

December 2016 update to September 2014 complaint concerning destruction and damage to family houses in the Gaza Strip with associated loss of life and injury to Palestinian residents, during Israel's military operation between 7 July 2014 and 26 August 2014, submitted to the:

- **United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; and**
- **United Nations Special Rapporteur on the Palestinian territories occupied since 1967.**

1. Al Mezan Centre for Human Rights (**Al Mezan**) and Lawyers for Palestinian Human Rights (**LPHR**) submit this joint update to the United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context (**United Nations Special Rapporteur on Adequate Housing**) and to the United Nations Special Rapporteur on the Palestinian territories occupied since 1967 (**United Nations Special Rapporteur on the occupied Palestinian territory**) pursuant to our [joint complaint submitted in September 2014](#). We request that the Special Rapporteurs use this update and previous complaint as the basis for their own full investigation into the large-scale, deliberate and systematic targeting of family homes in Gaza by Israel's military forces, and take appropriate action pursuant to our suggested recommendations (at paragraphs 70-76).
2. Our 2014 complaint presented significant initial evidence of forty gross violation incidents of the right to adequate housing and the right to life and physical integrity, and of international humanitarian law, committed by Israel during 'Operation Protective Edge' (**OPE**) between 7 July 2014 and 26 August 2014. Al Mezan's monitoring of the large-scale, deliberate and systematic targeting of family homes raised the grave concern that international humanitarian law had been seriously violated and that the actions may amount to war crimes and crimes against humanity.

3. This update is grounded in a detailed and revealing survey of the families who were gravely impacted by the forty serious incidents of profound loss of life, injury and destruction documented in our complaint over two years ago. The information gathered on the current circumstances of the families has enabled Al Mezan and LPHR to make an evidence-based assessment on:
 - Israel’s ability and/or willingness to hold to legal account those responsible for the attacks on these families’ homes, and ensure legal remedy and reparations according to customary and treaty-based international law obligations;
 - The adverse impacts of Israel’s ten-year illegal closure of the Gaza Strip on the families’ ability to rebuild their homes and in a timely manner; and
 - The enduring physical and psychological effects of the harm inflicted on the families.
4. Al Mezan Centre for Human Rights is a Palestinian non-governmental human rights organization that works for the protection and promotion of Palestinian human rights in Gaza as part of occupied Palestine.
5. LPHR is a legal charity in the United Kingdom that works on projects to protect and promote Palestinian human rights.

Summary of the current circumstances of the families impacted by the 40 incidents of military attacks against family homes that were documented in Al Mezan's and LPHR's September 2014 joint complaint submission to the UN Special Rapporteur for Adequate Housing, the UN Special Rapporteur for the occupied Palestinian territory, and the UN Independent Commission of Inquiry on the 2014 Gaza Conflict

6. Of the 23 incidents in this complaint for which Al Mezan requested a criminal investigation by the Israeli authorities, not one criminal investigation has been launched. It accordingly follows that no indictments have been issued for any of the cases that Al Mezan is working on. Al Mezan and LPHR have not seen publicly available information to show that any of the cases not pursued by Al Mezan have resulted in the opening of a criminal investigation and/or the issuing of an indictment. This indicates there has been no change to Israel's embedded system of impunity for alleged serious international crimes perpetrated against Palestinians throughout the occupied Palestinian territory (**oPt**). This unacceptable ongoing state of affairs has been recognised by the UN Independent Commission of Inquiry on the 2014 Gaza Conflict, when stating in its June 2015 report¹:

“The commission is concerned that impunity prevails across the board for violations of international humanitarian and human rights law allegedly committed

¹Report of the detailed findings of the Commission of Inquiry on the 2014 Gaza Conflict A/HRC/29/CRP.4:
<http://www.ohchr.org/EN/HRBodies/HRC/CoIGazaConflict/Pages/ReportCoIGaza.aspx#report>

by Israeli forces, whether it be in the context of active hostilities in Gaza or killings, torture, and ill-treatment in the West Bank.” (Paragraph 664, CoI report)

7. Of the around 500 requests for criminal investigation that Israeli authorities have received concerning serious incidents of killing and injury during OPE, only 44 criminal investigations have been launched, and only three criminal indictments have been issued for what are relatively minor offences, such as looting.² To date, none of the investigations have been conducted according to international standards of independence, impartiality, effectiveness, promptness and transparency due to the major structural and procedural deficiencies within Israel’s domestic investigation mechanisms. This reflects a deliberate determination to shield from prosecution those responsible for alleged serious international criminal wrongdoing.³
8. In this context, it is notable that the UN Independent Commission of Inquiry has expressed its concerns, shared by Al Mezan and LPHR, at the sufficiency of information and reasoning in assessments on specific incidents made by Israel's investigatory mechanisms, including within the five published Military Advocate General (**MAG**) updates:

“[a] detailed reading of the information provided on many of the incidents in those updates provides little clarity on the assessment by the FFA Mechanism and the MAG. The MAG updates rather make brief references to military necessity, military targets, warnings provided, fulfilment of the requirement of the principle of proportionality or the targeting process, and so on, without supplying an adequate level of detail to support the reasoning justifying actions that resulted in civilian harm. Moreover, according to information received by the commission, lawyers representing complainants have been prevented from reviewing investigatory materials, on the basis of its classified nature; and complainants are often not informed of MAG decisions, despite the assertion by the MAG that he replies to individuals or organizations that have submitted complaints in writing.” (Paragraph 628, CoI report)

9. It also appears that the extremely concerning military policy of attacking residential buildings has not been subjected to sufficient examination by Israel's investigatory processes for its compatibility with international humanitarian law, and nor have the political and military leadership been investigated as suggested by the UN Independent Commission of Inquiry:

“The commission's investigations also raise the issue of why the Israeli authorities failed to revise their policies in Gaza and the West Bank during the period under review by the commission. Indeed, the fact that the political and military leadership did not change its course of action, despite considerable information regarding the

² See the last publicly available update, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 5” 24 August 2016. Available here: <http://www.law.idf.il/163-7596-en/Patzar.aspx>

³ See " Defense Minister Ya'alon: No Place for Criminal Probe of Gaza War's Black Friday", Haaretz, 8 January 2015, available at <http://www.haaretz.com/israel-news/premium-1.636074>.

massive degree of death and destruction in Gaza, raises questions about potential violations of international humanitarian law by those officials, which may amount to war crimes. Current accountability mechanisms may not be adequate to address this issue.” (Paragraph 672, CoI report)

- 10.** Human rights defenders—including staff at Al Mezan—engaged with *inter alia* the International Criminal Court and UN mechanisms to pursue the rights of Palestinian victims to reparations and justice have been subjected to a protracted and technologically sophisticated [campaign](#) of escalating intimidation, harassment and threats. A smear campaign was simultaneously launched against Al Mezan and other Palestinian and Israeli human rights organizations, that aimed at undermining the organisations’ work, funding base and credibility within their communities and ultimately thwart the pursuit of justice.
- 11.** Significantly, not one of the families harmed in the forty incidents addressed in our complaint is pursuing compensation from Israel within its civil courts. This reflects the awareness of victims that the system is purposefully [designed](#) to obstruct cases involving alleged serious violations by Israel’s military in Gaza. The numerous barriers placed in front of the claimants in order to obstruct justice are financial, legislative and procedural, and effectively preclude Palestinian residents of Gaza from compensation for the Israeli military forces’ killing, injury and destruction akin to that described in our complaint. Al Mezan and LPHR are not aware of any successful compensation cases brought concerning the 2014 hostilities, the 2012 ‘Operation Pillar of Defense’, the 2008/09 ‘Operation Cast Lead’, nor incidents occurring in between Israel’s full-scale military bombardments in the Gaza Strip.
- 12.** Despite Israel’s present blanket impunity for the forty grave incidents in our complaint, and its historical unwillingness to hold its military forces and government leaders to legal account for alleged serious violations of international law similar to those suffered by the victim families, the vast majority of these families (29 out of 40) stated to us that they maintain hope for attaining justice.
- 13.** Our survey has revealed that more than two years after the devastating attacks, only 11 homes have been rebuilt following the forty serious incidents that were the focus of our September 2014 complaint.⁴ An additional four homes have had some apartments reconstructed, one family that sustained only partial damage to their home has completed the restoration, and one family is living in their damaged home that has not been restored. The remaining families are internally displaced and continuing to live in rented apartments or in homes of family members..
- 14.** According to the UN Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, as of April 2016, approximately 75,000 Palestinians, including an estimated 44,000 children, remain displaced following OPE.⁵ As of 18 November 2016, the UN Relief and Works Agency (UNRWA) had secured funding to

⁴ These figures do not reflect the many neighbours’ houses that were destroyed in these attacks as they were not included in the survey.

reconstruct only 1,900 of the 9,117 totally destroyed homes; all of which currently are either rebuilt, under construction, or are awaiting clearance by the Israeli authorities under the Gaza Reconstruction Mechanism (GRM).⁶ The GRM has in effect consolidated Israel's ten-year illegal closure of the Gaza Strip⁷, and is a major contributory factor along with the illegal closure and funding shortfalls in leaving the vast majority of the 19,000 homes rendered uninhabitable in 2014⁸ still in a state of ruin to this day.

- 15.** At least 34 of the individuals who survived the forty incidents addressed in our September 2014 complaint remain physically and/or psychologically affected by their injuries, disabled, and/or continue to experience symptoms of trauma. In this context, the extensive destruction and damage caused to medical infrastructure by Israeli forces during OPE⁹, including of the only rehabilitation hospital in Gaza, has severely restricted access to healthcare, specifically rehabilitation care. This may have serious implications for those who were permanently disabled by the attacks,¹⁰ including three individuals from the families in our complaint who were made amputees, as well as a further seven individuals from the families in our complaint who are still in need of reconstruction surgery and skin grafting. Without appropriate care in Gaza, patients are forced to seek health care in Israel or in the occupied West Bank; however, the approval rate by Israeli authorities of applications for patients seeking permits to access hospitals for medical treatment in Israel and the occupied West Bank declined in 2016.¹¹

⁵ UN Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory, April 2016. See, http://www.ochaopt.org/documents/idps_report_april_2016_english.pdf

⁶ UNRWA, 18 November 2016. See, <http://www.unrwa.org/newsroom/emergency-reports/gaza-situation-report-170>

⁷ LPHR Legal Q&A on the Gaza Reconstruction Mechanism. See, <http://lphr.org.uk/wp-content/uploads/2016/10/Gaza-Reconstruction-Mechanism-Legal-QA-Final.pdf>

⁸ Al Mezan documented the partial and total destruction of 31,974 housing units; not specifically categorized as 'uninhabitable', many of these homes will not be repaired. See Al Mezan's statistical report of OPE containing the figures of destruction of family homes. Available here: <http://www.mezan.org/en/uploads/files/14598458701382.pdf>

⁹ See Al Mezan, LPHR and Medical Aid for Palestinian joint complaint submission dated 15 February 2016 to the United Nations (Commission of Inquiry and Special Rapporteurs) concerning destruction and damage to medical infrastructure, and loss of life and injury to civilians and medical personnel, in Gaza, during Israel's military operation between 7 July 2014 and 26 August 2014: http://lphr.org.uk/wp-content/uploads/2015/04/Complaint-Submission-Final-Al_Mezan_LPHR_MAP.pdf

¹⁰ Close to 1,000 children were reported to have sustained permanent disabilities from the attacks. See, Report of the Secretary-General: Children and armed conflict (A/69/926-S/2015/409) <http://reliefweb.int/report/world/report-secretary-general-children-and-armed-conflict-a69926-s2015409>

¹¹ OCHA oPt, August 2016. See, <http://www.ochaopt.org/content/decline-number-palestinians-leaving-gaza-including-humanitarian-staff-and-patients>

Update to the forty serious violation incidents of the right to adequate housing and the right to life and physical integrity during Israel's military operation in Gaza between 7 July 2014 and 26 August 2014:

The Kaware family home attacked at 14:55 on 8 July 2014:

16. An Israeli drone fired a ‘warning missile’ or ‘roof knock’ (the dropping of non-impact or low-impact explosives on the intended target) at the house of Odeh Kaware in the city of Khan Younis, south of the Gaza Strip. The residents of the three-storey home, which is occupied by five families, left the house. However, dozens of their neighbours gathered in front of the house and many went up to its roof expecting that the Israeli military would refrain from attacking the house with such a heavy and visible presence of civilians. About ten minutes after the ‘warning missile’ an Israeli military aircraft struck the house with heavy missiles. The house was completely destroyed, killing eight people including six children. Another 28 people were injured. The eight fatalities have been identified as:

- Ammar Judeh, 18;
- Hussein Kaware, 13;
- Mohammed Ibrahim Kaware, 50;
- Basim Kaware, 10;
- Mohammed Ali Kaware, 12;
- Abdallah Kaware, 6;
- Qasim Odeh, 12; and
- Seraj Abdul Aal, 8.

Update two years on: The Kaware family currently live in a rented house while reconstruction on their home is ongoing. Al Mezan, with partner organization Adalah, submitted a request for criminal investigation to the competent Israeli authorities on behalf of the family. The authorities closed the case without conducting a criminal investigation, stating that the Military Advocate General “did not find that the actions of the IDF forces raised grounds for a reasonable suspicion of criminal misconduct”.¹² No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family stated they do have hope for justice.

The Al Haj family home attacked at 01:20 on 10 July 2014:

17. An Israeli military aircraft fired one missile without warning at the house of Mahmoud Al Haj, 57, which is located in Block 'J' in Khan Younis refugee camp. The house consists of one floor and is about 100 square metres in area. As a result, the house was totally destroyed while its residents were inside. Eight members of the Al Haj family

¹² See Update 2, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 2” 7 December 2014. Available here: <http://www.mag.idf.il/261-6958-en/Patzar.aspx>

were killed, including two children. Several adjacent houses sustained severe damage in this attack and 23 people were injured due to the scattering rubble. The eight fatalities have been identified as:

- Mahmoud Al Haj, 57;
- Basma Al Haj, 48; (his wife); and their sons and daughters:
- Omar Al Haj, 20;
- Sa'ad Al Haj, 17;
- Tareq Al Haj, 18;
- Asmaa Al Haj, 22;
- Najlaa' Al Haj, 29; and
- Fatma Al Haj, 12.

Four days after the lethal attack on the Al Haj family house in Khan Younis, Al Mezan interviewed Yasser Al Haj, 25, the sole resident survivor of this attack: 'I was about 200 metres from my house when, around 1:20am, I heard a huge explosion and saw thick smoke coming from our house's narrow alleyway. I entered the alley but the smoke was so thick that I could not see clearly. I thought the Israeli military had bombarded our neighbour's house. I walked forward and was shocked to see it was our home that appeared to be totally destroyed. I felt I was losing control and did not know what to do'.

Yasser saw neighbours joined by his uncle carrying the bodies of his family. 'I saw my uncle carrying the body of my mother and I ran hysterically after him.' Neighbours, noticing Yasser was in shock, stopped him and drove him to the hospital. 'It was maybe easier to find my family members at the [Nasser] hospital's morgue and, hopefully, wards of the hospital,' he added.

Yasser found dead bodies of brothers and sisters and was given a shot to calm him by a doctor. He heard all of the details upon waking up. 'Now, it is only me and my sister, Fedaa', who is married and was in her house when the attack occurred. I do not understand why they attacked us, not even a warning was given to us'.

Update two years on: The reconstruction of the Al Haj house was completed on 16 January 2016 through the Qatar grant. The family told Al Mezan that one of the 23 injured family members was unable to speak for a year after the attack.

Al Mezan, with Adalah, submitted a request for criminal investigation to the competent Israeli authorities on behalf of the family. The authorities closed the case without conducting a criminal investigation. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. When asked if they still have hope for justice, the family member responded, 'no'.

The Mebarat Palestine Centre for people with disabilities attacked at 04:40 on 12 July 2014:

18. An Israeli military aircraft fired a missile which destroyed the Mebarat Palestine Centre for people with intellectual impairments in Beit Lahiya in the North Gaza district. This residential care centre was run by a non-governmental organisation (NGO) that supports people with severe and complex impairments. As a result of this attack, two women with disabilities were killed:

- Soha Abu Sa'da, 38; and
- Ola Wishahi, 31.

Another two women with disabilities, a man with disabilities, and a female care support worker were critically injured from shrapnel and burns. The four were admitted to the burns unit of Shifa hospital and have been identified as:

- Ahmad Al A'war, 26; (disabled)
- Mai Hamada, 31; (disabled)
- Sali Saqer, 19; (disabled) and
- Salwa Abu Al Qomsan (care support worker).

The two-storey building is owned by Alaa' Al 'Aklouk, and its second floor is not rented.

Al Mezan spoke with Mrs. Jamila 'Iliwa, the president of the NGO, who said their organisation provides various services for people with severe impairments, including shelter. She stated that there were nineteen people with disabilities staying in it when the Israeli military operation started. However, fourteen of them left it for the Friday weekend holiday. She added that the NGO continued to provide its services despite several attacks on an empty field not far from it prior to the attack. She said that a few minutes before the attack she was informed that the Israeli military fired a missile at the area, but she believed it was another attack on the area. 'No one expected a direct attack on the building; nothing in or around the building would justify such an attack on us'.

Update two years on: The Centre has been rebuilt through a Qatar grant through the GRM. Al Mezan, with Adalah, submitted a request for criminal investigation to the Israeli authorities on behalf of the Centre. The Israeli authorities closed the case without conducting a criminal investigation and stated that the attack was conducted against a weapons depot inside a house of a Hamas commander. The authorities stated that the existence of a kindergarten in the building was known and that's why they carried out the attack at night, but that there was no information indicating the existence of a care centre.¹³ No compensation was paid to the Centre for the loss of the deaths, injuries, or the destruction.

¹³ See Update 2, "Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 2" 7 December 2014. Available here: <http://www.mag.idf.il/261-6958-en/Patzar.aspx>

The Centre has submitted information to the Office of the Prosecutor at the International Criminal Court through their lawyer. When asked if they still have hope for justice, the Centre responded 'yes'.

The Al Batsh family home attacked at 22:30 on 12 July 2014:

19. An Israeli military aircraft fired two missiles without prior warning at the house of Majid Subhi Al Batsh, 50, in the At-Tuffah neighbourhood east of Gaza City. The attack destroyed the house completely, along with two adjacent houses that belong to Majid's three brothers, No'man, Alaa' and Issam. Eighteen members of the Al Batsh family were killed in this attack, including six children and three women. Another sixteen were injured, including three women and three children. Four of the injured were in critical condition. The eighteen fatalities have been identified as:

- Majid Subhi Al Batsh, 50;
- Khalid Majid Al Batsh, 20; (Majid's son)
- Manar Majid Al Batsh, 13; (Majid's son)
- Ibrahim Majid Al Batsh, 18; (Majid's son)
- Jalal Majid Subhi Al Batsh, 26; (Majid's son)
- Mahmoud Majid Al Batsh, 22; (Majid's son)
- Marwa Majid Al Batsh, 25; (Majid's daughter)
- Baha' Majid Al Batsh, 28; (Majid's son)
- Amal Hassan Al Batsh, 49; (Majid's wife)
- Samah Alaa' Al Batsh, 19; (Baha's pregnant wife)
- Amal Baha Al Batsh, 1.7; (Samah's daughter);
- Nahidh Na'eem Al Batsh, 41; (visiting his cousins)
- Aziza Yousef Al Batsh, 59; (next door neighbour)
- Qusai Issam Al Batsh, 12; (next door neighbour)
- Mohammed Issam Al Batsh, 17; (next door neighbour)
- Yahya Alaa' Al Batsh, 18; (Samah's brother) and
- Anas Alaa' Al Batsh, 10 (Samah's brother).

On 28 July 2014, Zakaria Alaa' Sobhi Al Batsh, 21, died from wounds that he sustained in the attack on 12 July.¹⁴

According to a testimony given to Al Mezan by Ahmad Nu'man Al Batsh, 26, who was injured in the attack and who lives next to his uncle Majid's house, he and his family were in their house watching the news at 10pm. His cousin, Tayseer, came to visit. Ahmad said, 'my cousins always gather in one of our three homes when the electricity is on... we were 17 in our house; men, women and children'. Ahmed suggested that they pray the 'Isha prayer together, which they did. 'Just after we finished the prayer, there was a huge explosion and I fell on the ground hardly able

¹⁴ Further verification was carried out on the information concerning the fatalities in this case. The information here has been updated accordingly. Previous complaints and reports may contain outdated information.

to breath,' he said. 'There was screaming around me in the dark and as I tried to find my way, I was touching bodies and parts of bodies laid on the ground'.

Update two years on: As almost all of the family members being killed in the attack, the Al Batsh house was not rebuilt. It was reported that some of the houses surrounding the Al Batsh home have been repaired and rebuilt, and residents have returned to live in them after renting flats in the neighbourhood with the help of UNRWA. Of the 16 injured, two people suffered permanent disability. Al Mezan did not seek authorisation to pursue this case. The family stated that they do not have hope for justice.

The Al A'wdat family home attacked at 07:30 on 13 July 2014:

20. An Israeli drone fired two 'warning' or 'roof knocking' missiles targeting the house of Ahmed Hassan Al A'wdat, 36, which is located in Az-Za'faran area in Al Maghazi refugee camp. Less than a minute later, an Israeli military aircraft fired a heavy missile at the house causing its total destruction. According to information available to Al Mezan, Ahmed and his wife left his house after the 'warning' missiles targeted the house while his family, who live in an adjacent house, were still trying to leave their house when the heavy missile attack took place. One woman, Laila Hassan Al A'wdat, 37, was killed from a shrapnel injury to her head, as both houses were destroyed. Three other civilians were injured. The injured have been identified as:

- Fatma Suliman Al A'wdat, 65, critical injury in the head and fractures in the chest and pelvis;
- 'Abla Hasan Al A'wdat, 40; and
- Her son Yaser Riyadh An-Nabaheen, 14.

Update two years on: One of the houses destroyed in the attack is being rebuilt through a Saudi Arabia grant through the GRM, while the second house is ineligible for support. The family lives in a rented flat in Deir Al Balah paid for by UNRWA. Fatma Suliman Al A'wdat stated that the attack has had a lasting physical impact on her. Al Mezan submitted a request for criminal investigation on behalf of the family, but no criminal investigation was opened and no charges brought by Israeli authorities. No compensation was paid to the family for the loss of the family member, injuries, or the destruction of their house. The case remains open. The family stated that they do have hope for justice.

The Shuheebbar family home attacked at 17:30 on 17 July 2014:

21. An Israeli military aircraft fired one missile at a group of children from the Shuheebbar family while they were feeding poultry which their family keeps on the rooftop. The house is located in the Sabra neighbourhood west of Gaza City. As a result, three young children were killed, and two other children were injured. The three children who were killed have been identified as:

- Afnan Wesam Shuheebar, 8;
- Jihad Issam Shuheebar, 11; and
- Waseem Issam Shuheebar, 8.

Basil Shuheebar, 8, and Odai Shuheebar, 16, were also injured in the attack. Wesam, the father of the 8-year-old girl, Afnan, is an employee of the police of the Palestinian Authority, and the children were on the roof of his house in which twelve members of the Shuheebar family live, including eight children.

Al Mezan interviewed Jameela Shuheebar, 65, the grandmother of the deceased children. She said the family were inside the house when the attack occurred. She added that she “rushed to the roof where the sound came from to see my grandchildren's bodies on the ground. All that was there were the fragments of their little bodies and the small bag of chicken food, which they were giving the chicken on the roof. Our neighbours and my sons carried the pieces of flesh to the hospital, where Odai is still lying in the Intensive Care Unit.”

Update two years on: Some of the family members interviewed stated that the surviving teenager Odai had panic attacks in the weeks following the attack. Survivor Basil suffered serious injuries to his arm, hand and head, requiring extensive surgeries. According to his father, Yasser, Basil had problems focusing and sleeping after the attack due to pain from his injuries and nightmares.

Al Mezan, with Adalah, submitted a request for criminal investigation on behalf of the family. No criminal investigation has been opened to date and no charges brought. The case has not yet been closed and the family confirmed that they still have hope for justice.

Al Mezan sent a reminder to the Israeli authorities on 13 Aug 2016 but received no reply. The family also lodged a [complaint](#) of manslaughter and complicity in a war crime against the French company Exxelia Technologies; found among the remnants of the missile that was fired at the house was a component manufactured in France. Wisam, father of the boys, said, "I wish that one day someone can tell me why my children were targeted. I wish to know the reasons. Even on the internet, the Israelis said there was no reason."

No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house.

The Abu Jarad family home attacked at 09:25 on 18 July 2014:

22. Israel's military fired two artillery shells at the house of the sons of Khalil Abu Jarad, which is located in Abdel Dayim Street south to Ezbet Beit Hanoun, in the North Gaza district. As a result, eight members of the Abu Jarad family were killed, including five children. The eight fatalities have been identified as:

- Na'eem Mosa Abu Jarad, 24;
- Sameeh Na'eem Abu Jarad, 1.5; (his son)

- Ahlam Mosa Abu Jarad, 17;
- Samar Moua Abu Jarad, 14;
- Abdel Rahman Mosa Abu Jarad, 32;
- Rajaa 'Iliyan Abu Jarad, 28; (his wife)
- Mosa Abdel Rahman Abu Jarad, 8 months; (Rajaa 's son) and
- Haniya Abdel Rahman Abu Jarad, 2 (Rajaa's daughter).

One woman and four children were also injured in the attack. They have been identified as:

- Ne'ma Mosa Abu Jarad, 20;
- Nour Bassam Abu Jarad, 4;
- Mu'men Basim Abu Jarad, 2;
- Rateb Mosa Abu Jarad, 1.5; and
- Ilham Mosa Abu Jarad, 6 months.

Medical sources at the Kamal Odwan Hospital described the injuries of the first three people as critical.

According to Al Mezan's field investigations, the family had gathered in the second floor of their four-storey house. The Israeli military artillery shells hit the third floor and penetrated the roof of the second floor where the family was. The Abu Jarad family house is about 2.4 kilometres away from the Israeli controlled Erez crossing in the north of the Gaza Strip from where the Israeli military fires artillery shells.

It is reported¹⁵ by a family member, Alian Abu Jarad, 62, that: “There was no warning. Suddenly – boom... [T]here are no fighters here. No one is connected to any political faction. We have a brick factory – we are only concerned with our business. We are civilians. I never thought we’d face this. But now we have to deal with it. What else is there to do?”

Update two years on: The Abu Jarad house is under reconstruction with the support of UNRWA. The family owns another house in which they currently live. The family received financial support for a rented apartment for one year after the war. One of the family members injured in the attack said recently that although he was coping with the residual effects of trauma, his symptoms have been receding. Al Mezan did not seek authorisation to pursue this case. The family does not have hope for justice.

The Al Hallaq and Ammar families’ apartment attacked at 19:20 on 20 July 2014:

23. An Israeli military aircraft fired three missiles targeting the apartment of Hani Mohammed Al Hallaq, 29, which is located on the second floor in the Cordoba Building in the Al Remal neighbourhood west of Gaza City. Two missiles hit the

¹⁵ Gaza counts the cost of war: whole families smashed under the rubble; The Guardian online edition; Harriet Sherwood, 15 August 2014 <http://www.theguardian.com/world/2014/aug/15/-sp-gaza-counts-cost-of-war-whole-families-smashed-under-the-rubble>

apartment while the third fell at the entrance of the building. A family, also from the Al Hallaq extended family who had evacuated their home in the Al Sheja'iya neighbourhood and sought refuge with their relatives, was also present in the apartment. As a result of the attack, eleven members of the Al Hallaq family and Allar families were killed, including seven children and three women. One of the deceased, Samar Usama Al Hallaq, was nine months pregnant. The eleven fatalities have been identified as:

- Hani Mohammed Al Hallaq, 19; (the owner of the house);
- Hala Akram Al Hallaq, 29; (Hani's wife)
- Mohammed Hani Al Hallaq, 2; (Hala's son)
- Su'ad Mohammed Al Hallq, 62; (Hala's mother)
- Samar Usama Al Hallaq, 29; (nine months pregnant)
- Sajji Hassan Al Hallaq, 4;
- Kenan Hassan Al Hallaq, 6;
- Ibrahim Khalil Ammar, 13;
- Eman Khalil Ammar, 9;
- Issam Khalil Ammar, 4; and
- Rahaf Akram Jumaa', 4.

The three members of the Ammar family lived in the first floor of the building. The members of the Jumaa' family had fled the Al Shejaiya neighbourhood and sought refuge with their friends, the Ammar family. Three other people were injured in the attack and medical sources at Shifa Hospital described their injuries as moderate.

Update two years on: The families' home has been rebuilt with the support of UNRWA and the family was able to return to it in May 2016. Before returning to their home the family lived in the Tal El Hawa neighbourhood in Gaza City and their rent was paid by UNRWA. One family member who was badly burned in the attack says that her injury doesn't hinder movement, but has a heavy psychological impact on her.

Al Mezan did not seek authorisation to pursue this case. The family says they still have hope for justice.

The Abu Jame' family home attacked at 19:50 on 20 July 2014:

24. An Israeli military aircraft attacked the three-storey house of Tawfiq Ahmad Abu Jame' inhabited by five families and located in the Bani Suhaila town, east of Khan Younis district in the south of the Gaza Strip. The house, which was attacked without prior warning, was completely destroyed in the attack. Civil defense and ambulances crews rushed to the destroyed house to uncover the bodies buried under the rubble. It took them until the next day, Monday 21 July 2014, to uncover the victims. Twenty-six bodies were found of members of the Abu Jame' family, including eighteen children and five women. Only three residents survived and they sustained varying injuries. The twenty-six fatalities have been identified as:

- Fatma Ahmad Abu Jame', 60;
- Sabah Tawfeeq Abu Jame', 35; (Fatma's daughter)
- Razan Tawfeeq Abu Jame', 14; (Fatma's daughter)
- Jawdat Tawfeeq Abu Jame', 13; (Fatma's son)
- Aya Tawfeeq Abu Jame', 12; (Fatma's daughter)
- Haifa Tawfeeq Abu Jame', 9; (Fatma's daughter)
- Tawfeeq Tawfeeq Abu Jame', 4; (Fatma's son)
- Maysa Tawfeeq Abu Jame', 7; (Fatma's daughter)
- Ahmad Tawfeeq Abu Jame', 8; (Fatma's son)
- Shahinaz Waleed Abu Jame', 29,
- Ayyoub Tayseer Abu Jame', 10; (Shahinaz's son)
- Fatima Tayseer Abu Jame', 12; (Shahinaz's daughter)
- Rayan Tayseer Abu Jame', 5; (Shahinaz's son)
- Rinat Tayseer Abu Jame', 2; (Shahinaz's daughter),
- Nojoud Tayseer Abu Jame', 4 months; (Shahinaz's daughter)
- Yasmin Abu Jame', 25, who was pregnant;
- Batoul Bassam Abu Jame', 4; (Yasmin's daughter)
- Suheila Bassam Abu Jame', 3; (Yasmin's daughter)
- Bisan Bassam Abu Jame', 6 months; (Yasmin's daughter)
- Yasser Abu Jame', 27;
- Fatima Abu Jame, 26; (Yasser's pregnant wife)
- Sajed Yasser Abu Jame', 7; (Yasser and Yasmin's son)
- Siraj Yasser Abu Jame', 4; (Yasser and Yasmin's son)
- Nour Yasser Abu Jame', 2; (Yasser and Yasmin's son)
- Hosam Abu Geinas, 7, who is the house owner's nephew; and
- Ahmad Suleiman Sahnoud, 34, a visitor.

It is reported¹⁶ by one of the three surviving family members, Bassem Abu Jame, 33, that: “I hit a wall and lost consciousness. I woke up the next day with no idea what had happened to my wife and children. We will never recover from this. It’s like a wound – it might heal, but the scar will be there forever.”

25. Update two years on: No update is available.

The Siyam family home attacked at 06:20 on 21 July 2014:

26. An Israeli drone fired five missiles near three house of the Siyam family, which is located in the north of Rafah town. Israeli military aircraft had also fired several missiles at a park and two houses in the area. When the Siyam family members heard the explosion of the missiles they evacuated their house. A neighbouring family, the Abu Sneimeh extended family, also evacuated. In total, six families comprising about 34 people left their homes. As soon as they fled their homes, Israeli drones attacked

¹⁶ Ibid.

them. As a result, ten members of the Siyam family were killed, including six children. The ten fatalities have been identified as:

- Kamal Mahrous Siyam, 27;
- Mohammed Mahrous Siyam, 27;
- His wife Smoud Siyam, 26;
- Shirin Mohammed Siyam; (Mohammed's sister-in-law)
- Her sons and daughters Ghaidaa Nabil Siyam, 7;
- Mustafa Nabil Siyam, 9;
- Bader Nabil Siyam, 4;
- Dalal Nabil Siyam, 9 months;
- Her cousin Ahmed Siyam, 15; and
- His brother Ameen Siyam, 15.

Another eight people, including seven children, were injured in the attack.

It is reported¹⁷ by a surviving family member, Nabil Siyyam, 33, whose left arm had to be amputated, that: “The air was full of dust, I couldn’t see anything. I felt my arm hanging by skin, and I was bleeding from the chest... [when the air cleared] I saw my daughter cut into two. I saw my baby thrown 10 metres from her mother. The drones were still in the sky.” He said there was no warning and no reason for the strike. “They have the technology to watch us – they could see there were women and children.”

Update two years on: The family’s house was partially damaged in the attack and was not restored afterwards; the family did not move out. One of the family members injured in the attack suffered a debilitating injury and had his left hand amputated.

Al Mezan did not seek authorisation to pursue this case; however, publicly available information confirms that the Israeli authorities have closed the case without conducting a criminal investigation, stating “that the members of the Siyam family were not harmed as a result of IDF activity”.¹⁸ The family still have hope for justice.

The Al-Qassas family apartment attacked at 15:50 on 21 July 2014:

27. An Israeli military aircraft fired one missile at an apartment that belongs to Yassir Khader Al Qassas, 40. The apartment is located on the fourth floor in a building on the Al Thalatheeni Street in Al Sabra neighbourhood, south of Gaza City. Yassir and his wife, Summay, had received relatives from Al Qassas and Siyam families, including his mother-in-law, who had become internally displaced persons. These families were living in the Al Zeitoun area, which was under Israeli military attack and had received orders from the Israeli military to evacuate.

¹⁷ Ibid.

¹⁸ See the last publicly available update, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 5” 24 August 2016. Available here: <http://www.law.idf.il/163-7596-en/Patzar.aspx>

The Al Qassas family and their guests were in the house when a heavy missile, fired by an Israeli aircraft, devastated the home. The attack killed ten members of the Al Qassas and the Siyam families, including seven children and three women. The ten fatalities have been identified as:

- Alyaa Yousef Siyam, 35;
- Fayza Siyam, 68;
- Sumayya Al Qassas, 32;
- Islam Al Qassas, 15;
- Arwa Al Qassas, 4;
- Samar Al Qassas, 3;
- Israa' Al Qassas, 7;
- Nesma Al Qassas, 10;
- Lamyia Al Qassas, 13; and
- Mohammed Al Qassas, 4.

Four other people, including two children, were injured.

Update two years on: The Al Qassas house was damaged in the attack, but the family did not move out. The house was restored through funds from Qatar through the GRM in 2016. Al Mezan did not seek authorisation to pursue this case. The family stated that they still have hope for justice.

The Abu Eeta family home severely damaged in attack at 00:50 on 23 July 2014:

28. An Israeli military aircraft fired at least one missile at the house of Mohammed Hassan Al 'Ajrami in Tel Az-Za'tar neighbourhood in Jabalia refugee camp. The house was destroyed completely. The neighbouring house of the Abu Eeta family was severely damaged in this incident, killing five family members. The victims included a child and a woman. Ten other people were injured critically or moderately, including five children and a woman. The five fatalities have been identified as:

- Ibrahim Abdallah Abu Eeta, 67;
- Jameela Saleem Abu Eeta, 55; (Ibrahim's wife)
- Mohammed Abu Eeta, 34; (their son)
- Ahmed Ibrahim Abu Eeta, 31; (their son) and
- Adham Ahmad Abu Eeta, 4 (Ahmad's son).

A nearby mosque, ten houses and three ambulances were additionally damaged in the attack.

Update two years on: The Abu Eeta family lived on the upper floor of their home while the destroyed lower floor was reconstructed with support from UNRWA. Al Mezan did not seek authorisation to pursue this case; however, publicly available information confirms that the Israeli authorities have closed the case without conducting a criminal investigation, stating the Military Advocate General “did not find that the actions of IDF forces raised

grounds for a reasonable suspicion of criminal misconduct”.¹⁹ The family still have hope for justice.

The Al Najjar family home attacked at 03:10 on 26 July 2014:

29. An Israeli military aircraft fired one missile at a house belonging to Samir Hussein Mohammed Al Najjar in the east of Khan Younis. Three families, comprised of seventeen members, were living in the three-storey house. The house was entirely destroyed by the attack, killing twenty members of the Al Najjar family, including eleven children and six women. Two of the women were pregnant. Only six people in the house survived the attack, all sustaining injuries. The twenty fatalities have been identified as:

- Samir Hussein Mohammed Al Najjar, 58;
- Ghaliya Mohammed Al Najjar, 56, died in the attack with her children:
 - Majid Samir Al Najjar, 19;
 - Kifah Samir Al Najjar, 24.
- Samar Samir Al Najjar, 27, died in the attack with her children:
 - Amir Hammouda Hussein abu Shahla, 2;
 - Islam Hammouda Hussein abu Shahla, 3;
 - Amira Hammouda Hussein abu Shahla, 8 months.
- Riham Fayez Al Najjar, 25, a pregnant woman, died in the attack with her children:
 - Olfat Samir al-Najjar, 4;
 - Samir Samir al-Najjar, 1;
 - Motaz Samir al-Najjar, 6.
- Iman Salah Mahmoud Al Najjar, 23, also a pregnant woman, was killed with her daughter,
 - Ghaliya Mohammed Sameer al-Najjar, 1.
 - Bara'a Salah Mahmoud Al Reqeb, 11;
 - Khalil Mohammed Najjar, 60;
 - Rawan Khaled Mohammed Al Najjar, 17;
 - Ahmad Khaled Mohammed Al Najjar, 14;
 - Somayya Harb Al Najjar, 50, and her son
 - Hani Suleiman Mohammed Al Najjar, 7.

Update two years on: Reconstruction on the Al Najjar home is underway while the family lives in a rented flat. Al Mezan submitted a request for criminal investigation on behalf of the family but no investigation has been opened to date. As far as we are aware the case remains open. Al Mezan sent a reminder on 13 August 2016 but received no reply. No

¹⁹ See Update 3, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 3” 22 March 2015. Available here: <http://www.law.idf.il/163-7183-en/Patzar.aspx>

criminal charges have been brought and no compensation or reparations have been paid. The family still has hope for justice.

The Al Helu family recovered from the rubble of their home on 26 July 2014:

30. On 20 July 2014, the neighbourhood of Shejai'ya was targeted by indiscriminate and intense artillery fire and airstrikes. Six days after these attacks in Shejai'ya, the neighbourhood was accessible to residents as well as rescue teams. Al Mezan were able to reach the neighbourhood and report on the dozens of people being pulled out from under the rubble where they had been decomposing for six days. Ten of these victims were from the Al Helu family, four of them being children. The ten fatalities have been identified as:

- Jehad Mahmoud Al Helu, 59;
- Seham Atta Al Helu, 57;
- Mohammed Jihad Al Helu, 29;
- Tahrir Jihad Al Helu, 20;
- Jajiba Jihad Al Helu, 15;
- Ahmed Jihad Al Helu, 29;
- Hedaya Talal Al Helu, 25;
- Maram Ahmed Al Helu, 2;
- Kareem Ahmed Al Helu, 5 months;
- Karam Ahmed Al Helu, 5 months.

Update two years on: The Al Helu house is under partial reconstruction through a Kuwait grant through the GRM. The family is living in a rented apartment in Al Shejai'ya. UNRWA supported the family with rent for only the first year. Al Mezan did not seek authorisation to pursue this case. The family still have hope for justice.

The Abu Jaber family home attacked at 00:30 on 29 July 2014:

31. An Israeli military aircraft launched a missile at a two-storey house belonging to the heirs of Husni Mohammed Abu Jaber, in which nine people live in al-Boreij refugee camp. As a result of the attack, the house and two nearby houses were destroyed, killing eighteen members of the Abu Jaber family, including six children, one pregnant woman and two elderly people. The eighteen fatalities have been identified as:

- Anwar Mohammed Abu Jaber, 35;
- Lina Kifah Abu Jaber, 23;
- Leen Anwar Abu Jaber, 3;
- Salma Anwar Abu Jaber, 1;
- 'Aesha Hamdan Abu Jaber, 23;
- Mohammed Ra'ed Abu Jaber, 3;
- Fadel Hamdan Abu Jaber, 19;
- Hamdan Mohammed Abu Jaber, 77;
- Anwar Mohammed Salem Abu Jaber, 35;

- Jaber Hamdan Abu Jaber, 27;
- Sama Ra'ed Abu Jaber, 1;
- Tuqa Salah Khalil Abu 'Issa Jaber, 1;
- Ayman Salah Abu 'Oun, 26;
- Anwaar Mohammed Salem 25;
- Dina Hamdan Abu Jaber, 26, pregnant;
- Somaya Abdel Rahman Abu Jaber, 32;
- Hala Ahmed Abu Jaber, 4; and
- Fadda Ghannam Abu Jaber, 61.

Update two years on: Siblings Jana and Yamen Ahmed Abu Jaber (two-and-a-half and four years old respectively) live with their uncle in Al Nuseirat refugee camp. Mohammed Jaber Abu Jaber, one-year-and-a-half, lives with his mother. The other family members live in rented houses in Al Bureij refugee camp. Three surviving members of the family struggle with the enduring effects of psychological trauma from the attack. Al Mezan did not seek authorisation to pursue this case. The family still have hope for justice.

The Abu Khousa family home attacked at 03:10 on 29 July 2014:

32. An Israeli drone fired a missile at a three-storey house belonging to Mohammed 'Atiya Abu Khousa, in which twenty people live, in the al-Sawarha area in the west of al-Nussairat refugee camp. A few minutes later, an Israeli military aircraft launched a missile at the house and destroyed it. As a result, nine members of the Abu Khousa family, including seven children and a woman, were killed. The nine fatalities have been identified as:

- Ibrahim 'Abed Rabbu Abu Khousa, 33;
- Sabreen Mohammed Abu Khousa, 33;
- Fadi Ibrahim Abu Khousa, 2;
- Fatema Ibrahim Abu Khousa, 3;
- Mohammed Ibrahim Abu Khousa, 1;
- Shahad Ibrahim Abu Khousa, 10;
- Yazan 'Emad Abu Khousa, 3;
- Rital Basheer Abu Khousa, 1; and
- Jana Bilal Abu Khousa, 1.

Update two years on: Reconstruction of the Abu Khousa house is underway through A Qatar grant through the GRM. The family live in a rented flat with support from UNRWA. One family member experiences enduring effects of psychological trauma, which she says negatively affects her personal relationships.

Al Mezan submitted a request for criminal investigation but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder on 13 August 2016 but received no reply. No criminal charges have been brought and no compensation or reparations have been paid. The family still have hope for justice.

The Abu Zaid family home attacked at 00:10am on 29 July 2014:

33. An Israeli military aircraft launched four missiles at a two-storey house belonging to 'Abdullah Hassan Abu Zaid in Tabbat Zare' area in the east of Rafah. As a result of the attack, seven members of the Abu Zaid family were killed, including three children and a pregnant woman. Fourteen members of the family were also wounded. The house and another neighbouring house were destroyed. The seven fatalities have been identified as:

- Ahmed 'Abdullah Abu Zaid, 24;
- Shamma Wa'ek Abu Zaid, 16;
- Sabreen Khader Abu Zaid, 30;
- Bissan Eyad Abu Zaid, 12;
- Miriam Marzouq Abu Zaid, 31, pregnant;
- 'Abdullah Nidal Abu Zaid, 5; and
- Palestine Mohammed Abu Zaid, 26.

Update two years on: Parts of the Abu Zaid house have been rebuilt through UAE and Kuwait grants through the GRM. The family have been living in a rented house. Six of the 14 wounded family members still require skin grafts and reconstruction surgery.

Al Mezan submitted a request for criminal investigation but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder on 13 August 2016 but received no reply. No criminal charges have been brought and no compensation or reparations have been paid. The family still have hope for justice.

The Duhair family home attacked at 04:35 on 29 July 2014:

34. An Israeli military aircraft launched two missiles at a house belonging to the sons of Mahmoud Duhair in Musabbah neighbourhood in the north of Rafah. The house was destroyed and twenty-one members of the Duhair family were killed. The fatalities included nine children, one elderly person and a pregnant woman. The twenty-one fatalities have been identified as:

- Turkiya Khalil Duhair, 66;
- 'Ezzit Salama Duhair, 23, a freelance journalist;
- 'Omar Salam Duhair, 38;
- Karam Mahroos Duhair, 25, a nurse;
- Mohammed 'Omar Duhair, 10;
- Maria 'Omar Duhair, 12;
- Yasmeen Ahmed Duhair, 24;
- Tasneem Mohammed Duhair, 8;
- Wafaa' 'Abdul Raziq Duhair, 28, pregnant;
- Reem 'Abdul Basset Duhair, 32;
- Mo'men 'Omar Duhair, 9;
- Ghaida' 'Omar Duhair, 7; and

- 'Ola Mahmoud Duhair, 19.
- Mahmoud Salama Duhair, 46;
- Jamalat Mahmoud Duhair, 40;
- Mohammed Mahmoud Salama Duhair 7;
- Arwa Mahmoud Salama Duhair, 16;
- Shorouq Mahmoud Salama Duhair, 19;
- Yamen Omar Salama Duhair, 5; and
- Salama Mahmoud Salama Duhair, 12.

Somaya Abed Hamad Duhair, 52, died on 6 August 2014 from injuries sustained in the attack.

Update two years on: The Duhair house is still under reconstruction through a Kuwait grant through the GRM. The family have been living in a rented house. A five-year-old that was among those injured in the attack still requires reconstruction surgery on her hand.

Al Mezan submitted a request for criminal investigation but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder on 13 August 2016 but received no reply. No criminal charges have been brought and no compensation or reparations have been paid. The family state that they do not have any hope for justice.

Three Al- Najjar family homes attacked on early morning of 29 and 30 July 2014:

35. Israeli military aircraft launched airstrikes at three family homes belonging to families with the name Al Najjar on the early morning of 29 and 30 July 2014. Seventeen members between the Al Najjar families were killed as a result of these military attacks.

An Israeli military aircraft launched a missile at a three-storey house belonging to Mohammed 'Ata Al-Najjar, 50, in Gizan al-Najjar area in the south of Khan Yunis. This attack killed six family members, including three children. The seven fatalities have been identified as:

- Mohammed Atta Al Najjar, 49;
- Issam Al Najjar, 24;
- Samaa' Mohammed Al Najjar, 15;
- 'Ata Mohammed 'Ata Al-Najjar, 29;
- Mohammed 'Ata Mahmoud Al Najjar, 1;
- Rafif 'Ata Mahmoud Al-Najjar, 3;
- Khaled 'Omar Al-Najjar, 21.

An Israeli military aircraft launched a missile at the neighbouring house belonging to Ibrahim Hassan Al-Najjar. The house was destroyed and seven members of the

family, including five women, an elderly person and a child, were killed. The seven fatalities have been identified as:

- Fawzia Qassem Hannoun Al-Najjar, 81;
- Mona Ismail Khamis Al-Najjar, 43;
- Jihad Ibrahim Hassan Al-Najjar, 25;
- Mona Jihad Ibrahim Al-Najjar, 1;
- Maisaa' Abdul Samee' Mousa Al-Najjar, 18;
- Ibtissam Abdel Samee' Harb Al-Najjar, 21; and
- Aya Ibrahim Hassan Al-Najjar (Abu Sitta), 23.

On 30 July 2014 just after midnight, military aircraft launched a missile at a house belonging to 'Izziddin 'Omar Al-Najjar in Ma'an area. As a result, the owner's wife, daughter and grandchild were killed:

- Siham Raji Khalil Al-Najjar, 46;
- 'Aida Khalil Al-Najjar, 24; and
- Sara Ahmed Sidqi 'Abdul Gharfour, 1.

Update two years on: No reconstruction has begun on the Al-Najjar houses that were destroyed in the attacks. The families still live in rented flats. One family member who was injured has a permanent disability as a result of the attacks; he is paralysed on one side of his body. Al Mezan did not seek authorisation to pursue this case; however publicly available information confirms that the Israeli authorities closed the case without conducting a criminal investigation, stating that the Military Advocate General “did not find that the actions of IDF forces gave rise to reasonable grounds for suspicion of criminal misconduct”.²⁰ The family stated that they have no hope for justice.

The Al-Hashash family home attacked at 06:00 on 29 July 2014:

36. An Israeli drone fired a missile near a house belonging to Ahmed Sa'id Al-Hashash in Al-Hashash neighbourhood in the north of Rafah. When members of the Al-Hashash family attempted to evacuate the house taking their disabled mother out, the Israeli drone fired a missile at them. When a number of their relatives attempted to help them, the Israeli drone fired a third missile at them. As a result of these attacks, six family members were killed, including one child. Eleven further people were wounded. The six fatalities have been identified as:

- Ibrahim Ahmed Al-Hashash, 16;
- Mohammed Ahmed Al-Hashash, 18;
- Mas'oud Ahmed Al-Hashash, 20;
- Sa'id Ahmed Al-Hashash, 20;
- Hana' Ali Al-Hashash, 43; and

²⁰ See Update 4, “Decisions of the IDF MAG Regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge'- Update No. 4” 11 June 2015. Available here: <http://www.law.idf.il/163-7353-en/Patzar.aspx>

- Mohammed Mousa Al-Hashash, 20.

Update two years on: The Al-Hashash house has been restored with support from UNRWA. Al Mezan submitted a request for criminal investigation but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder on 13 August 2016 but received no reply. No criminal charges have been brought and no compensation or reparations have been paid. The family state that they do not have any hope for justice.

The Abu 'Amer, Al Najjar, Breeker, and Mu'ammam families' apartment attacked at 16:10 on 29 July 2014:

37. An Israeli military aircraft targeted an apartment building owned by Karam Mohammed Mahmoud Al Dali in Khan Younis city centre. The four-storey building, which lies on an area of 400 square metres, is home to five families who rent apartments in it. The military attack destroyed the building as the residents were inside their homes, killing and injuring almost all of them, and causing severe damage to adjacent houses. By the time of 14:00 on 30 July 2014, rescue teams were able to recover thirty-five dead bodies and twenty-seven wounded persons from under the rubble of the building and neighbouring houses. Several wounded persons were critically injured.

Sixteen of the victims were from the Abu 'Amer family; eight from the Al Najjar family; six from the Breeka family; four from the Mu'ammam family; and one from families who live in adjacent houses. Eighteen of the fatalities were children, and seven were women. The thirty-five fatalities have been identified as:

- Waddah Hassan Abu 'Amer, 39; (a leader in DFLP)
- Oroba Sulaiman Abu 'Amer, 41; (Waddah's wife)
- Omar Waddah Abu 'Amer, 12; (their son)
- Abdel Ghani Waddah Abu 'Amer, 11; (their son)
- Emad Waddah Abu 'Amer, 10; (their son)
- Issa Waddah Abu 'Amer, 8; (their son)
- Ez Eddin Waddah Abu 'Amer, 4; (their son)
- Ahmed Suleiman Abu 'Amer, 40;
- Mona Hajjaj Abu 'Amer, 41; (his wife)
- Mohammed Ahmed Abu 'Amer, 12; (Ahmed's son)
- Marah Ahmed Abu 'Amer, 10; (Ahmed's daughter)
- Yasser Ahmed Abu 'Amer, 9; (Ahmed's son)
- Marwa Ahmed Abu 'Amer, 5; (Ahmed's daughter)
- Suleiman Ahmed Abu 'Amer, 2; (Ahmed's son)
- Ahmed Hasan Abu 'Amer, 36;
- Mohammed Hasan Abu 'Amer, 36;
- Jamil Ahmad Al Najjar, 48;
- Walaa' Jamil Al Najjar, 23;

- Mohammed Jamil Al Najjar, 12; (Ahmed's son)
- Do'aa Jamil Al Najjar, 18; (Ahmed's daughter)
- Wael Jamil Al Najjar, 25; (Ahmed's son)
- Aya Jamil Al Najjar, 19; (Ahmed's daughter)
- Alaa Jamil Ahmed Al Najjar, 21;
- Layali Wael Al Najjar, 3;
- Fayiz Ahmed Breeka, 55;
- Sobhiya Mu'nis Breeka, 59; (Fayiz's wife)
- Ahmed Fayiz Breeka, 32; (their son)
- Jana Fayiz Breeka, 3; (Ahmed's daughter)
- Lama Fayiz Breeka, 1; (Ahmed's daughter)
- Osama Fayiz Breeka, 16; (Ahmed's son)
- Ahmed Marzouq Mu'ammam, 33;
- 'Hala Ahmed Mu'ammam, 1; (Ahmed's daughter)
- Yazan Ahmed Mu'ammam, 3; (Ahmed's son)
- Hind Marzouq Mu'ammam, 29; (Ahmed's sister) and
- Aya Sami al Ramlawi, 9.

Update two years on: The apartments have not been reconstructed and the families live in rented homes. At least one female child has a permanent disability from the attack. Al Mezan did not seek authorisation to submit a request for criminal investigation from the Israeli authorities into this attack. The families state that they still have hope for justice.

The Balata family home attacked at 16:10 on 29 July 2014:

38. Israeli military tanks opened intensive artillery fire at the neighbourhoods of Al Faluja and Al Aqsaseeb. The shelling hit the house belonging to Naeem Nazmi Balata, killing ten members of his family. The fatalities included four children and five women. The ten fatalities have been identified as:

- Naeem Nazmi Balata, 45;
- Sahar Mtawi' Balata, 30; (his wife)
- Meryam Naeem Balata, 24; (his daughter)
- Do'aa Naeem Balata, 22; (his daughter)
- Hana' Naeem Balata, 19; (his daughter)
- Israa' Naeem Balata, 13; (his daughter)
- Wafaa' Naeem Balata, 21; (his daughter)
- Alaa' Naeem Balata, 14; (his daughter)
- Yehia Naeem Balata, 4; (his son) and
- Hadeel Adbel Kareem Balata, 17 (his niece).

Update two years on: The Balata house has been reconstructed with the support of UNRWA. The Balata family lived with relatives before returning home in late 2015. One

individual experiencing psychological trauma recovered in the time since the attack. Al Mezan did not seek authorisation to pursue this case. The family still have hope for justice.

The Al Khalili family home attacked at 09:00 on 30 July 2014:

39. The Israeli military fired two artillery shells at the house of Mohammed Atta Al Khalili, which is located in the Al Tuffah neighbourhood in the east of Gaza City. One of the shells exploded into the dining room of the garden where the Al Khalili family were having breakfast, killing seven family members. The fatalities included three children and two women. One of the deceased women was pregnant. A further child was critically injured. The seven fatalities have been identified as:

- Ashraf Mahmoud Al Khalili, 37;
- Ahmed Mahmoud Al Khalili, 27; (Ashraf's brother)
- Aya Mohammed Al Khalili, 23; (Ahmed's pregnant wife)
- Lama Ahmed Al Khalili, 5; (Ahmed and Aya's daughter)
- Nedaa' Ziyad Al Khalili, 28; (Ashraf's wife)
- Deema Ashraf Al Khalili, 4; (Ashraf and Nedaa's daughter) and
- Ziyad Ashraf Al Khalili, 3 (Ashraf and Nedaa's son).

Update two years on: The Al Khalili house has not been reconstructed yet. The family has hopes for its reconstruction to begin soon through a Kuwait grant through the GRM. The family has been renting a flat with the support of the UN Development Program.

Two of the injured family members still endure the lasting effects of psychological trauma and have hypertension and diabetes. Al Mezan did not seek authorisation to pursue this case. The family say that they still have hope for justice.

The Al Bayoumi family home attacked at 18:40 on 31 July 2014:

40. An Israeli military aircraft fired a missile at the house of the Al Bayoumi family, which is located in Block 5 in Al Nusierat refugee camp. Eighteen members of the family were in the house when it was targeted. The house was destroyed completely and the neighbouring house was severely damaged. Rescue teams were able to recover the dead bodies of twelve women and children from the Al Bayoumi family home and the next door house. The twelve fatalities have been identified as:

- Hadeel Amer Al Bayoumi, 14;
- Abeer Amer Al Bayoumi, 27; (Hadeel's sister)
- Aseel Amer Al Bayoumi, 16; (Hadeel's sister)
- Laila Darweesh Abu Shouqa, 43;
- Mohammed Abdel Majeed Al Bayoumi, 14;
- Labiba Ibrahim Abu Shouqa, 24;
- Elham Ibrahim Abu Shouqa, 18; (Labiba's sister)
- Malak Shakir Abu Shouqa, 2;

- Hasan Nasser Zaqout, 21;
- Abeer Nahidh Al Assar, 27; (nine months pregnant)
- Rinad Ashraf Al Assar, 1.5; and
- Lana Ra'fat Al Assar, 7.

Update two years on: The Al Bayoumi house has not yet been completed but is under reconstruction. The family lives in a rented apartment in Al Nuseirat refugee camp with support from UNRWA. Three children, ages 5, 7, and 8, suffer from psychological trauma.

Al Mezan submitted a request for criminal investigation on behalf of the family, but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities on 13 August 2016 but received no reply. No criminal charges have been brought and no compensation or reparations have been paid.

When the family was asked if they still hold out hope for justice, a family member said, “there is no justice in Gaza”.

The Al Farra family home attacked at 03:10 on 1 August 2014:

41. An Israeli drone fired three missiles at a three-storey house belonging to 'Abdul Malek 'Abdul Salam Al-Farra, 60, in which fifty people live, in Ma'an area. The missiles penetrated the second and third floors, which caused extensive damage and wounded members of the Al Farra family. When the family were trying to leave their house, an Israeli military aircraft launched a missile at the house with members of the family less than 50 metres away from their home. As a result, nine members of the family, including four children and a pregnant woman, were killed. The nine fatalities have been identified as:

- 'Abdul Malek 'Abdul Salam Al-Farra, 60;
- Ussama 'Abdul Malek Al-Farra, 34;
- 'Awatef 'Aziz Al-Din Al-Farra, 31, pregnant in the 8th month;
- 'Abdul Rahman Al-Farra, 8;
- Lujain Bassem Al-Farra, 4;
- Nadine Mahmoud Al Farra, 16;
- Mohammed Mahmoud Al Farra, 12;
- Yara Mahmoud Al-Farra, 8; and
- 'Emad Nasrallah Al-Farra, 28.

Update two years on: Reconstruction of the Al-Farra house has begun but has not yet been completed.

Al Mezan submitted a request for criminal investigation on behalf of the family, but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities on 13 August 2016 but received no reply. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family say that they still have hope for justice.

The Abu Suleiman family home attacked at 02:40 on 2 August 2014:

42. An Israeli military airstrike hit the house of the Abu Suleiman family in Rafah, killing seven family members. The fatalities included two women and five children. The seven fatalities have been identified as:

- Hiba Hassan Abdel Rahman Abu Suleiman, 34;
- Fida' Youses Mohammed Abu Suleiman, 29;
- Rana Raed Abu Suleiman, 10;
- Mohammed Rami Abu Suleiman, 10;
- Ahmed Rami Abu Suleiman, 2; and
- Jana and Lama (twins), 3.²¹

Update two years on: The Abu Suleiman's house has not been reconstructed and the family continues to live in a rented home.

Al Mezan submitted a request for criminal investigation on behalf of the family, but no criminal investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities on 13 August 2016 but received no reply. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family say that they still have hope for justice.

The Abu Madi family home attacked at 14:30 on 2 August 2014:

43. An Israeli military aircraft fired at least one missile at the house of Yousef Dawoud Abu Madi, 68, in the Al Nuseirat refugee camp. The three-storey family home was completely destroyed. The attack killed six members of the Abu Madi family and another ten were injured. The attack was launched without any prior warning. Three of the deceased were children. A woman who was seven months pregnant was injured and lost her baby. The six fatalities have been identified as:

- 'Hala Shadi Abu Madi, 10 days;
- Yousef Shadi abu Madi, 7; (her brother)
- Ameen Yousef Abu Madi, 10;
- Hassan Yousef Abu Madi; (Ameen's brother)
- Abdel Kareem Dawoud Abu Madi, 23; and
- Yousef Dawoud Abu Madi, 68.

Update two years on: The Abu Madi's house has not yet been reconstructed. One floor of the building has been reconstructed and two families are currently living in it.

²¹ The information concerning the fatalities in this case has been modified in line with information further cross-checked and reported in February 2015.

Al Mezan submitted a request for criminal investigation on behalf of the family, but no criminal investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities on 13 August 2016 but received no reply. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. When asked if they still have hope for justice, a family said, “justice can’t be attained here”.

The Al Ghoul family home attacked at 07:00 on 3 August 2014:

44. An Israeli military airstrike hit the house of the Al Ghoul family, which is located in the dense Yebna refugee camp in central Rafah. The house was destroyed while the family were inside it, killing eight family members. The deceased included three children. The nine fatalities have been identified as:

- Ismail Mohammed Al Ghoul, 63;
- Khadra Khaled Al Ghoul, 64; (Ismail's wife)
- Mohammed Ismail Al Ghoul, 33; (Ismail's son)
- Wael Mohammed Al Ghoul, 42; (Ismail's son)
- Ismail Wael Al Ghoul, 14; (Wael's son)
- Malak Wael Al Ghoul, 6; (Wael's son)
- Mustafa Wael Al Ghoul, 1 month; (Wael's son)
- Hanadi Ismail Al Ghoul, 28; (Ismail's daughter) and
- Asmaa' Ismail Al Ghoul, 22 (Ismail's daughter).²²

Update two years on: The Al Ghoul's house has not been reconstructed and the family continues to rent a house. A female family member continues to limp from an injury to her left leg sustained during the attack.

Al Mezan submitted a request for criminal investigation on behalf of the family, but no criminal investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities on 13 August 2016 but received no reply. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family say that they still have hope for justice.

The Al Majdalawi family home attacked at 15:30 on 3 August 2014:

45. An Israeli military aircraft fired at least one missile at the house of Abdel Hadi Mahmoud Al Majdalawi, which is located in the west of Jabalia. The house was attacked while the Al Majdalawi family were inside it. No warning had been given to the family prior to the attack. As a result of the attack, five members of the Al

²² The information concerning the fatalities in this case has been modified in line with information further cross-checked and reported in February 2015.

Majdalawi family were killed, including three children. Another seven were injured, including two children and two women. The five fatalities have been identified as:

- Mahmoud Abdel Hadi Al Majdalawi, 24; (the house-owner's son)
 - Abdel Raziq Abdel Hadi Al Majdalawi, 19; (the house-owner's son)
 - Abdallah Abdel Hadi Al Majdalawi, 13; (the house-owner's son)
 - Rawan Ahmed Al Majdalawi, 9; (the house-owner's granddaughter)
- and
- Mahmoud Ahmed Al Majdalawi, 8 (the house-owner's grandson).

Update two years on: The Al Majdalawi's home has not been reconstructed. Of the seven injured, one male is disabled from the attack.

After the attack, Al Mezan submitted a request for criminal investigation from the Israeli authorities. In the summer of 2016 in the response to a reminder sent to the authorities on this case and others, the authorities stated that they had not received the Al Majdalawi complaint and seven others that Al Mezan had sent two years prior. Al Mezan proceeded to resend the Al Majdalawi request for criminal investigation. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family stated that they still have hope for justice.

The Abu Nijm-Al Masri family home attacked at 20:50 on 3 August 2014:

46. An Israeli military aircraft fired at least one missile at the house of Mohammed Abdel Karim Abu Nijm-Al Masri, which is located in Block 8 in Jabalia refugee camp, near the Al Tawba mosque. The two-storey house was destroyed, killing ten people. Eight of the deceased were from the Abu Nijm-Al Masri family, including three children, a woman and a 97-year-old man. The ten fatalities have been identified as:

- Mohammed Abdel Karim Abu Nijm-Al Masri, 55; and his three sons
- Bilal Mohammed Abu Nijm-Al Masri, 27;
- Mohammed Mohammed Abu Nijm-Al Masri, 21;
- Ahmed Mohammed Abu Nijm-Al Masri, 17;
- Abdel Karim Mohammed Abu Nijm-Al Masri, 97; (the house owner's father)
- Soha Hamed Abu Nijm-Al Masri, 30;
- Raghad Mohammed Abu Nijm-Al Masri, 3; (Soha's daughter)
- Shaimaa' Wael Qasim, 14; (Raghad's cousin)
- Danian Kamel Mansour, 41; and
- Abdel Nasser Al 'Ajouri, 26.

Another 22 people were injured in this attack, including ten children and three women. An approximate number of ten adjacent houses were also damaged.

Update two years on: The Abu Nijm-Al Masri house has not been rebuilt and the family is renting an apartment with support from UNRWA. The family has relocated several times

since the attack, and for several months was without financial support for rent. Of the 22 injured, one female still has difficulty with movement and one male remains partially deaf.

Al Mezan did not seek authorisation to pursue this case; however, publicly available information confirms that the Israeli authorities have closed the case without conducting a criminal investigation, stating the Military Advocate General “did not find that the actions of IDF forces raised grounds for a reasonable suspicion of criminal misconduct”.²³ The family stated that they do not have hope for justice.

The Al Bakri family recovered from the rubble of their home on the afternoon of 4 August 2014:

47. On the afternoon of 4 August 2014, Palestinian rescue teams recovered the dead bodies of a baby, a woman and two men from the Al Bakri family house in the Shati (Beach) refugee camp. Their house was directly targeted by the Israeli military airstrike on 3 August 2014. The deceased body of one girl was recovered from under the rubble on the day of the attack. Another child who was injured in the attack died at hospital on the morning of 4 August 2014. In total, six members of the Al Bakri family were killed in the attack, including three children and one woman. The six fatalities have been identified as:

- Ibtisam Ibrahim Al Bakri, 31;
- Ibrahim Mohammed Al Masharwi, 32;
- Ramadan Ahmed Al Bakri, 36;
- Aseel Mohammed Al Bakri, 4;
- Asmaa' Mohammed Al Bakri, 4 months; and
- Kamal Ahmed Al Bakri, 4.

Update two years on: The Al Bakri’s house has not yet been reconstructed by construction is underway with the support of UNRWA. The family live in a rented flat and have struggled financially since the attack and in particular in paying the rent, which is now supported by UNRWA. One of the female family members has a physical impairment in her hand.

Al Mezan submitted a request for criminal investigation on behalf of the family. In March 2015, Al Mezan received the notice that no criminal investigation would be opened. The case would be closed without further measures taken and without criminal charges brought in the case, as the Military Advocate General “did not find that the actions of IDF forces raised grounds for a reasonable suspicion of criminal misconduct”.²⁴ No compensation was

²³ See Update 3, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 3” 22 March 2015. Available here: <http://www.law.idf.il/163-7183-en/Patzar.aspx>

²⁴ See Update 3, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 3” 22 March 2015. Available here: <http://www.law.idf.il/163-7183-en/Patzar.aspx>

paid to the family for the loss of their family members, injuries, or the destruction of their house. The family still have hope for justice.

The Uwaida family home attacked on 4 August 2014:

48. An Israeli drone fired a missile at the house of Abdel Azeez Uwaida, which is located in the Al Brazil neighbourhood in Rafah. Two children, who were on the roof of their house, were killed in the attack. The house, which is home to 35 persons, was damaged. The two fatalities have been identified as:

- Mohammed Ahmed Uwaida, 13; and
- Amal Amjad Uwaida, 5.

Update two years on: The Uwaida family continued to live in the damaged home. It has since been restored with the support of UNRWA.

After the attack, Al Mezan submitted a request for criminal investigation on behalf of the family to the Israeli authorities. On 22 August 2016, Al Mezan received the notice that the case was being closed because, according to the Israeli authorities, there was nothing to support the claim that Israeli forces had struck the house. Despite this notice, the family says they still has hope for justice. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house.

The Wahdan family recovered from the rubble of their home on the afternoon of 4 August 2014:

49. Medical and rescue teams were able to recover the remains of eight members of the Wahdan family from under the rubble of their three-storey house in the east of Beit Hanoun town. The explosion took place on 26 July 2014, the morning after Israeli soldiers that were occupying the house withdrew. The fatalities span four generations of the Wahdan family. The eight fatalities have been identified as:

- Zaki Abdel Rahman Wahdan, 67;
- Suad Ahmed Wahdan, 65;
- Baghdad Ahmed Wahdan, 51; (daughter in law)
- Zeinab Hatim Wahdan, 22; (grandchild)
- Ahmed Hatim Wahdan, 13; (grandchild)
- Hussein Hatim Wahdan, 9; (grandchild)
- Hammoud Hatim Wahdan-Saqr, 22; (grandchild) and
- Ghena Younis Saqr, 2 (Somoud's daughter).²⁵

²⁵ The information concerning the fatalities in this case has been modified in line with information further cross-checked and reported in November 2014.

It is reported²⁶ by a family member, Amin Zaki Wahdan, 37, that the night before the attack on the Wahdan family home, the Israeli military ordered them to not use a respite in the hostilities to leave the home: "I talked to them on the phone at nine o'clock in the evening and the Israelis had left the area 10 minutes before and told them not to move, to stay in the house".

Update two years on: The Wahdan family lived in a rented apartment—with the support of UNRWA—until 1 June 2016, at which point they were able to move back in to their reconstructed home. Of the two family members injured in the attack, one has a permanent disability due to both lower limbs requiring amputation from the attack.

Al Mezan did not seek authorisation to pursue this case. The family stated that they have hope for justice.

The Al Dalu family home attacked on 19 August 2014:

50. An Israeli military aircraft fired six missiles at the house of Rabah Al Dalu, 51, which is located in the Al Sheikh Radwan neighbourhood north of Gaza City. The three-storey house is inhabited by the Al Dalu family and two apartments within it are leased out to another two families. Five people were recovered from under the rubble of this house by the 20 August 2014, including two children and two women. Two of the victims were Wedad Mustafa Daif-Afour, 28, who is the wife of the commander of the Al Qassam Brigades, Mohammed Daif, and his seven-month old son, Ali Mohammed Daif. The further three fatalities identified by 20 August 2014 were:

- Ahmed Rabah Al Dalu, 20;
- Wafaa' Hussein Al Dalu-'Abed, 47; and
- and her son Mustafa Rabah Al Dalu, 14.

On Thursday 21 August 2014, Palestinian rescue teams recovered the deceased body of two-year-old Sara Mohammed Daif, whose mother and brother were killed in the attack.

Another fifteen people were injured in this attack, including two children and two women. Al Mezan verified that four houses near the Al Dalu family house were severely damaged while another twenty houses were partially damaged and dozens of other houses were lightly damaged.

Update two years on: No update is available.

²⁶ 'Israeli attacks on Gaza families must be investigated at war crimes says human rights groups'; Daily Telegraph online; Robert Tait; 17 August 2014.
<http://www.telegraph.co.uk/news/worldnews/middleeast/gaza/11039636/Israeli-attacks-on-Gaza-families-must-be-investigated-as-war-crimes-say-human-rights-groups.html>

The Al Louh family home attacked at 04:45 on 20 August 2014:

51. An Israeli military aircraft launched a strike against the house of Mustafa Mahmoud Al Louh, 62, which is located in the Al Hikr neighbourhood, south of Deir Al Balah. The house was completely destroyed. The adjacent house which belongs to Mustafa's son, Ra'fat, 32, was also completely destroyed. As a result of this attack, eight members of the Al Louh family were killed, including three children and a pregnant woman. Another twelve people were injured in this attack, including three children and five women. The eight fatalities have been identified as:

- Ra'fat Mustafa Al Louh, 32;
- Nabeela Eed Al Louh – Abu Rkab, 28; (Ra'fat's 9-month-pregnant wife)
- Mustafa Ra'fat Al Louh, 10; (Ra'fat and Nabeela's son)
- Maysara Ra'fat Al Louh, 7; (Ra'fat and Nabeela's son)
- Farah Ra'fat Al Louh, 6; (Ra'fat and Nabeela's son)
- Ahmed Mustafa Al Louh, 22; (Ra'fat's brother)
- Mohammed Mustafa Al Louh, 22; (Ra'fat's brother) and
- Iman Younis Al Louh, 17.

Update two years on: The house belonging to Rafat Al Louh has not been reconstructed as all members of the family died in the attack. The house belonging to Mustafa Al Louh was reconstructed a few months ago through a Kuwati grant through the GRM, and the family was able to move back in.

After the attack, Al Mezan submitted a request for criminal investigation, but no investigation has been opened to date. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities on 13 August 2016 but received no reply. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family still have hope for justice.

The Kellab family home attacked at 02:30 on 21 August 2014:

52. An Israeli military aircraft fired nine heavy missiles at the house of Nasser Kellab, which is adjacent to the houses of the Younis family and the Abu Slaimeh family in the area of Tel As Sultan in the west of the town of Rafah, in the south of the Gaza Strip. The attack, which may have targeted three leaders of the Palestinian armed group, the Al Qassam Brigades, killed eleven people. The three leaders of the Al Qassam Brigades were killed, along with four of the house residents and four neighbours. The three-storey targeted house was completely destroyed and six other houses were severely damaged. The eleven fatalities have been identified as:

- Mohammed Ibrahim Abu Shalama, 40; (Al Qassam leader in southern Gaza)
- Raed Sobhi Al Attar, 40; (Al Qassam leader in Rafah)

- Mohammed Hamdan Barhoum, 45; (from Al Qassam Brigades)
- Yousef Nasser Kellab, 75;
- Nazeera Ramadan Kellab, 40;
- Ahmed Nasser Kellab, 17; (Nazeera' son)
- Yousef Nasser Kellab, 15; (Nazeera' son)
- Hassan Hussein Younis, 75; (neighbour)
- Amal Ibrahim Younis, 53; (Hassan Younis' wife)
- Seba Rami Younis, 4; and
- Aysha Ismail Atiyeh, 63 (neighbour).

Among the casualties were Mr Hassan Younis; a retired education veteran, aged 75, his wife Amal Ibrahim Younis-Al Bilbisi, 53, and Seba Rami Younis, 4. Mr Hassan Younis is the father of Al Mezan's director, Issam Younis, and Seba Rami Younis is his niece. Two of Issam's sisters-in-law; Hadeel, 37, and Seham, 42; two of his nephews, Hassan, 29, and Ahmed, two months; and his niece, Reema, 3, were also injured.

The house of another Al Mezan employee, Yousef Abu Slaimeh, also sustained severe damage and seventeen of his family members were injured; including his parents Fatihiyya and Abdel Fattah; his wife Hanan, 34; his four children Yasmeeen, 12, Hassan, 10, Saja, 7, and Sabah, 4 months; his brother Mohammed, 38, and his wife Ghada, 36; his brother Ahmed, 34, and his wife Heba, 29; and his brother Ibrahim, 32, and his wife Yasmeeen, 29; and his sister-in-law Falasteen, 26, and his nephews Huthaifa, 1, and Baraa', 13; and his niece Israa', 8.

Another thirty-one people were injured in this attack, including thirteen children and ten women.

53. Update two years on: No update is available.

The Abu Dahrouj family home attacked at 00:15 on 23 August 2014:

54. An Israeli military aircraft fired a missile at the house of Shehda Abed-Rabbo Abu Dahrouj, 68, which is located in the Al Zawaydeh village. The house was completely destroyed killing five members of the Avu Dahrouj family, including two children and two women. The five fatalities have been identified as:

- Hayel Shehda Abu Dahrouj, 28;
- Hoda Mohammed Abu Dahrouj, 25; (Hayel's wife)
- Abdallah Hayel Abu Dahrouj, 3; (Hayel and Hoda's son)
- Abdel Hadi Hayel Abu Dahrouj, 2; (Hayel and Hoda's son) and
- Hayat Abed-Rabbo Abu Dahrouj, 50 (Hayel's aunt).

Three further members of the Abu Dahrouj family were injured, including the house owner and two children: Mohammed Suleiman Abu Dahrouj, 10; and his

brother Abdel Hameed, 8. Mohammed sustained critical injuries. Several houses in the vicinity of the attacked house were damaged.

The house owner, Shehda Abed-Rabbo Abu Dahrouj, informed Al Mezan that the Israeli military had initially attacked the house at around 5:30 pm on Wednesday 16 July 2014. The family were unable to find a house to rent, so they stayed in the ground floor, which was still standing, to live in. The attack on 23 August 2014 destroyed the remainder of the house while they were inside it. He added that when neighbours and rescue teams were trying to recover his family members from under the rubble, the Israeli military fired a missile at an empty piece of land near them.

Update two years on: The first floor of the house was rebuilt through a Qatari grant through the GRM. There is indication that a Kuwait grant through the GRM might support rebuilding of another one of the floors. One of the injured, a boy of ten years old, developed enuresis as a result of the attack.

On 1 March 2015, Al Mezan sent a request for criminal investigation into the attack to Israeli authorities. On 18 March 2015, the Israeli authorities notified Al Mezan that the case had been closed; no further details were given. On 9 August 2016, Al Mezan responded, enquiring as to the reason for closing the case. On 9 November 2016, Al Mezan received a reply from the Israeli authorities which stated that the attack resulted from “an unforeseen technical failure [whereby] during the course of the strike the bomb diverged from its intended trajectory and struck the home of the Abu Dahrouj family”.²⁷

No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. The family stated that they still have hope for justice.

The Mheesin and Ahmed family homes attacked at 14:00 on 23 August 2014:

55. An Israeli military aircraft fired one missile at a house belonging to Abdul Jawad Mheesin, 67, which is located behind the Yafa Hospital in Deir Al Balah town. Ten families comprised of seventy members lived in the four-storey house which was completely destroyed in the attack. An Israeli military drone fired a 'warning' missile at the house seven minutes prior to this attack. Three people were killed in the subsequent missile attack. The three fatalities have been identified as:

- Suheir Abu Meddin, 43;
- Nisreen Ahmad, 38; and
- Hussein Ahmad, 8.

Suheir and her aged parents had been renting an apartment on the third floor in the targeted house ever since they had to evacuate their house in the east of Al Bureij

²⁷ See Update 3, “Decisions of the IDF MAG regarding Exceptional Incidents that Allegedly Occurred During Operation 'Protective Edge' – Update No. 3” 22 March 2015. Available here: <http://www.law.idf.il/163-7183-en/Patzar.aspx>

camp. Their neighbours helped her get her elderly parents down the stairs and they made it out of the house. Suheir returned to the house to pick up personal belongings. However, the heavy missile strike occurred when she was inside the house, and she was killed. Her body was recovered from under the rubble of the house.

The attack also destroyed the next door house, which is owned by Khalid Hussein Ahmed, 43. Khalid's wife, Nisreen Abu Jayyab, 38; and son, Hussein, 8, were killed.

Khalid Hussein Ahmed informed Al Mezan that the Israeli military called a neighbour and informed him that a four-storey building would be targeted without specifying which building. Khalid was outside of his house when he heard of the warning. He called his wife and she told him that the bombing was not expected to be near them. However, Khalid then received a phone call from one of his neighbours informing him that a missile attack occurred just near his house. He rushed back to his house to evacuate his family. Once he entered his house, he shouted asking his wife and children to leave. They started to move to leave the house. At that moment, Khalid heard a very loud explosion and was injured from debris. He said he could only hear the voice of his daughter, Mona, 8, who is the twin of his son, Hussein. She was screaming from among the rubble. Neighbours carried Khalid and his daughter to the hospital, where he was informed that his wife and son were deceased.

Update two years on: The Ahmed family still live in a rented apartment with the support of UNRWA, while the Mheesin family have been able to return to the first storey of their home which was rebuilt through a Qatar grant through the GRM.

After the attack, Al Mezan submitted a request for criminal investigation on behalf of the family, but no criminal investigation was opened. As far as we are aware, the case remains open. Al Mezan sent a reminder to the Israeli authorities about the case on 13 August 2016, but received no reply.

No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house. One of the family members told Al Mezan that “there is no justice in this land”.

The Joudeh family home attacked at 16:15 on 24 August 2014:

56. An Israeli military drone fired at least one missile at the house of Issam Mustafa Joudeh, which is located in Tel Al Za'tar neighbourhood in Jabalia. The attack killed Issam's wife and four children. The five fatalities have been identified as:

- Rawia Ibrahim Mohammed-Joudeh, 43;
- Tasneem Mustafa Joudeh, 14;
- Raghad Mustafa Joudeh, 12;

- Mohammed Mustafa Joudeh, 8; and
- Osama Mustafa Joudeh, 6.

Issam's son, Tha'ir, 13, was critically injured and had his left leg amputated. Issam Mustafa Joudeh informed Al Mezan that his family were attacked as they were sitting in their garden. He was inside the house when the explosion occurred. When he went to the garden, he saw the bodies of his wife and children laid on the ground covered in blood. Issam cannot understand why the Israeli military attacked his house; an attack that also damaged three neighbouring houses and his own car. His daughter, Rahaf, 11, survived the attack as she was at the local grocery near their house when the attack occurred. She has been left traumatised.

Update two years on: The Joudeh family have used their personal funds to pay for the reconstruction of their home. They were able to move back into their home in January 2016. Prior to that, the family lived in a rented flat that they paid for themselves.

Tha'ir was left with a permanent disability due to the amputation of his left leg after the attack. Al Mezan did not seek authorisation to pursue this case. The family have stated that they still have hope for justice.

The Tanboura family home attacked at 10:40 on 25 August 2014:

57. An Israeli military aircraft fired two missiles at the house of Radad Ahmed Tanboura, 36, which is located in the town of Beit Lahiya. The two-storey house was completely destroyed without any prior warning given of the attack. Three members of the Tanboura family were killed, including two children. Another nine people from the family and their neighbours were injured, including three children and two women. The three fatalities have been identified as:

- Radad Ahmed Tanboura, 36;
- Ahmed Radad Tanboura, 15; and
- Amna Radad Tanboura, 13.

Update two years on: The family was displaced from their home until 1 March 2016, at which point they were able to move back into their reconstructed home. They had been renting a flat with UNRWA's support. One of the family members injured in the attack only recently recuperated from the psychological trauma suffered from the attack.

Al Mezan submitted a request for criminal investigation from the Israeli authorities. In its response to a reminder sent to the authorities on this case and others in the summer of 2016, the authorities stated that they had not received the Tanboura complaint and seven others that Al Mezan had sent two years prior. Al Mezan resent the Tanboura request for criminal investigation. The family stated that despite this they still have hope for justice. No compensation was paid to the family for the loss of their family members, injuries, or the destruction of their house.

Update on legal framework

58. Our September 2014 complaint contained a legal framework section that set out a detailed legal analysis of Israel's military targeting of family homes in Gaza. We submitted that the large-scale, deliberate and systematic Israeli military attacks against family houses were in clear violation of international humanitarian law.

59. Nine months later, the UN Independent Commission of Inquiry on the 2014 Gaza Conflict presented its comprehensive report. At paragraph 668, the Commission made perhaps its most significant finding and recommendation.

“The Commission was able to gather substantial information pointing to serious violations of international humanitarian law and international human rights law by Israel and Palestinian armed groups. In some cases, these violations may amount to war crimes. The commission urges all those concerned to take immediate steps to ensure accountability, including the right to an effective remedy.”

60. It clearly appears this finding is partly based on the Commission's legal analysis and key findings on the compatibility of Israel's military attacks on family homes with fundamental principles of international humanitarian law. We restate these findings below for ease of reference to the UN Special Rapporteur on Adequate Housing and the UN Special Rapporteur on the OPT.

61. In relation to the international humanitarian law principle of distinction, the Commission's report raises critical legal concerns:

“In 6 cases examined by the commission, and in most cases reported on by NGOs, there is little or no information available as to why residential buildings, which are *prima facie* civilian objects immune from attack, were considered to be legitimate military objectives. In relation to each attack on a residential building that resulted in significant destruction and civilian deaths or injuries, the onus is on Israel to explain the factual elements that have rendered the house or the person(s) present inside a military target. In this regard, Israel should provide specific information on the effective contribution of a given house or inhabitant to military action and the clear advantage to be gained by the attack. Should a strike directly and intentionally target a house in the absence of a specific military objective, this would amount to a violation of the principle of distinction. It may also constitute a direct attack against civilian objects or civilians, a war crime under international criminal law. The commission wishes to emphasize that, in case of doubt, “whether an object which is normally dedicated to civilian purposes [...] is being used to make an effective contribution to military action, it shall be presumed not to be so used”. (Paragraph 219, CoI report)

62. The Commission questions the validity of an apparent legal justification for some of the military attacks on family homes that was provided by Israel's Ministry of Foreign Affairs in its May 2015 report entitled 'IDF conduct of operations during

the 2014 Gaza conflict'. The Commission's report states that:

“while the IDF indicated that it did not target Hamas lawmakers, politicians or law-enforcement officials because of their affiliation with Hamas, but only individuals who directly participate in hostilities or are members of organised armed groups, under international humanitarian law, a member of an armed group has to have a continuous combat function to constitute a legitimate military target.” (Paragraph 220, CoI report)

- 63.** In relation to the international humanitarian law principle of proportionality, the Commission strikingly states its concern that:

“In most of the incidents examined by the commission and others, however, given the following circumstances: the fact that the targeted buildings except one were residential in nature; that they were located in densely populated areas; that the attacks were carried out when it could be expected that most family members would be at home (in the evening or at dawn when families gathered for *iftar* and *suhhur*, the Ramadan meals, or during the night when people were asleep); and that large weapons apparently meant to raze buildings were used; it is possible to conclude that a reasonable commander must have been aware that such an attack was likely to result in a high number of civilian casualties as well as in considerable destruction. Given the absence of information suggesting in each case that the anticipated military advantage at the time of the attack was such that the expected civilian casualties and damage to the targeted and surrounding buildings were not excessive, there are strong indications that these attacks could be disproportionate, and therefore amount to a war crime. (Paragraph 221, CoI report)

- 64.** In relation to the international humanitarian law principle of precaution, the Commission observes that in relation to the timing of attacks, “many of the attacks took place in the evening as families gathered for *iftar*, the Ramadan meal to break the fast, during the night when people were asleep; or in the early morning during *suhhur*, the last meal before dawn, which increased the likelihood that many persons, often entire families, were at home. If the target was an individual, it can be questioned whether the individual could not have been targeted at another time or location.” (Paragraph 232, CoI report)

- 65.** The Commission then presents its finding that in 11 of the 15 cases it examined, “no reports of warnings were received.” (Paragraph 233, CoI report)

- 66.** The Commission also finds that the “roof knocking” technique is “not effective” (Paragraph 239, CoI report). It states:

“In some cases, it appears that concerned persons did not understand that their house had been the subject of a “roof-knock”, such as the in case of the Dheir home, where the family in the house did not understand that the strike was a warning until they were told by a neighbour that they had to flee. While on their

way out, 19 out of the 22 individuals present in the house died, including 9 children. In two other cases, families fled buildings following an air strike on the roof or top floor believing that the strike was a warning, only to be struck by a targeted missile once outside the house and on the street.” (Paragraph 236, CoI report)

67. The Commission overall expressed its significant concern that:

“the IDF may not have done everything feasible to verify whether civilians were present in the buildings selected for attack and to assess whether the impending strike would result in civilian casualties and damage to civilian objects, which would be excessive in relation to the anticipated military advantage. The incidents examined in this section point to a potential failure by the IDF to take all appropriate measures to avoid or at the very least to minimize death and injury to civilians and damage to civilian objects. The limited effectiveness of these precautionary measures must have become abundantly clear during the early days of the operation, given that many buildings were completely destroyed together with their inhabitants. The apparent lack of steps taken to re-examine these measures in light of the mounting civilian toll suggests that Israel did not fully comply with its obligation to take all feasible precautions in attack.” (Paragraphs 241 and 242)

68. The Commission also reiterated the serious legal concern expressed in our complaint when stating:

“The commission also underlines that the extent of its efforts deployed to provide warnings to the civilian population, and of their effectiveness, does not relieve an attacking party of its obligation to respect all the other principles on the conduct of hostilities, in particular distinction and proportionality. Nor does the fact that an effective warning has been given alter the civilian status of those who have not heeded the warning.” (Paragraph 240)

69. The Commission did not provide an international human rights law analysis in specific relation to Israel's military attacks on family homes. We therefore will restate here our September 2014 complaint analysis on the right to adequate housing and to the right to life and to physical integrity in the following three paragraphs:

i) Article 11 of the International Covenant on Economic, Social and Cultural Rights requires State parties to “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate... housing”. As an occupying power, Israel has to protect the private property in the Gaza Strip and further to refrain from taking any action that would violate the right to adequate housing of the Palestinian people in the Gaza Strip.

ii) Al Mezan and LPHR submit that the presented significant evidence of the vast destruction and damage caused to family houses by the conduct of the Israeli military to target family houses in Gaza during the military operation between 7 July 2014 and 26 August 2014 clearly indicates the commission of the gross, deliberate and systematic violation of the right to adequate housing of the Palestinian residents of these homes.

iii) Al Mezan and LPHR further submit that the presented significant evidence of Palestinian loss of life or injuries within, or in the vicinity of, their family homes, as a result of the Israeli military targeting of family homes, clearly indicates the commission of a serious violation of the victim's inherent right to life where it resulted in death, as protected by Article 6 of the International Covenant on Civil and Political Rights, and to a serious violation of the right to physical integrity and the prohibition on cruel and inhuman treatment, as protected by Article 7 of the International Covenant on Civil and Political Rights.

Suggested Recommendations:

- 70.** In our September 2014 complaint submission, we requested that a number of urgent steps be taken by the United Nations Special Rapporteur on Adequate Housing and the United Nations Special Rapporteur on the OPT due to the gross, deliberate and systematic violation of the right to adequate housing by Israel's military in Gaza during their military operation between 7 July 2014 and 26 August 2014, with accompanying serious violations to the right to life and physical integrity.
- 71.** Over two years on, our update on the forty serious incidents documented in our September 2014 complaint demonstrates the ongoing vital need for these steps to be taken. Our survey findings on the utter lack of criminal investigations, let alone complete absence of accountability and reparations, for the families at the heart of our complaint clearly demonstrates that the Commission's injunction that: "Israel must break with its recent lamentable track record in holding wrong-doers accountable, not only as a means to secure justice for victims but also to ensure the necessary guarantees for non-repetition" has not been complied with, and does not appear likely to in the foreseeable future.
- 72.** It appears that only the utilisation of international justice mechanisms will provide Palestinian victims with their fundamental right to remedy and justice. In this context, it is notable that our survey shows that the vast majority of families still retain hope for achieving justice.
- 73.** In addition to lack of accountability and reparations, we submit that the absence or very slow pace of reconstruction of family homes, should be viewed as a major human rights concern that principally engages the right to adequate housing. The ongoing internal displacement of a vast number of Palestinian families, including those who suffered immensely in the summer of 2014, must be urgently addressed.
- 74.** In light of these very significant findings and concerns, Al Mezan and LPHR

respectfully renews and updates our September 2014 suggested recommendations to the UN Special Rapporteur on Adequate Housing and the UN Special Rapporteur on the OPT:

i) Use our September 2014 complaint submission and this update as the basis to commence your own investigation into the serious violation incidents of the right to adequate housing and the right to life and physical integrity resulting from Israel's military attacks against family houses in Gaza during their military operation between 7 July 2014 and 26 August 2014;

ii) As part of this investigation, examine the United Nations Independent Commission of Inquiry's report concerning the significant legal and human rights issues raised by Israel's military attacks against family houses in Gaza during their military operation between 7 July 2014 and 26 August 2014;

iii) Communicate with Israel concerning their military attacks against family houses in Gaza during their military operation between 7 July 2014 and 26 August 2014 and to consider emphasising the following:

- Condemn the large-scale, deliberate and systematic targeting of family houses by the Israeli military as conduct amounting to the apparent commission of serious violations of international humanitarian and human rights law;
- Recognizing the illegality of the closure and need to fully lift it, urge Israel as an urgent primary step to allow and facilitate access for all necessary construction materials to enter Gaza so that reconstruction can take place for the vast number of people whose houses have been destroyed or damaged;
- Urge Israel to conduct timely and effective criminal investigations, to international standards of independence, impartiality, thoroughness and transparency, into each case where there is reason to suspect the commission of a violation of international humanitarian law, and that accountability and justice is secured for proven criminal wrongdoing;
- Urge Israel to revoke Amendment No. 8 of the Israeli Torts (State Liability) Law which impermissibly restricts the liability of the Israeli state;
- Urge Israel to remove the procedural, financial and judicial obstacles which prevent such cases from being determined on the merits through the Israeli legal system; including movement and access restrictions and the prohibitive 60-day statute of limitations.

iv) Publicise the findings of your investigation into these serious violation incidents which we suggest should include significant reference to the vital need for criminal investigations, accountability and state responsibility and reparations for all alleged serious violations of international humanitarian and human rights law.

This is necessary to enable the victims of Israel's military operation in Gaza between 7 July 2014 and 26 August 2014 to obtain access to an effective remedy and justice, and furthermore to provide a robust deterrent against any horrific recurrence of unlawful military attacks against family homes with grave consequences for civilians.

v) Investigate the causes of the lack of reconstruction of family homes in Gaza, including the impact of the nearly decade old illegal closure of Gaza and the ineffectiveness of the Gaza Reconstruction Mechanism. In particular, it should consider encouraging the UN to urgently seek to revise the Gaza Reconstruction Mechanism so that it becomes compatible with basic international law obligations, or alternatively to set-up a UN-led alternative mechanism for the delivery of building materials in which the UN's role as an impartial organisation is regained.

vi) Voice support for the human rights defenders and organisations who pursue legal accountability, reparations and justice for victims, including in public statements and privately to the Office of the Prosecutor at the International Criminal Court.

vii) Liaising with the Office of the Prosecutor at the International Criminal Court and support UN processes concerning the significant legal and human rights issues raised by Israel's military attacks against family houses in Gaza during their military operation between 7 July 2014 and 26 August 2014.

75. Al Mezan and LPHR are very willing to effectively assist the United Nations Special Rapporteur on Adequate Housing and the United Nations Special Rapporteur on the OPT by providing further information on the serious violation incidents documented in this complaint update. Al Mezan's general director, Issam Younis, can be contacted directly by email at issam@mezan.org. LPHR's director, Tareq Shrourou, can be contacted directly by email at contact@lphr.org.uk.

76. Thank you for your careful consideration of this complaint.

Yours faithfully,

Issam Younis
General Director, Al Mezan Centre for Human Rights

Tareq Shrourou
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