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amnesty international

Army's so-called inquiry into cameraman's killing in Gaza a scandal

Amnesty International has described as scandalous the Israeli army's account of firing a tank shell that killed Reuters cameraman Fadel Shana as a "sound" decision. The army reached the conclusion as part of a so-called investigation into the killing of the journalist and three other unarmed civilians, including 2 children, on 16 April 2008.

The army's so-called investigation lacked any semblance of impartiality and Amnesty International called for an independent and impartial investigation into the killing. The organization said that the army's conclusion can only reinforce the culture of impunity that has led to so many reckless and disproportionate killings of children and other unarmed civilians by Israeli forces in Gaza.

Fadel Shana worked for Reuters press agency and was in a car clearly marked as Press. He and his colleague left the car, wearing visible Press flak-jackets and he was killed by an Israeli tank he was filming. The tank fired a shell at Shana, which also hit the civilians, including children, and injured his colleague and others around him.

Shana and two children, Ahmad Farajallah and Ghassan Khaled Abu 'Ataiwi, were killed by flechettes. Amnesty International has said that that flechette shells, which are notoriously imprecise and filled with up to 5,000 5cm-long steel darts or flechettes that spread over an area as big as a football pitch and are lethal, should never be used in or around populated areas.

The letter sent to Reuters by the Israeli Military Advocate General says that the tank crew did not spot any markings on the car and thought Fadel Shana was a militant aiming a rocket.

"Given the sophisticated optical systems in the two Israeli tanks less than a mile away, and the fact that the area is open and visibility was very good in full day light, it is extremely difficult to believe that the soldiers would not have seen the clear TV-Press marking on both Fadel Shana's blue flak-jacket and the Reuter Mitsubishi Truck nearby " said Donatella Rovera of Amnesty International's Middle East and North Africa Programme.

Independent investigations into killings of unarmed civilians by Israeli forces are virtually never carried out. Even in cases where international outcry forces the Military Advocate General's office to look into the cases, the process is limited and lacks any independence and impartiality. In this case, as in virtually all such cases, witnesses were not interviewed.

No proper investigation was carried out into the cases of the 13 other unarmed civilians, including eight children, killed that day after Palestinians had ambushed and killed three Israeli soldiers.

The failure to investigate and to hold accountable those responsible for unlawful killings denies

justice to victims and encourages further abuses. It ultimately also impedes prospects for a peaceful solution to the conflict, as it gives a message to Palestinians that there is no justice for them. .

"The need for a fully independent and impartial investigation into this killing is beyond question." said Donatella Rovera

Amnesty International has repeatedly condemned and called for an end to rocket and other attacks on Israeli civilians by Palestinian armed groups, and for those who commit such attacks to be brought to justice. However, the organization has pointed out that these attacks by armed groups cannot justify the culture of impunity towards the killing of Palestinian civilians in the Israeli army.

In the first six months of 2008, some 400 Palestinians, including more than 50 children, were killed by Israeli forces. Most were killed in Gaza and at least half of them were unarmed civilians.

In the same period, 25 Israelis, including 17 civilians, were killed in attacks by Palestinian armed groups.

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[Trapped - collective punishment in Gaza \(Feature, 12 August 2008\)](#)

[Call for investigation into killing of cameraman and other civilians \(News, 18 April 2008\)](#)

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