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Israel/OPT: Evidence indicates West Bank killing was extrajudicial execution

Evidence obtained by Amnesty International indicates that the killing of Hadeel al-Hashlamoun by Israeli forces in Hebron, in the occupied West Bank, on 22 September 2015 was an extrajudicial execution.

Israeli soldiers shot and mortally wounded 18-year-old Hadeel al-Hashlamoun after they stopped her at a checkpoint in the Old City in Hebron. Pictures of the stand-off that led to her death and accounts by eyewitnesses interviewed by Amnesty International show that she at no time posed a sufficient threat to the soldiers to make their use of deliberate lethal force permissible. This killing is the latest in a long line of unlawful killings carried out by the Israeli forces in the occupied West Bank with near total impunity.

Israeli soldiers shot al-Hashlamoun at Checkpoint 56, otherwise known as Shoter, a small pedestrian crossing that restricts Palestinian movement in the vicinity of Hebron's Israeli settlements, which are illegal under international law. Two eyewitnesses with whom Amnesty International spoke separately said that al-Hashlamoun arrived at the checkpoint at around 7.40am, and was stopped by the two soldiers at the checkpoint and ordered to open her bag for a search. She was standing still, around three metres from the soldiers. She opened her bag and showed it to the soldiers, who began to shout at her, at which point she froze, according to the eyewitnesses.

One of the eyewitnesses, Fawaz Abu Aisheh, 34, told Amnesty International that the Israeli soldiers were instructing al-Hashlamoun to "go back" in Hebrew, a language she seemed not to understand. Abu Aisheh attempted to mediate between al-Hashlamoun and the soldiers, as he spoke Hebrew, but the soldiers ignored his attempts, and fired a shot towards the ground near al-Hashlamoun's feet. A series of photos taken by an activist who was monitoring the checkpoint that morning show al-Hashlamoun between two soldiers who seem to be nervous and pointing their guns at her. The photos also show Abu Aisheh as he attempted to assist the girl to leave the checkpoint by moving a red plastic barrier. Another eyewitness also said that al-Hashlamoun had tried to leave the checkpoint.

Four more soldiers arrived at the checkpoint and pointed their guns at Abu Aisheh and al-Hashlamoun, and one of the soldiers then moved to cut off al-Hashlamoun's route out of the checkpoint enclosure. When he was standing half a metre away from her, he fired a shot at the ground and she moved away and stood behind a metal rail next to a wall.

According to Abu Aisheh, al-Hashlamoun had her hands inside her *niqab* (full-face veil) throughout this entire period and at no point tried to approach any of the soldiers. The four soldiers who had just arrived pushed Abu Aisheh 3-4 metres back and refused his offer of translation. At this point, according to Abu Aisheh, the girl was behind metal rails separating her from the soldiers and the same soldier who had fired the first shots moved back, dropped to one knee, and shot al-Hashlamoun in her left leg. According to Abu Aisheh, she fell to the ground and dropped her bag, as well as a knife with a brown handle that she had been holding under her *niqab*. The first witness, who was slightly farther away than Abu Aisheh, did not see any weapon.

According to Abu Aisheh, the soldier who had shot first got up and moved closer to her, until he was about a metre away, and then shot at her upper body four or five times again while she was lying motionless on the ground. He said that the soldier shot a few times despite other soldiers yelling at him to stop. The first witness also described the soldier moving closer to al-Hashlamoun and shooting her in the chest.

The Israeli army has claimed that the metal detector at the checkpoint sounded when al-Hashlamoun passed through and that she ignored calls from the soldiers to stop and continued moving towards the soldiers, even after warning shots were fired. According to the military, she then pulled out a knife, at which point the soldiers shot her in the leg; they shot her again after al-Hashlamoun tried to raise the knife. A photo released by the Israeli military shows a knife with a blue and yellow handle lying on the ground at Checkpoint 56 some metres from the body of al-Hashlamoun. This account of events is contradicted by statements made by the two eyewitnesses interviewed by Amnesty International and photographs of the incident show al-Hashlamoun standing still.

Even if al-Hashlamoun did have a knife, Israeli soldiers, who are protected with body armour and heavily equipped with advanced weapons, could have controlled the situation and arrested her without threatening her life. Open fire regulations of the Israeli military in the occupied West Bank allow soldiers to open fire only when their lives are in imminent danger, and Amnesty International concludes that this was not the case in the shooting of al-Hashlamoun, as she was standing still and separated from the soldiers by a metal barrier. There was no attempt to arrest al-Hashlamoun, according to the eyewitnesses, or to use non-lethal alternatives.

To then shoot al-Hashlamoun again multiple times as she lay wounded on the ground indicates that her killing was an extrajudicial execution. Unlawful and deliberate killings carried out by order of government or military officials, or with their complicity or acquiescence, amount to extrajudicial executions, which are prohibited at all times and constitute crimes under international law. An extrajudicial execution would also constitute a wilful killing, which is a grave breach of the Fourth Geneva Convention, which applies to Israel's long-standing military occupation of the Occupied Palestinian Territories, and a war crime.

One eyewitness remained in the area for 15-20 minutes after the shooting, before he was moved away by the Israeli police. During the time he remained at the scene, no medical help was given to al-Hashlamoun. According to him, five minutes after she was shot, Israeli soldiers roughly pulled al-Hashlamoun by her feet onto a piece of ground out of

sight of the other side of the checkpoint and checked her pulse, but then did not attempt to provide any medical help. Media reports say that Israeli forces denied Palestinian medics access to al-Hashlamoun and did not put her into an ambulance for 30 or 40 minutes after they had shot her. Al-Hashlamoun was first transferred to the settlement of Kiryat Arba, which lacks a hospital or medical facilities with the capacity to deal with critical injuries such as that of al-Hashlamoun, and eventually transferred to Sha'are Tzedek Medical Center in Jerusalem, where she died of her wounds. In order to comply with their obligations under the right to life, Israeli forces had a duty to provide al-Hashlamoun with medical assistance at the earliest possible moment, which they clearly did not meet.

Hadeel al-Hashlamoun's father, Salah al-Hashlamoun, a doctor at al-Ahli hospital in Hebron, told Amnesty International that the family received a medical report from the hospital stating that she died from severe bleeding and multiple organ failure as a result of multiple gunshot wounds in the right knee, left heel, and several bullet wounds in the abdomen and chest.

The Israeli military has opened an investigation into the killing, according to media reports, but such internal investigations have consistently failed to identify those responsible for previous unlawful killings or to hold anyone accountable. International law requires states to ensure prompt, independent, impartial and effective investigations into suspected extrajudicial executions. Amnesty International is calling on the Israeli authorities to carry out such an investigation into the incident, promptly disclose the findings and ensure that anyone responsible for a human rights violation is brought to justice and that the victim's family receives full reparation. Failure to effectively investigate a suspected unlawful killing in itself constitutes a violation of the right to life.

Background

More than 25 Palestinians, including at least three children, have been killed by Israeli forces in the occupied West Bank in 2015, in circumstances that are often disputed. In many cases, there is evidence to suggest that the Israeli forces have not used force in accordance with their obligations under international law. In 2014, Israeli forces killed dozens of Palestinians in the occupied West Bank. In many cases, it appears that the killings were unlawful, and some may have been either wilful killings or extrajudicial executions. Amnesty International has documented many such cases, and consistently criticized the Israeli authorities for their failure to bring to justice military or police personnel, who operate with impunity. For more information, see [Trigger Happy: Israel's use of excessive force in the West Bank](#) (Index: MDE 15/002/2014).

Al-Hashlamoun was shot at a checkpoint that separates the centre of Hebron from al-Shuhada Street, which is completely closed to Palestinians. Hebron is the only city in the occupied West Bank that has Israeli settlements, illegal under international law, in the city centre. After the Ibrahimi mosque massacre of 1994, in which a settler murdered 29 Palestinians, the Israeli army instituted a series of closures in the city that have denied Palestinians access to al-Shuhada Street and other areas of the centre of Hebron. Palestinian residents of Hebron have had their freedom of movement and their economic rights severely curtailed by these closures. In addition, Palestinians are often subject to arbitrary detention and humiliating treatment by Israeli security forces stationed in the

city, and are often subject to settler violence, which the Israeli authorities fail to investigate effectively.