



מרכז המידע הישראלי לזכויות האדם בשטחים
The Israeli Information Center for Human Rights in the Occupied Territories

INFORMATION SHEET: UPDATE- JUNE 1, 1989 (English Version)

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**"Everyone has the right to life, liberty
and the security of person".**

Universal Declaration of Human Rights. Article 3.

KILLINGS - TOTALS FOR THE PERIOD OF THE INTIFADA

457 Palestinian residents of the territories were killed by Israeli soldiers and Israeli civilians from the beginning of the intifada in December 1987 until the end of May 1989, according to data collected by B'Tselem.

- * 425 by shooting (gunfire, including plastic bullets), among them 17 children under 12 years, and 68 aged 13-16.
- * 32 were killed from other causes - beatings, electrocution (while removing Palestinian flags from power lines), burns and other causes. Among them were 3 children under 12 years of age, and 2 aged 13-16.

A further 70 persons died shortly after exposure to tear gas, some 30 of them infants. From a medical point of view, it is difficult to determine that exposure to tear gas is the direct and sole cause of death.

During this time, 5 IDF soldiers were killed, and 9 Israeli civilians, 3 of them infants.

FATALITIES IN MAY- ANALYSIS

In May 1989, 35 Palestinian residents were killed, and one Israeli soldier. 18 of the Palestinians killed were residents of the Gaza Strip, 17 of the West Bank.

In May, 2 children under 12 years of age, and 6 youths aged 13-16 were killed. Of note is the high number of deaths among persons aged 40 or more, 4 in all, one of them a woman aged 50 years.

In two instances Israeli civilians were detained on suspicion of murder. In another case Israeli civilians are suspected of shooting at and killing a resident of the territories.

The rise in the number of fatalities, which began in March this year, continues. Only in the months of March and April 1988 were the numbers of residents of the territories killed higher than the May figure.

A rise in the numbers killed in the Gaza Strip was noted. Half of those killed in May were from the Gaza Strip, whereas in the past the proportion was generally about one third of the total.

The trend of Palestinians killing Palestinians thought to be collaborators continues. Data in our possession shows that nearly 40 persons suspected of collaborating with the Israeli authorities were killed.

PLASTIC BULLETS

The Deputy Chief of Staff, General Ehud Barak, justified the IDF's use of plastic bullets in dealing with rioters. Barak was replying on behalf of the Minister of Defense, to an appeal presented to the High Court of Justice, by Attorney Felicia Langer, for the League of Human Rights.

In his deposition, the Deputy Chief of Staff declared: "Because of the characteristics of the plastic bullet, which are quite different from those of live ammunition, the correct use of this bullet, at certain distances is not supposed to be fatal (our underlining).

The IDF's data, quoted in this deposition, reveals that in the 8 months from December 1987 to July 1988, 204 Palestinians were killed as a result of army action, and in the next 8 months (August 1988 - March 1989) following the introduction of plastic bullets, 154 were killed as a result of army action 61 of them as a result of the use of plastic bullets "In the period since the introduction of plastic bullets, the number of killed fell by some 25%" declared General Barak.

The Deputy Chief of Staff notes the following among the restrictions on the use of plastic bullets: 1. The soldier must aim the weapon to strike below the knee, 2. He must avoid aiming at the legs of women and children, 3. He must observe a minimum and maximum range when firing plastic bullets.

From testimony of officers in the reserves, given to B'Tselem, the following facts emerge:

- * Training in the use of plastic bullets lasts for less than one minute, using 3 bullets (one round) at a distance of 70 meters.
- * The "refresher courses" that are supposed to follow two weeks later rarely take place.
- * Instructions stipulate that firing must be from a minimum distance of 70 meters, and not after physical exertion.
- * Estimating a distance of 70 meters is difficult by day, and even more difficult at night.
- * There is no certain method of ensuring, even for experienced snipers, when firing from a distance of 70 meters, that the weapon is aimed precisely below the knee. The plastic bullet is less heavy than the regular bullet, and its aim is less accurate.
- * At a distance of 70 meters it is difficult to distinguish with certainty the age of children.
- * In a situation where the soldier is engaged in dispersing riots, he will often have to fire after engaging in physical exertion.
- * The claim that the plastic bullet (in reality a metal bullet encased in plastic) is not fatal, results in the "trigger happy" phenomenon.

In a written opinion, Dr Yitzhak Vinograd, Specialist in General Surgery, notes that the kinds of injuries resulting from live gunfire are also caused by plastic bullets fired at short range. "Shooting from a long range can also be very dangerous" declares Dr. Vinograd, "In my view, the use of plastic bullets has an immediate fatal potential at short range, and from a distance of more than 70 meters there is also the possibility of later fatal complications, several days after the injury, as a result of untreated infection."

In the past month:

Samar Muhamad Mara'i, 9 years old, from Tul-Karem refugee camp, was hit in the eye by a plastic bullet, on 26 April. He died at the El-Makassed Hospital on 1 May.

On 19 May, there was an encounter between IDF forces and residents of the Shabura quarter of Rafiah. The soldiers fired plastic bullets, killing:

Ahmed Abd El-Salam Abu Aharam, 34, hit in his chest.

Fatma Ahmed Abdallah Hameideh, 50, hit in her chest and stomach.

Ayad Abu Sheyr, 31.

Shafik Ramkan Abu Lili, 23.

Nazeemi Abu Hataallah, 13, injured in his chest, died a few hours later in the Nasser Hospital.

In this incident, 12 more residents were injured, (2 of them fatally, 3 with medium injuries, the rest light injuries), all of them hit by plastic bullets.

On 31 May, Muhamad Hamadan, 8 months, was fatally injured in the head by a plastic bullet. His mother recounted that she was crossing the road near her home in the Tul-Karem refugee camp, with the baby in her arms, and as she reached the entrance to her home, a shot was fired at her, hitting the baby.

"No one shall be arbitrarily deprived of his property."

Universal declaration of Human Rights. Article 17(2)

HOUSE DEMOLITIONS

House demolitions ceased during the month of April, as a gesture for the Ramadan Festival. During May, more than 20 houses were demolished, and a further 7 houses and 3 rooms were sealed, by IDF forces, as punishment for security offenses. A further 30 houses were demolished because it was claimed they were built without license. Most of the houses demolished or sealed on 'security' grounds were the homes of the families of persons **suspected** of belonging to terrorist organizations in the territories, of murder of collaborators, or of throwing firebombs and explosives.

2 demolished houses in the village of Tsurif were the homes of the families of persons who had forcibly resisted arrest. This is the first time that the IDF has demolished houses for this reason. 2 more houses were demolished and 2 more sealed in the village of El-Azaria, belonging to the families of persons **suspected of throwing stones** at vehicles belonging to residents of Ma'aleh Adumim. In the past, houses where stone throwers lived were not destroyed. Note: these cases concerned suspects who had not yet been brought to trial.

REPORT: Further extended damage in El-Arub refugee camp, near Hebron

On 15 May, in the morning, IDF soldiers came to the El-Arub camp to demolish the home of the family of Salah Badawi, now serving a prison sentence for belonging to a terrorist organization. The soldiers ordered nearby residents to leave their homes. They requested permission to remove furniture and other possessions from their homes, which adjoined the house slated for demolition, but they were allowed only to remove clothes, and were told that the houses would not be damaged in the explosion. In the event, the force of the blast caused serious damage to many of the houses in the vicinity.

These are the findings of the B'Tselem team that visited the site together with MKs Shulamit Aloni and Dedi Zucker:

1. In the house of Abu Hieran, comprising 3 apartments occupied by 3 families, totalling 19 persons, the living room, a balcony, a bedroom and a bathroom were damaged. Most of the windows in the rest of the house were shattered, railings and water pipes were torn from their places, and the electric wiring system and solar water heaters were damaged.
2. Two houses adjacent to a demolished house belong to Kassem Ra'ai (13 persons in one family) and to Sha'aban Ra'ai (11 persons). In one of the houses a bedroom and bathroom were entirely destroyed. In both houses deep cracks appeared in the walls.
3. In the family home of Hassan Ra'ai (11 persons) deep cracks appeared in the walls.

4. Naif Hassan Ra'ai and his wife live in a nearby house. One room of their house was completely destroyed, and deep cracks appeared in the walls of other rooms.
5. In two other houses the ceiling collapsed.
6. The house of Wachid Kamal Abdullrachman Harbayeh is some 10 meters distant from the blast. He went to an IDF officer and asked permission for himself and his family to leave the house. The officer forbade him to leave his house and even threatened him. Despite threats the family left the house and took refuge in a relative's home, thus saving their lives. Following the blast the roof and the walls of their house collapsed.
7. In all the houses the water pipe system and solar water heaters were damaged.
8. The El-Badawi family (9 persons) whose house was blown up is presently living in a tent provided by UNWRA, erected on the ruins of their house.

Without going into the legal or the moral aspects of the policy of demolishing houses, there is no doubt that the IDF has the capability of blowing up individual houses without causing damage to nearby houses not scheduled for demolition.

The event described here was one of many cases where damage was caused to houses adjacent to a house blown up by the IDF. The damage caused was unnecessary, the result of carelessness and a disregard of human beings and their property.

Everyone has the right to freedom of movement
and residence within the borders of each state".
Universal declaration of Human Rights. Article 13(1)

CURFEWS Table - number of days of curfew in the Gaza Strip, May 1989

At the beginning of the intifada, the imposing of curfew was still being used as a measure to restore order after disturbances and to enable the authorities to search for suspects and make arrests. Soon this became a preventative measure, used when there was a likelihood of an unusual occurrence, particularly on significant dates and anniversaries.

Currently, and during the past year, the imposing of curfew has also been used as a sweeping collective punitive measure. Often it is accompanied by the disconnection of telephone lines, power and water cuts, and by making use of the opportunity to collect income tax, VAT, National Insurance and TV license payments.

Imposing a curfew for purposes such as those described above is clearly a collective punishment, thus contravening the international law which prevails in the territories. The widespread use of this form of collective punishment seems to suggest that this is a deliberate policy, intended to isolate the population and apply pressure on it. A curfew imposes severe restrictions on those it affects, and infringes upon their civil rights. They are in a state of uncertainty, often deprived of all contact with the outside world as a result of the disconnection of telephone lines, and they are obliged to pass long hours, confined to their houses in conditions of severe overcrowding.

Other implications of the curfew on the population are:

FOOD SUPPLIES: As they are not informed in advance of the duration of the curfew, the population cannot calculate how much food to store. In addition to non-perishables, such as oil, flour and sugar, there is a genuine problem in supplying dairy products, fresh fruit and vegetables. The problem is intensified with regard to infants, children and pregnant women. The curfew is lifted every few days, for a maximum of two hours, with no advance notification, in order to enable the residents to buy food. This is insufficient time for a population of several thousand from each camp or district to get to the shops and buy sufficient food for the unspecified period of the curfew.

MEDICAL CARE: Sick persons in need of medicines or daily hospital treatment are unable to reach the hospitals.

ECONOMIC: For part of the period in May during which the Gaza Strip was under curfew, laborers were permitted to leave for jobs in Israel. The rest of the population, farmers, merchants and members of the free professions, were not able to work. The effect on the farmers is particularly severe, since a prolonged period of curfew, preventing the farmers from cultivating their fields and marketing the produce, is likely to mean a total loss of the entire harvest.

CLOSING OF SCHOOLS: The schools in the Gaza Strip, unlike those in the West Bank, are officially open, but the frequent curfews have effectively prevented orderly studies.

LEGAL SYSTEM: The Military Courts are in session even during curfews. In general the lawyers are given permits to enable them to travel to the courts, but they cannot summon witnesses for the defense. When a curfew is in force, relatives of the accused are unable to be present in court, thus infringing the principle of a public trial. Because of these hardships, the Gaza Bar Association decided to boycott sessions which are held on curfew days.

Table: Curfew days in the Gaza Strip - May 1989:

	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1	
Jabalia	Jabalia Refugee Camp (3)																															
	Beit Lahia (6)																															
	Beit Hamun (11)																															
	Mashruaah Umar (6)																															
	Jabalia Village (9)																															
	Shaiti Refugee Camp (14)																															
Gaza	Sheikh Hadwan (16)																															
	Sajetye (12)																															
	Sabra (13)																															
	Iuphakh (11)																															
	Tetoon (11)																															
	Daraj (11)																															
	Deir El Balah	Deir El Balah Refugee Camp (7)																														
		Nusseirat (21)																														
		Bureij (18)																														
		Muazi (21)																														
Khan Yunis	Khan Yunis Refugee Camp (15)																															
	Khan Yunis (11)																															
	Abassan (Saghira & Kabira) (11)																															
	Bani Suheila (11)																															
	Maain (11)																															
Refitah	Shabura (20)																															
	O.N.P.K (14)																															
	Tei Sultan (12)																															
	Brazil (13)																															
	Block 6 (16)																															

From the table of curfew days in Gaza Strip, the following points emerge:

- * The majority of Gaza residents were confined by curfew for more than one third of the month.
- * Tens of thousands of residents of the refugee camps of Nusseirat and Bureij and the districts of Muazi and Shabura were confined by curfew for nearly three weeks.
- * The reasons for imposing a curfew simultaneously on most of the Gaza Strip (8 May, 15 May) or for lifting it on the same day (13 May, 20 May) could be either in reaction to a widespread flare-up of disturbances throughout the entire Gaza Strip or the use of curfew as part of a deliberate policy.

The township of Anabta, near Tul-Karem was under curfew for 23 consecutive days during the month of May. There was no telephone link to or from the town throughout the entire curfew period. The IDF set up a barrier at the entrance to the township, and prevented non residents from entering Anabta. The soldiers also prevented the passage of residents of the village of Ruman, whose sole entry point is through Anabta.

"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."

Universal declaration of Human Rights. Article 7

SETTLERS

The month of May 1989 was marked by an escalation of action taken by settlers against Palestinians, in reaction to attacks on vehicles travelling in Judea and Samaria.

May 2 - Dozens of Nili residents entered Harabta, set fire to shops, shattered windows, damaged vehicles, fired at and punctured solar heaters. The police investigation into the incident was concluded on 9 May and the file was transferred to the Jerusalem District Attorney's office.

May 3 - Kiryat Arba residents went to Hebron, smashed windows and solar heaters, damaged vehicles and fired into the air.

May 7 - A group of settlers entered the village of Messcha near Elkana, in Samaria. They threw stones at houses, youngsters from the village responded by throwing stones, and an IDF force came to the village and separated the two sides.

May 10 - (Israel's Independence Day)- Some 30 members of the Jericho Group, affiliated with the Kach movement, accompanied by Rabbi Meir Kahana, damaged vehicles belonging to Arabs driving on the road leading to Jericho.

Settlers rioted at the village of Beitin, fired in the air, burned two cars, and smashed the windows of several other cars and of numerous houses.

A group of settlers arrived at the village of Ein Yabrud, at 11:30pm, in two vehicles, one of them a Ford Transit. They burnt a shop, tried to set fire to another shop, chopped down trees, broke the windows of the village mosque and daubed the walls with graffiti "Am Israel Hai" - (the people of Israel lives).

The villagers of Ein Yabrud and Beitin put the blame for these incidents on the residents of the nearby settlement of Ofra.

May 16 - Settlers entered the villages of Ein Yabrud and Silwad by night. Ein Yabrud had been under curfew for a week.

May 19 - Kiryat Arba residents continued their punitive and revenge actions in Hebron. They fired at solar heaters, broke windows and damaged cars.

May 21 - Hundreds of residents of Ma'ale Adumim rampaged at night in the village of El-Azariya. They set fire to watermelon stalls, pushed a bus over a cliff, overturned vehicles and set fire to a truck loaded with boxes of tomatoes.

May 23- In the town of Dahariya, in the Hebron district, a boy of 10 years old was injured, apparently from shots fired by Israeli civilians.

A large group of residents of Sha'are Tikva, entered the nearby village of Azun Atma at 9:00pm. The settlers threw stones at the village houses.

Settlers attacked the village of Zavia, in western Samaria, set on fire a residential dwelling, 2 grocery stores, and a tractor cart loaded with 50 boxes of produce. They also uprooted citrus trees.

May 24 - Around 8:00pm settlers driving some 20 vehicles entered the village of Dir Jarir, east of Ramallah, smashed windows, and burned trees. According to the villagers, no vehicle of settlers had ever been attacked in their village.

May 25 - Some 150 settlers from Kiryat Arba rampaged at night in a neighborhood of Hebron, near Kiryat Arba. They set fire to cars, smashed windows, entered houses and broke up the owners' belongings.

May 26 - At noon some 30 settlers entered the village of Arura and fired in all directions. 4 of the residents were injured by the firing. The Judea Police and the Civil Administration say they have no record of an inquiry into the incident.

Dozens of residents of Sha'are Tikva, Ornit and Barkan rampaged in the village of Azun Atma. The IDF placed barriers at the entrance to the village, but the settlers managed to enter the village and set fire to trees.

May 27 - In a revenge action, at 4:00am, settlers from Hebron smashed the windows and headlights of five vehicles that were parked in the center of Hebron, and damaged the premises of a garage.

May 28 - Three Israeli civilians, wearing skullcaps, arrived at the house of the elected Mayor of Tul-Karem, in a white Autobianchi car, smashed the windows of his house and damaged his car.

May 29 - Several dozen civilians, apparently students at the Joseph's Tomb Yeshiva, at Nablus, arrived at the village of Kifl Haret near Ariel. They fired in all directions, killed Ibtisam Abdul Rachman Buzia, aged 16, and injured two villagers, one of them severely. They also caused much damage to property, and shot at livestock. Two donkeys were killed and one wounded. The police detained suspects.

* * *

Although these actions are planned in advance and well organized, neither the police nor the IDF are taking sufficient action to prevent such occurrences.

In most of the cases where there was a confrontation between settlers and IDF soldiers, punitive and deterrent action was not taken against the settlers. From January '88 until April '89, residents of the occupied territories filed 127 complaints with the police against Israeli civilians. 54 cases are still under investigation, 11 cases are under the attorney general's consideration, 2 cases have been resolved in court and 40 have been closed without resolution. The remaining cases are presently being heard or are awaiting adjudication.

Of the 20 files opened in cases of killing, only two were brought to trial, and only one trial was concluded - that of Israel Ze'ev, of Shilo, sentenced to three years in prison. In many instances of damage to property, to date no one has been convicted.

In May, in addition to the two killings which were allegedly committed by Israeli civilians, there were three cases of firing that caused injury to Palestinians. To date there is no indication that investigations have been initiated.

The Karp Committee Report, published 7 years ago, makes the following comment on cases of unnatural death in the territories, involving Israelis: "The impression gained by the committee, was... that the investigators did not show the energy and speed that are required in this type of inquiry, and there remain question marks regarding the inquiry itself."

HEALTH CARE

At the beginning of May we received information concerning an outbreak of Brucellosis in a small village, Ras Atiya, not far from Kalkilya. A team from B'tselem visited the village, together with Dr. Ahmad Masrawah, a family doctor, and Dr. Eliahu Richter, lecturer at the Hadassah School for Public Health.

Brucellosis, known also as 'Malta Fever', is a severe illness that afflicts sheep and goats, and is passed to humans through the affected milk. Complications of the disease can cause paralysis of the limbs.

The numbers of those suffering from the disease are listed below by age:

<u>AGE</u>	<u>NUMBER OF PATIENTS</u>
1-4	6
5-9	15
10-14	19
15-19	5
20-39	15
40-64	7
65 and up	4
Total	71

The villagers complained that the Civil Administration had given instructions to the Government Hospital at Tul-Karem not to hospitalize the sick, unless they paid the hospitalization fee of twenty shekels per day. The order was given because most of the villagers do not have medical insurance through the Civil Administration. B'tselem's findings were published in the press, and the main points were relayed verbally to senior officials of the Civil Administration.

Within a week members of the Civil Administration came to Ras Atiya, arranged for medical care for the villagers, and began work on eradicating the disease among the flocks.