



Rt Hon James Cleverly MP  
Minister of State for the Foreign and Commonwealth Office  
Foreign and Commonwealth Office  
London SW1A 2AH

10 May 2021

Dear Minister Cleverly,

**Re: Requesting the UK government closely monitors Israeli authorities investigation into the killing without lawful justification of Said Odeh, a 16-year-old Palestinian boy, which necessitates legal accountability and justice.**

As a UK legal charity committed to the protection and promotion of Palestinian human rights, we urge the UK government to closely monitor the Israeli authorities' investigation into the lethal shooting of Said Odeh, a 16-year-old Palestinian boy, by Israeli forces on Wednesday 5 May. Said Odeh was shot and killed with live bullets, twice in the back, by Israeli forces deployed in an olive grove near the entrance of Odala, a village in the West Bank. At the time he was shot, Said was approaching the entrance to Odala, where he lived. It is absolutely imperative that legal accountability and due justice is provided to the family of Said Odeh.

Said's case is reported by Palestinian human rights organisation Defence for Children International Palestine (DCIP). DCIP reports that Israeli forces confronted Palestinian youths at the village entrance prior to the shooting. Said was reportedly not involved in the confrontations at the time he was shot. Said was struck with live ammunition entering in the back near his right shoulder and pelvis, with both bullets exiting from the front, suggesting that he posed no imminent threat to life when he was shot. Israeli forces reportedly shot another youth in the back with live ammunition as he approached Said to provide aid. A Palestinian ambulance was prevented from reaching Said for at least 15 minutes.

The reported information indicates that Said Odeh was unlawfully killed by Israeli forces, without any legally justifiable cause. Said is the second Palestinian child killed by Israeli forces using live ammunition in 2021. In 2020, Israeli forces killed nine Palestinian children (seven of them by the use of live ammunition).

We urge the UK government to scrutinise the investigation into the killing of Said Odeh so as to ensure it does not amount to a whitewashing exercise; the Israeli human rights organisation, B'Tselem, has long-determined that the systemic function of Israeli investigations into the killings of Palestinians is to deliver gross impunity and injustice.

In light of this deeply disturbing context, we also urge the UK government to request data from Israeli authorities and local human rights organisations for the purpose of properly informing its monitoring of the investigation into the killing of Said Odeh; specifically giving details of the number of Palestinian children killed by the use of firearms by Israeli police and military officers since 12 June 2014, and the number of prosecutions (including details of the



specific cases and charges) and convictions (including the specific charge(s) founding the guilty verdict) that have resulted from the subsequent investigation into each fatality case.

### **Legal analysis and the need for legal accountability**

The right to life, as recognised and protected by the *International Covenant on Civil and Political Rights*, is a fundamental human right. Article 6 of the ICCPR provides that every human being had the inherent right to life; that this right shall be protected by law; and that no one shall be arbitrarily deprived of his/her life.

Alongside this, the *UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* provide that the use of force and firearms by a State against an individual can only be deployed in exceptional situations where an individual is posing an imminent threat of death or serious injury. When the use of force is deployed, it must be done so in a manner which is proportionate. Furthermore, in the context of law enforcement operations, at a minimum, States must investigate alleged violations of the right to life resulting from use of force by State agents, in accordance with international human rights law.

The aforementioned report firmly indicates that the use of live force against Said Odeh was unjustifiable and in grave breach of these legal standards.

A genuine criminal investigation is urgently needed into the shooting of Said Odeh to provide necessary legal accountability and justice. As part of a genuine investigation, it will be necessary to ensure that the investigation takes statements from the Palestinian witnesses to the killing, and accord them equal weight with the statements taken from Israeli forces. Criminal prosecutions and legal accountability must properly follow if there is evidence of wrongdoing by soldiers and/or their superiors.

### **Requested actions for the UK government in response to the lethal use of force against Said Odeh**

We urge the UK's intervention in this flagrantly appalling incident by taking the following suggested actions:

1. Raise this grave case with Israeli authorities, and immediately seek a clear assurance, and subsequently closely monitor, that it is conducting a genuine criminal investigation into the killing of Said Odeh, and that criminal prosecutions are pursued with appropriate charges against the individual military officers involved;
2. Request data from Israeli authorities and local human rights organisations to inform your monitoring of the investigation into the killing of Said Odeh; specifically details of the number of Palestinian children killed by the use of firearms by Israeli police and military officers since 12 June 2014, and the number of prosecutions (including details



of the specific cases and charges) and convictions (including the specific charge(s) founding the guilty verdict) that have resulted from the subsequent investigation into each fatality case; and

3. Urge Israeli authorities to circulate public and internal messaging clearly informing all of its military and armed police that the excessive use of force and firearms against Palestinian civilians posing no imminent threat to death or serious injury shall lead to the imposition of individual criminal responsibility.

We would be grateful for your careful consideration of this urgent request and for your reply.

Yours sincerely,

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**Lawyers for Palestinian Human Rights**