

AN URGENT APPEAL FROM HUMAN RIGHTS LAW PROFESSORS

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To: The CEDAW Committee of the United Nations

To: The Special Procedures of the Human Rights Council and especially the Special Rapporteur on Violence against Women and the Working Group on Discrimination against Women and Girls

Re: An urgent call for your immediate action to free all the Israeli and other citizens who were kidnapped by the Hamas terror organization and, in particular, to do everything in your power to put an end to the vicious and inhumane capture, violence, torture and other cruel, inhuman or degrading treatment of women and girls.

1. We, the undersigned, law professors for human rights from around the globe, appeal to your urgent consideration.
2. For the last two days, the citizens of the State of Israel have been under a murderous and barbaric attack, with Hamas using the same terror tactics as ISIS, and these were apparently condoned by the leadership of Hamas which is the de facto representative of the Gaza Strip.
3. Hamas fighters took control of kibbutzim and towns and then went from house to house and slaughtered entire families. They raided an outdoor party attended by crowds of young civilians, slaughtering and capturing them indiscriminately, leaving behind 260 bodies of young people.
4. During the attack, Hamas kidnapped an unknown number of elderly people, women, children and infants. The photos and videos, documented by the perpetrators or by witnesses, that have already been published on social media and in international media of kidnapped mothers with children, elderly men and women, bleeding women, and the body of a naked woman - are shocking and devastating.
5. Hamas is hiding the identity of most of the abductees, their location, their medical condition and their fate. The abductees are defined according to international law as victims of enforced disappearance. That is as defined in the International Convention for the Protection of All Persons from Enforced Disappearance (2006) and in the United Nations Declaration on the Protection of All Persons from Enforced Disappearance (A/RES/47/133). These acts constitute blatant violations of international human rights law and humanitarian law, amounting to war crimes and crimes against humanity. International human rights law obligations to release civilian hostages, including women, girls, children and babies, and to treat them humanely in the interim, apply equally to all parties to a conflict.

6. Beyond the fact that there is a real and imminent danger that the abductees will continue to be tortured, raped and murdered, there is also a real fear that Hamas will trade the Israeli abductees with other Palestinian terrorist organizations (it has already announced that 30 of them have been handed to the Islamic Jihad) and even to terrorist organizations in other countries, which will increase the difficulty of tracing and releasing them.

7. It seems that among the abductees there are non-Jews as well as Jews, those with Canadian, US, EU, the Philippines, and Thai citizenships as well as Israeli citizens.

8. Therefore, and in the hope and in prayer that it is still not too late - we call for your immediate action to free, in any way possible, all the Israeli and other citizens who were kidnapped by Hamas and have disappeared.

9. In the name of international law and humanity, we hope that you will do everything in your power to end these vicious and blatant acts of extreme violence against women, girls, children and babies from a few months old to 85 years old.

Photos and videos, documented by the perpetrators or by witnesses, published on social media:

<https://edition.cnn.com/videos/world/2023/10/09/israel-music-festival-shani-louk-mother-vpx.cnn>

<https://www.youtube.com/watch?v=rOr76XaqdVs>

<https://www.dailymail.co.uk/news/article-12607353/I-protective-help-Father-Israeli-student-Noa-Argamani-25-kidnapped-dance-festival-breaks-tears-seeing-distressing-footage-petrified-daughter-begging-life-Hamas-truck.html>

<https://x.com/bokeralmog/status/1711330812098904490?t=QGza45ruQ3v6qF4R2xB-HA&s=08> (9 years old girl hostage –Hebrew)

Sincerely,

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