



Two Years After the May 2021 Events

The Uprising of Dignity:

Israel's use of excessive force and racial segregation against Palestinians continues



May 2023

Two Years After the May 2021 Events
The Uprising of Dignity:
Israel's use of excessive force and racial segregation against
Palestinians continues

May 2023

Authors:

Ola Taha

Attorney Adi Mansour

Attorney Nareman Shehadeh-Zoabi

Table of Contents

Introduction	4
Chapter I - Patterns of Excessive Use of Force by Israeli Police against Palestinians	8
Use of Stun Grenades - Haifa as a Case Study	8
Use of Rubber-coated Bullets - Jaffa as a Case Study	10
Use of Live Ammunition - The Case of Mohammad Kiwan	12
Arbitrary Arrests	13
Kufr Kanna - Arrest Turned into an Incursion	15
Torture in the Moskobiya Detention Center in Nazareth	17
Assaults on Lawyers and Prohibitions on Meeting with Detainees	20
Violations of the Rights of Minors	20
Arrests and Interrogations by the Shin Bet	21
Chapter II - Surveillance and Control	22
Restricting Freedom of Expression and Political Persecution	22
Digital Surveillance	22
Chapter III - Civilian Attacks and the “State of Civil Emergency”	26
Attacks by Armed Jewish-Israeli Civilians	26
Collusion of State Institutions - The Killing of Musa Hassouna	28
Chapter IV - The May 2021 Events in Numbers and Data	30
Arrests and Detentions	30
Indictments	35
Conclusions	39

Introduction

In May 2021, thousands of Palestinians led a mass popular uprising in Gaza, the West Bank, Jerusalem, and within the Green Line inside Israel, commonly referred to by Palestinians as “The Unity Intifada” or the “Uprising of Dignity”. The uprising, which began in Jerusalem during the first week of May and continued through approximately 21 May, spread throughout Israel and the Occupied Palestinian Territory, as well as to Palestinian refugee camps in the diaspora and in several countries around the world.

The May 2021 events were preceded by an escalation in Israel’s colonial policies and practices in Jerusalem. These measures included the attempted forced displacement of Palestinians from the Sheikh Jarrah neighborhood and a surge in Israeli settler violence. During the Muslim holy month of Ramadan, worshippers at the Al-Aqsa Mosque were attacked, and barricades were erected in the area of Bab al-Amud (Damascus Gate). Additionally, buses transporting worshippers in Israel were prevented from reaching Jerusalem to observe the *Laylat Al-Qadr* (the Night of Power) prayers at Al-Aqsa. At the same time, Israeli Jewish settlers were allowed to invade the courtyards of the Al-Aqsa Mosque under the protection of the Israeli Border Police and the occupying Israeli army. Furthermore, as part of the so-called “United Jerusalem Day” events, settlers organized marches designed to provoke the Palestinian community in the Old City.

This report has been researched and written by Adalah - The Legal Center for Arab Minority Rights in Israel, an independent, Haifa-based legal human rights organization that works primarily before the Israeli courts to promote and defend the human rights of all Palestinians subject to the jurisdiction of the State of Israel. The report relies on extensive documentation uncovered and compiled by Adalah regarding the May 2021 events, including Adalah’s legal cases and the state’s responses to those cases and to freedom of information act requests. It focuses in particular on the impact of Israel’s violent suppression of this popular uprising on Palestinian citizens of the state.

The May 2021 events were particularly notable for the clear two-tiered, segregated system of law enforcement applied by state agents: one for Palestinians and one for Jewish Israelis. As Palestinians on both sides of the Green Line took part in widespread protests and demonstrations, Israel imposed a unified policy of control, through its distinct legal systems that operate in the West Bank, in Israel, and in the Gaza Strip. This policy involved the militarized suppression, arrest, killing, and discriminatory treatment of Palestinians based on their identity.

Throughout the May 2021 events, Palestinians in all of these territories faced severe repression and human rights violations. In the Gaza Strip, which has been under blockade since 2007, the Israeli army launched a military assault that led to the deaths of 232 people and approximately 1,900 injuries.¹ In the West Bank, Israel conducted multiple military incursions into Palestinian towns, villages, and refugee camps, leading to the deaths of 28 individuals and leaving nearly 7,000 people injured.²

In Israel, where protests were held in dozens of Palestinian towns and villages, the Israeli authorities used militarized methods of suppression involving the police, the Border Police, and special military units. These forces suppressed and assaulted protesters, conducted interrogations of them, and targeted innocent people, while simultaneously providing blanket protection to Jewish Israeli settlers and others who committed crimes against Palestinians. In one such attack, a Palestinian citizen of Israel, Musa Hassouna, was shot and killed by Israeli civilians in Lod/Lydd. In another case, the police killed Palestinian civilian and citizen Mohammad Kiwan in Umm al-Fahem, injured hundreds of others, and detained thousands more.

At the same time, the police, Border Police, and the Shin Bet (or General Security Services - GSS, Israel's internal security agency) implemented their policies in close coordination with settlers and other armed civilians, despite the criminality of the settlers' actions. As a result, there was a blurring of roles between the police and Jewish Israeli civilians, and a clear demonstration of law enforcement's hostile policies towards Palestinians. Consequently, Palestinian citizens of Israel found themselves in a situation where it was increasingly difficult to distinguish between a police officer, a soldier, and a civilian, or between the "civilian sphere" and the "military sphere". Undercover police units were deployed extensively in Palestinian towns in all areas under Israeli control, taking part in arrests, suppressing protests, and opening fire on demonstrators. In parallel, the Palestinian population in Israel was met with an unprecedented surge of violence from settlers and other armed Israeli Jewish civilian groups, who roamed the streets and specifically targeted Palestinians in "mixed" Jewish-Palestinian cities. These groups operated in tandem with the police and military forces, enjoying their full protection and support; they accompanied and collaborated with law enforcement, were permitted to carry weapons, and received both political and legal protection.

¹ See Al Jazeera, *Timeline: From the Assaults on Al Aqsa Mosque and Sheikh Jarrah to the Assault on Gaza and the Victory of the Resistance* (Arabic), 21 May 2021, <https://www.aljazeera.net/politics/2021/5/21/%D8%AA%D8%B3%D9%84%D8%B3%D9%84-%D8%B2%D9%85%D9%86%D9%8A-%D9%85%D9%86-%D8%A7%D9%84%D8%A7%D8%B9%D8%AA%D8%AF%D8%A7%D8%A1-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D8%A3%D9%82%D8%B5%D9%89>.

² *Id.*

In light of these events, the High Follow-up Committee for Arab Citizens in Israel approached international institutions to urge them to take immediate action to provide international protection for Palestinian citizens of Israel.³ Following the events of May 2021, an independent international commission of inquiry was established by the United Nations - The UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel - with the first mandate of any UN commission of inquiry to include issues of Palestinian citizens of Israel. In its first report, published on 20 October 2022, based on information and analysis provided to it by Adalah and others, the Commission called upon the UN General Assembly to request an urgent advisory opinion from the International Court of Justice on the legal consequences of Israel's continued refusal to end its occupation of the Occupied Palestinian Territory.⁴

During the uprising, local initiatives were launched in various Palestinian towns, villages, and neighborhoods in Israel to form popular committees that monitored the events, documented attacks by the police and settlers, and provided medical and psychological assistance to those affected, including the victims of assaults. Additionally, a significant number of lawyers volunteered throughout the country to represent thousands of detainees at various stages of their arrests.

Adalah closely monitored arrests throughout the May 2021 events, represented scores of detainees, and accompanied and trained hundreds of volunteer lawyers, who also represented protestors. Furthermore, Adalah documented incitement campaigns, direct threats, and racist attacks against Palestinians and has used this documentation to file dozens of complaints to the Israeli Police Investigations Unit ("Mahash") and the Israeli Attorney General.

In the two years since May 2021, Adalah has gathered a trove of information that provides an in-depth understanding of the events and their implications. Some of this information was issued by various Israeli authorities, including information obtained via Freedom of Information Act requests. Other information was produced in the course of Adalah's legal work, in particular, through complaints submitted to Mahash.

³. See Adalah Press Release, *High Follow-up Committee directs international institutions take immediate action to provide protection for Arab citizens* (Arabic), 15 May 2021, <https://www.adalah.org/ar/content/view/10324>.

⁴. See International Court of Justice Press Release, *The General Assembly of the United Nations requests an advisory opinion from the Court in its resolution A/RES/77/247 on "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem"*, 20 January 2023, <https://www.icj-cij.org/sites/default/files/case-related/186/186-20230120-PRE-01-00-EN.pdf>.

The report exposes the existence of two separate, racialized law enforcement systems towards citizens of Israel. Under the first system, in which Palestinian citizens are viewed as enemies, the Israeli authorities declared states of emergency in their towns, tightened surveillance over them, arrested them, and endangered their lives. In contrast, Jewish Israeli citizens were governed during and after May 2021 by a policy of near total impunity that saw evidence of wrongdoing intentionally concealed, vicious attacks treated as acts of self-defense, and the law employed to shield them from criminal accountability.

This report documents the events of May 2021 in the state of Israel from a legal perspective, focusing, in particular, on cases carried out by Adalah. However, this report does not seek to reduce them or isolate them, legally or politically, from the broader context in which they occurred. Rather, it views their implications and manifestations within a broader system of oppression against Palestinians; one that is based on power relations of Jewish supremacy and anti-Palestinian racism, which the Israeli colonial regime uses as a comprehensive legal framework throughout all territories under its control.

Chapter I

Patterns of Excessive Use of Force by Israeli Police against Palestinians

During the May 2021 events, Israeli police used a range of highly dangerous weapons and other means to suppress and terrorize protestors, demonstrators, and other Palestinian civilians in Israel. According to information released by the police in response to freedom of information requests, between 23 April 2021 and 21 May 2021, they employed “skunk trucks”,⁵ stun grenades, tear gas, rubber-coated bullets,⁶ and Ruger sniper rifles,⁷ as well as live ammunition.⁸ The police initially deployed these means in Jerusalem, but their use was later expanded, from 10 May 2021 onwards, to dozens of other Palestinian towns and villages in Israel.⁹ Although the police and security forces categorize some of these weapons as “non-lethal”, in reality, they are highly dangerous – and sometimes fatal – weapons.¹⁰

Use of Stun Grenades – Haifa as a Case Study

The use of brutal police violence in suppressing protests included the crackdown on a demonstration held in the German Colony area of Haifa on 9 May 2021. The demonstration was one of the first organized in support of residents of the Sheikh Jarrah neighborhood in Jerusalem and in protest against Israel’s oppressive practices towards Muslim

⁵ “Skunk truck” is a colloquial term used to describe trucks that Israeli military and police regularly use to suppress protests by Palestinians. They are filled with a chemical substance similar to sewage, or otherwise contaminated water, that is sprayed at protestors en masse.

⁶ Throughout this report, there are references to “rubber-coated bullets”, as well as “sponge bullets”, or “sponge-coated bullets”. Though these violent tools of suppression vary slightly in their make-up, they are both metal bullets with thin external coatings, and can cause serious injury or death.

⁷ See the response of the police to a freedom of information request regarding the use of means of dispersing protestors: Legal Advisor to the Police, *Methods of Dispersing Protests (Hebrew)*, 19 May 2021, https://www.gov.il/BlobFolder/dynamiccollectorresultitem/police_100/he/police_info.pdf.

⁸ Adalah filed numerous complaints to the Police Investigations Department (“Mahash”), particularly concerning police violence against Palestinian protestors and other civilians during May 2021. Testimonies collected by Adalah from detainees, protestors, injured individuals, and other eyewitnesses for purposes of these complaints are referenced throughout this report.

⁹ According to information published by the Israeli Police, which suggests the possible use of additional means of suppression that has not been documented or reported by official institutions. This information provides details about the locations of usage, but not the quantities employed at each site.

¹⁰ Regarding the danger of the weapons used to suppress protests, see the following report by Physicians for Human Rights and the International Network of Civil Liberties Organizations, *Lethal in Disguise - The Health Consequences of Crowd-Control Weapons*, 2016, <https://phr.org/wp-content/uploads/2018/09/lethal-in-disguise.pdf>.

worshippers at the Al-Aqsa Mosque. The police abruptly broke up and suppressed the demonstration, without any justification and in violation of law. They subjected protesters to arbitrary and violent attacks and ultimately arrested 21 demonstrators, employing excessive force against them.¹¹ As internal police reports later revealed,¹² the decision to disperse the demonstration was made in advance and by the police leadership, who made direct inflammatory claims against the organizers of the protest, in a clear attempt to create a pretext for the use of violence to suppress them.

Media reports indicate that at least six injured individuals were taken to Rambam Hospital in Haifa to receive treatment for injuries sustained as a result of police violence,¹³ and that police deliberately delayed the transfer of the injured detainees to the hospital for medical treatment.¹⁴ Four detainees who suffered various severe injuries were held in jail without receiving any medical attention whatsoever, and it was only after intervention by their attorneys that they were finally transferred and able to obtain medical treatment.

While dispersing the protest, the police threw no less than 42 stun grenades in the direction of the protesters, launching them intensively and at random within a short period of time.¹⁵ Testimonies reveal that the majority of these grenades targeted the protesters directly,¹⁶ indicating a premeditated policy of causing them harm. For example, as the protest was being dispersed, M.A.,¹⁷ one of the female protesters, was standing alone on the sidewalk, approximately one hundred meters from the police. As she was videotaping the assaults, police threw a stun grenade towards her, hitting her directly. Despite the fact that she was bleeding heavily from the knee and unable to move, the police prevented an ambulance from reaching her. It was only after approximately half an hour of sustaining her injury that she was finally transported to

¹¹ On 10 May 2021, 16 detainees were brought before the Haifa Magistrates' Court for the consideration of the extension of their detention by the police. They were arrested under (Detention Days) 21-05-18967. An additional five or more detainees were released under restrictive conditions without appearing before the court.

¹² Adalah filed complaints to Mahash on behalf of several injured individuals. However, the complaints were rejected in full and no charges were filed against any of the police officers involved. As part of these complaints, Adalah requested access to the investigatory materials in order to assess the possibility of challenging these decisions. Thus, some of the information referenced in this report was obtained by examining internal police reports and the partial investigatory materials that Adalah was able to obtain through the filing of these complaints.

¹³ See news article in *Arabs* 48, 10 May 2021 (Arabic): *Adalah: Police brutally suppress Palestinian protests in Jerusalem, Haifa, and Nazareth*.

¹⁴ See news article by Enas Mareeh and Zakaria Hassan in *Arabs* 48, 10 May 2021 (Arabic): *Release of detainees from the Haifa protest and extension of detention for protesters in Nazareth*.

¹⁵ See footnote 12.

¹⁶ See footnote 12.

¹⁷ For confidentiality purposes, the full names of the complainants will not be used in this report.

the hospital, where she remained for several days and underwent surgery on her leg, leaving her with permanent scarring.

Following her assault, Adalah filed a complaint to Mahash demanding an investigation be opened into the circumstances of the incident and the prosecution of those responsible. Without conducting a serious investigation or even questioning the suspected police officers, Mahash closed the case nine months after the incident. The police reports also revealed the names of the officers who threw the stun grenades during and after the protest.¹⁸ On 31 July 2022, Adalah filed an appeal against the decision to close the file, which remains pending today, almost one year later.

Use of Rubber-Coated Bullets – Jaffa as a Case Study

In several Palestinian towns and villages in Israel, law enforcement made extensive use of rubber-coated bullets. During the period of the uprising, these bullets became a common sight during and after the dispersal of protests. The manner in which rubber-coated bullets were fired was arbitrary, excessive, and at very close range, resulting in severe injuries. In many cases, their use led to permanent disfigurement of the victims' bodies. An example of such a case occurred in Jaffa/Yaffa.

On 10 May 2021, the police, including special police units, suppressed a protest that started on Yefet Street in Jaffa (Yaffa) by firing rubber-coated bullets at protesters and passersby. Internal reports by police officers indicate that the crackdown on the protests was based on decisions made in advance by the police leadership across all precincts. One police officer's report, in particular, confirms that there were clear directives by the police leadership to suppress the protest before it started. These directives, addressed to police officers, contained false and inflammatory claims about the participants and organizers of the protest, including the following statement: "The locals and protesters went to garages and other places, collected screws, 'azqat' [improvised explosive devices], nails, and other items, and they had the intention to throw explosive devices at police officers, to get revenge, to strike them, and cause them harm."¹⁹ These incendiary statements were intentionally used by police officers as a pretext to commit violence against these individuals.

¹⁸ See footnote 12.

¹⁹ See footnote 12.

According to reports obtained by Adalah, 16 police officers were present in Jaffa on 10 and 11 May 2021, and they heavily fired rubber-coated bullets in the direction of protesters and pedestrians in the city. Within a span of just two days, more than 115 sponge-coated bullets were fired by the 16 officers in question, with six officers firing 57 bullets on 11 May 2021 alone. Even so, these numbers only give a partial account of the use of such bullets that does not capture the full scope of the events, as large numbers of officers were present at the scene but not referenced in the available reports. In addition, some officers failed to provide a detailed account of the number of shots they fired while suppressing the protest.

As a result of this indiscriminate firing at protesters and passersby, numerous injuries occurred. One of the injured was a minor, T.A.,²⁰ 17 years old. T.A. was hit directly in the face by a rubber-coated bullet while present on one of the main streets in Jaffa. After being seriously injured, he was transported to Wolfson Hospital for emergency medical treatment and underwent multiple surgical procedures to repair fractures and swelling on his face.

Another minor who was seriously injured was Y.M., 12 years old. Y.M. had gone out into his neighborhood with friends to buy sweets after breaking the Ramadan fast that evening. On the way, he encountered a large contingent of police firing stun grenades and rubber-coated bullets indiscriminately in the street. To avoid injury, he ran towards a side street in search of shelter. However, a police officer shot him in the back with a rubber-coated bullet at close range, from just a few meters away, then left him lying on the ground, bleeding. After a few minutes, a friend found him and sought help from passersby. He was immediately transported to Wolfson Hospital for medical treatment. Y.M. spent over a week in the hospital's intensive care unit, where it was discovered that he had sustained multiple internal injuries, including to the lung, kidney, and liver.

Another minor, A.A., 12 years old, was on his way to a friend's house when he was hit by a rubber-coated bullet in the foot, causing him to fall to the ground. In this case, too, an ambulance was prevented from reaching him, and he eventually had to be transported by a private car to the emergency department at Wolfson Hospital. He was found to have suffered deep wounds to the leg and fractures to the hand, requiring him to undergo intensive medical treatments, including multiple surgical procedures, which left him with permanent scarring.

These three aforementioned youth sustained injuries on the first day of the protests alone, while a serious escalation continued over the next several days. During this period,

²⁰ See footnote 8.

the police indiscriminately fired at both protesters and bystanders in densely populated residential areas, at very close range. On 11 May 2021, M.Kh. was injured when he was hit by a rubber-coated bullet while leaving his apartment building on Yefet Street with his ten-year-old son. In another incident, on 13 May 2021, rubber-coated bullets were fired at A.M. while he was standing on the balcony of his house and documenting the police assaults and aggressive tactics against protesters and other citizens in the Ajami neighborhood. He sustained a direct head injury from a bullet and, as the result of a stun grenade that was thrown towards him, sustained extensive fractures to his face and, in particular, his nose. He was later transferred to the hospital for medical treatment.

These brutal attacks have been the subject of multiple complaints filed to Mahash, by Adalah and others. These complaints detail testimonies from numerous injured individuals, including those described above. Mahash closed all of these complaints all in April 2022, based on the pretext of the purported “incompatibility of criminal procedures to the circumstances of the event”²¹, thereby absolving the police of all responsibility for targeting the victims. After examining the partial investigation materials to which it had access, Adalah filed an appeal against the closure of the cases to the State Prosecutor’s Office on 29 September 2022, to which – as of this writing – there has still been no response.

Use of Live Ammunition – The Case of Mohammad Kiwan

Yet another dangerous escalation in police conduct took place when police used live ammunition against Palestinian citizens of Israel, resulting, inter alia, in the death of Mohammad Kiwan, a young man from the Palestinian town of Umm al-Fahem in Israel. On the night of 12 May 2021, Israeli police officers fired live bullets at a car in which Mohammad Kiwan was traveling with friends around his hometown of Umm al-Fahem. They were directly but arbitrarily targeted, without any provocation or other justification for the police to open fire. It is critical to note that the police officers who killed Kiwan were dressed in civilian clothes and did not identify themselves as law enforcement personnel. According to eyewitness testimonies, they first threw a stun grenade towards the car with Kiwan and his friends and then opened fire on them. Kiwan was struck directly by a bullet that penetrated his skull. He was hospitalized for eight days before succumbing to his injuries on 19 May 2021.

²¹ In other words, the closure decisions purported to state that criminal complaints to Mahash were not the ‘proper’ avenue through which to seek a remedy.

Less than six months after he was killed, on 15 September 2021, the Israeli Ministry of Justice informed Mr. Kiwan's family that it had decided to close the investigatory file against the police officer responsible for their son's death, citing lack of evidence.²²

Arbitrary Arrests

Throughout the uprising, the police conducted widespread and indiscriminate arrest campaigns throughout all Palestinian towns and villages in Israel. The police carried out arrests on public streets, during protests and marches, and, in many cases, they entailed home invasions and the arbitrary assault and detention of those inside. On the basis of testimonies and other forms of documentation collected by Adalah from several detainees regarding the circumstances of their arrests, Adalah filed several complaints to Mahash. A selection of these testimonies is provided below.

B.M., a resident of Umm al-Fahem, testified that police officers stationed at the entrance to Umm al-Fahem on 12 May 2021 stopped his car late at night while he was on his way home. After verifying his identity, the police officers, including members of an undercover *Mista'aravim* unit,²³ conducted a forceful search of his car, used profanities, and assaulted him with batons and other weapons. When the young man tried to escape the scene in panic, the police officers pursued him, firing bullets and stun grenades at him until they apprehended him. They then took him to the police station for interrogation and subjected him to beatings and other forms of torture and cruel treatment. The police officers continued to violently assault him inside the police station, as a result of which he sustained fractured ribs and numerous other injuries all over his body. According to B.M.'s testimony, he experienced severe difficulty breathing while inside the police station, and yet was only referred for medical treatment after his release. As a result, Adalah filed a complaint to Mahash, which – again – closed the investigation file without conducting any adequate investigation into the incident.

Another example of an arbitrary arrest took place in the Palestinian village of Tuba Zangariya in Israel. On 13 May 2021, M.A. went outside to check the gate of his house

²² See Mossawa, "Mahash decides to close investigation file in killing of Mohammad Kiwan Mahameed", 15 September 2022 (Arabic): <https://www.mossawa.org/?mod=articles&ID=1117>.

²³ The "*Mista'aravim*" are undercover units – roughly translated as "Arab-impersonating" units – within the Israeli Police that work amongst the Palestinian population and attempt to blend in with it, appearing to be a part of the community. For more information, see Adalah Press Releases: *Establishment of new Israeli police undercover unit exclusively for Arab communities is racist, illegal, & unprecedented in democracies around the world*, 8 April 2021, <https://www.adalah.org/en/content/view/10289>; and *Israeli Police establish a paramilitary undercover unit assigned to operate exclusively within Arab towns*, 2 September 2021, <https://www.adalah.org/en/content/view/10402>.

after hearing the sound of heavy explosions nearby. As soon as he reached the gate, police officers chased him back inside the house, where they brutally beat him in front of his family, including his children. The police then dragged him outside and took him to the yard of the local council, where he was left shackled with handcuffs on his hands and feet, for many humiliating hours, before being taken to the police station. Only after several hours did the police inform him that he was being detained and taken for questioning. Eventually, he was released without conditions. As in the cases discussed above, the complaint to Mahash – filed by Adalah – was closed under the pretext of the incident's alleged "incompatibility with criminal procedures".

A similar case involving the arbitrary use of force against a Palestinian citizen of Israel occurred in Haifa on 13 May 2021. According to media reports, a large police force stormed the house of Sheikh Awad Mahamid and brutally assaulted him and his sons with their fists and batons. Additionally, they sprayed the family with tear gas inside the house, in total disregard of the young children present and the health risks associated with exposure to this toxic substance. As a result of this brutal violence, multiple family members sustained serious injuries to the head and body. Despite this, they were taken into custody, before later being released.²⁴

Notably, many arrests in Arab towns were made by *Mista'aravim* units, whose agents were dressed in civilian clothes. These units conducted arrests during protests and inside residential neighborhoods, in a manner resembling abductions rather than arrests. For example, according to testimonies provided to Adalah, *Mista'aravim* units abducted minors from Umm al-Fahem after blindfolding and beating them brutally, before transporting them to police stations in this condition. In addition, the police withheld information regarding the location of their detention for hours after the incident, in violation of the law.

Undercover officers also used arbitrary force to effect arrests in Nazareth. According to the testimony of one detainee, multiple *Mista'aravim* officers assaulted and arrested him. He stated in his testimony, "I fled from the stun grenades and rubber-coated bullets and took cover behind an iron gate. I saw a guy approaching me wearing a white jacket, and I thought that he also needed to hide. So, I opened the gate for him, and he attacked me, hitting my head against the door. I fell to the ground and was bleeding from my head. That's when I realized he was an undercover officer. Then four other police officers joined him, and they attacked me, beating me endlessly, while I was lying on the ground with my hands over my head."²⁵ Another detainee from Nazareth recounted passing by

²⁴ See Al Jazeera, *Brutal assault and screaming.. the moment the Israeli Police arrested Palestinians from their home in Haifa* (video), 13 May 2021 (Arabic): <https://tinyurl.com/5ah9ntbz>.

²⁵ See footnote 8.

masked individuals who were viciously beating a child. When he stopped to help the child, they attacked him and took him into custody, at which point he realized that they were *Mista'arvim* officers.

Kufr Kanna – Arrest Turned into an Incursion

On 14 May 2021, a large force of special police units entered the northern town of Kufr Kanna and surrounded the house of Sheikh Kamal Khatib, a community leader and former deputy head of the Islamic Movement in Israel's northern branch, in order to arrest him. The manner of entry by the special units resembled a military incursion, in which law enforcement stormed the town, snipers perched on the rooftops of houses, and police and army units were deployed in the alleys and streets surrounding Sheikh Khatib's house. The arrest, as was subsequently revealed, was carried out in accordance with a cabinet decision and on the basis of recommendations from the Shin Bet, which accused Sheikh Khatib of incitement to terror, an accusation that would later lead to a politically-motivated indictment, based on limited and weak evidence.²⁶

The provocative arrest of Sheikh Khatib led to violent confrontations, during which the police, including these special units, fired large quantities of live ammunition and rubber-coated bullets at citizens and employed other means of excessive force. Police fired weapons heavily and indiscriminately throughout the village, leaving dozens of people with injuries, some of which are life-changing. Following these events, Adalah filed a complaint about the police raid to Mahash, and despite numerous testimonies of injured persons confirming that the police had acted in violation of the law, including by using live and rubber-coated bullets, stun grenades and tear gas, Mahash closed the case several months later, without conducting any serious investigation.²⁷

According to the internal reports obtained by Adalah – only some of which were turned over – in response to its requests for access to the investigatory materials from Mahash,²⁸ including 56 work reports from police officers, at least 358 tear gas canisters were used in the police incursion into the town. These canisters included regular tear gas canisters, as well as “multi-burst” (branching) canisters, which split

²⁶ See Adalah, *Leading Palestinian Islamic figure is freed from detention for the duration of his trial*, 20 June 2021: <https://www.adalah.org/en/content/view/10332>.

²⁷ See Adalah, *Mahash Closes File on Police and Border Police Attacks on Citizens in Kufr Kanna during May Uprising*, 15 November 2021 (Arabic): <https://www.adalah.org/ar/content/view/10465>.

²⁸ Mahash released 56 work reports, despite media reports indicating the presence of “hundreds” of police officers at the scene. Notably, these figures do not include work reports from members of the special unit responsible for the arrests.

into multiple parts upon detonation. Police used over 110 regular gas canisters, 58 five-part branching canisters, and 190 three-part branching canisters. Additionally, at least 116 stun grenades were deployed against residents of the town, as well as 340 rubber-coated bullets, at least 61 live bullets, and skunk trucks. These figures still do not encompass the full picture, as, according to the reports, additional police officers were present at the scene who played a role in suppressing civilian residents' protests during the raid. Their work reports were not disclosed by Mahash.

The brutality of the attacks and the excessive use of force is apparent from several of the police officers' reports. For example, according to the internal report of one police officer, he alone used 24 stun grenades, 130 tear gas canisters (both regular and branching types), and 58 rubber-coated bullets. An internal report by another officer stated that he alone fired 35 tear gas canisters, including the three-part branching type, as well as eight stun grenades, 30 rubber-coated bullets, and live ammunition. Another officer's internal work report stated that he used 50 three-part branching tear gas canisters. Furthermore, according to these internal reports, one police officer stated that he had resorted to using rubber-coated bullets when he was unable to deploy tear gas due to the wind direction at the time. He went on to state that once he ran out of rubber-coated bullets and stun grenades, he began using his M16 rifle to fire towards civilians, in violation of and with patent disregard for even the police's own open-fire regulations. These large quantities of lethal and/or dangerous weapons, deployed within a short period, clearly indicate that their use was excessive, indiscriminate, and arbitrary, which, despite the conclusions and ultimate decision to close the case by Mahash, warrants an investigation into the associated crimes committed by the police.

Weapons used by the police in Kufr Kanna within densely-populated residential areas resulted in dozens of injuries. According to testimonies given by staff of local medical centers, the total number of injured stood at over 100, and included approximately 30 persons injured by live or rubber-coated bullets. In many cases, the victims sustained gunshot wounds to their upper bodies, resulting in serious injuries, including injuries to the shoulder, stomach, and face, many of which required surgical operations and other forms of emergency medical treatment, as well as long-term follow-up treatment.

Moreover, some of the victims were not even involved in the protests, but were injured while inside their homes or on the rooftops of their homes, hundreds of meters away from police forces.²⁹ In one such testimony gathered by Adalah, a Palestinian citizen of Israel and resident of Kufr Kanna, M.K., was in a neighbor's house when he was hit by a bullet while the police were indiscriminately firing into the neighborhood. He was hit in

²⁹ To view Adalah's complaint to Mahash (Hebrew), see: <https://www.adalah.org/uploads/uploads/Mahash.14.7.pdf>.

the left shoulder, an injury that caused him to fall to the ground. M.K. was hospitalized for five days, during which time he underwent a surgical procedure; however, due to the bullet's location, the surgical team was unable to remove it, and as a result of the injury, M.K. continues to suffer from impaired mobility.

Yet another example of a civilian being targeted in their homes by the police is that of a minor, M.Z., 15 years old. M.Z. was on the rooftop of his house with family members at the time, more than 100 meters away from police lines during the confrontations. Suddenly, the boy's father was shocked to see his son lying on the ground, bleeding heavily from his mouth, before the child lost consciousness. When the family contacted the ambulance services, they were informed that instructions had been issued by the police preventing emergency crews from accessing the location. As a result, he had to be taken to a hospital in a private car. M.Z. had been hit in the face by a rubber-coated bullet, sustaining multiple fractures to his lower jaw that required surgery. After the operation, he was unable to move his jaw for a prolonged period and still suffers from a speech impediment to this day.

In addition to these brutal attacks, the police targeted the head of the Kufr Kanna Council at the time, Dr. Youssef Awawdeh. On the day of the incursion, after he demanded that the police leave the town, a masked police officer threatened Dr. Awawdeh and pointed a gun at his face. A complaint filed by Adalah to Mahash concerning the incident was subsequently closed without any investigation being undertaken. The file was later reopened in response to an appeal submitted by Adalah, but was subsequently closed once again on 22 January 2023.

All of Adalah's complaints submitted to Mahash in the aforementioned cases and others have been closed, and no police officer has been tried for any of these criminal acts and the serious injuries that resulted from their actions.

Torture in the Moskobiya Detention Center in Nazareth

The police station in Nazareth, known as the Moskobiya (or Muscovite) was the site of numerous arbitrary detentions of Palestinian citizens of Israel and the prolific use of excessive force by the police that amounted to torture. Adalah collected testimonies from detainees who were taken to and held at the Moskobiya between 9 and 14 May 2021; these testimonies detail numerous assaults that took place, in what detainees referred to as "torture chambers". The testimonies indicate that police officers and officials at the Moskobiya committed serious crimes. The attacks on detainees included

brutal physical, verbal, and psychological violence, the denial of access to lawyers, and additional violations of the rights of detained minors. The testimonies indicate that some detainees arrived at the police station with serious physical injuries sustained during their arrests, while others were subjected to assault while being held inside the police station.

One detainee held at the Moskobiya recounted the following in his testimony: “The police officers dragged and beat me all the way from Al-Ein Square to the Moskobiya police station. They ordered me to lower my head and look down, even though I was not resisting the arrest. On the way [to the station], we encountered a police officer, who appeared to be a [high-ranking] officer. When he saw me, he laughed loudly and said to the others, ‘You only arrested this one? That’s not enough - I want more’.”

Another young man, A.M., described his experience in the Moskobiya as follows: “As I got to the door of the [entrance] room, police officers started insulting me, and one of them slapped me across the face. There were many detainees inside the room. I witnessed horrifying scenes, as if it were a room for prisoners of war. The detainees were forced to sit on the floor with their legs tucked under their bodies and their heads facing downward. A masked policeman kept walking around the room with a tool in his hand, and I couldn’t understand what it was, but anyone who raised his head got a brutal beating. So, I kept my head down and curled myself into a ball, but the policeman still hit me hard on the head.”

In another testimony given by a detainee who described the scene in the “torture room”, he stated, “The police officers handcuffed all of the detainees together, including me, with one to my right and another to my left. They ordered us to sit on our knees, facing the walls, with our heads down. They brought in more detainees, some of them minors. They began to brutally kick us and beat us with batons. I saw one detainee bleeding onto the ground after being struck on the head. The police officers kept shouting the whole time, ‘Keep your heads down! You’re not allowed to raise your heads.’”

In another testimony, a detainee recounted what he witnessed: “One of the detainees had a broken nose and his face was covered in blood, and yet they continued to beat him. One of the police officers, who was masked, was holding a rifle in his hand and used it to strike the detainees.” In another testimony describing the brutality of the beatings, a detainee confirmed that he had witnessed “a police officer hitting a detainee with a broomstick on his arms and legs until the broomstick broke. The police officers laughed out loud during the assault.”

According to multiple detainees’ testimonies, the floor of the room was covered in the blood of injured detainees, which police officers wiped up to get rid of any bloodstains.

According to the testimony given by another detainee, who detailed his injuries and the torture he was subjected to, he stated, "I felt a sharp pain in my head and saw that I was bleeding heavily. When the police officers saw it, they dragged me out and ordered me to put my head under a water faucet. I objected and said that it would aggravate the pain, and that I needed medical treatment, not a diagnosis by cops. At that point, one of the police officers kicked me in the stomach to shut me up. He then grabbed me by the neck and forced my head under the water."

The brutal and violent treatment of the detainees continued for many hours, along with constant attempts to humiliate, insult, and intimidate them. As one of the detainees recounted, "When we heard the call to prayer from the mosque nearby [to the police station], the police officers laughed and said, 'Pray that you'll be released from here'." According to another detainee, "While I was taken for interrogation, I witnessed a police officer beating one of the detainees. At that moment, another police officer intervened and kicked the detainee with even greater force, while the police laughed and one said, 'That's how they should be beaten!'"

The effects of the assaults and beatings on the detainees were plainly evident: some arrived to court the following day with head contusions, swelling, facial scratches, and bruising on their bodies. The physical and psychological violence to which the detainees were subjected was documented on the record in some of the court hearings. In one instance, a judge requested that the case be referred to Mahash, after noticing visible signs of violence on the detainees' bodies.

In addition, police delayed the transfer of injured detainees to hospitals for medical treatment. In fact, police used the poor health condition of detainees to coerce them into signing and agreeing to various forms of conditional release, such as house arrest or expulsion from the Nazareth area, in exchange for the ability to receive medical treatment.³⁰

Despite the gravity of the incidents in question, and the compelling testimonies given by detainees and their lawyers, Mahash closed the case file without conducting a thorough investigation or summoning any of those responsible for questioning. Furthermore, they used procedural and technical loopholes to keep the majority of the internal investigation materials from Adalah, which requested access to them in order to file an appeal against the findings. Nonetheless, Adalah filed an appeal against the closure of the files on 16 March 2023; a response remains pending as of at the time of writing.³¹

³⁰. See footnote 8.

³¹. See Adalah Press Release, *Futile Investigation File Indicates Whitewashing of Torture Conducted By Israeli Police*, 21 March 2023, <https://www.adalah.org/en/content/view/10803>.

Assaults on Lawyers and Prohibitions on Meeting with Detainees

While detainees were being subjected to torture in Nazareth and facing a variety of forms of police brutality in many other towns and cities, the police also prevented lawyers from meeting with them – in a flagrant violation of the detainees’ fundamental right to legal counsel prior to interrogation – and, in some cases, the lawyers were even themselves attacked. In many cases, the police drove lawyers away from the entrances of detention centers and denied them information about the number or names of the detainees. In multiple instances, police officers resorted to physical and verbal violence against lawyers and expelled them from the police stations. In one case, the police assaulted a lawyer in Nazareth in front of the Moskobiya station, and the lawyer was subsequently detained at the police station for a brief period.

In Umm al-Fahem, as in Nazareth, the police station was completely closed off, and barriers were erected to prevent access to the area of the police station. Simultaneously, the police refused to respond to telephone calls from lawyers in order to withhold information about the detainees’ conditions and to prevent the provision of legal counsel to the detainees prior to their interrogation.

Violations of the Rights of Minors

During the May 2021 events, the police severely compromised the rights of minors, including their rights under Israel’s Youth (Care and Supervision) Law - 1960. In many cases, police failed to inform parents about the arrests of their children, and police sometimes interrogated them alone, despite clear legal directives regarding their right to have a parent present during questioning. Moreover, the police carried out multiple arbitrary arrests in the middle of the night and interrogations in the early hours of the morning, which contravene provisions of the Youth Law. A large number of minors who were released from detention with restrictive conditions were subjected to house arrest outside their hometowns, and were thereby removed from their family and social environments, as well as from their schools. Noteworthy in this regard is the statement made by a police prosecutor during a juvenile court hearing on the extension of a minor’s detention: “Forget about the Youth Law; we are in a state of emergency.”³²

³² As reported by an Adalah attorney, on the basis of an observed court hearing..

Arrests and Interrogations by the Shin Bet

During the May 2021 events, Israel's General Security Services, commonly known by the Hebrew acronym the "Shabak" or "Shin Bet", relied on its longstanding practice of operating in close cooperation with the police. In one statement, the Shin Bet explicitly declared that they viewed the events as acts of "terrorism" by Palestinian citizens of Israel, which, they claimed, justified the use of all their intelligence tools to gather information and preemptively thwart anyone with "intent" to carry out "operations" or instigate confrontations. These tools included the arrest and interrogation of any and all "suspects".³³

Therefore, the Shin Bet carried out a significant portion of the arrests made during the uprising, and they interrogated the detainees using coercion and torture. These acts came in addition to detainees being subjected to inhumane conditions of detention and other rights violations, including being denied access to legal counsel and being completely cut off from the outside world, unable to make phone calls to family or any other persons.³⁴ The police extracted false confessions from the accused and fabricated charges subsequently leveled against them.

An example of confessions extracted under torture took place in Jaffa/Yaffa, where three young Palestinian men were arrested on charges of assaulting a soldier. Immediately after their arrest, they were taken to an undisclosed location where interrogators began torturing them and fabricating charges against them. Due to the torture and coercive circumstances, the young men 'confessed' to the fabricated charges, and indictments were filed against them. However, video footage that was discovered later documented the arrival of the young men at the location where the alleged assault on the soldier took place after the incident had already taken place. This footage led to the dismissal of the charges against them and their subsequent release.³⁵

³³ See announcement by the General Security Services on 11 May 2021 (Hebrew): <https://www.shabak.gov.il/publications/Pages/shomer.aspx>.

³⁴ One of the testimonies that documents this situation is a statement given by the mother of detainee Mohammed Abu Rumi from Tamra, who said, "It is not enough that on 5 June, a group of undercover agents [*Mista'aravim*] accompanied by a police patrol, arrested my son, who was in a restaurant with his friends, and hid him from us for a whole week... We were unable to find out his whereabouts or his condition until they allowed the lawyer to meet him after the interrogators had got the answers they wanted from him. In our first visit, my son told me that if he had stayed in the cell for two more days, he would have lost his mind because of the extreme pressures they were putting him under and the humiliation and degradation that they were subjecting the youth to in prison." See Inas Mareeh, Arab48, "They Arrested Him in a Cell and Informed Him that His Mother had Died; Abu Rumi: Our Children are Victims of Security and Neglect", 16 August 2021: <https://short.arab48.com/short/wtrk>.

³⁵ See Al-Jarmaq Al-Akhbari, *They Previously Extracted Confessions Under Torture... 3 Youth from Jaffa Acquitted of an Israeli Charge with Conclusive Evidence*, Ynet, 4 November 2021 (Hebrew): <https://www.ynet.co.il/news/article/ryedpwwjv>.

Chapter II

Surveillance and Control

Restricting Freedom of Expression and Political Persecution

During the May 2021 events, the police and the Shin Bet monitored and collected detailed information about Palestinian organizations and individuals in all areas under Israeli control. Clear internal instructions were given to police personnel to stay alert to and to monitor the general atmosphere and signs of “incitement” in mosques, on Arabic social media, and online spaces in general.³⁶ There were also directives to gather intelligence specifically on Jerusalem, which included collecting information about the organizing of buses from northern and coastal areas to the Al-Aqsa Mosque.³⁷ Surveillance operations were later expanded when Israeli intelligence agencies tracked the locations of individuals through their phones in order to identify worshippers in the Al-Aqsa and then sent messages to their mobile phones, threatening to blame them for participating in what they called acts of violence.³⁸

Digital Surveillance

During the May 2021 events, Palestinians in all areas under Israeli control experienced a noticeable increase in digital surveillance. Israeli authorities, together with social media companies, restricted Palestinian content on various social media platforms, and imposed strict censorship on Palestinian political discourse, which was manifested in the deletion of posts, account suspensions, reduced content visibility, and the concealing of hashtags, primarily on Facebook and Instagram.

³⁶ See report by the State Comptroller “*Police and Law Enforcement in Mixed Towns During Operation Keeper of the Fences and During Regular Times*” (2022), p. 86 (Hebrew): <https://www.mevaker.gov.il/sites/DigitalLibrary/Documents/2022/Mixed-Cities/2022-Mixed-Cities-101.pdf?AspxAutoDetectCookieSupport=1>.

³⁷ See *Id*, pp. 84-85.

³⁸ See Adalah Press Release, “*Adalah to Israel’s Shin Bet security agency: Stop sending threatening SMS messages to Palestinian citizens*”, 13 May 2021: <https://www.adalah.org/en/content/view/10315>.

Other companies, such as Google, imposed different types of censorship. For example, Google designated Gaza as a low-resolution area on Google Maps,³⁹ a move that hindered human rights groups' ability to document attacks and demolition operations. In addition, certain payment and money transfer platforms, like Venmo, prevented their users from donating to Palestinian organizations.⁴⁰ The removal of Palestinian content from social media platforms was done without any concrete justification, within a broader framework of ongoing, systematic censorship aimed at silencing the voices of Palestinians and their supporters on social media platforms, and under the clear influence of content removal requests made by Israel's Cyber Unit (see below). Civil society organizations have documented these actions for years.

Israel's Cyber Unit, established in 2015 within the Israeli Attorney General's Office, operates at two separate but interconnected levels. At one level, it files indictments against individuals charged with "cyber crimes" or incitement committed online. On the other level, it carries out what is known as "alternative law enforcement", acting as a supplementary or alternative pathway to the judicial process. In this regard, the Cyber Unit contacts social media platforms and search engines (such as Facebook, Instagram, Twitter, TikTok, and Google) to request the removal or restriction of specific content and the banning or deletion of a user's account. The user is not informed or given the opportunity to object to or challenge the decision before it is made, and there is no transparency or clarity provided concerning how requests to block Palestinian accounts are submitted.⁴¹ As data published by the Cyber Unit itself indicates, the social media companies accept the vast majority of its requests, resulting in the deletion of posts or the banning of accounts.

From its establishment until today, the Cyber Unit has submitted tens of thousands of requests to delete posts and restrict accounts. The overwhelming majority of these requests relate to posts in which the authors are accused of incitement, supporting "terrorism", or "identifying with" a "terrorist organization" (86% of the requests made in

³⁹. BBC News, *Israel-Gaza: Why is the region blurry on Google Maps?*, 17 May 2021, <https://www.bbc.com/news/57102499>.

⁴⁰. See report by 7amleh - The Arab Center for the Advancement of Social Media on the subject: *The Attack on Palestinian Digital Rights – Progress Report*, May 6-19 2021: <https://7amleh.org/storage/The%20Attacks%20on%20Palestinian%20Digital%20Rights.pdf>.

⁴¹. Adalah and the Association for Civil Rights in Israel (ACRI) filed a petition challenging the authority of the Cyber Unit to turn to social media platforms for the removal and restrict users' content in the absence of any fair legal process, and given the blatant violation of their right to freedom of expression. The Supreme Court rejected the petition and ruled that the Attorney General's Office could continue its operations even without specific authorizing legislation. This decision gave the green light to the Attorney General's Office, in partnership with for-profit companies, to impose censorship and restrictions on content and to violate fundamental rights without providing any protection for users. See Adalah, *"Israeli Supreme Court green lights Israel's 'Cyber Unit' that works with social media giants to censor user content"* 12 April 2021: <https://www.adalah.org/en/content/view/10292>.

2021).⁴² Notably, each request for the removal of content is not limited to a single post but may include dozens or even hundreds of posts.⁴³ As a result of these requests, and with the complicity of social media platforms, Palestinians have experienced a marked increase in prohibited content and deleted accounts in recent years.

This crackdown on Palestinian social media content was particularly noticeable during and after May 2021. According to the Office of the State Attorney's report for the year 2021,⁴⁴ the State Attorney submitted a significantly increased number of requests to social media platforms for the removal of content. In 2021, the State Attorney made 5,990 such requests⁴⁵ compared to 4,558 requests in the previous year, and 82% of the requests made in 2021 resulted in content deletion. During May 2021 alone, the State Attorney's Office submitted 2,177 requests for content removal, nearly half of the requests made over the entire year. These requests are the result of ongoing collaboration amongst various security authorities, which submitted content found on social media platforms to the Cyber Cyber Unit and led to the Unit's requests for its removal.

Palestinian civil society organizations and official bodies⁴⁶ continually addressed Meta (the parent company of Facebook and Instagram) concerning the impact of content restriction policies on Palestinians, particularly during the period in question.⁴⁷ For instance, the hashtag "Al-Aqsa" was banned for a full day on 11 May 2021, and numerous Palestinian activists and journalists had their accounts banned on various social media platforms. The social media platforms imposed sanctions on several accounts, which reduced their searchability and content visibility, and placed limits on the visibility of frequently re-shared content.⁴⁸

⁴² See the *Annual Report of the Office of the State Attorney, 2022*, p. 77 (Hebrew): <https://www.gov.il/he/departments/news/report2021>.

⁴³ See *Summary Report of the Activity of the Cyber Unit for 2016*, 3 February 2017, p. 5 (Hebrew): <https://www.gov.il/he/departments/news/03-02-17>.

⁴⁴ See footnote 36, p. 77.

⁴⁵ Of the 5,990 requests, 4,955 were for Facebook content, 1,349 for Twitter, 1,126 for TikTok, 450 for Instagram, 222 for Google, 98 for Telegram, and 87 for other sites.

⁴⁶ For example, an interview was held between the Palestinian Prime Minister, Mohammad Shtayyeh, and the Head of Global Affairs and Communications at Facebook. See: 7amleh report, *The Attacks on Palestinian Digital Rights*, 21 May 2021: <https://7amleh.org/storage/The%20Attacks%20on%20Palestinian%20Digital%20Rights.pdf>.

⁴⁷ On 23 April 2021, Facebook designated Jerusalem a "temporary high-risk location", leading to the application of stricter content moderation policies. On 13 May 2021, all areas in Israel, Jerusalem, the West Bank, and the Gaza Strip, were designated as high-risk locations.

⁴⁸ See letter sent on 11 May 2021 to Facebook and Twitter regarding the deletion and restriction of Palestinian content: Access Now, *Sheikh Jarrah: Facebook and Twitter systematically silencing protests, deleting evidence*, 7 May 2021 (last updated: 26 January 2023): <https://www.accessnow.org/press-release/sheikh-jarrah-facebook-and-twitter-systematically-silencing-protests-deleting-evidence/>.

In September 2022, the global organization Business for Social Responsibility (BSR) issued a report, at the request of Meta, on the subject of “Human Rights: Due Diligence of Meta’s Impacts in Israel and Palestine in May 2021”.⁴⁹ The report examined the impact of Meta’s policies and practices in Israel and Palestine during the period. The report validated Palestinian claims concerning the restriction of Palestinian content and found that Palestinians had experienced “over-enforcement” of penalties applied by Meta, resulting in the deletion and restriction of Palestinian posts without justification (to a far greater extent than was the case with Hebrew-speaking users). This, in turn, had an adverse effect on the widespread dissemination of Palestinian content.⁵⁰ According to the report, Meta’s actions “had an adverse human rights impact [...] on the rights of Palestinian users to freedom of expression, freedom of assembly, political participation, and non-discrimination, and therefore on the ability of Palestinians to share information and insights about their experiences as they occurred.”

⁴⁹ BSR drafted the report at Meta’s request to examine the human rights impact of Meta’s policies and practices during the May 2021 events, using an independent body to determine whether Meta’s content moderation process in Arabic and Hebrew was implemented impartially. See the report: Business for Social Responsibility (BSR), *Human Rights Due Diligence of Meta’s Impacts in Israel and Palestine in May 2021: Insights and Recommendations*, September 2022: https://www.bsr.org/reports/BSR_Meta_Human_Rights_Israel_Palestine_English.pdf.

⁵⁰ The implementation of Meta’s content policy has long been a focal point of Palestinian criticism, and digital rights and human rights organizations have continuously called for an independent review of the company’s policies, which have censored the voices and narratives of Palestinians and their supporters and violated their rights to freedom of expression, assembly, association, political participation and non-discrimination.

Chapter III

Civilian Attacks and the “State of Civil Emergency”

Attacks by Armed Jewish-Israeli Civilians

The May 2021 events represented a turning point in the complicity and entanglement of state institutions and extremist settler movements and other Israeli Jewish nationalist and religious movements. Settlers and other extremist Jewish Israeli groups acted as an additional arm of the state with which to assault and otherwise harm Palestinians in Israel. They operated through groups that were organized in settlements in the occupied West Bank and in the “mixed” cities, inciting violence against Palestinians and assaulting them using their fists, bats, and firearms licensed by the state. They also targeted Palestinian property, homes, and businesses in Israel. These unprecedented attacks were carried out with knowledge and protection of the Israeli Police, which collaborated with these extremist groups on the ground and later provided them with legal protection, as evidenced in numerous documented incidents.

Palestinians in Israel therefore found themselves caught between two systems of repression, without any effective protection: one, organized state violence that can be likened to a military campaign, and two, the supposed “chaotic” – but in fact meticulously orchestrated – violence perpetrated by settlers and other extremist Jewish groups. Thousands of Jewish Israeli individuals considered to be civilians transformed into unofficial soldiers, roaming the streets with their weapons and inciting the killing of Palestinians, without facing any legal repercussions. This development did not occur in a vacuum; rather, it happened with direct backing, support and protection from the Israeli leadership and with constant promises of immunity and legal protection for these individuals.⁵¹

In this regard, the city of Lod/Lydd was a primary flashpoint. On 12 May 2021, the Israeli Minister of National Security, under Section 90B of the Police Ordinance - 1971, declared a state of “civil” emergency in the city of Lydd after demonstrations by Palestinian citizens of Israel, residents of the city, who joined nationwide protests against the eviction of

⁵¹ See, e.g., statement by then-Minister of National Security, Amir Ohana, on the killing of Mousa Hassouna, Twitter post, dated 12 May 2021: <https://twitter.com/AmirOhana/status/1392357626068062209>.

Palestinian refugee families from Sheikh Jarrah and the police's storming and blockading of the Al-Aqsa Mosque. The Minister declared a state of emergency for an initial period of 48 hours, which was subsequently extended for a total of eight consecutive days, until 20 May. It created a dangerous legal precedent, as the first declaration of a civil emergency in Israel since the military regime period that was imposed on all Palestinian towns, villages and neighborhoods in Israel from 1948-1966. The declaration granted police extensive powers to exercise control over Palestinians in Lydd and to use violence to enforce their orders without legal constraints. The army and other law enforcement forces were also consequently authorized to enter the city to reinforce and support the police. The police and military forces imposed a curfew in the city, accompanied by an "extensive technological intelligence system" and the deployment of tactical units from the Border Police. The curfew prevented Palestinians from leaving their homes, banned them from public places, and denied them entry to the city.

While the state was actively repressing Palestinian society in Lydd, the police conversely did nothing to curb the settlers' actions in the city. Rather, police allowed the settlers and other extremist groups to enter Lydd, accompanied them while they committed attacks against Palestinians, and gave them physical protection. Extremist Jewish nationalist groups residing in Lydd, who work on an ongoing basis to incite racism and Judaize the city, together with settler groups who were transported from the West Bank in buses specially arranged by these groups, were given shelter in the Lydd town hall by official invitation of the mayor and his coalition. Thus, the town hall and local government institutions became joint operations rooms for the settlers and other Jewish nationalist groups, from which they planned their attacks and coordinated their presence in the streets of the city. As a result, Lydd became the scene of violent attacks against Palestinians and their homes, as well as against mosques throughout the city.

This dynamic of collaboration between extremist civilian groups and settlers and the state was not limited to Lydd but was rather representative of the general policy adopted by the police and the State Attorney throughout the country during May 2021. Throughout the events, Adalah sent a series of urgent letters to the Attorney General and to the commanders of police units⁵² to demand their immediate intervention in response to incitement violence by these armed civilian groups, and that they be held to account for inciting to violence, as well as carrying out actual attacks. The letters included dozens of photos, video footage, and other documentation revealing screen-

⁵² The letters, which contain the materials cited above, were sent on the following dates: 11 May 2021, 12 May 2021, 13 May 2021, 15 May 2021, 16 May 2021, 17 May 2021, 19 May 2021, and 29 May 2021. For an overview of a number of the letters submitted, see Adalah Press Release, "May 2021 Events: Adalah defends rights of Palestinian protesters in East Jerusalem and across Israel", 20 June 2021: <https://www.adalah.org/en/content/view/10313>.

shots of social media posts and audio messages from messaging applications explicitly and openly calling for attacks and assaults on Palestinians. Some even included direct calls to murder, the destruction of property, and desecration of graves. The messages also contain clear calls by individuals to arm themselves with pistols, rifles, sticks, knives, and brass knuckles and for people to take to the streets to attack Arabs. The calls also included threatening statements such as, “We will stab every Arab we see”, “There should be a Holocaust for Arabs, to kill them and kill their sons who grow up to become terrorists”, “We should blow up their homes, shoot them in the head, and throw their bodies out into the streets”, “Go out into the streets, kill them and rape them”, “Every dead or injured Arab is a good thing”, and “Bring knives and stab them in the neck”, among many other other racist and inciting messages.

In addition, Adalah obtained evidence of reports of extremist groups being organized – on Whatsapp and other messaging platforms – to coordinate people to go out to the mixed cities to commit acts of violence specifically against Palestinians. These violent groups called themselves “Death to Arabs in Haifa - War Group” and “The Citizens’ Army”, for example. In one of the groups, a participant made a post stating, “Today we will go to Lod at 7:00 pm to the mosque and will set fire to it.” One well-known violent racist group known as “La Familia” published the following on social media: “We are La Familia. We will go out from 6:00 pm onto the streets and neighborhoods in Jerusalem and Lod. Anyone who stands in our way will get what they deserve”, and “Our cousins [the Arabs], we are waiting for you.” These posts were compounded by an announcement by an official from the Lod Municipality in which he stated that hundreds of armed Jewish settlers from the West Bank would be arriving in the city, and threatened “every Arab citizen not to leave their homes.”

These messages have yet to be addressed by the Israeli Police or the Attorney General’s Office; they provide context to the hundreds of cases of assault that took place throughout May 2021, all without any substantive response from the authorities.

Collusion of State Institutions – The Killing of Musa Hassouna

One of the most tragic events of May 2021 was the killing of Musa Hassouna, a 31-year-old Palestinian citizen of Israel from Lydd who was shot dead by Jewish Israeli civilians on the night of 10 May 2021. Overwhelming evidence shows that Hassouna was killed by a group of civilians who had gathered at the entrance of one entrance of a Jewish religious nationalist neighborhood adjacent to a Palestinian residential area, armed

with pistols, to celebrate what they referred to as “United Jerusalem Day”. It was the continuation of a number of provocative marches that had preceded it in the Old City of Jerusalem earlier that day. While the Israeli Police had previously suppressed a demonstration organized by Palestinians in Lydd to protest events in Sheikh Jarrah and at the Al-Aqsa Mosque, testimonies indicate that the Jewish-Israeli civilians opened fire on Palestinian youths and the resulting confrontation led to the death of Musa Hassouna and the injuries of two other young men.

In the aftermath of the killing, Israeli police arrested five Jewish Israeli civilians, all of whom had been armed with licensed weapons. They admitted during the investigation to using the weapons and firing at a “gathering of Arabs”. However, the police, under political pressure from the Minister of National Security and other public officials, released the suspects after only 24 hours of detention. They were released based on their unsubstantiated claims of self-defense and without any serious police investigation into the circumstances of the killing. In October 2021, the Attorney General’s Office decided to close the cases against the five suspects, based on their excuse of “self-defense”. The decision to close these cases is in line with a number of other decisions in cases of the killing of Palestinians, without any accountability and without any serious investigation into the circumstances of the crime.

Adalah represents Hassouna’s family in their appeal against the decision to close the case against his suspected killers. Through its examination of the evidence, Adalah revealed the negligence and complicity of the police in sabotaging the investigation and closing the case without due diligence, despite there being substantial evidence to indict the suspects.⁵³ Meanwhile, for its part, the Attorney General’s Office has continued to postpone its decision regarding the appeal, with full knowledge that with the passage of time, the possibility of gathering and securing evidence diminishes, thereby precluding any chance that justice will be served.⁵⁴

⁵³ For more information about the case, see Adalah Press Release, *Adalah appeals prosecutor’s decision to close the investigation against all Jewish Israeli suspects in the killing of Mussa Hassouna in Lod during the May 2021 violent events*, 30 April 2022, <https://www.adalah.org/en/content/view/10617>.

⁵⁴ The Attorney General’s Office has repeatedly postponed its decision on the appeal, most recently on 30 March 2023, for an additional three months.

Chapter IV

The May 2021 Events in Numbers and Data

The data provided below gives a detailed overview on a variety of statistics that show the unequal and clearly racially-based targeting of Palestinian citizens of Israel during May 2021. Notably, Palestinians make up approximately 20% of the population in Israel only, and they were grossly overrepresented in the arrests, indictments, and other forms of targeting by the state during May 2021 and in its aftermath, in line with a decades-long pattern of racialized policing.

Arrests and Detentions

On 23 May 2021, the Israeli Police announced a widespread campaign of arrests and detentions, codenamed “Operation Law and Order”. The declared primary objective of the operation was to instill fear and deter Palestinians from exercising their rights, through a demonstration of the state’s law enforcement power in Palestinian towns and in “mixed cities” in Israel.⁵⁵ Thousands of police officers, as well as security personnel from special police units, including *Mista’aravim* units, and the Shin Bet were all involved in the operation. The Shin Bet played a central role in gathering intelligence information and carrying out arrests, operating based on its framing of Palestintians’ actions during the May events as acts of “terrorism”. Its explicit goal was to thwart any intention of carrying out “rioting operations or events”.⁵⁶

The Israeli authorities have released conflicting numbers and data on the total number of arrests and detentions carried out in relation to the uprising. According to the information provided by the Israeli Police in response to a Freedom of Information Act request submitted by Adalah, a total of 1,845 individuals were detained within the scope of “Operation Law and Order”.⁵⁷ However, there is a significant discrepancy between this figure and official numbers published by state institutions elsewhere: for example, in its own report on “Operation Law and Order” published on 3 June 2021, the police stated that

⁵⁵ See: Police Summary, *Operation Law and Order* (Hebrew), 3 June 2021, <https://www.gov.il/he/departments/news/police-restoring-order-030621>.

⁵⁶ See: *Joint Press Releases by the Shin Bet and the Israeli Army regarding “Operation Guardian of the Walls”*, 11 May 2021 (Hebrew): <https://www.shabak.gov.il/publications/Pages/shomer.aspx>.

⁵⁷ According to the police’s response dated 24 August 2021 to a Freedom of Information Act request submitted by Adalah on 13 July 2021 to obtain information about the number of detainees on charges related to the May 2021 events.

2,142 people had been arrested in the campaign.⁵⁸ Meanwhile, the State Comptroller's report on police actions during the events in the "mixed cities" indicates a significant discrepancy between the numbers of detainees announced by Mahash and by the Police Research and Statistics Department: the former suggests that there were approximately 3,200 detainees during the events – across the entire country – and in the course of the subsequent "Operation Law and Order", while the latter cites a figure of just 2,200 detainees.⁵⁹ These conflicting numbers are a testament to the arbitrariness of the arrests, given that the police themselves do not have clear, specific figures of the total number of detainees. They are further indicative of the failure of the police to monitor the actions of its own officers in the field, a serious matter that impedes efforts to hold officers to account for their actions and, specifically, for unlawful arrests carried out.⁶⁰

Despite the problematic aspects of the police's own reporting, it is worth noting that the police data, disclosed in their response to the aforementioned Freedom of Information Act request, reveals that, of the 1,842 detainees,⁶¹ there were 1,671 Palestinian detainees, compared to only 171 Jewish Israeli detainees. The data also indicates that the number of detained minors (under the age of eighteen) was 291, in addition to 1,551 adult detainees.⁶² Thus approximately 91% of all the detainees were Palestinians, and over 15% of the detainees were minors.

⁵⁸ See: Police Summary, *Operation Law and Order* (Hebrew), 3 June 2021, <https://www.gov.il/he/departments/news/police-restoring-order-030621>.

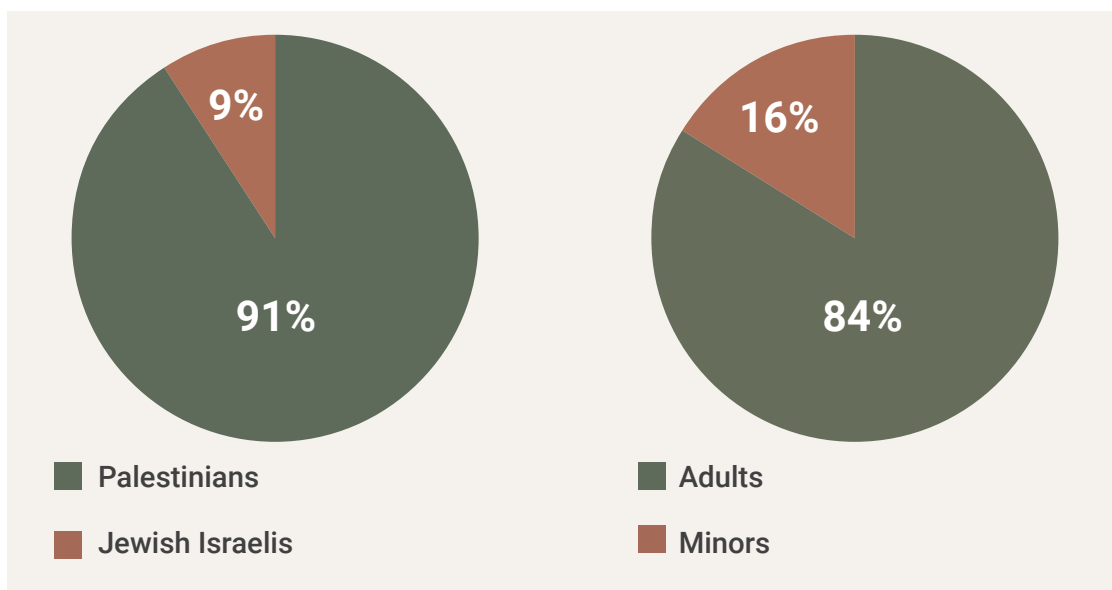
⁵⁹ See *Id.*, p. 26.

⁶⁰ Three Palestinian citizens were administratively detained during the May 2021 events. Despite one of them being diagnosed with psychological disorders, the District Court in Nazareth approved his administrative detention without referring him to a psychiatrist. The Supreme Court rejected an appeal filed by Adalah against this decision. See Adalah Press Release, *State orders psychiatric evaluation for mentally ill Palestinian citizen of Israel only after he appeals against his administrative detention order to the Israeli Supreme Court*, 6 July 2021: <https://www.adalah.org/en/content/view/10375>.

⁶¹ This number of detainees includes those detained in Israel, as well as in East Jerusalem and Jewish-Israeli settlers in the West Bank. Note that in some documents produced by the police, the total number of detainees was reported at 1,842, while in others, it was reported to be 1,845 or 1,848.

⁶² Numbers and data based on information obtained by Adalah from the Israeli Police detailing the number of detainees broken down by police unit and town.

Chart I. Percentage of Detainees, by Race and Age Range

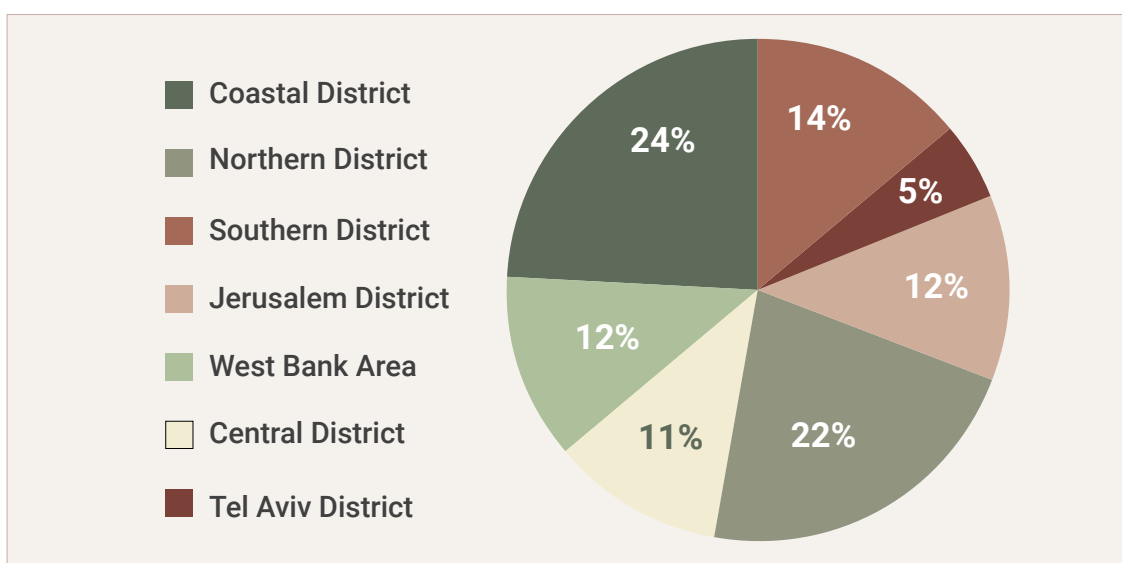


The data also shows that the highest numbers of arrests were carried out in the Northern and Coastal Districts, as follows:

Table I. Individuals Detained, by District

Southern District	Coastal District	Jerusalem District	Central District	Northern District	Tel Aviv District	West Bank Area	Total number of detainees
259	439	228	196	406	100	217	1,845

Chart II. Percentage of Detainees, by District



According to the following table, which lists all towns in which there were ten or more detainees, the police raids on towns and arrests were clearly concentrated in Palestinian localities and in what are referred to as “mixed cities”.

Table II. Numbers of Detentions of Palestinian Citizens, by City

Acre (Akka/ Akko)	Rahat	Shafar'Amr	Tamra	Lod/ Lydd	Umm al- Fahem	Taybeh	Jerusalem	Tel Aviv- Jaffa/ Yaffa
143	59	33	27	77	21	17	199	62
Haifa	Nazareth	Arara'	Ramla/ Ramleh	Touba Zangariyya	Tireh	Kufr Qar'a	Sakhneen	Be'er Sheva
126	61	26	26	22	31	15	15	30
Tiberias	Majd al-Krum	Al-Batouf Regional Council	Kufr Kanna	Kufr Manda	Zisr al- Zarqa	Iksal	Nahef	Houra
16	15	15	16	21	13	14	31	13
Mateh Asher Regional Council	Bir al- Maksour	The Al- Qassoum Regional Council	Dabouriye	Arara' al-Naqab / Negev	al- Mazra'a	Shegheb al-Salam		
11	10	13	10	13	12	23		

According to the Israeli Police, the majority of arrests were carried out for alleged “security”-related offenses. These charges included: throwing stones, sedition, incitement to commit acts of sedition, disturbing the public order, and unlawful assembly. Thus, the charges brought against Palestinians were political and “security”-related in nature, and not conventional criminal charges, as detailed below:

Table III. Charges filed regarding May 2021⁶³ Against All Detainees

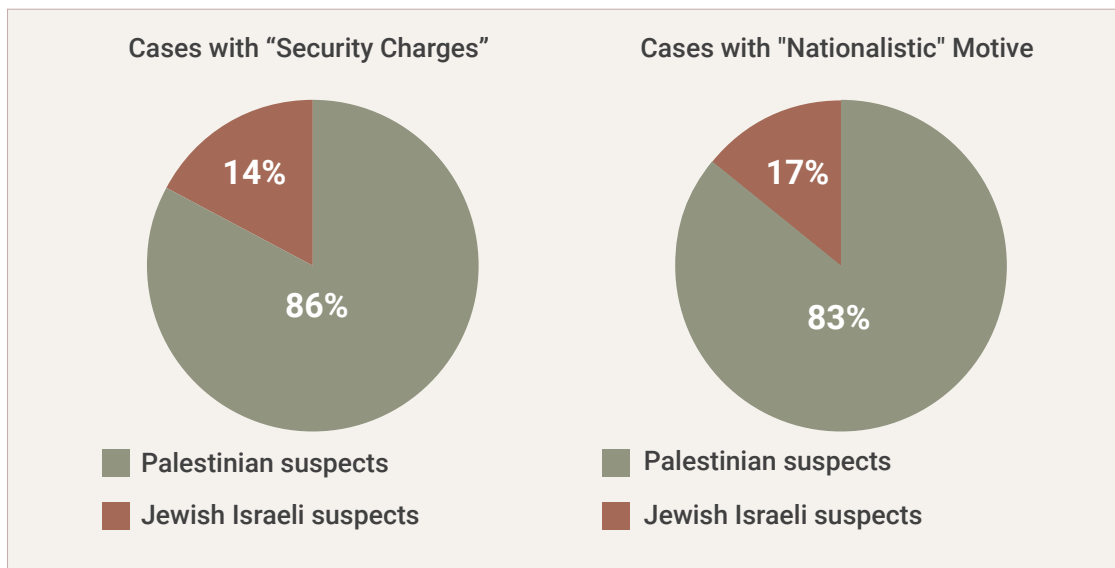
Gathering or assembly	Sedition and incitement to commit acts of sedition	Violating emergency laws	Disturbing the public order	Violating public security	Throwing stones	Throwing Molotov cocktails
685	433	71	630	359	565	13
Assaulting a police officer under aggravated circumstances	Brawls and obstruction in the streets	Assaulting a police officer and obstructing their work	Arson with a nationalistic motive	Issuing threats	Causing grievous bodily injury	Erecting barriers
156	248	346	116	77	200	59
Causing death by negligence	Intentionally causing property damage	Arson	Murder and attempted murder	Riots and street closures	Physical assault	Inciting terrorism
20	361	176	83	220	196	14

Furthermore, during the period between 9 and 28 May 2021, the prosecution opened a total of 232 criminal cases into alleged crimes committed with a “nationalistic” motive.⁶⁴ Of these, 193 cases involved Palestinian suspects, compared to only 39 Jewish Israeli suspects. Additionally, 344 cases were opened that included “security charges” against 582 suspects, 504 of whom were Palestinian and 78 of whom were Jewish Israeli. The breakdown is as follows:

⁶³. This table includes charges filed from May through July 2021, as per Adalah’s Freedom of Information Act request.

⁶⁴. Israel has continually used this charge as a means of enhancing sentences against Palestinians; claiming a wide range of criminal offenses to be racially or “nationalistically” motivated when they are perpetrated by Palestinians against Jewish-Israelis, regardless of whether there is any actual evidence of motive or context.

Chart III. Percentage of Politically-Motivated Charges



Indictments

Despite the large number of arrests, which exceeded 2,000 individuals, the State Attorney’s Office, in its own report released on the one-year anniversary of May 2021,⁶⁵ confirmed that approximately 397 indictments were filed in relation to the uprising, which involved 616 defendants, 545 of whom were Palestinians. Also among the defendants were 116 minors, mostly Palestinians. The following breakdown illustrates this distribution:

Chart IV. Percentage of Indictments Filed, by Race and Age Range



⁶⁵ See footnote 42.

The number of defendants brought to trial indicates, among other things, the arbitrary nature of the wide-scale arrest campaign, which resulted in no indictments being submitted against the majority of detainees. The following table shows the distribution of indictments filed, broken down by police division/district.⁶⁶

Table IV. Indictments Filed Regarding May 2021 Events, by District

District	Number of persons indicted	Number of Palestinians indicted	Number of Jewish Israelis indicted
Jerusalem	160	155	5
Southern	138	124	14
Northern	51	49	2
Haifa	118	116	2
Tel Aviv	70	26	44
Center	79	75	4

Certain statements made in the indictments reveal that the Israeli Attorney General's Office acted as yet another arm with which the state tightened its grip over Palestinian citizens of Israel. The state characterized Palestinian citizens as an "enemy within" who opened an additional front against the state during its war with the "external enemy"; in other words, Palestinians in the occupied territories.⁶⁷ For example, the introductory preface to all indictments filed by the Attorney General's Office in relation to the May 2021 events framed the events within a broader context of an alleged ongoing security-related threat posed by Palestinians, in addition to the criminal charges.

One such indictment was filed against a young Palestinian man from Nazareth who was charged with participating in riots, attempting to assault a police officer, obstructing the work of a police officer, and possessing a sharp object. These charges related to his participation in a protest in Nazareth, which escalated after the police forces suppressed and dispersed the demonstrators using force and violence. It reads as follows:

"The events described in the following indictment took place on the night of 12 May 2021, amidst a military campaign between the State of Israel and the Hamas organization in the Gaza Strip, codenamed Operation Guardian of the Walls. In the hours and days

⁶⁶ See footnote 42.

⁶⁷ See footnote 42.

preceding these events, civilians in the state were subjected to a barrage of hundreds of rockets. At the same time, a wave of nationalist and racist violence swept across the country, involving attacks on the police and security forces, as well as on Arab and Jewish citizens.”⁶⁸

In addition, the state used provisions of the Counter-Terrorism Law⁶⁹ extensively in indictments related to the uprising, as well as provisions of the Penal Code that added “racial motives” or “terrorist motives” to the charges, leading to enhanced sentences imposed by the courts. In its annual report, the Israeli State Attorney’s Office stated that indictments to which “racial motives” or “terrorist motives” were attributed were filed against 239 defendants, 85% of whom were Palestinians, as per the following breakdown.⁷⁰

Table V. Indictments Filed with a "Racial" or "Terrorist" Motive, by Race

	Palestinian citizens	Jewish Israeli citizens	Total number indicted
Racial motive	35	15	50
	70%	30%	
Terrorist motive	85	9	94
	90%	10%	
Racial and terrorist motive	83	12	95
	87%	13%	

Furthermore, from the beginning of May 2021 to the end of 2021, the Israeli State Attorney’s Office filed 16 indictments with charges of “inciting terrorism” and “identification with a terrorist organization”. The state filed 15 of these indictments against Palestinian defendants, while only one was filed against a Jewish Israeli defendant. One of these cases is that of Sheikh Kamal Khatib (represented by Adalah), in which he was charged with incitement to violence, support for a terrorist act, and identification with a terrorist organization, based on a sermon he gave at a mosque in the town of Kufr Kanna in Israel, in which he condemned the state’s attacks on the Al-Aqsa Mosque. The prosecution also relied on a political social media post issued by Sheikh

⁶⁸ M.J. (Criminal Case) 21-05-46690.

⁶⁹ See Adalah’s position paper on Israel’s Counter-Terrorism Law, 31 October 2016 (updated 29 November 2021): [https://www.adalah.org/uploads/uploads/Adalah's%202021%20Position%20Paper%20on%202016%20Counter-Terrorism%20Law%20\(Updated\)%20EN%20.pdf](https://www.adalah.org/uploads/uploads/Adalah's%202021%20Position%20Paper%20on%202016%20Counter-Terrorism%20Law%20(Updated)%20EN%20.pdf).

⁷⁰ See footnote 42.

Khatib in the context of the attack earlier in May (See Ch. I, Kufr Kanna) on Palestinians in Jaffa/Yaffa by Israeli Police and armed Jewish-Israeli civilians. In another instance, the state opened a case against the leader of the Abna al-Balad political movement, Mohammad Kana'neh, on several charges, including incitement to terrorism, based on a speech he delivered in the Sheikh Jarrah neighborhood in Jerusalem against the forced displacement of Palestinians from their homes in the neighborhood.

Furthermore, the State Attorney clearly and openly adopted a policy of submitting requests for detention until the end of trial in cases of Palestinian citizens of Israel. In parallel, the State Attorney consistently opposed requests to release Palestinian detainees, including minors, and regularly appealed to district courts and the Supreme Court to block their release. The State Attorney additionally advocated for harsh conditions of release as alternatives to detention,⁷¹ such as prolonged periods of house arrest, prohibitive bail amounts, and restrictions on the use of social media for extended and disproportionate periods of time.

At hearings on many of these cases, the State Attorney also called on the courts to impose the most severe punishments available on the defendants. The courts themselves almost universally adopted this strict prosecutorial policy, with the Supreme Court clarifying that courts must consider the particular gravity of the charges and impose severe penalties on those accused, for purposes of deterrence. Thus, the background of the May 2021 events – and the state's portrayal of them as a violent security threat – consistently appeared in the formulation of the indictments and in the nature of the charges leveled against Palestinian citizen defendants (i.e., overwhelming security-related charges and charges with alleged 'racist motives'), resulting in harsher penalties. A further result was that a large proportion of these defendants were classified as "security prisoners" after incarceration, with associated long-term legal and procedural consequences.

Two years after May 2021, it is clear that the severe, punitive policy pursued by the State Attorney led to extremely and disproportionately harsh punishments meted out on Palestinian citizens of Israel in the Israeli courts, including lengthy prison sentences, in excess of ten years in several cases, all in stark contrast to the undue leniency shown to Jewish Israeli citizens who committed acts of violence, including killings. In other cases, the courts ordered defendants to pay steep fines and civil compensation, amounting to up to NIS 150,000 (around US\$ 41,000) in some cases. Meanwhile, to this day, many Palestinian detainees continue to be mired in legal proceedings, while many others are still awaiting verdicts, or serving custodial sentences behind bars.

⁷¹ See footnote 42.

Conclusions

1. During the events of May 2021, the Israeli Police used excessive force, including the deployment of highly dangerous, lethal firearms and crowd-control weapons against Palestinian citizens of Israel, in violation of domestic rules of engagement and in contravention of the 1977 Israeli Penal Code. These weapons included rubber-coated bullets, stun grenades, tear gas, and live bullets, and resulted in serious injuries, as well as the fatal shooting of Mohammad Kiwan, a young Palestinian man from Umm al-Fahem, by the police. Police additionally and systematically prevented ambulances from reaching the injured, which directly violated their right to receive medical treatment.

Thereby they committed several crimes under Israeli criminal law, including the Police Act, as well as provisions of international law.

2. The Israeli Police carried out hundreds of unlawful arrests of Palestinian citizens of Israel, particularly within the remit of its “Operation Law and Order”, with the direct aim of intimidating and deterring Palestinian citizens from exercising their rights.

3. The police further violated the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. These violations occurred during brutal arrests conducted using excessive violence, as well as during the detention and interrogation processes. Police denied Palestinian detainees access to legal counsel, violated the rights of detained minors, and obtained confessions under torture, beatings, humiliation, and abuse. These violations appear, for example, in testimonies about the events in the Nazareth police station.

4. The Israeli authorities violated the rights of Palestinians to freedom of expression, political association, and privacy. For example, the Shin Bet intelligence agency tracked the whereabouts of Muslim worshippers in the courtyards of the Al-Aqsa Mosque and sent intimidating messages to their mobile phones. In addition, the State Attorney’s Cyber Unit, in partnership with social media platforms, imposed heavy censorship measures on content in Arabic, leading to the removal of Palestinians’ posts and accounts, without prior notice or affording them an opportunity to challenge the decisions.

5. Implementing a policy of institutionalized racial segregation in law enforcement, the Israeli Police collaborated with settlers and other extremist Israeli Jewish nationalist groups in causing extensive harm to Palestinian citizens in various locations. These attacks resulted in the killing of Musa Hassouna in Lydd/Lod, as well as the injuring of hundreds more Palestinian citizens, around the country, and extensive damage to

personal property. These incidents took place within the broader context of direct incitement against Palestinians by Israeli officials and assurances that the armed civilian perpetrators would be granted legal immunity and other protection.

6. In the case of the murder of Musa Hassouna, the police released the suspects as a clear result of political pressure from several state actors, including the Minister of National Security at the time. These pressures led to an internal decision by the police not to investigate the circumstances of the killing, which was quickly followed by the closure of the case by the State Attorney, on the ground that the suspects had acted in "self-defense". In making this unsubstantiated determination, the police obstructed the course of the investigation and acted amid a clear conflict of political interests concerning the interrogation of Jewish suspects by Israeli police beholden to political leaders.

7. The police and the State Attorney followed a clear policy of racial discrimination in applying the laws governing arrests and detention and in filing indictments, as the data demonstrates:

7.1 There is conflicting official information regarding the number of detainees, which ranged from 1,845 to 3,200 detainees. Of the 1,845 detainees – the lowest estimation – there were 1,671 Palestinian detainees, representing 91% of the total. Minors made up approximately 16% of the total number of detainees.

7.2 Police opened 232 criminal cases, adding a so-called "nationalistic motive" to the charges, in 193 of which the suspect was Palestinian (83% of the total charged). They also opened 344 criminal cases with "security"-related charges against 582 suspects, 504 of whom were Palestinian (86% of the total charged).

7.3 The State Attorney's Office filed 397 indictments against 616 defendants, including 545 Palestinian defendants (89% of the total indicted). Notably, 116 defendants are minors (30% of the total indicted), primarily Palestinians.

7.4 In the indictments, charges with an alleged "racial motive" or "terrorist motive" were made against 239 defendants, including 203 Palestinian defendants (85% of the total indicted).

7.5 Throughout 2021, the State Attorney filed 16 indictments on charges of "incitement" or "affiliation with a terrorist organization", 15 of which were against Palestinian suspects.

8. Although not represented in the data presented above, hundreds of Israeli Jewish citizens of Israel engaged in direct incitement to kill and otherwise harm Palestinians and participated in attacks on Palestinian homes and businesses in several areas. Adalah documented many of these incidents and submitted complaints on a daily basis to the police and Attorney General. The complaints have not, however, led to the prosecution of any perpetrator or to preemptive efforts to prevent such attacks in the future.

9. Contrary to the law, the Police Investigations Department (Mahash) failed to carry out its duties, as it closed all the complaints filed to it pertaining to May 2021, without exception. These cases include the complaint filed in the case of the police killing of Mohammad Kiwan, which Mahash closed without conducting any serious investigation or even questioning the suspected police officers, thereby granting them absolute legal immunity.

10. These policies, as pursued by the Israeli legal authorities, including the State Attorney's Office, reaffirm Israel's long-standing adoption of racial segregation in law enforcement, as manifested in the implementation of a policy of domination over Palestinians through various means of violent force, suppression and intimidation, while providing legal immunity to Jewish Israelis. Such policies violate international law, particularly the International Convention on the Elimination of All Forms of Racial Discrimination, which obliges states to adopt equal policies under the law, without discrimination based on national or any other collective affiliation.

11. In addition, the Israeli authorities violated the international Convention on the Suppression and Punishment of the Crime of Apartheid by adopting a policy of segregation, institutionalized discrimination, and racial dominance against its Palestinian citizens. This policy violates the prohibitions outlined in the treaty, which defines acts of apartheid as crimes against humanity, including Article 2, which states that the prohibition applies to acts that establish and maintain domination by one racial group over another on the basis of race or ethnicity, and which lead to the systematic suppression of fundamental rights.

12. The policy of complete impunity for police officers also stands in violation of international law, which places a positive obligation on states to prevent harm to the lives of those under their control, including prosecuting responsible officials and providing remedies in cases of gross violations of international law.⁷²

⁷² See Article 2 of the International Covenant on Civil and Political Rights and UN General Assembly Resolution on Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted on 16 December 2005: <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-and-guidelines-right-remedy-and-reparation>.

13. Israel's practices during the May 2021 events were an integral part of the broader context and the general Israeli legal framework, which has been and continues to be based on racial domination and Jewish supremacy. These practices, in turn, laid the foundation for additional oppressive measures that took shape in the months after the events. Such measures included the sweeping expansion of police powers and other methods of "security" control under the pretext of crime and "crime-fighting schemes" in Palestinian communities in Israel, which constitute a violation of Palestinian citizens' rights. These practices appear in government plans at a cost of millions of shekels, and most recently they culminated in the advancement of a decision by the Israeli Minister of National Security Itamar Ben-Gvir in March 2023 to establish a "National Guard" force, re-tabling a plan originally posed by the former Prime Minister Naftali Bennett. In addition, several other governmental decisions call for increased surveillance and monitoring of Palestinian citizens and their political activities.

14. In light of all of the above, Adalah calls for international intervention and action in order to protect Palestinian citizens of Israel from institutionalized practices of oppression by the state. It is the duty of civil society organizations, including Adalah, to remain in a state of high alert and to continue to challenge Israel's policies of oppression and control.



adalah@adalah.org | www.adalah.org

