



## US Campaign to End the Israeli Occupation

"We aim to change those US policies that both sustain Israel's 42-year occupation of the Palestinian West Bank, Gaza, and East Jerusalem, and deny equal rights for all."

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# Frequently Asked Questions about the "Goldstone Report"

## What Is the "Goldstone Report"?

The "Goldstone Report" is the unofficial name of the 575-page report submitted by the United Nations Fact Finding Mission on the Gaza Conflict to the UN Human Rights Council on September 15, 2009. The mission was established in April 2009 by the UN Human Rights Council to investigate human rights abuses and violations of international law which occurred before, during, and after Israel's December 2008-January 2009 attack on the occupied Gaza Strip.

## Was the mandate of this mission biased against Israel?

No. The mission was even-handed in examining human rights violations and breaches of international law committed by all parties to the conflict. According to the report, "To implement its mandate, the Mission determined that it was required to consider any actions by all parties that might have constituted violations of international human rights law or international humanitarian law. The mandate also required it to review related actions in the entire Occupied Palestinian Territory and Israel."

## Did this UN mission only single out Israel in its findings?

No. The report documents evidence of grave "violations of international human rights and humanitarian law and possible war crimes and crimes against humanity" committed by Israel, Hamas, and the Palestinian Authority.

## What types of violations did the report document?

Among other things, the report cites Israel for "deliberate attacks on civilian objects" and for failing "to take all feasible precautions in the choice of means and method of attack with a view to avoiding and in any event minimizing incidental loss of civilian life." It found repeated incidents of Israel engaging in "intentional attacks against the civilian population" and found its use of white phosphorous to be "systematically reckless." It documented several occasions when Israel engaged in "unlawful and wanton destruction" of civilian infrastructure and used "Palestinian civilians as human shields," concluding this practice to be a "war crime." It concluded that Israel's detention of Palestinian civilians "constitutes the infliction of a collective penalty on those persons and amounts to measures of intimidation and terror." It found that Israel's blockade of the Gaza Strip and the living conditions created by this blockade "cumulatively indicate the intention to inflict collective punishment on the people of the Gaza Strip in violation of international humanitarian law."

The report also found that the killing and physical abuse of Fatah supporters by security forces and armed groups in the Gaza Strip "constitute serious violations of human rights." It found that rocket and mortar fire from armed groups in Gaza against Israel constitute a "*deliberate* attack against a civilian population. These acts would constitute war crimes and may amount to crimes against humanity." The report also faulted the Palestinian Authority for allegations of "unlawful arrest and detention" of individuals affiliated with Hamas.

## What did the report recommend?

The mission recommended that the report be referred to several international bodies, including the UN Human Rights Council, the UN General Assembly, the UN Security Council, and the International Criminal Court to launch investigations into the documented violations of human rights and international law contained in the report and to ensure accountability.

## How should the United States respond to the report?

Upon the United States assuming a seat on the UN Human Rights Council for the first time earlier this month, Dr. Esther Brinner, Assistant Secretary of State, Bureau of International Organization Affairs, stated that "We can not pick and choose which of these [human] rights we embrace nor select who among us are entitled to them. We are all endowed at birth with the right to live in dignity, to follow our consciences and speak our minds without fear, to choose those who govern us, to hold our leaders accountable, and to enjoy equal justice under the law. These rights extend to all, and the United States can not accept that any among us would be condemned to live without them."

In light of this country's commitment to the universality of human rights, the United States should fully endorse and support the recommendations made in this report and use its diplomatic weight to insure that international institutions act upon the recommendations in the report.