



July 29, 2024

Dear Attorney General Garland, Deputy Attorney General Monaco, and Director Wray,

We write to express our concern regarding the status of the Department of Justice's (DOJ) investigation into the killing of Shireen Abu Akleh by Israel Defense Forces (IDF), which you announced nearly two years ago, to share some questions we have about the investigation, and to urge you to publish an interim report regarding your probe. We take very seriously our commitment to protect journalists like the late Abu Akleh, as our organization was founded by the late Jamal Khashoggi to promote human rights and democracy in the Middle East. We are dismayed that, to date, there appears to have been no progress on the investigation or accountability for the murder of a U.S. citizen.

As you may know, Shireen Abu Akleh, a dual Palestinian-American citizen and a celebrated Al-Jazeera journalist, was shot and killed by the IDF on May 11, 2022 during a raid into the West Bank city of Jenin. A beloved and prominent figure in the region, Abu Akleh's killing not only led to prolonged unrest in the West Bank but also became emblematic of Israel's use of lethal force to [intimidate](#) and kill journalists. Since Abu Akleh's killing, several eyewitness accounts and [investigations](#) have concluded that the IDF deliberately—or at the very least, knowingly—targeted Abu Akleh. Notably, the research institute Forensic Architecture [concluded](#) that Shireen had been “clearly identifiable” in her vest marked “PRESS,” that an IDF sniper “deliberately and repeatedly targeted Shireen,” and that the IDF prevented medics from administering her first aid after being shot. Despite these credible reports, the current U.S. probe has made little to no public progress and has failed to bring the culpable parties to justice.

On July 4, 2022, a [press statement](#) from the State Department revealed the conclusion of a U.S. Security Coordinator (USSC) analysis on the killing. Though the USSC did not pursue an independent investigation and merely analyzed information provided by the Palestinian Authority and the IDF, it noted that IDF gunfire was likely responsible for Abu Akleh's death. However, the USSC denied reliable claims that the killing was intentional, with no explanation as to the evidentiary basis of its denial.

In November 2022, Israeli officials stated they had been informed that the Federal Bureau of Investigations had [launched its own independent investigation](#) into the May 11 killing. DAWN and other international organizations, such as the Committee to Protect Journalists, welcomed this investigation as a pathway to accountability. However, Israeli authorities, such as



then-Defense Minister Benny Gantz, [unequivocally and publicly refused](#) to cooperate with the US investigation. Furthermore, Israeli military and civilian law enforcement authorities have not opened their own criminal investigation into the killing of Abu Akleh and, to the best of our knowledge, have not held any individual soldier or commander accountable for her death.

Since the launch of the DOJ investigation, you have not made any information available regarding the nature, scope, and timeline of the probe into the killing of an American citizen by a foreign army, despite [prior comments](#) by then State Department spokesperson Ned Price that “those responsible for Shireen’s killing should be prosecuted to the fullest extent of the law.” Regrettably, more recent statements coming from U.S. authorities imply that the administration has pushed the investigation to the wayside. At a news briefing on World Press Freedom Day, a State Department spokesperson [insisted](#) that Shireen’s murder was “unintentional” despite credible reports to the contrary and noted that the U.S. had no further updates on the case. Secretary Blinken similarly avoided mention of Abu Akleh though he [addressed](#) attacks on other journalists on World Press Freedom Day. Without an interim update on the investigation or a concluding report, U.S. demands for accountability in the extrajudicial killing of *any* journalist fall flat.

The impunity that Israel has enjoyed for its attacks on the press, including for the murder of Abu Akleh, has made Israeli officials confident that they can kill as many Palestinian journalists as they want with no accountability. Israel has [killed at least 108 journalists](#) and media workers since Abu Akleh’s killing in 2022. Israel’s failure to identify the perpetrators, open a criminal investigation, and to cooperate with external investigations further compounds Israel’s impunity in targeting journalists in the region. The obscurity surrounding the investigation and the lack of communicable progress also adds to the grief felt by the Abu Akleh family, who filed a formal [complaint](#) with the ICC in May 2022 about Abu Akleh’s killing by IDF forces.

We therefore request answers to the following questions:

1. What investigatory steps has the Department taken thus far? Specifically, has the Department:
 - a. sent investigators to the scene of the killing?
 - b. taken testimonies from or attempted to interview witnesses or medics?
 - c. gathered any physical or photographic evidence from the scene of the killing?
 - d. obtained all relevant medical records for Abu Akleh and the other journalists injured at the scene?
 - e. interviewed or attempted to interview any Israeli officials or IDF soldiers or commanders?



- f. identified any suspects in the killing of Abu Akleh?
2. Has Israel cooperated with the investigation thus far? Have there been requests that went unanswered or which were rejected?
3. In the framework of which specific U.S. criminal laws is the Department investigating the killing of Abu Akleh?

We look forward to receiving your timely response to these questions and welcome any additional information on the killing and your investigation into it. We also continue to urge you to make public the results of your investigation to date so that the public can remain informed about your progress.

Sincerely,

A handwritten signature in black ink, appearing to read "Swhitson".

Sarah Leah Whitson
Executive Director
DAWN

Michael Schaeffer Omer-Man
Director of Research, Israel-Palestine
DAWN