



مركز الميزان لحقوق الإنسان
AL MEZAN CENTER FOR HUMAN RIGHTS

Adalah The Legal Center for Arab Minority Rights in Israel
عدالة المركز القانوني لحقوق الاقلية العربية في اسرائيل
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Adalah, Al Mezan demand immediate investigation: Israeli aerial attack on Gaza cultural center is suspected war crime

On 9 August, Israel fired 9 missiles from drones and warplanes that wounded 24 people – including 8 women and children – and totally destroyed the Mis’hal Cultural Center.

21 August 2018

Adalah – The Legal Center for Arab Minority Rights in Israel and [Al Mezan Center for Human Rights](#) are demanding an immediate independent criminal investigation into the Israeli military’s aerial attack that wounded 24 people and totally destroyed a cultural center in the Gaza Strip earlier this month.

In his [letter](#) to Israeli Defense Minister Avigdor Lieberman, Israeli Military Advocate General Sharon Ofek, and Israeli Attorney General Avichai Mandelblit, sent on behalf of the Sa’id Mis’hal Association, Adalah Attorney Fady Khoury demanded an immediate independent criminal investigation into Israel’s 9 August 2018 attack on the Mis’hal Center for Culture and Science in Gaza due to suspected grave breach of international humanitarian law, human rights law and criminal law that could amount to a war crime.

Adalah and Al Mezan also demand that those responsible for the attack be prosecuted and held to account.

The Israeli air force attacked the cultural center on 9 August 2018. According to reports and testimonies from the scene, the cultural center was first struck by six missiles fired from Israeli drones and subsequently by three more missiles launched from Israeli warplanes.

As a result of the attack, at least 24 people – including four children, four women, and a journalist – were wounded and the entire building was destroyed. In addition, the missile attack caused extensive damage to dozens of residential apartments and other buildings located adjacent to the cultural center.

International humanitarian law expressly forbids militaries from attacking or destroying civilian institutions.

Article 52 of the Fourth Geneva Convention prohibits attacks on civilian objects, and Article 53 of the First Protocol of the Geneva Conventions prohibits the occupying power from destroying property belonging to individuals or groups unless military activities occur there. Further, these articles – which are likewise mirrored by similar prohibitions from UNESCO – also specifically ban revenge attacks on cultural properties.

In addition, Article 27 of the Hague Convention provides that:

In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.

International humanitarian law overtly prohibits attacks that do not rely on internationally-defined distinctions between military and civilian targets – and such attacks amount to war crimes.

The Sa'id Mis'hal Association was established in 1996 to provide a space, resources, and opportunities to promote creative cultural development for children and youth in Gaza Strip. In 2004, the association inaugurated the Mis'hal Center for Culture and Science in a five-story building covering an area of 400 square meters. On the first floor of the building there was a cafeteria and administrative offices; the second floor had a theater; the third floor included the offices of two cultural and arts associations; on the fourth floor there were two halls for events and activities, a library and a digital library; and an Egyptian delegation was located on the fifth floor.

Leading playwrights and theatre directors, who work closely with artists in Gaza, condemned the bombing and total destruction of the Mis'hal Cultural Center in an [open letter published in *The Guardian*](#) on 16 August 2018, stressing the center's great significance and calling for accountability:

Since its establishment in 2004, [Al-Mishal] served as a home for hundreds of plays, ceremonies, exhibits, musical performances and national ceremonies. It was the venue of choice for theatre companies in Gaza and a space for Gaza's top musical acts. The centre also included recreational activities for children who were affected by three successive wars in Gaza, including the first dabkeh school for 250 children. It is a devastating loss for the already isolated community.

We are deeply shocked that this act of destruction has not been widely reported in the British press. We support all efforts to continue [Al-Mishal's] mission and the campaign for the centre's reconstruction. We urge the UK government and the international community to take prompt and effective steps to seek a de-escalation of the situation in Gaza, to insist on the effective protection of civilians as a prime legal obligation and to take firm action to ensure that violations of international law are not tolerated.

[CLICK HERE to read the Adalah-AI Mezan letter \[Hebrew\]](#)

[CLICK HERE to read AI Mezan's press release on the attack](#)