

Congress of the United States

Washington, DC 20515

May 16, 2024

The Honorable Uzra Zeya
Under Secretary
U.S. Department of State
2201 C Street Northwest
Washington, DC 20520

Under Secretary Zeya,

We write to draw the Department's attention to the case of Dylan Collins, a U.S. citizen and journalist for Agence France-Presse (AFP) injured by Israeli tank fire on October 13, 2023, as well as to urge the State Department to conduct a thorough investigation of the incident.

On October 13th, Collins was part of a group of journalists covering the conflict between Israel and Hezbollah in southern Lebanon. According to video footage and multiple first-hand accounts from the event, the group was clearly marked as press and had selected an open and highly visible position on a hilltop near the Blue Line to minimize risks of misidentification. The group was clearly visible to several Israeli military positions, as well as to an Israeli Apache helicopter and drone circling overhead. There were no Hezbollah positions in the vicinity. The group had been filming from the position for close to an hour when, despite these precautions, they were struck twice by Israeli tank rounds, followed by a sustained burst of .50 caliber heavy machine gun fire.

Issam Abdallah, a Reuters journalist, was killed and six other journalists (from Reuters, AFP, and Al Jazeera) were wounded, one severely. Collins was the only American involved in the incident. The first tank round largely missed him, but he sustained shrapnel wounds when a second round hit as he was applying a tourniquet to his colleague's leg. Thankfully, he has recovered, and his brave actions likely saved his colleague's life. Collins was also injured in a Russian drone strike in Bakhmut last year, underscoring the profound risks these journalists face in covering these conflicts.

The journalists' cameras kept running throughout the attack, providing harrowing audio and video evidence that has allowed investigators to pinpoint that Israeli Merkava tanks fired the 120mm tank rounds and followed up with .50 caliber heavy machine gun fire. The audio evidence also shows that an Israeli drone and Apache helicopter were operating in the skies above during the incident. The audio further indicates that the drone circled their position eleven times in the hour preceding the attack, and that there was no outgoing fire from the Lebanese side of the border while the journalists were in position. Investigations by [UNIFIL](#), [Reuters](#), [Amnesty International](#), and the Dutch investigative organization [TNO](#), as well as [press coverage](#) have all corroborated these facts.

These journalists took every precaution – the Israeli military had ample information to establish that these were civilians and not a military target. Given the circumstances, it is likely that this incident constitutes an unlawful direct attack on civilians. At best, it exhibits gross disregard for civilian life on the part of the Israeli military.

Unfortunately, the October 13th incident is part of a wider pattern of disregard by the Israeli military for the safety of civilians, including journalists and humanitarian aid workers. As of April 25, the Committee for the Protection of Journalists [reports](#) that 105 journalists and media workers have been confirmed dead in relation to the conflict in the Middle East (100 Palestinian, 2 Israeli, and 3 Lebanese), while the United Nations [reports](#) 140 journalists and media workers have been killed, as well as 183 United Nations staff.

Given these facts, we write to request a thorough and independent investigation into these events under the War Crimes Act of 1996 (18 USC 2441) as well as other relevant U.S. and customary international law, and an assessment of whether the Israeli attack on the journalists broke applicable U.S. laws governing the use of U.S. security assistance.

Given the importance of protecting the freedom of the press and the safety of journalists, and particularly given the fact that Mr. Collins is an American citizen, the U.S. government has an obligation to ensure that a credible, impartial, and open investigation into this incident is conducted. The lack of any substantive Israeli response to civil society investigations into this incident – further underlined by the lack of credible investigation into earlier incidents, such as the shooting of journalist Shireen Abu Akleh – demonstrates that the U.S. cannot rely on the Israeli government to conduct such an investigation.

We would also note that the U.S. provided the Apache helicopter, which may have been involved in target identification. The ballistics analysis indicates that the Merkava 120mm rounds were likely Israeli-produced (Elbit Systems), though the U.S. has also provided 120mm tank rounds to Israel, both in the past and since the incident, and the analysis is not conclusive regarding the second tank round fired. The acoustic analysis also identified a sustained burst of .50 caliber machine gun fire, and Israeli Merkava tanks are equipped with Browning M2 .50 caliber machine guns, some of which are manufactured by General Dynamics.

We would appreciate your urgent attention to this issue, as well as responses to the following questions regarding the U.S. government's assessment of the October 13th incident:

- When did the Department become aware of the October 13th attack on journalists?
- When did the Department become aware of the involvement of a U.S. citizen in the incident?
- Were any actions taken by the Department in response to the October 13th incident? If so, please describe.
- Please describe the Department's contacts with Mr. Collins regarding this incident.
- Has the Department had any communication with the Government of Israel regarding this incident? If so, please describe those contacts.
- Does the Department have its own assessment of the October 13th incident? If so, please share the Department's understanding of the facts of the incident.


- Does the Department consider the October 13th incident to be a gross violation of human rights (GVHR)?
- Has the October 13th incident been raised through the Civilian Harm Incident Response Guidance (CHIRG) process or the Leahy vetting forum? If so, when did this occur?
- What is the Department's best assessment of which Israeli unit or units were involved in the incident?
- Do any of these units receive U.S. assistance?
- Does the Department assess that any United States defense materials or services were involved in the incident?
- Will the Department commit to conducting a credible and thorough investigation into this incident to provide answers to these questions and establish whether the incident constitutes a GVHR and/or a war crime under applicable U.S. and international law?

In addition to being a U.S. citizen and a brave war correspondent, Dylan is also a Vermont constituent. We are outraged by this attack and request that the Department conduct a credible and thorough investigation, as well as do everything possible to bring those responsible to justice.

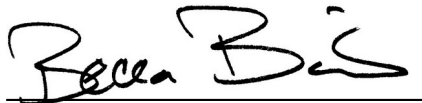
Sincerely,



Bernard Sanders
United States Senator



Peter Welch
United States Senator



Becca Balint
Member of Congress