



**LIBERTY
VICTORIA**

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The Hon Anthony Albanese MP
Prime Minister
Parliament House
CANBERRA ACT 2600

16 November 2023

Dear Prime Minister,

We write as Presidents of Australia's leading, membership based human rights and civil society organisations, about the unfolding humanitarian catastrophe in Gaza. We are non-political, non-religious and non-sectarian.

Since October 7, 2023, Australians have witnessed over 12,520 people die in the ongoing conflict in Palestine (including the Israeli civilians), with approximately 11,320 of these deaths caused by Israel's military operation in Gaza. Alarming, an estimated 40% of these deaths have been children.

There is no safe place for children in Gaza to seek shelter. Schools, refugee camps, places of worship and hospitals have been hit by bombs. Thousands of children remain missing as entire neighbourhoods have been destroyed. The number of child deaths have exceeded the number of children who have died in all global conflict zones since 2019.

When we bear witness to the horrors of war, it becomes necessary for our country to examine who we really are and what we stand for. It often involves painful introspection and the acceptance that we have fallen short on what we should expect of ourselves as a nation. Introspection requires bravery, transparency and leadership.

Australia has long recognised that children deserve special protection because of their vulnerability. Australia is a signatory to the Convention on the Rights of the Child, as well as the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict, where we condemned "*the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places generally having a significant presence of children, such as schools and hospitals*". We have recognised that everyone, including children, has the inherent right to life in the International Covenant on Civil and Political Rights. We are signatories to the Geneva Conventions, and we have ratified all three Additional Protocols.

Confidence must be maintained in the rule of law, as well as the institutions that exist to defend and promote it. Now is the time for Australia to promote the rule of law – including those listed above – which operate to protect humanity when war and mass violence is cast over our international community.

Our international obligations are only one aspect of Australia's responsibilities in securing and promoting peace in the international community.

The humanitarian crisis in Gaza raises serious concerns over the extent that Australia supports States, such as Israel, that undertake military operations disproportionately impacting civilian populations, including children. Our country must not, either through direct or indirect means, contribute to the risk of ethnic cleansing

In the spirit of reconciliation, the NSW Council for Civil Liberties acknowledges the Traditional Custodians of Country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all First Nations peoples across Australia. We recognise that sovereignty was never ceded.

occurring, which has been identified as a real risk by the United Nations, the escalating death toll of civilians in Gaza or any other military operations that deepen instability in the region.

We urge you to confirm that Australia is not providing or exporting technology or military aid that could be used by Israel or armed organisations that disproportionately impacts civilian populations, including children.

This war is an issue that the Australian public cares deeply about and a perceived failure of strong leadership will likely lead to an increase in protests. We are deeply concerned that in both New South Wales and Victoria, the right to protest is being threatened. We will continue to promote the right to protest and defend the Australian public's right to do so.

We strongly urge that you add your voice to the call for a ceasefire, the immediate and unconditional release of hostages and unimpeded access for humanitarian aid into Gaza. A mere "pause" will not suffice. Please commit to the rehabilitation of Gaza after the military operations subside; including by providing specific funding to address the needs of children who will continue to bear the scars of their survival.

Please consider what your legacy will be to the Australian people and the international community and do all that you can to ensure that the Australian public does not lose faith in the rule of law and the institutions that exist to protect it.

A copy of this letter will be made available on our website, as will any response that you may provide.

Yours sincerely



Lydia Shelly
President
NSW Council for Civil Liberties



Michael Stanton
President
Liberty Victoria