

## **11b: Civil and Political Rights, Including the Question of Disappearances and Summary Executions**

*Oral Intervention submitted by the Palestinian Centre for Human Rights and Al Haq  
– Law in the Service of Man  
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The Palestinian Centre for Human Rights (PCHR) and Al Haq condemns Israel's ongoing widespread and systematic violations of the right to life against Palestinian civilians in the Occupied Palestinian Territories (OPTs). To date, 1775 Palestinian civilians have been killed by the Israeli military and settlers in the OPTs; 660 in the Gaza Strip and 1115 in the West Bank. The wilfull killing of a Palestinian civilian constitutes a violation of international human rights and humanitarian law, and in particular constitutes a grave breach of the Fourth Geneva Convention, namely a war crime.

We note with particular alarm the increasing regularity of political assassinations of alleged Palestinian activists. Since the beginning of the current Intifada in September 2000, the Israeli government has pursued an open policy of assassination of those Palestinians who it alleges have orchestrated, facilitated or carried out attacks against Israeli targets both within the OPTs and inside Israel. We condemn this policy of state-sanctioned murder as a violation of fundamental human rights, in particular, its implementation as a form of punishment constitutes a flagrant violation of rights to a fair trial, to an appeal. The policy is carried out without recourse to any effective judicial procedures; no evidence is presented before or after the attack proving the alleged immediate threat to life posed by the targeted individual; in many instances the targeted individual could have been arrested by the Israeli military at Israeli military checkpoints, or border controls.

We are particularly alarmed at the impact of these assassinations on the wider civilian population. These operations have been conducted using various methods but have invariably involved the excessive, disproportionate use of lethal, often indiscriminate, force. As a result, 146 non-targeted individuals have been killed and 190 injured in such attacks. We highlight the case of the Al-Daraj bombing on 22 July 2002 in which at least 15 non-targeted civilians were killed, 70 injured, 3 Palestinian homes were totally destroyed and 36 homes sustained serious structural damage, in the attempted assassination of an alleged Hamas activist. The increasing numbers of deaths and injuries to non-targeted civilians resulting from this policy evidences an increasing disregard for civilian life by the Israeli military.

We further express our concern at the failure of Israel to conduct full, thorough and independent investigations into killings and injuries of all Palestinian civilians. We are not aware of any instance in which the Israeli authorities have provided reparation to the victims of the state assassination policy or other unlawful killings.

We further note that as a grave breach of the Fourth Geneva Convention, such killings are automatically subject to the principle of universal jurisdiction and incur individual criminal responsibility. We note with deep regret, however, the total failure of the international community to fulfil its obligations under articles 1 and 146 of the Fourth

Geneva Convention to search for, investigate and prosecute those responsible for grave breaches, including wilful killings of civilians.