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## Urgent MEMO on the Ongoing Escalation in Gaza

May 16, 2021

Last Saturday night saw the single deadliest Israeli attack on Gaza since the outbreak of the ongoing escalation between Israel and Gazan militant groups that until Sunday evening left 192 people dead, including 58 children and 34 women, while 1,235 have been wounded. The number is expected to increase as search and rescue operations continue.

On May 16, at 1:00 p.m., Israeli fighter jets fired approximately 50 bombs and missiles that hit buildings, residential homes, and roads in the central Al-Rimal neighbourhood, west of Gaza City. The raid hit one residential building belonging to Abu Al-Awf family and another belonging to the Al-Kulak family, in addition to the Ministry of Labour headquarters.

This airstrike led to the death 42 civilians, including two of Gaza's most prominent doctors, 10 children and 16 women. 50 others were wounded, including eight children, and 15 women. The Al-Wehda road that leads to Gaza's main hospital al-Shifa was blocked and destroyed.

16 family members of the Kulak family were killed, including Mohammed Al-Kulak, 63, four of his children, his daughter-in-law and her 6-months-old baby. While 11 members of the Abu Al-Auf family were killed, including Dr. Ayman, chief of the internal medicine department at the Shifa hospital, along with two of his teenager kids, and one toddler. Until Sunday evening, a number of casualties are still buried under the rubble.

Our team documented Sunday morning that among the bombs used was the US-made Mark-84 bomb that weighs 1000KG and which has entered service during the Vietnam war.

### **This odious attack falls within a pattern of Israel's use of disproportionate force and disregard for civilian casualties in Gaza.**

On the day before, Israel directly bombed with at least six rockets another civilian home, also at night, belonging to Abu Hatab's family in the densely-populated Shati camp northwest of Gaza City. This led to the death of 10 civilians, including Mr. Abu Hatab, his wife, four children, sister, and her three children who fled their home on that day due to the heavy Israeli bombing in Eastern Gaza. Another child remains missing, only a five-month-old infant has survived the deadly attack.

According to testimonies collected by our team, Israel gave no warning whatsoever to any of the killed families or other civilians in the vicinity of the targeted houses in both incidents. This led to the wounding of several civilians by shrapnel or broken windows from the blast. We emphasize that both attacks are not isolated incidents



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but are rather clear examples of a systematic policy witnessed over the last six days.

Since the beginning of the ongoing escalation, Israeli airstrikes has hit around 27 families: sixteen family homes were bombed and destroyed while their inhabitants were inside; two civil gatherings of family members were targeted; a man and his wife were struck inside their car, and a man and his son were targeted in an agricultural land. These incidents left 78 Palestinians killed, including 30 children and 22 women.

Israel's airstrikes are intensified the most at night, especially after midnight, and the sheer scale and intensity of those airstrikes are unprecedented.

On Thursday evening, the day of the Eid Al-Fitr festival that marks the end of the Muslim holy month of Ramadan, Israel pounded 150 proclaimed targets in Gaza with 450 bombs and missiles from 160 warplanes and dozens of artillery units, all within one half-hour. This was the most violent event in the history of Israel's military attacks on Gaza, especially in terms of the size and intensity of the fire considering the time taken to implement them.

Testimonies obtained by our team from the field indicate that Israel gave no prior warning to residents near targeted areas to evacuate or take any other precautionary measures.

"Between one second and the other, our neighbourhood became unrecognizable," one testimony from a resident of the Beit Lahia area read. According to the witness, him and his wife were too afraid to glimpse out the window when the airstrikes took place, or even make a run for their lives because "airstrikes seemed to be everywhere."

"Unrecognizable" is a word that is now echoing widely across Gaza to describe several of its iconic sites. Like the Rimal District in Central Gaza, where Israel flattened four of its top residential towers, Al-Jalaa, Hanadi, Al-Shorouq and Al-Jawhara.

Furthermore, the Israeli military campaign in the Gaza Strip has increased pressure on the health system, already exhausted by the outbreak of the Coronavirus pandemic and by Israel's blockade for nearly 15 years.

We reiterate that article 25 of the 1899 Hague Regulations provides: "The attack or bombardment of towns, villages, habitations or buildings which are not defended, is prohibited." Article 53 of the Fourth Geneva Convention also states that "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such destruction is rendered absolutely necessary by military operations." According to Article 147 of the Fourth Geneva Convention, the unjustified



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destruction of properties is considered a grave breach of the Convention. It is also considered a war crime according to Article 8 (2) (b) of the International Criminal Court (ICC).

We call on EU member states to pressure Israel to immediately and unconditionally cease disproportionate attacks and the unlawful targeting of civilians and civilian infrastructure across Gaza.

Furthermore, we strongly believe that if the international community wants to see an effective de-escalation of the situation and prevent such violent events from happening, the current round of violence should be first and foremost placed within its full context.

This escalation is unfortunately part of a repetitive cycle that is all too familiar for observers and human rights organizations working on the topic. It always begins with a restoration of an inherently destabilizing status quo that prioritizes calm and stability over progress towards ending Israeli violations against Palestinians.

As our team documented, the first three months of 2021 have been the least violent for Israel in the last three decades. There was no rocket-firing from the blockaded Gaza Strip and virtually no lone wolf attacks across the occupied West Bank and East Jerusalem. However, Israel's government under Benjamin Netanyahu failed to build on, incentivize or reward this stability and calm by for instance improving Palestinian lives under its occupation or ceasing violations of their rights. It instead saw as an opportunity to push the limits and squeeze Palestinians further into the corner.

Encouraged by the silence of the international community, including the indecisive and negatively idle position of the EU and its member states towards the ICC investigation into war crimes in the occupied territories, Israel's government escalated and accelerated its violations of Palestinian rights unconstrained.

This can be seen in forcing more Palestinians out of their homes in Sheikh Jarrah; building more settlements in Givat Hamatos and Har Homa that would effectively render a two-state solution more impossible; imposing restrictions on Muslim worshippers' access to al-Aqsa mosque in Ramadan and installing barriers at the Damascus gate; or maintaining Gaza's suffocating blockade while it's being ravaged by the pandemic.

This escalation of state violations, amid the absence of concrete actions from the international community, has emboldened far-right elements in Israel, including settlers and Kahanists to sharply increase attacks on Palestinians, their farms and properties across the West Bank and East Jerusalem, while Israel's government took no action to put an end to these growing attacks.

The surge in settler and right-wing violence against Palestinians materialized in a death-to-the-Arabs riot in Jerusalem on April 22 by the far-right anti-miscegenation



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Lehava. As Palestinians took also to the street, Israel's police responded with disproportionate violence leaving 100 wounded.

Thus, the daily scenes of wounded protesters, violent settlers acting with impunity, police brutality, humiliation of worshipers and eviction of Palestinians from their homes all became factors that fueled sentiments of rage, anger, despair, and powerlessness amongst Palestinians, regrettably lending credence to calls for violent actions as a way to end the concerning events in Jerusalem.

Last Monday's "Flags March," a hard-right event to assert dominance over Palestinians in Jerusalem, along with Israel's police invading and assaulting Palestinian in Al-Aqsa Mosque were then the trigger that purportedly led armed groups in Gaza to take matters into their own hands and initiate indiscriminate rocket attacks on Israel hours after they had set an ultimatum that they would not attack if Israel was to end the violence in Jerusalem. This prompted an Israel disproportionate retaliation that has now evolved into targeting high-rise residential towers in the heart of Gaza to collectively punish the population.

We warn that such actions of deliberately targeting civilian areas qualify as war crimes and crimes against humanity, and unless the international community urgently intervene, more such grave crimes are likely to be perpetrated in Gaza during this escalation.

We believe de-escalation is paramount to prevent the loss of innocent lives and destruction, but we caution not to suffice with restoring the inherently destabilizing status quo ante that led to this escalation in the first place. The EU and its member states need to comprehensively address the violations, provocations and abuses that rendered this escalation possible. We also believe the EU must undertake concrete actions, including taking a clear position supportive of the ICC investigation, to deter Israeli violations that otherwise threaten exacerbating tensions and increasing the likelihood of more violence.

Please accept the assurances of our highest consideration.

Kindest Regards,

**Dr. Ramy Abdu**  
Euro-med Monitor Chairman