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

STANDARD ROUTINE
Beatings and Abuse of Palestinians by Israeli Security
Forces during the Al-Aqsa *Intifada*

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Researched and written by Yael Stein

Fieldwork by 'Abd al-Ahmar, Musa Abu Hashash, Hashem Abu Hassan, Noga Kadman Raslan Mahagna, Najib Abu Rokaya, and Lior Yavne

Data coordination by Lior Yavne

Translated by Jessica Bonn and Zvi Shulman

What does it mean when we say that human dignity and liberty are a fundamental human right; what does it mean when we speak about recognizing the value of the individual, the sanctity of human life and freedom of humans, and that all these should be respected within the spirit of the principles in the declaration made upon the founding of the State of Israel; what does it mean when we speak about the prohibition on injuring life and limb and the dignity of a person as a person. All these words – which express the basic values of society, of a people, of an individual – will dissipate and disintegrate in all directions if we permit ourselves to repeat these acts that take place in front of us, and do not speak out lucidly and clearly.

The people of Israel finds itself in a difficult period in its life. Possible future events will make it difficult for us, maybe even greatly. In such events, our first duty is to preserve the humanity within us, so that the events taking place in our midst do not harm us and our children and turn us into animals. We are not dealing with the offense of theft, of aggravated violence, or drugs. We are involved in an offense that, if it takes hold, will lead to the destruction of the society in which we live, to the disintegration of governmental institutions. What is a school of leniency to me, what is a school of strictness to me. Therefore, disturbances will break out in Israel, a sovereign unit will not be founded and a state will not be preserved... The call has been sounded and will go from one end to the other: “Hear and know everything, that we shall not be silent and shall not rest until the plague is cured and a Jew does not abuse any person, not a Jew, not an Arab, not any individual.

Comments of Justice Mishel Heshin in a hearing to extend the detention of three border policemen who were accused of beating a Palestinian, a resident of Nablus, on 13 April 1994 (Crim. Misc. Mot. 2224/94, *State of Israel v. Yehiel Ben Meir Shitreet, Takdin Elyon* 94(2) 1653, of 22 April 1994)

Introduction

Since the beginning of the Al-Aqsa *intifada*, on 29 September 2000, B’Tselem fieldworkers have taken dozens of testimonies from Palestinian residents of the Occupied Territories relating to beatings and abuse by Israeli security forces. Several of these testimonies are presented in this report.

Security forces’ violence against the Palestinian population is not new or unique to the current *intifada*. With the outbreak of the *intifada*, there has definitely been a significant increase in the number of beatings and abuse, a result, in part, of the increased friction between residents of the Occupied Territories and the security forces. However, the phenomenon itself has existed for many years.

In most of the cases, the abuse is given in “a small dose,” such as a slap, a kick, an insult, a senseless delay at checkpoints, or humiliating treatment. Over the years, these acts have become an integral part of the daily life of Palestinians in the Occupied Territories. At times, though, the violence is severe, such as those presented in this report.

Many cases of abuse are not made public because they have long been accepted as the norm, and if Palestinians filed a complaint in each instance, they would have to dedicate most of their time to this process. Furthermore, many Palestinians, primarily those who enter Israel illegally, refrain from complaining even in incidents of severe violence, fearing that filing a complaint will harm them. Many do not file complaints because their past experience has resulted in a lack of trust in the judicial system, which tends not to believe them and to protect, rather than prosecute, those who attacked them. A Palestinian who wants to file a complaint faces numerous obstacles inherent in the great difficulty in moving about the Occupied Territories, a consequence of the numerous restrictions on movement that Israel has imposed on Palestinians.¹

Israeli law and international law provide that security forces may use reasonable force in limited circumstances, such as self-defense or when a suspect resists arrest. However, in the cases presented in this report, as in many other cases, there have been clear breaches of the law and flagrant violations of human rights. In this context, the District Court held that, “The exercise of illegal force by police officers is a phenomenon characteristic of regimes that are abhorrent, and undemocratic, of the kind that trample on human rights. It is misuse of the [police officer’s] function.”²

This report presents twelve Palestinian testimonies that describe the beatings and abuse of twenty-four Palestinians that took place in recent months throughout the West Bank. In seven of the cases, IDF soldiers beat the Palestinians, and in five cases, the Border Police was involved. In the cases presented, the eldest person injured is fifty-eight and eleven of those injured are minors. The youngest is an infant of three, whose hand was broken by border policemen. In some of the cases, the Palestinians who were beaten required hospital treatment and follow-up medical care.

¹ See B’Tselem, *Civilians under Siege: Restrictions on Freedom of Movement as Collective Punishment*, January 2001.

² Crim. App. (Nazareth) 208/96, *State of Israel v. Mahmud Sa’ad, Takdin Mehozi*, 97(1) 433.

List of Cases Presented

Cases of beatings and abuse by IDF soldiers

	Name of Injured Person	Age	Location	Date
1	Mahmud Yasin	34	Near the Ateret-Halmish road	6 December 2000
2	'Ala Ma'ali	20	Bethlehem checkpoint	9 November 2000
	Salah al-Masa'id	25		1 January 2001
3	'Abd al-Fatah 'Ali	42	Jama'in Village/Nablus District	10 February 2001
4	Na'ima Aby 'Ayash	41	Hijera Village/Hebron District	19 February 2001
	Muhammad Abu 'Ayash	13		
	Noha Abu 'Ayash	16		
5	Ramzi Malham		Mei 'Ami Junction/Jenin District	7 March 2001
	'Odai Malham	11		
6	Ahmad Manasreh	22	Beit 'Anun checkpoint/Hebron District	15 March 2001
7	Muhammad Ramhi	14	Near Ramallah	17 April 2001

Cases of beatings and abuse by Border Police officers

	Name of Injured Person	Age	Location	Date
1	Husam al-Jaber	36	Near Hawara/ Nablus District	27 October 2000
2	N'aman Manasreh	58	Al-Khader/ Bethlehem District	20 December 2000
	And tow others			
3	Jafer Yasin	23	Umm el-Fahm	17 February 2001
4	Samir 'Abd a-Latif and five other pupils	15	Al-Khader/ Bethlehem district	3 March 2001
5	Raid 'Odeh	30	Hawara/ Nablus district	1 April 2001
	Muhammad 'Odeh	3		

Beatings and Abuse of Palestinians by IDF soldiers

In comparison with previous years, there has been a significant increase in the number of cases in which IDF soldiers beat Palestinians. This increase results partly from the increase in friction between the soldiers and the Palestinian population. Whereas prior to the *intifada*, the IDF primarily established checkpoints along the border between Israel and the Occupied Territories, today there are numerous new checkpoints and an extensive army presence throughout the Occupied Territories.

On 13 March 2001, ‘Adel Ibrahim Muhammad Tanuh, 23, resident of Takoa, Bethlehem District, was on his way to work in Jerusalem. Near the Bethlehem checkpoint, soldiers stopped the bus he was in and took him, together with four other Palestinians, to the checkpoint, and had them stand in a line. One of the soldiers took Tanuh to the army enclosure next to the checkpoint. In his testimony to B’Tselem, Tanuh described what happened then:³

The soldier said to me, “Remove all your possessions and put them on the floor.” I put my watch and wallet on the floor. He said, “Raise your hands and spread your legs.” I raised my hands and spread my legs and thought that he wanted to search me, but the soldier began to kick me. He kicked me in the abdomen and back. I fell to the floor, and the soldier grabbed my by my shirt collar and told me to stand up. I couldn’t, and he called out in Hebrew to five soldiers. The other soldiers didn’t say anything and immediately began to kick, punch, and slap me. I think it lasted for around twenty minutes. Then the soldiers said: “Go stand near the fence.” The [first] soldier that beat me said, “Take your identity card and go back to your place.” When I got to the fence, I couldn’t stand, and I fell to the ground.

B’Tselem workers who passed by and saw Tanuh after the beating approached the officer in charge of the checkpoint and the other soldiers and requested their names and particulars. The soldiers refused to identify themselves, in violation of the law, and even threatened one of the B’Tselem workers. When the company commander arrived, he gave his particulars, but refused to provide the particulars of the other soldiers. One of the B’Tselem workers immediately called the Jerusalem base of the Military Investigations Unit [MIU] and requested that they come to the site, where both the soldiers who did the beating and Tanuh were present. However, the head of the Jerusalem base of MIU refused to send an investigator, contending that the base had only one vehicle, “which is reserved for emergencies.”

In recent years, the Judge Advocate’s Office has almost routinely sent complaints of beatings and abuse filed by B’Tselem to MIU for investigation. In most of these cases, MIU investigated superficially without making any real attempt to find out the truth or thoroughly investigate the complaint. A report published by HaMoked: Center for the Defence of the Individual analyzes the Judge Advocate’s Office’s treatment of Palestinian complaints of beatings and abuse by IDF soldiers. All the investigation files were closed with no action taken. The investigation material indicated that the investigation began long after the incident, principal witnesses – including the victims and Palestinian eye-witnesses - were not questioned, and, in some cases, MIU

³ The testimony was given to ‘Abd al-Ahmar on 13 March 2001.

investigators asked the soldiers against whom the complaints were filed leading questions.⁴ Despite these problems, however, the existence of an MIU investigation served a preventive function to some degree.

B'Tselem wrote to the Judge Advocate's Office about the cases described in this report and requested that MIU open investigations and prosecute those responsible. However, unlike in the past, B'Tselem was informed that the matter had been forwarded to the Judge Advocate for the Central Region Command. The effect of this is that, rather than an MIU investigation, an investigating officer was assigned to look into the matter.⁵ The investigating officer is appointed by the Regional Command's Judge Advocate to investigate suspected penal offenses. These investigating officers, unlike MIU investigators, are unskilled in conducting investigations and perform this function along with their regular functions. These letters indicate that the failure of the command at the Jerusalem MIU base to send an investigator to the Bethlehem checkpoint to investigate Tanuh's complaint did not result from technical problems, but from the change in policy instituted by the Judge Advocate's Office.

In her 1993 Annual Report, the State Comptroller sharply criticized the activity of the investigating officers:⁶

The investigating officers, who generally have no training in law or knowledge in investigations, are very often superficial in their work, and they rarely submit a properly prepared file to the Judge Advocate of the Central Region Command... In many instances, the investigating officer settles for a photocopy of the operations journal and attaches it to the file, and does not collect testimonies, not even from the complainants; in many cases, the investigating officer's summary does not conform at all with the evidence in the file... The October 1991 memorandum prepared by the Judge Advocate of Central Region Command indicates that the problem with the manner in which the investigating officers function primarily results from the fact that investigating officers are not professional investigators, who have the proper tools, and that for investigating officers, the examination file is a sideline function to their primary function; this superficial work makes it difficult to conduct a thorough investigation and to locate those responsible.

In *Fleeing Responsibility*, HaMoked contends that the situation described in the State Comptroller's report is also true regarding MIU investigations and that the military "made no attempt to improve the investigation of complaints filed by Palestinians against soldiers who injured them."⁷

In the beginning of the Al-Aqsa *Intifada*, the Judge Advocate's Office informed B'Tselem that, unlike its previous policy, it does not intend to open MIU investigations where Palestinians are injured by security forces' gunfire. According to

⁴ HaMoked: center for the Defence of the Individual, *Fleeing Responsibility: The Military's Handling of Palestinian Complaints against Soldiers*, November 1997 (hereafter: *Fleeing Responsibility*).

⁵ Stated to B'Tselem in a telephone conversation with the Office of the Military Advocate General on 3 May 2001.

⁶ State Comptroller, *Annual Report 43, for 1993*, at page 879 (Hebrew).

⁷ *Fleeing Responsibility*, footnote 4.

the Judge Advocate's Office, "Based on a view of the current situation in the areas as an armed conflict and based on customary military norms in a combat situation, we think that it is improper to open MIU investigations solely on the basis of persons being injured as a result of the combat situation, unless there is suspicion of a gross violation of the binding rules of conduct."⁸ In the past, B'Tselem criticized this policy of the Judge Advocate's Office, which contravenes the policy that had been implemented prior to the beginning of the *intifada*, pursuant to which MIU investigated every case where a Palestinian was killed or seriously injured by security forces' gunfire.⁹

Expansion of this policy to include cases of beatings and abuse, which even according to the Judge Advocate's Office's way of thinking is a "gross violation of the binding rules of conduct" and whose victims were not injured "as a result of the combat situation," is particularly grave and indicates the superficial and lenient attitude of the military to such acts.

⁸ Letter of 28 January 2001 from Lt. Col. Liron Liebman, Deputy Chief Military Prosecutor, to B'Tselem.

⁹ See B'Tselem, *Illusions of Restraint: Human Rights Violations during the Events in the Occupied Territories, 29 September – 2 December 2000*, December 2000, pp. 18-20.

*Beating of Mahmud 'Abdallah Muhammad Yasin, married with three children,
resident of Bet Rima, Ramallah District, 6 December 2000¹⁰*

I am a taxi driver. On Wednesday, 6 December 2000, I started work at six in the morning. I drove from Beit Rima to Ramallah. Because of the closure, I drove through the local villages, reaching Ramallah at eight o'clock. There aren't passengers travelling from Ramallah to Beit Rima in the early morning because most village residents who went to the city did not finish what they had to do there. So at this time of day we return to the village without passengers. Therefore, I returned to Bet Rima so that I could drive people from the village to Ramallah. Because the trip took so long, I decided to go by a different route. The road was blocked with concrete blocks and piles of dirt and trenches, so I drove via an unpaved farm road to bypass the blockade. The distance was around two kilometers and the road was in very bad shape.

Around 9:30, I reached the end of the dirt road and wanted to get back onto the main road. Suddenly, I saw three Israeli soldiers two meters away from me. They came out from behind a pile of dirt that had been placed along the main road. The soldiers approached me. One of them said something to me in Hebrew. I told them that I do not understand Hebrew. Then one of the soldiers told me in Arabic to turn off the motor. I turned it off. Then he asked me where I was headed. I told him that I was going to 'Abud village. He told me to get out of the car, looked inside, and then searched the car. Then he asked me to open the trunk.

While I was opening the trunk, the soldier standing to my right hit me with a hard and painful punch to the right side of my face. I instinctively raised my left hand and the back of my hand hit the jaw of the soldier standing to my left. Then all three of the soldiers jumped on me, grabbed me, and put me in the trunk of the car. They beat me all over my body. While they were beating me, I looked for something in the trunk that I could use to hit them and defend myself. I didn't care anymore if I died, I didn't care about anything. I couldn't find any object to grab hold of, so I pushed them away with my feet and hands and got out of the trunk.

Now seven soldiers, and not just three, were facing me. I do not know where the other four came from. They all beat me. They grabbed me, held my hands together, and then one tried to kick me in the testicles. I closed my legs and he hit me in the lower abdomen. Another one punched me high on the head and two others struck me in the back. While they were doing this, they cursed and swore at me. One of the soldiers put the barrel of his rifle under my right cheek and demanded that I sit on the ground, but I refused.

The beatings to my head and back continued for 15 minutes, until I became dazed and fell to the ground. Then they all kicked me and punched me in the head. I estimate that an hour passed from the time they began to beat me until they left. Finally, they told me to go back to where I had come from and they left. I was in a daze from the beating. The soldier who spoke to me in Arabic was a Druze. I know that from his accent.

¹⁰ The testimony was given to Na'im a-S'adi on 16 December 2000.

After the soldiers left, I got myself together and cleaned off the blood from my mouth and nose. I stayed there for around 15 minutes and then got into my car and drove toward Ramallah.. My head hurt immensely and I was dizzy as I drove.

I got to the Beit Rima village taxi stand in Ramallah and told the drivers what happened to me. I told them not to drive along the road that I had used. I was tense and emotionally shattered. I got out of the taxi and wandered around the streets of Ramallah. I was tired and my head hurt. I went back to the taxi and sat inside. Around one o'clock, one of the other drivers came up to me and said that it was my turn, and that I should turn on the engine and have passengers get in. I put the key into the ignition to start the car, and everything turned black. I couldn't see anything. I began to strike the dashboard, and a guy standing near the car noticed and asked what happened to me. I asked him to tell one of the taxi drivers from Beit Rima to come over. He called them and most of them came. I told them that I couldn't see and that I had a splitting headache. They called an ambulance, which took me to the hospital in Ramallah, where I was hospitalized for three days.

At the hospital, I underwent an examination after they X-rayed me with a scanner. They told me to see an eye doctor at the a-Razi Hospital, in el-Bireh, and to have X-rays taken of my eye. I understood that I had suffered a blood clot on the optical nerve. I am still under treatment.

Beating of 'Ala 'Issa Muhammad 'Issa M'ali, 20. resident of Deheisheh Refugee Camp/Bethlehem District, on 9 November 2000 and 1 January 2001¹¹

I am a guard at a place about a hundred meters south of the Bethlehem checkpoint. On Thursday, 9 November 2000, an Israeli soldier was killed in the area of Rachel's Tomb. That same day, around 4:20 P.M., I sat next to the guard room smoking a *nargila* water pipe. Also in the room was a friend, Salah al-Masa'id. He is 25 and lives in the al-'Aideh refugee camp. He works as a guard for the Bethlehem Municipality. He guards an area known as Jeron al-Humus, which is around 50 meters east of the Bethlehem checkpoint. His job is to guard Municipality equipment and vehicles.

A patrol jeep approached us. There were four regular-army Givati brigade soldiers inside. It stopped on the main Jerusalem-Bethlehem road, five meters away from us. In Arabic, they told us to "please get into the vehicle" and to bring the *nargila* and the audio-cassette player, which had inside it a cassette of Umm Kultum, "*Inta Omri.*"

We immediately got into the jeep without any argument. It proceeded to the checkpoint, where the soldiers told us to empty our pockets. An officer appeared right away, and he had a club that was painted white. For two minutes, he hit us all over our bodies. Then the soldiers took us to a small room near the checkpoint and asked us who killed the Israeli soldier. "You know who killed the Israeli soldier, tell us," they said. They spoke Arabic with a heavy accent, but it was possible to understand them. We responded that, "We are guards. You see what we do. We don't know anything." They didn't believe us and beat us with their rifle butts and kicked us with great force and continuously.

After a few minutes, I lost consciousness. I awoke outside the room, and had no idea how I got there. A short Druze soldier, who was fat and had black hair, green eyes and light-colored skin came up and asked who killed the soldier. We said that we don't know. He said, "take your documents" and kicked Salah al-Masa'id in the face. Another soldier grabbed Salah's head and began to slam it against an iron gate that was five meters from the checkpoint. He said, "You are Hamas." Salah's nose began to bleed very badly. Then the soldiers broke the audio-cassette player and smashed the *nargila* on the road until it was broken too.

The soldiers asked Salah where he works and three of them took us to the guard-duty room at the Municipality. The soldiers came with us to make sure that we were telling the truth. The soldiers disconnected the telephone in the room, but we had a mobile phone. After the soldiers left - they had been in the room with us for around ten minutes - we called the local television station *Al-Mahad* and they summoned an ambulance for us. Seven minutes after the soldiers left, the Palestinian Red Crescent ambulance arrived.

This entire story, from the moment that the soldiers told us to get into the jeep until they left lasted around three hours. The ambulance team wanted to take us to the hospital, but Salah didn't want to go, and when I saw that he refused, I also refused. I

¹¹ The testimony was given to 'Abd al-Ahmer on 16 January 2001.

don't know why I refused. The ambulance team treated us at the site. They bandaged my right hand and stopped Salah's nose bleed.

On Monday, 1 January, at six in the morning, I heard voices and exited the guard-room. I thought they were thieves, I didn't know that they were voices of Israeli soldiers. One soldier saw me and told me to approach him. There were more than twenty soldiers in the area. They had set up an ambush to prevent workers from crossing into Israel in the morning.

One of the soldiers took my identity card and told me to place my hands on the wall. He beat my hands with a club when my hands were on the wall. Then he brought a rope and tied my hands to an olive tree five meters away from the guard-room.

I was tied up for an hour. The soldiers searched me and beat me from behind. I did not see the soldiers and I do not know what they look like because I was tied up. They kicked me and beat me with their rifle butts.

*Beating of 'Abd al-Fatah Ahmed al-Hajw 'Ali, 42, married with six children,
resident of Jama'in Village/Nablus District, 10 February 2001¹²*

I am married with six children, the eldest is 18 and the youngest is seven months' old. I have been a high school teacher in Mardeh village for four years. Before that, I taught in Kuwait. Because of the problems there, I returned to the Occupied Territories and began to work for the [Palestinian] Ministry of Education and Culture as a teacher.

About two months ago, the main road between Jama'in and Mardeh was blocked by gigantic piles of dirt. The Israeli army placed the dirt blockade at the southern entrance to Jama'in, on the road from Jama'in to the Trans-Samaria Highway. They also placed piles of dirt at the entrance to Mardeh on the road from that village to the Trans-Samaria Highway. As a result, three other teachers at the school and I cannot get to work by car, and we have to walk back and forth between Jama'in and Mardeh, a distance of some two and a half kilometers.

On Saturday morning, 2 October, my colleagues and I were on our way to the school. We were on the road leading to the Trans-Samaria Highway. We were a hundred meters or so in front of the dirt pile that had been placed at the southern entrance to Jama'in. I asked the others to walk faster so that we can get to the school on time. I said that I was going to go ahead. I was around thirty meters in front of them. While I was walking, all of a sudden three Israeli soldiers burst out from among the olive trees on the two sides of the road. They were in uniform, with helmets, and fully equipped. They were light-skinned, tall, and of average build. They were, I estimate, about 25-30 years old.

The soldiers got to the road and approached me. One of them stood in front of me, fact-to-face. The second stopped behind me, and the third was on my right. All of them were within a half a meter from me. The one behind me kicked me real hard in the back. When I tried to turn around, the soldier in front of me struck me in the face and chest, and then the soldier to my right hit me. Then all of them started to beat me from all directions.

It was 7:40 A.M. They did not want to see my identity card and did not ask where I was going, or anything else. My three friends were behind me, and the moment that they saw the Israeli soldiers, they hid among the olive trees. The soldiers attacked me unfairly and for no reason. They didn't give me the time to say anything or ask what they want, and they said nothing, didn't ask anything. They didn't care about anything. They beat me non-stop for ten minutes until I fell to the ground, my face and body bleeding. They beat me mostly in my left knee, which still hurts. Then they left, disappearing into the olive trees from which they had appeared.

After the soldiers were gone, my colleagues - 'Ali 'Abd al-Latif Khadar, Muhammad Jalal, and Ahmed 'Abd al-Qader - carried me to the school in Mardeh. They summoned an ambulance from Salfit, and I reported the incident to the Ministry of Education and Culture. The ambulance came and took me to Rafidiyeh Hospital, in Nablus, where I was examined and treated. I was in an unstable condition because of

¹² The testimony was given to Hashem Abu Hassan on 11 March 2001.

the pain I was suffering. Following treatment, I went home and did not teach for two days.

Beating of Na'ima Musa 'Ali Abu 'Ayash, 48, married with ten children, and the beating of two of her children,, all residents of al-Hijera/Hebron District, 19 February 2001¹³

I live with my husband and children in al-Hijera. The village is located six kilometers south of Hebron, on the road to Beersheva. Our house is around 200 meters north of the road. We have been living in the house, which is four stories and has a red-tile roof, for three years. Construction of the upper floors is not yet completed. Two checkpoints face our house - one at the entrance to the al-Fawwar refugee camp and the other at the entrance to Dura. Since the beginning of the events, Palestinian children and the army have continuously clashed on the road near the checkpoints. At night, Palestinians and soldiers exchange fire. My children often go onto our roof to watch the clashes.

On Monday, 19 February 2001, around 3:30 P.M. I went up to the second-floor roof to hang the laundry. When I looked in the direction of the checkpoint at the entrance to al-Fawwar, I saw something unusual happening. On the road, near the checkpoint, there were two or three army jeeps. Someone later told me that a child had thrown an object at the soldiers and it landed on the road. I hung up a few clothes and then heard my eight-year-old son, Wasim, and my five-year-old daughter, Asil, shouting below. When I looked, I saw a jeep park near the house and several soldiers rush through the gate and into the yard.

When I went downstairs, I saw that the soldiers had already entered the house. Three of them held my two adult children, Wisam, 24, and Ahmed, who is 20. I saw the painter Zohir 'Asfur and the son of our neighbor, Muhammad al-Khatib, lying on the floor in the front room. The soldiers aimed their weapons at them and ordered them to keep quiet. I heard a shout from the kitchen. A soldier stood at the entrance. I rushed there and saw my daughter Noha, 16, and my son Muhammad, 13, trapped in the kitchen with three soldiers. One of the soldiers beat Muhammad and slammed his head against the refrigerator. The soldier grabbed the child's hair. Noha tried to protect her brother and get the soldier to stop beating him. Muhammad tried to hide behind her, but another soldier pulled her by the hair and also slammed her head against the refrigerator. He told her a number of times to move back and shut up.

I tried to get into the kitchen to protect my two children. The soldier standing at the entrance put his rifle to my head and told me to shut up. I did not listen and tried to push him away and go into the kitchen. The soldier struck me on the right side of my head with his rifle. For several seconds, I was in a daze, and when I recovered, the soldier pushed me into the room opposite the kitchen. He aimed his rifle at me and threatened to shoot if I moved. My little daughter Asil and my son Wasim ran to me, hugged me, and screamed. I estimate that they beat my son and daughter for about ten minutes. While that was going on, several soldiers completed their inspection of the roof and came back down.

The soldiers assembled in the front room, and one of them asked for the identity cards of my two adult sons, of the painter, and of the neighbor's son. After they looked at the cards, they returned them, except that of my son Wisam. The soldiers told Wisam

¹³ The testimony was given to Musa Abu Hashash on 28 February 2001.

to go with them. Two of them pushed him outside and the other soldiers backed out with their rifles aimed at us. I left the room in which the soldiers had held me, so I saw it.

When the soldiers were already outdoors, I rushed outside and saw them push Wisam into one of the three jeeps. Then the jeeps left.

After the soldier were gone, I felt sharp pains in my head. My son-in-law Ghassan Abu Radwan took me by car to 'Alia Hospital, in Hebron, where for two hours I underwent X-rays and treatment. The doctor told me that my skull was fractured. Since the incident, I have had to take tranquilizers. I am in pain and the blow apparently affected my memory, because I don't remember telephone numbers.

My son Wisam was only released tonight, 28 February. He was held at the Aduri'im army base. He told me that he was not questioned at all during the detention.

Beating of Eli Fox-Brumer, 23, resident of Kedumim, by an IDF soldier

Eli Fox-Brumer, resident of the Kedumim settlement, a law student at Bar-Ilan University, travelled on 22 October 1999 from Kedumim to Gush Etzion. He reached the IDF checkpoint near Surif. A soldier at the checkpoint, with his back to Fox-Brumer, turned around a moment before he passed the checkpoint and motioned for him to stop. Since Fox-Brumer had already passed the checkpoint, the soldier kicked his car, and Fox-Brumer stopped. Fox-Brumer related to B'Tselem what happened then:¹⁴

The soldier and another soldier ran toward me. The first soldier kicked the car again. He opened the door and the other soldier took the keys out of the ignition and kept them. The soldier kicked me when I was still in the car. Then he grabbed me by the shirt and pulled me out of the car. When I was outside, he continued to push me, and he kicked me six times. The beating lasted, I estimate, about a minute, minute and a half. While he was beating me, the soldier claimed that I almost ran him over, almost killed him. All that time, his hand was gripping his weapon. The other soldiers at the checkpoint saw what was happening and did nothing. I did not defend myself when he beat me. Also, the car was turned off and the soldiers had the keys, so I didn't threaten the soldier in a way that justified the violence. Finally, somebody in civilian clothes came from the military enclosure near the checkpoint and "calmed down" the soldier. The soldier told me, "Go, get out of here." After I sat in my car and before I left the area, I heard the soldier say to one of the others, "They are worse than the Arabs."

Because the Sabbath was approaching, Fox-Brumer continued toward Gush Etzion. On Saturday night he drove to the army base, where he spoke with the battalion commander and filed a complaint. He suggested to the commander that the latter go to the checkpoint to investigate the matter in the presence of the soldiers, and he agreed. When they arrived at the checkpoint, Fox-Brumer identified the soldier who beat him. The soldier contended that he only kicked the auto to stop it, and that he did not remove Fox-Brumer from the car by force. The commander rejected his version and promised to conduct an orderly investigation the following morning.

Following the investigation, the soldier who beat Fox-Brumer was sentenced to 28 days' incarceration and the soldier who took the keys was sentenced to 14 days' incarceration. In response to the sentences, Fox-Brumer told B'Tselem: "The IDF's handling of the incident was, in my opinion, very good, quick and firm. Therefore, I did not request an investigation by the police or by Military Investigations."

¹⁴ The testimony was given to Lior Yavne on 8 November 1999.

Beating of 'Adai Ramzi Mahmud Malham, 10, and his father, residents of 'A'anin Village/Jenin District, 7 March 2001¹⁵

I am a fourth-grade student in the 'A'anin Elementary School. I study in the morning, until noon, except for Thursdays, when I finish at nine o'clock. I have uncles who live in Umm a-Rihan, about five or six kilometers from our village. I visited them twice since the beginning of the events – once on the 'Eid al-Fitr holiday and the second time on the 'Eid al-Adha holiday.

On the third day of the 'Eid al-Fitr, [Wednesday, 7 March 2001], at 10:00 in the morning, I went with my father and uncles Ashraf and Eman to visit my uncles and Ashraf's fiancée, who live in Umm a-Rihan. We went by taxi to the Mei 'Ami checkpoint. We got out before reaching the checkpoint. We wanted to cross the checkpoint by foot to get into another taxi that would take us to Umm al-Rihan. There were several soldiers at the checkpoint. They checked my father's and uncles' identity cards and let us pass.

We stayed in Umm a-Rihan until about 3:30 P.M. A relative took us back to the checkpoint, dropped us off near it, and then left. The soldiers told us to stop. My father and I stopped and my two uncles fled toward 'A'anin.

The two soldiers at the checkpoint started to beat my father and me. One of them kicked me in the left leg and I fell to the ground and cried because it hurt so much. He kicked me twice in the same place, my left ankle.

My father wanted to protect me and he stood between me and the two soldiers. Then one of them struck my father with the butt of his rifle, striking my father in his right hand. The soldiers ordered my father to take me and leave. My father picked me up with his left hand, placed me on his shoulders, and walked to 'A'anin. My father carried me all the way and I was crying from the pain.

At the entrance to 'A'anin, my father took me by taxi to the government hospital in Jenin, where my leg was X-rayed. It wasn't broken but a serious injury was visible. They bandaged my leg and my father's hand and, after about two hours there, we were discharged. I have to go back to the hospital for a follow-up visit on Saturday.

I did not go to school for three days after the incident. Even now, my leg hurts and I can't run and play.

¹⁵ The testimony was given to Raslan Mahagna on 15 March 2001.

*Beating of Ahmad Yusuf Muhammad Manasreh, 21, resident of
Bani Na'im/Hebron District, 15 March 2001¹⁶*

For four years I have been a door-to-door salesman. Every morning I go to villages and refugee camps with a case full of fragrances, cosmetics, and underwear. I knock on doors of homes and offer my wares to housewives and women. Before the *intifada*, I made more than a hundred shekels a day. Now I barely make fifty.

On Thursday, 15 March 2001, it was evening and I was on my way home from work. I was in a Ford van with Israeli plates that dropped me off at the Halhul checkpoint. Then I hitched a ride in a Peugeot that was going to Hebron. I got out at 7:15 P.M. at the Beit 'Anun intersection, some 100 meters after the army checkpoint on Route 60, two or three kilometers from the Israeli settlement on Givat HaHarsineh. There was an armored vehicle at the checkpoint with three soldiers inside and three more soldiers on the road.

As soon as I got out of the car, I heard the soldiers call out in Hebrew, "Stop, stop." I stopped and the three soldiers standing on the road ran towards me. The armored vehicle followed behind the soldiers, but those inside the vehicle did not get out.

One of the three soldiers grabbed me by the collar and told me to give him my identity card. He gave it to a soldier standing next to him. Without saying a word, the first soldier kicked me in the leg and I fell to the ground alongside the road. It was muddy from the previous days' rain. When I fell, my case fell to the ground. The soldier cut it with a knife. The other soldier examined it. The soldier who kicked me stepped on my stomach, and beat me with his legs and helmet. When I got up, I saw the bottles of fragrance and the cosmetics along the ground, some of them broken. The three soldiers continued to beat me with their hands, feet, and rifle butts for more than thirty minutes. I fell to the ground a number of times. My clothes, face, hair, and shoes were all muddy. While they beat me, they cursed at me, calling me "maniac" and other things.

The soldiers apparently were ordered to move, so they left me. I picked up my merchandise and started to walk. I was tired and my nose was bleeding. I walked around 300 meters when a truck stopped alongside and picked me up. The driver was Ahmad 'Issa Shahadeh Manasreh, 25, from Bani Na'im. Tareq Manasreh, 18, and 'Issa Hajazi were also in the truck. On the way to Bani Na'im, they asked me what happened, and I told them. Around 9 P.M., they dropped me off at my home.

I changed clothes and showered. I washed my dirty merchandise. My aunt's husband, Rufa, came to treat me. He said that there were no broken bones.

I did not go to work for two days because my back, head, and legs hurt. The broken bottles of fragrance and the destroyed cosmetics caused me a loss of more than NIS 500.

¹⁶ The testimony was given to Musa Abu Hashash on 23 March 2001.

Beating of Muhammad Jamal Ahmad Ramhi, 14, resident of Jalazun Refugee Camp/Ramallah District, 17 April 2001¹⁷

I am one of eleven people in my family – my parents, eight brothers and sisters, and me. My eldest brother is twenty-two and the youngest is five. I am the fourth oldest. I studied until the fifth grade and then left school because I was not a good student. Since leaving school, I have been selling coffee in Ramallah. My mother prepares the coffee at home and I sell it on the streets in the city. I make around NIS 40 a day, which adds to the family income. My father works for UNRWA driving a garbage truck in the Shu'afat refugee camp. He makes around NIS 2,000 a month, part of which goes to repay a loan that he received from his employer. The rest is not enough to support the family, so I help.

I leave the house every day at seven in the morning and go to Ramallah with two full thermos bottles of coffee and I stay in the city until I sell all the coffee. Sometimes I finish at noon and sometimes I don't finish until later.

On Tuesday, 17 April 2001, I left, as usual, at seven. I finished selling the coffee around noon and went home. I left the coffee equipment, ate lunch, and around two o'clock went back to Ramallah. I wandered around there until seven. There weren't any confrontations with the army that day, so I wandered around town with my friends.

At 7:30, I left Ramallah and walked toward the Jalazun refugee camp, a distance of around five kilometers. I love walking and generally go home by foot. I walked by myself on the path alongside Surda village. There was an army tank on the road and several soldiers were standing next to it. They called to me. I was around fifty meters from them. The soldier who called out for me to stop was a Druze, I think, because he called out in Arabic. I stopped and then he told me to come to them. Several young guys were standing on the side. They had books and notebooks and one of the soldiers was guarding them.

Three soldiers stood alongside the tank. They asked me where I came from. I told them that I am from the Jalazun refugee camp. They asked why I was walking along this road, and I told them that I like walking and that this is not the first time that I walk along this road. One of them slapped me and another hit me in the back with his rifle butt. The third soldier kicked me in the legs.

All this took place after the soldiers released the young men who had been standing nearby. I backed up to try to get away but bumped into a boulder and fell. The three of them began to beat me all over my body. One of them used a black rubber pipe. They also beat me with their rifles and kicked me.

During the beating, I cried, screamed, and begged them to leave me be. I estimate that they beat me for around fifteen minutes. As they beat me, they spoke among themselves in Hebrew and I did not understand what they were saying. Then they let me go. I went to the intersection, which was fifty meters away, because I couldn't walk due to the pain.

¹⁷ The testimony was given to Raslan Mahagna on 22 April 2001.

A taxi driver who passed took me to my home in Jalazun. My mother treated me at home with cold water and bandages. I lay at home and did not go back to work until Saturday, four days later.

Beatings and Abuse of Palestinians by Border Police Officers

Over the years, the media has published many incidents of beatings and abuse of Palestinians by Border Police. In most of the cases, officials argued that they were exceptional cases. For example, the former head of the Border Police, Major General Yitzhak Dadon, in his response to a serious cases of abuse by border policeman Eran Nakash, who was convicted of a number of offenses and sentenced to three years' imprisonment: "Despite the effort, the information and educational actions, unfortunately there are still noxious weeds who hamper the security actions of the corps."¹⁸ In September 2000, it was reported that three border policemen abused two Palestinians and even took pictures of their acts. After being arrested, one of the policemen said that, "This was not the first time that something like this happened, it happens in the Border Police all the time.: His attorney, Micha'el Horowitz, said that, "Unfortunately, this is routine." In response, the Border Police spokesperson said that, "We totally reject such statements. Every exceptional case is investigated and treated."¹⁹.

On 30 July 1999, *Ha'aretz* reported the testimony of an officer in the Border Police. He described many cases of brutality against Palestinians and contended that many join the Border Police "to beat up Arabs."²⁰ In response to publication of the testimony, in a letter to the editor in which he denied the statements made in the testimony, Superintendent Peretz Ratson, then spokesperson of the Border Police, wrote that "there are exceptional and rare cases of "rotten apples' who damage the good name of the Border Police, but I promise that these cases are handled with severity and more than once policemen were suspended and removed from their position."²¹

The Border Police commander, Major General Ya'kov Ganot, in his response to B'Tselem's letter regarding Border Police brutality against Palestinians, wrote that, "The phenomenon of the use of illegal force by Border Police is an issue that frequently engages the Border Police command and unit commanders and lies at the heart of the corps' educational and information activity." According to Ganot, the Border Police "makes a special effort to explain and clarify that service in the Border Police does not allow the expression of inclinations and drives and those who want to join the Border Police to 'beat up Arabs' do not belong with us." A selection process occurs prior to recruitment of police officers in order to locate candidates with a "reasonably high likelihood of violent conduct during service," both before recruitment and during basic training. During training, the recruits are taught the values of "safeguarding the law, human dignity, preserving democratic values, and rights of the individual." In conclusion, Major General Ganot wrote that, "We act through the commanders to transmit an unequivocal message of opposition to and unwillingness to accept deviant conduct by police officers in these areas."²²

¹⁸ "Suspicion: Border Policeman beat Palestinians and Forced them to Curse the Prophet Muhammad, *Ma'ariv*, 30 May 1999.

¹⁹ "Suspect in Abuse of Palestinians: This Happens in the Border Police All the Time," *Ha'aretz*, 8 September 2000.

²⁰ "Border Police against Peace," *Ha'aretz Supplement*, 30 July 1999.

²¹ "Rotten Apples," *Ha'aretz*, 27 August 1999.

²² Letter of 6 May 2001 from Major General Ya'akov Ganot to B'Tselem. See the appendix for the complete letter.

The Border Police commander's awareness of the phenomenon of brutality is praiseworthy, and he should be commended for his attempts to deal with this phenomenon both at the stage of selection, during training, and during the period of service. However, these actions are insufficient, and the violence and humiliation by border policemen against Palestinians continues, unfortunately, to be widespread.

The Police Ordinance grants powers to the Police Commissioner to suspend a police officer under investigation²³ or when "he is satisfied that the police officer was negligent or is generally inefficient in performing his duties or is otherwise not suitable to perform his duties."²⁴ Also, the Minister of Public Security has the power "to remove a police officer whenever he wishes."²⁵

In practice, however, suspending a police officer who is being investigated is only considered at conclusion of the investigation, when the investigation material is forwarded to the Human Resources Department of the Police and to the Attorney General, who make their recommendations regarding taking administrative measures against the police officer. After the position of the unit in which the police officer serves is received, the recommendations are forwarded to the head of the Human Resources Department or to the Police Commissioner (depending on the rank of the police officer), who makes the final decision.

Even if the police officer is convicted by a court, the suspension is not automatic, and if it is decided not to suspend the officer after the investigation material is submitted, the decision is reconsidered at the end of the judicial proceedings against the officer.²⁶ On this matter, Supreme Court Justice Dalia Dorner, in a petition filed by police officers after their dismissal from the Police following their conviction for beating a fourteen-year-old boy, stated that, "the rule whereby a police officer will be dismissed from the Police Force where the officer has been convicted of a violent offense is a proper and even necessary rule ... Even though the Police did not implement this rule systematically in the past, that failure does not grant the petitioners, or any other police officer who commits a beating, the right to continue to serve in the Police Force."²⁷

The fact that police officers whom the Department for Investigation of Police recommended be criminally prosecuted for excessive use of force can continue to serve in their units as if nothing had occurred is grave and inconsistent with the declarations of the Border Police spokesperson that such cases are "treated with severity" and with the statements made in Major General Ganot's letter.

Complaints relating to brutality by police officers are investigated by the Department for Investigation of Police (DIP), of the Ministry of Justice, which was established in 1992. This report does not deal with DIP's work procedures, focusing instead on

²³ Section 77J of the Police Ordinance [New Version], 5731 – 1971 (hereafter – the Police Ordinance)..
Section 10(2) of the Police Ordinance²⁴

²⁵ Section 21 of the Police Ordinance.

²⁶ Reply of the Minister of Public Security, Shlomo Ben Ami, to the parliamentary query of 2 January 2000 of MK Muhammad Barakeh (query no. 172). See also section 2(a) of the letter of Major General Ya'akov Ganot..

²⁷ HCJ 866/00, *Sgt. Yona Sofer et al v. Police Commissioner of Israel et al, Takdin Elyon* 2000(1) 754.

documentation of the phenomenon of brutality. However, because DIP decided in several cases to close the investigation file, on the grounds that the complainant refused to cooperate with the investigators, it is appropriate to mention the difficulties that Palestinian complainants face in addition to the basic problem of cooperating with the Israeli authorities.

First, in many cases, Palestinians who were beaten are unable to identify the police officers who injured them, in part because Border Police, contrary to law, do not carry identification tags and refuse to identify themselves.²⁸

Second, in many cases, Palestinians are unable to reach the places where they are to give testimony, which is often within Israel, and they are not provided permits to enter Israel or places within the Occupied Territories which they are currently unable to reach. This was the case, for example, in the matter of the beating of Husam al-Jaber, presented below. Following B'Tselem's request to DIP, a DIP investigator requested B'Tselem to coordinate a meeting between him and the eye-witnesses. The investigator requested that Jaber go to the Israeli DCO in Qaliqilya. A B'Tselem staff member suggested that the investigator go to the DCO in Hawara because of the current difficulties entailed in travelling in the Occupied Territories. The investigator rejected the suggestion outright, claiming that such travel is also dangerous for him. He also rejected the suggestion that they meet in the middle.²⁹

DIP has the responsibility to conduct an efficient and thorough investigation, and it must do everything possible to make it easy for complainants to give their version of the incident. If a complainant does not cooperate, DIP must find alternate ways to investigate the complaint, and the failure to cooperate does not itself justify closing the investigation file.

B'Tselem has published several reports dealing with the beating and abuse of Palestinians by Border Police.³⁰ The picture described in these reports remains accurate, as the following testimonies show.

²⁸ Section 5A of the Police Ordinance.

²⁹ The conversation took place on 24 May 2001 between DIP investigator Eli Levi and B'Tselem staff member Najib Abu Rokaya.

³⁰ B'Tselem, *Beatings, Maltreatment and Degradation of Palestinians by Israeli Authorities during June-July 1996*, September 1996; B'Tselem, *Sheer Brutality – The Beatings Continue: Beatings and Maltreatment of Palestinians by Border Police and Police Officers during May-August 1997*, August 1997; B'Tselem, *Builders of Zion: Human Rights Violations of Palestinians from the Occupied Territories Working in Israel and the Settlements*, September 1999.

Beating of Husam ‘Abd al-Jaber, 36, married with nine children, resident of Hares/Salfit District, 27 October 2000³¹

On Friday, 27 October 2000, my brother’s nephew, Bilal Jaber, and my sister’s son, Fares, were injured by gunfire during a confrontation with Israeli settlers and soldiers who attacked our village. My cousin, ‘Abd Suf Jihad Wadi’a, who drove, and I took them to the hospital in Nablus. We stayed with them at the hospital until about 8:30 P.M., then returned to Hares.

We drove along the dirt road from Nablus to Thal village, continued in the direction of the Burin Village junction to the main Hawara-Nablus road, and then south to the junction with a road that heads west towards Qalqiliya. There, at around 9:00 P.M., a Border Police jeep stopped us. The jeep was dark green and had a blue flashing light on the roof and a spotlight.

The five policemen in the jeep demanded our driver stop and turn off the engine. They asked all of us for our identity cards, took them, and we waited. After five to ten minutes, one of the border policemen returned with two identity cards, and asked which of us was Husam Jaber. I told him that I am. The policemen did not return my identity card, and ordered me to get out of the car.

The policemen asked me if I had ever been in jail. I said that I had been, in 1988, during the *intifada*, when everyone was in jail. I had barely gotten the words out of my mouth when three of border policemen began beating me hard – the driver, the policeman who earlier sat next to him, and a policeman who sat in back. The two other policemen stood by the jeep. The policemen hit me all over my body, particularly my head and testicles, until I fainted and fell to the ground. The policemen picked me up and hit me in the waist, chest, and every possible place. The beating continued, in my estimation, for about twenty-five minutes.

When they finished, the policemen ordered me to run towards our car. I told them I couldn’t because of the beating, and, while I was on the road, they hit me again. Afterwards, I crawled towards the car and my cousin helped me get into the car.

The policemen said to us: “We don’t want to see you here.” We drove in the direction of Hawara. After we went about 200 meters, another Border Police jeep stopped us. The policemen in the jeep ordered us to get out of the car. They had us stand against the wall with our hands raised and searched us. Just then, the first Border Police jeep, with the policemen who had beaten us, passed. The police in the first jeep cursed Arafat and said to us that Abu ‘Amar would feed us and give us money. The policemen from the second jeep returned our identity cards and ordered us to go to our village.

I was in terrible pain. Because I was nauseous and trembling all over, I asked the driver to take me to the nearest clinic. He drove to Hares and Dr. ‘Ali gave me a tranquilizer injection and bandaged my leg. The doctor gave me pills and suggested that I go to the hospital the next day for more extensive tests and X-rays.

The following day, I went to the Rafidiyeh Hospital, in Nablus, where I was examined and X-rayed. The doctor told me that I had been badly injured. I was treated and my leg wrapped with an elastic dressing bandage from the knee down. The doctors recommended that I rest for 10 days.

I work in Israel to support my wife, my nine children, and my father, who lives with us. We didn’t do anything to warrant what they did to us.

³¹ The testimony was given to Hashem Abu Hassan on 29 October 2000.

*Beating of Na'aman Manasreh, 58, resident of Wadi Fukhin/Bethlehem District,
taxi driver, and beating of his passengers, 20 December 2000³²*

On Wednesday, 20 December 2000, at 5:00 A.M., I was driving a taxi from Wadi Fukhin to al-Khader. This is a new road, which we have been using since the beginning of the current *intifada*, when they placed dirt piles on the road, severing the western villages from other parts of the Bethlehem area. With me in the taxi were an elderly man, about seventy years old, and his son.

When we got close to the al-Khader cemetery, located east of the village, near the area of the school, two of the border police standing at the nearby roadblock approached the car. They ordered us to stop, and I stopped immediately. The soldiers were agitated and waving their weapons at us, and I had a feeling that if I were to continue, even a tiny bit, the policemen would open fire at us. The moment we stopped, one of the policemen came up to us and opened the right rear door of the taxi, where the young man was sitting. Another policeman opened my door and then both of them, with no reason or explanation, began punching and kicking us and swearing at us, one curse after another. The beating continued for about five minutes. The policemen took identity cards from the three of us and ordered us to proceed to the checkpoint that was about 400 or 500 meters away from the point where we were. It goes without saying that we obeyed the policemen's orders and did what they told us.

When we got to the checkpoint, we saw three more policemen. Regarding how they looked, I remember just three policemen who looked Arab, maybe they were Druze or Beduin, or maybe Oriental Jews. One of them was tall and thin, with a dark complexion, and the two others were fat and average height. At the checkpoint, the whole story started all over again. They ordered us to get out of the car, without asking me or the young guy a single question. On the old man they spit, and one of the policemen sat him down. They beat me and the young guy with their rifle butts, kicked us, and punched us all over our bodies.

The policemen beat us for about half an hour, and then they went to the car and began throwing out all its contents. The policemen took down the bags of vegetables that were on the roof and said to me: "You have to pick them up and pick them down, again and again, for a full minute, and if you don't, we'll beat you up." I did it five times, one after the other, and all along the policemen were yelling at me and cursing me.

While we were at the checkpoint, a few cars with settlers inside passed. The settlers spit at us and cursed us, and continued on their way. As for the policemen, it seemed like they thought it was funny and pleased them. At least that's the way I felt based on the policemen's response when a settler stopped, came up to us, spit and cursed, and then left. The policemen just laughed out loud.

We asked the policemen to speak to us in Arabic because we don't understand Hebrew and didn't know what they were saying or asking of us. We only understood the curses, since they are the same in both languages. The policemen refused to speak with us in Arabic, even though from time to time they used Arabic when ordering us to do something.

After picking the vegetables up and down, which took about half an hour, the policemen began piercing the tires with a large knife. Two policemen cut the tires, and then shattered the back window with the butts of their rifles, which they also used to hit the front of the car. After they cut the wheels and cursed and spit at us some more, they forced me to ride over the spikes. What could I do? After they gave us back our identity cards, I drove away.

³² The testimony was given to 'Abd al-Ahmar on 4 January 2000.

I returned to the taxi stand across from al-Khader, let off the old man and his son, took spare tires from all the drivers, and went home. I was extremely tired, and my whole body was swollen and hurting. I stayed at home for two days, unable to move or do anything. Because of the difficult economic situation, I did not go to the hospital, although I clearly needed to. Instead, I made do with compresses and hot water. I did not file a complaint with any official body.

Beating of Saber Abu Russ by Border Policemen: File Closed Due to Lack of Evidence

Saber Sabri Isma'il Abu Russ, age 24, a resident of the Qalandiya Refugee Camp/Ramallah District, set out from his house on 10 December 1998 on his way to work in the Atarot industrial area. According to Abu Russ, border policemen stopped the taxi he was riding in and a border police officer ordered him and four additional people to get out of the cab. He stood them out in the rain, took their identity cards, and ordered them to clean the debris from the road left from the demonstrations that had been held there the day before. When they finished, Saber Abu Russ went up to the jeep and told them that they had finished cleaning, and asked for his identity card so that he could get to work, for which he was already late. Saber Abu Russ describes what happened next in his testimony to B'Tselem:³³

The officer opened the jeep door forcefully, so that it injured my left hand. Another policemen who was sitting in the jeep began cursing my mother and told me to go back and stand where I had been standing with the other passengers. The officer again got out of the jeep and asked: "Who is Saber?" I told him that it was I. He kept my identity card, gave the other four passengers back their identity cards, and ordered them to leave. They stopped [passing] cars and left.

After they left, the officer who had cursed me previously got out of the jeep and said something in Hebrew. I think he was cursing the residents of Qalandiya. He caught me around the neck and pressed against my throat. I tried to release his grip and to push him away from me. I struggled with him and then the other three policemen attacked me and began beating me. All four of them beat me. They tried to put me up onto their jeep. They dragged me along the ground, tore my clothes, and humiliated me before all the passers-by. Some of the passers-by yelled at them, but no one really intervened.

Ultimately I succeeded in breaking free and I ran for about 10-15 meters. The officer called me and said: "Come, don't be afraid. Come take your identity card." He spoke in a calming tone and I believed him. I approached him, he put his hand around the back of my neck, like a friend, and led me towards the jeep. When we were near the back door of the jeep, the policemen jumped on me and forced me onto the jeep. I was naked from the waist up and smeared with mud. A woman passing by managed to throw me the shirt that had ripped off when the soldiers dragged me along the ground.

According to Abu Russ, the policemen drove to the area of the a-Ram roadblock, beating him with their hands the entire way. At the police station, after a long wait, a police interrogator arrived who told Abu Russ that he had taken testimony from the policemen, who claimed that he had hit them. After Abu Russ denied this vehemently, the interrogator slapped him, closed the door, and then punched him. Afterwards, he ordered him to sign the testimony he had taken from him, even though it was written in Hebrew and Abu Russ did not know what it said. He was freed on NIS 2000 bail.

On that same day, Abu Russ filed a complaint at the Department for Investigation of Police. On 6 July 1999, he was told that the investigations file had been closed for lack of evidence. B'Tselem then contacted the Department for Investigation of Police and asked to photocopy the file.

The file included Abu Russ's testimony, the testimonies of the four border policemen, the police interrogator whom Abu Russ claimed had hit him, and Abu Russ's medical documents.

³³ The testimony was given to Najib Abu Rokaya on 14 December 1998.

Beyond this, no eyewitnesses or other people involved in the incident were interrogated, and the file does not show that any attempt whatsoever was made to reach such witnesses. Moreover, it appears that no attempt was made to collect additional evidence beyond the police testimonies, which cannot be considered reliable, since it is they who are accused of beating Abu Russ.

In their testimonies, the four policemen deny that they beat Abu Russ, and offer an alternative version of the event. According to the four, Abu Russ lay himself onto the road of his own free will, covered himself with asphalt, and took off his shirt by himself, at the same time splashing in the mud and scratching himself. One of the policemen claimed that “When he was on the ground, he began going wild and crazy, began walking in the road and yelling - tore off his shirt, more accurately took off his shirt, and began going wild and kicking in all directions, and went along the road on his back, stood up and began yelling in order to create a provocation.”

This description of the incident lacks credibility from every aspect. Abu Russ’s medical records support an injury by another person, caused as the result of a neck hold and injuries to the entire body including the left hand, which, according to Abu Russ, was injured when the door was slammed on it. In addition, the medical examination revealed scratches and fingernail marks on the neck. It is physically impossible for a person to abrade his own neck as a result of dragging himself over asphalt, and even if he tried, he could not inflict such injuries on himself.

Moreover, the policemen’s version is illogical and improbable. The four policemen repeatedly stated in their testimonies that over and over, Abu Russ expressed his desire to get to work. In the inquiry carried out by the policemen after returning Russ’s identity card, it was found that he had never stood trial or been suspected of any crime. Why would such a person splash in the mud on a stormy, rainy day, in order to create a provocation and provoke five armed border policemen?

The fact that no charges were filed against Abu Russ for attacking a policeman, even though the policemen claimed that he attacked them, suggests that the policemen’s version was not considered credible. Despite this, and despite the medical records, the Department for Investigation of Police chose to close the investigations file, instead of transferring it to the court to decide in favor of one of the versions.

The closing of the file, in this incident, and complete dismissal of the complainant’s version although the policemen’s version were suspiciously similar, also raise a concern in light of a statement by Eran Shendar, head of the Department for Investigation of Police, in an interview to *Yediot Aharonot*:

In relation to the use of force, I am most certain that police witnesses do not tell us the truth when asked regarding their police colleagues [...] There are generalizations regarding which one must exercise caution. But I do not retract my statement that there is extensive coordination of testimonies among policemen. I see it myself here in the PID. Sometimes I return from lunch, and passing through the corridor I hear one policeman say to the other “They asked me such and such – say such and such.” They coordinate testimonies in public. Gentlemen, we know who we’re dealing with - our own people. Sometimes these fellows don’t understand the meaning of the investigations process at all. They relate to it as some kind of playful experiment, like a lesson for beginning private investigators [...]. It’s hard to quantify the

phenomenon, but it certainly exists, particularly where crimes of force are concerned.³⁴

On 3 April 2000, B'Tselem submitted an appeal to the Attorney General's Office against the closing of the file. At the time this report went to press, no response had yet been received.

³⁴ "I Saw Policemen Standing in the Corridor, Coordinating Testimonies in Public," *Yediot Aharonot*, 15 October 1999.

*Beating of J'afar Fawaz Hasan Saleh Yasin, 21, married with one child,
resident of 'Anin/Jenin District, 17 February 2001³⁵*

I am employed at a seed-roasting shop in Umm el-Fahm, where I have been working for eight years. I earn 100 shekels per day. At first I worked all month, but during this period my employer has less work, and I barely work fifteen days a week. This month, for example, was very slow, and I only worked four days. Every day I go to my job, and when there is no work I go back home.

I leave 'Anin early in the morning, between 5:30 and 6:30, and the trip takes me about half an hour. Hundreds of workers go to work through Umm el-Fahm at this hour. At the crossing point [into Israel] – the Umm al-Fahm garbage dump - there is no regular IDF checkpoint. When there are soldiers and border police, the workers tell one another and are careful not to go into Umm el-Fahm. They wait until the border police leave. If they stay in the area for a long time, we go back to 'Anin.

On Saturday, 17 February 2001, I left my house for work at 6:20 A.M. I crossed the Green Line at the garbage dump. At 6:40 I was walking alone on the road, in the area of 'Ein a-Tina in the Mahamid neighborhood in Umm el-Fahm, when a Border Police jeep with three policemen in it pulled up next to me. The policemen ordered me to stop. The policeman sitting next to the driver got out of the vehicle, came up to me and asked me for my identity card. I gave him the card, he looked at me, and then, suddenly, slapped me. The police said to me in Arabic that we, people from the Occupied Territories, cause problems, and that we are not allowed to enter Israel. Afterwards, the policeman, who had on heavy shoes, began kicking me. The policeman sitting in the back of the jeep got out and began beating me with his hands and feet. I fell to the ground. It was a rainy day and the road was full of puddles. While I was lying on the ground, two policemen continued kicking me all over my body. They beat me up for about ten minutes. All the while, I was crying and screaming from the great pain.

After about ten minutes, the policemen ordered me to get up and go home. I tried to get up, and because I was so afraid I forced myself to walk in order to get away from them. After I was a short distance away, the policemen got into the jeep and left.

I went home, but I was ashamed to go to the doctor. I lay on my bed for three days. I didn't file any complaints because I didn't want my name to be on their files. I make my living within the Green Line and I want to continue working because I don't have another job. When I felt better, I went back to work. I have no choice – whatever happens, I have to work because I have a house and a family, and I have to support them.

³⁵ The testimony was given to Raslan Mahagna on 15 March 2001.

*Beating of Samir 'Abd al-Latif, 15, and five other students,
in al-Khader/Bethlehem District, 3 March 2001³⁶*

Every morning, I go by bus from Batir to school in al-Khader, together with other boys and girls from my village who learn in al-Khader. The bus waits at the center of Batir and we all get on at exactly 7:45. On Saturday, 3 March 2001, we got off the bus at the eastern edge of al-Khader, about 70 meters from the school, since the dirt barriers prevent the bus from getting all the way to the school. We were 55 students, 15 boys and 40 girls.

After we walked about 20 meters, we saw a Border Police jeep standing on the road to the school. As we were walking, we saw helmeted border policemen getting out of the jeep. When we got to three to five meters from the police, they ordered all of us to stop. We all stopped, and the policemen told the girls to continue to their school, which is about 25-30 meters away from the boys' school. We - 15 boys of different ages - remained standing there. Nine of us were young, elementary school age, fifth or sixth graders, and the police also told them to go to school and not to stay. The policemen spoke Arabic.

Six students, the oldest ones, remained, and the policemen told us to stand by a stone fence that runs along the road. It is the fence of the soccer field of the local council, 75-80 meters long and three meters in height. The policemen ordered us to stand in pairs, leaving two meters between each pair. I stood in the middle pair. We stood with our faces to the wall, and the policemen stood behind us. They searched our bodies carefully, and also checked our school bags.

The policemen asked for our identity cards, but I don't have an identity card because I am not yet 16 years old. Instead, I have my birth certificate. When I gave one of the policemen my birth certificate, he kicked me in the shin, slapped my face, and said to me: "I asked for an identity card." The policeman ordered me to turn around and face the wall.

While standing there, I heard a hitting sound from the direction of the two students to my right. When I heard the beating, I turned my head around instinctively. The commander yelled at me to turn my head, and he beat me. He hit me, kicked me, slapped me, and struck me with his rifle butt for three to five minutes. I fell to the ground. The commander ordered me to stand up, and I got up.

I heard the beating by the policemen – I heard the sound of the beating and the shouts of students to my right and left – even though of course I could not see the policemen doing it. After the two on my right [got their documents], I went to get my birth certificate. The commander slapped me hard and said to me, "Bring me your book bag." The bag was lying on the ground next to the fence.

I brought the bag to the commander and he opened it, threw the books onto the ground, and told me to pick them up. When I bent over to gather the books, the commander hit me hard on the back, knocking me to the ground. He lifted me onto my feet and told me to collect my books again. I obeyed and again tried to collect my books, and again, when I bent over, the commander pushed me with his foot and I fell to the ground. I stood up, he again told me to pick up my books, and I did.

³⁶ The testimony was given to 'Abd al-Ahmar on 11 March 2001.

Two other students also got their identity cards back with a slap and a kick for each. It was 9:30 and they said to us: "Go to school. Now for sure you'll learn well." We didn't go to school, but went in the other direction. After we went about four meters, the policemen called to us and asked why we weren't going to school. We said to them that we had now missed a school day because we were late, and after being beaten we deserved to rest because we were in pain. The officer said to us, "Lucky ones. You got something out of it." The policemen got into the jeep and drove off. We all went back to Batir.

I did not go to the hospital. I suffered only from cuts and bruises and pains that improved with rest. I rested at home for two days, and didn't leave the house because I felt weak and was bruised all over.

Testimony of I.H., Israeli citizen: Beating of a Palestinian by Israeli Police in the Talpiot Industrial Area, Jerusalem, 12 March 2001³⁷

On Monday, 12 March 2001, in the morning, I went to the Talpiot Industrial Area. I let my daughter off on HaSadna Street next to the traffic circle, and drove down [the street] with the car. I saw that something was going on. I stopped and in the lane next to mine I saw a parked police car that was blocking the lane. I saw a policeman holding a fellow – young and tall – in his arms, and the young man's hands were raised. They were arguing and yelling.

Out of the corner of my eye I saw masses gathering in the area of the Division of Motor Vehicles. I saw a female border police officer running around there. The policeman caught the young man and began hitting him in the face. The young man did not attack the policeman, did not kick him, didn't do anything, so the beating was not in response to violence. The policewoman circled around like a little goat and also hit the young man, whom I understood was an Arab. The friend of the one being beaten, apparently also an Arab, ran in his direction – to help him, it seemed, but people attacked him and kept him away. I do not know if they were civilians or police employees.

From the corner of my eye I saw a short policeman running towards the event. He jumped on the young man from behind and caught him around the neck, as if to choke him. The young man, under attack, made a movement in self-defense. The police began dragging him and tried to catch him, as if they were unable to get control of him, and then a stream of police officers came running. I did not count them. They wore blue uniforms. The police dragged the beaten man to my car, lay him down on the engine hood – literally in front of my face – and beat him. All the police came and beat him, right in front of me. I honked to get them to move away.

A tall older man, about fifty years old, came from the side, hit the young man in the head, and walked away. The policemen did not even notice who else was doing the hitting. I yelled towards him, "Why hit?" The man who had hit him answered, "He deserves it."

The policemen were disgraceful. They lacked self-control. Five or six of them beat the young man, without trying to arrest him. He was unarmed. I didn't understand why they were beating him. It was an embarrassing situation. I honked, and then the policemen took him off of my car and put him on the road. He lay on the ground, partially on the sidewalk and partially on the road, his hands behind him, motionless, and everyone around him. Instinctively, I got out of the car.

A policeman yelled at me, "Get into the car." I said to him, "I want to make sure that you didn't damage the car. Why are you beating [him]? Why do you have to beat? What's the matter with you?" He turned his head, so that he didn't have to look me in the eye, and said to me, "Get out of here." I got into the car, but I couldn't go. The policeman were walking about aimlessly. They lost control and were in a panic.

³⁷ The testimony was given to Noga Kadman on 14 March 2001. The name of the witness is on file at B'Tselem.

Afterwards, when I got to work, I talked about the incident, and they told me that a woman who had seen the beginning of the incident was interviewed on the IDF radio station *Galei Tzahal*, on Razi Barkai's program, and said that it started as an argument over parking. The next morning, I called in to Razi Barkai's program. I told the woman at the station what had happened. She took my phone number and called me back. I said that I wanted to know what happened to the young man, that he didn't have to be hurt. She took my name and particulars, and I asked her to keep them confidential.

Afterwards, a Department for Investigation of Police interrogator called me. He asked me if I was prepared to testify. I wanted to know what happened to the young man and he told me that he had been hospitalized. I told him that the young man shouldn't have been hurt. I told him everything. He told me that that was why they do investigations. I told him that I had to consult with some people about testifying.

I am afraid. I don't have faith in the system. I want someone to accompany me to the Department interrogation. I won't be able to identify the faces of the policemen who did the beating – I was very excited and didn't take note of the details.

Beating of Rayed Fayed 'Ali 'Odeh, 30, married with four children, and of his son Muhammad, 3, residents of Hawara/Nablus District, 1 April 2001³⁸

I live in the village of Hawara, where I grow and sell rabbits and birds. I also work in Israel, but now I am unemployed because it is impossible to get into Israel due to all the events.

On 1 April 2001, a man named Abu Yusef came to my house and bought a pair of birds. He told me that he had no money at the moment, and that I should come to his house in the evening and then he would give me the money. In the evening I went to his house and my three-year-old son, Muhammad, insisted on coming with me. We got to the customer's house at around 8:00 PM. The house is near the main road at the center of the village, near the al-'Ein junction, close to the al-'Arabi bakery in Hawara. I called to Abu Yusef and my son and I waited outside for him to come. I was holding my son in my arms.

While we were waiting, a Border Police jeep with five policemen in it passed by. When they saw me standing across from Abu Yusef's house, they came up to me. At the same time, two army jeeps were stopped on the main road. The border policemen said to me in Hebrew, "Stop." I stopped, still holding my son. One of the policemen demanded that I give him my identity card. Three more policemen got out of the jeep. Before I had a chance to take my identity card out of my pocket, the policemen came up to me and began hitting me hard. They beat me on the arms and face, back, and abdomen, and kicked me in my face and testicles. They hit me in sensitive places all over my body. All along I was holding my son in my arms. He cried out loud and I didn't know what to do. I wanted to protect him from getting hit by one of the policemen. Finally, one of them pushed me into the jeep, with my son in my arms, and as a result my son was squeezed between me and the jeep. He screamed from the blow, and yelled, "My hand, my hand." Afterwards it turned out that his hand had been broken.

The policemen continued hitting him for about five minutes. I know that they were border policemen because of their jeep, which was green, and also because their uniforms were green. There were two blue sirens on the roof. I couldn't mark down the number of the car because it was dark, but I know those policemen because they are always in the village.

They did not ask me anything, and did not even take the identity card that they had asked for in the beginning. They beat me because they wanted to beat someone, and not because I did anything. That same day there were incidents, but they were far from the place where I was standing.

That night, I could not take my son to the hospital because of the tense situation and the confrontations with the soldiers. The next morning, I took him to the Rafidiyeh Hospital and he was treated there. They took X-rays and it turned out that his hand was broken. They put a cast on him. My son still suffers from sharp pains in his hand. I sustained light bruises all over my body as a result of their beatings.

³⁸ The testimony was given to Hashem Abu Hassan on 9 April 2001.

Conclusions

Many of the human rights violations that Israel commits in the Occupied Territories are justified by various Israeli officials on the grounds of “security needs.” In this way, they seek to justify restrictions on freedom of movement, the assassinations policy, firing at unarmed demonstrators, and many other violations.³⁹ However, cases of beatings and abuse deserve special condemnation. For example, the Minister of Public Security at the time, Shlomo Ben Ami, said, “I relate with great severity to brutality by police officers. I think that among the possible sins committed by the Police, this is most grave, because the Police cannot fight violence by employing unjust violence against citizens.”⁴⁰ In response to the case in which a soldier beat a settler from Kedumim, the IDF Spokesperson said that “the IDF views the incident, and any violence by soldiers, with severity.”⁴¹

However, these condemnations remain solely declarative, while security forces, misusing their power, continue to abuse and beat Palestinians, among them minors. Both the army and the Border Police have yet to make it unequivocally clear to security forces serving in the Occupied Territories that it is absolutely forbidden to abuse and beat Palestinians, and their educational and information actions in this regard have been more lip service than a frank and honest attempt to uproot the phenomenon once and for all.

In this context, Supreme Court Justice Dorit Beinisch stated that, “It would be proper for the commanders to make it clear to the police officers serving under them – in a way that cannot be misunderstood – about the duty imposed on them when they have authority over others and over people in their custody, and the results of breaching these duties.”⁴² These comments, which were made regarding a border policeman, are also true in the case of the military.

The defense establishment’s refusal to issue a message of this kind to forces serving in the Occupied Territories has far-reaching consequences. If a message is sent to security forces, it is that, even if the establishment does not accept acts of violence, it will not take measures against those who commit them. The effect of such a message is that the lives and dignity of Palestinians are meaningless and that security forces can continue, pursuant to the function they serve, to abuse, humiliate, and beat Palestinians with whom they come into contact.

Israel is the occupier in the Occupied Territories, and as such, is responsible for the safety and well-being of the Palestinian residents. To perform this function, B’Tselem again urges the Israeli authorities to adopt, at least, the following measures:

- Clarify unequivocally to all security forces serving in the Occupied Territories, through detailed education and information programs, the absolute

³⁹ See, for example, the response of the IDF Spokesperson to B’Tselem reports. Regarding the recent events, see B’Tselem, *Illusions of Restraint; B’Tselem, Civilians under Siege*.

⁴⁰ The comments were made in a Knesset debate on violence by police officers, held on 16 November 1999 in reply to a query by MK Taufiq Khatib, of the United Arab List.

⁴¹ “IDF Soldier Beat Settler – Sentenced to 28 days’ Incarceration,” *Yediot Aharonot*, 24 October 1999.

⁴² Justice Beinisch made these comments in *rim. App. 1752/2000, State of Israel v. Eran Nakash, Takdin Elyon 2000(2) 95*.

prohibition on abusing and beating Palestinians, even when they ostensibly violate the law;

- Seriously investigate every complaint filed by Palestinians regarding beatings and abuse by security forces;
- Suspend, until the end of the investigation against them, police officers and soldiers suspected of using force, and where the investigation indicates that the complaint is justified, prosecute the offenders;
- Require all security forces coming in contact with the Palestinian civilian population in the Occupied Territories to wear identification tags in Hebrew and Arabic.

**Israel Defense Force
The I.D.F. Spokesperson**

Public Relation Branch

Itamar Ben Avi St.
Tel Aviv code:63476
Tel/Fax: 972-3-6080339/40
May 22, 2001

Attorney Yael Stein, B'Tselem

Re: Response to Report on Hitting and Maltreatment of Palestinians by Members of the Israeli Security Forces

Following is our response to the aforementioned report.

- A. Regarding the claims raised in the report we would like to clarify that the IDF's policy is that during the current armed conflict there is no room, for want of suspicion of serious deviation from the binding behavioral guidelines, to open Military Police inquests, because the very existence of casualties due to the state of fighting- relates to events referring only to the state of fighting. The policy of IDF authorities concerning Military Police investigations in cases unrelated to state of fighting remains the same, and complaints by residents of the West Bank and the Gaza Strip having to do with outright criminal offenses (including cases of beatings and physical abuse), are reported and investigated according to the same guidelines existing during daily routine.
- B. As to the cases described in the report, these have been transferred for review by the Advocate of the IDF Central Command, in order to determine the suitable means to deal with each and every case. Accordingly, it should be emphasized that, contrary to that written in the report, the transfer of the cases to the Central Command Advocate does not suggest that the cases will necessarily be handed over to an investigating officer. The advocate is authorized to decide the way each case will be treated, including a Military Police investigation. It should be noted that three of the cases mentioned in the report (Adal Ibrahim Mohammad Tanuh, Ala'a Isa Mohammad Isa Ma'ali and Udai Ramzi Mahmud Milhem) are already being treated by the Military Police. The Central Command Advocate applied to the authorities in the Command in order to receive further details on the incidents described in the report, before making a decision on the suitable way to treat the complaints.
- C. Finally, the claim that the IDF is slack regarding violence or maltreatment by its soldiers has no factual base. In the appropriate cases, charges are brought before military courts, and heavy penalties are handed down.

A Military Appellate Court, for example, held a hearing on the 8 of November 1999 on the appeal of the Chief Military Prosecutor on the lightness of a soldiers

punishment. The soldier was indicted for abusing an arrested Palestinian, and he received a punishment of parole and demotion to the rank of Private (202/99/A). The military appellate court accepted the appeal of the prosecutor that requested a prison term for the soldier, and the soldier was sent to prison. The military appellate court summarized the hearing as follows:

“An IDF soldier serving in the West Bank and the Gaza Strip must know that he not only represents himself. In the eyes of the local populace, the soldier is the army and the army is its soldiers. Disgusting behavior such as is before us brings shame not only on the soldier himself, but also on the IDF. This shame has moral and practical consequences. Bullying and other criminal acts sometimes cause vengeance, and vengeance can lead to further violence- a tragic cycle. This tragic cycle, must be severed and the appropriate way to severe it is both through education and through punishment- deterrence.”

In order that these words not remain on the page alone, the Military Appellate Court directed that the verdict be sent to the Commanders of the Central and Southern Commands and to the Chief Education and Youth Officer in order for them to derive the required military and educational lessons.

**Sincerely yours,
Major Efrat Segev
Public Relations**

Reply of the Border Police to B'Tselem's Letter*

**Border Police Headquarters
Office of the Border Police Commander
Tel: 08-9770400
Fax: 08-9770420
6 May 2001-05-27**

**Yael Stein, Attorney
B'Tselem**

**Re: Your letter regarding Border Police handling of cases in which
Palestinian residents of the Territories were harmed by Border Police
officers**

Ref. Your letter of 15 April 2001 in the above-referenced matter

1. The phenomenon of the use of illegal force by Border Police is an issue that frequently engages the Border Police command and unit commanders and lies at the heart of the corps' educational and information activity.

In light of the fact that the Border Police is an integral part of the Israel Police Force and as such is an arm of law enforcement, we must ensure that the organization and the persons within it comply with the limitations and restrictions that the law places on them.

2. Regarding the questions raised in your above-referenced letter:
 - A. A police officer against whom a complaint has been filed alleging brutality (illegal use of force) is investigated by the Department for Investigation of Police (DIP), of the Ministry of Justice. If, during or at the end of the investigation, evidence is found that the officer committed the offense, an indictment is filed against the officer. The decision on suspending the police officer for committing a penal offense, in general, and the offense of the illegal use of force, in particular, is made by the head of the Human Services Department at National Headquarters and is based on the recommendations of the Order and Discipline Department, of the Department for Investigation of Police, of the Ministry of Justice.
 - B. Regarding filtering, selection, and detecting violent conduct, we act concurrently along a number of channels. As early as the time that we provide information to candidates for recruitment, both at the high schools and in the Absorption and Selection Base framework, we make a special effort to explain and clarify that service in the Border Police does not allow the unloading of inclinations and drives and those who want to join the Border Police to "beat up Arabs" do not belong with us. In addition, at the beginning of basic training, we conduct pre-selection for soldiers designated for basic training in the Border Police. The pre-selection is conducted by professionals in the treatment area in particular, and in human resources, during which we weed

out those candidates who express desires to serve of the kind described above. Finally, during basic training we [employ] a number of system tools in combination. We try to locate those recruits who have a high likelihood of violent conduct during service and assign them to functions and duties in which friction with the Palestinian population, in particular, is minimal or does not exist at all.

- C. In the area of training, instruction, and education, we often, both during basic training and in continuing training, and during service in the units, conduct educational activity to instill values of safeguarding the law, human dignity, preserving democratic values, and rights of the individual. To do this, we cooperate with organizations and amutot [non-profit-organizations] such as the Association for Civil Rights, *Sovlanut* [Tolerance], the Association for Quality Government, and others.

Also, in various training and instruction activity related to the specific positions themselves much effort is given to the matter of the powers of police officers. We conduct seminars to provide skills to more effectively handle and cope with confrontational situations, conflict, and friction with the civilian population.

In addition to all these, and no less important, we act through the commanders to transmit an unequivocal message of opposition to and unwillingness to accept deviant conduct by police officers in these areas. To achieve this, the commanders are used to provide analysis of events showing improper conduct by police officers, during which the primary lessons and messages that these incidents can raise are discussed.

3. In conclusion, I invite representatives of your organization to Border Police headquarters so that we can professionally examine ways to promote cooperate between us.

Sincerely,

s/

Major General Ya'akov Ganot
Commander, Border Police

bcc: Border Police Psychologist

* Translated by B'Tselem

Response of the Ministry of Justice*

Ministry of Justice Office of the Spokesperson

20 May 2001

Yael Stein, Attorney
B'Tselem
Via Fax: 02-67491111

Re: **Response of the Department for Investigation of Police to B'Tselem's report on Beatings and Abuse of Palestinians by Border Police**

On 7 May 2001, you forwarded for the review of the Department for Investigation of Police (DIP), through the spokesperson of the Ministry of Justice, a draft copy of a B'Tselem report of May 2001 titled Beatings and Abuse of Palestinians Residents of the Occupied Territories by Security Forces.

You requested that DIP relate to the five cases of the beating and abuse by Border Police officers:

1. Husam Jaber
2. Naman Manasreh and two others
3. Jafer Yasin
4. Samir 'Abd a-Latif and five other pupils
5. Raid 'Odeh, Muhammad 'Odeh

Complaints dealing with these five cases were filed with DIP and investigations opened. Since the incidents are under investigation, we are unable to provide additional details.

We wish to emphasize that DIP makes substantial effort to investigate complaints of police brutality. However, more than once our efforts have met with difficulties arising from the lack of cooperation by complainants and by eye-witnesses. This occurs despite DIP's efforts to encourage that information be provided. We call upon the Arab public and the general public not to refrain from providing complete information.

Sincerely,

s/

Ido Baum
Spokesperson, Ministry of Justice

* Translated by B'Tselem