



Israel Continues Repression of Palestinian Protests Challenging Israel’s Domination and Oppression on Both Sides of the Green Line

For 73 years, Israel has imposed an institutionalised regime of racial domination and oppression over the Palestinian people through policies, practices and laws, including prolonged denial of their inalienable collective rights, including the right to self-determination and return. For decades, Israel has pursued a policy of silencing, as a tool to maintain apartheid, those who oppose its unlawful policies and practices and seek justice and accountability for violations of international law and crimes committed against the Palestinian people. The persecution of Palestinian organisations and persons by “depriving them of fundamental rights and freedoms, because they oppose apartheid” is one of the “inhuman acts committed for the purpose of establishing and maintaining” Israeli domination over Palestinians on both sides of the Green Line “and systematically oppressing them.”¹

Widespread Palestinian demonstrations on both sides of the Green Line erupted in May 2021 against Israel’s imminent threat of forcibly transferring eight Palestinian families from their homes in the Sheikh Jarrah neighbourhood in Jerusalem. The demonstrations have crystalized around this latest example of Israel’s institutionalised regime of racial domination and oppression, which the Palestinian people have endured for decades. In response, Israel escalated its crackdown. The Israeli Occupying Forces (IOF) and police have violently repressed Palestinian demonstrations in the occupied West Bank, including East Jerusalem, and inside the Green Line, violating Palestinian right to peaceful protest and freedom of expression. The demonstrations have been met with unnecessary, disproportionate and excessive use of force.

Between 14 May 2021 and 29 May 2021, Al-Haq has monitored and documented the killing of 14 Palestinians during protests throughout the occupied West Bank by the IOF. According to the Palestinian Ministry of Health, more than 3825 Palestinians have been injured in the occupied West Bank between 7 May 2021 and the morning of 18 May 2021. Of these, 446 were sustained from live ammunition.

The use of firearms by the IOF can only be justified in self-defence against imminent threat of death, serious injury, or to defend someone else from the imminent risk of death. According to Al-Haq’s initial documentation, it is highly unlikely that in the cases of killings of Palestinians by the IOF there was an imminent threat of death or serious injury to the occupying soldiers. As such, the killing of the 14 Palestinians most likely meets the criteria of wilful killings, which is a grave

¹ International Convention on the Suppression and Punishment of the Crime of Apartheid.

breach of the Geneva Conventions and is listed as a war crime by Article 8(2)(a)(i) of the Rome Statute of the International Criminal Court.

Inside the Green Line, Palestinian protestors were subjected to police violence and human rights violations, including denial of emergency medical care. High Commissioner Bachelet highlighted “reports of excessive and discriminatory use of force by police against Palestinian citizens of Israel”. Thousands of Palestinian protesters inside the Green Line were arrested. Dr Hassan Jabareen said in response to a police announcement regarding a mass arrest operation on 23 May 2021, “this is a war against Palestinian demonstrators, political activists, and minors, employing massive Israeli police forces to raid the homes of Palestinian citizens. These raids are intended to intimidate and to exact revenge on Palestinian citizens of Israel – ‘to settle the score’ with Palestinians, in the Israeli police’s own words – for their political positions and activities.”

In addition to police, far-right Jewish Israelis organised and coordinated the arrival of armed Israelis to attack Palestinians in al-Lydd, Ramle, Akka, Haifa, and Yaffa, and other areas. Moreover, the IOF has allowed Israeli settlers² coming from the West Bank entry into Israel to target Palestinian neighbourhoods and villages and provided support and protection as they attacked Palestinian residents and destroyed Palestinian property. Israeli police have not taken action to protect Palestinians, and in some cases, they cooperated and supported the mob violence. UN High Commissioner for Human Rights Michele Bachelet raised concern at “reports that Israeli police failed to intervene where Palestinian citizens of Israel were being violently attacked, and that social media is being used by ultraright-wing groups to rally people to bring weapons, knives, clubs, knuckledusters to use against Palestinian citizens of Israel.”

On 10 May 2021, Mousa Hassouna, a 32-year-old Palestinian from al-Lydd was killed by an Israeli settler during a protest. The following day, Israeli settlers attacked his funeral.³ Israeli police arrested four settlers suspected of killing Mousa. On 13 May 2021, all suspects were released on bail,⁴ exemplifying, yet again, the discriminatory and biased nature of Israel’s judicial system, and its complicity in maintaining its apartheid system.

Attacks on the journalists and paramedics in the occupied Palestinian territory, particularly in East Jerusalem, have significantly increased during the past month. These attacks are not unprecedented.⁵ On 27 May 2021, for example, Israeli police detained two Palestinian journalists, Zeina Halwani and Wahbe Makiyyah, as they were covering Sheikh Jarrah neighborhood. Before detaining them, Israeli forces attacked Wahbe, resulting in his bleeding and damaging of his

² +972 Magazine, “How Israeli police are colluding with settlers against Palestinian citizens,” 13 May 2021, at: <https://www.972mag.com/israel-police-settlers-lyd/>.

³ Al Jazeera, “Palestinian protests in Israel showcase ‘unprecedented’ unity,” 16 May 2021, at: <https://www.aljazeera.com/news/2021/5/16/palestinian-protests-in-israel-showcase-unprecedented-unity>.

⁴ The Times of Israel, “4 Jewish Suspects Held Over Fatal Shooting of Arab in Lod are Released on Bail,” 13 May 2021, at: <https://www.timesofisrael.com/4-jewish-suspects-held-over-fatal-shooting-of-arab-in-lod-are-released-on-bail/>.

⁵ See Al-Haq, “Israel’s Attacks on Press Freedom Violate Right to Freedom of Expression”, 30 October 2017, at: <https://www.alhaq.org/monitoring-documentation/6310.html>; Al-Haq, “Special Focus: Attacks against Health Facilities and Medical Staff by the IOF”, 09 November 2015, at: <https://www.alhaq.org/monitoring-documentation/6470.html>.

camera. On 23 April 2021, Israeli police attacked the same two journalists with sound bombs, severely beat them, and destroyed their equipment while covering Sheikh Jarrah neighbourhood.⁶

In the context of attacks against Palestinians, the IOF denied ambulances and paramedics from reaching injured civilians in several cases documented by Al-Haq, preventing them from treating injuries. This occurred in several instances in Jerusalem in April/May 2021.⁷ In addition to access denial, excessive use of force against paramedics has been documented and monitored by Al-Haq. On 10 May 2021, a Palestinian paramedic was directly shot by the IOF with a rubber-coated metal bullet while carrying out his duties in the Old City of Jerusalem.

Attacks against paramedics were not limited to the use of less-lethal weapons. In May 2021, during confrontations between IOF and Palestinian youth around Al-Jalame checkpoint in northern Jenin, the IOF fired live ammunition at an ambulance while carrying an injured person, hitting it with at least seven bullets. No injuries of paramedics were reported in the incident.

The continuous killing of Palestinians, including Palestinian protesters on both sides of the Green Line, is a direct result stemming from the climate of impunity granted by the Israeli occupying authorities and its judicial system, which prevent and undermine accountability and redress for Palestinians.

Accordingly, we call on Member States of the Human Rights Council to:

- i. Publicly condemn the killing and targeting of Palestinian protesters by the IOF, which amounts to a war crime under the Rome Statute and contributes to the commission of the crime against humanity of apartheid over all Palestinians, giving rise to individual criminal responsibility at the International Criminal Court;
- ii. Recognise Israel's systematic shoot-to-kill policy contributes to the maintenance of Israel's apartheid system of systematic racial oppression and domination over the Palestinian people as a whole, embedded in a system of impunity, which prevents Palestinians from effectively challenging Israel's apartheid policies and practices;
- iii. Call on the Israeli authorities to immediately bring their rules of engagement for the use of live fire in line with international human rights law, as recommended by the UN Commission of Inquiry on the 2018 protests in the occupied Palestinian territory and adopted by Member States of the Human Rights Council in accountability resolution 40/13 of 22 March 2019;
- iv. Uphold their responsibility as third States to refrain from recognising as legitimate the illegal situation established and maintained in the oPt by Israel, the Occupying Power, to refrain from rendering aid or assistance towards its maintenance, and to cooperate to bring

⁶ Al-Haq Affidavit 147A/2021, given by Zeina Mazin Hamed Halawani, 23, a resident of Wadi al-Joz in Jerusalem Governorate, on 27 April 2021, and Al-Haq Affidavit 148A/2021, given by Wahbe Kamil Taher Makiyeh, 36, a resident of Jabal al-Zaytoun in Jerusalem Governorate, on 27 April 2021.

⁷ Al-Haq, "Action Alert: International Community Must Take Immediate and Concrete Measures to Halt Israel's Aggression against Palestinian Jerusalemites," 10 May 2021, at: <https://www.alhaq.org/advocacy/18289.html>.

the illegal situation to an end, including through lawful means such as sanctions and arms embargoes; and

- v. Call for international justice and accountability for widespread and systematic human rights violations committed against the Palestinian people, including war crimes and crimes against humanity.