

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: MDE 15/154/2002 (Public)
News Service No: 194
4 November 2002

Embargo Date: 4 November 2002 00:01 GMT

Israel/Occupied Territories: Israeli Defence Force war crimes must be investigated

Jerusalem -- at the launch of a report into the actions of the Israeli Defence Forces (IDF) in Jenin and Nablus in March and April 2002, Amnesty International said today that there is clear evidence that some of the acts committed by the IDF during Operation Defensive Shield were war crimes.

The report, *Israel and the Occupied Territories: Shielded from Scrutiny - IDF violations in Jenin and Nablus*, documents serious human rights violations by Israeli forces -- unlawful killings; torture and ill-treatment of prisoners; wanton destruction of hundreds of homes sometimes with the residents still inside; the blocking of ambulances and denial of humanitarian assistance; and the use of Palestinian civilians as "human shields". Following meetings with the IDF in May to discuss IDF actions and strategies, Amnesty International submitted most of the individual cases included in the report to the IDF for comment but, despite promises to answer on the cases, no response has yet been received.

Israel has the right to take measures to prevent unlawful violence, but in doing so they must not violate international law. In Jenin and Nablus, the IDF blocked access for days to ambulances, humanitarian aid and the outside world while the dead and wounded lay in streets or houses. In Jenin a whole residential quarter of the refugee camp was demolished leaving 4,000 people homeless.

"Up to now the Israeli authorities have failed in their responsibility to bring to justice the perpetrators of serious human rights violations. War crimes are among the most serious crimes under international law, and represent offences against humanity as a whole. Bringing the perpetrators of these crimes to justice is therefore the concern and the responsibility of the international community. All states who are parties to the Geneva Conventions must search for those alleged to have committed grave breaches of the Conventions and bring them to justice," said Amnesty International.

"There will be no peace or security in the region until human rights are respected. All attempts to end human rights violations and install a system of international protection in Israel and the Occupied Territories, in particular by introducing monitors with a clear human rights mandate, have been undermined by the refusal of the government of Israel. This refusal has been supported by the USA."

"It is imperative that the international community stop being an ineffective witness of the grave violations that take place in Israel and the Occupied Territories. Meaningful, urgent and appropriate action is long overdue," Amnesty International concluded.

Israel and the Occupied Territories Shielded from Scrutiny : IDF violations in Jenin and Nablus details the following violations:

Unlawful killings

"My family was at home on Friday 5 April. It was about 3 or 3.15 in the afternoon. We heard the knocking and calling for us to open the door. My sister 'Afaf said 'Just a moment'. She said this right away.... When she reached the door, she had just put her hand out to touch the handle of the door and it exploded. The door exploded in on her and the right side of her face was blown off.... I think she must have died instantly. We started shouting. The soldiers were just outside that door. The IDF began to shoot at the walls as if to try and scare us. We yelled at them to get an ambulance but they did not answer us."

"I looked and saw one of the large bulldozers coming from the west side bulldozing the al-Shu'bi family house and I saw the house tilt over. Without even thinking, I yelled to the soldier in the bulldozer, 'Let the residents leave the house.' At this point the soldier came out of the bulldozer, took his weapon and started to fire in my direction." Ten members of the Shu'bi family were buried under their house in Nablus for six days, only two survived.

These cases are just two of many documented by Amnesty International in Jenin and Nablus where people were killed or injured in circumstances suggesting that they were unlawfully killed. Palestinians not involved in fighting were killed as a result of disproportionate use of force and the failure of the IDF to take adequate measures to protect those not involved in the fighting.

In Jenin refugee camp and Jenin city, more than half of the 54 Palestinians who died as a result of the incursion between 3 and 17 April, appear not to have been involved in fighting. Among those killed were seven women, four children and six men aged over 55. Six had been crushed in houses. In Nablus, at least 80 Palestinians were killed by the IDF between 29 March and 22 April. Among the victims were seven women and nine children.

None of these killings has been impartially and thoroughly investigated, even where there have been strong reasons to believe they were unlawful. This failure on the part of the Israeli authorities has helped created a climate where some members of the IDF, aware that no action will be taken against them, continue to carry out unlawful killings.

The use of Palestinians for military operations or as "human shields"

"We entered my neighbour's house. The soldiers began to drill a hole in the wall. I went with three soldiers and the dog through the wall. The soldier kept the gun positioned at my head. This happened about six or seven times. In each case, when we passed from building to building the soldiers always kept me in front of them. At the last place I pulled the door back and just as I was walking out I heard shooting. The soldiers pulled me back from the alley and began to return fire. I was one metre behind them".

In both Jenin and Nablus, the IDF systematically compelled Palestinians to take part in military operations or to act as "human shields". Women as well as men were used in this way. Typically, the IDF would hold a Palestinian for several days and compel them to search property in the camp, thus putting them at serious risk of injury.

Torture or other cruel, inhuman or degrading treatment in arbitrary detention

" They started to beat us on the body and chest with rifle butts.....We were all gathered there in our underwear. It was cold. When we asked for blankets, we were beaten. We were not given any water."

In Jenin, men who had been rounded up and separated from women, children and men aged over 55 were stripped to their underwear, blindfolded and handcuffed. Many said they were beaten. One detainee

died as a result of beatings.

In Nablus a similar pattern of torture and ill-treatment of people detained in mass round-ups was recorded. Immediately after arrest, detainees were taken to Shomron temporary detention centre. Those interviewed said that beatings took place during and after the arrests. The centre was overcrowded and detainees were given insufficient water, little food and were sometimes denied access to toilet facilities.

Blocking medical and humanitarian relief

'Atiya Hassan Abu Irmaila, 44 , was shot in the head by the IDF while in his home on 5 April. Desperate attempts by his family to call an ambulance failed. The family was even unable to leave their home to tell relatives that he had died. 'Atiya Hassan Abu Irmaila's body remained in the house for seven days.

Suna Hafez Sabreh, 35, was shot and seriously injured on 7 April while closing the door to her house. The family called an ambulance, but it failed to reach them, on at least one occasion because it had come under fire. An ambulance finally arrived two days later, after Suna Hafez Sabreh's condition had seriously deteriorated. She has since had five operations.

In both Jenin and Nablus, the IDF denied medical and humanitarian relief organizations access to the affected areas even after the fighting had stopped.

The IDF blocked medical aid for days; in addition they shot at ambulances or fired warning shots around them. Ambulance drivers were harassed or arrested. Meanwhile, the wounded lay for hours untended or were treated in homes, and the dead remained in the street or in houses for days. In several cases, people reportedly died in circumstances where lack of access to medical care may have caused or hastened their death.

Demolition of houses and property

"There is total devastation, no whole standing house, as though someone has bulldozed a whole community. If anyone was in a house they could not have survived..... There is nothing but rubble and people walking around looking dazed. There is a smell of death under the rubble."

These are the words of an Amnesty International delegate who entered Jenin refugee camp minutes after the IDF lifted the blockade on 17 April 2002. IDF forces that entered Jenin and Nablus brought tanks or bulldozers through roads, often stripping off the front of houses. In Hawashin and neighbouring areas of Jenin refugee camp 169 houses with 374 apartment units were bulldozed, mostly after the fighting had ceased. As a result more than 4,000 people were left homeless.

In both Jenin and in Nablus there were instances when the IDF bulldozed houses while residents were still inside. IDF soldiers either gave inadequate warnings or no warnings before houses were demolished and subsequently failed to take measures to rescue those trapped in the rubble and prevented others from searching for them. Amnesty International documented three such incidents leading to the deaths of 10 people. Six others on the hospital lists of those killed in Jenin were recorded as being crushed by rubble.

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>