

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

INFORMATION SHEET: UPDATE--MAY 1, 1989

B'tselem: New Israeli human rights center's goals and functions

Total fatalities in Intifada reaches 422

-27 killed in April

17 Palestinians killed by Israeli civilians in Intifada

House Demolitions

-Nearly 700 houses destroyed

Deportations

-45 Palestinians expelled since December, 1989

Detentions

-Over 1000 presently held in administrative detention

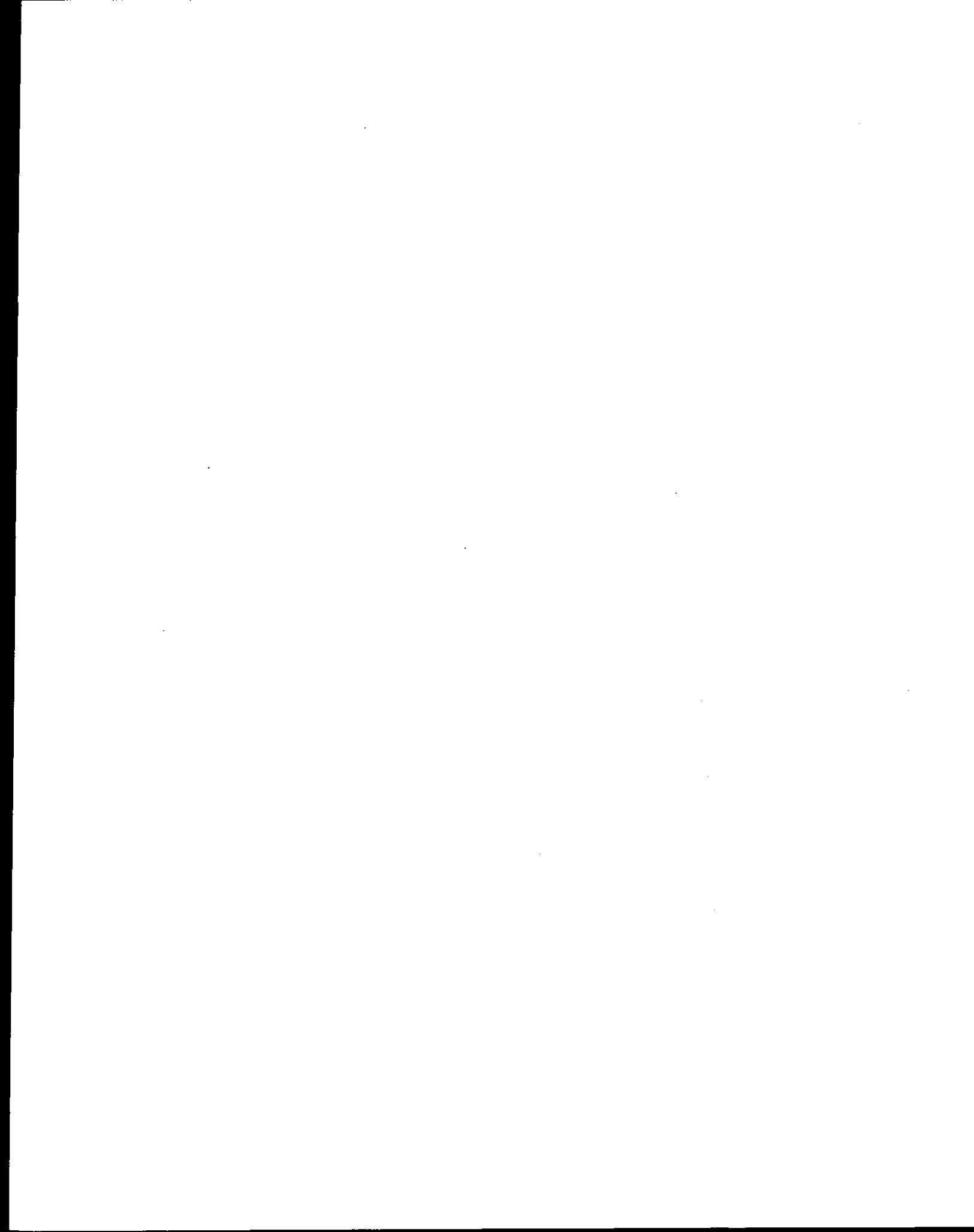
-Total of 4500 held since start of Intifada

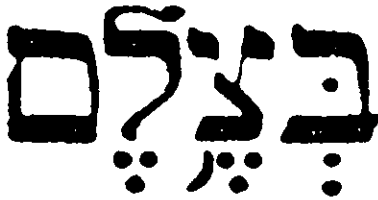
B'tselem Investigation

-IDF misconduct in Dehaishe Refugee Camp

Confiscation of Identity Cards

-Affidavits of 3 Palestinians whose ID cards have been confiscated





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

The first Information Sheet published by 'B'Tselem' the newly established Israel Information center for Human Rights in the Occupied Territories includes the following:

- * Summary of collected data for the period since the beginning of the Intifada: killings of Palestinians, killings of Israeli soldiers and civilians, Palestinians killed by Israeli citizens, demolition of houses, deportations, administrative detentions.

Investigation of two incidents of loss of life at the Dehaishe Refugee Camp.

- * Review of the practice of confiscating ID cards from residents of the territories.

The number of deaths reported is based on information from both Israeli and Palestinian sources, together with information collected by workers of the center. It is difficult to establish precisely the number of Palestinians killed. The data published by the center is the best assessment possible, based on a careful examination of all the sources.

The center's Information Sheet will appear at the beginning of each month, and will include data on human rights in the territories, a special investigation that will focus on one or more particular incidents, and a review of an issue concerning human rights in the territories.

B'Tselem, The Israel Information center for Human Rights in the Occupied Territories was established out of concern for the security and the humanitarian nature of the State of Israel. The aim of the center is to collect reliable, detailed and up-to-date information on the human rights situation in the territories. The data are collected by trained field workers, and by teams of professionals (volunteers), including doctors, lawyers, educators and economists. The center keeps a close watch on changes in government policy in matters concerning human rights in the territories.

The data gathered will be computerised and indexed, and can be consulted at the center's office in Jerusalem. Important issues will be brought to public notice through the media, through Knesset members, and through reports that the center will publish.

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

Universal Declaration of Human Rights. Article 3.

KILLED IN THE INTIFADA

422 Palestinians, inhabitants of the territories, were killed in the period from the beginning of the Intifada in December 1987 until the end of April 1989, by soldiers of the Israel Defence Forces and by Israeli civilians.

- 1) 391 were killed by live ammunition, including plastic bullets, 15 of them children less than 12 years old, 59 aged 13-16.
- 2) 31 were killed as a result of beatings, burns and other injuries not caused by live ammunition, 3 of them children less than 12 years, 2 aged 13-16 years.

A further 70 deaths occurred a short time after exposure to tear gas, 27 of whom were 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.

In this period 4 IDF soldiers and 9 Israeli civilians were killed, 3 of them infants.

April 1989 figures:

Two thirds of the deaths occurred in the West Bank, one third in the Gaza Strip.

27 of the April killings, the majority, occurred in the 17 days between 13-28 April, 8 of them in the Bethlehem district, an area which had been till then relatively quiet. The last weeks of April registered some of the highest casualty rates since the start of the Intifada.

Despite the 'official ending' of the policy of beatings, almost every month at least one death due to beating was recorded. On 17th April, FARAS SA'ID FALCHAH, resident of Jebalya, aged 50, injured by blows on his head inflicted at the end of March, died from his injuries at the Al-Makassed Hospital.

PALESTINIANS KILLED BY ISRAELI CIVILIANS

A total of 17 residents of the territories - whose name, age, date and place of death, are listed below, in addition, the action taken against the assailant is listed:

1. Ghanem Rabeh, 17, Beiten, 11.1.88; charge brought against Pinchas Wallerstein
2. Abdel Baset Juma, 27, Kufr Qaddum, 7.2.88; Yosef Farber and Shimon Rav, residents of Kedumim released on bail 10.2.88 by order of Judge Aviva Talmor, in Netanya. Police have concluded their investigations. The file with the attorney general's office. No further proceedings instigated.
3. Kamal Darwish, 23, Deir Ammar; investigation by Military Police Investigators still proceeding. Soldiers involved.
4. Rawda Najib Hassan, 13, Baka al Sharkiyeh, 27.2.88; a resident of Halasmish suspected of involvement, case closed because lack of evidence.
5. Ra'ed Barghouti, 17, Aboud, 27.2.88; case closed because lack of evidence.
6. Ahmad Barghouti, 12, Aboud, 27.2.88; case closed because lack of evidence.
7. Khader Khamideh, 41, Mazra'a Sharkiyeh, 7.3.88; closed because lack of evidence
8. Najeh Hassan Hijazi, 18, Turmus Aya, killed by bullet fired from an Israeli bus, 9.3.88; investigation not begun.
9. Moussa Salleh Bani Shamesh, 20, Beita, 6.4.88; investigation proceeding
10. Hatem Ahmad al Jaber, 19, Beita, 6.4.88, investigation proceeding.
11. Abdakka Awad, 28, Turmus Aya, 4.5.88; Israel Ze'ev sentenced on 4.12.88 to three years imprisonment.
12. Mustafa Halaiqua, 20, from Shuyukh village, killed at Sa'ir, 3.6.88; investigation proceeding.
13. Fahd Muhammed al Haiq, 18, Jericho, killed by bullet fired from Israeli bus; investigation proceeding.

14. Qa'id Hassan Saaleh, 42, Hebron 30.9.88; Rabbi Moshe Levinger, resident of Hebron, charged on 12.4.89.
15. Adli Maher Sa'id, 14, Usarin, 23.3.89; Ovadia Salumi, of Masuah, detained as suspect.
16. Awad Farah Amr, 24, Hebron, 30.3.89; Gershon Bar Kochba, resident of Hebron, detained as suspect.
17. Nader Dana'a, 16, Hebron 28.4.89; Haim Ben Lulu of Kiryat Arba, detained as suspect.

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

Universal declaration of Human Rights. Article 17(2)

DEMOLITION OF HOUSES

From the partial data in our possession we know of nearly 700 houses that have been demolished since the beginning of the Intifada.

- 460 - on grounds of illegal construction
- 160 - as punishment for security offenses.
- 40 - other reasons (buildings in military areas etc.)
- 30 - damaged from detonating of neighbouring houses.

50 additional houses have been sealed, as punishment for security offenses.

"No one shall be subjected to arbitrary arrest, detention or exile".

Universal declaration of Human Rights. Article 9.

"Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him".

Universal declaration of Human Rights. Article 10.

DEPORTATIONS

Since December 1987 45 Palestinian residents have been deported. Deportation orders are pending for 13 residents, details of name, age, occupation, family status below:

Mohammed Abdullah Labadi (33) Abu Dis, Unionist, married, 2 children. **Radwan Ahmed Ziadeh** (31) Hebron, Unionist, single. **Odeh Yusef Ma'ali** (30) Kufr Na'ameh, Unionist, Married, 5 children. **Mohammed Abdul Jalil M'tur** (38) al-Bireh, Nursing Coll. lecturer, married, 6 children. **Majed Abdullah Labadi** (28) Abu Dis, Unionist, married. **Taysir Mohammed Nasrallah** (27) Balatta camp, Univ. student, single. **Taysir Raghed Aruri** (43) al-Bireh, Univ. lecturer, Married, 3 children. **'Akif Wahid Hamdallah** (27) Anabta, Univ. student, single. **Bilal Izzedin Shakshir** (36) Nablus, Univ. student, married, 1 child. **Riad Wajih Kamel 'Ajur** (26) Daraj-Gaza, Fruit seller, married, 3 children. **Mohammed Saadi Emdukh** (38) Daraj-Gaza, Farmer, married. **'Ata Ahmad Hussein Abu Karsh** (55) Shate camp, Agri-engineer, married, 6 children. **Nabil Mohammed Tamus** (24) Khan Yunis, Car mechanic, married, 1 child.

ADMINISTRATIVE DETENTION

According to military sources, approximately 1020 men and women are currently being held in administrative detention. (Approximately 5000 others are imprisoned, some following trial and conviction, some held prior to being brought to trial, and some held till the conclusions of proceedings against them.)

According to the military sources, since the beginning of the Intifada a total of 4500 residents of the territories have been held in administrative detention.

INVESTIGATION: DEHAISHE - TWO INCIDENTS

The following information is based on the testimonies of Dehaishe Refugee Camp residents.

1. On 16th April the curfew was still in force in Dehaishe. A group of youths gathered outside the house of Imad Karaka who had been shot and killed the previous day. Soldiers ordered the youths to go inside, accompanying the order with curses. Later the youths who were standing at a road junction began to throw stones at the soldiers further down the road. The soldiers fired rubber bullets at the Arab youths, and then fired live ammunition into the air. Several of the youths, among them **NASSER IBRAHIM ELKASSAS**, 16, ran to another street. After they had run some 40 meters, three Israeli soldiers appeared suddenly in front of them. The youths were frightened and began to run away across the road junction. As they fled two shots were heard. One bullet hit Elkassas in the back. He ran a further 20 meters and fell. He was taken to the Al-Makassad Hospital and died shortly afterwards.
2. On 17th April Elkassas was buried in the nearby village of Artas, because of the curfew in Dehaishe. Many Dehaishe residents came to the funeral by way of the hills. On their return, near the camp they encountered a group of soldiers. Some children threw stones at the soldiers who responded by firing live ammunition. **RAFAIDA ABU LABAN**, 14, who was standing nearby, was hit by a bullet that entered her head from behind and came out through her forehead. She was taken to a nearby house and died there minutes later.

These incidents raise some questions:

- a. In two of the three cases the youths were shot from behind, when the soldiers were not endangered by them.
- b. In at least one of the incidents the youths were not ordered to halt, and no warning shots were fired before the fatal shots were fired.

B'Tselem has passed the information in its possession to the Minister of Defence and requested that the army's behaviour in these incidents be investigated.

**"Everyone has the right to freedom of movement
and residence within the borders of each state".**

Universal Declaration of Human Rights. Article 13(1)

IDENTITY CARDS

Every resident of the West Bank and Gaza, over the age of 16, is obliged by order to carry his identity card with him. A resident without his identity card commits a criminal offense and can be arrested.

A frequently occurring phenomenon in recent months is the confiscation of identity cards from inhabitants of the territories, in order to force them to pay income tax or to report the military government and sometimes apparently simply for the sake of harassment.

The Association for Civil Rights in Israel submitted a petition to the High Court of Justice on behalf of seven residents of the territories whose identity cards were confiscated and not returned.

Responding to the petition to the High Court, a representative for the Attorney General, said there was no legal basis for the confiscating of identity cards, and said that the Military Legal Authorities were currently preparing a special order which would be promulgated within two weeks, and this would specify what was permitted and what forbidden regarding the confiscating of identity cards from residents of the territories. The continuation of the High Court hearing was postponed for three weeks so that the IDF could prepare the order. As far back as 7th March, the Deputy Advocate Military General declared at a meeting with MK Amnon Rubinstein, that confiscating ID cards was illegal and announced that the order forbidding arbitrary confiscation of ID cards would be promulgated in the near future.

Affidavit of ZIK YIHIEH YUSSUF HALLIL, resident E. Jerusalem:

"I am a worker at the cigarette company at Azzariah, and I used to have a garage at Azzaria. On 8th September 1988 some soldiers came to the garage looking for me. A worker at the garage called me from the cigarette company. When I arrived at the garage I was asked for my ID, I showed it to them and they took it from me. They took me to the camp near Azzariah, and there they gave me 'Tofess Tiyulim' (IDF slang for giving someone the runaround) and told me that I owed 500 dinars Income Tax. They told me to go to Bethlehem to settle the debt and only then would I get back the ID card. I showed the soldiers the books which prove that I paid 15% VAT. I also proved that I had paid income tax on my work for the cigarette company. According to the assessment of my accountant the tax authorities owe me money on income tax already paid. My accountant went to Bethlehem and tried to get back my ID card for me. He attempted to explain to them that I am a resident of Jerusalem and that it was illegal to take away my ID card, but the tax officials were not prepared to return the ID card. When I went to Bethlehem to try and get back the ID card, they asked me for even more money than they had demanded before. They told me that I owed 1,000 dinars, instead of the original 500. The garage was open only one year, from February 1988 to January 1989, and I was being asked to pay tax for 1987. I went to the Police station at Abu Dis to look for my ID card. The officer there searched for it but could not find it there. At Bethlehem the officials told me the card was at the Ministry of the Interior in Jerusalem. I went there and asked to have my ID card back. The clerk told me that the card was there, but that she cannot give it to me unless I bring a note of confirmation from Bethlehem. I have been without an ID card for 6 months.

Without an ID card I feel extremely restricted, I am afraid to leave the city and travel around, I am afraid that the police will arrest me for being without an ID card. To this day I haven't been able to get my ID card back."

Affidavit of HANIAH YUSSUF JABER, a woman teacher from El-Ama'ari camp:

"On 12th December 1988 an automobile with Ramallah registration plates drew up in front of my house, with three men inside, dressed in civilian clothes with 'kefiot' (Arab headress). They got out of the car, and broke the door and the windows. It turned out they were soldiers, and they were looking for my sons Mohammed, 8 years, and Samar, 17 years. They took the boys to the Military Government at Ramallah. I went to Ramallah, and waited for my son's release. While I was waiting, in the afternoon, I was asked for my ID card.

They took my ID card and my UNWRA card. At 8 pm they told me to take home my son Mohammed, and to come back next day. The next day, Tuesday, at 1 pm I went back to the military government at Ramallah. They told me I had to pay 500 shekels on behalf of my son Mohammed, because he had put up road blocks. They said that if I don't pay, I won't get my ID card back. I didn't have money to pay. On Wednesday, Captain Ronnie came to my house, at 11 pm. He told me to go to Ramallah, and that I could get back my ID card. When I got to Ramallah, with my son Sa'id, Captain Ronnie took us in the jeep to the Ramallah police station, and Captain Ronnie who was there told me that after I paid, they would release me. After a few hours they released us. To this day I haven't got back my ID card. Without an ID card I am afraid to leave the house. There are soldiers in the area all the time. I can't leave the camp to visit relatives. Its difficult with other matters like looking after my bank account."

Affidavit of AHMED ELCHILU, resident of Askar Refugee Camp:

"On the night of 21st April 1989, at about 10 pm, I was in the house of a friend at Askar Camp, with another 8 people. Suddenly three soldiers entered and ordered all the men to go out into the main street outside the Askar Camp. They took our ID cards from us. They ordered us to guard the road and to make sure that the children won't throw stones. They threatened us that if they throw stones, we will be taken into custody. They told us to stay on guard till 1 am. The next morning, we were released and our ID cards were returned. I know that the IDF has for the past two or three months been making people do guard duty at the camp, every day from 6 am till 1 am the next morning."

In March 1989 the Military governmnet began to replace the orange cover ID cards of some of the residents of the Territories with new ID cards, with green covers. The new green cards are issued for six months and the holders of the cards are not allowed to cross the boundary into the state of Israel. The green ID card holders are people who have been released from Administrative Detention, or who were held without trial. Holders of these cards are more likely than other Palestinian residents to be subjected to searches and questioning at check posts and harassment. This is for them a further punishment even after being released from prison, which - it will be recalled - was without the benefit of a trial. They are not permitted to enter East Jerusalem, to pray on The Temple Mount, or go to the Al Makassad Hospital, thus infringing the right for freedom of worship and the right to obtain medical care. They are not permitted to travel on the Bethlehem-Ramallah road, thus restricting freedom of movement and occupation.

