



RABAT DECLARATION ON

“Israel: War Crimes and Crimes against Humanity”

Rabat, Kingdom of Morocco: 15 February 2009

Rabat Declaration on “Israel: War Crimes and Crimes against Humanity”

We the participants in the International Conference on “*Israel: War Crimes and Genocide*”, held by the Islamic Educational, Scientific and Cultural Organization (ISESCO) at its permanent headquarters in Rabat, Kingdom of Morocco, from 14 to 15 February 2009, with the participation of a host of international, regional and Palestinian human rights organizations, with the view to consider legal procedures for the International Criminal Court as well as other competent judiciary and legal parties to issue international arrest warrants against those among the Israeli occupation authorities responsible for crimes against humanity and war crimes which targeted the Palestinian civilians in the Gaza Strip and other occupied Palestinian territories, as well as coordinate efforts undertaken in this direction by various human rights bodies, regional and international, to complete the preparation of exhaustive and well-documented files with legal evidence indicting Israeli politicians and militaries for such heinous crimes, the ultimate aim being to bring them to international justice,

- *Guided by* the human values and international laws advocating the establishment of world peace and the right of all people to dignified, peaceful and free life based on the principles of justice and peace, and the protection of the lives of civilians during wartime;
- *In compliance with* the Charter of the United Nations, the relevant resolutions of the Security Council, the principles of the international criminal and humanitarian law, the Universal Declaration of Human Rights, the resolutions of the Arab and Islamic summit conferences, notably the Arab Economic Summit held in the State of Kuwait on 19 January 2009;
- *Fully adhering to* the human responsibility towards peoples subjected to occupation, and abject forms of exploitation, oppression and aggression;
- *Realizing* our responsibility towards the Palestinian people and their just cause; while being supportive of their right to return to and liberate their territories and establish their independent state;
- *Urging* all people with a living conscience to call to account the Israeli leaders, politicians and militaries, for war crimes and crimes against

- humanity inflicted upon the unarmed Palestinian people during the recent military offensive in Gaza and previous such operations across the occupied Palestinian territories;
- *Stressing* that the practices of the Israeli occupation authorities against the Palestinian civilians constitute a serious breach of the international law which obliges Israel, as an occupier, to protect civilians;
 - *Appreciating* the Islamic Educational, Scientific and Cultural Organization (ISESCO) for discharging its duty falling within its scope of competence, it being understood that the Palestinian cause is the cornerstone of joint Islamic action, as well as for convening this conference;
 - *Lauding* the ample and fruitful discussions which have taken place during the conference sessions as well as the valuable studies, research and working papers presented therein;

We AGREE TO DECLARE THAT WE:

1. *Stress* the constant, full national rights of the Palestinian people to self-determination, liberation of and return to its territories and establishment of its independent State with Al-Quds Al-Sharif as its capital.
2. *Call* on the international community to promptly act in order to put an end to the Palestinian people's tribulation and establish just and comprehensive peace in the region.
3. *Emphasize* the right of the Palestinian people to resist occupation, as proclaimed in the UN Charter, and Article 2625 of the General Assembly which affirms the legitimacy of each state to take appropriate measures to struggle for self-determination.
4. *Strongly condemn* the war crimes and crimes against humanity perpetrated by the Israeli occupation authorities during their brutal offensive on the Palestinian people in the Gaza Strip; call on the international community to unequivocally condemn these crimes; and invite the Arab and Islamic countries to halt all forms of normalization with the Zionist entity.
5. *Reaffirm* that the siege imposed by the Israeli occupation authorities on the Gaza Strip during which medicine and food supplies were cut off from the Palestinian populations is, according to international law, a

crime against humanity which led to a genocide killing about three hundred innocent persons, most notably the patient, babies and the elderly who direly need health care and adequate food; and that the legal responsibility also involves those who connived or assisted in that siege; and *call* for lifting the siege, opening crossings, particularly the Rafah crossing, and facilitating access of individuals, materials and the organizations and bodies concerned with compiling crime evidence to the Gaza Strip, the purpose being to ensure a comprehensive documenting of the Israeli war crimes as a prelude to the trial of the Israeli war criminals.

6. *Call on* the Israeli occupation authorities to release the hundreds of Palestinians youth incarcerated during its offensive on Gaza, as they are non-combatants.
7. *Urge for* ensuring full enforcement of Article 2, Paragraph 4 of the United Nations Charter which forbids the use of force in international relations, in order to preserve world peace and security; as well as for bringing offenders to international justice.
8. *Hold* the Israeli occupation authorities fully responsible for the havoc inflicted by its forces on the Palestinian educational, scientific and cultural institutions as well as on the public utilities, houses, hospitals, places of worship, the UNRWA premises in the Gaza Strip; and mobilize large support of the world public opinion and international community, governments, international and regional organizations to exert pressure to oblige Israeli occupation authorities to pay full damages to Palestinian citizens.
9. *Stress* that Israel's war crimes and genocide against the Palestinian people in Gaza and the West Bank amount to a form of colonial state terrorism committed by successive Israeli governments since the occupation of Palestine in 1948; hence the necessity to bring to trial all Israeli officials, individuals and groups alike.
10. *Proceed with* the necessary measures, as part of joint cooperation and close coordination among human rights organizations, institutions, intellectuals, as well as cultural and media elite groups, in order to complete the preparation of legal evidence files indicting the Israeli military and civilian officials; and *document* the war crimes and crimes against humanity they have perpetrated during their aggressive war on

the Gaza Strip, as a preliminary step to suing them at the International Criminal Court, or at national courts with criminal jurisdiction.

11. *Call on* the international community, especially the governments of Arab and Islamic states to join in the efforts and initiatives led by civil society organizations and institutions through investigation bodies, or the legal commissions at the national, regional and international levels or those under establishment, in order to bring Israeli politicians and militaries to justice.
12. *Carry on* efforts to complete the preparation of a file to urge the competent parties in the Arab and Islamic countries to request, if need be, an advisory opinion of the International Court of Justice as part of Article 96 of the UN Charter as concerns the legal qualification of the Israeli crimes (genocide, wars against humanity, etc.); and to benefit from the possibility to set up war crime courts against Israelis, as offered to them by the UN General Assembly and Article 146 of the Fourth Geneva Convention whereby the contracting parties are under the obligation to prosecute war crime culprits, regardless of their nationality and the place of their crimes.
13. *Establish* a task force of 12 members among international lawyers, human rights activists representing international bodies, and doctors bearing witness to the Israeli war crimes; and *entrust* them with completing the preparation of a lawsuit against the Israelis responsible for war crimes and genocide, supporting recourse to the International Criminal Court, and following it up.
14. *Urge* the governments of Arab and Islamic states to adapt their own courts to the Fourth Geneva Convention, with regard to taking the measures necessary to prosecute war criminals, and coordinate action with organizations and bodies concerned with human rights, relief, health, food, environment, population and the child at the national, regional and international levels, the aim being to draw on the huge supply of evidences and facts documenting the Israeli occupation authorities' war crimes and genocide and capitalise on the efforts led by international law specialists seeking across the world to file suits against Israeli war criminals.

15. *Prepare* an integrated file on the Israeli war crimes against the Palestinian people in order to submit it to the UN organizations and entities each in their scope of competence, such as the WHO, UNICEF, UNESCO, and other relevant institutions; and *develop* a website featuring all components of the documentary file along with firsthand testimonies and photographs, and a forum for discussion and comment.
16. *Back up* the individual and collective legal actions at national courts in the states whose legislations allow for the trial of war criminals and filing legal charges against Israeli war criminals.
17. *Call* on human rights and civil society organizations inside and outside the Islamic world to coordinate action with the free media outlets in all countries, and make good use of the internet and various conduits for expression and exchange of views, the express aim being to enlighten the public opinion and unravel the distortions circulated by the Israeli occupation authorities with the political and media support of Western governments to present Israel as a natural State defending itself citizens from “Palestinian terrorism” and as the only democratic country in the region, and to refer to the massacres against Palestinian civilians as collateral damage caused by the militants hiding among the local population in Gaza.
18. *Work* jointly with local community bodies towards intensifying popular symbolic Israeli war crime trials to be staged not only in Arab states but also in European and American capitals, the aim being to lift the media siege imposed by the Zionist lobby on the Western public opinion.
19. *Warn* against succumbing to the call by western governments and bodies to condemn “violence from both sides”; and stressing the need to uphold the political and legal rule whereby peoples living under occupation have the right to resist the occupier, as stipulated by the Geneva Convention.
20. *Warn* the intellectual, cultural, media and political elite, and the public opinion in the Arab and Islamic world against engaging in such intellectual and media wars to which neither Palestinians, nor Arabs nor Muslims are parties, and which are likely to take away from their political, media and intellectual struggle efforts against the Israeli occupation, as it is the case with the polemic about the Jewish holocaust

in Europe; and *call* on Arab and Muslim intellectuals and politicians to focus their efforts on fighting the Israeli occupation of the Palestinian territories.

21. *Appeal* to all Palestinian factions to close ranks, put aside disputes and stop all forms of escalation which undo the solidity the Palestinian stand and adversely affect the Palestinian cause which should serve as a powerful rallying point for all Palestinians without exception.
22. *Commend* the media outlets, medical personnel and relief convoys for their remarkable role in assisting the victims of Israeli crimes, as well as in laying bare the brutal offensive against Gaza, and enlightening the international, Islamic and Arab public opinion towards garnering support to the Palestinian people living under Israeli aggression.
23. *Call* on Islamic and Arab human rights organizations to coordinate with their counterpart European bodies to prevail on the European Union to review its policies and partnership relations with the Israeli entity; to implement the resolutions of the European Parliament concerning the suspension of its association agreement with Israel for reason of Israel's documented crimes; and to subscribe to any judiciary initiatives to achieve that end; and to step up Arab and Islamic efforts with peace-loving advocates in Europe and all over the world to consider Zionist crimes as racial crimes and to ostracize this entity.
24. *Call* on ISESCO and the specialized human rights organizations to cooperate in conducting workshops and activities in the Member States to publicise the international humanitarian law and the international legislation relevant to the overall conference theme as well as the ways of benefiting therefrom to consolidate the legal, intellectual and political front against Israel and to bring the Israeli war criminals, militaries and civilians, to justice.
25. *Invite* ISESCO to coordinate with the Member States of the Organization of the Islamic Conference to incorporate the subject of "Israeli war crimes in Palestine" into curricula at various education stages, the aim being to keep alive the memory of Palestinian, Arab and Islamic struggle against the Israeli occupation, notably among future generations.

26. *Call for* activating the international observatory on documenting the war crimes and wars against humanity perpetrated by the Israeli officials against the Palestinian people; and for building partnership between this international observatory and the Arab observatory as well as specialized centers; also *call on* the regional and international human rights organizations to support the action of this observatory and produce a comprehensive reference study on the Israeli occupation authorities' crimes and violations of the international law and the UN resolutions.
27. *Call on* ISESCO to submit the outcome of this conference to the follow-up meeting on the resolutions of the Durban Conference scheduled for April 25th to 27th, 2009, in Geneva.
28. *Express* thanks and gratitude to His Excellency Dr Abdulaziz Othman Altwajri, the Director General of ISESCO, for taking the initiative to convene this conference, and for calling for the convening of a coordination meeting for follow-up; and *commend* ISESCO's efforts in the field of protection of Islamic sanctities in Palestine and supporting the educational, scientific and cultural institutions therein.

Rabat, 15 February 2009