Adalah The Legal Center for Arab Minority Rights in Israel عدالة المركزالقانوني لحقوق الأقلية العربية في اسرائيل لا تعالم مدادة معاوه درانا معاود المعادة ال



## The Deadly Events of May 2021, One Year On: No Accountability, No justice for Palestinians

## 31 May 2022

One year ago, in May 2021, there was a swift and deadly escalation in violence in Israel and in the Occupied Palestinian Territory (OPT) that followed Israel's violent repression of demonstrations in Sheikh Jarrah against the imminent forced displacement of Palestinian refugee families, as well as the Israeli police's storming and blockading the Al-Aqsa Mosque Compound during the Muslim holy month of Ramadan. The Israeli military also launched massive airstrikes on Gaza following rocket fire by militant groups, killing an estimated 260 Palestinians, including 65 children, and injuring another 1,950.

In response, Palestinians protested against these actions throughout historic Palestine (Israel and the OPT). They were joined by demonstrators from around the world, who mobilized in large numbers, primarily through online campaigns (#SaveSheikhJarrah), in solidarity against Israeli aggression. Palestinian citizens of Israel, who took to the streets in Arab towns and mixed Arab-Jewish cities, were met by police brutality and a draconian clampdown on freedom of speech and assembly. <a href="Israel's Defense Minister declared an extraordinary "civil emergency" in Lydd (Lod)">Lydd (Lod)</a>, a first in Israel since the military regime ended in 1966, and selectively enforced a curfew and other emergency directives against Palestinian residents.

Organized, ultra-right wing Jewish Israelis, including settlers, attacked Palestinian citizens and their property, and desecrated mosques, often with police protection and collusion. In late May, the Israeli police announced a mass arrest campaign – "Operation Law and Order" – aimed at repressing Palestinian dissent by conducting raids on homes, in order to intimidate citizens and to 'settle scores'.

Israeli government officials, including then-Prime Minister Benjamin Netanyahu, made inflammatory remarks and incited violence against Palestinians. Additionally, in a speech <u>delivered</u> to Israeli Border Police in Lydd (Lod) on 13 May 2021, Netanyahu assured them that they enjoyed sweeping impunity: "We hear talk of apprehension over [future] commissions of inquiry, investigations, inspections – we will give you all the tools [you need] to protect yourselves and the citizens of Israel. You have our full backing; do not be afraid."

As violence, mass arrests and incitement against Palestinian citizens of Israel continued across the country, the High Follow-up Committee for Arab Citizens of Israel <u>issued a statement</u> on 14 May 2021 in which it called for international intervention to protect the safety and human rights of Palestinian citizens.

Adalah worked intensively throughout May 2021 to defend the rights of Palestinian citizens of Israel and Palestinian residents of Jerusalem. What follows are some of the policies and practices used by

Israel against Palestinian citizens during May 2021, against which Adalah brought legal challenges, and how some of them are being perpetuated today, one year on.

Excessive use of force by police against peaceful demonstrators and bystanders: The police violently dispersed peaceful protests by Palestinian citizens of Israel in May 2021, without justification, clamping down on freedoms of expression and assembly. Police arrested and detained hundreds of Palestinian citizen protestors, and used brutal, excessive force against many of them. Adalah's lawyers, together with dozens of volunteer lawyers, represented arrested and detained Palestinian protesters; Adalah secured the release of 16 protesters arrested in Haifa on 10 May 2021. Adalah held an emergency legal training workshop on representing protests in Israeli police stations, attended by over 160 Arab lawyers in the midst of the violence in May 2021. Adalah additionally filed numerous complaints to the Police Investigation Department (PID) ("Mahash") concerning these events, most of which were either closed after an initial probe, resulting in no action against the police, or are still pending one year later, seriously undermining the possibility of an effective criminal investigation.

- Maisa Abd Elhadi was severely injured in the hip by a stun grenade fired by police during a peaceful protest in Haifa on 9 May 2021. The police refused to allow an ambulance access to the street where Abd Elhadi was present, in order to provide her with medical treatment. During this protest, 17 people were arrested and six injured. Adalah filed a general complaint to the PID ("Mahash") on 10 May 2021, and an individual complaint for Ms. Abd Elhadi on 4 July 2021. The PID subsequently closed the investigation into the complaint of Abd Elhadi and Adalah filed an appeal against the closure.
- On 13 May 2021, Muhammad Okla, a resident of the Arab village of Tuba-Zangariyya, was dragged from his home by police forces. He was led to the grounds of the local council and left there, with his hands and feet cuffed, for several hours. When he asked to be released, police officers cursed at him and kicked him. He was brought to a police station in the middle of the night for questioning, and was denied access to a lawyer. Adalah filed a complaint to the PID in the case on 6 September 2021. The PID closed the case in December 2021, and Adalah filed an appeal against the closure.
- Four people, including three minors (TAZ, aged 17, and YM and AA, both 12 years old), were injured in Jaffa-Tel Aviv by rubber bullets fired by police in May 2021, and one of them was hospitalized in an intensive care unit for sustaining severe wounds. The police fired randomly, and the injured minors were not participating in the protests but merely passing by. Adalah filed a complaint to PID on 6 September 2021. The PID closed the case.

The PID's refusal to initiate criminal investigations in cases of well-documented police brutality, and its lack of promptness in conducting initial probes, entrench Israel's policy of near blanket impunity for its police for injuring and killing Palestinians, in the complete absence of accountability.

"The Torture Room" in Nazareth Police Station: Nazareth police engaged in rampant, systematic attacks and brutal beatings of Palestinian citizens of Israel – protesters, minors, innocent bystanders and even attorneys – inside the city's police station. The graphic testimonies collected by Adalah tell a story of physical, verbal, and psychological abuse of Palestinian citizens, and indicate that Israeli officers ran a "torture room" within the station. Most of the violent arrests and attacks on Palestinian citizens in the city were carried out by Israeli special police forces, including undercover mista'aravim officers posing as Palestinians. Many of the detainees were also denied urgent medical care for wounds

resulting from the beatings. Some detainees appeared in court following their arrests displaying visible signs of abuse and violence, including stitches on their head, facial swelling, scratches, and extensive bruising. Adalah submitted complaints to senior Israeli officials on 7 June 2021 for torture and ill-treatment; the investigation remains in progress. While the PID is investigating police conduct, the Commander of Nazareth police station continues to hold his position and was not suspended, despite Adalah's demands.

Police collusion with far-right, Jewish Israeli extremists: Organized groups of far-right Jewish Israeli extremists, including West-Bank settlers, attacked Palestinian citizens and their property, seemingly with police collusion and protection. Adalah sent eight legal letters urging the Attorney General to take immediate action against these groups. The letters documented shocking internal communications between these groups, which revealed organized, coordinated efforts to bring masses of armed individuals to Israeli cities with significant Palestinian populations to "kill Palestinians" and "break all their bones". The AG did not take action against these groups during the period in which the attacks took place.

The policy of encouraging Jewish Israeli civilians to arm themselves, <u>well-documented</u> during May 2021, is now being formally introduced as part of new plans put forward by the Israeli security apparatus. On 8 May 2022, Israeli Prime Minister Naftali Bennett <u>announced</u> that the government is advancing the establishment of a civilian national guard. Bennett stated that, "The urgent need to strengthen the personal security of the citizens of Israel was born a year ago during the events of Operation Guardians of the Walls [the term coined by Israel for the deadly events of May 2021], mainly in the mixed cities." During the May 2021 events, then-Public Security Minister Amir Ohana <u>stated that</u>, "If the police can't be everywhere and at every incident, it's the right of citizens to protect themselves with weapons, certainly now with the riots in the city." Authorizing Jewish citizens to arm themselves and encouraging them to "defend themselves" from Palestinian citizens, viewed as the enemy, is extremely dangerous, especially in the aftermath of May 2021, when vigilante groups took it upon themselves to attack Palestinian citizens and their property.

Police failure to prosecute Jewish Israelis in killing case: The authorities' support or collusion with armed Jewish Israeli vigilante groups is clearly evident in the case of the killing of <a href="Moussa Hassouna">Moussa Hassouna</a>. Hassouna, an unarmed 31-year-old Palestinian citizen of Israel, was shot dead in Lod (Lydd) on the night between 10 and 11 May 2021. Five armed Jewish Israeli suspects were arrested, and shortly thereafter then-Public Security Minister Ohana <a href="Called for their release">Called for their release</a> and <a href="Stated">stated</a> that, "Law-abiding citizens carrying weapons are a force multiplier for the authorities for the immediate neutralization of threat and danger." The suspects were indeed released less than three days after the killing and the police cleared the suspects following a negligent, flawed investigation. Repeated requests by the family for an update on the status of the investigation went unanswered by the police. The closure of the case raises serious suspicions of a cover-up. At the end of April 2022, <a href="Adalah appealed">Adalah appealed</a> the district prosecutor's decision to close the investigation to the State Attorney's Office. Video footage found in the investigation file by Adalah indicates intense pressure to close the case from prominent political figures.

Mass arrests of Palestinian citizens of Israel: On 23 May 2021, the Israeli police announced a mass arrest operation – codenamed "Operation Law and Order" – which primarily targeted Palestinian citizens of Israel and Palestinian residents of East Jerusalem, including demonstrators, political activists, and even minors. Pursuant to this operation, Israeli security forces detained more than 2,140 people, around 91% of whom were Palestinians. The manner and methods of arrest used by police

were designed to intimidate and sow widespread fear throughout the Palestinian public in Israel, in order to deter them from participating in further demonstrations. Typically, large numbers of heavily-armed police arrived at the home of the target in the middle of the night or in the early hours of the morning, deploying violence, threats and insults. Moreover, police physically, verbally, and psychologically abused Palestinians while they were in detention. It is overwhelmingly Palestinians who have been indicted in connection with the violent events. Adalah's team provided legal counsel and representation to detainees, as well as advice and assistance to volunteer lawyers representing hundreds of Palestinian citizens of Israel arrested during demonstrations.

Police arrested and detained Palestinian political leaders in Israel for up to a month, an unprecedentedly-lengthy period of time for alleged speech offenses. One year later, these leaders are still facing the consequences of voicing their opposition to Israeli aggression. Sheikh Kamal al-Khatib, an Islamic Movement leader, was arrested on 14 May during a violent Israeli police raid on his home in Kufr Kanna that also left dozens of local residents wounded (the PID has already closed Adalah's complaint into this commando-style raid). He has been indicted for incitement based on three Facebook posts, none of which calls for violence. Mohammad Kana'neh, a leader of the extraparliamentary political party Abnaa al-Balad, was arrested on 14 June and indicted on charges of incitement and expressing support for terror groups during a speech he gave at a demonstration in Sheikh Jarrah, and for 20 old Facebook posts in which he welcomed the release of Palestinian political prisoners and supported their fight against administrative detention. Adalah is representing both leaders.

Time and again we have seen Israel implement its long-standing policy of sweeping impunity for its armed forces, including the police. These recent events demonstrate that this also applies, in many cases, where Israeli Jewish vigilante groups are concerned, while Palestinian political leaders and protestors, citizens of Israel, are being silenced by Israel's law enforcement authorities. This system of repression and discrimination highlights the need for independent, international bodies to investigate Israel's human rights violations against Palestinians, including the <a href="UN Commission of Inquiry">UN Commission of Inquiry</a>, established on 27 May 2021. For the first time, an international commission will examine Israel's human rights violations against Palestinian citizens of the state, and "all underlying root causes of recurrent tensions, instability and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity." <a href="Adalah's representatives appeared before the Commission in March 2022">March 2022</a>, and presented key human rights violations perpetrated by Israel against Palestinian citizens of Israel during the May 2021 events.