the most densely populated areas in the world. The attacks also come at a time when the civilian population already faces a daily struggle for survival. According to [reports](#) authored by Amnesty International, UN aid agencies, OXFAM, CARE, and several other organizations, the humanitarian crisis is at an all-time high level and is now worse than it has ever been since the 1967 Israeli military occupation. Rising unemployment, crippling prices of food and basic supplies, and inadequate medical facilities have created a man-made disaster. According to UN Secretary General Ban Ki-Moon, "The civilian population, the fabric of Gaza, the future of the peace process, stability in the region, and goodwill among people throughout the world: all are trapped between the irresponsibility

displayed in the indiscriminate rocket attacks by Hamas militants and the disproportionality of the continuing Israeli military operation.”

At present there is an urgent need for access to humanitarian aid, food and essential supplies – as both aid agencies and residents of Gaza have long ago run out of provision reserves due to the Israeli blockade which has so restricted the flow of goods into Gaza for months. The quantities which the Israeli army has allowed into Gaza in recent days are nowhere near what is necessary to meet the basic needs of the population of 1.5 million.

AIUSA is further concerned that weaponry and military equipment supplied to Israel by the US (or developed with US military assistance) have also been used in the recent Israeli strikes against densely populated civilian residential areas of Gaza, resulting in scores of unarmed civilians fatalities and hundreds of casualties, in violation of US law. The U.S. Arms Export Control Act of 1976 requires governments that receive weapons from the United States use them only for legitimate self-defense.

The U.S. government can play an important role in ending this crisis by strongly condemning unlawful attacks by both Hamas and Israel which indiscriminately and/or disproportionately kill and injure civilians.

The U.S. must also take an active role in reversing the dire humanitarian crisis in Gaza by exerting pressure on Israel to open the crossings into Gaza to allow adequate quantities of humanitarian aid into the strip – including food, water, medicine and fuel. Humanitarian and human rights workers as well as media must be allowed to enter to aid in the recovery and to serve as neutral, third party observers. Israel must also grant the wounded access to hospitals in Israel and to Palestinian hospitals in East Jerusalem and the rest of the West Bank.

The United States should also take steps to insist that the Egyptian authorities open Egyptian hospitals to those in need of medical care which is not available in Gaza and ask that Egypt guarantee that its border guards do not resort to excessive use of force against those fleeing the bombing. Hamas must also ensure that its security forces and militias do not, under any circumstances, hinder or prevent the passage of the wounded or others patients trying to leave Gaza.

Finally, it is vital that the United States suspend the transfer of weapons to Israel immediately and conduct an investigation into whether U.S. weapons were used to commit human rights abuses.

Thank you for your consideration of the above concerns and recommendations.

Sincerely,

Curt Goering

Senior Deputy Executive Director