



Right Hon Philip Hammond MP
Foreign Secretary
Foreign and Commonwealth Office
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City of Westminster
London
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Email: fcocorrespondence@fco.gov.uk

For the urgent attention of: Right Hon Philip Hammond MP

28 October 2015

Dear Mr Hammond,

Re: The killing of 12 Palestinian children by Israeli forces since 5 October 2015

As lawyers committed to the protection and promotion of Palestinian human rights, we write to express our deep concern at the recurring use of lethal force by Israeli police officers and soldiers against Palestinian children since 5 October 2015. The alarming number of 12 confirmed child fatalities raises the grave concern that Israeli forces are routinely using lethal force against Palestinian children in breach of international legal standards.

Between 5 October and 27 October 2015, Defence for Children International Palestine (DCIP), has recorded the killing of 12 Palestinian children in the occupied Palestinian territory (West Bank, including East Jerusalem, and the Gaza Strip). The circumstances of these 12 child fatality incidents are disputed, with a number of the children killed while allegedly carrying out knife attacks. Israeli authorities have not handed over the bodies of the children killed while carrying out alleged knife attacks to their families, which has made verifying the details and circumstances of the incidents more difficult. It must be noted that a number of the child fatality incidents do not involve any allegation of criminal actions by the child killed.

LPHR shares the grave concern expressed by DCIP that Israeli forces are currently “implementing a 'shoot to kill' policy, which in some incidents may amount to extrajudicial killings.” A coalition of Israeli human rights organisations on 14 October 2015 similarly stated that:

“No-one disputes the serious nature of the events of recent days, nor the need to protect the public against stabbing and other attacks. However, it seems that too often, instead of acting in a manner consistent with the nature of each incident, police officers and soldiers are quick to shoot to kill.”



LPHR also notes that the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, stated on 8 October 2015:

“The high number of casualties, in particular those resulting from the use of live ammunition by Israeli security forces, raise concerns of excessive use of force, and violations of the right to life and security of the person... the use of any firearms by law enforcement should be the exception, and only where less extreme means are insufficient to put a stop to an imminent threat of death or serious injury.”

The child fatality incidents have taken place a few weeks after Israeli officials significantly broadened open-fire rules to allow Israeli forces to fire live ammunition during protests in Jerusalem when there is a “threat to life.” Previously, these regulations permitted live ammunition only when there was a direct, mortal threat to the life of a police officer or soldier.

International law

International law requires that intentional lethal force be absolutely avoided unless there is a clearly life-threatening situation which is incapable of being addressed by alternative means. Where individuals allegedly carry out a criminal act, they should be apprehended in accordance with international law and afforded due process of law.

Using lethal force against an individual who is not posing an imminent threat of death or serious injury amounts to the arbitrary deprivation of life in breach of international human rights law. It is a criminal offence under international law that requires investigation and prosecution.

Requested Action

In light of the above, LPHR respectfully urges the British government to directly communicate with the Israeli government on the significant concern that Israeli forces are routinely using lethal force against Palestinian children in breach of international legal standards, and insist upon the following:

1. The bodies of the Palestinian children who were allegedly involved in knife attacks are immediately returned to their families;
2. Israel’s investigation process into each of the 12 confirmed child fatality incidents since 5 October 2015 is credible, impartial, independent and transparent so to ensure legal accountability for any criminal offence committed by Israeli forces;
3. Israel's authorities urgently inform its police officers and soldiers that the use of excessive force against Palestinians, including children, is prohibited and will incur individual criminal responsibility; and



4. Israeli authorities establish an independent and comprehensive inquiry into whether their police officers and soldiers use of force against Palestinians, including children, in the occupied Palestinian territory since 1 October 2015, has been compatible with international legal standards.

We should be grateful for your intervention on this urgent matter.

Yours sincerely,

Tareq Shrourou
Director, Lawyers for Palestinian Human Rights