



مركز الميزان لحقوق الإنسان  
AL MEZAN CENTER FOR HUMAN RIGHTS



المركز الفلسطيني لحقوق الإنسان  
PALESTINIAN CENTRE FOR HUMAN RIGHTS

## 43rd Session of the UPR Working Group

### Joint Submission for the 4th Cycle of Israel's UPR

#### **Main submitting parties:<sup>1</sup>**

Al Mezan Center for Human Rights  
Palestinian Centre for Human Rights

#### **Other submitting organizations:**

Women's Centre for Legal Aid and Counselling  
Al-Dameer Association for Human Rights  
Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ)  
Palestinian Initiative for the Promotion of Global Dialogue and Democracy – MIFTAH  
Addameer Prisoner Support and Human Rights Association  
Cairo Institute for Human Rights Studies  
Al-Haq – Law in the Service of Man  
Bisan Center for Research and Development  
Center for Defense of Liberties and Civil Rights “Hurriyat”

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<sup>1</sup> Al Mezan Center for Human Rights and the Palestinian Centre for Human Rights are two Palestinian human rights organizations headquartered in the occupied Gaza Strip. Both have special consultative status with the United Nations (UN) Economic and Social Council.

## **Introduction**

1. This joint submission has been prepared by a group of Palestinian human rights organizations led by Al Mezan Center for Human Rights (Al Mezan) and the Palestinian Center for Human Rights (PCHR) and composed of the Women’s Centre for Legal Aid and Counselling, Al-Dameer Association for Human Rights, Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ), the Palestinian Initiative for the Promotion of Global Dialogue and Democracy – MIFTAH, Addameer Prisoner Support and Human Rights Association, the Cairo Institute for Human Rights Studies, Al-Haq – Law in the Service of Man, Bisan Center for Research and Development, and the Center for Defense of Liberties and Civil Rights “Hurriyat”. The organizations operate in the occupied Palestinian territory (OPT)—comprising the West Bank, including East Jerusalem, and the Gaza Strip—investigating, monitoring, and documenting violations of international human rights law and international humanitarian law carried out in the OPT regardless of the identity of the perpetrator. The organizations have previously submitted extensive documentation and evidence to various UN human rights mechanisms, including to the Human Rights Council (HRC) and the Universal Periodic Review (UPR).

## **Attacks on civilians and civilian infrastructure in the Gaza Strip**

2. Since its last UPR cycle, Israel continued its attacks against civilians and civilian objects in the besieged Gaza Strip. Following “Operation Protective Edge” in 2014, the Israeli military carried out two major military offensives against the Gaza Strip, killing and wounding Palestinian civilians and targeting and destroying civilian objects, in complete disregard for the principles of distinction, proportionality, and precaution enshrined under international humanitarian law.
3. The first major operation was in May 2021, code-named “Guardians of the Wall.”<sup>2</sup> During the 11-day offensive, 240 Palestinians were killed by Israeli forces, of whom at least 151 were civilians, including 59 children and 38 women. Another 1’968 Palestinians were wounded, including 630 children. During the offensive, Israel targeted, damaged, and destroyed thousands of civilian objects—including residential and commercial buildings, schools and infrastructure such as roads, electricity networks, water installations, and agricultural lands. Amongst the targeted buildings was Al-Jalaa Tower, which housed six media offices and agencies including the Associated Press and Al-Jazeera Media Network.
4. As was the case in all previous Israeli offensives against Gaza over the last 15 years, family homes and civilian targets were attacked indiscriminately and systematically.<sup>3</sup> Of the civilian

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<sup>2</sup> See Al Haq, Al Mezan, and PCHR, “Assault on Gaza in Numbers: A Statistical report of civilian casualties and damage to private and public properties by Israeli occupation forces during Israel’s full-scale military operation on the Gaza Strip between 10-21 May 2021”, available at: <https://mezan.org/en/uploads/files/16442214671081.pdf>

<sup>3</sup> See PCHR, “Israeli Military Aggression on the Gaza Strip May 2021: House Demolitions,” 17 November 2022, available at: <https://pchr.org/en/israeli-military-aggression-on-the-gaza-strip-may-2021-house-demolitions/>.

casualties in the May offensive, 113 were killed inside their homes. During the 11 days, Israeli forces committed several attacks against the Palestinian population. The most shocking one was the attack carried out by Israeli warplanes on Al-Wehda Street in Gaza City on 16 May 2021.<sup>4</sup> At approximately 1:00 am, Israeli warplanes targeted residential buildings belonging to the Abu Al-Ouf and Al-Kolak families while residents were inside their apartments without any kind of warning. The buildings were destroyed over the heads of their residents and as a result, 44 Palestinians were killed, including entire families.

5. A little over a year later, between 5-7 August 2022, Israel waged an unprovoked military offensive against Gaza codenamed “Breaking Dawn”. According to Al Mezan and PCHR’s joint field documentation, in the space of three days, 32 Palestinians were killed by Israeli attacks, amongst them 19 civilians, including nine children and three women. As with previous military operations against Gaza, a pattern of targeted attacks against civilians and civilian objects re-emerged. One example is the massacre committed in Al-Falouja cemetery in Jabalya Refugee Camp, in North Gaza, where Israeli warplanes targeted a group of children who were sitting next to the grandfather’s tomb. As a result, five children, four of them from Nigim family, were killed in cold blood.
6. Such attacks may amount to war crimes and are part of a widespread and systematic attack against the Palestinian civil population, amounting to crimes against humanity, in particular under the Rome Statute of the International Criminal Court. Among these crimes are: indiscriminate and disproportionate use of force; willful killing, including by bombarding houses while residents were inside; extensive, unnecessary, and wanton destructing of property, among others.
7. In addition to the military offensives, Israeli attacked Palestinian civilians in the course of the weekly Great March of Return demonstrations demanding an end to Israel’s illegal closure and the right of return for Palestinian refugees which took place almost each Friday from 30 March 2018 until 27 December 2019.<sup>5</sup> The Great March of Return demonstrations drew large and diverse crowds of participants and remained largely peaceful and non-violent.<sup>6</sup> Regardless of the fact that no genuine threats were posed to Israeli soldiers or to surrounding communities, the Israeli military responded to the demonstrations with the use of lethal and other excessive force—including live and high-velocity ammunitions, rubber-coated metal bullets, and tear gas canisters—directly targeting unarmed civilian protesters, media and medical personnel.

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<sup>4</sup> See PCHR, “On Seventh Day of Israeli Offensive on Gaza, Residential Area Destroyed Over People’s Heads, Airstrikes Cause Earthquake-like Destruction,” 16 May 2021, available at: <https://pchrgaza.org/en/on-seventh-day-of-israeli-offensive-on-gaza-residential-area-destroyed-over-peoples-heads-airstrikes-cause-earthquake-like-destruction/>

<sup>5</sup> PCHR, “Question and Answer: 1<sup>st</sup> Year Anniversary of the March of Return Demonstrations,” 28 March 2019, available at: <https://pchrgaza.org/en/question-and-answer-1st-year-anniversary-of-the-march-of-return-demonstrations/>;

<sup>6</sup> Al Mezan, “Attacks on Unarmed Protesters at the “Great March of Return” Demonstrations. A Two-Year Report from the Start of Demonstrations on 30 March 2018”, April 2020, at: <https://www.mezan.org/en/uploads/files/15952354571567.pdf>

8. As the Great March of Return demonstrations took place in a law enforcement paradigm, the conduct of the Israeli forces was governed by international human rights law, under which lethal force can only be used as a last resort to protect against an imminent threat to life and when other, less forceful measures have been exhausted. Notwithstanding, facts on the ground show that the Israeli military consistently used lethal and excessive force in circumstances that could not be justified under international human rights law. According to PCHR's documentation, in the span of 86 weeks of protests, Israeli soldiers killed 216 civilian protestors—including 47 children, two women, and nine persons with disabilities—and wounded more than 14,000 others. Of those wounded, 207 protestors have become permanently disabled as a result of their injuries, among them 149 amputation cases.<sup>7</sup>

### **Chronic impunity for Israeli violations**

9. Israel has systematically failed to conduct serious criminal investigations in relation to the violations and crimes committed against the Palestinian people, including those committed during Operation Protective Edge, Great March of Return, Operation Guardians of the Wall, and Operation Breaking Dawn. Indeed, Israel continues to maintain a criminal investigative system that fails to uphold the international standards requiring thorough, effective, independent, and impartial investigations of suspected perpetrators, including in particular of persons in positions of command, and prosecutions that are commensurate with the gravity of the acts committed.<sup>8</sup> PCHR and Al Mezan's long engagement with the system and the output of the system itself long evidence of its primary function to shield Israeli troops, military commanders, and government leaders from criminal responsibility, making the State decisively unwilling or unable to act in accordance with international law.
10. PCHR and Al Mezan have sent hundreds of criminal complaints to the Office of the Military Advocate General (MAG), but none of them led to the prosecution of those responsible. Concerning the Israeli military's use of force against protestors, journalists, and medics within the Great March of Return demonstrations, PCHR referred 184 criminal complaints to the MAG, 63 of them relating to Palestinians killed in the protests and the remaining pertaining to Palestinians wounded in them.<sup>9</sup> PCHR was told by the Military Police Investigation Unit that investigations were opened in 15 cases, but to date, no updates were received from Israeli

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<sup>7</sup> PCHR, "2<sup>nd</sup> Anniversary of the Great March of Return: Impunity Continues to Prevail," 30 March 2020, available at: <https://pchrgaza.org/en/2nd-anniversary-of-the-great-march-of-return-impunity-continues-to-prevail/#:~:text=From%2030%20March%202018%20until,of%20the%20return%20for%20Palestinian>

<sup>8</sup> See Adalah, *Challenging the Israeli Attorney General's Conception of Sovereignty: The Issue of Jurisdiction concerning the 'Situation of Palestine' before the International Criminal Court*, June 2020, available at: [https://www.adalah.org/uploads/uploads/Adalah\\_AG\\_ICC\\_Report\\_June\\_2020\\_Final.pdf](https://www.adalah.org/uploads/uploads/Adalah_AG_ICC_Report_June_2020_Final.pdf).

<sup>9</sup> See PCHR and B'Tselem, *Unwilling and Unable Israel's Whitewashed Investigations of the March of Return Protests*, 1 December 2012, available at: <https://pchrgaza.org/en/unwilling-and-unable-israels-whitewashed-investigations-of-the-great-march-of-return-protests/>

occupying authorities. Only one soldier had been convicted in the context of the Great March of Return demonstrations for the killing of the 14-year-old child, Othman Hilles.<sup>10</sup> However, he was not convicted of the killing, but rather of abuse of authority in a manner that endangers human life in violation of Israel's rules of engagement. He was given a 30-day prison sentence to be served through military-related labor.<sup>11</sup> The sentence, woefully inadequate for the gravity of the crime, amounts to another form of impunity.

11. Following the 51-day military assault on Gaza in July-August 2014,<sup>12</sup> Al Mezan submitted 125 well-substantiated complaints of criminal conduct to the MAG (in some cases jointly with partners).<sup>13</sup> The evidence in these cases suggested that the attacks were carried out in violation of the principles of distinction and proportionality and appeared to amount to grave breaches of international humanitarian law. Zero indictments were issued following Al Mezan's complaints. Concerning the overall around 400-500 criminal complaints submitted to the investigative mechanism following the 51-day military assault, zero indictments were issued for serious violations of international law—namely for killing and serious injury. The only indictments that were issued concerned a case of three soldiers convicted of theft, a low-level crime.
12. Further, Palestinian victims from the Gaza Strip and their families are unable to resort to Israeli courts to claim compensation. According to Article 5/B-1 of Amendment No. 8 of Israel's Civil Wrongs Law (State Liability) of 1952, which was enacted in 2012, residents of a territory declared "hostile"—as Gaza was declared by Israel in 2007—are not eligible to seek compensation from Israel for civil damages regardless of the circumstances and the severity of the injuries or damages claimed. Accordingly, Palestinian victims from Gaza are deprived of their fundamental right to have a judicial remedy, including compensation that is essential for victims to at least partially rebuild their lives and allows Israel to avoid liability for its military conduct against the Strip.

### **Israeli-imposed closure and blockade of the Gaza Strip**

13. In the Gaza Strip, for the past 15 years, more than two million Palestinians have been subjected to a brutal, illegal blockade and closure policy by Israel which amounts to collective punishment under international law. While the Israeli government purports to justify the

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<sup>10</sup> See PCHR, *In Disregard for Justice: Israeli Soldier, Killer of Palestinian Child, Receives One Month Prison Sentence*, (30 October 2019), available at: <https://pchrgaza.org/en/in-disregard-for-justice-israeli-soldier-killer-of-palestinian-child-receives-one-month-prison-sentence/>

<sup>11</sup> See Al Mezan, *Israeli Soldier Sentenced for Failure to Follow Orders Instead of Killing of Child: Leniency Attests to Entrenched Impunity*, 31 October 2019, available at: <http://mezan.org/en/post/23599>

<sup>12</sup> During Israel's full-scale bombardment on Gaza in July-August 2014, 70% of the total 2,219 Palestinians killed were civilian and 556 were children. See: <https://www.mezan.org/en/uploads/files/14598458701382.pdf>.

<sup>13</sup> See Al Mezan and Adalah, *Gaza 3 Years On: Impunity Over Accountability – Israel's unwillingness to investigate violations of international law in the Gaza Strip*, 28 August 2017, available at: <https://www.mezan.org/en/uploads/files/15039098601678.pdf>.

closure and the related restrictions under the guise of “security”,<sup>14</sup> the closure is to be contextualized within a wider framework of Israel’s settler-colonialism and its system of racial discrimination, domination, and oppression against the Palestinian people. Israel’s treatment of more than two million Palestinians in Gaza has also been recognized as a situation of racial segregation and apartheid.<sup>15</sup> In parallel, Gaza’s population is periodically subjected to barbarous limited and full-scale military assaults that center around attacks on civilians and civilian objects and daily violations of their basic, fundamental rights.

14. The closure has increasingly undermined all aspects of life in occupied Gaza and eroded Palestinians’ enjoyment of all their unalienable rights—including their rights to life, health, work, education, adequate housing, self-determination, and return. At least as of 2012, various United Nations (UN) agencies have sounded the alarm warning that Gaza would become uninhabitable by 2020.<sup>16</sup> Ever since, the living conditions have consistently deteriorated. For example, in 2021, poverty and food insecurity stood at 53% and 64% respectively,<sup>17</sup> while around 1.3 million Palestinians in Gaza—about 62% of the total population—need food assistance.<sup>18</sup> 81% of Gaza households reported being unable to afford their household’s basic needs.<sup>19</sup> Accordingly, Gaza’s families are forced to employ negative coping mechanisms—including incurring debt, reducing the number of meals eaten in a day, and limiting portion sizes at mealtimes—to meet their most basic needs.
15. As a direct consequence of Israel’s blockade and closure, which includes suffocating restrictions on the entry of fuel, Gaza faces a chronic, acute electricity crisis—with a maximum of 12 hours of electricity available each day, followed by 12 hours of outage.<sup>20</sup> Gaza’s chronic power shortage has further aggravated the deterioration of other vital sectors—including education, health, economy, agriculture, water and sanitation—heavily dependent on a steady electricity supply. For instance, Gaza’s residents are experiencing a serious water and sanitation crisis marked by insufficient access to clean and safe water, and the lack of the

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<sup>14</sup> Initially, Israel claimed that its closure policy was instituted for security reasons. In 2012, in the course of hearing arguments before the Israeli High Court of Justice, the Israeli State Attorney acknowledged that the denial of movement between Gaza and the West Bank was part of a systematic policy rather than a security measure. See Al Mezan and Gisha, *For the first time in 12 years: Israeli Supreme Court orders military to reconsider application of Gaza- West Bank student ban*, 23 May 2012, available at: <http://mezan.org/en/post/14216>

<sup>15</sup> See Al Mezan, *The Gaza Bantustan—Israeli Apartheid in the Gaza Strip*, available at: <http://mezan.org/en/uploads/files/16381763051929.pdf>

<sup>16</sup> See United Nations Country team in the occupied Palestinian territory, *Gaza in 2020: A liveable place?*, August 2012, available at: <https://www.unrwa.org/userfiles/file/publications/gaza/Gaza%20in%202020.pdf>

<sup>17</sup> See Al Mezan, *15 Years Too Long – Fact sheet on the devastating effects of Israel's closure and blockade on the Gaza Strip*, June 2022, available at: <https://www.mezan.org/en/uploads/files/16551887811136.pdf>

<sup>18</sup> See UN OCHA oPt, *Multi-Sectoral Needs Assessment (MSNA) July 2022*, available at:

[https://www.ochaopt.org/msna/2022/Key-Sectoral-Findings\\_Factsheet-Booklet\\_MSNA-2022\\_Gaza.pdf](https://www.ochaopt.org/msna/2022/Key-Sectoral-Findings_Factsheet-Booklet_MSNA-2022_Gaza.pdf)

<sup>19</sup> Ibid.

<sup>20</sup> See UN OCHA oPt, *Electricity in the Gaza Strip*, available at: <https://www.ochaopt.org/page/gaza-strip-electricity-supply>



materials necessary to improve the water and sanitation infrastructure. In 2022, about 95% of Gaza's population does not have access to drinkable water.

16. As part of the closure, Israel has systematically implemented myriad measures that serve to de-develop Gaza's economy and undermine any efforts to pave the way forward for sustainable development in the Strip. Indeed, Israel maintains full control over Gaza's crossings and imposes harsh restrictions on the freedom of movement of persons, services, and goods both in and out of the Gaza Strip. Such restrictions include, *inter alia*, the periodical closing of the Kerem Shalom/Kerem Abu Salem crossing—the only commercial crossing from/into Israel and the West Bank, including East Jerusalem—and severe constraints on the import and export of goods, including basic assets such as fuel, raw materials, medicine, aid, and various equipment needed to re-build civilian infrastructures under the pretext that Israel considers these items as dual civilian-military use.
17. Israeli occupying authorities devised the term 'dual-use' to ban and obstruct the entry of almost any type of product, including medical equipment, food products, building materials, and types of machinery. According to Al Mezan's documentation, the volume of imports decreased dramatically during the years of closure. For example, in 2005, 111,480 trucks of imported goods entered Gaza, then dropped to 26,838 in 2008. In 2020, Israel allowed 96,651 trucks of imported goods to enter the Gaza Strip—although the recent increase in the volume of imports does not reflect an easing of Israeli restrictions, but rather significant growth in Gaza's population and its demand for services and goods otherwise unavailable in Gaza. The export sector has also been negatively affected by Israel's blanket restrictions. In 2020, Gaza's exports will stand at only 3,118 truckloads of goods, about a third of the volume before the closure: in 2005, Gaza exported 9,319 trucks of goods.<sup>21</sup>
18. Economic and social indicators in the Gaza Strip have been affected by Israel's restrictions on the freedom of trade and the ban on entry of materials necessary for the economic, industrial, and agricultural sectors. Throughout the reporting period, the unemployment rate remained high in the Gaza Strip. According to the Palestinian Central Bureau of Statistics (PCSB), there has been a large disparity in the unemployment rates between the labor force in the Gaza Strip and the West Bank, which stands at 47% in the Gaza Strip against 16% in the West Bank in 2021.

### **Compounding restrictions on Palestinians' freedom of movement**

19. Amongst the harshest forms of control over the Gaza Strip put in place by Israel are the restrictions on freedom of movement to, from, and within the Strip, which is also a centerpiece of the Israeli policy of fragmentation and separation of the Palestinian people.

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<sup>21</sup> See Al Mezan, *15 Years Too Long – Fact sheet on the devastating effects of Israel's closure and blockade on the Gaza Strip*, June 2022, available at: <https://www.mezan.org/en/uploads/files/16551887811136.pdf>

20. In Gaza's eastern, northern, and western territorial lands and waters, Israel has unilaterally imposed wide buffer zones, also known as 'access restricted areas', which are no-go military areas enforced by the Israeli occupation forces using all types of weapons and artillery—including live ammunition, shells, and tear gas—to target civilian individuals, properties, and objects. Israel's enforcement of access-restricted areas undermines Palestinians from exercising their right to permanent sovereignty over natural wealth and resources, including land and water. Notably, the access-restricted areas include 35% of Gaza's agricultural land and 80% of its fishing zone, causing devastating effects on the farming and fishing sectors, which were once flourishing industries in Gaza. Palestinian farmlands near the eastern and northern perimeter of the Gaza Strip are also targeted by aerial spraying of chemical herbicides and the opening of water dams aimed at killing crops and destroying agricultural fields, with potentially devastating effects also on the environment.<sup>22</sup>
21. Palestinian residents of the Gaza Strip seeking to travel via Israeli-controlled crossings must first obtain the requisite Israeli-issued exit permit through the complex, arbitrary, and discriminatory permit regime maintained by Israel under the guise of "security" justifications and requirements. The permit system is meant to deny Palestinians their fundamental right to freedom of movement, but it also serves to deepen and expand Israel's apartheid.
22. Israel's discriminatory and draconian permit system has jeopardized the lives and the future of thousands of students from Gaza wishing to pursue their higher education in West Bank universities or outside the OPT, spouses who wish to reunite with their families in the West Bank, including East Jerusalem, or abroad. This arbitrary system also applies to medical patients and their carers, who are required to obtain Israeli-issued exit permits to access essential health services in hospitals outside Gaza.
23. Israel's closure policy and related restrictions, decades of occupation, repeated military incursions, and regular military bombardments have crippled Gaza's healthcare system to the point of being unable to meet the needs of its population. By limiting the movement of people and goods, the Israeli occupying authorities impose severe restrictions on the import of supplies and medical equipment under the pretext of their 'dual-use' and block access to essential medicines and specialized personnel. As a consequence, every year thousands of Palestinian patients from Gaza struggle to receive adequate medical treatment—especially cancer patients, as radiotherapy and chemotherapy treatments are largely unavailable in Gaza—and are forced to seek urgent and lifesaving medical treatment outside the Strip by being referred to hospitals in the West Bank, including East Jerusalem, in Israel, and abroad.

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<sup>22</sup> Al Mezan, *Farming in a Buffer Zone, The conditions Gaza farmers face under closure*, February 2021, available at: <https://www.mezan.org/en/uploads/files/16142371071857.pdf>



24. Yet, many Palestinian patients are denied from accessing hospitals and medical care outside Gaza due to the Israeli exit system. According to Al Mezan's documentation, 36% of patients' exit permit requests in 2021 were either declined, received no response, or were delayed on the pretext of the application being still under review by Israeli occupying authorities, causing patients serious health deterioration.<sup>23</sup> More alarmingly, many referral patients with serious diseases such as cancer lost their lives after Israel denied them access to life-saving treatment. Al Mezan's documentation shows that between 2017 and 2021, 63 patients—including eight children and 22 women—tragically died after the Israeli occupying authorities denied them access to hospitals and medical care by the time of their prescheduled medical appointment.<sup>24</sup> Still, thousands of other patients have their lives hanging in the balance unless this discriminatory system is dismantled.

### **Suggested recommendations to be addressed in Israel**

25. Successive Israeli governments have fully ignored an array of recommendations received during previous UPR cycles, including ending the closure of the Gaza Strip, guaranteeing freedom of movement to the entire population, as well as respect and protecting their human rights, by guaranteeing access to goods and services essential to their realization. Accordingly, States must ask Israel to:

- i* Immediately, fully, and unconditionally lift the illegal closure and blockade of the Gaza Strip and end all associated unlawful restrictions imposed on the movement of people and goods that have already made the Gaza Strip uninhabitable and violate the full spectrum of rights owed to more than two Palestinians in the Gaza Strip by denying them the enjoyment on an equal footing of fundamental rights and freedoms.
- ii* Uphold its moral and legal obligations vis-à-vis protected persons in the OPT and abolish any constraints on the freedom of movement of Palestinians, particularly medical patients from Gaza.
- iii* Refrain from indiscriminate and disproportionate attacks and direct targeting of Palestinian civilians and civilian objects and comply with international humanitarian law principles, including distinction and proportionality.
- iv* Comply with international human rights law standards on the use of force in law-enforcement operations, under which lethal force can only be used as a last resort to

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<sup>23</sup> See Al Mezan and Medical Aid for Palestinians (MAP), *Delayed, Denied And Deprived: The collective punishment of Palestinian patients in Gaza in the context of Israel's 15-year blockade*, June 2022, available at: <https://www.mezan.org/en/uploads/files/16552750921901.pdf>

<sup>24</sup> See Al Mezan, *The international community must demand that Israel lifts restrictions on Palestinian patient access to hospitals and medical care outside Gaza*, 13 January 2022, available at: <https://www.mezan.org/en/post/24091>

protect against an imminent threat to life and when other, less forceful measures have been exhausted.

- v Conduct genuine and serious investigations into alleged violations of the laws of war with effective civilian oversight and prosecute violations, including at the senior, policy-making level of the military and government, with the aim of ending impunity.
- vi Conduct independent, thorough and impartial investigations into all incidents in which Israeli military or police forces may have been responsible for human rights violations, including in the Gaza Strip.
- vii Reform the laws and institutions responsible for carrying out investigations into violations of international law with the aim of ending impunity and holding those responsible accountable.
- viii Ensure that criminal investigations are conducted with international law and standards by ensuring their independence, impartiality, promptness, and thoroughness.
- ix Ensure that all victims of alleged violations of international law have access to effective remedies including, reparation and other remedial measures.
- x Guarantee the meaningful participation of victims, their families, and legal representatives in the investigations process and legal.

### **Suggested advanced questions to ask Israel prior to the review**

26. Ahead of the 43rd Session of the UPR Working Group, States should also pose the following advanced question to the State of Israel:

- i* What steps has Israel taken to implement the recommendations of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict to conduct a thorough, transparent, objective, and credible review of policies governing military operations and of law enforcement activities in the context of the occupation, as defined by political and military decision-makers, to ensure compliance with international humanitarian law and human rights law?
- ii* What steps has Israel taken to implement the recommendations of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict to comply with international human rights standards and that allegations of international crimes, where substantiated, are met with indictments, prosecutions, and convictions, with sentences commensurate to the crime, and to take all measures necessary to ensure that such

investigations will not be confined to individual soldiers alone, but will also encompass members of the political and military establishment, including at the senior level, where appropriate?

- iii* What steps has Israel taken to implement the recommendations of the United Nations Independent International Commission of Inquiry on the protests in the occupied Palestinian territory, in particular in relation to the Commission's calls on Israel to lift the blockade on Gaza with immediate effect, to fulfill the right to health of all Palestinians, to bring Israel's rules of engagement for the use of live fire in line with international human rights law and to refrain from resorting to excessive and lethal force in violation of international standards?