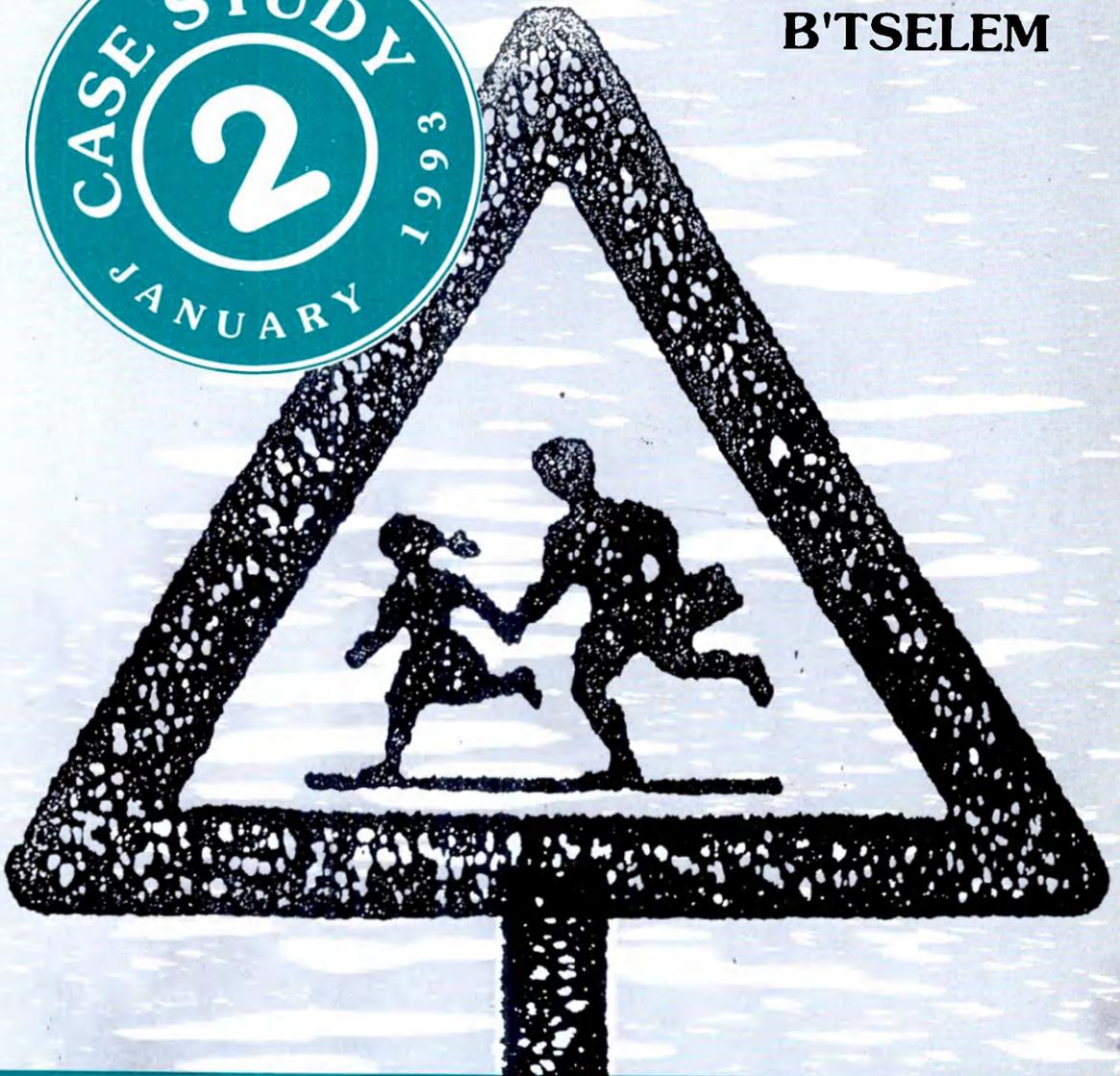
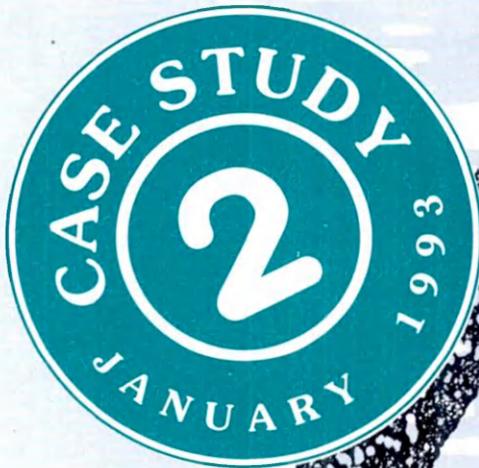


KHAN YUNIS
DECEMBER 1992

בְּתֵלֵם
B'TSELEM



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B'TSELEM

The Israeli Information Center for Human Rights in the Occupied Territories
18 Keren Hayesod St. Jerusalem 92149. Tel. 02/617271, 617274, Fax. 02/617946

מרכז המידע הישראלי לזכויות האדם בשטחים

רחוב קרן היסוד 18, ירושלים 92149. טלפון 617274, 02/617271, פקסי 02/617946

"مركز المعلومات الاسرائيلي لحقوق النسان في الاراض المحتلة"

شارع كيرن هيسود ١٨ القدس ٩٢١٤٩. تلفون ٦١٧٢٧٤/١ (٠٢)

ISSN 0792-8114

Graphic Design: Dina Sher



**KHAN YUNIS
DECEMBER 1992**

Research:

Yuval Ginbar, Bassem 'Eid, Suha 'Arraf

Written by:

Yuval Ginbar

Translation:

Jessica Bonn

***B'Tselem** would like to thank the following individuals and organizations for their help in preparing the report:*

*Atty. 'Abd al-Karim Shabir, Advocates'
Center of Palestinian Human Rights*

*The Palestinian Lawyers' Association for
Human Rights*

David Tartakover

INTRODUCTION

The Prime Minister of Israel, justifying the mass deportation of Palestinians from the occupied territories in December 1992, said ("Mabat," December 17) that "we did not hurt anyone — we did not wound, [or] kill, or damage property."

In the month of December, 1992, 23 Palestinians, including 8 children, were killed by IDF gunfire in the occupied territories, over half of them after the deportation. Dozens of others were wounded, protracted curfews were declared, and houses were destroyed by missile fire.

In Khan Yunis, a city in the southern Gaza Strip of almost one hundred thousand residents, the month of December was one of the most turbulent experienced by any community in the territories since the beginning of the Intifada.

Human rights violations in Khan Yunis during that month included the following:

Casualties: 11 residents, including 4 children, were killed by live fire of the security forces; over one hundred were injured.

Deportations: 23 Khan Yunis residents were deported to southern Lebanon.

Curfew: The city was under curfew for 17 days. 10 of them consecutive, and was sealed off for 2 additional days.

House Demolition and Damage: Missile fire destroyed one house, and left another severely damaged.

Arrests and detentions: Some 130 Khan Yunis residents were arrested. Many received orders for detention without trial (administrative detention).

Violence: Some of the arrests were violent. In other instances, soldiers burst into private homes and caused considerable damage to property.

Interruption of Studies and Use of Force in Schools: As a result of the curfew, pupils in Khan Yunis missed 17 school days. In 2 instances, soldiers forcefully entered schools. In one of these incidents, a pupil was killed by gunfire.

Prevention or Delay of Medical Treatment: In at least two instances security forces prevented the administering of medical treatment or removal of injured persons. In another case a vehicle, which was evacuating a critically injured person, was delayed, during which time the patient died.

While violations in Khan Yunis were extensive, they were neither unique to this city nor to the month of December. Rather, they reflect the policy of successive Israeli governments in the occupied territories over the past five years. This report will present a portion of the data and testimonies gathered by B'Tselem workers in Khan Yunis regarding this month's events in the city, along with descriptions by soldiers and official sources.

A. CASES OF DEATH

Fatalities in Khan Yunis:

December 5, 1992

- **'Isaam Jihad 'Alayan Barbakh**, age 15 and 11 months (b. January 1, 1977), shot in the courtyard of his school. The range from which he was shot has not been established.

December 19, 1992

- **Naji Sha'ban Hamada a-Najjar**, age 15 and 11 months (b. January 9, 1977), shot in the pelvis, in a plowed field. Range: approximately 50 m.

- **'Adel Fawwaz 'Awwad Abu Hadayid**, age 21, shot in the chest, in the street. Range: approximately 120 m.

- **Maher Saber Silam 'Amran**, age 23, shot in the street. Range: approximately 120 m.

- **Wa'el Muhammad Mahmud Qaisi**, age 19, resident of the (Khan Yunis) refugee camp. Shot in the chest, in the street. Range: approximately 10 m.

- **Rana Tharwat Muhammad Abu Tuyur**, almost age 10 (b. December 26, 1982), resident of the refugee camp. Shot at mid-waist, in the street. Range: approximately 25 m.

- **Rizeq Salah Rizeq al-Fara**, age 19, resident of the refugee camp. Shot in the head, on the roof of his house. Range: approximately 50 m.

December 20, 1992

- **Muhammad Salem Masallem Abu Mussa**, age 22, wounded on December 19. Shot in the belly, in the street. Range uncertain.

December 21, 1992

- **Aiman Subhi Mussa 'Amer**, age 13 (b. May 22, 1979), resident of the refugee camp. Shot in the head beside his house. Range: approximately 200 m.

December 23, 1992

- **Isma'il Khamis Muhammad 'Abedin**, age 24. Shot in the chest on the roof of his house. Range: approximately 10 m.

- **Muhammad Khamis Muhammad 'Abedin** (Isma'il's brother), age 31, shot in the head on his way down from the roof to help his brother who had been shot. Range: approximately 5 m.

B'Tselem took testimony from Palestinian eyewitnesses regarding each of the eleven fatalities in Khan Yunis during the month of December. Following are testimonies pertaining to some of the incidents.

**Death of Naji Sha'ban Hamadah
a-Najjar, age 15**
Killed on December 19, 1992

***Testimony of Tawfiq Sha'ban a-Najjar,
b. 1974***

I am the brother of the deceased. On Saturday [December 19, 1992] at 3:30 [p.m.], the curfew was lifted, and clashes erupted. The army was opposite us, in jeeps. There were many young people, perhaps dozens. We fled to a plowed field. I was at the rear with my brother. The army was maybe 50 m. away from us. There was a great deal of shooting.

I saw that my brother was injured. He was hit in the waist by 3 bullets, and fell. We came to take him away, and then 12 soldiers came to me and said: don't touch him, or we'll shoot. The soldiers surrounded Naji and kicked him. They did not administer any medical treatment, and did not let anyone approach — not even the U.N. [i.e. UNWRA]. I saw blood streaming from his belly. They took him to a nearby courtyard. They held him for a half hour. When they saw that he was dead, they left him there and went on their way. When we arrived he was dead.

"If you see someone holding a cinderblock, Molotov cocktail, or an iron bar, you shoot him without making any bones about the matter. There is no longer a procedure for apprehending a suspect."

[According to the open-fire regulations, the procedure for apprehending a suspect involves 3 stages which require first calling out a warning and then firing warning shots in the air, following which it is permissible to fire at the legs.]

- A., Border Police Officer stationed in Khan Yunis, quoted in the daily **Ma'ariv**, December 25, 1992. Military sources quoted in the article denied that the open fire regulations had been changed.

**The Death of Isma'il Khami
Muhammad 'Abedin, age 24,
and his brother Muhammad,
age 31, on December 23, 1992,
in Khan Yunis**

***Testimony of Khamis Muhammad
Ibrahim 'Abedin, b. 1938***

I am the father of Isma'il and Muhammad. On Wednesday [Dec. 23, 1992] at 2:00 p.m., we were on the roof of our house. The house is three storeys high. We sat in the sun. Isma'il was approximately 10 m. away from us. Suddenly I heard three shots, and Isma'il shouted "Dad" and fell. He fell off the roof to the alley below. We looked down and saw eight soldiers under the house. I shouted to them, "Stop shooting. You have already killed my son."

Muhammad went down to help Isma'il. They shot him in the head while he was on his way down, on the second storey.

I went down and grabbed a soldier, who hit me. The soldiers were near Isma'il's body. For over one hour they prevented us from approaching him; they also prevented municipality workers and UNWRA staff from approaching.

My two sons worked in Tel-Aviv, and were not wanted or anything. Isma'il had a wife and five children. Muhammad was married and father of eight.

***Testimony of Muhammad 'Abd al-Karim
a-Najjar, b. 1936***

On December 23, 1992, at approximately 3:30, we buried the brothers Isma'il and Muhammad. Prior to the burial, I saw the bodies. Isma'il was shot in the chest, and Muhammad in his left temple. He was shot by perhaps 10 bullets. The left side of his head was completely destroyed.

IDF Spokesperson's Announcement

At approximately 2:30 p.m., during the curfew in Khan Yunis, an IDF patrol was caught in an ambush that included the throwing of cinderblocks, stones and other objects. When the commander felt that the soldiers' lives were in danger, he decided that fire be opened, in the course of which the brothers Isma'il and Muhammad Khamis Muhammad 'Abedin, residents of Khan Yunis, who were involved in the throwing of cinderblocks from the roof of their house at the soldiers below, were killed.

On December 25, 1992, **Ha'aretz** daily reported that the unit whose soldiers had shot the two brothers was removed from the Gaza Strip. In the item, a military source is cited as saying: "They were not suited for operations in Khan Yunis, and it was therefore decided to release them before they caused additional damage."

The Death of Aiman Subhi Mussa 'Amer, age 13

on December 21, 1992, in the Khan Yunis Refugee Camp

Testimony of Yusuf Mussa 'Abd al-Ghaffar 'Amer, b. 1958

I am Aiman's uncle. On Monday, [December 21, 1992], at around 12:45, was working on the roof of a two-storey house. There was a curfew. The child Aiman was [also on the roof] some 30 m. away from me. He approached.

I heard a shot, and saw that the soldiers who fired were on the roof of a house, maybe 200 m. away from us.

The boy walked towards me for some 30 m., and fell off the house where I was working. People came and took him to Nasser [Hospital], and he died within 15 minutes.

An official military source said on December 21, 1992, that the boy Aiman arrived at Nasser Hospital and died there. The source added that "the security forces are investigating the circumstances of his death."

Death of Rana Tharwat Muhammad Abu Tuyur, nearly age 10

on December 19, 1992, in the Khan Yunis Refugee Camp

Testimony of N.H. *, b. 1968

On Saturday [December 19, 1992] they lifted the curfew in the afternoon. We went out. The soldiers shot at everyone they saw. Some five minutes after we left the house, I saw the Military Governor's jeep travelling south on al-Qassam Street, with two command cars trailing behind. There were soldiers walking ahead of them. They went as far as the al-Qassam school, then turned back north.

I was on the same street, some 50 m. north of a side street going west, from where Rana emerged. The soldiers were south of that small street, but fairly close to Rana — maybe 30 m.

I knew Rana well. She had been on her way to fill a pitcher with milk. Just as she reached the corner, they shot at her. She fell to the ground and the soldiers started shooting in all directions. We still couldn't get near her.

Finally, someone came from the side street and took her, but she was already dead. More youths arrived, and the army retreated southwards.

* The full name is being withheld by **B'Tselem**.

Testimony of Aiman Fadel 'Abd al-Malek al-Fara, b. 1966

[On Saturday, December 19, 1992], at approximately 3:30, they lifted the curfew. I began walking westward from my house, which is located on an alley adjacent to al-Qassam Street. The house is at the northern end of the alley. I saw Rana some 20 m. ahead of me, at the end of the street.

A soldier shouted to her to go home. She said to him, "I am getting milk." I said to her, "Go back." (I knew her well). She turned around, and as she did, he shot at her from the street, from a distance of 20-25 m. She was hit in the left side of her waist. I went to save her, and he shot again, in my direction. Someone else succeeded in snatching her body away.

B. INTERVIEW WITH IDF RESERVE SOLDIERS UPON RETURN FROM DUTY IN KHAN YUNIS

(Excerpted from Ha'aretz Daily, December 25, 1992. Most of the questions have been deleted.)

"We are having a hard time emotionally. We are carrying the killings around with us, and they will stay with us for all our lives. It is not easy to confront and kill people — it will always be with us. We are currently trying to obtain the footage shot by foreign journalists and networks in order to better understand what happened there."

"[...] One must not forget that we were dealing with difficult conditions, in incidents involving terrorist activity. During what appears to be a demonstration by innocent civilians, a good number of armed wanted men are circulating."

"[...] In the midst of a large riot, which brought about the death of Palestinians, we discovered a young man who was armed, surrounded by 20 small children, and we couldn't shoot him. He was at a range of some 30 m. from our soldiers, but the children, who were age 8 to 15, protected him like a living wall."

"[...] Nothing can be done about it. No one shot, because we didn't want to kill children. The boy fled, and shooting was prohibited. From this you can understand the soldiers' frustration. There were at least two more incidents like these. For example, we saw an

armed terrorist sitting in a Peugeot when the curfew was lifted, and he too was surrounded by children, so how could we shoot him?"

"In such cases, use of snipers is also prohibited, since according to the orders, the minute that a person is not threatening you physically, even if he is armed you may not shoot him. They have now eased up on the open fire regulations, but this was not the case two days ago."

"The phenomenon of armed terrorists who use children as their guard is spreading. Many of the young people view these wanted persons as major heroes, and they are prepared to protect them."

"[...] In this specific incident we shot 50 bullets, and I am only talking about the incident in which the girl was killed. I have no idea [how she was killed]. I am telling you, I am going crazy from this. Simply crazy. We shot an enormous amount. I estimate that it was a soldier's hysteria — simple hysteria. I am sure that he did not shoot at the girl. He simply shot, and she got hit. The girl was not standing next to someone armed, or anything like that."

[The Ha'aretz reporter asked]: In the IDF Spokesperson's announcement, it was said that the girl was killed while standing next to an armed "wanted" person.* Are you sure that this was not the case?

"No, I am not sure. When you speak with soldiers, each gives a different version. They are confused, and they are frustrated. When a soldier says to you 'I shot at him from an angle of 60 degrees, and I didn't look through the sight,' we believe him. I do not know how she was killed, the girl. No one can shake the feeling that she and others were killed because of us. Don't think that it is easy for us to live with this. We don't just flick a switch and forget about it. It is with us all night, and it's a hard feeling."

"[...] [The service in the Gaza Strip] is quite frustrating for them. The outcome is the most difficult part. People are used to that kind of service, but the results [this time] were disastrous."

OFFICIAL RESPONSES TO THE SHOOTING IN KHAN YUNIS

From IDF Spokesperson's announcement on December 20, 1992:

All of the cases in which shooting of any sort was carried out against rioters occurred following identification of young persons bearing firearms or youths throwing stones, cinderblocks or iron bars at the forces, and who in the commander's estimation endangered lives." [Our emphases].

In the "Today" program on Voice of Israel radio on December 27, 1992, Prime Minister Yitzhak Rabin was quoted as stating in a meeting with "Hadash" party members that:

One of the units in Gaza operated improperly. I gave an order to remove the unit from the area.

MK Tamar Gojanski confirmed in a conversation with **B'Tselem** that there were indeed statements to this effect. In addition, Rabin said to "Hadash" members:

On Friday [December 25, 1992] I ordered the army not to intervene and to prevent confrontations.

* The IDF Spokesperson's Office, on December 28, 1992, said to **B'Tselem** that no separate announcement had been issued regarding the death of the girl, "so we do not know upon what grounds the Ha'aretz reporter relied."

C. VIOLENT ARREST AND DEPORTATION — THE ESHBEIR FAMILY, AL-KATIBAH NEIGHBORHOOD, DECEMBER 14-16, 1992

Testimony of Fathi Yusuf Sha'ban Eshbeir

On Monday, December 14, 1992, at approximately 11:30 p.m., soldiers came in, after having surrounded the house, and arrested my brother Mahmud, age 20. They locked the women and children in a room, put Mahmud in a command car, lay him on the floor of the car, and kicked him.

On Wednesday, December 16, 1992, at 6:00 p.m., we, the men, were praying in one room. The army surrounded the area, and soldiers knocked very loudly on the door. My wife, who is pregnant, opened the door, and they instantly placed a rifle to her chest. They entered the room where we were praying, grabbed my brother Hamdi, and said to him, "Come with us." They tied his arms and blindfolded him, and put him in the command car. I followed them outside and saw them punching him. They also beat my brother Sa'id. In this case, as well, they locked the women and children in one room. They did not let them say goodbye to him.

Hamdi, born in 1964, is married and father of two girls; his wife is pregnant. He had never been arrested in the past, and has not even been summoned for interrogation by the GSS.

He is a graduate of a-Najah University in Nablus, and worked as a television salesman. He is also a prayer leader (imam) in the mosque. On Friday, a lawyer told us that Hamdi had been deported.

Testimony of Sa'id Yusuf Sha'ban Eshbeir, age 26

I was upstairs when they came to take my brother Hamdi to deport him. A soldier came, dragged me into another room, and began beating me. I asked him, "Why are you beating me?" Another soldier came and told him, "Leave him alone," and he stopped.

DEPORTEES FROM KHAN YUNIS

Twenty-three residents of Khan Yunis were deported to southern Lebanon on December 17, 1992. Among them were three lecturers, seven students, six workers, and one marriage registrar.

Three of the deportees were in administrative detention, and four were in detention pending legal proceedings.

Among the deported was Zakaria 'Abd Rabu Abu Mustafa, a resident of the Khan Yunis refugee camp.

On August 21, 1992, Abu Mustafa was arrested and held in administrative detention for six months. On December 15, 1992, his appeal was heard by a military judge in the Ketziot detention center. Atty. Tamar Pelleg-Sryck of the Association for Civil Rights in Israel was present during the meeting.

With the consent of a GSS representative, the administrative detention order was reduced by one month.

The following day, Abu Mustafa was loaded onto a bus and deported to southern Lebanon.

D. HOUSE DEMOLITION AND DAMAGES BY MISSILE FIRE. JURAT A-LUT NEIGHBORHOOD, DECEMBER 22, 1992

On this day, the security forces suspected that a wanted person was hiding out in one of the four houses in the neighborhood. The security forces evacuated the residents from the four houses, and fired missiles at the structures. At a certain point, a man described by the security forces as wanted turned himself in. Palestinian witnesses told **B'Tselem** that this man was not armed at the time of his arrest.

The turn of events was described to **B'Tselem** by a resident of one of the houses:

Testimony of Maha Saleh Mussa al-Jabur, b. 1973

On December 22, 1992, at approximately 2:30, we were sitting at home. There was a knock at the door. My mother opened it, and Hamada [a neighbor] entered. He told my mother to take everyone out of the house, but a soldier called to my mother and she left. Hamada came to us and told us to leave. They told us to leave everything open — closets, doors — everything.

We walked eastward to the cemetery. There were soldiers there who told us to walk to the periphery of the cemetery. A woman soldier searched us. We sat there. After about one half hour, we heard continued shooting, followed by loud explosions. The explosions continued for a long time — perhaps for an hour and a half. At 5:30 we were sent back home.

A **B'Tselem** fieldworker adds: The house comprised 6 rooms, where Saleh, Maha's

father, his wife and their eight children lived. Maha was the oldest of the children. The youngest was two years old.

The three southern rooms were completely destroyed. There was a narrow courtyard between them and the other rooms. In the northern rooms objects were strewn all over the ground, and there were bullet marks on the walls.

House of Ziyad and Nabil al-Jabur

On December 25, 1992, three days after the incident, a **B'Tselem** fieldworker visited the family's house. His description: The house consists of four rooms, two on each side of a courtyard 3-4 meters wide, and is inhabited by 13 persons. The eastern wall of the southernmost room contains an enormous hole, apparently caused by a missile. There is a crack running along the wall at a height of 2 meters, and the family does not use this room for fear that it will collapse.

The closets and furniture in all the rooms were overturned, and their contents strewn all over. The walls were riddled with bullet marks.

In two other homes extremely destructive searches were conducted, but missiles were not fired:

- The house of Fathi 'Abdallah al-Jabur, comprising 4 rooms, 9 inhabitants (including his father), and children age 2 to 9.
- The house of Hamada Khalil Yusuf al-Jabur, comprising 4 rooms, 12 inhabitants, including children age 1¹/₂ to 15.

E. DESTRUCTIVE SEARCHES ACCOMPANIED BY SHOOTING

On December 11, 1992, the residents of a number of houses were evacuated, and a search was conducted, accompanied by gunfire. As a result, extensive damage was inflicted on property in all of the houses. Following is a witness' description of the event and the damages, taken from an investigation by "The Palestinian Lawyers' Association for Human Rights."

Testimony of Ibrahim 'Abdu 'Abd a-'Salam 'Ashur

On December 11, 1992, at around 6:00 a.m., I was surprised by knocks at the door. I opened the door and saw my neighbor Abu Heider. He told me that the army had told him to announce to all the neighbors to evacuate their houses immediately - children, women and men. I went out with my wife and children. We saw many soldiers standing outside, pointing their guns at us. The soldiers told us to go to the al-Jauz area, some 50 m. from our houses. We were approximately 150 families. A few minutes later we heard a tremendous amount of shooting. We remained in the same situation, until about 9:30, and then the soldiers told us to return home.

The damage:

1. The wall was riddled with bullet holes.
2. A television was broken.
3. The clothes closet was shot through.
4. A bed was broken.
5. The sugar, flour, and olive oil had been spilled onto the floor.

Damage to the House of 'Abdu 'Abd a-Salam 'Ashur al-Bara

1. The stereo system was destroyed.
2. The television was destroyed.
3. The washing machine was demolished.
4. The closets were overturned, and their contents strewn all over.
5. The bathroom walls were damaged from the shooting.
6. Blankets and mattresses were torn.
7. Kitchen ware was smashed.
8. Holes were found in the walls.

Similar damage was also found in the houses of the following:

- a. Na'im Mahmud Saleh Abu Samra, father of 5.
- b. Walid Hussein Muhammad Abu Sa'deh, father of 7.
- c. Fu'ad 'Abdu 'Abd a-Salam al-Bara

One of the "good-will gestures" announced by the government in August was the reopening of alleys sealed by the security forces during the Intifada.

According to B'Tselem's information, alleys in Khan Yunis were not opened.

In contrast, the main eastern exit from Khan Yunis was closed off in December 1992 by a number of concrete blocks.

F. INTERFERENCE WITH THE EVACUATION OF A CRITICALLY WOUNDED PERSON ON DECEMBER 19, 1992

Testimony of Maisara Taha al-Fara, b. 1968

We took him [Rizeq al-Fara] in a car to Nasser Hospital. There were three of us. On the way we were stopped by a command car that blocked the road. A captain got out and asked: "What happened?" We told him that we had someone with us who was seriously injured. He asked for the driver's identity card, and asked for the injured person's name. We told him.

We traveled 50 more meters, and another command car stopped us. We said to the

soldiers, "He's going to die. We just gave all the details to the soldier in that command car."

Some of the soldiers began clapping when they heard that Rizeq was going to die.

In my estimation, the first time we were delayed for 3 minutes, and the second time for about ten minutes. While we were pulled up alongside the second command car Rizeq's breathing became labored, and afterwards stopped.

At the hospital we were told that he was dead.

SUMMARY

There is nothing new about the human rights violations in Khan Yunis in December 1992. Not only in this city, but in the occupied territories in general, human rights have been violated as a matter of routine since the Intifada began over five years ago. However, the extent of the violations in Khan Yunis during the month of December was particularly large, reflected foremost by the numerous human casualties. These casualties were for the most part, in B'Tselem's opinion, a result of the de facto open-fire policy in the territories. This policy allows fatal fire at Palestinian residents, including children, even in circumstances where soldiers' lives are not endangered.

Following the killing of six persons in one day, the IDF Spokesperson portrayed the behavior of the soldiers as impeccable. Just a few days later, after another child and two

brothers were shot to death, the explanation that the soldiers had been in a "life endangering situation" was replaced by "improper behavior," necessitating the removal of an entire unit from the area.

But the removal of the unit is not a solution to the problem. Since the beginning of the Intifada, 19 children have been killed in Khan Yunis, including two three-year-olds, two eight-year-olds, one ten-year-old, one 12 year-old, and two 13-year-olds.

According to the open-fire regulations, by which all security force members are obliged to abide, one must "avoid as much as possible" shooting at children under age 14.

It is an unfortunate fact that after more than five years of Intifada, the IDF continues to impose protracted curfew, place large forces at every street corner when the curfew is lifted, employ fatal gunfire at

stone-throwers and others, even when soldiers' lives are not in danger, carry out searches and arrests of wanted persons during the course of which extensive property damage is inflicted, and implement punishments without due process, such as the mass deportation carried out during December 1992.

We call upon the Israeli government to immediately change its policy towards the civilian population in the occupied territories. The open-fire regulations must permit shooting-to-hit only in specific,

well-defined life-endangering situations. The security establishment must assure that these regulations are implemented with great care, and that all who violate them be severely punished.

The policy of collective punishment, such as the frequent use of protracted curfew, and punishment without due process of law, such as deportation, must be replaced by a policy which respects human rights. Punishments must be imposed only on persons convicted according to law.

IDF SPOKESPERSON'S RESPONSE

על התקן



Information Branch
December 31, 1992

RESPONSE TO B'TSELEM REPORT REGARDING EVENTS IN KHAN YUNIS DURING DECEMBER 1992

The Khan Yunis District is one of the most difficult in the Gaza area in terms of the extent and the level of violence on the part of local residents against the IDF and Israeli civilians.

During the last month the IDF imposed a curfew on Khan Yunis because of the large number of incidents there. Unfortunately, the lifting of the curfew triggered additional violent incidents including mass public disturbances, the throwing of rocks and blocks, shooting incidents and the hurling of grenades and fire bombs at IDF soldiers. The IDF was forced, on more than one occasion, to face life-threatening situations in which they had no alternative but to defend themselves and use live fire.

B'Tselem's Claims Regarding Incidents of Deaths in Khan Yunis:

Every incident of unnatural death caused by the IDF, including those in the territories, is investigated by the Military Police's Criminal Investigation Department. This is also correct regarding the deaths in Khan Yunis during December 1992. Therefore, the IDF is not able to relate to these incidents until the investigations are completed.

It is only right to point out that despite reports to the contrary on the subject, the IDF's Rules of Engagement (live fire regulations) have not recently been changed. These regulations allow for IDF soldiers to open fire in two instances. Firstly, when their lives are in danger and they shoot in order to remove the source of danger. Secondly, in the framework of the regulations pertaining to the apprehension of a suspect. In such a case, the use of firearms is a last resort to apprehend the subject, but not to kill him.

B'Tselem's Claims Regarding Damage to the Education System:

The Security Authorities and the IDF are doing all that they can to allow the education system in Judea, Samaria and Gaza to operate normally. During the last year almost all of the schools, colleges and universities operated. Educational institutes from time to time become centers of disorder, which forces the IDF to close them for certain periods in order to restore calm.

B'Tselem's Claims Regarding the Prevention or Delay in Providing Medical Attention:

B'Tselem has complained about cases in which local residents have been prevented from approaching an injured individual. In most of these cases this was because the IDF itself was already treating the injured. On more than one occasion an air force helicopter has been called to evacuate an injured resident of the territories to a hospital within Israel. We emphasize that the regulations regarding evacuation and treatment of the injured are precise and clear.

Following is our response to the incident involving Odeh Salem El Masi'ri, an apparently innocent individual to whom B'Tselem related in their last report:

El Masi'ri, a member of the Islamic Jihad Organization, was a wanted fugitive during the last few months because of his involvement in terror activity. The report related to the apprehension of El Masi'ri in a house in Khan Yunis. During the operation to apprehend him, local residents in the area were evacuated from the scene.

During the operation IDF soldiers entered the house after the fugitive surrendered. A Karl Gustav sub-machine gun was found in the house. The house was searched out of concern that other armed fugitives were hiding in it. During this search, this damage occurred.

The IDF Spokesman regrets the fact that B'Tselem was quick to jump to conclusions and criticize solely based on reports given to them by local residents, without waiting for the conclusions and the results of the Criminal Investigation Department's report.

B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories, was founded in February 1989 by a group of lawyers, literary figures, academics, journalists, and Members of Parliament. **B'Tselem** documents human rights abuses in the Israeli-Occupied territories, and brings them to the attention of policy makers and the general public. **B'Tselem**'s data are based on independent fieldwork and research, official Israeli sources, the media, and data from Palestinian sources, most notably the human rights organizations PHRIC and al-Haq.
