



Rt Hon Alistair Burt MP
Minister of State for the Foreign and Commonwealth Office
Foreign and Commonwealth Office
London SW1A 2AH

03 April 2018

Dear Minister Burt,

Re: Killing and injuries of Palestinians at a mass demonstration on the Gaza border

We write following the killing of at least 16 Palestinians by Israeli security forces using live ammunition and rubber bullets against a large demonstration inside the occupied Gaza Strip near the border of Israel on Friday 30 March. In addition, 1,415 Palestinians – 758 of them with live ammunition - were injured.

We are deeply appalled by the excessive use of force by Israeli security forces. Fundamental human rights that appear to have been unlawfully violated include the right to life, the prohibition on cruel and inhuman treatment, and the rights of freedom of expression and assembly. It is vital from a human rights and rule of law perspective that an independent investigation is commissioned by Israel into the events at the Gaza border last Friday, and that criminal prosecutions and legal accountability properly follow if there is evidence of wrongdoing by soldiers and/or their superiors. Among the questions that an investigation should ascertain is what were the precise open-fire instructions given to Israeli soldiers, and were all those shot by live ammunition posing an imminent threat to life.

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials provides that security forces shall “apply non-violent means before resorting to the use of force and firearms,” and that “whenever the lawful use of force and firearms is unavoidable, officials shall: (a) Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved; and (b) Minimise damage and injury, and respect and preserve human life.” Moreover, “intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.”

The UN Basic Principles reaffirm existing legal standards requiring that the use of force and firearms by a State against an individual can only be deployed in exceptional situations where an individual is posing an imminent threat of death or serious injury. When the use of force is deployed, it must be done so in a manner which is proportionate. Israel's own military regulations reflects these requirements. However, the excessive use of force deployed last Friday against Palestinian protesters raises serious concerns that these basic legal standards were gravely breached; something which is not new within the context of Israeli forces treatment of Palestinians.

We welcome the UK's statement at the UN Security Council in which it expressed that it is “appalled” at the deaths and injuries last Friday. We strongly consider, however, that there are specific requests that the UK should make to the Government of Israel as a matter of urgency:



1. Reiterate the calls of the UN Secretary General and the EU High Representative for an independent and transparent criminal investigation into the excessive use of force against Palestinian protesters on 30 March 2018 and to express alarm at the Israeli defence minister's reported subsequent rejection of such an accountability mechanism;
2. Call upon the need for criminal prosecutions and legal accountability against any individual if evidence is found of wrongdoing;
3. Urge Israeli forces urgent and full compliance with international human rights law obligations and the aforementioned UN Basic Principles when engaged with Palestinians exercising their fundamental right to freedom of assembly.

We would be grateful for your careful consideration of the above and for your written reply.

Yours sincerely,

Tareq Shrourou

Director, Lawyers for Palestinian Human Rights