



المركز الفلسطيني لحقوق الإنسان

PALESTINIAN CENTRE FOR HUMAN RIGHTS

Facts Sheet, No. 4

Extra –Judicial Executions in OPT by Israeli Occupation Forces (IOF), between July to September 2007

Extra- judicial killing of allegedly wanted Palestinians constitutes the cruelest form of killing committed by Israeli Occupation Forces (IOF). (IOF) restlessly continue this targeting of Palestinian activists ignoring the high potential to harm civilians and innocent people. At the heart of the debate over this brand of killing, committed by IOF, is the legality of extra –Judicial executions (Targeted killing). "Targeted killing", as Israeli politicians like to define it, enjoys secret approval from high levels of the Israeli political, security and judiciary establishment. It has no legal or moral grounds. It is completely in contradiction with human rights norms. It gives no attention to human beings lives or the innocent casualties it may leave.

- In its attempts to legalize these actions, the Israeli government has argued that targeted people are wanted persons who are extremely dangerous and pose a threat to the security of the State of Israel. Israeli claims have no proof. Although, in another attempt to legalize such crimes, the Israeli High Court ruled out that “targeted killing” does not violate international law. The court ruling came in response to a petition submitted by human rights organizations against the policy of extra-judicial executions. PCHR affirms that the actions of extra judicial executions lack the basic principles of due process. It is an execution without trial. It is grave breach of norms of international human rights law and international humanitarian law, Article 3 of the Universal Declaration of Human Rights states: "everyone has the right to life, liberty ad security of person." Article 6 (1) of the International Covenant on Civil and Political



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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. In addition, this policy of extra judicial-killing is a grave violation to article 33 of Fourth Geneva Convention Relative to the Protection of Civilians Persons on Time of War. These rights apply even in emergency situations and indeed, the killing of innocent bystanders is a clear violation of them. By executing persons accused by IOF of planning or carrying out attacks against Israel violates the content and the spirit of the above articles of international human rights law and humanitarian international law.

In 2006, IOF increasingly committed extra-judicial executions against Palestinians, either by bombarding civilian establishments, houses and cars in the Gaza Strip, or by undercover units in the West Bank. According to PCHR’s documentation, IOF committed 48 extra-judicial executions, in which 140 Palestinians were killed. Of those killed, 94 were targeted persons (64 in the Gaza Strip and 30 in the West Bank), and 46 (41 in Gaza and 5 in the West Bank) were non-targeted civilian bystanders, including 20 children. In addition, dozens of Palestinians, mostly civilian bystanders, were wounded in these attacks.

In 2007, particularly the period between the June to September, IOF continued its practices of extra judicial executions.

- On 26 July 2007, 3 activists were killed in an extra-judicial execution using aerial bombardment against a vehicle to the south of Gaza City.



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- In the first week of August, IOF carried out an extra-judicial execution attempt in the southern Gaza Strip town of Rafah. The attack killed 2 Palestinian civilians and wounded 12 others, including a child, and 3 members of the al-Quds Brigades (the armed wing of Islamic Jihad). The attack essentially targeted the three members of the al-Quds Brigades.

According to investigations conducted by PCHR, at approximately 20:15 on Saturday, 4 August 2007, an IOF warplane fired a missile at a civilian car that was traveling on Salah al-Din road to the north of Rafah International Crossing Point on the Egyptian border. Three members of the al-Quds Brigades were traveling in the car. The missile hit the front of the car and the three men were seriously wounded, but they were able to jump out of the car. A few minutes later, an IOF warplane fired 2 missiles at another civilian vehicle that was carrying a container, which stopped nearly 20 meters away from the entrance to Rafah International Crossing Point. As a result, the driver of the vehicle, 42-year-old Midhat Ahmed al-Halabi, and a civilian bystander, 30-year-old Hisham Nasser al-Jamal, were killed. In addition, 12 civilian bystanders, including a child, were wounded. A jeep belonging to the Islamic Jihad was loaded in the container, which was apparently the target of the attack.

In a notable escalation during the second half of August, 2007 IOF committed 3 extra-judicial executions in the Gaza Strip in less than 48 hours, in which 10 Palestinians were killed.

- On 20 August 2007, IOF extra-judicially executed 4 members of the 'Izziddin al-Qassam Brigades (the military wing of Hamas) and two members of the Executive Force of the Palestinian Ministry of Interior in al-Boreij refugee camp in the central Gaza Strip.

- On 21 August 2007, an IOF aircraft fired a missile at 3 armed Palestinians in al-Qarara village, northeast of Khan Yunis. Soon



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after, an IOF infantry unit moved into the area and opened fire. The three Palestinian were killed.

- On 22 August 2007, IOF extra-judicially executed a member of the 'Izziddin al-Qassam Brigades and wounded another one in the east of Gaza City.

During the last week of August, another notable escalation by IOF of extra judicial executions. The victims were 3 children killed in 2 extra-judicial executions. The children were killed in Beit Hanoun by an Israeli surface-to-surface missile fired near launchers of locally produced rockets. There were no launching cells in the area at the time, and the children were at a considerable distance from the launching ladders.

- On Wednesday, 26 September 2007, IOF extra-judicially executed 5 members of the Army of Islam. According to investigations conducted by PCHR, at approximately 16:45 on Wednesday, 26 September 2007, an IOF warplane fired 2 missiles at a civilian vehicle (a white Mitsubishi Magnum), in which 5 members of the Army of Islam were traveling in al-Zaytoun neighborhood, in the east of Gaza City.

Since the beginning of the current Palestinian Intifada, 655 Palestinians, including 221 civilian bystanders, have been extra-judicially executed by IOF. The victims have included 73 children.

Therefore, PCHR:



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- Condemns these crimes of extra-judicial executions by IOF in the Occupied Palestinian Territories in disregard for the lives of Palestinian civilians, considering them a grave violation to article 33 of Fourth Geneva Convention Relative to the Protection of Civilians Persons on Time of War.
- Stresses that IOF disregard to the civilians' lives and do not pay attention to the principles of necessity and proportionality in using excessive force by their full-fledged arsenal against Palestinian activists who are sometimes present in densely populated areas.
- Calls upon the international community to immediately intervene to stop such crimes which contradict International human rights Law, and International Humanitarian Law.



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