



المركز الفلسطيني لحقوق الإنسان

PALESTINIAN CENTRE FOR HUMAN RIGHTS

Fact Sheet No. 1

Extra-Judicial Executions Committed by the Israeli Occupation Forces (IOF) against Palestinian Civilians September 29, 2000 — December 31, 2006

Extra-judicial execution occupies a significant position in the catalog of crimes committed by the IOF against Palestinian civilians. Supported and upheld by all three branches of Israel's government, IOF has been allowed to perpetrate these crimes with full impunity. The following is a collection of essential information regarding extra-judicial executions (Targeted killing) in the OPT.

* Extra-judicial executions are often carried out by the IOF without regard for the lives of civilians, especially those of children.

In one particular example, IOF killed all members of a Palestinian family in Gaza City. According to PCHR's documentation, on July 12, 2006, IOF fighter jets struck the house of Dr. Nabeel Abu Silmiya in the Sheikh Radwan neighborhood of Gaza City. The house was completely destroyed and Dr. Nabeel was killed along with his wife and seven children. IOF later claimed that the attack targeted Mohammed al-Daif, leader of the "Izziddin al-Qassam Brigades, the military wing of Hamas and a number of his colleagues.

Cases like this are not uncommon. In 2006, IOF committed multiple extra-judicial executions by striking civilian establishments, houses and cars with bombs; and with the aid of undercover units in the West Bank. According to PCHR's investigations, IOF committed 48 extra-judicial execution attacks in the OPT, during the course of which 140 Palestinians were killed. Of those killed, 94 were intentionally targeted for killing by IOF and 46 were civilian bystanders (including 20 children). In addition, dozens of civilian bystanders were wounded in the attacks.

* Extra-judicial executions accounted for 19% of Palestinian deaths by IOF between September 29, 2000 and December 31, 2006.

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Of the 613 Palestinians killed in extra-judicial executions during this time, 212 were innocent bystanders, including 75 children. In the West Bank, the ratio of target/civilian deaths stood at 233/72; in the Gaza Strip the number of targeted and no targeted /civilian deaths is almost equal at 168/140.

* Extra-judicial executions constitute a grave breach of international human rights law and international humanitarian law.

Extra-judicial executions are a clear violation of the right to life, the most basic of human rights. Article 3 of the Universal Declaration of Human Rights states that “everyone has the right to life, liberty and security of person.” Article 6 (1) of the International Covenant on Civil and Political Rights states that, “every human being has the inherent right to life. This right shall be protected by law. No one shall arbitrarily be deprived of his life.” These rights apply even in emergency situations and indeed, the killing of innocent bystanders is a clear violation of them.

* Extra-judicial executions encourage a slippery slope in the process of determining the criteria constitutive of a legitimate target.

Besides the unintentional killing of civilian bystanders, extra-judicial execution constitutes an unaccountable method of punishment. Without trial or due process of law, it is possible for IOF to effectively determine what crimes deserve death as punishment and should alone be enough to discredit the practice.

Extra-judicial executions have led to a slippery slope in determining qualifying factors for targeting. Who should be targeted? For what crime? What proof is necessary? None of these questions is open to kind of scrutiny provided by a court of law and are therefore subject to a great deal of subjectivity.



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IOF generals have named vague qualifying factors such as “we strike against terrorists” or “those who continue to carry out attacks”, but this is not enough. If IOF target “terrorists”, what would stop them from also targeting those who provide support to the “terrorists”, those who develop plans of attack for the “terrorists”, those who fraternize with the “terrorists”, perhaps even those related to the “terrorists”? The line becomes much too blurry and has allowed Israel to target virtually anyone desired.

On top of this, capital punishment is an inherently flawed system, with or without legal representation. In the United States, where capital punishment is enforced, the legal process is lengthy and open to numerous appeals before execution is finally carried out. Nevertheless, the system is open to serious errors and studies have shown a disturbing number of falsely incriminated persons being executed for crimes they were innocent of. The pattern of innocents dying for crimes they did not commit is even higher in a system where the accused are denied due process.



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