Press Briefing Note on Israel: Elor Azaria Case

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Spokesperson for the UN High Commissioner for Human Rights: Ravina Shamdasani

Office of the UN High Commissioner for Human Rights
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We are deeply disturbed at the lenient sentence given by the Tel Aviv Military Court earlier this week to an Israeli soldier convicted of unlawfully killing a wounded Palestinian in an apparent extrajudicial execution of an unarmed man who clearly posed no imminent threat.

Sergeant Elor Azaria was convicted of manslaughter in January 2017 for shooting dead Abdelfattah al-Sharif in Hebron in March 2016. At the time, Mr. Al-Sharif was unarmed and lying wounded on the ground after having been shot for stabbing and wounding an Israeli soldier. Although manslaughter carries a maximum punishment of 20 years, Sergeant Azaria was sentenced only to 18 months in prison and a demotion.

More than 200 Palestinians have been killed by the Israeli security forces since the most recent upsurge in violence began in the West Bank in September 2015. Sergeant Azaria is the only member of the Israeli security forces to have been brought to trial for such a killing.

While the prosecution and conviction are very welcome steps towards accountability, the punishment - which is excessively lenient - is difficult to reconcile with the intentional killing of an unarmed and prone individual. It also stands in contrast to the sentences handed down by other Israeli courts for other less serious offences, notably the sentencing of Palestinian children to more than three years' imprisonment for throwing stones at cars. This case risks undermining confidence in the justice system and reinforcing the culture of impunity.