



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

**B'Tselem** – The Israeli Information Center for Human Rights in the Occupied Territories

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8 June 2009

Brig. Gen. Avichai Mandelblit  
Judge Advocate General  
The Kirya, Tel Aviv

**By mail and fax (03-5694526)**

Dear Sir:

**Re: Firing of live ammunition gunfire, which led to the killing of a demonstrator in Ni'lin**

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Again I am compelled to write to you after security forces killed a demonstrator in the West Bank. This was a needless killing that could have been prevented.

Last Friday, 5 June 2009, 'Aqel Sror, 35, a resident of Ni'lin, was killed by a live, 0.22 inch caliber bullet (known as "Tutu") fired by a border policeman during a demonstration held in Ni'lin. That same day, four other demonstrators were injured by 0.22 bullets. One of the wounded persons was struck in the spine, permanently paralyzing him in the assessment of his physicians.

The IDF Spokesperson stated that, "The force operating at the site was stoned by a group of Palestinians, some of them masked. One of the combatants felt he was in a life-threatening situation and he fired at their legs, using a Ruger rifle, which is a means to disperse demonstrators that fires ammunition similar to live ammunition but at low intensity" (*ynet* 6 June 2009).

B'Tselem's investigation raises grave doubts as to the accuracy of this version of the events. According to an eyewitness, Sror, who was part of a group of young persons who were throwing stones at border policemen, was shot while he ran to aid a young man who had been injured a few seconds earlier. The shot was fired by a Border Police sniper, from a distance of forty to fifty meters away. Sror and the injured person whom he went to aid were struck in the upper part of their bodies: Sror in the chest and the other person in the stomach. This version contradicts the claim that the gunfire was aimed at the legs.

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B'Tselem's investigation raises grave concern that security forces claimed a life-threatening situation to justify firing in non-life-threatening circumstances. To clarify the matter, a criminal investigation should be opened immediately. B'Tselem has demanded that SHAI (Samaria and Judea) Police District and the Department for the Investigation of Police also investigate the circumstances of the shooting.

More than three months ago, on 26 February, I warned you of the danger inherent in the firing of live ammunition, including 0.22 bullets, at demonstrators in the West Bank. I never received a reply to my letter, and security forces continued to use this ammunition. As a result, last Friday, 'Aqel Srur was killed and four persons were wounded.

The problems I noted in my earlier letter remain. First, the army relates to 0.22 bullets as a means to disperse demonstrators. In doing so, the army ignores the fact that 0.22 bullets are live ammunition for all intents and purposes. The intensity with which they strike the target may be lesser, but they cause injury, sometimes very serious injury, and even death. For this reason, your predecessor ordered, in 2001, that 0.22 bullets no longer be used. His order followed, among other things, children in the Gaza Strip being killed by means of this ammunition.

Second, as I explained in my previous letter, treating 0.22 bullets as a means to disperse demonstrators leads security forces to believe that, since the weapon is not lethal or harmful, it may be used without limitation. I pointed out that this perception is liable to increase the use of 0.22 bullets in circumstances that place the lives of protesters at risk. Unfortunately, this prediction has become reality.

Therefore, B'Tselem demands that an unequivocal order be given to security forces in the field that it is forbidden to fire live ammunition, including 0.22 bullets, at unarmed demonstrators. This order must be given immediately to avoid more Palestinians from being struck by these bullets.

I would appreciate your swift response so that we can consider the taking of further measures in this matter.

Sincerely yours,

Jessica Montell  
Executive Director

cc: Mr. Meni Mazuz, Attorney General  
Mr. Yehoshua Lemberger, Deputy State Attorney  
Maj. Gen. Gadi Shamni, Commander of IDF Forces in Judea and Samaria  
Human Rights Section Officer, IDF Spokesperson's Office