



INTERNATIONAL COUNCIL SUPPORTING FAIR TRIAL & HUMAN RIGHTS

Registration No. 2795/2012

OFFICIAL LETTER HEAD OF THE ORGANIZATION

ICSFT WELCOMES THE REPORT OF UN COI ON THE 2018 GAZA PROTESTS

Today the UN Independent Commission of Inquiry on the 2018 Gaza protests presented its findings, the COI will address the 40th HRC session on 18 March with the view of holding an Interactive Dialogue with member states and other stakeholders. The Commission was mandated by the Human Rights Council in May 2018 following a special session¹ to investigate all alleged violations and abuses of international humanitarian law and international human rights law in the Occupied Palestinian Territory, in the context of the large-scale protests that began in Gaza on 30 March 2018.

On the report the COI clearly states “The Commission has reasonable grounds to believe that during the Great March of Return, Israeli soldiers committed violations of international human rights and humanitarian law. Some of those violations may constitute war crimes or crimes against humanity, and must be immediately investigated by Israel”.

According to the report of the COI 189 Palestinians were killed during the demonstrations of the Great March of Return, of which 183 were killed by Israeli security forces with live ammunition. 35 children, 3 paramedics and 2 journalists. The finding also states more than 6,000 unarmed demonstrators were shot by military snipers, week after week at the protest sites by the separation fence. Another 3,098 Palestinians were injured by bullet fragmentation, rubber-coated metal bullets or by hits from tear gas canisters.

Sara Hossain member of the COI stresses “There can be no justification for killing and injuring journalists, medics, and persons who pose no imminent threat of death or serious injury to those around them. Particularly alarming is the targeting of children and persons with disabilities, many young persons’ lives have been altered forever. 122 people have had a limb amputated since 30 March last year. Twenty of these amputees are children.”

¹ The special session was held following the large-scale killing and maiming of 30 March last year where 18 people were killed and over 700 people shot, and of 14 May, when 60 people were killed and over 1100 people shot



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The open-fire policy practiced by the Israeli security forces is patently illegal and excessive, as evidenced by the high number of deaths and injuries. Since the start of the protests, Israel has attempted to justify its military's conduct with unfounded claims of measures to maintain peace and order, Israel knows full well that there is no legal basis to support its open-fire policy that killed hundreds of unarmed protesters and wounding another thousands.

International law clearly defines the circumstances in which force, and in particular deadly force, can be used against civilians. Such force must only be used in cases of real and immediate threat to life, and only as a last resort – that is, when other methods have failed. The use of force should also be proportionate to the threat posed. clearly many – most – demonstrators were some distance inside Gaza and posing no immediate threat. It is documented that the great majority of protesters have been peaceful, and that events in no way justified the massive use of deadly force employed by the Israeli security forces.

In light of such overwhelming evidence of violations by the Israeli Security forces, ICSFT therefore call on the members of the Human Rights Council to:

- Recognize the findings of the COI with the view to facilitate and expedite existing international investigations and examinations to refer those responsible to the International Criminal Court;
- Ensure that those individuals and commanders found to be responsible are publicly identified and held accountable for violations of international law;
- Time and again Israel has proved that it is unwilling to conduct independent and transparent investigations – as has been highlighted by the UN COI on the 2014 Gaza conflict. We therefore urge the Council to call on the International Criminal Court to urgently open full investigation into alleged international crimes committed;



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- Finally we urge Council members to call on the Israeli government to respect all United Nations resolutions and its obligations under international law, to end occupation and recognize Palestinians right to self-determination.

As per the usual such majors will be contested by Israel and USA, claiming it is disproportionately targeting Israel. However, we must all remember that we are standing with the people of Palestine, targeting human rights violations.

We have to stand in solidarity with the people of Palestine and end the state of institutionalized impunity in Israel.

There must be legal consequences for the massacre of Palestinian peaceful protesters, and the only time to act is now.