

Targeted killings and international law: with special regard to human rights and international humanitarian law

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Abstrak

Existing international law is capable to govern the 'war on terror' also in the aftermath of September 11, 2001. The standards generally applicable to targeted killings are those of human rights law. Force may be used in order to address immediate threats, preventive killings are permitted under strict preconditions but targeted killings are prohibited.

In the context of armed conflicts, these standards are complemented by international humanitarian law as *lex specialis*. Civilians may only be targeted while directly taking part in hostilities and posing a threat to the adversary. Also in Israel and the occupied territory, these standards apply. Contrary to the Israeli supreme court's view, international humanitarian law is not complemented by human rights law, but human rights law is, to some degree, complemented by international humanitarian law. According to these standards, many killings which would be legal according to the Israeli Supreme Court violate international law.