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## **Abuse of Palestinians at the Sarra Checkpoint, Nablus District 27-31 December 2003**

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Cover photo: Ambulance crew treating Nazmi a-Sheikh, following his beating at the Sarra checkpoint

ISSN 0793-4599

# Introduction

On Sunday, 28 December 2003, B'Tselem's checkpoint monitoring team went to the Sarra checkpoint, which is located southwest of Nablus, to make a routine check. The team stationed itself near an iron gate, about 750 meters from the soldiers at the checkpoint.

Shortly after they arrived, the team saw a man hobbling toward them from the direction where the soldiers were located. The B'Tselem team motioned for him to come over to them. He did not respond. When they went over to the man, they saw that he was pale and bruised. He said that the soldiers had beaten him, and then collapsed.

The B'Tselem team immediately contacted the IDF Spokesperson's office and the Civil Administration's Humanitarian Hotline demanding that the matter be dealt with right away, while the soldiers were still at the checkpoint. As they were talking with the officials, three army vehicles passed by, but the soldiers refused to stop and provide first-aid. The B'Tselem team summoned an ambulance, which took the man to the hospital.

About an hour and a half later, B'Tselem was told by an official from the Humanitarian Hotline that the soldiers claimed that the bruised man had tried to steal a gun from one of the soldiers. This response, which was given based only on the soldiers' statements, is incomprehensible. The fact that the man was

permitted to leave the checkpoint, rather than be arrested, indicates that this version of the events is untrue.

Following the incident, B'Tselem went back to the Sarra checkpoint, and discovered that other cases of abuse had occurred at the Sarra checkpoint. Within a few days, B'Tselem fieldworkers gathered nine testimonies regarding cases in which IDF soldiers abused Palestinians who crossed the checkpoint or tried to bypass it. All the incidents occurred between 27- 31 December. The same kinds of abuse were mentioned in all the testimonies.

Some of these testimonies are presented below. In one particularly gruesome case, two soldiers abused six Palestinians. On 30 December at about 6:30 A.M., two students on their way to a-Najah University, in Nablus, came to the checkpoint. The soldiers told them that it was closed. The students, along with another student, decided to go around the checkpoint and over the hills to get to the university. Around 7:00 A.M., as they were making their way to Nablus, two soldiers appeared. The soldiers aimed their rifles at the students, kicked them, and beat them with their hands and weapons. Thirty minutes later, they put the students in a circle around an olive tree, and bound their hands with plastic handcuffs, one to the other. The soldiers also bound the handcuffs to branches of the tree, so that the Palestinians' hands were suspended in the air.

Then the soldiers kicked them and went back to their position to “ambush” others.

About ten minutes later, the two soldiers stopped three more Palestinians. They kicked them in the abdomen and beat them with their hands and weapons. Then the soldiers ordered the three Palestinians to lie down on their stomachs. One of the soldiers held his rifle to the back of one of their heads, threatened to shoot him, counted to three, and then the other soldier fired into the air.

After abusing them for about a half an hour, the soldiers took these three men to the olive

tree and told them to take off the handcuffs of the three Palestinians who were tied to the tree. When they were unable to do so, the soldiers beat them. The soldiers returned to their ambush position, and came back about fifteen minutes later, around 9:00. They ordered the second group to go back home, and told the Palestinians who were tied to the tree to wait there until 10:30, even if they found a way to free themselves before then. Shortly before 10:00, the Palestinians managed to cut the handcuffs and free themselves. They went back to the checkpoint, where the soldiers gave them back their ID cards and ordered them to leave.

# Testimonies

**Saturday, 27 December 2003, morning**



**Testimony of Ahmad  
'Abdallah, 35, married  
with five children,  
construction worker,  
resident of Sarra, Nablus  
District<sup>1</sup>**

Around 9:30 A.M. on Saturday [27 December], I was walking from my home in Sarra to the checkpoint at the entrance to the village, on the Nablus-Qalqiliya Road. I saw my friend, Mahmud Lafi, driving his truck toward the checkpoint. I motioned for him to stop and pick me up. When we got to the checkpoint, Mahmud got out of the truck and went over to the soldiers. He was holding his West Bank travel permit.

I wanted to go to the parking lot, which was on the other side of the checkpoint, about 200 meters away from us. Residents of Sarra park their cars there because the soldiers don't allow cars to drive in the direction of Nablus. So, we cross the checkpoint on foot, walk to the parking lot, and then drive to our destination. My car was in the parking lot, and I wanted to take it to Sarra because I had errands to run in the village.

There were three soldiers at the checkpoint, and a fourth soldier was in an observation post. Mahmud asked the soldiers to let us pass. He returned to the truck and told me that the

soldiers refused to let us cross. He turned on the engine and was about to return to Sarra. One of the soldiers, who was blond and short, yelled at me in Arabic, "Come here." I got out of the truck and went over to him. Mahmud went back to the village. I stood about one meter from the soldier. He said in Hebrew, "What do you want?" I pointed to my car and told him in Arabic, "I want to go get my car and bring it to Sarra."

The soldier replied: "Give me your ID card and get your car." I gave him my ID card and ran to the car. I was afraid that he would change his mind, so I moved fast and was back at the checkpoint within three minutes. I got out of the car and opened the hood so that the soldiers could make their search. I went over to the soldier to get my ID card. Two other soldiers were inside the tin hut at the checkpoint. The soldier ordered me to park the car off to the side and give him the keys. I asked him why he wanted the keys. He said that I had come off a dirt path [meaning he had gone around a checkpoint or roadblock]. I told him that was not true, that he let me cross, and that I crossed quickly. He said that I was lying, and hit me in the chest with the butt of his M-16 rifle. I raised my hand to fend off the blow.

The soldier went into the hut and brought out a helmet. He grabbed the strap and slammed me in the head with the helmet. That made me dizzy and I fell down, but did not lose consciousness. Then the two soldiers came out

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1. The testimony was given to 'Abd al-Karim S'adi on 1 January 2004.

of the hut and jumped on me. They kicked me all over my body for two or three minutes. I got up, and then the soldier who hit me with the helmet gave me back my ID card and said, "Go away, and leave your car here."

I went back home without the car. I reached home around 11:00 A.M. The next day, at around 1:00 P.M., the soldiers at the checkpoint stopped Mahmud, asked him about me, and told him to take my car to me. He left his truck at the checkpoint, drove my car to my house, and then went back to the checkpoint to get his truck.

### **Sunday, 28 December 2003, afternoon**



**Testimony of Nazmi a-Sheikh, 43, married with fourteen children, resident of Saniria, Qalqiliya District<sup>2</sup>**

Last Saturday afternoon [27 December], my wife went into labor. Around 5:00 P.M., we left home to head to the hospital in Nablus. Around 6:45, we reached the hospital. The physicians decided that she needed to deliver by Caesarean section because the umbilical cord was wound around the fetus' neck. My wife underwent the operation and gave birth to a beautiful girl. Now we have five daughters and nine sons. I spent that night with my wife in the hospital.

The next day, I left the hospital and went home to get money to pay the hospital for the operation. Around 10:30 A.M., I reached my house, and at about noon I started on my

way back to the hospital. I got to the Sarra checkpoint around 1:00 P.M. I saw two soldiers at the checkpoint and another soldier standing around fifteen meters from them. One of the two soldiers was about 1.75 meters tall, light-skinned, thin, and had light-colored eyes and blond hair. I couldn't see the color of the hair of the second soldier because he was wearing a helmet.

When I was about fifteen meters from the checkpoint, the first soldier called out to me in Hebrew, "Come here." I told him in Hebrew that I was going to Nablus. I speak Hebrew very well. I told him that my wife had given birth, and that I was going to pay the hospital bill. "You can pass," he told me in Hebrew, and motioned me to cross. I walked around ten meters, and then the soldier shouted at me, "Where are you going, you bastard? Somebody told you to cross?" I responded, "You told me to cross." "I told you?", he responded. I said, "If you hadn't said that I could pass, I wouldn't have crossed." The soldier then said, "Go back, go back. You are lying to me," and fired a shot at me. The bullet hit the ground between my feet. That really shook me up. I thought they were going to kill me, or, at the least, that I was going to suffer before leaving the checkpoint.

I went over to the soldiers and they walked toward me. When we stood there facing each other, the soldier with the helmet hit me in the chest with his rifle. The blond soldier kicked me in the right leg and knocked me down to the ground. The two kicked me all over my body, saying, "You must die, you must die." I tried to cover myself with my hands for protection. The soldiers moved my hands and continued to kick me. The blond soldier put his rifle on

2. The testimony was given to Salma a-Daba'i on 29 December 2003.

the left side of my chest, above my heart, and pressed down. I pushed the rifle away, because I was sure that he was going to kill me. The soldier shouted at me, "You are forbidden to touch the weapon." I said, "I am not touching the weapon; get it away from me." He put his foot on my neck and pushed down. I felt as if I was suffocating and thought I was going to die. I tried to move his foot off my neck, but couldn't because the other soldier was still kicking me in the midsection. The blond soldier pressed down on my neck for about five minutes. Then he put the barrel of his rifle barrel to my head. They counted to three, and on three the soldier who was pressing his rifle to my head, picked up his feet and increased the pressure on my head. The other soldier continued to kick me in the midsection, and both of them continued to scream, "You must die."

I thought they wanted to kill me, or at least make me disabled. The third soldier stood where he was and did nothing. In the midst of the beating, about fifteen minutes after it all started, an armored personnel carrier with three soldiers arrived at the checkpoint. The vehicle stopped about four meters from me. I saw the driver smile when he saw me getting beaten.

Around 1:30, half an hour after I arrived at the checkpoint, the blond soldier said to me, "Now, get up and get out of here fast. If you don't run, I'll shoot you." I had trouble getting up, and when I did, I was unsteady. I walked about thirty meters. I was dizzy and had to sit down. I sat down twice. I continue walking and saw B'Tselem's jeep. I told the people in the jeep [B'Tselem's checkpoint monitoring team] what had happened. While talking with them, I couldn't stand up any more, and I collapsed.

The B'Tselem workers called for an ambulance. The ambulance came within fifteen minutes and took me to Rafidiya Hospital, in Nablus. The physicians examined me and determined that I have a broken left rib.

## **Tuesday, 30 December 2003, morning**

### **Testimony of 'Ala 'Adwan, 21, single, student, resident of 'Azun, Qalqiliya District<sup>3</sup>**

I live in 'Azun and study physical education at a-Najah University, in Nablus. I have classes in Nablus five days a week. Every time that I get to a checkpoint, the soldiers check my ID card before letting me pass. When the Sarra checkpoint is closed and the soldiers won't let people cross, I go around it and walk over the hills and through the olive orchards.

Last Tuesday [30 December], I was in a taxi with Muhammad Hassan, a student who lives in 'Azun, on our way to the Sarra checkpoint. I had two exams scheduled for that day, and he had one. At the Immatin checkpoint, which is on the way to Sarra, the soldiers checked us and let us pass. We reached the Sarra checkpoint at around 6:30 A.M. The soldiers said that the checkpoint was closed and that we had to go home. We went back to the gate and the concrete blocks on the road, a few hundred meters from the checkpoint, in the direction of Jit. There we met a student from Jit named Ashraf. The three of us decided to go through the hills and bypass the checkpoint, because we had to get to our exams.

As we were walking, we encountered two soldiers who were hiding in ambush under one

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3. The testimony was given to Najib Abu Rokaya on 1 January 2003.

of the trees. With their rifles aimed at us, they started to beat and kick us. They took our ID cards and ordered us to sit on the ground and raise our hands. They kicked us in the chest and asked, "Are you in Hamas? Are you in Jihad?" They pressed their rifle barrels against our heads. I tried to push away the rifle, and the soldier shouted at me, "Don't touch the weapon." That soldier had short, black hair, was tall, and spoke a little Arabic. The other soldier was blond and rather short. They continued to beat us, and kept saying that we were Hamas or Jihad members. I told them to check our ID cards.

They beat us for around half an hour. Then they stood us alongside an olive tree. They took my cellular phone and Ashraf's, sat the three of us around the tree and tied our hands to each other. They put the handcuffs between the branches in such a way that our hands were always in the air. It was a young tree, and its branches were pretty close to the ground. The soldiers kicked us a few times and then returned to their ambush position.

A few minutes later, I heard shouts and realized that the soldiers had caught some more people and were probably beating them. I heard two shots. I thought that the soldiers had shot one of them, which scared me to death. About thirty minutes later, the soldiers brought them over to us. There were three young Palestinian men, and they were crying out in pain. One of them was bleeding above his eye, by the eyebrow. The soldiers ordered them to remove our handcuffs. The blond soldier took out a colorful *kippa* [skullcap] from his pocket and gave one of the young men the clip that was on the kippa for him to use to open the cuffs. The men were not able to remove the cuffs, and the soldiers kicked them in the back, and told them that

they had one minute to remove the cuffs. They weren't able to get the cuffs off, and actually just made them tighter.

The soldiers took the three of them and ordered them to sit on the ground. I saw the blond soldier step on their backs. He was wearing thermal pants, with the number 46 on it. Then the soldiers left and went back to their ambush position.

The soldiers came back about fifteen minutes later, gave the other three their ID cards and told them to leave. The soldiers told us to come to the checkpoint at 10:30 to pick up our things, even if somebody comes by and removes the cuffs before then. The blond soldier kicked each of us in the chest one more time, and then the soldiers left.

Around 9:00, a few minutes after the soldier left, an elderly man passed and tried to free us. He didn't succeed, and he continued on his way. Then a young man from Kafr Thulth passed by, and he too tried to remove the cuffs. He also failed, and said that he would go get a knife from Sarra. We told him to tell somebody about our situation. He left and did not come back. We decided to take matters into our own hands. We took stones and rubbed them against the plastic handcuffs, and managed to cut them. We discussed among ourselves whether we should go to the checkpoint, because it was not yet 10:30. I thought we shouldn't wait, and that we could go right away. We decided to go to the checkpoint, which was a few hundred meters from where we were. When we got there, it was around 10:00. The blond soldier asked us how we had freed ourselves. I told him that we cut the cuffs with stones. They gave us back our ID cards and cellular phones and told us to go home.





**Testimony of Muhand Hassan, 19, single, resident of Jit, Nablus District<sup>4</sup>**

I am a plumber and I work in Nablus. I stay in the city during the week, and go home on weekends to be with my family. I generally go to Nablus on Saturday morning. Last Saturday, the army was in Nablus and I did not try to get into the city.

Yesterday [Tuesday, 30 December], I heard that the army had left Nablus, so I decided to try to go in. I went with two students from my village. As we came near to the Sarra checkpoint, a man told us that the soldiers were not letting anybody cross to Nablus. We decided to go around the checkpoint, through the olive orchards on the hill near the checkpoint. We started climbing up the hill at around 7:30.

When we were around 500-600 meters from the road where the checkpoint is, we saw two soldiers about two meters away from us. They had been hiding behind the bushes. As we were passing, they got up and aimed their rifles at us. They kicked us in the stomach, and we fell down. One soldier was tall, around 1.80 meters, heavy-set, dark-skinned, and had short, black hair. The other soldier was shorter, light-skinned, and was also heavy-set. He had longish blond hair and brown eyes. They took our ID cards.

The soldiers asked me where I was going, and I told them I was on my way to Sarra. The tall soldier said to me, "For what? To get weapons?" He spoke to me in Hebrew, with a few words in

Arabic. I understand Hebrew and understood what he was saying. The blond soldier asked me if I had a weapon and I said no. He ordered me to lie down on my back, and he stepped on my neck and pressed down with his foot. He told me I was about to die. After about thirty seconds passed, he lifted his foot and kicked me all over my body, mostly in the abdomen. I covered my midsection with my hands to protect myself. He told me to move my hands and continued to kick me. Meanwhile, the other soldier was beating the other two men who were with me.

Then the two soldiers beat Mazen 'Az a-Din, who was one of the people with me. The blond soldier grabbed his arm and twisted it behind his back, and the other soldier kicked him in the abdomen. Then they told him to lie down on his stomach, and the dark-haired soldier put his rifle to the back of Mazen's head and said that he was going to shoot and kill him. The soldier counted to three, and on three, the blond soldier fired into the air. They did the same thing to me.

Then they beat us in the backs of our heads with the butt of their rifles. They ordered us to walk a few meters, and then told us to sit down. Then they kicked us again. Then they told us to get up, and the dark-haired soldier punched me in the face and asked me if it hurt. I told him that it did, and he told me to show him where it hurts. I showed him, and he hit me with his rifle under my chin.

Then they told us to walk. We walked about twenty meters and saw three men handcuffed to an olive tree. The dark-haired soldier told us that we had one minute to remove the plastic cuffs from the hands of the other three, so they could tie our hands. The blond soldier took the

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4. The testimony was given to Nidal Kna'aneh on 31 December 2003.

clip off a *kippa* he had in his pocket and gave it to me to use to open the handcuffs. He told me that if I broke the clip, he would shoot me.

I tried to open the cuffs, and bent the clip in the process. I tried to straighten it out, and the blond soldier asked me why I broke it. He told me in Hebrew to sit on the ground. The other soldier came over and asked me why I was sitting. I told him that the other soldier told me to sit. He then beat me.

The blond soldier told the other soldier that it was impossible to open the cuffs. He told us to move over a few meters and lay on our stomachs. We did that, and he stepped on our backs. Then he told us to stretch our arms out in front of us and not to say a word.

A short while later they came back and they told us we were free to go, provided that we don't tell anyone that we saw them, and that we don't describe how they look or what happened. The dark-haired soldier held out my ID card to me. When I reached out to take it, he kicked me. Then he gave me back the card. While that was going on, the other soldier beat the two guys who were with me. The soldiers gave them their ID cards and let us go. The soldier with the black hair asked me what time it was. I looked at my watch and told him it was 8:55. I told him the time in Arabic, and he said "Okay, okay."

The soldiers took their helmets and told us not to free the other three guys, and that, if we did, they would shoot us. The soldiers also told us not to tell anyone that they are there, otherwise they would come and shoot us. The soldiers headed toward the checkpoint. We went back to our village and the other three guys remained there, tied to the tree.

## **Tuesday, 30 December 2003, afternoon**

### **Testimony of M.T., 26<sup>5</sup>**

At noon last Tuesday [30 December], I arrived at the Sarra checkpoint. One of the soldiers told me to stop. He was around 1.75 meters tall, light-skinned, and had light-brown or green eyes. He was wearing a blue turtleneck shirt under a jacket. He spoke to me in Hebrew, which I do not understand very well. He asked me, "Where are you going?" I told him that I was going home to Sarra. He told me that crossing was not allowed at the moment, and that I should go back where I came from. I told him, "Where am I supposed to go?" He asked me where I had come from. I told him I had been at work all month in Ramallah, and did not know that I could not enter Sarra. The soldier responded, "Go back to Ramallah and sleep there for another month. Don't talk to me anymore." I replied that I can't return to Ramallah, because I would not be allowed to cross the Immatin checkpoint.

The soldier came over to me and hit me in the chest with his rifle. I tried to defend my chest and face with my hands. The soldier shouted, "What are you doing touching my weapon?" and continued to hit me with his rifle. He aimed his blows at my face, but I defended myself with my hands and by moving my head.

Another soldier came out of a structure that was nearby. He was taller than the first soldier, dark-skinned and thin. He ran over to me and both of them beat me with their rifle butts. The second soldier hit me in the left leg a few times. I gave my ID card to the shorter soldiers and said, "Look, its says that I am from Sarra." The taller soldier hit my hand with his rifle and my ID fell to the ground. He said, "I don't want to see it."

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5. The testimony was given to Nidal Kna'aneh on 3 January 2004. The witness requested anonymity; his details are on file at B'Tselem.

The taller soldier put his rifle barrel around five centimeters above my head and fired. I felt the bullet whiz by my hair and smelled the smoke. It really frightened me. For a moment, I thought that he would shoot me. I even thought that he had already shot me, and that that was how it feels to die.

When I recovered from the shock, I began to run, and one of the soldiers threw my ID card at me. I looked back and saw that it had fallen into the mud. I picked it up and continued running toward the gate. When I was about twenty meters from the soldiers, I checked the ID card and saw that my driver's license and bank card, which were inside the cover of the ID, had fallen out. I thought about going to the checkpoint to take them, but I was afraid. After debating what I should do, I decided to go back to the checkpoint to look for the missing items.

At the checkpoint, an Ethiopian soldier was standing near the observation post. He asked me, "Why did you come back?" I told him that documents had fallen out and I had come to look for them. He said, "Search where the card fell, and don't come near us." I went to the site and found the missing items. The Ethiopian soldier had his rifle aimed at me the entire time. Then I went to the gate next to the hill and decided to bypass the checkpoint and go over the hill to get to Sarra. When I was about 400 meters from the gate, about five shots were fired at me from the checkpoint. I lay on the ground and crawled toward the olive orchard. I was very tired because of all the running and the beatings. My chest hurt a lot. I continued toward the village, and tried to stay out of sight until I reached the first house of the village. By then it was around 1:00 P.M. I rested there and told the people in the house what happened. A short while later, I left for home.

## Tuesday, 30 December 2003, afternoon



**Testimony of Fawaz Turabi, 32, married with three children, resident of Sarra, Nablus District<sup>6</sup>**

The day before yesterday [Tuesday, 30 December], at around 2:15 P.M., I left my sister's house in Jit and walked toward the Sarra checkpoint on my way home. At the intersection on the main road, before I reached the checkpoint, I saw an army jeep with four soldiers inside. When I was about fifteen meters from the jeep, a soldier sitting in the back of the jeep shouted to me in Hebrew, "Stop." He ordered me to lift up my shirt, lower my pants, and then raise my hands. After I did as ordered, he told me to get dressed and go over to him. They demanded my ID card. I gave it to the commander, and saw him punch my ID number into a device he had in the jeep. About ten minutes later, the driver called to me and said, "You can't pass."

I took my ID and began to walk over the hills to get to Sarra. I walked with five other guys whom the soldiers had turned back. Four of them were from Jit, and the other from Sebastia. Suddenly, we heard shots and a voice call out in Arabic, "Stop, stop." I looked over where the shots came from and saw two soldiers. We walked over to them, and when we were around seven or eight meters from them, one of the soldiers said to us in Hebrew, "Stand in a line, come over to us one after the other, and lift up your clothes."

6. The testimony was given to 'Ataf Abu a-Rob on 1 January 2004.

The soldier took our ID cards and read out our identification numbers into his walkie-talkie. He then put our IDs into his pocket and told us, "Sit down here." Then the soldier said into the walkie-talkie, "We are coming down to the road." We went with the two soldiers. When we got to the road, I saw a jeep. There was one soldier in the jeep, the driver. The two soldiers got into the jeep, and one of them said to us, "Follow us to the Sarra checkpoint." The jeep drove about 200 meters and we walked behind it. The jeep stopped and one of the soldiers separated the ID cards of the guys from Jit from my ID and that of the guy from Sebastia. He checked the IDs of the men from Jit, gave them their cards and told them, "Go back to your village." To me and the guy from Sebastia, he said, "Go to the Sarra checkpoint."

We walked along the road to the checkpoint, which was at the entrance to the village. We reached the checkpoint at 4:20 P.M. Two soldiers were at the checkpoint. They were standing in the middle of the road, near the concrete blocks. One of them was blond. He said, "All right. Very good." Then he asked, "Where are your ID cards?" We told him that the soldier in the jeep had them. The jeep arrived and the blond soldier asked the soldier in the jeep, "Where are the ID cards?" The soldier said that he had them. The blond soldier asked us for our cellular phones and told us to sit down. He went into a shed that contains the main valve to control the water flow to the village. The jeep left. The soldier came out with a glow-stick and hit us in the legs with it. He asked, "Where did they find you?" He called to the second soldier, "Come over and help me."

The second soldier put his rifle on the concrete block and ordered the soldier who was at the observation post to give him the stick. The blond soldier did not lower his rifle. The third

soldier threw a black plastic stick to the second soldier. The stick fell, and the soldier picked it up and used it to hit me in the left thigh. He said to me, "You are lying to us." I told him that I was not lying, and that I had told everything to the soldier who caught us. The soldier replied, "Don't say anything. Keep your mouth shut," and continued to hit me with the stick. The blond soldier beat the guy from Sebastia. The soldier who hit me told the blond soldier that I was lying to him. The blond soldier said that the guy from Sebastia was also lying.

While the soldiers were beating us, a family – a husband, wife, and child – came from the direction of Nablus. The blond soldier told the man to go back. The man told the soldier that he had a permit, and waved it for the soldier to see. He went up to the soldier, and the soldier grabbed his chin and told him in Hebrew: "If you don't go back, I'll tie you up here." The man turned around and went back, and the two soldiers started hitting us again. A few minutes later, an elderly woman, three young women, and a small child came to the checkpoint. The elderly woman wanted to cross, but the blond soldier blocked her way, and told her in Hebrew that if she didn't leave, he would beat her. She apparently understood him, because she turned around and walked away with the young women and the child. As for us, the soldiers let up a bit with the beating.

A Mitsubishi van pulled up to the checkpoint. A fellow named Abu Ramzi was inside. He wanted to transfer merchandise to an Israeli vehicle that had arrived from the western side of the checkpoint. While he unloaded the merchandise and put it into the Israeli vehicle, the soldier who had beaten me came over to us and said, "Don't say a word." After the goods were transferred to the Israeli vehicle, Abu Ramzi wanted to leave. One of the soldiers

told him to come over to them. Abu Ramzi went over to the soldiers, and I heard one of the soldiers say, "Why are you in contact with a Jew? I told you to get away from here before, and now you come with a Jew."

The soldier took his ID card and told him in Hebrew, "You playing games with me? You called a Jew to come and take the merchandise." Abu Ramzi said that the Jew called him. The soldier grabbed him by the neck. "You are lying," he said and ordered him to sit on the ground. It was already dark. About fifteen minutes later, the soldier who hit me called us and Abu Ramzi and ordered us to stand next to the concrete block in the middle of the road. The other soldier brought him plastic handcuffs. The soldier ordered us to stand around the block. He then cuffed us to each other. He cuffed my right hand to Abu Ramzi's hand and my left hand to the hand of the fellow from Sebastia. The soldier cuffed Abu Ramzi and the fellow from Sebastia to the iron loops on the concrete blocks.

The soldier told us, "You will stay here for two hours." The soldiers went to a tent that was on higher ground near the checkpoint, and only one soldier stayed on lookout.

It was very cold. We were standing there, talking to each other. Abu Ramzi told us that everything was going to be all right, and that we just have to be careful and not do anything stupid, so that the soldiers don't beat us again. After more than a half hour passed, the soldiers came out of the tent. One of them fired six or seven shots over our heads. They were around twenty meters from us. Then they threw a stun grenade that fell next to the concrete block. Abu Ramzi said that fragments from the grenade hit him.

The blond soldier came over to us and told us in Hebrew, "This is the first and last time that you cross here." As he was talking to us, a jeep arrived at the checkpoint and the soldier who had caught us in the hills got out. He spoke with the blond soldier, took a knife from the jeep, and cut the handcuffs. He told us: "Here are your ID cards and cellular phones. Go home." The guy from Sebastia told the blond soldier that he wanted to go home, but that he has to get to Nablus because he is a student, but that he did not know how to get there at such a late hour. The soldier said, "Go wherever you want." The soldiers let him cross so that he could go to Nablus.

Abu Ramzi drove me home. My wife was very worried, and told me that she had tried to call me, but that my mobile phone was turned off. The beating left bruises over my whole body.

### **Wednesday, 31 December 2003, morning**

#### **Testimony of Zohir Suliman, 33, married with five children, resident of Sarra, Nablus District<sup>7</sup>**

I work as a tile layer in Jinsaput, which is a village west of Sarra. Yesterday [Wednesday, 31 December], I left home at 7:00 A.M. [to go to work.] I went with Mahmud Shaker, who works with me and is also from Sarra. We know that there is a checkpoint at the entrance to the village, so we decided to go over the hill to leave the village. On the way, we met two guys from Qadum. One of them told us that soldiers were in the hills and that one had called them to stop, but that they were able to

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7. The testimony was given to 'Ataf Abu a-Rob on 1 January 2004.

run away because the soldiers were far away from them. They warned us not to go that way, but we ignored them and continued on our way through the olive orchards.

About the middle of the way between Sarra and Jit, I heard a shot. The bullet flew a couple of meters to our right. I then heard someone say in Arabic, "Stop." I looked to where I thought the bullet came from and saw soldiers among the shrubs. They aimed their rifles at us. One of them told us in Hebrew: "Come here." Two soldiers stood up. I saw one of them holding an orange-colored stun grenade. It looked like a pipe and was about fifteen centimeters long.

Mahmud and I went over to them, and when we were a few meters from the soldiers, one of them ordered us to lift up our clothes and turn around. We did as he said and then the other soldier came over and stood behind me. He was tall and blond. The first soldier continued to talk to me. I told him that I understand Hebrew. He asked me in poor Arabic, "Why are you passing by here?" I told him that soldiers do not allow us to cross through the checkpoint. The soldier told me, "You are terrorists and have weapons. Drop your weapons." We told them that we had no weapons. The soldier standing behind me hit me in the back of the head with a helmet he was holding. That made me dizzy. The other soldier continued to talk to me. He said, "You have to go to the checkpoint, and only if they do not let you through can you say that it is forbidden." He took our ID cards, and then they began to kick us and beat us with their helmets. The blond soldier beat me, and the other soldier beat Mahmud.

After a minute or so, I saw that Mahmud had fallen to the ground. The blond soldier went

over to him and the other soldier. Then the two soldiers came over to me, and the second soldier told me in Hebrew: "Come here." I went to them and one of them stood behind me, so that I was standing between them. They beat me, one from the front and the other from the back, and kicked me. The soldier who was behind me ordered me to sit on the ground, and then hit me again, from behind, on the hips.

They told me to sit next to Mahmud. Mahmud spoke to them in Hebrew. I did not understand what he said. As they were talking, the blond soldier continued to beat me from behind. Each time I tried to protect myself with my hands, he yelled at me and told me to move my hands. When I didn't, he hit me in a different part of my body.

About a half hour after they began to beat us, the blond soldier said to us, "Take your ID cards and go." Before they let us leave, the soldier who had beaten me hit me in the back of the head with the butt of his rifle. He threw a stun grenade and ordered me to grab it. I refused, and he held the grenade in front of my face. I tried to push it away from me, and the soldier hit me. Then he told me in Arabic, "Raise your hands, to God," and hit me in the ribs, under my right shoulder. Then he told me, "Get out of here."

I did not go, but waited for the other soldier to give me my ID card. The blond soldier shouted, "Get out of here." I stayed where I was, and he kicked me in the chest. That was the hardest blow I received. Then he told Mahmud in Arabic, "Tell him that he better run or I will shoot him." I began to run toward the village. After running about 150 meters, I fell. I stayed on the ground until Mahmud arrived. I got up, and we went together to the village.

# Conclusions

The testimonies in this report document severe cases of abuse at the Sarra checkpoint, next to Nablus. These cases are just examples, though particularly extreme, of the daily reality in the Occupied Territories for more than three years.<sup>8</sup> In the past week, B'Tselem appealed to the OC Central Command and the Judge Advocate General demanding that these cases be dealt with urgently and that the soldiers be removed from the checkpoint. These appeals went unanswered and the abuse of Palestinians at the checkpoint continued.

At the beginning of this intifada, Israel began to implement a siege policy in the Occupied Territories, and placed dozens of checkpoints inside the West Bank. This was in addition to the checkpoints already in place for several years to control entry into Israel. In addition, Israel placed hundreds of physical obstacles to block vehicular traffic within the West Bank.<sup>9</sup>

As of November 2003, the IDF operated 56 staffed checkpoints in the West Bank, primarily between Palestinian cities and along major traffic arteries.<sup>10</sup> Almost every Palestinian wishing to move from one place to another within the West Bank must pass through these checkpoints. The criteria for passage change frequently and often depend

on the goodwill of the soldiers. In some cases, Palestinians are required to obtain a permit from the Civil Administration, but these permits do not always ensure passage. Crossing checkpoints is a slow process and all Palestinians – including the elderly, the sick, and children – must endure lengthy waits before they can proceed on their way. The physical conditions at the checkpoints are difficult. There is no drinking water or protection from the rain and sun.

In addition to the harm that the checkpoints cause by their very presence in the West Bank, they also constitute a flash point for human rights violations. Human rights organizations receive reports daily of humiliation, prolonged, unnecessary delays, and arbitrary punishment, such as confiscation of vehicles, identity cards, and car keys. Incidents of more serious abuse, such as those described in this report, are also reported.

The Knesset Constitution, Law and Justice Committee has held several hearings on the topic of soldiers' behavior at the checkpoints. The Judge Advocate General, the OC Central Command, and the Commander of the Nahal Brigade are among those who participated in these hearings.<sup>11</sup>

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8. For additional cases, see B'Tselem: *Standard Routine: Beatings and Abuse of Palestinians by Israeli Security Forces during the Al-Aqsa Intifada*, May 2001; *In Broad Daylight: Abuse of Palestinians by IDF Soldiers on July 23, 2001*, July 2001; *Soldiers' Abuse of Palestinians in Hebron*, 3 December 2002, December 2002.

9. On the ramifications of Israel's siege policy, see B'Tselem and Physician for Human Rights, *Harm to Medical Personnel – The Delay, Abuse and Humiliation of Medical Personnel by Israeli Security Forces*, December 2003; B'Tselem, *Civilians Under Siege: Restrictions on Freedom of Movement as Collective Punishment*, January 2001.

10. The data was published by OCHA, the UN Office for the Coordination of Humanitarian Affairs. See [www.reliefweb.int/hic-opt](http://www.reliefweb.int/hic-opt).

11. Four such hearings were held, on May 25, June 8 and 22, and July 6, 2003. The quotes are taken from the minutes of the hearing on 22 June 2003. See [www.knesset.gov.il/protocols/data/html/huka/2003-06-22.html](http://www.knesset.gov.il/protocols/data/html/huka/2003-06-22.html) (in Hebrew)

At one Committee hearing, the Judge Advocate General, Major General Menachem Finklestein, said that the military acts resolutely against soldiers who abuse Palestinians at checkpoints:

Any information and every complaint we receive regarding prohibited or unusual behavior of soldiers is treated ... If the complaint indicates that the behavior was of a criminal nature, for example the things described here – violence, violence for no apparent reason, abuse, looting, all the actions that constitute unjustifiable criminal behavior – the behavior is dealt with.

The OC Central Command, Major General Moshe Kaplinsky, stated that harm to Palestinians is the exception, and emphasized that the military acts to prevent it. Before soldiers are sent to the checkpoints, they undergo “mental preparation,” that is, “explanations, analysis of situations entailing substantial friction with the local population, coping strategies, what is permitted, what is forbidden, analysis of past cases.” In addition, “in every officers’ seminar at the brigade level or higher... a specific session is devoted to a careful study of the dilemmas and the issues regarding norms and values in our activity.”

These words deserve praise. However, they will not eradicate the phenomenon of soldiers’ abuse of Palestinians. Firstly, the Judge Advocate General and the OC Central Command admit that no one military body is responsible for handling the issue, and that all the information regarding abuse of Palestinians comes from human rights organizations or international

bodies. Major General Kaplinsky did note that the military distributes anonymous questionnaires to soldiers in an attempt to learn of exceptional incidents. However, he admitted that disclosure of such cases is “very rare, because even when people fill out anonymous questionnaires they don’t specifically mention other people or give dates. They only give us the message.” The military’s exclusive reliance on complaints from non-governmental organizations does not enable it to assess accurately the scope of the phenomenon, as NGOs are unable to document every human rights violation. Military officials can thus find refuge in the claim that “these are exceptional cases.”

Major General Kaplinsky noted that the field debriefings are the primary tool for addressing cases in which soldiers harm Palestinians. The Nahal Commander, Colonel Noam Tibon, explained that “most punishment is meted out at the command level,” without a Military Police investigation or involvement of the Judge Advocate General’s Office. The field debriefing is conducted by the commanders of the soldiers’ suspected of committing an offense, and no testimonies are taken from the victims or eyewitnesses. Also, the commanders have no training in conducting professional investigations and may even be involved in the incident. Debriefings are clearly not an effective tool for getting at the truth. Furthermore, punishment meted out within the unit also differs qualitatively from punishment by a military court, in that the commander’s decisions are not published, making their deterrent and educational value quite low.<sup>12</sup>

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12. On the subject of military investigations, see B’Tselem, *Trigger Happy: Unjustified Gunfire and the IDF’s Open-Fire Regulations during the al-Aqsa Intifada*, March 2002.



The Judge Advocate General's contention that every case brought to his attention receives attention is incorrect. Even when he orders a Military Police investigation, the investigation is conducted irresponsibly, and efforts to locate the suspects take place long after the incident occurred, making it difficult to collect evidence and reducing the likelihood of finding the soldiers involved. For example, in December 2002, B'Tselem published a report on severe abuse of Palestinians in Hebron by IDF soldiers. Following publication of the report, a Military Police investigation was opened. To date, a year after the incident, the matter is still being investigated.<sup>13</sup> In the few cases in which soldiers are convicted, they receive light sentences, such as the case of Lieutenant Colonel Geva Sagi, the reserves battalion commander who was convicted of severe abuse of a young Palestinian and received two months of community service, which he performed at the Soldiers' Welfare Foundation.<sup>14</sup>

The army is well aware of the severe violations of the human rights of Palestinians who pass through the West Bank checkpoints. It chooses, however, to continue to handle the violations in a manner that, time and again over the past three years, has proven ineffective. The military should have reached the conclusion that human rights organizations reached a long time ago: the checkpoints inevitably result in the arbitrary and excessive use of force, and as

long as the checkpoints continue, the abuse of Palestinians will continue.

This conclusion is confirmed by testimonies of soldiers, who claim that the abuse of Palestinians who cross the West Bank checkpoints is "built-in." "Even the soldier with the best intentions... will reach a certain breaking point."<sup>15</sup> According to another soldier, "You're hot, you're sweaty, and you're totally drained. The last thing you want to do is to unload a vehicle with hay on it [to search it]. This has direct bearing on the way the soldiers act. It comes out in verbal aggression and impatience."<sup>16</sup> Even the Chief of Staff, Lieutenant General Moshe Ya'alon, reached this conclusion: "A soldier forced to stand at a checkpoint – with the accessibility and the temptation that cause people to loot – does not add to our moral fortitude."<sup>17</sup>

In light of these conclusions, and given the destructive results of Israel's siege policy on the Palestinian population, B'Tselem calls on the IDF and the government of Israel to dismantle all the checkpoints and roadblocks inside the West Bank and allow the free movement of Palestinians. Until that time, in order to prevent further deterioration in soldiers' treatment of the civilian population, the IDF must investigate every incident of maltreatment quickly and efficiently, and prosecute those responsible. Specifically, the IDF must immediately open a Military Police investigation into the incidents described in this report.

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13. See *Soldiers' Abuse of Palestinians in Hebron*.

14. *Ha'aretz*, 10 September 2003.

15. The soldier's name is on file at B'Tselem. His testimony was given to Noam Hoffstatter and Eyal Raz on 7 July 2003.

16. The soldier's name is on file at B'Tselem. His testimony was given to Eyal Raz and Ronen Shnayderman on 31 August 2003.

17. *Yediot Aharonot*, 4 July 2003.

# Response of the IDF Spokesperson's Office

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To

**B'Tselem**

## **IDF Spokesperson's Response Regarding the Reported Incident at Tsarra Checkpoint**

The city of Nablus has, for the past few years, served as a primary source for the planning and execution of terrorist attacks against Israeli citizens. Hundreds of Israelis have been killed or injured in these murderous attacks emanating from Nablus, including the recent terror attack at the Geha Junction, where four Israelis were killed and dozens injured, as by a suicide bomber who made his way to the heart of Israel from the Nablus region.

Tsarra Checkpoint is located to the east of the city, on the route used by many of the terrorists who have crossed into Israel, and is used to monitor and check the movements to and from the city, in order IDF to root out terrorist activities in the region and to prevent terrorist infiltrations into the state of Israel.

In addition to the checkpoint, there are other forces stationed in the area whose mission is to prevent the terrorists from bypassing the checkpoint, as has been observed repeatedly in the past.

In this context, terrorists have, in many instances, make use of the same bypass routes used by Palestinian innocent civilians to carry out their everyday activities. Therefore, every attempt to bypass the checkpoint entails decisive action and security checks of those Palestinians captured trying to bypass the checkpoint for fear that they may be terrorists.

In light of the numerous incidents documented in the report relating to violent and humiliating behavior at the checkpoint, investigations will be continued in relation to these incidents, and if it is found that improper behavior on the part of the soldiers had taken place, severe disciplinary legal measures will be taken.

Complaints of criminal offense against the Palestinian population (such as violence, theft and looting, etc.) have been and are currently under investigation by the commanders in the field and are also investigated by the Military Police. It is worth nothing that, to the best of our knowledge, no other army engaged in an armed conflict investigates these types of complaints (war crimes). as far as they do not continue.

The Israeli Defense Forces places great emphasis on maintaining a high-level of moral behavior amongst its soldiers. On this note, the Israeli Defense Forces actively educates and briefs a wide variety of soldiers, from high ranking officers to the common soldiers in the field. The purpose of this activity is to propagate already existing procedures and to heighten the awareness of the importance of preventing any harm to innocent civilians as well as preserving human dignity.

In light of the inherent importance of this topic, IDF authorities make constant efforts to improve the methods and means for aiding the Palestinian population. For example, nearly a year ago, the Civil Administration in the West Bank created the "Humanitarian Situation Room," which is designated to be a source of information and assistance to which the Palestinian population can turn to, for information and immediate assistance. Informative Signs, written in Arabic, were put up at IDF checkpoints in the West Bank in order to announce the existence of these services along with contact information.

As part of the general effort to differentiate between the Palestinian civilian population and the terrorists and in order to ease the hardship endured by the residents of Tsarra Village, the IDF has repositioned itself from a building that was under its control to a fortified structure at the entrance of the village. In this way, security procedures can be carried out while minimizing the inconvenience caused to the local population.

Sincerely,

**Sam Wiedermann, Major.**  
**Head of the International**  
**Organizations Section**