

10 February 2006

**Joint Open Letter to Diplomatic Representatives Concerning
Targeted Assassinations**

Your Excellencies:

As non-governmental human rights organisations based in the Occupied Palestinian Territories (OPT) and Israel, we would like to raise our serious concern regarding the intensified Israeli campaign of targeted assassinations of Palestinian activists and highlight the legal and political implications of this policy. This targeted assassination policy not only circumvents the fundamental right to due process but also risks the further destabilisation of an already volatile political situation. Ten Palestinians in the last five days have been killed in such operations in the Gaza Strip.

All civilians are given the right to protection under international humanitarian law. As the Occupying Power in the West Bank and Gaza Strip, Israel is obligated not just to guarantee the safety of its own citizens, but to protect the fundamental rights of Palestinian civilians. Israel's record of killing Palestinian activists during operations such as targeted assassinations and arrest raids brings into question Israel's justification of necessity. Furthermore, documentation by human rights organisations makes it clear that even during what Israel terms "arrest attempts," many Palestinians killed are frequently not given the opportunity to surrender and instead, Israeli forces (generally undercover units) shoot to kill without warning.

Inevitably, bystanders — including women and children — are killed or injured in such operations. In the extremely densely populated Gaza Strip, the risk of harming innocent bystanders in targeted assassinations is especially acute. This was abundantly clear during the 7 February 2006 air strike that killed the two targeted people but also injured four children — one critically.

Israel's tendency towards the excessive use of force was evident during the 5 February 2006 air strike against a sports club where political activists were congregating. Not only was the club destroyed, but those trying to evacuate an injured man were prevented from doing so by a second missile strike. After they had finally reached the injured man, and while he was being driven to a hospital, a third missile struck the car and the three passengers were immediately killed. A fourth man later died of injuries sustained in the first missile strike at the club.

Targeted assassinations and other forms of extrajudicial executions violate the fundamental right to life, protected under international human rights and humanitarian law. Moreover, by denying Palestinians their right to due process, these actions constitute gross violations of international law and accepted standards of justice.

Although Israel claims that these operations have been carried out in the Gaza Strip in response to Kassam missile attacks against Israeli civilian targets, under international humanitarian law, an illegal act is not rendered lawful in response to a prior illegal act. The fact that these operations continue to be conducted in Gaza is a clear indication that despite Israel's unilateral withdrawal, the dire human rights situation preventing Palestinians from leading normal and secure lives has not changed.

As the Israeli government explicitly endorses targeted assassinations despite their clear illegality, the international community must take meaningful steps to ensure that international law is upheld in the OPT. Just as it calls on Palestinian actors to halt violence, so it must call on Israel to do the same. As human rights organisations, we urge you to seek reassurance from your governments that:

- The international community demand the end of the illegal Israeli practice of targeted assassinations;
- High Contracting Parties to the Fourth Geneva Convention uphold their obligations under Article 1 to ensure the respect of international humanitarian law by holding Israel to its obligations under the Convention;
- Those states transferring military weapons and equipment to Israel ensure that no such transfers are undertaken without a specific and clear commitment from the Israeli authorities that such equipment will not be utilised in targeted killings.

The international community must do all it can to break the culture of Israeli impunity and ensure the enforcement of international human rights and humanitarian law.

Sincerely,

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