

Item 11(b): Civil and Political Rights, including the Question of Disappearances and Summary Executions

*Oral Intervention by the **Palestinian Centre for Human Rights (PCHR)**, a non-governmental organisation with Special Consultative Status, together with **LAW (the Palestinian Society for the Protection of Human Rights and the Environment)**
(Speaker: Jaber Wishah, PCHR Deputy Director)*

PCHR and LAW condemn widespread and systematic killings of Palestinian civilians in the Occupied Palestinian Territories, including extrajudicial, summary, and arbitrary executions.

According to PCHR's records, at least **1036** Palestinians were killed by Israeli occupation forces or settlers in the OPT between 28 September 2000 and 27 March 2002, not including those killed while engaged in armed offensive attacks against Israeli targets. Of these 1036, **203** (20%) were children under age 18 and **178** (17%) were on-duty members of Palestinian security services, who were not directly engaged in armed offensive attacks against Israeli targets and are thus also protected persons under the Fourth Geneva Convention. Most of these deaths were the result of excessive and/or indiscriminate use of force by the Israeli army, or willful killings, and are a systematic violation of Israel's obligations under the Fourth Geneva Convention, the International Covenant for Civil and Political Rights (ICCPR), and other international standards.

Since PCHR and LAW submitted their written intervention on this matter to the Commission earlier this year, there have been two significant new trends in killings by Israeli occupying forces:

1. Killings have sharply escalated in recent weeks, especially during Israel's all-out assaults on densely populated Palestinian refugee camps, cities, and villages. Between 1 and 27 March, **178** Palestinians were killed by Israeli forces or settlers in the OPT, making March by far the bloodiest month of the al-Aqsa Intifada.
2. Since the beginning of 2002 at least **56%** (151) of Palestinians killed by Israeli forces died during incursions into PNA-controlled areas. This marks a dangerous shift in Israeli actions from excessive use of force against unarmed demonstrators to an all-out offensive war against civilian communities.

Throughout the al-Aqsa Intifada, Israel has also maintained its open policy of assassinating Palestinians whom it accuses of planning, ordering, or carrying out attacks against Israeli targets, despite repeated international condemnation. At least **100** Palestinians have been extra-judicially executed in this manner during the al-Aqsa Intifada, of whom approximately 20% were bystanders, including at least 10 children. This policy of state assassination represents a gross and systematic violation of the right to life, the right to a fair trial, and other international human rights standards. As willful killings, they also constitute grave breaches of the Fourth Geneva Convention.

Numerous Palestinian civilians continue to be killed in other contexts, including: in indiscriminate shelling and bombardment of residential areas; after being arrested, wounded, or incapacitated; at Israeli military roadblocks or checkpoints; and by Israeli settlers. PCHR and LAW note with great concern that, few, if any, cases of Palestinian civilians killed during the al-Aqsa Intifada have undergone full and proper investigation, and no compensation has been paid to the families of victims.

We reject Israel's characterization of the current situation as an "armed conflict" and stress that the applicability of the Fourth Geneva Convention in the OPT, which has been affirmed by two meetings of High Contracting Parties to the Convention and numerous resolutions of the UN General Assembly and Commission on Human Rights, is even more urgent and necessary in the current crisis.

PCHR and LAW therefore call upon the Commission on Human Rights:

- To reaffirm the illegality of Israel's assassination policy, as recognised by the Commission in Resolution E/CN.4/RES/2001/7 (18 April 2001), paragraph 3.
- To condemn all extrajudicial, summary, and arbitrary executions by Israeli occupying forces.

- To urge all High Contracting Parties to the Fourth Geneva Convention to take immediate and effective steps to ensure that Israel, the Occupying Power, respects the Convention in the OPT.
- To demand an unconditional, immediate, and complete withdrawal of Israeli forces from the OPT.
- To urge states to impose military, economic, diplomatic, oil, trade, and other sanctions against Israel until it complies with the Convention and withdraws from the OPT.
- To remind the High Contracting Parties to the Fourth Geneva Convention of their obligation under Article 146 of the Convention to investigate and prosecute Israeli officials responsible for willful killings and other war crimes.