



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

A Two-Year Report from the Start of Demonstrations on 30 March 2018



Photo: Ibrahim Raida

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Introduction

This report addresses the Israeli forces' military conduct toward Palestinian protesters participating in the "Great March of Return" demonstrations in the Gaza Strip. The demonstrators are demanding an end to Israel's illegal 13-year closure imposed on Gaza and stressing the right of return of Palestinian refugees as enshrined in international law. The Israeli military's conduct since the start of the protests on 30 March 2018 comprises serious violation of the rights of protesters, including the right to life, amounting to serious international crimes, and demonstrates the Israeli government's failure, as occupying power, to fulfil its obligations under international law.

Providing a factual and legal analysis, this report gives an overview of the violations of

international law that stem from the unlawful killing and wounding of protesters, journalists and medics within the two years since the start of the demonstrations and until 28 March 2020. The monitoring and documentation conducted by Al Mezan Center for Human Rights of the demonstrations shows that Israeli soldiers, including sharpshooters, consistently used force against individuals who did not pose an imminent threat of death or serious injury to others when they were shot, and by doing so, the Israeli military repeatedly deviated from the fundamental rules and Israel's obligations under international law. This unlawful conduct resulted in the death of 217 Palestinian protesters, journalists and medics—including children and people with disability—who were killed during the reporting period.

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

Context

The “Great March of Return” (GMR) demonstrations are symptomatic of the rising level of frustration and despair among Palestinians living in the Gaza Strip. Thirteen years of closure and blockade imposed by the Israeli government and the recurring cycles of conflict have degraded the living conditions of the population in Gaza to the point of humanitarian catastrophe.

Among the incidents exacerbating the tensions in Gaza is the US administration’s recognition of Jerusalem as the capital of Israel on 6 December 2017 and consequently relocating the U.S. embassy from Tel Aviv to Jerusalem. Further, the Trump Administration recently announced the details of the political portion of its “peace plan” regarding the Israeli-Palestinian conflict, a plan known worldwide as the “Deal of the Century” and a plan that raises serious concern over the U.S. administration’s compliance with international law due to its blatant disregard for the rights of Palestinians. The plan entails the full recognition of Israeli settlements, despite their illegitimacy in international law, and endorsement of Israel’s plans to annex parts of the occupied Palestinian territory, in violation of the prohibition on the acquisition of territory by force.

The closure of the Gaza Strip violates the full spectrum of rights owed to the Palestinian people in Gaza, and creates entrenched poverty, reliance on food aid and soaring levels of unemployment. Struggling to survive in these conditions, Palestinians in Gaza, represented by youth, women, and student groups, as well as local community leaders, civil society, and private sector actors, formed the Higher National Committee of the Great March of Return (HNC). The HNC initiated the weekly GMR demonstrations with the goal of appealing to the international community for its support to lift the closure and blockade and improve the humanitarian and human rights conditions in Gaza.

After announcing its mission, the HNC set up five camps in the eastern areas of the Gaza Strip. The areas designated for the camps would be hundreds of meters away from the separation fence and the Israeli forces in the five governments in the Gaza Strip. The areas chosen were: Al-Shoka, Rafah; Khuza’a, Khan Younis; Al Bureij refugee camp, Middle Gaza; Al-Zaitoun, Gaza City; and Jabalia refugee camp, North Gaza. In increasing numbers and from a wide range of age groups, Palestinians joined the weekly demonstrations. Later, the HNC organized a sixth demonstration site on the coast of Beit Lahia city in the North Gaza governorate, where protesters would gather on Mondays instead of the usual Fridays for the rest of the sites.

The HNC emphasized the necessity of maintaining the peacefulness of the protests. Despite this, Israeli officials issued a series of threats against persons who would take part. Ahead of the start of the protests, the Israeli military deployed troops to the separation fence and Israel’s top general, Gadi Eisenkot, stated that more than 100 sharpshooters had been called up, particularly special forces, and deployed to the fence. He stated that damage to the fence

would not be tolerated and that permission had been given to open fire if lives were in jeopardy.¹

The GMR demonstrations drew huge crowds of participants and remained largely peaceful. No genuine threats were posed to the Israeli soldiers, who were protected by sand dunes and other infrastructure, or to surrounding communities. Despite this, soldiers used lethal and other excessive force to police the demonstrations. They employed live ammunition and fired tear gas canisters directly at protesters, medics and journalists, and sprayed other gases that were described as uniquely painful to tear gas. The fatalities and injuries continued to amass, with many injuries causing permanent disabilities and severe trauma. The targets chosen by the soldiers were both close to and far from the fence, according to Al Mezan's documentation.

The GMR demonstrations take place in a law enforcement setting and therefore the conduct of the Israeli soldiers is governed by international human rights law, with the legal consequences of the military's use of force found in international humanitarian and criminal law. In law enforcement, force is to be used only as a last resort and when other, less forceful measures have been exhausted. The use of force must serve a legitimate law enforcement purpose and follow the principles of necessity and proportionality.

The UN Independent Commission of Inquiry, which was given its mandate by vote in the Human Rights Council, found on the basis of its investigation, that in all but a possible two cases of killing, "the use of live ammunition by Israeli security forces against demonstrators was unlawful".² Al Mezan's documentation supports the conclusion that "the demonstrations were civilian in nature [...] and did not constitute combat or a military campaign" and therefore that the human rights framework is most applicable.³

Regarding children, the Commission found that, "several children were recognizable as such when they were shot [finding] reasonable grounds to believe that Israeli snipers shot them intentionally, knowing that they were children."⁴ The Commission also found "reasonable grounds to believe that Israeli snipers intentionally shot health workers, despite seeing that they were clearly marked as such."⁵ And similarly, the journalists who were shot, were also considered not to represent an imminent threat of death or serious injury to the Israeli forces when they were shot. Finally, the Commission noted the disproportionate effect the protests have on women and girls and the increased burden they endure by becoming the primary breadwinners in the case of fatality and serious injury, as well as caregivers for the wounded.⁶ Israel's breaches of international law vis-à-vis Palestinian protesters have nonetheless continued.

¹ Yedioth Ahronoth (2018), "Eisenkot says Israel deployed 100 sharpshooters on Gaza border for Palestinian protests", available at <https://www.ynetnews.com/articles/0,7340,L-5204745,00.html>

² Report of the UN Commission of Inquiry on the 2018 protests in the OPT, 28 Feb. 2019. Available at: <https://www.ohchr.org/EN/HRBodies/HRC/ColOPT/Pages/Report2018OPT.aspx>, Para. 94

³ Ibid footnote 2, para. 32

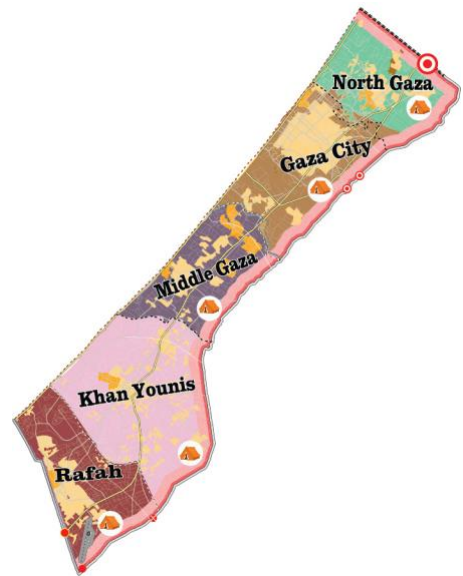
⁴ Ibid footnote 2, para. 519

⁵ Ibid footnote 2, para 526

⁶ Ibid footnote 2, para 603

The GMR camps (gathering sites)

In preparation for the protests, the HNC leveled the lands within 300-700 meters from the separation fence in the eastern areas of the Gaza Strip and set up shelter tents and some facilities for the protesters. These installments came to be known as the five “Return Camps”, with one camp set up in each district of the Gaza Strip at about 300 meters from the separation fence. The camps overlook a wide strip of agricultural lands that Israeli forces had been leveling on a regular basis, and unilaterally designated as a no-go zone, depriving Palestinian farmers from accessing and working their lands that fall inside a 300-meter zone.



The perimeter fence

The perimeter fence refers to two parallel barriers that are a few meters apart, unilaterally set up by Israel along the 1949 armistice line separating the Gaza Strip and Israel. The first barrier is a formidable barbed-wire fence and the second is a three-meter-high “smart” barrier packed with surveillance sensors. In addition, a cement wall was erected in certain areas in north Beit Lahia and Beit Hanoun.

Fortified observation posts are scattered along the separations fence, and sections of the fence are equipped with metal gates through which infantry soldiers and military vehicles can cross into Gaza during land incursions. In response to the GMR demonstrations, Israel added a third barrier: a barbed-wire fence, 1.5-2 meters in height. The Israeli military also set up sand dunes overlooking the GMR camps for soldiers and sharpshooters.



Israel's military response to demonstrations

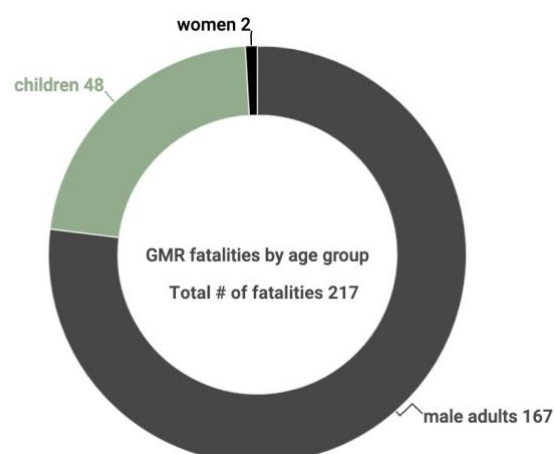
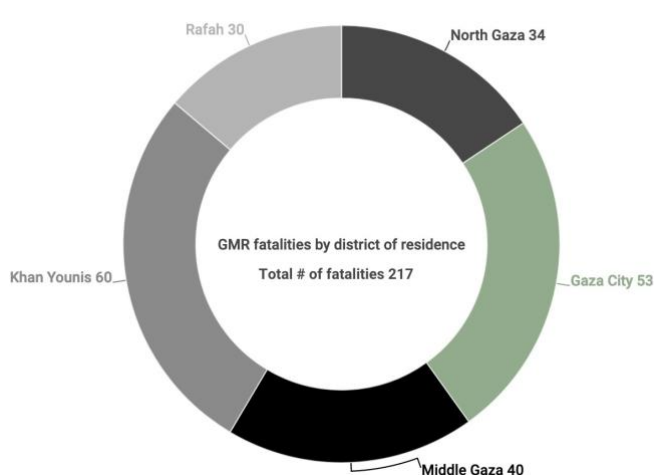
During the reporting period, the Israeli forces carried out repeated attacks on protesters, paramedics and journalists, that amount to serious violation of the right to life, unlawful killing and injury under international humanitarian law, and appear to amount to war crimes and crimes against humanity.

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

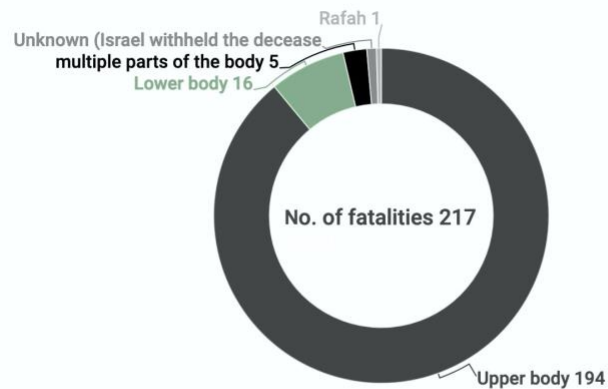
Fatalities

AI Mezan's documentation shows that during the reporting period Israeli forces killed 217 Palestinian protesters—including 48 children, two women, two journalists, four paramedics, and nine persons with disability. The following table and charts provide a breakdown of casualties by gender, age group, and district of residence:

Total number of fatalities	217
# of children killed	48
# of women killed	2
# of paramedics killed	4
# of press personnel killed	2
# of persons with disability killed	9



The statistics compiled by Al Mezan indicate that upper-body gunshot wounds are the leading cause of death, being 89 percent of GMR fatalities. In addition, 30 percent of the injured had sustained the injuries in the upper parts of the body, which indicates a deliberate attempt by the Israeli military to cause maximum harm to Palestinian protesters.



Distribution of fatalities by anatomical location

One of many recorded incidents of unwarranted use of lethal force was the killing of Bader Nabil Abu Musa, 22, with a bullet to the head. The field data indicates that Bader posed no imminent threat to life or serious injury, yet soldiers targeted him with a lethal shot to the head. The case is in no way exceptional, but rather serves as an example of the widespread, deliberate use of unnecessary lethal force by soldiers, in contravention of the international law and the rules for policing demonstrations.

The following testimony is an extract of an affidavit taken from an eyewitness:

At around 4:30pm on Friday, 30 August 2019, I joined the GMR demonstrations in Khuza'a, Khan Younis, with Bader Nabil Abu Musa and a few other friends who live in my neighborhood. I saw tens of young men, women, and children protesting within 70-100 meters of the fence. Around 6:25pm later that day, people were leaving the GMR camps. Only tens remained and continued to approach the fence. And as soon as we arrived, I heard a gunshot, then saw Bader fall face down next to me. For a second, I thought he was kidding, but as I approached him, I saw his head bleeding, so I knew he had been injured. I screamed for help and the protesters who were standing in the back rushed to help me move him away from the place. A number of young men helped me move him to about 70 meters from the fence. Then a number of paramedics gave him first aid, and transferred him to one of the Palestinian Red Crescent ambulances located usually on Jakar Street, about 250 meters from the fence. ... The ambulance transported him to the nearest field medical unit. I wasn't allowed to go with him in the ambulance, so I ran all the way to the medical unit. When I arrived, one of the paramedics told me that Bader had died of his injuries. I was so traumatized that I passed out. When I woke up, I learned that Bader was still in the medical unit and doctors were trying to revive him, although his head injury was critical. Fifteen minutes later, another ambulance transferred him to the European Gaza Hospital. This time I accompanied him. When we arrived, he was taken to the ICU. I stayed in the hospital. At 11:00 the next morning, on Saturday, 31 August, 2019, Bader was pronounced dead.⁷

Another recorded incident, the killing of Ramzi Rouhi Abdu, 30, shows that the soldiers had no reasonable grounds to shoot an unarmed person in the upper part of his body as he stood 70 meters away from the fence and while the soldiers remained either shielded by sand dunes or in fortified monitoring sites. It is crucial to note that 89% of GMR fatalities resulted from injuries to the upper body.

⁷ Affidavit by Musa Abu Azab, 31, interviewed by Gharib Al-Sinwar of Al Mezan's Fieldwork Unit, 1 September 2019.

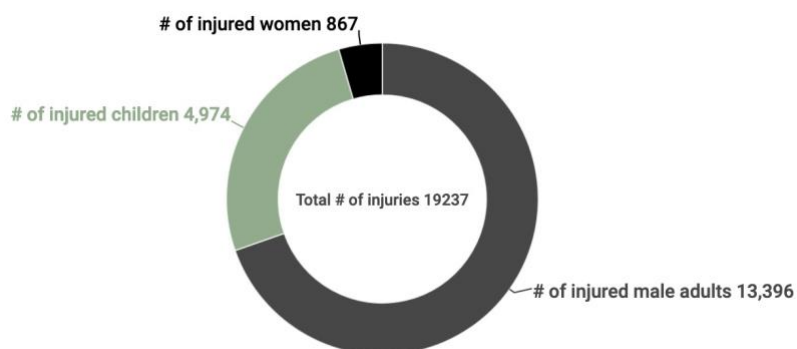
The following testimony is an extract of an affidavit taken from an eyewitness:

On Friday, 3 May 2019, I went with my friend Ramzi Rouhi Abdu to the [Great March of] Return camp in Al-Bureij camp to participate in the 57th weekly demonstrations. After we were done with the afternoon prayer and around 5pm, Ramzi and I approached the fence. We were standing 50-70 meters away, but when the soldiers started shooting, we tried to escape. It was then that Ramzi fell to the ground and the back of his head was bleeding. The paramedics, who happened to be 50 meters behind us, came and gave him first aid before transferring him in one of the Palestinian Red Crescent ambulances via Jakar Street to Al-Aqsa Hospital. I took a taxi there, but then was told that he was transferred to Al-Shifa hospital in Gaza, so I went there. Ramzi was in the operating room an hour after admission, and at around midnight, he was pronounced dead from his wounds.⁸

Injuries

The use of excessive force against unarmed protesters included the infliction of injuries, both physical and psychological, on protesters, journalists and paramedics. In many cases, life-altering injuries were caused, with casualties suffering from debilitating conditions or amputation of body parts. Given the state of Gaza's crippled healthcare sector, the huge number of casualties were channeled toward a system lacking facilities, medicines, equipment, and qualified personnel—a deficit grown from and exacerbated by the occupying authority's ongoing closure and blockade.

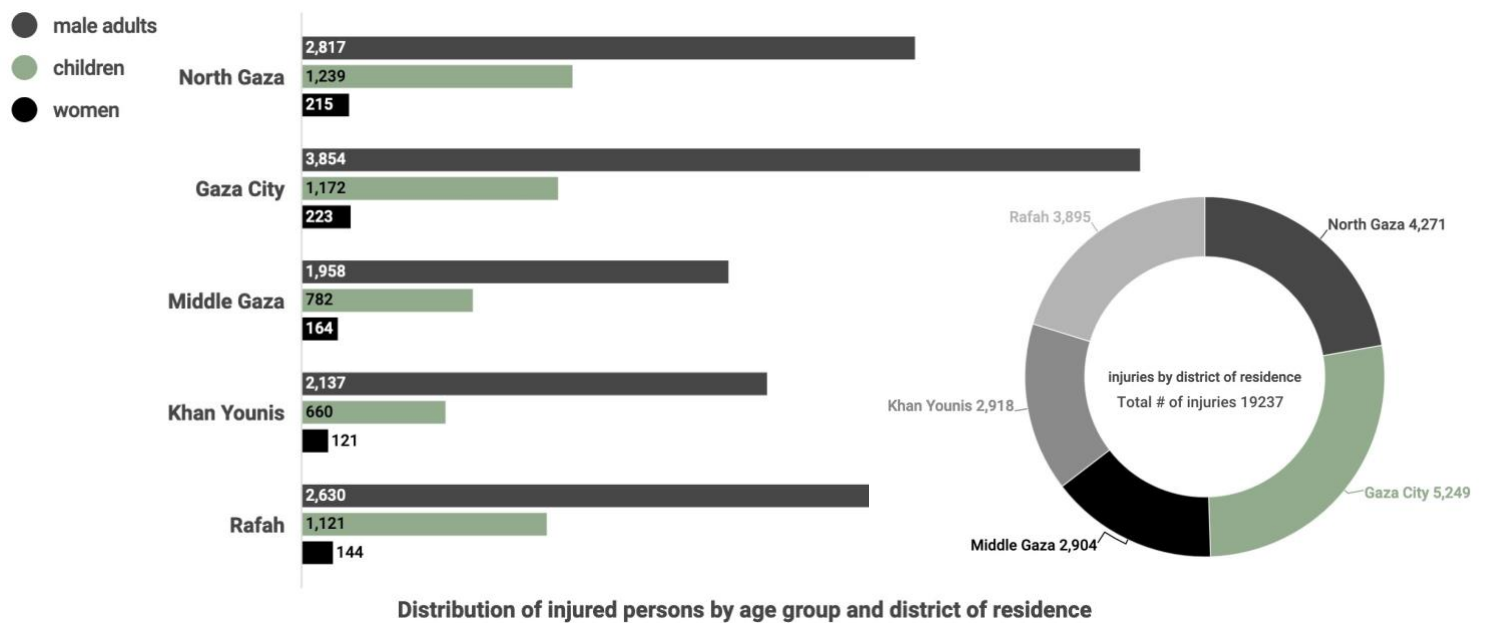
In the reporting period, 19,237 individuals received treatment in local hospitals for injuries sustained during the demonstrations. Among them, 9,517 suffered gunshot wounds from live ammunition while the rest sustained injuries from rubber-coated bullets,



teargas inhalation or direct blows to the body with teargas canisters⁹. Al Mezan's documentation of the injuries is limited to individuals treated at hospitals and does not account for those treated and discharged at Trauma Stabilization Points (field clinics) established at the GMR camps.

⁸ Affidavit by Ibrahim Nayef Wishah, 26, interviewed by Mohammed Daalsa of Al Mezan's fieldwork unit, 12 May 2019.

⁹ According to Al Mezan's documentation.



The review of tens of documented cases reveals that a pattern of deliberate and systematic shooting guided the engagement of Israeli soldiers with unarmed protesters. In many cases, sharpshooters landed their bullets in areas of the body where an injury, if not fatal, would cause disability. The following testimony is an extract from an affidavit taken from Jumaa Ramadan Al-Najjar, 31, whose right leg was amputated due to a gunshot injury.

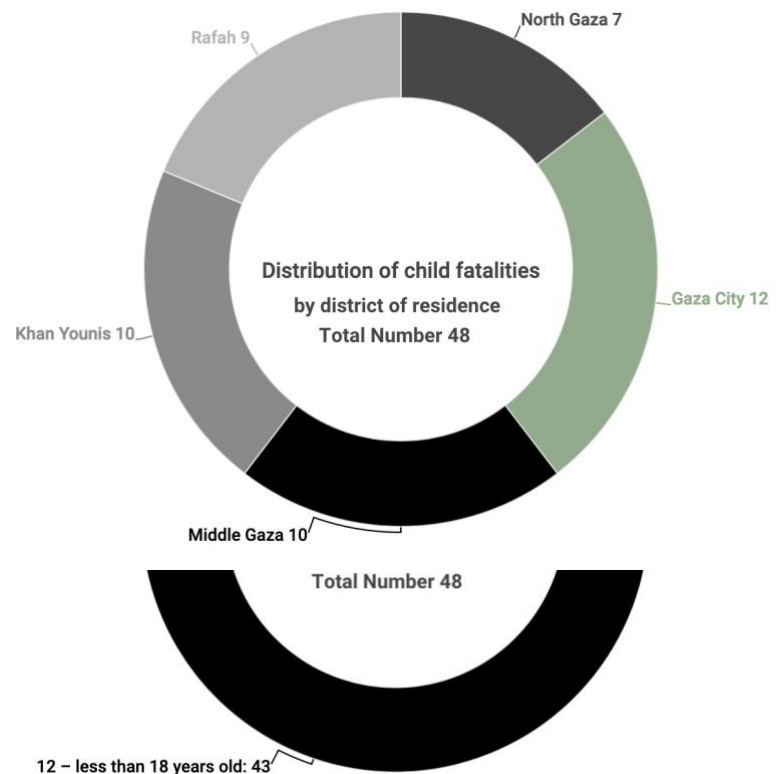
At approximately 4:30pm on Friday, 12 April 2019, I went to the GMR camp in Khuza'a, Khan Younis, to participate in the demonstrations as I normally did. When I arrived, I saw hundreds of other protesters including, women, children, families, and old people. I walked to the fence and stood 30 meters away for almost 30 minutes. I heard multiple gunshots. Moments later, I felt tremendous pain in my right leg that knocked me to the ground. My leg was bleeding, so I screamed for help but the protesters who tried to help me had to retreat because the Israeli soldiers fired tear gas canisters. Some paramedics came a couple of minutes later and carried me to the ambulance on Jakar Street. I was then taken to the field clinic where I received first aid before they transferred me to the European Hospital in Khan Younis. I passed out upon arrival and to woke up at around 10pm. To my immense shock, my right leg was amputated. I screamed in denial and was completely traumatized. The doctors told me I suffered from a gunshot wound that resulted in the tearing of tissues and arteries as well as in bone splintering. That's why I had undergone a surgery and doctors decided to amputate my right leg below the knee. My whole life has changed because of this incident. I feel like I'm a huge burden on my family and siblings who have to help me move around. I don't know how I'm supposed to continue my life this way.

Attacks on children and women

Unarmed children and women, who did not pose a threat to the soldiers, were repeatedly attacked in the GMR protests, despite the legal repercussions. The obligation to respect life is paramount in international law and notably holds heavier weight in relation to children.

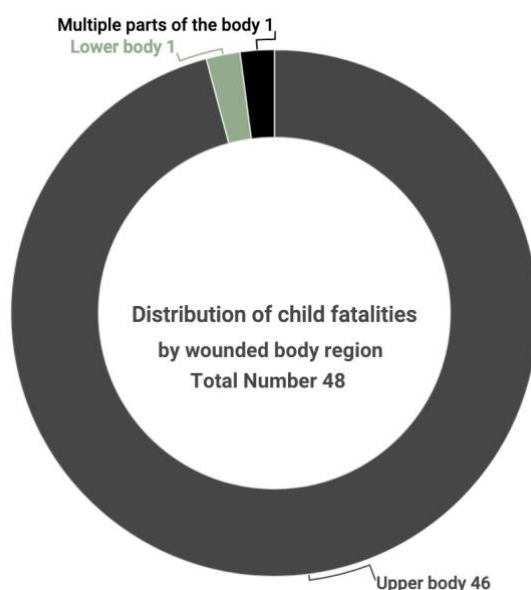
The force used against women and children inflicted serious physical and psychological harm and resulted in the death of 48 children and two women, and injury of 4,974 children 867 women.

An example of the unnecessary and lethal force employed against children is the killing of Hassan Iyad Shelbi, a 13-year-old resident of the Khan Younis governorate. The following testimony is an extract from an affidavit taken from an eyewitness:



At around 3pm on Friday, 8 February 2019, I went with three of my friends and neighbors to the GMR site in Khuza'a, Khan Younis. Hassan Iyad Shelbi (a 13-year-old eighth grader at Hamad School, Khan Younis) was one of them. We wanted to participate in the 46th weekly demonstration. When we arrived, we saw hundreds of children, women and old people assembling inside and around the Return Camp. We approached the fence and stood 150 meters away from it. We heard gunshots and saw three protesters fall... Then, later that day, at around 3:50pm, my friends and I were standing together looking at the fence from afar. I saw one of the soldiers lying atop the sand dunes. He stood up and aimed at us, then I heard a gunshot. All of a sudden, I saw my friend Hassan, who was standing to my left, fall on his

back. Hassan was motionless, so we knew he was shot even though he was not bleeding. It was a traumatizing scene, but my friend Fadi helped me carry him to the ambulance. The paramedics rushed him to a field clinic. My friends and I followed them there. We watched as the doctors tried to revive him, and I learned from them that he had been shot in the chest. Shortly thereafter, I learned that Hassan had died.¹⁰



In another case, the Israeli forces shot dead Amal Mustafa Eltramsi, a 44-year-old woman. The following is an extract from an affidavit taken from an eyewitness to his killing.

¹⁰ Affidavit by Thaer Ahmed Abu Armana, 17, interviewed by Mohammed Daalsa of Al Mezan's field work unit, 10 February 2019.

At approximately 2:30pm on Friday, 11 January 2019, I went with my friend Amal Mustafa Eltramsi, 44, to the Return Camp in Al-Zaitoun, Gaza city, in order to participate in the demonstrations. We saw hundreds of people there: young men, children, elderly people, and women. Some were standing on Jakar St., and others were standing 20 meters away from the fence. Amal and I walked to Jakar St. and stopped 200 meters from the fence. We were carrying saline solution for protesters suffering from suffocation and fainting spells due to tear gas. We saw four Israeli military jeeps, and soldiers atop sand dunes. They opened fire on protesters and hit them directly with tear gas canisters. We witnessed several injuries. Using the saline that we had, Amal and I helped those who were suffocating. We were still staying 200 meters away from the fence when suddenly I heard shooting. Amal collapsed in front of me; her head was bleeding heavily. The Red Crescent paramedics and some other protesters helped transfer her to an ambulance that took her to hospital. I was so traumatized I did not move. Almost an hour later, I was notified of her death. I went to Al-Shifa hospital where doctors confirmed the news.¹¹



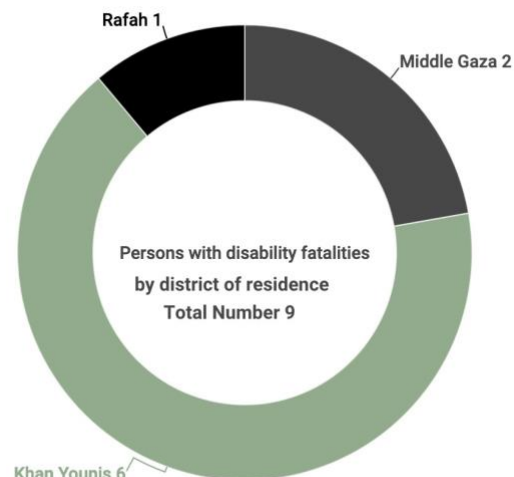
Credit: Hatem Omar
Published with the family's permission
Ahmed Abu Abed (4 yrs). Succumbed to his wounds sustained during the Return March Demonstrations.

Attacks on people with disability

¹¹ Affidavit by Samira Ali Abu Elamrin, 45, interviewed by Khaled Abu Sbeetan of Al Mezan's Field Work Unit, 15 January 2019.

Persons with disability were targeted by the Israeli military throughout the reporting period. Using lethal and other excessive force against persons with physical and cognitive disabilities demonstrates the Israeli military's sweeping use of force regardless of the activities of individuals and inability to remove themselves from harm's way. Israeli soldiers killed nine persons with disability during the reporting period, none of whom posed a threat that would warrant the use of force.

The following is an extract from an eyewitness' affidavit regarding the killing of Fadi Hassan Abu Selmi, a 29-year-old double amputee.



At around 8:30am on Monday, 14 May 2018, I went with my friend Fadi Hassan Abu Selmi (Abu Salah) to the GMR protests in Khuza'a, East Khan Younis. Fadi is 29 and he's a double amputee who had lost both legs. I rode behind him on his three-wheel handicap motorcycle ... At 12:30pm, another friend joined us and we went to Jakar Street to watch the protests, 250-300 away from the fence. I asked Fadi to stay away because I could hear heavy gunfire coming from the fence. Fadi told us he needed to pray, so we left him next to the tree and joined the protesters. I saw burning tires where people were assembling, and shortly after, I heard shooting and Fadi's body hitting the ground. I thought the gunshot hit the motorcycle. My friend and I rushed back to him and saw his chest bleeding heavily. I was in total shock and disbelief for some moments. Then a few people came and carried Fadi to an ambulance. I was informed that he had been transferred to the Gaza European Hospital, so I went there around 30 minutes later, and when I arrived, I was told that Fadi had died of his chest injury and that his corpse had been sent to the hospital's morgue. I attended the funeral and burial in Abasan-Al-Kabira's cemetery.¹²

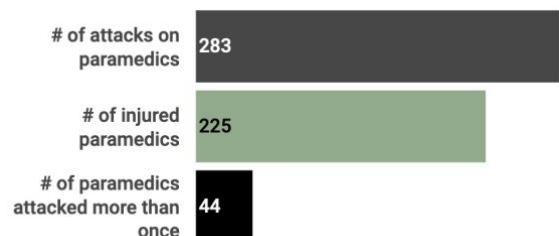
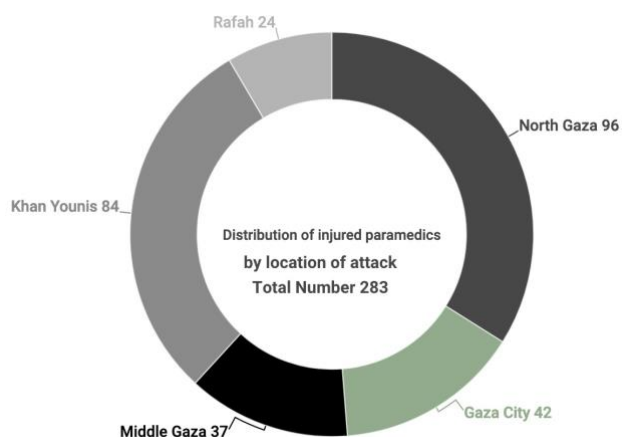
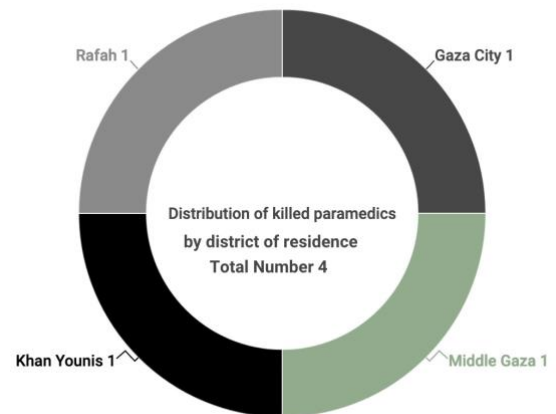
Attacks on paramedics

The paramedics providing medical assistance to casualties at the GMR demonstrations were a consistent target of the Israeli military during the reporting period. Repeated attacks on paramedics and medical infrastructure and equipment, including vehicles, were documented, despite the personnel being visibly marked as paramedics. These attacks hindered access to medical assistance of persons attending the demonstrations.¹³

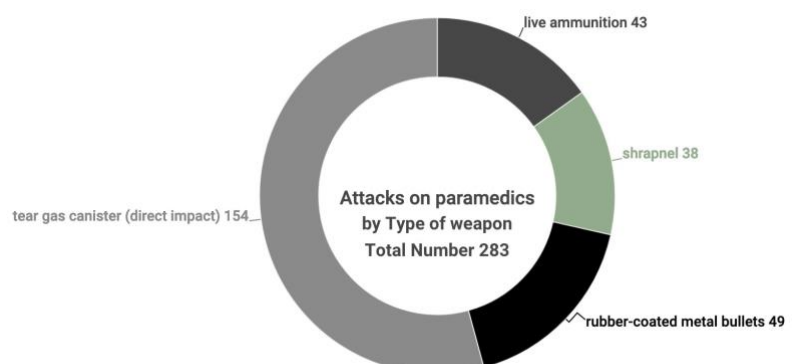
¹² Affidavit by Nidal Abu Tair, 29, interviewed by Gharib Al-Sinwar of Al Mezan's field work unit, 16 May 2018+.

¹³ See Articles 16-21 of the Fourth Geneva Convention which affords protection to civilians, including in occupied territory.

Al Mezan's documentation shows that the Israeli military's practices against paramedics posed a serious challenge to the mission of the medical personnel, with at least 283 attacks on paramedics recorded and four paramedics killed, being: Abdallah Al-Qutati, 22, a paramedic with Nabd Al-Haya team; Razan Al-Najar, 20; a volunteer-paramedic with the Palestinian Medical Relief Society (PMRS); Mousa Abu Hasaneen, 34, a paramedic with the Palestinian Civil Defense; and Mohammed Subhi Al Judaili, 36, a paramedic with the Palestine Red Crescent Society. Another 225 medical personnel were injured by live ammunition, shrapnel from live fire, and/or tear gas canisters.



The following testimony from Sabrin Al Satri's affidavit describes the fatal shooting of her colleague Abdullah Alqutati, 22, a volunteer paramedic in Nabd Al-Haya team:



I'm Sabrin Ayesh Saleh El Satri. I'm 30 years old, and I live in Shaboura neighborhood in Rafah district. I volunteer as a paramedic with Nabd Al-haya, which is a team of 10 young men and women. We met on the second weekly GMR demonstration. Ever since, we have been meeting weekly to deliver first aid to protesters at the Return camps. At approximately 5pm on Friday, 10 August 2020, I went to the GMR site in Eastern Rafah where I met my colleagues from Nabd Al Haya: Sabrin Qeshta, Abdullah Alqutati, Yaser Abu Habib, Mohammed Sheikh Eid, and Mohammed Omar. They were standing opposite to an Israeli military watchtower. Abdullah first went to help an injured protester and when he was back, my colleague Sabrin Qeshta and I went with him to check on some protesters who were walking to the north of the watchtower. We stopped around 20 meters away from the

separation fence. I saw a tank nearby, then we saw a protester fall to the ground after getting injured. As Sabrin Qestha and I approached the injured protester, the tank opened fire on us. Abdullah, who was behind, started shouting and waving at us to step back because it was dangerous, but we treated the injured protester. As we walked back afterwards, we saw protesters carrying a man and calling for an ambulance. I rushed to help but then realized the man was in fact our colleague Abdullah Alqutati. His chest was bleeding heavily, and the protesters carried him to the ambulance. I passed out at the scene and woke up in an ambulance. I was sent to the field hospital. I saw doctors trying to revive Abdullah and turning his body to check the wound. Then, they transferred him to Gaza European Hospital. Some colleagues and I followed the ambulance to the hospital. We were told that Abdullah died from his injury.¹⁴

Meanwhile, tens of paramedics working at the GMR demonstrations were wounded in similar circumstances. In one of these cases, Dalia Bassam Abu Rida, a 21-year-old paramedic, was targeted:

At approximately 3:15pm on Friday, 19 April 2019, I arrived in Khuza'a, Khan Younis, where protesters were still gathering. After the prayer, more people joined the demonstration. There were hundreds of men, women, and children. My colleagues and I moved in until we were 50-150 meters away from the fence... I was wearing my paramedic white coat and a light mask on my face to avoid tear gas inhalation. We helped treat injured protesters. Personally, I gave first aid to and helped transfer six young men who were directly hit with teargas canisters. Later that evening, at around 5:40pm, I was just done treating a protester who suffered from suffocation, when I felt my left foot burning and saw white smoke coming out of it. I couldn't breathe and fell on the ground. I stayed there until the smoke cleared and my colleagues carried me to an ambulance on Jakar Street. I was then transferred to a field clinic to the west of the Return camp. Medical tests showed that I had suffered inflammation and swelling in my foot due to a gas canister that hit it directly.¹⁵

Al Mezan's monitoring confirms that the paramedics, who were visibly marked as such and delivering aid in accordance with their responsibilities, did not pose a threat to the Israeli forces.

¹⁴ Affidavit by Sabrin Al Satri, interviewed by Mohammed Abdullah of Al Mezan's field work unit, 12 August 2018.

¹⁵ Affidavit by Dalia Bassam Abu Rida, 21, interviewed by Gharib Al-Sinwar of Al Mezan's field work unit, 14 May 2019.

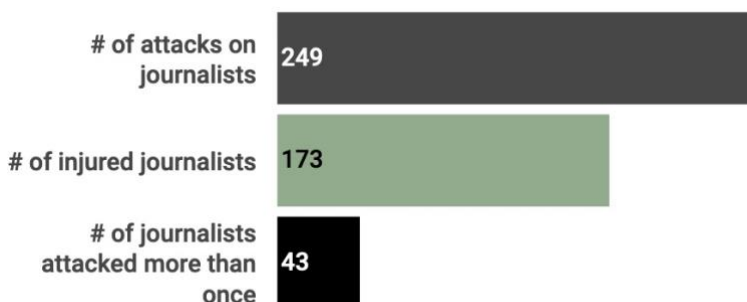


Attacks on journalists and media professionals

Journalists and media personnel were repeatedly attacked during the reporting period. The documentation by Al Mezan shows that in 249 attacks on journalists, two were killed, photojournalist Yaser Abdelrahman Murtaja, 30, and reporter Ahmed Mohammed Ashraf Abu Hussein, 24, and 173 were injured—of whom, 43 were injured more than once.

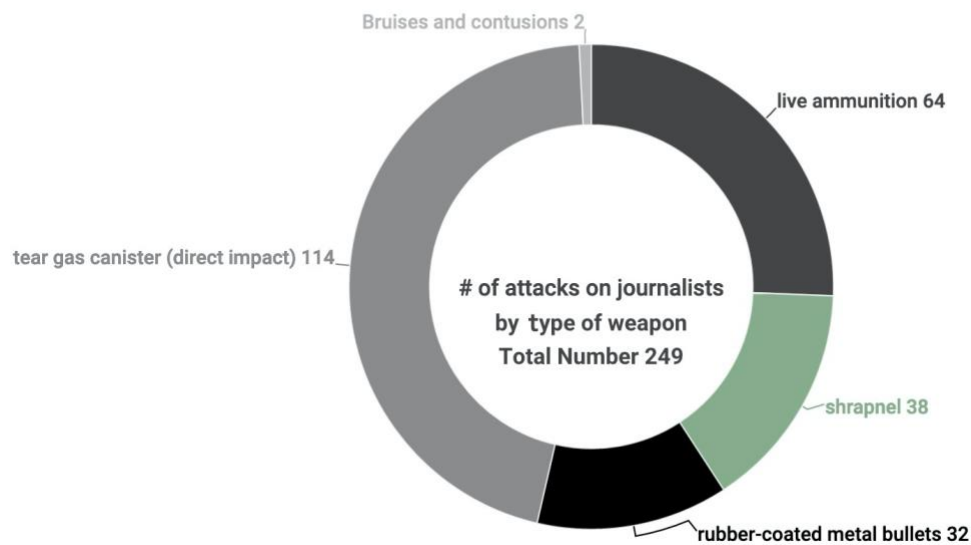


Photo/ Yasser Qudih



In addition, 173 journalists sustained injuries, of them 102 incurred gunshot and shrapnel wounds. The Israeli forces also used rubber-coated metal bullets, injuring 32, and fired gas canisters deliberately and with precision at protesters, injuring 114. Those who inhaled the gas suffered

from suffocation and fainting spells and had to be treated at field clinics and hospitals.



Journalist Usama Al-Kahlout, 35, on his injury while covering the GMR demonstrations:

At approximately 4:30pm on Friday, 2 August 2019, I arrived in Al Bureij [refugee camp] to cover the GMR demonstration. I had a bulletproof vest marked "PRESS", a Canon D70 camera, and a smart phone I used for live broadcast. There were protesters of both genders and all age groups. I saw a number of other journalists, too. I moved in closer to where the protesters were standing 100 meters away from the fence on Jakar Street. I stayed 200 meters away from the fence and started recording videos of the demonstration and uploading them to my Facebook. Almost an hour later, I received a call from an unknown number starting with "04". I knew that was an Israeli phone number. The moment I answered the call, I felt immense pain in my left leg and fell on the ground. It was bleeding, so I knew I had been injured. My journalist colleagues carried me all the way to an ambulance that transferred me to a field clinic. I received first aid there and was transferred to Al-Aqsa Hospital shortly later. In hospital, I went through tests and x-rays. One of the doctors told me I suffered from a perforating gunshot wound. After getting my drug prescription, I left the hospital.¹⁶

¹⁶ Affidavit by Usama Sharif Al-Kahlout, 35, interviewed by Mohammed Daalsa of Al Mezan's Field Work Unit.

Israel's deadly use of live ammunition and crowd-control weapons

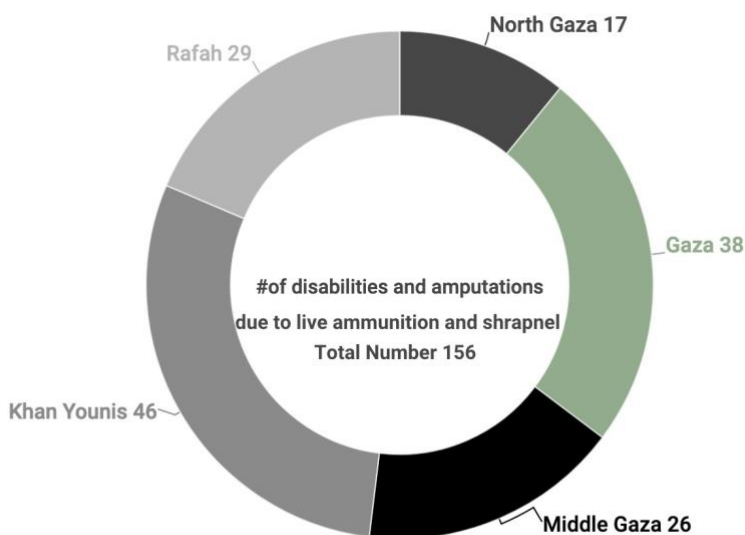
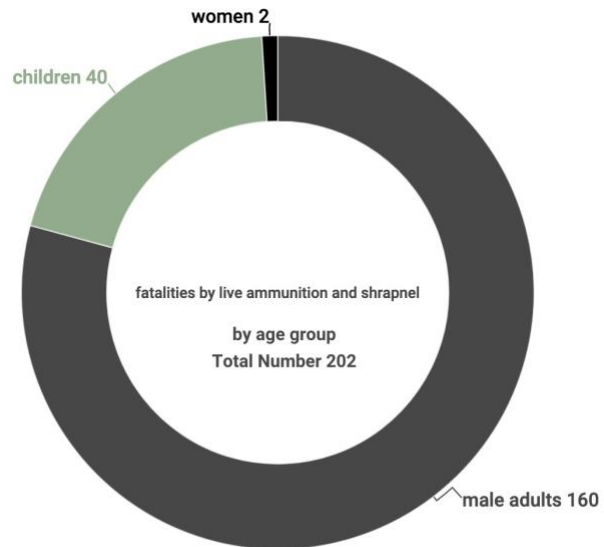
The Israeli forces employed different types of ammunition in their response to the demonstrations at the perimeter fence and used crowd-control weapons, including teargas, unconventionally to deliver direct blows to the body.

Live ammunition

Al Mezan's investigations show that since the beginning of the GMR demonstrations, live ammunition, including explosive bullets that caused deep wounds, tissue trauma, and splintering of bones, were used against Palestinian protesters in circumstances that could not be justified under international human rights law. The Palestinian Ministry of Health in Gaza stated that medical staff treating GMR injuries encountered unfamiliar perforating gunshot wounds, characterized by a small entrance but an abnormally

large exit wound. As a result, prolonged surgeries by medical specialists from different hospital departments were needed for numerous cases. Upper body injuries were fatal, as in the case of journalist Yasser Murtaja, and many children like Hussein Madi.

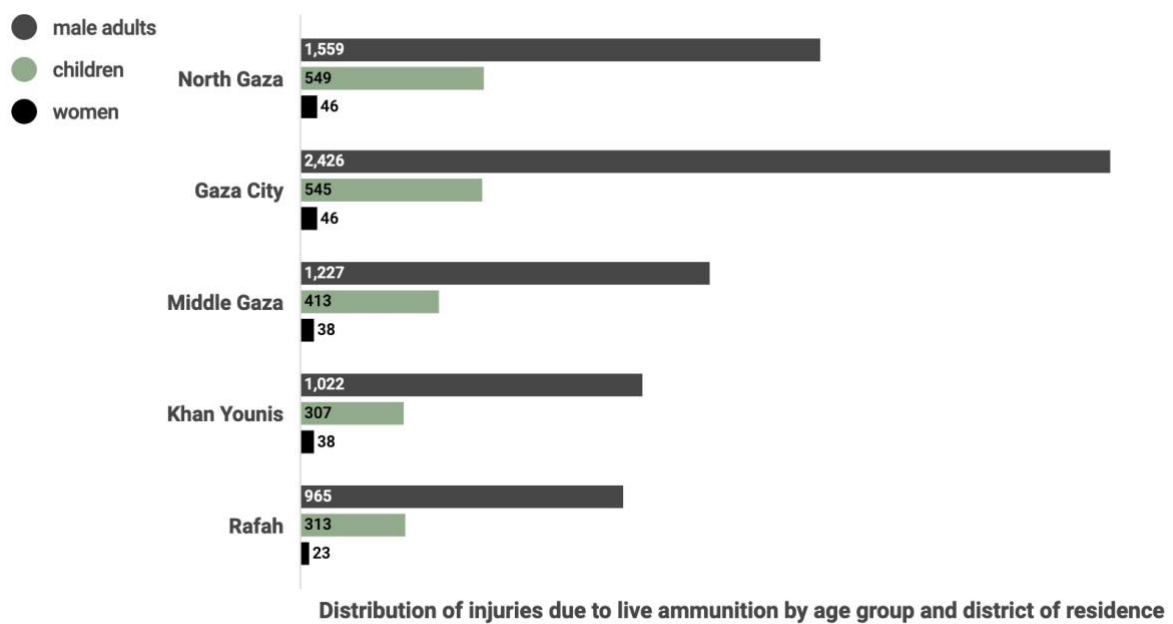
On the other hand, lower body injuries, often leading to amputation of the limbs, also led to loss of life in some cases.¹⁷



Reports, as in Haaretz, referred to the Israeli military's use of Hollow-points bullets.¹⁸ This type of ammunition expands after penetrating soft tissue, so as to create a bigger wound and cause more damage, and is therefore more deadly.

¹⁷ According to Dr. Ayman Eid Elsahbani, head of the ER department in Al-Shifa Hospital. He was interviewed by Khaled Abu Sbeetan of Al Mezan's Field Work Unit, 15 April 2018.

¹⁸ Haaretz, Use of hollow-point bullets against demonstrations in Gaza, 26 April 2018. Available at: <https://www.haaretz.co.il/opinions/.premium-1.6021674>



The following testimony is an extract from an affidavit taken from an eyewitness to the fatal shooting of Raed Khalil Abu Tair, 19:

On Friday, 3 May 2019, I joined the GMR demonstration in Khan Younis with a group of my friends, one of whom was Raed Khalil Abu Tair. He was walking using crutches because of his injury during the previous week's demonstration, where he suffered a gunshot wound to his right thigh. We saw hundreds of protesters joining the demonstration. My friends Mohammed Sammour, Raed Abu Tair, and I moved in until we were 30 meters away from the fence. I saw around four Israeli military jeeps and soldiers on top of sand dunes firing live bullets and teargas canisters at the protesters. Later that evening, I saw a soldier get out of one of the jeeps and shoot at protesters. I watched Raed fall on the ground after being shot. He was bleeding, and a paramedic put his hand on Raed's abdomen to stop the bleeding. Then we carried him to an ambulance that transferred him to the field clinic. I was not allowed to be with him as the doctors treated him. One doctor told me Raed's injury was critical. A few minutes later, Raed was transferred to the Gaza European Hospital where he was immediately admitted to the ER and then the operating room. I was told by the doctors that the bullet penetrated his abdomen and stopped in the pelvis, resulting in severe bleeding. At approximately 8:30pm, I was informed of his death.¹⁹

Al Mezan and Adalah – the Legal Center for Arab Minority Rights in Israel filed a petition to the Israeli Supreme Court on 23 April 2018, demanding that the court order the Israeli military to stop using snipers and live ammunition to disperse the protests in the Gaza Strip.

The following quote from the petition provides some insight:

"The Israeli military's open-fire policy against protesters in Gaza is patently illegal... This policy perceives the [Palestinian] human body as an expendable, worthless object. As a result of this policy, 94 percent of the fatally wounded were shot in the upper body (head, neck, face, chest,

¹⁹Affidavit by Ahmed Mustafa Fusaifis, 27, interviewed by Gharib Al-Sinwar of Al Mezan's field work unit, 8 May 2019.

stomach, and back); 53 percent were shot in the head, face, and neck; 22 percent were shot in the stomach; 19 percent were shot in the chest and back; and six percent were shot in the legs and thighs.”

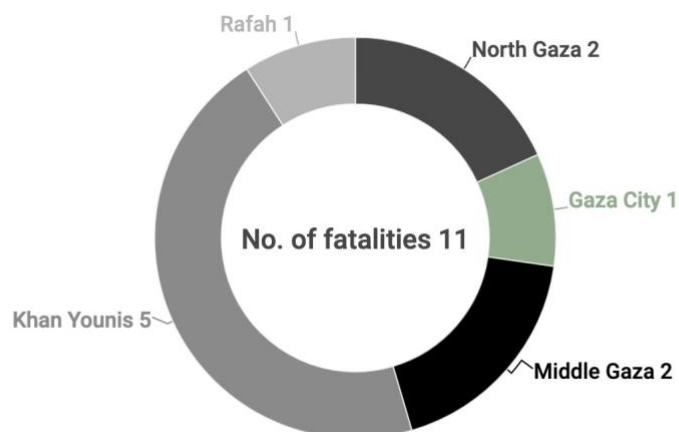
Al Mezan and Adalah stressed in the petition that, contrary to the claims of the Israeli military and government, the Gaza protesters are unarmed, civilian demonstrators, who never reached the point – at any stage – of endangering anyone's life during demonstrations. The petition therefore emphasizes the absolute ban on opening fire on demonstrators with live ammunition and noted that the norms applicable to confronting civilian demonstrations are based in international law governing "law enforcement and order." These same norms have also been adopted into Israeli law:

"These universal norms apply equally and without discrimination to citizens and non-citizens alike, regardless of the content of the protest, their slogans, their location, their organizational affiliation, and the ethnic and national affiliation of the participants."

Teargas

Although crowd control weapons are not designed to hit people directly, the Israeli forces along the Gaza perimeter fence repeatedly fired tear gas canisters directly at protesters, launching the canisters in handheld launchers, mounted launchers, and by drone. By doing so, the Israeli army caused unnecessary harm to protesters and caused life-changing injuries. In most of the cases that were documented, the victims were shot by teargas canisters in the upper body, including the head and the chest. The teargas canisters fired at protesters' limbs also caused serious injuries.

Al Mezan's documentation shows that eleven protesters were killed, including seven children, by teargas canisters making direct contact with the head and body, and approximately 4,000 protesters arrived in hospital with injuries resulting from direct teargas canister hits.



Fatalities caused by direct impact of tear gas canisters distributed by district of residence

Bassam Uthman Safi, 22, died after he was hit in the head with a teargas canister. The following testimony is an extract from an affidavit given by an eyewitness:

On Friday, 22 February 2019, I joined the GMR demonstration in Khuza'a, Khan Younis. I brought my Canon camera to film and share the events on my personal webpage. I took pictures of some protesters who set tires on fire and others who threw stones at the Israeli soldiers. I was standing with other protesters almost 150 meters away from the fence. I was able to see several military jeeps and the soldiers behind sand dunes. I heard shooting and saw teargas canisters while I was taking pictures of the protesters. I documented four injuries and continued to take pictures. But then I heard something being fired in the air. It made a frightening whistling sound. I knelt and lowered my head in fear. Moments later, I saw a young man fall to the ground near me. White smoke was coming out of his head. I could clearly see that he was hit with a teargas canister in the head above his eye. It was a metal canister penetrating his head and smoke was still coming out of it. I took pictures of him before a group of other young men approached us and carried him to the ambulance. I remember there were no clashes of any sort where we were. I carried on filming and was informed later that the young man's name was Bassam Safi and that he was in critical condition. After the demonstration, I went back home and uploaded the pictures I had taken. On Monday, 11 March 2019, I learned that Bassam Safi had died from his injuries.

Unlike the usual symptoms resulting from tear gas inhalation (shortness of breath, burning eyes, and coughing), the Israeli military has been spraying gases that were described as uniquely potent and that caused unfamiliar symptoms, according to the Palestinian Ministry of Health. Those who inhaled the gas suffered from suffocation and fainting spells, and in many cases extreme fatigue, muscle spasm, vomiting, tachycardia, and neurological irritability. The head of the ER department in Al-Shifa Hospital in Gaza stated that all typical treatment proved ineffective in those cases, and the doctors resorted to sedative drugs like "Assival" as well as respirators to treat severe recurrent convulsive seizures resulting from exposure to Israeli gas.²⁰

Rubber-coated metal bullets

The Israeli forces fired rubber-coated metal bullets at Palestinian protesters, killing at least one—with the projectile penetrating his head via the nasal cavity—and inflicting life-changing injuries on several others, who suffered from complications that led to limb amputation.

Mohammed Subhi Al-Judaili, a 36-year-old paramedic, was hit with a rubber-coated bullet in the head and died from the injury a few weeks later:

My name is Yusri Elmassri. I work as a paramedic for the Palestine Red Crescent Society. At around 4:30pm on Friday, 3 May 2019, my colleague Mohammed Subhi Al-Judaili and I were dispatched to the GMR demonstration in east Jabalia. When we arrived, there were almost 500 protesters there, and the Israeli forces were already firing both live and rubber-coated bullets on them, as well as teargas canisters. I transferred two injured young men to the field clinic that is hundreds of meters away from the fence. More people were injured later near the fence, so I drove the ambulance closer, and a group of protesters carried the injured young man into the ambulance. He was hit with a teargas canister in his right shoulder. Another group of protesters approached us while carrying a young woman who was hit with a rubber-coated bullet in her foot. Mohammed Al-Judaili wanted to aid the young woman but as he was moving her inside the ambulance, he suddenly screamed. I left the car to check on him and saw him leaning on the ambulance with his nose bleeding. A few other co-workers came and transferred Mohammed to the field clinic, then I transferred him to Al-Shifa Hospital where his

²⁰ Dr. Ayman Eid Elsahbani, Al-Shifa Hospital

injury was described as “fractures in the nose and skull”. On 10 June 2019, the medical staff in Al Ahli Hospital, Hebron (where he was referred for further treatment) pronounced him dead. His body was returned to and buried in Gaza.²¹

Israel’s military conduct in international law

During the reporting period, Israel responded to the GMR protests in Gaza with excessive force, constituting a serious violation of Palestinians’ fundamental rights to life, security of person, and to live free from cruel, inhuman or degrading treatment or punishment.

Al Mezan notes that Article 2 of the Code of Conduct for Law Enforcement Officials states that “in the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.” Law enforcement officials may use force only when strictly necessary, proportionally, and only to serve a legitimate law enforcement purpose. Force is to be used only as a last resort and when other, less forceful measures have been exhausted.

The high numbers of fatalities and injuries among the unarmed Palestinian protesters, paramedics and journalists suggest that the Israeli military was not acting in self-defense, but instead, intentionally caused serious and unnecessary harm and death in violation of international human rights law, seemingly amounting to war crimes and crimes against humanity.

International human rights law also protects the rights of protesters to peacefully assemble and take part in demonstrations and expressions of free speech. The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Israel is a party, protect the peaceful measures taken by protesters in the GMR demonstrations and Israel is therefore in serious violation of its civil and political rights obligations to the population that it effectively controls.

The Israeli military’s lethal response to the unarmed Palestinian protesters, who are neither participating in hostilities nor posing an imminent threat to Israeli soldiers, constitutes a grave violation of international human rights law, with serious legal consequences in international humanitarian and criminal law, and compels Israel to ensure accountability and redress for the victims.

²¹ Affidavit by Paramedic Yusri Elmassri, 55, interviewed by Muhannad Abdel Bari of Al Mezan’s Field Work Unit, 17 June 2019.

Conclusion

Based on the facts presented in this report, Al Mezan concludes that Israeli forces used lethal and excessive force to respond to the GMR demonstrations in violation of international law, particularly the rules regarding law enforcement. Al Mezan's documentation reveals that the Israeli forces ignored the compelling moral and legal obligations of international law by targeting protesters, journalists and paramedics with force that would kill, injure and cause irreparable harm.

The devastating consequences of Israel's targeting policy were compounded by the Israeli authorities' decision to deny the wounded persons access to urgent medical treatment outside Gaza. In the context of the GMR demonstrations, the international law violations carried out by the Israeli government, military, and the courts that allowed for the above policies and practices, are systemic and grave. The documented attacks show a clear pattern of deliberate and systematic targeting, and of collective punishment of unarmed protesters, in flagrant breach of international law.

Al Mezan's fieldwork and in particular, the affidavits and evidence that the fieldworkers and lawyers recorded speak to the root causes of the protests and the several forms of direct and indirect violence carried out on a daily basis against civilians in Gaza.

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

- End the closure and blockade of Gaza and ensure free movement of both people and goods;
- Stress the obligation to respect and protect human rights, including the right to free expression and peaceful assembly, which are paramount in situations of occupation and oppression;
- Activate instruments of international accountability and criminal jurisdiction to deliver both justice to perpetrators and reparations to victims; and
- Further collaboration in order to end the Israeli occupation of Palestinian territory as a means of enabling Palestinians to exercise their individual and collective rights, not least of them the right to self-determination, freedom and dignity.