



**LETHAL TRAINING
THE KILLING OF MUHAMMAD
AL-HILU BY UNDERCOVER
SOLDIERS IN HIZMEH VILLAGE**

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מרכז המידע הישראלי לזכויות האדם בשטחים (ע.ר.ר.)

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THE KILLING OF MUHAMMAD
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SOLDIERS IN HIZMEH VILLAGE**

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INTRODUCTION

Muhammad 'abd al-Aziz Salah al-Hilu, aged 57, married and father of thirteen children, was killed on 25 February 1997 by soldiers from the Israel Defense Force's "Duvdevan" undercover unit. The incident occurred in Hizmeh village, Ramallah District.

Eye-witness testimonies given to **B'Tselem** indicate that the soldiers acted illegally during the incident. Without justification, they shot and beat village residents, killing Muhammad al-Hilu and wounding three others. **B'Tselem's** investigation indicates that al-Hilu very likely died from blows to the head and not from gunshots to his leg, as reported. He received these blows from one of the soldiers, who beat al-Hilu while sitting on the back of his neck.

According to the testimonies, three soldiers from the undercover unit, dressed in civilian clothes, attacked one of the village residents, Hamzeh Salah a-Din, without any provocation. When village residents, thinking the three soldiers were Jewish settlers, assembled at the site, one of the soldiers turned a-Din into a hostage. Simultaneously, the soldiers fired at the legs of the crowd. After a-Din succeeded in fleeing, the soldiers grabbed, in his stead, the fifty-seven-year-old Muhammad al-Hilu, who had been wounded in the leg by the gunfire. One of the soldiers compelled the wounded al-Hilu to sit on the ground. The soldier then sat on the back of his neck and beat him in the head with his radio transmitter for some twenty minutes. Al-Hilu was killed. Gunfire wounded three others.

Attempts of village residents to summon security forces failed. Soldiers at the checkpoint and police whom residents stopped on the nearby main road refused to enter the village. Only much later did a Border Police jeep reach the scene.

The testimonies clearly indicate that the soldiers could have left the village without being injured and without injuring any of the residents. The entire incident occurred on the outskirts of the village, about half-a-kilometer from the military checkpoint. The soldiers were equipped with radio transmitters with which they could have summoned help. Moreover, village residents, among them al-Hilu, offered to help the soldiers leave the village. In spite of all this, the soldiers chose to remain in the village and confront its residents.

Al-Hilu was taken to Hadassah Hospital, Ein Kerem. He was dead-on-arrival. The hospital spokesperson, Yossi Shoval, stated that "the cause of death can only be known after an autopsy; however, the physicians consider it very unlikely that he died from a wound to his knee."

No autopsy was performed. The IDF Spokesperson contends that the reason was that the family firmly opposed an autopsy. However, there have been cases where the family opposed an autopsy, but the State, thinking that an autopsy was necessary to determine cause of death, applied for and received a court order authorizing the autopsy.¹ Other tests, such as a CAT scan, which might have helped in determining the cause of death, were also not performed.

1. This procedure occurred, for example, in the case of Muhammad Amin Ibrahim Omar Dabus, aged 22, who was killed on 31 January 1993 at Beit Iba, Nablus District. After the family refused to authorize an autopsy, the State applied to court, where the State argued that it needs the bullet that killed Dabus in order to determine who caused his death and whether the shooter acted in accordance with the open-fire regulations. The court accepted the State's argument and authorized the autopsy (Investigation of Cause of Death File no. 5/93).

Al-Hilu's body was forwarded to personnel of the Palestinian Authority, who delivered it to the family for hasty burial without any autopsy or other examination having been performed.

In the past, **B'Tselem** has protested that the methods used by undercover units, particularly the open-fire regulations, are

illegal. Soldiers from these units enter hostile civilian populations disguised as civilians and armed only with firearms. These actions create a substantial likelihood that they will be exposed, which would place their lives in danger and require them to use their weapons.²

DATA

Since the beginning of the intifada, undercover units of Israel's security forces have killed 159 Palestinians, among them 19 children, and 2 Israeli civilians.

Since the signing of the Declaration of Principles, in September of 1993, these units have killed 30 Palestinians.

2. See **B'Tselem**, *Activity of Undercover Units in the Occupied Territories* (Jerusalem, May 1992).

TESTIMONIES

Testimony of Ahmad Abdallah Mutlaq Salah a-Din, aged 40, married with six children

The testimony was given to Fuad Abu-Hamed on 26 February 1997 in Hizmeh village

Yesterday, around 5:00 p.m., I was at home with my children after having returned from my job as a construction worker. I heard women shouting and went outside.

My house is about thirty meters from the scene of the incident. When I got outside, I saw someone, whom I couldn't identify, aim a pistol at the face of Hamzeh Na'if Mutlaq. His face was full of blood. I saw some sixty persons – men, women, and children – standing around.

There were three persons, each with a pistol of the same type. One held onto Hamzeh, and the other two fired at the crowd to move them back. The distance between the shooters and the crowd was between one to three meters. I approached to within 60 cm of them. I didn't see how or from what Hamzeh had been wounded.

They were wearing jeans, and one of them, about eighteen-years-old, stepped on Hamzeh's face. He was dark-skinned, about 175 cm, and had short hair. They were dressed alike, wearing light red T-shirts. I spoke with them in Hebrew. I said: "Leave the people alone and we'll make sure nobody hurts you." They were shouting all the time and threatened to shoot us if we didn't move back the people who kept approaching. I do not know why they came to the village or where they came from.

In the meantime, village residents whom I don't know went to the checkpoint to summon soldiers. The soldiers refused to come. Other residents went to the Ramallah bypass road.

At about the same time, Ali Abdallah Mutlaq was shot in the left leg, and it was bleeding. Some men from the village put him in a car to take him to the hospital. The Israelis opened heavy fire at the legs of the people, and were continuously replacing the magazines of their pistols.

Then I watched the Israelis. In the meantime, they had grabbed Muhammad 'abd al-Aziz al-Hilu and compelled him to sit on the ground. I also saw blood flowing from his left leg. He couldn't speak or do anything. All the time I was trying to free him. For more than twenty minutes, one of the Israelis sat on Muhammad's back, facing the people, and shooting at their legs. Muhammad did not move. It was after 5:30 p.m. I saw the person sitting on Muhammad hit him in the head a few times, not continuously, with the radio transmitter.

At this stage, a jeep with soldiers arrived. I don't know how many. Then another vehicle entered, a Mitsubishi van, which also had soldiers in it. When the Israelis saw the soldiers, they put on their hats. The hats had a yellow shining stripe and an inscription in Hebrew. I couldn't see what was written. Then one of the Israelis bandaged the leg of Muhammad, who was unconscious. I did not see any bullet wounds or blood in the upper portion of his body or head. I only saw blood on his left leg.

When the soldiers arrived, they placed Muhammad into the army jeep. It took them ten minutes to get him into the jeep. His head was inside and his legs were outside. When the jeep began to move, he began to slide out, and his legs hit the ground. They picked him up and put him sideways into the jeep. One of the Israelis called another by name. Maybe the name was Eyal.

They took Muhammad to the village junction, and then a civilian ambulance

arrived and took him to the hospital. I went to Makassed Hospital to visit the wounded. Later on I learned that Muhammad had died.

Testimony of Hamzeh Na'if Abdallah Salah a-Din, aged 20, married with one child

The testimony was given to Mazen Dandis on 26 February 1997 at the witness's home, in Hizmeh

Yesterday, at 4:00 p.m., I returned to the village from work. I showered and ate, and sat at home with my wife. Around 5:30 p.m., my wife told me there were three young men behind the house. I looked out the bathroom window, which faces the rear of the house, and saw three men dressed in jeans, sneakers, and jackets, and each had short hair. I thought they were Arabs. At that stage, I did not see any weapons on them. Nobody else was nearby.

I exited the house and went towards them. They were about five meters from the door. I wanted to ask them if they had gotten lost or wanted something. When I approached them, one of them jumped on me and knocked me to the ground on my back. He bent over me, one of his knees on my chest. He put the barrel of his pistol to my head. The other two stood on each side of us, their guns drawn.

As this was happening, a crowd developed, mostly women and children. The man who was on me took out plastic handcuffs and tried to handcuff me. He grabbed a stone in his left hand (the pistol was in his right hand) and hit me in the forehead with the stone, causing me to bleed. From time to time he grabbed my collar from the rear, lifted me up, hit me with the gun handle, and told the people to stay away. The other two shot at the legs of the crowd of persons.

When the people approached to within less than two meters from the Israelis, the

Israelis opened fire, and then the people moved back. When the firing stopped, they approached them again.

Four village residents tried to negotiate with the Israelis: my uncle Ali Abdallah; another uncle, Ahmad Abdallah; another person whom I don't know; and my brother-in-law, Muhammad al-Hilu, whom I only saw for a moment.

I heard my uncle Ali tell them in Hebrew: "Leave him, and I shall take you to the road." The one holding me responded by raising his gun and firing. I heard people telling the Israelis: "You have a radio transmitter, why don't you call the police to come and help you?"

I heard the one holding me talk into the transmitter. After he finished talking, he picked me up again, and the people again asked him to leave me alone. They said: "If you are frightened, we'll take you to the road, or you can call the police." They did not answer. They were firing all the time, sometimes in the air, and sometimes at the legs of the people.

This all lasted about thirty minutes. Then I succeeded in freeing myself, and I fled to my house, which is about five meters from where we were. I went into the bedroom and locked the door. My relatives came, knocked on the door and said: "Get out. We'll take you to the hospital." They took me by car to the hospital in Ramallah, where I received first-aid. They gave me three stitches in the forehead, and put a cast on my left leg, which had been broken in the incident.

While I was in the emergency room, Palestinian Police officers came and took me to the office of the governor of the region, where Jibril Rajoub questioned me. I stayed there until 2:30 a.m., and at 3 o'clock I reached home after PA officials had contacted the Israelis.

**Testimony of Ali Abdallah Mutlaq
Salah a-Din, aged 46, married with
ten children**

***The testimony was given to Mazen
Dandis on 25 February 1997 at the
witness's home, in Hizmeh***

I returned home from Jab'a village today about 5:30 p.m. I got out of the car on the main road and walked towards my home. I saw a few men running at me. They said, "Hamzeh is dead, Hamzeh is dead." I walked fast to Hamzeh's house. He is a neighbor of mine. When I got close, I saw three men with pistols. One of them put his foot on Hamzeh and aimed his gun at Hamzeh's head. The other two stood on each side of him and aimed their guns at the villagers.

I approached to within three meters of them. About a meter behind me were three other persons, in front of the rest of the crowd. There were lots of people, at least twenty, including women. I told him, in my terrible Hebrew: "He is my cousin, let him go. We don't want any problems. Go. Nobody will bother you." They didn't answer me. I moved forward another meter, my hands raised over my head. The man sitting on Hamzeh started to shoot in the air. That was the first time they had fired while I was there. Then he shot at my legs. Muhammad al-Hilu was standing next to me, and he told me to let him speak with them because he was older.

The two other Israelis also started shooting. I felt that a bullet had hit me in the left leg, under the knee. I moved backwards, limping. Two men from the village held me and took me to a car. I was bleeding profusely. I heard more shots being fired. They took me to Makassed Hospital, where I received emergency room treatment. The bullet entered and exited my leg, and did not cause major damage. Afterwards, they took me home.

**Testimony of Mahmud Na'if Abdallah
Salah a-Din, aged 23, married**

***The testimony was given to Najib
Abu-Rokaya on 2 March 1997 at the
scene of the incident***

On Tuesday [25 February 1997], I was at home with my wife, my brother Hamzeh, his wife and son, my seven younger brothers and sisters, my grandmother, and my aunt. We all live in one house. Mahmud Awad was visiting. Around 5:00 p.m., my brother Hamzeh got out of the shower and his wife was cleaning up there. I heard her tell Hamzeh that some young men were throwing stones at the house.

I left my room and saw my brother Hamzeh already on his way to check what was happening. I looked out the north window and saw three young men dressed in civilian clothes. Each was wearing blue jeans.

Hamzeh put out his hand in welcome to one of the men. The man knocked Hamzeh to the ground. Mahmud Awad, our visitor, and I went outside, and the men started to shoot at us. Only when they started shooting did I realize they were not from the village. I suspected that they were settlers. The three beat Hamzeh. Mahmud and I did not approach because we feared that if we put pressure on them, they would shoot us. At the time, there were five to ten persons nearby, six of them men, and the others women and children. The women began to shout, "They killed Hamzeh."

At the same time, ten to twelve members of our family returned from a condolence visit in Jab'a village. They got out of the car and joined the crowd. My uncle Ali Abdallah Mutlaq was among them. He began to speak with the Israelis and asked them in Hebrew to release Hamzeh and go away. A neighbor of ours, Faruk Abdallah Mustafa Najib, approached them and tried to frighten them. He said, "Run away, the police are

on the way," and moved closer and closer towards them. One of the Israelis pointed a gun at Faruk's face. Faruk pushed the Israeli's hand skyward and the shots fired into the air. Hamzeh took advantage of the confusion and succeeded in fleeing into our house, some fifteen meters from the scene of the incident.

In the meantime, more and more people congregated, and already thirty to forty residents of Hizmeh were at the scene. They asked the Israelis to go away, and Muhammad al-Hilu approached them and told them to go. Then they shot him in the leg. My uncle Ali tried to pull the wounded Muhammad away, and the Israelis also shot him. The Israelis overcame al-Hilu and took him as a hostage. One of the Israelis had him sit on the ground and sat on his back. For about twenty minutes, he beat him in the head with a radio transmitter.

Mahmud Awad, Sheikh Yasser 'abd al-Hamid, and Ahmad 'Ata went to the checkpoint, some five hundred meters from the scene, to call for help. I have no doubt that the soldiers at the checkpoint heard the shots in Hizmeh. However, they did not intervene and did not call for assistance. Only after 6 o'clock did a jeep, with six Border Police inside, arrive. When the Border Police arrived, the three Israelis pulled out hats from their socks. The hats had a shining yellow stripe, on which something was written in Hebrew. I don't know how to read Hebrew. One of the Border Police and one of the Israelis placed the wounded Muhammad into the Border Police jeep. Then they left.

Testimony of Ibrahim 'abd al-Aziz al-Hilu, aged 46, married with seven children, employed by the District Coordination Office of the Palestinian Authority, in Jericho

The testimony was given to Fuad Abu-Hamed on 2 March 1997 at the witness's home, in Hizmeh

Fadi, my son, told me about the incident. He called me from our shop in the village. I was at the office where I work in Jericho. Fadi told me that three settlers had entered the village and were causing a disturbance, beating people, and shooting, and he wanted me to get the DCO [District Coordination Office] to send help.

I called an officer from the Israeli side, his name is Eldad, and told him what was happening. I also called the village. They told me there were wounded. I immediately called Eldad again, and asked him to send an ambulance. This was at the beginning of the incident. I also called the Red Crescent in Jericho so they could ask the Red Crescent in El-Bireh to go to Hizmeh. I continued to call and receive calls.

I knew that my brother was among the wounded. After ten minutes, my friend came to replace me, and I left. I travelled in my car to the village. There was a Border Police jeep at the main entrance to the village. Border Police refused to let me enter. I began to explain, but they refused. I travelled along another route. I entered the village and started to call the hospitals and those who had been wounded. My brother Muhammad's son, Nadi, went with him to the hospital, and he called and informed us that Muhammad had died.

Jibril Rajoub immediately came to the village, and we authorized him to handle the matter. Rabi'a, of the Civil Administration, called us. He spoke with my brother to arrange delivery of the body. That same night I went with 'abd al-Majid, another of my brother's sons, to the village junction. We met Rabi'a there and we travelled

together with him towards the checkpoint. Rabi'a demanded that we take the body and bury it immediately. I refused. He said, "You have to." I told him, "You bury him with your soldiers." We didn't speak at all about an autopsy.

We travelled to the hospital together. I went in my car, and he went in their car. We agreed to go to the hospital after he said that there is an agreement with the PA [Palestinian Authority]. I spoke with officials at the PA, and they told me to take the body.

That same night, Muhammad's son and I went to the hospital morgue and saw the body. I saw only one scratch, with blood under the left eye, on the face. I did not see any other injury to the head. His eyes and mouth were open. I did not see the rest of the body, nor did I want to see it. We were only there for a few seconds, and we immediately left for home. They told us that the following morning, at 10:00 o'clock, we would receive the body in Ramallah.

The next day we drove to Ramallah. Everyone – Haj Ismail, Jibril Rajoub, and Abu-Faras, Ramallah District governor – told us that Israel refuses to hand the body over to the PA. We agreed that the family would absolutely not receive the body directly, without it being delivered via the PA.

Around 2:30 – 3:30 p.m., a Palestinian military physician and the head of the office

of Haj Ismail came to the village. We travelled with them with military escort to Hadassah Hospital. Two Border Police jeeps escorted us – one travelled in front of us, and the other behind us. We were at the hospital for thirty minutes, and it took us more than two hours to make the journey there and back. It seems to me they wanted to make it longer so that we would arrive at the village in the evening. They began to wander through Jerusalem and drove especially slow, less than 50 kph. I don't know if the Palestinian military physician examined the body. His function was primarily official.

We travelled to Ramallah and from there, with the Border Patrol jeeps, to the village. Around 6:00 p.m., the funeral began, and it lasted for more than an hour.

We have not received any medical documents. I requested Avner, an officer from the Civil Administration, to send me the documents, and he said he would.

If I receive permission from Jibril Rajoub and Haj Ismail, I will agree to exhume the body and have an autopsy performed. From the start, we never opposed an autopsy. We agreed that the PA would handle the matter. I don't know why he was buried without an autopsy. I thought they would take care of that.

CONCLUSION

If a person has a duty not to do more than is reasonably necessary to repel an existing danger, he has a greater duty to refrain from creating a similar danger, and from placing himself, at his own initiative, in a potentially dangerous situation. A violent act committed by a person under such circumstances cannot be considered an act only intended for self-defense.

– Justice Moshe Landau, *Crim. App. 410/71*,
Mordechai Horowitz vs. State of Israel, Piskei Din 26(1) 624, 628

Immediately after the incident in Hizmeh, the IDF Spokesperson issued the following statement:

IDF forces in action near Hizmeh, Ramallah District, were attacked by Palestinian residents. The forces responded with gunfire, which killed a Palestinian and wounded three, one receiving moderate to serious wounds, and two receiving light wounds.

The testimonies presented in this report and information reported in the newspapers on the day following the incident indicate that not one of the details of the IDF Spokesperson's statement was accurate.

- the undercover soldiers did not enter the village on an "action," but rather for training;
- the soldiers were not attacked by the village's residents, but rather attacked them without provocation, took hostages, and shot residents who attempted to rescue them by peaceful means;
- al-Hilu, who was killed in the incident, did not die from gunshot wounds, but apparently died from asphyxiation resulting from a soldier sitting on the back of his neck, or from blows to his head.

The IDF Spokesperson issued no statement to amend the statement quoted above. In the past, **B'Tselem** has protested that the IDF Spokesperson provides misleading information based on distorted reports of IDF forces in the field, or even worse, provides information intended to cover-up intentionally the illegal acts of IDF forces. **B'Tselem** again urges the IDF Spokesperson's office to examine the reliability of its information and to refrain from issuing false and tendentious information.

The committee appointed by OC Central Command and the Military Investigations Unit to investigate the incident is conducting the investigation in a bewildering manner. To date, a week after the incident occurred, neither the committee members nor Military Investigations Unit investigators visited the village to take statements of the residents or to investigate the scene of the incident. Nevertheless, according to newspaper reports, this failure did not stop the committee from concluding that the soldiers had been attacked and had been placed in a life-threatening situation, and that the gunfire was, therefore, justified.³

The newspaper reports indicate that the committee accepted without reservation the

3. See, for example, *Ha'aretz*, 2 March 1997.

contention that al-Hilu died as a result of being shot in the leg, even though Hadassah physicians stated that it was extremely unlikely that this was the cause of death. The military prosecutor's office made no effort, despite the judicial means at its disposal, to ensure that an autopsy be performed, which could have determined the cause of death. Moreover, the family denies that it opposed an autopsy, as the IDF Spokesperson contends.

The violent acts of the soldiers in the village, which caused the death of Muhammad al-Hilu and injuries to three others, must be severely condemned. The contention that the soldiers fired at the residents and beat several of them because the soldiers had been caught in a life-threatening situation is refuted by the testimonies and by the fact that not one of the village residents who supposedly threatened the lives of the soldiers was subsequently arrested. Throughout the incident, it must be noted, the soldiers could have retreated or called for assistance.

B'Tselem views with great severity the sending of soldiers dressed in civilian clothes into an innocent civilian population for the purpose of undercover training where there is a calculated danger that they will be exposed, leading to a confrontation in which civilians will be injured through no fault of their own. Such activity demonstrates the IDF's profound disregard for Palestinian life.

B'Tselem urges the authorities to conduct a thorough investigation of the incident. During the investigation, they must attempt to reach an agreement with the family to exhume al-Hilu's body and conduct an autopsy. After completing the investigation, the authorities must prosecute those responsible for the death of al-Hilu. The investigation must also examine the actions of the soldiers in the village and the actions and training methods of undercover units in general. Clearly, the authorities must categorically prohibit entry of undercover soldiers into Palestinian villages for training purposes.





the first two years of life. The first year of life is the most critical period for the development of the brain.

The second year of life is the most critical period for the development of the brain.

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The twenty-sixth year of life is the most critical period for the development of the brain.

The twenty-seventh year of life is the most critical period for the development of the brain.

B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories was founded in 1989 by a group of lawyers, writers, academics, journalists, and Members of Knesset. **B'Tselem** documents human rights abuses in the Occupied Territories and brings them to the attention of policymakers and the general public. Its data are based on independent fieldwork and research, official sources, the media, and data from Israeli and Palestinian human rights organizations.
