

6.4.2025

To:

The Military Advocate General

Major General Yifat Tomer-Yerushalmi

Dear Madam,

**Re: Initiating a Criminal Investigation into the “Ambulance Incident” of March 23, 2025**

We are writing to request that you order an immediate criminal investigation into the incident that occurred on March 23, 2025, in the Tel Sultan neighborhood of Rafah, during which IDF soldiers opened fire on several Palestinian rescue vehicles, resulting in the deaths of approximately 15 people. Beyond the general suspicion of a serious violation of the laws of war inherent in attacking civilians who are part of medical and rescue teams, media reports describe specific circumstances that raise a concrete suspicion of the commission of a war crime:

1. There are significant discrepancies between the version initially published by the IDF Spokesperson regarding how the vehicles were traveling (stating: “A preliminary review indicates that they were traveling without coordination and without driving or emergency lights” – <https://www.ynet.co.il/news/article/s111wrcuakl>) and the findings of the investigation reported yesterday in the media, which indicated that the vehicles were indeed driving with emergency lights (sirens). A video published two days ago by the New York Times also supports the version that the vehicles were marked and identifiable from a distance as rescue vehicles (<https://www.nytimes.com/2025/04/04/world/middleeast/gaza-israel-aid-workers-deaths-video.html>). This raises suspicion that false information was reported about the circumstances of the incident by those involved.
2. There are also discrepancies between the initial reports in the IDF Spokesperson’s statement, which implied that the vehicles were shot at from a distance (“The force responded by firing at the suspicious vehicles and eliminated several terrorists from the Hamas and Islamic Jihad terror organizations. Following a preliminary review, it became clear that some of the suspicious vehicles near the force were ambulances and a fire truck.”), and the investigation findings reported yesterday in the media, which stated that the soldiers stormed the vehicles (see for example: [https://www.mako.co.il/military/2025\\_q1/Article-news9de616c87d60691026.htm?pld=173113802](https://www.mako.co.il/military/2025_q1/Article-news9de616c87d60691026.htm?pld=173113802)). The New York Times article also cited autopsy results indicating that some of the injuries to the civilians killed were caused at close range. Under these circumstances, it is difficult to understand how the soldiers failed to recognize in real time that these were rescue vehicles and personnel. (It should be noted that there are also media reports that the incident was filmed from the air in real time.) Furthermore, the claim that some of the deceased were identified post-mortem as members of terror organizations does not justify the attack on the vehicles, as prior to their identification as

civilians actively participating in hostilities, they could not have been lawful targets of attack (this is without addressing questions related to the proportionality of the attack on rescue vehicles in circumstances where only some of the passengers were identified as militants).

3. The burial of the bodies and vehicles (!), and the delay in their retrieval and in bringing the bodies to burial, also raises suspicion of an attempt to conceal evidence at the scene and to hinder the investigation of the incident. Indeed, according to an article in The Guardian from April 2, the condition of the bodies makes it difficult to determine forensic findings (<https://www.theguardian.com/world/2025/apr/02/evidence-execution-style-killings-palestinian-workers-israeli-forces-doctor-says>).
4. Finally, we find it important to note that in recent days, a briefing was published from an officer in the Golani Brigade (the unit which was involved in the incident), in which he allegedly instructed his soldiers to treat everyone they encounter as an enemy (<https://x.com/BittonRosen/status/1908029094173753650?s=08>). This raises concern that the incident at the heart of our appeal resulted, in part, from a failure by commanders and soldiers in the unit and the sector — and perhaps beyond — to internalize the IDF's rules of engagement and/or the provisions of the laws of war concerning the immunity afforded to medical teams and facilities. It should be noted that this is not the first time that claims have arisen regarding IDF attacks on medical convoys during the fighting in Gaza (see, for example: <https://www.msf.org/strikes-raids-and-incursions-year-relentless-attacks-healthcare-palestine>).

As is known, the Turkel Commission found that the existing policy on military investigations, even before the policy changes it recommended, was to initiate a criminal investigation immediately in certain cases, including: “in response to complaints about acts that constitute violations of absolute prohibitions for which there is no justification even during intense combat” (Turkel Commission Report, Part B, p. 284). According to the Commission, a criminal investigation must indeed be opened “when a credible accusation or a reasonable suspicion arises that a war crime has been committed” (Turkel Commission, Part B, p. 91). The Ciechanover Committee also supported this position (Ciechanover Committee Report, p. 18).

Yesterday, it was reported in the media that the Chief of Staff referred the incident to the General Staff Fact-Finding Mechanism. This is a step in the right direction, but we believe it is insufficient. In light of the severity of the incident, its grave outcomes, and the specific suspicions of a serious war crime arising from the circumstances described above, we believe that a criminal investigation should be opened immediately — in place of or in parallel to the action of the General Staff Fact-Finding Mechanism. We call upon you to exercise your legal authority and order such a criminal investigation.

Sincerely,

Dr. Ziv Bohrer

Prof. Eyal Benvenisti

Prof. Orna Ben-Naftali

Prof. Tomer Broude

Prof. Aeyal Gross

Dr. Natalie Davidson

Prof. Tamar Hostovsky-Brandes

Prof. Moshe Hirsch

Prof. Guy Harpaz

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