



**Abuse of Palestinians by IDF Soldiers
in Hebron, 3 December 2002**

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**The Israeli Information Center for
Human Rights in the Occupied Territories**



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Written by Yael Stein

Data coordination by Maya Johnston

Translated by Maya Johnston, Zvi Shulman

Cover photo: Wa'il Abu Rumeileh at the barbershop's entrance

Introduction

On Tuesday, 3 December 2002, two days before the 'Eid el-Fitr holiday, at around 6:00 P.M., four soldiers went to Jabel Johar street in the H2 Area of Hebron, which is the area under Israeli control. Five men were in the barbershop on the street: Bassem Maswadeh, 24, the owner of the barbershop, Wa'il Abu Rumeileh, 19, a barber, and three customers – Muhammad Jibril a-Rajbi, 22, Bilal Muhammad Daud a-Rajbi, 21, and Shaher Sharif al-'Ajaluni, 20. Based on testimonies given to B'Tselem, the following events then occurred.

Maswadeh and Abu Rumeileh closed the barbershop's iron door after they heard people in the street shouting that soldiers were coming. A few seconds later, soldiers started banging on the door. When nobody opened it, the soldiers ordered two Palestinian bystanders, Bilal Abu Queidar and Nawaf al-'Ajaluni, to call out to the people in the barbershop to open up, and threatened to fire into the shop. After about twenty minutes, Maswadeh opened the door.

One soldier danced into the shop and three more soldiers followed him inside. The soldiers demanded that the five Palestinians take off their jackets and hand over their ID cards. The soldiers searched them, punching them in the stomach in the process. Then the

soldiers ordered the five Palestinians to sit on the couch.

One of the soldiers asked who the owner of the shop was. Maswadeh said that he was the owner. The soldier ordered him to sit in one of the barber's chairs and began to cut Maswadeh's hair with an electric razor. In the meantime, two of the soldiers ordered al-'Ajaluni to go outside with them, where they beat him. Maswadeh asked the soldier what he was doing, and the soldier slapped him and told him to shut up. He put the razor to his hair forcefully and ignored Maswadeh's request that he stop. While the soldier was still cutting Maswadeh's hair, the other soldiers ordered a-Rajbi to go outside, where they searched and beat him as well.

When the soldier finished Maswadeh's haircut, he ordered him to go outside. The soldier then ordered Abu Rumeileh to sit in the barber's chair, and proceeded to cut his hair as well. The electric razor touched his scalp, and when Abu Rumeileh asked the soldier to be gentle, the soldier slapped him. When he finished, the soldier left the barbershop, taking scissors with him. He went over to a-Rajbi and told him that he intended to cut his hair because he had violated curfew. He cut a lock of his hair, held it and put it close to a-Rajbi's mouth, and ordered him to

open his mouth. When he refused, the soldier left the hair on his lips and went back into the shop.

The soldier searched the closet inside the shop. He opened a bottle of shampoo, smelled it, went over to Abu Rumeileh and told him to open his mouth. When Abu Rumeileh refused, the soldier sat him down on one of the chairs and tried to force his mouth open. Then the soldier called to the commander to come inside, and hit Abu Rumeileh in the face with a pail. Abu Rumeileh fell to the floor, shouting in pain and with blood oozing from his nose. The soldier kicked him in the abdomen and told him to shut up, threatening to shoot him in the head. The commander dragged Abu Rumeileh over to the front door, checked his pulse and said to the soldier: "I told you not to hit him that way." The commander told Muhammad a-Rajbi to splash some water on Abu Rumeileh's face and cover him with jackets.

As that was going on, the soldiers who had left the barbershop continued to beat the three Palestinians who had been taken outside. A group of Palestinian children began throwing stones at the soldiers, and one of the

soldiers ordered Bilal a-Rajbi to tell the children to stop. When that did not help, the soldier took a-Rajbi into the middle of the street, stood behind him, rested his rifle on a-Rajbi's shoulder, and began to fire at the stone-throwers.

When the stone-throwing continued, the soldiers took the three Palestinians into the middle of the street, stood them one meter away from each other, rested their weapons on the shoulders of the Palestinians, and fired high in the air for an extended period of time. One of the stones almost struck al-'Ajaluni, and when he tried to move so that he would not be hit, the soldier gave him a hard kick.

After an hour or so passed, the soldiers ran from the area. They still had the ID cards of the five Palestinians. Abu Rumeileh was taken to a neighbor's home and then to the hospital for treatment. The next day, somebody called Abu Rumeileh and told him that he had found the five men's ID cards on the road near Kiryat Arba.

The testimonies of the four Palestinians who were abused by the soldiers are presented below.

Testimonies¹

Testimony of Wa'il Mahmud Muhammad Abu Rumeileh, 19, single, barber

I work at the al-Wafaa barbershop, which is located on Jabel Johar street, about five hundred meters away from the Tomb of the Patriarchs. This area has been under curfew since Friday, 15 November 2002.

On Tuesday, 3 December, two days before the holiday, I was at the barbershop with the owner, Bassem Maswadeh, 24, and three other young men who had arrived to get their hair cut: Mahmud Jibril a-Rajbi, 22, Bilal Muhammad Daud a-Rajbi, 20, and Shaher Sharif al-'Ajaluni, 20. The door was partially open. At around 6:00 P.M., one of the young men said that the army was on the street. I immediately went outside with Bassem to see what was happening. I could see, despite the darkness, four soldiers walking in the street toward the barbershop. We immediately went back inside and closed the iron door.

A few minutes later, I heard loud banging on the door. We didn't open the door, and the banging continued for about twenty minutes. While this went on, I heard the voice of our neighbor,

Bilal Abu Queidar, 30, who owns the grocery store nearby, asking us to open the door. He said that if we didn't, the soldiers would shoot at us. I also heard one of the soldiers threaten in Hebrew that he would shoot if we didn't open the door. Bassem opened the door and four soldiers came into the barbershop. One of them held his gun up and started singing and dancing. The three customers who had been hiding behind a closet came out.

The soldiers ordered us to take off our jackets and hand him our identification cards. They searched us, during which they kicked us and punched us in the stomach. Then they demanded that we sit on the couch. One of them asked who was the owner of the barbershop and Bassem answered that he was. One of the soldiers told Bassem to sit on the chair where customers have their hair cut. Two other soldiers told Shaher al-'Ajaluni to leave. They hit him on the thighs and demanded that he spread his legs. The barbershop's doors were open, so I could see what was happening outside. Bassem sat on the chair, and the soldier took a number five electric razor and moved toward Bassem's head with it. Bassem grabbed his hand and the soldier slapped him.

1. All the testimonies were given to Musa Abu Hashhash from 23-26 December 2002.

The soldier started cutting Bassem's hair in a funny way. Bassem asked him to use the machine with a higher number [that would cut off less hair], but the soldier told him to shut up. When Bassem saw himself in the mirror, he asked the soldier to leave his hair alone, and said he would cut it himself, but the soldier ignored the request.

While the soldier was cutting Bassem's hair, the other soldiers told Bilal to go outside and stand next to Shaher. Outside, people were throwing stones. When the soldier finished cutting Bassem's hair, he told him to go outside and stand next to the barbershop door. The soldier then demanded that I sit on the chair. He began cutting my hair. The machine touched my scalp and it hurt. I asked the soldier to be gentle because it was hurting me, and he slapped me. When the soldier finished cutting my hair, he took a pair of scissors and went outside. He approached Bilal, cut a lock of hair, held it near his [Bilal's] mouth and told him to open his mouth. Bilal refused and the soldier placed the hair on his lips.

Later, the soldiers demanded that I leave the barbershop. As soon as I went outside, the commander told me to go back in. The soldier who had cut my hair also came into the barbershop, patted his chest and said in Arabic that now he would tell us who he was. He spoke very quickly, so I didn't manage to catch his name. He opened one of the closets, took a bottle of shampoo out of

it, and after smelling it, sat me down on a chair and demanded that I open my mouth. He repeated the demand a few times, and tried to open my mouth by force, but I refused. The soldier asked the commander to come over, took a metal bucket, and hit me on the nose. I fell onto the floor and my nose was bleeding. I started screaming loudly. I was in a lot of pain. When I fell on the floor, the soldier kicked me in the stomach and demanded that I be quiet. He threatened to shoot me in the head. At the same time, the commander came inside. He pulled me toward the door, and checked for a pulse on my neck. I heard him speak in Arabic to the soldier who hit me. He said to him: "I told you not to hit him that way." The commander told Muhammad, who was in the barbershop, to bring some water and splash it on my face. Muhammad did as he was told. The commander covered me with our jackets. I lifted the jackets and saw the soldiers standing at the door of the barbershop, with their rifles resting on Bassem's, Shaher's, and Bilal's shoulders, and shooting.

A woman who was passing by came up to the door and saw what was happening. She started screaming and the soldier went out and closed the iron door. Before the soldier closed the door, I saw a TIPH [Temporary International Presence in Hebron] car driving up to the area. The driver got out of the car. One of the soldiers told him to get back in the car because Palestinians were throwing stones at the barbershop. The driver went back to the car, and the car stood on the

road facing the barbershop. I could see the woman talking to the people in the car.

The soldiers were in the barbershop for about an hour. When they left, the neighbors gathered near the barbershop and took me to one of their homes in order to try to treat me. Later, we went to the Muhammad 'Ali al-Muhtasseb hospital, which is about five hundred meters from the barbershop. The doctors examined me and gave me the necessary treatment and a prescription.

The soldier who cut our hair was short, plump, and light-skinned. The commander was tall, thin, tanned, and had a short mustache. The third soldier was short, stocky, and had glasses and light-colored skin. The fourth soldier was short, had a thin face and tanned skin. They all seemed to be in their early twenties.

Testimony of Bassem Yasser Khalf Maswadeh, 24, married with one child, barber

I live in the Jabel Johar area in Area H2 in Hebron. I've been working as a barber for five years and I own the al-Wafaa barbershop. The shop is located at the end of Jabel Johar street, about five hundred meters south of the Tomb of the Patriarchs. Wa'il Abu Rumeileh works with me at the barbershop. The area has been under curfew since Friday, 15 November 2002, the day of the military action

against the Israeli army [when armed Palestinians killed twelve Israelis – nine soldiers and three civilians]. People are able to walk around and storeowners can open their shops, but when the soldiers or border police are around, everybody closes up.

On the 28th day of Ramadan [3 December], in the evening, I was in the barbershop with my employee Wa'il and another three customers who had come to get their hair cut. At around 6:15 P.M., I heard people on the street calling "Army, army." I immediately went outside to see what was going on. I could see three soldiers. They were only three meters away from the barbershop. Wa'il and I went inside and closed the iron door. Within seconds, we heard loud banging and shouting outside the barbershop. I figured it was the soldiers. They kept banging for about twenty minutes. I also heard the voice of my neighbor Bilal Abu Queidar and another man, Nawaf al-'Ajaluni. They both asked us to open the door. They told us not to be afraid. The three customers hid behind the closet, which separates the shop from the bathroom. I opened the door.

A short, light-skinned, stocky soldier came inside. He started dancing. Three more soldiers came in after him. When the four soldiers were inside, the three customers came out from behind the closet. The soldiers ordered us to take off our jackets and stand in the corner of the barbershop. They searched us, and punched us in the stomach in the process. Then they told us to sit on

the couch. The two soldiers who were inside kicked us when we sat on the couch. The short soldier asked who owned the barbershop. I told him it was me.

Two soldiers told one of the customers, Shaher Sharif al-'Ajaluni, to go outside and stand by the door. They left with him. One of them hit Shaher, spread his legs and searched him thoroughly. I heard him scream.

One of the soldiers who stayed inside told me to sit on the chair and didn't say why. When I sat down, he took the number five electric razor. I figured he was going to cut my hair. That machine cuts all of it off. I was hoping it wouldn't work. When the soldier put the machine on my hair, I grabbed his hand and asked him what he was doing. He slapped me and told me in Arabic to shut up. The soldier put the machine to my hair forcefully. It hurt. He cut my hair in random lines, so it looked funny. I asked him to switch machines and suggested I carry on with the haircut, but he ignored me.

While the soldier was cutting my hair, the soldiers took another customer, Bilal a-Rajbi, outside. They searched him and beat him as well. He also screamed.

The soldier called to Wa'il and ordered him to sit in the chair. The soldier started cutting Wa'il's hair the same way he cut mine and I heard him groan in pain. When Wa'il asked the soldier to be gentle, the soldier slapped him on the face. The soldier told me to go

outside. When I went out, I saw Bilal and Shaher standing near the door. The three soldiers who were out on the street were beating them. Shaher was crying. The soldiers had Bilal, Shaher, and me stand in the middle of the street, about a meter away from one another, as stones were being thrown at the soldiers from the houses across from and next to the barbershop. The soldiers stood behind us, put their guns on our shoulders and shot upwards. The loud noise of shooting hurt my ears. The shooting lasted for more than half an hour. We were at the lower part of the street. At some point, it seemed like one of the stones was going to hit Shaher. He moved, and the soldier kicked him hard.

While I was outside, the "barber" soldier came out with scissors in his hand. He came up to Bilal and cut some of his hair. He held the hair close to Bilal's mouth and told him to open his mouth. Bilal refused and the soldier put the hair on his mouth.

A few minutes later, two elderly women came from the direction of the mosque, which was opposite the direction in which the soldiers were shooting. Bilal and I asked them to go into the barbershop to help the guy inside. While we were out in the street, we could hear Wa'il screaming, and I thought the soldier inside was beating him.

At the same time, a TIPH car arrived, and the soldier closed the barbershop door. Wa'il and Muhammad Jibril a-Rajbi, another customer, were inside.

The four soldiers gathered outside the barbershop. When one of the TIPH members got out of the car, one of the soldiers came over to him and scolded him: "What are you, crazy? You're going out when stones are being thrown in the street?" The TIPH man was standing near the car door. Then I saw the soldiers running down the street. They still had our IDs.

When the soldiers left the barbershop, a large crowd gathered. They took Wa'il to a nearby home and tried to treat him. I closed the door and then the three customers, Wa'il, and I went to the Muhammad 'Ali al-Muhtasseb hospital where Wa'il received medical care. His nose was bleeding. Wa'il told me the soldier hit him with a metal bucket on the nose when he was cutting his hair. After the treatment we were discharged. Wa'il and I went to a barber, Khamis al-'Ajaluni, a friend of mine, whose barbershop is about a hundred meters from my shop. He redid out haircut. After that, I walked Wa'il home. I got home at about 9:00 P.M.

The next day, Wa'il called me and told me that someone had found our IDs lying on the road near Kiryat Arba when he was on his way to prayer. He brought them to Wa'il.

The commander was tall and thin, dark-skinned, and had a mustache. One of the other soldiers was short, of moderate build, and wore glasses. They all seemed to be about twenty years old and wore uniforms and helmets.

Testimony of Bilal Ma'adi Daud a-Rajbi, 21, single, laborer

I live in Jabel Johar, in Area H2, in Hebron, about seven hundred meters south of the Tomb of the Patriarchs. I work in a stone factory in the Hebron industrial area. Two days before 'Eid el-Fitr [3 December], I went to the al-Wafaa barbershop to get a haircut for the holiday. I got there at about 5:30 P.M. The barbershop door was only partially open because of the curfew. When I got there, there were about seven people inside, among them, Bassem Maswadeh, the barber; his employee, Wa'il Abu Rumeileh; Shaher al-'Ajaluni; and my cousin Muhammad a-Rajbi.

At around 6:00 P.M., I sat on the barber's chair to start getting my hair cut. Bassem was cutting my hair and suddenly I heard someone saying: "Army, army." Bassem left me and went outside to see what was going on. He came back and closed the iron door. I heard loud banging on the iron door and the soldiers calling for us to open it. I also heard the voice of Bilal Abu Queidar, whom I know. He was begging us to open the door. The banging and the calling lasted for more than ten minutes. Bassem asked whether he should open the door. We told him to open it, because we could hear another Palestinian calling out for us to open the door.

Bassem opened the door and a short, somewhat chubby, light-skinned soldier came in. He was dancing and I could hear him say, in Hebrew, "Nice,

nice." We came out from behind the closet. Three more soldiers entered right after him. They took our ID cards and told us to take off our jackets. The soldiers searched us and punched us. They told us to sit on the couch behind the barber's chair. The soldiers took Shaher outside. I heard him screaming and I thought they must be beating him. One of the soldiers asked us who owned the barbershop. Bassem said it was him and the soldier told him to sit in the barber's chair. The soldier took an electric razor. Bassem told the soldier to use a different comb on the machine and grabbed his hand. The soldier slapped him and told him to shut up.

Five or ten minutes later, the soldiers came inside and took me out of the barbershop. One of them rammed his knee into my back. I asked him not to beat me because I'm not well (I fell off the sixth floor of a building in Tiberias in 1999). The soldier ignored what I said and kept beating me. Children were throwing stones at the soldiers, and the stones started landing closer to the soldiers. The soldier told me to tell the children to stop throwing stones. I told them, but it didn't help. The soldier took me to the middle of the street and put his gun on my shoulder. He started shooting at the stone throwers. My head and ears hurt.

The soldier was shooting for some time and then led me to the edge of the street. I saw Bassem standing in the street. A soldier came out of the barbershop with scissors in his hand.

He came over to me and said he was going to cut my hair. I asked why and he said it was because we broke curfew. He started cutting my hair. He held a lock of hair in his hand and told me to open my mouth. I refused and he repeated his demand. When I didn't do it, he put the hair on my lips, took me to the middle of the street, and went back inside the barbershop.

Bassem, Shaher, and I were on the street. Three soldiers were standing behind us shooting. Again a soldier put his gun on my shoulder. I could hear Wa'il screaming inside the barbershop. Suddenly, I saw two women standing near us. I asked them to go inside the barbershop to help the guy inside. One of them hesitated, but eventually went up to the barbershop. A TIPH car drove up. One of the passengers got out, but I heard one of the soldiers telling him to get back in the car because there was stone throwing. The soldier spoke English.

I saw the commander enter the shop and a short while later, he and the soldier came out again and closed the door. The women spoke to the TIPH people and then one of the soldiers shot again and all four of them ran down the street.

Later, we took Wa'il to the home of one of the neighbors. His nose was swollen and he had a funny haircut. I went with him to the hospital and then Wa'il, Bassem, and I went to Khamis al-'Ajaluni's barbershop to get Bassem and Wa'il's haircuts fixed.

The next day, I returned to the barbershop. Bassem cut my hair and Wa'il gave me back my ID. He said someone had found it in the street.

Testimony of Muhammad Jibril Jamil a-Rajbi, 22, single, laborer

I live near the Tareq Ibn Ziyad school, which is about five hundred meters from the Tomb of the Patriarchs. I work at my father's stone factory, which is located in the industrial area of Hebron.

On Tuesday, 3 December, two days before 'Eid el-Fitr, I went to the al-Wafaa barbershop, in the Jabel Johar area, in order to have my hair cut. I got there at about 5:00 P.M. and waited for my turn. There were a few customers and two of them were sitting on the two barber chairs, getting their hair cut. While I was waiting, some customers left the barbershop, and I stayed with Bassem Maswadeh (the owner of the shop), Wa'il Abu Rumeileh (who works for Bassem), Bilal a-Rajbi, and Shaher al-'Ajaluni.

A little after 6:00 P.M., I heard people in the street yelling, "Army, army." Bassem and Wa'il went outside to see what was going on, and immediately came back inside. They closed the iron door. The two other customers and I hid behind a small closet, behind which is the bathroom. I heard loud banging on the barbershop's iron door and the calls of the soldiers in Arabic: "Open up, open up." The banging continued for fifteen to twenty minutes, and then

from outside I heard the voices of Bilal Abu Queidar and Abu Shadi (Nawaf al-'Ajaluni), whom I knew. Both of them asked us to open the door and told us not to be afraid. Bassem asked us if he should open and we said yes. When he opened the door, we came out from behind the closet. One of the soldiers stepped in. He strutted in and was smiling. He said in Hebrew, "Nice, nice." Three other soldiers came in after him and demanded our IDs. They also ordered us to take off our jackets and searched us. They hit us during the search. I received a blow to the stomach.

After the search, the soldiers ordered us to sit on the couch. I sat and began reciting verses from the Koran so that we would be protected from whatever might happen to us. One of the soldiers asked who owned the barbershop. Other soldiers demanded that Shaher get up and go outside. When Bassem told the soldier that he was the owner of the barbershop, the soldier demanded that he sit in the barber's chair. I heard Shaher screaming. I also heard banging behind the closed door. I figured the soldiers were hitting Shaher.

The soldier took an electric razor and put it to Bassem's head. Bassem asked him what he was doing and the soldier told him to shut up. I heard Bassem telling the soldiers to change the comb on the machine, but the soldier told him to shut up and slapped him on the face.

The soldier began to cut Bassem's hair so that it looked funny. While the

soldier was cutting his hair, Bilal was taken outside and I could hear him scream and say to the soldiers that he was sick. After the soldier finished cutting Bassem's hair, the soldiers took him outside. Then the soldier who cut Bassem's hair demanded that Wa'il get in the chair, and started cutting his hair with the same machine. It seemed that the soldier was hurting Wa'il, and I heard Wa'il say to him, "Gently, gently." The soldier slapped him. When the soldier finished cutting Wa'il's hair in a funny way, he took a pair of scissors and went outside. He came back inside after about two minutes.

Wa'il and I stayed inside the barbershop with the soldier, who kept going in and out. While we were there, I heard shooting. Sometimes it was staccato and sometimes it was continuous. I couldn't see who was shooting. The soldiers ordered Wa'il to go outside. He came back a few seconds later. Then the soldier started provoking us. He patted his chest and said: "Now I'm going to tell you my name." He searched the closet. He took out a bottle of shampoo, opened it, and smelled it.

He approached Wa'il and ordered him to open his mouth, but Wa'il refused. The soldier told him to open his mouth a few times. He sat Wa'il down in the chair and tried to open his mouth with his fingers, but didn't succeed. Suddenly, I saw Wa'il fall on the floor. He started screaming and the soldier told him to shut up. Wa'il continued to scream and then another soldier came inside. He seemed to be the commander. He dragged Wa'il to the entrance of the barbershop and told me to splash some water on Wa'il's face because he was bleeding. The commander left and I saw a number of civilians come into the barbershop. Some of them picked Wa'il up and took him to the home of neighbors.

Afterwards, we went to the Muhammad 'Ali al-Muhtasseb hospital, which is about five hundred meters from the barbershop. Wa'il received medical treatment there and I went back with him, Bassem, and others. I got home at around 8:00 P.M., about an hour later. The next day, I went to the barbershop and got my ID back. I was told that someone found the IDs in a pile of dirt.

Conclusions

For more than an hour, four Israeli soldiers abused Palestinian civilians. They beat them, cut their hair, and used them as human shields while firing at stone-throwers. It is impossible to justify these acts, which contravene not only international law and basic morality, but also IDF orders.

This incident is one of the more serious cases of IDF abuse in the Occupied Territories since the outbreak of the al-Aqsa intifada. Based on past experience, the IDF will likely treat this matter with severity, open a Military Police investigation, and punish the soldiers involved.

The army has used the ostensibly efficient handling of gross cases of abuse to paint the IDF, at least in its own eyes, as a “moral army.” For example, following the filing of an indictment against soldiers for severely abusing two youths, one of them emotionally disturbed, an official of the Judge Advocate’s Office said, “We are a moral army, and if there are exceptional cases, soldiers are prosecuted. Despite all the difficulties involved and the terrorist attacks, there is law and order.”²

However, the army’s handling of the routine, less extreme cases of abuse

and degradation makes it impossible to take the army’s severe response to the grave cases of abuse seriously. The case described in this report is only the tip of the iceberg in terms of soldiers’ current behavior toward Palestinians in the Occupied Territories and is a direct result of this reality. Humiliation at checkpoints, beatings, and “punishment” of civilians who violate curfew have for some time been daily occurrences that the IDF has chosen to ignore.

Over the years, B’Tselem has demanded that the army investigate cases in which soldiers beat Palestinians. Of the thirty complaints that B’Tselem has made since the beginning of the al-Aqsa intifada, only one case, which was particularly serious, resulted in the trial and conviction of the soldiers. In three cases, Military Police investigations were closed without any measures being taken against the soldiers. Thirteen cases are still under Military Police investigation, and thirteen are being handled by the Judge Advocate’s Office. Some of these cases occurred more than eighteen months ago, making it very difficult to locate the soldiers who were involved. It is likely

2. Eitan Rabin, “Indictment: Soldiers Abused Retarded Palestinian Youth,” *Ma’ariv*, 19 July 2002.

that these cases will be closed with no action being taken against the soldiers involved. In addition, in some instances B'Tselem complained to the IDF Spokesperson's Office regarding cases in which soldiers improperly delayed Palestinians at checkpoints for many hours or took keys to their vehicles, in flagrant violation of IDF orders. The IDF did take steps to release the Palestinians and return their keys, but failed to take any measures against the soldiers or to explain to them that such conduct is forbidden.

The army also uses Palestinians as human shields in the Occupied Territories. Despite an explicit order issued by the High Court of Justice forbidding any use of Palestinians to perform military tasks, including the "neighbor procedure," soldiers continue to employ the procedure and use innocent civilians to protect themselves.³ The IDF ignores these violations and prefers to concentrate on investigating cases that took place more than a year and a half ago, despite the obvious difficulties in handling old cases. In human shield matters, too, the IDF has chosen to take action against soldiers only in particularly grievous cases.⁴

This policy sends the message to soldiers that the army ignores violations of the law that are not especially serious

as long as they are not exposed in the media. This double message does not set clear limits, making it hard for the soldiers to determine which cases are "tolerable" and which will lead to prosecution. Why is humiliation of a person at a checkpoint, including delaying the individual for an entire day for no reason, legitimate, while cutting a person's hair is not? Why is giving an order to a civilian to join soldiers in searching the house of an armed individual deemed acceptable, while using him as a human shield against stone-throwers is not?

Furthermore, the IDF apparently completely refuses to address the structural problems inherent in the acts of violence – such as soldiers becoming worn out from their duties, the great emotional stress they undergo, or the difficulty in coping with the deaths of their comrades – in an attempt to reduce them. One of the soldiers who was involved in a case of gross abuse of Palestinians in July 2001 for which he was prosecuted, gave a lengthy interview to *Yediot Aharonot's* weekly magazine, *Seven Days*.⁵ In the interview, the soldier related that his good friend had been killed and a short time later, his company commander, with whom he was particularly close, was also killed. In an attempt to explain his acts, the soldier said:

3. For further discussion on this subject, see B'Tselem, *Human Shield: Use of Palestinian Civilians as Human Shields in Violation of High Court of Justice Order*, November 2002.

4. See "Soldiers Convicted of Using Palestinians as Human Shield," *Ha'aretz*, 6 November 2002.

5. For details of the cases, see B'Tselem, *In Broad Daylight – Abuse of Palestinians by IDF Soldiers on 23 July 2001*, July 2001.

I was a total mess, completely shattered. I had reached the maximum level of rage that a person could feel. My fuse was as short as possible. I am not making excuses, there is no excuse, and there is no justification [for what I did], heaven forbid, but we were up to our heads in problems and no one gave us any assistance. We asked for a meeting with the commanders, but no one came. Nobody talked with us. Even after we had been arrested, when the other soldiers in the company wanted to talk with the battalion and brigade commanders, their request was denied. They were told that there was nothing to talk about.⁶

During the sentencing stage of the trial held in this case, Captain George Shalom, who until a month prior to the incident was the commander of the company in Shimshon Battalion that was involved in the incident, spoke on behalf of one of the defendants. He tried to explain the soldiers' conduct:

A soldier who was a good friend of ... [the soldier involved in the incident] was killed. I assume that these events affected the defendant and also the unit... Physically, the soldiers were worn out, both because of the physical effort they had expended and because of a lack of sleep. Emotionally, there is no doubt that "hanging out" on

guard duty for many hours at a time and the non-stop interaction with the Palestinian population affect the soldiers and officers a great deal.⁷

The court took these arguments into account in sentencing the soldier. The court held that "all these factors together caused an accumulation of great rage that ultimately burst out in the event that is the subject of the indictment."⁸ The soldiers were given light sentences, and the Judge Advocate's Office appealed the sentences. Other than that, the army did nothing. It did not conduct discussions in the unit, provide assistance to the soldiers, or make any attempt to handle the factors that led to the event. Not surprisingly, several days after the incident, B'Tselem received other testimonies describing abuse of Palestinians by soldiers from the same army unit. Some of these cases are still being investigated by the Military Police.⁹

The IDF is well aware of the situation in which the soldiers find themselves. By doing nothing to help the soldiers, the army is directly responsible for the acts of violence. The army prefers to handle the serious cases after they occur, rather than try to prevent the harm to Palestinians. By blaming only the soldiers, and by saying these are "exceptional cases," the army allows the atmosphere of violence and the

6. Ron Leshem, "How I Lost my Humanity," *Seven Days* magazine, *Yediot Aharonot*, 1 March 2002.

7. SC/260B/01, *Chief Military Prosecutor v. John Doe*, evidence regarding punishment.

8. *Ibid.*, Sentence of the Court, 17 January 2002.

9. See, for example, David Regev and Yehudit Yehezkeili, "Shimshon Beats Up Again?," *Yediot Aharonot*, 23 August 2001.

total disregard for the bodily integrity and dignity of Palestinian civilians to continue.

The IDF has the duty to explain to the soldiers that every act of humiliation or violence is forbidden, no matter how serious, and that any soldier who violates this prohibition will be

prosecuted. To reduce such incidents from occurring, the army must address the factors that cause acts of violence. As long as the army refrains from taking these actions, the claim that the IDF condemns harm to innocent people and acts to prevent it will remain nothing more than lip service.

Response of the IDF Spokesperson

Israel Defense Forces
The I.D.F. Spokesperson
Public Relations Branch
Itamar Ben Avi st.
Tel Aviv code: 63476
Tel: 972-3-6080339/40
fax: 972-3-6080334
30 December 2002



To
Mrs Yael Stein
B'tselem

Re: Your Request

Greetings,

The following is our response to your query from 26 dec. 2002, in relation to an incident of abuse by soldiers in Hebron on 3 dec. 2002:

Based upon the information provided, and the short period of time allowed to investigate, we were unable to identify the case presented to us.

We suggest that the investigators from "B'tselem" speak with relevant people in the IDF in order to identify the soldiers, so that we can investigate the matter.

Enrieta Levi

Sincerely
Cap. Enrieta
Public

yours,
Levi
Relations

Israel **Defense** **Forces**
The **I.D.F** **Spokesperson**
Public **Relations** **Branch**
Itamar Ben Avi st.
Tel Aviv code: 63476
Tel: 972-3-6080339/40
fax: 972-3-6080334
1 January, 2003



To
Mrs Yael Stein
B'Tselem

Re : Your Request

Following your complaint regarding an incident of abuse by soldiers in Hebron on 3/12/02 , the Acting Central Commend Advocate has instructed that a Military Police investigation be opened to investigate the claims .



Sincerely
Cap. Anrieta
Public

Yours,
Levi
Relations