

Lethal Weapon .22

Deadly use of Ruger-type weapons
against Palestinians in the West Bank



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Yesh Din, October 2023

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Cover: Israeli sniper aiming a Ruger 10/22 rifle at Palestinians during a demonstration in Qalandia. Photo: Activestills

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Introduction

Israel has kept the West Bank and the Gaza Strip under military occupation for more than 56 years.¹ This prolonged control, combined with extensive colonization in the West Bank, has reached a level where it constitutes the crime against humanity of apartheid. Palestinians living under Israeli occupation suffer from institutionalized, systematic discrimination in rights and resources, while Israelis living in the same territory enjoy a set of privileges.²

Since the Israeli occupation is a foreign military rule, maintaining Israeli control over the Palestinians relies on the use of force. Consequently, Israeli security forces suppress any expression of Palestinian resistance to the occupation, including protests, which the occupation regime banned from the very beginning.³ Military and police forces operating in the West Bank use a variety of weapons, which can be sub-categorized into **potentially lethal weapons**, such as the service assault rifles soldiers carry, and **non-lethal weapons** used for riot control, such as stun grenades, rubber-coated metal bullets and tear gas.

This report focuses on Ruger firearms and the .22 inch ammunition they use.⁴ In 2001, the Military Advocate General (hereinafter: MAG) determined that the Ruger was not a riot control weapon and that the rules for using it must be restrictive and match the rules governing the use of potentially lethal weapons.⁵ In other words, the Israeli security establishment is fully aware of the fact that this firearm can cause death or severe injury and that it is not meant for dispersing demonstrations. Nevertheless, the Ruger is still used, with lethal effect, both for riot control and for stopping Palestinian attempts to cross the separation fence. Both types of incidents are civilian in nature and do not feature clear and immediate danger to the safety of Israeli soldiers, police officers or civilians.

1 This report was prepared and written before the war that began on October 7, 2023. All content and data presented in it are correct as of the beginning of October 2023. While the features of Israel's control over the Gaza Strip have changed since Israel withdrew from the Strip in 2005, it is still a regime of occupation according to international law, albeit distinctly different from the type of control in the West Bank. Israel controls Gaza's land border crossings and the movement of people in and out of it; it controls the entry of goods and commodities, including food and fuel; it controls Gaza's sea and air spaces and travel in them, the population registry, the supply of water and the functioning of essential infrastructure, as well as other critical areas of control. For more: ICRC, [What does the law say about the responsibilities of the Occupying Power in the occupied Palestinian territory?](#), 28.3.2023.

2 Yesh Din, [The Israeli Occupation of the West Bank and the Crime of Apartheid: Legal Opinion](#) (July 2020).

3 Order Regarding the Prohibition of Acts of Incitement and Hostile Propaganda (No. 101) 5727-1967.

4 This document will use two terms to refer to this weapon - Ruger, the general term, or .22 to describe the sniper firearms that use .22 ammunition.

5 Amos Harel, "Ruger Use in Occupied Territory to be Restricted", [Haaretz](#), December 26, 2001 (Hebrew).

The military considers the open-fire regulations classified and does not release them to the public. However, the test cases included in this report indicate that despite the military's declarations, commanders, soldiers and police officers have a more casual approach to using Ruger and .22 firearms than other weapons, such as the service assault rifles issued by the military and the police. The understanding that the Ruger can be a deadly weapon is not properly instilled in soldiers and police officers, who perceive it as non-lethal. The military's dual approach, legally defining the Ruger as a lethal weapon but using it for crowd control, combined with soldiers' and commanders' ignorance about its lethal capabilities, have effectively made it a deadly instrument for hurting people who do not pose a threat to human life.

It is impossible to determine exactly how many people have been killed by Ruger firearms. The .22-inch bullets used in Rugers and the 5.56-millimeter rounds used in military and police-issued assault rifles are almost identical in diameter, making it difficult to determine which bullet caused an injury without scientific testing. According to statistics published by Israeli human rights NGO B'Tselem, since 2009, Israeli soldiers and police officers have killed at least 16 Palestinians in the West Bank using .22 ammunition.⁶ According to Israeli Ministry of Defense figures, between 2016 and 2022, Israeli security forces killed 12 Palestinians with Ruger guns in the West Bank.⁷ However, as noted, the numbers may be much higher.⁸

From soldiers and police officers on the ground to the officers in charge of drafting and handing down the open-fire regulations, to the military law enforcement system that whitewashes the killing of Palestinians, Israel's entire security establishment displays criminal disregard for Palestinian lives. This report aims to shed light on the deadly policy of unwarranted use of Ruger fire and tell the story of a handful of young victims who needlessly lost their lives because of it.

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

7 Hagar Shezaf, "Israeli Army's Riot Control Rifle Killed Eight Palestinians in 2021, Eight Times Last Year's Tally", **Haaretz English website**, November 7, 2021. These are military figures, which do not include shooting incidents near the Gaza border, or police figures, meaning it is possible that more Palestinians were hit.

8 Notably, Israel's trigger-happy policies have claimed many Palestinian victims in recent years, with 2023 being one of the deadliest for Palestinians in the West Bank. According to UN figures, between January and September, Israeli security forces killed at least 200 Palestinian civilians in the West Bank (including East Jerusalem), 45 of them children. For more: [Data on casualties](#), OCHA.

Terms

The military deliberately obscures the Ruger's classification, referring to it as a crowd control weapon in some cases and as live fire in others. However, it is important to note that **Ruger or .22 fire is live fire for all intents and purposes**, meaning this is a lethal, not a non-lethal weapon.

The following terms will be used in this report:

Non-lethal weapons: A variety of weapons purported to be non-lethal, meaning they are not designed to cause irreversible or lethal damage. Non-lethal weapons are used to disperse demonstrations and include rubber-coated metal bullets, stun grenades, sponge bullets and water cannons. These weapons are usually used in situations in which there is no legal justification to use potentially lethal weapons, such as demonstrations. Though not intended to cause death, incorrect use of non-lethal weapons may cause serious injury or death.

Lethal/potentially lethal weapons: Weapons designed to inflict irreversible damage, i.e. serious injury or death, in terms of both firepower and intended use. Examples of light but potentially lethal weapons that endanger the lives of those targeted by them include the assault rifles used by the Israeli military (M4, M16, Tavor and Galil), which fire 5.56-millimeter bullets, alongside the Ruger and other weapons adapted to use .22-inch rounds.



Ruger SR-22. Photo: [Zachi Evenor, CC](#)

Ruger/.22: Ruger is a collective name for a wide variety of firearms that use .22 rounds. This is a relatively quiet sniper rifle with low recoil, mostly produced in the United States by Sturm Ruger & Co. It is intended for recreational target shooting and hunting. In Israel, these weapons have been adapted for military use. They are sometimes referred to as “Two-Two” guns for the size of the bullets used (0.22 inches or 5.59 millimeters).

The .22 rounds used with Ruger firearms are smaller and contain less gunpowder than 5.56-millimeter bullets used in assault rifles. Due to the smaller projectile size and lower impact compared to other live bullets, the Israeli security establishment considers .22 as having less lethal properties. However, as shown below, ballistic differences notwithstanding, this is dangerous, potentially lethal ammunition that can cause death or serious injury.

The Israeli security establishment uses Ruger 10/22 rifles fitted with a telescopic sight and a bipod. In 2015, the military and the police introduced the SR-22 Ruger into their arsenal. Israeli security forces have also been documented using .22 ammunition with M4 rifles modified to suit this type of bullet. Ruger operators (known in the military also as Rugerists or snipers) receive brief training on the use of these weapons, and today, “Ruger teams” can be found in the various military units in charge of dispersing demonstrations, making arrests or invading Palestinian communities.



Israeli sniper holding M4 rifle modified to use .22 ammunition. Photo: Oren Ziv, Activestills

The Right to Life: International Law

The right to life is considered the most basic right and a fundamental principle of the human rights system. It is enshrined in the international community's constitutive human rights documents, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, and it forms the basis for obligatory legal principles that prohibit a state or other party from taking a human life arbitrarily. This principle also lies at the foundation of the laws of war, such as the prohibition on deliberately killing civilians, protection for wounded and war prisoners, and the principle of proportionality.⁹

The use of potentially lethal force by official security forces threatens this primary right, and, therefore, the power given to Israeli armed forces to use lethal fire against people, including with Ruger firearms, must be subjected to explicit, stringent conditions set in law. In international law, two branches regulate the use of force with potential to cause death or serious injury: International humanitarian law (hereinafter: IHL) and international human rights law. Correspondingly, open-fire regulations vary by type of incident and permit the use of potentially lethal force in different situations.

The IHL standard vs. the law enforcement standard

In cases involving warfare or armed conflict between states or armed groups, the open-fire regulations would draw on IHL, a more permissive standard. On the other hand, if the context is policing or law enforcement operations involving interactions between armed forces and civilians, the open-fire regulations would draw on human rights law, which stipulates extremely stringent conditions for the use of fire.

IHL governs the violence exercised by parties to an armed conflict, and so, allows the use of lethal force in a wide range of circumstances, so long as the fighting between the armies, or non-state armed groups, continues. As an example, during an armed conflict, a warring party may use lethal force against the other at any given moment, with no requirement for an immediate mortal threat by the opposite party's armed forces, since they are a collective threat.

However, one of the guiding principles of IHL is the fundamental distinction between civilians and combatants, which is why IHL prohibits targeting civilians and, generally, requires parties to a conflict to avoid targeting civilian objects.¹⁰ Proportionality is another key principle of IHL, requiring parties to avoid attacking legitimate targets if the attack is expected to cause collateral damage to civilians and civilian objects to a degree that

9 UN General Assembly, "Universal Declaration of Human Rights," 217 (III) A (1948). UN General Assembly, International Covenant on Civil and Political Rights, 16 December 1966.

10 Additional Protocol (I) to the Geneva Conventions, 1977, Art. 48.

exceeds the military advantage gained if the attack were successful.¹¹ A third principle of IHL requires taking precautions during an attack. In other words, even when the object of the attack is a legitimate target, and even when the attack is not expected to result in disproportionate harm to civilians or civilian objects, the attacking side must take precautions to reduce collateral damage. The obligation to choose weapons and munitions that reduce harm to civilians is extrapolated from this principle.¹²

The law enforcement standard is rooted in international human rights law, chief among them the rights to life and to due process.¹³ In policing and law enforcement operations, the rules surrounding the use of lethal weapons are far more restrictive compared to IHL, and it is allowed only when certain conditions are met. Within this framework, firepower with potential to cause death or serious injury may only be used as a last resort and only when the person targeted poses a serious, immediate threat to human life. **In other words, contrary to IHL, under the law enforcement standard, potentially lethal force may be used only for immediate protection of human life, even during violent incidents, and may not be used preventatively.**

The UN declaratively adopted these rules and established criteria for the use of force by law enforcement officials, particularly during demonstrations.¹⁴ According to these principles, enforcement officials may deliberately use potentially lethal weapons against civilians during “violent assemblies” only for self-defense or for defending others from “the imminent threat of death or serious injury.” Moreover, such weapons may be used only when other, non-lethal measures, such as crowd control weapons, have been tried and proven ineffective in warding off the threat. These principles also stipulate the authorities must investigate use of lethal weapons against civilians during demonstrations.¹⁵ The European Union adopted similar rules in 2001, stating that police officers must respect everyone’s right to life.¹⁶

The Commission of Inquiry to Investigate Clashes between Security Forces and Israeli Civilians in October 2000 (hereinafter: the Or Commission) adopted similar principles, ruling that law enforcement officials should use potentially lethal weapons only in the presence of a real, concrete threat to human life and only if less injurious measures had proven ineffective. On the issue of sniper fire during riots and demonstrations, the Or Commission stated: “It should be made unequivocally clear that use of live fire, including by snipers, is not a tool for the police to disperse crowds. Live fire is a tool for addressing

11 Geneva Conventions, Additional Protocol I (1977), Art. 51(5)(b).

12 Additional Protocol (I) to the Geneva Conventions, 1977, Art. 57.

13 [UN International Covenant on Civil and Political Rights \(1966\)](#), Art. 6.

14 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba (1990).

15 *Ibid.*, Principles 9 and 14.

16 Council of Europe, On the European Code of police ethics, Section V 35-37, (2001).

special situations, such as real and immediate danger to human life or hostage rescue operations.”¹⁷ The Supreme Court has also highlighted the prohibition on using potentially lethal force in the absence of a clear, imminent threat to human life, ruling that use of force when there is no such threat would be disproportionate and therefore illegal.¹⁸

Although Israel deploys military forces in the West Bank, its security forces **engage mostly in policing and law enforcement operations**. Making arrests, controlling protests, staffing checkpoints, maintaining presence, and even suppressing sporadic acts of violence are, as a rule, policing operations carried out against unarmed civilians. For this reason, law enforcement is, necessarily, the applicable standard for the use of force by Israeli security forces in the West Bank. As noted, this standard is much more restrictive on the use of lethal force than IHL.



Israeli sniper aiming a 10/22 Ruger fitted with a silencer at protesters in Bethlehem. Photo: Ryan Rodrick Beiler, Activestills

It is important to distinguish between combat incidents during which security forces may use potentially lethal force according to IHL and criminal incidents, during which Israeli soldiers and police officers must adhere to the law enforcement standard. A committee set up to examine complaints and allegations of IHL breaches (hereinafter: the Turkel

17 Or Commission, **Chapter 6 - Summary and Conclusions**, Section 32.

18 CrimA 486/88, **Anconina v. Chief Military Prosecutor**, judgment dated September 4, 1989.

Committee) held that: “Only if the activities necessitating the resort to lethal force qualify as ‘direct participation in hostilities’ and are not mere internal disturbances and tensions, such as riots, isolated and sporadic acts of violence, is the situation governed by the rules regulating the conduct of hostilities.”¹⁹

While demonstrations, riots, and even violent attacks that are not part of a broad armed conflict have a potential for violence, they are distinctly civilian, and therefore, the applicable legal standard must rely on international human rights law. In other words, when responding to incidents of this type, Israeli security forces must use law enforcement tools only.

Therefore, potentially lethal force can be used against civilians if the following conditions are met:

1. A clear and imminent threat to the lives of soldiers, police officers or civilians.
2. Potentially lethal weapons are used as a last resort only, after other non-lethal measures have proven ineffective.

Contrary to the internationally accepted position, the Military Advocate General’s Corps (MAGC) tends to categorize incidents in the West Bank under varying legal standards. In 2011, the military introduced a policy whereby the MAGC would automatically launch a criminal investigation into every Palestinian death caused by soldiers’ activities in the West Bank (without a preliminary inquiry), except in incidents of a “real combat nature.” Yesh Din’s experience representing Palestinian victims reveals the MAGC applies an extremely broad interpretation to the phrase real combat nature.²⁰ The phrase itself is vague and has never been defined by the military, but it is used to label incidents with Palestinian fatalities as having taken place as part of warfare as a way of avoiding criminal investigations against soldiers and police officers. As a result, many complaints concerning events that fall squarely within the law enforcement paradigm, such as protests or demonstrations, are closed without investigations, even when they result in the killing of Palestinian civilians.

Israel’s security establishment deliberately obscures the distinction between combat and criminal incidents. However, even during war and under IHL, permission to use potentially lethal live fire hinges on the distinction between civilians and combatants, and, more specifically, between warfare incidents and law enforcement incidents. The

19 The Public Committee to examine the Maritime Incident of May 31, 2010, **Israel’s Mechanisms for Examining and Investigating Complaints and Claims of Violations of the Laws of Armed Conflict According to International Law** (2013), p. 110 (hereinafter: the Turkel Committee).

20 HCJ 9594/03 **B’Tselem et al. v. Military Advocate General**, Updating Notice on behalf of the Respondent, April 4, 2011.

Turkel Committee addressed this issue, holding that, “In situations involving traditional law enforcement activities during armed conflict the *lex generalis* of international human rights law applies, in order to fill a lacuna in international humanitarian law.”²¹ In other words, even during an armed conflict between states or armed groups, incidents such as demonstrations, riots, even sporadic acts of violence, are considered criminal incidents and, therefore, the applicable legal standard is law enforcement.

Research conducted by Israeli NGO Breaking the Silence reveals that in the vast majority of cases, soldiers never see the official open-fire regulations. Instead, they are shown a presentation of the regulations’ key points and taught about it verbally. The regulations conveyed to soldiers through this presentation are permissive and give soldiers on the ground wide latitude. According to Breaking the Silence, the official open-fire regulations, which most soldiers do not see, are primarily used by the military in litigation, as proof Israel meets international standards and as a legal defense for soldiers and police officers after the fact.²² An examination of the practical application of the open-fire regulations, meaning, the circumstances and incidents in which security forces fire at Palestinians, leads to the conclusion that life-threatening fire is often used in incidents in which there is no legal justification to open fire.

Yesh Din’s position, which draws on the clear provisions of international law detailed above, is that using potentially lethal fire against civilians, including with Ruger rifles, when the person targeted poses no immediate, tangible threat to human life is unlawful. The military and the police, nevertheless, persist in the prevalent practice of shooting at civilians who pose no immediate threat to human life during policing operations, and as a preventative measure designed to thwart what they refer to as riots or lead to an arrest. Not only that, but Israeli soldiers and police officers use Ruger fire to respond to Palestinian attempts to cross the separation fence, in a grave breach of the rules of international law on the use of potentially lethal fire.

The authorization to use Rugers in what are clearly policing operations shows Israeli security forces apply regulations drawn from IHL rather than law enforcement. This policy aims to exempt the military law enforcement system from properly investigating suspected abuses against Palestinians and absolve soldiers and police officers of criminal liability for their actions.

21 Turkel Committee, p. 69.

22 Breaking the Silence, Open-Fire Regulations, not yet published.

Lethal fire at civilians who cross the separation fence: The killing of Abdallah Gheith, 15



Abdallah Gheith. Photo courtesy of the family and B'Tselem

On the last Friday of the month of Ramadan, May 31, 2019, the Gheith family set off by car from their home in Hebron to Jerusalem: the father, Luai, his three daughters, his son Abdallah, and two other relatives. The family was going to Jerusalem to pray at al-Aqsa Mosque. Most of them, including Luai and his daughters, had permits to enter Jerusalem and so they planned to cross the Mazmuriyeh checkpoint by car. Two family members, including 15-year-old Abdallah, could not cross the checkpoint because Israel bans young residents of the West Bank from entering Jerusalem. And so, like many Palestinians who cross the separation fence daily without an official entry permit, the two decided to cross the separation fence and meet their relatives on the other side.

At approximately 8:00 A.M., the family arrived in the area between Wadi al-Hummus and Umm Tuba, where the separation fence consists of concertina wire at ground level, several meters of open space, and then another barbed wire fence. Many Palestinians cross the fence at this location. When the family arrived, several young people were already getting ready to cross the fence into

Jerusalem. According to testimonies provided by the family, they were unaware that there were soldiers or police officers nearby, and there were no signs of deadly danger at the time. According to the testimony of one family member, “The plan was that Abdallah and I, who didn’t have permits, would cross through the gap while the rest of the family drove to the checkpoint and crossed there, and meet up at the plaza outside the mosque. Luai parked the jeep and Abdallah, Luai and I got out. The girls stayed in the vehicle.”²³

Abdallah was first to cross the concertina fence. While he was standing between the two fences, a Border Police officer fired at him with a Ruger rifle without warning, in front of his father and family who stood watching. Abdallah was hit in the chest and fell to the ground; his family took him to a hospital in the Bethlehem area, where he was pronounced dead. Abdallah’s father described the moments of the shooting in his testimony to Yesh Din’s field researchers: “Abdallah was already about 30 meters away from the fence nearest to us, and then we saw a Border Police officer who came out and stood behind both fences [on the Israeli side]. The officer fired two bullets, and suddenly I saw Abdallah fall to the ground. I started yelling. It was the worst and most difficult moment of my life. I looked and saw that Abdallah wasn’t moving. I yelled at the Border Police officer: ‘You killed him. Why did you kill him?’”²⁴ A.R., who had also attempted to cross the fence, described the moments when the shooting occurred: “I was about half a meter away from him. When I heard there were soldiers, I immediately started running towards the gate to get out of the area. Suddenly, I heard ‘tick-tick’ and realized they had fired. I thought they had fired to scare us and drive us away. I turned around and saw Abdallah, who had fallen face down on the ground.”²⁵

Statements collected from police officers during the investigation opened by the Department of Police Investigations (DPI) following the incident shed light on the practice of firing a Ruger from an ambush **in the absence of any danger to the police force at the site** and when the attempted crossing can easily be stopped using non-lethal methods.

During questioning, the operations officer who ordered to fire at Abdallah said that prior to the shooting, the officers had “set up an ambush about 12 or 15

23 A.R, testimony provided to Yesh Din field researcher, July 8, 2019. The testimonies of eyewitnesses or relatives are quoted in this document as given to Yesh Din’s field researchers and volunteers. The testimonies were provided orally near the time of the incident, and, therefore, in some cases, sections irrelevant to the description of the incident were edited out. In some cases, we chose not to publish the eyewitnesses’ names due to privacy considerations and concern that the authorities might harm them.

24 Luai Gheith, testimony provided to Yesh Din field researcher, June 10, 2019.

25 A.R, testimony provided to Yesh Din field researcher, July 8, 2019.

meters from the fence. We lay in an ambush.” The officer described how easily permission is granted to direct lethal fire at a 15-year-old who poses no danger. After Abdallah approached the fence, “We saw he was fiddling with it in order to damage the fence itself. Then he climbed over the fence.” According to that same officer, permission to open fire was obtained once the youth climbed the fence in compliance with the open-fire regulations for Ruger fire. According to the officer, it was then that he gave the “marksman permission to shoot to the knees and below.”²⁶

Before opening fire, the police officers had been in an ambush, protected and concealed, with the intention of firing a Ruger without warning at anyone who attempted to cross the fence. The commander of the ambush said in his testimony that during that morning other measures were used against Palestinians who tried to cross the separation fence, including tear gas and stun grenades. Yet the investigation material indicates that the use of crowd control weapons and the authorization to use Ruger fire occurred long before Abdallah and his family arrived. Once the instruction was given to fire with a Ruger, the ambush commander and the sniper left the site to calibrate the weapon and returned 50 minutes later to set up the ambush. Abdallah was their first random victim. In other words, when the Gheith family arrived at the site, there was no indication that police officers or soldiers were present or that crowd control weapons were being used, no warning called out, and no shots were fired in the air before lethal fire was directed at a person.

The DPI investigation materials provided to Yesh Din indicate that the police officers’ conduct at the site, as well as their statements during the investigation show they were under no threat – either by Abdallah or in general. Abdallah was shot without any kind of warning. The shooting was not a means of last resort, and, most importantly, he did not pose a danger to anyone. Abdallah’s actions were a criminal offense at most, and the police officers at the site should have operated accordingly. The DPI’s investigation materials focused on the sniper having fired two bullets in contravention of the open-fire regulations, which permit firing a single shot aimed at the legs. The disregard for human life was summarized by the officers responsible for the shooting saying that the regulations had not been followed due to the sniper’s lack of professionalism.²⁷

The statement of the Police Operations Directorate Officer, provided to Yesh Din, reflects that the open-fire regulations applied to Palestinian attempts to cross the separation fence are, to say the least, permissive. According to the officer, in

26 Statement of ambush commander, June 1, 2020.

27 Ibid.



some parts of the separation fence, the open-fire regulations permit firing a Ruger at whoever is defined “an infiltrator and someone damaging the barrier” without performing the suspect arrest procedure. That is, near the fence, the open-fire regulations allow the use of potentially lethal fire against civilians who do not pose a mortal danger without warning.

According to the Police Operations Directorate Officer, there is no warning procedure and no response escalation in such situations: “These are sectors that were problematic in the past, and a decision was made to define them in a way that enables using fire in these arenas... It’s identifying an offense, and that’s it. As for the response to an incident of fence sabotage and an attempted infiltration – a suspect who comes to the fence and who has already crossed a significant part of the barrier, which includes crossing a trench and crossing the concertina, which is a barbed-wire fence, and there is also signage that warns of danger to whoever crosses in this area, meaning it constitutes a warning and makes the issue of the suspect arrest procedure moot. This means that if someone has already passed all this and reached the fence, you can open fire.”²⁸



A sign on the separation fence near Hizma, warning signage allows lethal fire.

28 Statement of the Jerusalem Envelope Operations Directorate Officer March 25, 2020.

Tens of thousands of Palestinians cross the separation fence every day without a permit. The Israeli authorities usually turn a blind eye to this widespread practice because it serves their interests. Most people who cross are looking for work due to the high rates of unemployment in the West Bank. This corresponds with the Israeli economy's need for cheap and accessible labor, even if it is not "legal."²⁹ People also cross the separation barrier for religious reasons, first and foremost to pray at al-Aqsa Mosque and visit Jerusalem, which has been closed to residents of the West Bank for over 30 years. Using Ruger fire against Palestinians attempting to cross the separation barrier for religious reasons or for work attests to Israel's criminal disregard for Palestinian lives. Despite clear knowledge that this is a dangerous and lethal weapon, the Israeli security establishment chooses to use Ruger fire against Palestinians who do not endanger anyone in clear violation of international law.

Abdallah wanted to cross the separation fence to pray with his family in Jerusalem. Lax open-fire regulations and the police officers' conduct cost him his life. Abdallah's shooting was unlawful and unjustified by any standard. Crossing the separation fence or even damaging it is not a capital offense. There was no need to shoot Abdallah, especially considering that in other cases, police officers and soldiers have proven they know very well how to prevent people from crossing the separation fence without relying on lethal methods.³⁰ In the absence of an imminent threat to human life, sniper fire from an ambush at people attempting to cross the separation fence is unlawful. In this instance, without warning and without trying non-lethal methods, police officers criminally aimed lethal fire at a 15-year-old youth who did not present any danger.

Yesh Din worked with Abdallah's family and filed a complaint to the DPI on their behalf. Nine months after his killing, Yesh Din was informed that an investigation was opened into Abdallah's case. In October 2020, the DPI decided to close the investigation without indicting anyone involved in the shooting, citing "lack of suitability for criminal prosecution."³¹

29 Fadi Amun, "Palestinian laborers' secret, squalid outposts in Israel", **Shomrim – The Center for Media and Democracy in Israel**, January 6, 2022

30 "IDF arrests two Palestinians with knives who crossed Gaza border", **The Times of Israel**, April 21, 2019.

31 Letter of DPI to Yesh Din, October 16, 2020.

Regulations v. Practice: A Review of Ruger Use by Israeli Security Forces

1987	The Ruger is introduced into military use as a crowd control weapon
2000	The second intifada - open-fire regulations permit firing at Palestinian demonstrators
2001	The MAG determines the Ruger is not a riot control weapon
2008	The military resumes use of the Ruger during demonstrations in the West Bank
2015	The Cabinet approves using the Ruger in East Jerusalem as well
2021	Spike in number of deaths and injuries as a result of Ruger fire during demonstrations

The military introduced the Ruger as a crowd control weapon in the early days of the first intifada in 1987.³² During this popular uprising, which featured strikes and mass demonstrations, the Israeli security establishment allowed the use of dangerous weapons and ammunition for crowd control, including, for example, plastic bullets, which the military later banned because of their deadly properties. That same year, officers were given permission to fire at Palestinian demonstrators' legs with a Ruger rifle. Publicly, this was touted as a way to "reduce the damage caused by shootings," reflecting a perception of the Ruger as less lethal than the regular service rifles used by the military.³³ Details about the Ruger emerged in an appeal against the dismissal of a civil suit filed by a man who was injured by Ruger fire in 1988. The Ruger, it was revealed, was not included in the open-fire regulations for lethal weapons and officers who were trained on its use were miseducated. This was echoed in soldiers' and commander's treatment of the Ruger as another crowd control weapon. The Supreme Court found that "this lack of awareness resulted in the use of a deadly weapon in circumstances for which it was not intended".³⁴

There is no evidence that the Ruger was used after the first intifada, which, in the absence of evidence to the contrary, plausibly leads to the conclusion that the Ruger was not used in demonstrations during the 1990s. When the second intifada broke out (the al-Aqsa intifada) in October 2000, the military reintroduced the Ruger, again allowing soldiers to fire at Palestinian stone throwers in the West Bank and Gaza Strip. In the first year of the second intifada, Israeli snipers used the Ruger as a crowd control weapon in the OPT.

32 Oren Cohen, "New in the IDF: A sniper rifle to disperse protests in the West Bank", **Hadashot**, October 12, 1987 (Hebrew).

33 "Two-Two Gun to Reduce Harm", **Hadashot**, December 15, 1987 (Hebrew).

34 CA 1354/97, **Akasha v. State of Israel**, judgment dated December 6, 2004.

In June 2001, use of the Ruger to disperse demonstrations in the West Bank was halted.³⁵ The military's Central Command, which controls the West Bank, found it had been improperly used as a crowd control weapon, in the absence of a genuine threat to soldiers' safety. The Central Command also found that Palestinians killed by Ruger fire had been shot unjustifiably.³⁶

In November 2001, Kol Hair newspaper reported that an internal military brief provided to senior officers in the Operations Wing and Ground Forces Headquarters found soldiers were using the Ruger in violation of the law, which does not allow the use of lethal weapons against demonstrators. According to the brief, prepared by Major Ordit Weinman, head of the Operations Wing Security Division at the time: "As of late, the .22 Ruger has been used to disperse demonstrations. According to the open-fire regulations, only non-lethal weapons may be used." Weinman asserted that "the Ruger should be used only where firearms [lethal weapons] are allowed."³⁷

In the Gaza Strip, which was under the control of the Southern Command, use of the Ruger for crowd control purposes continued into late 2001, as the area's commander, Doron Almog refused to end it. Despite the findings made by the head of the Security Division and the action taken by the Central Command, Almog preferred to continue treating the Ruger as a non-lethal weapon. Use of the Ruger was more prevalent in the Gaza Strip, and Israeli forces killed several Palestinians with this firearm in the area, including children.³⁸

After the military and the State Attorney's Office conducted a ballistic test on the Ruger, the MAG, Menachem Finkelstein, concluded it should be considered a lethal weapon for all intents and purposes. Following the MAG's decision, in late 2001, the Ruger was decommissioned as a crowd control weapon in the OPT. Haaretz newspaper reported that the military changed the Ruger's definition from "non-lethal" to "less lethal." In December 2001, a senior officer said, "the mistake was that the Ruger had come to be perceived as a crowd control weapon, unlike its original designation, as an ordinary weapon."³⁹

Despite the MAG's decision to ban the Ruger for crowd control, **Israeli security forces reintroduced it as a crowd control weapon in the West Bank in 2008.** A detailed report released by B'Tselem on the subject found that "Israeli security troops have used these bullets [.22, or Ruger] under circumstances that cannot be interpreted as justifying

35 Uri Blau, "IDF Illegally Uses Sniper Rifle to Disperse Demonstrations", **Kol Hair**, November 23, 2001 (Hebrew).

36 Amos Harel, "Ruger Use in Occupied Territory to be Restricted", **Haaretz**, December 26, 2001 (Hebrew).

37 Uri Blau, "IDF Illegally Uses Sniper Rifle to Disperse Demonstrations", **Kol Hair**, November 23, 2001 (Hebrew).

38 Ibid.

39 Amos Harel, "Ruger Use in Occupied Territory to be Restricted", **Haaretz**, December 26, 2001 (Hebrew).

the use of lethal ammunition. They have effectively been used as another means of crowd control.”⁴⁰

In January 2009, Palestinian and Israeli protesters reported a sharp increase in the number of incidents in which Israeli snipers shot protesters using Rugers in the West Bank villages of Jayus, Bil'in, Ni'llin and Budrus. Responding to questions from Haaretz newspaper, the IDF Spokesperson contradicted the MAGC's position, saying: “this is a crowd control weapon whose advantage is diminishing the risk of unintentionally harming the demonstrators.”⁴¹ And so, despite the MAG's clear assertion that the Ruger was a lethal weapon through and through, Israeli forces reintroduced sniper Ruger fire in crowd control operations.

In a testimony given to Breaking the Silence, a former soldier, drafted in 2006, described the permissive open-fire regulations for the Ruger: “A small projectile that penetrates legs easily and doesn't exit from the same place. It stays... There's permission to shoot it more readily. More readily than live fire, almost as readily as rubber... This new bullet... The riot bullet”.⁴²



A Border Police sniper aiming a Ruger 10/22 rifle at Palestinian protesters in Turmusaya. Photo: Oren Ziv, Activestills

40 B'Tselem, **Crowd Control: Israel's Use of Crowd Control Weapons in the West Bank** (January 2013).

41 Nir HassonYoav Stern, “Left-wing Activists: IDF Uses Live Ammo to Break Up West Bank Protests”, **Haaretz English website**, January 11, 2009 (the direct quote from the IDF Spokesperson appears only in the Hebrew version of the story).

42 [Driving around to get some stone throwing and shoot a little stun, rubber, gas](#), Breaking the Silence (Hebrew).

The extent to which the military uses .22 ammunition to suppress Palestinian protests emerges from an internal military report on the cost of crowd control in the West Bank. According to the report, which became publicly accessible during the trial of a Palestinian anti-fence activist, between August 2008 and December 2009, the military used 1.3 million ILS worth of .22 rounds in Bil'in and Ni'lin alone.⁴³

In 2009, B'Tselem contacted Avichai Mandelblit, the MAG at the time, demanding he ban the use of the Ruger as a crowd control weapon.⁴⁴ In response, the MAG claimed the military did not consider the Ruger a crowd control weapon and that "the rules for using crowd control weapons in the Judea and Samaria Area [West Bank] are strict, paralleling the open-fire regulations for 'live' rounds."⁴⁵

The MAG's statements, as well as the official orders on the use of the Ruger, stand in stark contradiction to the frequent use of the weapon for crowd control. Additionally, investigation materials received by Yesh Din in cases in which Palestinians were hit by Rugers show that, despite the official position that the regulations are identical, **the military takes a more lenient approach to Ruger fire than assault rifles.** According to a company commander who was interrogated in connection to the 2018 killing of Arkan Mizher, firing 5.56 rounds, used with assault rifles, requires clearance from the brigade commander, while firing .22 rounds using a Ruger requires the approval of a more junior commander (a company commander).⁴⁶

In 2009, Israeli security forces killed at least two Palestinians using .22 ammunition, 14-year-old Izz a-Din al-Jamal and 36-year-old Aqel Sarur from Ni'lin, and injured dozens more. A response from a military spokesperson after Aqel Sarur's killing in Ni'lin, contradicted the military's official directives on the Ruger. According to the spokesperson, the Ruger is "a crowd control weapon that fires ammunition that is similar to live ammunition, but with less power."⁴⁷

After 2009, use of the Ruger for crowd control waned but did not disappear. In January 2012, a Palestinian was wounded by Ruger fire during a demonstration in a-Nabi Saleh. According to B'Tselem, the shooting was a violation of the open-fire regulations.⁴⁸ In

43 Chaim Levinson, "IDF Still Using Banned Weapon Against Civilian Protestors", **Haaretz English website**, September 19, 2010.

44 B'Tselem letter to the MAG, [Use of the Ruger Rifle in Demonstrations](#) February 26, 2009 (Hebrew); B'Tselem letter to the MAG, [Use of Live Fire against Protestors in the West Bank Causing Protestor's Death in Ni'lin](#), June 8, 2009 (Hebrew).

45 MAG letter to B'Tselem, [Your Further Inquiry Re Firing at Demonstrators](#), July 2, 2009 (Hebrew).

46 Statement of Major A.N., August 1, 2018.

47 Efrat Weiss and Ali Waqf, "IDF: The Man Killed in Ni'lin - a Hamas Operative who Assaulted a Soldier", **ynet**, June 5, 2009 (Hebrew).

48 B'Tselem Letter to the MAG, [Two-Two Bullets Fired during a-Nabi Saleh Demonstration](#), January 5, 2012 (Hebrew).

2013, Israeli news website ynet reported that the military had acquired Ruger rifles and .22 ammunition to disperse demonstrations and riots.⁴⁹ A few months later, the same website reported the military had again expanded its use of Ruger sniper fire in demonstrations in the West Bank.⁵⁰ According to some reports, the switch to more lethal weapons in the face of stone throwing was made following criticism of the military among settlers. Channel 7 reported that a senior military officer told the head of the Beit El settlement council: “We will prevent stone-throwing, not with tear gas, but with other, more painful means.”⁵¹ In a conversation with settlers from Neve Tzuf, located near Deir Nizam and a-Nabi Saleh, Maj. Gen. Tamir Yadi, then the commander of the Judea and Samaria Division, confirmed soldiers were using Rugers and live fire against Palestinian demonstrators: “I don’t want to say that we’ve changed the open-fire regulations, but we got a little harsher with the people around here. In places where in the past we’d shoot [tear] gas or rubber [coated metal bullets], we use Rugers and sometimes live fire.”⁵²

In 2015, reports emerged that the Israeli military and police had acquired a modern, tactical version of the firearm - the Ruger SR-22.⁵³ This new version features a metal body in place of the wooden one and a telescopic sight, similar to that used on the military’s assault rifles.⁵⁴ That year saw an increase in the number of deaths and injuries caused by Ruger use in demonstrations. Israeli snipers killed at least four Palestinians using Ruger rifles that year, including a 12-year-old boy named Abd a-Rahman Abdallah, who was hit in the chest at al-AyDAH Refugee Camp. Many other Palestinians were wounded by Rugers in the West Bank.⁵⁵

In September of that year, the Attorney General and the Ministerial Committee for National Security Affairs (the Security Cabinet) approved the use of the Ruger in East Jerusalem as well.⁵⁶ Yosef Yekutiel, a former Israel Police chief superintendent, who brought the firearm into police use forty years earlier, spoke out against its use for crowd control. In an interview he gave ynet magazine, Yekutiel repeatedly warned that the weapon was **“not meant for crowd control. This is not a non-lethal weapon. It’s a weapon**

49 Yoav Zitun, “Fighters Dispersing Soldiers: Watch the IDF Prepare for Escalation”, **ynet**, February 27, 2013 (Hebrew).

50 Yochai Ofer, “IDF Resumes Sniper Fire in Judea and Samaria”, **ynet**, May 19, 2013 (Hebrew).

51 Uzi Baruch, “IDF Pledges: Stone Terrorism in Beit El Will Be Eradicated”, **Channel 7**, 16.5.2013 (Hebrew).

52 Yochai Ofer, “Neveh Tzuf Residents v. IDF: It’s the Wild West Around Here”, **nrg**, December 13, 2014 (Hebrew).

53 Steve Johnson, “Israel Adopts Ruger SR-22 in ‘Less Lethal’ Sniper Role”, **TfB**, 21.10.2015.

54 [Manufacturer’s Ruger SR-22 webpage](#).

55 Shay Levy, “The Ruger: A Particularly Deadly Non-Lethal Weapon”, **Mako**, October 7, 2015 (Hebrew); Amir Bohbot, “Senior Officer: Killing of 12-year-old Palestinian in Bethlehem Area - Accidental”, **Walla**, October 6, 2015 (Hebrew); B’Tselem letter to MAG, [Policy on Use of Live Fire for Crowd Control](#), June 25, 2015 (Hebrew).

56 Spokesperson Announcements, [Ministerial Committee on National Security Affairs Makes Unanimous Decision in Fight against Stone Throwers in Jerusalem](#), **PMO**, September 24, 2015 (Hebrew); Roi Sharon, “Violence in Jerusalem: Attorney General Permits Use of Sniper Rifles against Rioters”, **Hadashot 13**, September 17, 2015 (Hebrew).

that kills... It's not completely non-lethal. Whoever said that doesn't know. It's a deadly firearm.⁵⁷

In 2017, an Israeli sniper fatally shot Sabaa Obeid during the weekly demonstration in a-Nabi Saleh, using a Ruger. According to a B'Tselem investigation, the 22-year-old was fatally shot despite posing no threat to any of the Israeli security forces.⁵⁸

In late 2019, journalist Roi Sharon reported that the military was using Ruger rifles to disperse the mass demonstrations near the Gaza perimeter fence (the Great March of Return),⁵⁹ allegedly with the aim of reducing the number of casualties.⁶⁰ In 2022, the military said it had found .22 ammunition not suitable for the Gaza protests, partly over concerns that its light weight made it inaccurate and prone to straying.⁶¹

That same year, Haaretz newspaper reported that soldiers had started using Rugers in ambushes set up for Palestinian laborers attempting to cross the separation fence. In several cases, Ruger fire resulted in serious injury or death.⁶² In December 2020, Ali Abu Alia, a child, was killed by a sniper using a Ruger during a demonstration near the village of Mughayir.⁶³

The number of Palestinian deaths in the West Bank jumped in 2021, in part due to the use of the Ruger. Activists reported increasing use of Ruger sniper fire during the weekly demonstrations in Beita against the establishment of the unauthorized outpost of Evyatar on village lands, which resulted in serious injuries and deaths among the demonstrators. One of the victims was 15-year-old Muhammad Hamail, who was fatally shot by an Israeli sniper with a Ruger rifle.⁶⁴ While four Palestinians were killed by Ruger fire between 2016

57 Alexandra Lukash, "'Ruger Kills': Expert Warns against Reintroduced Crowd Control Weapon", **ynet**, September 21, 2015 (Hebrew).

58 B'Tselem, Israeli sniper fatally shoots 22-year-old Palestinian who posed no danger at a-Nabi Saleh weekly protest, June 13, 2017.

59 Roi Sharon, "Significant Drop in Gaza Protest Deaths Due to Sniper Rifle Switch", **Kan News**, December 1, 2019 (Hebrew).

60 For more on the Great March of Return: 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](#) (September, 2020).

61 IDF Editorial Team, [IDF Use of Potentially Lethal Force](#), February 13, 2022.

62 Hagar Shezaf, "Within Two Months, 20 Palestinians Were Shot by Israel While Trying to Cross From West Bank", **Haaretz English website**, December 23, 2019.

63 For more see page 34.

64 Amir Bohbot, "Clashes Near Evyatar Outpost: 15-year-old Palestinian Killed by IDF Fire", **Walla**, June 11, 2021 (Hebrew).

and 2021, according to Ministry of Defense figures, in 2021 alone, soldiers and police officers killed at least eight Palestinians using Ruger fire in the West Bank.⁶⁵

The spike in fatalities caused by use of the Ruger for crowd control in 2021 shows the wide gap between the military's official directives on Ruger use and how it is used on the ground. Despite the widespread use of the firearm and the resulting large number of fatalities, and despite the fact that it is used for crowd control, the IDF Spokesperson continued to deny the practice. Responding to Haaretz's question, he said: "The rules for the use of Ruger fire have not changed in recent years, and the rules with regard to its use are the same as for live firearms."⁶⁶ In July 2021, use of the Ruger during protests was reportedly restricted in an attempt to avoid Palestinian deaths in the West Bank. However, B'Tselem documented at least two cases since then in which Palestinians were killed by Ruger fire.⁶⁷

In May 2021, the Police Commissioner allowed Border Police officers to use Ruger rifles inside the Green Line. They were reportedly used in Kfar Kana, Lod, Umm al-Fahm and Wadi Ara.⁶⁸ The policy became official in 2022 following a reform launched by the Police Commissioner.⁶⁹ In December 2022, Omer Bar Lev, then Minister of Public Safety, revealed during a Knesset debate, that the Israel Police was using Rugers at the al-Aqsa compound as well: "We should not use measures that could cause the death of Israeli citizens and residents of Jerusalem, and so, only crowd control weapons should be used, parenthetically: Ruger".⁷⁰

Notably, there are no known cases of Ruger use in demonstrations held by non-Palestinians, whether inside Israel or in the OPT. The military is extremely unlikely to use Ruger fire when Jews riot and throw rocks and stones. Experience shows that Israeli security forces treat riots staged by Jews, even against soldiers and police officers, very differently. They do not use the weapons available to them in Palestinian protests,

65 Hagar Shezaf, "Israeli Army's Riot Control Rifle Killed Eight Palestinians in 2021, Eight Times Last Year's Tally", **Haaretz English website**, November 7, 2021. Notably, these are military figures, which do not include shooting incidents near the Gaza border, or police figures, meaning it is possible that more Palestinians were hit. As noted, the .22-inch bullets used in Rugers and the 5.56-millimeter rounds (used in military and police issued assault rifles) are almost identical in diameter, often making it difficult to determine which bullet caused an injury.

66 Hagar Shezaf, "Israel's 'Non-lethal' Weapon of Choice Killed Four Palestinians in Two Months", **Haaretz English website**, June 30, 2021.

67 Amir Bohbot, "Attempting to Avoid Escalation in West bank: IDF to Limit Use of Crowd Control Weapons", **Walla**, July 13, 2021 (Hebrew); B'Tselem fatalities statistics, [B'Tselem website](#).

68 Hagar Shezaf, "Israel's 'Non-lethal' Weapon of Choice Killed Four Palestinians in Two Months", **Haaretz English website**, June 30, 2021.

69 Moshe Steinmatz, "The Commissioner's Reform: Clubs Used at Officers' Discretion", **Kan**, June 21, 2021 (Hebrew).

70 Yaron Avraham, "Minister Bar-Lev Reveals Sensitive Information During Live Knesset Broadcast. Commissioner Demands - Erase It", **N12**, December 14, 2022 (Hebrew).

certainly not lethal ones such as the Ruger.⁷¹ Recently, settlers have staged mass attacks against Palestinians, which have included torching homes on a massive scale. Though the incidents certainly featured genuine danger to the lives of the occupants, soldiers present did nothing to stop the rioters, much less fire Rugers at them. In the settler pogrom in Hawara, for instance, soldiers at the scene actively helped the rioters.⁷²

The Ruger and .22-gauge bullets were ruled potentially lethal and incomparable to crowd control weapons in the military's own official directives. Despite its awareness of the firearm's lethal potential, and despite the fact that using potentially lethal fire against civilians when there is no clear, imminent threat to human life is a violation of international law, Israel's security establishment continues to use Ruger sniper fire in this way. The authorization to use Rugers in Palestinian communities inside the Green Line and the large number of fatalities its use has caused demonstrate that rather than immediately halting use of the Ruger, Israel has, in fact, chosen to expand it over the years, as long as Palestinians are the target.

71 See, e.g.: Elisha Ben Kimon, "Fighters Attacked with Stones and Burning Tires near Yitzhar. Chief of Staff: 'Criminal behavior'", **ynet**, December 31, 2021 (Hebrew); Yoav Zitun, "Jewish settlers attack IDF soldiers with pepper spray in West Bank", **ynetnews**, October 20, 2022 (Hebrew); In August 2023, in a rare occurrence, soldiers fired at settlers who threw stones, but the incident was labeled an aberration and attributed to mistaken identity. Emanuel Fabian, "IDF soldiers shoot masked settler allegedly hurling stones at Palestinians", **The Times of Israel**, August 20, 2023.

72 Gianluca Mezzofiore, Celine Alkhalidi, Abeer Salman and Nima Elbagir, "Israel's military called the settler attack on this Palestinian town a 'pogrom.' Videos show soldiers did little to stop it", **CNN**, June 15, 2023.

Hiding the Use of Lethal Fire in Demonstrations: Deliberate Duplicity on the Ruger

The military's official statements about the use of the Ruger and .22 ammunition are a far cry from their actual use by Israeli soldiers and police officers in the West Bank. Since the MAG's 2001 decision, the IDF Spokesperson has repeatedly said the Ruger is not a crowd control weapon. The military has also claimed that "[t]he rules applying to .22 ammunition are strict and are parallel, in general, to rules applying to ordinary live ammunition."⁷³ Despite these official statements, Israeli soldiers and police officers continue to fire at Palestinian protesters with Rugers. Israel seems to be playing a double game in relation to the Ruger, with the official military protocols it showcases on one side and actual use of the Ruger on the other.

In February 2021, an Israeli soldier, Yonatan Granot, was killed at a military base in the Jordan Valley, after his unit mate accidentally shot him with a Ruger rifle from 60 meters away. This incident reveals that, whether deliberately or not, the military has failed to instill the protocols on the use of the Ruger and .22 ammunition among the soldiers. Senior commanders and soldiers are dismissive of the Ruger and do not perceive it or the .22 ammunition as in any way dangerous or potentially lethal.

In an interview that aired on Zman Emet (an investigative series on Israel's public broadcaster), a company commander described how the Ruger is perceived and the circumstances that resulted in Granot's shooting: "Because the Ruger is a small-caliber, low noise, weapon and because it's defined as non-lethal, people think of it as a toy, not something that's actually dangerous." Former snipers who were interviewed for the report described the training they received on this weapon, which contradicts the military's official directives: "What we were told in training is that this was a weapon for dispersing demonstration, meaning, I came to the battalion thinking it doesn't do that much damage." Another sniper gave a similar account: "We were told that this was essentially a very light, non-lethal weapon, a 'stick gun,' we used to call it. The soldiers thought of it as a toy."⁷⁴

Lt. Col. Yossi Beicher, former Ground Forces Security Branch Head, attempted to explain soldiers' ignorance about the weapon: "Sometimes, there are gaps between what the regulations say and how the army sees things, what happens in practice, and

73 IDF Spokesperson letter to Hatzlaha Association, [Request for Information regarding Small Arms and Use of Ruger Rifles](#), March 23, 2021 (Hebrew). See also: Chaim Levinson, "IDF Still Using Banned Weapon Against Civilian Protestors", [Haaretz English website](#), September 19, 2010.

74 Zman Emet, Season 5, "Beyond Sights - The Ruger Rifle - Episode 17", [Kan Israel Broadcasting Corporation](#), December 22, 2021 (Hebrew).

how it trickles down to the soldiers.” The report showed commanding officers were also unknowledgeable about the Ruger’s lethal potential. Minutes after Granot was shot, the battalion commander was heard expressing disbelief that the firearm could kill and drawing a comparison between .22 rounds and rubber-coated metal bullets: “Tell me, can a Ruger bullet do something like this? It’s like quarter rubber.”⁷⁵

The testimonies former snipers gave Zman Emet also reveal that **the Ruger is not reliable enough to ensure non-lethal results** even when protocols permit firing only at people’s legs. One sniper explained the issue with the protocol on Ruger use: “In my view, the Ruger is a completely inaccurate and unreliable weapon. It has a telescopic sight; that’s why it’s a sniper weapon. So, one thing, for example, was that the sights would keep going off kilter. The claim was that they don’t exactly fit the rail we have. That means I don’t know where I’m going to hit. I shoot, and I don’t hit where I planned. I might aim for someone’s knee and hit someone else in the belly.” Another soldier described the weapon as follows: “What they tell you is to hit the knee. Now, you know a human knee at a hundred meters away is like a small dot, so it’s really very hard to hit. So yes, there were deviations up and down. In practice (this means that), best-case scenario I don’t get a hit, and worst-case scenario, I kill the guy.”⁷⁶ The IDF Spokesperson’s statement regarding Ruger use during the Great March of Return protests near the Gaza perimeter fence reinforces the claim about the Ruger’s unreliability. According to the IDF Spokesperson, .22 rounds are more likely to be deflected away from their trajectory due to their light weight.⁷⁷

The materials Yesh Din received from the investigation into the killing of 15-year-old Abdallah Gheith by Ruger fire at the hands of a Border Police officer in 2019⁷⁸ reveal a dismissive attitude towards the Ruger within the police as well – from commanding officers to the rank and file. In a statement given as part of the investigation, the Jerusalem Envelope Operations Directorate Officer (Jerusalem Envelope is the name given to the separation fence in the Jerusalem area) expressed his view that the firearm is not at all dangerous. The officer said: “It has a short range and its purpose is to cause minimal and localized damage, meaning, this isn’t a bullet that goes wild in the body. It enters and exits from the same place and then the damage is localized.”⁷⁹ The officer responsible for the ambush that ended in Gheith’s killing said in the investigation: “This weapon is a

75 Ibid.

76 Ibid.

77 IDF Editorial Team, [IDF Use of Potentially Lethal Force](#), February 13, 2022.

78 See page 14.

79 Statement of Operations Directorate Officer, March 25, 2020.

non-lethal weapon. Its purpose is to cause injury only, from the knee below.”⁸⁰ These statements were made in an investigation into a fatality caused by Ruger fire.⁸¹

The duplicity Israel’s security establishment is displaying with respect to the Ruger - protocols on use vs. actual use - allows it to shield itself from public criticism over the use of lethal weapons in law enforcement operations. In several cases in which Palestinians were killed by Ruger fire, the IDF Spokesperson told the media that no lethal or live fire had taken place, seemingly contradicting the military’s own protocols. For instance, in 2015, after 27-year-old Ziad Awad was fatally shot by soldiers during a funeral in Beit Ummar, the IDF Spokesperson told Haaretz newspaper no live fire was used in the incident.⁸² That same year, after soldiers killed 12-year-old Abd a-Rahman Abdallah in the al-AyDAH refugee camp, a military official told the press the soldiers had used “crowd control weapons, including Ruger fire towards a key instigator.”⁸³ In 2017, after an Israeli sniper shot and killed 22-year-old Sabaa Obeid during a demonstration in a-Nabi Saleh, the IDF Spokesperson told Israeli news site Local Call “only crowd control weapons were used.”⁸⁴ Haaretz newspaper, which covered Abdallah Gheit’s killing reported that a source inside the Border Police said the inquiry made into the incident revealed the shots were fired from a crowd control weapon.⁸⁵ After Ali Abu Alia was killed, the IDF Spokesperson denied soldiers had fired at demonstrators, telling journalists that “no live fire was used.”⁸⁶

The discrepancy between the official directives on the Ruger and its real-world use allow the military to conceal or deny the fact that lethal fire is used in incidents that fall squarely into the law enforcement paradigm. It seems, then, that Israel is deceiving the local and international community, effectively hiding the fact that its military and police forces use lethal fire against civilians in incidents in which there is no threat to the lives of soldiers and police officers. At the end of the day, it is Palestinians who pay – with their lives – for the duplicity of Israel’s security establishment.

80 Officer Statement, June 1, 2020.

81 See supra note 57.

82 See: Jack Khoury and Gili Cohen, “Palestinians: One Killed, Six Wounded in Clashes With Israeli Forces”, **Haaretz English website**, April 10, 2015.

83 Shabtai Bendett, “12-year-old Palestinian Killed by IDF Fire in Bethlehem Riots”, **Walla**, October 5, 2015 (Hebrew).

84 Yahli Marom, “Nabi Saleh - Protestor Killed by Live Fire during Rally to Support Prisoners”, **Local Call**, May 12, 2017 (Hebrew). An English version of this report was published on Local Call’s sister site, +972 Magazine under the title, “Israeli sniper shoots dead unarmed Palestinian at West Bank demo” with the same date.

85 Jack Khoury and Yotam Berger, “Report: Israeli Forces Kill 16-year-old Palestinian Trying to Bypass West Bank Checkpoint”, **Haaretz English website**, May 31, 2019. The statement attributed to a source within the Border Police was not included in the English version of the story.

86 Elior Levy, “IDF Says No Live Fire Used against Rioters re Killing of Palestinian Boy in Samaria”, **ynet**, December 4, 2020 (Hebrew).

The gaps are not accidental. The military is responsible for training its soldiers and it is also responsible for the conflicting messages given to the press, which help maintain ambiguity around this weapon and hide its potentially lethal capabilities. This deliberate policy gives the Israeli security forces a freer hand with using the Ruger in the absence of an actual mortal threat. A former soldier who testified to Breaking the Silence described how this ambiguity is used: “That’s also the beauty of the Ruger. At least to a certain point. When the Palestinians say ‘they fired [live fire]’, the response is, ‘no, just crowd control methods.’ Ruger is considered a crowd control method.”⁸⁷

Today, when controlling the narrative is key from the very first moments of an incident, the duplicity regarding the Ruger allows the Israeli military to shape the story of Palestinian deaths as it emerges and conceal and whitewash, from the very early stages, the fact that lethal weapons were unlawfully used against civilians who were a danger to no one.

The numerous incidents in which Ruger fire was fatal are not a mistake, but a conscious decision made by the highest-ranking military officials to allow sniper fire using Rugers during military incursions, at demonstrations and along the fence. As the test cases in this report show, the military law enforcement system, for its part, backs up this wanton policy and the soldiers and commanders responsible for killing Palestinians with Rugers.

Sniper fire results in harm to “uninvolved” persons: The killing of Arkan Mizher, 15, and Sajed Mizher, 17

Cousins Arkan and Sajed Mizher were killed in similar circumstances just eight months apart – when Israeli security forces invaded a-Duheisheh Refugee Camp, near Bethlehem. Incursions by a large military force into the Refugee Camp nearly always lead to some type of violent clashes between Israeli security forces and refugee camp residents, who take to the streets to confront what they perceive as a foreign occupation force. Usually, sporadic violent actions such as throwing rocks at the soldiers occur during the invasion, and this was the case in both these incidents.

It is important to note here that such operations by Israeli security forces are not part of an armed conflict, but rather policing operations by the occupying forces vis-à-vis the occupied civilian population. It follows that the open-fire regulations should be restrictive, in keeping with the law enforcement paradigm. Despite this, in both cases, Israeli security forces operated with very little restraint. The outcomes were tragic.

87 [“Four injured from Ruger fire”](#), Breaking the Silence.



Arkan Mizher. Photo courtesy of his family

Early in the morning of July 23, 2018, a large military contingent entered a-Duheisheh Refugee Camp. The force included uniformed soldiers, undercover personnel and police officers, as well as a Ruger sniper team. The soldiers' presence in the Refugee Camp led to clashes between residents and the forces. At approximately 04:20 A.M, Arkan (15) who was on his way to prayers, happened upon the clashes, and a bullet fired from a Ruger weapon punctured his chest and exited his back. Arkan collapsed and was taken to hospital, where he was pronounced dead.

According to one of the officers present at the site, "The riot involved 60-70 people who threw stones and rocks, and two explosive devices, not Molotov Cocktails." According to another commander, no explosive devices were thrown at the forces, only stones.⁸⁸ A local resident who witnessed the incident said the soldiers did not use gas or fire in the air. They fired rubber-coated metal bullets just once, "and after a minute, they fired live rounds that hit Arkan."⁸⁹ One of Arkan's friends described his final moments: "Children were throwing stones at the jeeps and at the soldiers who were marching in front of them. Apparently, there were also sniper soldiers there. Suddenly, the last jeep in the convoy stopped, the door opened, a soldier fired one Two-Two bullet from a Rogers [Ruger] from inside it... I went to Arkan, who was lying on the sidewalk... I heard Arkan wheezing and saw a bullet had entered his body near the heart. I knew he was in bad shape. I asked Arkan to say a prayer (before dying), and I put my hand on the place where

88 Statement of Major A.N, August 1, 2018.

89 Eyewitness statement provided by M.S. to MPCID, September 2, 2018.

the bullet entered and the place where it exited.”⁹⁰ In a video circulated on social media documenting the moments of the shooting, Arkan is seen walking on a main road when he is fatally shot by an Israeli sniper without having posed a threat to anyone.⁹¹

Following Arkan’s killing, the Military Police Criminal Investigations Division (MPCID) opened an investigation. The investigation materials indicate that during the incursion, the military forces made wide use of snipers who fired Ruger rifles. The investigation revealed, according to a time analysis, that Arkan was likely shot with a Ruger by a sniper team present at the site.⁹²

The investigation materials provided to Yesh Din regarding Arkan’s shooting indicate that the special army units tasked with frequent incursions into the refugee camp are not equipped with crowd control weapons except stun grenades and Ruger rifles. This means that use of sniper fire with Ruger rifles is the second step in dealing with demonstrations staged by residents against the military force.

The investigation also shows that the officers responsible for authorizing Ruger fire are completely unaware of how dangerous it is. For example, one of the officers gave the following dismissive description of the weapon: “A Ruger bullet only makes a cut in the flesh, it doesn’t even exit another hole, or it stays inside the body or doesn’t even penetrate.”⁹³ One of the snipers, who used a Ruger during the incident also displayed his ignorance concerning the weapon: “It doesn’t make sense that the Ruger’s ricochet would have an entry and exit wound. The Ruger isn’t supposed to kill but wound.”⁹⁴

The battalion commander said in his statement that he authorized snipers to fire Ruger rifles at key rioters ages 20-24 from a distance of approximately 50-60 meters, and that he identified hits on their knees. According to the battalion commander, the shooting was carried out while the snipers were kneeling on the ground and it was impossible that one of his subordinates fired without his permission. One of the snipers also described hitting people referred to as key instigators: “I saw them both with my own eyes, they were the key instigators,

90 H.S, age 24, testimony provided to Yesh Din field researcher, August 5, 2018.

91 View documentation of the shooting of Arkan: <https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/lethal+weapon/video.mp4>

92 Despite the above, we note that in the absence of a ballistics examination, it is impossible to assert that Arkan was hit by Ruger fire.

93 Statement of Major A.N, August 1, 2018.

94 Statement of First Sergeant S.G, September 16, 2018.

they were holding stones, the shooting was aimed at the knees and below, we identified hits, I don't recall which legs, we saw them hopping on one foot right after the shooting.”⁹⁵ The sniper's statement reflects they were not in imminent danger when they shot the protestors, holding nothing but stones against a large, armed, protected military force located far away .

The investigation opened following the incident did not reveal which of the soldiers shot and killed Arkan. In their interrogation, the soldiers who took part in the shooting said it was carried out according to the army's regulations and all hits were identified in the knee area and below. Clearly, these statements are incongruent with the fact that one of them is likely responsible for fatally shooting Arkan. One soldier revealed in his statement that another soldier likely shot and killed Arkan and then later denied it: “There were a lot of forces there, guys from the battalions who were pretty trigger happy... Someone there fired and didn't report it because he was afraid of the consequences.”⁹⁶

This incident reflects the army's unwillingness to investigate itself properly. The investigation reveals that the officers present did not check the magazines after the incident in order to ascertain how many bullets were fired by each of the soldiers, which could have shown which of the soldiers fired and did not report the shooting. The investigation also revealed Arkan's shooting might have been documented by the military observation personnel, but the commander of the observation company told the investigators who spoke to him on July 7, 2019, over a year after the incident, that he “had no visual documentation of any kind from the incident, because of the time that has elapsed since the incident.”⁹⁷ The soldiers' blanket denial, backed up by the company commander, helped cover up Arkan's shooting.

In February 2020, Yesh Din learned that the MAGC decided to close the investigation file without taking legal action against any party in the army.

95 Statement of First Sergeant S.G, September 16, 2018.

96 Statement of First Sergeant S.G, September 16, 2018.

97 From the conclusion of MPCID National Special Investigations Unit Case 94/2018, June 28, 2018.



Sajed Mizher. Photo courtesy of his family

Approximately eight months after Arkan was killed, on March 27, 2019, before dawn, a large military force entered a-Duheisheh Refugee Camp to make an arrest. This time too, news of the military and police incursion spread among camp residents through social media, and many of them took to the streets to resist the Israeli security forces' invasion. Sajed Mizher, a volunteer paramedic with a local organization, left his home at approximately 6:00 A.M. to care for people wounded in the incident. He joined a team of paramedics with five other medics; all wore orange vests and blue trousers bearing the organization's emblem. When they advanced towards a wounded person to provide medical care, an Israeli sniper shot Sajed in the abdomen.

His colleague described the incident: "We advanced about ten meters towards the wounded person. We didn't hear shots, but Sajed, who was up front, collapsed and fell. I asked him, 'what's happening?' And he said he didn't know, maybe he got 'hit' in the foot. I checked him and didn't see any wounds on his

legs... Sajed's condition looked problematic. We put him in a car owned by a resident of a-Duheisheh and drove to the hospital. On the way, we came across an ambulance that took Sajed to al-Hussein Hospital in Bethlehem."⁹⁸ When the hospital discovered Sajed had a gunshot wound, he was transferred to another hospital, but attempts to save him failed and he succumbed to his wounds after about two hours.

A few hours after it became known that Sajed had been killed by Israeli security forces' fire, the military Arabic language spokesperson released footage filmed by an army drone documenting a paramedic on the roof of a building taking off his uniform and throwing rocks at Israeli security forces who invaded the camp.⁹⁹ During the investigation, police officers and commanders involved in the shooting repeated this claim, and argued that the person killed was the paramedic who had taken his uniform off. And yet, the claims made by the military spokesperson and the police officers contradict the fact that Sajed was shot while standing on the road and not on a roof, far away from the person filmed on the roof taking off his uniform, and according to eyewitnesses present at the scene, he was wearing a paramedic uniform.¹⁰⁰

The investigation materials provided to Yesh Din show that on the same day, snipers who operated inside the camp used Ruger rifles to shoot approximately 20 bullets in several sites. The investigation indicated that the shots were fired at Palestinians identified by the police officers as key instigators. Similarly to the investigation into Arkan Mizher's shooting, all the snipers involved in this incident reported having performed accurate and controlled shots using their sights toward the lower body in accordance with the open-fire regulations, and that they had identified all the hits.

It is evident that the police officers' statements serve to whitewash the fact that one of them shot and killed Sajed. The unit commander backed the snipers during the investigation, and in his statement, he said that the likelihood of one of the shooters hitting without identifying is low, as these were professional combatants. He also added that "none of the rioters at whom shots were fired - according to both the reports of the combatants and the commander of the forces in the field - was wearing an orange vest or any other insignia marking him as any kind of medical personnel and certainly not at someone who was treating the wounded."¹⁰¹

98 A.A., testimony provided to Yesh Din field researcher, April 7, 2019.

99 **إفيخاي ادري، الحقيقة بأم عينكم**, X, March 27, 2019.

100 Amira Hass, "How the Israeli Army Shot Dead a Palestinian Paramedic in a Refugee Camp", **Haaretz English edition**, April 5, 2019.

101 Statement of Unit Commander, August 27, 2019.

On August 20, 2020, the MAGC closed the investigation file. The letter informing Yesh Din that the case had been closed stated the circumstances of the matter did not justify continuing with a criminal investigation. The investigation materials provided to Yesh Din reveal that other than an interrogation of the commander of the force at the site and the collection of operational reports about the incident, no special investigation measures had been taken.

In addition to the failed investigations and the police officers, soldiers and commanders' coverup efforts, ultimately, unjustified harm was caused by the policy permitting broad use of lethal shooting, including with Ruger rifles, in situations that require refraining from lethal fire. It is important to reiterate that the law enforcement standard does not permit the use of lethal fire in riots or sporadic violent actions in the absence of a clear and imminent threat to human life. Cousins Arkan and Sajed Mizher did not threaten the lives of any of the Israeli security forces who invaded the camp, but, nevertheless, lost their lives because of the trigger-happy policy followed by Israeli security forces.



Members of the organization where Sajed Mizher volunteered at his funeral.
Photo: Anne Paq, Activestills

Firing at “Key Instigators”

Key instigator and key rioter equal fair game

The key instigator doctrine practiced by the military for more than a decade allows aiming live fire, including using a Ruger, at individuals identified as key instigators or key rioters during a demonstration. Forces may fire at a key instigator even if the person in question does not personally pose a clear and imminent threat to human life. The military’s definition of the term key instigator or key rioter and who decides who meets it remain vague, given that the open-fire regulations are classified.¹⁰² According to responses the military provided in legal proceedings concerning the Great March of Return protests near Gaza’s perimeter fence, a key rioter or instigator is a person who influences the behavior of the other protestors and encourages the crowd to use violence.¹⁰³

The subjectivity of the term key instigator can be gleaned from a testimony a former soldier gave Breaking the Silence: “[There were] guys who usually had something covering their face so they couldn’t be identified, and they stood out. Meaning, they mainly threw stones, they advanced the farthest ... It’s a concept that’s a bit controversial because you define [who] is a key instigator.”¹⁰⁴ According to another soldier, who spoke to Haaretz newspaper, in some cases, the key instigator was a person who was facing away from the soldiers and firing up the demonstrators: “[I]t’s not so complicated to figure out who’s organizing and firing up [the other protesters]. You identify him, for example, by the fact that he has his back to you and is facing the crowd. In many cases, he’s also holding a megaphone.”¹⁰⁵

Hence, defining who is a key instigator hinges on the subjective judgment and perceptions of soldiers who observe demonstrators from a distance and effectively determine who is fair game. Labeling a large number of protestors key instigators served as the main justification for the unprecedented use of sniper fire during the Great March of Return protests near the Gaza perimeter fence, with horrific results. Israeli snipers killed more than 200 Palestinians during these protests, at least 47 of them children, and wounded hundreds of others.¹⁰⁶

102 HCJ 3008/18, **Yesh Din et al. v. Chief of Staff et al.**, Response on behalf of the State dated April 29, 2018.

103 Israeli Military, [Gaza Border Events: Questions & Answers](#) (February 2019).

104 [You define who a central instigator is](#), Breaking the Silence (Hebrew).

105 Hilo Glazer, “42 Knees in One Day’: Israeli Snipers Open Up About Shooting Gaza Protesters”, **Haaretz English website**, March 6, 2020.

106 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](#) (September, 2020).

The military protocols that permit firing at a key instigator or key rioter essentially import tools that are permissible during war into the law enforcement paradigm. Responding to a petition submitted by Yesh Din and ACRI against the open-fire regulations during the Great March of Return protests in Gaza, the military argued that “force had to be used at the time to remove the danger before it materialized, even if the danger itself had not yet become immediate.”¹⁰⁷ The military, therefore, considers hitting a key instigator to be a preventative measure, mirroring attacks carried out against armed forces that pose a collective threat during war. Labeling a person a key instigator and consequently allowing the use of potentially lethal fire against them obscures the differences between the two legal standards - IHL and law enforcement - and between the categories of combatant and civilian.¹⁰⁸

The military framed the Great March of Return protests as being part of the armed conflict between Israel and Hamas, which was the basis for arguing that IHL was the legal standard applicable to the open-fire regulations in that case.¹⁰⁹ However, authorizing potentially lethal fire against a key instigator does not occur only in the Gaza Strip, and Israeli security forces routinely apply this concept in the West Bank in situations that clearly involve law enforcement.

As noted, under the law enforcement paradigm, potentially lethal fire may be used only if the lives of members of the security forces or civilians are in immediate danger. In that regard, **the military’s protocol allowing potentially lethal fire, including by Ruger firearms, at key instigators who do not pose a real and immediate threat to human life contradicts the permitted use of fire under the law enforcement paradigm, as well as international law.**

Investigation materials provided to Yesh Din by the authorities charged with investigating soldiers (the MPCID) and police officers (the DPI) reveal that the term key instigator is frequently brought up when soldiers, police officers and commanders are questioned. The term, which, as noted, relies on what forces on the ground perceive, provides them with cause to open fire and absolves them of criminal liability for their actions after the fact. In this way, the key instigator doctrine allows the security establishment to permit use of fire in non-life-threatening situations and then whitewash fatal incidents and protect Israeli snipers from the legal ramifications of their actions.

The investigation materials indicate that the orders given as part of the key instigator doctrine permit aiming for the legs. Nevertheless, the use of a potentially lethal weapon, including a Ruger, may certainly lead to serious injury or death, even when the intention

107 HCJ 3008/18, **Yesh Din et al. v. Chief of Staff et al.**, Response on behalf of the State dated April 29, 2018.

108 For more: Eliav Lieblch, “Between Paradigms: The legality of Open-Fire on the Gaza Borders in light of the Supreme Court’s Ruling”, *Iyunei Mishpat*, 42 2 (2020), pp. 335-373 (Hebrew).

109 HCJ 3008/18, **Yesh Din et al. v. Chief of Staff et al.**, Response on behalf of the State dated April 29, 2018.

is to hit the lower body only. This is doubly true for using the Ruger, a weapon of questionable reliability and accuracy, to fire at moving people in the middle of a crowd, in dynamic, multi-participant situations.

In some instances, the Israeli authorities claim the death of a Palestinian by Ruger fire was an accident, the result of a failed attempt to shoot a key instigator who was standing nearby or a failed attempt to hit the lower body of a key instigator. This shows how firing at individuals identified as key instigators during demonstrations can and does result in Palestinian fatalities, but at the same time, gives the military and the police room to maneuver after the fact and repeatedly attribute the killing to an error.

In an interview for the Walla news website, a senior army official called the killing of a 12-year-old boy accidental because the soldier's "intention was to hit the lower body, but the shot hit the ground, and the boy was hit by a ricochet."¹¹⁰ In the killing of Ali Abu Alia, a case presented in this report,¹¹¹ the fatal shots were attributed to an error on the part of the commander of the force, who did not see Abu Alia standing behind the key instigator at whom the sniper allegedly aimed.

Even if this claim were true, these outcomes are precisely why the law distinguishes between potentially lethal weapons and non-lethal weapons and why it limits the use of the former. Authorizing the use of a potentially lethal weapon against a key instigator, i.e. a person who is present at a demonstration but does not necessarily endanger anyone's life, creates a situation where unintentional harm to bystanders or accidentally fatal outcomes are a foregone conclusion.

Open-fire regulations that allow lethal fire at demonstrators identified as key instigators contradict international law, which allows potentially lethal fire to be used only where human life is in danger. The security establishment's argument that the regulations permit firing at the lower body only and its attempt to use this to absolve itself of responsibility for killings is groundless. When potentially lethal weapons are used against a mass of people, they will inevitably result in fatal outcomes and harm to bystanders.

110 Amir Bohbot, "Senior Officer: Killing of 12-year-old Palestinian in Bethlehem Area - Accidental", **Walla**, October 6, 2015 (Hebrew).

111 See p. 48.

Key instigator – in practice, license to kill: The killing of Qusai al-Amour, 17



Qusai al-Amour. Photo courtesy of his family and B'Tsele.

At approximately 2:00 P.M. on Monday, January 16, 2017, six army vehicles entered the West Bank village of Tuqu. The forces had been stationed on the outskirts of the village for about two hours when a sniper with the Border Police undercover unit who was sitting inside an armored military jeep fired four bullets from a Ruger rifle at a 17-year-old named Qusai al-Amour and killed him. Two bullets hit Qusai's legs and two entered his chest. Qusai had been standing with two of his friends approximately 100 meters from the army forces, hurling stones with a slingshot in the direction of the army jeeps.

According to the battalion commander who was present, the military force entered the Palestinian community in order "to generate a riot so that the [Border Police] undercover unit could enter the village to apprehend the main rioters."¹¹² In other words, the forces – which included undercover personnel, Border Police officers and soldiers – entered a Palestinian village in broad daylight with the aim of creating a provocation designed to elicit a counter-response from Palestinian residents.

The investigation materials provided to Yesh Din indicate that the decision to open fire with a Ruger was made after the original plan of undercover forces arresting

112 Statement of R.A., January 30, 2017.

protestors failed. The battalion commander described it this way in his statement: “After about an hour and a half, the brigade commander and squadron commander decided to change the original plan [arresting protesters by the undercover unit]... and to switch to further crowd control, and the brigade commander authorized firing twice with a Ruger at key instigators.”¹¹³

The shots were fired at the teen without any sort of warning indicating an intention to open lethal fire, such as firing shots in the air, as per the Israeli security forces’ suspect arrest procedure. The soldiers’ behavior at the site reflected a sense of calm and absence of mortal danger. One eyewitness described seeing two soldiers, “with Ruger Two-Two weapons. One of them got into a jeep while the other walked among the soldiers (apparently their officer). He was talking and seemed to be giving orders to the soldiers, indicating the children in the woods. In the meantime, the children kept throwing stones at the soldiers, though very few stones were thrown and from a large distance of about 130 meters.”¹¹⁴

Immediately after Qusai was wounded and collapsed, soldiers and police officers ran over to him. They beat and kicked him as he lay motionless on the ground. According to an eyewitness, they then “picked him up by the hands and legs and dragged him inhumanely, with his head banging on the ground and on rocks.”¹¹⁵ The soldiers put Qusai down behind the army jeeps, and, according to eyewitnesses present at the site, did not provide adequate medical treatment for a long time. At this stage, the soldiers fired rubber bullets at Qusai’s sister and other civilians who attempted to reach the teen and check on him. Qusai’s parents and relatives came to the site and asked to see him, but, “the soldiers didn’t allow the parents to see their son and instead pointed their guns at the family. One of the female soldiers pushed Qusai’s uncle.”¹¹⁶ Qusai was moved to a Palestinian ambulance and was dead by the time he reached the hospital.

The overall evidence from the incident, including photographs and statements given by the personnel who were present at the site, indicate Qusai was shot although neither he nor his friends posed a threat to the lives of the forces. In fact, up to the moment Qusai was shot and brutally captured, the forces’ presence drew very little resistance from Tuqu residents, with the exception of several youths who threw stones at the forces from a great distance. In his statement, the battalion commander noted that, “The number of rioters was relatively small

113 Ibid.

114 H.K., testimony provided to Yesh Din field researcher, February 9, 2017.

115 Ibid.

116 T. M., testimony provided to Yesh Din field researcher, February 5, 2017.

on the day of the incident because - according to my assessment - most of the young people were at work.”¹¹⁷

During the investigation of the incident, several of the police officers and soldiers involved in the shooting claimed that they felt they were in mortal danger prior to shooting Qusai. For example, towards the end of his statement, the battalion commander noted that “the forces were in mortal danger throughout the operation.”¹¹⁸ However, these general statements about feeling mortal danger, which repeat themselves in the interrogations of soldiers and police officers, appear to be quoted from the open-fire regulations handbook and used chiefly to excuse the unjustified shooting at Qusai in retrospect.

Photographs from the site clearly show that although Qusai threw stones using a slingshot, he himself did not present a threat that generated imminent danger to the soldiers. Qusai was standing over 100 meters away from the military force, and his range was ineffective from this distance. In addition, the calm behavior displayed by security forces present at the site undermines their claims of sensing they were in mortal danger. They came to the site **to instigate clashes**, armed and clad in protective gear. Had they sensed any kind of threat to their lives, the soldiers and police officers could have operated differently to protect themselves, for instance, retreating from the village or finding cover in a safer place before resorting to lethal measures.

Qusai’s shooting was not performed in any haste suggesting a sense of emergency or use of a lethal weapon as a last resort. Quite the contrary. The sniper tracked Qusai’s movements for a long time, searched for a comfortable shooting position, and waited for the most convenient moment to open fire with no causal connection to considerations of mortal danger to soldiers or civilians. The search for a comfortable shooting position and the tracking of Qusai’s movements were performed without urgency and without a single stone hitting any of the soldiers or the vehicles.

The company commander described the circumstances in which the sniper fired at Qusai while inside an armored military vehicle: “The combatant fired the Ruger from inside a vehicle, while sitting in the front seat next to the driver, the barrel protruding from the windshield through a firing aperture.”¹¹⁹ The statements of the sniper himself, a police officer from the undercover unit, add and attest to the sense of safety he felt and the complete absence of imminent mortal danger to

117 R.A., Statement, January 30, 2017.

118 Ibid.

119 Officer statement, February 14, 2017.

the forces: “We started looking for a comfortable and effective firing position, in terms of range and angle for firing... the commander gave me final clearance to fire the Ruger and from then on, I waited for the opportunity to fire. I waited for a few minutes, something like 7-10 minutes roughly, or maybe less, for the right opportunity because he was hiding in the trees... I fired four bullets at the target until I saw him fall down...”¹²⁰ These statements indicate that **the sniper shot Qusai to death without him posing a threat to the forces that invaded the village, and that the shooting was not performed as a means of last resort or because of a sense of imminent urgency, but rather as the measure of first resort.**



Army drone [footage of Qusai's shooting](#)

The statements taken from security forces personnel present at the site attest to the permissive approach towards Ruger use. According to the company commander's testimony, they were instructed to fire with a Ruger to make an arrest. **Analysis of the investigation material and testimonies from the site clearly show that Qusai was fatally shot without having posed a threat to human life. His shooting was not “a measure of last resort” designed to protect lives, but the first measure taken in an attempt to arrest him in an incident entirely instigated by the army.** Snipers firing lethal weapons at protestors as a method for arresting them completely contradicts international and Israeli law on the use of fire.

¹²⁰ Police officer statement, January 19, 2017.

An appeal submitted on behalf of Qusai's family argued that the army's own regulations permit firing a single shot at the legs of a person identified as a key instigator, while Qusai was not shot once or twice but four times and that after the first shot hit him, he clearly did not present any danger to the shooter or anyone else.¹²¹

In March 2019, Yesh Din was informed that the investigation file had been closed in July 2018, nearly a year and a half after the incident. According to the MAGC, the decision to close the investigation file into Qusai's shooting without indicting any of the parties responsible for his killing was made after a review of the evidence.¹²² Yesh Din appealed the decision and demanded that the commanders who ordered the shooting and the police officer who shot and killed Qusai be prosecuted. The appeal submitted on behalf of Qusai's family argued that: "The live fire shot at the deceased, which caused his death, was illegal, unjustified and a violation of the open-fire regulations, and the decision to close the investigation file without legal action against any party in the army is an erroneous and patently unreasonable decision."¹²³

Despite the failures presented in the appeal, which attested to criminal conduct by those involved in Qusai's killing, on August 30, 2021, the MAGC rejected the appeal. The notice of rejection stated that the conduct of the forces involved in the incident did not justify criminal prosecution. It also stated that while the preliminary stages that should precede Ruger fire, i.e. loudspeaker announcement and firing shots in the air, were not implemented in full, the decision to fire at a key instigator was made in keeping with the open-fire regulations.¹²⁴

The army and police policy, which devised the term key instigator or key rioter, meaning a person who may be shot without necessarily posing a tangible mortal threat, enabled the killing of Qusai and many others. Ultimately, and as the investigation materials show, the subjective term key instigator is used as cause for killing Palestinians and serves as a legal defense for security forces involved in the shooting after the fact.

121 Yesh Din letter to MAGC, Appeal of the Decision to Close MPCID National Special Investigations Unit Case 30/2017, February 11, 2020.

122 Legal Service for Operational Matters letter to Yesh Din, Your Request to Receive an Update on the Status of Correspondence from Yesh Din to the MAGC, March 14, 2019.

123 Ibid.

124 MAGC letter to Yesh Din, August 30, 2021.

Enforcement

There is a common perception among the Israeli public that the open-fire regulations and the MAGC restrict Israeli security forces' actions, some would say to the point of tying their hands.¹²⁵ In practice, however, and as evidenced by the data presented below, Israeli soldiers and police officers have an extremely wide margin to operate and enjoy full backing and even immunity from the military law enforcement system.

Yesh Din's ongoing monitoring indicates that between 2017 and 2021, of 409 complaints brought to the military's attention concerning the killing of Palestinians, only three resulted in soldiers being indicted and prosecuted. In other words, over five years, only 0.7% of complaints regarding Palestinian deaths presented to the military led to the prosecution of soldiers. In these rare cases, two soldiers were convicted of minor offenses of abuse of authority to the point of endangering life or health and negligent harm in a plea bargain. A third soldier was convicted of involuntary manslaughter. The convicted soldiers' sentences were a mockery given the severity of their actions, reflecting the military law enforcement system's criminal disregard for Palestinian lives. In this five-year period, the harshest sentence given to a soldier involved in the killing of a Palestinian, who was convicted of involuntary manslaughter, was three months of community service.¹²⁶

Most cases of Palestinian fatalities at the hands of soldiers and police officers are never investigated in the first place. Despite the Turkel Committee's recommendations not to rely on operational debriefings for criminal investigations, the military persists in the practice of using these debriefings to assess suspected criminal acts. Factual investigations, also known as factual assessments, which are carried out after military operations are an internal mechanism meant to serve the military and improve the performance of combat units. The MAGC's decision whether or not to close a case without launching a criminal investigation is often based entirely on a review of the operational debriefing.¹²⁷ Of 409 complaints brought to the military's attention between 2017 and 2021 concerning Palestinians killed by soldiers, only 117 resulted in an investigation.¹²⁸ As noted, only three of the investigated cases resulted in indictments and convictions.

Yesh Din offers assistance to the families of Palestinians killed by Israeli soldiers or police officers and, if they wish, provides them with legal aid in dealings with Israeli law enforcement agencies. As part of this work, Yesh Din collects testimonies from

125 See, e.g.: "Benett: Take the Lawyers out of the War Rooms", **Hadashot 2**, November 20, 2018 (Hebrew).

126 Yesh Din, [Data sheet: Law enforcement against Israeli soldiers suspected of harming Palestinians and their property - Summary of figures for 2017-2021](#) (December 2022). (Hereinafter: [2017-2021 Data Summary](#))

127 For more: Yesh Din, [Data sheet: Law enforcement against Israeli soldiers suspected of harming Palestinians, 2019-2020 summary](#) p. 24 (hereinafter: [2019-2020 summary](#))

128 [2017-2021 Data Summary](#)

eyewitnesses and crime victims, helps submit complaints to the military or the police, closely monitors the progress of investigations and even offers assistance to the investigating authorities by providing evidence, relevant documents and translations. Unlike complaints made to the police over offenses committed by civilians, complaints made to the MAGC over alleged soldiers' offenses are not always investigated. In fact, most cases are closed without an investigation.¹²⁹ In cases that do get investigated but do not result in prosecution, Yesh Din, as the victims' legal counsel, requests the investigation materials in order to determine whether the decision to close the case was warranted and whether the incident had, in fact, been properly investigated.

Yesh Din's experience shows that in the rare cases in which Palestinian fatalities have been investigated, the negligence shown by the MPCID and the MAGC is so systematic that it is difficult not to suspect it as intentional. Furthermore, lead times in Palestinian fatality investigations, from complaint, to investigation, to a final decision - are extremely long, sometimes exceeding the maximum timelines stipulated by the Ciechanover Commission on the application of the Turkel Committee recommendations.¹³⁰ Soldiers and police officers are interrogated months after the incident, having had ample time to coordinate testimonies.¹³¹ Statements given by members of the security forces during investigations indicate they sometimes cannot recall the incident at all or whether they took part in it as so much time had elapsed.

The vast majority of investigations into fatalities carried out in recent years by military investigative bodies did not result in the prosecution of the soldiers or commanders responsible. Yesh Din's ongoing monitoring of the work carried out by military law enforcement agencies shows that **this system does not properly investigate incidents of this type and serves mainly as a cover-up mechanism for crimes committed by soldiers and police officers, designed to give the appearance of a functioning law enforcement system to the outside world.**

An analysis of investigative materials received by Yesh Din helps paint a broader picture of the circumstances surrounding the shootings and gain insight into the quality of the investigations. The terms key instigator and mortal danger are repeatedly mentioned in statements given by soldiers and police officers during investigations of Palestinian fatalities. It is difficult to ascertain if Palestinian protestors pose any sort of threat to armed, well-trained military forces, and to be sure, a variety of factors are involved. The identification of key instigators also depends on a variety of factors that remain hidden from the public, and largely relies on soldiers' subjective perceptions. Given the elapsed time, claims about mortal danger and key instigators go unchallenged in the interrogation room and they are accepted at face value, meaning – as clearance for using

129 [2020-2019 Data Summary](#), p. 8.

130 Ibid.

131 Ibid., p. 24.

lethal fire. In this respect, soldiers and police officers invoke the terms mortal danger and key instigator as cause for aiming lethal fire at Palestinians. In creating the concept of key instigator and ubiquitously using the mortal danger argument, the Israeli security establishment has given itself the tools to relieve soldiers from criminal liability for their actions.

In a testimony given to Breaking the Silence, a former soldier described the purpose behind teaching the open-fire regulations: “There was this feeling that this lesson was kind of about what legal protection I have and what the law permits, how much the law allows me to shoot or prevents me from shooting [...] the state of mind in the company was [that the purpose of] the lesson was what I’d need to say in an investigation in order to look okay if I shoot a Palestinian.”¹³²

The permissive open-fire regulations, which rely on subjective perceptions, along with the dismissive attitude towards the Ruger, and finally, the investigation cover-up system, all lead to a grim and predictable outcome. Palestinians lose their lives for no reason, without any consequences for members of Israeli security forces responsible for the killing.

132 Breaking the Silence, Open-Fire Regulations, not yet published.

Ruger fire at protestors: The killing of Ali Abu Alia, 15



Ali Abu Alia. Photo courtesy of his family and B'Tselem

On Friday, December 4, 2020, at approximately 12:30, a march was held in the village of al-Mughayir to protest settler takeover of village lands. This was the third week in which village residents set out after Friday prayers to protest the establishment of a new outpost near Ein Samia, southeast of al-Mughayir. According to an eyewitness, “About 200 people participated in the march, men, women and children. The army was already at the entrance to the village. Down by the road [Allon Road], four to five jeeps were parked, and soldiers walked up the hill overlooking the village”. The eyewitness recounted: “When the march began, the soldiers immediately started shooting tear gas, stun grenades and live sniper fire.”¹³³

133 B.A, testimony provided to Yesh Din field researcher, December 8, 2020.

The demonstration took place at the foot of a hill overlooking Allon Road, and the protestors carried Palestinian flags and chanted slogans. An army force was positioned on the hill, including several jeeps, soldiers and snipers, and several youths threw stones at the soldiers. Ali Abu Alia, a teenager who celebrated his 15th birthday that day, stood about 250 meters away from the soldiers. According to an eyewitness who stood near him, Ali was about to go back to the village when he was shot by an Israeli sniper with a Ruger rifle. The bullet hit Ali in the abdomen, and he immediately collapsed. His friends took him by car for medical treatment in Turmusaya, and from there, he was taken by ambulance to a hospital in Ramallah, where physicians operated on him for three hours, attempting to save his life, but the injury was too severe, and Ali died in hospital.

According to one of the eyewitnesses, there were approximately four snipers during the demonstration, one of them lay on the ground and aimed his weapon at the protestors at the foot of the hill and shot Ali.¹³⁴ Another eyewitness described the difficult moments after the shooting: "I saw Ali, who was wounded in the stomach. He wasn't bleeding, apparently the bleeding was internal. We tried to talk to him, but he didn't answer. Friends laid him out on the backseat of the car, and we drove to the clinic in Turmusaya... Ali was breathing heavily and apparently wasn't fully conscious. In Turmusaya, they told us that Ali was in critical condition."¹³⁵

Yesh Din worked with Ali's father, who chose to file a complaint following his son's killing. Ali's father told Yesh Din's field researcher that he knew "justice would not be done by the occupation authorities" but that he had decided to file a complaint, if only out of principle. Ali's father said, "I lost what was dearest to me. A 15-year-old boy with his future ahead of him, a boy murdered in cold blood."¹³⁶

In January 2021, Yesh Din was informed by the army that an MPCID investigation had been opened following the incident. In November 2021, eleven months after Ali was killed, Yesh Din was informed that the investigation had concluded, and its findings were forwarded to the Legal Service for Operational Matters (the MAGC department charged, inter alia, with handling offenses involving soldiers who harmed Palestinians or their property in the West Bank and the Gaza Strip). On March 29, 2023, more than 15 months after the findings of the investigation file were forwarded, Yesh Din was informed that upon review of the investigation findings, the MAGC had decided to close the investigation file without taking any legal measures against any of the parties involved.

134 Ibid.

135 A.N., testimony provided to Yesh Din field researcher, December 9, 2020.

136 Ayman Abu Alia, testimony provided to Yesh Din field researcher, December 4, 2020.

According to this notice, the army's investigation found that on that day a violent riot developed, during which stones and rocks were thrown at the soldiers, who responded with crowd control weapons and by firing with a Ruger at the legs of key instigators. It also noted that the commander of the forces approved the fire without noticing that Ali was located behind a key instigator who was the target and that, apparently, Ali was accidentally hit by the fire. In the letter from the Legal Service for Operational Matters, Yesh Din was informed that the officer who was responsible for authorizing the shooting was reprimanded by an officer with the rank of major-general and his promotion in rank was also delayed by a year.¹³⁷

Like many others, Ali was killed because the army's procedure allows firing a Ruger at persons referred to as key instigators during demonstrations without them presenting any clear, imminent threat to human life. Permission to aim potentially lethal fire, including by Ruger at a person who is at a demonstration, surrounded by a crowd, inevitably leads to harm to uninvolved persons and bystanders, because it depends on numerous variables, such as the direction of the wind, the accuracy of the shot, and the sniper's skill.

Ali's sole crime was that he was near people identified as key instigators and considered fair game. In this sense, use of the Ruger, a weapon of questionable reliability, during civilian protests with a large number of participants, can and does lead to unjustified harm to innocent people.

According to the notice of the investigation's closure, the military force at the site operated according to the army's procedures and used Ruger fire when it encountered an imminent threat.¹³⁸ Yet like the term key instigator, the terms imminent threat or mortal danger are based on a soldier or police officer's subjective perceptions, which, in effect, provides for arbitrarily broadening the circumstances in which it is permissible to aim lethal fire at people. The investigation materials provided to Yesh Din indicate that, **in certain cases, the terms key instigator and mortal danger are applied retroactively to whitewash a fatal shooting.** While the demonstration in which Ali participated did include violence, it is questionable that any of the soldiers present were, in fact, in mortal danger, especially given that the army forces arrived prepared for exactly such incidents, armed and equipped with protective gear. Moreover, Ali was shot from a great distance - at least 250 meters - where he surely did not threaten the soldiers' safety.

137 Deputy Military Advocate for Operational Matters letter to Yesh Din, March 29, 2023.

138 Ibid.

Conclusion

In 2001, the army determined the Ruger was a potentially lethal weapon. Since then, Israeli soldiers have killed dozens of Palestinians and seriously injured many others using Ruger firearms in incidents considered riots, not warfare. Officially, the military claims the Ruger is not a crowd control weapon and that the open-fire regulations for it are as restrictive as those for regular firearms. In practice, Israeli forces' use of the Ruger to disperse demonstrations in the West Bank, or guard the separation fence, is on the rise.

This report shows that despite knowing the Ruger is a deadly weapon, the military continues to use it to disperse demonstrations in the West Bank. For two decades, the Israeli security establishment has failed to instill its official rules for using the Ruger. Israeli commanders, soldiers and police officers still think of it as another, non-lethal, crowd control weapon and, therefore, use it more readily, with inevitably deadly results.

Over the years, the army has repeatedly claimed that procedures for use of the Ruger are strict, even identical to the procedures for use of live fire weapons, such as the assault rifles the military uses. However, the test cases presented in this report, including the investigation materials received by Yesh Din, show that the use of Ruger rifles and .22 ammunition for crowd control is prevalent and backed by police and military policy.

The examples provided in this report point to a common practice, whereby Israeli snipers shoot Palestinians in the absence of any sign indicating real danger to the lives of security forces or civilians. While, officially, use of the Ruger is subject to certain restrictions, such as aiming at the lower body only, given that it is a lethal weapon, these restrictions do not eliminate the risk of deadly fire and harm to innocent civilians. Furthermore, the Ruger is an inaccurate and unreliable weapon, which, when used against a crowd of people in events such as a demonstration, inevitably leads to predictable errors, namely serious injury and death. The large number of cases in which soldiers killed Palestinians considered "uninvolved" by the security establishment serves as further proof.

The military's orders permit the use of potentially lethal force against individuals identified as key instigators or key rioters during demonstrations and similar events, even when they pose no threat to human life. In this regard, the army's instructions themselves fail to comply with international law. Using live fire, including from a Ruger, in situations where there is no clear and immediate threat to life contravenes the law in effect under the law enforcement standard that governs such incidents. Incidents that do not meet the definition of warfare come under the law enforcement paradigm, which permits potentially lethal fire only as a last resort and only if the target poses an immediate threat to human life.

Furthermore, the practice of using live fire as a measure of first resort, without warning, against Palestinians attempting to cross the separation fence is patently illegal. Statements

given by police officers and press reports point to an Israeli policy that permits directing lethal fire, without warning, at individuals who appear to have sabotaged the fence with the aim of crossing it. As with demonstrations, this is, at most, a criminal incident that requires the military and the police to use law enforcement tools rather than tools drawn from the IHL paradigm. In most cases, the individuals involved wish to cross the fence for religious reasons or for work, and they are a threat to no one, yet pay for the “offense” with their lives.

The State of Israel is playing a double game with respect to the Ruger. In what has all the markings of a deliberate policy, Israel is creating a gap between the official instructions for the Ruger’s use and the actual widespread use of it. With the added lack of understanding that the Ruger is a dangerous, deadly weapon among commanders, soldiers and police officers, the result is a large number of innocent Palestinians killed, while members of the security forces responsible for these killings are not held accountable.

Using the Ruger gives the military a public and legal defense. The open-fire regulations, which allow using fire in a wide variety of scenarios that do not necessarily involve a threat to Israeli security forces, such as firing at a key instigator, effectively seek to provide a legal defense to soldiers and police officers who kill Palestinians and spare them from legal action. Additionally, the military often says no lethal fire was used in incidents involving sniper Ruger fire, framing it as a crowd control weapon. This is a deliberate policy the Israeli security establishment is using to give military and police forces more leeway.

A combination of circumstances leads to the tragic and predictable outcome of Palestinians being killed by Israeli security forces:

- the practice of using the Ruger as a crowd control weapon - pursued despite the MAG’s decision;
- the dismissive attitude towards the Ruger by commanders and soldiers who perceive it as a non-lethal weapon;
- open-fire regulations that contradict international law and permit the use of lethal fire in non-life-threatening circumstances, against individuals labeled key instigators;
- the whitewashing of killings by the military system and the lack of enforcement against soldiers and commanders who make criminal use of the Ruger.

The Ruger rifle is a lethal weapon for all intents and purposes. Its use as a sniper weapon cannot be considered comparable to crowd control weapons. Use of the Ruger in a dangerous manner, designed to inflict irreversible harm, as a means of first resort and in

the absence of mortal danger is illegal. The Israeli security establishment must immediately stop using live fire, including by Ruger, during demonstrations and attempts to cross the fence. These are incidents that fall under the law enforcement paradigm, which restricts the use of lethal force and sets clear conditions for opening fire. Israel's obfuscation of the distinction between warfare and criminal incidents, and, correspondingly, between civilians and combatants, defies the law and inevitably leads to the killing of innocents. The international community must call on Israel to respect and obey international law and to halt use of the Ruger and other live fire weapons during policing operations that feature no real danger to Israeli security forces.