Human Rights Watch Gives Israel Ultimatum Over Gaza War Crime Investigation

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http://www.jpost.com/Arab-Israeli-Conflict/Human-Rights-Watch-Let-us-into-Gaza-or-admit-to-weak-Israeli-war-crime-investigations-485937

Human Rights Watch demanded on Monday that Israel allow its investigators into Gaza if it wants the International Criminal Court "to take seriously" Israel's own war crimes investigations.

The ICC Prosecutor Fatou Bensouda started a preliminary examination of 2014 Gaza war crimes allegations in January 2015.

HRW accuses Israel in a 47-page report of preventing its researchers for accessing Gaza. It has also accused Egypt of preventing HRW visits to the coastal territory since 2008.

Israel has not yet issued a response to the report but has said it investigates allegations made against its own soldiers and has long accused HRW of unfair bias against Israel.

Recently, Israel has taken a more aggressive stance toward some human rights NGOs, barring some activists from entering Israel, and accusing them of involvement in the Boycott Divestment Sanctions (BDS) campaign and general efforts to delegitimize Israel.

The report said, "The travel restrictions call into question the Israeli military authorities’ claim to rely on human rights organizations as an important source of information for their criminal investigations into potential serious crimes committed during the 2014 Gaza war."

HRW's report, "documents how Israel systematically bars human rights workers from traveling into and out of Gaza, even where the Israeli security services make no security claims against them as individuals. Egypt is also imposing severe travel restrictions on its border with Gaza."

Sari Bashi, Israel and Palestine advocacy director at Human Rights Watch said:

"The International Criminal Court (ICC) prosecutor’s office should take note of the restrictions in the context of its ongoing preliminary examination of the Palestine situation," the report said.

"If Israel wants the ICC prosecutor to take seriously its argument that its criminal investigations are adequate, a good first step would be to allow human rights researchers to bring relevant information to light,” Bashi also said.

“Impeding the work of human rights groups raises questions not just about the willingness of Israel’s military authorities to conduct genuine investigations, but also their ability to do so.”

HRW says that "for the last two decades and especially since 2007, Israel has kept the Gaza Strip mostly closed, preventing Palestinians from leaving Gaza to pursue educational and professional opportunities, family visits and reunification, and medical care, save on an exceptional basis. The restrictions imposed by Egypt on its border with Gaza have significantly contributed to this de facto closure."

The NGO also acknowledged that Hamas has also had a role in restricting access to and from Gaza.

"On March 26, 2017, the Hamas authorities in Gaza began significantly tightening restrictions on passage between Gaza and Israel, following the assassination of a senior militant that Hamas blames on Israel. Hamas says it wants to stop the killers from fleeing Gaza. The Hamas authorities are blocking nearly all travel out of Gaza, unless it is for medical care or to visit relatives in Israeli prisons."

HRW added that: "Palestinian authorities are not known to have investigated any alleged serious crimes committed in or from Gaza, such as the firing of rockets by militant groups in Gaza toward Israeli civilian areas."

"The Hamas authorities in Gaza do not adequately protect human rights workers from retribution and in some cases arrest and harass those who criticize Hamas or the activities of armed groups in Gaza," the report said.

The NGO said that the Military Advocate General’s office (MAG) has said in response to the report that it attributes “great importance” to its “extensive and daily dialogue” with human rights organizations, whose reporting, it said, provides important input into its decisions about whether to open a criminal investigation or how to obtain a fuller picture in existing investigations.

MAG also criticized documentation by human rights organizations as suffering from “methodological, factual and legal flaws” and, in some cases, “a clear bias.”

It called the travel restrictions issued against human rights workers as “unavoidable … due to weighty security and political considerations,” HRW said.

"The MAG did not address why human rights workers should not be added to the category of people who, despite the security situation, are permitted to travel between Gaza, Israel, and the West Bank, which includes football players, senior merchants, employees of humanitarian aid organizations, and VIPs," the report added.

The report further called on Israel to "end the generalized travel ban and allow access to and from Gaza for all Palestinians, subject only to individual security screening and physical inspection...Until the travel ban is canceled, the authorities should add human rights workers to those eligible for travel permits."

"Egypt should also facilitate travel for human rights workers via its border, and the Hamas authorities should protect human rights workers from retribution," the report said.