

DATA SHEET, DECEMBER 2022

LAW ENFORCEMENT AGAINST ISRAELI SOLDIERS SUSPECTED OF HARMING PALESTINIANS AND THEIR PROPERTY

YESH DIN FIGURES FOR 2017-2021

- The odds of a complaint regarding harm caused to Palestinians by a soldier culminating in an indictment filed against the soldier is just 0.87%
- Only 21.4% of all complaints resulted in an investigation
- As of December 2022, only eleven cases (4.4%) out of the total investigations opened in 2017-2021 (248 cases) resulted in indictments being filed
- Soldiers who are prosecuted for killing Palestinians receive very lenient sentences
- The military does not investigate all cases in which Palestinian civilians are killed

Every year, Yesh Din publishes up-to-date figures on military law enforcement against Israeli soldiers suspected of harming Palestinians and their property in the West Bank and the Gaza Strip. The information is based on data provided to Yesh Din by the Israeli military in response to requests made pursuant to the Freedom of Information Act, as well as multi-year monitoring of military law enforcement by Yesh Din.

This data sheet provides a summary of a five-year period, demonstrating that military law enforcement authorities systematically avoid investigating and prosecuting soldiers who harm Palestinians. In so doing, the military is failing to uphold its duty to provide Palestinian residents with protection against offenses committed by Israeli soldiers and commanders under the auspices of Israel's ongoing occupation and as an inevitable outcome of it.

Despite the large number of complaints regarding harm to Palestinians at the hands of soldiers each year, investigations are opened only in a minority of the cases, and the number of indictments filed against the implicated soldiers is minuscule. Finally, even in the rare cases in which soldiers are convicted of offenses against Palestinians, the military courts hand down extremely lenient sentences. All of this speaks to a reluctance on the part of the military law enforcement system to take appropriate action concerning crimes committed by soldiers against Palestinians.

The figures provided below indicate that the military law enforcement system is used to whitewash crimes committed against Palestinians by Israeli soldiers.

The figures in brief -

Soldiers offenses against Palestinians 2017-2021 - case outcomes



COMPLAINTS REGARDING ALLEGED OFFENSES COMMITTED BY SOLDIERS AGAINST PALESTINIANS, 2017-2021

Between 2017 and 2021, the Military Advocate for Operational Matters, or MAOA,¹ received **939 complaints² concerning suspected soldier offenses against Palestinians or their property.³** An additional **234 complaints** were examined separately by a body known as the General Staff Fact-Finding Assessment Mechanism

- 1 The Military Advocate for Operational Matters, or MAOA, is a department within the Military Advocate General Corps (MAGC) charged inter alia with handling offenses by soldiers who harmed Palestinians or their property in the West Bank and the Gaza Strip.
- 2 In this document we will use the terms complaint or case to refer to all the cases, reports and complaints brought to the attention of the military regarding soldiers harming Palestinians and their property.
- 3 Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), April 3, 2019; Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), July 20, 2019; Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), April 7, 2020; Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), May 3, 2021; Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), September 19, 2022;

(FFA-Mechanism),⁴ following the killing of Palestinian protesters by soldiers during the Great March of Return protests near the Gaza perimeter fence between March 2018 and December 2019. Three more Palestinian fatalities during the Great March of Return protests resulted in a criminal investigation without prior inquiry by the FFA-Mechanism.⁵ In addition, 84 cases in which Palestinians were killed or wounded during Israel's offensive on Gaza in May 2021, known as "Operation Guardian of the Walls",⁶ were also referred to the FFA-Mechanism.⁷ And so, according to military figures, **from 2017 to 2021, its law enforcement system was made aware of a total of 1,260 cases of alleged offenses by Israeli soldiers against Palestinians.**

It is important to note that the number of complaints received by the Military Advocate General Corps (MAGC) each year does not reflect the total number of incidents in which soldiers acted in a manner that raises suspicion of a criminal offense against Palestinians but only the number of cases in which the harm was reported by the crime victims themselves or other parties.

Many victims have no interest in filing a complaint with the same entity that controls every aspect of their lives as part of a regime of military occupation and which they experience as an oppressive institution that is not designed to serve the Palestinian residents, much less help them assert their rights. In many cases, crime victims are

- 4 The General Staff Fact-Finding Assessment Mechanism is a body headed by a senior officer, established during the military offensive in the Gaza Strip in the summer of 2014 (Operation Protective Edge) for the purpose of performing preliminary inquiries into exceptional incidents during the fighting. It has since served as a standing mechanism for inquiries into alleged breaches of the laws of war. These preliminary inquiries are not criminal investigations, and their findings are forwarded to the Military Advocate General (MAG), who has exclusive authority to decide whether or not to criminally investigate the incident. Of the 234 fatalities during the Great March of Return protests that were referred to the FFA-Mechanism for review, only one indictment was served against a soldier. For more see, Yesh Din, [Killing Time: The slow processing of complaints regarding Gaza Great March of Return casualties and the use of the Fact-Finding Assessment Mechanism to thwart prosecution of soldiers](#) **Killing Time: The slow processing of complaints regarding Gaza Great March of Return casualties and the use of the Fact-Finding Assessment Mechanism to thwart prosecution of soldiers** (November, 2020). Yesh Din, [Killing Time - Updated figures, April 2021](#) (April 2021).
- 5 Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), May 10, 2021.
- 6 The complaints referred to the FFA Mechanism in relation to the Great March of Return protests include only deaths. The hundreds of severe injuries caused by soldiers during the protests were not referred to the FFA Mechanism, unlike the military assault known as "Operation Guardian of the Walls," in which cases referred to the FFA Mechanism did include injuries.
- 7 For more, Yesh Din, [Investigating Themselves - Results of the military law enforcement system's examination of incidents of Palestinians killed and wounded in the Gaza Strip during "Operation Guardian of the Walls"](#) (May 2022).

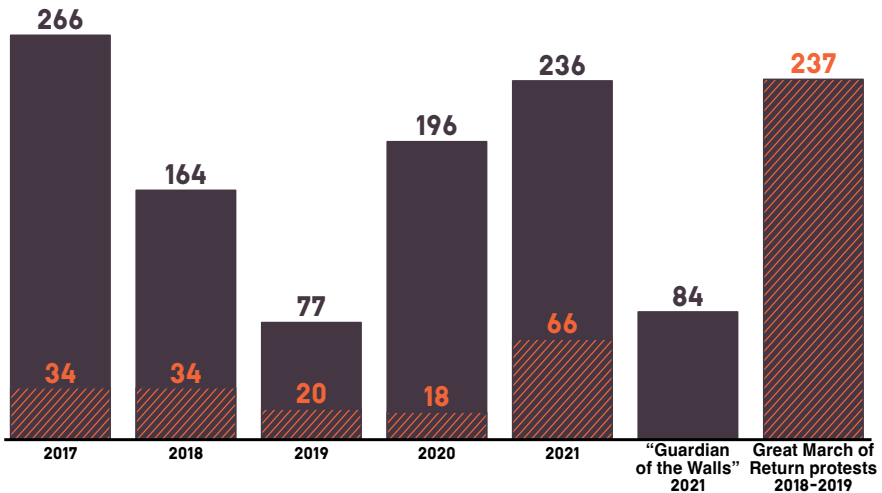
fearful that complaining against soldiers would result in further harm to themselves or their family members in the form of denied work permits.

Moreover, Palestinian victims of soldier offenses who do want to file a complaint find it difficult to do so as the system is often inaccessible to them. Theoretically, offense victims may file a complaint with one of the District Coordination and Liaison Offices (DCOs) operating in the West Bank, but according to Yesh Din's experience, these complaints are usually transferred to the investigating authorities at a great delay, if at all.



1,260 complaints regarding suspected crimes by soldiers against Palestinians, including at least 409 fatalities*

■ investigations ■ investigations opened following fatalities



*The information provided to Yesh Din about the military assault known as Operation Guardian of the Walls did not include segmentation that allows distinguishing between fatalities and injuries.

The number of complaints presented here also does not reflect all offenses committed by members of Israeli security forces against Palestinians in the occupied Palestinian territories (OPT) between 2017 and 2021. Offenses committed against Palestinians by police officers, Israel Security Agency personnel and private security guards operating in the OPT are examined separately. The military does have the authority to make inquiries and investigations into shooting incidents involving Border Police officers in the West Bank, who are subordinate to the military commander. However, until

October 2019, such incidents were not handled by the MAGC but rather investigated separately by the Department of Police Investigations.

The MAGC classifies all complaints and updates it receives regarding alleged offenses committed by soldiers against Palestinians as “reports.”⁸ Information about soldiers’ offenses against Palestinians almost always comes from a third party or a go-between and only rarely due to an active, direct demand from the victims themselves to investigate what was done to them and to pursue justice.⁹

Given the aforesaid, complaints regarding soldier offenses against Palestinians are forwarded to the MAGC mainly by human rights organizations, the Israel Police, via military units’ operational reports, lawyers, private individuals, the Ministry of Justice, media reports and sources the military defines as “other.” This category includes information received through military court hearings in the OPT, information given by Palestinian suspects to the police, soldiers’ statements to the Military Police Criminal Investigation Division and reports from the MAGC unit in the West Bank.

INCIDENTS OF FATALITIES TRANSFERRED TO THE MAGC FOR REVIEW

According to information provided to Yesh Din by the military, at least 172 of the complaints brought to the military’s attention between 2017 and 2021 involved the killing of Palestinians by Israeli security forces. This is in addition to the 237 cases in which Israeli soldiers killed Palestinians during the Great March of Return protests in 2018- 2019. In other words, between 2017 and 2021, the military received at least¹⁰ 409 complaints regarding cases in which soldiers killed Palestinians.

INVESTIGATIONS OF SOLDIERS’ OFFENSES AGAINST PALESTINIANS

Unlike complaints submitted to the police following suspected offenses committed by civilians, complaints filed with the MAGC regarding offenses by soldiers do not automatically result in an investigation. According to replies from the military, between 2017 and 2021, the military police opened a total of 248 investigations concerning harm

8 Using the term “report” expresses deliberate separation from criminality. This is also evidenced in the fact that reports brought to the attention of the MAGC do not necessarily lead to an investigation.

9 Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), September 19, 2022, Section 8.

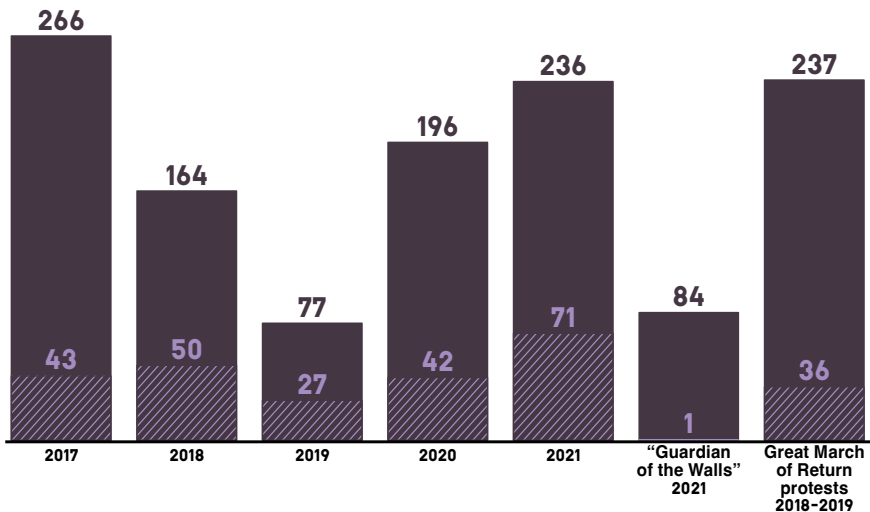
10 It is safe to assume that the number of complaints concerning the killing of Palestinians by soldiers is higher. The information the military provided about the military offensive known as Operation Guardian of the Walls did not include segmentation that allows distinguishing between killings and other cases.

to Palestinians by soldiers.¹¹ As noted, the total number of cases raising suspicions of soldier offenses brought to the attention of the MAGC and FFA Mechanism was 1,260. In other words, according to figures provided to Yesh Din, only 21.4% of the complaints resulted in an investigation.



Investigations concerning suspected offenses by soldiers against Palestinians opened in 2017-2021*

■ complaints ■ investigations



*Some of the investigations opened in 2017 related to complaints from previous years.

INVESTIGATIONS OPENED FOLLOWING FATALITIES

According to Israeli human rights organization B'Tselem, between 2017 and 2021, Israeli security forces killed 819 Palestinians in the OPT, including 199 in the West Bank (East Jerusalem included).¹² The United Nations Office for the Coordination of

11 All told, 270 complaints resulted in 248 investigations. According to the military's response, 36 cases in which soldiers killed Palestinians during the Great March of Return protests led to the opening of 14 investigations. The difference results from the fact that in several cases, the military opened a single investigation into several killing incidents that occurred at the same site. Military Spokesperson to Yesh Din, [Response to Application under the Freedom of Information Act](#) (Hebrew), May 10, 2021;

12 B'Tselem, [Fatalities Database](#).

Humanitarian Affairs (OCHA) published similar figures, according to which, in the relevant period, Israeli security forces killed 864 Palestinians in the OPT, including 204 in the West Bank. According to OCHA figures, at least 614 of the casualties were civilians.¹³ Despite these grim figures, the military informed Yesh Din that it opened no more than 117 investigations into incidents in which Israeli soldiers killed Palestinians in the years 2017-2021.¹⁴

INDICTMENTS FILED FOLLOWING INVESTIGATIONS OPENED IN 2017-2021

As noted, only a fraction of the complaints resulted in investigations. Still, an even smaller percentage of the investigations lead to indictments filed against soldiers. According to data provided to Yesh Din by the military, in 2017-2021, only 11 investigations culminated in indictments filed against soldiers for offenses against Palestinians. **Only three of these were in incidents involving the killing of Palestinians.**¹⁵

In other words, out of 1,260 complaints regarding suspected soldier offenses against Palestinians brought to the attention of the military law enforcement system in 2017-2021 (including at least 409 cases in which soldiers killed Palestinians), only 248 investigations were opened. Of these investigations, only 11 resulted in indictments. Meaning, soldiers were prosecuted in only 0.87% of the total number of complaints against them,¹⁶ which already represents only a fraction of the actual incidents.¹⁷

Investigations that did lead to indictments and significant sentences, such as prison terms, involve cases in which the military seemed to have a clear interest in improving its image and maintaining the appearance of a functioning law enforcement system. This is evidenced in the fact that the majority of indictments filed in 2017-2021 pertain to

13 OCHA, [Data on casualties](#).

14 This figure includes 36 investigations into the deaths of protestors during the Great March of Return protests in Gaza; see supra note 5.

15 Another indictment was filed regarding an incident in which a soldier robbed Palestinians while on leave in 2021. This incident was not included in the data reported in this document because it did not occur during operational activity and was not treated by the military as such. The military draws a distinction between suspected criminal offenses committed during operational activity and those committed outside such activity. As a result, this incident was not investigated by the National Operational Investigation Unit, the unit that investigates incidents defined as operational, including offenses committed by soldiers against Palestinians and their property. This is why the case was not included in the figures the military reported to Yesh Din.

16 See supra note 11.

17 For instance, reports referred to the FFA Mechanism in relation to the Great March of Return protests include only deaths and exclude hundreds of severe injuries caused by soldiers.

incidents that were caught on camera or ones perceived as damaging to the military's image, such as property offenses and abuse of detainees.

In the few cases in which soldiers involved in the killing of Palestinians were prosecuted, the charges were relatively minor, including involuntary manslaughter, abuse of authority to the point of endangering life, and negligent harm. The sentences convicted soldiers received were absurd given the gravity of the incidents. For instance, in 2017-2021, soldiers prosecuted for killing Palestinians were sentenced to military community service only and for short periods of time.¹⁸

This conduct demonstrates the military law enforcement system's complete disregard for Palestinians' lives, precludes any possibility of deterrence and encourages the continued use of the deadly trigger-happy policy that has claimed so many Palestinian lives.

The few indictments that were filed, which concern acts of violence that are inherent to a situation of prolonged military occupation, allow the military to maintain the illusion that it is a law-abiding system and deflect outside criticism without having to actually bring the people responsible for the ongoing abuse of the rights of Palestinians living under Israel's regime to justice.

¹⁸ Court-Martial Case **Land Forces (District)** 286/19, Court-Martial Case **Central (District)** 111/20, Court-Martial Case **Homefront (District)** 27/20.

Exceptions: Details of indictments



Investigations resulting in indictments in 2017-2021



INDICTMENTS FILED IN CASES INVOLVING THE KILLING OF PALESTINIANS

In September 2019, an indictment was filed against Sergeant A.M., a former soldier who, during his service, shot and killed Othman Rami Hillis, a 14-year-old Palestinian boy, during the Great March of Return protests. The incident was caught on camera and reported by the media. According to the indictment, the soldier shot the teenager without receiving his commanders' permission and contrary to the rules of engagement and the instructions given to the soldiers ahead of time.¹⁹ In October 2019, as part of a plea bargain, the soldier was charged with the minor offense of abuse of authority to the point of endangering life or health. He was given an extremely light sentence of just **30 days military community service**, a suspended prison term and a demotion.

In May 2020, an indictment was filed against a soldier in the paratrooper corps who, in November 2018, opened fire on a group of Palestinians on the northern coast of the Gaza Strip and killed Nawaf Ahmad al-Attar, a 23-year-old

¹⁹ Court-Martial Case **Land Forces (District) 286/19**.

Palestinian who was fishing at the time.²⁰ The soldier was convicted in a plea bargain of the minor offenses of abuse of authority to the point of endangering life or health and negligent harm. He was given a lenient sentence of **45 days military community service**, a suspended prison term and a demotion.

In July 2020, an indictment was filed with respect to an incident that occurred in 2019. On the evening of March 20 that year, a soldier standing in the watch tower at the intersection at the southern entrance to Bethlehem (Al-Nashash) opened fire on a Palestinian family whose car had been involved in a road accident. He then proceeded to fire at people who came to the family's aid. The soldier killed Ahmad Manasra, as he approached to assist the family, and seriously wounded Ala Raida, the father.²¹ As part of a lenient plea bargain, the soldier was convicted of involuntary manslaughter and sentenced to **just three months of military community service**.

INDICTMENTS FILED FOR SOLDIERS' OFFENSES AGAINST PALESTINIANS

In November 2018, an indictment was filed against a soldier from the Kedem battalion of the Home Front Command for beating a blindfolded and handcuffed Palestinian detainee.²² The soldier was charged with aggravated physical abuse and misconduct. Yesh Din has no further details about this proceeding, whether it has concluded or details of the outcome.

In May 2019, an amended indictment was filed with the military court against N.Y., a soldier who, in November 2017, during his military service, beat a Palestinian minor in the city of Hebron with his weapon.²³ The assault was documented by a B'Tselem field researcher. According to the amended indictment, the soldier was charged with causing injury. In May 2019, he was sentenced to 30 days in prison, a demotion and a 75-day suspended prison term for three years.

In February 2019, five soldiers and an officer with the rank of lieutenant from the 97th Netzah Yehuda Battalion were put on trial. According to the indictments, the soldiers punched a father and son who had been detained and beat them

20 Court-Martial Case **Central (District) 111/20**.

21 Court-Martial Case **Homefront (District) 27/20**.

22 Court-Martial Case **Homefront (District) 34/18**.

23 Court-Martial Case **General Staff (district) 107/19**.

with various objects. The victims were handcuffed and blindfolded at the time.²⁴ One of the soldiers filmed the abuse and the military court cleared the footage for publication. The five soldiers were convicted of aggravated physical abuse, negligent harm, and misconduct. As part of a plea bargain, the military court sentenced three of the soldiers to six months in prison and a demotion. Another soldier convicted of the detainees' abuse was sentenced to five and a half months in prison and a demotion, and the fifth soldier was sentenced to two months in prison and a demotion. The military court sentenced the officer to 60 days in prison and a demotion to the rank of private.

In October 2020, an indictment was filed against a soldier on suspicion of causing damage to a Palestinian's property.²⁵ According to the indictment, the soldier, who was documented by a B'Tselem field researcher, punctured the tires of a vehicle owned by a Palestinian during a demonstration in Kafr Qaddum. The soldier was convicted of willful damage and given a lenient sentence of 30 days military community service, a suspended prison term and a demotion.

In January 2021, four indictments were filed against four soldiers from the 51st Battalion of the Golani Brigade following an investigation opened in 2020.²⁶ According to the indictments, the soldiers beat and abused a handcuffed Palestinian after he was arrested in an area under Palestinian control in the city of Hebron and taken to an area under Israeli control. One of the soldiers, Staff Sergeant L.A., was convicted of physical abuse and sentenced to 45 days military community service, a suspended prison term and a demotion. Staff Sergeant A.D. was convicted of physical abuse and sentenced to 37 days military community service, a suspended prison term and a demotion. Corporal A.H. was convicted of dishonorable conduct and sentenced to 30 days military community service, a suspended prison term and a demotion. Yesh Din has no further details about the proceedings against Staff Sergeant A.L., whether they have concluded or details of the outcome.

Three indictments were filed in 2021 against three soldiers of the 97th Netzah Yehuda Battalion for aggravated physical abuse with a conspirator.²⁷ According

24 Court-Martial Case **Central (District) 56/19**.

25 Court-Martial Case **Central (District) 215/20**.

26 Court-Martial Cases **North (District) 15/21, 16/21, 17/21 and 36/21**.

27 Court-Martial Cases **Central (District) 274/21, 281/21 and 282/21**.

to the indictments, the three soldiers beat and physically abused a detained Palestinian. One of the soldiers pressed his weapon to the detainee's head and threatened him, saying, "How about I shoot you...". The other two soldiers relentlessly punched the detainee and beat him with their weapons while he was handcuffed, blindfolded, and lying on the floor of the military vehicle. Corporal H.A.K. was convicted of aggravated physical abuse with a conspirator and sentenced to 165 days in prison, a suspended prison term and a demotion. Sergeant S. A. was convicted of aggravated physical abuse with a conspirator, obstruction of justice and misconduct. He was sentenced to 135 days in prison, a suspended prison term and a demotion. Despite the serious charges, one of the indictments (Court-Martial Case Central (District) 282/21) was canceled. Yesh Din has no information about the reason for the cancellation.

In February 2022, two indictments were filed against a soldier and an officer with the armored corps following an investigation from 2021.²⁸ According to the indictments, in May 2021, as another soldier stood guard, the two entered the parking space of a Palestinian home in the town of Tekoa and, using knives, proceeded to slash the tires of two cars owned by the couple living in the house. The incident was captured on a security camera. Lieutenant Y.Z. was convicted of willful damage and secondary charges of misconduct. Sergeant M.K. was convicted of malicious damage to a vehicle with a conspirator. The officer was sentenced to 42 days military community service, a two-month suspended sentence for three years, payment of NIS 1,500 in compensation to the victims, and a demotion to the rank of second lieutenant (which still allows him to serve in a command position in the reserves). Sergeant M.K. was sentenced to 30 days military community service, a three-month suspended sentence for two years, payment of NIS 1,500 in compensation to the victims, and a demotion.²⁹

In March 2022, two indictments were filed against two soldiers from the Kfir Brigade, Staff Sergeant H.B. and Staff Sergeant Z.F., following an investigation from 2021. According to the indictments, in April 2021, the two threw a stun grenade at houses in the al-Bira neighborhood of Ramallah for no apparent reason. Subsequently, one of the soldiers released the safety catch of a stun grenade and placed it on the ground, underneath a rock, so it would be hidden

28 Court-Martial Cases **South (District) 45/22 and 46/22**.

29 The crime victims were represented by Yesh Din. For more see: Yesh Din website, [The exception to the rule: Two Israeli soldiers convicted after destroying Palestinians' property](#)

from view, effectively creating a booby trap, as the grenade would have gone off as soon as someone moved the rock. After some time, the two soldiers decided to detonate the grenade and threw it near Palestinian homes. H.B. was sentenced to a suspended prison term and a NIS 2,000 fine; Z.F. was sentenced to a suspended prison term and a NIS 1,500 fine.

Yesh Din is mostly funded by foreign governmental entities. A list of our donors is available on the Israeli Associations Register's website and on our website. Yesh Din is proud to be funded by states that believe, as we do, that the occupation is not an internal Israeli matter and that support the advancement of human rights.