



Lethal Gunfire and Collective Punishment in the Wake of the Massacre at the Tomb of the Patriarchs

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"بتسيلم" مركز المعلومات الإسرائيلية لحقوق الإنسان في الأراضي المحتلة

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1. Hebron, February 25, 1994: Death of Isma'il Fayiz Isma'il Qafisheh, age 28, 'Arafat Mahmud al-Baid, age 27, and Nader Salem Muhammad Zahadah, age 18

The incident began approximately half an hour after the massacre, in the courtyard of al-Ahali Hospital in Hebron, where most of the wounded were first brought. The courtyard filled up with hundreds of relatives of the wounded, and many others who had come to donate blood. Dozens of soldiers arrived. Many of the youths present threw stones, and the soldiers responded by opening fire. In this incident, which carried on for a number of hours, three Palestinians were killed. Although the exact circumstances of the deaths are not described by the witnesses, family members of those killed confirmed that the three set out for the hospital after the massacre.

Wa'il Shahdeh Bashir 'Amru, employed in the Accounts Department of al-Ahali, described the events at the hospital to **B'Tselem** fieldworker Bassem 'Eid on February 27, 1994:

On February 25, 1994, I arrived at the hospital at 5:45 a.m. because I had heard the muazzin calling over the loudspeaker for people to donate blood at the city hospital. I reached the entrance to the hospital and saw hundreds of young people who had come to the hospital in order to give blood and find out what had happened to their relatives. Dozens of soldiers surrounded the hospital from the east and the north, and young people were standing across from them, at a distance of 50 or 60 meters. Some of the youths were standing on the hospital's fence and some outside the fence. The soldiers

fired and the youths threw stones at them. Every so often the youths retreated and the soldiers advanced.

At that moment two people who had died as a result of the events outside with the soldiers were brought into the hospital. Some of the hospital staff suggested that we go outside and convince the young people to move away from the soldiers. I went out, toward the north. The soldiers were 60 meters away from the youths. The shooting continued; there were single shots with breaks [in between]. I said to the youths: It is enough that we have lost so many lives today, get out of sight of the soldiers.

A young man who was standing right next to me suddenly fell. I saw that he had been shot in the neck. He had a bullet entry and exit wound. I returned to the hospital. I saw that two more dead had arrived; they had head wounds. In the environs of the hospital there were about twenty wounded, most of them in the head, neck, and chest. Most of the wounded were transferred to al-Muqassad Hospital.

'Abd al-Halim Shawwar a-Tamimi, member of al-Ahali Hospital's Board of Directors, told **B'Tselem** fieldworker Bassem 'Eid in his testimony that on the day of the massacre, he had called the Hebron military governor at approximately 6:00 a.m., and asked him to remove the soldiers surrounding the hospital. According to a-Tamimi, the governor promised to take action on the matter, and suggested that the two be in telephone contact every fifteen minutes. In a second telephone conversation, a-Tamimi told the governor that soldiers were still advancing towards the hospital:

There were a lot of young people outside and I was afraid there would be

According to a preliminary investigation by **B'Tselem**, during the six days following the massacre in the Tomb of the Patriarchs, 21 Palestinians were killed from security force gunfire, 16 in the West Bank (seven of them Hebron) and 5 in the Gaza Strip.

When news of the massacre spread, Palestinians across the occupied territories began demonstrating. Our investigation reveals that security forces were present in large numbers in the Palestinian population centers, and that they became involved in confrontations with demonstrators, while making frequent use of live fire in situations that were not life threatening.

The IDF has employed a policy of severe collective punishment towards the

Palestinian population. Complete closure has again been imposed on the occupied territories, depriving tens of thousands of families of their livelihood, and a curfew was imposed on some one and a half million people for up to five days. At the time this report went to press, the curfew remained in effect in some areas.

The report presents findings of detailed investigations regarding the circumstances of death of 12 of the Palestinians killed by the security forces and analysis of the cases.

The report also describes methods of collective punishment imposed by the authorities on the Palestinian population, and its consequences.

another massacre. The governor told me he could not order the soldiers to withdraw because two army jeeps were surrounded by young people. As we spoke the soldiers advanced even closer. The governor said again that he would make an effort to move them away. After a time I noticed that the soldiers were again moving forward. They reached the fence of the hospital and their shots hit the hospital walls. At 11:30 I again called the governor and again requested that he remove the soldiers; the governor ignored my

Previous Incidents

Since the beginning of the Intifada, a number of serious incidents have taken place which have led to large-scale demonstrations by Palestinian residents of the occupied territories. In each of these incidents, instead of avoiding direct confrontations with local residents, the IDF moved large numbers of its forces into population centers and used unwarranted lethal measures. This policy, presently as in the past, has led to a spiraling in the number of casualties:

On May 20, 1990, an Israeli citizen shot and killed Palestinians near Rishon LeTzion. In the ensuing ten days, 18 Palestinian residents of the occupied territories were killed by Israeli security force gunfire.

On October 8, 1990, Israeli security forces killed 18 Palestinians on the Temple Mount. By the end of October, an additional 11 Palestinians had been killed by security force gunfire.

On December 19, 1992, two days after Israeli authorities deported 415 Palestinians from the occupied territories to Lebanon, the protracted curfew in Khan Yunis was lifted. In the ensuing ten days, 11 Palestinians were killed in Khan Yunis from security force gunfire, 4 of them children under age 16. More than 100 Palestinians were injured.

request. I told him that the biggest problem was the presence of the soldiers next to the hospital and the fact that they were continuing to wound people. I told the governor that about fifteen wounded persons had already arrived as a result of the incidents between the soldiers and the youths. The governor again said that he would look into the matter.

During the day I was in constant contact with the governor, and each time I reported the number killed.

Suddenly I saw six soldiers who had climbed onto the roof of a building across from the hospital and were continuing to fire at the crowd, which was attacking them with stones. The head of the Hebron Chamber of Commerce arrived at the hospital and using a bullhorn began calling to the youths to leave. They did as he asked. I do not understand why the soldiers came to the hospital. People were frightened, angry, and worried. They came to give blood and find out what had happened to their relatives.

2. A-Sheikh neighborhood, Hebron, February 25, 1994: Death of Aiman Ayub al-Qawasmah, age 22, and 'Atiyah Muhammad 'Atiyah a-Salaimah, age 30

Qawasmah and a-Salaimah were killed during the incidents that occurred when soldiers arrived near the cemetery where the funeral of two victims of the massacre was taking place.

The youths erected barricades near the cemetery, in order to prevent the army from entering. A military jeep arrived, and stopped some 300 meters from the cemetery. The youths began to advance toward it, and to throw stones. The soldiers responded by shooting tear gas and rubber bullets. Additional youths arrived at the

cemetery, and the number of people at the site exceeded 200. At this point, the soldiers began shooting live bullets.

According to the testimony given to **B'Tselem** fieldworker Bassem 'Eid on February 27, 1994:

Aiman, who was hiding behind one of the houses, continued throwing stones at the soldiers who stood some 35 meters away. One soldier kneeled and aimed his gun at Aiman. Aiman went out from behind the house in order to throw another stone, and then was hit by one bullet in the head.

Aiman Qawasmah was taken to 'Aliah hospital in Hebron, but died on the way, and was buried in a-Sheikh neighborhood. After the burial, the youths left the cemetery.

According to eyewitnesses:

There were incidents not far from the cemetery. Some youths threw stones at soldiers. Muhammad 'Atiyah was shot in the head. Youths took him to the hospital and we heard that he died. He was buried at the same cemetery as Aiman.

3. Temple Mount, East Jerusalem, February 25, 1994: Death of Amjad Kamel Ahmad Shahin, age 17

After the morning prayers on the Temple Mount, an incident developed between youths and the security forces. The youths threw stones and the border guard police and Israel National Police responded by firing tear gas and rubber bullets. A number of live bullets were also fired, apparently from an "Uzi" sub-machine gun. One of the bullets killed Amjad Shahin. According to eyewitness testimony given to **B'Tselem** fieldworker Bassem 'Eid on March 1, 1994,

by an employee of a nearby school:

I was standing next to the "al-Aqsa" school where I work, which is located between Huta Gate [to the north] and the King Faisal Gate. Ten policemen were standing at the King Faisal Gate, all of them in blue uniforms. With them were two more Arab policemen who serve on the Temple Mount. A group of several dozen youths came from al-Majlis [the western] Gate toward King Faisal Gate [northwest of al-Huta]. [From] about 25 meters from the gate they began throwing stones at the police. I saw an officer take out his pistol, stand to the right of the gate, and begin firing single shots, carefully. He aimed his pistol upward and shot into the air. I do not remember whether the officer had two stars or one star on his shoulder. Another policeman, from the same group of police, stood on the left side of the gate with an Uzi in hand and began aiming and firing, not at the youths who were throwing stones, but toward the east. Amjad arrived there and stood three meters from me, about 25 meters from the policemen, and watched the goings-on. The policeman with the Uzi aimed toward us. I immediately moved away, but Amjad apparently did not notice. The policeman fired two shots and Amjad fell.

B'Tselem has a copy of the Ministry of Interior death certificate, according to which Shahin was killed by a bullet wound.

Response of the Jerusalem District Police Spokesperson, Shmuel Ben-Rubi, March 6, 1994: *

After an investigation and examinations carried out so far, the Jerusalem police are unaware of any person killed during the incident on the Temple Mount, and there was not even any request, complaint or

* The Spokesperson's response was issued before **B'Tselem** sent an inquiry to the Investigations Department of the Israel Police regarding the case.

an eyewitness report given to **B'Tselem** fieldworker Bassem 'Eid on March 1, 1994:

There were twelve soldiers who split into four groups of three. They ran from the Ramallah-Nablus road into the camp, and then stood on a hill overlooking the camp and fired tear gas. But this only agitated the situation. The three soldiers who stood opposite Amjad and the dozens of youths with him, were about 100 meters from them, with tall trees separating them. One of the soldiers lay on his stomach and fired live bullets which hit Amjad in the stomach, and wounded two other fellows. The other groups of soldiers also shot, but did not hit anyone because there were houses between them and the youths. Amjad al-'Adawi was hit in the stomach and died the following day from his wounds.

6. 'Issawiyah/East Jerusalem, February 26, 1994: Death of Fadi Tareq Ahmad al-'Issawi, age 17

Fadi al-'Issawi was shot to death by border police after a tear gas grenade was thrown at them.

According to the testimony given to **B'Tselem** fieldworker Bassem 'Eid on February 28, 1994 by 'Arafat Dahud Yusef 'Atiyah, an 18-year-old resident of Issawiyah, he, Fadi al-'Issawi and two others went toward the northern hill of the village that looks out onto the main road, in order to throw stones at police forces and Israeli cars. A boy at the site told them that border policemen whose vehicle had been stoned approximately half an hour earlier were hiding on the other side of the hill:

We threw a stone toward the place where the border policemen were hiding, and they shot rubber bullets and tear gas at us. This really infuriated us, and we began stoning them, but the

stones didn't hit them because the border guards were hiding behind terraces, and we were higher than they. Four more youths joined us. One of them was masked, and had a tear gas canister that border guards had shot that same day in the village but that still had gas in it. The youth threw the tear gas canister at the border guards. A few minutes after the canister had been thrown, the border guards, who had been lying behind the terraces, stood up and we saw their heads. There were three of them, and they threw four concussion grenades and another canister of tear gas at us.

Afterwards, they shot a large quantity of rubber bullets. Each time they shot we lay on the ground. None of us was injured. Afterwards I heard two live shots. I lay on the ground. One of the border guards sat, half-kneeling on the ground, and shot. We lay on the ground. Afterwards, we got up and began to throw stones. After a few seconds I looked at the ground. I saw Fadi lying on his side, with a hole in the right side of his neck. I told the guys with me that Fadi had been wounded. We picked him up and carried him a few meters to the car. From there we went to al-Muqassad Hospital, but when we arrived Fadi was already dead. There were some 40 meters from the place the soldiers wounded him to where we stood above.

Murad Anwar Yusef 'Obeid, age 18, also from 'Issawiyah, related that while he was near the village mosque, he heard shooting, and he and three other youths, including the masked youth with the tear gas canister, approached the spot from where they had heard the shots:

'Arafat and Fadi and two others were there, and we joined them. We began throwing stones at the border guards hiding behind the terrace. The border guards shot rubber bullets and gas. The masked youth threw the tear gas

announcement from official sources or private persons regarding the circumstances of the death of Amjad Shahin. The police lookouts set up well in advance [of the incident] did not report any critical injury or fatality before, during or at the close of the riots. Moreover, our efforts and requests to obtain information from the family of the deceased remain unanswered. A relative of the deceased arrived the same day at the Ministry of Health to get a burial license, and when the police were informed of this he was asked to report to the nearby police station, but failed to do so.

4. Rafidiyah neighborhood, Nablus, February 25, 1994: Death of Rami Nash'at 'Azmi Jamus, age 16

Curfew was declared during the afternoon in Nablus, and a group of some twenty youths erected a barricade on the side street that branches out from the main street of Rafidiyah. Soldiers arrived at the site, fired at the youths, and Rami was hit.

Bilal Muhammad Salamah Shehadah, owner of the grocery store on the main street of the neighborhood, stated in his testimony to **B'Tselem** fieldworker Yuval Ginbar on March 1, 1994, that Jamus had bought groceries from the store, and gone out to join the youths:

A jeep containing maybe five soldiers came along the main street from the east. The jeep stopped and two of them got out and turned toward the youths. They fired immediately. Three shots hit the road and a glass display case, but did not hit the youths. The fourth or fifth shot was at Rami from a distance of 60 to 65 meters. Rami was holding his groceries; he wasn't throwing stones. I grabbed him and took him home with me. He was hit in the neck. A lot of blood spilled onto the road. He died before a car arrived.

An additional eyewitness, Nimer 'Isa Bisharah, also a resident of Rafidiyah, told **B'Tselem** that on the same day at 12:05, immediately after the curfew was declared, he went home, and on his way saw a group of youths who had erected barricades on the side street:

The martyr came out of the grocery store, with bags in both hands. I saw a jeep coming from the east. It stopped about 50 meters from us. I was maybe two meters from the martyr. About six soldiers got out of the jeep. Two of them began to fire immediately, one standing and the other kneeling. A few bullets hit the glass [of the display case], one hit the door of the shop [of the first witness], and one struck the martyr in the neck. The whole thing took maybe twenty seconds. I helped take him from there, but he already had no pulse.

IDF Spokesperson's Announcement February 25, 1994:

An Arab resident of the Rafidiyah refugee camp in Nablus, approximately 16 years old, was killed this afternoon after throwing stones at an IDF patrol in the refugee camp. The soldiers in the patrol returned fire, from which the resident was injured. The injured person died from his wounds on the way to the hospital.

5. Jilazun refugee camp, Ramallah District, February 25, 1994: Injury of Amjad Isma'il al-'Adawi, age 19, who died of his wounds the following day

In an incident in the Jilazun refugee camp, an incident developed during which many youths threw stones from the main street of the camp at soldiers who were on the Ramallah-Nablus road. The soldiers advanced towards the youths, and one of them kneeled and shot Amjad. According to

was killed from IDF soldiers' fire around 5:00 p.m. when stones were thrown at them. In addition, an Arab resident sustained critical injuries. 4 Arab residents were moderately wounded and 6 Arab residents were lightly wounded. The Israelis all sustained light injuries.

8. 'Askar neighborhood, Nablus, February 28, 1994: Death of Talal Wajiah 'Ali a-Salah Duweikat, age 23

Talal Duweikat, a legal apprentice, was shot by a soldier from a distance of approximately 250 meters.

During the incident, Nablus was under curfew. A number of youths erected barricades on the main road of the

neighborhood. Two jeeps with soldiers entered the neighborhood and stopped by one of the barricades erected by the youths. Four soldiers descended from the jeeps, and two of them began chasing the youths who had fled the site.

Salah Khaled Asad Jabar, an eyewitness to the incident, told **B'Tselem** fieldworker Yuval Ginbar on March 1, 1994:

The other two soldiers stood on both sides of the street. The soldier who was on the west side of the street kneeled next to the barricade and began aiming his rifle in our direction. Just then Talal came out of the store. He didn't throw stones or anything. He was walking close to the wall. The soldier aimed two or three times and then fired one shot.

A similar description of the incident was given to **B'Tselem** by another eye witness.

On March 3, 1994, David and Ravit Baruch, residents of Ariel, were travelling by car to Petach Tikva. When they passed by the village of Bidya, in the Tulkarm District, shots were fired toward them by IDF soldiers. David Baruch was killed and Ravit Baruch sustained moderate injuries.

B'Tselem has issued repeated warnings about the danger of security forces' opening fire at vehicles. Two weeks before the death of David Baruch, **B'Tselem** issued a report on this issue, calling on the IDF to modify its orders regarding opening fire at vehicles and to permit fire to be used solely in situations in which the lives of the security forces are endangered.

Responding on December 5, 1993 to **B'Tselem's** recommended change in the open-fire orders, the Military Advocate General stated that: "The terrorist incidents in which soldiers at checkpoints have been attacked make it difficult to accept the policy you propose, since these soldiers are exposed in static positions, and because their task is to control the traffic on the road where they are posted, they have no cover behind which they can take shelter."

In the wake of the most recent incident, in which David Baruch was killed, the IDF Spokesperson announced that the IDF Commander of the occupied territories, General Shaul Mofaz, had "emphasized to the forces the directive which authorizes the opening of fire towards suspicious vehicles only in the case of immediate life-threatening circumstances."

B'Tselem welcomes this change in open fire orders, regretting that this has come about only after the death of 18 Palestinians, among them two children age 4 and one child age 11, and 2 Israeli citizens, none of whom had endangered the lives of soldiers. **B'Tselem** also regrets that the security forces began to grapple with the problematic nature of the orders for opening fire at vehicles only following the death of an Israeli.

canister he had at the soldiers. Some five minutes later, the soldiers fired a number of live shots. Each time, we lay on the ground, but the last time I heard 'Arafat shout that Fadi had been injured. We took him to Muqassad hospital, to the emergency room. Each time I asked the doctors about his state, they said he was o.k., but when Fadi's father arrived, the doctors told him that he had died of his wounds.

Response of the Jerusalem District Police Spokesperson, Shmuel Ben-Rubi, March 13, 1994:

From a preliminary investigation conducted that same day, it appears that a border guard force patrolling in the village was attacked by stones thrown by a few dozen Arab youths, and in an attempt to extract itself and disperse the rioters, the police [force] fired rubber bullets and tear gas. One of the Arab youths threw an object that appeared to one of the policemen to be a grenade, and [the latter] shot one bullet from his weapon and hit him. The youth was taken to Muqassad Hospital, where he died. His body was snatched and taken to the village for quick burial. Material from the preliminary investigation was sent that same day to the Division for Investigation of Policemen.

7. Village of Madama/Nablus, February 27, 1994: Death of Najeh 'Awad 'Abd al-Fatah Ziadah, age 21

Ziadah was shot after throwing stones at a border guard jeep. The jeep stopped and one of the policemen descended and shot Ziadah from a distance of some 30 meters. During the afternoon hours, two jeeps, one belonging to the IDF and one from the border guards, entered the village of Madama, and were stoned by youths.

Ziadah stood near an electricity pole, some 30 meters northeast from where the jeeps had stood.

Kheir Kamel Hamdan Qat, age 29, told **B'Tselem** fieldworker Yuval Ginbar on March 1, 1994, that he saw the incident from his store, located on the northern side of the road where Ziadah had been shot:

There were some twenty youths, Najeh at the fore, near the entrance of the store. He was throwing stones. The youths were not blocking the street where the jeeps were traveling, but were throwing stones from far off. Two [border] police descended from the border guard jeep. They were maybe thirty meters from him. I heard two shots. Najeh was hit in the head. We took him in the car. The police did not let us pass for half an hour. He was bleeding from the head, and parts of his brain spilled onto our hands.

Abd a-Rahim Nasser, age 47, a Madama resident who during the incident had been at home, on the northern side of the street where Ziadah was shot, gave a similar testimony:

I saw that two jeeps had approached from the direction of 'Asirah – one an army jeep and one from the border guards. They arrived at the village, down at the bottom [south of the witnesses' house]. I saw the soldiers and policemen descend from the jeep. The youths threw stones. One of the soldiers, I don't know if it was a soldier or a border policeman, stood next to the jeep, fired one shot into the air, and one straight at Najeh. Najeh was about three meters from the army, and my house was about 20 meters from the place where he stood. I saw how he was shot in the head and how he fell.

IDF Spokesperson's Announcement, February 27, 1994:

During disturbances in Judea and Samaria today an Arab resident was killed and 11 Arab residents, 3 Israelis and 2 security force members were injured. In the Nablus District, an Arab resident of the village of Madama, approximately 25 years of age,

B. Collective Punishment – Curfew and Closure

1. Curfew

On February 2, 1994, following the massacre at the Tomb of the Patriarchs, the IDF placed the city of Hebron under curfew. The next day, a curfew was placed on all cities in the West Bank and on large areas of the Gaza Strip. A population of close to 1.5 million Palestinians was under curfew for 4 to 5 days. At the time this report went to press, the curfew remained in effect in some areas.

As in the past, the curfew was applied only to Palestinian residents. Jewish settlers continued to move about freely in the occupied territories. Residents of Kiryat Arba were required to travel from the community by motorcade only; however, this limitation was not strictly enforced.

In addition to the fundamental restrictions placed on family wage-earners, studies, and normal requirements of daily life, the authorities caused other difficulties for Palestinian residents. Testimony provided to **B'Tselem** reveals that on March 1, 1994, the military government in Nablus ordered the city not to open the petrol stations which provide fuel to the emergency vehicles, leading to their immobilization.

Numerous families in Nablus reported shortages in essential foodstuffs and prescription medicines. On March 2, 1994, soldiers in Ramallah confiscated vehicles from Palestinians who had violated the curfew, and, in two incidents smashed the windshields of the vehicles. The civil administration refused to grant individual physicians the necessary permits enabling them to travel during the curfew.

The curfew in the Gaza Strip was lifted on March 3, 1994. The curfew in the West Bank was lifted for only a number of hours to enable residents to purchase necessary provisions.

Since protracted curfews had not been in use for a long period prior to the massacre, residents had not stocked foodstuffs, and shortages quickly ensued. The IDF did not respond quickly in lifting the curfew to enable the restocking of provisions, and the public suffered as a result. The lack of proportionality in placing restrictions on so broad a population is especially striking in light of the freedom of movement granted to settlers in and around the Palestinian cities.

2. Closure

The total closure of the territories, lightened slightly prior to the massacre, was reinstated in full, denying tens of thousands of Palestinian workers and their families access to their source of livelihood.

The Association of Israeli and Palestinian Physicians for Human Rights reported that, despite the emergency hospitalization of scores of wounded Palestinians in East Jerusalem hospitals, soldiers at IDF checkpoints prevented the entry of West Bank medical personnel wishing to reach hospitals in East Jerusalem. This action contravenes an order of the Israeli High Court of Justice issued in the course of similar previous incidents. Only on March 1, 1994, was permission granted by the army to some of the medical personnel to reach the hospitals where they were employed; by March 2, 1994, all medical personnel reached their posts.

The curfew and closure represent a serious form of collective punishment enacted against a population in deep distress, and at a time that they are observing the fast of Ramadan.

Jamal 'Abd a-Rahim 'Othman Duweikat:

I saw a soldier kneel and aim his rifle, and the people on the street started to run away. I went up the stairs. I heard one shot and immediately afterward a shout. I turned and saw Talal about 10 meters behind me on the stairs, holding his stomach and screaming.

Duweikat was hit in the stomach, taken to the hospital, and shortly afterwards died of his wounds.

IDF Spokesperson's Announcement, February 28, 1994:

A resident of the 'Askar refugee camp was critically wounded, and died of his wounds today in the afternoon. This occurred when an IDF force in the camp was attacked with stones, and since the soldiers were in a life-endangering situation, they responded by opening fire, from which a local resident was critically wounded and taken to the local hospital where he died of his wounds.

9. Hebron, February 28, 1994: The death of 'Abd al-Rahim Salam al-'Ajluni, age 65

Ali 'Ajluni left his house during a confrontation between soldiers and youths, and was shot to death.

Attorney 'Abd al-Hadi al-'Ajluni, resident of Hebron and son-in-law of the deceased, gave testimony to **B'Tselem** fieldworker Bassem 'Eid on February 28, 1994 in Hebron:

On February 28, 1994, at 2:30 p.m., there was an incident between youths and soldiers on Anibaa Street on Mount Johar. About twenty young people faced off against ten... soldiers. 'Abd al-Rahim's house is about 100 meters from where the youths were. The old man came out of his house. I was standing by the entrance to the old man's house, hiding behind a wall. When I saw him, I said: Abu Samir, the soldiers are shooting, go back in. He asked me what had happened. Suddenly he fell on the gate of the house and did not get up. I immediately turned around to him and brought him into his house. Before the live fire, a few rubber bullets were fired. Afterward the soldiers started firing live ammunition. The distance from the soldiers to the gate of the old man's house was about 150 meters. He was taken to Muhammad 'Ali Hospital where he was pronounced dead.

SUMMARY

On the morning of February 25, 1994, immediately after receiving first reports about the massacre in the Tomb of the Patriarchs in Hebron, **B'Tselem** called on the Defense Minister to "refrain, to the greatest extent possible, from the large-scale introduction of security forces into Palestinian population centers in the territories." In its appeal, **B'Tselem** stressed that "experience from similar situations in the past proves that the massing of army forces causes unnecessary friction and the taking of additional victims."

The IDF chose to enact policies which have failed in the past and have exacted a high toll in terms of human life. These policies include: streaming large numbers of troops into heavily populated Palestinian areas, using live fire, and employing various forms of collective punishment on the population. As a result, in less than a week, 21 Palestinians and one Israeli have been killed.

Investigations carried out by **B'Tselem** in 12 cases of Palestinian fatalities reveal the following facts:

- A. In none of the cases investigated by **B'Tselem** were soldiers or police in life-threatening circumstances. In most of the cases, soldiers engaged in confrontations with the demonstrators, using live fire, even though they could have readily avoided the confrontation.
- B. None of the fatalities were caused by the use of relatively "moderate" measures available for crowd dispersal, such as tear gas, concussion grenades, or plastic bullets.
- C. In all of the cases, the victim was hit in the upper portion of the body (4 in the stomach or chest, 3 in the neck, and 5 in the head).

B'Tselem again calls on the authorities to change current policy radically in regard to the Palestinian population in the occupied territories:

1. In general, to refrain from augmenting forces in Palestinian population centers, particularly during circumstances of high emotional agitation.
2. To refrain from introducing troops into the occupied territories who are not trained in, equipped for, and instructed to carry out crowd dispersal using non-lethal measures.
3. To prohibit unequivocally the use of live ammunition in all situations except for self-defense.
4. To halt immediately all forms of collective punishment, such as curfews and closures.

Fatalities in the territories by security forces between February 25, 1994 and March 2, 1994

Palestinian fatalities

1. **'Atiyah Muhammad 'Atiyah a-Salaimah**, age 30, killed 25.2.94, Hebron
2. **Isma'il Fayiz Isma'il Qafisheh**, age 28, killed 25.2.94, Hebron
3. **'Arafat Mahmud al-Baid**, age 27, killed 25.2.94, Hebron
4. **Nader Salem Muhammad Zahadah**, age 18, killed 25.2.94, Hebron
5. **Aiman Ayub al-Qawasmah**, age 22, killed 25.2.94, Hebron
6. **Amjad Kamel Ahmad Shahin**, age 17, killed 25.2.94, Temple Mount
7. **Rami Nashat 'Azmi Jamus**, age 16, killed 25.2.94, Rafidiyah, Nablus
8. **Fadel Muhammad Mahmud al-Qirnawi**, age 21, killed 25.2.94, al-Bureij refugee camp, Gaza Strip
9. **Isma'il 'Adnan 'Izam**, age 19, killed 25.2.94, Tulkarm refugee camp
10. **Muhammad Hasan a-Danaf**, age 28, killed 25.2.94, Gaza
11. **Jihad 'Abd a-Rahman Ahmad Abu 'Abdu**, age 25, killed 25.2.94, al-Bureij refugee camp, Gaza Strip
12. **Amjad Isma'il al-'Adawi**, age 19, sustained shooting injury 25.2.94, Jilazun refugee camp, Ramallah District, died of his wounds the following day
13. **Na'man 'Awni Subhi Abu Hajwah**, age 17, killed 26.2.94, Gaza
14. **Fadi Tareq Ahmad al-'Issawi**, age 17, killed 26.2.94, 'Issawiyah village, East Jerusalem
15. **Aiman Ghazi Haniyah**, age 17, killed 27.2.94, Gaza
16. **Najeh 'Awad 'Abd al-Fattah Ziadah**, age 21, killed 27.2.94, Madama village, Nablus District
17. **Maryam Ahmad Mahmud al-'Omar**, age 38, killed 27.2.94, Siniria Village, Tulkarm District
18. **Talal Wajiah 'Ali a-Salah Duweikat**, age 23, killed 28.2.94, 'Askar neighborhood, Nablus
19. **'Abd a-Rahim Salam al-'Ajluni**, age 65, killed 28.2.94, Hebron
20. **'Othman 'Ali Barhamah**, age 17, killed 2.3.94, Jericho
21. **Usama Mustafa Ghazal**, killed 2.3.94, Hebron

Israeli fatality

1. **David Baruch**, age 28, killed 1.3.94, near Bidya village, Tulkarm District

CLOSURE OF THE AREA:

The closure imposed on the territories and the curfews in the wake of the Hebron massacre were intended only to prevent massive disturbances, and the risk to human life, and to reduce friction between Jews and Arabs. The closure and the curfews were instituted by the authorized Command owing to valid security considerations.

It is important to stress that the curfews were lifted for limited periods of time during the course of the day so as to allow the population to acquire provisions. In addition, vital local workers (such as nurses, municipal workers, etcetera) have been able to obtain permits from the Civil Administration to move about during the curfew in order to carry out their jobs.

The defense establishment and the IDF are conducting an on-going assessment of the situation with regard to the security situation in various areas. Following this situation assessment, it will be decided whether and how to lift some of the curfews.

SL/ss

12:10 hours

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GOVERNMENT PRESS OFFICE

IDF Spokesperson's Response:

Press bulletin

Jerusalem, 4 March 1994

#21 IDF SPOKESMAN'S RESPONSE TO B'TZELEM REPORT

/94.03.04 (Communicated by the IDF Spokesman's Office)

In the wake of the Hebron massacre, disturbances erupted in which soldiers served as targets for the venting of rage by local rioters. The soldiers received orders to act with maximum restraint, but – according to investigations that were conducted – they found themselves in situations where their lives were endangered.

The instances of death enumerated in the B'tzelem report will be investigated by the IDF criminal investigation division (CID), and testimony will be solicited by the investigators, as is customary in all cases case when a local resident meets his death. At the conclusion of the CID investigation, which is based not only upon the testimony of local residents as was the B'tzelem report, it will be possible to determine whether the opening-of-fire regulations were violated. The main findings of the investigation will be referred to the office of the Military Advocate-General for a legal opinion to be rendered.

THE BEIT KACHIL INCIDENTS -- FINDINGS OF THE PRELIMINARY INVESTIGATION:

The incidents which took place in Beit Kachil, not far from Al-Ahali hospital, immediately following the massacre began when about 10 soldiers (under the command of a junior officer) travelling in two vehicles on the Beit Kachil route at 06:30 hours were attacked by about 1,000 agitated Palestinians. The local residents threw rocks, boulders and about 20 Molotov cocktails at the soldiers. It should be emphasized that the force tried to push back the mob in order to secure the main inter-city road and to leave it open to vehicular traffic. Before this, the force had received clear orders to avoid using live fire and to fire only in the event that their lives were at risk. At first, the force exhausted all measures to disperse the threatening demonstrators and, afterward -- when this did not work -- they shot live bullets in the air. By the time the Border Police and IDF reinforcements had arrived to offer assistance, they faced over 1,000 Palestinians. According to the testimony of the soldiers, there were a number of incidents of live fire at the legs of rioters, and two instances of shooting to injure (once at someone throwing a Molotov cocktail, and one at a man endangering the lives of the soldiers while holding a large block over their heads). During the incident, four Palestinians were killed and 15 were wounded.