

OPERATION DEFENSIVE SHIELD

Soldiers' Testimonies

Palestinian Testimonies

בצלם

B'TSELEM



photo: Loay Abu Haykel

- **The absence of romance in my history will, I fear, detract somewhat from its interest; but if it be judged useful by those inquirers who desire an exact knowledge of the past as an aid to the interpretation of the future, which in the course of human things must resemble if it does not reflect it, I shall be content.**

Thucydides, The Peloponnesian War

B'Tselem was founded in 1989 to monitor and promote human rights in the Occupied Territories. Its publications are based on independent fieldwork and research as well as official sources, press reports, and data from Israeli, Palestinian, and international human rights organizations.

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During Operation Defensive Shield, B'Tselem published a daily briefing in cooperation with three other Israeli human rights organizations – Hamoked: The Center for the Defense of the Individual, the Association for Civil Rights in Israel, and Physicians for Human Rights.

These briefings provided reports of human rights violations resulting from the IDF invasions, and were distributed to journalists, Members of Knesset, and foreign policymakers. Excerpts from these updates are presented throughout this publication.

OPERATION DEFENSIVE SHIELD

03

March 29 — April 21, 2002

- ▶ On the eve of the Passover seder, March 27, 2002, a wave of suicide attacks against Israel reached its peak when a Palestinian blew himself up at the Park Hotel in Netanya, killing 29 civilians and wounding dozens more. In response, Israel launched an extensive military operation whose declared intent was to “strike at the terrorist infrastructure.” Reserve soldiers were called up. Emergency storehouses were opened. Operation Defensive Shield was underway.

Apparently, however, the intensity of the pain and anger felt by Israelis made them forget just who the enemy was. Instead, almost two million innocent civilians were attacked by the most powerful army in the Middle East. Virtually no one stopped to ask exactly what the terrorist infrastructure was, how it should be fought, and what constraints must be imposed on the army's actions.

The entire population of the West Bank suffered as a result of the operation. Dozens of Palestinians were killed, hundreds wounded, thousands detained, and hundreds of thousands imprisoned in their homes without food and water. Many were hurt in actions that had nothing to do with “striking at the terrorist infrastructure.”

For its part, the IDF tried to prevent information about Palestinian suffering from reaching the Israeli public and the outside world by barring the media from most of the areas where troops operated. Israeli television, radio, and newspaper reporters talked about exchanges of gunfire and the movement of armored personnel carriers but did not mention the hardships of the civilian population. It was no accident that civilians, caught in the middle of the fighting around their homes, suffered grave harm. Those who decided to use massive military force inside cities, villages, and refugee camps surely knew what the consequences would be.

This publication deals with some of the primary human rights violations of Operation Defensive Shield. It is not a summary of the events of the operation, nor does it discuss the many repercussions it will have. The testimonies given to B'Tselem by Palestinian civilians and Israeli soldiers shed light on what happened in the Occupied Territories during the month of April. For obvious reasons, B'Tselem has not published the names of the soldiers or the units in which they served. All the testimonies were given by individuals who were eyewitnesses to the events they described.

Most of the issues described here are not unique to Operation Defensive Shield. For example, restrictions on freedom of movement have prevented Palestinians from living a normal life for the past 20 months. However, the human rights violations perpetrated during the operation are the most extensive and severe since Israel occupied the territories in 1967. Acts that were previously rare, such as looting and using civilians as human shields, became routine.

Although Operation Defensive Shield has ended, the IDF is still present in Palestinian towns and villages in the framework of Operation Determined Path. Israel must learn its lesson from the terrible harm it inflicted on the civilian population of the West Bank during Operation Defensive Shield and change its policies accordingly.

Israel's duty to protect its own citizens does not give it license to harm innocent Palestinians.



In Operation Defensive Shield, scores of civilians were killed, including many minors.

Many Palestinians who violated army curfews were shot and killed, including 12-year old Qosai Abu 'Aisha, who went out to the yard to play, 'Ali Faraj, who went to buy food to fill his family's empty shelves, and Hafez Sabara, who was bringing water to his neighbor. Civilians who left their homes, never to return. None of them received warning of the danger they faced.

Combat in densely populated areas almost inevitably results in injuries to civilians. The high number of civilians killed and the circumstances in which they died indicate that the IDF made an insufficient effort to reduce such casualties. Many occurred in non-combat incidents.

35-year-old Taher 'Abd a-Dudin, a resident of Dura, who suffers from mental retardation, left his house yesterday at 8:00 AM to buy cigarettes. When he saw soldiers in the street, he became frightened and began running toward his house. The soldiers shot and killed him. 'Abd a-Dudin's body is being stored in the Dura municipality building.

photo: Goran Tomasevic, Reuters

Scores of civilians, many of them minors, were killed in Operation Defensive Shield. The fact that so many civilians had already been killed in IDF actions over the years should have led long ago to a change in the army's open-fire policy. But the army has not done so, and until it does, it remains responsible for these deaths.

G AT CIVILIANS 05

These casualties were a direct result of the IDF's open-fire regulations:

▶ **The open-fire regulations are vague and constantly changing**

During the first intifada, the IDF issued soldiers a pocket guide with the open-fire regulations. Commanders required their troops to study the regulations and comply with them. Since September 2000, the IDF has conducted extensive actions inside civilian areas, but has not prepared a written guide, so the soldiers must rely on oral briefings given by their commanders. Some soldiers have told B'Tselem that the briefings are vague and that there is no uniformity because commanders and soldiers interpret them differently. Some of the confusion stems from the frequent changes in the regulations that the commanders themselves receive. In many cases, therefore, the soldiers do not know how they should act and have no idea which regulations apply.

▶ **The regulations allow soldiers to shoot in circumstances that are not life-threatening**

The open-fire regulations allow soldiers to fire live ammunition even when their lives are not in jeopardy. The regulations present many scenarios in which shooting is allowed when no threat exists at all. For example, in certain periods, the army has allowed soldiers to fire ammunition at all demonstrations in which protesters were throwing stones, whether or not the soldiers were in danger. The army has also removed many gunfire restrictions that applied during the first intifada.

▶ **Regulations are not enforced; soldiers who violate them go unpunished**

Before the al-Aqsa Intifada, the IDF conducted Military Police investigations in almost every case in which a Palestinian was killed by soldiers' gunfire. In the first 18 months of the current intifada, soldiers have killed 697 Palestinians, but the army has launched only 21 Military Police investigations involving illegal shooting and filed only four indictments. Commanders and soldiers are not punished when they kill Palestinians, even when it is obvious they violated the regulations. This is grave not only because soldiers who have committed crimes go unpunished, but because it does not force the army establishment to investigate its flaws and correct them.

▼ **The Result: innocent victims**

This policy inculcates in soldiers a blatant disregard for human life. Such a policy is tantamount to accepting the killing of civilians. The security forces do not deliberately kill civilians. However, when so many civilians have been killed and wounded, the lack of intent makes no difference. Israel remains responsible. The many civilian casualties should have led to a change in IDF policy long ago, but the IDF has done nothing.

Continued on the next page



Death of A.

A soldier's testimony:

▶ The town was under curfew. The troops on guard duty saw a person moving about one hundred meters away from them. It was 7:30 P.M., and was dark outside. Later, the soldiers reported that they saw a person sitting on the ground. Armored personnel carriers began to cross the road, and the guy ran to the right and hid behind a house. Another soldier reported that he also saw a person moving in the same location. After the convoy passed, the guy crawled back to his previous location. The troops reported that he was holding something large in his hand; one of the soldiers claimed it was a weapon. From that distance and in the dark, it was impossible to tell for sure. The guy acted in a suspicious manner, and the soldiers were certain that he would shoot at them.

The guy crawled toward the soldiers. He was alone. The second we identify a weapon, we are allowed to open fire. But they did not fire immediately. They waited a long time, almost a minute. Then the commanders ordered them to fire eight rounds at the guy. A soldier who was at the highest spot identified another person coming toward him and then running to the right. We moved in the direction of the firing. We were sure there was another person who took the weapon from the previous guy. One of the soldiers saw the first person lying on the ground. He was clearly dead.

When we came down, we realized that what we had thought was the ground was actually the roof of a two-and-a-half story house. We went onto the roof and saw a man lying there with a wrench in his hand.

photo: **Ammar Awad**, Reuters





photo: Oleg Popov, Reuters

Death of A.

Testimony of the son of the deceased:

▶ When my father heard that the army was leaving the city, he told us that he wanted to take the opportunity to go onto the roof to fill the water container. He was concerned that the water would be cut off if the army returned. It was already dark out. We thought that the army had left the house next to ours, but we couldn't be sure. My cousin tried to convince my father to wait, and offered to go onto the roof instead of him. My father refused. He said that he was worried the army would return and we would be left without water. Around 7:00 P.M., I went to my aunt's house, which faces ours and is around twenty-five meters away.

My father went up the outside stairway to the roof. He asked for a wrench and my cousin gave him one. My cousin was standing on the steps. Suddenly, I heard gunfire that was aimed at our house. My cousin ran to my aunt's house to tell me that the soldiers had shot my father. He had called out to my father, but there was no response. I ran to the house. When I arrived, the firing stopped. I went out from the first floor and shouted to my father, but he did not answer.

Then the soldiers started firing at our house again. The soldiers apparently heard my voice. I went into the house. I tried to open the door and call to my father several times, but each time I opened the door the soldiers fired at the house. I stuck my head outside and saw one of the soldiers standing at the corner of the chicken coop, which was around ten meters from our house. He aimed his weapon at the house. This continued for a few hours. The whole time, we didn't hear any movement on the roof. My father did not respond to our calls.



photo: Jihad Nga

Human shield = Use of Palestinian civilians to protect IDF soldiers from gunfire or explosive devices.

- ▶ Since the beginning of the al-Aqsa intifada, and especially during Operation Defensive Shield, IDF soldiers have used Palestinian civilians as human shields.

The use of Palestinian civilians as human shields is not carried out on the whim of individual soldiers. The orders come from top-ranking military commanders.

How is it done? The soldiers pick a civilian at random and force him to do dangerous tasks that might put their lives at risk.

Yesterday morning, a tank shelled a house located across the street from A.A.'s house. A.A. is in his early 40's and is a resident of Hebron District. After the shelling, soldiers entered A.A.'s house, took up positions on the roof, and fired at the house across the street. As a result of the intensive shooting, a fire broke out in the house.

The soldiers asked a Palestinian man to go into the house, put out the fire, and remove a scorched body. They then ordered A.A. and his 32-year-old cousin I.A. to carry the body for a distance of about 100 meters. After interrogating the two men regarding the identities of the deceased and the residents of the house where he was found, the soldiers let them go. Later that afternoon, the soldiers returned to A.A.'s home, searched it, and locked the family in one of the rooms. After the search, the soldiers ordered A.A. to go out into the street with them. One of the soldiers pointed his gun at A.A.'s back, and forced him to walk in front of them and serve as a "human shield." A.A. was ordered to knock on doors and order the residents to get out. At the end of the "patrol" he was allowed to return home.

Since the beginning of the al-Aqsa Intifada, and especially during Operation Defensive Shield, IDF soldiers have used Palestinian civilians as human shields on the orders of the senior military echelon. To protect the lives of soldiers, Israel risks the lives of Palestinian civilians.

HUMAN SHIELDS 09

Human shields have been ordered to:

- ▶ enter a building to check whether it is booby-trapped or to tell the occupants to leave;
- ▶ remove suspicious objects from the road;
- ▶ stand inside houses that the IDF has turned into military positions, so that Palestinians will not fire at the soldiers;
- ▶ walk in front of soldiers to shield them from gunfire, while the soldiers hold a rifle behind their backs and sometimes fire over their shoulders.

- ▶ Protecting soldiers is a legitimate – and even essential – military consideration. But it is not the one and only consideration. The army is also responsible for the protection of Palestinian civilians, and may not endanger them in order to protect its soldiers. It is the army, not the Palestinian population, which is responsible for protecting its troops.

Using a Palestinian as if he were a bulletproof vest turns him into an object whose only purpose is to save soldiers' lives. His needs, his pain and suffering, his very being, are utterly ignored. To protect the lives of soldiers, Israel risks the lives of Palestinian civilians.

Human rights organizations petitioned the High Court of Justice to prohibit this policy. In response, the State informed the court on May 7, 2002, that, "the IDF has decided to immediately issue an unequivocal order to the forces in the field, absolutely forbidding them to use any civilian as a 'living shield' against gunfire or attacks by the Palestinian side." The use of Palestinians as human shields was not new, although officials vehemently denied it. It is unclear why it took a petition to the High Court for the State to halt this practice.

The State was more ambiguous about its position regarding the use of Palestinians to help soldiers enter Palestinian homes. It wrote that "the IDF decided to make clear that even this act is forbidden in situations in which the commander in the field believes that a civilian is liable to be injured." In fact, such a practice is illegal whether or not the civilian's life is endangered. The IDF cannot force Palestinians to cooperate with its military operations nor should it give the commanders in the field sole discretion on this matter.

B'Tselem knows of at least one instance in which soldiers used Palestinian civilians as human shields after the State informed the High Court that the practice had been stopped.

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photo: Osama Silwadi, Reuters

A soldier's testimony:

▶ Before searching a house, we go to a neighbor, take him out of his house, and tell him to call for the person we want. If it works, great. If not, we blow down the door or hammer it open. The neighbor goes in first. If somebody is planning something, he is the one who gets it. Our instructions are to send him inside and have him go up to all the floors and get everyone out of the house. The neighbor can't refuse; he doesn't have that option. The neighbor shouts, knocks on the door, says that the army is here. If nobody answers, we tell him that we'll kill him if nobody comes out, and that he should shout that out to the people in the house. The basic procedure was the same no matter who gave the briefing. Maybe the "we'll kill him" came from the platoon, but the rest came from the brigade level or higher.

photo: Goran Tomasevic, Reuters



▶ **“We had taken over this building before, and so were worried that it would be booby-trapped when we returned. We acted as we usually do in such a case. We took one of the Palestinian neighbors and had him inspect the place. He opened every door and cabinet, and didn’t find anything. We shook his hand and thanked him. Then we went in.”**

Sgt. Nati Aharoni, B’Mahaneh IDF weekly, April 12, 2002



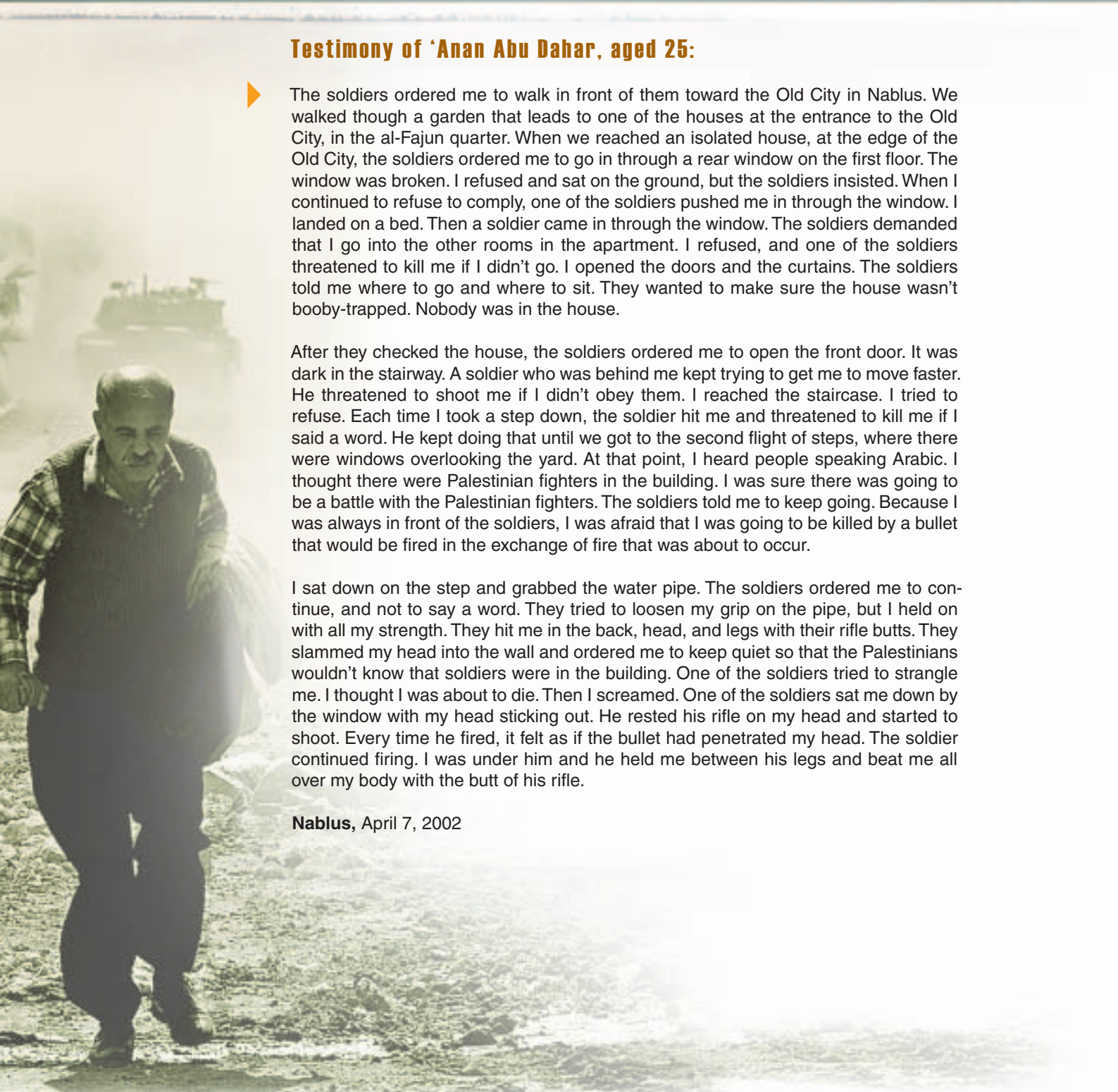
Testimony of ‘Anan Abu Dahar, aged 25:

▶ The soldiers ordered me to walk in front of them toward the Old City in Nablus. We walked through a garden that leads to one of the houses at the entrance to the Old City, in the al-Fajun quarter. When we reached an isolated house, at the edge of the Old City, the soldiers ordered me to go in through a rear window on the first floor. The window was broken. I refused and sat on the ground, but the soldiers insisted. When I continued to refuse to comply, one of the soldiers pushed me in through the window. I landed on a bed. Then a soldier came in through the window. The soldiers demanded that I go into the other rooms in the apartment. I refused, and one of the soldiers threatened to kill me if I didn’t go. I opened the doors and the curtains. The soldiers told me where to go and where to sit. They wanted to make sure the house wasn’t booby-trapped. Nobody was in the house.

After they checked the house, the soldiers ordered me to open the front door. It was dark in the stairway. A soldier who was behind me kept trying to get me to move faster. He threatened to shoot me if I didn’t obey them. I reached the staircase. I tried to refuse. Each time I took a step down, the soldier hit me and threatened to kill me if I said a word. He kept doing that until we got to the second flight of steps, where there were windows overlooking the yard. At that point, I heard people speaking Arabic. I thought there were Palestinian fighters in the building. I was sure there was going to be a battle with the Palestinian fighters. The soldiers told me to keep going. Because I was always in front of the soldiers, I was afraid that I was going to be killed by a bullet that would be fired in the exchange of fire that was about to occur.

I sat down on the step and grabbed the water pipe. The soldiers ordered me to continue, and not to say a word. They tried to loosen my grip on the pipe, but I held on with all my strength. They hit me in the back, head, and legs with their rifle butts. They slammed my head into the wall and ordered me to keep quiet so that the Palestinians wouldn’t know that soldiers were in the building. One of the soldiers tried to strangle me. I thought I was about to die. Then I screamed. One of the soldiers sat me down by the window with my head sticking out. He rested his rifle on my head and started to shoot. Every time he fired, it felt as if the bullet had penetrated my head. The soldier continued firing. I was under him and he held me between his legs and beat me all over my body with the butt of his rifle.

Nablus, April 7, 2002



Many residents of the camp were given no notice before their houses were demolished. In cases where they were given notice, it was too late. They could not leave their houses because of the intense gunfire outside. People were buried alive under the ruins. Some were rescued; others were not.

DEMOLITION OF H

“It doesn’t matter how many wanted persons we kill in the camp and how much of the terrorist infrastructure we find and destroy.

There is still no justification for causing such enormous damage”

IDF Officer in the Jenin refugee camp, Ha’aretz, April 9, 2002

During Operation Defensive Shield, the IDF destroyed dozens of houses in the West Bank, primarily in the Jenin refugee camp.

▶ **According to international law:**

Destruction of property is allowed only in cases of urgent military necessity, and only when less severe means have not succeeded in achieving the objective. The destruction may begin only after a genuine effort has been made to minimize the harm to civilians.

The massive destruction of houses makes it impossible to determine the circumstances in which each house was destroyed, and whether each instance of destruction was legal. Some of the house demolitions in the Jenin refugee camp, and elsewhere in the West Bank, were indeed in accordance with international law.

Yesterday morning, G.R. from the Jenin refugee camp heard cries of help coming from under the rubble of the Abu Zeineh home in Al-Hawashin neighborhood. Ten of the camp’s residents arrived at the site and began to clear away the rubble in an attempt to reach those who were trapped beneath. IDF soldiers shot at the rescuers and drove, accompanied by a tank, in their direction. The rescuers fled.

The human rights organization HaMoked contacted the IDF and gave the exact location of the survivors. However, despite the military’s pledge to rescue people about whom it received exact information, no military officials came to the site of the demolished house. In the evening, under the cover of darkness, residents of the camp returned to the Abu Zeineh home and rescued nine people from under the rubble.

photo: Loay Abu Haykel

USES

03



photo: Goran Tomasevic, Reuters

However, at least two facts are certain regarding the Jenin refugee camp:

1. Many residents of the camp were given no notice before their houses were demolished.
In cases where notice was given, it came too late.
The residents could not leave their homes because of the intense gunfire outside.



People were buried alive under the ruins.
Some were rescued; others were not.

2. The destruction of houses in the refugee camp continued even after all the armed Palestinians had been killed or had surrendered to the IDF and the fighting had stopped.

Such destruction cannot be justified on grounds of military necessity. It was, therefore, illegal.

- ▶ The IDF refused to allow foreign rescue workers to enter the camp and assist in extricating the victims buried under the rubble. It did not dispatch the Rescue and Recovery Unit of the Home Front Command and refused to allow humanitarian equipment into the camp.

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**Moshe Nissim, driver of a D-9 bulldozer,
who served on reserve duty in the Jenin refugee camp:**

► Difficult? What do you mean, difficult? You must be kidding. I wanted to obliterate everything. I begged the officers to let me demolish it all from top to bottom. That we should level everything ... For three days all I did was destroy. The whole area. I would knock down every house they fired from. To do that, I would demolish several other houses. **They called out on a bullhorn to warn the residents before I came. But I didn't give anybody a chance. I didn't wait. I didn't strike once and wait for them to leave. I would smash the house really hard so that it would collapse as quickly as possible.** I wanted to work as fast as possible so that I could get to the other houses. To get a lot done. Maybe others were restrained. Or they say they were restrained. Nonsense. Anybody who was there and saw our soldiers in the houses would understand that they were in a death trap. I was thinking how to save them. I knocked down everything, but I didn't demolish just for the sake of it. Everything was according to the orders I received. Lots of people were inside the houses when we began the demolition. They would leave their houses when we came in. I did not see anybody die under the shovel of the D-9, and I didn't see any house crash down on a living person. If there were, though, that wouldn't have bothered me one bit. I am sure that people died in these houses, but it was hard to see. There was lots of dust and we worked a lot at night. I got a real kick out of every house that was demolished, because I knew that dying means nothing to them, while the loss of their house means more to them. You demolish a house and you destroy forty or fifty people for generations. If one thing does bother me about all this, it is that we didn't wipe out the whole camp.

Zadok Yehezkeili,
"I Made a Soccer Field in the Middle of the Camp,"
Yediot Aharonot, May 31, 2002

“Among the units that received citations was... the Central Command’s engineering division, whose soldiers include the operators of the D-9 bulldozers in the Jenin refugee camp, for performing under fire with dedication and tenacity.”

Photo by: Goran Tomasevic, Reuters Y-net, June 4, 2002

15

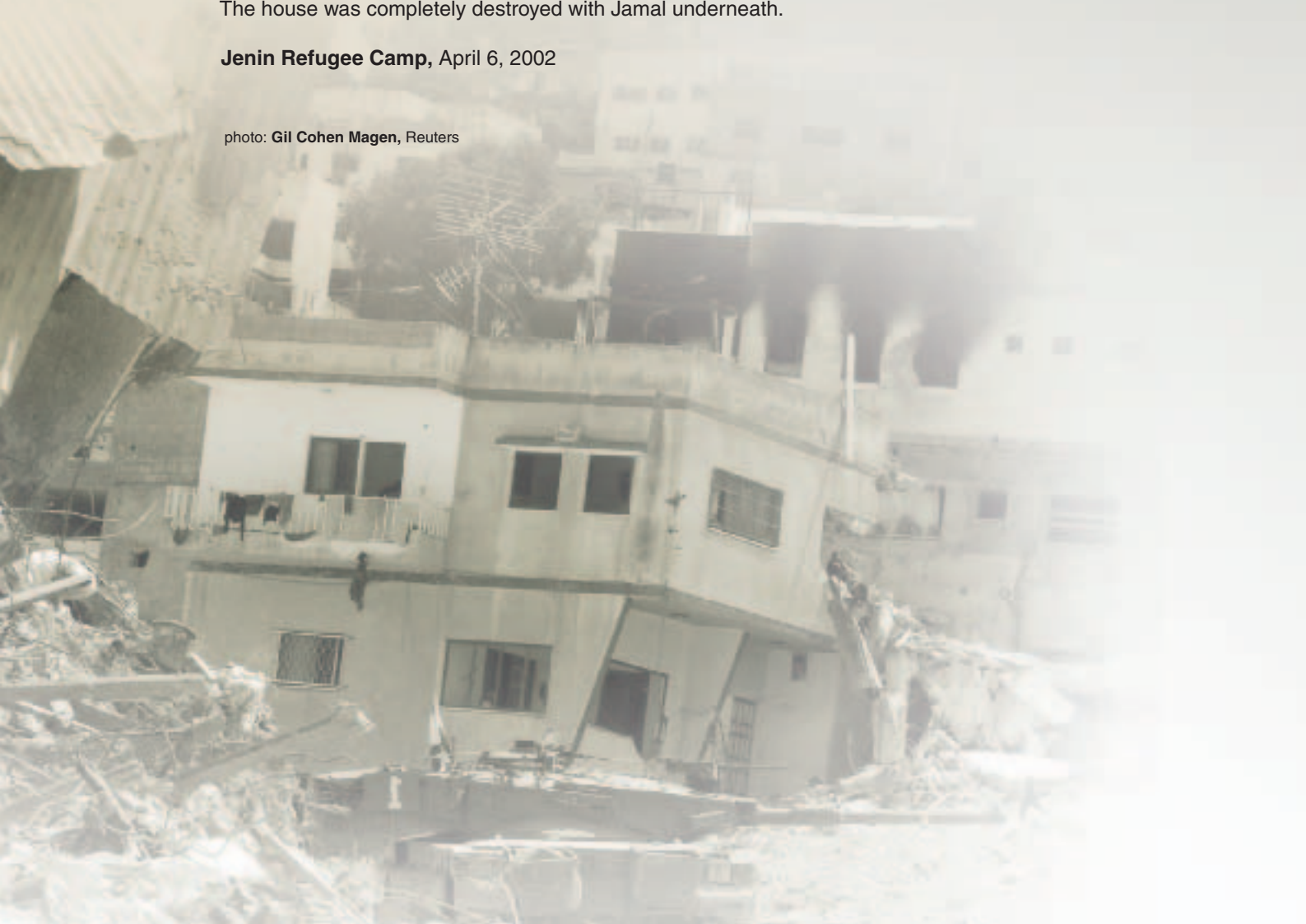
Testimony of Fathiya Suliman, aged 70:

▶ The day that the bulldozers came and started to demolish the houses in our neighborhood, we ran out after dark. There were seven of us: my husband, my daughter-in-law, my daughter, and my three sons. One of my sons, Jamal, 38, is deaf and a paraplegic. We fled to my brother-in-law’s house.

When the bulldozer approached our house, which is next to my brother-in-law’s, we asked the soldiers to let us get Jamal out. The soldiers refused. Other women, a male neighbor who spoke Hebrew, and I continued to beg them. At first, they told us that the commanding officer was sleeping. Then a soldier agreed that we could get him out. But, he said, only the women were allowed to take him out. We went into the house, **but the operator of the bulldozer wouldn’t wait even one minute so that we could take Jamal out of the house. The soldiers who said we could go into the house called out to the soldier who was operating the bulldozer to stop for a moment, but he refused.** We rushed in while the bulldozer was already eating away at the house. Amal, my daughter, some women neighbors, and I found Jamal in the house under the rubble. The house began to collapse, and we ran for our lives. The house was completely destroyed with Jamal underneath.

Jenin Refugee Camp, April 6, 2002

photo: Gil Cohen Magen, Reuters



- ▶ Due to the army's lack of manpower and faulty deployment, thousands of innocent people who were not suspected of anything were arrested and held in crowded conditions in tents and huts unfit for human habitation. They did not receive food, a change of clothes, or washing supplies.

16

ARRESTS

The Method of Arrest: The Dragnet

- ▶ During Operation Defensive Shield, the army arrested some 7,000 Palestinians, including many minors. Approximately 5,600 of them were released after a few days or weeks with no legal action taken against them.

Most of the detainees were seized in mass arrests. The army ordered all the men in an area to go to gathering points, and took them from there to detention facilities. In most cases, the army did not check their identities before detaining them. The Palestinians were arrested solely on the basis of age. The army simply rounded up everyone over the age of 16, and in some areas, everyone over the age of 14.

The arrests were made in accordance with Military Order 1500, issued on April 5, 2002, a few days after the operation began. The order applied retroactively to everyone arrested since the beginning of the operation, on March 29. It allowed the army to detain people for 18 days, during which the detainees were barred from seeing lawyers or appearing before the court.

The State admitted to the High Court of Justice that many of the detainees were innocent civilians who were simply in the wrong place at the wrong time. However, it contended that the order was justified because the process of sorting detainees took a long time since the army did not have enough professional interrogators.

Thus, because of poor planning and a shortage of manpower, thousands of innocent people were detained for no reason.

Three Palestinians detained at the Ofer Camp and seven human rights groups petitioned against Military Order 1500, arguing that the sweeping order is illegal and violates the basic principles of Israeli and international law. In its response, the State announced that it was correcting the order so that detainees would be brought before a judge after 12 days and could see their lawyers within four days. The court has not yet handed down its ruling on the petition.

photo: Ammar Awad, Reuters

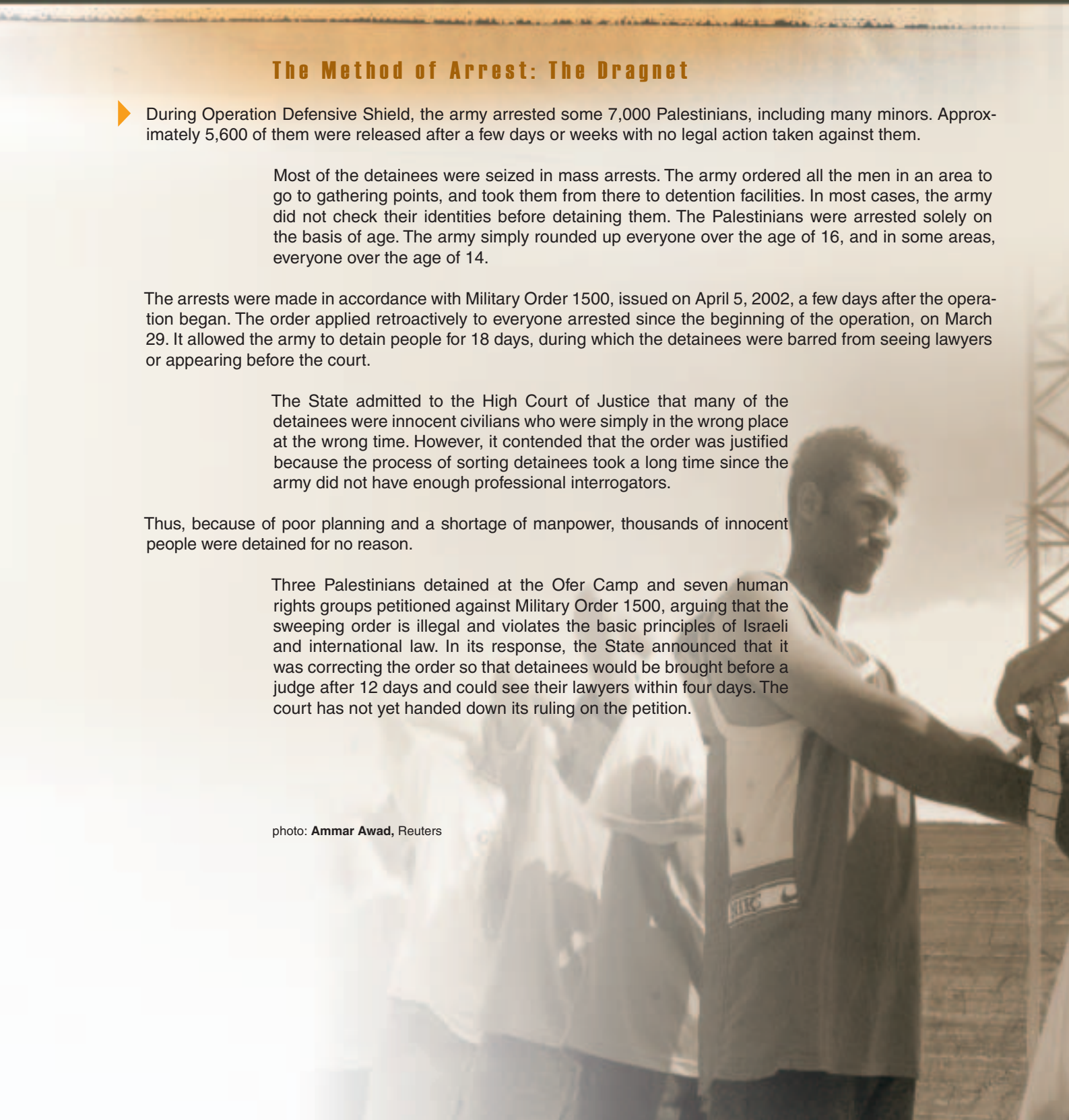




photo: Osama Silwadi, Reuters

A soldier's testimony:

- ▶ The brigade commander in the sector gave an order to get all the men out of their houses and check their IDs. He didn't say what age group; that was left up to us. We collected about two hundred men and took them in a long line called a "train" – each Palestinian put his hand on the shoulder of the man in front of him, and they walked together. At some point, we left the area. When we returned, we saw the Palestinians kneeling down with their heads bowed. Border Police forces had arrived and made them sit that way. One of the Border Policemen walked among them and pushed them over so their heads were touching the ground.

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At 3:00 A.M. this morning, the IDF detained 41-year-old Muhamad Daraghmeh from Nablus. Daraghmeh was held in difficult conditions until 11:00 P.M. and then released.

On his way home, he heard gunfire and asked the soldiers at a nearby checkpoint to allow him to return to the army base. The soldiers took his identification card and told him to stand 200 meters away from the checkpoint. At 2:00 A.M., they forced him to leave.

Temporary Detention Facilities

▶ Most of the detainees were taken to temporary detention facilities in apartment buildings or schools that the army had occupied. They were held there for periods ranging from a few hours to as long as two days. The facilities were not appropriate to accommodate the detainees, who were forced to sit for hours outside on the ground, handcuffed, blindfolded, and with their heads bowed. They were given little food. In many instances, they were not allowed to go to the bathroom. In some cases, the guards beat them.

After a brief interrogation and initial classification, the detainees were taken to prison. In most cases, they were taken to the Ofer detention camp, near Ramallah.

18

Prison Conditions in the Ofer Detention Camp

▶ The prison conditions at Ofer were disgraceful and degrading, and failed to meet the minimal standards of international humanitarian law. For days and weeks, the detainees were held without food, a change of clothing, or supplies for washing themselves. They were completely isolated from the outside world and the facilities were extremely overcrowded. The detainees were held in tents and huts that were unfit for human habitation. The facilities lacked showers or toilets and there were no mattresses, blankets, or proper shelter to protect them from the cold weather.

Seven Israeli and Palestinian human rights groups petitioned the High Court of Justice, demanding that the prison conditions at the Ofer detention camp be improved and that representatives of the groups be allowed to visit the facility.

In response, the State acknowledged that at the beginning of the operation it was hard to offer the detainees satisfactory conditions, but that “the conditions offered today to the detainees of the Ofer detention camp are humane, appropriate, dignified and reasonable.” Regarding the conditions at the beginning, the State claimed that “there was unfortunately no alternative, because of the arrest of thousands of people within a few days and the need to hold them in reasonable conditions in the midst of fighting that was forced upon our troops.”

As already mentioned, detaining suspects was a primary objective of the operation. The IDF chose to do so by conducting mass, arbitrary arrests and should have prepared in advance to accommodate the detainees.

Furthermore, the State’s claim that current conditions in the Ofer detention camp are reasonable is inaccurate. During a tour of the facility, representatives of the human rights groups discovered many problems, including inadequate medical care, overcrowding, lack of circulation in the tents, lack of showers and toilets, and the lack and poor quality of the food. Detainees receive clean clothes and washing supplies once a month and are cut off from the world. They are not allowed to receive family visits, newspapers, telephone calls or letters.

photo: Nir Elias, Reuters



photo:
Goran Tomasevic, Reuters

On the Ofer Detention Camp

From the internal report prepared by attorney Shai Nitzan, in charge of security matters for the State Attorney's Office:

- ▶ In the first days, there were about 300 detainees beyond the camp's capacity. They sat on the ground for three days... They sat in the rain and cold in open areas, exposed to the weather, without mattresses or beds. They were in shackles. At that time, they were not yet in the responsibility of the Ofer detention facility, so it is unclear who (if anybody) made sure they were fed...

As alleged in the petition, for several days the detainees went hungry. The petition claims that in some instances a group of six or seven detainees was given only one container of soft cheese, one cucumber, and matzo for breakfast. Our investigation indicates that the allegation is not inaccurate... We were told that there were seven hundred sets of clothes, underwear, and towels. They were distributed to the first seven hundred detainees. No clothes remained, nor were there any more towels and underwear. Additional sets arrived only on April 24. As a result, hundreds and thousands of detainees stayed in the same clothes and underwear, and without towels...

The huts were completely open on one side, so it was very cold there some of the time. It should also be noted that in the first days after they were transferred to huts, there were no bunks, blankets, or mattresses for some of the detainees, nor were there showers, etc.

Uri Blau, Kol Ha'Ir, May 24, 2002



▶ The Release

After the detainees were sorted out, thousands were released because the army found no reason to hold them. They were bussed to various checkpoints in the West Bank, often far from their homes. Since most of the West Bank was still under curfew, they had no way to return home. The army did not give them documents indicating they had been in detention, and in some instances, did not even give them back their identity cards. If stopped by soldiers, they could be detained again because they had no papers. Many detainees had to take refuge in abandoned buildings or the homes of strangers until they could get back to their homes.

▶ Testimony of Bassem Qashu'a, aged 44, resident of Ramallah:

At the base, they ordered us to sit down and the soldiers continued to beat and humiliate us. They even bragged that they would beat us until we screamed. I was still handcuffed and blindfolded. A soldier lifted my shirt and poured a bottle of cold water on my back, and hit me in the face with the bottle. I couldn't take it, and I fainted. It was very cold and rainy. When I woke up, I saw soldiers standing around me. A doctor covered me with a blanket because I was shivering.

Many soldiers beat us, and they seemed to enjoy it. They put hats on our heads with " Hamas" or "Fatah" written on them, and then they beat us, contending that we belonged to Hamas. One of the soldiers kicked me in the chest. As a result, I couldn't breathe or sit. The soldiers forced us to repeat sentences, like "one, two, three, Arafat is a maniac, the Israeli people are maniacs, and Yehezkel is a maniac." When we repeated after them, they beat us hard, claiming that we were swearing at them. The soldiers took everything that we had with us, including money and mobile phones. They kept the Israeli currency and gave us back the Jordanian currency.

The soldiers took me into a room, removed my blindfold, had me hold a piece of wood with my name and ID number on it, and took my picture. They removed my handcuffs. There was an interrogator in the room. He asked me where I worked, if I had been wanted in the past, and other questions like that. When the questioning ended, they blindfolded me and took me outside. I stayed outside with other detainees until 3:00 A.M.

Then they took us to a place where there were lots of detainees in tents. It was crowded. We shared blankets because there were not enough for all of us, and we slept on wooden platforms. In the morning, they brought us breakfast, which consisted of a small container of yogurt, two tomatoes, and two pieces of matza. All of that was for eight detainees. Sometimes, when somebody wanted to go to the bathroom, the soldiers would beat him when he came back, so I was afraid to ask permission to go. Lots of men peed in their pants because they were afraid to go to the bathroom.

They detained me until Thursday. Then soldiers called out our names and put us into buses after blindfolding and handcuffing us. We were not allowed to lift our heads. Around 6:00 P.M., the buses reached the Qalandiya checkpoint. The soldiers handed us over to the soldiers at the checkpoint, who removed our blindfolds and handcuffs and told us to walk toward the Qalandiya refugee camp.

I tried to get to Ramallah, but the city was under curfew so it was impossible. About a week has passed since I was detained, and I am still wearing the same clothes I had on when the soldiers arrested me. I have not taken a shower this whole time. I can't go home because of the curfew, and I can't call my family to check how they are.





Yasser Disi, employee of Al-Haq, a Palestinian human rights organization, was held for three months in administrative detention. Disi was released on July 1, 2002.

Administrative Detention

- ▶ Since the beginning of the al-Aqsa Intifada, and especially during Operation Defensive Shield, the IDF has renewed its widespread use of administrative detentions. In the years immediately preceding the intifada, the IDF rarely held Palestinians in administrative detention. From 1998 to 2000, the average number of administrative detainees at any given time was less than 20. On the eve of Operation Defensive Shield, it had climbed to 80. By June 3, 2002, Israel was holding 929 administrative detainees.

Administrative detentions are carried out pursuant to a military order. Detainees are held without being charged or tried and any material against them is kept classified.

Many of the administrative detentions are arbitrary. Most of the Palestinians currently being held in administrative detentions were taken into custody during the mass arrests conducted in the course of the operation rather than due to specific information against them.

photo: **Abed Omar Qusini**, Reuters



Wounded people who were unable to reach hospitals bled to death.

Patients could not obtain medical treatment.

Soldiers fired at ambulances.

Water and electricity were cut off.

The special protections provided to the sick and wounded, and to medical personnel were violated.

IMPEDING MEDICAL TREATMENT

- ▶ Around 5:00 P.M. on April 4, 2002, an IDF helicopter fired a missile that struck the house of Jihad Hassan, a resident of the Jenin refugee camp. Hassan was on his way upstairs to his brother's apartment to get a carton of baby formula for his infant son. He was wounded in the leg by the missile blast. His son, Muhammad, summoned an ambulance from the Red Crescent, which came to evacuate Hassan, but Israeli soldiers stopped it about 50 meters from the house and refused to let the medical team proceed to Hassan's house. Hassan called a physician friend, who told him over the phone how to treat the wound. The next day, the soldiers broke into Hassan's house. He asked them to let him to go to the hospital, but they refused. Before leaving, the soldiers cut the phone lines in his apartment and that of his brother. A week went by before Hassan was able to get to the hospital. An x-ray showed his leg was broken in four places. His house is 200 meters from the hospital.

The IDF almost completely blocked the movement of ambulances in the West Bank during Operation Defensive Shield. Wounded people who could not reach hospitals bled to death. Patients could not obtain medical treatment. Hospitals had trouble functioning because they were shelled and the roads leading to them were blocked. Tanks damaged basic hospital infrastructure, such as water and electricity and soldiers fired at ambulances that tried to evacuate the wounded.

During the operation, the IDF spokesperson claimed that the army was allowing ambulances to move freely and evacuate the wounded. He also maintained that the sick, especially chronically ill patients such as those requiring regular dialysis, were taken to hospitals throughout the Occupied Territories. His claim is inaccurate. Dialysis patients who managed to get to a hospital did so only after great effort to coordinate their passage with the army. In some cases, the patients died before they were able to obtain the necessary approval.

Ensuring protection of the sick and wounded is a fundamental principle of international law. Medical personnel are entitled to protection while performing their duties. The IDF grossly violated this principle during Operation Defensive Shield.



photo: Abed Omar Qusini, Reuters



On Friday, April 5, 2002, Tahani 'Ali 'Asad Fatouh, a pharmacist from Al Msakan Ash Sha'abiya in the Nablus District began having labor pains. Her husband, Dr. Ghassan 'Ali Nashat Sha'ar, called an ambulance to take his seven months pregnant wife to hospital. Due to the curfew imposed on the area, the ambulance could not reach the house and Dr. Sha'ar had to deliver the baby with the help of his neighbor, Dr. Sulfeh. The delivery went smoothly. During the delivery, the ambulance crew tried to reach the couple's home, as the newborn would have to be placed in an incubator. All attempts failed. Some 30 minutes after the birth, the baby's health began to deteriorate. Dr. Sha'ar managed to resuscitate his son twice. On the third attempt, the baby died. Tahani Fatouh had become pregnant after four years of fertility treatments. The hospital is only two kilometers away from the couple's home.

Daily Briefing April 16, 2002

photo: Nayef Hashlamoun, Reuters

Continued on the next page



A soldier's testimony:

- ▶ There was an inspection point for ambulances at the exit from the Jenin hospital. The ambulances were only allowed to travel to the city, not to the refugee camp. We were told that this was because of the fighting in the camp.

If someone was injured in the middle of the camp, he would not be treated. Palestinians in the camp were not allowed to move about and ambulances were not allowed to enter. IDF evacuation of the wounded only began about a week later. We were ordered to fire heavy machine guns at ambulances that ignored the inspection point. The orders came from the deputy battalion commander. The ambulances were generally taking dialysis patients and women in labor to the hospital. We had to check that there were no wanted persons in the ambulances. We would get everyone out of the ambulance. We had to make sure that the dead were really dead and other unpleasant things like that. The inspection point was muddy and full of garbage. In one case, the deputy battalion commander yelled, "Everybody out," and the driver had to carry an elderly man who couldn't stand on his own and set him down in the mud.

On April 10, three Palestinians who had been wounded by gunfire came to us. The medic treated them, and hooked them up to IVs. The battalion doctor came and looked at them, and said, "There's nothing for me to do," and left. I don't think he even checked their pulses. We checked with the brigade [officials] to figure out what to do with them. We called them repeatedly. They said they were checking with the General Security Service to find out if they were wanted. We were not allowed to evacuate them to the hospital, not even in Israel. So we called a Palestinian doctor from the nearby hospital. He said that two of them had moderate wounds, and the other was severely injured and had to be operated on. The brigade rejected all our requests to evacuate him. We suggested walking with them to the Palestinian hospital. The brigade did not permit it. The wounded men sat there for about six or seven hours until we finally received approval to take them to the Salem checkpoint. I have no idea what happened to them after that. During the meeting we had at the end of reserve duty, the battalion commander was asked about the story regarding the doctor. I couldn't believe how he tried to whitewash it. He said that he wasn't in the field and didn't know what really happened. Soldiers told him that they knew exactly what happened. He did not give a serious reply.





photo: **Abed Omar Qusini**, Reuters

Firing at Ambulances

Testimony of **Saher Ahmad**, aged 25 Ambulance driver for 'Aliyah Hospital, Ramallah:

- ▶ On Sunday [April 21], at around 10:00 A.M., I drove towards the Allenby Bridge with a woman who receives cancer treatments in Jordan. Before we left, we coordinated our trip with the Israeli Ministry of Health. The woman was sitting in the back of the ambulance. At around 10:40 A.M., we got to the Qalandiya checkpoint. I stopped the ambulance about two hundred meters from the checkpoint and waited for the soldiers to wave me on, as was the usual practice. After about a minute, three soldiers who were standing behind the concrete blocks near the checkpoint began firing at the ambulance. They gave us no prior warning.

Nothing had happened to warrant the gunfire. I was startled and didn't know what to do. The shots were fired from automatic weapons. I don't know how many bullets were fired at me, but they hit the windows and the engine of the ambulance. I heard the glass shatter and the fragments flew in all directions. I eased my foot off the brake and at the same moment a shard of glass flew into my left eye. It didn't bleed. I asked the patient how she was. She said that she had not been hit but was dazed and shaken. She added that a number of shards of glass had wounded her slightly.



photo: **Magnus Johansson**, Reuters

Furniture was destroyed, telephones broken, closets emptied all over the floor. In some places, the soldiers left behind tremendous squalor, including feces and urine. Many residents reported stolen jewelry, electronic equipment, and money. These acts by the soldiers were unrelated to military necessity or operational considerations.

26 LOOTING AND VANDALISM

- ▶ During Operation Defensive Shield, soldiers systematically destroyed property throughout the West Bank, especially in the city of Ramallah. There were also many instances of looting. The soldiers destroyed computers, printers, and photocopiers. Furniture was shattered, telephones broken, closets emptied all over the floor, and documents scattered everywhere, in some cases even burnt. The soldiers left tremendous squalor, including feces and urine, in the houses.

The behavior of the troops varied widely. Some soldiers told B'Tselem of wanton destruction and others recounted how they had cleaned the houses they had occupied before leaving. One soldier even said that before his unit left the city, the troops collected money and gave it to the families in whose houses they had stayed.

The systematic destruction indicates that the initiative did not necessarily come from individual soldiers. Whether the commanders issued direct orders to the soldiers or simply gave them free rein, the IDF – whose duty it is to prevent destruction – is responsible for what happened.

As in the past, the military treated looting and vandalism much more seriously than they did the killing and mistreatment of civilians, and the destruction of their homes. Senior army officers went out of their way to condemn the vandalism and looting. The Chief of Staff at the time, Shaul Mofaz, declared that these acts would be dealt with severely “no matter how small the sum,” though he reported, contrary to B'Tselem's findings, that only “a few soldiers had misbehaved.”

In some cases, the Military Police conducted random searches of soldiers' bags to locate stolen property. According to the media, the army planned to call up Military Police investigators in reserve service to investigate Palestinian complaints. The IDF spokesperson said that by the end of May, six soldiers had been indicted for looting and five of them had been convicted and given prison sentences of up to five months. They were also demoted to the lowest rank. Furthermore, there were 20 additional Military Police investigations underway for violence, looting, and vandalism.

Ultimately, however, the profound shock expressed by the IDF over the phenomenon, its condemnation of such behavior before the Knesset's Foreign Affairs and Defense Committee, and the media's relatively extensive coverage of the matter has yielded only five convictions.

ALISM



photo: B'Tselem

Last night, Dr. H.H., a general practitioner from Bethlehem, received a telephone call informing her that IDF soldiers had broken into the clinic she shares with her husband, a gynecologist. The Al Madabsa area, where the clinic is located, had been under constant curfew since the IDF entered the city.

Yesterday, when the curfew was lifted for a few hours for the first time, Dr. H.H. rushed to the clinic and discovered extensive damage. The clinic door and windows were broken and the waiting room was completely destroyed. Expensive equipment, including a \$20,000 ultrasound machine, was also destroyed. The computer monitor was shattered and the computer itself had been taken apart. The soldiers broke the telephones and the sterilization machine. They tore up medical files and books. In addition to the damage, many bullet holes and shells were found in the clinic, and soldiers had defecated on the floor.

Daily Briefing April 16, 2002

Continued on the next page



“It was not an order from above... but that is the way it was understood in the field.

Infantry soldiers who accompanied the unit to collect the spoils understood that they were allowed – even expected – to destroy property in these ministries... The result was hundreds of thousands of dollars of damage. Soldiers shattered computer screens and destroyed keyboards. In some places, they damaged banks and even broke the ATMs. There were cases of theft, too. The damage was enormous. It was extensive and unnecessary. It defied all logic.”

Senior IDF Officer, Ha’aretz, April 30, 2002

A soldier’s testimony:

▶ We got to the Ministry of Transportation building after the [...] Battalion had been there. The extent of the destruction was incredible. They [the soldiers] saw that the Ministry had lots of money – a lavish building, wall-to-wall carpeting, computers. Everything was a mess. Televisions, TV converters, computers, all broken. I don’t know what else had been there and was taken. The battalion had been in the building that housed the radio and television station, and destroyed everything there. Some of the destruction was carried out according to command – like the order to prevent radio and television transmission – but I am talking about smearing paint, writing offensive graffiti, and destruction just for the sake of it. Breaking equipment that had nothing to do with anything. They made a complete mess. The units that came later couldn’t believe their eyes. For a month, all they did was straighten out the mess. When we were there, we cleaned the house before we left.

There was a serious problem of looting and vandalism. There were incidents in the past, when we took over houses. I don’t know why there were more cases in this operation. There was a feeling of war. Maybe the suicide-attack in Netanya [that killed dozens of Israelis on the eve of the Passover seder] upset everybody. There was a feeling that a certain threshold had been crossed. Maybe Ramallah blinded the guys. Televisions and TV converters – they took them or broke them. As for computers, it was unbelievable. The soldiers did the best they could to destroy and steal. They removed hard disks, chips, and sound cards. I heard about soldiers stealing money, but I don’t know about specific cases. Some took mobile phones and compact discs from people’s homes. There were soldiers who destroyed the insides of a computer and then put back the cover. I didn’t see a single computer that hadn’t been damaged. CD burners were stolen like hotcakes. Even whole computers disappeared. Platoon majors would bring trucks and load them up. It was all carried out in the open. The building we were in had sophisticated equipment – all of it was destroyed or taken.

Testimony of ‘Abd a-Rahman a-Tamimi, aged 43

Director of the Palestinian Hydrology Organization, Ramallah:

▶ When the Israeli army partially withdrew from Ramallah on Sunday [April 21], the soldiers vacated the building. I immediately went to our offices to check their condition. There was an enormous amount of damage. The front door had been destroyed. So were all the organization’s files and equipment. The elevator’s door and motor had been damaged. The interior door of the offices was destroyed. Three computers, a printer, CD-Rom, fax machine, camera, tape machine, and calculators had all disappeared. Files and documents were also gone. Everything in the kitchen was destroyed. Soldiers defecated in the cabinet drawers. The computers had pornographic pictures on them. Our weather transmitting station, which is located on Ramallah Street in Beitunya, was totally demolished. In addition, the station’s car, a Suzuki, was also destroyed.

photo: B'Tselem



The Destruction in Ramallah – A Partial List:

- ▶ **The Office for Civil Affairs:** Photocopy machines, computers, printers, and windows were destroyed. Telephone switchboards, hard discs, a digital radio, documents and 6,000 shekels were taken.
- ▶ **The Education Ministry:** Main gate and doors, filing cabinets, and documents were destroyed. Computers, checkbooks, video systems, lamps and compact disks were taken.
- ▶ **Al-Bireh Municipal Library:** Computers, doors, windows and books were destroyed. Books and journals were taken.
- ▶ **Mandela Center for Political Prisoners:** Outer and inner doors, windows, computers, furniture, closets were destroyed. Toilets were blocked and the water destroyed the carpets. Soldiers relieved themselves in some of the rooms. Hard discs were taken.
- ▶ **Al-Haq, Human Rights Organization:** Doors, furniture, cupboards, three computers and a printer were destroyed. A laptop computer and hard discs were taken.
- ▶ **A-Nasser Television Station:** Microphones, tapes, a CD player, a film mixer, recording and broadcasting equipment were destroyed.
- ▶ **The Finance Ministry:** Doors, windows, an elevator, furniture, documents, and financial accounts were destroyed. Computers and hard discs were taken.
- ▶ **The Ramallah Municipality:** Doors, furniture, documents, building plans and permits, windows, a computer network, hard discs, safes and a heating system were destroyed.
- ▶ **The Al-Bireh Municipality:** Doors, outer walls, furniture, a fax machine, bookshelves, an alarm system, a telephone switchboard, computers and a jeep were destroyed. Documents and hard discs were taken.
- ▶ **The International Palestinian Bank:** The locks of the main vaults, an ATM, doors, windows, walls, marble tiles, telephone wires, telephones, document files, a computer system, the list of customers, and bank terminals were destroyed. Graffiti was written all over the wall, and telephones were taken.
- ▶ **Sky Advertising Agency:** Computers and children's toys were destroyed, and discs were taken.
- ▶ **Max Supermarket:** Computers, accounting records and the safety deposit box were destroyed, and 60,000 shekels were taken and later returned.

The IDF imposed curfews on Palestinian towns and villages for days and even weeks. Chronically ill patients died because they were unable to reach the hospital for treatment. Corpses of civilians killed during the operation remained in their homes for days because they couldn't be moved. Families were left without food and water.

RESTRICTIONS ON MOVEMENT

▶ During Operation Defensive Shield, the IDF imposed curfews on Palestinian towns and villages for days and even weeks. In some places, the curfew lasted long after the operation had ended. Chronically ill patients died because they were unable to reach hospitals. Corpses of civilians killed in the fighting remained at home for days because they couldn't be evacuated. Families were left without food and water. The IDF lifted the curfew occasionally to enable the residents to obtain basic supplies, but the breaks were few and far between. In small communities in particular, supplies did not arrive and there was no food, water, or medicine for the residents to purchase.

Since September 2000, Israel has applied a strict siege policy in the West Bank. Dozens of checkpoints are dispersed around Palestinian towns and villages, making it impossible for millions of Palestinian civilians to live a normal life. In April, during Operation Defensive Shield, the siege on the civilian population was tightened even further.

Israel's policy is clearly aimed at the civilian population even though it is not involved in the violence. Even if the siege policy somewhat increases Israeli security – which security officials doubt – its grave consequences for the Palestinian civilian population make the policy a clear case of collective punishment, which is absolutely prohibited.

The prohibition of movement within the Occupied Territories has nothing to do with preventing Palestinians from entering Israel. This basic fact strengthens the suspicion that its only real purpose is to force the civilian population to put pressure on the Palestinian Authority and other bodies. This, too, is unjustified.



photo: Oleg Popov, Reuters

Since April 3, 2002, the 35,000 residents of three refugee camps in the Nablus District, 'Askar, 'Askar al-Jadid, and Balata, have been under curfew and are suffering from a severe water shortage.

Amjad a-Rifa'ai, from 'Askar al-Jadid, told B'Tselem that a water pipe located 20 meters from his house had been damaged by IDF tanks and had water flowing out of it. However a-Rifa'ai was unable to reach it because Israeli tanks located 30 meters away prevented access.

Daily Briefing April 14, 2002

When the operation began, Minister of Justice Meir Shitreet said that, "We do not intend to occupy territory, and we do not want to rule over the Palestinians and manage their lives, or take responsibility for their lives and livelihood."

Whether it wants to or not, Israel in fact controls the civilian population and prevents them from conducting their lives. The restrictions on movement in the West Bank, in force for more than 18 months, make it impossible for Palestinians to live normal lives. The education and health systems have completely collapsed, and the Palestinian economy has never been worse. Try as it may, Israel cannot avoid its direct responsibility for the results of its closure and siege policy.

Continued on the next page



A soldier's testimony:

There was an order to impose a tight closure on the whole city. But there was one neighborhood – Wadi Burqin – where there were no soldiers, so it was cut off from the city. Our orders were to prevent movement from the city to the neighborhood, but allow movement from the neighborhood to the city. The orders were completely contradictory. It was incredible – nobody had any idea what to do. At first, they told us that nobody is allowed to pass, then only humanitarian cases, then women and the elderly, then only the elderly, then nobody. Later they said to let people pass following an ID check, but that created a line of people waiting, so again they told us not to let anyone pass. We would get calls on the radio transmitter saying something different each time. It was total confusion.

photo: Mahfouz Abu Turk, Reuters



Testimony of Ghazlan a-Sus, aged 41

Daughter of the deceased:

On April 9, 2002, IDF forces entered Dura, which is located in the Hebron District. That same day, around 9:00 A.M., Safiyah 'Ali a-Sus, 78, died in her home. Her grandson Walid called for an ambulance to remove her body. Because the town was under curfew, the ambulance could not get to the house.

It was very hot that day, and I thought that if the body remained in the house, it would create a stench. Walid called the Dura hotline to obtain a burial permit for the same day. They told us that they had tried to coordinate arrangements for the burial, but their request had been denied. Having lost all hope of transferring my mother's body to the hospital or burying her, Walid and I turned on the fan. We placed ice cubes on the body. In the afternoon, my three brothers came over to the house. They jumped from the roof next-door to our house and hid between the houses so the soldiers wouldn't see them and shoot them. They stayed with my mother's body that night.

The next day, my brothers insisted that an ambulance come take the body to the hospital. We informed the ambulance team that the two tanks near our house had left. An ambulance arrived, and when it was only a few meters from our house, the tanks came back and opened fire at it. The driver quickly turned around. We had to stay with my mother's body in the house for another night. One of my brothers suggested that we place a knife on my mother's stomach, which is believed to prevent the body from bloating. We continued to put ice on the body.

The cemetery is about four hundred meters from our house. After we lost all hope of getting a burial permit or of taking the body to the hospital, my brothers decided to bury my mother in the yard. On Saturday [April 12], around 3:00 P.M., we saw that the tanks had moved from behind our house to another location some distance from the yard. My brothers went into the yard to dig a hole quickly. They buried my mother. My brother Ism'ail and my sister Yusra begged us to wait until they could come over to the house so that they could say goodbye to my mother, but we suggested that they not take the risk. We apologized for not being able to wait. The body was liable to cause a stench and we thought that the curfew would continue. So my mother was buried without my brother and sister being able to pay their last respects.

Dura, April 9-12, 2002

BEATING AND ABUSE



photo: Yannis Behrakis, Reuters

By ignoring acts of violence, Israeli security authorities send a clear signal to the security forces that the dignity and bodily integrity of Palestinians are irrelevant. By closing their eyes, army and Border Police officials give a green light for the beatings and abuse to continue.

- ▶ Beatings and abuse have been part of the occupation almost from its beginning and have become a routine part of life for the Palestinians. During Operation Defensive Shield, there was almost no supervision of the soldiers, and abuse of Palestinians increased dramatically.

Senior army and Border Police officers insist that the abuse is marginal and that they treat the “bad seeds” responsible for this behavior with severity. This attitude enables the defense establishment to avoid taking genuine measures to eradicate the problem.

The authorities’ disregard for the true facts gives a clear signal to the security forces that the dignity and bodily integrity of the Palestinians are irrelevant. By closing their eyes, the army and the Border Police give the okay for the beatings and abuse to continue.

Continued on the next page



Seven IDF soldiers patrol the village of Sabastiya in Nablus District once daily. The same group of soldiers has carried out the patrol for past few days. Each day, the soldiers choose a house at random and throw shock and tear gas grenades into it. Yesterday, while sitting at a café near the village's historic ruins, the soldiers stopped passers by and beat them. B'Tselem appealed to the IDF spokesperson demanding that this case be investigated and that steps be taken to prevent its reoccurrence, but has not yet received a response.

Daily Briefing April 10, 2002

34

Testimony of Ribhi al-Qubari, aged 43, Journalist:

- ▶ On Sunday, March 31, the Israeli army placed a siege on Arafat's compound in Ramallah. I went there to cover the story for the local TV station a-Sharaq. Several army trucks and tanks were there. Some of the tanks fired bullets, stun grenades, and tear gas at the compound in order to disperse the foreign demonstrators.

After the shooting stopped, I started to walk toward the Ministry of Culture. I wanted to get away from the area. One of the trucks came towards me quickly and stopped a few meters away. Seven soldiers got out and came over to me. They were shouting in Hebrew and English. They ordered me to raise my hands. Then one of the soldiers grabbed my left hand. I fell to the ground and he dragged me about five meters to the back of the truck. I showed him my international press card, and he said, "I don't care." He took the card and threw it to the ground. Then he ordered me to remove the cassette from the camera. While I was removing the cassette, the seven soldiers began beating me with their rifle butts and kicking me. One of the soldiers kicked my camera. Then I heard one of the soldiers say to another, "Uri, take the camera." The soldier took the camera and put it in the truck. I told him to give me back the camera. I heard one of the soldiers say, "Bust his head." The soldiers continued to beat me for about ten minutes. They injured my elbow and it felt as if my hand was broken. They also injured my neck and left shoulder. I couldn't move my shoulder...

Then one soldier pressed the barrel of his rifle to my neck. At that point, two foreign civilians appeared. The woman shouted to the soldier, "Stop. Don't kill him. Please, please," she begged. The soldier removed his rifle from my neck and backed off. The two foreigners picked me up and carried me about two hundred meters away. I felt like I was about to faint. The foreigners called for an ambulance, but none came. After a while, they stopped a journalist's car, which took me to the hospital.

- ▶ **al-Qubari suffered from a broken rib and broken left hand due to the beating. He was hospitalized for ten days. He was later readmitted and underwent surgery.**

Then everybody wept,
Or sat, too exhausted to weep,
Or lay, too hurt to weep.
And when the smoke cleared it became clear
This had happened too often before
And was going to happen too often in the future
And happened too easily...

Ted Hughes

B ' T S E L E M

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ב' תשל"ם

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بشليم - مركز المعلومات الإسرائيلي لحقوق الإنسان في الأراضي المحتلة

BTSELEM - The Israeli Information Center for
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