



Israeli-Palestinian Fatalities Since 2000 - Key Trends*

Introduction

Since the beginning of the second intifada in September 2000 until the end of July 2007, at least 5,848 people have been killed either directly or as an indirect consequence of the Israeli-Palestinian conflict.¹ This figure includes all persons regardless of their ethnic origin, nationality, gender, age, status as civilian or combatant and regardless of the circumstances or cause.

This paper examines some of the major trends in the fatalities of Palestinians and Israelis since the beginning of the second intifada until July 2007. Amongst the most notable trends are:

- the continuing high rate of fatalities amongst civilians who account for more than half the total of all those killed (p1);
- the declining number of Israelis killed (p2);
- a continuing high death rate for Palestinian adults and children particularly in the Gaza Strip (p2);
- the escalating and changing nature of Palestinians killed from internal violence (p4).

1) Deaths from the Israeli-Palestinian Conflict

Of those killed in the conflict, 4,228 have been Palestinians, 1,024 Israelis, and 63 foreign citizens. For every person killed, approximately seven were also injured.³

As shown in Graph I, the total number of Israelis, both civilians and Israeli Defence Force (IDF) combatants, killed by Palestinian armed groups and individuals, is declining.

In contrast the total number of Palestinians, both civilians and combatants killed by the Israeli security forces or Israeli individuals, remains relatively high. In 2007, for example, for every one Israeli death there were 25 Palestinian deaths compared to 2002 when the ratio was 1:2.5.

The number of Palestinians killed by the Israeli security forces was lower during the years that coincided with a promise of peace: the Palestinian

The right to life is the most fundamental of all rights. Its importance is reflected in the numerous Conventions, Declarations and United Nations Resolutions which seek to protect or limit the taking of life in some way, both in peace and in war. The Universal Declaration of Human Rights 1948 states:

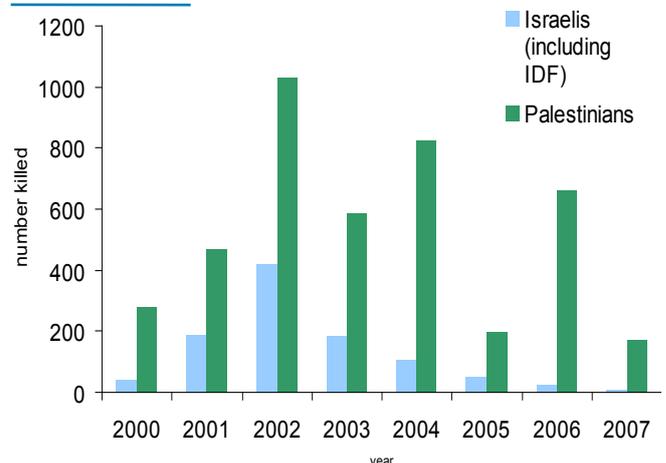
Everyone has the right to life, liberty and security of person.²

This provision is considered as customary international law which is binding on all States. The State of Israel and the Palestinian Authority (PA) have indicated their willingness to abide by these legal standards respecting the right to life, either by ratifying relevant Conventions or in the case of the PA through public declarations and legally binding agreements.

hudna or truce of June 2003, and the Israeli disengagement from the Gaza Strip in 2005.

The overwhelming majority of those killed have been men: for Israelis, including IDF personnel, 69% were men, for Palestinians 94% were men.⁴ Children reflect these gender ratios: 87% of Palestinian children killed, for example, were boys and 13% were girls.⁵

Graph I Fatalities since 2000 from the Israeli-Palestinian conflict



Source: BT'Selem: The time span for these figures is September 2000 to end of July 2007 (figures for 2000 and 2007 are for partial years)

* OCHA acknowledges the assistance of the OHCHR oPt in the preparation of this report.

2) Civilian Fatalities

Most of those killed in the conflict have been civilians not involved in the fighting. Deliberately targeting civilians is strictly prohibited in international law in all circumstances: a rule which applies to all combatants whether from government armed forces or members of militia groups. Persons protected under occupation law are considered as civilians except for that period of time that they may be actively engaged in hostilities or are carrying arms.

Amongst Israelis, 69% of those killed were civilians and 31% members of the IDF. The number of Israeli civilians killed, from attacks by Palestinian armed groups or individuals, has declined steadily, peaking in 2002 at an average of 22 deaths per month, and dropping markedly to an average of one civilian per month in 2007.⁶

In contrast to Israeli figures, however, Palestinian civilian fatalities have remained high. Palestinian civilians, killed by Israeli security forces, peaked with an average of 35 deaths per month in 2002, and again in 2004. In 2007 they dropped slightly to an average of ten civilian deaths per month.

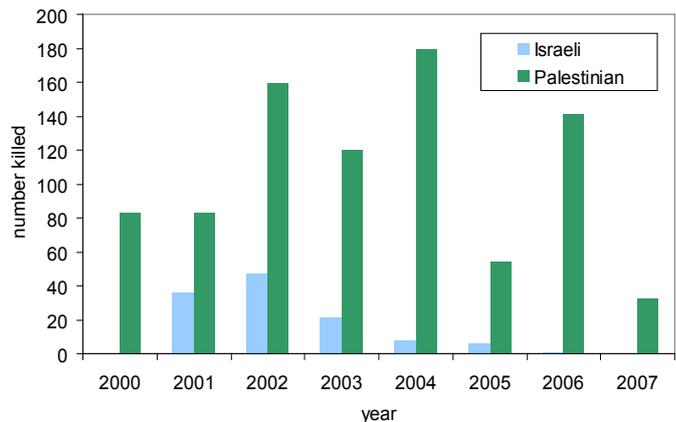
It is considerably more difficult to distinguish precisely who amongst those Palestinians killed were civilians. Since September 2000, of Palestinians killed by Israeli security forces, whose status was known⁷, 59% were civilians and 41% were engaged in hostilities at the time of their death.

3) Children

A total of 971 children have been killed in Israeli-Palestinian conflict violence, representing 18% of the total number of conflict deaths. Children are protected, in a number of legal instruments, including the Convention on the Rights of the Child, against arbitrary loss of life, even in armed conflict.

Of the overall number of children killed, 88% were Palestinian and 12% were Israeli. The trend of child deaths mirrors the total rate: the number of Israeli children killed has declined markedly while that of Palestinian children remains high.

Graph 2 Child fatalities since 2000 from Israeli-Palestinian Conflict



Source: BTSelem. The time span for these figures is September 2000 to end of July 2007 (figures for 2000 and 2007 are for partial years).

Palestinian children make up 20% of the total Palestinian deaths while Israeli children represent 12% of total Israeli deaths.

In 2006, 31% of the Palestinian children killed were 12 years or younger.⁸ The vast majority of children died as a result of injuries sustained either to the head, chest or to more than one place of their body.⁹

4) Location and Circumstance of Deaths

The way people have died has been influenced, as shown below, by the location in which the death took place.

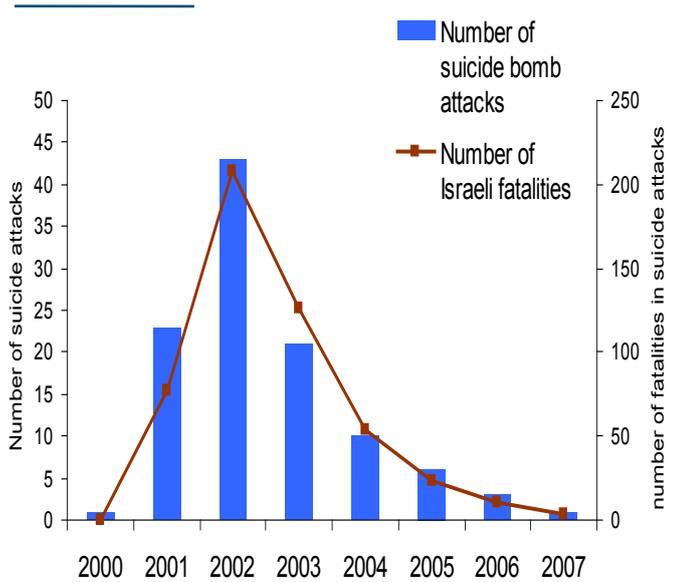
a) Israeli deaths

Israeli civilians are 67% more likely to be killed within Israel while security force personnel are 73% more likely to be killed in the oPt.

Israeli civilians, who died within Israel, have primarily been victims of suicide bombings, perpetrated by Palestinian militant groups. At least 402 Israeli civilians (and 58 security forces personnel) have died inside Israel as a result of suicide bombs.¹⁰

There has been a steady decline in deaths through suicide bombing attacks against Israelis since 2002. However, 11 Israeli civilians, including four children, have died since 2004, from the 2,696 Qassam rockets fired by Palestinian armed groups from the Gaza Strip into nearby Israeli towns, particularly Sderot.¹¹

Graph 3 Number of suicide attacks since 2000 and number of Israeli fatalities that resulted



Source: BTSelem

Israeli civilians, most of them settlers, who were killed inside the oPt have primarily been victims of attacks by armed Palestinian groups or individuals. Since the 2005 disengagement, three IDF and no civilians have been killed inside the Gaza Strip.

Acts of terrorism, which involve the deliberate targeting of civilians, including settlers residing in the oPt, is strictly prohibited in both war and times of peace. The Fourth Geneva Convention, Article 33 prohibits all measures of intimidation or terrorism against civilians. The firing of Qassam rockets is also illegal under international law because they are directed at civilian population centres and are indiscriminate in their targeting.

b) Palestinian Deaths in the Gaza Strip

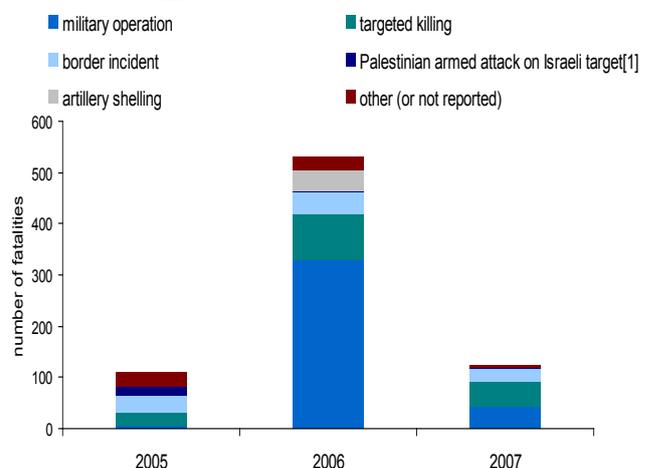
The vast majority of Palestinian deaths occurred in the Gaza Strip. In 2005, 52% of all fatalities from the Israeli- Palestinian conflict happened there. In 2006 the rate was 78%, and in 2007, 67%. (Similarly in 2005, 58% of deaths from internal violence occurred in Gaza, in 2006, 88% and in 2007, 95% of deaths.)¹²

Palestinians have been killed from Israeli military operations, targeted killings, border incidents, search and arrest operations and undercover operations. However, graphs 4 - 6 show that the circumstances in which deaths occur is different between the Gaza Strip and the West Bank.

Although both areas are subject to Israeli military operations, in the Gaza Strip, targeted killings, incursions and border incident are more prevalent. At least 284 Palestinians have been killed for moving within 150 metres of the perimeter fence with Israel, 117 of them civilians, including 23 children¹³.

During 2006, Israeli Security Forces fired some 14,000 artillery shells into the Gaza Strip which were responsible for killing 59 persons, almost all of them civilians¹⁴. In November 2006, the Government of Israel placed a moratorium on the use of artillery fire, contributing to a significant reduction of civilian deaths in 2007.

Graph 4 Palestinians killed in Gaza during the Israeli-Palestinian conflict



[1] Mainly those carrying out the attack - killed during return fire, but including one Palestinian bystander and three who were killed by qassam/ mortar fire at a settlement where they worked

Extra-judicial or targeted killings are illegal under international law, unless the perpetrator acted in self-defence, there was an imminent threat of death or there is a clear case of armed hostilities occurring¹⁵. In the vast majority of IDF targeted killings of Palestinians, which occurred in the oPt, the victim was driving his car when killed or killed by fire from a helicopter.

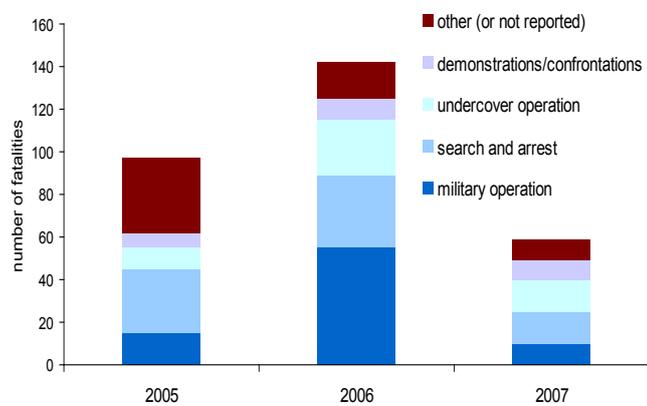
Similarly, in situations that involve search and arrest operations, border incidents, and incidents of civil unrest such as stone throwing and demonstrations, killing as a method of control is prohibited. In all of these situations the internationally recognised guidelines on the use of lethal force by State agents stipulates that a warning or opportunity to surrender must be given and law enforcement officers must attempt to secure an arrest before resorting to lethal force¹⁶.

c) Palestinian Deaths in the West Bank

Search and arrest questions

In the West Bank Palestinians are most commonly killed as a result of IDF search and arrest and undercover operations. Approximately 60% of Palestinians killed in the West Bank since January 2005 were concentrated in the two northern governorates of Nablus and Jenin where most of the search and arrest and undercover operations also occurred.

Graph 5 Palestinians killed in the West Bank during the Israeli-Palestinian conflict by incident



Checkpoints

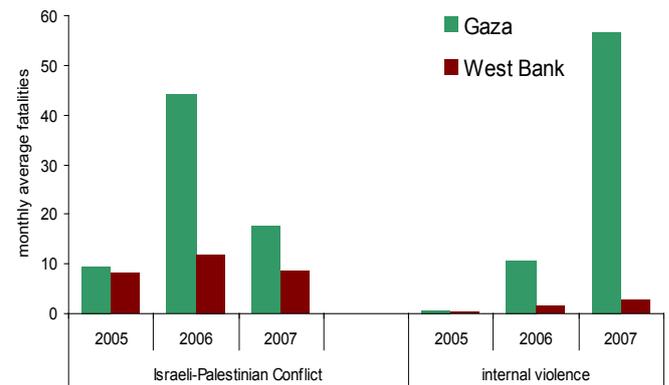
Palestinian civilians, particularly in the West Bank, have also died as a result of being unable to access medical treatment because of delays or obstruction at checkpoints. Since the beginning of the intifada, for example, 68 pregnant women have been unable to access hospitals and forced subsequently to give birth at checkpoints, resulting in the deaths of four women and 34 miscarriages.¹⁷

The greatest number of deaths, resulting from denial of access to medical facilities occurred in 2001 and 2002 when 74% of the 46 deaths for this reason occurred. The number has dropped since then to between 0-4 deaths per year.

5) Deaths from Internal Palestinian Violence

Since 2005, there has been a marked increase in the number of Palestinian deaths resulting from internal violence. In 2005, only 4% of the total Palestinian deaths for that year were the result of internal conflict. In 2006, the figures rose to 17% and in 2007, deaths from internal violence accounted for 65% of the total Palestinian death toll.

Graph 6 Palestinian fatalities comparing the Israeli-Palestinian conflict and internal violence between Gaza and West Bank (monthly averages)



More than twice as many Palestinians were killed by other Palestinians (415) in 2007 as were killed by Israelis (185).¹⁸

The cause of deaths from internal violence has changed. From the beginning of the intifada until the end of 2004, 72% of internal deaths were for alleged collaboration. The remaining deaths were detainees, accidents with firearms or gunfire incidents between the police and individuals.

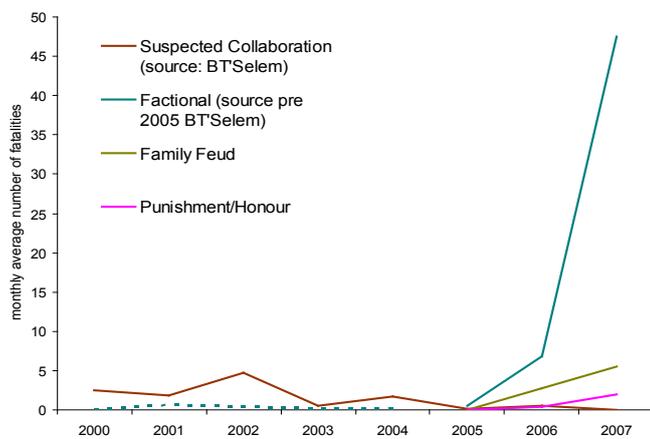
Since January 2005, a different trend has emerged with 74 % of the deaths occurring as a result of factional fighting, 13% from family and clan feuds, 3% from so called “immoral behaviour” and 10% for other reasons or reasons that were unclear. Only eleven of the 573 internally related deaths, during that period, were for alleged collaboration.

During the most recent round of factional fighting in June 2007 armed groups engaged in acts that appeared contrary to international law including summary executions, torture, attacking ambulances and putting the lives of civilians at risk.

In June alone, 193 Palestinians were killed of which 181 were from factional violence. The rise of inter-factional fighting has also proved deadly for children: since 2005 a total of 39 Palestinian children have died from internal fighting. In 2007, approximately the same number of Palestinian children was killed as a result of internal violence (26) as were killed by Israeli security forces (25).

The changing patterns of internally related deaths reveal fundamental changes in the nature of Palestinian society particularly in the Gaza Strip. Whereas once collaboration constituted the ultimate crime because of a unified focus on resistance to the Israeli occupation, current concerns have focused inwards. Dominating them has been the Fatah and Hamas rivalries springing from the political divisions that have emerged largely as a result of the 2006 Palestinian Legislative elections.

Graph 8, Trends in the type of internal conflict and violence leading to Palestinian fatalities



Source: BTSelem

The increasing lack of law and order to has also eroded public confidence, in the ability of the security forces to ensure protection. Consequently, many Palestinians in the Gaza Strip have sought protection from individual clans and family groups whose power has increased. But coupled with increasing gun ownership, family based disputes have also led to an increasing number of fatalities. In 2005 there were no recorded incidents of deaths caused by family fighting: by July 2007 there were 72 such cases.

There has also been an increase in the number of deaths for so called “immoral behaviour” including alleged drug dealing and honour killings, suggesting the increasing influence of Islamic groups. Since 2005 there have been 19 deaths for this reason with the figure for 2007 (14) almost three times that of 2006 (5). Although both men and women are victims, in 2007 there have been 11 cases of honour killings of women, (four cases in July) all reported in the Gaza Strip.

Since the assumption of control by Hamas over the Gaza Strip in mid-June, internal fatalities have declined markedly as a period of relative calm has prevailed.

Conclusion

The right to life in both times of peace and war is protected and regulated in a number of international legal instruments.¹⁹ The State of Israel is a party to most of those major instruments. As the Occupying Power Israel is also under a legal obligation to ensure that the provisions of those treaties, including protection and the right to life, is applied without discrimination to all those under its jurisdiction, including Palestinians in the occupied Palestinian territory.²⁰

The Palestinian Authority, although not a sovereign State, has signalled its intention to abide by the Geneva Conventions, while the Palestinian Basic Law, which is a constitutive document, also stresses the importance of human rights.²¹ In addition, the State of Israel and the PLO pledged to respect human rights law in the Oslo Accords which both parties signed in 1994.²²

To date few persons have been prosecuted for the deaths of civilians, including children, in either Israel or the oPt.²³ When the right to life has been violated, State parties are under an obligation, according to both human rights and international humanitarian law, to investigate deaths in a prompt, impartial and thorough manner. Perpetrators must be brought to justice and where guilty an effective penal sanction must be imposed and victims afforded redress.

Accountability is essential not just in protecting the rights of victims and preventing a culture of impunity, in which further violations occur, but also to ensure the discipline, efficiency and integrity of State agents. The lack of investigations and prosecutions over killings, particularly children, suggest a lack of accountability by all parties. Greater compliance with the legal standards protecting the right to life is essential to protect the lives of all civilians in the region.



End Notes

1. Unless otherwise indicated all figures used in this paper are derived from a combination of OCHA and B'Tselem data. For OCHA refer to the OCHA data base at <<http://www.ochaopt.org/>>. For B'tselem statistics see *Statistics: Fatalities*, available at <<http://www.btselem.org/english/statistics/Casualties.asp>>. Note that this figure also includes deaths as a result of internal violence.
2. *Universal Declaration of Human Rights*, G.A. Res. 217A (III), Article 3, U.N. Doc A/810 at 71 (1948).
3. For Israeli injury statistics see Israeli Ministry of Foreign Affairs at <<http://www.mfa.gov.il>>. For Palestinian injury statistics see Palestine Red Crescent Society at <<http://www.palestinercs.org>>.
4. B'Tselem figures on file with the author.
5. Defence for Children International: Palestine Section, figures on file with the author.
6. All figures on civilians taken from B'Tselem, *Statistics: Fatalities*, available at <http://www.btselem.org/English/Statistics/Casualties.asp>. Note that OCHA does not distinguish between combatants and non-combatants, whereas B'Tselem distinguishes between those who took part in hostilities and those who did not when killed.
7. This figure does not include a further 964 Palestinians whose status was either unknown or who were the object of a targeted killing at the time of their death. See further B'Tselem, *Statistics Fatalities*.
8. Defence for Children International: Palestine Section, Israel's Violations of the Right to Life: *Palestinian Child Fatalities in the Occupied Palestinian Territory during 2006*, at 2, available at <<http://www.dci-pal.org/english/display.cfm?DocId=574&CategoryId=2>>
9. Defence for Children International, *supra* at 5.
10. B'Tselem figures on file with the author. In addition, a further 25 civilians and 12 security force members have been killed in the oPt as a result of suicide bombs.
11. Human Rights Watch, *Indiscriminate Fire: Palestinian Rocket Attacks on Israel and Israeli Artillery Shelling in the Gaza Strip*, (July 2007) at 117
12. OCHA data, see further *Protection of Civilians Summary Data Tables*, available at http://www.ochaopt.org/documents/PoC_tables_July_07.xls.
13. See further, B'Tselem *Hostilities in Gaza since disengagement*, available at http://www.btselem.org/english/Gaza_Strip/Hostilities.asp
14. Human Rights Watch, *supra* at 49
15. Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, E.S.C. res. 1989/65, annex, 1989 U.N. ESCOR Supp. (No. 1) at 52, U.N. Doc. E/1989/89 (1989).
16. See further, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990) and Code of Conduct for Law Enforcement Officials, G.A. res. 34/169, annex, 34 U.N. GAOR Supp. (No. 46) at 186, U.N. Doc. A/34/46 (1979).
17. Save the Children Fund, *Child Rights Fact Sheet*, (June 2007) at 1.
18. OCHA, *Protection of Civilians Summary Data Tables*, available at http://www.ochaopt.org/documents/PoC_tables_July_07.xls.
19. Israel is a party to six of the seven major human rights instruments. These include the Geneva Conventions 1948, the International Covenant on Civil and Political Rights 1966, the Convention Against Torture 1984 and the Convention on the Rights of the Child 1989, all of which specifically refer to the right to life or the protection of civilians in armed conflict. It has signed but not ratified the the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 2000.
20. International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian territory, Advisory Opinion*, 9 July 2004, paras 111-113.
21. In 1989 the PLO signalled its intention to the Swiss Government to abide by the Geneva Conventions. See also the Palestinian Authority, Basic Law, Chapter Two, Articles 9-33, available at <<http://jurist.law.pitt.edu/world/palestbasic.htm>>.
22. Both parties under the Oslo Accords stated they would exercise their powers and responsibilities with "due regard to internationally accepted norms and principles of human rights and the rule of law." See further , Agreement on the Gaza Strip and Jericho Area, May 4, 1994, available at Israeli Ministry of Foreign Affairs, <<http://www.mfa.gov.il>>.
23. See further, Human Rights Watch. Promoting Impunity: *The Israeli Military's Failure to Investigate Wrongdoing*, (June 2005).