

15 May 2018

## Joint Letter of Allegation to the United Nations Special Procedures

To the attention of:

- The United Nations Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Mr. S. Michael Lynk;
- The United Nations Special Rapporteur Special Rapporteur on extrajudicial, summary or arbitrary executions, Ms. Agnes Callamard,
- The United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Clement Nyaletsossi;
- The United Nations Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Mr. Dainius Puras; and
- The United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. David Kaye;

Dear Mr. Lynk, Ms. Callamard, Mr. Nyaletsossi, Mr. Puras, and Mr. Kaye,

We are writing to you on behalf of the members of the Palestinian Human Rights Organizations Council (PHROC) to convey our utmost condemnation of the Israeli Occupying Forces' (IOF) prohibited conduct towards the Palestinian population in the Gaza Strip during the peaceful Great Return March protests, on 14 May 2018,<sup>1</sup> and since its launch on 30 March 2018. Over the past eight weeks, the IOF have killed 101 Palestinians and injured thousands, as they participated in peaceful protests calling for an

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<sup>1</sup> Al-Haq, "Great Return March: 101 Palestinians Killed by IOF Since 30 March 2018, 59 Killed on 14 May, including Seven Children, One Disabled Man, and 1,861 Injured" (15 May 2018), available at: <http://www.alhaq.org/advocacy/topics/gaza/1242-great-return-march-101-palestinians-killed-by-iof-since-30-march-2018-59-killed-on-14-may-including-seven-children-one-disabled-man-and-1861-injured>.

Addameer Prisoners' Support and Human Rights Association  
Al-Haq – Defending Human Rights  
Huryyat- Centre for Defence of Liberties and Civil Rights  
Jerusalem Center for Legal Aid and Human Rights  
Ramallah Center for Human Rights Studies  
Independent commission for Human Rights (Observer)



Al-Mezan Center for Human Rights  
Addameer Association for Human Rights  
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end to Israel's unlawful closure of the Gaza Strip and the realisation of Palestinian refugees' right of return, as mandated by international law.

Since 30 March, the IOF has opened fire against crowds of unarmed protesters in the Gaza Strip, killing 101 Palestinians through excessive, unnecessary, intentional, and premeditated use of force, including lethal force in violation of international human rights law. The egregious conduct of the IOF towards protected Palestinians amounts to war crimes of wilful killing,<sup>2</sup> falling under the jurisdiction of the International Criminal Court (ICC) in its preliminary examination into situation in Palestine since 13 June 2014. No investigations into such grave breaches<sup>3</sup> of international law have been carried out by Israel, the Occupying Power, since the start of the protests nearly eight weeks ago, despite widespread international calls for independent and transparent investigations to be carried out.

Instead, the IOF continued to blatantly violate international law, notably on Monday, 14 May 2018, when it once again displayed its shoot-to-kill practice by targeting peaceful Palestinian protesters, including children in the upper parts of their bodies. The IOF have also been shooting at Palestinian protestors to maim and to permanently disable Palestinians, a conduct which may amount to the war crime of wilfully causing great suffering and serious injury to body or health, giving rise to individual criminal responsibility. While Israel continues to suppress peaceful Palestinian protests and legitimate demands for the realisation of their rights, PHROC urges the United Nations Special Procedures to:

- (i) Condemn in the strongest terms the prohibited conduct by the IOF in the Gaza Strip in suppression of the Great Return March protests since 30 March 2018, leading to the killing of 101 Palestinians, including 59 killed on Monday, 14 May 2018;
- (ii) Call on the Israeli occupying authorities to ensure protection of Palestinian civilians and comply with international human rights and humanitarian law in the Occupied Palestinian Territory (OPT);

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<sup>2</sup> Article 8(2)(a)(i), Rome Statute of the International Criminal Court.

<sup>3</sup> Article 147, Fourth Geneva Convention.

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- (iii) Call for an end to the unlawful closure of the Gaza Strip, and all forms of collective punishment imposed by Israel on the protected Palestinian people in the OPT;
  - (iv) Call for independent and transparent investigations into all incidents of excessive use of force, including lethal force, against Palestinians in the OPT, notably those resulting in killings of Palestinians;
  - (v) Support the opening of a full investigation by the Office of the Prosecutor of the International Criminal Court into all allegations of war crimes and crimes against humanity committed by the IOF in the OPT, including in suppression of the peaceful Great Return March protests.

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**PHROC members:**

	<p><b>Addameer Prisoners' Support and Human Rights Association</b>          Sahar Francis          General Director</p>		<p><b>Addameer Association for Human Rights</b>          Hala Jaber          General Director</p>
	<p><b>Al-Haq</b>          Shawan Jabarin          General Director</p>		<p><b>Al Mezan Center for Human Rights</b>          Issam Younis          General Director</p>
	<p><b>Badil Resource Center for Palestinian Residency and Refugee Rights</b>          Nidal Azzah          General Director</p>		<p><b>Defence for Children International          Palestine Section</b>          Khaled Quzmar          General Director</p>
	<p><b>Ramallah Center for Human Rights Studies</b>          Suhaib Sharif          General Director</p>		<p><b>Huryyat - Centre for Defense of Liberties and Civil Rights</b>          Helmi Al-Araj          General Director</p>
	<p><b>Jerusalem Center for Legal Aid and Human Rights</b>          Issam Aruri          General Director</p>		<p><b>The Palestinian Centre for Human Rights</b>          Raji Sourani          General Director</p>