



## פורום המרצות והמרצים למשפטים למען הדמוקרטיה

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### The Israeli Law Professors' Forum for Democracy

#### Response by the Law Professors' Forum for Democracy to the Grave acts of Violence against Palestinians in the West Bank

On Friday, April 12, 2024, a Jewish child, Benjamin Achimeir, was violently murdered by Palestinian terrorists. That Friday, even before the boy's body was discovered, and on Saturday, after his body was found, numerous grave acts of violence were carried out against Palestinians. According to estimates, more than 20 incidents of nationalist crime were committed against Palestinians in the villages of Al-Mu'air, Turmusa'ia, Sinjal, Khirbat Abu Falah, Mazra'a, Luban al-Sharqiya, Atara, Duma, Kusra and Silwa. The attacks included the theft of herds and property, burning of vehicles and houses, and the injuring of approximately 50 people. On Friday, a resident of al-Muayir, Jihad Abu Aliya, was hit by settler fire and killed. On Saturday evening, in the village of Baytin, which borders Ramallah, Omar Hamed, a 17-year-old Palestinian boy, was killed by live fire.

Reportedly, during that entire weekend, present in the villages were soldiers who protected with their presence and weapons the masses of armed rioters, some of them masked, who rampaged through Palestinian villages. In a video distributed by the human rights organization "Yesh Din", Israelis are seen setting fire to a car in a Palestinian parking lot in Deir Dibwan in the West Bank, right in front of soldiers who failed to intervene. Ynet and "Yediot Ahronoth" photographer Shaul Golan, who was there to document these acts of violence, was attacked on Saturday by settlers in Kfar al-Morayir. The rioters broke his fingers and burned all of his equipment. According to Golan, some of the rioters were armed and dressed in IDF uniforms.

Despite the recent escalation and expansion of the attacks, the security forces fail to enforce the law and to prevent attacks against Palestinians in the occupied territories. As if this was not enough, it has been reported that the minister of national security, Itamar Ben Gvir, is attempting to prevent human rights organizations from documenting the violence. In view of all of this, the Forum is obliged to remind once again of the duties of the governing authorities to prevent attacks against the Palestinian population in the occupied territories and to prosecute and punish those responsible for them.

In this context, we refer to our [position paper number 51](#), published in July 2023. In that paper, we detailed the duties of the authorities to prevent serious crimes of this type and to bring those responsible to justice. However, since the publication of the position paper, not only have the

attacks against Palestinians not stopped, but they have been increasing and dangerously normalized. These violent attacks amount to serious criminal offenses according to the law in Israel and in the occupied territories, and may amount to war crimes according to international law. As stated by the heads of the security forces, these are also acts of terrorism, in line with the definition of this concept in the Counter Terrorism Law of 2016. Israel is bound, in accordance with international humanitarian law, to protect Palestinians in the occupied territories. Additionally, we warn that in the absence of adequate prevention, investigation and prosecution of those involved within the Israeli legal system, those involved - whether civilians or military commanders - may be liable to prosecution before the International Criminal Court, and before courts in other countries.