

מרכז המידע הישראלי לזכויות האדם בשטחים (ע.ר.)

B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories

1987 – 1997

A DECADE OF HUMAN RIGHTS VIOLATIONS

Information Sheet, January 1998

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Introduction

The intifada broke out on 9 December 1987. In the decade since then Israel has extensively violated the human rights of Palestinians in the Occupied Territories. These violations include illegal use of firearms, torture, arbitrary detention, house demolition, and restrictions on freedom of movement.

This document presents data on the various aspects of the human rights situation in the Occupied Territories over the past decade. In addition, it reviews matters on which B'Tselem does not have numerical data.

Since its establishment in May 1994, the Palestinian Authority has systematically violated human rights in the areas under its control. Among these violations are torture, extra-judicial detention, and severe restrictions on freedom of speech. B'Tselem condemns the human rights violations committed by the Palestinian Authority, and has published two reports dealing with those violations.¹ However, this document focuses solely on human rights violations by Israel against Palestinian residents of the Occupied Territories.

Most of the figures presented below are updated to 8 December 1997. All of the figures include East Jerusalem within the data relating to the West Bank, unless noted otherwise.

¹ See B'Tselem, *Neither Law nor Justice: Extra-judicial Punishment, Abduction, Unlawful Arrest, and Torture of West Bank Palestinian Residents by the Palestinian Preventive Security Service* (August 1995); B'Tselem and the Palestinian Human Rights Monitoring Group, *Human Rights in the Occupied Territories since the Oslo Accords: Status Report* (December 1996).

Casualties

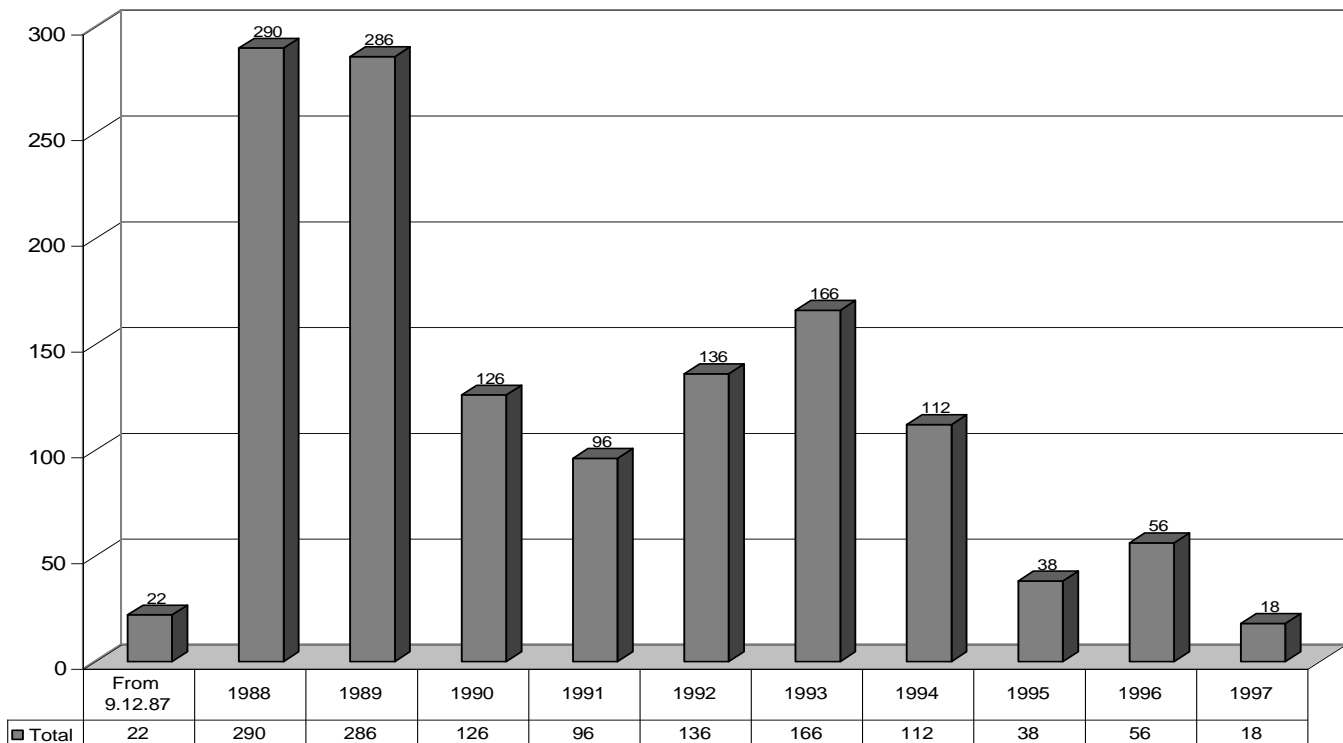
Palestinians Killed

Palestinians killed in the Occupied Territories by security forces

Since the beginning of the intifada, 1,318 Palestinians have been killed by Israeli security forces in the Occupied Territories. Of these, 802 were killed in the West Bank, 492 in the Gaza Strip, and Israel was directly responsible for the deaths of twenty-four prisoners or detainees.

Of those killed, 1281 died from gunfire, at least eighty of whom were killed by plastic bullets and at least fifty of whom died after being hit by rubber bullets; fourteen were beaten to death; ten died during interrogation as a direct or indirect result of the interrogation; five died as a result of poor prison conditions; and eight died as a result of other causes. Undercover units of the Israel Defense Force, Border Police, and the Israel Police Force killed or were involved in the killing of 162 Palestinians, nineteen of whom were children under seventeen.² In addition, Israeli security forces in the Occupied Territories shot and killed eighteen members of the Palestinian security forces.

Graph 1: Palestinians killed by Israeli security forces, from 9 December 1987 to 8 December 1997 (including Palestinians who died while in custody)

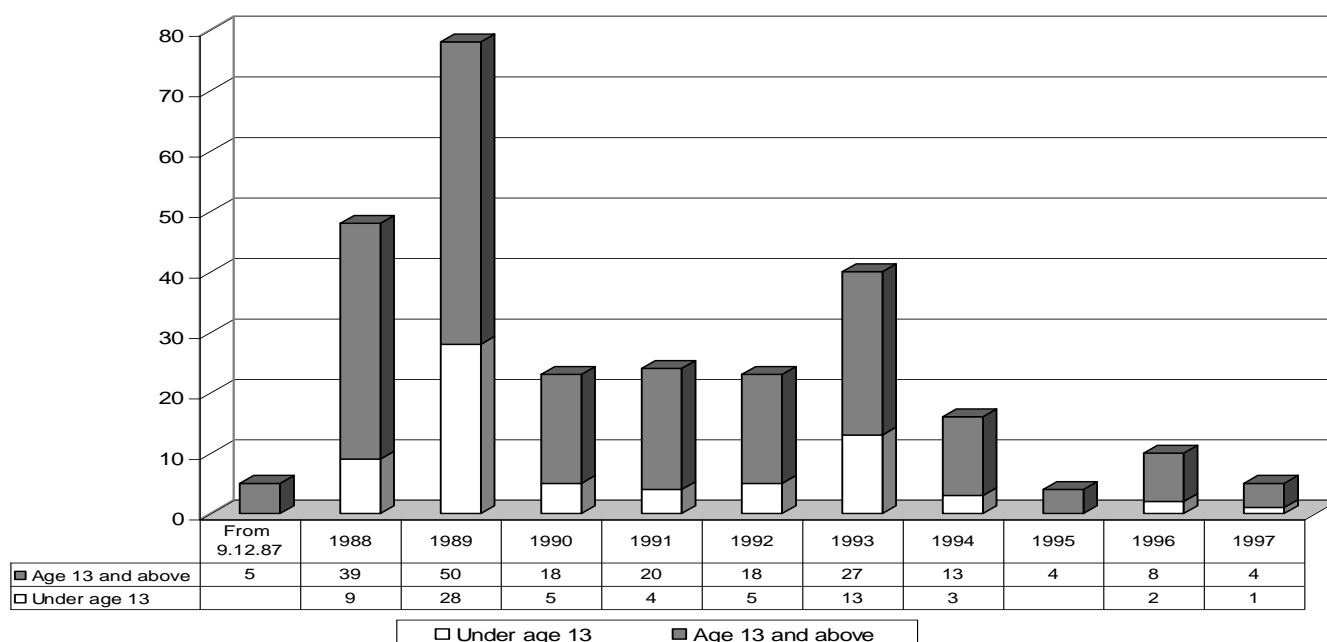


² See, for example, B'Tselem, *Activity of Undercover Units in the Occupied Territories (May 1992)*; B'Tselem, *Lethal Training: The Killing of Muhammad al-Hilu by Undercover Soldiers in Hizmeh Village (Case Study No. 8, March 1997)*.

Two hundred and seventy-six Palestinian children under seventeen were killed by security forces' gunfire. Seventy of these children were under thirteen.³

Following the redeployment of the IDF from part of the Occupied Territories as a result of the Oslo process, there was a sharp decrease in the number of Palestinians killed by security forces. The decrease began in 1994 in the Gaza Strip and in 1995 in the West Bank. This past year, for example, eighteen Palestinians were killed in the Occupied Territories, compared to 155 in 1993.

Graph 2: Palestinian children under seventeen killed by Israeli security forces, from 9 December 1987 to 8 December 1997



The number of children killed also dropped following the signing of the Oslo Accords. Since 1994, thirty-five children have been killed. In 1993 alone, forty children were killed, and in 1989, seventy-eight children were killed. However, there was no drop over the years in the percentage of Palestinian children among those killed by security forces' gunfire. Over the past decade, twenty-one percent of those killed were children. This year, this percentage was the highest since the beginning of the intifada - twenty-eight percent.

Palestinians killed in Israel by Israeli security forces

Since the beginning of the intifada, Israeli security forces killed twenty-eight Palestinians in Israel, twenty-seven of them by firearms and one by beating. Since the beginning of 1995, Israeli security forces have not killed any Palestinians in Israel.

³ See B'Tselem, *The Killing of Palestinian Children and the Open-Fire Regulations* (Information Sheet, June 1993).

Table 1: Palestinians killed by Israeli security forces in Israel

Year	Number killed
1988	1
1989	1
1990	1
1991	5
1992	2
1993	11
1994	7
Total	28

The Open-Fire Regulations and investigations of the killing of Palestinians

According to the Open-Fire Regulations, soldiers are only allowed to shoot to kill where they or other persons are in a life-threatening situation. The provisions also allow the use of firearms in the Occupied Territories in non-life-threatening situations for the purpose of arresting suspects and dispersing demonstrations. As a result of these provisions, security forces have killed hundreds of Palestinians where human life was not endangered. Despite this, the authorities refuse to change the regulations and prohibit the use of firearms in non-life-threatening situations.

Life-threatening situations did not exist in most cases in which Palestinians were killed by security forces' gunfire. Not even the IDF Spokesperson contends that life-threatening situations were involved in most cases. This is certainly true in cases where small children were killed. However, despite the widespread breach of the regulations, the authorities' investigations of these cases are drawn-out and perfunctory, the authorities make no effort to locate those involved, and the shooters are not fully punished.⁴

B'Tselem knows of only fifty-five cases in which Palestinians were killed and security forces were prosecuted. Only nineteen were convicted of causing death. In other cases, the shooting soldiers were convicted of ill-treatment and causing injury, illegal use of firearms, unbecoming conduct, or negligence in the performance of duty. In fourteen cases, the defendants were acquitted. Therefore, in more than ninety-five percent of the cases where Palestinians were killed by Israeli security forces, no one was prosecuted for causing their death.

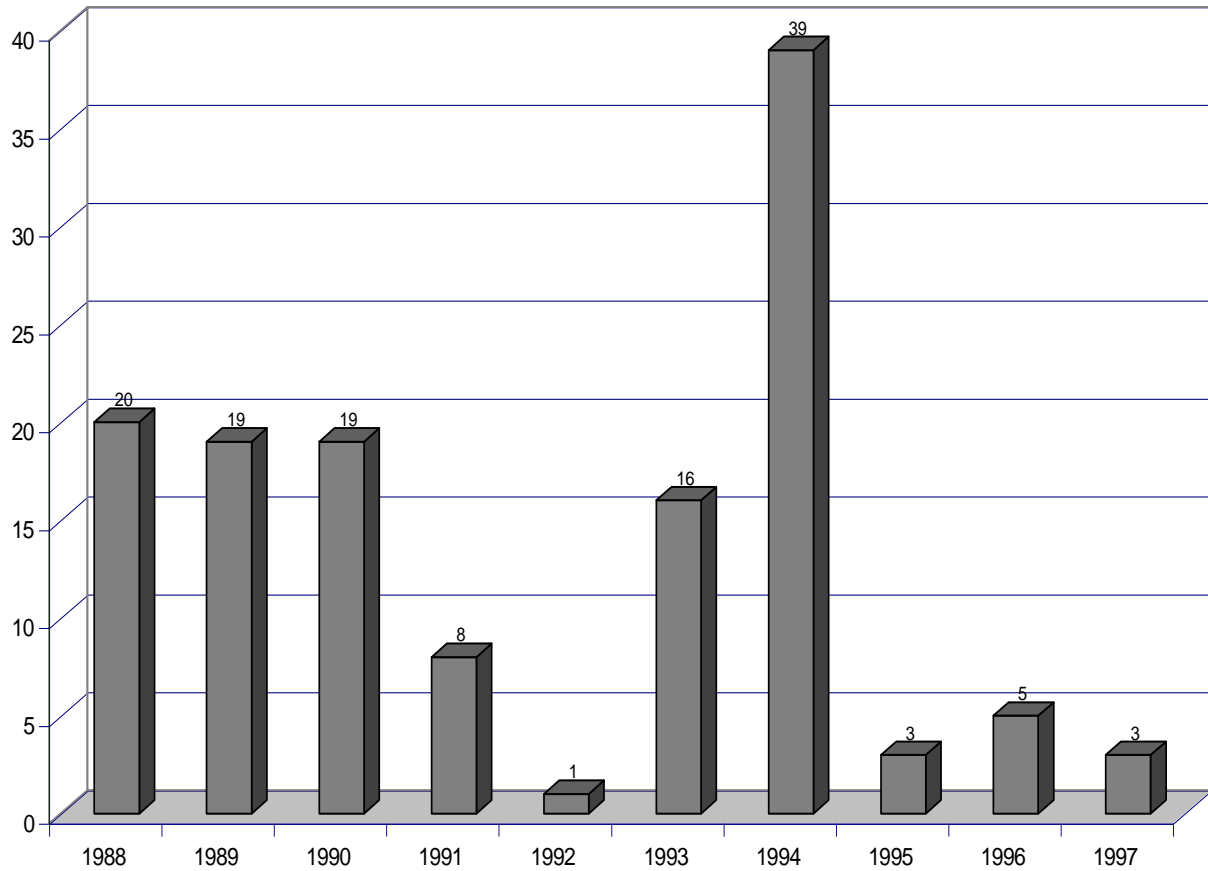
Palestinians killed by Israeli civilians in the Occupied Territories

Since the beginning of the intifada, 107 Palestinians have been killed by Israeli civilians in the Occupied Territories. Ninety-four of them were killed in the West Bank and thirteen in the Gaza Strip. Twenty-three were children under seventeen. Twenty-nine of those killed died in the massacre in the Tomb of the Patriarchs, in Hebron, committed by Baruch Goldstein in 1994.⁵

⁴ See HaMoked: Center for the Defence of the Individual, *Escaping Responsibility - The Response of the Israeli Military Justice System to Complaints against Soldiers by Palestinians* (December 1997).

⁵ Regarding the investigations of cases of Palestinians killed by Israeli civilians, see the section Discrimination in Law Enforcement, below at page ??.

Graph 3: Palestinians killed by Israeli civilians in the Occupied Territories, from 9 December 1987 to 8 December 1997



Palestinians killed by Israeli civilians in Israel

Since the beginning of the intifada, twenty-six Palestinians were killed in Israel by Israeli civilians.

Table 2: Palestinians killed in Israel by Israeli civilians

Year	'88	'89	'90	'91	'92	'93	'94	'95	'96	'97	Total
Killed	5	2	10	2	--	2	1	1	2	1	26

Palestinians killed by Palestinians

Since the beginning of the intifada, twenty-eight Palestinians in the Occupied Territories have been killed by collaborators armed by Israel. B'Tselem's data indicate that the Israeli authorities' ignore these cases and fail to punish fully those responsible.

During the intifada, activists in various Palestinian organizations were responsible for grave and extensive violation of the human rights of Palestinians whom they suspected of collaborating with the authorities. These organizations gave the term "collaborator" a broad and general meaning, which included, in part, criminal offenses and conduct they considered improper or deviant.⁶

B'Tselem does not have complete data on the number of Palestinians killed by Palestinians on the suspicion of collaboration. According to the Associated Press, from the beginning of the intifada to the end of April 1996, eight hundred and thirty Palestinians were killed for this reason. According to figures provided by the IDF spokesperson, from the beginning of the intifada until the end of November 1997, one thousand and sixty-eight Palestinians were killed on suspicion of collaboration with Israel. According to these figures, the number of such killings has dropped drastically since the signing of the Oslo Accords. Since transfer of powers to the Palestinian Authority, on 18 May 1994, sixty-seven Palestinians were killed for allegedly being collaborators.

⁶ See, B'Tselem, *Collaborators in the Occupied Territories: Human Rights Abuses and Violations* (January 1994).

Israelis Killed

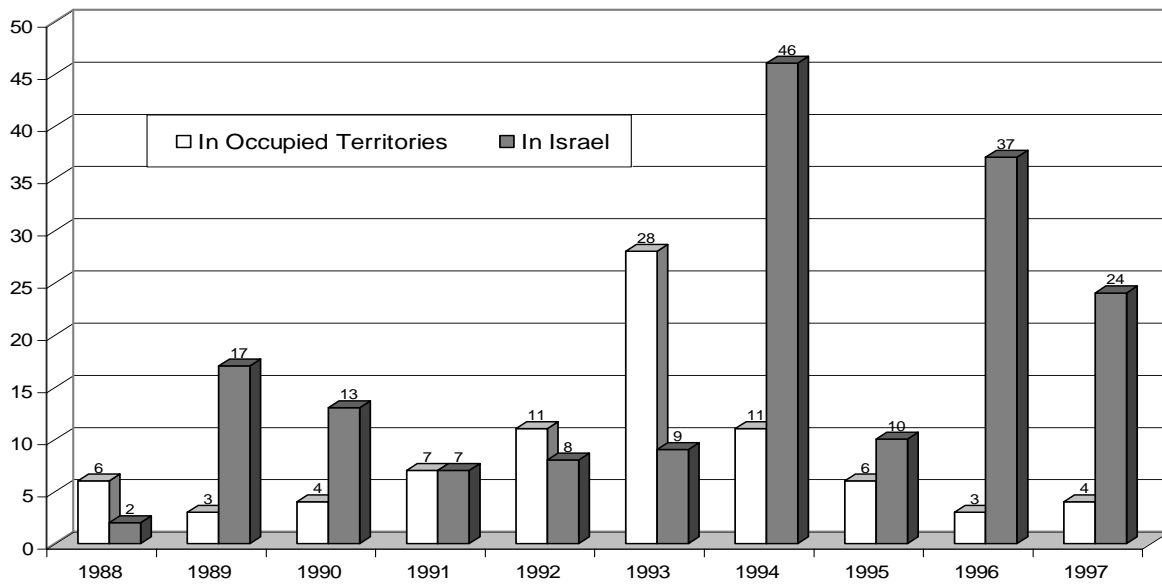
Israeli civilians killed by Palestinians

Since the beginning of the intifada, eighty-three Israeli civilians were killed by Palestinians in the Occupied Territories. Sixty of them were killed in the West Bank and twenty-three in the Gaza Strip. Four of those killed were under seventeen.

Over the past decade, 173 Israeli civilians were killed inside Israel by Palestinians from the Occupied Territories. Fourteen of those killed were under seventeen.

In 1994, a significant increase occurred in the killing of Israeli civilians by Palestinians in Israel. This increase resulted from Palestinian suicide-bomb attacks. In the past four years, the number of Israelis killed in these attacks totaled 118, compared to thirty-seven in the previous four years.

Graph 4: Israeli civilians killed by Palestinians in Israel and in the Occupied Territories



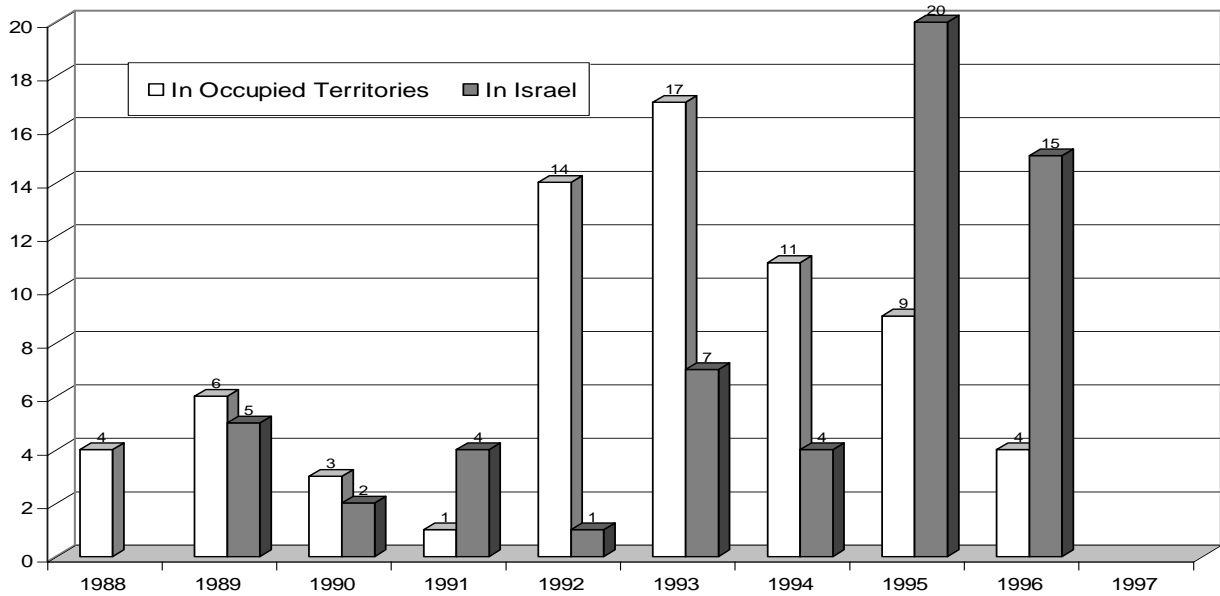
In addition to the figures in the graph, one Israeli civilian was killed in 1995 by Palestinian security forces.

Israeli security forces killed by Palestinians

Since the beginning of the intifada, sixty-nine Israeli security force personnel were killed by Palestinians. Thirty-five were killed in the West Bank and thirty-four in the Gaza Strip. Over the past decade, fifty-eight Israeli security forces personnel were killed inside Israel by Palestinians from the Occupied Territories.

Until 1994, most of these incidents occurred within the Occupied Territories. In 1995 and 1996, most of the Israeli security forces were killed in Israel in Palestinian suicide attacks. In 1997, no members of Israel's security forces were killed by Palestinians.

Graph 5: Israeli security forces killed by Palestinians



In addition to the above figures, sixteen Israeli security forces were killed by Palestinian security forces. One was killed in 1994 and fifteen in 1996.

Table 2: Killings before and after signing of the Declaration of Principles, 13 September 1993

Get rid of lines

	Before Agreement: 9 December '87 to 13 September '93		After Agreement: 14 September '93 to 30 November '97	
	OT	Israel	OT	Israel
Palestinians by Israeli security forces	1,070	17	248	11
Palestinians by Israeli civilians	54	21	53	5
Israeli civilians by Palestinians	48	53	35	120
Israeli security forces by Palestinians	42	17	27	41

In addition to the figures in the table, eighteen members of the Palestinian security forces were killed by Israeli security forces, one Israeli civilian was killed by Palestinian security forces, and sixteen Israeli security forces were killed by Palestinian security forces.

Arrest and Detention

Over the years, there has been a significant drop in the number of Palestinians detained or imprisoned. Israel is currently holding one-quarter of the number of Palestinians it held in 1989.

On 2 November 1997, Israel held approximately 3,000 Palestinian residents of the Occupied Territories in prison and detention facilities. Seventy-five percent of them were held by the Israel Prisons Service and the remainder by the IDF. Prior to the Oslo Accords, most of the Palestinian detainees and prisoners were held in IDF facilities in the Occupied Territories. These facilities were vacated when the IDF withdrew from those areas in the Occupied Territories.

All detention and prison facilities are currently situated within Israel, in violation of international law.⁷ The closure that Israel has imposed on the Occupied Territories since 1991 precludes regular visits by relatives and attorneys of the detainees and prisoners.

Conditions in the prison and detention facilities are harsh. Many prisoners and detainees are kept in crowded, unventilated cells, and are not provided with suitable medical treatment. Over the past decade, twenty-four Palestinians in custody died in circumstances for which Israeli security forces were directly responsible. Of these, ten died during interrogation as a direct or indirect result of the interrogation; six were killed by security forces' gunfire; five died as a result of poor prison conditions; and three died from beatings suffered after being detained, before they were brought to a prison facility.

In addition, over the years, dozens of prisoners and detainees held in security forces' prison facilities were killed by Palestinian prisoners and detainees who suspected them of collaboration. According to the IDF Spokesperson, from the beginning of the intifada to December 1996, fifty Palestinians were killed for this reason. B'Tselem does not have data on persons killed under such circumstances in 1997.

Table 4: Palestinians in Custody
Sentenced prisoners, persons detained for interrogation or until the end of judicial proceedings, and administrative detainees⁸

	Israel Prisons Service	IDF	Total
November 1989	~ 4,000	9,009	~ 13,000
October - December 1991	~ 3,900	7,601	~ 11,500
October - November 1993	3,450	5,283	8,733
25 November 1995	1,850	2,163	4,013
13 November 1996	2,276	826	3,102
2 December 1997	2,212	733	2,945

⁷ The Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 1949, stipulates, in article 76, "Protected persons accused of offenses shall be detained in the occupied country, and if convicted they shall serve their sentences therein."

⁸ Until 1994, the IDF and the Israel Prisons Service (IPS) provided the data separately: beginning in 1995, the IDF Spokesperson provided B'Tselem with the total data relating to Palestinian detainees and prisoners in IDF and IPS prison facilities. The figures do not include persons held on criminal matters. The figures for 1989 dealing with the IDF relate to the number of persons held on 5 November, and the figures on persons held by the IPS, which were provided by the Ministry of Police, relate to November. The IDF Spokesperson's figures for 1991 relate to 30 December and those of the IPS to 15 October. The IDF Spokesperson's figures for 1993 relate to 9 November and those of the IPS to 31 October.

Table 5: Administrative Detainees⁹

November 1989	1,794
30 December 1991	348
January 1993	512
9 November 1993	182
23 January 1994	103
8 May 1994	430
9 February 1995	263
23 August 1995	128
22 February 1996	208
3 July 1996	414
19 March 1997	220
24 September 1997	509
2 December 1997	410

⁹ According to the IDF Spokesperson.

Administrative Detention

Israel administratively detains Palestinian residents of the Occupied Territories.

Administrative detention is executed solely on the basis of administrative order, and the detainee is neither charged nor tried. The military commander may administratively detain an individual for up to six months and extend the detention indefinitely for additional six-month periods.¹⁰

From the beginning of the intifada until the end of November 1997, Israeli military commanders issued more than 18,000 administrative detention orders against residents of the Occupied Territories. Prior to 1991, there were periods when some 1,500 persons were detained administratively. Since 1991, the number of Palestinians held in administrative detention at any one time has fluctuated from 100 to about 500. According to the IDF Spokesperson, on 2 December 1997, Israel held 410 Palestinians in administrative detention.

The use of administrative detention did not decrease following the Oslo Accords.¹¹ Furthermore, Israel has continuously extended the detention of many administrative detainees. More than 100 detainees currently in administrative detention have been held for more than one year without trial. More than forty detainees have been held administratively for more than two years and thirteen have been in administrative detention for more than three years.

¹⁰ See B'Tselem, *Detained without Trial: Administrative Detention in the Occupied Territories since the Beginning of the Intifada* (October 1992).

¹¹ See B'Tselem, *Prisoners of Peace: Administrative Detention during the Oslo Process* (June 1997).

Torture

General Security Service interrogators use interrogation methods that comprise torture under any international criteria. These methods include sleep deprivation for days and even weeks, tying-up in painful positions for lengthy periods, sensory deprivation by hooding and playing of loud music, compelling the detainee to kneel over on his toes, exposure to extremes of heat or cold, degradation and threats, and violent shaking.¹²

The basis for Israel's allowing GSS interrogators to use the violent methods of interrogation mentioned above is the Landau Commission report, of 1987. The report recommended that the GSS use “non-violent psychological pressure during intense and continuous interrogation” and a “moderate measure of physical pressure.”

In 1997, the UN's Committee Against Torture determined that the interrogation methods used by the GSS constitute torture within the meaning of the Convention against Torture, to which Israel is party.¹³ Israel, however, contends that the measures its agents use do not constitute torture. The High Court of Justice consistently adopts Israel's position, regularly allowing the GSS to use interrogation methods that cause pain and suffering.¹⁴

Data provided by then-Attorney General Michael Ben-Yair indicate that, between 1987 and 1994, the GSS interrogated more than 23,000 Palestinians.¹⁵ The late prime minister, Yitzhak Rabin, stated that some 8,000 Palestinians had been “shaken” prior to mid-1995.¹⁶ GSS interrogation methods did not change after the Oslo Accords.

Ten Palestinians have died during interrogation as a direct or indirect result of the interrogation. The last such death occurred in April 1995, when 'Abd a-Samad Harizat died from brain damage. Following an autopsy, the head of the Forensic Medicine Institute, pathologist Dr. Yehuda Hiss, determined that the fatal injury to Harizat's brain resulted from the violent shakings he had undergone during interrogation.

¹² See, for example, B'Tselem, *The Interrogation of Palestinians during the Intifada: Ill-Treatment, “Moderate Physical Pressure” or Torture?* (March 1991); *Torture during Interrogations: Testimony of Palestinian Detainees, Testimony of the Interrogators* (Information Sheet, November 1994).

¹³ UN Committee Against Torture, CAT/C/SR.297/ADD.1, *Conclusions*.

¹⁴ See B'Tselem, *Legitimizing Torture: The Israeli High Court of Justice Rulings in the Bilbeisi, Hamdan and Mubarak Cases* (January 1997).

¹⁵ Quoted in *Ha'aretz*, 15 January 1995.

¹⁶ In an interview with “Weekly Journal,” a program of the Voice of Israel, 29 July 1995, quoted in *Ha'aretz* and *Davar*, 30 July 1995.

Demolition and Sealing of Houses

As punishment

Israel seals and demolishes houses of Palestinians as punishment for violent acts for which a family member was suspected or convicted. The demolition or sealing order is an administrative order executed extra-judicially, with no evidence presented to a judicial body. Demolition and sealing of houses are collective punishment that harms entire families, with no proof that they were involved in illegal acts.

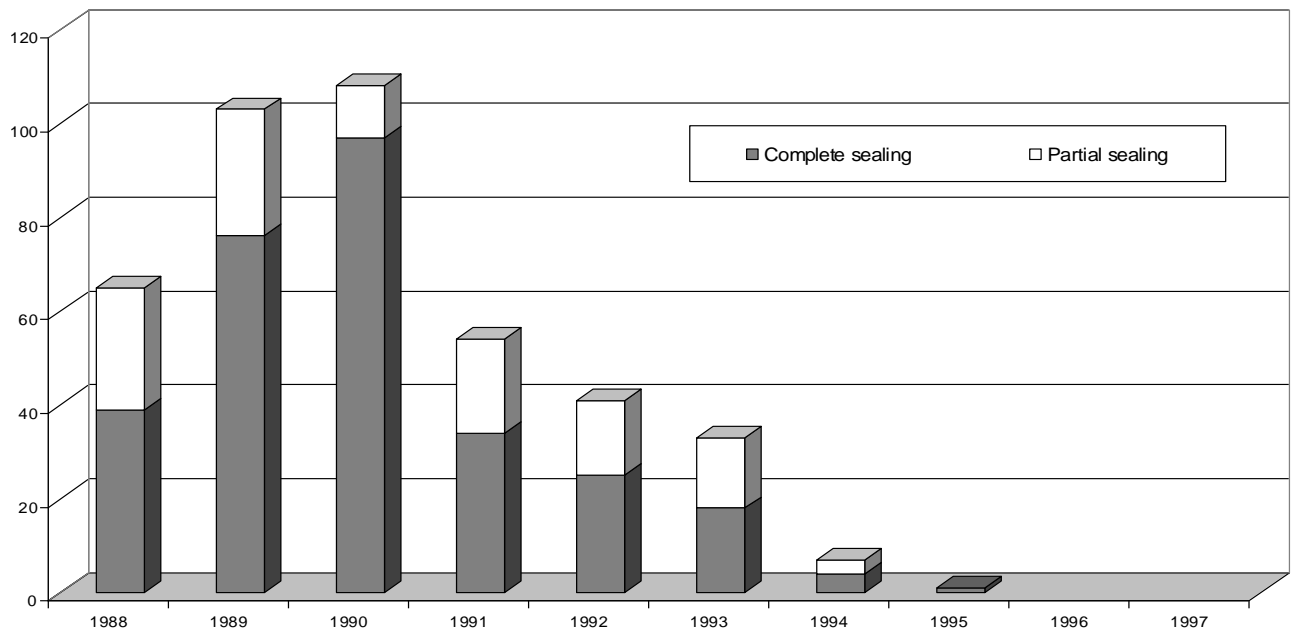
Since the beginning of the intifada, Israeli security forces have totally demolished at least 447 houses and sealed at least 294 houses in the Occupied Territories. In addition, at least 62 houses were partially demolished, and at least 118 were partially sealed.

When a new Israeli government took power in June 1992, Israel ceased almost entirely, for a period of close to four years, its practice of totally demolishing houses of Palestinians as a punitive measure (except for one house, totally demolished in 1993). However, sealing of houses and partial demolition of houses continued during that four-year period. In 1996, Israel again used total demolition of houses as a collective punitive measure following terrorist attacks. Since 1996, Israel has demolished fifteen houses in the Occupied Territories.

Table 6: Demolition of Houses as a Punitive Measure

	Total Demolition	Partial Demolition
9 December '87 - 31 December '87	1	--
1988	125	24
1989	144	18
1990	107	11
1991	46	4
1992	8	2
1993	1	2
1994	--	1
1995	--	1
1996	11	--
1997	4	--
Total	447	62

Graph 6: Sealing of houses, from 9 December 1987 to 8 December 1997



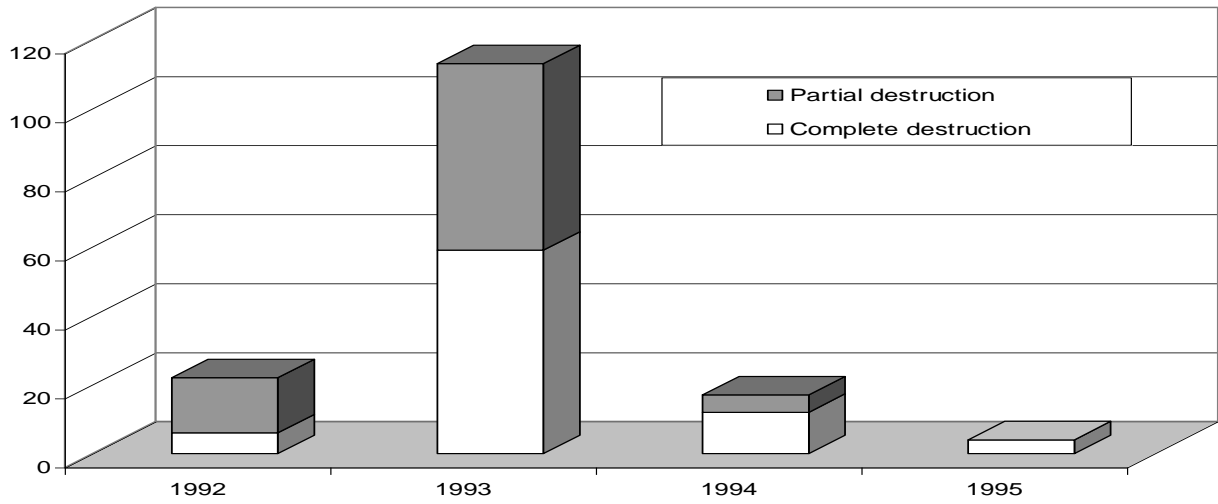
During searches for wanted persons

In September 1992, the IDF began to use massive firepower at houses in which persons it defined as "wanted" were suspected of hiding. From then until the end of 1995, security forces totally destroyed eighty-one houses and partially destroyed seventy-five houses in this manner.¹⁷

Since the signing of the Declaration of Principles, in September 1993, security forces have totally demolished twenty-five houses and partially demolished eight houses during searches for wanted persons. In the past two years, no house in the Occupied Territories has been demolished in this way.

¹⁷ See B'Tselem, *House Demolition during Operations against Wanted Persons* (Information Sheet, May 1993).

Graph 8: Destruction of houses during searches for wanted persons



Demolition of houses built without a permit

Over the years, Israel has created a situation in the Occupied Territories whereby thousands of Palestinians have been unable to obtain permits to build houses on their land, compelling them to build without a permit. Rather than change this situation, Israel adopted a policy of mass demolition of Palestinian houses. In the past decade, the authorities have demolished more than 1,800 houses in the West Bank, not including East Jerusalem, leaving more than 10,000 Palestinians homeless. This policy continues in Area C.¹⁸

The demolitions, which are ostensibly intended to meet planning needs, are executed for extraneous reasons, primarily to restrict the area in which Palestinians reside, and to expand Israeli settlements and access to these settlements.

In the Israeli settlements, on the other hand, an efficient and beneficent system of planning and supervision of building has been implemented. Houses are not demolished, and the authorities have retroactively approved thousands of houses built without permits. This policy also continues.

¹⁸ See B'Tselem, *Demolishing Peace: Israel's Policy of Mass Demolition of Palestinian Houses in the West Bank* (Information Sheet, September 1997).

Deportation

From the beginning of the intifada until the end of 1992, Israel deported 481 Palestinian residents of the Occupied Territories as punishment. Four hundred and fifteen of them were deported in the mass deportation of December 1992. Deportation of these persons explicitly contravened international law, which prohibits the “deportation of protected persons from the occupied territory.”

The decision on the mass deportation was made hastily, under time-pressure and much constraint, and relied on vague and sweeping criteria. The mass deportation orders did not state specific reasons for the deportation on a case-by-case basis, and were signed in the dark of night, some after the deportation had already begun. The authorities did not present evidence against any of the deportees linking him to any criminal offense, and did not give any deportee the right to defend himself.¹⁹

Since the end of 1992, the authorities have not used deportation from the Occupied Territories as a punitive measure.

¹⁹ See B’Tselem, *Deportation of Palestinians from the Occupied Territories and the Mass Deportation of December 1992* (June 1993).

Restrictions of Freedom of Movement

Entry into Israel

Since 1991, Israel has imposed a closure indefinite in duration on the Occupied Territories, and every Palestinian wanting to enter Israel must have a special permit. This requirement severely limits the number of Palestinians who may work in Israel, and affects persons requiring medical treatment in Israel, persons wanting to travel abroad by air, and others.²⁰

The number of entry permits granted to Palestinians wanting to work in Israel fluctuates depending on political considerations. The IDF imposes a total closure on the Occupied Territories in response to acts of violence committed by Palestinians from the Occupied Territories, and during Israeli holidays. When a total closure is imposed, all permits are cancelled, and only in extremely rare cases does Israel allow a small number of Palestinians to exit the Occupied Territories.

Movement within the Occupied Territories

In the early years of the intifada, the IDF frequently imposed, for various reasons, curfews on Palestinian towns and villages in the Occupied Territories and prohibited the residents from leaving their homes. Some villages were under curfew for more than one-third of the time during 1988 and 1989.²¹ In many instances, the curfew created severe food shortages in Palestinian villages. In addition, there were instances in which Jewish residents of the Occupied Territories took advantage of the curfew, which did not apply to them, to damage Palestinian property. In the Gaza Strip, the IDF imposed a permanent night curfew from May 1988 to May 1994, when the Palestinian Authority entered the area.

In 1996-1997, the IDF has twice imposed an internal closure on each of the hundreds of towns and villages in the West Bank, meaning that all of the residents of the West Bank were forbidden to leave their localities. The internal closure affected health and educational services, prejudiced the right of West Bank residents to make a living, and created a shortage of food staples in their communities.²²

The permanent closure imposed on the Occupied Territories since 1991 prevents movement of Palestinians between the Gaza Strip and the West Bank. In signing the Oslo Accords, Israel undertook to enable safe passage between the Gaza Strip and the West Bank, but Israel has not arranged this passage. As a result, these areas are almost totally severed from each other, although under the Declaration of Principles, signed by the parties in 1993, they comprise one territorial unit. This severance harms various population groups, among them families living apart, businesspeople, and students.

The closure also prevents Palestinians from entering East Jerusalem. Israel ignores international law and the position of the international community, which hold that the status of East Jerusalem is identical to that of the rest of the West Bank. This superficial severance of East Jerusalem from other areas of the West Bank severely prejudices the lives of Palestinian residents inasmuch as East

²⁰ See B'Tselem, *The Closure on the West Bank and Gaza Strip: Human Rights Violations against Residents of the Occupied Territories* (Information Sheet, April 1993).

²¹ For details, see B'Tselem, *Bi-Annual Report 1992-1993: Violations of Human Rights in the Occupied Territories* (January 1994).

²² See B'Tselem, *Without Borders: Human Rights Violations under Closure* ((Information Sheet, April 1996).

Jerusalem is the center of medical, economic, religious, and educational activity in the Occupied Territories.

Family Separation and Unification

The Israeli authorities compel tens of thousands of Palestinians married to non-residents of the Occupied Territories to live apart from their spouse. Over the years, Israel's policy has been to refuse to allow Palestinian residents of the Occupied Territories to live there with their non-resident spouses. The policy's objective is based on demographic considerations, and is designed to prevent the increase of Palestinian residents in the Occupied Territories. Since Israel rejected the great majority of applications for family unification submitted by residents of the Occupied Territories, these couples could only meet in the Occupied Territories during short visits.

In 1989, Israel deported hundreds of wives and children of Occupied Territories' residents who had stayed in the Occupied Territories without a valid visitor's permit. In subsequent years, Israel made it difficult for persons to visit their relatives in the Occupied Territories and threatened to deport those who remained after their visitor's permits had expired.²³

In August 1993, Israel recognized for the first time the relationship between a couple as a basis for granting a request for family unification. Israel established a quota of 2,000 Palestinian families per year for whom family unification would be allowed. This annual quota failed to meet the needs of the population. Consequently, families were required to wait months and years for the authorities to grant their applications. During the waiting period, they were forced to live apart. Most families continue to live separately, since from the time of transfer of responsibility for civil matters to the Palestinian Authority, in November 1995, even this quota policy has not been implemented, because of disagreement between Israel and the Palestinian Authority. Therefore, Palestinian couples are now offered no procedure to enable family unification in the Occupied Territories. Furthermore, in the summer of 1997, Israel precluded almost totally family visits to the Occupied Territories.

²³ See B'Tselem, *Renewal of Deportation of Women and Children from the West Bank on account of "Illegal Residency"* (Information Sheet, September-October 1991).

East Jerusalem

Israel's overall policy in East Jerusalem since 1967 has been to create a demographic and geographic reality that will preempt any effort to challenge Israeli sovereignty in East Jerusalem. Over the years, Israel has taken various measures to cause East Jerusalem Palestinians to leave the city. Many Palestinians have left their homes in East Jerusalem, either because of the numerous restrictions on building there, or because of the refusal of Israel to grant applications for family unification. Many of those who left recently realized that Israel does not intend to allow them to return to live in the city of their birth.

Planning and building

Since 1967, Israel's policy on planning and building in East Jerusalem has been based primarily on political-national considerations. This policy is intended to strengthen Israeli control throughout the city and to ensure the "demographic balance" between Jews and Palestinians in Jerusalem.²⁴ B'Tselem's data relate to implementation of this policy during the period since 1967, and not only to the past decade.

Since 1967, Israel has expropriated more than one-third of East Jerusalem, and has built some 40,000 housing units for Jews on this expropriated land, but not one unit for Palestinians. The placement of Jewish neighborhoods in the eastern part of the city is designed to blur the dividing line between eastern and western Jerusalem. In this way, Israel seeks to attain Jewish control of both parts of the city. The recent decision of the Israeli government to build the Jewish neighborhood of "Har Homa" illustrates this policy. Simultaneously, Israel is choking the natural development of East Jerusalem Palestinians by allowing very low building percentages in Palestinian neighborhoods, in blatant disregard of existing and future needs of the Palestinian population.

Israeli policy has harsh implications on the housing situation of Palestinians. Of the 14,432 housing units completed in Jerusalem between 1990 and the end of 1995, only 997, representing 6.9 percent of the completed units, were built in Palestinian neighborhoods. At the end of 1995, the average housing density of the Jewish population in Jerusalem was 1.1 persons per room, whereas the average housing density for the Palestinian population in the city was 2.2 persons per room. Planners and architects expert in planning the city's Palestinian neighborhoods estimate that the housing shortage among the Palestinian population exceeds 20,000 housing units.

Revocation of residency

For the past two years, Israel has been implementing a policy of quiet deportation. Pursuant to this policy, Israel has revoked the right of thousands of East Jerusalem Palestinians to live in the city and be considered city residents. Because this new policy is unclear, tens of thousands of other Palestinians live in uncertainty about their status and future in the city.

²⁴ See B'Tselem, *A Policy of Discrimination: Land Expropriation, Planning and Building in East Jerusalem* (January 1996).

According to data of the Ministry of the Interior, the residency status of 4,480 East Jerusalem Palestinians has been revoked. Of these, 1,295, some thirty percent, have been revoked during the past two years.

The new policy is based on the assumption that East Jerusalem Palestinian residents are immigrants, who live in their homes pursuant to a permanent residency permit that Israel issued to them. Their status and rights are, therefore, subject to Israeli political decisions and benevolence.

Under the new policy implemented by the Ministry of the Interior, Palestinian residents of East Jerusalem are required to provide numerous proofs that they currently live in Jerusalem and lived there in the past. The Ministry revokes the Jerusalem residency status of those who are unable to provide the required proofs. Consequently, Palestinians may lose their status as city residents if they resided outside Jerusalem for a certain period of time, whether in another country, or in one of Jerusalem's suburbs only several meters from Jerusalem's municipal borders, or in another part of the West Bank.

This policy blatantly discriminates between Palestinian residents of East Jerusalem and Israeli citizens living in the city. Israeli citizens can live abroad, in another town in Israel, and even in settlements in the Occupied Territories, for as long as they like, and always have the right to return to live in the city. Furthermore, because of the special status of the settlements, even the rights of a Jew holding permanent residency status who moved to the Occupied Territories are not prejudiced. Palestinian residents of East Jerusalem, who are also considered "permanent residents" under the law, lose that status if they move to another location in the Occupied Territories.²⁵

²⁵ See B'Tselem and HaMoked: Center for the Defence of the Individual, *The Quiet Deportation: Revocation of Residency of East Jerusalem Palestinians* (April 1997).

Discrimination in Law Enforcement

Israeli authorities have been ineffective in coping with settler violence against Palestinians. Attempts by security forces to prevent such violence or to arrest offenders have been minimal. Many incidents of violence have not been investigated, and in some instances, lengthy investigations conclude without anyone being charged. Where indictments have been filed and convictions obtained, the punishment has been extremely light. This policy contrasts sharply with the actions taken when Palestinians harm Israelis. In these cases, harsh action is taken against the Palestinian community from which the suspects came, in general, and against the individual suspects, in particular. Palestinian towns and villages in the area where the suspects acted are routinely placed under curfew, often for many days, and security forces conduct intensive searches and detain many persons. The security forces frequently demolish or seal houses of suspects. Furthermore, Palestinians who are prosecuted and convicted receive maximum sentences.²⁶

Police investigated most cases where Israeli civilians killed Palestinians. However, of the 107 Palestinians killed by Israeli civilians, only thirty-three perpetrators were prosecuted for causing their death. In only nineteen of these cases were convictions obtained on the charge of causing death. In other cases, the defendants were convicted of shooting in a residential area, carrying firearms with a permit, or another offense. In one case, the indictment was withdrawn, and in two cases, involving the same defendant, the court ordered psychiatric hospitalization. In six cases, the court acquitted the defendants.

²⁶ See B'Tselem, *Law Enforcement vis-a-vis Israeli Civilians in the Occupied Territories* (March 1994).

Beatings and Degradation

Beatings, ill treatment, and degradation of Palestinian residents of the Occupied Territories by security forces and other authorities were widespread throughout the intifada. After transfer of some of the territories in the West Bank and Gaza Strip to the partial control of the Palestinian Authority, friction lessened between Israeli security forces and Palestinians within the Occupied Territories, and there were fewer incidents of violence by security forces.

However, degrading, disparaging, and brutal treatment still frequently occurs where security forces have contact with Palestinians, principally at checkpoints along the borders separating Israel from the Occupied Territories staffed by Border Police. Complaints to human rights organizations and attorneys indicate that there is an unwritten policy to deter, by means of brutal beatings and violent and humiliating behavior, Palestinians from entering Israel without a permit. This policy has been implemented vigorously at times.²⁷

In most instances, the Israeli authorities do not thoroughly investigate ill treatment of Palestinians, and refrain from fully punishing those responsible. By improperly handling the complaints of injured persons, the authorities give security forces the impression that the authorities do not consider the physical and mental ill treatment of Palestinians to be a grave offense.

²⁷ See B'Tselem, *Sheer Brutality - The Beatings Continue: Beatings and Maltreatment of Palestinians by Border Police and Police Officers during May-August 1997* (Information Sheet, August 1997); B'Tselem, *Beatings, Maltreatment and Degradation of Palestinians by Israeli Authorities during June-July 1996* (Information Sheet, August 1996).

Conclusion

This document presented and analyzed data on various aspects of human rights in the Occupied Territories in the ten years since the outbreak of the intifada. We also reviewed matters on which we do not have numerical data.

The data presented indicate that in the first few years of the intifada, Israel's security forces extensively violated human rights in various fields. More than half of the Palestinians killed by Israeli security forces in the past decade were killed in the first three years of the intifada. Similarly, most of the house demolitions took place during that period.

Following the Oslo Accords, the daily friction between Israeli security forces and Palestinian residents of the Occupied Territories lessened. In addition, the number of Palestinians residing in areas under the direct control of Israel dropped.

As a result, the scope of Israel's violations of the human rights of Palestinians living in the Occupied Territories fell. The number of Palestinians killed by security forces' gunfire dropped, there were fewer house demolitions as punishment, and the number of persons held in harsh prison conditions and the number of persons tortured during interrogations also fell. In the past five years, the Israeli authorities did not deport anyone from the Occupied Territories as a punitive measure.

However, in each of the areas mentioned above, Israel's policy did not change. The Open-Fire Regulations, which allow security forces to shoot to kill at persons who do not constitute a life-threatening danger, are still in force; torture during interrogations continues; Israel continues to hold Palestinians in harsh prison conditions and in administrative detention; Israel continues to compel many Palestinian families to live apart; discrimination between Palestinian residents of the Occupied Territories and Jewish settlers continues, as does the discrimination between Palestinian and Jewish residents of East Jerusalem.

Some of Israel's violations have even increased in recent years. Restrictions on movement between various areas in the Occupied Territories and between the Occupied Territories and Israel have increased; the duplication of authorities, the Israeli and the Palestinian, has created a complex bureaucracy and made it even more difficult for Palestinians to obtain approvals necessary to conduct their daily affairs; and the Palestinian Authority, established in 1994, also severely violates various human rights of Palestinians in the Occupied Territories.