



Attacks on homes must stop; those responsible must be investigated by the ICC

Gaza City and London, 14 May 2021 – Al Mezan and LPHR are gravely concerned that the first 72 hours of Israel's military operation in Gaza has seen a resumption of the key feature of the 51-day hostilities in the summer of 2014: targeted military attacks against family homes resulting in civilian casualties. Whole residential apartment blocks and individual homes are again being targeted pursuant to an apparent policy agreed by Israel's military and political leadership.

Between 10 May until 2pm on 13 May, Al Mezan documented the destruction of 146 homes and damage to dozens more, with at least ten children and seven women among the fatalities according to preliminary figures, which may rise as searches continue among the rubble.

The attacks already appear to follow a trend identified in the 2014 bombardment, when men and women, boys and girls, the elderly and people with disabilities, were killed and maimed, in the sanctity of their own homes. Throughout the course of those hostilities, 1,066 people, including 370 children, were killed inside their homes. More than 100,000 Palestinians were made homeless.

In May 2015, the UN Commission of Inquiry provided an in-depth factual and legal analysis into the military targeting of family homes by Israel's forces, and critically found that serious violations of international humanitarian law and international criminal law may have been committed. Their analysis conformed with LPHR and Al Mezan's legal submission of September 2014 that found such attacks did not appear to adhere to the civilian protection principles of distinction, proportionality and precautions, and accordingly may amount to war crimes and crimes against humanity.

The UN Commission of Inquiry raised specific concern that *'these strikes may have constituted military tactics reflective of a broader policy, approved at least tacitly by decision-makers at the highest levels of the Government of Israel'*, and asked *'why the political and military leadership did not revise their policies or change their course of action, despite considerable information regarding massive death and destruction in Gaza, which in turn raises questions as to potential violations of international humanitarian law and criminal law by these officials'*.

In light of the renewal of such a military targeting policy during the current large-scale military operation, and the absence of any criminal investigation into the policy during the 2014 hostilities, it appears that Israel's military and political command has been emboldened to continue as before, in flagrant disregard of the grave findings of the UN Commission of Inquiry.

Al Mezan and LPHR urge the international community to insist that attacks against homes must cease immediately, particularly given the clear risk of severe harm to civilians. We further request the Office of the Prosecutor of the International Criminal Court ensures that the apparent policy of the widespread targeting of family homes in Gaza during the 2014 hostilities, and within the current hostilities, is subjected to discrete and thorough investigation, with a view to imposing possible individual criminal liability against those most responsible for its implementation.