**CONFLICT IN GAZA**

**FULL STATEMENT FROM THE SCOTTISH HUMAN RIGHTS COMMISSION**

**6 AUGUST 2014**

The Scottish Human Rights Commission (SHRC) calls for a continued cessation of all hostilities, immediate humanitarian access and accountability for all unlawful acts in the conflict in Gaza. The culture of impunity which permits the continuing cycle of violence and human tragedy must end. All of those who are found to be responsible for war crimes must be held to account.

Taking account of the evidence and analysis of the Office of Navi Pillay, the UN High Commissioner of Human Rights, other UN agencies, and the monitoring of the situation by our sister national human rights institution in the Occupied Palestinian Territories, the SHRC has today written to the UK Government urging it to accept its responsibilities in full under international law.

As a Permanent Member of the UN Security Council and as a member of the UN Human Rights Council, the United Kingdom should support accountability for all violations of international law so as to bring an end to the culture of impunity.

Accordingly the United Kingdom needs to take certain steps.

Firstly, the UK should support the UN Commission of Inquiry established by a Special Resolution of the UN Human Rights Council on 23 July 2014. This should include supporting the Commission of Inquiry to be given full access to the Occupied Palestinian Territories in order to carry out its independent investigations and supporting any findings of war crimes being referred to the International Criminal Court.

Secondly, the United Kingdom should support the implementation of those recommendations of the 2009 UN Fact Finding Mission on the Gaza Conflict which remain relevant, including the referral of the Gaza situation to the International Criminal Court.

Thirdly, the UK should support universal ratification of the jurisdiction of the International Criminal Court, including by both Israel and the Palestinian Authority. Acceptance by both parties of this international rule of law would be a most significant step in bringing an end to the culture of impunity.

Professor Alan Miller, Chair of the SHRC, said:

“The grotesque sights from Gaza that we witness nightly are an affront to our common humanity and we all need to walk taller to bring them to an end once and for all. This means everyone upholding international law, no more and no less.

Distinction between combatants and civilians, military and civilian objects, and proportionality are core principles of international humanitarian law which must be observed at all times. Specifically, indiscriminate attacks by either side are unlawful - one does not excuse the other. The deliberate targeting of civilians is a war crime. The reported killings in Gaza of whole families, destruction of homes, hospitals, schools and mosques is a disproportionate and unlawful response to the rocket attacks that threaten Israeli civilians and which are themselves unlawful. Indiscriminate or disproportionate attacks which cause excessive damage to civilians cannot be legitimised simply by advance warnings and advice to abandon homes and communities.

I urge the UK Government to take all action required of it by international law.”