

1989
2019

**JUST THE TIP OF THE ICEBERG:
ONE VICTIM A YEAR, TIMES THIRTY YEARS**

ב'תש"ל
B'TSELEM
بتسيلم

30

UNTIL THE OCCUPATION ENDS

Just the tip of the iceberg: One victim a year, times thirty years

Rufaydah Abu Laban lived in a-Duheisheh Refugee Camp, not far from Bethlehem. She was 13 years old when an Israeli soldier shot her. The bullet went in through the back of her neck. The exit wound was between her eyes. Rufaydah died within minutes. She was on her way home from the funeral of another young Palestinian — 16-year-old Naser al-Qassas, who had been killed by soldiers the day before — when the soldier fired at her.

A year went by. Then a few more days. And then the IDF Spokesperson wrote to B'Tselem that “there was no connection between the death of the girl and IDF activity in the area.”

Thirty years have passed since Rufaydah died. Her mother 'Aishah is already 70 years old. She will never forget the day that her eldest daughter was killed. Nor will she forget the sight of her child's dead body lying on a hospital bed. For the past thirty years she has been tormenting herself, agonizing over why the soldier had even shot Rufaydah. Thirty years and one realization. As the bereaved mother put it: When the judge is your enemy, who can you complain to?

For thirty years, ever since it was founded in 1989, B'Tselem has been watching in horror and crying out in protest; documenting and calling for action; carrying out investigations and archiving records. Yet another incident, yet another victim. Thousands of incidents, thousands of victims. Thousands of files on people who were killed or wounded, on beatings and abuse. All these files are neatly whitewashed by the dutifully obedient mechanisms of the state trained for that very purpose. Files upon files, boxes upon boxes, containing all that

we have managed to record, while knowing full well that these records are just the tip of the iceberg. What archive could possibly be big enough to record the full extent of the oppression exercised over millions of people for so many decades?

The pages below are an exhumation, digging up the past. For each year since 1989, we brought an account of a single instance in which soldiers killed, injured or beat a Palestinian. The account of each incident presents the testimony we collected at the time and then describes how one or another of the state's legal branches whitewashed the actual event. Lastly, we bring a testimony we recorded this year from a relative or from the victims themselves. Their personal stories tell of lives unalterably changed in an instant. They were never the same again.

The violence and its whitewashing are the double helix that make up the occupation's DNA. The two are closely intertwined: without state violence, as carried out by its security forces, a people cannot be oppressed and its life regimented and controlled. But without whitewashing, the security forces would refuse to employ violence. This, then, is the awful pact between government control and “security,” a deal without which there could be no occupation or control.

As with any dirty dealings, there are always some shady figures involved. You can't do without someone to act as go-between, to water things down, to stall and stonewall, to pour out torrents of verbiage to ensure that cases are closed. In the journey you are about to embark upon, this role is reserved for the professional

defenders of violence: the investigators of the Military Police Investigation Unit (MPIU) and the Department for the Investigation of Police (DIP); the military prosecutors and legal advisers; the military judges and Supreme Court justices.

When you think of Rufaydah Abu Laban being laid to rest in the ground, when you contemplate each case closed, paving the way for closing the next one, do not neglect to recall them too.

The home of the Ghaben family in Beit Lahiya in the Gaza Strip that Israel bombed on April 10, 2006. Hadil Ghaben, age 7, was killed in the bombing.



Whitewash, whitewash, and whitewash some more: A policy of no accountability

Accountability for human rights violations is a crucial element of the rule of law. It is critical both for the individuals who have been harmed — in that they see those who have harmed them brought to justice — and for the public, since an effective system effects deterrence and may prevent (or at least significantly minimize) the recurrence of future violations. Therefore, international law and domestic legal systems require countries to investigate suspected breaches of human rights, prosecute those responsible, and compensate individuals for the unjustified harm they suffered.

Israel's policy on accountability for harm to Palestinians in the areas it occupied is altogether different. It is designed to ensure that neither the state, nor anyone acting on its behalf, will have to pay any price whatsoever for the violence they used. That said, Israel does not admit to this mode of operation, instead adamantly insisting that it is operating in accordance with the regulations of international law. To that end, it invests immense effort to create the semblance of a functioning law enforcement system, with a view to preserving the military's moral image and to secure legitimacy — in Israel and around the world — for the occupation to continue.

The mountains of paper, the number of jobs and positions, meetings and hearings, legal documents and budgets that have been invested in creating and maintaining this illusion is mindboggling. However, none of these can conceal the truth from anyone who wants to see it for what it is: Israel whitewashes, conceals and lies. Those responsible go unpunished and victims are denied compensation, apart from rare exceptions that are merely meant to grant legitimacy to the whitewashing routine and create a fleeting illusion of justice.

Accountability is no theoretical matter: punishing those responsible for violating human rights and compensating the victims can lead to changes in policy and to fewer casualties. Yet in the absence of any price to pay, there is no incentive to stop the violations. Therefore, the immunity Israel grants itself and those operating on its behalf indicates how little importance it attaches to the lives, safety and property of Palestinians in the occupied territories.

Immunity from standing trial

The role of the military law enforcement system has been narrowly defined to begin with. It is tasked only with investigating specific, individual incidents, low-ranking personnel and cases of suspected “breach of orders.” As a result, the system does not examine the lawfulness of the orders given; it does not investigate the individuals who formulated the orders or those who approved them; nor does it examine the responsibility of the policy makers. In the absence of any other system to investigate these higher-ups, they are all absolved a priori of any responsibility.

An examination of the way the military law enforcement system operates demonstrates it is hard put to fill even the limited task required of it. The Military Advocate General (MAG) Corps often elects not to launch a criminal investigation at all, sometimes justifying its decision on the grounds of “absence of guilt,” mostly relying on soldiers' accounts of events. At other times, in cases of Palestinian fatalities, it cites as justification that the deaths occurred in “combat situations,” a broad exclusion established by the MAG Corps that grants soldiers sweeping immunity from criminal investigations, far beyond that granted by international humanitarian law.

Even in cases when an MPIU investigation is actually launched, it is superficial and evinces no real attempt to uncover the truth. Investigations rely almost exclusively on statements by soldiers, only occasionally also on statements by Palestinians, and make no real attempt to obtain external evidence. Nevertheless, despite statements being the key part of the investigation, investigators often behave like stenographers taking dictation, even when there are contradictions in soldiers' statements or between their accounts and those of the complainants.

Once complete, the investigation file is transferred to the MAG Corps, which is tasked with deciding on further action. Many cases are then closed, either for “absence of guilt” — with the MAG Corps taking the version of events given by the soldiers suspected of wrongdoing at face value — or for “lack of evidence,” seeing as no effort to obtain evidence was ever made.

To top it off, the system is inaccessible to Palestinian complainants. They cannot file complaints with the MPIU directly and must rely on human rights organizations or attorneys to file the complaints on their behalf. The processing of each complaint lasts months or even years, so that often enough the soldiers who are the subject of the complaint are no longer in active service and therefore no longer under military jurisdiction. And lastly, the system operates without transparency.

The system's mode of operation is clearly corroborated by the figures. From 2000 to 2015, B'Tselem applied to the MAG Corps regarding 739 cases, all examined by B'Tselem, in which soldiers caused harm to Palestinian residents of the Occupied Territories. In a quarter of the cases no investigation was ever

launched; in nearly half, the investigation was closed with no further action taken; only in 25 cases were charges brought against soldiers implicated in minor offenses.

This analysis leads to only one possible conclusion. Not only does continuing to apply to the MAG Corps — demanding that it investigate harm to Palestinians by Israeli security personnel — do nothing to promote accountability, it is actually detrimental. It means cooperating with a mechanism that merely creates an illusion of a functioning law enforcement system and thereby grants legitimacy not only to the system but to the occupation itself. Therefore, after 25 years of applying to the MAG Corps with demands that it investigate, B'Tselem stopped doing so in 2016.

Immunity from paying damages

Through legislation, Israel also secured for itself a nearly blanket exemption from paying compensatory damages for harm caused by its security personnel to Palestinians, instead of offering them a genuine opportunity to sue for damages in Israeli courts, once again offering them no more than the illusion of being able to do so.

Under Israel's Torts Law of 1952, the state is liable for damages resulting from its negligence, with the exception of damages caused during “warfare activity.” This exemption is based on the assumption — justified in itself — that warfare conditions involve pressure and uncertainty. Therefore, tort law is not suited to address incidents that take place during warfare.

In the 1990s, both during and after the first intifada, residents of the occupied territories filed thousands of

civil claims with Israeli courts, seeking compensation for damages caused them by Israeli security forces in circumstances that were not “warfare activity”. The lawsuits addressed damage resulting from a variety of sources, such as soldiers' unlawful gunfire (including instances of fatalities or injuries), destruction of property, extreme violence, torture under interrogation by the Israel Security Agency (ISA), and incidents in which ammunition or duds left behind in the field by the military later exploded. Suing for damages was a costly process for Palestinians. The proceedings dragged on for years and imposed a series of bureaucratic hurdles on the claimants. As a result, Palestinians often chose to settle for lower sums that failed to accurately reflect the extent of harm they had sustained.

In the mid-1990s, in a bid to avoid paying even these paltry sums of money, Israel began employing various measures to broaden the exemption from liability stipulated in the law. Over the years, the Knesset amended legislation several times. In 2002, for example, the legal definition of “warfare activity” was broadened so as to include virtually any activity by Israeli security forces in the occupied territories. In addition, the law introduced procedures that would apply exclusively to claims by Palestinian residents of the occupied territories, with a view to making it more difficult for them to file the suits.

The courts readily adopted the new definition of what constitutes “warfare activity”. Then Chief Supreme Court Justice Aharon Barak did state that the new definition “greatly broadened the interpretation given to this term in case law and, thereby, significantly narrowed the liability of the security forces operating in the conflict with the Palestinians.” Nonetheless, he went on to say that “the

amendment is proportionate and does not give rise to any constitutional problem.”

The Knesset was not content with this amendment, as even the new definition still meant the courts must make an individual determination on each suit filed. Therefore, the Knesset persisted in its efforts to pass legislation that would grant the state sweeping immunity for all damages in the occupied territories caused by Israeli security forces. This exemption was enacted in 2005, but the High Court of Justice (HCJ) accepted a petition contesting the amendment. Justice Barak determined that the Knesset had gone too far. He declared the amendment null and void, having determined that it “seeks to realize an improper purpose of exempting the state from all liability for torts in conflict zones.” Another bill to circumvent the HCJ was brought before the Knesset in 2008. This amendment, which became law four years later, states that Israel will not have to pay compensation for any damage sustained in an area the state had declared “enemy territory.”

The amendments achieved their objective. The number of claims filed by Palestinians dropped drastically, going down from an average of 300 new lawsuits a year from 2002 to 2016 to an annual average of 18 claims in 2012–2016. The total sum of damages Israel was required to pay likewise went down. From 1997 to 2001, the state paid out an annual average of 21.6 million shekels a year (approx. USD 5.7 million), whereas from 2012 to 2016, it paid about 3.8 million shekels (approx. USD 1 million) on average, a decline of more than 80%.

The killing of Rufaydah Abu Laban, 13, a-Duheisheh Refugee Camp, Bethlehem District, 17 April 1989

The findings of the investigation into the incident (in its first year, B'Tselem's work relied on investigations of this kind):

On Saturday morning, 15 April 1989, the military imposed a curfew on a-Duheisheh Refugee Camp and announced over loudspeakers that anyone who violated the curfew would be killed. At around 2:00 P.M., 'Imad Qaraqe', 23, went to feed sheep in a pen on a small rooftop adjacent to the family's house. Shortly afterwards, the family heard a shout and 'Imad's friend ran to him. He found him injured. Qaraqe' died of his wounds a short while later.

The next day, while the camp was still under curfew, a group of youths gathered outside the Qaraqe' home. Soldiers arrived, swore at the youths and instructed them to enter the house. The youths, who were standing at an intersection, began throwing stones at the soldiers, who were standing further down the street. These responded by firing rubber-coated metal bullets at them. Some of the youths, including Naser al-Qassas, 16, ran to a nearby street, where they encountered three soldiers who emerged from one of the alleys. The youths panicked and began to flee, but managed to get just a few steps away before hearing two gunshots. One of the shots hit al-Qassas in the back and he died later that day.

The next day, 17 April, al-Qassas was buried in the nearby village of Irtas, because the camp was still under curfew. Many camp residents went to the funeral through the hills. On their way back, when they were already near the

camp, they encountered a group of soldiers. Children threw stones at the soldiers, and the soldiers fired at them. Rufaydah Abu Laban, 13, who had attended the funeral, was standing nearby and was not participating in the stone-throwing. She was hit by a bullet that penetrated the back of her neck and exited between her eyes. She was carried to a nearby home, where she died of her wounds minutes later.

A military officer came to the family's home and asked how she was killed. He told family members that if they handed her body over to the military, they could find out how she had been killed. Her father told him they had no weapons, so there was only one way his daughter could have been killed. The officer said he thought she had been killed by a stone. He told her father to come to the Civil Administration office to talk, but the father refused.

The authorities' response: Case closed

There was no connection between the death of the girl and IDF activity in the area ... A patrol commander with the rank of sergeant deviated from open-fire regulations. Since more than three months have passed since the soldier completed his military service, it was not possible to bring him in for a disciplinary hearing, but only to reprimand him. The sergeant's use of gunfire, which was discovered during the investigation, did in fact constitute a departure from the regulations, but had no connection to the girl's death.

**Sent to B'Tselem by the IDF Spokesperson on
3 May 1990**





'Aishah Abu Laban, Rufaydah's mother, who is 70 and a mother of nine, spoke with B'Tselem field researcher Musa Abu Hashhash this year and described life since losing her daughter:

My husband Jalil and I live in a-Duheisheh Refugee Camp in Bethlehem District, and our married children and grandchildren live nearby. We are both 70 and not in good health. Our lives today are calm, but I will never forget that day they killed Rufaydah.

That morning, around 9:30, I hung laundry out to dry on the roof and then went downstairs to the room of my eldest daughter, Rufaydah. She was 13 and a half then. I wanted to wake her up so she would bathe her little brothers, 2 and 3 at the time, and help me with housework before I left for my job in the kitchen of al-Caritas Hospital in Bethlehem. I thought she was still asleep, but she wasn't in her bed. I didn't know where she'd gone.

Before I could find out, some young men came to our house and told us that Rufaydah had been killed. I didn't believe them. Her father and I went to where they sent us and that's how I discovered she'd been killed.

I still remember every detail. We went from there to the hospital and I saw her lying on a bed. I learned that she'd been hit by a bullet in the back of the head. It was a horrifying sight. All that day I didn't stop screaming and banging my head. I couldn't believe I'd lost my eldest daughter. She was my right hand.

Rufaydah was a diligent student and had a strong personality. After school, she would help me with all the housework and

with her little brothers. On school holidays she would go out with her dad, who was a vegetable seller.

Her death shattered me. It left a big hole in our family and a lot of sorrow. We have lived in constant sadness for many years, and that is true of this very moment, too. I remember her clearly to this day. Her picture hangs on the wall in our living room and I look at her all the time. In the meantime, her siblings have grown up. After she was killed, I had six other children. After she died, I left my job. I couldn't do everything alone at home and work, too.

At the time, a human rights organization filed a complaint about her killing, but I don't know what came of it. All I know is that the soldier who shot her thought she was a boy, maybe because of her short hair. But could a soldier do such a thing, shoot her from behind and hit her in the head? She was just attending a funeral and was standing close to the protesters. But as the saying goes, when the judge is your enemy, who can you complain to? That's what I say.

I have always lived in this camp. A lot of young men and boys have been killed here. Every time someone is martyred, I think of Rufaydah. She was one of the youngest to be killed in the camp. Other people here still remember her, too. We often reminisce about her with our friends, and talk about the day she was killed.

My married sons named their daughters after her. We have two granddaughters named Rufaydah — Hisham's daughter and Ahmad's daughter. Both are 21. A friend of ours and one of our neighbors also named their daughters Rufaydah, in her memory. Whenever I meet one of these girls, I remember Rufaydah and imagine that she is still with us.

1990

The beating of Amneh Fanun, 47 and a mother of 14, the village of Batir, Bethlehem District, 13 November 1990

The testimony was given to Yuval Ginbar on 13 November 1990

Today, at 1:30 P.M., I was buying vegetables from a pickup truck parked on the street near my house. Four soldiers came, including an officer with two stripes on his shoulders. I recognized them, they are in tents near the train tracks and were near my house yesterday. If I see them, I can recognize them.

They went into my house and I followed them. They told me: Go back. I told them: This is my home, there are small children there. At home were two of my children — Raafat, 11, and Nashaat, 10 — and my son's small children. There were no men there at all. Raafat and Nashaat were in a room downstairs.

The soldiers took them both outside, near the parking lot. They wanted to take them into jeep parked on the street. My daughter Rihab and I grabbed the two kids and started screaming.

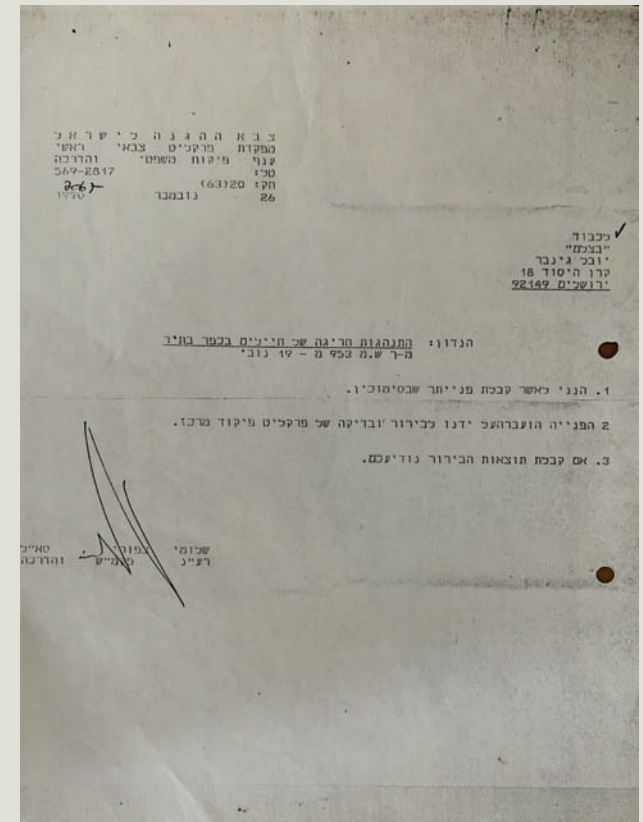
One soldier grabbed me by the hair and kicked me in the stomach, and another soldier hit me in the chest. They threw me to the floor. The soldiers also hit Rihab and then grabbed Raafat and Nashaat by the hair and beat them, too. It lasted about half an hour.

Then they went, without taking anyone. I vomited a lot and was taken to hospital.

The authorities' response: Case under review

We referred the complaint for review by the Office of the Advocate of Central Command. We will notify you once the results of the review are received.

Letter to B'Tselem of 26 November 1990 by Lieut. Col. Shlomi Tzipori of the MAG Corps



2019



Amneh Fanun, now 77, spoke with B'Tselem field researcher Musa Abu Hashhash this year and related:

I live with my husband Sadeq, 82, in the al-Jura neighborhood in the center of Batir. We have eight sons and six daughters, all married and living in Batir. I remember to this day what happened then. I suffered because of that attack for three or four months. I had mostly abdominal pain, which constantly reminded me of the attack itself.

After they attacked me, I called my husband, who was working at the US consulate at the time. He arrived very quickly and told me he had talked to the soldiers who attacked me and protested before them. I also remember that the following afternoon, an officer arrived with several soldiers including the soldier who attacked me. The officer asked my son Raafat to identify the soldier. Raafat pointed at him. The officer said nothing and then left with the soldiers.

While I was in the hospital, several soldiers and lawyers arrived and documented what had happened to me. My husband also complained to the Americans he worked with. I don't know what happened then. Thirty years later, what can I say? Thank God that the attack didn't cause any permanent damage and that I wasn't pregnant at the time.

Today, after 30 years, Raafat and Nashaat are grown, Rihab is married with two sons and a daughter. Nashaat went away in 2005 and married an American girl. They had a daughter, and then his wife passed away. This week he returned to Batir, because he's going to get married again.

Life goes on, despite the pain. Here I am after 30 years, in good health, as well as my husband. Every day I hear about the killings and assaults of the military elsewhere.

I would expect the soldier who attacked me and my children to stand trial. If he had paid for his actions then, maybe I would have felt less pain and feelings of injustice and helplessness for such a long time after the event.

1991

The beating of Muhammad al-Barghouti, 23, Beit Rima, Ramallah District, 29 June 1991

The testimony of Hassan 'Afifah from the village of Beit Rima

The testimony was given to Yuval Ginbar on 8 July 1991

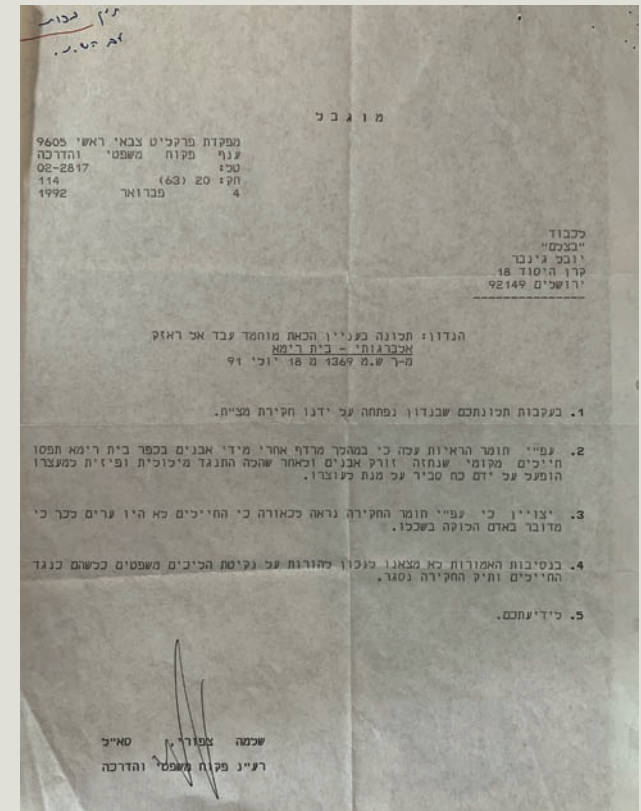
On Saturday, 29 June 1991, at about 2:00 P.M., I was at home. I saw young men running away from soldiers. Muhammad was sitting in front of my neighbor's house. Soldiers came with a big jeep. There were about ten soldiers there. Muhammad did not run away. He's not alright in the head, a little crazy. The soldiers went up to him and hit him. He said to them "Screw you", which is what he says to everyone. Then they attacked him, punching him with their fists and beating him with their rifle butts all over the body.

They tried to put him in the car. He resisted and they hit him again. I called out to the soldiers and told them in Hebrew: "This one has no brain, crazy". One soldier said to me: "Give us one with a brain and we'll make him even worse than this guy". In the end they threw him on the ground, tied his hands and put him in the jeep. The women and neighbors kept shouting that Muhammad was crazy, but that didn't help. They took him from the village in the jeep.

The authorities' response: Case closed

1. Following your complaint, the MPIU opened an investigation.
2. According to the evidence, during a pursuit of stone-throwers in the village of Beit Rima, soldiers apprehended a local who was seen throwing stones. After the latter resisted arrest verbally and physically, the soldiers used reasonable force to arrest him.
3. It should be noted that according to the investigation material, it seems that the soldiers were not aware that this person is intellectually challenged.
4. In these circumstances, we did not see fit to order any legal proceedings against the soldiers, and the investigation file was closed.
5. FYI.

Letter to B'Tselem dated 4 February 1992 from Lieut. Col. Shlomi Tzipori, Head of Legal Supervision and Guidance, MAG Corps





Saher al-Barghouti, Muhammad's brother, 56 and a father of seven, spoke to B'Tselem field researcher Iyad Hadad this year and described the impact of the incident on the entire family:

My brother Muhammad had meningitis as a small child, which lowered his IQ and impaired his ability to learn. He couldn't take care of himself anymore and didn't go to school. There wasn't enough awareness at the time, so there were no special education schools.

On 29 June 1991, soldiers came to our village and there were confrontations between them and youths from the village. The soldiers, who were chasing the boys, came across my brother Muhammad, who wasn't taking part in the clashes. He was 23 years old. Later, I was told that the soldiers had attacked him and then taken him away in a jeep. They held him in the settlement of Halamish from the early afternoon until night, and released him after the head of the council contacted the military governor. Instead of returning him

to the village, they left him near the settlement. A resident happened to pass by and brought him home. Muhammad's body was full of black and blue bruises from the severe beatings that he got from the soldiers.

Since that incident, Muhammad has suffered from a phobia. He is terrified of the army. Any time he just hears there are soldiers in the village, he runs inside and locks himself in. Three or four months after the soldiers attacked him, the army imposed a curfew on the village and we couldn't leave the house. We sat in the yard. Suddenly, a military patrol vehicle passed by the house and Muhammad jumped up in panic, ran inside and closed the doors. The soldiers saw this and thought he was doing something suspicious. They jumped out of the vehicle and ran after him. They took him out of the house and hit him. We explained to them that he is mentally disabled and begged them to stop, to let him be. We even showed them medical records from the hospital, but nothing helped. We tried to convince them for a whole hour and called officials to intervene, until finally they let him go.

That happened again several times: him being frightened by the army and running away, and the soldiers suspecting him, chasing him and assaulting him. To protect him, we started making sure he stayed home, especially before the Palestinian Authority was established, when the army still entered our village almost every day. But even now the army enters the village, so it's still a problem.

Before Muhammad was attacked by the soldiers, he worked in agriculture and used to herd the flock. He functioned, looked after himself and helped the family's livelihood. Since the attack, his condition got worse and the damage appears to be irreversible. Because he sits at home all the

time doing nothing, Muhammad has also gained a lot of weight. Sometimes he has nightmares and shouts all kinds of things, such as "They're going to shoot me! They want to kill me!" or "They're attacking me, owwww, my stomach. Stop hitting me. Stop it!". Hallucinations like that, all to do with the army. Sometimes he has a nightmare about the army and the whole family wakes up from the noise. Lately, he has been hallucinating a lot. Sometimes he talks to himself and sometimes with us, but the things he says don't make sense.

He even physically attacked the family several times. Once, he attacked our father and sister. He attacked me, too, but I can handle it. I know how to restrain him. His behavior also affects our relations with neighbors and makes it difficult with strangers, who don't really understand why he behaves this way. My late father suffered more than anyone else. After every such incident, he had to go to appease people and it caused him great embarrassment. Even my mother, Hikmiyeh, 80, is still suffering in old age from Muhammad's actions and behavior.

We took him to many medical centers and specialists, and he's on sedatives, but they don't always help. Even if his condition improves for a while, he always deteriorates afterwards.

The military caused this tragedy, but no one was held accountable. At the time, a representative of B'Tselem documented the case, I don't remember his name, and a complaint was filed. I gave evidence at the offices of the Civil Administration in Halamish, as did other witnesses from the village. At the time I was told that an investigation had been opened, but it was closed with no result. The physical and emotional damage caused to Muhammad fell on the shoulders of the family alone.

1992

**The killing of Na'im Abu Amneh, 3,
Khan Yunis, the Gaza Strip, 24 July 1992**
**The testimony of Kamal Abu Amneh, 24,
a married father of two, Na'im's father**
**The testimony was given to Yuval Ginbar and Suha
'Arraf on 27 July 1992**

On Friday, 24 July 1992, I got back from work at about 12:30 P.M. My son Fadi, 2, was sick and I wanted to take him to hospital in Khan Yunis. We drove in my car, a burgundy Peugeot 404, that I had bought three days earlier. I drove and my father, Na'im, sat in the passenger seat beside me. In the back were my son Na'im. My wife Asmahan was sitting in the middle and her sister Sahar was sitting on the right side with Fadi on her lap.

I stopped at a gas station on al-Qassem Street to put air in a tire, then I turned right on to 'Abd a-Nasser Street. After I had driven about three meters on the street, I saw soldiers standing outside the al-Faruna building. There's always an army lookout on top of that building. At that point, I was about 30 meters away from the soldiers. There must have been about 15 soldiers and two jeeps parked on the side of the road.

I kept going. When I was about 20 meters from them, I saw two soldiers pointing their guns at me. One of the soldiers signaled me to turn right and I turned into a small street, actually a dirt road. I was driving very slowly, maybe 20 kilometers per hour. The car is automatic and doesn't drive well on sand. As soon as I turned, the soldiers began shooting. They didn't tell me to stop and I think they fired straight at us, not in the air, because as soon as they started shooting, I heard the glass of the rear window shatter. There was a tremendous amount of shooting.

I told everyone to lie down. I wanted to stop but the shooting increased so I kept going. I saw in the mirror that soldiers were running after us and shooting. They were maybe four meters behind me when they started shooting. My wife and her sister screamed. I saw that Na'im was thrown onto his mother and I knew he was in bad shape. He was losing a lot of blood and he was unconscious. I kept going and after a time I didn't see any more soldiers.

We transferred Na'im, with my father and my wife, to another car to take him to the hospital. We were afraid that my car would be stopped. I went home. Later that day, the police came to investigate me.

We buried Na'im last night.

The authorities' answer: Case closed

On 24 July 1992, a report was received in the Gaza area about a Palestinian car, a burgundy Peugeot 404, which was suspected to have been from the West Bank. In it were armed locals who were firing in the air and at houses and soldiers. Consequently, large forces were dispatched to capture the vehicle and its passengers. Among other things, an IDF roadblock was set up at the Jalal intersection.

During the operation, soldiers spotted a car matching the description at the intersection. The soldiers called out to the driver to stop in Hebrew and Arabic, and signaled with their hands to stop. The vehicle slowed almost to a stop and then suddenly accelerated and turned right very fast. The soldiers pursued the car and called out to the driver to stop. Then they fired in the air and at the wheels of the vehicle. As a result of the shooting, the child Na'im Ramel Abu Amneh, who was in the vehicle, was hit.

According to MAG Corps' conclusions, the soldiers acted properly and in accordance with the general open-fire regulations in view of the information they had been given, as stated above, the match between the vehicle in which the deceased was traveling and the description provided to the soldiers, the suspicious movements of the passenger next to the driver, and especially the fact that the vehicle accelerated prior to the soldiers' calls to stop — all these were enough to create reasonable suspicion among the soldiers that the passengers had committed a dangerous crime, namely illegal shooting. Therefore, the decision is not to take legal action against the shooters, particularly as it cannot be determined with certainty which one of them hit the deceased.

However, the MPIU investigation found that the shooting soldiers had not been briefed on more stringent open-fire regulations applied in the area at the time, which included restrictions on the use of the suspect apprehension procedure at checkpoints. Due to this failure, the MAG recommended that four officers, ranking captain to colonel, be reprimanded.

**Letter to B'Tselem dated 20 January 1994,
from Captain Avital Margalit, Head of Public Diplomacy,
the IDF Spokesperson's Unit**

2019



The testimony of Asmahan Abu Amneh, 53 and a mother of ten from Khan Yunis, Na'im's mother

My eldest son, Na'im, fell as a martyr 27 years ago, on 24 July 1992. That day, we were driving in the car when suddenly the Israeli army opened massive gunfire at us. Na'im was hit by the gunfire. I didn't understand what was happening. I only saw Na'im bleeding and his clothes full of bullet holes. Friends took us to Nasser Hospital in Khan Yunis. He started convulsing on the way there. When we got there, they immediately transferred him to a-Shifaa hospital in Gaza because of his condition, but he died on the way, so they returned him to Nasser Hospital. I screamed and cried. I lay down on my son and held him tight and didn't want to say goodbye to him. Then we brought him home.

Someone from the Israeli army called the mukhtar in our area and ordered him not to bury Na'im because they wanted the body, and said we should hand it over to the army. Relatives arrived, took Na'im's body and buried it, but that day the army took the body. My husband fled the house because he was afraid the army would arrest him, and the army said it would return the body only if he turned himself in.

A week later, my husband and I turned ourselves in. We were interrogated for hours. When I went in, I saw my son's body lying on a bed. I hurried over him to see him and hold him, but a soldier who was there wouldn't let me and told me I could only see him after the interrogation. When I was done, I went out quickly so I'd have a chance to see him, but he wasn't there.

Later, they gave us back our son's body. I learned that until then, it had been held at a forensic center in Israel. When they gave him back, the body looked strange, full of stitches, and it felt like the

body was full of cotton wool. I was in total shock. I couldn't bear it. He was a little boy! What did he do to the Israeli army to make them kill him and disfigure his body in such an ugly, despicable way? The sight is etched in my mind's eye and I can't forget it. Na'im was small but had a strong personality and was not afraid of anything. He always told me he was strong. On the day he was martyred, he asked me to cook him a dish he particularly liked. If he were alive today, he would surely be married with children.

For five years I was in heavy mourning. I cried day and night over Na'im's death. To this day, my husband and I wear black in mourning and grief over his death. It never occurred to me that I would have to live without him, he was my first joy. When he was killed, my heart shut down and everything became dark. I felt that I had lost what was dearest to me.

Since Na'im's death, I have not worn makeup and have not gone on a trip or a vacation. Even at the weddings of my daughters and my son Fadi, I did not feel joy. I couldn't really be happy without Na'im. Even on holidays, I can't really be happy without him.

After Na'im's death, human rights organizations filed a claim on our behalf and we received compensation of approximately 18,000 shekels. But all the money in the world can't make up for losing my son. I'd like the army that killed him to be held accountable.

It's been 27 years. We all pray for Na'im's soul and hope that he has received the mercy of God. For 27 years he has not disappeared from my thoughts for a moment. His brothers and sisters, who did not know him, also pray for him and everyone says, I wish Na'im were here with us.



The killing of Iyad 'Amleh, 18, near Salfit, 13 November 1993

Testimony of Bilal 'Amleh, 20, from Qabalan, Nablus District
testimony was given to Bassem 'Eid on 14 November 1993

Yesterday, I was with friends at another friend's house in Salfit. At 6:40 P.M. we rode in my taxi back to Qabalan. Iyad was sitting next to me and Jihad behind me. After we had gone about 1.5 km from Salfit, I drove up the road and at the edge of the rise, I saw a lot of lights and spotlights blinding me, so I couldn't go on. I stopped because I couldn't see anything. Suddenly, I saw a man getting out of a vehicle. He was holding a flashlight that was turned on and aimed it at me. At that moment, we came under fire, a lot of shooting. I bent down. I saw blood on Iyad's face and realized he was injured. I heard the windshield shatter.

I began to shout loudly: "Who are you? You've injured my friend!". I heard someone say in Hebrew: "We're soldiers". I understand Hebrew very well. They came up to the taxi holding flashlights that were on, so I couldn't see them. They grabbed me by the neck from behind, took me and Jihad out of the taxi and dragged us a few meters away. They made us lie face down and stood above us. I tried to lift my head to see what happened to Iyad, but every time I did, the soldiers kicked my head. That lasted for about an hour and a half. I heard the soldiers talking in Hebrew, saying the injured guy was breathing and that he was also wounded in the hand. I shouted to the soldier and said: "Let us sit up, we can't stay with our faces to the ground, we're cold." The soldier sat us up with our backs to the taxi.

Then, a soldier came and blindfolded me and Jihad. The soldiers put us into a vehicle. We drove for a bit and then they stopped, took us out and removed our blindfolds. I saw that we were at the gas station in Ariel. We stood outside. Then a soldier came. He called us and took us into the hotel at the station. They sat us in the lobby, apart from each other. Two soldiers in uniform and a man in civilian clothes came over and sat with Jihad. I heard them ask him questions and him answering them.

After about ten minutes, a gray jeep arrived and they put us in it. The jeep drove us to Tapuach Junction, where a Civil Administration jeep was waiting. They transferred us to that jeep and the Civil Administration guy took our identity cards and gave us summons to come to the ISA in Nablus on 15 November 1993.

The authorities' response: A month's suspended prison term for the soldiers for breaching the open fire regulations

1. As you were previously informed, the circumstances of the deceased's death were investigated by the MPIU.
2. At the end of the investigation, the case was forwarded to the Central Command Advocate.
3. The advocate's opinion provides the following facts and conclusions:
4. On 13 November 1993, the vehicle in which the deceased was traveling did not obey the soldiers' orders.
5. The soldiers opened fire at the vehicle's wheels. As a result of the gunfire, the deceased was killed.

6. As the soldiers were found to have violated the open fire regulations, the advocate ordered that they be tried in a military court for causing death by negligence under Section 304 of the Penal Code (1977).

Letter to B'Tselem dated 7 September 1995 from Col. Danny Be'eri, Chief Military Prosecutor

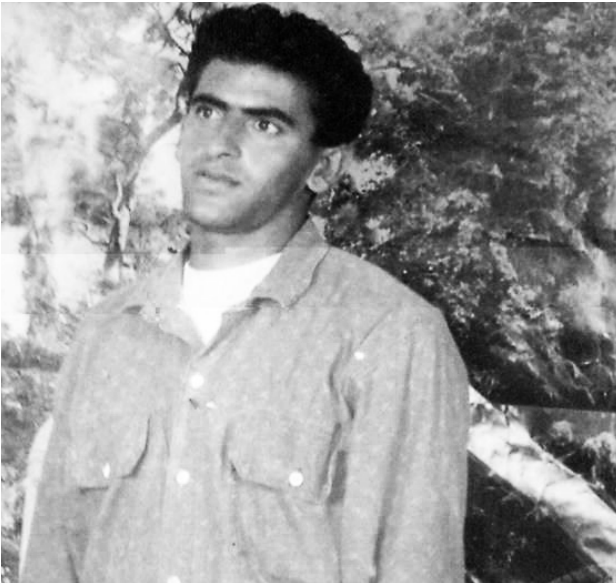
[...] During the trial, the array of evidence that the prosecution relied upon from the outset changed considerably, as key prosecution witnesses, Palestinian residents of Judea and Samaria, who were expected to appear in court, did not do so, and given other witnesses' court testimonies. In light of this development, as well as the prolonged proceedings and the delay of justice caused to the soldiers, parties reached a plea bargain in which the soldiers were convicted, based on their admission, of violating the open fire regulations.

IDF Spokesperson Statement, 18 November 1996.

On 17 November 1996, in a majority opinion, the Military Court of the Central Judicial District sentenced four soldiers from an elite unit to a fine of one agora [0.01 of a shekel] for the offense of failing to comply with compulsory army regulations under section 133A, of the Military Justice Law. The military prosecution appealed the sentence and the appeal was heard by the Military Court of Appeals. The appeal was accepted by the Military Court of Appeals. The defendants were sentenced to a one-month suspended prison term for one year. This overturned the previous sentence.

Letter to B'Tselem dated 14 January 1997 from Major Avital Margalit, IDF Spokesperson's Unit

2019



Riyadh 'Amleh, Iyad's brother, 52 and a father of four, spoke with B'Tselem field researcher Salma a-Deb'i this year and described the family's life in the years that have passed since losing Iyad:

My younger brother Iyad was killed in 1993. We found out when my father watched the night news. The news hit us out of the blue, it was unbearable. My brother was an active, working man, he didn't know what laziness was. He loved life and loved to spend time with his friends and family. He worked with my father in our hardware store.

After his death, our lives changed completely. Nothing was the same again. The first five years after his death were unbearable, not just for us but my uncles and grandmother. During those years, we didn't buy any clothes or sweets during the holidays, we were in mourning. Luckily, we're a strong, tightly-knit family.

I cannot describe my parents' pain and loss. It's the worst pain in the world. My mother simply stopped talking. She said very little and didn't want to leave the house. She began to suffer from illnesses such as hypertension and eventually died of a stroke. When I think of her, I feel terrible pain. Since Iyad was killed, she didn't have one happy day. She cried all the time, even at events that are supposed to be beautiful, such as my wedding and my younger brothers' weddings. We haven't even had a single day of joy. My father tried to stay strong and in control. He was a strong, tough man and he put everything into supporting us, so we could get through this disaster. But over time, he began to suffer from a neurological disease and his condition deteriorated

from day to day until he became disabled. He now needs constant care.

About a year after my brother was killed, an Israeli court sentenced the soldiers who killed him to a fine of one agora. It came as a shock to us and reopened the wound of Iyad's death. That day I felt as if they had killed him all over again. The decision to fine those responsible for his death a single agora angered many people. At the time, all kinds of people, some of them important, approached us, as well as representatives of human rights organizations.

We filed a compensation claim and received 131,000 shekels, a pretty insignificant sum. The money wasn't our main goal. We wanted to show that Palestinian blood is not cheap and that the soldiers should be punished. If a Palestinian killed an Israeli, would they fine him one agora and let him go immediately, with no sentence?

Until recently, no one in our family could get a permit to enter Israel. We were all "barred on security grounds". The prohibition was only lifted last year.

Iyad was the second son in the family and they killed him twice — first, when they shot him for no reason, and again when the court decided to fine the soldiers one agora. The family lost a person and it left us with a gaping hole in all our hearts, loss and great pain.



1994

The killing of 'Imad al-'Adarbeh, 22, Halhul, Hebron District, 16 October 1994
The Testimony of Ayman al-Janazrah, 30, a father of one from Halhul
The testimony was given to Fouad Abu Hamed on 20 October 1994

I work in archeology, together with other people. We look for antiques and sell them. On 16 October 1994, at around 1:00 P.M., we were working in an excavation in a field west of Halhul. We were five people altogether. I was with 'Imad in the excavation, about a meter and a half below ground level.

The soldiers arrived from the north in a military jeep. They fired in bursts, in all directions. There were a lot of trees and I heard the bullets hit them. The soldiers didn't even call out to us to stop. They just drove up and immediately started shooting. 'Imad quickly got out of the pit and started running away with the three guys who were outside.

That area is full of olive trees. The guys ran in all directions, which made it hard for the soldiers to see them. I saw two soldiers chase 'Imad but didn't see how he was injured.

I moved away from there and after I was about 700 meters from there, I met one of the people who worked with me and we decided to look for the others. We began to carefully search the area. We stood on a hill overlooking the area where the incident occurred. About an hour and a half after the incident, we saw that four other military jeeps had arrived, as well as three ISA

jeeps and a military ambulance. We also saw a local ambulance. The jeeps and ambulances stayed there for half an hour or so, and drove towards a military base nearby and the military ambulance drove in.

The authorities' response: A soldier convicted of unlawful use of a firearm and sentenced to two months' suspended prison term

A. On 16 October 1994, 'Imad Yusef Muhammad al-'Adarbeh was shot during an attempt by IDF soldiers to apprehend civilians suspected of antique robbery.

B. An officer was indicted for the offense of causing the deceased's death. After hearing all the evidence, the military court decided to acquit the defendant of the offense of causing death as, in the judges' opinion, it was not proven as required by criminal law that shots fired by the defendant were the ones that hit the deceased and the causal link between the demise of the wounded deceased and the shooting carried out by the defendant was not proven.

C. However, the judges found that the defendant acted unlawfully in discharging his firearm, even in the air, towards a suspect who was not suspected of committing a dangerous crime, and therefore opened fire without authority. The defendant was convicted of unlawful use of a firearm.

D. The defendant was sentenced to a two-month suspended prison term for two years.

Letter to B'Tselem dated 13 April 1997 from Col. Einat Ron, Chief Military Prosecutor



2019



Muhammad al-Adarbeh, 'Imad's brother, 39 and a father of three, spoke with B'Tselem field researcher Musa Abu Hashhash this year and described what the family has been through since his brother was killed:

In 1994, when I was 14, my older brother 'Imad was killed. For me, he was not only a brother but also my best friend. My father worked and was often away from home, and 'Imad was for us — his little brothers — the strong adult figure. We were five boys and six girls.

I remember that a week before he was killed, 'Imad took me and some of our brothers for a trip to the Dead Sea. He would also take me to the farmland where he worked and to archaeological digs and visits to friends and relatives. He was like a father to us and everyone loved him. He had a strong personality and had many social ties in Halhul and the area.

On the day he was killed, Sunday, 16 October 1994, he went with a group of friends to Khirbet al-Urduniyah to dig for antiques. He left at 7:00 in the morning with four of his friends. About four hours later we heard that there were soldiers east of the town, that there had been gunfire and someone was injured. Later, we learned it was my brother 'Imad.

Shortly after that, a friend of his came. He was crying and my mother asked him what happened. He told her that 'Imad had been killed. It was a shock for everyone, but especially for my parents. My father suffered a nervous breakdown and ongoing depression, and within months

also fell ill with diabetes. Because of the depression he stopped working and sank into despair. He kept shouting and crying and calling for 'Imad.

For more than three years we were sunk in sorrow. We felt empty. It was as if I had lost a father. I felt his absence every moment and especially during holiday meals and family events. We couldn't understand and come to terms with what had happened.

Meanwhile, our father passed away and my mother's condition deteriorated. She was very busy raising the younger boys but kept mentioning his name. She kept crying and saying, "If only he'd had time to get married and have a child like him."

Despite all that, life had to go on and Allah gave us the relief of forgetting. We grew up. Four of my brothers named their sons 'Imad, as well as some of his friends. My sister had a daughter and she called her I'timad.

At the time, I learned from 'Imad's friends that he had been shot while trying to run away from the soldiers. Human rights organizations handled the matter, but I was too young to follow it and my father, who had given up hope, didn't follow the legal developments.

1995

The killing of Yusef Abu 'Amshah, 19, 'Izbat Beit Hanoun in the Gaza Strip, 19 February 1995

The testimony of Musa Sihweil, 14, from 'Izbat Beit Hanoun

The testimony was given to Bassem 'Eid on 13 March 1995

The testimony was given to Bassem 'Eid on 13 March 1995. On 19 February 1995, at about 8:30 in the morning, I went with Yusef and other children towards the garbage dump of the settlements Dugit, Nisanit and Eley Sinai to collect wood, aluminum and pieces of bread for goats. We got there at about 9:30. We left Yusef's cart on the road and went down to the dump. We waited for the Israeli truck to arrive and dump the trash. The truck didn't arrive, so we started searching the dump. We collected aluminum and pieces of bread.

Meanwhile, an army jeep arrived with three soldiers. When we saw it, we ran away. The jeep stopped and the soldiers got out and started chasing us and yelling at us to stop. We didn't stop because we were afraid of them.

After 15 minutes, we decided to go back there to take the things we had collected earlier. We were sure the soldiers were already gone, but as we came closer, we saw them hiding behind the trees and waiting for us. When they saw us, they started chasing us again and calling us to stop. They fired two shots into the air, but we kept running. Then they fired three bullets at us. Yusef was injured. We kept running because the soldiers kept chasing us.

The distance between Yusef and the soldiers was about 30 meters when they shot him. We saw them go up to him and

then we saw an ambulance coming to take him. The body wasn't returned to the family until a few days later. After the incident, two officers, one Israeli and one Palestinian, came and questioned us about what had happened.

Musa Sihweil was killed on 8 June 2003 during an attack on an army post in the Erez Industrial Zone. Four soldiers were killed in the attack.

The authorities' response: Disciplinary action

After studying the investigation file, the Southern Command Advocate decided in his report, which was approved by the MAG, to take disciplinary action against an officer and a soldier who were connected to the incident.

Letter to B'Tselem dated 4 February 1997 from Legal Officer Lior Eisenfeld, Assistant to the Chief Military Prosecutor

The offense attributed to the soldier was illegal use of a firearm under Section 85 of the Military Justice Law. We do not have the results of the proceeding and given the amount of time that has elapsed, we cannot locate them.

Letter to B'Tselem dated 9 October 1997 from Col. Einat Ron, Chief Military Prosecutor



2019



Ramzi Abu 'Amshah, Yusef's brother, 45 and a father of 11, spoke with B'Tselem field researcher Olfat al-Kurd this year and described the loss:

My brother Yusef and I used to work in Israel. On one occasion, soldiers caught us, because we didn't have work permits. I was arrested for about three weeks while they sent my brother home. After that we couldn't go into Israel to work anymore. The financial situation at home was difficult so to help my dad, Yusef and I bought a cart and started selling vegetables. Sometimes we also collected wood, copper and aluminum from the garbage.

On the day he was killed, I went with Yusef and our mother to gather wood near the settlement of Eley Sinai in order to sell it. In those days, the Israeli army allowed us to gather wood there. I loaded stuff onto the cart and went home with my

mother. Yusef stayed there and went with some other guys to the nearby garbage dump, to collect copper and aluminum scraps. On the way back I heard the sound of gunfire and only afterwards the young men who had been with him told me that Yusef had been hit and that the army had taken him.

I asked the army and Palestinian Authority officers where Yusef was. At first, I was told he had been injured but was fine, and only later they told me he had been killed, but they didn't return the body. It was an unbearable situation. We set up a mourning tent and sat there for seven days waiting for his body.

After a week, my aunt's husband went to fetch the body, after he coordinated it with the military. It was only then that we found out they had done an autopsy. The body was in a horrific state, all deformed. The family, neighbors and friends said goodbye to him, the pain was terrible. My mother and my sisters cried and shouted. Then we buried him.

We've spent 24 years without Yusef. We remember him all the time. I named my eldest son Yusef to honor his memory and commemorate him. Yusef was my partner. To this day I remember our childhood experiences. We laughed a lot. Yusef fell as a martyr the day before his 19th birthday. That very morning, he told my wife that he wanted to throw a party. He was no threat to the soldiers who shot him, he was holding no weapons and was only trying to make a living. He wasn't trying to hurt anyone. After the incident, we filed a civil claim against the Israeli army and received a measly sum of about 20,000 shekels.

Our family suffered a lot and was hurt in other incidents. In 2004, when the army entered Beit Hanoun, my brother

Hilal was hit by a bullet in his left thigh. He almost had his leg amputated, but in the end they managed to save it, and to this day he has platinum in his leg. Yusef's friend and our neighbor, Musa Sihweil, fell as a martyr in 2003 at the Erez Checkpoint. As a result of that incident, the army demolished our entire area — Musa's house and ours. We rented a house and after two years, built a house with our money. My wife and I got a house from the Palestinian Authority in a-Sheikh Zayed in Beit Lahiya and lived there with our children.

In the 2014 war, my father, mother and brothers were at home and the Israeli military fired shells indiscriminately at houses. My father took all the children to the UNRWA school and then returned home and stayed there with my mother. In one shelling, my mother was hit by shrapnel in the head. We took her to the hospital, where she was treated and then released. Meanwhile, my father went to his second house in Beit Hanoun, where his second wife lives with their children and grandchildren. He took all the children and grandchildren from there, too, to the UNRWA shelter, and then went back and stayed at home with his second wife. He told me they were elderly and the military wouldn't hurt them. But then a tank fired at their house and he and his wife were killed. That day there was a ceasefire so I went over. I found their bodies in pieces. I can't describe what I saw, it was horrendous.

My life has become a disaster. Both my brother and my father were killed. Today I am in charge of the whole family, which is a very big burden. We all leaned on my father, and I'm going from one crisis to another. If Yusef were alive, he would share the burden me and help me. He really loved to work and help. I was hoping to see him get married and have children. The military took my happiness and my joy. May God have mercy on Yusef, my father and his wife.

1996

The killing of 'Atallah 'Amira, 36 and a father of seven (his wife was pregnant at the time), Ni'lin, Ramallah District, 10 November 1996

The testimony of Fawzi a-Nejass, 34, from Kharbata Bani Harith, Ramallah District

The testimony was given to Najib Abu Rokaya on 2 January 1997

On Sunday, 10 November 1996, a procession was organized in the village of Deir Qadis against the expropriation of land for the settlement of Kiryat Sefer (Modi'in Illit). Israel expropriated from the residents of Ni'lin about a thousand dunams and among other things uprooted more than 100 ancient olive trees that many families lived off. The procession started at 10:30 in the morning from the village of Deir Qadis towards the land on which the works were being carried out. It was attended by about 350 people from the villages of Kharbata, Ni'lin and Deir Qadis. There were dignitaries with us, Agriculture Minister 'Abd al-Jawwad Saleh and two members of the Palestinian Authority council.

I was among the first marchers. We were about 300 meters from the tractors working there. Suddenly 20 or 25 soldiers came out from behind the terraces. It was around 11 A.M. They waited until we got close to them and only then revealed themselves. We saw a lot more soldiers all around.

The soldiers drove us back with their rifles. It lasted about five minutes. Then they started firing tear gas and immediately afterwards they opened fire. I was hit by a bullet on the left side of the neck. I told the man next to me that I was hit but he didn't respond. I looked over and

saw him lying on his stomach. I raised him a bit and saw a pool of blood underneath him. He was unconscious.

I walked about 10 meters and then fainted and fell over. People carried me half a kilometer or so up the road and then took me to hospital in Ramallah. At the hospital, I was told I had been hit by a rubber-coated metal bullet. I only later realized that the man I had seen lying on his stomach was dead.

The authorities' response: Case closed

1. Following the death of 'Atallah Hussein 'Amira, an MPIU investigation was opened.
2. The investigation found that an eight-soldier detail that was in the area of the demonstration was attacked by demonstrators (800 people) who threw a massive number of stones at the soldiers. After exhausting crowd control measures and as they were of no avail, some of the soldiers opened fire.
3. As it was established that the soldiers had operated while under real danger, given their number, location and more, and as they had previously taken alternative measures that were of no avail — it was determined that the shooting they performed did not deviate from the orders.
4. The MAG ordered the investigation file closed.

Letter to B'Tselem dated 1 May 1997 from Col. Einat Ron, Chief Military Prosecutor



2019



Hanaa 'Amira, 'Attalah's widow, 56 and a mother of eight, spoke with B'Tselem field researcher Iyad Hadad this year and described the repercussions of losing her husband:

I have tasted loss and heartbreak. People who have not been through such a thing cannot imagine the torture that has been going on for 22 years, since the soldiers killed my husband 'Atallah while he was participating in a protest march against the expansion of the

settlement of Kiryat Sefer (Modi'in Illit) at the expense of our village lands.

When 'Atallah was killed we had seven young children. The eldest was 13 and the youngest seven months old. I was five-months pregnant at the time, and my youngest son, 'Ata, was born after his father was killed.

Their father's death was a severe blow to my children. 'Atallah was our pillar and when he was killed, the family collapsed. After receiving the bitter news, I had a nervous breakdown and started hallucinating. I was depressed and didn't understand what was happening.

Only God knows what the children went through and how much they suffered throughout the time I was sick. Suhad, our eldest, was only 13 then. There was no choice and she had to bear the responsibility from a very young age and take care of her siblings. A year after her father died, she left school because she could no longer carry the load of the family and home. The other children also dropped out of school, except for my little daughter Ahlam, who graduated with a diploma. The boys went to work early and the girls helped at home.

None of the girls went to work because that is not acceptable in our society. My son Sa'id went to work at age 13, as a porter at the vegetable market. He was our main breadwinner, but his pay was very low. We also received support from the Palestinian Authority, and my husband's family and my family helped us. They didn't support us financially, but they brought food, drink, clothes and things like that. That lasted until my kids grew up and started working and taking care of household needs.

Gradually, over the years, our lives stabilized. The children grew up and three of them — two sons and a daughter — married. Two of my girls are engaged. I have nine grandchildren who bring joy to our home. I take comfort in them and sometimes forget my worries and the pain.

Today it pains me that my children did not enjoy their childhood like the other children in the village. They lived in poverty. I couldn't give them pocket money, and if people ate meat once or twice a week, we barely ate it once a month. My kids didn't even know what trips and picnics were outside the village and they didn't have games and toys.

My children and I suffered the consequences of the crime committed by the occupation authorities. I remember that at the time, the Israeli army said it had opened an investigation into the incident, I heard something but I did not follow it. I had no expectations or hopes. After a few years, I learned that in the end they closed the case, they were just evading responsibility. If a Jew had been killed, would they have abandoned his family and left it without any compensation? The answer is definitely not. But they treat us like we're not human.

1997

The beating of Jamal Sukar, 26, near the Gilo Checkpoint, East Jerusalem, 21 July 1997

The testimony was given to Fouad Abu Hamed on 21 July 1997

I have been working for an Israeli contractor as a painter in Neve Ya'akov for the past month or so. I don't have a permit to enter Israel. I applied three times, but each application was rejected.

Today, at around 6:00 A.M., I went around the Gilo checkpoint. I do that every day to get to the Musrara neighborhood, where the contractor picks me up. I went on foot to the main road. About a hundred meters from the checkpoint, towards Jerusalem, there was a police cruiser directing traffic. Nobody paid any attention to it, and lots of workers without permits continued to pass by on their way to work. I stood there waiting for my ride to Jerusalem. After about ten minutes, a Border Police jeep pulled up from the direction of Gilo. I was on the other side of the road. The other workers and I ran into the valley when the jeep pulled up. There were four or five officers inside. They got out and started to chase us. Suddenly I saw an officer two meters from me. I tried to run away but failed.

The police officer caught me. He had very dark skin and was about 170 centimeters tall. He was thin and had black hair and eyes. He had an M16 rifle. He started beating me right away, without asking me anything about an identity card or permit. He slapped and kicked me. He kicked me mostly in the right leg. The beating lasted for about fifteen minutes. Meanwhile, the other police officers chased the other workers.

Then he pushed me down a steep, rocky slope. I fell several meters down the side, and flipped over several times. I couldn't stop until my head hit a rock. The fall injured my nose, ear, left shoulder and left leg. I tried to get up and then the police officer threw a large stone at me, but he missed. He started to fire tear gas at the other workers. The other officers also fired tear gas.

I tried to walk but couldn't. Some workers picked me up and carried me to a warehouses that belongs to the Bethlehem Municipality near the checkpoint. Someone there called an ambulance, which took me to al-Hussein Hospital in Beit Jala. At the hospital, they cleaned the blood off me and gave me first aid. Then they took X-rays and found my right ankle was broken. They put my leg in a cast. I stayed at the hospital until 11:00 P.M. Officials from the DCO came to the hospital and I gave them a detailed statement.

The authorities' response: Case closed

I hereby inform you that the investigation of the complaint in question has been completed and I have decided to close the case on the grounds that unfortunately we were unable, despite our efforts, to locate the suspect.

Letter dated 19 March 1998 to Mahmoud Sukar from Eran Shendar, Director of the Department of Internal Police Investigations



2019

Jamal Sukar, now 48 and a father of four, spoke with B'Tselem field researcher Musa Abu Hashhash this year and described his life since the beating:

I still remember the day in 1997 when the Border Police officer beat me. At the hospital, I couldn't recognize myself. My right leg was in a cast and my face was crushed and swollen. My nose was bandaged and I had bruises and my body.

I felt frustrated and angry because of what happened to me. There was no justification for it. I had done nothing to upset the police officer who attacked me. To this day, I thank God I survived, because the attack could have cost me my life.

I was released from hospital the same day, but was confined to the house for three months because of the broken leg. The signs of the attack were still visible on various parts of my body, and to this day I suffer from pain in my right foot, especially when I get tired. Sometimes it's also hard for me to walk.

A B'Tselem researcher came to my home back then, took my testimony and photographed my injuries. He told me a complaint would be filed because of the incident. About ten days later, when I was still using crutches, I went with him to Checkpoint 300, where I gave a statement about what had happened. After I recovered, I was summoned to the DCO, where I gave another statement. They showed me pictures of black Border Police officers and I indicated three, but I wasn't sure.

A while later, I received a letter in which the Israelis said they apologized for what happened, but because I didn't recognize the police officer who assaulted me, the case was closed. I don't think closing the case was justified, just like the attack wasn't justified. Thank God I am still alive.

In 2000 I got married, and I now have four children. I have not forgotten what happened to me and often, especially when I'm alone, I remember that dark day. I told most of my friends what happened. The only ones I haven't told are my kids, because I want to spare them the resentment and anger I still feel.

1998

The beating of Saber Abu a-Russ, 19, Qalandiya Refugee Camp, Ramallah District, 10 December 1998

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

On Thursday, 10 December 1998, I left my home in Qalandiya Refugee Camp at 6:40 A.M. to go to work. I am a carpenter and work in the Atarot industrial area. When I got to the Ramallah- Jerusalem road at 6:45, I hailed a Palestinian taxi, got in and paid the fare. Before the taxi managed to drive off, a Border Police jeep drove up and blocked its way. A Border Police officer who was sitting next to the driver got out. He asked me: "Are you the one that came from Qalandiya?" The officer ordered me and four other young people to get out. As far as I know, only the driver and one passenger remained in the taxi. The taxi drove off.

The officer made us stand outside in the rain. He took our IDs and then ordered us to clear all the mess left on the road from the demonstrations that had taken place the day before: garbage cans, stones, burnt tires and other things. We cleared the road and stood there another five minutes or so. Meanwhile, it was already 7:00, which is when I start work at the carpentry shop. I went up to the jeep, knocked on the window and told the officer we had cleaned the road as he had ordered us, and now I had to get to work. I asked him to give me my ID so I could go.

The officer slammed the door open, hitting my left hand. Another police officer who was sitting in the jeep cursed my mother and told me to go back and stand where I had been with the other passengers. The first officer got

out of the jeep again and asked: "Who is Saber?" I said it was me. He held onto my ID card and gave the other four passengers their cards back and told them to leave. They flagged down cars and drove away.

After they left, the officer who had cursed me earlier got out of the jeep and said something in Hebrew, I think cursing the people of Qalandiya. He grabbed me by the neck and pressed on my throat. I was trying to get his hands off and push him away when three other cops attacked me and beat me. The four of them tried to get me into their jeep. They dragged me on the ground, tore my clothes and humiliated me in front of all the passersby. Some of the people passing by shouted at them, but no one really intervened.

Eventually I managed to break away and ran for 10 or 15 meters. The officer called out to me and said: "Come on, don't be afraid, come, take your card". He spoke in a soothing tone and I believed him. I went over and then he put his hand on the back of my neck, like a friend, and led me towards the jeep. When we were by the back door of the jeep, the officers jumped me and forced me inside. I was naked from the waist up and smeared with mud. A woman who was passing by managed to throw me the shirt that was torn off me when the soldiers dragged me on the ground.

They sat me on the floor of the jeep, between them. The jeep drove off and all the way they kept hitting me with their hands and helmets, kicking me and pulling my hair. One of them hit me with the antenna of his handset. Finally, the jeep stopped at the a-Ram checkpoint. Border Police there asked the ones in the jeep who

I was, and after they answered, the officers at the checkpoint beat me too. One of them got in the jeep, hit me with his hands and kicked me. Another officer ordered me to open the window and when I did, he shut it tight on my fingers.

After ten minutes or so, the jeep drove off again. They took me to the police station in Neve Ya'akov, and on the way there continued to hit me. We arrived at Neve Yaakov at 7:45. When the officers took me out of the jeep, they got a fright from how I looked and the officer ordered me to tidy myself up. I said: "What's the matter, what are you suddenly worried about? You did all this and now you ask why I look rumpled?"

We entered the police station. They held me there until an interrogator came. I asked to be allowed to call my workplace. I had to beg them to agree, and then I notified work where I was. They handcuffed me. The interrogator arrived only around 9 A.M. He was in a blue police uniform. The Border Police officer removed the handcuffs and then spoke with the interrogator. The officer gave me a document written in Hebrew and told me to sign that I hadn't been beaten and everything was fine. I refused to sign it.

After a few minutes, the officer called for me and took me into the interrogator's room. After that I didn't see the officers who had beaten me again. The interrogator said he had collected testimony from the officers and they accused me of attacking them and that I had hit four police officers. I said to him: "Look at me, do I look like someone who hit, or could hit, four Border Police officers? Look at my clothes and how I look and mud all over me.



The beating of Abu a-Russ was published in B'Tselem report, **Standard Routine**, May 2001

I'm the one who copped it from them. My clothes are torn, not theirs."

The interrogator got angry and said: "How are you talking to me?" He got up and slapped me. Then he closed the door and punched me. After that, I gave him a testimony. In the meantime, my employer came and signed a 2,000-shekel bail for me. I signed the testimony I gave the interrogator, even though it was written in Hebrew and I had no way of knowing what it said.

The authorities' response: Case closed

I hereby notify you that our department conducted an investigation as part of the aforementioned case concerning the complaint of Mr. Abu a-Russ.

Our case was closed after the investigation, due to lack of evidence.

Letter to B'Tselem dated 22 August 1999 from Boaz Segalovitz, Assistant to the Director of the Department of Internal Police Investigations

B'Tselem appealed this decision to then-Attorney General Elyakim Rubinstein on 3 April 2000 but did not receive a response.

2019



Saber Abu a-Russ, now 40 and a father of four, spoke with B'Tselem field researcher Iyad Hadad this year, sharing more details about the incident and his life since:

We are ten children — five boys and five girls. We all studied at university. Even my sisters studied at a time when it wasn't customary. We never got involved in anything, so much so that on the morning of the incident, I didn't know soldiers had entered the camp that night. I left the house early, as I did every day.

That day, the police attacked me and beat me severely for a long time without mercy. The painful thing is that they had no reason or justification. They kept hitting me even inside the jeep. It was terrifying. Imagine that you're alone with four armed people who are beating you up.

I remember it all clearly and still suffer from the consequences. At the time, I didn't tell the B'Tselem representative who was investigating the incident everything, because I was young and ashamed. That day I was preparing to sign the marriage contract with my fiancée, Asmaa Abu Ermeileh, who is now my wife, 40, and the mother of my four children.

The incident started when we reached the checkpoint. The officer got me out and told another officer at the checkpoint that I was the problem in Qalandiya, even though I hadn't done a thing. The officer at the checkpoint said to me in Arabic: "What, you throw stones?" I was glad I could finally speak with one of

the cops and complain to him, so I said: "I'm getting engaged in two days, do you think someone in my position would cause trouble?" I wish I hadn't said that sentence. I'm paying the price to this day.

When the officer heard that sentence, he said to the first officer in Hebrew: "This one's getting married in two days." He said it with contempt and arrogance, as if my engagement was something criminal. He said to his friend: "Look, look, he still thinks he's going to get married and have kids." The first officer pulled me over and said, to provoke me: "I'll frisk you, really search you." He ordered me to stand with my legs apart.

The police usually make us face the wall, but this time he made me stand facing him. Then he asked me again: "So, you're planning on getting married in a couple of days?" He also made signs with his hands so I could understand. I answered in Hebrew: "Yes, sir".

Then, when I was distracted for a moment, he kicked me as hard as he could in the groin and said: "Congratulations". I saw stars and fell over, writhing and screaming in pain. The police officer who hit me laughed and joked at my expense with a female police officer who was standing there.

After that, they threw me into the jeep, paying no attention to the bad state I was in, while I was twisting and groaning in pain. The cops sat on the seats around me and laughed at me. It was a terrible torment, especially because there was also a female police officer there who taunted and humiliated me.

They took me to the police station in Neve Ya'akov and released me only in the afternoon, when my boss came and signed my bail. He took me to a medical center, where they did X-rays and found that my testicles were torn and bruised, my hand was bruised and fractured, and my right leg was swollen. My leg is still not okay and it hurts to wear shoes. I also had severe abrasions in the chest and stomach, as well as bruises, scratches and bleeding in various parts of my body and swellings in the head.

But physical pain was nothing compared to the mental suffering. The physical pain wore off with medication and treatments, but the psychological pain is still with me, every single day. To this day, whenever I see a Border Police patrol, I get anxious.

The worst was fearing my wedding night, because I was afraid I wouldn't be able to function. To this day I have a hard time and thanks to God, I have a smart, educated wife with a high level of awareness. She supported me and helped me get through the crisis, and other crises I've been through as a result of that incident.

To this day, I can't watch movies that have violence or news reports about incidents with the Israeli army, although every Palestinian should be aware of what's happening around him. I live almost detached from reality. It reached the point that when my daughter Shuruq, 14, asks me to take her and her brothers for a walk and sees me hesitate, she jokes and says, even before I reply: Ahh, right, you'll tell us there's a checkpoint and trouble. She knows about my phobia. It causes me embarrassment and heartache. What can I say to her? I feel helpless in such situations.

I am also very worried about my sons and I'm afraid they'll go near places with soldiers or police. Even when they go to school, I call them or their mother a lot to make sure they're okay. The kids have grown up and complain about my anxiety, but they don't know what fear I feel and what a heavy price I paid.

I make a point of being sure to get home early and hardly ever visit friends, neighbors or relatives. I used to be a sociable person and an avid sports enthusiast. I even played football and won a few trophies in my school days. I did sports for a short time even after we got married, and then I dropped it.

Since the incident, I have never been able to get a permit to enter Israel. My father underwent catheterization and retina surgery in Jerusalem and I couldn't visit him. I also can't work in Israel, although obviously I could earn much more there.

B'Tselem filed a complaint at the time, demanding that the police investigate the incident and hold those involved accountable. I hoped something would happen, but it only led to disappointment and frustration. The results were very disappointing and nothing happened.

1999

The wounding of Sa'id al-Bardawil, 24, and Mahmoud a-Sharif, 30, in the sea across from Khan Yunis, the Gaza Strip, 9 April 1999

The testimony of Khaled al-Bardawil, age 35 and a father of four, from Khan Yunis Refugee Camp

The testimony was given to Najib Abu Rokaya on 14 April 1999

I have worked in fishing for 20 years. I have a fishing boat in partnership with my uncle. It's a launch, a large diesel motorboat, 13 meters long. On Friday, 9 April 1999, we went fishing around 3:00 P.M. We were 18 fishermen — I was on the launch, and we attached five smaller boats to it — sailboats and rowboats we towed behind us. At 3:00 A.M. we returned the rowboats and sailboats to the shore with five of the fishermen and the fish we'd caught, and went back out only with the motorboat, a group of 13 fishermen.

We looked for fish with our electronic device, and when we found some, we started fishing. It was about three kilometers from shore, in the section between Rafah and Khan Yunis. Fishermen are allowed to reach up to six nautical miles and we did not exceed that range. There were 40 more small and large vessels of other fishermen around us. All that time there were two Israeli vessels in sight. They saw us.

By 6:30 A.M., it was already full light. My friends and I pulled a net out of the water, and then we saw an Israeli Dabur ship approaching us. When it was about 20 meters away, the people on board read aloud the license number on our motorboat. After a minute or two, they went to check on the other fishing boats. It happens all the time and we weren't worried. We finished pulling in the net, got it onto the launch

and sailed on looking for more fish. The Israeli ship moved away and was 400 or 500 meters from us. Suddenly I heard gunfire and our launch shook. I stopped it. The Israeli ship approached us with the soldiers shooting automatic rounds at us from a weapon mounted on board. I saw eight soldiers on the ship, all in uniforms and protective vests. They didn't talk to us at all, didn't ask anything and didn't say anything. They didn't even curse. They just opened fire and that's it.

I headed quickly to shore because I was afraid they wanted to drown us. The ship continued to sail near us, about five meters away, and all that time the soldiers kept shooting. We shouted at them, waved our hands in the air and called out: "Why are you shooting? For God's sake, have mercy on us." The soldiers didn't stop firing. My brother Sa'id was hit in the face. The other people on board tried to show the Israeli soldiers that someone was wounded so they would stop firing. It didn't help.

Meanwhile, Mahmoud a-Sharif, who was below deck, came out wounded by bullets that had penetrated our boat. We examined him and found an injury that had crushed his arm bone and another injury to his buttocks. When I saw that, I stopped the launch and asked the Israeli team to take the wounded men. The soldier standing on the ship looked over, saw the wounded people and said: "Sail to the Khan Yunis harbor and I'll call for an ambulance." We put a tourniquet on Mahmoud because he was seriously injured. I continued to sail towards Khan Yunis. At that point, the soldiers were no longer firing at us.

The Israeli ship sailed next to me and when we were about 700 meters from the shoreline, the soldiers called out to me to stop. Suddenly they wanted to take the wounded men. I refused to stop because I didn't want to hand them over, we had already reached the shore and no longer needed their help. The soldiers

tried to block our way with their ship and threw ropes to us, but I dodged them and they eventually gave up. They stayed at sea, about 200 meters offshore.

I called the Palestinian Authority marine police, told them what had happened and asked them to come with a rowboat to take the wounded men away. An ambulance took Mahmoud and Sa'id to Naser Hospital in Khan Yunis. That same day they transferred Mahmoud to a-Shifaa Hospital in Gaza. Later I filed a complaint with the Palestinian DCO and the joint patrol members, Israeli and Palestinian, came to check the motorboat.

The authorities' response: No investigation opened

[...]

2. On 10 April 1999, during a naval operation in the Khan Yunis area, a number of vessels were requested to identify, as they had gone beyond the permitted location. One of the vessels refused to hand over certificates for inspection and even fled the scene. This vessel was called to stop, but refused to do so. Warning shots were fired twice into the air and warning shots were fired twice in the vicinity of the vessel. All to no avail.

3. Subsequently, the navy fired at the vessel and then, apparently, the two residents mentioned in your letter were injured.

4. In these circumstances, we find no cause to order an investigation.

Letter to B'Tselem dated 16 September 1999 from Col. Einat Ron, Chief Military Prosecutor

2019



Sa'id al-Bardawil, now 44 and a father of eight, spoke with B'Tselem field researcher Olfat al-Kurd this year and described life today:

I have been working as a fisherman since 1990, for almost 30 years. In the early years I made a good living and saved money. I would go to work right after morning prayers and work until the early evening hours. At that time, the Israeli army hardly bothered us. Sometimes fishermen sailed to an area where it was forbidden to fish, and then the army would fire warning shots in the air, but never in our direction. There were also some instances in which the army confiscated rowboats from fishermen who entered the area where fishing is allowed. The army never returned them to their owners.

I worked at sea for nine years with no problems. In 1999, when I was on my uncle Ibrahim's motorboat and we were fishing as always, soldiers shot at us. I was hit by some shrapnel in my face. Mahmoud a-Sharif who was with us on the motorboat was hit in the right shoulder. It left him with a disability. He lost sensation in his hand forever and couldn't continue working as a fisherman. I couldn't work for two years. The shrapnel hit my face and the doctors said that if they removed it, my face would be deformed. As a result, my face is swollen. At first, I had a hard time, but then I accepted it. We filed a civil claim against the army but received no compensation and the army did nothing to the soldiers who shot us.

Two years after the injury, I went back to work in fishing, because of the economic hardship. This is my profession and my livelihood. In 2002, after returning to work, I got married. At that time, the Israeli army harassed fishermen almost daily. This included shooting, spraying seawater that damages

floodlights and motorboat engines, confiscating and damaging rowboats and detaining fishermen. The army never returned the rowboats it confiscated. In addition, they reduced our fishing range to only three miles, a range with almost no fish.

In 2007, Israel almost completely closed off the sea to us when it imposed the blockade. We could hardly fish. I couldn't support my family. We are 10 people. In 2008, I also started working as a lifeguard in the summer, for four months a year. In the morning I work there, and in the afternoon, until midnight, I work as a fisherman, when the Israeli army allows it. I work for other people because I don't have enough money to buy a boat and fishing gear. Every time the soldiers chase us, we flee quickly to shore, so they don't stop us or damage the rowboat. I hope I can live a good life, raise my children and support my family.



2000

The beating of Medhat a-Shweiki, 23, the French Hill intersection, East Jerusalem, 9 July 2000

The testimony was given to Raslan Mahagna on 20 August 2000

I live in al-'Esawiyah, East Jerusalem, and work as a carpenter at a furniture factory in which my father is a partner in the Atarot Industrial Zone. Every day I leave for work around 6:45 A.M. and get home at 5:00 P.M.

On 9 July 2000, I finished work later than usual, at 9 P.M. My dad asked me to go to the Malha Mall to fix his phone. One of the workers from the factory rode with me. When we reached the French Hill junction, the traffic light was green but a soldier was standing almost in the middle of the road and I couldn't drive. I flashed the lights and honked for him to move, but he didn't move and I had to stop really close to him, with the traffic light still green. I asked him to move aside because he was putting his life in danger. The soldier told me I was being too cheeky and ordered me to keep driving, but in the meantime the traffic light had turned red so I refused. There's a camera at the intersection and it was just a soldier who happened to be standing there, not a police officer.

The soldier demanded that I show him my ID card. I refused and told him to order a police car and that I'd give the ID to the police. The soldier called someone on his phone, read out my license plate number and instructed me to park after the traffic light, on the side of the road. I was scared because he had taken my license plate number, so I did what he said. The soldier followed behind me. At that moment, another soldier passed by and asked the first

soldier what was going on. He replied that I was trying to be a big man and that he was going to teach me a lesson.

When I heard that, I immediately called the police 100 emergency hotline. I told the woman who answered that I was in trouble and gave her the address of the place. Suddenly, two Border Police jeeps showed up and blocked me. One stopped in front of my car and the other behind me. There were ten police officers there, in addition to the two soldiers. Three police officers attacked me and hit me while I was still in the car talking to the police hotline. Then they grabbed me by my clothes and dragged me outside. Four of them hit me all over the body and others removed the worker who was sitting next to me from the car. They punched him a few times and made him stand on the side. They beat me for about ten minutes.

Then the officers told me to get up, but I couldn't. They picked me up and threw me into one of their jeeps, in the back. Four police officers got into the jeep and drove towards the police station in Neve Ya'akov. Along the way, they kept beating me. They kicked me in the groin and the rest of the body and cursed me. A police officer saw me and asked me what had happened. I told him and he felt sorry for me and told me to ask to be taken to a hospital. The cops who beat me told him to open a file for me but he refused and said I should be taken to hospital first.

At some point, my father came to the station and told the cops to take me to the hospital. He threatened that he would file a complaint against them and only then they took me to Hadassah Hospital on Mount Scopus, where I was treated. One of the workers at the hospital, whom I know, wrote down the number of the jeep that brought

me in, as well as the name and service number of each of the officers.

Then an officer came to the hospital and asked that we "bury the hatchet". He told my dad that if I didn't agree they would arrest me, so I agreed. Two days later, I filed a complaint against the officers with the Department of Internal Police Investigations.

The authorities' response: No investigation opened

After reviewing the investigation material in the case, I decided not to prosecute the officer due to lack of sufficient evidence.

Letter to B'Tselem dated 5 February 2001 from Eran Shendar, Director of the Department of Internal Police Investigations

2019



Medhat a-Shweiki, now 42 and a father of six living in Eilat (southern Israel), spoke with B'Tselem field researcher 'Amer 'Aruri this year and described the repercussions of his assault:

When the cops attacked me in 2000, I had been married for about a year and a half. We didn't have any children yet, we had decided to wait a while. But after that assault, I couldn't have children. I went to a doctor and he told me that it was because of the severe beating I'd received in the testicles, and that I needed treatment so I could have children. I was treated by a doctor in Ramallah, which cost 20,000 USD.

Beyond the physical injury, the situation hurt me very badly mentally. People kept saying: You've been married for five years, how come you don't have any children yet? I was depressed and preferred to avoid contact with people and save myself the embarrassment.

At that time, I also neglected my work at the factory. It was just because of my dad that they didn't fire me long ago. I was always on edge and felt helpless because of my condition. I felt that people were mocking me and talking about me behind my back, saying I wasn't enough of a man. My father covered all the expenses for the treatment, and without him I would not be healthy and would not be able to have six children. Today my eldest daughter is 15 years old and my little boy is two.

After my eldest daughter was born, I regained my confidence. I felt that I was coming back to life and started going out of the house again and renewed social ties. But even so, when I had two children, I decided to leave Jerusalem and move to Eilat. Because of the assault, I felt that Jerusalem was not a

safe place for Arabs and I didn't want my little children to grow up in a city that was unsafe for them and full of racism. Eilat, on the other hand, is a city with a lot of tourists and allows people of different nations to live together. My children now attend Jewish schools and have German and Russian friends. My family lives in Eilat, but I work all over the country. I took several courses in Germany in installing operating room furniture and laser doors, and during the week I go through all the hospitals and medical centers and work in them. In the weekend I return to my family.

Years ago, I went to the Department of Internal Police Investigations to find out what was happening with the complaint I submitted. They told me I had not filed a complaint, although I clearly had. I understood that the department is just a front that is not really intended to serve victims like us. That may also have affected our decision to move to Eilat. We had lost all trust.

Today you opened up old wounds and flooded me with bad memories that I don't want to recall. I only agreed to sit with you because you explained to me that the purpose was not to file another complaint. I have no faith in any system that is supposed to get justice for Arab victims whose rights have been violated. It's hard for me to talk about it and I have nothing to add. Let's stop now, there's no point in digging up the past.

2001

The wounding of Hanan, 11, and Iman, 8, Abu Sha'ala, by a tank shell fired in Nur a-Shams Refugee Camp, Tulkarm District, 1 November 2001

**The testimony of Najah Abu Sha'ala, 33, a married mother of seven, including Iman and Hannan
The testimony was given to Raslan Mahagna on 5 November 2001**

I have seven children. The eldest is 12 years old and the youngest 1. My husband does sanitation work at the Tulkarm Municipality and is our only breadwinner. He suffers from a neurological disease and headaches, so he doesn't work a full month and his salary is low. My husband is known as a quiet man who has nothing to do with politics and only focuses on supporting the family. My daughter Sundus, 2, was burned a few months ago in the chest and stomach from hot water that was on the stove. She has big scars and has to undergo plastic surgery, but we have no money to pay for it. I am seven months pregnant and have diabetes.

Our house is about 30 meters away from the main Tulkarm-Nablus road. It has three small rooms and no windows panes or shutters. In winter we cover the windows with plastic. My five older children go to UNRWA schools in the camp, and the two little ones stay home with me.

On 13 October 2001, Israeli tanks entered Tulkarm. Since then, our lives have become hell. The tanks are in the grove in front of the camp, about 500 meters away. There are also tanks on a hill about 500 meters behind the camp, hidden by the houses. Every day we hear shelling and shooting, and sometimes helicopters over the camp. The firing

usually increases at night, when there are exchanges of fire between Palestinian gunmen shooting from the alleys of the camp towards the Israeli tanks, which massively shell the camp.

That's why, as the evening draws near, we all go inside and dare not go out. We are afraid of being hit by the shooting. Every time the shooting starts, I quickly sit my kids down near the stairs that lead to the roof, because it's the safest place in the house. If the kids are asleep when the shooting starts, they wake up from the gunfire and stay up until it's over. When there is an exchange of fire during the daytime, the children come home early from school.

On Thursday, 1 November 2001, we all woke up at 6:00 A.M. My husband went to work and I dressed the kids and got them ready for school. They drank tea, ate biscuits and went to school. At 8:30, I heard helicopters circling in the air. I watched from the balcony and saw three tanks traveling in a column towards the village of 'Anabta on the Tulkarm-Nablus road. Just then, my children came home. They said the teachers had released them early because they feared the helicopters intended to shell the camp.

Around 9 A.M. we heard loud firing. As always, I took all the kids to the stairs that lead to the roof. We all crowded in there, me and the seven kids, in a small area of about one square meter. Some of the children sat on the stairs and some stood. I stood holding my little boy, Muhammad, who is one year old. Meanwhile, the gunshots and the noise of the tanks increased. Suddenly, our whole house shook. My daughter Hanan shouted that her neck hurt. I put the baby down and looked at her neck. I saw that she was bleeding, but I didn't know what had hit her.

I reassured her and told her that when the shooting stopped, I'd take her to the doctor. Then I saw Iman fall to her knees. I went over and saw that she was bleeding heavily from the neck and back. I hugged her and started shouting and crying out to her, but she didn't answer, she had already lost consciousness. I thought she was dead and started screaming for help. My other kids started crying and they all lay down on the floor. I didn't know what to do.

Just then, several young men came into the house, took my two injured girls and went outside with them. I didn't know what was going on with them and blacked out myself, probably because of the stress. Then I woke up and saw some of my neighbors around me. They calmed me down and told me Hanan and Iman had been lightly wounded by shrapnel and were being treated in hospital in Tulkarm. I insisted on seeing them and one of the neighbors took me to the hospital. By that point, the shooting had stopped.

When I arrived at the hospital, Hanan was sleeping. I woke her up and she told me she felt alright. One of the doctors came in and told me her injury was minor and that I could relax. I didn't see Iman and when I asked about her, I was told that she was in an ambulance on the way the hospital in Nablus. My husband's cousin Fathi went to Nablus and in the evening, when my husband returned from work, we returned home with Hanan.

Later, Fathi called and said they had transferred Iman to al-Muqassad Hospital in Jerusalem, because she was in bad shape. He went there and stayed with her until Saturday, and then my husband replaced him.

I can't get to Jerusalem because I don't have a permit to enter Israel and because it's very hard with the closure and the checkpoints. I talked to my husband on the phone. He said Iman's condition was serious, that the shrapnel had caused a spinal injury and that she could not move her right arm or leg. The doctors said that when her condition stabilized, they might operate on her.

The authorities' response: No investigation opened

1. Our investigation into the matter revealed that on 1 November 2001, terrorists who were planning to carry out an attack in the Sharon area were identified riding in a taxi between the villages of Bal'a and 'Anabta. After the identification, shots were fired from a helicopter at the taxi. This killed two Hamas terrorists.
2. Palestinian reports submitted to the Israeli forces after the operation stated that as a result of the helicopter fire, the child Iman Abu Sha'ala was seriously injured and later taken to hospital in Nablus. This matches, as noted, the information you submitted, according to which Iman and her sister were injured by shrapnel in the family home near the Tulkarm-Nablus road (on which the village of 'Anabta is located).
3. After reviewing the overall circumstances of the incident, the decision is that there are no grounds for ordering an MPIU investigation on this matter.

Letter to B'Tselem dated 8 April 2003 from Col. Einat Ron, Chief Military Prosecutor



2019



Iman Abu Sha'ala, now 26, spoke with B'Tselem field researcher Salma a-Deb'i this year and related what she has been through since the severe injury:

My childhood was difficult. I was the fourth child in a large and very poor family. I always sat on the side and was very quiet. But on 1 November 2001, everything changed. It was a black day that turned my life upside down.

That morning we were at school, at recess. We heard bombing and there was a helicopter right above the school. It was so close that the soldiers could easily jump out into the yard. There was a terrible panic, everyone was screaming and crying, the students were running around crashing into each other out of fear. The teachers tried to gather us in a safe place and calm us down, and after a short while the principal and the teachers told us to go home. My older sister Hanan grabbed me by the hand and we left school. At the exit there was a large tank and youths were throwing stones at it. It was the first time I'd seen a tank and I was very scared. It was huge and threatening. In the end, we got home and I calmed down a little, because I thought the house was a safe place, but that turned out to be wrong.

At the entrance to the camp, across from our house, there was another tank. I was standing by the stairs leading to the roof when I heard an explosion inside our house. We were all sitting on the stairs, and my little brothers and sisters were crying. Then I don't know what happened. I woke up in hospital, completely naked. The paramedics were searching for where I was hit. The

doctor asked me where it hurt and I told him that my whole body ached. My sister was in the bed next to me and called out to me, she tried to reach out to take my hand. I was crying, the pain was so bad.

I was taken to al-Muqassad Hospital. I cried a lot because my mother couldn't come with me. Someone who was sitting in the ambulance told me not to be afraid. He said he was a relative of mine and that he would take care of me. Only afterwards did I learn that he was my aunt's husband. I didn't know him because we did not join our mother on her visits to relatives.

I kept crying until my father came to the hospital. Only then did I calm down. I wanted to go home and begged my father to let me get up, but I wasn't allowed out of bed. In the end, after I begged and cried, my father brought a big wheelchair, picked me up and sat me down in it. I couldn't move a muscle. Until that moment, I hadn't realized I would be confined to a wheelchair for a long time.

I stayed two weeks in the hospital and then they took me to the Abu Raya center in Ramallah for physiotherapy. My maternal aunt took care of me because my mother was pregnant. She visited me maybe twice. Whenever she came, I was so happy. She was quiet and gentle, and I felt how much she loved me and how close we were. I wanted her to stay, but even though I was little, I realized she couldn't. I cried a lot, and she cried too. I was in bed all the time, staring at the ceiling, unable to move or do anything. My arms and legs were strapped so I wouldn't fall out of bed.

After a few months I went home for a visit during a holiday, either 'Eid al-Fitr or 'Eid al-Adha. An ambulance brought me home in a wheelchair. I was very happy. I met my baby brother, who had been born in the meantime, and everyone came to visit me, including my school principal and teachers. I saw in their eyes that they were very sorry for me. I was a top student and my grades were always good. A few days later I went back to the Abu Raya center and stayed there for another few weeks. In March, I went home.

I didn't have the wheelchair anymore, but my right leg still hurt. It wasn't strong enough and it was very difficult to walk all the way to school. It's a long walk that takes about 15 minutes. I was often late to school because I had a hard time getting there. Some of the girls made fun of the way I walked.

I had to have another operation to get the shrapnel out of my neck. The doctors said that otherwise, it could cause me complete paralysis or even death. The surgery was scheduled in Jordan and I was due to travel in May 2002, together with my father. But on 10 April 2002, soldiers shot my father and killed him on his way to work, at 'Anabta checkpoint. It was a terrible blow for me. My father was the one who picked me up and made me laugh and would find all kinds of tricks to convince me to eat because I was very thin at the time.

There was no one to go with me to Jordan, so in the end I went with my maternal uncle. He was with me for three-four weeks. In the surgery they removed the shrapnel from my neck but not the fragments in my head, because they said it would endanger my life. After I got back, I had

to have physical therapy again. After the surgery, I was like a baby taking her first steps.

Although my condition has improved, my right leg still feels weak and I can't stand or walk much. My right hand was also weak and things would fall out of my hand. For example, in the middle of eating, the spoon would fall and the food would spill onto my clothes. Now things have improved thanks to physical therapy.

I graduated from high school and started studying accounting at the al-Quds Open University. I also studied makeup but couldn't continue because the work affected my body and I became weak and exhausted. I also worked as a secretary at a doctor's office, but he wasn't considerate about my condition and didn't understand it, so I left. I hope I find a good job soon.

Over the years, several young men asked for my hand in marriage, but when they learned of my injury, they changed their minds. At first my mother would get angry and upset, she would suddenly become a completely different person. I got engaged twice, but the engagement was canceled. The first time I got engaged to my cousin who lives in Jordan, but I canceled the engagement because I felt he would treat me like a maid and want me to stay home all the time. The second time I found out the guy wanted to get engaged just to get a permit to work in Israel only married men can get.

I had already given up and didn't believe I would ever get married, but five months ago I got engaged to a young man from Tulkarm. I don't know what my life will look like now. I am very worried about the future. I'm afraid that

pregnancy and childbirth will make my health worse and that my husband will abandon me. My fiancé doesn't visit me as much as he did at first and I always think it might be because of my injury. I'm afraid that maybe he doesn't love me, maybe the way I walk bothers him. I know that people talk about me. I had a lot of accusations hurled at me after I canceled the previous engagement. Everyone treats me like a crippled girl who can't get married, give birth and take on the tasks that come with marriage and children. Everyone sees me as a girl who is lacking something and if I get married then my husband will probably be disabled like me.

It's hard for me that I'm not seen as a girl who can fall in love, or have someone like her back, who can love and be loved. I've been paying the price of my injury my whole life. I'm expected to live like someone who's worth less than others. I want to live like any other girl, I want to have a family and children to love and protect.

The killing of Nidal Abu Muhsen-Daraghmeh, 19, Tubas, 14 August 2002

The testimony of 'Ali Daraghmeh, a field researcher for B'Tselem who witnessed the incident

The testimony was written by Daraghmeh on 15 August 2002

Yesterday, at 1:00 P.M., I was at home in the eastern neighborhood of Tubas. From the house I saw a white Volkswagen minibus enter the neighborhood from the north. About ten soldiers got out and immediately fired into the air. They entered Mahmoud Abu Muhsen's house. I heard the shouts of the soldiers and the occupants. When I looked out the window facing north-east, I saw ten Israeli military jeeps, two of them Border Police jeeps.

I saw the soldiers walking between the houses. At some point, they knocked on my sister Umm Nidal's door. Her son Nidal, 19, and my brother Younis, 22, opened the door. The soldiers demanded that they take off their shirts and turn around, and then told them to evacuate a wounded man from the house next door. The wounded man was 'Izzat Abu Muhsen. I saw Yunes and Nidal lift 'Izzat and carry him about a hundred meters in the direction of the soldiers. At that moment, I saw the soldiers tie Yunes' hands behind his back and order him to sit 200 meters away. Then they talked to Nidal.

After about 15 minutes, Nidal came to my house and pounded on the door. My one-year-old baby got a fright and started to cry. I opened the door and asked why he was banging like that, and he told me: "The soldiers demanded that I knock on the doors hard, otherwise they would shoot me."

I left the house with my wife, my baby daughter and my brother Ibrahim, 32. One of the soldiers tied my hands behind my back with a white cord. Then he searched my brother Ibrahim, tied his hands behind his back and ordered us to sit down where the other people were sitting. I heard the soldiers order Nidal to go with them towards Faiq Abu Muhsen's driving school, which is a hundred meters or so from the houses and about 200 meters from where they had us sit.

Later I learned that the military was looking for "wanted" people who were in Muhammad Abu Muhsen's house, which is next to Nidal's house. The homeowner wasn't home at the time and the soldiers took his wife, Sanaa, and interrogated her for about half an hour. Then they ordered her to sit next to us. She told us that the soldiers had dressed Nidal in something military and given him a black dog. She said Nidal had walked towards the houses that are about 100 meters away and she had not seen him since. One of the children who was with us, Muhammad, 14, also said he'd seen Nidal walking towards the house wearing something military and leading a black dog.

I heard gunfire and saw the soldiers firing at the houses. Then I heard loud explosions inside the house. I think the soldiers fired missiles at the house. I heard four explosions and then I saw thick smoke rising from the house. After the explosions, the soldiers fired intensively at Muhammad's house and then they broke into his neighbor's house, Ibrahim Sa'ud. I saw the soldiers go inside and shoot. Then two bulldozers drove up. One blocked the road and the other demolished Muhammad's house.

After 20 minutes or so, I saw four soldiers carrying someone on a stretcher. When the soldiers arrived at the school, they threw him off the stretcher like you throw trash. We didn't recognize the man because we were 200 meters from the soldiers. He was wearing a gray shirt and black pants. We didn't think much of it because we thought it was one of the wanted men the army had been looking for.

At about 5:30 P.M., the soldiers started up the vehicles, removed the bulldozers and collected all their equipment. There were more than 60 soldiers there, more than 10 jeeps and two bulldozers. Two tanks were standing two kilometers from the scene of the incident. We went towards the houses to see what had happened, and we saw that the houses the soldiers had been in were badly damaged. All the doors and windows were broken and furniture was damaged by bullets.

Under the rubble we saw a man's head and part of his chest. Some people said it was the body of Nasser Jarar, a resident of Jenin who had been staying with Muhammad. We didn't find any weapons or other bodies there. The people started clearing away the rubble and we went to look for Nidal. We thought the soldiers had locked him in one of the driving school trailers. When we didn't find him, I called B'Tselem and told Nimrod, my manager, what had happened. Nimrod told me that Nidal had been killed in the incident.

The authorities' response: Case closed

1. An examination of the matter found that during an IDF operation to capture a terrorist on 14 August 2002 in the village of Tubas, the forces employed the assistance of Nidal Abu Muhsen. Mr. Abu Muhsen, who lived near the house where the terrorist was hiding, was asked to go between the houses in the compound where the terrorist was staying and call all the inhabitants to come out. The goal was to prevent, to the extent possible, harm to innocents.
2. The examination found that the commanders of the forces on the ground did not estimate that employing the assistance of Mr. Abu Muhsen would place his life in danger.
3. Unfortunately, during the incident, several shots were fired at Mr. Abu Muhsen, apparently by the terrorist, killing him.
4. The death of Nidal Abu Muhsen is a tragic and unfortunate event. However, given all the circumstances, it was decided that no further measures should be taken concerning the complaint.

**Letter to B'Tselem dated 9 July 2003 from Col. Einat Ron,
Chief Military Prosecutor**



2019

Muna Abu Muhsen, Nidal's mother, 57 and a mother of ten, spoke with B'Tselem field researcher Salma a-Deb'i this year, describing the incident and life since losing her son:

My eldest son Nidal fell as a martyr on 14 August 2002, when he was 19. It was a traumatic, painful event that affected everyone. The soldiers came into our neighborhood and called everyone out of the houses. We were safe in our house until the soldiers took us out of it. I went out with my boys, most of whom were little. Nidal, the eldest, was 19, but Muhammad, who is now 21, was only five years old. I remember the last thing my eldest son said to me: "Mother, go outside with my sisters." He went outside before us, and that was the last time I saw him. The soldiers led us to an area near the cemetery. We stayed there for four-five hours and the whole time we heard shooting, soldiers shouting and the noise of bulldozers. It was tough and we were very scared.

After the soldiers left, we found out that there was a martyr, Nasser Jarar, who had been hiding in a house in the neighborhood. I searched for my son, crying, and asked the men if they'd seen him. They told me that the soldiers had taken him with them. Everyone reassured me that he would be back soon. I calmed down a bit. My little boys were scared and hungry, so I had to calm down, go home and take care of them.

The house was in very bad shape. The soldiers had destroyed everything. Even the clothes inside the closets were torn, and the soldiers had also torn the clothes I had laid out for the girls to wear to school. But I wish the

house had been ruined a few more times and Nidal was still alive.

The next day, at midday, Nidal's body was returned, with no movement, no life and no spirit. There was dirt covering his face, hair and clothes. They killed him and set him aside until they finished what they were doing, and only then did they take him away. Later, I learned from residents that they had chosen Nidal out of everyone to serve as a human shield, going ahead of the troops. Once he got to the house, he was shot from within it, because they thought he was a soldier. He was shot in the head.

That's how my suffering began. My eldest son, who was so dear to me, was martyred. He was my prince and now he's gone. I always dreamed of how he would grow up. But he was killed, without doing anything to anyone, just because a soldier with protective equipment wanted to keep himself safe and sacrifice my son, who was unarmed and didn't even know who was in the house.

The sorrow and the grief have been with us ever since. Nidal died 16 years ago and I still feel as if it happened yesterday. His death destroyed every good part in me. Six years ago, I got heart disease, maybe because of all this grief and pain. I had surgery and had four stents implanted in my heart.

I hate the holidays. Every time, a few days before the holiday, I walk around with a heavy heart because I remember Nidal and the visits of my brothers and Nidal's uncles paid us back then. I imagine what would have happened if he were still alive. He would probably have been married, and my grandchildren would be playing

around us, with the whole family coming to visit. On the holidays, the men usually visit the female relatives. My husband goes alone to visit our daughters. If Nidal were alive, he would probably go with him and help him. We have no one to rely on in this life.



2003

The beating of Amin Hamdan, 32 and a father of four, at the 'Ein Ariq roadblock in Ramallah District, 2 June 2003

His testimony was given to Iyad Hadad on 8 June 2003

On Monday afternoon, 2 June 2003, I left work at a-Sheikh Zayed Hospital in Ramallah and set out home, to the village of Beit Sira, which is 30 kilometers from Ramallah. Around 2:00 P.M. I reached the entrance to the village of 'Ein Ariq and saw dozens of Palestinians standing a few meters away from a dirt mound roadblock. There was a military jeep next to the roadblock, and five soldiers nearby. They weren't letting people cross the roadblock, not even on foot.

I joined the people waiting at the roadblock, hoping the soldiers would let us through. The soldiers hardly let anyone pass, and I understood from the people waiting there that they let only the residents of 'Ein Ariq through. Some people tried to get closer to the roadblock, but the soldiers shouted at them to go back and threatened them with weapons.

After about an hour, at around 3:00 P.M., I went over to the jeep. There was a soldier with a badge on his shoulder who I think was the commander. He was tall, blond and thin with fair skin. My Hebrew is good. I told him I had to cross the roadblock to get to my sister's engagement party. He refused. I told him it was my right to cross the roadblock and he said: "No, you have no right." I told him: "You can run a security check and inspect my ID, but you can't stop me from crossing". The commander replied angrily and demanded my ID. He took it from me and pulled me by my collar. He swore and said: "Son of a bitch." I answered: "You're a son of a bitch." Then he dragged me about ten meters to where

the other soldiers were standing and began hitting me on the mouth. He hit me all over my body with his hands and his rifle butt. Two soldiers joined him. I remember exactly what they looked like and could identify them. Both were blond and short, with a medium build and a fair complexion. One had freckles. They hit me in the face, body and legs right in front of the people waiting at the roadblock, and in front of camera crews from Al-Jazeera and Kuwaiti TV. I tried to fend off the blows with my hands and shouted at the soldiers. While they were beating me, the soldiers swore and called me "bastard" and "son of a bitch".

After they beat me relentlessly for 10 minutes, the people standing at the roadblock started yelling at them and shouting, "Oh God, Oh God". Some of them started throwing stones at the soldiers. I saw two women, one of them elderly, go up to the soldiers. The soldiers threatened them with their guns, but they weren't deterred and shouted at the soldiers to let me go and stop hitting me. The soldiers kicked them both and drove them away, threatening them with their guns. Then they went on beating me. The men at the roadblock kept shouting at the soldiers and tried to go up to them, but the commander and another soldier started chasing them. The other two soldiers kept on beating me. The freckled soldier told me: "The commander has gone and now we're going to beat you to death." I told him I wasn't scared. They kept hitting me with their guns, especially around my waist.

Then the freckled soldier hit me four times in my right lower jaw with the barrel of his rifle. I felt the jaw swell up and go numb. A lot of blood came out of my mouth.

Meanwhile, the commander and soldier returned, having removed the people from the roadblock.

Then four military jeeps arrived. One soldier blindfolded me with a piece of cloth and tied my hands in front of me with zip ties. Two soldiers grabbed me, one on each side, picked me up and tossed me into one of the jeeps. My right shoulder smashed against the side of the jeep and I fell inside, landing on my right side. I hit the floor with my shoulder and my right hip. When I was inside, the soldiers punched me in the back.

Then one of the soldiers grabbed me by the arms and sat me down on the back seat. He took off my blindfold and started washing the blood from my face. I remember that soldier. He was tall and full-bodied. His face was red. He sounded like he was trying to calm me down and said to: "Don't be angry, never mind, be a man. Not all Jews are like that, there are good ones and bad ones." He wiped the blood off my face and then put the blindfold back on my eyes. Then he said: "Here, the checkpoint commander has arrived. I'll explain to him what happened to you and ask him to let you go so you can attend your sister's wedding." I could see him through the blindfold. He got off the jeep and took the commander aside. They stood about a meter from the jeep and I could hear them. I heard him tell the commander that I was trying to get to my sister's wedding and that the soldiers had beaten me.

I didn't hear the entire conversation and I don't remember everything. I remember the soldier telling the commander: "Please don't embarrass me in front of the other soldiers, don't tell them that I told you what happened." I heard the commander say: "Okay, now we'll take him in the jeep." The

soldier returned to the jeep and loosened my blindfold. He sat with two other soldiers in the back and the commander who had beaten me was in the front seat. The jeep set off, and during the ride the soldiers didn't hurt me.

Around 4:30 P.M. we arrived at the Ofer military camp, which is four or five kilometers from the roadblock. I was in very bad shape. My body was aching all over and especially my right jaw, which was also very swollen. I felt nauseous and was still bleeding from the mouth, although less than before.

When we arrived, the soldiers took me out of the jeep and sat me in a chair in front of one of the rooms. About 15 minutes later, they took me into the room and removed the blindfold. I saw a soldier sitting in the room. He didn't tell me who he was, but I guess he was a military doctor because he checked my mouth, jaw and the rest of my body. The room was full of ammunition, crates and weapons, and didn't look at all like a medical clinic. The commander who had hit me was also in the room. After the examination, the soldier told me: "You have fractures in your face, and I can't leave you here under my responsibility. You have to be sent back or taken to hospital." I told him I wanted to talk to a senior commander and file a complaint. The doctor said it was my right to do so, but nothing happened.

The doctor talked to the commander who hit me. I heard the commander ask for me to be taken out and then a soldier came in and took me back to the chair outside the room. There were several soldiers walking around, but no one was guarding me. I heard part of the conversation going on inside the room. The doctor asked the commander to release me because there was no medical equipment at the camp and I had to have an X-ray done at a hospital. Then

the doctor came out of the room and said to me: "I'm sorry, there's no X-ray equipment here and you need to get to a hospital" and left.

I stayed sitting on the chair until 7:00 P.M. During all that time, I was given no food and no medical treatment. I was only given something to drink. At around seven o'clock, the commander blindfolded me and then they took me back to the jeep and dropped me off at the Deir Ibzi' checkpoint, after removing the blindfold and handcuffs and giving me back my ID card. I managed to get to my village, Beit Sira, and from there I went to the clinic in the village of Khirbet al-Misbah. The doctor on duty gave me an injection and painkillers and said I should get to a hospital to have X-rays, because he didn't have the proper medical equipment.

Because of the difficulty crossing checkpoints, and because it was late, I couldn't get to a hospital that evening and went back home. The next morning, I wanted to go to Ramallah Hospital, but when I got to the 'Ein Ariq Checkpoint, the same soldiers who had beaten me were there. I told them I was going to the hospital, but they wouldn't let me through. The commander who had beaten me said: "Get out of here or I'll shoot you." I tried to insist and told him my medical condition required a hospital, but he just said: "You can go and die at home." I had no choice but to go home, even though the pain in my jaw was terrible.

On Thursday, 5 June 2003, I heard that the checkpoints were open, so I decided to try to get to hospital again. When I reached the 'Ein Ariq Checkpoint, there were other soldiers there letting people through on foot. I reached the hospital, where I was examined and X-rayed. The doctors told me I had bruising and a fracture in my lower

right jaw and that I had to have surgery on my jaw. They scheduled the surgery for next week, on 11 June 2003.

The authorities' response: File missing

The Central Command Advocate's Office contacted you about receiving medical documents in August 2003 and has received no reply to date.

Letter to B'Tselem dated 15 May 2007 from Lieut. Itai Asael, Assistant to the Chief Military Prosecutor

(B'Tselem had sent the Central Command Advocate's Office the required medical documents on 10 September 2003, and re-sent them again further to this letter.)

The case has not been located in our office.

Letter to B'Tselem dated 23 August 2009 from Captain Itai Asael, Chief Military Prosecutor

2019



Amin Hamdan, now 47, from Beit Sira, Ramallah District, spoke again with B'Tselem field researcher Iyad Hadad this year and described what he went through after their last meeting, immediately after he was beaten:

When you documented the incident, everything was still fresh. It had barely been five days since it happened. The soldiers caused a fracture to my right jaw and injuries to my mouth, as well as bruising and dry injuries all over my body. Later it turned out they'd also broken three of my ribs. For over a week, my face was so swollen it was hard to recognize me.

At the time, some media crews came, and the story was reported on several networks. The whole world saw it. B'Tselem also filed a complaint on my behalf, but it was all in vain. Nothing came of it. The attackers remained free and perhaps even assaulted other people because they knew they were free to harm Palestinians.

After the incident I underwent jaw surgery and my jaw was closed for 60 days. I got my food through a straw and couldn't move my head. I couldn't speak or laugh and could only communicate in writing. I couldn't wait to have the splint removed, but even after it was taken off, I had to undergo rehabilitation for two months and only later, gradually, my condition improved. I had more treatments and physical therapy until I was completely healed.

The rib fractures took a few months to heal because they couldn't be put in a cast. Every movement I made hurt immensely. Because of the pain, I also had a hard time

sleeping during that period. For four or five months after the attack, I was confined to the house and was in a very bad state of mind.

The incident left me with a kind of paranoia. I'm afraid of anything to do with the Israeli military or police. I avoid roadblocks and police vehicles whenever I see them. It's hard to move around like that, and was especially difficult in the years following incident, when the army was everywhere. It was very difficult for me to get to work then, because the army blocked all the roads with dirt mounds and checkpoints. This continued until 2006, when things calmed down a bit.

The assault was a turning point in my life. At the time, I had money I'd saved to build a separate house for my family, so we could leave the small room we lived in at my parents' place. We were all crowded into one room with a kitchen and bathroom. But after the attack, I couldn't do it, I didn't have the strength. I only managed to fulfill my dream and move into a separate home of my own two years ago.

Sadly, my wife Maysoun died at 40, on 5 June 2017. She didn't get the chance to celebrate the fulfillment of our dream. She died without seeing our children grow up, graduate university start their own families and succeed in life. Like every mother in the world, she dreamed of having her own grandchildren to pamper and play with. She didn't even get the chance to move into our house, which she had dreamed of.

I used to be in charge of security at a hospital and recently started working as a consultant at the office of the mayor of Ramallah. But life isn't measured by social status or

money. You can't fix feelings. Even if I have all the money in the world, I'll never forget what happened. I will always remember how those soldiers hit me and humiliated me before dozens of people and TV cameras. Even my kids felt broken and humiliated. How could they not? With their father, who is their role model, beaten, humiliated and helpless.

At the time, my son Muhammad, who was six, broke into tears whenever he looked at me. The sight scared him because my face was swollen. He kept asking me: "Why did the Jews hit you, father? Why didn't you hit them back? Why didn't you tell Abu Amar [Yasser Arafat] to put them in jail? How did you let them do that to you?" Every time I heard those words, it was like being stabbed with a knife.

The killing of Samir Hijazi, 39 and a father of two, Rafah, the Gaza Strip, 28 November 2004

**The testimony of Nisreen Hijazi, 26, Samir's widow
The testimony was given to Zaki Kahil on
5 December 2004**

Our house is in the western part of Rafah and has two floors. We lived on the second floor — me, my husband Samir who was killed and my two children: Mahmoud, 8, and Banan, 6. The first floor was not ready yet and was intended to serve as a clinic for my husband, who was an orthopedist at Nasser Hospital in Khan Yunis. He didn't manage to finish building his clinic.

The second floor has four rooms, two facing south and two facing north. The south side of the house is dangerous because less than 250 meters away there is an Israeli military observation tower called the Zo'rub Tower. A lot of bullets hit our house and there are bullet marks on the doors, windows, walls and balconies. Our bedroom used to be on that side, but because of the danger we moved to a room on the north side. The southwest room, which is the most exposed, is deserted, and in the northwest room there is a small clinic.

On Sunday, 28 November 2004, Samir got home around 3:00 P.M., relatively early. He was at the hospital from 8:00 A.M. to 2:00 P.M. He often worked until later. He had lunch and sat down to help the kids with their homework. Then someone came to him for treatment. Half an hour later, he finished examining him and returned to the children. In the meantime, they had finished their homework and he played with them. He was a devoted father and spent

a lot of time with the children. They loved him very much. Samir played with them until seven in the evening and then I brought the kids dinner. Samir, who had eaten at three, was not hungry yet, but he sat with them at the table because they liked to eat with him. They said that if he didn't eat with them, they wouldn't eat, so he pretended to eat. After dinner, he read them stories and they fell asleep about 7:30 P.M.

After the kids fell asleep, Samir worked on the computer in the kids' room and I sat in the living room studying for a test. I am a student at the Department of Religion at the Khan Yunis branch of the Islamic University. At around 8:00 P.M., I heard massive shooting and shelling by Israelis coming from the east. There were tanks near the Zo'rub Tower and along the border with Egypt, 1-1.5 kilometers southeast of our house. I didn't get worked up about it because we'd gotten used to shooting of that kind, usually in the evening. It has been that way since the al-Aqsa Intifada began.

A little after 8:00 P.M., Samir got a call from the hospital that he was needed urgently. He went to get ready and before he left, he checked on the kids, just to make sure they were okay.

He opened the door to the room and looked out from the balcony. Then he went back into the room, closed the balcony door and looked at the children. At that moment, he was hit in the stomach, on his right side. He cried out, "Ah, ah". I ran to the room and saw him with his hand on his stomach. He told me he'd been hit and fell over. The children, who had woken up from the shooting, were screaming. Samir didn't say anything else and then he fainted.

I called an ambulance and told them Dr. Samir Hijazi had been hit and they must come quickly. I hung up and went back to Samir. I didn't know what to do. I said: "What can I do to help you?" I was terrified, shouting and crying. That was about 8:30. After about 15 minutes, I heard the ambulance outside, but they didn't know exactly where our house was, so I went out on the balcony and called out to them. They carried Samir away. I told them he needed urgent help.

Then I went to my father-in-law's house and left the children there. I went to the hospital and waited there for about an hour. Then the doctors informed me that he had internal bleeding and that they needed blood. But at 10:00 P.M. they said it was no longer necessary, because he had died. Later I heard on the radio that many people were injured in our area that evening and the following day.

I went to my father-in-law's house and we have stayed with him ever since. I can't go back to the house my husband was killed in, and in which I have such precious memories of him

The authorities' response: Case closed

[...]

2. An operational inquiry found that at the time and place mentioned in your letter, shots were fired at suspicious persons who were crawling towards an area that is at high risk for hostile terrorist activity, at night.

3. Consequently, and as the open fire regulations do not appear to have been violated, the MAG did not see fit to order an MPIU investigation.

Letter to B'Tselem dated 16 July 2007 from Col. Liron Libman, Chief Military Prosecutor

2019



Nisreen Hijazi, now 40, met with B'Tselem field researcher Olfat al-Kurd this year and described life since her husband was killed:

When I heard that my husband had died of his wounds, I was shocked. I didn't expect that to happen. He was hit in the stomach and I didn't think he would die. I cried a lot and said over and over, "We belong to God and to Him we shall return". I couldn't handle what had happened, it was so sudden. Within minutes, I lost him. The funeral was held the next day. I hugged and kissed him and said, "Go in peace". The children didn't stop crying.

I was only 26 when I was widowed and my children became orphans. The moment he was martyred and we lost him, my suffering and the hardship of raising children alone began.

When my husband was shot, he was inside the house. He was posing no danger to the Israeli army that killed him. He was a civilian standing in his children's bedroom. The army knew what had happened, but they didn't even express regret or apologize. Nobody was tried and held accountable, as if Israel is above the law.

Ever since I lost my husband, my life has been sad. I lost both my husband and the breadwinner who supported the children and me. The children grew up without their father and missed the chance to get to know him. They were denied his love, care and concern for their welfare and needs. They lost everything that was beautiful in their lives. They were robbed of the possibility to say: "Dad!" My husband loved the kids very much and was a

very devoted father. They meant the world to him and he did everything for them. But the Israeli army's bullets robbed them of him.

I, too, have suffered a lot since losing him. I raised the children alone, taught them and looked after them when they were sick. My life has been solitary. It was very difficult to continue my studies, and I did it only so I could find work to support the children. Many men proposed to me, but I refused to remarry because then the children would stay with my father-in-law and I wasn't prepared to leave them.

I feel my husband's absence in all social events, especially holidays and the kids' birthdays. I always think of him during Ramadan. I miss his smile, his laughter and the love he bestowed upon our children. I miss the family feeling we had together. There is no point to life without him.

My son Mahmoud has just graduated his studies as a car electrician, and my daughter Bayan is in her third year of dentistry studies at the Palestine University in Gaza. Three years ago, when Bayan finished high school with a 91.3 average in the sciences, I missed him so much and wanted him by my side, so we could celebrate our daughter's success together. Bayan also missed him a lot at that moment. She decided to study medicine because it's what her father wanted when she was a little girl.

In 2017, Mahmoud got married, but I felt no joy at the wedding. When we entered the wedding hall without his father, I was so sad and felt very difficult emotions. I so much wanted him to be with us, make us happy and see Mahmoud as a groom.

The killing of Salah a-Din Abu Muhsen, 14, Tubas, 20 January 2005

**The testimony of Tawfiq Abu Muhsen, 14, from Tubas
The testimony was given to Salma a-Deb'i on 23
January 2005**

I am in the eighth grade at the Tubas junior high. On Thursday morning, 20 January 2005, I woke up very early and was glad it was the first day of the holiday. I took five shekels from my father and five shekels from my mother and went to the toy store. I bought a plastic gun. All my friends play with toy guns. We like to play a game we call "the Israeli army against the Arabs".

At about 8:30 A.M., my friend Salah al-Din came over to play in the square near my house, where most kids our age go to play. We played the role of the Arabs and our friends played the Israeli army. Two regular military jeeps were parked about 150 meters away. They were searching cars driving to the town of Tayasir. We didn't pay them any attention because they were far away. About six soldiers were standing around the two jeeps.

At about 10:30, I saw one of the soldiers stick his head out of the roof of the first jeep and point his weapon at us. Right after that I heard a single shot, followed by two or three more. I saw Salah a-Din fall down without a sound. Blood was coming out of his chest. I tried to pick him up, but I couldn't because he was heavy.

At that moment, a vehicle drove up from the east. The driver got out, picked Salah a-Din up and took him to the clinic. Then the first military jeep, from which they shot Salah a-Din, drove up to the spot he'd fallen. We ran away

and hid in the yard of my house. We saw someone get out of the jeep and pick something up from the ground, perhaps the toy gun Salah a-Din had been holding.

My father told me later that Salah a-Din had been taken to hospital in Jenin. An hour and a half later, I heard over the loudspeakers that Salah a-Din was dead. They were calling the residents to come to his funeral. I felt great pain. Salah a-Din was my friend. We went to school together and played together. We were far away from the soldiers and nothing happened to cause the shooting. In the evening, my father came home and broke the toy gun I'd bought in the morning. He told me that Salah a-Din was dead because he'd been playing with a plastic gun.

The authorities' response: Complaint missing

1. We received your complaint and are taking measures to examine it.
2. Once the inquiry is complete, we will update you on its results.

Letter to B'Tselem dated 14 March 2005 B'Tselem from Col. Liron Libman, Chief Military Prosecutor

An MPIU investigation was ordered. Upon completion of the investigation and after reviewing the findings, we will update you.

Letter to B'Tselem dated 7 February 2006 from Col. Liron Libman, Chief Military Prosecutor



The complaint was not located.

Letter to B'Tselem dated 12 September 2010 from Major Dorit Tuval, Deputy Advocate for Operational Matters

2019



Shahrzad Abu Muhsen, Salah a-Din's mother, 66, a widow and mother of nine, spoke with B'Tselem field researcher Salma a-Deb'i this year and described life since her son was killed:

Salah a-Din was my youngest. We were very attached to each other. He was a very friendly boy and loved everybody. I lost him on the first day of 'Eid al-Adha. That morning he was at home. He had bought two new outfits for the holiday, one for the first day and one for the others. That morning he was wearing one of the outfits

— a blue shirt, jeans and new shoes. He kissed me and asked: "Mom, what do you think about these clothes?" I replied: "They're very nice, but the shoes look big." He said: It's better that way, they'll fit me next summer, too. Every time I buy shoes I grow out of them because I grow so fast."

He took some money as a holiday gift from his father, his older sister and me. Then he went to his aunt, my sister, who lives next door, and she also gave him some money. Then he went with his friend Tawfiq Abu Muhsen and a few other kids from the neighborhood to play together. I later learned they had gone and bought toy guns and that the army shot Salah while they were playing with them.

When I got to the hospital and went into the room where Salah a-Din was, I cradled him in my arms and looked at him. I asked him: "Why are you leaving me!" He opened one eye and looked at me, and I saw him move his lower lip. I told the doctors he was alive, and they said, "Yes, now we'll treat him and he'll get better." I raised his shirt and saw a sticker on the middle of his chest. They asked me to leave the room and then the family took me back home. Half an hour later, they brought him home so I could say goodbye. I will never forget my last moments with him. He opened his eyes and looked at me as if he wanted to tell me something.

I later learned that the army had apologized for the incident. But what good is an apology to me! Even if they fill this house with apologies, what good will that do? Does it bring him back to me? The wound hasn't healed, and I will never forget him.

Everyone still talks about Salah, especially his brothers and sisters. He was a kind-hearted boy and thought of everybody. A little before he was killed, I went into the kitchen and saw him putting rice in a bag. I asked him what he was doing, and he said that our neighbor was having a hard time and her husband had gone away, so he was taking her rice. He loved helping people. He was also a top student.

Three years ago, I made a pilgrimage to Mecca. When I was there, I saw Salah circle the Kaaba wearing the holiday clothes he was wearing on the day he was killed. He looked at me and grabbed the wheelchair I was sitting in to go around the stone, I could really feel and see him in front of my eyes. I cried throughout the entire ceremony.

After Salah died, I went to his grave every day or every few days. After a while, my sons stopped me from going. They were afraid I would go crazy or that something would happen to me. For the last three years, I haven't been able to walk without help. Sometimes I go in the car as far as the cemetery gate, recite the Surah al-Fatihah for him and go back home. That is the only way I can get some comfort. There is nothing worse for a mother than her son's death.

I cry every day for my son, who was killed in cold blood. He was just playing make-believe like other Palestinian kids. Some of the children were pretending to be the army and others were pretending to be Palestinian youths resisting the army with stones. I never imagined that game would become a reality and that instead of playing, my son would actually be martyred.

The killing of Hadil Ghaben, 7, Beit Lahiya, the Gaza Strip, 10 April 2006

The testimony of Muhammad Ghaben, 40, a father of 11, Hadil's father

The testimony was given to Muhammad Sabah on 1 August 2006

I lost my daughter on 10 April 2006, at 5:30 P.M. The Israeli military was shelling east of Gaza and Hadil was hit by shrapnel in the head and stomach. She was buried under the rubble of the house. Ten other members of the family were hit by shrapnel.

Hadil was seven years old when she was martyred. She was about to start third grade. When she was born, she was so pretty and cute and she filled the house with joy. She was the darling of the family. We spoiled her a lot. When Hadil asked me for something, I always gave it to her. Her pocket money was more than a shekel, even three, because I was a taxi driver.

She was very mature for her age and was always ready to help her mother. She was always smiling and was very beloved. She had good relationships with her friends and siblings and used to play with them a lot. Hadil always spoke quietly and didn't like it when there was shouting at home.

When I watched the news, she would sit next to me, and if they showed something difficult or painful, she would immediately say: "Oh, God! How awful!". But she mostly loved watching cartoons. When she would finish watching them, she would get up and continue studying or read. She was a diligent student, mostly in English, and was

always looking for new words, especially ones connected to animals and toys. She loved playing with cats, which is why we have a cat.

Whenever we looked out the upstairs window and saw the Israeli occupation soldiers entering Beit Lahiya, even 300 meters away, Hadil would get very scared. She was afraid of the tanks, the shooting, the sounds of the helicopters. She would run downstairs in fear. When she saw harsh things on TV, she would cry. She couldn't stand the sights and her mother would hug her and try to comfort her. When the occupation forces withdrew from the Gaza Strip, she was thrilled. She waved the Palestinian flag on the roof and said to me, "There are no soldiers."

The morning Hadil was killed, she woke up around 6:00 and had breakfast with her brothers and sisters. It was a holiday marking the Prophet's birthday, and she went with her sister to her aunt's house next door. They got home around 11:30 and she continued playing with her brothers and sisters in the house and in the front yard until 2:30 P.M., which is when I got home from work. I saw her arguing with her mother because she wanted a track suit just like her sister Amneh had got. I told her I would bring her a suit and went to rest in the bedroom. Before I left, she said to me: "When you wake up, bring me the suit!"

At 4:00 P.M., one of my regular customers called me. When I came out of the room, Hadil asked me for two shekels to buy a notebook and pencil. I told her I would give her the money when I got home, and she reminded me again to get her the track suit. She refused to take a shower otherwise. Her mother said I would get the suit on the way back home, and she went to shower.

I drove out with the taxi and then my brother's wife called and told me that a shell had hit my house. I was just leaving Beit Hanoun. I let off all the passengers quickly and drove home as fast as I could. I got there 10 minutes after the shell hit. There were a lot of ambulances out front, and all the neighbors had gathered there.

I rushed to the hospital and saw four of my children there. I was sure all my other children had been killed. My brother Mansur, who was at the hospital, told me: "Your daughter Hadil was killed." Then I realized that the shell had fallen inside the living room, right next to Hadil. She was killed instantly by shrapnel that hit her head. My entire family was injured.

B'Tselem did not contact the MAG Corps demanding an investigation of the incident, as the corps' policy at the time was that such incidents were defined as "combat events" that were not investigated by the MPIU.



2019



Safiyeh Ghaben, Hadil's mother, 51 and a mother of 11, met with B'Tselem field researcher Olfat al-Kurd this year, recounting the shelling that killed her daughter and her life since then:

That day, the Israeli army shelled Beit Lahiya indiscriminately. There was shrapnel everywhere. I told my children to stay away from the window, so they wouldn't be hit by the shells. Suddenly, our house was shelled. The missile hit the living room, where we were all sitting. The blast was so strong, some of my kids flew out and landed under the trees. Everyone was injured and the house was completely destroyed.

Ambulances arrived and took us to hospitals in Gaza. I was nine months pregnant with my son Hadi. When the house exploded, a power cord fell on my back and I blacked out. I woke up in a-Shifaa Hospital and couldn't remember a thing. My body was full of shrapnel.

The next day I asked my sister-in-law about my children. She said: "Everyone's fine, thank God", but I didn't believe her. After all, I was so badly injured, and Hadil was sitting on me when the shell landed. My sister-in-law told me they wanted to take me home and I couldn't understand why, because I was badly injured. So I told her: "I bet all my kids were killed." But she told me everyone was fine except Hadil, who had been killed.

I let out a scream and started sobbing. I was taken from the hospital to my brother-in-law's house, to say goodbye to Hadil. I felt terrible and when I saw her, I felt like all the energy had left my body and my heart was on fire. I put

my hand under her head and hugged her tight, kissed her and wept. I put my hand on her head, where she had been injured. It was a huge gash and my hand was covered with blood. I fainted and was taken back to hospital. I cried for two days straight.

All my children were injured by shrapnel and some of them had burns all over their body. For five months, we went to hospital every day to remove the pieces of shrapnel. Then we had daily treatments for about three years at the Doctors Without Borders clinic. My daughters had to have plastic surgery, too. The children also got psychological help.

I'm still suffering the consequences of that shelling. For 13 years, my children and I have been living in pain. My son Munir, who is 22 today, has a particularly hard time of it. He's been in Egypt for several months now with his father, for medical treatment. He has shrapnel in his nose and has trouble breathing. He also has difficulties with his eyesight because some shrapnel penetrated his eyes. At first, he was supposed to be treated at al-Mutala' (Augusta Victoria) Hospital in Jerusalem, but the Israeli army rejected his request for an entry permit several times. He finally got a permit and four months ago was hospitalized there for two weeks, but his condition didn't improve so he was referred to Egypt for treatment.

I still have a piece of shrapnel in my neck and can't move my neck or shoulders. The doctors said that if they tried to get it out, I might be paralyzed, so they left it in. I live on painkillers, medication and all kinds of treatments I still undergo. My daughter Tahrir, 21, has problems with her kidneys, which swell up because there is shrapnel lodged in them.

Of course, that day's attack also had implications for our mental health. My children become very nervous and panic when they hear bombings. My daughters get totally hysterical when they hear bombs. My husband has not been able to work at all since that day.

I never stop thinking about Hadil, I keep remembering her. When I see girls her age, I think how I wish she were alive and I could see her as a bride, see her children. The loss breaks my heart over and over again. It's so painful. She was only in the second grade. All the teachers loved her. She was an excellent student and I dreamed of seeing her attend university with her classmates. I imagined how she'd get top grades and how proud I would be. But the Israeli army took her from me and robbed Hadil of her childhood and of the possibility to live.

On the day of the barrage, the Israeli army called my husband. They told him they were sorry and had not meant to hurt us. They told him they wanted to pay us compensation, but my husband turned them down. He said: "No money can help now. Hadil is dead, and my wife and all my children are injured. Money will not solve anything now. What did we do to you, my children and I? Only God will help me and compensate me." Then a human rights organization contacted us about filing a lawsuit against the Israeli army. I don't know what happened with that, my husband was in touch with them.

After the attack we lived in the ruined house, in the single room that remained intact. But after a year, we couldn't take it anymore. We moved to a rented apartment and UNRWA paid our rent. In 2013, UNRWA fixed the house and five years ago, we moved back in. At first, we got special

subsidies for the wounded, but now we don't even have that, because the Palestinian Authority won't transfer the money. We're very hard up. My husband and children are unemployed and we can't even buy the medicines we need. I have no money to send to my husband and son, who are in Egypt.

May God give me strength to bear this suffering. I can't stop crying.

The killing of Mahran Abu Nseir and the wounding of 'Abd a-Rauf al-'Adini and 'Imad Abu Sheikh, all 16, near the fence in the Gaza Strip, 24 January 2007

Testimony of 'Abd a-Rauf al-'Adini from Deir al-Balah
The testimony was given to Muhammad Sabah on 25 January 2007

I am a 10th-grader in the state school in Deir al-Balah. I live with my father, my grandmother and my aunt in a two-room house with a tin roof. My father is ill and unemployed, and my aunt supports us by working in a vegetable shop. We have no money, and I don't get money to buy food when I go to school like other students, so I try to have breakfast at home before I leave. Only once a week, I get a shekel or two for myself. I also have no travel money, so I have to walk 1.5 km to school every day. If I had a bike, it would help. My best friends at school, Mahran Abu Nseir and 'Imad Abu Sheikheh are better off, but not by much. I hang out with them at school and in the afternoon. Two days ago, on 23 January 2007, on the last day of school, I went to school and took a math exam. After that, at around nine o'clock in the morning, I met my two friends, Mahran and 'Imad. We sat together for about 15 minutes. Mahran suggested that we leave school and look for work in Israel — anything but go on living in hardship in Gaza. 'Imad and I agreed to the idea.

We arranged to meet at 10:00 P.M. in the Deir al-Balah city center. Mahran came by my house just before ten o'clock and we went on his bicycle to the city center, where we met 'Imad. We left the bicycle with a friend of Mahran's and set off on foot east, to the border with Israel. We got

there at 11:30 P.M. When we were about 50 meters from the border, we hid behind some trees. We watched the border for an hour. There was an Israeli military jeep there and we were waiting for it to leave. At one point, we thought it was gone because we couldn't see it anymore, but afterwards it turned out the jeep was still there with its lights off. We went up to the fence. We had no tools with us to cut the barbed wire and thought we'd have to climb the fence. We crawled on our bellies up to the wire and then got up quickly. Unfortunately, there was a gap in the wire and that made us think we could get through. That's the reason Mahran was killed.

We went up to the gap, and then someone opened fire at us. My beloved friend Mahran was hit by a bullet. I heard him shout and recite the Shahada prayer. Then flares went up. I looked at Mahran and saw that he was bleeding from the stomach. His shirt was torn around the bullet wound. The three of us lay on the ground while the shooting continued. I was lying on my stomach and a bullet hit me in my right buttock. I called out quietly to 'Imad and asked him if he was okay. He told me he'd been hit in the shoulder. He was about half a meter away from me. Mahran was lying right next to me because I hugged him after he died. I cried and asked him to wake up, but he was already dead.

After four or five minutes, the shooting stopped for a moment and one of the soldiers spoke to us in Hebrew, but we didn't understand anything. We said loudly: "Help us, we're bleeding and there's nothing on us, we just want to work in Israel, not to carry out terrorist attacks." The moment we spoke, the soldiers fired at us again. We were completely exposed. There was no shelter and a lot of

flares in the sky. We lay there bleeding. The shooting lasted about twenty minutes.

Then one of the soldiers said to us in Arabic: "Go through the barbed-wire fence with your hands in the air." We got up but saw no one. We crossed the barbed-wire fence, and only then did we see ten soldiers or so, about 20 meters away. They were on the other side of the electronic fence and were pointing their weapons at us. They ordered us to undress. We took off our clothes and stayed in our underwear. They demanded that we take that off, too. We were completely naked. We were trembling with fear and the intense cold of the night in the middle of winter. We stood like that for several minutes and then they ordered us to get dressed. It was hard to take our clothes off and put them back on because we were wounded and bleeding.

They ordered us to walk in their direction and climb the electronic fence. 'Imad tried to climb it but couldn't, because of his injured shoulder. I helped him climb the barbed wire, which was about three meters high. Then I climbed up and came down by myself, it was very hard. They told us to sit on the ground and put our heads between our legs. After less than five minutes they told us to walk, with them walking behind us and aiming their weapons at us. We walked east about fifty meters. Then they took care of us. One of the soldiers gave me first aid. He was wearing a green uniform and had a flashlight on his head. Another soldier treated 'Imad. When they were done, they put me and 'Imad in a military jeep and blindfolded us. The jeep started driving, and half an hour later they dropped us off to an Israeli military outpost and removed the blindfolds. Some of the soldiers at the post took photos of us, as if we were some curiosity. They took



'Imad away, far from me. Later I found out that they had taken him to a hospital in Israel. I wasn't taken to hospital and wasn't really treated, even though my wound was very painful. They took me into a room.

At 6:00 A.M., an Israeli in civilian clothes came in. He must have been a security agency man. He asked me in Arabic how old I was and what my name was, and I told him. He asked: "Why do you want to enter Israel?" I told him I wanted to work in Israel. He offered me money, but I refused because I was sure he wanted me to work with Israeli security. He offered me again and I refused again.

Then they took me to another room, and at 9:00 A.M. 'Imad arrived. At about 2:00 P.M., a group of soldiers came and one of them told us to get ready to go back to Gaza. They blindfolded us, put us in a jeep and drove us to the border gate near the al-Maghazi area. We passed through the gate, and people who were waiting there called an ambulance that took us to hospital in Deir al-Balah. The doctors ran tests and X-rays. Palestinian police officers who arrived at the hospital told us to come to the police station when we were released to tell them what happened, and we did. Now I'm at home and the days are passing, but I feel like I'm still living what happened.

The authorities' response: Case closed

The case was closed after an examination by military officials.

At the time of the incident, three people were observed making their way, while crouching, towards the perimeter fence. One of the figures was observed holding something in its hand. In the area in question, an alert had been issued about the placing of an explosive device. When the three persons reached the fence, fire was opened in their direction. Subsequently, two of them were asked to remove their clothes to rule out suspected explosives. Thereafter, they received medical treatment in the field by a military physician. In light of the above, it was decided not to open an MPIU investigation.

Letter to B'Tselem dated 12 September 2010 from Major Dorit Tuval, Deputy Advocate for Operational Matters

2019

Zakaria Abu Nseir, Mahran's father, 55 and a father of five, met with B'Tselem field researcher Khaled al-'Azayzeh this year and talked about his son:

I am a member of the military intelligence apparatus that belongs to the Palestinian Authority in Ramallah. On 24 January 2007, a little after midnight, I was at home following, on my phone, a case of people who had crossed the border east of Deir al-Balah. That's how I learned that the occupation soldiers had opened fire at three boys and hit one of them in the right hip, in the lower back, and that the soldiers left him there bleeding. He was martyred. I also learned that the two other boys had been arrested and that one was injured. In the meantime, I noticed that my son Mahran was not home, which was unusual. I became worried and started asking after him and looking for him. I sent a relative of mine to the al-'Adini family, whose son is a friend of Mahran's, and learned that their son wasn't home either.

By morning, my fear grew. I went to the hospital to find out who was the boy who had been killed, and then it turned out to be my son Mahran. The moment I saw him was very difficult. I cried and cried and was in shock. Later, we prayed for his soul at the al-Furqan mosque in Deir al-Balah and went out in a procession to take him to the cemetery.

Mahran was my eldest son. In his spare time, he worked in agriculture to earn pocket money. He always helped with errands and grocery shopping. He had nothing to do with any organization, he didn't belong to any of them and was not at all interested in politics. He loved to play soccer and run. He played for the youth soccer team at the a-Tarabut

sports club in Deir al-Balah and also took part in running competitions. He was a quiet boy and everyone loved him.

I am very sad to say that since the incident, to this day, the occupation authorities have not bothered to investigate what happened. No one contacted us about the killing of my son. I had hoped that an investigation would be opened and that the soldier who killed my son in cold blood would be prosecuted and pay for his crime. I think they should have compensated us for the emotional and financial damage caused to us. But there was nothing, no trial and no accountability.



The injury of Yazan Safi, 13, al-Jalazun Refugee Camp, Ramallah District, 1 August 2008

The testimony was given to Iyad Hadad on 10 August 2008

On Friday, 1 August 2008, after afternoon prayers, I went to the wedding of a relative of mine, Iyad a-Ramahi. The wedding was held at the Sundus banquet hall, which is behind the gas station on the main road of al-Jalazun Refugee Camp. I was in the hall with my family and every now and then went outside to play with the other kids.

Around 6:30 P.M., while we were playing, we heard the sound of live bullets and “rubber” bullets being fired in the west. The shooting sounded far away and no one paid it too much attention. I heard people saying the army was in the camp. About an hour later, at around 7:30, I saw ten military vehicles drive out of the camp towards the Beit-El road. They passed by the wedding hall. I was standing in front of the gas station and saw them suddenly stop in the middle of the road, about 30 or 40 meters from the station. More than 10 soldiers spread throughout the area and began firing “rubber” bullets at some kids who were throwing stones at them from alleyways in the camp.

I hid in the corner of the gas station. After about two minutes, I peeked out and saw a soldier next to the wall of the UNRWA offices, about 30 to 40 meters away. He was in a sniping position, with his weapon aimed at me. He was wearing a helmet and was dark and short, with a medium build. Next to me were two other kids: Amjad a-Ramahi, 13, and Mustafa Nakhliyyeh, 12. None of us had thrown stones and the ones who did were not close to us.

Suddenly, a teargas canister hit my face. I felt something enter my mouth and fall out. My whole body was shaking. I blacked out and fell down. I woke up soon after. I saw some guys around me who had come out of the wedding hall to take care of me. They picked me up and carried me into the hall. My uncle, who was also there, is a medic and works in a hospital in Ramallah. He bandaged my mouth to stop the bleeding and then they quickly took me to hospital.

At the hospital, I was taken into an operating room and a plastic surgeon operated on me for about three hours. My father told me they'd stitched my upper lip, upper and lower jaw, and nose. He also said that parts of my jaw bones were missing and that I'd lost 12 teeth. My tongue was also wounded all over.

After three days, I was released from hospital. My father says I'll have to undergo treatment for three years, have temporary prosthetic teeth put in and after my jaws develop, when I'm 15, I'll have new jawbones implanted. After that, I'll have teeth put in instead of the ones I lost.

The authorities' response: Case closed

The case was closed after an examination by military officials. On the day of the incident, a military operation took place in Jalazun Refugee Camp. Stones, rocks, concrete blocks and garbage cans were thrown at the troops, and routes were blocked. In response, the troops made reasonable and proportionate use of crowd control measures against violent rioters, whose actions endangered the troops. None of the combatants witnessed an injury to a Palestinian boy. After viewing the photos and video footage submitted, too, no indication was found of a suspected criminal offense on the part of IDF soldiers. This concludes the processing of this application.

Letter to B'Tselem dated 12 September 2010 from Major Dorit Tuval, Deputy Advocate for Operational Matters

2019



Yusef Safi, Yazan's father, 52 and a father of seven, met with B'Tselem field researcher Iyad Hadad this year and described how his son has coped with his injury:

My son Yazan was injured at the age of 13, while playing with friends in front of a wedding hall in the camp. A soldier fired a teargas canister directly at him. It struck him in the mouth and caused him a lot of damage that is still affecting him. Only God knows how much suffering and worry Yazan's injury has caused us.

That evening, my son was taken, bleeding heavily, to the Palestine Medical Center in Ramallah. They did X-rays

and found he had severe fractures in his lower and upper jawbones. Some of the bone was smashed, 12 teeth were broken, and there was a rupture to the front part of his tongue. Yazan was hospitalized for three days and had several rounds of surgery. After he was released, he had to go back for more rounds of treatment. For more than two weeks, he suffered and moaned from the pain. He couldn't chew anything and could hardly speak. Gradually, he started getting used to eating, very slowly, at first only soft foods. In the beginning it was very hard for him emotionally too. He kept asking me when he'd go back to talking normally, when he'd have teeth again, and when he'd be able to play with his friends and go back to being like everyone else.

The school year started four weeks after his injury. He was worried about dealing with his friends and teachers when he was so weak and still stuttering. The injury left him with a scar and his mouth and upper lip were deformed. He was in the 7th grade and had excellent grades. But after he went back to school, because of the treatments he had to undergo and his mental state, he found it very hard to study and dropped out in the 10th grade. We tried very hard to help him, but for a long time he retreated into himself and isolated himself. He didn't like people seeing him in that condition.

Naturally, the situation affected the whole family, financially and mentally. The medical treatments cost a lot of money. There are nine of us in the family and most of the children were at school or university at the time. I had no extra income other than my salary, which is low and is barely enough for us anyway.

In the first four years, his treatments at Hadassah Hospital were covered. We couldn't have paid for them ourselves. At

the hospital, he had prosthetic teeth put in, but we had to take him every six months to refit them because he was growing. Every time, we had to apply for a new entry permit into Israel, with all the hassle that entails. Sometimes, my request or my wife's request to accompany Yazan was denied, and we had to send him with friends of ours. Imagine what it feels like for a child to go into a medical institution in a foreign area alone and be treated alone, without anyone from his family with him. It's very hard.

In any case, ever since Yazan turned 18, the Israeli army hasn't allowed him to enter Jerusalem to complete the treatment. We've had to take him to Palestinian centers, where the treatment isn't as good. He still needs to undergo serious procedures, including bone grafting and dental implants.

At the age of 18, Yazan started coming to terms with what had happened to him. He decided to go back to school and took the matriculation exams. He passed them with a 75% average and started studying political science at Bir Zeit University. He has successfully completed his second year and is in good mental and physical health. He may still be suffering inside, may be suffering or in pain, but he's a stubborn guy and doesn't show when he feels bad.

At the time, I filed a complaint through B'Tselem, but after about three years, I learned that the case had been closed with no results. The criminals who injured my son were not held accountable, just like the tens or hundreds of complaints filed by Palestinians against Israeli soldiers. My son and the whole family are suffering from the harm caused to him, but the soldier who injured him hasn't paid any price.

2009

The killing of six members of the Abu Halima family by a phosphorus bomb, Beit Lahiya, the Gaza Strip, 4 January 2009

**The testimony of Ghada Abu Halima, 21, a mother of two
The testimony was given to Muhammad Sabah on 9 January 2009**

I lived with my husband, Muhammad, 24, and our two little daughters, Farah, 3, and Aya, 6 months, in the a-Sifa section of Beit Lahiya. We lived in the same house as Muhammad's parents and his seven siblings, the youngest of which was baby Shahd, 1.

Our house had two floors. On the first floor were 250 square meters of storage rooms, and we lived on the second floor. We are farmers and have land next to the house.

On Saturday night, 3 January 2009, Israeli jets dropped leaflets calling on residents of the area to leave their homes. The army did the same thing in previous incursions and we didn't leave the house, so this time, too, we decided not to leave.

Around 4 P.M. the next day, 4 January, when all the family was in the house, the army started to shell our area. A few minutes later, shells landed on our house. Fire broke out in the house and several members of the family burned to death: my father-in-law, his baby daughter Shahd, and three of his sons — 'Abd a-Rahim, Zeid and Hamzah. My mother-in-law and her sons Yusef, 'Omar and 'Ali suffered burns. The fire spread throughout the house. I was holding my daughter Farah and we were both burned too. My clothes went up in flames, and some of my skin and Farah's skin was

scorched. Luckily, my baby daughter Aya wasn't hurt. I ripped the clothes off my body and cried out that I was burning. I was naked in front of everybody in the house. My body was burning and the pain was excruciating. I could smell my flesh burning. I was in a horrible condition. I looked for something to cover myself and shouted non-stop. My husband's brother took off his pants and gave them to me to wear. The top part of my body stayed naked until my husband came and covered me with his jacket.

Then he ran to the road to get an ambulance or find some people to help us get the killed and injured people out of the house. He couldn't find any ambulance or firefighting vehicle. His cousins, who live nearby came to help. My husband lifted me up and Nabilah, his aunt, picked up Farah. Another aunt, who also came to help, took Aya.

Muhammad, Farah, Nabilah, her son 'Ali, 'Omar, Matar and I all got onto a wagon hitched to a tractor. Muhammad-Hikmat drove it, heading to Kamal 'Adwan Hospital. We also took the body of the baby Shahd. We left all the others in the house.

On the way, we saw soldiers about 300 meters from al-'Atatrah Square. Muhammad stopped the tractor and suddenly, the soldiers opened fire at us. They killed Matar and Muhammad-Hikmat. 'Ali was wounded and managed to run away with Nabilah and 'Omar.

The soldiers told my husband to undress, which he did. Then he put his clothes back on and the soldiers told us to continue by foot. We left the three bodies in the wagon. My husband, Farah, and I walked toward the square, where we got into a car that happened to be passing by. He took us to a-Shifaa Hospital. It was about 6:00 P.M. when we got to the hospital.

I am still hospitalized. My whole body was burned, and so was my face. Farah has third-degree burns. We were referred to further treatment in Egypt and they tried to take us to Rafah by ambulance, but the army fired at us on the way. The driver was slightly wounded in the face and he drove back to the hospital. Now we are waiting for authorization to leave for Egypt.

On 29 March 2009, two months after giving her testimony to B'Tselem, Ghada Abu Halima died of her wounds in a hospital in Egypt.

The authorities' response: Investigation file closed

The investigation file was closed on 19 July 2010.

Letter dated 1 January 2012 from Major Dorit Tuval, Deputy Advocate for Operational Matters



From left corner clockwise: 'Abd a-Rahim, Ghada, Sa'dallah, Hamza, Shahd and Zeid abu-Halima

2019

Muhammad Abu Halima, Ghada's widower, 34 and a father of six, met with B'Tselem field researcher Olfat al-Kurd this year, relating the day of the bombing and life since:

In the 2008-2009 war, while we were in our home in Beit Lahiya, the Israeli army dropped white phosphorus bombs on the house. It happened on 4 January 2009, at about 4:00 P.M. The bombing killed my father Sa'dallah, 45, my wife Ghada, 21, and my siblings 'Abd a-Rahim, 13, Zeid, 10, Hamzah, 7, and Shahd, who was 14 months old, the only girl among nine children. My mother Sabah, who was then 44, my daughter Farah, who was 3, and my brothers 'Omar, who was 18, Yusef, who was 16, and 'Ali, who was 4, were injured.

That day was a terrible disaster for us. The bombs were the kind that catch fire and burn. The bodies of my brothers and my father were completely charred and the injuries were extremely severe. Everyone had second- and third-degree burns. Seeing the family like that was terrifying. We cried and shouted and called out to the neighbors to help us, but no one could come near and save us because the Israeli army was about 100 meters away and shooting at anyone who approached.

My wife was hospitalized for almost a week. My daughter and mother were also hospitalized. They were all badly injured. Then, while the war was still going on, my wife and daughter were transferred for treatment outside the Gaza Strip, to Egypt, and I went with them. While I was in Egypt, the family coordinated with the Red Cross and they buried my father and my brothers. The bodies were charred. The bodies of my cousins, Muhammad-Hikmat and Matar,

stayed where they were killed. My sister Shahd's body was also there, because we couldn't evacuate her immediately. Only two weeks later did the Red Cross go there and take their bodies to Kamal 'Adwan Hospital. The bodies were in bad condition. My sister Shahd's body had been eaten by dogs and my cousins' bodies had been trampled by tanks.

In the hospital in Egypt, my wife and daughter underwent a series of treatments including surgery, disinfection of the burns, and skin grafts. My wife suffered greatly. The doctors explained to us that a chain interaction had been triggered in her body by the phosphorus, shutting down cells. Her condition grew worse and on 29 March 2009, she passed away. I went back to Gaza with her body. My daughter was badly injured and was sent to the US for treatment, after Save the Children intervened. She was there for nine months. Her condition improved, but to this day she is receiving treatment. My mother was hospitalized for about eight months at a-Shifaa Hospital and then transferred to a hospital in Egypt.

Both my daughter and my mother have been hospitalized over the years at mental health clinics because they suffered post-trauma and anxiety attacks, especially because of the sight of the bodies. My mother was especially traumatized. She lost six members of her family and was seriously injured herself.

We contacted human rights organizations and filed a lawsuit against the Israeli army for intentionally bombing us while we were safely inside our house, not posing any danger to the army in any way. They dropped white phosphorus bombs on us, which are prohibited under international law, and they killed my father, my brothers,

my wife and my baby sister Shahd. The lawsuit was filed through the Palestinian Center for Human Rights in Gaza. A year after the war, my mother was called to give a statement and later also my brother 'Omar and me. It was all in vain. Ten years later, justice has not been served. The Israeli army intentionally committed a cruel crime and did a terrible injustice to innocent children, killing them with phosphorus bombs.

I feel that the issue is dead, it's become a thing of the past. Israel is above the law and no one dares demand accountability from it. We have been through ten years of ongoing tragedy. Nothing but sadness and crying, without a single moment of joy. Since the war and death of my family, I've felt like I'm living in a nightmare.

I haven't forgotten that day, that disaster. I keep remembering my father, my brothers and my wife. I remember how I used to play with my little brothers, and their laughter. Losing my father has been very difficult for me, and so has losing my wife, my partner for life. I had dreamed that my wife and I would continue our lives together, with our girls. But life and death are in the hands of God. I lost my wife while praying for her to get better, to go back to Gaza together and carry on with our lives. The hardest moments for me are when my daughters ask about their mother, especially Farah. It is so painful to me that they don't remember her. I talk about her and tell them about her, but they say they don't remember her.

About a year after the war, I remarried and have had three daughters and a son since. I carried on with my life, but nothing is the way it was before the war. The horrible memories are always with me, and especially the sight of



White phosphorus attack on UN school in Beit Lahiya, 17 Jan. '09. Photo: Muhammad al-Baba

my baby sister Shahd. My mother was nursing her when the house was bombed. What did she do to be killed like that? She was our only sister. I remember the joy we all felt when my mother finally had a girl. I remember how my mother cried with happiness. I wish Shahd were with me now. I could have had a sister like other people, I could have played and laughed with her, and bought her clothes and toys. Shahd was like an angel on earth, so beautiful. She was the joy of the household. May God envelop her in His mercy and help us bear this terrible loss.

Years after the war, my brother Mahmoud got married, but for us the happiness was not full. We cried the whole wedding, there was no festive atmosphere in our house. We have been through difficult times without our loved ones. May God have mercy on them and give us strength to endure the loss.

I still hope that it will be possible to reopen our case and have it heard in international courts. A terrible injustice was done to us and I hope they hold the Israeli army accountable and prosecute them for the crime they committed against my family. Human rights organizations should also intervene to raise the matter again, so Israel and its leaders be brought before an impartial international tribunal, be held accountable for their actions, and my family receive the justice it deserves.

2010

The beating of Muhammad Dababseh, 20, in Ashkelon, Israel, 23 April 2010
His testimony was given (in writing) to Musa Abu Hashhash on 19 August 2010

On 23 April 2010, at around 8:00 P.M., I went to the abandoned hotel where I was sleeping. The hotel is in the Ashkelon marina, about 200 meters from the construction site where I was working. Suddenly, a plain-clothes police officer came up and asked me in Hebrew where I was from. I said I was from Hebron. Without any warning, he hit me in the head several times with the butt of his pistol and then he hit me in the legs with a wooden club and punched me in the nose. He hit me so fast and with such force that it was very painful, and I couldn't bear it. I was sure he was going to keep beating me, so I ran towards the sea. The police officer chased me and then fired four bullets in my direction, so I stopped. He assaulted me again with quick punches to the nose, until I fell down.

The police officer talked to someone on the phone and a few minutes later, a police car drove up with four uniformed police officers. They searched me and one of them took my ID card and then tied my hands behind my back with metal handcuffs. My nose was bleeding, but they took no notice of it. Then they dragged me into the patrol car and drove me to the Ashkelon police station. The officer who'd attacked me rode in the car with me.

They sat me down on a chair and told me to wait. After about 10 minutes, I suddenly lost my balance and fell over. I fainted and woke up four hours later in hospital in Ashkelon. I tried to talk but couldn't. They took me back

to the police station. The next day, a police investigator tried to interrogate me, but I couldn't speak.

Two days later, they brought me to the Kiryat Gat Magistrate's Court and I was given a public defense lawyer. I briefly wrote down for him what had happened. The judge decided to postpone the hearing. There were more than 25 court hearings, and each time the hearing was postponed. After three months, on 29 July 2010, the judge decided to release me on 7,000-shekel bail that I paid, plus a commitment to pay 20,000 shekels if I didn't show up for the next hearing, which was scheduled for 20 October 2010. To this day, I don't know what the charges against me are, the lawyer barely gave me any information.

Since I was released, I have gone from clinic to hospital to get help, so I can talk again. In the meantime, I've only had various tests.

The authorities' response: Case closed

Upon completion of the investigation, and after reviewing the evidence material and the overall circumstances relevant to this case, we decided to close the case for lack of evidence.

We wish to clarify that the criminal prosecution of an individual and their conviction in such a proceeding require a high level of certainty that the person had, in fact, committed the offense attributed to them. In the present case, analysis of the evidence and the divergent accounts arising from the investigation material led us to the conclusion that a conviction in this case is unlikely. Given these circumstances, we have decided to close the case, as stated.

Letter to B'Tselem dated 22 August 2011 from Nurit Fahima, Department of Internal Police Investigations

Deputy State Attorney Mr. Yehuda Shaffer, examined your communication and the relevant material, and did not find reason to overturn the decision to close the case. An examination of the material in the investigation file has revealed that your client entered Israel unlawfully. The subject of the complaint, who identified himself as a police officer, asked to inspect your client, at which point your client began to flee. The investigation material shows that, contrary to your client's claim, the subject of the complaint did not open fire at him. Further, when the subject of the complaint managed, after a pursuit along several hundred meters, to apprehend your client, the latter resisted arrest and a confrontation developed between him and the subject of the complaint, until the latter managed to handcuff him. The medical records show that your client was very lightly bruised, contrary to his claim that the subject of the complaint hit him with his pistol.

As for your client's assertion that he (temporarily) lost the ability to speak, the investigative material shows that after his capture, he spoke clearly with the other police officers who were called to the scene, and later also with the doctors who treated him, and that he lost his ability to speak only when he realized he was going to be arrested. A medical examination conducted several months later also revealed that your client has no organic disorder. In light of the above, it was found that there is no need for the further investigative actions you requested, such as checking if there is visual footage of the incident (from cameras or businesses in the area) or collecting testimony from the other police officers who arrived at the scene. It should also be noted that, in view of the time that has elapsed, completing the investigation in this way is not possible.

Given all these circumstances, the Deputy State Attorney found no basis for interfering with the decision to close the case, and therefore the appeal was rejected.

Letter to B'Tselem dated 8 October 2013 from Yossi Alon, Senior Deputy at the State Attorney's Office, Appellate Division

2019



Muhammad Dababseh, now 29 and a father of a baby, from Tarqumya, Hebron District, met with B'Tselem field researcher Musa Abu Hashhash again this year and described life since that day:

I am a construction worker. I work in Israel. I very clearly remember that day nine years ago in Ashkelon, when a police officer suddenly attacked me and beat me, until I had to go to hospital. I am still suffering from that attack and I'm careful not to raise my voice, because my vocal cords are still weak. It's like a constant reminder of what happened to me.

After the assault, many human rights organizations visited me including B'Tselem, which demanded an investigation. The journalist Gideon Levy also wrote about it. An Israeli woman who is a speech therapist read the article and contacted me. She said she could treat me and asked me to come to her for treatment in Rehovot. When I got there, she was waiting for me and treated me, and that day I already managed to talk a little. I couldn't believe I could talk again. Even my family didn't believe it when I got home. Those moments were unforgettable, and they even pushed the memory of the brutal assault out of mind. To this day, I'm grateful to her and want to visit her with my wife to thank her for what she did for me.

A year after I was released, there was a court hearing on my case, but the judge made do with the bail I paid and released me with nothing. The problem is that I couldn't get a permit to work in Israel and they kept

rejecting my request on security grounds. I contacted a lot of lawyers to help me have the security ban lifted, and a year ago I was successful and finally got an entry permit. Now I have work.

Shortly after the incident, I met with the Department of Internal Police Investigations at the Tarqumya Checkpoint, and they took my statement. I wrote it down for them, because I couldn't talk at the time. Later I learned that the case had been closed. It wasn't fair. I was attacked and lost my job and then they closed the case, too, without punishing the assailants in any way. A few months ago, I was working again in Ashkelon and passed by the place where the officer hit me. It brought everything back and was sad and hard.

Four and a half years ago I got married, and seven months ago I had a daughter. I named her Yasmin. My family supported me throughout the tough period when I couldn't work, and they helped me build my own house. Now I'm happy with my life.

2011

The injury of Salma a-Sawarkah, 74, Juhar a-Dik in the Gaza Strip, 9 August 2011

The testimony was given to Khaled al-'Azayzeh on 10 August 2011

I am a widow and I have three sons and three daughters. We live in Juhar a-Dik in the center of the Gaza Strip. Yesterday morning, around 10:30, I was with Kifah Nasrallah al-Bahabseh, 14, grazing our flocks. I have 28 head of sheep and she has about 20. We were north of the landfill that is east of the village, near the border with Israel, in the center of the Gaza Strip.

I take my flock out daily to look for food for them. I usually go to the landfill because there is lots of food there. It was quiet along the border that morning. While we were grazing our flocks, an Israeli army patrol passed by us on the Israeli side of the fence. The landfill is about 300 meters or so from the border, I don't know exactly. We continued to graze the animals. The army is used to seeing us there.

About half an hour later, a jeep arrived opposite us, on the Israeli side of the border. It drove between the dirt mounds and stopped next to the woods. Kifah told me that three or four soldiers got out of the jeep and approached the fence. Then, without any warning, they opened fire at us.

I started to run, with my back to them. They continued to shoot and killed eight of my sheep and two of Kifah's. I tried to drive my flock away, but I couldn't because the gunfire continued. I saw the sheep falling. When I realized I couldn't gather them, I began to run away without them, with my back to the soldiers. There were breaks in the

gunfire. The soldiers fired a single shot every few seconds. I think they were really aiming at the sheep and at me and Kifah, who was hiding behind the garbage. I ran in another direction.

I felt something hit my right thigh. I walked another 300 meters or so, until I saw a man with a donkey-drawn cart. He was collecting aluminum and copper. He and a few young men put me onto the cart. In the meantime, Kifah had come over to help me.

On the way, we ran into my neighbor and the men moved me from the cart to his car. He took me to the Bani Jum'a family, who live about 300 meters from my house. From there, they took me home. I changed my clothes, which were soaked with blood, and then they took me to hospital in Deir el-Balah, where I was X-rayed and the wound was bandaged. The bullet had entered and exited my right thigh without fracturing the bone. After three hours of observation at the hospital, I was released. It will take quite a long time for me to go back to work.

My only income is the flock. My two daughters-in-law and their children live with me: the wife of my son Khaled, who is in prison, and her daughter, as well as the wife of my son Mustafa, who was shot and killed by the Israeli army, and her five sons and two daughters. We are a large family and have a lot of expenses. There is no work in the Gaza Strip, and we don't have farmland or property. The only thing we have is the flock that we have always raised.

Salma a-Sawarkah passed away in September 2015.



The authorities' response: The investigation of the case is being completed

The case was forwarded for supplementary investigation by the MPIU. We have not yet received the investigation material.

Letter to B'Tselem dated 30 March 2014 by Lieut. Col. Ronen Hirsch, Advocate for Operational Matters

2019



Jum'ah a-Sawarkah, Salma's son, 48 and a father of two, spoke with B'Tselem field researcher Khaled al-'Azayzeh this year and described how the incident affected his mother:

In 2011, my mother was injured near the border, east of Juhar a-Dik, while she was grazing sheep. A bullet fired by an Israeli soldier hit her in the top of her right thigh. A week later, she went back to grazing her flock. In the incident she lost several sheep. They were her only source of income. At the time, many human rights organizations

documented the case. We also filed a complaint through the Palestinian Center for Human Rights. We hoped the Israeli side would investigate and that the soldiers who shot my mother for no reason would be prosecuted. We also hoped that Israel would compensate my mother for the injury. But no one has contacted us to date.

The shooting caused my mother more mental harm than physical harm. After she was hit, she was afraid to go near the border. It hurt her a lot because until then, she had been used to going out every day with her flock to pasture. We live near the border and there is a lot of shooting in the area. Every time, my mom experienced the trauma again.

On 4 September 2015, my mother took the sheep to graze as usual. She was alone. At around 11:00 A.M., my nephew Raid called me and said that a ram from my mother's herd had attacked her and that she was being taken to hospital in Deir al-Balah. I went there and saw my mother in the emergency room. She had a jaw fracture and also a chest injury that was causing her internal bleeding. She was taken to hospital in Gaza, but died there three hours later. We buried her in the Juhar a-Dik cemetery.

The beating of Amir Darwish, 9, al-'Eisawiyah, East Jerusalem, 12 October 2012

Testimony of Jihad Darwish, 42, a mother of four, Amir's mother

The testimony was given to 'Amer 'Aruri on 4 October 2012

On Friday, 12 October 2012, at around 2:00 P.M., I was at home. I live opposite the fence of Hadassah Hospital. My husband 'Othman was asleep. I heard people talking outside the house. I went out to the yard and saw three people in civilian clothes talking with Amir and his cousin. Amir was sitting on a couch in the yard. The people were speaking Hebrew and I didn't understand what they were saying. Suddenly, one of them grabbed Amir by the arm and pulled him off the couch toward the main road. Amir started shouting: "Mom, Mom." I came out of the house, went over to him and put my arms around him. I tried to stop the man from taking him.

Meanwhile, I heard a voice coming from a two-way radio that one of the three men had. It was then that I realized they were probably undercover police. A few seconds later, I saw four armed black-uniformed police officers coming in our direction. They pushed me and I fell down. Amir fell with me, but I kept my arms around him. One of the undercover officers grabbed Amir and pulled him hard. Amir shouted, "Mom, Mom." I grabbed his shirt, and the police who were trying to pull Amir dragged me along the ground. My left leg got scraped and I was in pain. I was panicky and felt that I was choking, and I let go of Amir. The police used the opportunity and took him away. At that point, my sister-in-law 'Aliaa arrived and tried to get

the police away from me. One of them hit her in the chest with his rifle. I heard Amir crying. He was screaming and calling for my help. But a short time later, the police left, taking Amir with them, and I didn't see him after that.

I went straight back inside and woke my husband up. We went together to the police station, where my husband argued with one of the police officers standing at the entrance. The officer chased him away and we waited for almost half an hour on the street until the Mukhtar, who is a relative of ours arrived. I went into the station with him and then I saw my son standing among some Border Police officers. I saw the fear on his face. His pants were wet. I realized that he had wet himself in fear. I tried to talk to him and encourage him, but the Border Police officers who were next to him didn't allow me to. I sat there and just looked at him.

After half an hour, someone called for me. I later realized he was the interrogator. I went into a room and saw Amir. The interrogator told me not to interfere with the investigation and then he told Amir to tell him what he had done that day and why he was arrested. Amir told him that he had been playing with his cousin when a boy passed by and teased them. He said he saw the boy standing behind the wall of the hospital, and then he threw a stone at him. The interrogator asked him more questions, and at some point, I intervened. At the end of the interrogation, he told me to take him and go home. It was 4:30 P.M.

When we got home, Amir said he had a headache and felt dizzy, and that he was going to throw up. I took him to the doctor, who asked him if he had been beaten. Amir said that one of the undercover men had punched him



in the head before I arrived. The doctor said that if it continued the next day, we should come back and do an X-ray. The next day, Saturday, Amir went to school and I felt that my leg was swollen, and I had a fever. I went to the clinic and the doctor gave me painkillers and anti-inflammatory antibiotics.

Since then, Amir's sleeping habits have changed. He is very anxious and goes from bed to bed during the night. Sometimes he sleeps on the sofa in the living room, sometimes in his bed, and sometimes he comes to sleep with us.

The family decided not to file a complaint with the Department of Internal Police Investigations about the attack and illegal arrest, as a previous complaint filed with the Department of Internal Police Investigations about the violent arrest of another son was not handled properly, and therefore they do not see any point in filing another complaint.

2019



Jihad Darwish, now 49, spoke again with B'Tselem field researcher 'Amer 'Aruri this year and described how the incident affected her and her son:

When Amir was attacked in 2012, he was young. He has undergone more arrests and abuse since then. The hardest time was when he was arrested and kept for five days at the Russian Compound in 2015. They beat him very severely, even in his eye, and he continued to suffer from it after he was released.

His arrest in 2012 made him insolent and cheeky. He won't accept any authority. He is very polite, but when something doesn't seem right to him, he immediately pulls away. He studied car electronics but dropped out after six months. He didn't like all the rules and laws there, and he always resists authority figures.

As a mother, I constantly worry about him. Al-'Eisawiyah is not a safe place to live. The occupation forces have marked the village and marked Amir. That is enough for him to be constantly suspected and have to prove his innocence. I always call him to find out where he is and when he's coming home. He says I embarrass him in front of his friends and that he's not a little boy. Sometimes he turns off the phone so I can't call him. When we went on vacation to Turkey, I refused to leave him here, only his older brother stayed behind. I didn't want to go and worry about him all the time.

Amir doesn't know what he wants. He's a teenager who spends all his time at home or in the neighborhood. He doesn't study or work. He comes home late, stays up until about four in the morning, and then sleeps all day. I don't like it at all, and I hope

he goes back to school soon. His father and I are talking to him about going back to school. Maybe this time he'll be convinced.

Amir is an example of how children and adolescents grow up in al-'Eisawiyah, with no hope for the future. The authorities are constantly harassing us, punishing all the residents every day. There are always arrests and random traffic tickets and violence towards residents, and people are getting killed too. All that has turned Amir and his entire generation into people who live without hope. I keep telling my husband we have to leave and move somewhere quieter, away from the smell of teargas, stun grenades and blood.

The killing of Samir 'Awad, 16, Budrus in Ramallah District, 15 January 2013

**The testimony of Qaisar Marrar, 13, from Budrus
The testimony was given to Iyad Hadad on 15
January 2013**

I attend the boys' high school in Budrus. The school is close to the Separation Barrier that is about 200 meters west of the village. Usually, some of the kids throw stones at military patrols after school.

This morning we took the final exam for this semester. When we were done, around 10:00 A.M., a group of us, about seven or ten, went to throw stones. On the way, we noticed that one of the gates in the barrier was open, which made us suspect that there were soldiers on the other side lying in ambush in the ditch nearby. I was afraid to go on and stood about 50 meters away as a lookout. Six students continued toward the barrier, including Samir 'Awad and two kids who are 13.

Ten minutes later, I saw one of them, Husni, pass through an opening in the outer fence to check for soldiers there. Then he came back and Samir also tried to go through. Then, four soldiers came out from behind the stone walls and the groves. All that time they had actually been lying in wait for us just outside the fence.

I started shouting to warn them, but it was too late. The soldier who was closest to Samir was less than ten meters away from him. One of the soldiers fired two shots of live fire into the air. They didn't use teargas or stun grenades like they usually do.

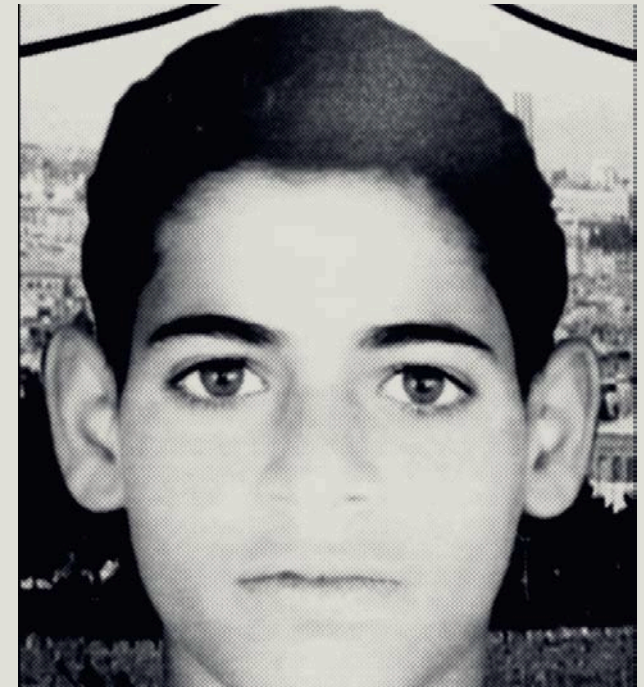
The kids ran towards the village, but Samir was in the barbed wire and couldn't get away. He tried to jump over the fence, but at that moment another shot was fired in his direction. I think it hit his leg. He fell to the ground and tried to run away again, but one of the soldiers grabbed him by the hand and another soldier fired two bullets at him from no more than ten meters away. Samir was hit and fell down, on a small mound of rocks, about 30 meters from the fence. The four soldiers went over to him. I saw two of them sit down next to him and start tearing his clothes. One of them slapped him lightly, I guess to wake him up.

I shouted for help together with the kids from the village who were near me, and some of them ran to get his family. People from the village began to arrive. After about ten minutes, one resident tried to talk to the soldiers, so they would leave Samir alone and he could be treated, but the soldiers told him to leave and threatened to shoot him. He didn't budge. A few minutes later, Samir's mother and brother and more people from the village arrived.

When we saw all the people, we also went down towards the soldiers. At that point, they left Samir alone and withdrew, and then one of the guys picked him up and put him in a car that took him to hospital in Ramallah.

The authorities' response: An indictment filed for "reckless and negligent act using a firearm" — withdrawn

On 30 December 2015, the Central District Attorney's Office indicted two soldiers who were involved in the incident, charging them with "reckless and negligent act using a firearm".



Their trial began on 22 September 2016, at the Ramla Magistrates Court. On 5 June 2018, Att. Dudi Inbar of the Central District Attorney's Office told the court that the indictment was being withdrawn, as "during the hearing of evidence in the case, the prosecution's evidence was weakened, following the testimony of the prosecution's witnesses, to an extent that the prosecution could not have foreseen. Today the evidence is different, and we believe there is no longer a reasonable prospect of conviction".



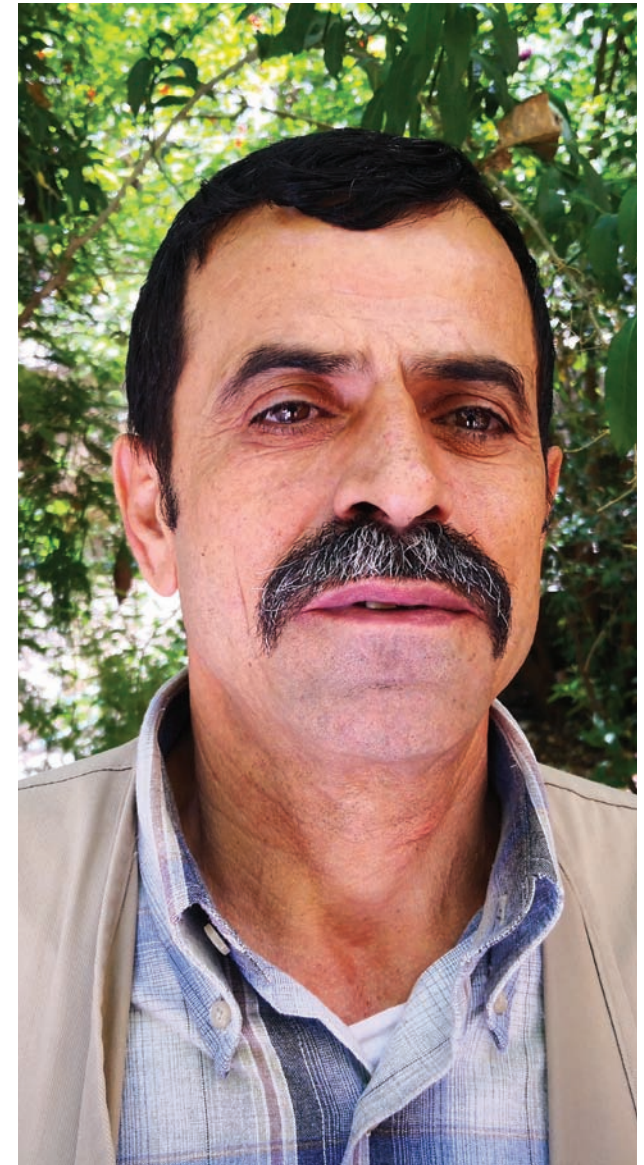
2019

Ahmad 'Awad, Samir's father, 54 and a father of 15, spoke with B'Tselem field researcher Iyad Hadad this year and related what the family has been through since Samir was killed:

What can I say now, more than six years since soldiers killed my son Samir? I don't know how those years went by, because even if Samir's body is no longer with us, his soul is still here. To this day, I can't grasp that Samir is dead. I have nine daughters and six sons, and Samir was the middle one. I was hoping to see him graduate university. He was a diligent student and had the highest grades of all his brothers. I hoped he would get married and start a family, like all my kids. I was sure he had a bright future ahead of him, until the soldiers killed him and extinguished all my hopes.

Ever since they killed Samir, our lives have changed completely. The dream was cut short and there is no room for joy. Since he was killed, our lives have become hell. We're enveloped in sadness and his mother cries almost all the time. Even if we forget or are happy for a moment, we are reminded again soon after. We — my wife, his brothers and sisters and I — keep visiting his grave. We sit there, read verses from the Koran and pray for his soul. It has become our routine.

The one most affected by Samir's death is our son Mahmoud. He is now 16 and was severely traumatized by what happened. Whenever the army is mentioned, he gathers up the shoes from the entrance to the house, as if preparing for a raid by dozens of soldiers. He is always in a bad mood, nervous and anxious. Sometimes he wakes up at night hallucinating.



Three months after Samir was killed, the army raided our house to arrest his brother, Abed. After that, Mahmoud's state got even worse. The raid was brutal. It was a very rough day. The army arrived late at night, when we were already asleep. They broke down the door and burst inside, broke the windows and some furniture, and beat all of us. They also threw stun grenades inside the house, which made everyone panic.

Also, after Samir was killed, the occupation authorities canceled my permit to work in Israel. I'd worked in Israel from the age of 16 and was never barred entry. I worked in construction and my job in Israel was our only source of income. After my permit was denied, I became unemployed and our situation became as miserable as can be. We found out what poverty is. Who will feed our children? Who will clothe them? We went through very difficult times. After living well, we deteriorated into poverty and need charity.

We somehow managed to get along with the money we received from the Palestinian Welfare Bureau and with a pension from the Prisoner Ministry that helps the families of martyrs. But that wasn't enough for anything. Relatives and other generous people helped us with money or groceries. We also had a very meager income from 20 olive trees that we have and some sabra plants. We used to have more trees, but when Israel built the Separation Barrier, they destroyed some of them and cut the village off from almost five dunams of our land, which we can no longer access.

Our social ties have become very limited. We felt that there was no point in life or relationships anymore. Even

when we're invited to weddings, we rarely go, especially my wife. She keeps saying: "What do I have to do with happy occasions? My heart is broken. How can I go in such a mood?" I understand her and go alone to the celebrations of people closest to us. No one in the family goes to other celebrations anymore.

At the time, B'Tselem documented the incident and the journalist Gideon Levy wrote about it. Other media outlets reported it, but no Israeli soldier was held accountable for killing Samir. They prosecuted his killers and the trial went on for several years. But in the end, no decision was made, and they closed that case with no results, too.

We also filed a civil claim, although no amount of money can compensate me for losing my son. But we had to do it. A lot of people urged me to demand compensation. After a lot of effort, we got 300,000 shekels after legal fees and taxes. It allowed me to pay off my debts and pay for university for my two daughters. I also bought a car, so that I could work as a driver. I wanted us to live in dignity, but unfortunately there isn't a lot of work and most of the time I'm unemployed.

Life under the occupation is hard and cruel. But since the army killed my son Samir, our lives have become especially tough. The truth is that if you opened my heart and looked inside, at my soul, you would see I haven't had one happy day since. I try to keep myself busy by helping people and residents of the village, especially families who were hurt like me. I joined B'Tselem's team of volunteers to document the military's violations every time they enter the village. I also participate in marches and demonstrations in the village or in nearby

villages. Documenting and exposing the violations of the occupation have become part of my lifestyle. I do it also to stay true to the soul of my martyred son, Samir, and the souls of all the martyrs and all the victims of injustice among the Palestinian people.

The bombing of the Abu Nijem family and the killing of 10 people, Jabalya Refugee Camp, the Gaza Strip, 3 August 2014

Testimony of Maryam Abu Nijem, 22, a widow and mother of two

The testimony was given to Muhammad Sabah 17 December 2014

I live in my father's house now, in the Tal a-Sultan neighborhood of Rafah, after my husband Bilal, his father, his grandfather and his two brothers were killed when our house was bombed in Jabalya Refugee Camp on 3 August 2014

I married Bilal in 2010 and we had two children: Muhammad, 3, and Raw'ah, 1. My husband was a taxi driver. We lived on the second floor of his parents' house, but during the war we moved to the first floor. We kept hearing the sound of shooting and airstrikes and tank shelling around us. They bombed many places in and around the camp.

On 3 August 2014, Iman, my husband's sister, came to visit with her kids. At the end of the day, she went home. In the afternoon, Wael Qassem's family came to the house of a relative of my husband's, Muhammad al-Masri, which is next to our house. They came because the army said it intended to bomb the a-Thawba mosque next to their house.

That day, we were fasting for Ramadan. At around 7:30 P.M., the Israeli military fired light flares. They lit up the whole area. We ate the iftar meal and washed the dishes.

After prayers, we sat together for a bit and then I took my children into the bedroom. My husband sat with his mother and his brother Ahmad. My father-in-law took a cup of tea up to his father, Haj 'Abd al-Karim, who was in his home on the second floor. I put my children to bed next to me.

The power was out at the time. Suddenly, I heard and saw our house come crumbling down around us. I cried out to my husband. I turned on a flashlight and heard my daughter Raw'ah screaming. I looked for her and found her under the blankets. I grabbed her and my son and ran out of the room.

I saw Ahmad, my husband's brother, lying dead next to the bedroom door. I saw rocks and everything in shambles. The house was completely destroyed. I heard someone groaning and looked around with my flashlight, but there was debris everywhere and I didn't know where the sound was coming from.

I held the flashlight and carried the children over the rubble to get out of the house. I left through the next door house, which had also been destroyed. Neighbors came and took me over to one of their houses. I sat with them. The neighbors and the civil defense people carried the wounded and dead people away.

After about two hours, my husband's sisters Iman and Hanan arrived and told me that my husband, his father, his two brothers Muhammad and Ahmad and their grandfather had been killed. The house of our neighbor, Muhammad al-Masri, was also destroyed and his wife Suha and daughter Raghad, 3, were killed. They told me Wael

Qassem's daughter, Shaymaa, was killed. She was 14. Iman and Hanad told me their mother had been badly injured.

I wanted to see my husband and his brothers one last time, but we couldn't see them because their bodies were disfigured. They had been hit in the head. I only saw my father-in-law. They were buried the next morning. I was in a really bad way. I couldn't believe they had been killed. The house collapsed on top of us, with no warning. I just suddenly heard wreckage falling on us. Later I was told there had been two people in the house who were wanted by the army, and that they were killed inside the house, too.

The authorities' response: Case closed

[...] According to the factual findings collated by the FFA Mechanism and presented to the MAG, the strike in question was directed at Danyal Mansour, a very senior commander in the Palestinian Islamic Jihad terror organization, with a rank equivalent to that of a brigade commander, responsible for the organization's operations in the northern Gaza Strip, and with overall responsibility for the organization's intelligence service. At the time of the strike, Mansour was staying in the home of Mohammad Abu Najam. During the planning stages of the strike, it was assessed that there might be civilians present in the building, but that the extent of the harm to those civilians would not be excessive in relation to the significant military advantage anticipated to be achieved as a result of the strike. In this context, it should be noted that the building in question was thought to consist of only one residential apartment — the apartment in which Mansour was staying. The strike on the building was planned for execution by means of a precise munition, and in a way that would allow achieving the aim of

the strike whilst minimizing harm to the surrounding buildings. Likewise, a number of different checks were conducted in order to assess the extent of expected harm to civilians in the surrounding buildings.

After the event, it appears that as a result of the strike the target, Danyal Mansour, was killed, along with Abd Al-Nasser Al-Ajouri, a senior Palestinian Islamic Jihad military operative. Imad Al-Masri, Danyal Mansour's deputy, was injured, along with two additional terror operatives (Mohammad Al-Masri of Palestinian Islamic Jihad and Waal Kassam of Hamas). Likewise, according to the above-mentioned reports, it appears that as a result of the strike an additional eight civilians were killed — five in the Abu Najam house that was struck, and three in the house adjacent to it.

After reviewing the factual findings and the material collated by the FFA Mechanism, the MAG found that the targeting process in question accorded with Israeli domestic law and international law requirements. The decision to strike was taken by the competent authorities and aimed at a lawful target — a very senior commander in Palestinian Islamic Jihad. The strike complied with the principle of proportionality, as at the time the decision was taken, it was considered that the collateral damage expected from the strike would not be excessive in relation to the military advantage anticipated from it. Moreover, the strike was carried out while undertaking precautionary measures which aimed to mitigate the risk of civilian harm, with an emphasis on those who were present in the surrounding buildings. Such measures included, inter alia, the choice of munition to be used, as well as the deployment of real-time visual coverage. Additionally, it was found that the provision of a specific warning prior to the attack, to the people present in the structure in which the target was located, or to those in adjacent buildings, was not required by law and was expected to result in the frustration of the strike's objective.

In light of these findings, the MAG did not find that the actions of IDF forces raised grounds for a reasonable suspicion of criminal misconduct. As a result, the MAG ordered the case to be closed, without opening a criminal investigation or ordering further action against those involved in the incident.

Decisions of the IDF Military Advocate General regarding Exceptional Incidents that occurred during Operation Protective Edge, Update No. 3, 18 March 2015.



2019



Fawzeyeh Abu Nijem, 55 and a mother of eight, lost her husband, three of her sons and four other relatives in the bombing. This year she told B'Tselem field researcher Olfat al-Kurd what she has been through since:

In the 2014 war, on 3 August 2014, we were sitting at home one evening. An airplane fired a missile at our house while we were in it, without any warning. As a result of the bombing, three of my sons were killed: Bilal, who was 26, Muhammad, who was 20, and Ahmad, who was 17. My husband and his elderly father were also killed. The entire house collapsed on us and on my brother-in-law's house next door. That also killed Suha, my brother-in-law's wife, her daughter Raghad, who was 3, and her niece Shaymaa Qassem, who was 14.

I was very badly injured. I had fractures all over my body, a crack in my skull and burns all over my body. The fingers of my left hand were cut off. Thank God, my martyred son's children and their mother were not injured. I was hospitalized in Gaza for 15 days, but because my condition was critical, I was transferred to Germany and hospitalized there for four months.

Before I was carried out of the house, I managed to see my sons' bodies, who were so badly hit. When I was taken away, the house was a pile of rubble. I never imagined they would bomb our house, which is inside the crowded Jabalya Refugee Camp, with us inside.

When I was in Germany, I was in constant touch with my daughters. I couldn't stand it that I hadn't said goodbye to my sons and husband and that I didn't see them one last time

before they were buried. I wanted to say goodbye to them and hug them, but fate placed me far away. I haven't stopped thinking about that to this day.

I returned to Gaza after the war in a wheelchair. I had fractures in both legs and a severed nerve, and I couldn't walk. When I came back, it was very tough to see the state of the house. There was nothing left. It was a ruin. I became homeless and for two years lived in rented apartments, until my house was rebuilt. I moved back into it two years ago.

Now I'm lonely. The house is empty, and I live in it alone with my little grandchildren. My daughter-in-law left me and remarried. Only the children that she had with my martyred son Bilal — Muhammad and Raw'ah — stayed with me. I am the one who cares for them and looks after them, despite my injuries. They are the only reason this house is worthy of being called a home. It was hard when my daughter-in-law got married and left. I cried a lot over her. My daughters come over almost every day and are the ones who help me and care for me, as I need help because of my injuries in the war. I have still not fully recovered and suffer leg cramps. I have a plate in my left thigh and I'm still undergoing treatment.

It's been nearly five years since the war. Every day since then has been full of sadness and tears. I will never forget them. I keep recalling them, seeing them in the house, hearing their laughter. I think of my husband and sons especially at family events, during Ramadan and during holidays.

I received psychological treatment in Gaza and outside Gaza for the trauma I suffered because my family was killed. Even so, I always feel sad and cry a lot. I am mentally exhausted. Human rights organizations filed a lawsuit on our behalf, but

we were never summoned to testify about this crime. Israel bombed our family's home when we were all inside, even though we were not dangerous. Israel said the bombing was meant to kill wanted men who were in the camp, but I don't know them. Until now, Israel has not been held accountable for the crimes it committed against us in the Gaza Strip.

In the 2008 war, Israel bombed my parents' home in the al-Fakhura area of Jabalya Refugee Camp. Eleven people from my family, the Dib family, were killed: my brother, his wife and their five children; my father's wife; and three of my other brother's children. Israel has never been held accountable for those crimes, either. Claims were filed against Israel, but nothing happened. To this day, the countries of the world stand with Israel as it bombs civilians in Gaza. No one in Israel has even expressed remorse or regret for these crimes.

My hope is that the people in charge will stand trial and that Israel will pay for the ugly crimes its army has committed against civilians in the Gaza Strip, and especially against my family. I pray that God will envelop my husband and sons in His mercy, accept him among the martyrs, and give me strength to bear the pain of losing them.

The killing of Tharwat Sha'rawi, 73, a widowed mother of six from Hebron, 6 November 2015

Testimony of Ithab Badawi, 20, from Tarqumya

The testimony was given to Musa Abu Hashhash on 7 November 2015

Yesterday, Friday, 6 November 2015, at around 1:30 P.M., I was at work at the gas station with my friend Mahmoud. I saw kids burning tires on the road in front of the gas station. It was a sign that clashes were about to begin, so I immediately shut the outer metal gates of the station, as we always do in such cases. I went into the station's offices and watched what was happening through the windows.

After a few moments, I saw dozens of soldiers heading along the road from north to the place where the children were burning the tires. One of the soldiers opened the station's iron gate and came in. He was followed by three more soldiers. They went to the water pipe. I came out of the office and told them that the pipe wasn't working. They asked me for fire extinguishers, and I gave one to one of them. Another soldier then took another fire extinguisher and went to put out the burning tires and the trash container nearby, which in the meantime had also been set on fire.

A few moments later, I saw a silver car driving toward the station. Some of the soldiers stood on the traffic island and some stood at the gate to the gas station. I saw the soldiers firing at the car as soon as it entered the station. I didn't understand what was going on. I saw the car hit a pillar in the open area of the gas station and come to a halt, and the shooting at it continued. Bullets also hit

a few different spots in the gas station. The gunfire was massive and rapid. I was very frightened. Before I could manage to take cover, I felt something hit my right arm. It never occurred to me that I'd been hit. A bullet hit the glass window of the gas station office. I got down and lay flat on the ground, behind the glass. I saw I had a hole in my coat sleeve and felt wetness under the sleeve. And then I knew that I'd really been hit by gunfire. All at once, the gunfire stopped completely.

I got up and saw the soldiers surrounding the car they had shot at. I saw a woman behind the wheel with her head slanting. I thought she was seriously injured or killed. I saw Palestinian paramedics run towards her car. They opened the door, took the lady out and laid her on a stretcher. Before they had time to take her away or give her first aid, another vehicle drove into the station and military paramedics got out. They moved her to their stretcher, put her in a military ambulance and drove off quickly.

The authorities' response: No investigation opened

The case was closed after an examination of the operational debriefing, and in the absence of a suspected criminal offense.

Letter to B'Tselem dated 17 March 2016 from Lieut. Col. Adoram Rigler, Advocate for Operational Matters



2019



yub Sha'arawi, Tharwat's son, 52 and a father of five, spoke with B'Tselem field researcher Musa Abu Hashhash this year and described life since his mother was killed:

After my mother was killed, it left a big hole in the family. It affected my younger brother most of all. He and his family had lived with her in her apartment. It's impossible to come to terms with losing her, especially because she was killed for no reason and in such a brutal way. One of my brothers named his daughter Tharwat after our mother, and every time I see little Tharwat, I remember my mother. Sometimes, when someone knocks on the door, I think for a second that mother is about to come in.

The Israeli army claimed at the time that my mother, who was 73, had tried to run over soldiers on the road. They fired dozens of bullets at her as she tried to enter the gas station. She was hit by more than 20 bullets, all over her body. At the time, the army posted a video showing my mother driving the car, but no one believed the army's claim that she was trying to run over the soldiers. I didn't believe she had such intentions, either. She was an elderly woman who couldn't drive well. She didn't belong to any political party, she was known around Hebron, she was a member of the Hebron Women's Association and was active in charity groups.

I was very close to my mother, especially after my father died in 1988 because of teargas fired by the army at the beginning of the first intifada. I came over to her place every morning to have breakfast with her and drink coffee together. I would visit her in the evening, too. She used to come to my business and help me with sales. Once, when I was arrested, she handled the business instead of me. She was involved in the smallest details of our lives.

We're not the only ones who never forget her. A lot of her friends come to my house or store and we reminisce together. Her death was a great loss for us, for her friends and for the entire city of Hebron.

We filed a complaint through a lawyer, but nothing happened. As time passed, we became discouraged and stopped even checking what was happening with the complaint. Everyone in the family realized that it was pointless and that the army didn't intend to prosecute the soldiers who killed my mother. At the time, Israeli media came and promised to raise interest in the case. They were

shocked by the incident, but it didn't help. Obviously, my mother was not the only person killed without having done anything. There are dozens of cases of innocents killed in Hebron, whose families complained, and nothing happened with them, either.

It's been four years since my mother was martyred and we still haven't gotten over her death. All I wanted after she was killed, and after I stopped hoping the soldiers would be punished, was to get back the car she was driving when they killed her. I was in touch with the Palestinian DCO. A year later they told me the car had been impounded. My mother had asked that after her death, we sell the car and donate the money to al-Ahli Hospital in Hebron.

2016

**The killing of Muhyi a-Din a-Tabakhi,
10, a-Ram, al-Quds District, 19 July 2016**
Testimony of Muhannad a-Rahbi, 10, from a-Ram
The testimony was given to Iyad Hadad on 21 July 2016

On Tuesday, at 2:00 P.M., I went with some kids from the neighborhood to play near the Abu Gharbiyahs' house, which is below the Hatawis' house. Muhyi, who was in our class, was with us. We don't have anywhere else to play. This area is very crowded and there are no playgrounds. Over there, there's a deserted house and you can play in the area around it. When we went there, everything was quiet. Near us, about 20 or 30 meters away, there was work being done on the [Separation] Barrier. We saw bulldozers and three Border Police vehicles guarding the workers.

We were playing happily. At around 4:00, three or four kids came to the path above us, near the Hatawis' house, and started throwing stones at the police officers below. They were pretty far away from us, maybe 50 meters from where we were playing. The cops fired teargas in their direction, and because the wind was blowing the other way, it didn't reach us, and we kept playing.

After 6:00, the other kids came a bit closer to us, but were still up above. From time to time, the police officers fired teargas canisters and sponge rounds at them from inside the patrol cars. We also saw some police officers behind the Barrier, at the end of its built-up section, taking up sniper positions.

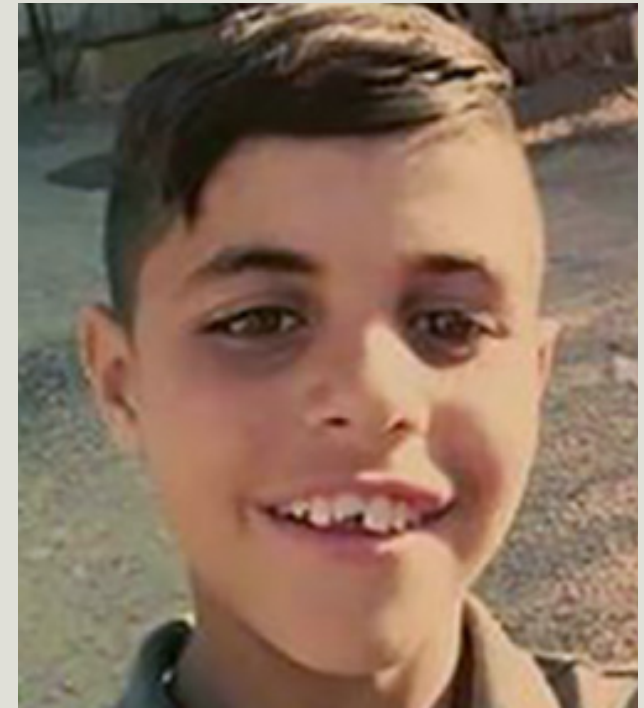
We kept playing. Muhyi ran to the edge of the hill we were playing on, towards the Barrier. He was in a spot where the police officers below could see him. Suddenly, I heard

one shot. That's the shot that hit Muhyi. I thought it was a sponge round. I can tell the difference between the sounds of the bullets and that one sounded dull, not like a live bullet.

When Muhyi was hit, he just said "Ow" and doubled over. It looked like he was choking. He put his hands on his chest, bent his knees and leaned forwards. He couldn't breathe. Then he got up, walked a few steps and fell face forwards.

At first, we thought he was pulling our leg. But then other kids came down from above, lifted his shirt and saw that he'd actually been hit. Some older guys came and carried him to a car that took him to hospital. I later found out that he had died.

In 2016, based on 25 years of experience and hundreds of cases, B'Tselem decided to stop cooperating with the whitewashing apparatus. Further to this decision, we have since stopped applying to the Israeli authorities with the demand that they investigate incidents in which Palestinian residents of the occupied territories were killed or injured.



2019



Muhammad a-Tabakhi, Muhyi a-Din's father, 58 and a father of nine, spoke with B'Tselem field researcher Iyad Hadad this year about living with the loss:

My son Muhyi a-Din was 10 years old when Border Police officers killed him. An officer shot him while Muhyi was on his summer holidays playing with friends in the neighborhood, near the Separation Barrier. We have lived in sorrow, grief and pain ever since. Everyone misses him. It's impossible to describe our lives since that boy died. His death was a turning point in our family's life. Now, whenever we talk about anything, we always remember it as when Muhyi a-Din was this or that, or that it was before he died or after he died.

Muhyi a-Din was our youngest son, and the most spoiled. Our neighbors, family, friends, everybody loved him. He is still alive and breathing in our memory. His picture is hanging in every room. Wherever you look, you'll see his photograph. He is always with us.

Of course, every member of the family has dealt with his death differently. His sister Malak, 16, is really suffering psychologically. Ever since he was killed, she's been having nightmares. She wakes up in a panic and calls out for her brother. I have nothing in my thoughts but Muhyi a-Din. In the first year after his death, every time I wanted to call one of his brothers, his was the only name that came to mind. I would call out to him instead of his brothers.

Every year, the school he attended organizes a memorial ceremony on the day he was killed. On that day, his friends visit his mother to comfort her. We rarely go out to family

events or parties. Every year, during the month of Ramadan, all the families of the martyrs are invited to a group dinner in honor of the deceased. We did go to that a few times.

Muhyi a-Din was in the 4th grade when he was killed. He was still a child and never got the chance to grow up. His dream was to study law at the university and help the disadvantaged. An Israeli police officer killed that dream. All this has happened, and is still happening, to many Palestinian children.

Israel turns its back on us and doesn't care about the families of the martyrs or the victims, even if they are innocent, like my little boy Muhyi a-Din, who was just a child. According to the information I have, there has been no progress in the investigation. A year after he was killed, the Israelis took testimonies from witnesses, but other than that, I've heard nothing. I have no doubt they are evading their responsibility. If they wanted to do justice with my son's killer, they would have arrested him and prosecuted him long ago. It's been more than three years and they claim they are still investigating.

I trust in Allah. If the Israeli courts and procedures don't serve justice, there is the afterlife. God will judge them.

The beating of Baraa Kan'an, 19, a-Nabi Saleh, Ramallah District, 12 May 2017 **His testimony was given to Iyad Hadad on 14 May 2017**

I sometimes take part in the processions that are held in the village of a-Nabi Saleh every Friday. Last Friday, at about 1:20 P.M., the procession set out from the center of the village toward the eastern entrance, where there is a guarded military watchtower and a gate that the army closes when there is a procession. About 100 people from the village and from neighboring villages were taking part in the procession.

Right from the start, when we were about 50 meters from the gate, we saw a Border Police force standing ready to disperse the procession. They blocked the road and fired stun grenades, "rubber" bullets and teargas canisters at us. Three protesters were injured in the first hour, and one of them died later. My cousin Nadim was also injured later. I went over to him and helped him get to an ambulance. I got in with him and the ambulance drove off.

When we passed the watchtower, the soldiers blocked our way. The ambulance stopped and the soldiers took pictures of Nadim and then told me to get out. There were about 10 soldiers there. One of them searched me and found a slingshot in my pocket. He started yelling at me, tied my hands behind my back, and took me to the jeeps parked by the tower. The soldier told me to sit down and called a Border Police officer, who blindfolded me.

Then the soldiers put me in an army jeep. We drove for less than 10 minutes and then they took me out and led me

into a room. I think it was a container, because I bumped against a metallic wall. They spoke among themselves in Hebrew and I didn't understand what they were saying. I asked them where I was, but no one answered. They sat me on a chair without a backrest and every time I moved my body to the right or left, I felt as though I was about to fall. Then one of them removed the blindfold and told me to talk to my father. He gave me a phone and my father asked how I was and reassured me. The conversation lasted less than a minute and then they put the blindfold back on.

About 15 minutes later, several soldiers came in, I understood by their voices. One of them kicked me in the face. It hurt badly. My head spun and I fell over. Someone else came over and spat at me. Another soldier hit me in the chest and said mockingly: "Want an ambulance? Want an ambulance?"

Then they sat me back down on the chair and hit and kicked me in the face and back. Every now and then, the group of soldiers changed. Sometimes they also hit me on the head with a helmet. It went on for about five hours. All that time, I was sitting on the chair without a backrest and had nothing to lean on. I tried to tilt my body to lean on something, but there was nothing. I was so exhausted and in so much pain that I dropped my head backwards and forwards, but every time I did so the soldiers stopped me.

At some point, they brought food for the soldiers and one of them asked if I was hungry. I said yes and he gave me one bite to eat, out of his hand. It tasted like tahini, but it wasn't very good, so I didn't ask for more. About an hour later, I asked to drink, and the soldier put a bottle of water to my mouth. He left it and didn't move it, and I felt like

I was choking from the water pouring into my mouth. I moved my head aside and the water poured from the bottle onto my body.

Later, they moved me to another room and put me in the corner, on a chair. Every time I got tired, I tried to lean my head against the wall, but the soldier would always kick the chair to make me sit back up.

After half an hour, I asked to go to the bathroom. They took me to an open area, I don't know where. The soldier helped me unzip my pants, but while I was peeing, he pushed me, and the urine got on my clothes. Then he led me back in and again sat me down on the chair in the corner. He said I wasn't allowed to move and told me I couldn't even lean my head against the wall.

Then a group of soldiers came in. I guessed that there were three of them from their voices. They took me outside — to an olive grove, I think, because the branches brushed against me. While they led me along, they swore at me and called my mother names. One of them tightened the blindfold on my eyes and ordered me to say, "I'm friends with the soldiers". I repeated what he said. Whenever I stopped, he ordered me again to say, "I'm friends with the soldiers".

They kept me walking for a long time. It felt like we were walking along a rough path with thorns. They knocked me down and then picked me up. They beat me and swore at me. They didn't let up. I was terrified that they were taking me to some lonely spot so that they could murder me and no one would find me. At some point, they stopped. One of the soldiers said to me: "You're a big-time terrorist. I'm



going to shoot you." I heard him load his gun and felt it touch my head. I was sure he was going to kill me.

But he didn't kill me. He kicked me very hard in the stomach and knocked me down. It hurt a lot and I was dizzy. He started counting to three, in Arabic for me to get up, but I couldn't. I was exhausted. Then he stepped on my head with all his weight. He did that three times.

They covered me with dirt and stones, and I felt that half my body was buried in the ground. I kept screaming and asking for mercy and shouting "Shame on you". Finally, they stopped. They picked me up and led me somewhere, I didn't understand where. They kicked me twice hard in the legs and then sat me down on the ground.

One soldier tried to cut the zip ties on my hands with a large rock. He tried three times, but it didn't work. He disappeared for 15 minutes, came back with scissors and started ordering me: "Say, Muhammad is a pig." I had to repeat it twice. Once "Muhammad is a pig", and then, "Muhammad is a dog".

He started cutting random bits of my hair. I felt humiliated, but I couldn't resist. My hands were tied, my eyes were covered, and they had weapons. He cut maybe three or four pieces of my hair. Later, I looked in the mirror and it looked like when you shear sheep. He cut the zip ties, took off the blindfold and said: "Go on, go home, go".

One of the soldiers asked me: "Do you know the way home?" I said I didn't. He said: "I'll drive you there in my own private car, what do you say?". Then he shouted at me: "Go on, go home. But there are Jews out there. If you run into

them on your way back, they'll beat you up even more. But you go to Nabi Saleh and tell them what happened to you." Then he kicked me twice in the rear.

I found myself alone on the road, in the dark. I couldn't walk, so I crawled over to the railing by the side of the road and leaned against it. The road was deserted because it was late, almost ten o'clock at night. I waited for a car to pass by and pick me up. Five or six cars went by, but they were all driven by settlers. I was afraid that one of them would get out and kill me. Arabs drove by as well, but they didn't stop. About fifteen minutes later, a Palestinian pulled over. He asked me what happened and I told him. He called my family and drove me to a-Nabi Saleh, where my brother picked me up and took me home.

Then my father took me to hospital in Salfit. They ran tests and X-rays and found dry bruises and that my right shoulder was dislocated. I was hospitalized for two days and then released for further treatment at home.

In 2016, based on 25 years of experience and hundreds of cases, B'Tselem decided to stop cooperating with the whitewashing apparatus. Further to this decision, we have since stopped applying to the Israeli authorities with the demand that they investigate incidents in which Palestinian residents of the occupied territories were killed or injured.

2019



'Abed Kan'an, Baraa's father, 54 and a father of four from Beit Rima, met with B'Tselem field researcher Iyad Hadad this year and described the family's life since the incident:

My son Baraa's arrest was more like a horrific abduction. Everyone who hears about it thinks it's a horror movie. That day, at around 2:30 P.M., my eldest son 'Abd al-Qader called and told me they had arrested Baraa.

I ran out of the house like a madman and went to the military post in a-Nabi Saleh to ask about my son. They refused to talk to me, ordered me to leave, and treated me disrespectfully and inhumanely. I refused to leave and kept asking where they were keeping Baraa. I was very nervous because I had heard on the news that in the protests in Nabi Saleh that day, someone had been killed and several protesters had been injured. I was afraid that something had happened to him. I was also worried that they might take him to an unfamiliar place and kill him there, and then would come up with some false story to justify it. That's why I insisted on knowing where he was.

After I insisted, one of the officers made a video call with someone and showed me Baraa. They let me talk to him. He was pale and looked troubled. He was handcuffed. I calmed down a bit after the officer let me see him, but then I realized that it was just a show they had put on so I would leave. I didn't know then the abuse that was awaiting him.

Late that night, around 10:30, eight hours after they took Baraa, someone called and said he'd found my

son on the side of the road, in a desolate area where there is nothing except stray dogs and wild boars. Only with God's grace did a Palestinian happen to pass by and find him, otherwise he might not have survived.

After we picked him up, we took him to the government hospital in Salbit. He was in terrible shape and could hardly breathe and talk. They checked him and found bruising in his body and a dislocated shoulder, in addition to mental trauma. He was hospitalized for two days and released for further treatment at home.

When I asked Baraa what happened to him, the story was strange and surreal beyond anything you could imagine. It seems that he fell into the hands of a group of people who really enjoyed torturing him and abusing him. It was a very harsh blow for me, for his mother and for the whole family.

I thought that it was traumatic for Baraa, too. But at that age, as you know, young men don't talk about having a tough time or that they are in distress. Instead, they make a show of being strong. The incident actually made him want to participate in demonstrations even more, exactly the opposite of the message the soldiers wanted to convey to him, to stay at home.

Since the incident, Baraa started going to many more protests. On 5 September 2018, the army arrested him again. It was 10 days after his older brother, 'Abd al-Qader, was also arrested. They were both tried and sentenced to prison terms for participating in demonstrations and political activism. 'Abd al-Qader

was sentenced to two years in prison and Baraa to 14 months.

When they arrested 'Abd al-Qader, I didn't fear for his safety, but when they arrested Baraa, I was afraid. His second arrest was also carried out like an abduction. He was working a night shift in a plastics factory. At 8:30 A.M., on his way home from work, some soldiers ambushed him and arrested him. I didn't even know he'd been arrested. Only after four hours did the ISA representative in the area call me and tell me Baraa was under arrest. He let me exchange a few sentences with him to calm me down.

It didn't calm me down at all. I was very scared. I didn't know what the charges were against him and was afraid he'd be abused again, because he spoke with me from the interrogation ward. Two days later, we saw him in Ofer Court, at a remand hearing. His hands and feet were in iron shackles. It was a very harsh and cruel sight. We were not even allowed to hug him. He signaled to me from far away that he was fine. I did the same.

Although we didn't get any details about his investigation, his general appearance calmed us down. But as long as the occupation continues, we will not have peace of mind here. We will worry about our children all the time, even after they grow up and get married. We worry every moment. You can't feel safe here for a second.

Before he was arrested, Baraa was considering studying and retaking his matriculation exams, because he failed the first time. But the arrest disrupted his plans.

He insisted on taking the exams in prison, and this time succeeded. So, from evil sprang good, as the saying goes. Now, the option to go to university is open to him, after he'll be released from prison in three or four months. A university degree will give him a chance at a better life.

What gives me even more hope is the good things his fellow inmates say about him when I visit him in prison. They all praise him, saying how kindly he treats the others and how much they love him. He really is a wise, mature person and I hope he has a bright future ahead of him.

The injury of 'Alaa a-Dali, 20, Rafah in the Gaza Strip, 30 March 2018

His testimony was given to Muhammad Sabah on 18 April 2018

I've been a member of the Palestinian bicycle team in Gaza since 2013. I'd only ridden my bike and raced inside Gaza. I couldn't race anywhere outside Gaza. I tried to get to a race in Tunisia, but I didn't make it because Rafah Crossing was closed and Israel wouldn't give me a permit to travel through Erez Crossing. Two other cyclists who ride with me didn't get a permit either. The Israelis also wouldn't let us travel to the West Bank to participate in the Jericho Marathon, or any other competition.

The race in Tunisia was supposed to be my first outside Gaza and was a golden opportunity for us, cyclists from Gaza, to prove ourselves in the Arab world and get some professional guidance from cyclists who are used to covering long distances on dirt paths or mountain roads, in other countries.

In the Gaza Strip, I practiced daily. I would cycle from Rafah to northern Beit Lahiya, a distance of 43 kilometers, then return to Rafah. Sometimes I'd take a shorter route, 10 kilometers in every direction. I did that because my goal was to participate in international and local competitions.

A few days before 30 March 2018, I heard that nonviolent marches were being organized to mark Land Day and that tents had been erected in several areas, including in Rafah, demanding that we get our rights back. On the morning of 30 March, I heard calls from mosque

loudspeakers to attend the marches and I decided to go to protest in the eastern part of Rafah. I rode my bike there with two friends, and we got there around 10:00 A.M. There were hordes of people there — young people, men, children, women, entire families. There were tents, vendors, journalists and medical teams. We stood there. There was no shooting and no one threw stones. After two hours, we prayed the midday prayers and then sat for a while.

Shortly afterwards, some young men began throwing stones at soldiers who were hiding behind dirt mounds about 200 meters from the demonstrators. We watched from a distance of about 150-200 meters from the border. A guy was hit by gunfire near us and we went over to try and help him. At the same time, I saw a drone that takes photos above us, and stood up to watch it circling in the sky. After about two minutes, I felt a sharp pang in my right leg. I looked down and saw it was bleeding and smoking.

The guys next to me picked me up immediately and carried me to an ambulance, and from there to a field hospital that had been set up. After that, I was taken to the European Hospital in Gaza, where they found a tear in my leg, bones and artery. They operated on me to put plates in my leg, and then I had another operation to try and connect the severed arteries. The attempts to heal the leg continued for two weeks, but in the end, I was told the surgery failed.

I tried to get a payment guarantee for surgery in a Ramallah hospital. After I got it, and the surgery was scheduled, I applied to the Israeli officials for transit permits for my mother and me. Both applications were

denied. After that attempt failed, the doctors decided to amputate my leg at the knee.

When I heard about the decision, I cried a lot. I thought about my bike and my dream of becoming a cycling champion, which was suddenly cut short without any advance preparation. I felt that my life was over, my whole world turned upside down, and that I would never ride a bike again. I had been training for a race in Jakarta in August 2018, and I was hoping to take part and wave the Palestinian flag, but that will never happen at any race anywhere in the world. I realized I would never walk on two legs again and that from now on, my whole life would focus on the leg that's about to get amputated because of a bullet fired by an Israeli soldier.

On 8 April 2018, my leg was amputated. When I saw the amputated leg, I went into shock. I cried and it was very painful. About a week ago, I was transferred to al-Quds Hospital in Gaza, and I'm still here. I'm supposed to be released today but when I get out of here, I won't be the same person I was before 30 March 2018. I'll leave with no leg, no dream, no future. My life will become difficult and lose meaning, because that's what the Israeli military decided.

In 2016, based on 25 years of experience and hundreds of cases, B'Tselem decided to stop cooperating with the whitewashing apparatus. Further to this decision, we have since stopped applying to the Israeli authorities with the demand that they investigate incidents in which Palestinian residents of the occupied territories were killed or injured.



'Alaa a-Dali, now 21, spoke with B'Tselem field researcher Khaled al-'Azayzeh about the year he has been through and his hopes for recovery:

After the injury, I was hospitalized for almost a month in Gaza hospitals. After they released me, I had physiotherapy for two months, sometimes at home and sometimes at Doctors Without Borders in Khan Yunis. At first, I had treatments every day, and later every two days.

After losing my leg, I was in a very dark place. I was in shock, especially because I was on the Palestinian bicycle team. I had thought I would always be able to ride, and I keep imagining myself getting back on the bike. Cycling always made me happy, I felt that the bicycle was part of my life and that I couldn't give it up.

During physical therapy, I went to a prosthetic center in Gaza City that belongs to the municipality. I got physiotherapy there, too, for four months, and then had another operation on my leg. About a month and a half after the surgery, I was taught how to use a prosthesis.

To this day I have pain in the injured leg, and sometimes skin infections. I still take painkillers and use ointments to ease the friction between the prosthesis and the leg. Every six or eight months I will have to replace the prosthesis, which involves new treatments every time.

Some human rights organizations documented my case. I had hoped the military would investigate what happened and hold the soldiers who made me disabled accountable, and that I would get financial compensation so I could

carry on with my life. Mostly, I hoped that I would be able to get treatment in developed countries that have more advanced and innovative treatments, and that I could buy a special car for people with disabilities. Sadly, it's been more than a year since I was hit and none of those things have happened.

I've watched videos about prosthetics on YouTube and I know there are newer, more advanced ones that allow you to move almost freely. I have some hope of getting such a prosthesis and living an easier life. The one I have now isn't adequate. It's old and doesn't allow me to go up or down stairs, walk fast, run or swim. I can only walk on flat surfaces.

Because I was injured, I couldn't even apply for permission to travel to races that were held in Indonesia, Egypt and Algeria. That had a huge effect on my mental state. It's very hard to go from living life as an athlete to living life as a disabled person.

What lies ahead?

In the review above, we just barely scratched the surface of the abomination that is the occupation. We showed just the very tip of the iceberg of the physical and emotional scars that each and every family will bear for years and generations to come. Now that the occupation has been around over fifty years, is there even a single Palestinian family that remains completely unscathed? Is there a family in which not a single member underwent humiliation, or was arrested, beaten, injured or killed? Is there but one such family among the five million people who are trodden under our boots every day?

It is just the tip of the iceberg because what we described were just cases of death, injury or beating, and their systematic whitewash and cover-up. But these are just some of the violent manifestations of the occupation. These pages do not tell of home demolitions, restrictions on movement, administrative detention and torture, the permit regime, the arrest of children, of being displaced and driven from home, of state-backed settler violence, military training carried out on farmland, the courteous soldiers who storm into bedrooms in the dead of night, of the military courts, including the special ones meant to try children, of settlements, land grab and water resources seized, of the arbitrariness, of the domineering attitude and arrogance of all the apparatuses of the Israeli regime — from the Supreme Court justices down to the most junior Civil Administration official — that combine to oppress and to whitewash, to trample rights, to keep moving ever further ahead with the great Israeli enterprise of shattering the Palestinian people into more

manageable fragments, the easier to oppress, dispossess and displace.

Just the tip of the iceberg.

B'Tselem, from its 1989 foundation, was the Israeli Information Center for Human Rights in the Occupied Territories. It is a name that reflected the way we believed we could transform reality, thinking that clear and reliable information from the field would force Israelis to look the abomination of the occupation in the face, would make it impossible to avert one's eyes or sidestep the issues with flimsy excuses, and that then change would come.

It has been thirty years, but the mechanisms of denial and propaganda have merely grown more sophisticated. The reliable information is watered down and denounced. The facts be damned. The imbalance of power between a regional superpower that sends its superbly armed military and shrewd lawyers to oppress and plunder a defenseless people, bereft of rights, makes it easy to look away.

Reliable information from the field continues to be the mainstay of B'Tselem's work. However, it is now clear that although it is a vital component, it is not enough on its own. Therefore, along with our commitment to go on exposing the horrors, on insisting that eyes are not averted — and this publication is part of that endeavor— it is now clear that only decisive international action can change the

balance of power, change reality, and bring about an end to the occupation.

The fourth decade of B'Tselem's work, which is the sixth decade of the occupation, is now starting. The above pages describing the past are just the tip of the iceberg. The future holds more days of beatings and fatalities, of bureaucratic oppression and physical violence. There will be days that will feature headline news of the occupied territories, while others will go by without a single word in the media. But regardless of whether or not we hear about it, the occupation is ever present. It is there, day after day, in the lives of millions of people who lead lives that are subject to military orders, live ammunition and uncertainty, and of those who impose all this on them.

The pages you have read are just the tip of the iceberg. Ahead lies a future that can bring a different reality. We must choose to make it different and bring about a reality in which all of us — all 14 million people living on the bit of land between the Jordan River and the Mediterranean Sea — live in equality, enjoy the full benefit of human rights, and take part in determining our future. A reality in which the law will no longer be used for the advantage of the rulers to undermine subjects, but will genuinely serve to safeguard human rights. Everyone's human rights.

This day will come.



In compliance with the law passed by the Israeli Knesset that seeks to equate the receipt of international funding with disloyalty, please note that B'Tselem was 52% funded by foreign state entities in 2018. These entities are listed on the website of the Israeli Registrar of Associations and elsewhere. Be that as it may, we remain loyal to the struggle for human rights, freedom and democracy, and to an end to the occupation.

ISBN 978-965-7613-39-9