

מרכז המידע השראלי לזכויות האדם בשטחים "<mark>بتنسلم</mark>" مركز المعلومات الاسرائيلي لحقوق الانسان في الأراضي المحتلة

B'TSELEM - The Israeli Information Center for Human Rights in the Occupied Territories

INFORMATION SHEET: UPDATE JANUARY 1. 1990 (English Version)

Intifada	Fatalit	ies	 	-	 •	-	2

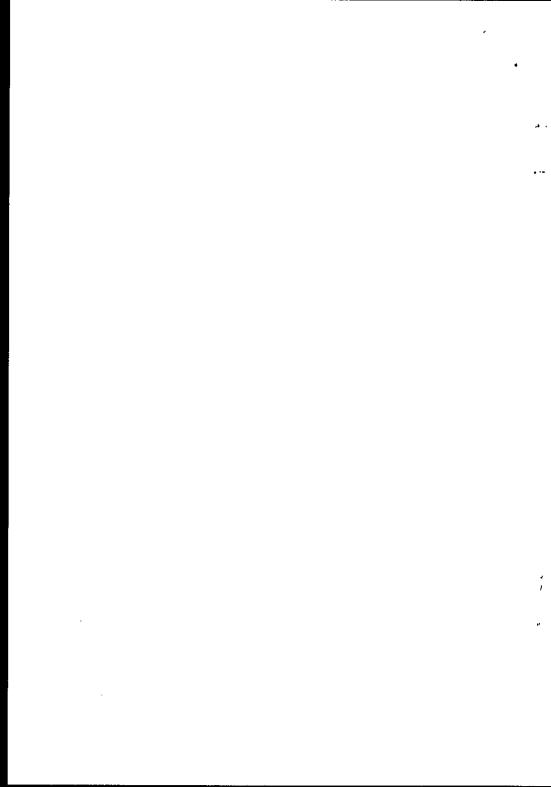
CASES OF DEATH AND INJURY OF CHILDREN

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From Exploding Objects.....15

Edited by Yuval Ginbar English by Eddie Feld and Elliot Appel ISSN 0792-4003

B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, was founded in February 1989 by a group of lawyers, intellectuals, journalists, and Members of Knesset. The objective of B'Tselem is to document and to bring to the attention of policy makers and the general public, violations of human rights in the territories.



INTIFADA FATALITIES -- TOTALS

607 Palestinian residents of the territories have been killed by Israeli security forces between the beginning of the Intifada and the end of December 1989.
Of these:

- Shooting deaths (including plastic and "rubber" bullets):
 574.
- Non-shooting deaths (beatings, burns and other): 33.
- Children: 136
 Aged 12 and younger: 40
 Aged 13 to 16: 96

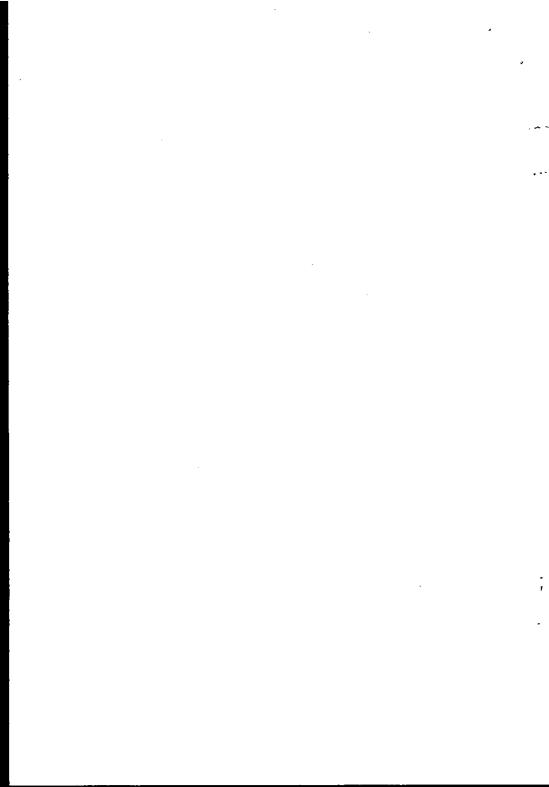
More than 72 additional people died a short time after exposure to tear gas, of whom 30 were infants. From a medical standpoint it is difficult to determine whether tear gas was the sole and direct cause of death.

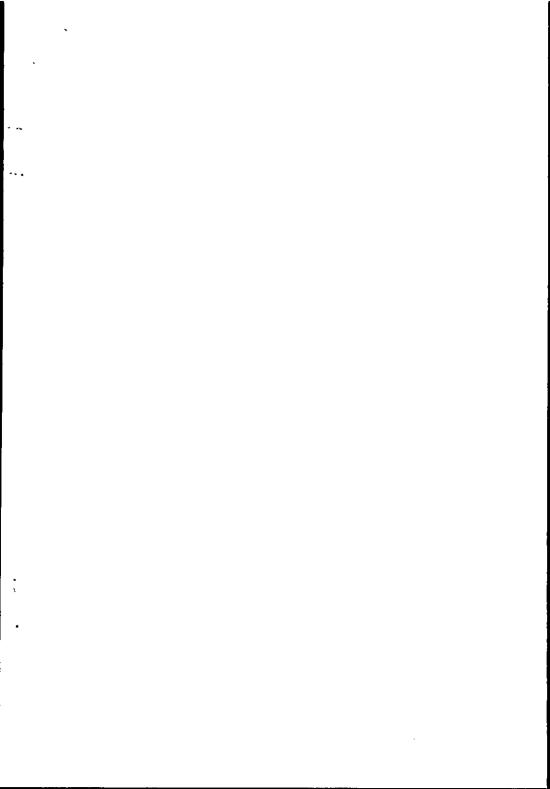
An additional 28 Palestinians have been killed, apparently by Israeli civilians, and 5 apparently by collaborators.

During this period, to IDF soldiers and 9 Israeli civilians were killed by Palestinians in the territories, 3 of them were infants.

According to data gathered by the Associated Press, 166 Palestinians suspected of collaborating with the Israeli authorities have been killed between the beginning of the Intifada and the end of December 1989.

B'Tselem's data is based on field work, independent investigations, and official Israeli sources, as well as on the data of Palestinian sources, especially human rights groups such as PHRIC and Al-Haq.





FATALITIES IN DECEMBER -- ANALYSIS

In December 1989, according to B'Tselem's figures, 21 Palestinian residents of the territories were killed by security forces.

19 of them were killed by gunfire, one by an exploding object, and one, apparently, by beatings in the General Security Service (Shin Bet) interrogation section of the Gaza Prison.

4 of the fatalities in December were minors. 2 of them were aged 12 and under, and 2 between 13 - 16. These comprise some 20% of this month's fatalities.

The number of fatalities in December rose significantly in comparison to November, when 13 people were killed. The rise is especially steep in the Gaza Strip, where 6 Palestinians were killed compared to one in November. The number of fatalities on the West Bank (15) also rose compared to the number in November (12).

Most of the fatalities on the West Bank (9 out of 15) were from the Nabius district.

Three additional Palestinians were killed, apparently by Israeli civilians.

According to figures of the Associated Press, 12 Palestinians were killed for suspected collaboration with the authorities.

DEATH AND INJURY OF CHILDREN RESULTING FROM GUNFIRE

The stated policy of the IDF and other security forces in the occupied territories is to keep from harming children. Thus the regulations for opening fire stress that soldiers may not fire at children 14 years old or younger, and certainly not kill them.

Since the beginning of the Intifada and through the end of December 1989, 136 Palestinian children were killed by security forces. 40 of them were below the age of 12. The number of children who have been wounded is estimated in the thousands.

These figures demonstrate that the IDF has seriously and continuously failed to implement its policy of not harming children. This failure is seen in the IDF's failure to comply with its own regulations for opening fire. This, without going into the nature, legality, or morality of the regulations themselves -- questions which are currently pending in the High Court of Justice, following an appeal by Advocate Avigdor Feldman.

Investigations which B'Tselem conducted into incidents of death and injury of several children, cited below, illustrate this failure. These incidents differ in their details, but are essentially similar to numerous other incidents in which Palestinian children in the territories were killed or injured.

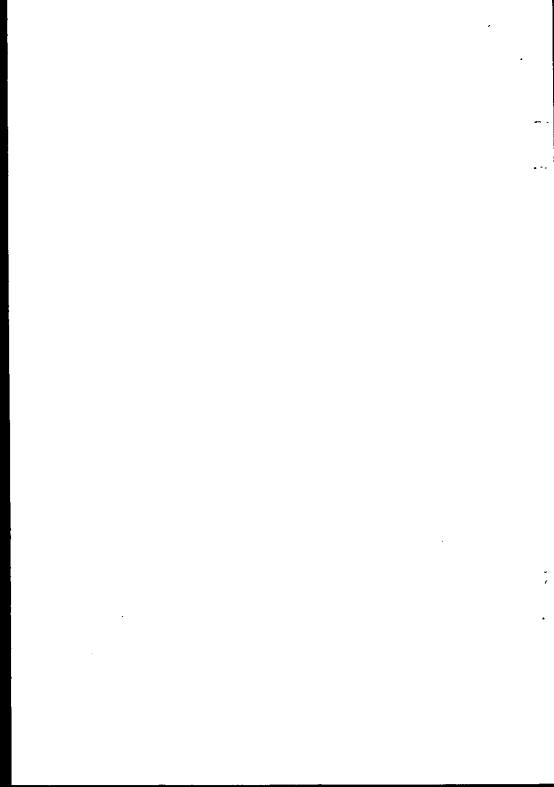
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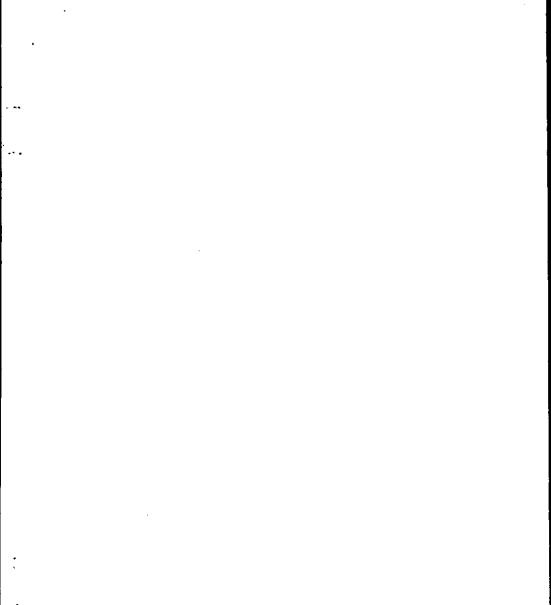
As a percentage of total deaths: The 136 children (aged 16 and under) killed in the territories since the beginning of the Intifada constitute 22.4% of the total number of deaths by security forces.

Cause of Death: Gunfire (including plastic and "rubber" bullets)-131 children Explosions of dud shells - 4 children Other causes - 1 child

Toddlers: 7 of those killed were aged 6 and younger.

Injuries -- a sample: In 1989 (until the end of the first week of December), 600 injured children aged 15 or younger were brought to El-Ittihad Hospital in Nablus. This constitutes 23% of the total of those injured during the Intifada who were brought to this hospital in 1989.





1. The death of Buthayna Mohammed Adib Hiju

Buthayna Hiju was shot to death by IDF troops in Khan Yunis on August 12, 1989, at the age of 5 1/2 years.

In an affidavit provided by her father, Mohammed Adib Jabar Mustafa Hiju, to Advocate Sheldon Klimist on December 31, 1989, the father told how the child was shot while he was taking her and her brothers away from an area in which an incident was occurring.

From a medical document which B'Tselem obtained from the Nasser Government Hospital in Khan Yunis, where the child was brought, it emerges that she was shot with two bullets in the chest and one in the shoulder.

The IDF regulations for opening fire stress that soldiers may not begin firing in the vicinity of children. The regulations also state that suspects should be fired at with single shots only, that only the legs should be aimed at, and that soldiers may not open fire at a suspect if there is a danger of hurting others.

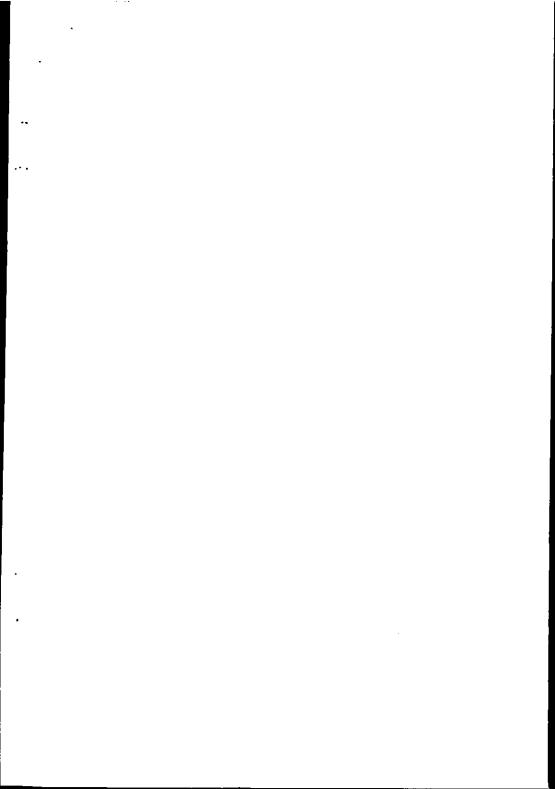
In response to a query from B'Tselem, the IDF Spokesperson stated on December 31, 1989: "The Military Police/CID is investigating the incident. The investigation has not been completed and conclusions have not yet been drawn."

AFFIDAVIT

- I, the undersigned, Mohammed Adib Jabar Mustafa Hiju, ID no. 969085745, having been duly warned to tell the truth or face the punishment specified by law, hereby declare as follows:
- For the past 5-6 years, I have lived in the Al-Amal neighborhood, Khan Yunis, Gaza, house number 39/53.
- I am married and have 5 children. I was a taxi driver, but have been unemployed for the last two years because I have been ill with ulcers.
- Following are the facts regarding the death of the girl, Buthayna Mohammed Adib Hiju on August 12, 1989, and the circumstances surrounding it. (Buthayna was born January 16, 1984.)
- On August 12, 1989 at about 7:15 p.m., I was sitting with my neighbors, Mohammed al-Jilani and Khalil Siyam, playing dominoes near the house of Jiliani, opposite my home.

- 5. While we were sitting there, several soldiers came on foot accompanied by 4 youngsters, below the age of 20. The soldiers took the youngsters to the settlement fence, on the other side of the road, near the entrance to the al-Amal neighborhood, and I saw them beating the youths with the butts of their rifles.
- 6. After a few minutes had gone by, the parents of the youths arrived as well as 4 military jeeps. When the jeeps and the families arrived, I got up and walked over with my neighbor, Subhi Daralsa, and stood about 4-5 meters from the jeeps. I heard shouting between the parents of the youngsters and the soldiers.
- 7. After a few minutes, I heard an officer tell the parents in Arabic to disperse. People dispersed. At that time the youths who had been beaten by the soldiers were also standing near the jeeps, and the captain said: "Go home. I will release the youths."
- 8. I returned with my neighbor, Subhi, and walked towards my house. During the entire incident, my daughter, Buthayna and her brother Ramzi (4 years old) were standing next to the gate of my house. When I returned, the children approached me and met me about 7 meters from the gate of my house, next to the home of my neighbor Khalil Siyam.
- 9. When I met my children, I took each child by the hand, and glanced in the direction of the jeeps. I saw that three of the jeeps had driven away, but that when the fourth jeep began to drive, one of the soldiers began firing in our direction. I heard gunfire, and my daughter, Buthayna, fell. The jeep continued on its way. When my daughter fell, I thought that she had been frightened by the shots, but when I saw that she had fallen on her face without protecting herself with her hands, I knew that she was wounded. The distance between the road and the place where she was injured is 40 meters.
- 10. When I picked my daughter up, I saw blood and, together with my neighbor, I took her to the Nasser Government Hospital, in Khan Yunis, where the doctors declared her dead.
- 11. The next day the Governor of Khan Yunis, whose name is Moshe, came to my house. I related the incident and he expressed sorrow at what had happened and promised to keep the soldiers away from the neighborhood.





- 12. The next day, another senior officer arrived along with more than ten soldiers. The officer parked on the main road, called me over, and asked me if I could identify the soldier who shot my daughter. I said that I couldn't.
- 13. After several days, Moshe came a second time, and again expressed his sorrow and invited my to talk with him at the military administration. I was with him there for a quarter of an hour, and he again expressed his sorrow to me, and asked me a variety of questions regarding my family.
- 14. I do not understand Hebrew; this affidavit has been fully translated for me, point by point, by Basam 'Eid; and everything which is written above is true.
- 15. Today's date is December 31, 1989.

(-) Mohammed Adib Jabar Mustafa Hiju

I hereby confirm that on Sunday December 31, 1989, in the neighborhood of Al-Amal, Khan Yunis, Gaza, Mr. Mohammed Adib Jabar Mustafa Hiju appeared before me, Advocate Sheldon Klimist, that he identified himself by ID no. 96908574-5, and that after 1 warned him to tell the truth, or face the punishment specified by law if he did not, he confirmed the accuracy of this affidavit and signed it.

Sheldon Klimist Advocate

MEDICAL REPORT

Gaza Strip Region Ministry of Health Tel. 051-90310, 90451

Gaza, August 13, 1989

Medical Report No. 96132 August 13, 1989

Muyust 13,

Name:

Buthina Addeeb Hejju

Age:

5 years

Address: Khan Yunis

Above Adm. presented to reception room in 12/8/1989 at 7:15 p.m. dead body with others alleged gun injery [sic] in chest.

Medical Examination: Dead body, 2 round inlet wound in Rt side of anterior chest wall. inlet and outlet in upper part lt arm.

R. Room
(-)
Dr. Adnan A. Zatma
Lic. 5/87

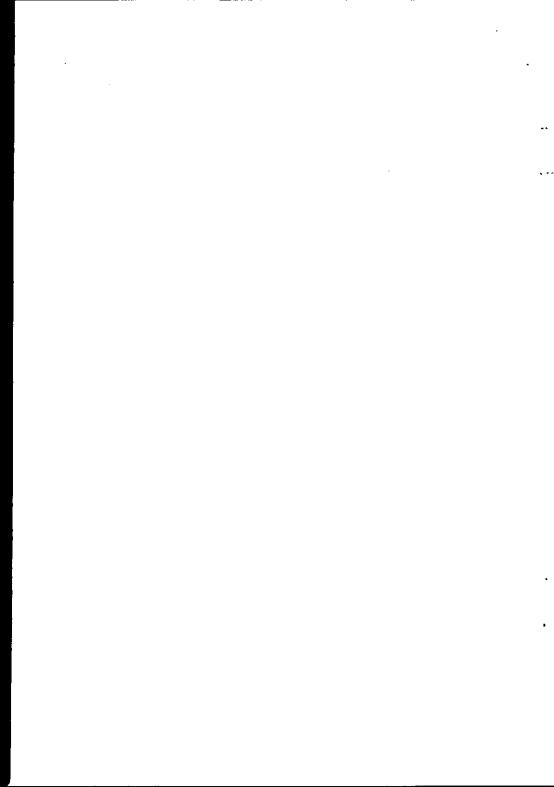
Head of R. Room

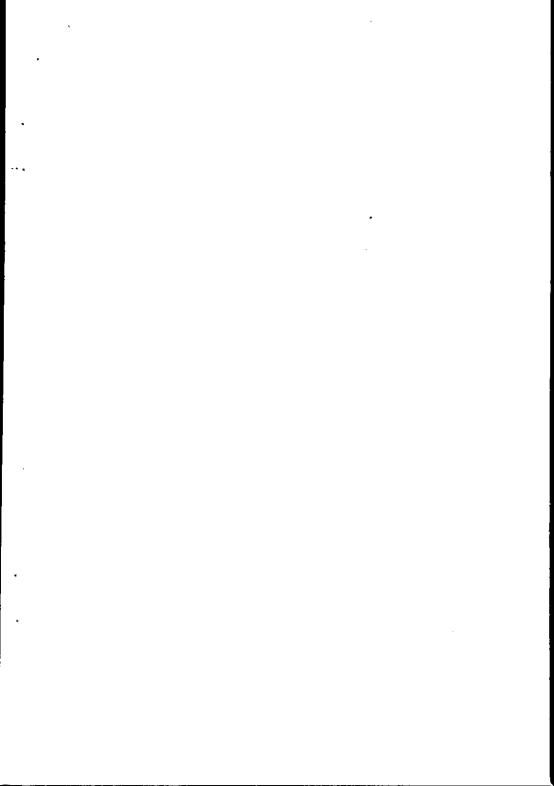
(-)
Dr. M. Abu Daoud

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2. The Death of Kassem Abdallah abu Libdah

Kassem Abu Libdah was shot by an IDF soldier in the Khan Yunis refugee camp on October 13, 1989, and died from his injuries in the Tel Hashomer Hospital on September 16, at the age of 8 and a half.

According to an eyewitness who was questioned by a B'Tselem fieldworker on December 16, 1989, Kassem was hit by a "rubber"* bullet from a distance of only a few meters.

This testimony is further strengthened by a medical document from the Nasser State Hospital in Khan Yunis, where the child was first brought. According to the document, the "rubber" bullet entered Kassem's skull.

Regulations for opening fire forbid the firing of "rubber" bullets from a distance of less than 40 meters. From a greater distance than this, a "rubber" bullet is unable to cause a penetrating injury.

In response to a request by B'Tselem, the IDF Spokesperson stated on December 31, 1989: "Representatives of the military police are investigating the child's death. The investigation has not been completed and no conclusions have yet been drawn."

INVESTIGATION

On December 16, 1989, a child who was an eyewitness to the event** described the incident to a B'Tselem staffer:

"We were playing, several children and Kassem, under the soldier's lookout which is on top of a tall building in the middle of the camp. We saw a soldier come down, and we ran -- Kassem asked why we were running. We said because a soldier was coming down. Kassem said that he would not run away."

According to his report, the child ran to a nearby alley, and when it became clear than no one was chasing him, he glanced at what was happening near the lookout.

"The soldier went out of the building, and when Kassem was some 4 meters from the soldier, the soldier shot Kassem from behind, in the head, with a rubber bullet. Kassem fell and the soldier went up again to the lookout. Young men arrived immediately and took Kassem to the Nasser Hospital."

The official term "rubber bullet" is misleading, for the object is a steel marble coated with rubber or hard plastic.

^{••} The child asked to remain anonymous. His name is on file at B'Tselem's office.

MEDICAL REPORT

Gaza Strip Region Civil Administration Ministry of Health

Name: Kassem Abdallah Abu Lebdah

Age: 9 years File No.: 14986

This patient admitted to Khan-yunis hospital on 13/10/89 due to gunshot injury by the army on ex.

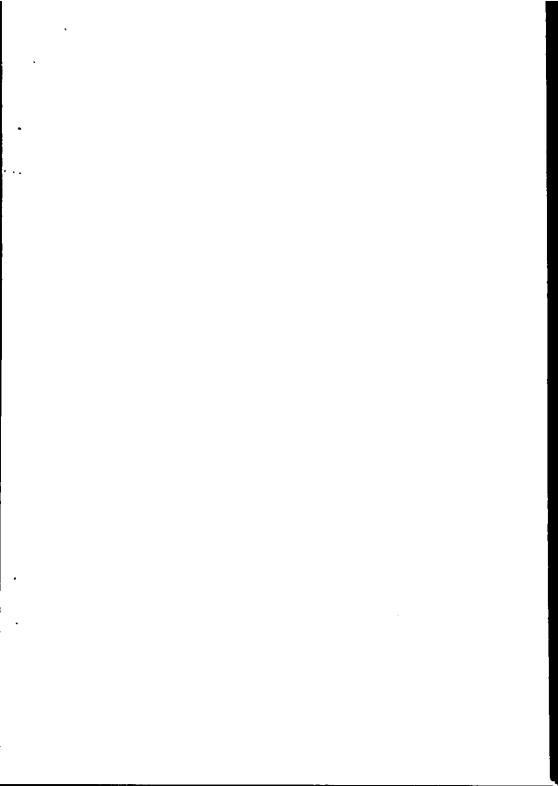
- Round wound at occipidal area with brain matter outside.

X-ray skull: Rubber bullet inside the brain. We transferred the patient to Tel-Hashomer hospital to neurosurgery. On 16/10/89 we were informed that the pat. died at Tel-Hashomer hospital.

(-)

Dr. H. Higazy





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Name: Kussen Abdallah Abu Lebelah

Age: 1 years Ide No. 14986

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- Round wand at occipital area with bean enalter and side.

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3. The Injury of Alar Yousef Hasouneh

Alar Hasouneh, a two year old infant girl, lost her eye on December 14, 1989, having been wounded by a "rubber" bullet fired at her by a soldier who was near her home in the Jelazun refugee camp.

Ala's family told a B'Iselem team on December 28, 1989, that there were no disturbances at all in that area, and that only one shot was fired.

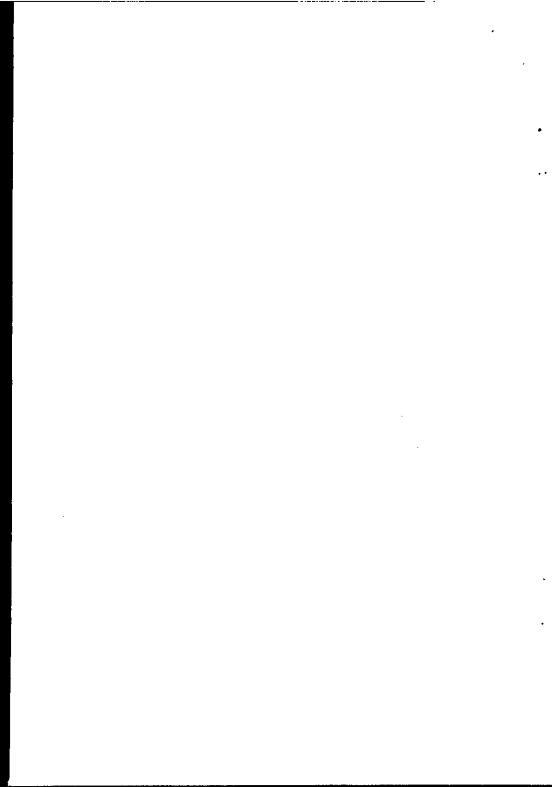
An IDF spokesperson originally claimed that the infant was injured by a "rock fragment," but in a later reaction claimed that the injury was caused by "a rubber bullet fragment." (see below)

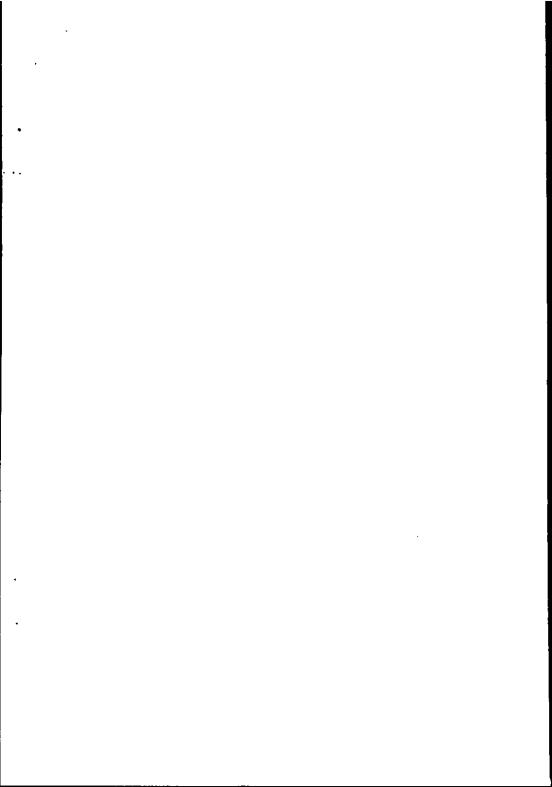
The medical document and the X-ray below indicate that Ala' was injured by a complete "rubber" bullet. It is therefore unclear how the investigating officer arrived at his conclusion. Even the Spokesperson's announcement, which indicates that regulations permit firing that endangers infants, is somewhat suprising.

In response to a request by B'Tselem, the IDF Spokesperson stated on December 31, 1989:

"The incident which resulted in the injury [of Ala'] was investigated by an officer of the rank of colonel. The result of the investigation was that the infant was injured by a rubber bullet fragment. She was in the midst of stonethrowers. In this incident, soldiers opened fire according to regulations, and therefore no one was brought to trial."

^{*} See 'Hadashot,' December 17, 1989.





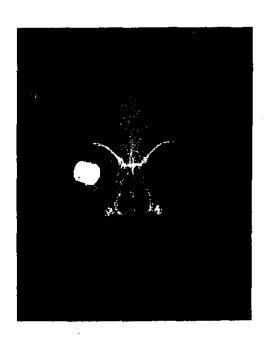
ST. JOHN OPTHALMIC HOSPITAL JERUSALEM

Dr. A. M. Morgan MB Camb., BChir, DO., FRCS (Ed.) WARDEN & CHIEF SURGEON P.O. Box 19960 Telegrams: JOINTAL-JERUSALEM Telephones: 282325/6/7

Alaa' Yousef Hasouneh -- Jalazun

The above named was admitted to this hospital on 14/12/89 suffering from Rubber Bullet injury. On examining the eye there was a rubber bullet in the eye -- which already ruptured and lost its contents -- the bullet removed under general anesthetic and evseration completed. Child still in hospital taking treatment.

(-) 18/12/89



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ST. JOHN OPHTHALMIC HOSPITAL JERUSALEM

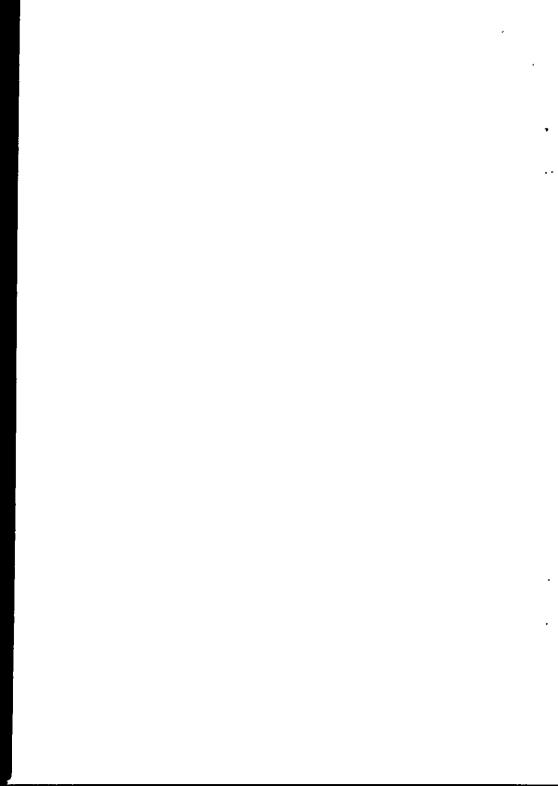
DR. A. M. MORGAN MR Camb., RChir, DO., FRCS (Ed.) WARDEN & CHIEF SURGEON

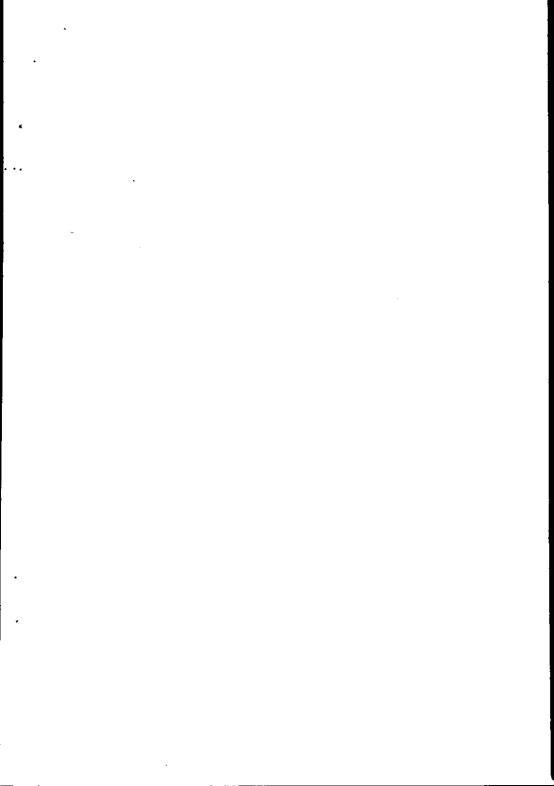
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Alax yousef Havounch - Jahron

The above hamed was admitted to this hospital on 14/12/89 suffering from Rubber Bullet hypury. Do examining the eye there was a rubber bullent in the eye - which already reptived and boot it's full contents - the bullent removed under general autilitic and exserction completed. chief ofill is hospital taking treature.

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CASES OF THE DEATH AND INJURY OF CHILDREN FROM EXPLODING OBJECTS

Ammunition shells that the army leaves near dwelling places have in the past caused incidents of death and injury to both adults and children.

After some members of the Knesset raised the issue, the IDF ordered an investigation by a senior officer, who advised that steps be taken to solve the matter.

The death of Ziad Abu Ramis, 9, as a result of an exploding object near his village, Za'tara, in the Bethlehem district, on December 12, 1989, shows that as of the beginning of 1990 the problem still exists. Below is a summary of incidents of exploding objects during 1989, the attention being given the matter, and the investigation B'Tselem conducted after Ziad's death.

On Thursday, May 25, 1989 at 12:00 noon, Fahd Mohammed Shaker Abu Awad, 16, went out to graze the family sheep in the village of Nassariya. On his way he suddenly heard a ringing like that of a clock. He bent over to see where the noise was coming from, and then an explosion took place and something caught fire and started smoking. The smoke injured Fahd's face and hands, and he began to run, hurt, in the direction of the village. One of the villagers took him to the emergency room of El-ittihad hospital.

This incident was one in a series of at least 21 such incidents in which Palestinian residents -- the majority of whom were child shepherds -- were burned and injured, and resulted from the explosion of objects found in the grazing fields near the villages of Tammun, Qabatiya, Tayasir, Tubas, and Nassariya. Most of the injured suffered severe burns and some of the incidents resulted in the deaths of the children.

In February, 1989, Knesset members Yossi Sarid and Dedi Zucker requested three times that the Minister of Defence investigate these incidents. The Minister of Defence announced that the conflagrations and burnings were caused by the shells of decoy missiles left in the area. The Minister of Defence indicated that the area of practice would be marked and bounded and that the injured would be able to claim damages for their injury.

On June 25, 1989, Dan Sagir wrote in Ha'aretz that an officer of the rank of Brigadier General appointed by the Commander of the Central Region, Amram Mitzna, to investigate incidents of death and injury of Arab children in the West Bank from the explosion of objects with which they were playing, had presented his conclusions to the general. The main conclusion of the investigation was that these explosions are IDF ammunition shells of two main types with which the children were playing ... the explosion of air force flares which were not activated in the air, and the explosion of 52 mm. mortars."

The investigating officer recommended several steps which could be taken in order to prevent the recurrence of these kinds of incidents:

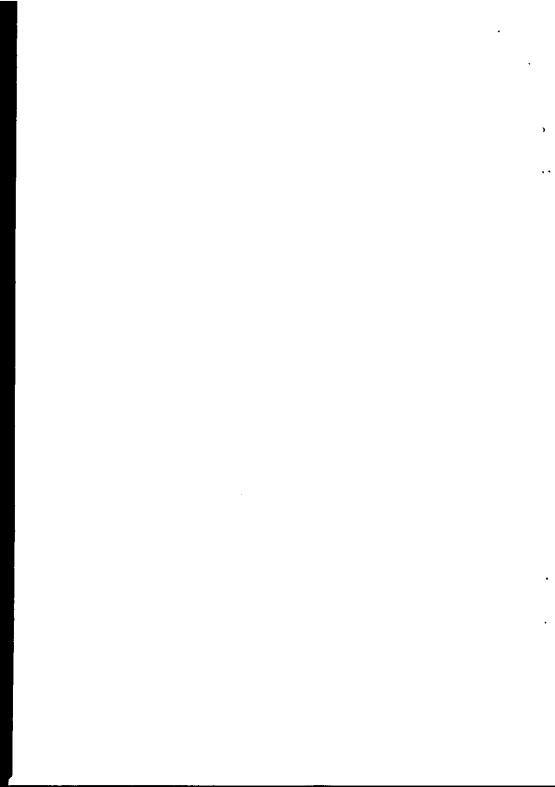
- to increase publicity amongst the local residents regarding the impermissibity of children entering firing ranges and increased vigilance over those areas.
- -- to publish explanatory materials among the local residents regarding the handling of flares.
- -- to examine the possibility of improving the flares to lessen the percentage of duds.
- -- to renew the orders instructing the clearing of training areas when training is completed from two perspectives:
 - 1. Combing, collection, and destruction of all dud ammuntion.
 - Combing and collection of all training ammunition that was not used.
- -- to conclude a reporting process which permits contact as close as possible to the place of the events so that an expert ballistic examination may be carried out.

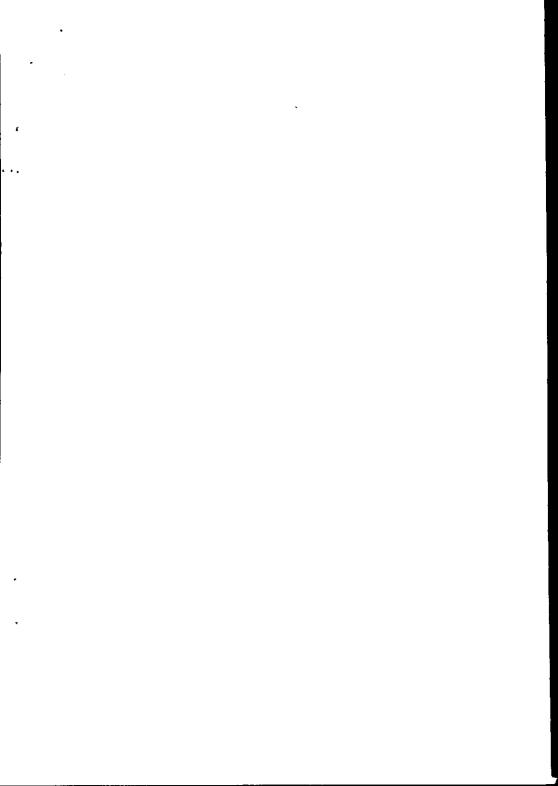
On Friday, August, 11, 1989, almost two months after the presentation of the conclusions of the investigating officer, at 9:30 a.m., three children sat down to eat in the grazing area near the village of Tammun. They claim that shortly thereafter a strong fire broke out near them and they were burned.

Prof. Emmanuel Theodore. Director of Internal Medicine, at Beilinson Hospital, along with a B'Tselem team, saw the children at El-Ittihad hospital in Nablus, four days after they were injured. The children suffered first and second degree burns (see report).

From the testimony of one of the injured, Fawwaz Mustafa Basharat, it appears that he and his friends grazed their sheep and goats in an area which there is nothing posted delineating it as a military training area.

In response to a B'Tselem query, an IDF Spokesperson said, among other things, that "as people who have lived in the vicinity of a firing range for many years, all of the residents know where exercises are held and are conscious of the danger involved in playing with dud shells. In order to eliminate injury to children, it is not only necessary that the IDF comb the area to remove the duds. Since some duds may remain buried in the earth and are not revealed by combing the area, but are uncovered later by rains, parents and schools have an important part to play in warning children and teaching them of the danger inherent in playing with duds or any other unidentified objects, just as every Israeli child learns not to touch suspicious objects since they may cause injury" (September 21, 1989).





BEILINSON MEDICAL CENTER Department of Internal Medicine E

August 15, 1989

Report on Visit to El-Ittihad Hospital in Nablus

1. Use of new types of ammunition by the IDF

There is no basis to the rumored use of "Dum-dum" bullets, according to our findings on the spot.

On the other hand, we saw people injured by rubber bullets. These, like plastic bullets, include steel (which is seen in X-rays), and we saw serious injuries caused by them, including penetration of a lung and breaking of a large leg bone. Apparently we are seeing the "safe" plastic bullet affair a second time.

There is room, in my opinion, to clarify at what range rubber bullets pose a tangible threat and what the orders are regarding use of this ammunition.

2. Others injured by burns

We saw three youths, aged 13 - 16, with burns. Their story is that they were grazing their flock and sat down to eat. Ourling this a number of uniformed men passed near them, and before they saw some object thrown toward them, fire suddenly sprang up around their legs, which burned them (one seriously).

This story is very similar to earlier stories about objects which caused serious burns thrown at Arab youths in fields, as well as a story about an exploding object thrown at young Arab shepherds. I saw these last in Nablus several months ago, and one of them died of his wounds the day after my visit.

All of these incidents, including the last ones, took place near the village Tammun. The Ministry of Defence once held that youths were injured in the fields by dealing with dud shells or other ammunition. It later turned out that the burns were caused by flares in use by our air force.

It seems a good idea to go out into the field and see exactly how these events took place, and if this is indeed a firing range where dud shells are to be expected. If so, is the area fenced and are there sufficient warnings in the range to prevent people from entering it?

Sincerely,
 (-)
Prof. Emmanuel Theodore

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Bright House

INVESTIGATION

On Dec. 13, 1989, a B'Tselem fieldworker interviewed Mohammed Abed Abu Ramis, the father of Ziad Abu Ramis, about the way in which Ziad met his death.

According to him, Ziad went out on December 2, 1989, at 11:00 a.m., to graze the family sheep and goats in an area located two kilometers east of his village Zartara, in the Bethlehem district. This is an agricultural area and many villagers go there daily.

On that day, other shepherds also went to that area with their herds and spread out over the area. Suddenly an explosion was heard. The shepherds ran in the direction from which the explosion was heard and saw Ziad lying on the ground, soaked in blood. On his body were signs of burns. The shepherds quickly took the child to the village but after 100 meters he died.

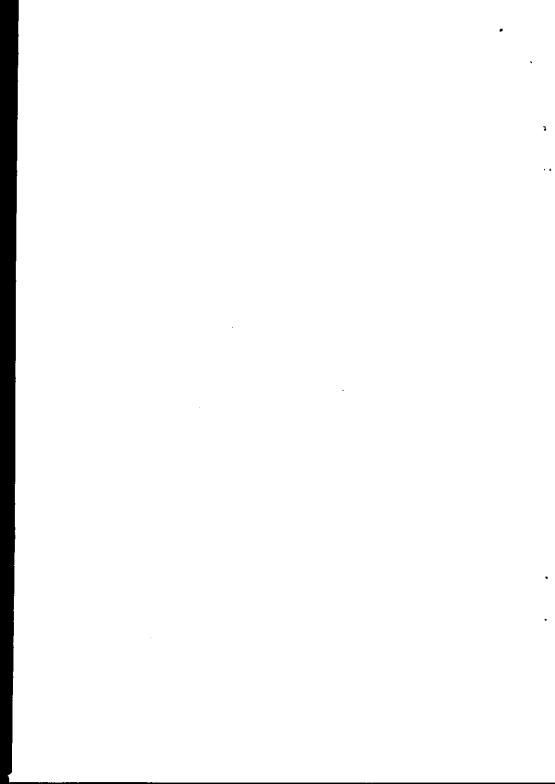
Ziad was brought to his house dead. The father and his family immediately went to the military governor of the Bethlehem district. An investigator by the name of Kamel went out to the area along with police sappers. They came to the house, photographed the corpse and then went to the area of the incident to investigate. When they completed their work, at about 4,00 p.m. the military governor of the Bethlehem district instructed the family to bury the child at night, in order to prevent disturbances in the village. The father of the child agreed to the Governor's request, and the child was buried in the village cemetery at 7:00 p.m. It should be noted that the corpse was not brought to any clinic or hospital.

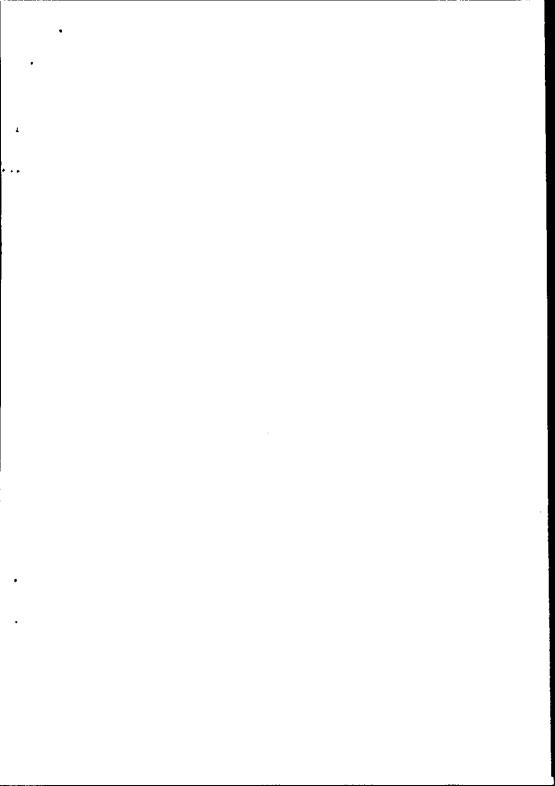
Ziad is the youngest of five brothers. His father, 34, works as a laborer in Israel. The family has lived in the village for generations.

When the Governor came to the place where the incident took place he claimed that it was a closed military zone.

Residents of the village told a B'Tselem staffer that they have worked the land continuously since Turkish rule, and that there is not a single sign or notice in the area to support the words of the Governor. When the Governor visited the area, another suspicious article was discovered, and police sappers exploded it on the spot. The claim that the child was injured in a closed military zone was brought up again by the assistant police commander of the Judea district, Chief SuperintendentMordechai Barakat, in response to a B'Tselem inquiry, on January 2, 1990: "There was a dud there, and the boy entered a closed military zone."

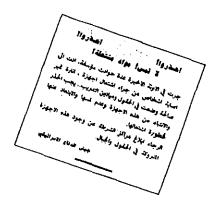
An IDF Spokesperson, responding on the same day, again stressed that "all military zones are marked, bulletins calling on the residents not to enter firing ranges are distributed in the area, and the village Mukhtars in the area are also warned."





In light of these reports, a B'Tselem team traveled to the area where Ziad Abu Ramis died on January 8, 1990. The staff was unable to locate a single fence, sign, or any other marking to indicate that the area was a closed military zone.

In the area near where Ziad was killed, plots of land were being worked, and children in the area could be seen grazing their flocks.



Copy of a warning distributed widely, according to the IDF Spokesperson, among residents near IDF training grounds. The warning included pictures of flares and dud shells.

TRANSLATION:

Warnings

Warning!

Do not touch! Flammable materials!

A number of unfortunate incidents have recently taken place in which people were injured as a result of dud shells and flares left in fields and training grounds catching fire. These objects should be warned against and treated with caution. They should not be touched and people should distance themselves from them in case they catch fire.

Please advise police stations on finding any such objects left in fields or on hills.

The Israel Defence Forces

