



## **LPHR statement on the use of force against protesters in Gaza**

**London, 15 May 2018** – As lawyers committed to the protection of Palestinian human rights, we strongly abhor the deliberate and widespread targeting of Palestinian protesters in Gaza yesterday that caused [57 fatalities](#), including 6 children and a person with a disability, and at least another 2,000 injured. 1,114 of the injured were shot with live ammunition and at least 70 are in serious or critical condition. It is imperative that the commission of any serious crimes is properly met with legal accountability and justice, rather than dangerous impunity.

For over six weeks since the protests began on 30 March, it has been clearly apparent that applicable legal standards on the use of force against protesters have been seriously and repeatedly violated. On 8 April, the Prosecutor of the International Criminal Court, Fatou Bensouda, [stated](#) she was following “the violence with grave concern” and strikingly noted that: “Violence against civilians - in a situation such as the one prevailing in Gaza – could constitute crimes under the Rome Statute of the International Criminal Court.”

Israel's military, however, has not apparently amended their open-fire instructions against unarmed Palestinian protesters despite the acute concerns that they sanction acts of serious criminality, including wilful killing and wilfully causing serious injury. The fact that Israel's political and military leadership has not changed its course of action raises extremely serious questions about potential international humanitarian and human rights law violations by these officials.

Israel stated in early April that a fact-finding mechanism will review the use of force against Palestinian protesters in Gaza. We are however extremely doubtful that Israel's investigation will conform with international standards on the duty to investigate. We note that the leading Israeli human rights organisation, B'Tselem, [announced in 2016](#) that it will stop referring complaints to Israel's military law enforcement system, because: “There is no longer any point in pursuing justice and defending human rights by working with a system whose real function is measured by its ability to continue to successfully cover up.”

Israel's investigation system has not since been restructured and there is no credible reason based on empirical evidence to expect a different outcome. We therefore reiterate our call upon the UK and the wider international community to monitor Israel's investigation for the purpose of assessing its compliance with international standards of independence, impartiality, thoroughness, effectiveness, promptness and transparency.

We also urge the UK and the wider international community to consider the steps it will take should Israel's investigation not meet the criteria for a genuine investigation. We suggest this should particularly include expressly supporting Palestinian victims, survivors and their families in pursuing the only viable avenue open to them to secure legal accountability and justice, which will be through the International Criminal Court.

[LPHR Legal Q&A on the use of force against Gaza protesters](#)

[LPHR Urgent Action letters to the UK Government dated 3 April and 2 May](#)