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Spokesperson for Israeli Defense Forces
State of Israel

cc:
Mr Benny Gantz, Minister of Defense
Attorney Ruth Bar, Assistant to the Minister of Defense

June 21, 2021

Re: Israeli Military Operations in Gaza from May 10 to 21, 2021

To whom it may concern,

I am writing on behalf of Human Rights Watch, a nongovernmental organization whose work involves investigating and documenting violations of international human rights and humanitarian law by states and non-state armed groups in over 90 countries around the world.

Human Rights Watch has carried out research on alleged violations of the laws of war during the armed hostilities between Israel and Palestinian armed groups from May 10 to 21, 2021 in Israel and the Occupied Palestinian Territory. We intend to publish our findings in the near future.

In furtherance of this research, we previously requested access to Gaza for several members of our staff. To date, we have not received a reply.

We would also be pleased to come to Israel to discuss these issues with you or appropriate colleagues.

To ensure our reporting is fair and accurate, we seek your response to several questions regarding research we have carried out on several attacks in Gaza, set out below. In order to be able to reflect your views and information in our forthcoming reporting, we would appreciate if you could provide us with a reply by July 4, 2021.

We are investigating several apparent Israeli military attacks that struck large residential and business buildings within Gaza City, including the following four structures that were destroyed or badly damaged, on the following dates:

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- a. Hanadi tower on May 11 (36RXV 36130 88341)
- b. Jawhara tower on May 12 (36RXV 37965 87764)
- c. Shorouk tower on May 12 (36RXV 37559 87685)
- d. Jalaa tower on May 15 (36RXV 37895 87562)

We are also investigating several other Israeli military attacks that took place at the following locations and dates:

- e. Civilians on a path near al-Basha Farm in the al-Thahrah area at the end of al-Masriyeen Street, east of Beit Hanoun, just after 6 p.m. on May 10 (36RXV 47103 89844)
- f. Residential building in al-Shati refugee camp near the al-Sosi mosque between 4:30 and 5 a.m. on May 11 (36RXV 37344 89117)
- g. Residential building in al-Shati refugee camp at about 1:30 am on May 15 (36RXV 37285 89086)
- h. Homes of the al-Oluf and al-Qolaq families on al-Wehda street in Gaza City's al-Rimal district at about 1 a.m. on May 16 (36RXV 37436 88238 / 36RXV 37445 88230 / 36RXV 37500 88181)

For each attack, we would appreciate detailed answers to the following questions, as well as any other information that will shed light on the specific attack and any investigations you may have undertaken:

1. Is the Israeli military aware of an attack that occurred at the given time in the given location? Did the Israeli military conduct the attack described?

If yes:

2. What was the intended target of the attack? Was the target hit?
3. What was the military objective or objectives attacked? Please provide as much detail as possible.
4. What was the expected military advantage of the attack?
5. Was the attack on a pre-planned target or was it carried out in response to developing events on the ground?
6. Before conducting the attack, what steps did the Israeli military take to ascertain whether there were civilians or civilian objects in the vicinity of the attack?
7. On what information was this assessment based?
8. On what basis did the Israeli military determine that incidental civilian loss of life or property from the attack was not excessive compared to the concrete and direct military benefit of the attack?

9. How did the Israeli military assess expected civilian harm? In addition to expected civilian casualties and destruction of civilian structures, did it include damage to infrastructure such as electricity and water transmission, sewage lines, roads, and other property?
10. What precautions did the Israeli military take to minimize civilian harm including the choice of means and methods of attack?
11. Did the Israeli military issue a warning to civilians?
 - i. If yes, please share the details of what the warning included, how it was shared, to whom, in what language, and how long before the attack.
 - ii. If not, why not?
12. Has the Israeli military investigated the impact this attack had on civilians and civilian objects in the vicinity of the attack?
 - i. If yes, what were the findings? On what information were these findings based?
 - ii. If an investigation concluded that serious violations of the laws of war occurred, what accountability measures and redress mechanism will be pursued?

Finally, how many investigations have you opened into attacks launched by the Israeli military in Gaza between May 10 and May 21 and what is the status of those investigations?

We would be pleased to reflect the responses that you provide in our reporting if we receive a written response by July 4, 2021. Thank you for your attention to these important matters.

Should you have any questions or comments, please contact me at [REDACTED]. We remain available to come to Israel to discuss these issues with you or appropriate colleagues.

Sincerely,

[REDACTED]

Eric Goldstein
Acting Executive Director
Middle East and North Africa Division
Human Rights Watch