

مركز الميزان لحقوق الإنسان
Al Mezan Center for Human Rights



Attacks on Unarmed Protesters at “Great March of Return” Demonstrations

30 March 2018 – 28 February 2019

Gaza

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INTRODUCTION

This report addresses the Israeli forces' conduct toward Palestinian protesters who have been participating in the "Great March of Return" (GMR) demonstrations in the Gaza Strip. The demonstrators are demanding an end to Israel's illegal 11-year closure imposed on Gaza and stressing the right of return of Palestinian refugees as enshrined in international law. The Israeli military's conduct since the start of the protests on 30 March 2018 rises to the level of serious violations of human rights and demonstrates the Israeli government's failure, as occupying power, to fulfil its obligations under international human rights law (IHRL) and international humanitarian law (IHL).

Providing a factual and legal analysis, this report gives an overview of the violations of IHRL that stem from the unlawful killing and wounding of protesters, journalists and medics between 30 March 2018 and 28 February 2019. The monitoring and documentation conducted by Al Mezan Center for Human Rights (Al Mezan) of the demonstrations shows that Israeli soldiers, including sharpshooters, consistently used force against individuals who did not pose an imminent threat of death or serious injury to others when they were shot, and by doing so, repeatedly deviated from international law rules and obligations. This conduct amounted to serious violation of the fundamental right to life of 190 Palestinian protesters, journalists and medics—including children, women and people with disability—who were killed during the reporting period.

This report is based on Al Mezan's fieldwork and in particular, the affidavits and evidence that the fieldworkers and lawyers recorded. These affidavits speak to the root causes of the protests, and the several forms of direct and indirect violence carried out on a daily basis against civilians in Gaza, often through unlawful conduct. Al Mezan also shares a number of key recommendations that call for the protection, respect and fulfilment of the human rights of the civilian population in Gaza, as part of the occupied Palestinian territory (oPt), and for the cycle of impunity to be ended.

CONTEXT

Eleven years of closure and blockade imposed by the Israeli government and the recurring cycles of conflict have degraded the living conditions of the population in Gaza to the point of humanitarian catastrophe.¹ Struggling to survive protracted hardship in the form of violations of economic, social, cultural, and other rights, Palestinians in Gaza, represented by youth, women, and student groups as well as local community leaders, civil society, and private sector actors, formed the Higher National Committee of the Great March of Return (HNC). The HNC initiated the weekly GMR demonstrations with the goal of appealing to the international community to support efforts to lift the closure and blockade and improve the humanitarian and human rights conditions in Gaza.

After announcing its mission, the HNC pinpointed the location for five camps to be set up in the eastern areas of the Gaza Strip. The designated areas would be hundreds of meters away from the separation fence and the placement of Israeli forces, in:

- Al-Shoka, Rafah;
- Khuzaa', Khan Younis;
- Al Bureij refugee camp, Middle Gaza;
- Al-Zaitoun, Gaza City; and
- Jabalia refugee camp, North Gaza.

In increasing numbers and from a wide range of age groups, Palestinians joined the weekly demonstrations. Later, the HNC organized a sixth demonstration site on the coast of Beit Lahia city in the North Gaza district, where protesters would gather on Mondays.

During the HNC's preparations for the GMR the committee frequently emphasized the necessary peacefulness of the protests. Despite this, Israeli officials issued a series of threats against persons who would take part. Ahead of the start of the protests, the Israeli military deployed troops to the separation fence and Israel's top general, Gadi Eisenkot, stated that more than 100

¹ Al Mezan Center for Human Rights (2019), "The Situation of Economic, Social, and Cultural Rights in the Gaza Strip in 2018", Annual Report, available in Arabic at: <http://mezan.org/post/28266>.

sharpshooters had been called up, particularly special forces, and deployed to the fence. He confirmed that permission had been given to shoot when lives were in jeopardy.²

The GMR demonstrations were participated in en masse and remained largely peaceful, with Al Mezan's documentation showing that not one of the protesters killed was armed. No genuine threat was posed to Israeli soldiers, who were protected by sand dunes and other infrastructure, or to surrounding communities. Despite this, soldiers used lethal and other excessive force to police the demonstrations. They employed live ammunition, including what appeared to be expanding bullets, fired tear gas canisters directly at protesters, medics and journalists, and sprayed other forms of gas that was described as uniquely painful to tear gas. These trends were prevalent both close to and far from the fence, according to Al Mezan's documentation.

ISRAEL'S MILITARY RESPONSE TO DEMONSTRATIONS

During the reporting period, the Israeli forces carried out patterns of attacks on protesters, medics and journalists that amount to serious violations of the right to life and the grave breaches of unlawful killing and injury under IHL, which could amount to war crimes and crimes against humanity under international criminal law. The clearest example of these attacks involved the use of excessive force on unarmed protesters counter to IHRL guidelines on the use of force in law enforcement.

FATALITIES

The Israeli military's conduct regarding the demonstrations deviated dramatically from the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials as the protesters who were shot, killed and wounded, did not pose a serious threat to the lives of Israeli soldiers or surrounding communities and despite this the military responded with live ammunition—fired deliberately and with precision—plastic-coated steel bullets, and gas. Further, this response infringed on the protesters' rights to free expression and peaceful assembly while they demanded an end to the crippling blockade and ensuing inhumane living conditions imposed by the Israeli government.

² Yedioth Ahronoth (2018), "Eisenkot says Israel deployed 100 sharpshooters on Gaza border for Palestinian protests", available at <https://www.ynetnews.com/articles/0,7340,L-5204745,00.html>

The documentation by Al Mezan shows that during the reporting period Israeli forces killed 190 Palestinian protesters—of them 40 children, two women, two journalists, three paramedics, and eight persons with disability. The following tables provide a breakdown of this figure by gender—male and female genders were cited—district of residence, place of injury, and type of weapon used:

Table 1: Disaggregation of fatalities by gender

Gender	# killed
Male	187
Female	3
Total	190

Table 1 shows that both male and female protesters, medics and journalists were killed by the Israeli military at the demonstrations. It is worth noting that families routinely participated in the GMR, with children joining various cultural and artistic competitions as an emphasis on the peacefulness of the demonstrations. However, vastly more men and boys participated in the demonstrations than women and girls.

Table 2: Disaggregation of fatalities by district of residence

District	# killed
North Gaza	28
Gaza City	47
Middle Gaza	37
Khan Younis	51
Rafah	27
Total	190

The witness testimony of the killing of Karam Fayyad, a 26-year-old resident of Khan Younis with an intellectual disability, shows Israeli forces shooting him in circumstances that wholly unwarranted the use of lethal force. Fayyad's case is not exceptional, but rather serves as an example of the widespread deliberate use of unnecessary force by soldiers.

The following testimony is an extract of an affidavit shared by an eyewitness:

“I volunteer as a paramedic with Rowwad Al-Salam team. At 2pm on Friday, 28 December 2018, I went to the GMR demonstration in east Khan Younis to provide paramedical assistance. At 3pm, I saw a group of demonstrators moving towards the fence, and I heard sounds of shooting. As the shooting continued, my colleague Mohammed Abu Daqqa approached me, and we went together to provide aid to casualties near the fence. No paramedics were there. As we moved there, I saw a young man with a red Kuffiyah [traditional scarf] falling to the ground at a distance of about 150 meters from the fence. My colleague and I rushed toward him, and as we got there, we saw that the young man's head was bleeding. As more people gathered around him, shooting in our direction escalated. My colleague began aiding the young man while I heard shouting from a second young man one meter away from us. I went to him and saw his back bleeding, as he writhed in pain. I tried to stop the bleeding and told people around him not to carry him until a spine board was brought. Once the board was there, the other people and I evacuated both of the injured young men, and my colleague and I kept watching for other casualties. As we watched, I learned that the last name of the first young man shot in the head was Fayyad. At 6:30pm, after leaving the protest site, I surfed news and social media outlets and learned that Karam Fayyad was shot dead. He was the same man as the first one shot in the head.”³

A closer look at the circumstances of the case shows that the soldiers had no reasonable grounds for shooting an unarmed person in the upper part of his body as he stood 150 meters away from the fence and while they remained either shielded by sand dunes or in fortified monitoring sites. It is crucial to note that 89% of GMR fatalities were shot in the upper body during the reporting period, and 7% of those who sustained injury to the lower limbs died from the injury.

Table 3: Disaggregation of fatalities by place of injury

³ Affidavit by Samer Jihad Sha'ath, interviewed by Gharib Al-Sinwar of Al Mezan's field work unit, 29 December 2018.

Place of Injury	# killed
Upper body	169
Lower body	14
Multiple parts of the body	5
Unknown ⁴	2
Total	190

Israeli attacks on unarmed protesters, journalists and paramedics were not limited to the use of live ammunition, but also involved methods of killing and injuring that included the firing of tear gas canisters directly at individuals. These attacks were perpetuated without any apparent regard to the age, gender, or status of physical or cognitive ability of the targets.

Table 4: Disaggregation of fatalities by type of weapon used

Type of Weapon	# killed
Live ammunition and shrapnel	179
Tear gas canister	8
Other	3
Total	190

INJURIES

The use of excessive force on unarmed protesters was not limited to killing, but also included the infliction of injuries, both physical and psychological, on protesters, journalists and paramedics. In many cases, irreversible physical damage was inflicted, with casualties suffering from

⁴ The Israeli forces have been keeping two bodies, and they have shared no information regarding their type or place of injury. A third fatality was caused by major fracture in the skeleton when a hard object hit it.

permanent harm or amputation of body parts. Given the state of Gaza’s crippled healthcare sector, the huge number of casualties were channeled toward a system lacking facilities, medicines, equipment, and qualified personnel—a deficit grown from and exacerbated by the ongoing closure and blockade. The influx of patients prompted the medical organization, Medicines Sans Frontiers (MSF), to triple its capacity in Gaza, while emphasizing that, “the required volume of surgery, carefully managed antibiotics, intensive nursing care, and long-term physiotherapy and rehabilitation is staggering.”⁵

The review of tens of documented cases reveals that a pattern of deliberate and systematic shooting guided the engagement of Israeli soldiers with unarmed protesters. In many cases, sharpshooters landed their bullets in areas of the body where an injury, if not fatal, would cause disability. The following testimony is an extract from an affidavit by Saleh Ashour, 16, who lost his sight and continues to endure the consequences of bone fractures—in addition to disruption of his educational progress:

“At 12pm on Monday, 14 May 2018, I joined the GMR demonstration in eastern Al Bureij [refugee camp], and it was my first time going there. I saw protesters from both genders and all ages, and I moved in until I was about 150 meters away from the fence. I saw Israeli soldiers on sand dunes shooting at protesters. I saw some get injured; one who was near me fell on the ground after being shot with a live bullet in the head. I also saw a small, black drone firing tear gas canisters. I stepped back and was about 200 meters away from the fence. I then felt my face burning because of the tear gas. I saw a friend and requested his help and he went to bring a liquid of water and yeast [used by paramedics to treat people affected by the tear gas]. While waiting for my friend, I fell unconscious. When I was conscious again, it was 4pm the next day, 15 May 2018. My family was around me and told me that I was at Al-Shifa Hospital because I had been shot with a live bullet in the head. Doctors told my family the bullet had pierced my right ear and exited through my left eye, causing a severe bleeding in the brain and permanent damage to the optic nerve. I had lost my sight completely. I stayed in the intensive care unit for three days and an additional four days in the hospital before being referred to the eye hospital on 23 May 2018 for continued follow-up. Later, I was referred to Al-Hussein Hospital in Jordan for further treatment. I underwent a surgery to treat the inflammation in my eyes and to remove shrapnel that remained. On 7 June 2018, I returned to Gaza and was scheduled to return to Al-Hussein Hospital three months later to continue my treatment. I still suffer from

⁵ Marie-Elisabeth Ingres (2018), “Adequate Treatment is Within the World’s Grasp”, Medicines Sans Frontiers, Online Press Release: <https://www.msf.org/gazans-injuries-risk-permanently-shattering-lives-palestine>

fractures in my nose and skull and need cosmetic surgeries. My educational career has also been hindered.”⁶

The Israeli forces seemed to make no distinction between male and female children participating in the GMR demonstrations. The following testimony is an extract from Mariam Abu Matar’s affidavit:

“At 10am on Friday, 30 March 2018, I joined my sister Salma, 12, and a number of her friends at the demonstration in Al-Shoka in the east of Rafah. I saw families at the demonstration, and that many children, women, youth, and older people were there, too. I watched different sports competitions and poetry recitation events at the demonstration. Following the afternoon prayer and lunch there, my sister, her friends, and I went to watch the young men and children in the Jakar Street. Some were about 100 meters away from the fence. I held the Palestinian flag and stood among the protesters. Israeli soldiers were covered by sand dunes behind the fence and they held their weapons. I waved the flag at a distance of about 40 meters from the fence. As I turned my back to look at the protesters, I felt something hit my leg and I fell on the ground. I felt pain in my right leg, and when I looked, it was bleeding and I started screaming. I was carried by someone who, while rushing me away from the fence, fell on the ground, too. Young men rushed towards us and carried me to a field clinic near the demonstration where I received first aid. I was then transferred by ambulance to Al-Najjar Hospital. The doctors there told me I had been shot with a live bullet in my right leg.”⁷

With this type of injury occurring on a large scale and with rapid frequency, Gaza’s fragile health sector was seriously weighed down. MSF, which provided medical aid to hundreds of casualties, reported on the grim reality faced not only by those wounded in GMR demonstrations but also by health teams responding to this phenomenon. The following two quotes from a recent press release by MSF provide some insight:

“The vast majority of the 3,117 patients [MSF has treated] between 30 March and 31 October [2018]– out of the total 5,866 the Ministry of Health says have been injured by live fire – had been shot in the leg. Around half suffered open fractures, with severe

⁶ Affidavit by Saleh Ashour, interviewed by Mohammed Al-Da’alsa of Al Mezan’s field work unit, 17 September 2018.

⁷ Affidavit by Mariam Abu Matar, interviewed by Mohammed Abdallah of Al Mezan’s field work unit, 2 April 2018.

soft tissue damage to many of the rest. These are complex and serious injuries that do not quickly heal. Their severity and the lack of appropriate treatment in Gaza’s crippled health system means that infection is a high risk, especially for patients with open fractures.”

“Gaza currently lacks the ability to properly diagnose bone infections, but from experience MSF expects that at least 25 per cent of patients with fractures are infected. Out of roughly 3,000 open fractures, this means it is likely that more than 1,000 patients are infected. Based on a preliminary analysis of MSF’s patients in Gaza, we estimate that at least 60 per cent of the total number of injured patients treated by all health providers – a massive 3,520 people – will need further surgery, physiotherapy and rehabilitation. A significant proportion of those patients will require some form of reconstructive surgery to properly heal, but untreated infections will prevent that from happening. This burden is too much to bear for the health system in Gaza in its current form, weakened as it is by more than a decade of blockade.”⁸

Table 5: Disaggregation of GMR injuries by district of residence

District of residence	# of injuries	# of child injuries	# of female injuries	# of people wounded by live fire and shrapnel	# of children wounded by live fire and shrapnel	# of women wounded by live fire and shrapnel
North Gaza	3,408	852	163	1,800	398	33
Gaza City	4,383	817	187	2,630	396	41
Middle Gaza district	20,11	442	109	1,257	256	32
Khan Younis	2,204	372	88	1,111	189	29
Rafah	2,752	679	115	969	209	21
Total	14,758	3,162	662	7,767	1,448	156

⁸ Medicines Sans Frontieres (2018), “Adequate Treatment is Within the World’s Grasp”, Online Press Release: <https://www.msf.org/gazans-injuries-risk-permanently-shattering-lives-palestine>

Table 5 shows that during the reporting period, 14,758 protesters were wounded, including 7,767 by live fire—of them 1,448 children and 156 women. The number of people injured reflects the scale of the Israeli forces’ breach of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the IHRL.

Medical specialists confirm that Israeli forces used weapons that cause particularly dramatic and lasting injuries, such as explosive ammunition that causes deep wounds, tissue trauma, and splintering of bones—in addition to the firing of tear gas canisters directly at protesters.

In an interview with Al Mezan, Ahmed Al-Ra’i of the Palestinian Medical Relief Society (PMRS), which has been actively engaged in providing medical assistance to GMR casualties, reported that the organization lost one of its team members, Rozan Al-Najjar,⁹ while she was working in the field.¹⁰ Al-Ra’i further confirmed that the Israeli military’s use of force resulted in injuries assessed by PMRS staff to be serious, complex and that would often result in permanent disability. In its assessment of the injuries, PMRS concluded that the ammunition used was not familiar, in that it sometimes did not leave the body regularly and it caused wounds that were difficult to manage. PMRS staff also noted that some injuries, particularly in the lower limbs, resulted in the tearing of tissues and muscles, as well as in bone splintering. Injuries in the upper parts of the body often involved damage to organs and tissues. When protesters were shot in the popliteal vein, located in the sensitive area behind the knee, they often had to undergo a surgery to remove the wounded limb as a way to stop the bleeding.

Monitoring by PMRS, in line with that of Al Mezan, shows that Israeli forces follow a calculated pattern of inflicting unnecessary damage on protesters in their lower limbs. The results of this policy ranged from temporary to permanent disability. The wounded would need to rely on specialized care in the form of daily check-ups, long-term treatment, and in many cases a combination of surgery, physical therapy, and rehabilitation—especially where a limb had been removed and replaced with an artificial one.

Ahmed Al-Ra’i on the effects of certain weapons:

⁹ Al Mezan Center for Human Rights (2018), “Female Volunteer Paramedic Shot Dead and 97 Protesters Injured on the Tenth Friday of Demonstrations in Gaza”, available at: <http://www.mezan.org/en/post/22911>

¹⁰ Ahmed Al-Ra’y, interviewed by Basem Abu Jrai of Al-Mezan’s research and technical assistance unit, 20 February 2019.

“Many injuries require longer periods of treatment because of the serious complications affecting the tissues of the body. There is now evidence that some casualties will suffer from lifelong effects because of the type of ammunition used on them. Bullets that explode and then mushroom into the body cause damage to tissue and bone, thus resulting in those effects. Our monitoring shows that Israeli forces regularly used this type of bullet, along with other types of ammunition and weaponry. Plastic-coated steel bullets, tear gas canisters, and colored gas (white, red, black, and green) were all used on protesters and posed a threat to their health and safety. Those who inhaled the gas suffered from blood-shot and burning eyes, as well as from fainting spells of five to 15 minutes. The seriousness of these effects correlate with the level of the body’s responsiveness to the chemical components of gasses used. Younger and older people are more vulnerable to these effects, with some of those affected showing symptoms of toxicity and allergy. These gasses, when inhaled in considerable quantities, lead to physiological damage and change in the affected organs. What is equally concerning is that there are no specialized laboratories in Gaza to conduct forensic analysis of the actual effects of these gasses.”¹¹

ATTACKS ON CHILDREN

Children were continuously attacked in the GMR protests during the reporting period, despite the severity of the act legally and ethically. The obligation to respect life is paramount in international law and notably holds heavier weight in relation to the lives of children. The UN Convention on the Rights of the Child (UNCRC) protects children’s rights to life, peaceful assembly, expression and the highest attainable standard of health, among other rights. The UNCRC also obligates states to take measures to ensure to the furthest extent possible the safety and protection of children. Representing a deviation from obligations embedded in international law, Israeli forces attacked children with lethal and other excessive force. This force inflicted serious physical and psychological harm on children and resulted in the death of 40 children during the reporting period.

Table 6: Disaggregation of child fatalities by district of residence

District	# killed
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¹¹ Ahmed Al-Ra’y, interviewed by Basem Abu Jrai of Al-Mezan’s research and technical assistance unit, 20 February 2019.

North Gaza	5
Gaza City	9
Middle Gaza	10
Khan Younis	7
Rafah	9
Total	40

An example of the unnecessary and lethal force employed against children is the killing of Bilal Al-Ashram. In the east of Al Bureij refugee camp in the Middle Gaza district, Israeli forces shot Al-Ashram, 17, while he was moving away from the fence. The following testimony is an extract from an affidavit collected of an eyewitness:¹²

“I cover the demonstrations in east Al Bureij refugee camp as part of my work as a correspondent for Sawt Al-Watan Radio. At 9am on Tuesday, 15 May 2018, I went to the demonstration in east Al Bureij, arriving at the Jakar Street. I started taking photos of protesters as they set tires on fire, and I saw Israeli soldiers positioned on the tops of sand dunes behind the fence fire live bullets and tear gas canisters at protesters. I took photos of young men who were injured there, and I ran live radio interviews with some protesters. At 7:20pm, Israeli soldiers opened fire and used a heavy load of tear gas on protesters. I saw a youth running away from the fence to the west. When he was about 200 meters away from the fence, I saw him fall on the ground. His chest was bleeding. Two paramedics arrived at the spot and I helped them carry him to an ambulance. I saw the two paramedics tear open his t-shirt and look at his chest as it was bleeding... he was then removed by ambulance to the hospital. At 9pm the same day, I called my cousin, who is also a journalist, and asked him about the total number of fatalities. He told me there were two: Naser Ghurab, 52, and Bilal Al-Ashram, 17, who died from the injury to his chest. Both were residents of Al Nuseirat refugee camp.”

The case of Al-Ashram is yet another example of an individual being attacked in circumstances that clearly did not warrant force, let alone lethal force. Al-Ashram was unarmed and running away from the fence, yet force was deployed despite these two facts.

¹² Affidavit by Al-Watan journalist Mohammed Baker Al-Louh, interviewed by Mohammed Al-Da’alsa of Al Mezan’s field work unit, 23 April 2018.

In another example of this trend, Israeli forces shot dead Alaa' Al-Zamli in eastern Rafah. The following is an extract from an affidavit collected from an eyewitness to his killing.¹³

“On Friday, 6 April 2018, I went with Alaa', 15, to the GMR demonstration in Al-Shoka in east Rafah, and I saw thousands of people assembling near the fence—of them were many families sitting behind tents. Alaa' and I kept going until we were among other youth at the Jakar Street [which is about 400 meters away from the fence]. I saw ambulances transferring casualties, and I heard the sounds of heavy shooting—some bullets hit the sand around me. I saw red-lit points moving on the photos and banners raised by protesters; then, Alaa' and I moved back in fear. I told Alaa' I was going to leave, but he convinced me to stay. Alaa' sat on the ground to watch, and shortly thereafter I saw him fall on his back, with blood going down his leg. I moved a few meters back, and I heard people scream ‘martyr, martyr’. As they carried Alaa' I went along with them, and Alaa' was still alive. I heard him say a prayer—his lips were moving when he was put into the ambulance. I tried to go with him, but the paramedics refused. As the ambulance rushed him to Al-Najjar Hospital, I ran to a field clinic and called my father to notify him of Alaa's injury and to ask him to pick me up. My father asked me to stay in that place, but I could not. I then saw people on a motorcycle, and I asked them to transport me to the Hospital. Once I was there, I met my relatives and I learned Alaa' had died.”

The evidence suggests that the use of lethal force in the case of Al-Zamli was neither necessary nor justifiable as he, an unarmed child, posed no threat to the safety of the Israeli soldiers or communities in their surroundings. The fact that he was clearly sitting on the ground and watching the protests leaves no room for another narrative.

The monitoring and documentation by Al Mezan shows that Israeli forces consistently used tear gas canisters as a weapon, employing it directly on protesters. Some were injured, while others were fatally wounded. The following extract from an eyewitness' affidavit¹⁴ provides information on the killing of Ahmed Abu Habil, 15, in the east of Jabalia refugee camp:

¹³ Affidavit by Hasan Al-Zamli, cousin of Alaa', interviewed by Mohammed Abdalla of Al Mezan's field work unit, 8 April 2018.

¹⁴ Affidavit by Hazem Almassri, photojournalist with Shehab News Agency, interviewed by Mohannad Abdulbari of Al Mezan's field work unit, 4 October 2018.

“I arrived at the GMR demonstrations, as part of my work as a photojournalist. At 3pm on Wednesday, 3 October 2018, I went with colleagues to cover the demonstration near Erez crossing in the North Gaza district. I saw Israeli soldiers using live ammunition and tear gas on protesters who were about 300 meters away from the place of the soldier. At 4:40pm the same day, I met Ahmed Abu Habil, whom I had known because of his continued participation in the GMR demonstrations, and I talked with him for a little bit before continuing my work. At 5:30pm, Ahmed stood next to me and then sat nearby. At 5:45pm, I heard sounds [of something being fired], and I saw Ahmed fall to the ground. Tear gas was going up from Ahmed’s head; he was hit by a tear gas canister directly in the head. The scene was shocking, and I could do nothing. I screamed for paramedics to come to the spot and I could just take photos. A number of paramedics tried giving first aid to Ahmed, and one took out the canister. Then, paramedics took him to an ambulance and then to the Indonesian Hospital. I saw the canister; it was black-coloured and seven centimetres in length. 20 minutes later, one friend communicated the death of Ahmed.”

The targeting of children in circumstances that do not warrant lethal force exemplifies the Israeli military’s callous disregard for the rules and norms of international law.

ATTACKS ON PEOPLE WITH DISABILITY

Persons with disability were targeted by Israeli forces throughout the reporting period. Using lethal and other excessive force against persons with physical and cognitive disabilities demonstrates the Israeli military’s sweeping use of force regardless of the activities of individuals and inability to remove themselves from harm’s way. Israeli soldiers killed eight persons with disability during the reporting period, none of whom posed an imminent threat that would warrant force. The following is an extract from an eyewitness’ affidavit of the killing of Maher Yasin:¹⁵

“At 2:40pm on Friday, 21 December 2018, I went with friends to the demonstration in east Al Bureij, and I saw hundreds of children, women, youth, and older people at the demonstration. At approximately 5pm, I was leaving the location and was near the bus stop—about 600-700 meters away from the fence, when I heard sounds of shooting and saw one young man fall on the ground, just two meters away from me. His head was bleeding heavily. I moved away in fear

¹⁵ Affidavit by Wael Abu Ghalyoun, interviewed by Mohammed Al-Da’alsa of Al Mezan’s field work unit, 23 December 2018.

and I saw paramedics and other young men put the wounded man in an ambulance. Later on the same day, I discovered that the wounded man was Maher Yasin, a resident of Al Nuseirat, who suffers from [physical] disability. At 7:30pm, I learned that Maher died of his injury.”

Al Mezan’s documentation confirms that Yasin was physically disabled, far from the fence, and moving slowly due to his disability, with protesters who were leaving the demonstration.

ATTACKS ON PARAMEDICS

Paramedics providing medical assistance to casualties at the GMR demonstrations were a consistent target of the Israeli military during the reporting attacks. Attacks on paramedics and medical infrastructure and equipment, including vehicles, were repeatedly documented, despite the personnel being visibly marked as paramedics.¹⁶ These attacks hindered the access to medical assistance of persons attending the demonstrations. At the same time, the Israeli authorities used the underlying, stringent movement restrictions of the closure to deny or delay medical care to wounded protesters,¹⁷ sometimes life-saving treatment.¹⁸ With the closure and blockade in place in its most stringent form for 11 years, Gaza’s health sector has been crippled, with medicines, equipment, and specialized personnel lacking. This reality means that lifesaving care is often only available outside Gaza. Further, Israeli forces in the field restricted the evacuation of casualties by paramedics¹⁹ and denied the entry of medical delegations into Gaza.²⁰

Al Mezan’s documentation shows that the Israeli military’s practices regarding paramedics posed a serious challenge to the mission of the latter, with at least 197 attacks on paramedics recorded and three paramedics killed: Abdallah Al-Qutati, 22, a paramedic with Nabd Al-Haya

¹⁶ Al Mezan Center for Human Rights (2018), “Medical Care to Casualties Hindered by Israeli Forces Attacks on Medics in Gaza”, available at: <http://mezan.org/en/post/22782>

¹⁷ Al Mezan Center for Human Rights and Adalah – The Legal Center for Arab Minority Rights (2018), “Israel won’t let two Gazan youth seriously wounded by Israeli gunfire travel to Ramallah for urgent medical care”, available at <http://mezan.org/en/post/22654>

¹⁸ Al Mezan Center for Human Rights (2018), “Patient Dies After Israeli Authorities Deny Her Gaza Exit-Permit”, available at <http://mezan.org/en/post/22708>

¹⁹ Al Mezan Center for Human Rights and Adalah – The Legal Center for Arab Minority Rights (2018), “URGENT: Adalah, Al Mezan call on Israel to let Gaza search and rescue teams enter border ‘buffer zone’ immediately to evacuate 2 Palestinians”, available at: <http://mezan.org/en/post/22593>

²⁰ Al Mezan Center for Human Rights (2018), “With Thousands Wounded, Israeli Authorities Deny Entry of Palestinian Medical Delegation to Gaza”, available at: <http://mezan.org/en/post/22819>

team; Razan Al-Najar, 20, a paramedic volunteering with PMRS; and Mousa Abu Hasaneen, 34, a paramedic with the Palestinian Civil Defense. 170 more were injured by live ammunition, shrapnel from live fire, and/or tear gas canisters.

Table (7): Attacks on paramedics at the GMR demonstrations

# of fatalities	3
# of attacks	197
# of paramedics	170
# of paramedics injured more than once	25

The following excerpt from Razan Al-Najar’s team supervisor describes the fatal shooting of the volunteer paramedic:

“The PMRS team is present each Friday at the GMR demonstrations as well as on other exceptional days to dress casualties’ wounds. Razan Al-Najar volunteered with our team and was committed to being present on all days at protests. The instructions were clear to all team members: wearing the paramedics’ white coat showing the English and Arabic names of PMRS on a yellow circle as well as the logos of the Red Crescent and the Red Cross is a must. Our team provided aid to hundreds of casualties. At 3pm on Friday, 1 June 2018, the PMRS team arrived at their location in east Khan Younis. Two hours after the arrival of protesters to the area, people were looking at two young men who were injured near the fence and soon moved there to evacuate both men. Razan moved along with them. While she was about three meters away from her team, I heard the sound of shooting and I saw my colleague Rami Abu Jazar fall on the ground. I then saw Razan put her hand on her back and fall on her face.”²¹

Documentation by Al Mezan confirms that Al-Najar was clearly marked in a white paramedic coat and would have been clearly visible as a paramedic to the Israeli forces. The circumstances around the killing of paramedics Abdullah Al-Qutati and Mousa Abu Hasaneen are similar.

²¹ Affidavit by Abdulaziz Al-Najjar, interviewed by Gharib Al-Sinwar of Al Mezan’s field work unit, 2 June 2018.

Meanwhile, tens of paramedics working at the GMR demonstrations were wounded in circumstances that were similar. In one of these cases, Ziad Nabhan, 49, a paramedic with the Palestinian Red Crescent Society (PRCS), was targeted:

“At 7am on Monday, 14 May 2018, I went to east Al Burij refugee camp, and I was dressed in my white coat showing the English and Arabic names as well as the logo of PRCS. I was near an assembly point where ten ambulances stopped. Around 9am the same day, protesters started arriving to the area, and Israeli forces were positioned by sand dunes behind the fence. I was tasked with distributing medical supplies to volunteers among the protesters, so I received a bag with these supplies and it showed the logo of PRCS. The bag contained medical gauze, cotton, gloves, and wet tissue. At approximately 5pm, I was providing aid to casualties with the bag on my back, and I was about 400 meters away from the fence. Suddenly, I felt I was injured and I shouted, and my colleagues carried me away from my place. I was then taken by ambulance to Al-Aqsa Hospital before being referred to Al-Quds hospital due to the severity of the injury. The doctors told me I had been injured with a live bullet in the stomach, and I underwent a surgery to have the bullet taken out of my body.”²²

Further documentation by Al Mezan confirms that Nabhan, who was participating in humanitarian work and was visible as a paramedic, posed no threat to Israeli forces.

ATTACKS ON JOURNALISTS AND MEDIA PROFESSIONALS

Journalists and media professionals covering the GMR demonstrations were also considered targets by the Israeli forces. Documentation by Al Mezan shows that in 196 attacks on journalists, two were killed and 144 were injured—33 of the latter more than once.

The military targeted journalists, killing and injuring them, restricting their movement, destroying their equipment and ultimately preventing them from carrying out their work.

²² Affidavit by Ziad Nabhan, interviewed by Basem Abu Jrai of Al Mezan’s research and technical assistance unit, 15 May 2018.

Table (8): Attacks on journalists and media professionals

Number of killed journalists	2
Number of attacks	196
Number of journalists	144
Number of journalists injured more than once	33

Two journalists were killed while covering the demonstrations: Yaser Murtaja, 30, and Ahmed Abu Hussein, 24. The following statement is an extract from an affidavit taken by Al Mezan while documenting the killing of Murtaja:

“On Friday, 6 April 2018, I saw Yaser at the GMR demonstration in east Khan Younis, and he was putting on his - helmet and bulletproof vest marked “PRESS”. He was using his video camera and was filming the events. With thick, black smoke rising from burnt tires and amidst the increase of casualties among protesters, Yaser moved around to continue filming. At 1:45pm, I heard sounds of shooting, and a young man shouted ‘a journalist is injured’ as he carried the journalist’s helmet. I approached the wounded journalist, and I saw it was Yaser. His abdominal side was bleeding. Paramedics arrived at the spot and took Yaser by ambulance to the hospital.”²³

The Israeli forces targeted journalists despite them being clearly marked as such and while carrying their photography and/or filming equipment. The journalists were mostly shot in the upper body. Murtaja was shot in precisely the most vulnerable area outside of his bulletproof vest, an injury that resulted in his death the following day, 7 April 2019.

Tens of other journalists and media professionals were targeted. The following extract is from an affidavit collected by Al Mezan to document the injury of journalist Khalil Abu ‘Athra:

“On Friday, 6 April 2018, I was at the GMR demonstration in east Rafah, and I was holding my video camera while I wore a PRESS-marked bulletproof vest as well as a cover on my nose to protect myself from tear gas. I took caution in not

²³ Affidavit by Ahsraf Abu Amra, interviewed by Samir Al-Mana’ama of Al Mezan’s legal aid unit, 7 April 2018.

directing my camera towards Israeli soldiers; however, at approximately 6pm as I was leaving, I felt my left leg was hit by something and I could not stand. I fell on the ground and saw my leg bleeding. I cried for help, and I was carried to an ambulance, which moved me to a field clinic before I was referred to the Gaza European Hospital. I fell into a coma at the hospital and woke up the next day. The doctors had performed a surgery on my leg and installed a platinum plate on my fractured leg bone. The doctors told me I would have this plate for at least the next six months.”²⁴

²⁴ Affidavit by Khalil Abu A’athra, interviewed by Mohammed Abdallah of Al Mezan’s field work unit, 9 April 2018.

CONCLUSION

Based on the facts presented in this report, Al Mezan concludes that Israeli forces used lethal and excessive force to respond to the GMR demonstrations in violation of international law, particularly IHRL rules regarding law enforcement. Al Mezan's documentation reveals that the Israeli forces ignored the compelling moral and legal obligations of international law by targeting protesters, journalists and paramedics with force that would kill, injure and cause irreparable harm. These devastating consequences of Israel's targeting policy were compounded by the Israeli authorities' decision to deny the wounded persons access to urgent medical treatment outside Gaza. In the context of the GMR demonstrations, the international law violations carried out by the Israeli government, military, and the courts that allowed for the above policies and practices, are far-reaching and serious. The documented attacks show a clear pattern of deliberate and systematic targeting, and of collective punishment of unarmed protesters, in flagrant breach of international law.

The ongoing humanitarian suffering in the Gaza Strip, worsening as Israel keeps its closure and blockade in place and thus diminishing the capacity of Gaza's health sector, has been manifestly aggravated as thousands of casualties struggle to access effective treatment on a timely basis.

Mindful of Israel's obligations under international law and recalling that the duty to protect protected persons is a principal legal requirement, Al Mezan urges the international community to take prompt and effective action to ensure respect for international law and to provide meaningful protection for the population throughout Gaza. Al Mezan stresses that any such action must involve efforts to end Israel's closure and blockade imposed on Gaza, including by stopping the arbitrary denial and delay of access to urgent healthcare; deliver justice to perpetrators and sponsors of violations; and provide aid to service sectors that ensure people's lives are protected, their safety guaranteed, and their development supported.

To meet its moral standards and fulfil its legal obligations and humanitarian objectives in Gaza, Al Mezan demands that the international community immediately take the following actions:

- End the closure and blockade of Gaza and ensure free movement of both people and goods;
- Stress the obligation to respect and protect human rights, including the right to free expression and peaceful assembly, which are paramount in situations of occupation and oppression;

- Activate instruments of international accountability and criminal jurisdiction to deliver both justice to perpetrators and reparations to victims; and
- Further collaboration in order to end the Israeli occupation of Palestinian territory as a means of enabling Palestinians to exercise their individual and collective rights, not least of them the right to self-determination, in safety and freedom.

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