

## **BERTHA JUSTICE NETWORK: STATEMENT ON THE SITUATION IN PALESTINE**

We, the members of the Bertha Justice Network, a global network of human rights and movement lawyering organizations working in pursuit of social justice, are observing with the greatest concern the situation in Palestine.

The world is witnessing the forced expulsion of Palestinians in the Sheikh Jarrah neighborhood of Jerusalem by settlers supported by Israeli armed forces, indiscriminate violence against Palestinian protestors, attacks on Palestinian holy sites, and indiscriminate bombing of Gaza which has been under blockade for 15 years. As of May 19, Palestinian human rights organizations have documented the deaths of 219 Palestinians in Gaza, including 63 children. In the same period, 10 deaths have been recorded in Israel, including 2 children. The United Nations states nearly 75,000 Palestinians in the Gaza Strip had been displaced from their homes. In Gaza COVID-19 vaccinations have stopped, and an Israeli strike knocked out the only lab in the territory that processed coronavirus tests.

We recognise the suffering of the people of Palestine and also their strength and resistance against Israeli apartheid, racism, colonialism and other forms of oppression. We take our lead from respected members of our network such as Raji Sourani and the team at the [Palestinian Centre for Human Rights \(PCHR\)](#) who share their expertise in endeavours for social justice, and we stand with them as they pursue legal accountability through local, national and international courts.

As a network of people and organisations who stand for human rights, and against all forms of oppression and racism, we express our solidarity by:

- **Affirming the right to life** in condemning the targeting of civilians and civilian objects in Palestine and Israel. A fundamental rule of international law is that the attack of civilian populations is a war crime.
- **Affirming that while both Israeli forces and Palestinian armed groups must reach a ceasefire, there are disproportionate levels of Israeli state violence and other forms of collective punishment** against the Palestinian people from Gaza to Jerusalem, including Palestinian citizens of Israel.
- **Affirming the right of the Palestinian people to Humanitarian Assistance, which requires for an end to Israel's nearly 15-year land, sea and air blockade of the Gaza Strip**, which has undermined fundamental human rights of Palestinians and access to essential services, including humanitarian aid during this escalation. The latest military attack, which takes place in the context of COVID-19, has further destroyed or damaged important infrastructure, severely affecting the provision of water, sanitation, healthcare, education, housing and electricity supply. Denial of humanitarian access to civilians, including children, and attacks against humanitarian workers such as first responders and medical staff are prohibited under the International Humanitarian Law (IHL) in the [4th Geneva Convention and its Additional Protocols](#) and International Human Rights Law, amounting to a crime against humanity and a war crime.
- **Demanding a UN arms embargo to Israel** and for any country that has bilateral arms trade agreements with Israel to immediately halt further assistance to military units involved in war crimes and crimes against humanity, and condition any agreements on compliance with human rights and international law.
- **Supporting the pursuit for legal accountability**, for ethnic cleansing, ongoing war crimes and crimes against humanity, including the crime of apartheid, in our global and local legal institutions.
- **Affirming the illegality of the Israeli settlement enterprise** and the dispossession of Palestinians from their homes and properties, recognizing that the 4th Geneva Convention prohibits an occupying power from unlawfully appropriating territory, relocating its own citizens to occupied territory, among other things.

- **Affirming the legal right for Palestinian self-determination**, through [UN Resolution 3236](#), which reaffirms the inalienable rights of the Palestinian people to self-determination, national independence and sovereignty, and the right of Palestinians to return to their homes and property. The resolution appeals to all States and international organizations to extend their support to the Palestinian people in their struggle for human rights.
- **Affirming continued support for the current International Criminal Court investigations** announced by the [ICC Prosecutor 3rd March 2021](#) to investigate alleged war crimes since 2014 by the Israeli Defence Force (IDF) and Palestinian armed groups.
- **Demanding that the international community end their financial, military and political support** for or acquiescence to Israeli policies and practices which violate Palestinian rights.

### **Bertha Justice Network members and Bertha Challenge Fellows:**

Bertha Foundation

Center for International Law (Centerlaw), Philippines

Center for Constitutional Rights (CCR), USA

Centre for Applied Legal Studies (CALs), South Africa

Centro de Estudios Legales y Sociales (CELS), Argentina

European Center for Constitutional and Human Rights (ECCHR), Germany

Equal Education Law Centre (EELC), South Africa

Foundation for Fundamental Rights (FFR), Pakistan

Hungarian Civil Liberties Union (HCLU), Hungary

Institute for Justice and Democracy in Haiti (IJDH), USA & Haiti

Lembaga Bantuan Hukum Masyarakat (LBHM), Indonesia

Legal Resources Centre (LRC), South Africa

Michael Sfar Law Office, Israel

Proyecto de Derechos Económicos, Sociales y Culturales (ProDESC), Mexico

Socio-Economic Rights Institute of South Africa (SERI), South Africa

Alex Kelly, echotango Filmmaker, Australia (Bertha Challenge 2021 Activist Fellow)

Andrea Ixchui, Federación Guatemalteca de Escuelas Radiofónicas (FGER), Festivales Solidarios, Guatemala (Bertha Challenge 2021 Journalist Fellow)

Angeles Solis, Make the Road New York, USA (Bertha Challenge 2021 Activist Fellow)

Bhrikuti Rai, CIJ Nepal (Bertha Challenge 2021 Journalist Fellow)

Dan Ilic, A Rational Fear, Australia (Bertha Challenge 2021 Journalist Fellow)

Elfie Seymour, Northern Ireland (Bertha Challenge 2020 Activist Fellow)

Elroi Yee, Malaysia (Bertha Challenge 2021 Journalist Fellow)

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Juan Donoso, Bloque Latinoamericano Berlin, Germany (Bertha Challenge 2021 Activist Fellow)

Leilani Farha, Global Director, The Shift, Former UN Special Rapporteur on the right to housing (2014-2020) (Bertha Challenge 2020 Activist Fellow)

LJ Amsterdam, Mayday Space, New York, USA (Bertha Challenge 2021 Activist Fellow)

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Protus Onyango, Founder, Centre for Investigative Journalism, Environment and Education, Kenya (Bertha Challenge 2020 Journalist Fellow)

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