

AMNESTY INTERNATIONAL

QUESTIONS AND ANSWERS

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'Trigger-happy: Israel's use of excessive force in the West Bank'

What are the main findings of the report?

The report shows how Israeli forces have repeatedly violated their obligations under international human rights law by using excessive force to stifle dissent and freedom of expression, resulting in a pattern of unlawful killings and injuries to civilians, including children in the occupied West Bank, including East Jerusalem. The report also shows how Israeli forces have been permitted to do so with virtual impunity.

In some cases that Amnesty International has examined, it appears that Palestinians killed by Israeli soldiers were victims of wilful killings; if so, such killings would amount to war crimes.

What does the scope of the report cover?

This report focuses on the use of excessive force by Israeli forces in the West Bank since the beginning of 2011 outside of situations of armed conflict. It details killings and injuries by Israeli forces of Palestinian civilians in the context of protests in the West Bank against Israel's continuing military occupation of the Palestinian territories, illegal Israeli settlements and the fence/wall.

It does not include cases of killings or injuries in other contexts such as search-and-arrest operations.

The report also does not cover Israel's use of excessive force against Palestinian protesters in the Gaza Strip, such as in the "buffer zone" bordering Israel.

In a briefing issued in September 2013 Amnesty International documented human rights violations carried out by the Palestinian authorities in the West Bank against Palestinian demonstrators: *'Shut up we are the police': Use of excessive force by the Palestinian Authority in the occupied West Bank.*

How was the information for the report gathered/verified?

Amnesty International conducted much of the research on which this report is based during a series of visits to the West Bank in 2012 and 2013. Researchers observed demonstrations, interviewed wounded protesters and bystanders, victims' relatives, eyewitnesses, medical workers, local human rights activists, lawyers, journalists and others and inspected locations in which protesters had been killed or injured. They also obtained corroborative

documentation including medical reports and video film footage, and received valuable assistance from Israeli and Palestinian organizations, local human rights activists and other international organizations.

Amnesty International requested meetings in 2013 with the relevant Israeli authorities in order to seek information on specific cases and to discuss its concerns but none of the authorities contacted agreed to a meeting. The organization also sent two letters – one in 2013 and one early in 2014 – to the relevant Israeli authorities to request information about investigations into the cases included in this report, but no response had been received by 25 February 2014.

How many Palestinians have been killed and injured by Israeli forces?

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), 45 Palestinians were killed by Israeli forces in the West Bank between January 2011 and December 2013. Amnesty International documented the killings of 25 civilians during this period, 17 of which took place in the context of protests and are presented in the report.

Breakdown of deaths by year and cause of death:

- 27 killed in 2013 (25 by live ammunition and two by rubber-coated metal bullets), including 4 children
- 8 killed in 2012 (all by live ammunition), including 2 children
- 10 killed in 2011 (8 by live ammunition, 1 by tear gas canister, 1 by tear gas inhalation).

Breakdown by cause of death:

- 41 by live ammunition
- 2 by rubber-coated metal bullets
- 1 by tear gas canister
- 1 by tear gas inhalation.

How many Palestinians in the West Bank have been injured by Israeli forces?

According to UN OCHA, the number of Palestinians injured in the West Bank between January 2011 and December 2013:

- 261 Palestinians, including 67 children, were seriously injured by live ammunition fired by Israeli forces
- Over 8,000 Palestinians, including at least 1,500 children, were injured by means other than live ammunition, including rubber-coated metal bullets and the reckless use of tear gas. [Note that original versions of the report and press release indicated that the figure was “at least 8,560 Palestinian civilians” and “more than 8,500 Palestinian civilians” respectively. This been corrected in the versions published on the website.]

Injuries from means other than live ammunition include:

- 2,637 by rubber-coated bullets
- 503 by tear gas canisters

- 3,897 by tear gas inhalation
- 90 by stun grenades
- 680 due to physical assaults
- 35 by shrapnel.

Does the report reveal a trend?

Israeli forces have a long record of using excessive force against Palestinian demonstrators in the West Bank, as documented by Amnesty International and other human rights organizations. Israeli forces perpetrating such violations have enjoyed widespread impunity.

This report identifies a clear pattern of unlawful killings and injuries of Palestinian civilians in the West Bank carried out by Israeli forces who have repeatedly used unwarranted and often brutal force resulting in mounting bloodshed since 2011.

In 2013, the rate of killings of Palestinians in the West Bank by Israeli forces was 1.5 times more than the number of those killed in the previous two years combined.

What are the reasons behind this trend?

The repeated violations by Israeli forces are due in no small part to the near complete lack of accountability for Israeli soldiers and Border Police officers who kill or injure Palestinian civilians. This is largely due to the authorities' failure to conduct thorough, impartial and independent investigations into such serious violations.

Since April 2011, Israel has adopted a policy that requires Military Police to investigate cases in which a Palestinian in the West Bank is killed by Israeli forces. This is a step in the right direction, but it falls far short of what is required by international human rights standards.

Since the policy was adopted, at least 35 Palestinian civilians have been killed. Investigations were opened into the deaths of 25 Palestinians in 20 different incidents. Only one investigation has led to an Israeli soldier being prosecuted and convicted.

What evidence of war crimes has Amnesty International uncovered in the report? What is meant by a 'wilful killing'?

In all of the cases of deaths documented in this report, the circumstances point to the Palestinians who died having been unlawfully killed as a result of the actions of Israeli soldiers or police. In three cases, evidence indicates that those killed were victims of wilful killings. Wilful killings are grave breaches of international humanitarian law and amount to war crimes.

According to international humanitarian law applicable to the Occupied Palestinian Territories (OPT), including the West Bank and the Gaza Strip, Israel has an obligation to protect civilians; this include persons who participate in protests while unarmed, even if they engage in minor violence such as stone throwing in circumstances where they present no serious threat to the lives of soldiers or police confronting them or others.

What are the main types of force documented by the report as being used by Israeli forces?

The key weapons used by Israeli forces that have been responsible for deaths and injuries are live ammunition and lethal rubber-coated metal bullets. In some of the cases documented in the report, Israeli forces have killed or injured demonstrators by firing tear gas canisters directly at them from close range or by using tear gas in enclosed spaces causing asphyxiation.

Other types of force used against protesters include other less-lethal means such as pepper spray, stun grenades (sound bombs), maloderants (foul-smelling "skunk water") and hand-held batons.

What are the main recommendations of the report?

Amnesty International is calling on the government of Israel to do the following:

- Open independent, impartial, transparent and prompt investigations into all reports of Palestinian civilians killed or seriously injured by the actions of Israeli forces in the OPT. Those responsible must be brought to justice. As a first step towards bringing Israeli accountability mechanisms closer to international standards, they should implement all the recommendations of the second report of the Israeli-appointed Public Commission to Examine the Maritime Incident of 31 May 2010 (known as the Turkel Commission).
- Ensure that the Israeli army, Border Police and other security forces policing demonstrations or performing other law enforcement duties fully comply at all times with UN guidelines on law enforcement and use of force.
- It also calls on the USA, the European Union and the rest of the international community to suspend transfers to Israel of munitions, weapons, and related equipment including crowd control weapons and devices, training and techniques until substantive steps have been taken by Israel to achieve accountability for previous violations and effective mechanisms are in place to ensure that items will not be used to commit or facilitate serious violations of international human rights law or international humanitarian law.

Public document
