



Human Rights Now

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Human Rights Now Protests the Recent Killing of Palestinian Civilians along the Gaza-Israeli border

Human Rights Now, a Tokyo-based human rights NGO, expresses grave concern over the recent killings of civilians in Gaza by the Israel troops. Israeli authorities must abide by their international obligations under international human rights law and humanitarian law and should immediately end the excessive use of force against Palestinian protesters.

I. Clashes along the Gaza-Israeli Border

The March 30 demonstration commemorated the events of 30 March 1976, called “Land Day”, when six unarmed Palestinian citizens were killed by Israeli soldiers during protests against massive expropriations of Palestinian-owned land by the Israeli government.¹

The peaceful demonstration had started early in the day and devolved into violence at several locations across Gaza.² The Israel Defense Forces (IDF) said its troops have only used live ammunition against people trying to sabotage the border security fence, some of them throwing rocks or rolling burning tires. However, Palestinian health officials said Israeli forces have used mostly gunfire, in addition to tear gas.

¹ Dan Williams, “Israelis on Gaza border unmoved by Palestinian protests”, 8 Apr 2018, <https://www.reuters.com/article/us-israel-palestinians-protests/israelis-on-gaza-border-unmoved-by-palestinian-protests-idUSKBN1HF0GH>

² UNSC Press Release, “Security Council Member Condemn Killing of Palestinian Civilians in Clashes at Israel-Gaza Border after Peaceful Protest Turned Violent”, 30 Mar 2018, SC/13273, <https://www.un.org/press/en/2018/sc13273.doc.htm>

In the days leading up to the planned protest, the IDF announced they would deploy 100 snipers to the Gaza border with “orders to use a lot of force.” On the morning of March 30, Israeli Defense Minister Lieberman tweeted in Arabic, “Anyone who approaches the border puts his life in jeopardy.”³

Further, on April 6, the IDF fired live rounds against Palestinians along the border fence and killed at least 7 people and over 1000 people were injured. ⁴On April 7, IDF killed a Palestinian journalist, wearing a protective vest marked ‘Press’ while covering the protests. This brings the total death toll to 29 victims. ⁵

II. Excessive Use of Force and the Need for an Independent Investigation

Israeli authorities are obligated to respect the rights to peaceful assembly and association, as protected by articles 21 and 22 of the International Convention on Civil and Political Rights.⁶ Freedom of expression and assembly are fundamental human rights.

The UN Basic Principles on the Use of Force and Firearms by Law enforcement officials hold that preference should be given to “non-violent means” when policing protests. In addition, these principles detail that when lawful use of firearms in unavoidable, officials should “exercise restraint” and “minimize damage and injury.”⁷ To date, no evidence has emerged that any of the protesters used firearms, crossed the border or presented a “grave threat” to the well-equipped soldiers.

The killings of Palestinian protesters should be thoroughly investigated and the Israeli authorities must abide by their international obligations.

UN Secretary-General, Antonio Guterres, called for an independent and transparent

³ Associated Press, “The Latest: Gazan killed in clashes near Israeli Border”, The Washington Post, 3 Apr 2018, https://www.washingtonpost.com/world/middle-east/the-latest-gazan-killed-in-clashes-near-israeli-border/2018/04/03/fa70da80-374a-11e8-af3c-2123715f78df_story.html?utm_term=.523abd71811e

⁴ Ingrid Formanek, Ian Lee, “Fresh Violence erupts along Gaza-Israel Border as Palestinians march again, 7 Apr 2018, <https://edition.cnn.com/2018/04/06/middleeast/gaza-israel-border-protest-intl/index.html>

⁵ Reuters, “Palestinian journalist killed in Israeli-Gaza protests” 7 Apr 2018, <https://www.reuters.com/article/israel-palestinians-protests/palestinian-journalist-killed-in-israel-gaza-protests-idUSL5N1RK05A>

⁶ UN General Assembly, *International Covenant on Civil and Political Rights*, Art. 21 and 22, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171

⁷ “Basic Principles on the Use of Force and Firearms by Law Enforcement Officials” 7 Sep 1990, <http://www.ohchr.org/Documents/ProfessionalInterest/firearms.pdf> Associated Press, “The Latest: Gazan killed in clashes near Israeli Border”, The Washington Post, 3 Apr 2018, https://www.washingtonpost.com/world/middle-east/the-latest-gazan-killed-in-clashes-near-israeli-border/2018/04/03/fa70da80-374a-11e8-af3c-2123715f78df_story.html?utm_term=.523abd71811e

investigation of the incidents and appealed to all sides to refrain from actions that could lead to further civilian casualties.⁸ Members of the UN Security Council have also condemned the killings of civilians and expressed grave concern about the violence spiraling out of control. Many members have called for the perpetrators to be held accountable.⁹

However, Israeli Prime Minister Benjamin Netanyahu has praised the army for “successfully guarding the country’s borders” and sees no reason for Israel to cooperate with a UN inquiry into army actions.¹⁰

III. Recommendations

HRN expresses deep concern over the human rights violations of the Palestinian people and the excessively violent response of the Israeli authorities to recent clashes along the Gaza-Israeli border.

HRN echoes the call by UN Secretary-General, Antonio Guterres, for an independent and transparent investigation and urges the following recommendation to be taken to address the situation.

HRN calls on the Israeli Authorities to:

- Respect the fundamental human rights to life and peaceful protest of Palestinian civilians;
- Launch an independent and effective investigation into all incidents resulting in death or injuries of Palestinian protesters and, in cases of excessive use of force, bring those responsible to justice;
- Immediately end the longstanding culture of impunity within the Israeli army for serious abuses against Palestinian civilians’;
- Cease all violations of international human rights and humanitarian law against Palestinian people.

HRN calls on the International community to:

⁸ UN Press release, “Secretary-General Deeply Concerned about Deadly Clashes along Israel-Gaza Border, Calls for Independent Investigation, Restraint to Prevent more Casualties” 30 Mar 2018, SG/SM/18967-PAL/2220, <https://www.un.org/press/en/2018/sgsm18967.doc.htm>

⁹ UNSC Press Release, “Security Council Member Condemn Killing of Palestinian Civilians in Clashes at Israel-Gaza Border after Peaceful Protest Turned Violent”, 30 Mar 2018, SC/13273, <https://www.un.org/press/en/2018/sc13273.doc.htm>

¹⁰ Al-Jazeera, “Killing of Palestinians in Gaza ‘unlawful, calculated’”, 3 Apr 2018, <https://www.aljazeera.com/news/2018/04/killing-palestinians-gaza-unlawful-calculated-180403060222559.html>

- Support efforts for justice and accountability for perpetrators of human rights abuses against Palestinians, especially by Israel military personnel;
- Actively work towards a political solution for Gaza in accordance with international law

HRN calls on the ICC prosecutor to:

- Open a formal investigation into serious violations of international law in Palestine.