



A Report on Human Rights Violations Perpetrated by the Israeli Occupation Forces in Rafah From 18 to 24 May

Introduction

Between 18 and 24 May 2004, the Israeli Occupation Forces (IOF) carried out a military operation in the southern Gaza Strip city of the Rafah¹, named “Operation Rainbow”. According to official Israeli statements, the alleged objectives of this military operation were to arrest wanted operatives and uncover weaponry and tunnels between the Gaza Strip and Egypt. This operation started 3 days only after the termination of another IOF operation in Rafah from 13 to 15 May during which the IOF destroyed 120 houses; 92 of which were completely destroyed. Furthermore, the Government of Israel had officially announced its approval for the destruction of hundreds of more houses on the borderline.

Although only one tunnel was uncovered during the seven-day “Operation Rainbow” in Rafah camp, the military operation nevertheless resulted in the killing of 44 Palestinians including 18 children below the age of 18 years, the demolition of 400 houses; 117 of which completely demolished. Some 4,171 Palestinians were living in these homes. Over \$8000,000² of damage on the municipal’s infrastructure and major human rights violations.

Therefore, strong of its mandate to monitor, document and denounce human right violations in the Gaza Strip, Al Mezan Center for Human Rights issued bi-daily updates on the situation in Rafah during the entire IOF operation. The reporting exercise concentrated on providing raw information and information on the military operation, including affidavits on the human rights violations, press reports and the international statements. Based on this verified and confirmed raw data, Al Mezan has prepared the present report which provides a complete overview of “Operation Rainbow” in terms of the military operations, the different human rights violations perpetrated by the IOF in the course of the operation, the actions undertaken by Al Mezan Center for Human Rights and the International and Israeli reactions and statements.

¹ For a map of Rafah see <http://www.palmap.org/Website/rafah/viewer.htm>

² According to a report by the Municipality of Rafah.

I. THE MILITARY OPERATIONS

Stock Taking of Israeli operations

Stock after 18 hours: Since the beginning of the operation, **20** Palestinians were killed, 7 of whom are children. 50 persons were injured. The movement of ambulances in the area of Tel Al Sultan in Rafah is restricted, contrary to an Israeli Army's statement.

Stock after 36 hours: A total of **24** Palestinians were killed, including 7 children. 50 reported injuries. Ambulance movement is still obstructed. Numerous cases of bulldozing of streets and destruction of property have been reported in Tel Al Sultan neighborhood.

Stock after 45 hours: Israeli Occupation Forces (IOF) raided a march in Rafah killing 8, most of them were children. This brought the death toll to **32** since the beginning of the IOF operation. Approximately 100 were also reported injured. Access remained restricted for ambulances to pick up the dead and injured. New cases of bulldozing of streets and house searches and arrests were reported.

Stock after 60 hours: IOF also raided two areas of the city, killing 5 additional Palestinians and bringing the total number of persons killed to **37** since the beginning of the IOF operation. The siege of Tel Al Sultan neighborhood continued, causing severe humanitarian implications due to the destruction by the IOF of the water network making water supply impossible. The movement of ambulance services remained obstructed.

Stock after 68 hours: The total number of Palestinians who killed in the town of Rafah since the beginning of the operation is **41**, including 14 children. Some 103 people have been injured; more than half of them are children. The movement of ambulance services is still obstructed by the IOF. Dozens of cases of bulldozing of streets and houses in Tel Al Sultan, As-Salam and Al Brazil neighborhoods have been reported.

Stock after 92 hours: At least **42** Palestinians have been killed by the IOF in Rafah. Another 112 people have been wounded. Israeli sources announced that "Operation Rainbow" would continue and that IOF forces would invade other sections of Rafah shortly. Meanwhile, the humanitarian situation in the Tel Al Sultan neighborhood and other neighborhoods continues to deteriorate and is causing a mounting humanitarian crisis owing to the destruction by the IOF of the water networks, infrastructure (especially roads) and homes.

Stock after 109 hours: Israeli tanks were still blocking the streets leading to the Tel Al Sultan neighborhood and Al Brazil as well as the main street connecting Rafah and Khan Yunis. **43** Palestinians have been killed in Rafah by the IOF since the beginning of the operation. Another 112 people have been wounded. The humanitarian situation in the Tel Al Sultan neighborhood and other neighborhoods continued to deteriorate.

Stock after 121 hours: A total of **44** Palestinians have been killed in Rafah by the IOF since the beginning of the operation. Another 120 people have been wounded. The humanitarian situation in the Tel Al Sultan neighborhood and other neighborhoods continues to worsen due to the destruction by the IOF of the water networks, infrastructure and homes. There are reports about health risks due to mixed sewage and water in Tel Al Sultan neighborhood.

Stock after 153 hours: According to Al Mezan's documentation, at least **44** Palestinians have been killed in Rafah by the IOF since the beginning of the military operation. It should be noted that IOF killed another 15 Palestinians, all from missile attacks, during their incursion on 14 and 15 May, after an Israeli PAC exploded in Rafah. This brings the death toll in Rafah to **59 over the last ten days**. 170 people have been wounded. During the same period IOF destroyed hundreds of civilian structures, including an estimated 300 homes in Block O, Tel Al Sultan, Al Brazil and Qishta neighborhoods.

Development of IOF Operations

17 May 2004

- 1 pm: the IOF closed the only road between Rafah and Khan Yunis to isolate the town of Rafah from the rest of the Gaza Strip.

18 May 2004

- 1 am: Israeli helicopter gun-ships fired two missiles on Block P in Rafah refugee camp killing 3 Palestinians and injuring 5 others.
- 3 am: Eyewitnesses reported that an Israeli tank fired at the guards of a construction site at 3 am this morning. After one of them escaped, the tank overturned the office container with a guard inside. He reported injured but could not be approached due to Israeli tanks in the vicinity.
- 4:10 am: IOF tanks and bulldozers entered the Tel Al Sultan neighborhood and the Western refugee camp in Rafah. Israeli helicopter gun-ships fired two missiles on Bilal Ibn Rabah Mosque in Block Q in Western refugee camp, killing 5 Palestinians, on their way to the dawn prayer at the mosque.
- 4:10 am: the IOF entered Tel Al Sultan from the settlements of Morag and Rafah Yam. They attacked the Badr Camp, which was recently built to host Palestinians whose homes had been demolished in Rafah, and took control of all the streets in the neighborhood. IOF snipers took positions in high buildings and killed three Palestinians.
- 8:35 am: Israeli helicopter gun-ships fired two missiles on the Block Q neighborhood in the Western refugee camp, east of Tel Al Sultan. Another four missiles were fired 20 minutes later, killing two Palestinians. The two victims remained in the street and were not identified until 11.30 am when residents of the neighborhood managed to reach one of the bodies and to put it in a refrigerator. Several ambulances were exposed to Israeli fire when they tried to approach the area.
- The IOF made deep trenches in the main street connecting Tel Al Sultan neighborhood and the refugee camp of Rafah. The IOF also bulldozed a newly paved street in Tel Al Sultan. No reasons were given by IOF to justify the bulldozing.
- An Israeli tank fired a shell on a civilian car owned by the World Vision Canada. The car was entirely burnt and destroyed. A neighboring house was also affected.

19 May 2004

- The IOF started house-to-house searches in the Tel Al Sultan neighborhood in Rafah in search of 'militants'.
- IOF loudspeakers were heard in Tel Al Sultan calling all men over the age of 16-years-old to gather in a neighborhood school. Sources in Tel Al Sultan reported that IOF fired on men who left their homes after soldiers called them to gather in a school. Four men have been killed from IOF fire. The IOF also ordered men employed by the Palestinian Authority Police forces to 'surrender at the police station' in the neighborhood.
- The IOF entered, searched and partially destroyed (5) houses/ buildings in Tel Al Sultan area. At least (3) of them were being used by Israeli snipers.
- The IOF fired tank shells and opened fire on a crowd of hundreds of residents of Rafah as they marched peacefully to Tel Al Sultan to demonstrate against Operation Rainbow. 8 persons were killed and 43 wounded, mostly children.
- An Israeli sniper injured a girl and that IOF prevented an ambulance from reaching her. Some of the residents of the neighborhood pulled the child into a house to help her.
- In additional helicopters' attacks, IOF fired missiles on Rafah refugee camp in the evening. A number of injuries were reported
- 10 pm: Ten Israeli tanks and three bulldozers stormed the eastern part of Rafah, moving through Salah Ad-Din Street. Israeli helicopters fired several missiles on the area. Other tanks and armored vehicles then entered the As-Salam neighborhood and the nearby Brazil neighborhood.

20 May 2004

- 1.30am: Helicopter gunship fired a missile at Al Brazil neighborhood, killing three Palestinians and wounding two. Ambulances managed to reach their location using dirt roads but could collect only one person before IOF fired at them. It took them until 3 am to collect the others.
- 7 am: The operation in Tel Al Sultan neighborhood continued throughout the night and expanded in the early morning hours to the Al Brazil and As-Salam neighborhoods southeast of the town.
- 9 am: Israeli bulldozers continued to raze the Tel Al Sultan streets.
- Residents of Brazil neighborhood, which was under Israeli siege, reported that IOF tanks passed through narrow roads inside the neighborhood with a military bulldozer, destroying hundreds of walls and concrete columns supporting houses.
- 10 am: An Israeli helicopter fired two missiles on Tel Al Sultan neighborhood.

21 May 2004

- The IOF redeployed in the town of Rafah, withdrawing from most of the populated areas. Israeli tanks continued to block the streets leading to these areas.
- It was reported that IOF snipers were still located in the taller buildings in Rafah. Eyewitnesses also reported the presence of tanks, APCs and helicopters, in addition to armored bulldozers.
- 11.30 pm: The IOF entered the eastern outskirts of Rafah.

22 May 2004

- 12.30 am: Loudspeakers ordered all men over the age of 16 to leave their homes and gather in a single location in the Abu Halaweh neighborhood. The IOF carried out home searches and demolitions until the afternoon and were reported to have taken over Abu Halaweh building in the area.
- IOF remained in control of several high apartment buildings in the Brazil neighborhood in Rafah and continued shooting at civilians.
- IOF bulldozers started leveling land and greenhouses at the entrance of Tel Al Sultan neighborhood. Soldiers also took control of several buildings in the area, which is known as the Western Rafah.
- 7 pm: the IOF troops stationed in Abu Halaweh area moved into the Jneneh area and approached to a distance of 200 meters the Abu Yousef Anajjar Hospital. They pulled out after 20 minutes.
- IOF entered the Brazil neighborhood and opened intensive fire on the area. Tanks were stationed near the borderline since 20 May.

23 May:

- It was reported that the IOF created a new detention center at the borderline in Rafah where they keep about 60 Palestinians arrested since the beginning of the ongoing military operation.
- 10 am: IOF tanks stormed the Al Brazil neighborhood. Al Mezan's fieldworker in Rafah reported that tanks took control of the main streets in the neighborhood and opened fire on the area before they proceeded to home demolitions and razing streets.
- IOF continued to block the streets leading to the Tel Al Sultan neighborhood and the main road between Rafah and Khan Yunis.
- 5:30- 7:30 pm: Israeli tanks occupied 2 houses west to the Salah Ad-Din Street in the eastern part of Rafah.
- IOF bulldozers were leveling agricultural land in the eastern part of Rafah.

24 May:

- Early in the morning, Israeli tanks and bulldozers stormed into Qishta Block, in the Brazil neighborhood at the borderline in the south of the town. Al Mezan's fieldworker reported that bulldozers had destroyed about 40 homes by 6 pm.
- IOF withdrew from the positions they occupied in Tel Al Sultan neighborhood since the beginning of Operation Rainbow.
- IOF remained in control of the southern outskirts of the Brazil neighborhood and built new post in the Abu Halaweh area in eastern Rafah.
- Israeli tanks stationed in the south of Brazil neighborhood shelled the Bahloul building with a tank shell. Part of the 8-story building caught fire and was destroyed.

I. THE HUMAN RIGHTS VIOLATIONS

Unlawful Killing of Civilians

According to the basic International Humanitarian Law principle of distinction, civilians are generally immune from attack. Art. 51 of Additional Protocol I, which has gained a customary status in international law, states that civilians “shall enjoy general protection against dangers arising from military operations.” Article 51 provides, in particular, that the mere presence of armed combatants in a city does not imply that the whole city becomes a military target. The protection granted to individual civilians is subject to one condition, namely that they do not “take a direct part in hostilities.” Art. 51 of Additional Protocol I also prohibits attacks “which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.”

Art. 58 of Additional Protocol I provides specific obligations on the defending party to take basic precautionary measures against the effects of attacks, such as removing the civilian population and civilian objects from the vicinity of military objectives and avoiding locating military objectives within or near densely populated areas. In this context, the use of human shields constitutes a grave breach of IHL.

During the period of 18 to 24 May, an alarming total of 42 Palestinian civilians were killed in the so-called “Operation Rainbow”, while another 2 persons died during this period from wounds sustain in previous IOF incursions (i.e a man wounded on 15 May 2004 by IOF gunshot as well as a man wounded in 2000 in an Israeli incursion). Therefore, a total of 44 Palestinians were killed during this period. 18 of those killed were children under the age of 18, which could not have partaken in the hostilities. This brings the total of Palestinians killed in the Gaza Strip during the month of May 2004 to 101 persons; 65 of whom were killed in Rafah.

The two main cause of death were missile and shell shrapnel and live bullet wounds. A total of 26 persons were killed by shrapnel during the operation, while 13 persons were killed by Israeli snipers (including a 3 year old girl-child) and 2 by random shooting. However, it should be noted that a number of those deceased may have been saved if the IOF had not obstructed the movement of ambulances. The Center is also on possession of records of Palestinians who were shot by IOF and denied ambulance services for hours, causing deaths. Another major cause of death and injury during this operation was the attack on the peaceful march from Rafah to Tel Al Sultan on 19 May. This gross violation of international law and disregard for civilian lives caused an additional 8 lives, including 3 children, and wounded 43 persons and a majority of children.

A radio Report by Dominic Subira, Catalunya Radio:

“I was in the middle of the demonstration that started around 2 pm in Rafah, near the Al Awda Mosque. I saw no armed Palestinians in the demonstration (I was in the middle of the march). It was most definitely the Israelis who initiated the gunfire. I noticed helicopters firing heat balloons in the air, which did not explode. The first explosion I heard was from a shell that struck at the front of the demonstration. I then noticed that electricity lines made sparks and crackling sounds only 10 meters from where I was standing. In a few seconds I heard a huge explosion. People were running in every direction as another three explosions occurred. The first shell was aimed directly at the demonstration. The Israeli fired no warning missiles before this. Even while ambulances and civilian cars were collecting and transferring the wounded, the shelling continued. All the explosions took place at the site of the demonstration. The first shell caused numerous casualties.”

Affidavit given to Al Mezan Center for Human Rights by Johannes Abeling, a Dutch freelancer journalist who was in the Rafah demonstration:

“I was in the demonstration as thousands of people started to gather near the Al Awda Mosque in Rafah at around 2 pm. All the time I was in the middle of the demonstration. I noticed two armed Palestinians in the beginning of the demonstration, but saw them leave as the demonstrators marched within a few kilometers from where Israeli troops were positioned. I heard and saw no firing at the Israelis from within the demonstration. The first explosion I heard was a huge, and it targeted the front of the demonstration. There were numerous casualties. I heard flares of gunfire from Israeli troops as the mass of civilians continued to march. The Israelis fired no warning missiles near the demonstration before this. Then, I heard several explosions and saw people running everywhere. I saw what looked to be about 50 casualties (dead and wounded); many of them children. I do not understand why an army has fired missiles into a crowd of peaceful demonstrators. This was a horrible experience.”

In terms of injuries, a total of 170 persons were wounded during this incursion. It is therefore foreseen that additional losses will take place in the coming weeks, or months.

It should be noted that, in disrespect to local customs, 16 bodies were kept in vegetable refrigerators in Rafah until the end of the operation when their families were authorized to leave Tel Al Sultan neighborhood to collect them On 23 May, the people of Rafah therefore mourned sixteen Palestinians, who were killed in the

Tel Al Sultan neighborhood, in a big funeral march through the town and its refugee camp. The Israeli forces, positioned at the Sallah Ad-Din gate, on the borderline, opened fire and injured Palestinians as the funeral passed the area.

Illegal House Demolitions

Prohibition on destruction of property and disproportionate use of force: According to Article 53 of the Fourth Geneva Convention and Article 23(g) of the 1907 Hague Regulations, Israel, as the Occupying Power, is forbidden from destroying the property of Palestinians in the West Bank and Gaza Strip, unless it is militarily necessary to do so. According to Article 147 of the Fourth Geneva Convention, "extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly" is a grave breach, and hence, a war crime. The Fourth Geneva Convention also specifically prohibits collective punishment. Its Article 33 stipulates: "No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited."

The right to housing: The right to housing is a basic right, which is a fundamental component of the right to an adequate standard of living and central to the enjoyment of other human rights, guaranteed by Article 11(1) of the ICESCR.

Following a petition made by residents of Rafah through the Al Mezan Center for Human Rights, the Israeli High Court announced its decision on 16 May 2004 to reject the request to halt the Government of Israel's decision to demolish hundreds of homes in Rafah. IOF had already destroyed some 120 homes in Block O in Rafah refugee camp before this petition. The Court's ruling authorized the IOF to proceed to house demolitions in case of "military necessity" and requested that owners be notified when possible. The Court's wording was very general and leads to controversial interpretations. It said that IOF could destroy homes without prior notification of the owners under conditions: 1) Armed men fire on Israeli troops from the house(s), 2) The house(s) are used for military purposes, and/or 3) the life of Israeli troops are endangered³. As a result of the Court's ruling, hundreds of Rafah residents were seen removing their belongings and fleeing their houses on 17 May. The Israeli High Court issued a similar decision on 18 May, rejecting another petition requesting the ban of home demolitions in Rafah by the IOF. In its ruling No. 4694/04, the Court permitted house demolition when justified by military necessity or when a soldier's life is endangered.

On 19 May, the following demolitions were reported to Al Mezan:

- 1/ the IOF entered, searched and partially destroyed of Hisham Al Karzoon in Tel Al Sultan area. They separated men from women and conducted individual interrogations of the men in one of the bathrooms. Before they left, bulldozers destroyed one room on the ground floor of the house
- 2/ Israeli soldiers broke into the house of Fathi Zaout in Tel Al Sultan area, destroying walls of the ground floor and taking control of the upper floor. The family said that soldiers made holes in the walls of the upper floor and are using them to fire on the area.
- 3/ the IOF broke into the house of Ayman Al Bayumi and made his wife and five children vacate the premises. The house was used by Israeli snipers for several days.
- 4/ Israeli soldiers took control of the 3-story-house of Abdul Sattar Abu Ghali, after destroying several walls in the ground floor and forced the family to stay in one room.

On 19 May, the Al Mezan fieldworker documented the demolition of 13 homes by the IOF in Qishta area near the borderline in Rafah. This area is located four kilometers from Tel Al Sultan neighborhood where the IOF was conducting its major military operation. These homes were inhabited by 15 families with 147 individuals. Four of these homes were damaged beyond repair while the other nine were partly demolished. Other sources in Tel Al Sultan informed Al Mezan that, as of 19 May, that IOF had damaged or destroyed about 35 homes in the neighborhood and bulldozed most of the streets. UNRWA reported that it erected a camp of tents to habitat some 1,000 Palestinians who have recently lost their homes or been evicted in Rafah.

Following two helicopter raids on Brazil neighborhood and the arrival of IOF tanks in the area on 20 May 2004, the demolition of tens of homes was reported in the area. Eyewitnesses reported that the demolished homes belonged to civilians that did not partake in any hostilities. One of the homes demolished was owned by Shukriya Awwad. Her daughter reported to Al Mezan that the walls of her home suddenly started to collapse at approximately 8 am. She tried to open the house's door and leave with her old mother and aunt,

³ Unofficial translation of quotes of the Israeli High Court's ruling.

but the door was closed by the rubble of the opposite house, which had also been destroyed by bulldozers. The women had to climb a wooden ladder to reach the next door house. After 30 minutes, the neighbors' home started to shake. The two families tried to leave it and, again, the door was closed from rubble. They managed to dig holes in a wall and leave the house and took refuge in another neighbors' house.

On the same day, IOF loudspeakers were heard in Al Brazil area calling people near the house of the house of Sheikh Nafith Azzam, a leader of the Islamic Jihad Movement in Rafah, to evacuate because it was going to be blown up. An explosion of a missile occurred in the neighborhood, but the house was not destroyed. Residents of the same neighborhood reported to Al Mezan that many homes were damaged by the explosion of a missile.

Residents of Al Brazil and As-Salam neighborhoods also suffered wide-scaled home demolitions on 20 May. Bulldozers and tanks hit homes without warning of any kind. Al Mezan collected several affidavits from people who hardly managed to leave their homes before they collapsed under bulldozers. Contrary to the declared 'military necessity' for demolitions, IOF bulldozers severely damaged dozens of homes to make way for tanks into narrow roads.

An Israeli human rights organization B'Tselem, which focuses its work on monitoring human rights violations in the OPT, reported on 21 May that IOF had destroyed 62 homes in Brazil and As Salam areas of Rafah in 48 hours. According to the figures collected by Al Mezan on the same day, 61 homes were completely destroyed or damaged beyond repair and 35 others partially destroyed in the two neighborhoods. Approximately 1,115 previously occupied the documented demolished homes.

Furthermore, the Al Mezan's fieldworker in Rafah reported that the Israeli occupation forces were still occupying houses and buildings in Abu Halweh neighborhood, east of the town. A victim, Mr. Arafat Nassar Abu Halaweh informed the Center that IOF entered his 2-story-house after opening intensive fire at 12:30 pm on 21 May, 2004. IOF soldiers ordered him, his wife and their six children, as well as his brother's family, who live in the same house, to leave the house within 15 minutes and return after one week. Abu Halaweh reported that IOF demolished his parents' 300-square-meter-house and 4 dunams of planted greenhouses. They also destroyed two irrigation pools, an electric generator, a car, two fertilizer pumps, and hundreds of boxes of tomatoes.

On 22 May, United Nations Under Secretary-General for Political Affairs, Kiran Prendergast, reported to the UNSC that since the Intifada erupted in September 2000, about 18,000 people in the Gaza Strip had lost their homes. He also added that the UN agencies need about USD 32 million 'to rebuild the destroyed homes,' and that 'UNRWA has managed to re-house only 1,000 homeless people'.

On 23 May, Al Mezan collected preliminary figures on the damage incurred to property in Tel Al-Sultan neighborhood, which was as follows: 75 homes partly destroyed, occupied by 115 families. In all the cases, the furniture and belongings were damaged. 15 main and branch streets also were destroyed including water, sewage, electricity and phone networks. 14 motor vehicles were destroyed; four of which were taxis generating income for families. The amount of \$1084 of cash disappeared from houses that soldiers occupied and used during the incursion. About \$2600 worth of gold and \$2300 of small appliances such as mobile phones, cameras, and jewelry is also missing.

Al Mezan also received pleas from Palestinian families in the Al Brazil neighborhood as IOF bulldozers started to destroy their homes on 23 May. One extended family refused to leave their two houses and the demolition process was ongoing with them inside. Safa' An-Namla, reported that after bulldozers started to bulldoze her house, they made sure that the driver saw that many people were inside. Soldiers spoke with them with loudspeakers and ordered them to evacuate the houses immediately. Safaa' left the house with her aunt, holding a piece of white cloth. One soldier told them to talk to the commander. They refused and the soldier made them walk to their relatives' house nearby. The soldier released a dog that was with him, and started to ask them questions about where the owner of the house was and where the tunnel was. When they told him the knew of no tunnels, he said they were 'liars'. Meanwhile, Al Mezan's lawyers were in contact with the Israeli Army's Legal Advisor. They demanded that he stops the demolition of the An Namla houses. The first response they had was that the houses were under demolition by military orders and that they were empty, according to troops in the location. The lawyers, however, sent him a message with the names of the people inside the houses and their phone number assuring that there isn't any kind of assault on IOF in the area. Al Mezan knew from the family that parts of one of the to homes were destroyed and IOF left their area.

Early in the morning of 24 May, Israeli tanks and bulldozers have stormed into Qishta Block, in the Brazil neighborhood at the borderline in the town. Al Mezan's fieldworker reported that bulldozers had destroyed about 47 homes by 6 pm. This brings the total documented number of demolished home in the Brazil and As Salam neighborhoods to 135 homes.

On 24 May, UNRWA set up a new temporary camp to shelter about a hundred Palestinian families who became homeless owing to IOF's home demolitions in Rafah during the last ten days. The tent-camp has been set up at the Al Khansaa School in Rafah Refugee Camp. Some 1000 people are temporarily living there and receive regular aid from UNRWA and other organizations, as well as the local community.

As per United Nations estimates, 167 buildings were destroyed and rendered inhabitable in Tel Al Sultan, Al Brazil and As-Salam neighborhoods in Rafah during 'Operation Rainbow' leaving 2066 Palestinians homeless. In total, 1476 buildings have been destroyed by the IOF and 14,666 Palestinians have been made homeless in Rafah since the start of the Intifada. According to Al Mezan documentation, the overall number of homes demolished or partially destroyed in the Gaza Strip by the IOF since the beginning of the Al-Aqsa Intifada in September 2000 amounts to a total of 5,013, rendering 39,000 people homeless.

Destruction of Civilian Objects Indispensable to the Survival of the Civilian Population

Under the principle of distinctions, civilian objects (including infrastructure, buildings, equipment, supplies, etc...) should also be spared from attacks. Art. 52 of Additional Protocol I defines civilian objects as "all objects which are not military objectives". Under Article 52, military objectives are limited to "those objects which by their nature, location, purpose, or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage. "In the context of an occupation, the Occupying Power cannot destroy private or public property in the occupied territory "unless such destruction is rendered absolutely necessary by military operations." (Art. 53 of the Fourth Geneva Convention.)

The obligation under Art. 54 of Additional Protocol I to protect objects indispensable to the survival of the civilian population such as foodstuffs and drinking water installations (and to not make such objects the object of reprisals);



Rafah municipality bulldozer attacked by IOF bulldozers as workers tried to fix water-well

On 18 May, Rafah Mayor, Mr. Said Zoroub, informed Al Mezan Center for Human Rights that the town suffered a serious lack of drinking water due to an electricity cut and to damage IOF caused to main water lines. He informed that the IOF prohibited the Municipality's workers from repairing the destroyed water and electricity lines, making the situation even worse.

Israeli bulldozers proceeded to raze the streets of the Tel Al Sultan neighborhood since the very beginning of the incursion. Numerous reports confirmed that remains of water and sewage lines could be seen in many streets. On 20 May, the water supply had been cut off for the third consecutive day, and municipal water services were unable to reach the area to fix them. The Head of the Water Section of Rafah Municipality

reported that as municipal officials arrived on the location of one of the water wells to repair it, the IOF targeted their vehicle and shot at the driver (see picture of the Municipality bulldozer above). He added that, in any case, operating the water wells would not have supplied houses in Rafah with water, as all the necessary networks had been destroyed. As a result, the only solution to supply residents of Tel Al Sultan with water was through mobile reservoirs, with IOF permission.

Initial reports from 21 May concluded that seven streets in the neighborhood were completely demolished. The location of the destruction and other information is available at the Center.

On 23 May, Al Mezan collected preliminary figures on the damage incurred to property in Canada neighborhood in Tel Al Sultan, which showed that 15 main and branch streets had been destroyed including major parts of water, sewage, electricity and phone networks.

Denial of the Right to Medical Services

The Occupying Power has the responsibility of ensuring food and medical supplies for the population, as well as maintaining medical services (Geneva Convention IV, Art. 55, 56).

Art 10 of Additional Protocol I states that the wounded shall "in all circumstances...be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition.". Furthermore, there exists an obligation under Art. 12 of Additional Protocol I to protect medical units and under Art. 15 to protect civilian medical and religious personnel. Art 21 of the Additional protocol extends this protection to medical vehicles.

From the very beginning of the operation, Dr. Ali Mousa ,the director of Rafah's only hospital Abu Youssef An- Najjar, alerted that the hospital is facing serious difficulties to deal with the current number of injuries and fatalities due to its restrained capacity. The hospital is not designed to deal serious injuries cases and lacks an intensive care unit to deal with the important number of serious injuries.

18 May:

Dar Al Kitab Wa Al Sunna Society responsible for ambulance services reported that it lost contact with one of its ambulances near Tel Al Sultan. After investigation, it appeared that the ambulance staff had fled after they were caught under intensive IOF fire. One of the ambulance's staff confirmed to Al Mezan that the vehicle had been shelled by IOF when they were trying to collect injured people in Bader camp north of Tal Al Sultan at 3 am. They escaped and took refuge in a house in the area..

After Israeli helicopter gun-ships fired 6 missiles on the Block Q neighborhood in the Western refugee camp, east of Tel Al Sultan at 8.35 am on 18 May, two victims remained in the street and could not be collected by ambulances due to the restrictions imposed by the IOF on the movement of ambulances. At 11.30 am residents of the neighborhood managed to reach one of the bodies and to put it in a refrigerator. The other body was reportedly still in the street at 12 am. Several ambulances were exposed to Israeli fire when they tried to approach the area. Ambulances were also restricted by the IOF from collecting two additional fatalities in the western refugee camp of Rafah.

Affidavit given by Sameer Noufal, aged 30 from Canada neighborhood of Tel Al Sultan:

'At approximately 7pm on Tuesday May 18, 2004, I was at my home in Canada neighborhood in Tel Al Sultan when I saw a friend, Abdul Salam Abu Iyada, crossing the street to his brother's house, which is next to my house. I suddenly heard the sound of intensive shooting and saw Abdul Salam lying on the ground in the street. My brother, Ahmad was with me, and we shouted to Abdul Salam to try to reach us, as we knew that Israeli snipers, who were shooting, were stationed in the house of Abdul Sattar Abu Ghali close by. He managed to reach a branch street and we broke one of our house's windows to get him inside. We called the Al Najjar hospital and reported his injury but no ambulance appeared. My brother, who is a nurse, called a surgeon and asked him what to do as Abdul Salam was badly bleeding from the abdomen. He could not stop the bleeding however; an ambulance reached us one hour and a half-later and took him. (Al Mezan called the hospital and it reported that the victim arrived at 11:10am; more than four hours after he was injured. They also said that IOF stopped the ambulance for a long time).

The IOF forces opened the main street between Rafah and Khan Yunis between 4:30 pm and 7:30 pm, Tuesday 18 May 2004 to allow for ambulances to bring the increasing number of injured to hospitals outside of Rafah. However, IOF soldiers fired at an ambulance as it was taking a critical medical case to the European Hospital in Khan Yunis after coordination with the IOF and authorization to pass through a newly erected checkpoint.

Eyewitnesses in Rafah reported to Al Mezan that on 18 May in the afternoon, a teacher from Tel Al Sultan going in labor could not reach a medical center due to tanks in front of her house firing at any movement. She was carried from house to house through the windows until she reached the house of a midwife in the area.

20 May:

Following a helicopter gunship attack at 1.30 am on Al Brazil neighborhood, which killed three Palestinians and wounding two, ambulances managed to reach the victims' location using dirt roads but could collect only one person before IOF started firing at them. The ambulances had to wait until 3 am to collect the others. At 5:50 am on the same day, Palestinian ambulances collected two bodies near the Brazil area.

In an affidavit to Al Mezan, Ziyad Hassan reported that at 8am, the IOF ordered him to leave his house with his family. Once they were in the street, a tank opened fire at them injuring three of them. Hassan managed to go back into the house and call an ambulance. At 8:45 the ambulance arrived near Abu Bakr Mosque in the area, where it was stopped by a tank. An IOF bulldozer erected sand barriers both in front and behind the ambulance. It kept adding sand until more than half of the ambulance was buried. The ambulance driver remained stuck inside the ambulance and reported to Al Mezan by phone.

In another affidavit given to Al Mezan, ambulance driver, Ali Abdullah Abu Amra said that an Israeli tank opened fire at the ambulance while it was waiting to take a doctor to help injured people. He said that the tank showed up suddenly at Saddam Street in Al Jneneh neighborhood in Rafah and fired at the ambulance despite its clear distinctive signs and a red siren. The mission to collect the wounded consequently failed.

In another case, a Palestinian family called the Al Mezan fieldworker and reported three injured persons in their home. After calling ambulance services which could not reach them, they called the Center's fieldworker and asked human rights organizations for help. Ambulance services said they were restricted from entering the neighborhood.

21 May:

A resident of Tel Al Sultan neighborhood contacted Al Mezan and reported that Israeli forces prevented the wounded from getting help, causing them to bleed to death. Residents of Tel Al Sultan criticized the international community for its silence in the face of war crimes.

Affidavit given by Yihia Abu Al Ouf, educational supervisor from Tel Al Sultan neighborhood:

'At approximately 10pm on Wednesday 19 May 2004, I was looking through the window of my house into the Al Nus street in Tel Al Sultan neighborhood. I was following the developments of the IOF incursion. We were so worried from the sounds of shooting and bombing. I saw my neighbor, Ashraf Abu Mar'i crossing the street and walking westward. Suddenly there was a sound of shooting. I saw Ashraf fall to the ground and I could see that he was bleeding. He was trying to crawl to a safe area and there was very intense firing. I saw dust rising from the spot where he was. He stayed in that spot for more than 15 minutes and the firing continued. A group of men, I could not count how many, from our neighborhood came from a close branch road and tried to pull him from the street. They finally managed to do so and took Ashraf to a house. A neighborhood doctor was found, Dr. Mousa Khafaja. After about one hour and a half an ambulance came to take him to hospital.'

Israeli human rights organizations petitioned the Israeli court to stop the IOF's prevention of medical supplies and staff from entering Rafah, and to stop cutting off electricity and water to the city's residents. The Israeli army retorted it did not obstruct medical assistance during its operations in Rafah. However, Al Mezan has kept records of the names and relevant information related to medical teams that were either obstructed or attacked by IOF during the incursions. This includes firing at obviously marked ambulances, blocking way of an ambulance and burying parts of it with sand by bulldozers, and not allowing medical staff to evacuate an area under IOF control for long hours following the targeting of their vehicle. The Center is also in possession of records of Palestinians who were shot by IOF and denied ambulance services for hours, causing deaths.

Denial of the Right to Relief and Humanitarian Assistance

The Occupying Power has the responsibility of ensuring food and medical supplies for the population, as well as maintaining medical services (GC IV, Art. 55, 56). "If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all means at its disposal." Such relief schemes can be undertaken either by States or by impartial international organizations like the ICRC. The Occupying Power must also guarantee the protection of relief consignments (GC IV Art. 59.). Such relief consignments do not relieve the Occupying Power of its ultimate responsibility to ensure (to the fullest extent that it can) that protected persons have access to food and medical supplies and medical services (GC IV Art. 60).

On 17 May, IOF's closure of Rafah obstructed ICRC relief aid to Rafah. The IOF refused the passage of trucks of food, tents, and medicine. The convoy waited between 1 pm and 7:30 pm before IOF allowed them to take the branch dirt road through which the trucks could not pass. A convoy of the Palestinian Ministry of Health's was subject to similar obstructions.

In view of the rapidly deteriorating humanitarian situation in the Tel Al Sultan neighborhood due to lack of water, medicine and food supplies, humanitarian organizations reported to have sent emergency aid to the neighborhood on 19 May, but it could not reach it.

Humanitarian sources in the Gaza Strip reported on 20 May that they faced difficulties in finding the necessary aid materials, especially children's milk, due to the closure of the Gaza Strip's only commercial crossing to import and export goods.

Finally, after 4 days of military operation during which the population did not have water and was running out of food supplies, international aid agencies, including the ICRC and UNRWA, successfully entered the Tel Al Sultan neighborhood with food, water and medical supplies.

Hostages

Article 34 of the 4th Geneva Convention states that: "No hostages shall be taken".

During this operation, The IOF requisitioned numerous family houses, and particularly taller buildings in order to station snipers. On 19 May, the following reports of such measures were reported to Al Mezan:

1/ Israeli soldiers broke into the house of Fathi Zaqout in Tel Al Sultan area, destroying walls of the ground floor and taking control of the upper floor. The family said that soldiers made holes in the walls of the upper floor and were using them to fire on the area.

2/ the IOF broke into the house of Ayman Al Bayumi and made his wife and five children vacate the premises. The house was used by Israeli snipers. This family reported to the Center that soldiers mistreated them during their presence inside the home.

3/ Israeli soldiers took control of the 3-story-house of Abdul Sattar Abu Ghali, after destroying several walls in the ground floor and forced the family to stay in one room.

4/ the IOF broke into the house of An Najjar family in Tel Al Sultan neighborhood and made the family evacuate a flat in the house. Snipers used the flat to fire on the area, while the entire extended family is forced to stay in one room.

On 20 May, a Palestinian mother, Suad Al Bayumi, who was held hostage with her five children inside a flat in her two-story-house for two days, reported to Al Mezan that the soldiers had left her house. As she returned to her apartment she found that all the furniture had been destroyed. Her jewelry and savings had disappeared from the apartment. 'Although there are two bathrooms in the apartment, soldiers used the mattresses and furniture to pee on', she said.

On 21 May, the IOF commandeered numerous family homes, particularly those in taller buildings in the neighborhood, causing enormous damage to the walls and furniture. Snipers used these homes as lookouts from which to shoot at people during incursions. A number of these homes were documented by the Center as owned by: Samir Khalifa, Sharif Rusrus, Muhammad An Najjar, Jamal Al Bayumi, Nafith Al Umwasi, Sba'a Awad, Hisham Al Karzoun, Mamhud Abu Hilal, Fathi Abu Ghali, Muhammad Abu Qoura, Ayman Al Bayumi, Zyad Aqil, Ahmad Younis, Abdul Sattar Abu Ghali, and Nadheer Al Luqa. These buildings requisitioned by the IOF were for the most part several stories high. Extended families found themselves detained in one room of the building during the IOF's operation. In some cases, soldiers dug holes in the walls and uplifted ground stones to use them as barriers. In the evening of 21 May 2004, IOF entered the house of Naji Abu Udwan and ordered the family to evacuate their home. The house owner told Al Mezan that soldiers talked to them through loudspeakers and that made sand barriers around the house.

On 24 May, Israeli tanks occupied the house of Jawdat Abdul Al after detaining its residents in one room. Two hours later, another 14 tanks moved from the Rafah Crossing and took control of another house, owned by Anwar Abdul Al, west to the Salah Ad-Din Street in the eastern part of Rafah. In addition, IOF bulldozers have been leveling agricultural land around this area.

Arrests and Detention

On 19 May, initial reports showed that dozens men had been arrested in Tel Al Sultan by the IOF. It was reported that some detainees were used as human shields. In the morning hours, IOF loudspeakers called all the men of the neighborhood over the age of 16-years-old to gather in a neighborhood school. The IOF also ordered men employed by the Palestinian Authority Police forces to ‘surrender at the police station’ in the neighborhood. Later, soldiers ordered 50 men from those who gathered in Al Qadisiya Secondary School to gather and took them by a bus to a military post near Zourob Hill. Another 50 were ordered to come out and taken to the same place. The people who were on the first bus were interrogated for a few minutes each and searched. Those who were in the second bus were left to walk home, just after the shelling of the civilian march near the post. Due to the numbers of detentions for different periods of time, Al Mezan is not in measure of providing an exhaustive list of names.

On 20 May, IOF arrested and detained numerous Palestinians from Rafah. Despite Al Mezan’s efforts to find out where the detainees were being kept in custody, the location of many of them remained unknown. The only statement from the Israeli Army Legal Advisor on this matter was that a number of Palestinians were detained in a house in Rafah. He did not give information on the location of the house or the number of the detainees. The Center questions the IOF’s motives behind keeping detainees inside an area where a military operation was ongoing. The Center feared that the IOF would use of the detainees as human shields, as was done at several occasions in Gaza and the West Bank during similar operations.

It was reported on 23 May that the IOF created a new detention center at the borderline in Rafah where they keep about 60 Palestinians arrested since the beginning of the ongoing military operation. A person who was released from this Center said that IOF arrested him and took him through the borderline to this center. He also said that the new detention center is run by soldiers and that he, and many others were tortured during the interrogation.

III. ACTIONS UNDERTAKEN BY AL MEZAN CENTER

On 18 May, Al Mezan Center for Human Rights issued an urgent letter to the United Nations' Secretary General requesting effective International intervention to stop war crimes being perpetrated in Rafah and other places in the Occupied Palestinian Territories (OPT). The letter asserts that international intervention over the past few days has done nothing to stop the IOF invasion and calls for more effective intervention by the United Nations and the international community to fulfill its legal and moral obligations under International Law. For the full text, please see www.mezan.org.

Also on 18 May, Al Mezan's lawyers intervened six times in emergency humanitarian cases by contacting the Legal Advisor of the Israeli Army to request:

- 1/ safe passage for four ambulance staff besieged into a house in Tel Al Sultan neighborhood after tanks fired at their ambulance. The IOF allowed passage at 6:30 pm.
- 2/ the evacuation the two guards of a construction site blocked inside an office container that was turned over by an Israeli tank earlier.
- 3/ permission for an ambulance to collect the body of Palestinian who was killed by an apache missile and left in the street for hours and then kept in a fridge by residents of the Western refugee camp near Tel Al Sultan.
- 4/ access of ambulances to collected and buried the bodies of 3 Palestinians killed by Israeli snipers and left bleeding to death in the street. No feedback was received on this case.
- 5/ evacuation the 13 staff members of a Rafah clinic under siege.
- 6/ to cease the demolition of the Canada Neighborhood Society building.

On 19 May, Al Mezan Center for Human Rights and Physicians for Human Rights-Israel contacted the IOF to 99 children and 18 female teachers and workers detained in the orphanage run by the SOS association in Tel Al Sultan. Reports showed that they were running out of food supplies and that IOF has opened fire on the orphanage at several occasions.

On the same day, a group of Palestinian and Israeli human rights organizations published an advertisement against IOF's violations of Palestinian Human Rights in Arabic, English and the Herald-Tribune today. For full text of the advertisement, please visit Al Mezan's website at www.mezan.com.

Al Mezan Center for Human Rights and Physicians for Human Rights-Israel also contacted Israeli officials to ensure ambulance services for an injured Palestinian in Tel Al Sultan. The man has been bleeding for hours as IOF restricted the movement of ambulances and fired at people trying to approach him. The two organizations also requested ambulance services for two women who are about to give birth at home.

On 20 May, Al Mezan issued an urgent appeal on the lack of water and other humanitarian supplies for the population of Tel Al Sultan neighborhood, after three days of house arrest without water supply or child's milk. It also affirmed IOF's deliberate destruction of water networks in the area.

Al Mezan contacted Physicians for Human rights, on 20 May with the case of Hassan Abu Armaneh, his wife and their ten children who were arrested by the IOF and taken in an armored vehicle to the military "no mans land" of the Rafah-Egypt border where they were left on the spot without instructions or necessary papers.

Al Mezan and Physicians for Human Rights-Israel also contacted the Israeli army regarding the obstruction of ambulances to collect persons injured from IOF live bullets in their home in Tel Al Sultan neighborhood.

On 22 May, Al Mezan staff, in company of other human rights activists, entered Rafah with medicine donated by Israeli organization Physicians for Human Rights to Abu Youssef Al Najjar Hospital.

Al Mezan Center for Human Rights also issued a letter to the President of the European Council today, in which the Center demands immediate action by the EU to bring an immediate halt to Israel's escalation of violence in the Gaza Strip and to dispatch international protection for Palestinian civilians and their property. The letter reports on the impact of IOF's ongoing military operations in terms of human loss and damage to property, in addition to other collective punishment procedures.

On 23 May, Al Mezan contacted the Israeli Army Legal Advisor regarding pleas received from Palestinian families in the Al Brazil neighborhood as IOF bulldozers started to destroy their homes. One family in particular refused to leave their two house and demolition was ongoing with them inside.

On 24 May, Al Mezan lawyers initiated a legal action against IOF's demolition of homes in the Qishta neighborhood. Contrary to the same Court's ruling, IOF are carrying out these demolition without any 'military necessity'. Eyewitnesses said that the area did not witness any clashes during the past days.

IV. INTERNATIONAL COMMUNITY AND ISRAELI STATEMENTS

International Condemnation

The IOF operation in Rafah and the announced demolition of houses in the same area generated wide-scale international condemnation during the first days of the operation. This was followed by a second wave of denunciation following the deliberate attack of innocent Palestinians during a peaceful march from Rafah to Tel Al Sultan neighborhood.

17 May:

- UN Secretary General, Kofi Annan, announced today that 2,200 Palestinians have been made homeless in Rafah since the beginning of May 2004.

18 May:

- The Israeli operation in Rafah and the foreseen demolition of houses received widespread international condemnation:
- UK Foreign Secretary, Jack Straw. See press release issued this date by the UK Foreign and Commonwealth Office
- The Arab League condemning Israel's aimed at the ethnic cleansing and illegal collective punishment of Palestinians.
- Dr. Abdul Wahid Bul Qzeez, the Secretary General of the Islamic Conference Organization. See press release issued this date.
- The Government of Japan prompted Israel to immediately stop its home demolitions in Rafah in a press release issued by the Ministry of Foreign Affairs.

19 May:

- The International Committee of the Red Cross issued a press release on IOF's violations of humanitarian law in southern Gaza Full text of the press release is available at www.ICRC.org.
- The General Secretariat of the Arab Gulf States Council condemned Israel's brutal offensive on the Gaza Strip, especially in the south.
- UNSCO Chief, Terrie Roed Larsen, said Israel must perform as an occupying power and uphold according to international law, especially in regards to the treatment of civilians under occupation.
- The Government of the People's Republic of China said it opposes Israel's campaign of home demolitions in the Gaza Strip.
- The British Prime Minister described the offensive as 'unacceptable and wrong'. Russia also denounced Israel's illegal acts and said that 'peaceful civilians are dying, dozens of homes are being torn out...., all of this deserves to be condemned'. (Source: Agence France-presse, May 19, 2004)
- In a joint Islamic-Christian press release, religious institutions and figures condemned the Israeli military campaign in Rafah, in which numerous places of worship have been targeted.
- Cyprus-Arab Solidarity Committee called the UN, EU, and all governments to take steps to bring to an end Israel's acts of killing and destruction in the Occupied Palestinian Territories.
- In their closing release of their 6th Summit, the Presidents of the African Coast and Saharan Countries called the International Community and the United Nations to fulfill their obligations and protect effective civilians for the Palestinian people and to pressure Israel to comply with International Law.
- The Canadian government summoned the Israeli ambassador to voice concern about deaths of Palestinian civilians in the Gaza Strip today.

- The United Nations Envoy to occupied Palestinian territories considered Rafah attack as a violation of international law and said that the UN should consider arms embargo against Israel.
- The president of the Lebanese Parliament, Nabeeh Berry, condemned Israel's aggression against the Palestinian People, especially in Rafah.
- The EU condemned Israel's attacks on Rafah and describes them as 'completely disproportionate and showing reckless disregard for human life'.
- The UN Special Rapporteur for Occupied Territories, Mr. John Dugard, issued a press release and said he was "horrified at Israeli action in Gaza". The full text of his statement is available at: www.unhchr.ch
- The United Nations Security Council adopted Resolution UNSC 1544 (2004), in which it calls upon Israel to stop demolition of Palestinian homes. Fourteen states voted in favor while the US abstained. The Security Council called on Israel to 'respect its obligations under international humanitarian law, particularly the obligation not to undertake home demolitions contrary to that law' and expressed grave concern regarding the humanitarian situation of Palestinians made homeless in the Rafah area. The full text of the Resolution can be found at:

<http://www.reliefweb.int/w/rwb.nsf/UNID/83C20B74077DD08F49256E9A000E8D24?OpenDocument>

20 May:

- The International Committee of the Red Cross (ICRC), issued a press release stating that "civilian life must be respected under International Humanitarian Law".
- The UNICEF spokesman in Jerusalem said that the organization was highly concerned at the risks for the well-being of Palestinian children in Rafah and that Israel should watch its obligations under the Convention on the Rights of the Child, to which it is a signatory.
- Both the Chilean and Austrian governments also condemned Israel's operation and the targeting of civilians.

21 May:

- The governments of Russia, South Africa, Pakistan, Japan, Turkey, Ukraine and Mexico issued statements that strongly condemned the operation and called upon Israel to stop its violations against Palestinian civilians.
- Doctors Without Borders called upon Israel to stop targeting civilians and their homes in Rafah, and to ensure the safe passage of medical teams and relief aid into the areas under siege. The organization said that its own teams were obstructed by IOF.
- The United Nations Under Secretary-General for Political Affairs said today that the IOF's demolition of homes in Gaza is a gross violation of international law.
- Amnesty International asked Israel to 'promptly carry out a thorough and independent investigation into the killing of eight Palestinians, four of them children, and the injury of dozens of others by the Israeli army during a demonstration in the southern Gaza Strip town of Rafah, on 19 May 2004'. The organization called for a 'thorough and independent investigation be promptly carried out by the Israeli judicial authorities', especially in light of 'a pattern of inadequate investigations or lack of investigations into unlawful killings and excessive use of force by the Israeli security forces resulting in death or injury to Palestinians'.

22 May:

- Peter Hansen, the UNRWA Chief Commissioner visited the Al-Brazil and Tel Al Sultan neighborhoods in Rafah and described the situation of these areas as a 'humanitarian catastrophe'. He said he was shocked by the scene of home and infrastructure demolition. He also called IOF to stop its operation immediately to spare civilians' life and to allow for the families of those killed by IOF in Tel Al Sultan to bury their dead, which are currently kept in flower refrigerators in Rafah. Following a meeting with many victims in the town, Mr. Hansen appealed to the international community to provide urgent aid to

the town. He said UNRWA needs USD 35 million to rebuild the demolished shelters for refugees.

23 May:

- The acting High Commissioner for Human Rights said in a press release issued on 23 May that he was ‘deeply disturbed about the consequences of Israel's recent military operation in the Gaza Strip, in particular in Rafah, and its disproportionate use of force in densely populated areas’.
- Three independent United Nations’ human rights experts of the Commission on Human Rights also issued a statement echoing their concerns about the violence and loss of life during the peaceful demonstration in the Rafah refugee camp of the Gaza Strip on 19 May 2004.

24 May:

- The Government of Kuwait condemned Israel’s operations in the Gaza Strip.

Government of Israel Statements

On 17 May, the IOF announced a wide-scale operation in Rafah. Israeli spokesmen announced that the IOF planned to isolate the town and launch an operation to arrest so-called Palestinian “suspects” and destroy tunnels

To the surprise of all, the operation was launched in Tel Al Sultan area, which is about a kilometer from the borderline with Egypt and therefore, in all probability, cannot be a tunnel location. However, despite the 20 Palestinian killed and 50 injured during the first 18 hours of the operations, Israeli Chief of Staff, Moshe Ya’alon, Israeli Defense Minister, Shaul Mofaz stated on 18 May that the IOF would continue the ongoing operation in Rafah for as long as necessary and that Palestinians “should stop smuggling tunnels if they want home demolitions to stop”. The operation was named “Operation Rainbow”.

On 19 May, Israel’s envoy to U.S. was reported to have announced that Palestinians were dismantling their own homes to make it appear as if Israel damaged them during IOF’s raids and to petition for compensation. Al Mezan’s records however prove that Palestinians in Rafah stayed in their homes until IOF destroyed them. Al Mezan’s fieldworker in Rafah visited the area and reported that not all the residents had evacuated their homes despite the rejection of petitions to High Court and the announcements made by Senior Israeli military and political officials.

Also on 19 May, the Israeli Army Radio announced that two children, brother and sister, that were killed in their home on 18 May, had died from an explosive device thrown at Israeli soldiers in Rafah. However, according to witnesses, it was reported that they were killed from live bullets from Israeli snipers while they were trying to bring in laundry from the roof of their building.

In terms of house demolitions, the Israeli Army spokesman announced on 19 May that IOF had demolished 60-70 homes in Rafah since the death of five IOF soldiers in Rafah the previous week. The Israeli Army published a legal background on the home demolitions. The paper again, emphasizes the crucial need for home and other civilian structures demolition due operational necessity. However, media and human rights organizations issued reports and showed pictures of a much wider-scaled demolition. Amnesty International described IOF’s demolitions as ‘a long-standing policy’ and a violation of international humanitarian law and provided a legal opinion on ‘military necessity’.

Regarding the attack of the peaceful march from Rafah to Tel Al Sultan which killed 8 civilians and injured 43, Israeli Military sources claimed that the IOF helicopter fired a warning missile at an empty field and four tank shells at an abandoned structure to break up the demonstration that included armed men. The source claimed that the casualties were a result of a tank shell that deviated from its route and asserted that IOF would not have deliberately target civilians.

After dozens of reports by Palestinians, Israeli and international sources on the home demolitions in Rafah by IOF, the Israeli Army Chief of Staff, Moshe Yaalon, announced on 24 May that the problem was not the IOF performance in the field (Rafah), but Palestinians lies. He said that IOF destroyed 12 homes in the town since the beginning of their operation, according to Arabic version of the Israel Paper Yediut Ahronot.

Reactions of the Israeli Civil Society/ Political Parties

18 May:

- Israeli organization, Physician for Human Rights, immediately undertook to work with the IOF on a case by case basis to ensure access of Palestinian ambulances to the besieged area of Tel Al Sultan.
- Yusi Sarid of Israel Meretz party criticized Israel's army operation in Rafah and described it as an illegal act. He added in a press release that this operation endangers women and children. Sarid questioned the army's claims that homes were only destroyed when used by militants to fire from them and said that these excuses were not accurate. He asserted that the Israeli forces destroy homes inside the town for different reasons, including to expand the illegal Philadelphi route.
- Arab Knesset Member, Jamal Zahalqa, was expelled from Israeli Knesset meeting as he accused Israel of perpetrating war crimes in Rafah, including killing civilians, obstructing the movement of ambulances and demolishing homes of civilians. He added that the number of Palestinians made homeless by IOF is more than the number of Israeli settlers in the Gaza Strip.
- Hundreds of members of the Israeli organization Peace Now and other groups demonstrated in front of the Israeli Ministry of Defense in Tel Aviv. Demonstrators called for immediate halt of the Israeli army operation in southern Gaza Strip and called Israeli soldiers to refuse to take part in the military operations.

19 May:

- The Association for Civil Rights in Israel called on IOF command to initiate investigation into killing of numerous civilians in the Rafah march.
- Arab Member of the Israeli Knesset, Azmi Bshara stated that Israeli Prime Minister and the Israeli Forces Chief of staff must be brought before an international court for ordering war crimes in Rafah.

20 May:

- Israeli left-wing activists demonstrated in several cities of Israel to protest about the IOF attack on the Rafah march, in which eight Palestinian protestors were killed from tank shelling. Many Israeli parliamentarians and politicians criticized IOF for this operation.
- A member of Knesset of Meretz Party said that the Israeli Army had lost its mind and that the orders to fire on civilians were illegal.
- Muhammad Baraka, an Arab member of Knesset said that the Israeli army was perpetrating massacres in Rafah and called for international intervention.

21 May:

- Israeli human rights organizations petitioned to the Israeli High Court to conduct an investigation into the IDF tank shells fired at Rafah protesters, which killed 8 people on 19 May. They also petitioned the court to stop the obstruction by IOF of medical supplies and staff from entering Rafah, and to restore electricity and water to the city's residents. The Israeli army said it did not obstruct medical assistance during its operations in Rafah. However, Al Mezan has kept a record of the names and relevant information related to medical teams that were either obstructed or attacked by IOF during the incursions. This includes firing at obviously marked ambulances, blocking the way to ambulances or physically stopping its movement. The Center has also collected records of Palestinians who were shot by IOF and denied ambulance services for hours, causing additional deaths.

23 May:

- Israeli Justice Minister, Yosef Lapid, stated that the demolitions of Gaza homes was inhumane and not Jewish and that the IOF cease such actions.. Haaretz newspaper reported that Mr. Lapid said 'at the end of the day, they'll kick us out of the United Nations, try those responsible in the international court in The Hague, and no one will want to speak with us'. (Source <http://www.haaretzdaily.com/hasen/spages/430587.html>)

24 May:

- 'Barak: War on terror should not compromise human rights'. This was the title of an article by Yoav Yoaz on Israel's Haaretz daily electronic version. The article provided that the Israeli High Court's president, Judge Aharon Barak, said that "Israel is today in the middle of a difficult war on terrorism. It is up to justice to give appropriate weight to security considerations; however there is the need to ensure that the rights of the individual are not compromised for the sake of the required information." He added that particularly now with the cannons firing, it is important that we know what we are fighting for." (source: <http://www.haaretzdaily.com/hasen/spages/431430.html>)
- Israeli leftist groups, human rights activists and academics stated that they refuse the appointment of an ex-IAF commander as Deputy Chief of Staff of the Israeli Army. They accused Dan Halutz of perpetrating war crimes. They claimed to have petitioned to the Israeli High Court to halt his appointment, until his role in the assassination of Salah Shihadeh, in which 16 Palestinians were killed, is clarified.

Annex. 1
List of Persons killed by the IOF during Operation Rainbow

No.	Name	Age	Date of death	Circumstances and Cause of death
1.	Muhammad Khalil Al Jindi	24	18 May	2 IOF Missiles in Block P - shrapnel
2.	Walid Mousa Abu Jazar	27	18 May	2 IOF Missiles in Block P - shrapnel
3.	Muhammad Abdul Rahman An Nawajha	27	18 May	2 IOF Missiles in Block P - shrapnel
4.	Hany Muhammad Qufeh	17	18 May	2 IOF Missiles on Mosque in Block Q - shrapnel
5.	Tariq Ahmad Sheikh Al Eid	24	18 May	2 IOF Missiles on Mosque in Block Q - shrapnel
6.	Ibrahim Ismail Al Bal'awi	18	18 May	2 IOF Missiles on Mosque in Block Q - shrapnel
7.	Ismail Al Bal'awi	45	18 May	2 IOF Missiles on Mosque in Block Q - shrapnel
8.	Muhammad Jasir Al Shair	17	18 May	2 IOF Missiles on Mosque in Block Q - shrapnel
9.	Ahmad Jasir Al Shair	18	18 May	2 IOF Missiles on Mosque in Block Q - shrapnel
10.	Zyad Hussain Shanana	22	18 May	IOF snipers in Badr Camp – bullet wound
11.	Imad Fadel Al Mghari	34	18 May	IOF snipers in Badr Camp – bullet wound
12.	Mahmud Ismail Abu Touq	34	18 May	IOF snipers in Badr Camp – bullet wound
13.	Yousif Zahi Qahwash	25	18 May	6 IOF Missiles in Block Q - shrapnel
14.	Saeed Ibrahim Al Mghaiar	23	18 May	6 IOF Missiles in Block Q - shrapnel
15.	Muhammad Abdullah Darweesh	27	18 May	Missile shrapnel in different parts of the body
16.	Ahmad Muhammad Al Mghaiar	13	18 May	Random Israeli machine-gun firing hit their home in the Tel Al Sultan - live bullet in the head
17.	Asmaa Ahmad Muhammad Al Mghaiar	16	18 May	Random Israeli machine-gun firing hit their home in the Tel Al Sultan - live bullet in the head
18.	Muhammad mas'ud Zourob	33		A live bullet in the abdomen
19.	Ibrahim Jihad Al Qun	17		A live bullet in the head
20.	Taysir Zaki Kaloub	31		A live bullet in the abdomen
21.	Shadi Fayiz Al Mghari	24	19 May	Shot by IOF soldiers while executing order to evacuate house – live bullet in the head
22.	Usama Abdullah Abu Nasser	24	19 May	Shot by IOF soldiers while executing order to evacuate house- live bullet in the head
23.	Sabir Ahmad Abu Libdeh	13	19 May	Shot by IOF soldiers while executing order to evacuate house- live bullet in the head
24.	Khalil Hasan Abu Saad	37	19 May	Shot by IOF soldiers while executing order to evacuate house –live bullet in the chest
25.	Walid Naji Abu Qamar	10	19 May	Rafah March - Shrapnel
26.	Muhammad Talal Abu Shaar	20	19 May	Rafah March - Shrapnel
27.	Alaa Msallam Sheikh Al Eid	20	19 May	Rafah March - Shrapnel
28.	Mahmud Tariq Mansour	13	19 May	Rafah March - Shrapnel
29.	Fuad Khamis Al Saqqa	31	19 May	Rafah March - Shrapnel
30.	Mubarak Saleem Al Hashash	10	19 May	Rafah March - Shrapnel
31.	Rajab Nimir Barhoum	17	19 May	Rafah March - Shrapnel
32.	Ahmad Jamal Abu Al Saeed	18	19 May	Rafah March - Shrapnel
33.	Mahmud Jamal Al Mghari	21	20 May	Helicopter gunship missile on Al Brazil- shrapnel
34.	Hamid Yasin Bahlul	18	20 May	Helicopter gunship missile on Al Brazil- shrapnel
35.	Mahmud Fathi Deib	22	20 May	Helicopter gunship missile on Al Brazil- shrapnel
36.	Mahmud Najeeb Al Akhras	18	20 May	Helicopter gunship missile on Al Brazil- shrapnel
37.	Wail Muhammad Abu Jazar	18	20 May	Helicopter gunship missile on Al Brazil- shrapnel
38.	Jamal Awad Al Assar	39	20 May	At home - live bullet in the head
39.	Muhammad Ibrahim Jaber	27	20 May	A live bullet in the abdomen
40.	Tamer Younis Al Arja	3	20 May	Trauma following missile attack near his home
41.	Khalid Abu Anzeh	37	20 May	Shrapnel in different parts of the body (found dead after 15 hours)
42.	Ahmad Salih Abu Syam	45	21 May	A live bullet in the abdomen (injured on 15 May)
43.	Rawan Muhammad Abu Zaid	3	22 May	Israeli sniper - Two live bullets in the head and neck
44.	Muhammad Samy Al Hams	16	22 May	Wounded on 1 October 2000