

**Israel's escalating violence against Palestinians:
State-sanctioned settler violence and brutal repression of non-violent protests**

1. State-sanctioned Settler Violence

- 1.1. Israeli Settler violence against Palestinian civilians is systematic and has increased significantly since the killing of a settler family in Itamar. Israeli Occupation Forces have a duty to protect Palestinian civilians in the OPT pursuant to Article 4 of the Fourth Geneva Convention, which deems them protected persons. Accordingly, the military commander's systemic failure to protect Palestinian civilians from settler attack combined with a lack of prevention as well as impunity afforded to settlers would be tantamount to state sanction of such violence.
- 1.2. On 21 March 2011, three Palestinians were injured in two separate settler attacks. One was stabbed in the back as he rode his donkey and two others were shot by a passing settler car as they attended a funeral procession at the entrance of Beit Ummar.¹
- 1.3. On 9 June 2011, settlers attempted to burn a mosque in Al-Mughayyir village northeast of Ramallah, damaging its exterior and burning several prayer rugs inside. The attack is part of what settlers term a "price tag" policy, or retaliation against Palestinian civilians for Israeli government attempts to curb settlement expansion.
- 1.4. According to OCHA, violence committed by Israeli settlers is rarely held to account. Although Israeli police open criminal investigations in all instances where a complaint is submitted--over 90 percent are closed without indictment. The duty to investigate such violations is enshrined by article 146 of the Fourth Geneva Conventions and in article 2 and 6 of the International Covenant on Civil and Political Rights.²
- 1.5. In early April, the Israeli military announced a new policy to investigate the murder of Palestinians. These investigations are limited to the West Bank, only in cases of death and not injury, and do not include those incidents considered to be "combat activity." The limited scope of the new policy and its ambiguous scope of application renders a looming gap in accountability especially in respect to settler violence who continue to act with impunity. We fear that this may be a smokescreen measure and urge monitoring its effectiveness.

2. Violent Repression of Non-Violent Palestinian Protestors

- 2.1. The Israeli military has also increased its attacks on non-violent Palestinian protestors. Most recently, on May 15, the Israeli military shot dead non-violent protestors as they peacefully marched to Israel's borders to mark the 63rd anniversary of the *Nakba* and to demand their right of return to their original homes.³
- 2.2. Israeli troops opened live fire and killed at least twelve marchers in Majdal Shams in the

¹ Al Haq, "Collective Punishment in 'Awarta Israel's Response to the Killing in Itamar Settlement," (22 April 2011) Ref. No. 156/2011.

² <http://domino.un.org/unispal.nsf/3822b5e39951876a85256b6e0058a478/07ef8475955f7b4885257899006a7050?OpenDocument>

³ <http://www.dailystar.com.lb/News/Politics/2011/May-27/Palestinian-ambassador-Border-marches-part-of-resistance.ashx#axzz1NmkvFV2n>

Golan Heights and Marroun –a-Ras in Lebanon.⁴

2.3. In the Gaza Strip, Israeli forces shelled and opened machine gun fire on protestors who approached the Erez border crossing, injuring 125 civilians.⁵

2.4. In the West Bank, Israeli forces shot rubber bullets at ~200 Palestinian marchers that approached Qalandia checkpoint.⁶

BADIL urges the Human Rights Council to:

1. Demand that Israel observe its duties as an Occupying Power and protect the Palestinian population from settler violence and attack;
2. Urge Israel to amend its new policy of investigating violence against Palestinians to close the legal loopholes that will allow violence against Palestinians to continue with impunity and states to monitor the effectiveness of such mechanism;
3. We should ask for proper investigation into these incidents and accountability should responsibility emerge. Condemn Israel's lethal attack on non-violent protestors on May 15th and to pressure Israel to refrain from using lethal force in the face of ongoing non-violent and peaceful protests by Palestinians within Israel, the OPT, and across the region.

⁴ http://www.nytimes.com/2011/05/16/world/middleeast/16mideast.html?_r=1&hp

⁵ http://news.yahoo.com/s/ap/20110515/ap_on_re_mi_ea/ml_israel_palestinians

⁶ <http://www.guardian.co.uk/world/2011/may/15/israeli-troops-kill-eight-nakba-protests>