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Israel/Occupied Territories: Palestinian armed groups must release abducted Israeli soldier

Amnesty International calls on the Palestinian armed groups who are holding hostage a 19-year-old Israeli soldier, Corporal Gilad Shalit, not to harm him and to release him promptly.

The Iz al-Din al-Qassam group, the armed wing of Hamas, the armed wing of the Popular Resistance Committees (PRC) and a previously unknown group calling itself the Army of Islam have claimed joint responsibility for the attack on the Israeli army base in which Corporal Gilad Shalit was abducted, and are demanding the release of Palestinian women and children detained by Israel in exchange for information about the hostage.

Amnesty International calls on all those exercising command or influence over the armed groups involved in the abduction of Corporal Gilad Shalit, notably the Hamas-led Palestinian Authority (PA) and the PA President Mahmoud Abbas, to take the necessary measures to secure his the release and to ensure that pending his release he is treated humanely.

Corporal Gilad Shalit was abducted in the early morning of 25 June by Palestinian gunmen in an attack on an army base on the Israeli side of the fence which separates the Gaza Strip from Israel. Two other Israeli soldiers were killed and a third wounded in the attack.

Hostage taking, that is threatening to harm or continue to detain a detained person in order to compel a third party to do or abstain from doing something as a condition for their release, is expressly prohibited under international law. Such practice threatens the fundamental right to life, personal integrity and liberty, and is expressly prohibited by international humanitarian law. Under no circumstances is the taking of hostages justifiable.

Armed groups have an international legal obligation to respect the principles of international humanitarian law, including Article 3 common to the Four Geneva Conventions of 1949, which reflects customary international law, and which prohibits the taking of hostages, murder and cruel treatment and torture. Amnesty International calls on the armed groups holding Corporal Gilad Shalit to comply with these principles.

Amnesty International is also continuing to call on the Israeli government and armed forces not to persist in using excessive force and to cease artillery shelling and air strikes in residential areas of the Gaza Strip, which endanger disproportionately the lives of Palestinian civilians living there. In recent such attacks against densely populated residential neighbourhoods in the Gaza Strip Israeli forces have killed and injured scores of unarmed Palestinians, including several women and children.

Since the beginning of this year Israeli forces have killed some 150 Palestinians, including some 25 children. In the same period Palestinian armed groups have killed close to 20 Israelis, including two children.