



Defence for Children International – Israel Section
Defence for Children International – Palestine Section

**Alternative Report for Consideration Regarding Israel’s Initial
OPAC Periodic Report to the Committee on the Rights of the Child**

**Optional Protocol to the Convention on the Rights of the Child
on the Involvement of Children in Armed Conflict (OPAC)**

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This report is submitted on behalf of Defence for Children International–Israel Section (DCI-Israel) and Defence for Children International–Palestine Section (DCI-Palestine), national sections of the international non-governmental child rights organisation and movement, Defence for Children International (DCI), established in 1979, with consultative status with ECOSOC.

Defence for Children International-Israel Section (DCI-Israel) is the only organisation that is devoted exclusively to the protection of the rights and welfare of all children, regardless of their background, in the State of Israel, and as well as children affected by Israel's military or administrative actions in other states and territories. DCI-Israel acts through direct public service projects and projects involving public advocacy. In recent years these projects have included children in Israel, both Jewish and Arab; children whose parents are immigrants or workers from abroad; those that are affected by the hostilities in Lebanon; and children living in the Territories administered by the Palestinian Authority. The latter project is in coordination with DCI-Palestine. Since its founding in 1987, DCI-Israel (known in Hebrew as AVI) has created a variety of pioneering programmes that have improved the lives of thousands of children and raised public awareness regarding children's rights. It has fought to ensure that all children are provided with adequate health services, good educational opportunities, legal counselling and, in general, that they are protected against exploitation. DCI-Israel's programmes promote children's involvement in decision-making processes that affect their future.

Defence for Children International-Palestine Section (DCI-Palestine) is a non-governmental, non-profit, independent Palestinian organisation established in 1992. Its vision is "A Palestinian community fit for all children" – a community that is free and independent, where justice, equality and respect for human dignity prevail; and where children can enjoy and exercise their human rights without any kind of discrimination. DCI-Palestine's mission is to promote and protect the rights of Palestinian children in accordance with the UN Convention on the Rights of the Child and other international, regional and local standards. DCI-Palestine implements five thematic programmes, which are interrelated and all together contribute to the creation of a comprehensive protective environment for children in the OPT: Protection of Children Victims of Community/Domestic Violence; Protection of Children in Conflict with the Law; Protection of Child Political Detainees; Child Participation and Community Mobilisation; and Accountability. On the Palestinian Authority (PA) level, DCI-Palestine lobbies for better child protection legislation and implementation of the rule of law. In addition, DCI-Palestine focuses on strengthening the commitment and capacity of key stakeholders, such as policymakers, civil society and the media, to support child rights. Another focus is the promotion of child participation in Palestinian society. Finally, DCI-Palestine works to improve the accountability of the main duty-bearers of Palestinian children's rights, namely Israel and the PA, through advocacy and lobbying. With regard to the former, DCI-Palestine's main strategy is to focus on third State responsibility.

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1. Introduction

- 1.1 As leading child rights organisations based in Israel and the Occupied Palestinian Territory (OPT), DCI-Israel and DCI-Palestine wish to bring to the attention of the Committee on the Rights of the Child (the Committee) certain specific issues concerning the Israeli army's use of Palestinian children (under 18)¹ in hostilities: the use of Palestinian children as human shields and attempts to recruit them as informers.
- 1.2 The use of Palestinian children as human shields and informers by the Israeli army violates Article 2 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000) (OPAC). Therefore, this report will focus on the consideration of Israel's compliance with OPAC Article 2 and the compulsory – albeit temporary and unofficial – recruitment of Palestinians under 18 in State armed forces. This report does not cover other OPAC articles as they concern either a State army's procedures for the recruitment and use of its own nationals, or the recruitment and use of under-18s by non-State armed groups.
- 1.3 The present report focuses exclusively on recruitment and use of Palestinian children residing in the OPT (Gaza Strip and West Bank). The report does not otherwise deal with the rights of Israeli children residing in Israel or the West Bank; with Arab Israeli children residing inside Israel; or with Palestinian children recruited by armed groups in the OPT.²
- 1.4 Israel's first periodic report to the Committee on its implementation of the Convention on the Rights of the Child omitted information pertaining to the rights of Palestinian children living in the OPT.³ In its Concluding Observations on Israel, issued in 2002, the Committee stated: *"Given the responsibility of the State party for the implementation of the Convention in the occupied Palestinian territories, the Committee deeply regrets the lack of any information about the situation of children in the occupied Palestinian territories."*⁴ Despite this, Israel's initial report on its implementation of OPAC once again disregards all issues relating to Palestinian children in the OPT.

¹ Israeli Military Law (Military Order 132) defines Palestinian children as individuals below the age of 16, in contrast to the situation inside Israel where majority is not attained until the age of 18.

² The first two categories should be reported on by Israeli organisations with knowledge of Israeli domestic law concerning procedures for the recruitment and deployment of individuals under the age of 18 by the State Party's armed forces. The third category clearly falls outside the mandate of the Committee on the Rights of the Child, as neither the Palestinian National Authority nor the Hamas *de facto* government are parties to the Convention on the Rights of the Child. The third category will form the subject of a forthcoming DCI-Palestine report on the use of Palestinian children in the armed conflict in the OPT, as an update to the report, *Use of Children in the Occupied Palestinian Territories* (August 2004): <http://www.dci-pal.org/english/publ/display.cfm?DocId=277&CategoryId=8>

³ Israel's First Periodic Report to the Committee on the Rights of the Child (CRC/C/8/Add.44) (27 February 2002): [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.8.Add.44.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.8.Add.44.En?OpenDocument)

⁴ Concluding Observations of the Committee on the Rights of the Child (CRC/C/15/Add.195) (9 October 2002): [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.15.Add.195.En?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CRC.C.15.Add.195.En?OpenDocument), paragraph 2.

- 1.5. The present report is based on evidence collected by DCI-Palestine fieldworkers and lawyers on the use of Palestinian children as human shields and informers. Information contained in the report also draws on over 17 years of experience of the organisation's Child Rights Monitoring and Documentation Unit.

2. Background

- 2.1 The Palestinian population of the OPT has lived under belligerent Israeli occupation since 1967. As an occupying power, Israel has a duty to comply with principles of International Humanitarian Law.⁵ In addition, the Israeli government has a duty to uphold applicable International Human Rights Law instruments in the West Bank and Gaza Strip.⁶ Indeed UN Treaty Bodies – including the Committee on the Rights of the Child – and other international institutions have on a number of occasions expressed the view that International Human Rights Law should apply in the West Bank and Gaza Strip, regardless of any state of armed conflict in these areas, and that the government of Israel is responsible for its implementation.⁷
- 2.2. The Israeli occupation of the Palestinian territory is taking place within the context of an ongoing international armed conflict; it is regulated by Israeli military law, characterised by ongoing military surveillance and army incursions, and enforced through military courts. One of the primary objectives of the presence of the Israeli army on the occupied territory is to eradicate or discourage resistance to the occupation. To this end, Israeli soldiers conduct intelligence gathering missions, search and arrest operations, and engage in direct hostilities with the local population. Palestinian children are exposed daily to threats arising from the presence of armed soldiers in the West Bank and Gaza Strip.
- 2.3. There are two ways in which Palestinian children in the OPT are directly used by the Israeli army in hostilities: they are occasionally used as civilians to shield Israeli soldiers

⁵ Applicable principles of International Humanitarian Law (IHL) are mainly found in the *Hague Regulations* (1907) and *Fourth Geneva Convention* (1949), both of which largely codify customary international law on the conduct of hostilities.

⁶ Applicable International Human Rights Law (IHRL) refers to the international human rights treaties to which Israel is a State Party. Note on applicability of IHRL in Gaza: After the September 2005 'disengagement plan', Israel declared that it was no longer an occupying power bound by obligations imposed under international law. This position has been almost unanimously rejected by the international community on the basis that Israel still has 'effective control' of Gaza's borders, coastline, airspace, economy, telecommunications, energy supplies, and water and sewer systems. It can open or close Gaza's crossings at will and regulate the entry/exit of all goods, services and people including those seeking medical assistance abroad.

⁷ Concluding Observations of the Committee on the Rights of the Child (CRC/C/15/Add.195) (9 October 2002) paragraph 2; Concluding Observations of the Human Rights Committee (CCPR/C/79/Add/93) (18 August 1998) paragraph 10 and *Ibid.* (CCPR/CO/78/ISR) (21 August 2003) paragraph 11; Concluding Observations of the Committee Against Torture (CAT/C/ISR/CO/4) (14 May 2009) paragraph 11; International Court of Justice, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, paragraphs 109, 112 and 113.

from attacks or assist them during military incursions and large scale operations; and they are regularly coerced or threatened into becoming informers for Israel. Section 3 of the present report will consider Israel's compliance with OPAC with regards to the issue of children used as human shields, and section 4 will focus on Israel's attempts at recruiting children as informers.

3. Use of Palestinian children as human shields

Executive summary

3.1. The use of civilians as human shields constitutes a war crime.⁸ The Israeli military continues to use Palestinian children as human shields during ground military operations despite the October 2005 ruling of the Israeli High Court of Justice that banned this practice.⁹ Since 2004, DCI-Palestine has documented six incidents in which at least 11 children were used as human shields. Among these cases, at least six children were used as human shields by Israeli troops during Israel's recent Operation Cast Lead in Gaza. Most of them were subjected to abuse and ill-treatment while detained, and most of them have been psychologically scarred by the experience. In addition, one child was shot twice while assisting Israeli soldiers in 2007.¹⁰ However, even well-documented incidents are rarely investigated and perpetrators not properly held to account.

Recommendation:

3.2. *The State party should take immediate steps to ensure compliance with OPAC and the 2005 ruling of its own High Court of Justice and adopt measures to ensure that the Israeli army desists from using human shields, and that all cases involving the army's use of under-18s as human shields in military operations are thoroughly and impartially investigated and that those found responsible are brought promptly to justice.*

Definition

3.3. The practice of using human shields involves forcing civilians to directly assist in military operations or using them to shield an area or troops from attack. Both of these

⁸ On the basis of Article 28 of the *Fourth Geneva Convention* and Articles 51(7) and 58(a) of the *First Additional Protocol to the Fourth Geneva Convention* – See International Committee of the Red Cross (ICRC), *War Crimes under the Rome Statute of the International Criminal Court and their source in International Humanitarian Law - Comparative Table* (October 2008): [http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/war-crimes-factsheet-311008/\\$File/EN%20-%20War_Crimes_Comparative_Table.pdf](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/war-crimes-factsheet-311008/$File/EN%20-%20War_Crimes_Comparative_Table.pdf), page 12.

⁹ *Adalah versus Military Commander of the West Bank* (HCJ 3799/02) (6 October 2005): <http://www.adalah.org/features/humshields/decision061005.pdf>

¹⁰ The case of 14-year-old Rana N. (Annexure A, Case 5) was documented by the Israeli human rights organisation B'Tselem and data shared with DCI. The case was reported in B'Tselem, *2007 Annual Report: Human Rights in the Occupied Territories* (January 2008): http://www.btselem.org/Download/200712_Annual_Report_eng.pdf, page 35.

circumstances expose civilians to mortal danger. Civilians are usually threatened and/or physically coerced into performing these tasks, most of the time at gunpoint.

- 3.4. Examples of the use of children as human shields by the Israeli military include: compelling them to search bags or houses for people, weapons or explosives; forcing them to carry messages or orders to Palestinian individuals suspected of being involved in hostilities; detaining them inside houses where soldiers have taken military positions, so that Palestinian armed groups will refrain from firing at the soldiers; and making them stand near, or walk in front of, soldiers during confrontations to literally shield them from gunfire and/or stone-throwing – sometimes soldiers fire over the shoulders of the children thus detained.

Case 1

- 3.5. In April 2004, during protests against the construction of the Wall near the West Bank village of Biddu, a 13-year-old boy, who was not involved in the demonstration, was arrested, slapped and kicked by Israeli soldiers and tied to a military jeep for four hours to deter stone throwers and shield Israeli soldiers. This incident falls outside the reporting period but will provide the Committee with useful background information on the Israeli army's practices prior to 2005. The following case is a summary of the incident; affidavits and photographs can be found in **Annexure A – Case 1**.

Case 1 – Mohammad B. (13)

On 15 April 2004, there was a demonstration against the construction of the Wall in Biddu, a village near Ramallah. Thirteen-year-old Mohammad was not participating in the protest but joined a group of young men watching Israeli soldiers from a nearby hill.

It was about 12:30pm when an army four-wheeler started driving towards them. The boys ran away, and the vehicle – driven by two soldiers – chased Mohammad. The soldiers threw a sound bomb towards him and caught him. They slapped him, accused him of throwing stones then dragged him on the ground and put him on a four-wheeler.

They drove to a place with soldiers and jeeps nearby. There, Mohammad was assaulted by several soldiers: *“Two soldiers attacked me and kept hitting me randomly all over my body. One of them hit me with his hands, while the other kicked me.”*

Mohammad was then lifted up and placed on the bonnet of a military jeep; one of his arms was tied to the grille with his belt. He was kept in this position for four hours. During this time, an officer slapped him, and a big soldier punched him in the face, which made him cry in pain. The protesters then started throwing stones towards the soldiers.

“The soldiers fired tear gas canisters at the young men but the canisters were thrown back. I began coughing and mucus came out of my mouth. I asked a soldier to take me inside the jeep but he responded by saying “Sheket” – ‘shut up’ in Hebrew – and slapping me.”

At 4:30pm, Mohammad was untied; he was then thrown inside the jeep and hit his head. He was eventually taken to a nearby village with a heavy Israeli army presence and dropped there. It took him about two hours to get home and be reunited with his family.

Prohibition under international law

- 3.6. The forced recruitment of under-18s for participation in hostilities breaches Article 2 of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children and Armed Conflict – ratified by Israel in 2005 – which prohibits States Parties from compelling any under-18 to serve in their armies: *“States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.”*
- 3.7. Furthermore, this practice contravenes Article 28 of the *Fourth Geneva Convention* – ratified by Israel in 1951. Article 28 states that *“The presence of a protected person may not be used to render certain points or areas immune from military operations.”* In addition, Article 51 of the same Convention prohibits the occupying power from compelling civilians *“to undertake any work which would involve them in the obligation of taking part in military operations.”*¹¹ The prohibition is further emphasised in Article 51(7) of the *First Additional Protocol to the Fourth Geneva Convention* which states that: *“Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.”* This position reflects customary international law.¹²

Prohibition under Israeli domestic law

- 3.8. In October 2005, the Israeli High Court of Justice (HCJ) authoritatively ruled¹³ that the practice of using civilians as human shields runs counter to principles contained in the *Fourth Geneva Convention*. On the basis of a fundamental principle of the law of belligerent occupation, namely *“the prohibition of use of protected residents as a part of*

¹¹ Article 147 of the *Fourth Geneva Convention*, defines *“compelling a protected person to serve in the forces of a hostile Power”* as a *“grave breach”* of the Convention, entailing individual criminal responsibility.

¹² Under Article 8(2)(b)(xxiii) of the *Rome Statute of the International Criminal Court*, the use of human shields is a war crime: *“Utilizing the presence of a civilian or other protected person to render certain points, areas or military forces immune from military operations.”* Although Israel has yet to join the 108 nations that have ratified the Rome Statute, this article does reflect customary international law.

¹³ *Adalah versus Military Commander of the West Bank* (HCJ 3799/02).

the war effort of the occupying army,” and on the basis of a fundamental principle of international humanitarian law, namely “the duty to distance innocent local residents from the zone of hostilities”, the court ruled that “the civilian population is not to be used for the military needs of the occupying army.”¹⁴

Incidents

- 3.9. Despite these prohibitions, Palestinian and Israeli human rights organisations report ongoing use of human shields, including under-18s, by Israeli soldiers in the occupied territory. Since 2005 – the year of Israel’s ratification of OPAC and of the Israeli HCJ ruling – DCI-Palestine has documented five incidents in which at least 10 children were used as human shields by Israeli soldiers during army incursions or large-scale military offensives [Cases 2-4 and 6-7]. In each case, the children were subjected to abuse and ill-treatment at the hands of soldiers. In addition, the Israeli human rights organisation B’Tselem¹⁵ documented the case of a 14-year-old girl shot twice while being used to assist soldiers in al-Bureij Refugee Camp in the Gaza Strip in July 2007 [Case 5]. A complete list of incidents involving the use of under-18s as human shields in the period 2004-2009 is available in **Annexure B**.
- 3.10. In February 2007, DCI-Palestine documented two human shield cases. In two separate incidents during the Israeli military’s “Operation Hot Winter” in Nablus Israeli troops coerced children into assisting them with dangerous tasks and/or used them to shield themselves from attacks.¹⁶ The following paragraphs are summaries of these incidents; victims’ affidavits and photographs can be found in **Annexure A – Case 2** and **Case 3**. Both cases were reported in the 2007 report of the UN Secretary-General on children and armed conflict.¹⁷

Case 2

- 3.11. A 15-year-old boy was forced at gunpoint to walk in front of soldiers and to enter and search houses while soldiers were shooting live ammunition behind and around him.

Case 2 – Amed E. (15)

On Monday, 26 February 2007, early in the morning, soldiers burst into the home of 15-year-old Amed throwing a sound bomb into the house. The family tried to escape, but

¹⁴ *Ibid.* Page 12, paragraph 24 quoting Aharon Barak, then the Chief Justice of the HCJ.

¹⁵ B’Tselem: The Israeli Information Centre for Human Rights in the Occupied Territories: <http://www.btselem.org>

¹⁶ These incidents were also documented by B’Tselem in *2007 Annual Report: Human Rights in the Occupied Territories* (January 2008), pages 34-35.

¹⁷ Report of the UN Secretary-General to the General Assembly’s 62nd session and to the Security Council, on the issue of children and armed conflict (A/62/609 – S/2007/757) (21 December 2007): <http://www.un.org/Docs/journal/asp/ws.asp?m=A/62/609>, paragraph 83.

they were stopped by soldiers who grabbed Ameer and pushed him from one soldier to another. He and the family were forced at gunpoint into a neighbouring house, where an entire family was detained. Family members were called for interrogation one by one.

Ameer was told to walk to a neighbouring house – his uncle’s house. *“They asked me to walk in front of them. Four of them followed me with their weapons loaded and ready to shoot.”* Ameer had to ask everybody inside the house to leave, while soldiers kept a safe distance.

Later on, he was ordered to accompany soldiers to his uncle’s house again. *“There were 12 of them carrying weapons and fully prepared. When we reached the entrance of the house, they asked me to open the door and walk into the house. It was difficult for me to open the door because I could not see it clearly. The soldiers had thrown a smoke bomb in the place; a practice followed by the soldiers when they raid houses in order to suffocate people inside. However, I did manage to open the door and they walked behind me. Whenever there was a door, the soldiers would ask me to open it, walk into the room, and then start shooting after asking me to step aside.”*

The soldiers then asked Ameer to walk in front of them to his house. *“This time I was terrified because the soldiers were shooting and forcing me to walk in front of them towards our house 20 metres away from as-Salam mosque.”* They searched it, and forced him to go to his uncle’s house again and open its windows.

The soldiers left at about 7:30am after arresting three of Ameer’s cousins.

Case 3

- 3.12. In a similar incident, just two days later, an 11-year-old girl was interrogated and threatened to be imprisoned if she did not cooperate; she was then forced to walk in front of Israeli soldiers into an abandoned building which the soldiers believed was sheltering armed men. She was asked to search the house while soldiers were following her.

Case 3 – Jihan D. (11)

On the morning of 28 February 2007, Israeli soldiers forced their way into the house belonging to Jihan’s family, in the Old City of Nablus. The family was confined to one room where the soldiers interrogated them to obtain information on shootings from nearby rooftops.

The soldiers left and returned with more soldiers at around 4:00pm. The family was once again forced into one room and interrogated, this time for several hours. One of the

soldiers then asked 11-year-old Jihan to accompany him. She screamed, and moved towards her mother. The soldier grabbed her hand and pulled her outside.

An Israeli security officer interrogated Jihan, shouting at her in Hebrew while another soldier translated for them into Arabic. They demanded that she tell them about the youths shooting from the rooftops. They told her that her father had said that she knew about them. Terrified that she would be arrested, or even killed, Jihan told them what she knew: that men slept in an abandoned house, about 50 metres away.

The soldiers forced her to walk them to that house. *“It was around 8:30pm when the interrogator asked me to accompany him to show them the house; something I did not oppose. I walked in front of the soldiers who were armed and ready to shoot.”* When they arrived, a soldier took Jihan back to her house, and kept her in a room alone.

About 15 minutes later, three soldiers came to take Jihan and force her to lead the way into the abandoned house. Jihan entered the dark house, with the soldiers following behind her at a distance. She was made to climb the stairs towards the kitchen. The soldiers followed her, armed and ready to shoot.

At around 10:00pm the soldiers took her back to her house: *“One of the soldiers said ‘Do not tell anyone that you came with us, do not tell anyone that we took you.’ Another soldier gave me a sweet and a biscuit. [...] I was afraid and exhausted.”*

After the incident, Jihan suffered from bed-wetting.

Case 4

- 3.13. In April 2007, DCI-Palestine documented an incident in which two boys (aged 14 and 15) were placed on the bonnet of a military jeep to deter stone throwing during an Israeli military incursion in Balata Refugee Camp in Nablus. The following cases are incident summaries; affidavits for these incidents can be found in **Annexure A – Case 4**. These cases were also reported in the 2007 report of the UN Secretary-General on children and armed conflict.¹⁸

Case 4 - Ismail M. (14) and Oday G. (15)

Ismail (14) and his friend Oday (15), both employed as mechanics in Balata Refugee Camp, were sitting outside Oday’s shop at 8:30am on 11 April 2007 when Israeli jeeps arrived. Boys from Balata camp started throwing stones at the Israeli army vehicles and the soldiers responded by firing sound bombs, tear gas canisters and rubber bullets.

¹⁸ *Ibid.*

A soldier motioned them to approach the jeep and punched Oday in the face. The soldier shouted at him and slapped him across the face and hands for 10 minutes while stones continued to be thrown at the jeeps. *“One of the stones hit me on my right ankle,”* reported Oday. *“I told the soldier that a stone had hit my leg but the soldier kept hitting me.”* Ismail said: *“The soldier was hitting my left leg with the butt of his M16 and my abdomen with its barrel, while Oday was being slapped across the face by the jeep commander sitting in the front seat next to the driver. He was slapping him, punching him in the face, the abdomen, and the back, and telling him that he had seen him throwing stones at the jeeps. Oday denied this, saying he had been in his shop.”*

A soldier then ordered the boys to sit on the bonnet of the jeep while stones were still being thrown. He told them that if they broke the windscreen they would be imprisoned and would have to pay for the damage. Ten minutes later, they were told to go and tell the boys to stop throwing stones. Ismail and Oday did as they were told and then escaped.

Case 5

- 3.14. B’Tselem documented the case of a 14-year-old girl shot and severely injured by an Israeli soldier while being compelled to assist soldiers in July 2007, near al-Bureij refugee camp in central Gaza.¹⁹ The following is a case summary; an affidavit and photographs for this incident can be found in **Annexure A – Case 5**.

Case 5 - Rana N. (14)

On 11 July 2007, 14-year-old Rana and her cousin Zeiad were sleeping at their grandmother’s house, in the eastern part of al-Bureij Refugee Camp, a few hundred metres from the border with Israel. Rana was staying there to help her ailing grandmother. That day, she woke up to the sound of an explosion, approaching tanks and airplanes. *“I was terrified; I saw my grandmother and Zeiad were terrified.”*

Shortly after 7:30am, Israeli soldiers banged on the door. Rana opened the door to many armed Israeli soldiers; their faces were painted black. The soldiers asked the three to sit on the ground by the front door while they searched the house. *“We were afraid of the soldiers who were standing and directing their weapons toward us.”*

After this, a soldier asked Rana to go to her family house, 25 metres away, and to ask her family to go out of the house. She started running. *“After six metres, I felt pain in my*

¹⁹ Data on this case was kindly provided by B’Tselem and reported in *2007 Annual Report: Human Rights in the Occupied Territories* (January 2008): http://www.btselem.org/Download/200712_Annual_Report_eng.pdf, page 35. DCI is unable to verify this information and cannot be held responsible for any inaccuracies in B’Tselem’s report. For comments or additional information, contact B’Tselem directly.

abdomen and fell to the ground. I felt dizzy and could hardly breathe. After that, I felt that somebody was carrying me and I don't know where they took me."

Rana woke up in Seroka Hospital four days later; her mother beside her. She had been shot in the abdomen and left leg and felt extreme pain. She stayed in Seroka for treatment for 21 days. *"I suffered pain in my abdomen and felt like the bullets had torn my intestines; and I felt that some parts of my body were not there. I have one leg semi paralyzed, and I can hardly move it because of the bullet that hit me."*

- 3.15. During Israel's Operation Cast Lead in the Gaza Strip, DCI-Palestine documented two cases in which five children (in the first incident) and one child (in the second incident), respectively, were compelled to assist Israeli troops or used to shield them from attacks. The following are case summaries; affidavits and photographs for these incidents can be found in **Annexure A – Case 6 and Case 7**.

Case 6

- 3.16. In the first case, on 5 January 2009, three brothers and two of their cousins (all boys aged 12-17), as well as at least nine other male relatives, were detained for 3-10 days and used as human shields during Operation Cast Lead.

Case 6 - Ali A. (16), 'Ala A. (15), Nafiz A. (17), Hussein A. (12) and Khalil A. (15)

Before 10:00am on 5 January 2009, Israeli soldiers stormed a house in al-Atatra, northern Gaza, where several families were sheltering from the ongoing air and ground attacks. The soldiers ordered 13 men and boys to exit the building and stand facing the wall outside with their hands up and feet spread apart. Ali (17) reported that the soldiers ordered them to strip to their underwear and then tied them together by their hands, forming a human chain. There were four children among them: Ali (16), his brother Nafiz (17) and 'Ala (15) as well as his cousin Hussein (12).

The men and boys were then led inside a relative's house at gunpoint where they were blindfolded and held for several hours. Three male relatives, including their 15-year-old cousin Khalil A., were held there, handcuffed and blindfolded. Khalil and his family had been at home when about 30 Israeli soldiers burst into their house at 2:00am that day. Khalil was mistreated while being interrogated, then held in the house with his uncle and grandfather, while the women and children were sent to seek refuge in a school.

At least 16 men and boys were in the house all day without any food and with restricted bathroom access. The cuffs were made of plastic and cut into their flesh. At some point, 12-year-old Hussein started crying from pain so he and his father were untied. Nafiz's

mobile phone had rung and been immediately confiscated; the detainees had no way of communicating with the rest of their families.

In the evening, the soldiers led them all outside where they stood side-by-side, still blindfolded and tied together. Ali reported hearing a bulldozer and a loud explosion. It seemed the bulldozer detonated an unidentified object. The men and boys stood closest to the site of the explosion as the soldiers stood behind them. They were all taken back to the house where they stayed until 2:00am on 6 January.

Then, the soldiers made them walk in the dark and on muddy ground to a house occupied by soldiers. They remained there briefly before they were made to walk again until they fell into a deep trench. The soldiers then untied the men and boys and tied each one separately with their hands behind their backs. It was extremely cold. The ground was damp, and they were wearing light clothes. Khalil reported: *"I was extremely exhausted, to the point that I burst into tears. I begged the soldiers to untie me and allow me to rest for a while, but one of the soldiers kicked my leg with his boots. It was very painful and I cried more and more, but the soldiers did not do anything."* At daylight, Ali asked for some water and was told: *"Shut up"*.

The group sat in the trench all day without any food, water or blankets. Soldiers surrounded the trench and would occasionally open fire. Ali reported: *"The bullets fired from their rifles flew over our heads and the bullet casings fell on us in the trench. The bullet casings were hot, and the sound of gunfire terrified me."*

Early the next day, at 2:00am on 7 January, the men and boys were given blankets; but they were still prevented from leaning back and had to keep sitting up. *"I felt much pain in my back from sitting in this position and from the extreme cold,"* Said Ali.

The next day, 8 January 2009, at around 6:00am, their blindfolds were removed and they were given food and water: a small loaf of bread with meat for each group of five people and some water served in the empty meat can. Ali said: *"The can was dirty and disgusting. The water smelled like the dirty can, but I drank it because I was very thirsty."* The soldiers then forced the men and boys to sit in two lines; they tied and blindfolded them again, before surrounding them with razor wire. They spent the whole day and night thus, prevented from leaning back, while the soldiers were launching shells around them. Ali told DCI: *"It really terrified all of us. I heard the empty cases of the shells falling nearby immediately after each shell was fired. The shelling was continuous but not consecutive."* At some point, stones were falling into the trench.

Then the soldiers were replaced and a female soldier removed the younger boys, including Ali, 'Ala, Hussein and Khalil, from the group and made them sit some distance

away, along with women and children who had chosen to accompany their male relatives. They were told that they would be released, and were ordered to go to Jabalia shortly after. The group of women and children started heading south: it included Ali, ‘Ala, Hussein and Khalil. An Apache helicopter was flying above them.

After about 60 metres they were stopped by a tank firing bullets towards their feet and above their heads. Petrified, they retreated back towards the trench and took another road, the Apache helicopter flying overhead, firing missiles ahead of them. *“I felt it was striking at us. I fell to the ground several times especially when the missiles were fired because it created a horrifying sound”*, said Ali.

In town, the boys asked a stranger for water and headed towards Gaza al-Jadida School, where their families were taking shelter. *“They did not know what had happened to us and whether we were alive or dead. I started to cry because I was very happy, especially after seeing my mother.”* Ali had not seen his mother for four days, since he was taken on 5 January in the morning. As for Khalil: *“I saw my mother, grandmother, siblings, and my uncles’ wives and their children. I saw tears in their eyes. I asked them why they were sad, and they told me that my father had been killed in the war.”*

Seven days later, Nafiz arrived at the school – he had been detained in Beersheba prison, along with other members of the family. The families stayed in the school until Israeli troops withdrew on 18 January. There was insufficient water, food, blankets and mattresses. When they returned home, Ali’s family found most of the windows and doors broken; shells inside the house. Khalil’s father’s house had been completely destroyed.

Case 7

- 3.17. In the second “Operation Cast Lead” case, on 15 January 2009, a 9-year-old boy was ordered to open bags and suitcases at gunpoint. When he struggled to open a suitcase, he was grabbed by the hair, slapped and slammed against the wall. The soldier then fired at the suitcase to destroy the lock, which terrified him.

Case 7 - Majed R. (9)

At approximately 5:00am on 15 January 2009, Israeli soldiers stormed the ground floor of a residential building in Tel al-Hawa, Gaza City, while firing live rounds. Approximately 40 men, women and children were sheltering inside. The soldiers separated the men from the women and children, and ordered the men to strip naked before leading them out of the house one by one.

A soldier approached 9-year-old Majed, who was hiding behind his mother in fear, motioning him to step forward. The boy reported that the soldier then grabbed him by his

shirt and pushed him against the wall: *“I thought they would kill me. I became very scared and wet my pants. I could not shout or say anything because I was too afraid.”* The soldier was shouting at him in Hebrew, which Majed does not understand.

The soldier motioned at Majed who understood he was being ordered to open all the bags and suitcases in the room and empty their contents. The boy opened the bags one by one as the soldier pointed his gun at him from a distance of 1.5 metres. Shaking with fear, Majed struggled to open one suitcase which was locked. The soldier grabbed him by the hair, slapped him in the face, and slammed him against the wall. He then fired at the suitcase to destroy the lock, grabbed Majed and ordered him to go back to his mother.

The women and children were kept inside the building for five hours. Majed reported that soldiers would scare them for fun by running the red light of their weapons over people’s bodies or simulating sounds of explosions. At around 3:00pm, they were told to go to the Red Crescent, holding a white flag, and were released.

- 3.18. This incident was included in the report on Operation Cast Lead of the UN Special Representative of the Secretary-General (SRSG) on Children and Armed Conflict to the 10th Session of the Human Rights Council.²⁰ The joint Special Procedure report to which the SRSG’s report is annexed included the following recommendation: *“Parties to a conflict must also take precautions to protect civilians and civilian objects under its control from the effects of attacks; this includes avoiding placing military objectives within or near densely populated areas and keeping civilians away from military targets. The use of human shields is also prohibited. Contrary to the general principle of precautions against the effects of attacks, this prohibition must be understood to require the specific intent to use civilians to immunize otherwise legitimate military objectives from lawful attack.”*²¹
- 3.19. The Operation Cast Lead incidents reported above (Cases 6 and 7) are corroborated by recent testimonies from Israeli soldiers who served during the offensive. The testimonies

²⁰ Report of the UN Special Representative of the Secretary-General (SRSG) on Children and Armed Conflict to the 10th Session of the Human Rights Council, annexed to *Combined report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on violence against women, its causes and consequences, the Representative of the Secretary-General on the human rights of internally displaced persons, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the Special Rapporteur on the right to food, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the right to education and the independent expert on the question of human rights and extreme poverty* (A/HRC/10/22)(20 March 2009): <http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/A.HRC.10.22.pdf>, paragraph 10. The SRSG’s report was included in a joint report on the impact of Operation Cast Lead presented by all relevant Special Procedures mandate-holders and submitted to the Human Rights Council pursuant to Resolution S-9/1 of 12 January 2009. Note that the SRSG’s source for the human shield paragraph was not DCI.

²¹ *Ibid*, paragraph 16.

were collected by Breaking the Silence – an Israeli organisation campaigning against human rights abuses committed by the Israeli military – and published in a booklet on 15 July 2009.²² The booklet contains 54 testimonies of soldiers who participated in Operation Cast Lead. The testimony below, given anonymously, provides evidence of the use of the “neighbour procedure” in violation of the 2005 HCJ ruling:²³

Name: ***

Rank: ***

Unit: ***

Place of incident: ***

Description:

It was the first week of the war, fighting was intense, there were explosive charges to expose, tunnels in open spaces and armed men inside houses. Warfare was slow and basically a very small area was occupied. Every unit, every force had a rather small designated area of several dozen houses only, which they had to take over, and that took a whole week. That is warfare and that took a whole week. They really moved slowly. Close in on each house. The method used has a new name now – no longer 'neighbour procedure.' Now people are called 'Johnnie.' They're Palestinian civilians, and they're called Johnnies and there were civilians there who stayed in spite of the flyers the army distributed before it went in. Most people did leave, but some civilians stayed to watch over the houses. Perhaps they had nowhere else to go. Later we saw people there who could not walk, some simply stayed to keep watch. To every house we close in on, we send the neighbour in, 'the Johnnie,' and if there are armed men inside, we start, like working the 'pressure cooker' in the West Bank.

Every unit is familiar with a different kind of 'pressure cooker' practice. What do you mean by it?

I'm not sure either about the 'pressure cooker' procedures there, they could be different. Essentially the point was to get them out alive, go in, to catch the armed men. There weren't many encounters. Just a few. In one case, our men tried to get them to come out,

²² http://www.shovrimshatika.org/oferet/index_e.asp

²³ The “neighbour procedure” is a practice whereby Palestinian civilian residents of a conflict zone are used to perform military operations in the area, e.g. knock on doors, check suspicious objects, and to walk in front of soldiers as the army surrounds its targets. In its petition to the Israeli High Court of Justice filed in 2002, Adalah and other petitioners argued that this procedure was placing the lives of civilians in unnecessary danger and amounted to the use of civilians as hostages and human shields. Adalah and other petitioners argued that: “*the Israeli army is a well-trained force, and its purpose by definition, is to perform military assignments without involving civilians, unnecessarily endangering their lives, and disrespecting their rights to life and dignity*”. Adalah, *Briefing Paper: The Use of Palestinian Civilians as Human Shields by the Israeli Army* (July 2003): http://www.adalah.org/eng/features/humshields/03_07_humshields_briefing.pdf

then they opened fire, fired some anti-tank missiles at the house and at some point brought out a D-9, combat helicopters. There were three armed men inside. The helicopters fired anti-tank missiles and again the neighbour was sent in. At first he told them that nothing had happened to them yet, they were still in there. Again helicopters were summoned and fired, I don't know at what stage of escalation (in the use of force). The neighbour was sent in once again. He said that two were dead and one was still alive, so a D-9 was brought and started demolishing the house over him until the neighbour went in, the last armed man came out and was caught and passed on to the Shabak... The commanders tell what they saw and make sure we know how things work on the inside. They also talked about things that bothered them. They said that civilians were used to a greater extent than just sending them into houses. For example, some of them were made to smash walls with 5 kilo hammers. There was a wall around a yard where the force didn't want to use the gate, it needed an alternative opening for fear of booby-traps or any other device. So the "Johnnies" themselves were required to bang open another hole with a hammer. Talking of such things, by the way, there was a story published by Amira Hass in Haaretz daily newspaper, about Jabalia where a guy tells exactly the same thing. It's the guy who was sent. I saw him afterwards, the guy who was made to go into that house three times. He also told us about being given hammers to break walls.

So you say that, from your own experience, there's truth in these publications.

Yes. It was ludicrous to read it and then hear the response of the army spokesperson that the matter was investigated and there are no testimonies on the ground and that the Israeli army is a moral army. It raises doubts about the army spokesperson's responses in general when you know for a fact that these things actually did take place... Sometimes the force would enter while placing rifle barrels on a civilian's shoulder, advancing into a house and using him as a human shield. Commanders said these were the instructions and we had to do it... Anyway, at the concluding debriefing, he (the unit commander) said he didn't know about these things, and the guys, commanders who had been there the first week, said they saw civilians being assigned to break walls and enter with rifle barrels on their shoulders. He said he didn't know this and would look into it. I think nothing substantial had been done about it, I'm also in touch with one of the officers there at present and I don't know if an investigation was made and nothing was found or that nothing was cleared up. Several weeks later, the story came out in the paper about these exact incidents, where they were given hammers to break walls, in our area, this I can say with certainty.

July 2009

Child rights violations and long-term consequences

- 3.20. Each incident reported above is characterised by the temporary detention and wilful physical ill-treatment of unarmed children coerced into assisting Israeli troops. Therefore,

as well as violating OPAC Article 2, each incident constitutes a violation of the concerned children's right to life, their right to be free from physical or mental violence, abuse, ill-treatment or exploitation, and their right to freedom.²⁴ For 14-year-old Rana, the incident had serious repercussions on her health and education:

Until today I feel dizzy and I cannot go to the bathroom alone and I cannot eat normally because of the injury of my abdomen, the only food that I can have is yoghurt and juice. As a result of my injury my life has become hard; I can not move freely. I was taking care of my grandmother, but now I am in need for somebody to take care of me. The academic year started on 1 September 2007, I do not know how I can go to school in this difficult health condition.

Rana (14), one month after sustaining injuries

3.21. Children interviewed by DCI-Palestine and B'Tselem reported being subjected to the following type of physical and psychological abuse while detained by Israeli soldiers:

- Being slapped repeatedly across the face including while blindfolded;²⁵
- Being punched in the face or in the abdomen including while blindfolded;²⁶
- Being kicked including while blindfolded;²⁷
- Being hit or prodded with a rifle;²⁸
- Being handcuffed for several hours with plastic ties that cut into the flesh;²⁹
- Being forced to sit in painful positions for over 48 hours;³⁰
- Being denied food and water for over 24 hours;³¹
- Being denied access to a bathroom, or denied privacy while using the bathroom;³²
- Being denied adequate clothing in cold weather for at least 24 hours;³³
- Being dragged for 20 metres and pushed against a wall;³⁴
- Being grabbed by the hair;³⁵
- Being shouted at and verbally abused;³⁶
- Being made to fear being shot and then laughed at;³⁷

²⁴ CRC Articles 6, 19 and 37.

²⁵ Case 2 (Ameed – slapped five times); Case 4 (Oday – slapped many times); Case 6 (Khalil – slapped repeatedly); Case 7 (Majed – slapped once).

²⁶ Case 4 (Oday and Ismail); Case 6 (Khalil – twice).

²⁷ Case 6 (Ali and Khalil – kicked in the legs).

²⁸ Case 4 (Ismail – hit in leg and abdomen); Case 6 (all five children prodded with guns while blindfolded).

²⁹ Case 6 (all five children – handcuffed painfully for days, almost without interruptions).

³⁰ Case 6 (all five children).

³¹ Case 2 (Ameed); Case 6 (all children – denied food for over 24 hours); Case 7 (Majed – five hours).

³² Case 2 (Ameed); Case 6 (all children – prevented from using a bathroom for five hours; Khalil and Ali denied privacy when using the bathroom); Case 7 (Majed – prevented from using a bathroom for five hours).

³³ Case 6 (all five children, for over 24 hours).

³⁴ Case 7 (Majed).

³⁵ Case 7 (Majed).

³⁶ Case 4 (Oday); Case 7 (Majed).

- Being detained alone in a room for an undetermined number of hours;³⁸
- Being threatened with physical violence, including being shot, or being imprisoned;³⁹
- Being shot with live ammunition.⁴⁰

I sat in the same spot the whole night until morning. Israeli tanks and artillery were surrounding the trench and firing shells towards Beit Lahiya to the East. At around 7:00pm, I started screaming because I was extremely exhausted, to the point that I burst into tears. I begged the soldiers to untie me and allow me to rest for a while, but one of the soldiers kicked my leg with his boots. It was very painful and I cried more and more, but the soldiers did not do anything.

Khalil (15)

- 3.22. Much of the conduct referred to above contravenes either Article 1 (torture) and/or Article 16 (other cruel, inhuman or degrading treatment or punishment) of the *UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1984), which the State Party ratified in 1991.⁴¹
- 3.23. Most of the children who told their stories confessed to being terrified and crying out of fear or pain. Even when they were physically unharmed, it is clear that many of the children detained by Israeli troops and compelled to carry out dangerous military tasks have been psychologically scarred. The extent of the psychological impact of their terrifying experience is of course impossible to assess.

I am sometimes ashamed to talk about things in detail with people I do not know. I am also afraid to tell people about the difficult situation I experienced, which I do not like to remember. I don't even talk about it with my mother. I prefer to forget, and sometimes I cry when I remember.

Majed (9)

Accountability

- 3.24. The 2005 ruling of the Israeli High Court of Justice appeared to demonstrate an intended shift in the policy and practice characterising the Israeli army's use of Palestinian civilians as human shields in military operations. However, as illustrated through the 2007-2009 incidents above, the Israeli army continues to use Palestinian civilians,

³⁷ Case 7 (Majed).

³⁸ Case 6 (Khalil – detained in a bathroom for half an hour).

³⁹ Case 2 (Ameed – verbally threatened to be shot); Case 3 (Jihan – verbally threatened to be put in prison); Case 7 (Majed – visually threatened with being killed).

⁴⁰ Case 5 (Rana – shot in leg and abdomen).

⁴¹ The UN Committee Against Torture reviewed Israel's Fourth Periodic Report under the *UN Convention Against Torture* in May 2009 and issued Concluding Observations (CAT/C/ISR/CO/4) (14 May 2009): <http://www2.ohchr.org/english/bodies/cat/docs/cobs/CAT.C.ISR.CO.4.pdf>

including children, as human shields in violation of International Humanitarian Law, International Human Rights Law and in contempt of the 2005 HCJ judgment, with near total impunity. Letters of allegations from human rights organisations have so far either remained unanswered, or were typically answered with empty assurances that the incidents would be investigated. To date, little if any attempt at accountability ever followed internal investigations on the use of civilians as human shields.⁴² Therefore, although the Israel HCJ has sought to strengthen the legal framework on the army's use of civilians as human shields, there has been little impact on the ground.

3.25. That being said, in the month of June 2009, Israeli authorities appear to have taken initial and unexpected steps to respond to civil society allegations:

3.26. In April 2009, the Israeli human rights organisation Adalah⁴³ wrote to the Deputy State Attorney demanding an investigation into the ongoing use of Palestinian civilians as human shields in violation of the 2005 HCJ ruling. The letter contained details of six incidents involving the use of human shields during Operation Cast Lead; two of the victims were under 18. On 21 April, Adalah received a response from the Military Advocate General (MAG), stating that the allegations were being examined. No communication followed. A reminder letter was sent on 18 June 2009, with details of yet another incident involving a 14-year-old child. On 22 June, Adalah received a response from the military attorney on operational issues stating that the military was investigating their claims. On 2 July, the military police investigation branch (Mitsach) called Adalah to ask for details about three of the Operation Cast Lead victims. On 6 July, Adalah forwarded details of yet another case, in which a father and his 14-year-old son were used as human shields. Mitsach requested meetings with the three victims it had asked for details about, although Adalah's letters of allegation contained 11 cases. The victims met Mitsach representatives at the Erez crossing on Monday, 13 July; one of them is one of the children used as a human shield on 5 January 2009 in Gaza (Case 6 in the present report); he was accompanied by his mother.

It is unusual for Mitsach to want to meet with victims of human shields incidents. Invariably, MAG eventually responds to letters with a declared intention to investigate the alleged incidents. These investigations are internal, conducted by the military itself, and we are seldom informed of their process or outcome.

Rana Asali Adv., Adalah

⁴² To DCI's and Adalah's knowledge, no indictment ever followed investigations carried out into human shield allegations. However, according to media reports in October 2007, the Israeli Army's Chief of Staff Gabi Ashkenazi chastised Brigadier General Yair Golan, the outgoing commander of the Israeli forces in the West Bank, and delayed his promotion for at least nine months because under his command, Israeli soldiers had used Palestinians as human shields. See: http://www.adalah.org/eng/pressreleases/pr.php?file=07_10_28-1

⁴³ Adalah - The Legal Centre for Arab Minority Right in Israel: <http://www.adalah.org/eng>. Adalah led a group of seven Israeli organisations that petitioned the High Court of Justice on the issue of human shields in 2002, that eventually led to the 2005 ruling.

- 3.27. On 28 April 2009, DCI-Israel sent a letter to the Israeli Ministry of Defence and the Israeli Ministry of Justice concerning the Israeli army's use of children as human shields.⁴⁴ The letters listed five incidents documented by DCI-Palestine and requested that the authorities take action to hold perpetrators to account [see **Annexure C**]. No immediate response was received and DCI-Israel wrote again on 11 May and 24 May, this time requesting an acknowledgment of receipt. At the date of publication of this report, the Ministry of Justice has still not responded to these letters. The Ministry of Defence responded mid- May confirming receipt of the 11 May letter [see **Annexure C**]. DCI-Israel emailed the Ministry of Defence on 10 June thanking them for their response and urging them to submit detailed answers to our questions. The Ministry responded on 17 June that the incidents mentioned in our letter were being investigated and further details could not be shared until the investigations were completed [see **Annexure C**].
- 3.28. Finally,⁴⁵ on 8 July 2009, the Office of the UN Special Representative of the Secretary-General (SRSG) on Children and Armed Conflict received a telephone call from the Israeli mission in New York requesting further information on the human shield allegations included in the SRSG's submission to the Human Rights Council at its 10th session.⁴⁶ The SRSG referred this query to the Israel-OPT 1612 Working Group on Children and Armed Conflict, of which DCI-Palestine is a member.⁴⁷

4. Use of Palestinian children as informers

Executive summary

- 4.1. The use of civilians as informers to assist the enemy power constitutes a war crime.⁴⁸ The Israeli military continues to seek to recruit Palestinian children as informers through coercive interrogation techniques despite the October 2005 Israeli High Court of Justice ruling that banned this practice.⁴⁹ Since 2007, DCI has collected at least five statements from children who allege that they were asked to become informers under duress. Children coerced into assisting the occupying power are exposed to lethal threats, yet

⁴⁴ Letters were sent to both the Minister and to the human rights department of the Ministry of Justice.

⁴⁵ In July 2008, DCI-Palestine submitted a report to the UN Human Rights Council on the use of Palestinian children as human shields by the Israeli army for Israel's examination by the Council under the Universal Periodic Review (UPR) mechanism. The matter was briefly raised during the three-hour interactive discussion among the 47 members of the Council but no specific recommendations were adopted on the matter.

⁴⁶ See paragraph 3.18. of the present report.

⁴⁷ UN Security Council Resolution 1612 on Children and Armed Conflict, adopted in July 2005, established a monitoring, reporting and compliance mechanism on six grave child rights violations occurring in conflict (including recruitment or use of children in hostilities). The Israel-OPT monitoring and reporting mechanism (1612 Working Group) was established in April 2007 and includes UN agencies and international and local NGOs; it reports regularly to the SRSG's office, which forwards data to the Security Council Working Group on Children and Armed Conflict, mandated to make recommendations to the Security Council.

⁴⁸ See paragraph 4.8. of the present report.

⁴⁹ *Adalah versus Military Commander of the West Bank* (HCJ 3799/02).

totally isolated by their shameful secret and thus helpless. To DCI's knowledge, investigations have never been carried out and perpetrators remain unpunished.

Recommendation:

- 4.2. *The State party should take immediate steps to ensure compliance with OPAC and the 2005 ruling of its own High Court of Justice and adopt measures to ensure that all cases involving the Israeli Security Agency's attempted recruitment of under-18s as informers are thoroughly and impartially investigated and those found responsible are brought promptly to justice.*

Definition

- 4.3. A common practice used by Israel to gather intelligence on potential Palestinian resistance and ultimately strengthen its occupation of the Palestinian territory is the recruitment of Palestinians, including under-18s, as informers for the Israeli intelligence. The task of an informer is to monitor and report on the movements of people in his/her area of residence or any other assigned area. Usually, the informer reports directly to his recruiter or indirectly through the head of the local or regional informers' ring.⁵⁰
- 4.4. The body responsible for recruiting Palestinians as informers is the Israel Security Agency (ISA), also known as the Shabak, and formerly known as the General Security Service (GSS). The Shabak is an Israeli domestic agency responsible for intelligence gathering; it carries out covert operations in the OPT, conducts interrogations of Palestinian detainees, and recruits informers and other types of agents. The Shabak reports directly to the Israeli Prime Minister.⁵¹
- 4.5. Israel's tight control over most aspects of Palestinian life greatly facilitates the task of recruiting informers, including children. Each year, approximately 700 Palestinian children from the West Bank are arrested on suspicion of threatening the security of the State of Israel⁵² and are interrogated and detained by the Israeli army.⁵³ Palestinian children as young as 12 are commonly arrested by Israeli soldiers – often in the middle of the night. The child is typically handcuffed, blindfolded and thrown in the back of a military jeep without any knowledge of why or where he/she is being taken. Children are often mistreated during the transfer process and arrive at the interrogation and detention

⁵⁰ DCI-Palestine, *Use of Children in the Occupied Palestinian Territories* (August 2004): <http://www.dci-pal.org/english/publ/display.cfm?DocId=277&CategoryId=8>, page 30.

⁵¹ DCI-Palestine, *Use of Children in the Occupied Palestinian Territories*, page 29

⁵² In 2008 the most common offence Palestinian children were charged with under Israeli military law, was stone throwing. See DCI-Palestine, *Palestinian Child Prisoners: The systematic and institutionalised ill-treatment and torture of Palestinian children by Israeli authorities* (11 June 2009): <http://www.dci-pal.org/english/publ/display.cfm?DocId=1166&CategoryId=8>, page 6.

⁵³ *Ibid*, page 8.

centres traumatised, tired and alone. During interrogation, they are denied access to a lawyer and subjected to a number of prohibited coercive techniques including slapping and kicking; painful position abuse; solitary confinement; sleep deprivation; and a combination of physical and psychological threats.⁵⁴ It is at this stage – when the child is most terrified and still ignorant of his/her fate – that the interrogator offers to release the child if he/she accepts to become an informer, thus turning the child’s vulnerability into a means of obtaining information. Other incentives used include offers of money or employment in Israel. The Shabak also frequently resorts to threats and blackmail.⁵⁵

- 4.6. Detainees forced to choose between the lesser of two evils cannot be seen as becoming informers by choice. In view of this, and the fact that informers are placed into considerable danger by virtue of their spying activities, DCI-Israel and DCI-Palestine consider this practice to amount to forced participation of children in hostilities.

Prohibition under international law

- 4.7. The Shabak’s use of Palestinian children (under 18) as informers contravenes OPAC Article 2.⁵⁶
- 4.8. Under the *Rome Statute of the International Criminal Court*, “*compelling the nationals of the hostile party to take part in the operations of war directed against their own country*” is prohibited and considered a “*serious violations of the laws and customs applicable in international armed conflict*” and a war crime.⁵⁷
- 4.9. Further, Article 31 of the *Fourth Geneva Convention* prohibits parties from seeking to obtain information from civilians through physical or psychological pressure: “*No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.*”

Prohibition under Israeli domestic law

- 4.10. In the October 2005 Israeli High Court of Justice ruling on the use of human shields the then Chief Justice Aharon Barak expressed his opinion that protected residents could not

⁵⁴ *Ibid*, page 6.

⁵⁵ “*Shabak uses various ways to recruit collaborators. Frequently, it begins with an order to the local Shabak officer who will evaluate the prospective agent’s vulnerability and weaknesses and then decide whether to pursue recruitment or cease the attempt. In many cases, the Shabak officer will use blackmail to recruit collaborators, even in the face of initial firm resistance. In other cases, the Shabak officer will force the prospective agent into a dilemma, whereby he or she will have to choose between the lesser of two evils. There are many cases where Shabak refused to grant a Palestinian a travel permit to transfer a sick relative to a hospital in Jerusalem, unless he or she agrees to work for Shabak.*” DCI-Palestine, *Use of Children in the Occupied Palestinian Territories*, page 30.

⁵⁶ Refer to paragraph 3.6. of the present report.

⁵⁷ Article 8(2)(b)(xv) of the *Rome Statute of the International Criminal Court* – reflects customary international law.

be used by the occupying army for purposes related to the war.⁵⁸ *"The civilian population is not to be used for the military needs of the occupying army. They are not to be "volunteered" for cooperation with the army. From this general principle is derived the specific prohibition of use of local residents as a "human shield". Also derived from this principle is the prohibition of use of coercion (physical or moral) of protected persons in order to obtain intelligence."*⁵⁹

- 4.11. On the same grounds, the ruling also ordered the army to revoke the *"prior warning procedure"*, allowing soldiers to use consenting Palestinian civilians to pass messages to wanted persons – a practice which had resulted in the killing of a civilian. Justice Barak went on to state that: *"You cannot exploit the civilian population for the army's military needs, and you cannot force them to collaborate with the army."*⁶⁰

Incidents

- 4.12. Despite these prohibitions, there is evidence that the Shabak continues to seek to recruit Palestinian children as informers. In recent years, DCI-Palestine has not collected any testimonies from Palestinian child informers.⁶¹ An informer is perceived in Palestinian society as a type of 'collaborator', that is to say, a person who knowingly cooperates with the Israeli authorities against the interests of the Palestinian people and their national cause.⁶² If exposed, 'collaborators' are likely to be subjected not only to personal violent retributive attacks but also to harsh sentencing – including death sentences – under the jurisdiction of the Palestinian National Authority or Hamas authorities in Gaza.⁶³ The issue is extremely sensitive, and researching cases is difficult, as 'collaborators' (and former 'collaborators') cannot speak openly about their experience, and even just asking questions may put them at risk.
- 4.13. The events below were documented by DCI-Palestine in 2002. Although the incident itself falls outside the reporting period, it gives a striking example of the danger to which Palestinian 'collaborators', even children, are exposed within their community and judicial system.

⁵⁸ Refer to paragraph 3.8. of the present report.

⁵⁹ *Adalah versus Military Commander of the West Bank* (HCJ 3799/02).

⁶⁰ <http://www.acri.org.il/eng/story.aspx?id=250>

⁶¹ See 2002-2004 case studies in DCI-Palestine, *Use of Children in the Occupied Palestinian Territories*, pages 31-35.

⁶² *Ibid*, page 30.

⁶³ *"After the establishment of the Palestinian State Security Court in 1995, Palestinian collaborators, when caught, were tried there. The State Security Court quickly established a reputation for its failure to guarantee a fair trial. According to the Israeli human rights organisation B'Tselem, the Court issued 18 death sentences to suspected collaborators from 1995 to October 2002. Of these, two sentences were implemented and the defendants executed. In late 2003, the Court was dismantled as a result of internal and external pressure on the PA."* *Ibid*, page 31.

Case 8**Case 8 - Jihad and Khaled Kamiel (17)**

On 1 February 2002, Jihad Kamiel (17), Khaled Kamiel (17) and Mahmoud Kamiel (32) were arrested by the Palestinian police force within hours of killing Osama Kamiel, a Palestinian Preventative Security officer and member of Fateh. During the investigation, Jihad, Khaled and Mahmoud confessed to collaborating with Israel and to the killing of Osama Kamiel. On 5 February 2002, the State Security Court sentenced Mahmoud Kamiel to 15 years for incitement to commit murder and for collaborating with the occupation; Khaled and Jihad were sentenced to death for murder and collaborating with Israel. Their sentences were reduced to 15 years, given their status as minors.

As a result of these verdicts, nearly two thousand Palestinian protestors gathered outside the Court and demanded the execution of the collaborators. The demonstrators attacked the Court and shot dead the three accused persons. Palestinian NGOs laid the responsibility on the Palestinian police forces, since they could not protect the defendants. The police forces laid the responsibility on the Israeli occupation, which demolished the original Court facility in Jenin, forcing it to re-locate to an alternative rented building difficult to protect. In addition, the police headquarters added that if the police were to prevent the angry mob of people from entering the court, it would lead to the killing and injury of a large number of people and police.⁶⁴

- 4.14. For these reasons, child detainees and former child detainees interviewed by DCI-Palestine seldom acknowledge being asked to become informers during interrogation, let alone accepting. This is especially the case with children interviewed while still in detention, in the presence of other Palestinian security detainees. Yet, in its 2004 research on the subject, DCI-Palestine published the results of a survey in which 25 out of 40 former child prisoners interviewed reported having been asked or pressured to become informers by the Israeli authorities.⁶⁵ In the last three years, DCI-Palestine collected at least five such (solicited and unsolicited) reports from under-18s. In the best interests of these children, DCI-Palestine did not pursue these cases further. Below are summaries of three of these cases; full affidavits and photographs can be found in **Annexure D – Cases 9-11**.⁶⁶

Case 9

- 4.15. A 17-year-old boy from Hebron was arrested on 28 May 2007 and held for 35 days in solitary confinement. He was threatened, exposed to cold temperatures for prolonged

⁶⁴ *Ibid*, page 31.

⁶⁵ *Ibid*, page 31.

⁶⁶ Affidavits for the two other cases documented by DCI-Palestine are only available in Arabic.

periods of time and interrogated for 20 days. In this context, he was asked to become an informer.

Case 9 – Abdullah J. (17)

Abdullah J. (17), from Hebron, was arrested on 28 May 2007 after being summoned to the District Coordination Office. He was handcuffed, blindfolded and his legs were tied before being taken to Askelan Detention Centre. He was charged with planning to kidnap a settler. Each interrogation session lasted for two hours, between which Abdullah would be held in solitary confinement in a cold air conditioned cell. The interrogator threatened to demolish his home and asked him to become an informer for Israel. Abdullah spent 35 days in solitary confinement without being allowed to change his clothes. In total he was interrogated for 20 days

19 July 2007

Case 10

- 4.16. A 17-year-old boy from Bethlehem was arrested on 25 July 2008 and held in Etzion for eight days without charge. He was then transferred to Etzion Interrogation and Detention Centre and asked to cooperate with the Israeli authorities. After he refused, he was placed in administrative detention and remains in prison today, on the basis of secret evidence and without trial.

Case 10 – Mohammad B. (17)

Mohammad B.'s father was assassinated by an Israeli special unit in March 2008. He was arrested on 16 April 2008 and released a month later for lack of evidence. He was arrested again on 25 July 2008. Israeli soldiers blew up the iron door of the family house and asked for Mohammad by name. He was handcuffed and blindfolded, thrown onto the floor with rifles pointed to his face. He was beaten and shouted at, and asked about the location of some weapons.

Mohammad was then taken to Etzion Interrogation and Detention Centre and kept there for eight days, before being transferred to Ofer prison where he was interrogated: *“The interrogator said that I would be released immediately and I could go home if I cooperated. I asked how I could work with them and he said I have first to say yes, then he would give me the details. I replied: “Shame on you! I am a son of a martyr [person killed by Israeli authorities for reasons related to the conflict] and you are asking me to be an informer and work with you?” He replied that no one would need to know about it. I said that I did not want to work with them and they had no evidence against me.”*

The interrogator told Mohammad that there was a secret file on him and he was put in administrative detention [detention without charge or trial]. At the date of publication of the report, Mohammad is still detained. He has been in administrative detention for nearly a year, since 25 July 2008.

12 August 2008

Case 11

- 4.17. A 16-year-old boy was arrested at midnight on 26 March 2009, handcuffed, blindfolded and interrogated in his village school. He was asked to work as an informer and insulted and physically abused when he refused. He signed a confession under duress and was sentenced to three months imprisonment.

Case 11 – Ma'zouz K. (16)

Ma'zouz was arrested on 26 March 2009 from Haris village, near Nablus, along with many other boys. His hands were tied with plastic ties and he was blindfolded. He was interrogated in the village school by an intelligence officer. *“He was smiling at me. He asked me about my health. He was polite. He asked me to collaborate with him and work as an informer. “All you have to do is tell me about those who carry out military activities targeting state security, especially people your age who throw stones and Molotov cocktails on the road that leads to Ariel [a West Bank settlement],” he said. “I’m not a spy,” I said to him. He became angry and shouted at me “You’ll see what will happen to you, dog.”*

He was later accused of throwing stones at settler cars. During the interrogation, his arm was twisted behind his back and he was slapped across the face, verbally abused, and threatened: *“If you don’t confess, we’ll not allow your brothers to work in Burkan settlement.”* After this, he confessed. He was sentenced in a military court to three months imprisonment and a fine of NIS 500.

20 April 2009

Child rights violations and long-term consequences

- 4.18. Each time a Palestinian child is successfully recruited as an informer, he/she is victim of multiple violations of his/her most fundamental rights: his/her right to life, survival and development, his/her right to be free from physical or mental violence, abuse, ill-treatment or exploitation, and his/her right to freedom.⁶⁷

⁶⁷ CRC Articles 6, 19 and 37.

- 4.19. Child ‘collaborators’ are physically or psychologically coerced into a humiliating, dishonourable and potentially lethal situation in which they may lose everything they have, including their dignity, their family and their life. Yet they are trapped in such predicaments, which are rarely reversible, from the beginning. At the time of the 2005 HCJ ruling on the use of human shields, Justice Barak told the press: *“It is uncommon that there is ever really free will ... Ninety-nine out of 100 times, it's not free will. It is very difficult to confirm will, and I am concerned that when an army unit comes at night, no one will refuse.”*⁶⁸ Justice Beinisch concurred and explained at length: *“When a local resident is asked by a military commander, accompanied by armed army forces, to assist in an act performed against the population to which he belongs, even if the request is made for a desirable objective, the resident has no real option of refusing the request, and therefore his consent – is not consent.”*⁶⁹ The stigma, shame, and fear that must be the burden of children coerced into assisting the occupying power’s intelligence services can only be imagined.

While I was detained in the village school, one of the soldiers violently twisted my arm behind my back while another one slapped me across the face and said “Don’t move! Fuck you, brother of a whore.” That really affected me psychologically.

Ma’zouz (16)

Accountability

- 4.20. The Shabak continues to seek to recruit Palestinian civilians, including children, as informers, through coercion, threats, incentives and blackmail, in violation of International Humanitarian Law, International Human Rights Law and in contempt of the 2005 judgment of the HCJ, with total impunity.
- 4.21. Letters sent by DCI-Israel concerning the subject have so far remained unanswered. On 28 April 2009, DCI-Israel sent a letter to the Israeli Ministry of Defence and the Israeli Ministry of Justice concerning Israel’s use of children as informers [see **Annexure C**].⁷⁰ The letters requested that the authorities provide information on the Shabak’s attempts to recruit child informers. No immediate response was received and DCI-Israel wrote again on 11 May and 24 May, this time requesting an acknowledgment of receipt. At the date of publication of this report, still no response has been received on the matter by either ministry.

⁶⁸ *The Independent*, “Israeli use of ‘human shields’ is judged illegal” (7 October 2005): <http://www.independent.co.uk/news/world/middle-east/israeli-use-of-human-shields-is-judged-illegal-509907.html>

⁶⁹ *Adalah versus Military Commander of the West Bank* (HCJ 3799/02).

⁷⁰ Letters were sent to both the Minister and to the human rights department of the Ministry of Justice.

5. Concluding remarks

- 5.1. The Israeli authorities continue to use, or seek to use, Palestinian children (under 18) as human shields and informers, and to coerce them into assisting their occupier, in violation of International Humanitarian Law, International Human Rights Law, in contempt of the 2005 judgment of the Israeli High Court of Justice, and in flagrant disregard of recommendations issued by UN human rights bodies.
- 5.2. In addition, Israel continues to reject its obligations to implement the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict in the OPT, as demonstrated by the gap in the State Party's initial report on its compliance with OPAC.
- 5.3. The incidents detailed in this report constitute serious child rights violations and war crimes and must be comprehensively and impartially investigated with a view to hold individual perpetrators to account. It is also extremely worrying to observe the total inability of the Israeli High Court of Justice to enforce its own 2005 ruling, which offered much hope for accountability. DCI-Israel and DCI-Palestine urge the Committee to give its consideration to these grave matters and adopt the recommendations below.

6. Recommendations

- 6.1. *The State party should take immediate steps to ensure compliance with OPAC and the 2005 ruling of its own High Court of Justice and adopt measures to ensure that the Israeli army desists from using human shields and that all cases involving the army's use of under-18s as human shields in military operations are thoroughly and impartially investigated and that those found responsible are brought promptly to justice.*
- 6.2. *The State party should take immediate steps to ensure compliance with OPAC and the 2005 ruling of its own High Court of Justice and adopt measures to ensure that all cases involving the Israeli Security Agency's attempted recruitment of under-18s as informers are thoroughly and impartially investigated and that those found responsible are brought promptly to justice.*
- 6.3. *The State party should take immediate steps to ensure that all interrogations of children are audio-visually recorded and conducted in the presence of a lawyer and parent of the child.*
- 6.4. *The State party should immediately amend Military Order 132 and raise the age of majority for Palestinian children to 18, in accordance with Israeli domestic law.*

ANNEXURE A – Testimonies and photographs of cases of human shields

Case 1

Name of victim: Mohammad B.

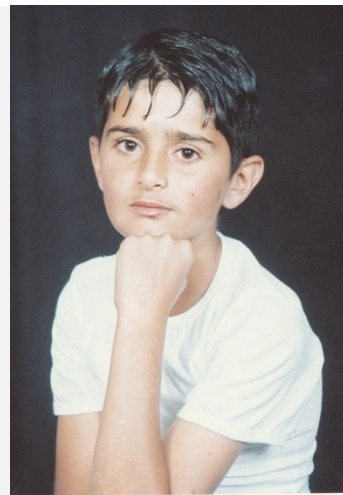
Age at incident: 13

Date of incident: 15 April 2004

Location: Biddu, West Bank

Place of residence: Biddu, West Bank

Affidavit taken from victim by: DCI-Palestine



**Mohammad before the incident.
Photo provided by family.**

On Thursday, 15 April 2004, there was a demonstration but I did not join it. Instead, I went to the roundabout in the centre of the town but did not find anyone there. So I got into a car and went to al-Nabi Samoeal area where we own a piece of land. I found a group of young men aged 20-24 sitting there. I joined them and watched the army. It was around 12:30pm.

I saw a four-wheeler belonging to the army approaching us. I started running and the four-wheeler chased me. There were two armed soldiers on it. I ran for about 50-60 metres and entered a fenced land. The soldiers got off the four-wheeler and came after me. They threw a sound bomb but I did not look back. I kept running and climbed the fence. One of the soldiers came and grabbed me. He slapped me across the face. "Don't slap me," I said to him. "You threw stones," he said. "I didn't throw any stones and you saw us sitting there," I said. He started to insult me. All that happened while I was trying to get away from him.

The other soldier closed the gate and stood there to make sure I didn't run away. Then, he approached us. They each grabbed one of my hands and dragged me on the ground on my abdomen. "Let go of me, I didn't do anything to you," I kept saying while they were dragging me. I clung to an iron rod used for the vines to creep on, but the soldiers kept hitting me to make me let go of the rod. They kept dragging me all the way to the four-wheeler. One of them drove it while the other one grabbed my neck. I tried now and then to lower my legs to the ground. Whenever the second soldier noticed that, he would press hard on my neck.

The soldier drove the four-wheeler for about 200-250 metres until we reached a plain land. The two soldiers pulled me from the four-wheeler. Then, another two soldiers attacked me. There were about four military jeeps and many soldiers in that plain land. The other two soldiers attacked me and kept hitting me randomly all over my body. One of them hit me with his hands, while the other kicked me. A third soldier approached me and grabbed my shoulders. He lifted me and pushed me to the front of one of the jeeps. He forced me to sit on the hood. He took my belt and tied my left arm to the grille covering the windshield. I was kept tied in this position for



Mohammad tied to the jeep as seen in media reports.

Defence for Children International (DCI)

4-5 hours until it was 4:30pm. During this time every soldier that passed me would insult and beat me.

Then, an officer came and slapped me once. "Why are you keeping me?" I asked him. "Sheket bin zuna," the officer said in Hebrew. That means: 'shut up you son of a bitch.' I replied and said 'Don't slap me and don't call me son of a bitch, you're the son of a bitch.' The officer was about 36 years old. He did

this to me 15 minutes after the soldiers tied me to the grille. The young men stopped throwing stones at the soldiers for about half an hour. A soldier with a huge body came to me. He slapped me and punched me in the nose and one of my cheeks. At this point, I cried. Twenty minutes later, 34-year-old Adel Hussein S. from the village came to the place. He was about 20 metres away from the soldiers when they stopped him. They ordered him to take off his trousers. He did so. Then, they ordered him to lift his sweater. He did everything they asked him to. He even lowered his underwear to his feet. After that, they ordered him to put his clothes back on and approach them. At this point, he said to them in Hebrew: 'He's a small child, you should not do that to him.'

The soldiers attacked him all together and tied him as he shouted 'Why are you hitting me?' About 10 minutes later, Rabbi Erick [a Jewish protester] came to the place and started calling soldiers through loudspeakers. He was trying to convince them to let me go. When he approached them, they grabbed him and tied him up and put him next to Adel. The young men at this point started throwing stones at the soldiers, who chased them in the four-wheeler; but they didn't catch any. The soldiers fired tear gas canisters at the young men but the canisters were thrown back. I began coughing and mucus came out of my mouth. I asked a soldier to take me inside the jeep but he responded by saying 'Sheket' – 'shut up' in Hebrew – and slapping me.

The soldiers kept me tied to the grille for 4-5 hours. I was very cold because I was wearing a sweater with short sleeves and the weather was very cold. Then, a soldier untied me and I thought he would release me, but he took me to the back of the jeep. "Get inside," he ordered me but I refused. Two soldiers then grabbed me and threw me inside the jeep. My head slammed against the ceiling. Then, they brought Adel and Rabbi Erick inside the jeep.

They drove us to a hill top where they were bulldozing lands to build the Wall. We stayed there for about 20 minutes on the hill because the jeep was very close to turning over after driving over a rock. Another jeep was driving behind us. The rabbi was sitting next to me and Adel was in front of me. The rabbi took off his jacket and gave it to me to wear. He had tried to give me his jacket earlier, while I was tied to the grille, but the soldiers hadn't let him.

The soldiers pulled us out of the jeep on the hill. Two soldiers walked in front of us, while another two walked behind us. We walked for about 50 metres. Half an hour later, a military jeep came and took us to Hadasha; a well-known area in al-Khalaila neighbourhood of the village of al-Jib. Two soldiers were sitting by the back door of the jeep to guard us while another jeep drove behind us. They dropped us at Hadasha. Two hours later; at around 8:00pm, an old officer came to us. "Who brought you here?" he asked me. "Your soldiers did," I said. "Go home," he said. "It's dark and I cannot get home alone. You take me," I said. "Get lost," he said.

I went down while Adel and Erick stayed. I reached the street and found it full of soldiers, so I went to another street and headed to one of the nearby houses in al-Khalaila neighbourhood. I found people inside and they asked me: 'What's wrong.' I told them my story and they brought me food and a sweater. I called my father from the house and my uncle's friend came about an hour later. He took me to his house. Ten minutes later my aunt came and took me back to my house. I reached the house at around 9:30pm.

6 May 2004

Affidavit from Mohammad's father

On Thursday, 15 April 2004, at around 1:30pm, I was working as a taxi driver. I drove passengers from al-Nabi Samoel. Then, I received a telephone call from Mohammad's uncle telling me that the soldiers had caught my son Mohammad. I drove to the plain land. I saw two Israeli jeeps about 300 metres away. My son Mohammad was tied on the hood of one of the jeeps and soldiers were surrounding the place. When I saw this, I tried to go to the soldiers to rescue my son but young men kept shouting at me to come back, as they thought the soldiers would open fire at me. I came back to where I was and stood there looking at Mohammad. My tears rolled down and I did not know what to do for him. I stood there for about two hours. It was a horrible scene. I wanted to reach my son but I could not.

At around 2:30pm, I saw the soldiers untying my son and putting him inside the jeep. They took him in the jeep to the top of the mountain along with Adel and the Rabbi. They kept them on the mountain for about half an hour. Then, they took them to the entrance of the village in another jeep. At around 6:00pm, my mobile phone rang. A young man I didn't know said "I'm a bulldozer driver. Don't worry, your son is with me," and hung up. I tried to call him back but I could not get hold of him.

At around 7:30pm, my mobile phone rang. "Father, it's me Mohammad. They released me at Hadasha," Mohammad said. "Go home," he added. "Stay where you are," I said to him. "I



**Mohammad (top right), his parents and siblings.
Photo provided by family.**

came to a house and told its residents about my story,” he said. “Stay where you are until someone comes and picks you up from al-Khalaila neighbourhood,” I said to him.

We could not get to where he was because it was crowded with soldiers. One of my sisters went there and brought him back to the house. I felt sad and humiliated. I was ready to sacrifice my life so that Mohammad would not experience what he had experienced. I was ready to do the impossible for my only son. I would give away my life for him.

Before his aunt brought him home, I could not believe that I would ever see him again. His sisters kept crying and begging me to bring him back. I cried and drove the car away because I could not bear their crying and sadness over their brother. I, his own father, could not protect him from the soldiers. I kept thinking they would humiliate me in front of my son or humiliate my son in front of me. I now live in a rented house. I was planning on building a house on a piece of land given to me by my father, but it was confiscated to build the Wall.

6 May 2004

Case 2

Name of victim: Ameed E.

Age at incident: 15

Date of incident: 26 February 2007

Location: Nablus

Place of residence: Nablus, Old City

Affidavit taken from victim by: DCI-Palestine



Ameed shortly after the incident. Photo taken by DCI-Palestine.

On Monday, 26 February 2007, at about 5:00am, I was woken up by sounds of intense gunfire and sound bombs. However, I stayed in bed. I was asleep in my

room in my house located in Tulkarm-Nablus Street, known by Haifa Street, 20 metres away from as-Salam Street. I also heard sounds of engines. I immediately got up and turned on the TV to watch the al-Afak local channel. I read on the news ticker that the Israeli army had invaded the city of Nablus. A few minutes later, I heard knocking on the door of our house. My mother went and opened the door. She moved back when she saw the Israeli soldiers at the door, as she explained to us later. One of the soldiers threw an object, and she thought it was a stone. Within seconds, the object exploded, creating a deafening sound.

I left the room and headed towards the kitchen, five metres away from the door of the house. Our house is located on the second floor with stairs leading to the main street. My mother then called us and asked us to leave the house. We left the house, my half brother Ahmad (27), his wife (22), his daughters Shahad (2) and Wa'd (1), my brother Arafah (12), my sister Manal (17), my grandmother (75) and I.

We reached the balcony, adjacent to the main entrance of the house. One of the soldiers, wearing a khaki uniform and a helmet, and carrying a weapon, ordered me to lift up my shirt. I did so. He then asked me to approach him. When I approached him, he grabbed my hands and pushed me towards another soldier, who pushed me again towards another one and so on. There was about 12 soldiers who kept pushing me around. Their faces were painted. They did the same thing to Arafah and Ahmad. Then the soldiers gathered us on the main street, and forced us to walk ahead of them at gunpoint. They herded us to Q.'s house [a neighbour's house], adjacent to our house on the west.

When we reached the neighbours' house, we found a number of soldiers were already there. The Israeli soldiers had broken into the neighbours' house before they came to ours. The soldiers were holding the 11 family members, seven of them were children, in the living room. The living room was a large room, about 40 square metres. It had a set of couches on one side and one couch on another side. It had no bathroom. All the family members were sitting on the couches, and we were ordered to sit in the other corner of the room. Some of the soldiers were in the room

where we were detained, and a number of them were stationed at the entrance of the room.

A few minutes later, one of the soldiers pointed at my sister Manal and asked her to go to him. She was absent for some five to 10 minutes, and then returned but we did not know what was going on in there. They called my brother Arafa and he was gone for five to 10 minutes and then returned. I did not speak to him and I did not know what had happened to him either. After that, the soldiers called my other brother Ahmad. They took him to the kitchen and began interrogating him loudly. They asked him about my brother Amr while slapping him across the face several times. Afterwards, they brought him back to the room while slapping him, and forced him to sit alone in one corner. They then called my mother and interrogated her for about 10 minutes. Once again, they called Manal and interrogated her. I learned later that she gave the same answer given by my mother.

The soldiers called me again and pointed at the house located on the east side of our house. I said it was my paternal uncle's house. They asked me to walk in front of them. Four of them followed me with their weapons loaded and ready to shoot. I was neither blindfolded nor handcuffed. After walking 10 metres away from the living room towards the stairway of our house, they ordered me to go to my uncle's house and ask them to leave the house. I headed to my uncle's house, whereas the soldiers stood on the stairway. I knocked on the door and asked everybody inside to leave the house. They all came out and there were six of them; Muhammad, Sameh, their mother, their sister and their two nieces.

The soldiers began searching Muhammad and Sameh and then we all headed back to the place in which we were held, 20 metres away. The street was full of military vehicles. We all, 26 people including 14 children, were detained in the living room of Q.'s house. We were not allowed to go to the bathroom and we were denied access to food. However, they allowed us to drink some water; one of the Q. daughters was allowed to bring her mother some water. Thirty minutes later, one of the soldiers called me. Judging from the orders he gave to the soldiers, I believe he was an officer. His uniform did not indicate any rank difference, though. In broken Arabic, he ordered me to go into the kitchen and asked me about my brother Amr. I replied by saying I did not know; a reply that earned me some slaps across the face. He then brought me back to the living room. I cannot recall who was next to be called for interrogation. Anyway, I learned later, after the soldiers pulled out from the area, that they took my brother Arafa to our house, ordering him to open the wardrobe and brought him back.

Once again the soldiers called me and ordered me to accompany them to my uncle's house. There were 12 of them carrying weapons and fully prepared. When we reached the entrance of the house, they asked me to open the door and walk into the house. It was difficult for me to open the door because I could not see it clearly. The soldiers had thrown a smoke bomb in the place; a practice followed by the soldiers when they raid houses in order to suffocate people inside. However, I did manage to open the door and they walked behind me. Whenever there was a door, the soldiers would ask me to open it, walk into the room, and then start shooting after asking me to step aside. Sometimes they would ask me to go to a specific corner before starting

OPAC Alternative Report

to shoot. They fired about eight bullets inside the house and one or two towards the main entrance of the house. We spend about half an hour inside the house where the soldiers searched the whole place.

The soldiers then asked me to walk in front of them towards our house. This time I was terrified because the soldiers were shooting and forcing me to walk in front of them towards our house 20 metres away from as-Salam mosque. After searching our house, they brought me back to the Q. house. Five minutes later, they called me again and asked me to go back to my uncle's house and open its windows. Four soldiers were walking behind me ready to shoot. When we reached the house, the four soldiers stood on the stairway and asked me to go inside and open the windows. I did the job, and then left the house and sat for a while on the stairway. One of the soldiers asked me if I had opened all the windows and I replied yes. We spent five minutes there and they brought me back to the confinement room of Q.'s house. After a while, they called my cousin Sameh, who had followed us with his brother Muhammad minutes after we were forced to leave the house. He was gone for about 15 minutes.

The soldiers asked about our identification cards, but my brother Ahmad had left his identification card at our house. Ahmad asked one of the soldiers to let me go and fetch it. The soldier agreed. Therefore, I headed to the house without an escort, brought Ahmad's ID and handed over to the security officer. A couple of minutes later, I saw the security officer handing back the ID to Ahmad. Then I saw the soldiers handcuffing my cousins Muhammad and Sameh and Basim, one of the Q.'s and putting them inside one of the jeeps. They then pulled out of the area.

The Israeli incursion started at 5:00am and lasted until 7:30am. The Israeli soldiers forced me to walk in front of them three times; the first time to my uncle's house, the second time to our house to search it, and the last time to open my uncle's house windows. They shot some bullets while walking behind me. I was interrogated and slapped on the face five times. In addition to that, the security officer threatened to shoot me if I had not confessed.

20 March 2007

Case 3**Name of victim:** Jihan D.**Age at incident:** 11**Date of incident:** 28 February 2007**Location:** Nablus, Old City**Place of residence:** Nablus, Old City**Affidavit taken from victim by:** DCI-Palestine

On Wednesday, 28 February 2007, at about 5:00am, I was woken up by the voices of Israeli soldiers announcing curfew through loudspeakers. I was sleeping in my room along with my sister Hanan (15), my brother Muhammad (16) and my 23-year-old aunt. My room is part of an old building located in the Old City of Nablus. We live on the second floor. The rented house is divided by a 20 square metre yard. The first section of the house, where my room is, is 40 square metres and it has its own bathroom. My grandparents live in the room adjacent to my room. There was another room in this section of the house but it was demolished during previous Israeli incursions into the old city. The other section of the house, where my parents live, is composed of two rooms, a corridor and a small kitchen. In other words, our house is an old building with two houses adjacent to each other, separated by a 20 square metre yard and is on the second floor, whereas the first floor is abandoned.



Jihan, shortly after the incident. Photo taken by DCI-Palestine.

Our house is in al-Ato'ut neighbourhood, 50 metres away from an-Nasr Street in the centre of the Old City, and almost 300 metres to the east of Shuhda circle, in the centre of Nablus. I woke up and heard the soldiers saying through loudspeakers "No walking on the streets; a danger to your life" and I heard sounds of sporadic explosions. After a couple of minutes, my aunt Neda' woke up, as well as my siblings, and we all headed to the other section of the house, my parents'. We all gathered in the bedroom and started looking out the windows to watch the movements of the Israeli army. I saw a number of armed soldiers dressed in khaki uniforms and big caps. After an hour and a half of being inside the room, and because it was not dark outside, I was able to see the soldiers breaking down some doors in the neighbourhood using iron tools and hammers. When I saw them, I retreated to the room and joined my aunt and my siblings, whereas my parents were outside the room next to the kitchen door.

At around 8:00am, armed soldiers, dressed in dark green uniforms - the Israeli army uniform - stormed our house by climbing the stairs to the second floor. When the soldiers reached the main entrance to the second section of the house, my mother was standing by the door. They ordered

her to get all of us out of the room. My mother called us and asked us to leave the room. We all complied and went into the yard. The soldiers, with nothing covering their faces, spoke with my father in Hebrew. We, accompanied by some soldiers, then headed to my grandparents' room and stayed there for about 10 minutes. Ten minutes later, they took us back to the 25 square metre bedroom of my parents', which has two windows that overlook al-Ato'ut neighbourhood, and held us for half an hour. The soldiers left the room and sat on the doorsteps. Then they all left the house. My mother and I went out to the yard. While I was standing there, I heard some loud knocks at the neighbouring house. My sister and I went to our room and looked from the northern window to see soldiers knocking on the doors of our neighbours' house. In the meantime, soldiers were coming and leaving our house. They plugged the digging machine and started digging. However, I was not able to see them actually digging, but I heard sounds of digging until around 3:00pm.

At around 3:00pm, the soldiers, 50 of them, came back and searched the house thoroughly. They spoke with my father in Hebrew and asked him to get us all out and then forced us to go to my room. We all went to my room, whereas my grandparents were allowed to go to their room. The soldiers did not enter the room. Instead, some of them stayed in the yard, and the rest went into my parents' room. At around 7:30pm, my parents went to the kitchen on the other side of the house to fix dinner for us, after my father had spoken with the soldiers. My room door was open and one of the soldiers was standing there.

Fifteen minutes later, my mother came back with the food thinking that my father was already with us in the room. We did not know where he was. She went out to the hall, and called his name. Afterwards, she came back saying that the soldiers had taken my father out of the house to interrogate him. We sat to eat dinner where everything was quite normal and the soldiers were outside the room. By the time we finished our meal, my father came back and told us that he had been taken away for interrogation. My mother and aunt went back to the kitchen to fix him something to eat and my brother Hamza followed them.

While we were in the room, an armed soldier, wearing a purple T-shirt and military trousers with uncovered face, entered the room and called my father's name. My father answered and left the room. I tried to look but the soldier shouted at me "Go inside." Fifteen minutes later, the same soldier pointed at my sister Hanan and I to go outside the room. We did so as my father entered the room. We went out into the yard, and saw many soldiers there, apart from those standing by the door of the room. A few minutes later, my mother walked out of my grandparents' room. I learnt later that she had not been allowed to come back to my room after she had left it to prepare dinner for my father. My mother then took us inside my grandparents' room. The interrogator came into the room and screamed "Jihan" and he was nervous. He gripped my shoulder and took me to the yard. He started interrogating me in Hebrew and another soldier was doing the interpretation. He asked me "Where are the fighters?" "Where are the tunnels?" threatening me to put me in prison. He brought handcuffs and threatened to handcuff me. He actually tried handcuffing me but I pulled my hands back. He asked me so many

questions that I had to give up. I told him about this house located to the south, where some young men come there once in a while; something known to the locals. The multi-storey house had been abandoned for years and is adjacent to some houses in the neighbourhood. I had visited the house when it was still inhabited several years ago; its residents were known to us and we used to visit each other.

It was around 8:30pm when the interrogator asked me to accompany him to show them the house; something I did not oppose. I walked in front of the soldiers who were armed and ready to shoot. The area was quiet and no one was there. The investigator and a number of soldiers, I do not know how many, followed me. The house in question was 50 metres away, to the south of our house. When I pointed at the house, two soldiers brought me back to my house without uttering a single word. I entered my parents' room to find it full of soldiers. Some of them were lying on the bed, some of them sitting on the floor, and one soldier was standing behind me. None of the soldiers said a word, except one soldier asked me my name. I replied I am Jihan. They had no female soldier and none of them spoke with each other or moved.

Ten minutes later, the two soldiers who brought me back to the house walked into the room with another soldier. One of the soldiers spoke Arabic and asked me to accompany him again to the abandoned house. I walked in front of the three soldiers and we all headed towards the house. For the record, the house consists of three floors and only the third floor is abandoned, whereas people live in the first and second floor. When we reached the house, I saw a number of soldiers surrounding the house especially its entrance. While going up to the third floor, I saw several soldiers on the stairway. I learnt later that the soldiers came together and compiled in the house of one of the residents called J. I also learnt that the soldiers held J.'s family inside their house, as they did with us. None of the soldiers had climbed up to the third floor yet.

The stairway to the third floor was dark; therefore the soldiers switched on the lights on their weapons. I walked into the house; its entrance led directly to the kitchen. As I remembered the kitchen had a door that led to the roof. The soldiers then headed to the roof and searched it. I asked them to take me back to my house but one of the soldiers said "Tell us first where the young men are," but I said I did not know any place else. Therefore, they held me for 10 minutes. Afterwards, they brought me back to the house and one of the soldiers said "Do not tell anyone that you came with us, do not tell anyone that we took you." Another soldier gave me a sweet and a biscuit.

I reached the house and went up to my room accompanied by two soldiers. I was afraid and exhausted. I fell asleep. The next day, the soldiers pulled out from the area and of course out of our house.

24 March 2007

Case 4

Name of victim: Ismail M.

Age at incident: 14

Date of incident: 11 April 2007

Location: Nablus, Balata Refugee Camp

Place of residence: Nablus, Balata Refugee Camp

Affidavit taken from victim by: DCI-Palestine

On Wednesday, 11 April 2007, at about 8:30am, Oday from the neighbouring mechanic shop and I were sitting in front of his shop, located on Kafr Qallil-Nablus Street. At around 10:30am, Israeli military jeeps with three bulldozers passed us and headed towards Kafr Qallil village. I recognised them as Israeli bulldozers by their dark green colour.

Around 10 jeeps parked near the store. Boys from Balata Camp and Kafr Qallil started throwing stones at the jeeps. The soldiers responded by firing sound bombs, tear gas bombs and rubber bullets. Oday and I were watching what was going on. One of the hummer jeeps parked 15 metres away from us. I saw one like that on TV. A soldier, sitting directly behind the jeep driver, opened the door without stepping out and then called Oday in Hebrew by saying “Bo” which means “Come here”.

Oday headed towards the soldier, as I ran into the building adjacent to the shop. Five minutes later, Oday came to me and asked me to accompany him because the soldier asked him to do so. Therefore, I headed to the building owner, a man in his forties and asked him to escort us. He did come down with us to meet the soldiers. The soldiers ordered us to uncover our feet and abdomens, to lift our hands up in the air and turn around ourselves. They then asked us to approach them.

The soldier sitting behind the driver gripped me from my shirt. The doorman at that point warned me that a stone, thrown by boys from the east, was heading towards me. Therefore, I tipped the soldier away from me to avoid the stone. The soldier was hitting my left leg with the butt of his M16 and my abdomen with its barrel, while Oday was being slapped across the face by the jeep commander sitting in the front seat next to the driver. He was slapping him, punching him in the face, the abdomen, and the back, and telling him that he had seen him throwing stones at the jeeps. Oday denied this, saying he had been in his shop. After beating Oday, the jeep commander ordered me to approach him. After I did, he asked me why I was throwing stones at the jeeps, and I replied I was at the shop doing my job. At that point, a blond man with a small camera approached the soldiers and began screaming at them in English. The soldiers were screaming back at him. I could not figure out why. Afterwards, the soldiers asked the photographer to move back. He moved about 30 metres away while taking photos of us.

The soldiers told Oday and I to sit on the bonnet of the jeep, which we did. Some of the boys stopped throwing stones at the jeeps because they saw us. After about 15 minutes, the jeep captain asked us to “Go and tell those boys to stop throwing stones and then come back to us.” While pretending to do so, we ran to another street and headed to our second shop, 300 metres south from where we were. We stayed there until the situation had calmed and then we went back to our houses.

7 May 2007

Name of victim: Oday G.

Age at incident: 14

Date of incident: 11 April 2007

Location: Nablus, Balata Refugee Camp

Place of residence: Nablus, Balata Refugee Camp

Affidavit taken from victim by: DCI-Palestine

On Wednesday, 11 April 2007, at about 8:30am, I arrived at Balata Refugee Camp and opened the motor mechanics shop where I am an employee. It is owned by my paternal uncle. After I opened the shop, business was quiet, so I called Ismail, my friend and neighbour of the shop, to come into the shop and talk to me.

At around 10:30am we were sitting in the shop and heard very loud sounds of vehicle engines. Ismail asked me to go out and see what was going on, so I went out of the shop and saw an Israeli military jeep heading towards Kafr Qallil village on a steep uphill road. I went back inside the shop. After about five minutes, several Israeli military jeeps stormed the area surrounding the shop. Some of the jeeps headed towards the village and some of them stopped outside the shop. There were about five jeeps outside the shop. I was able to recognise them as Israeli military jeeps because they were a light khaki green colour, the colour of the Israeli jeeps which I had seen before.

At this moment, we came out of the shop and sat on some stones in front of the shop, watching the jeeps for about 10 minutes. One of the jeeps parked about 10 metres away from us. A soldier, sitting behind the jeep driver called us by saying in Hebrew “Bo” which means “Come here”.

Ismail ran into the building where the shop was located, whereas I lifted my hands up in the air and headed towards the jeep. When I was about five metres closer, the soldier asked me to uncover my abdomen, calves and legs. They then asked me to turn around and I did so. The soldier then approached me and punched me in the face. He told me to go and get the boy who was with me. I went in the building and called Ismail and Abu Jaber, the owner of the building.

Ismail and Abu Jaber came out of the building and the three of us approached the soldier. When we approached and were about 10 metres away from the same jeep, many soldiers started to call us to come closer to them. The soldier sitting next to the jeep driver said to me "Come here". I went to him. When I approached him, he slapped me across my face and my hands. The soldier was screaming at me in Hebrew at the same time, which I did not understand.

There were boys throwing stones at the jeeps from the camp direction and one of the stones hit me on my right ankle. I told the soldier that a stone had hit my leg but the soldier kept hitting me. Another soldier was prodding his rifle into Ismail's leg. The soldier was short, blond, and had blue eyes and was unshaven. He was wearing a military uniform. He slapped me for about 10 minutes. He then turned to Ismail and told him to come to him.

At this moment, a foreign photographer started screaming at the soldiers in English. The soldiers were screaming back at him. This photographer was about 10 metres away. The soldier that was hitting me pointed his rifle at the photographer. The photographer walked back but was taking photos at the same time.

The soldier ordered us to sit on the bonnet of the jeep. We sat on the bonnet of the jeep. Some of the boys stopped throwing stones at the jeeps. The boys throwing stones knew us, especially Ismail because he is from Balata. We sat on the jeep for about 10 minutes. When we were sitting on the jeep, the soldier said that if the front windscreen breaks, we will be imprisoned and will have to pay for the damage.

After 10 minutes, the soldier said to us "Go and tell those boys to stop throwing stones." We ran to the boys and the soldiers threw tear gas at us and the boys who had been throwing stones. We ran to Ismail's father's shop which was about 400 metres south from where we were. We stayed there for about half an hour and then left with a neighbour to go home.

7 May 2007

Case 5**Name of victim:** Rana N.**Age at incident:** 14**Date of incident:** 11 July 2007**Location:** al-Bureij Refugee Camp**Place of residence:** al-Bureij Refugee Camp, Gaza**Affidavit taken from victim by:** B'Tselem on 8 August 2007

My name is Rana N. I am 14 years old. I live with my family (brother and sisters) in a three-room house; its size is 80 square metres. We live in the East of al-Bureij Refugee Camp, 500 metres from the border with Israel. In the area where we live, there are Israeli soldiers with tanks and shooting. When I hear the voice of the soldiers screaming and the tanks approaching I feel terrified from the screaming of soldiers and the barking of the dogs accompanying the soldiers.



Rana in August 2007. Photo credit: B'Tselem

I sleep at my grandmother's home with my cousin Zeiad (13). My grandmother's house is 25 metres away from our house. I sleep at my grandmother's because my grandmother needs my help because she is old. That's why she needs somebody to feed her and give her water and medicine. My grandmother cannot move easily.

On 11 July 2007, Zeiad and I were sleeping at my grandmother's house. I woke up to the sound of a big explosion, which shook the house and the windows. I was terrified; I saw my grandmother and Zeiad were terrified. We heard the voices of soldiers speaking Hebrew and shouting, in addition to the sound of the tanks that were approaching, and the sound of the airplanes in the sky, the noise continued until 7:00am.

Moments after I woke up I heard banging on the door and a person asked us in Arabic to get out of the house. The banging on the door grew louder, and we did not know what to do, to open the door or not. My grandmother asked me to open the door, I approached the door and I was terrified because the banging on the door was louder and louder.

When I opened the door Zeiad was standing behind me. I saw many soldiers in their uniform, armed, wearing helmets. Their faces were painted black. One of the soldiers asked us to get out of the house and to sit beside the door on the right hand side of the door. My grandmother, Zeiad and I sat on the ground, we were afraid of the soldiers who were standing and directing their weapons toward us.

OPAC Alternative Report

Soldiers conducted searches in the house and around it. After that, they stood near us. One soldier asked me to stand in order to go to my family house which is 25 metres away from my grandmother's house to ask my family to get out of the house.

I ran toward my family's house to tell them to go out of the house. After six metres, I felt pain in my abdomen and fell to the ground. I felt dizzy and could hardly breathe. After that, I felt that somebody was carrying me and I don't know where they took me.

I woke up four days later; my mother was sitting beside me. I asked her where I was. My mother told me I was in Seroka Hospital. I felt severe pain in my abdomen and in my left leg, as a result of the bullets fired by the soldiers. I stayed in Seroka for treatment for 21 days. I suffered pain in my abdomen and felt like the bullets had torn my intestines; and I felt that some parts of my body were not there.



Rana's bullet injury, left leg. August 2007.

Photo credit: B'Tselem



Rana's bullet injury, abdomen. August 2007.

Photo credit: B'Tselem

I have one leg semi paralyzed, and I can hardly move it because of the bullet that hit me. Until today I feel dizzy and I cannot go to the bathroom alone and I cannot eat normally because of the injury of my abdomen, the only food that I can have is yoghurt and juice.

As a result of my injury my life has become hard; I can not move freely. I was taking care of my grandmother, but now I am in need for somebody to take care of me. The academic year started on 1 September 2007, I do not know how I can go to school in this difficult health condition.

8 August 2007

Case 6

Name of victims: ‘Ala A. (15 years old), Ali A. (16), Nafiz A. (17), Khalil A. (15), Hussein (12)

Date of incident: 2-8 January 2009

Location: al-‘Atatra, Beit Lahiya, northern Gaza

Place of residence: al-‘Atatra, Beit Lahiya

Affidavit taken from Ali: by DCI-Palestine on 30 March 2009

I live in Beit Lahiya, 50 metres south of al-‘Atatra circle. My family consists of my father, mother, my brothers Nafiz (17) and twins Fadi and ‘Ala (15).

On Friday, 2 January 2009, at around 4:30pm, artillery shells and missiles from Apache helicopters started falling on agricultural lands and houses nearby. My family and I stayed inside the house and did not leave at all. We could not actually leave the house because of the intensity of the bombardment.

On Saturday, 3 January 2009, at around 10:00pm, I heard two heavy explosions near my house. I heard people and the neighbours shouting. I learned later that the two explosions took place in the house of Khamis A., one of my relatives. His house is located 30 metres south of our house. Because of the loud shouting, I thought some people in Khamis’ house or in the houses nearby had been injured. My family and I kept waking up that night in fear and terror because of the intensity of the bombardment. At around 5:00am, the sound of explosions grew bigger, especially from the area of the G. family’s orchard, opposite our house. The explosions did not stop, so we decided at around 7:00am to go to my uncle Sameer’s house. His house is located west of our house about 50 metres away.

My uncle’s house was much safer than our house. Most of our windows had shattered because of the shells that fell nearby in the G. family’s orchard. My uncle’s house consists of two storeys: the first floor is warehouses and the second floor is an apartment where my uncle Sameer and his family live. My family and I went to my uncle’s house and spent the entire day there. My brother Fadi did not come with us; he went to my grandmother Neema’s house, which is near my uncle’s house. In my uncle’s house, we found my uncle Sameer, his wife, his children Ola (8), Hasna (10), Hussein (12), Ali (5), and Kamal (7), in addition to his married daughter Filastin (19), her husband and her five-month old son. We spent the night at my uncle’s house as the bombardment continued. During the night, Israeli tanks invaded Beit Lahiya and helicopters crisscrossed the sky.



Ali (left) and his brother 'Ala on 26 March 2009, attempting to re-enact the position in which they were detained.

On Monday, 5 January 2009, at around 6:30am, I woke up to the sound of heavy gunfire. I realized that the Israeli army was inside my uncle Sami's house, located four metres north of uncle Sameer's house. Bullets entered my uncle Sameer's house from the west. We all lay down on the ground and began crawling to escape the bullets that came through the northern and western windows of the house. We headed towards a bedroom in the south side of the house. Once we reached the door of the room, bullets started to come from the south, so we crawled east. I saw bullets coming through the eastern windows but did not know from where they were fired. I think the Israeli army had surrounded the house from all directions. I learned later that the Israeli army was on the rooftop of Imad A.'s house, southwest of my uncle's house, 30 metres away. I learned later from my mother that she saw Israeli soldiers on the street east of the house, and I think they were the ones who shot at us from that direction.

My mother and my uncle Sameer's wife began shouting loudly and saying "There are children here!" My mother wrapped a white piece of cloth around a broom stick and they waved it from the southwestern side of the house so that the soldiers would know we are civilians. When they waved the white banner, the soldiers fired heavily at the banner. Suddenly, amidst the fear and terror, I heard the sound of people running. When I heard people speaking in Arabic, I looked out the eastern window, and saw people on the main street near al-'Atatra circle. They were carrying white flags. My father left Sameer's house and went to my grandfather's house nearby to tell my grandfather, uncles, cousins, and my brother Fadi to flee. We, I mean my brothers, my uncle Sameer and his children, would follow them later. Half an hour later, my mother and my uncle's wife were ready, so we went to the stairs to exit and join the local residents, especially since my uncle's house was no longer safe.

My mother went down the stairs and we followed her. Once she opened the front door, located in the west side of the house, I heard Israeli soldiers speaking in Hebrew and shouting at my mother. She was surprised by the proximity of the soldiers to the door, and quickly closed it. At this moment, a huge explosion took place and I think it came from a percussion grenade the soldiers threw at the door. The explosion was so great that it broke down the iron door. I became terrified. We started running back up the stairs to the second floor. I was so terrified that I stepped over one of my cousins. Other people stepped over me. I was so terrified I did not know who stepped over me or whom I stepped over. We all went back to my uncle's apartment. I suddenly heard someone speaking in Arabic and saying "There are children in this house." Another person spoke in broken Arabic and said to him "No, this house has no children. It has militants." I think it was an Israeli soldier because of the way he spoke. I did not recognize the first person whom I heard saying "Sameer, come down, everyone." He meant my uncle Sameer and his children. Then we all went down to the front door.

When I exited the front door, I saw around 50 Israeli soldiers standing in a line against the wall in front of my uncle Sameer's house. They had painted their faces with colours. They were pointing their weapons at us. Most of them were young; I think their ages ranged from 17 to 22. Immediately, one of them dragged my uncle Sameer and placed him on the north side, and then

pointed at my mother, Sameer's wife and her daughter Filastin, and the little children and motioned to them to head south towards Said A.'s house, only five metres away. He then pointed at the rest of us: 'Ala (15), Nafiz (17), Hussein (12), Yasir (Filastin's husband) and me to go join my uncle Sameer. At this point, I saw my cousin Habib A. (36) handcuffed. I think he was the one who called us to get out of the house. I also saw a number of my relatives handcuffed and standing next to each other near the front door of my uncle Sameer's house. They were Abu Nimr A. (53), his son Nimr (27), Saqer (21), Sakhr (20), Samid (19), and Ibrahim Habib A. (18).

I was very scared because the soldiers ordered us to stand in a line against the wall. I thought they were going to execute us. They turned our faces towards the wall and lifted our hands. A soldier then started kicking our legs to separate them. I mean he wanted us to stand with our feet apart. My cousin Hussein (12) was on my right with his father next to him, while my brother Nafiz (17) was on my left. Another soldier started searching us; he searched us after we took off our heavy clothes, keeping only the light layers on.



Ali (left), and his brother 'Ala, enacting the body search for a DCI fieldworker on 26 March 2009

A soldier had pointed at us to take off our clothes before another soldier started searching us. I took off my sweater and trousers, and kept a white shirt and white light trousers on. A fourth soldier started tying our hands to each other with white plastic cords. He tied my right hand to Hussein's left hand and my left hand to my brother Nafiz's right hand. My brother Nafiz's left hand was not tied because he was the last person in line. A soldier came and grabbed Nafiz's hand and walked as the line followed him. We stood in line in the middle of the street. We were 13 people. The soldiers stood behind us with their assault rifles pointed at our backs, and then started pushing us with their rifles.

It was approximately 10:00am when we started walking southeast towards Abu Wael A.'s house,

which was 50 metres away. The soldiers took us inside the house and I saw that a large number of soldiers were already inside; they were around 120 soldiers. Their faces were painted. One of the soldiers searched us once again before we entered the house. They then took us to a room where we saw Abu Wael, his son Ahmad (27), and Khalil (15) [Abu Wael's grandson]. They were tied and blindfolded, and sitting inside the room. We sat in the room for about two hours. My brother Nafiz's mobile phone rang and one of the soldiers took it and put it in his pocket. I think it was my father who was calling. The soldiers then took us out of the room to another nearby room after searching us for a third time. They untied Abu Wael and placed him alone in one of the rooms. They also placed Abu Nimr alone in the kitchen. I do not know why. The rest of us stayed in a separate room. One of the soldiers then came holding small pieces of cloth. He blindfolded us. They tore up clothes from inside the house to blindfold us.

Fifteen minutes later, my cousin Hussein (12) started to cry because the plastic cords were hurting his hands. The plastic cords hurt my hands as well. My uncle Sameer, who speaks Hebrew because he worked in Israel, spoke with the soldiers and told them that his son Hussein is crying because of the tight plastic cords. A soldier came and untied only Hussein. My hand that was tied to Hussein's felt better for a few seconds. Then the soldier tied my left hand to Nimr's. I could see what was going on. The soldier noticed that I could see, so he came over to me and blindfolded me again.

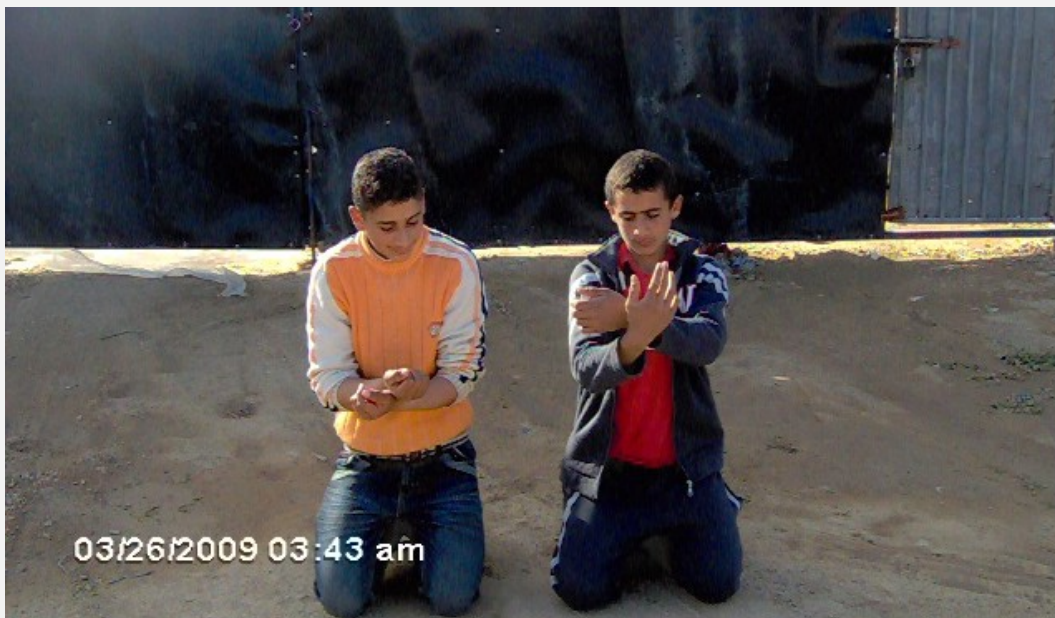
Everyone was shouting to be allowed to use the bathroom. I shouted too, but not because I really needed to use the bathroom, I just wanted them to untie me because the plastic cords hurt my left hand. We kept asking to be allowed to use the bathroom for five consecutive hours. A soldier then dragged all of us to the bathroom. I tried to urinate but could not because the door of the bathroom was open and my hands were tied. I could not lower my trousers. When everyone was finished, they took us back to the room and blindfolded us again. A soldier untied my uncle Sameer and his son Hussein and took them out of the room. They never came back.

We stayed several more hours in the room until the evening when the soldiers took us out of the house and made us stand near Wael A.'s house, which is 10 metres west of his father's (Abu Wael) house. A soldier removed our blindfolds after we stood in a line in the middle of the street. The soldiers were standing behind us. One of the soldiers pointed at us to close our ears as a bulldozer uprooted trees behind Wael A.'s house, and a second bulldozer approached. The bulldozer moved over a mine, causing a huge explosion. At that point I knew why the soldier asked us to cover our ears. The soldiers then took us back to Abu Wael's house. I think they took us out and made us stand in the middle of the street while they stood behind us so that no one would shoot at them. Even if someone had shot at them, the bullets would have hit us instead.

We stayed in Abu Wael's house until 2:00am, Tuesday, 6 January 2009 when the soldiers came and took us out. They led us through agricultural lands and among trees. The branches and leaves kept hitting my face. The ground was muddy. We walked a lot in the dark. I could not see anything because I was blindfolded again. The soldiers surrounded us from behind and in front.

I heard them speaking in Hebrew. I heard their footsteps. I did not know where I was going. Then they took us inside a house. I heard them speaking in Hebrew with other soldiers who were already positioned inside the house. Then they quickly took us out and forced us to stand by the front door for about 10 minutes. Then we walked for about 100 metres. I fell down into what I think was a deep trench. I felt so much pain in my hands because of the sharp incline going down into the trench. The soldiers made us sit and untied our hands. They then tied each one of us individually. They tied my hands behind my back. It was extremely cold. The ground was sandy and damp. I felt a shiver in my body especially since I was wearing light clothes.

While sitting in the trench, I heard tanks and bulldozers and was afraid that they were going to fill it with us sitting inside. After several hours of sitting, I felt it was daylight because I sensed the warmth of the sun. I asked a soldier to let me urinate, so another soldier came and cut off the ties. I urinated close to where I was sitting but I was unable to see anything. I tried to lift the blindfold but the soldier would not allow it. He grabbed the blindfold and lowered it down against my eyes. I urinated and came back to my place. The soldier then tied my hands but in front this time. I asked for some water but he said “Sheket” meaning “shut up” in Hebrew.



Ali (left), and his brother 'Ala, showing a DCI fieldworker how they were handcuffed in the trench

I spent the whole day sitting inside the trench. I heard the sound of artillery fire close by. I also heard the sound of tanks. The soldiers surrounded the trench and would sometimes open fire, I do not know why. The bullets fired from their rifles flew over our heads and the bullet casings fell on us in the trench. The bullet casings were hot, and the sound of gunfire terrified me.

On 7 January 2009, at around 2:00am, the soldiers brought us blankets. I tried to grab one even though my hands were tied. We covered ourselves - Habib, Nafiz, and other people I do not know. We sat next to each other under the blanket. We covered our feet so that we could warm

each other. I tried to lean my back against the earth because I felt my back had stiffened. One of the soldiers came and kicked my feet so I would adjust my posture. I felt much pain in my back from sitting in this position and from the extreme cold. I was sitting with my back straight but I was able to lean forward.

On 8 January 2009, at around 6:00am, a soldier or an officer, I think, said good morning to us in broken Arabic. He told us to stand up in a line, and then ordered us to sit. Everyone was asking for food and water. I sneakily lifted the blindfolded so that I could see what was happening. Our numbers began to increase as soldiers brought more people from the area to the trench. We reached up to 250 people. I saw a soldier giving a sack of bread to an old man so that he can give us all bread after he was untied. Each loaf also contained a piece of meat. The old man gave a small loaf to groups of five people after our blindfolds were removed. My brother Nafiz, Habib and his son Ibrahim, my cousin Hussein, my brother Ala, and I shared one small loaf. Though I was starving, I only ate a little. I wanted water. The man who handed us the bread brought us some water in the empty can that contained the meat. The can was dirty and disgusting. The water smelled like the dirty can, but I drank it because I was very thirsty. The soldiers then forced us to sit in two parallel lines, one line behind the other. They tied our hands behind our backs and once again blindfolded us. They then surrounded us with razor wire.

About two hours later, the artillery positioned near the trench began firing its shells. It really terrified all of us. I heard the empty cases of the shells falling nearby immediately after each shell was fired. The shelling was continuous but not consecutive.

Several hours later, at around 3:30pm on the same day, a huge explosion shook the entire area. Shrapnel and stones fell on our heads in the trench. I learned later that the shelling was targeted at the Maqat family house, about 60 metres to the east. We spent the entire day and night sitting in two lines in the trench and the soldiers did not allow us to lean our backs against the earth. The soldiers were replaced by other soldiers, I suppose, because a female soldier asked us about our ages. I told her I was 14. She also asked the others who seemed young. They removed me, my brother 'Ala (15), my cousins Hussein, Mohammad and Khalil (15) out of the trench and put us with two women with their young daughters and five little boys. I learned later that these women refused to leave their husbands, who were also detained with us, so the soldiers detained them separately. The soldiers surrounded us with razor wire in a three-metre diameter.

The female soldier, the one who asked me about my name earlier, came and spoke some English words. She looked very young, about 17. She had blond hair with two stars on her shoulder. She was very short. One of the girls went and spoke with her in English. When she finished speaking with the soldier, the girl told me that they will release us and we are free to go where we want. At this moment, an old man came. He was sick. He was my 63-year-old cousin Abu Dhiab A. He needed a breathing apparatus. The soldier brought him and placed him with us inside the area cordoned off with razor wire. We were put together.

Ten minutes later, the female soldier returned and spoke in Hebrew with the soldier who was standing near us. I did not understand what she said. The soldier then spoke to us in broken Arabic and said "All of you, go to Jabalia." Everybody, including me, stood up and tried to get out of the trench. Once I was about to reach the top, the soldier took off the shirt I was wearing. He took off my white shirt and pointed at me to keep it lifted high up in the air.

The women, their sons and daughters, the old man, my brother Ala, my cousins Hussein, Khalil, and Mohammad, and I got out of the trench and headed south towards Twam area, the direction the soldier signalled us to walk. We walked for about 60 metres. We fell to the ground in fear when the Apache helicopter flew above our heads. Suddenly, a tank located south of us, about 10 metres away, fired at us. It fired bullets towards our feet and above our heads. We began to scream. We stood there petrified, not knowing where to go. At this moment, a soldier stepped out of the tank and ordered us to stop and go back. One of the women said "We should call them loudly and tell them that the soldiers in the trench allowed us to leave to Jabalia." The woman called out to the soldier and told him so, but he opened fire at us with his scary weapon installed on the tank. We were terrified and retreated back towards the trench.

When we approached the trench, I saw the female soldier looking at us. She pointed with her hand towards the southeast road that leads to Twam circle (the main street), and not the shortcut through agricultural lands where the tanks were positioned. We walked along the main road which had been destroyed by the bombardment and the tanks driving on it. The Apache helicopter flew overhead as if it was watching us.

The helicopter fired its missiles towards the Twam area where we were heading. I felt it was striking at us. I fell to the ground several times especially when the missiles were fired because it created a horrifying sound. The usual half hour trip to Twam circle took two hours because one of the women had difficulty walking because of her fear and her heavy weight. In addition, the old man also walked slowly. On the road, I saw destroyed houses. The road was full of holes and Isra neighbourhood in Twam area was empty and quiet. The only sounds you could hear were the tanks and the helicopters hovering above.

When we reached Twam circle, I saw my cousin Habib's brother whose name I do not know. I asked him about my family and whether he knew where they were. He told me that all my family was in the schools. At this moment, I felt I was free because I could see people at Twam circle and a few cars that were on the street. The women and their children headed to a house belonging to one of their relatives at Twam circle. I felt thirsty, so I went to a stranger's house and knocked on the door. A man came out and took me inside with Hussein, Ala, Mohammad, and Khalil. We drank some water. We spent half an hour there and then left the house and walked east towards Abu Sharkh circle, about one kilometre away. I saw another relative and he told us he knew where my family was. He stopped a taxi and we got in. The old man who was with us went to his daughter's house at Abu Sharkh circle. The taxi headed towards Gaza al-Jadida School. My relative paid for the taxi because we did not have any money.

We entered the school and I saw my mother, grandmother Neama, grandmother Sabha, father, uncles, and many of my relatives. They did not know what had happened to us and whether we were alive or dead. I started to cry because I was very happy, especially after seeing my mother. She looked exhausted because she had not eaten since we had been detained by the army.

Seven days later, my brother Nafiz came to the school. He too was exhausted. He said that the Israelis took him to Beersheba prison on the same day Ala and I was released.

We stayed in the school until the Israeli troops withdrew on 18 January 2009. The situation inside the school was very bad because most of my relatives had been arrested and we did not have sufficient water, food, blankets or mattresses. My uncle Sameer was released on 24 January 2009 after being detained in Beersheba prison. As for our house, most of its windows and doors were broken. We found that many explosions took place inside it. We found shells inside. We now live in the gas station where my father works. It is near the evacuated settlement of Dugit, two kilometres away from the eastern border with Israel.

30 March 2009

Name of victims: ‘Ala A. (15 years old), Ali A. (16), Nafiz A. (17), Khalil A. (15), Hussein (12)

Date of incident: 2-8 January 2009

Place of residence: al-‘Atatra neighbourhood, Beit Lahiya, northern Gaza

Location: al-‘Atatra neighbourhood, Beit Lahiya, northern Gaza

Affidavit taken from Khalil: by DCI-Palestine on 19 April 2009

I was sitting in my house in al-'Atatra neighbourhood in the western part of Beit Lahiya in the northern Gaza Strip. The house is precisely located west of al-'Atatra circle, about 20 metres away. I was sitting with my siblings Fadi (12), Amir (9), Islam (4), Nadin (11), Bara (1), as well as my mother, grandmother, grandfather Khalil A. (51), in addition to my uncle Ahmad (24) and his wife and children Adham (6), Hamada (4), Khalil (2) and Mahmoud (4 months) and my other uncle Saeb and his wife and children Mohammad (9), Mahmoud (13), Ghassan (11), Muhyi ad-Din (6), Ezz ad-Din (4) and Ahmad (1½). My father had been away for work since before the beginning of Operation Cast Lead on 27 December 2008. My father works for the Hamas-led authorities. We did not know anything about him because the mobile phone company was having problems in its connections and communications were disconnected.

In the dawn of 3 January 2009, the Israeli military operation in the Gaza Strip was reinforced when Israeli tanks invaded the town of Beit Lahiya. I was able to hear Israeli tanks from inside my house. In addition to that, I heard the continuous sound of drone planes, Apache helicopters and F16s crisscrossing the sky, as well explosions taking place everywhere.

We did not think of leaving the house. We were accustomed to Israeli invasions in the town of

Beit Lahiya. We all – my siblings, uncles and their wives and children, grandmother, grandfather and I – stayed in our house hoping that this invasion would last for just a few days or even hours just like any other previous invasion. Although electricity was disconnected, and although deafening and horrifying explosions were heard everywhere, we remained inside the house.

On Monday, 5 January 2009, shooting started to intensify from 6:00am. I sensed that Israeli soldiers were everywhere, but I could not tell where they were heading to, or what they were doing inside the town.

At around 2:00am of the same day, someone knocked on the door of our house. My grandfather answered the door. I saw around 30 Israeli soldiers standing by the door. They were wearing army green uniforms with their faces painted in different colours; they were speaking Hebrew. I did not understand what they were saying. The soldiers immediately entered the house and started fully searching us. When they tried to search my mother and uncles' wives, my grandmother spoke to them in Hebrew. From my grandfather's hand movement, I understood he was objecting to my mother and uncles' wives to be searched. The soldiers agreed not to search them and forced them to stand in the middle of the living room.

At this point, a soldier approached me and forced me to take off my jacket. I was wearing a jacket because it was cold. My grandfather and uncles took off their jackets as well after being forced by the soldiers. After that, a soldier grabbed me and forced me to enter one of the rooms in the house. He immediately blindfolded me so that I could not see anything. He spoke in broken Arabic and mixed it with some Hebrew words. He started asking me questions and interrogating me.

"Are you Hamas?" the soldier asked me. "No, I'm not Hamas," I replied. He slapped me across the face and asked: "When do Hamas fighters come out of their hiding?" I told him I did not know but he hit me hard in the abdomen. It was extremely painful. "What do they wear, black, brown, white?" he then asked. "I don't know," I said. He slapped me again. "Where do you see them? Where do they sit?" he asked. "They walk in the street," I said to him and pointed to the main street; al-'Atatra circle street. I told him this just to avoid his beating because if I told him "I don't know," he would have beaten me over and over. "Where? Where?" he asked.

"You're Hamas. You have weapons," the soldier said to me while slapping me on the face and hitting me hard in my abdomen. I could see this soldier who was brutally hitting me as if I were a grown-up in front of him. I was blindfolded but was able to see from under the blindfold. The soldier was in his Israeli army green uniform. There were three white vine leaves on his shoulders instead of the stars. My father had two stars on his shoulder and he worked for the Hamas-led authorities. The soldier was around 30 years old. He was white and tall; about 1,80 metres tall. He was wearing a white cap with brown stripes. Interrogation lasted for about half an hour.

After the soldiers finished interrogating me, he got me out to the living room while I was still blindfolded. I heard another soldier saying: "Come on, go to the schools. Take the little ones

and go to the schools.” I think the soldier was addressing my mother, grandmother, and my uncles' wives. Everyone left the house except me, my grandfather and uncle Ahmad. The soldiers forced my uncle Saeb to join my grandmother, mother, uncles' wives and the children to the schools. I was forced to sit in the living room for about 2-3 hours. Then, they put me in the bathroom alone after having tied my hands with white plastic cords. I sat in the bathroom for about half an hour. A soldier was standing at the door. I felt his presence, but could not see him because I was facing the wall.

After that, the soldier got me out of the bathroom and forced me and my uncle Ahmad and grandfather to sit next to each other in a room. While we were sitting there, I felt something strange, or strange movements, outside the house. I think the soldiers forced everyone in the neighbourhood to go out of their houses.

Suddenly, a large number of soldiers entered the room and were followed by Abu Nimr A. (52) and his sons Nimr (27), Saqer (21) and Samid (19), Ibrahim A. (18), Habib A. (36), Nafiz Mohammad A. (17) 'Ala A. (15), Ali A. (16), Sameer Ali A. and his son Hussein (12) and his son-in-law Yasir (22). They were all my cousins. The soldiers brought them to the same room where we were held. We sat in the room for about two hours.

Sameer's son, Hussein was crying. I believe he was crying because of his ties. His father Sameer started speaking Hebrew with the large number of soldiers to untie his son. The soldiers were tying all of them together, but tied me, my grandfather and my uncle separately. The soldiers untied Hussein from the group and tied him alone.

Every one started shouting and asking to be allowed to use the bathroom. I was also shouting; I wanted to stand up because I had been sitting in the same place for more than five hours. My legs were numb and I could not feel them anymore. The soldiers took me to the bathroom and I peed with extreme difficulty because they did not untie me; I had asked them to untie me but they refused. One of them said to me: “Sheket.” I understood he meant ‘shut up’ and that they were refusing to untie me. My cousins could not go to the bathroom because they were all tied to each other like a chain.

We sat in the same room for many hours until around 5:00pm of the same day when the soldiers took us out of the house (my grandfather's house) to the yard south of the house. The soldiers forced us to sit and one of them pointed at us to put our hands over our ears after they had removed the blindfolds.

I saw a bulldozer uprooting trees behind my father's new house which was still under construction and located west of my grandfather's house about 10 metres away. Then, I saw another bulldozer razing the area near my father's house and it exploded a mine which was planted on the road. I think fighters had put it there. The mine was southwest of my grandfather's house, about 20 metres away. When the mine had exploded, the soldiers immediately took us back to my grandfather's house. I think they took us out of the house so that fighters would not shoot at them.

My cousins, uncles and I stayed in the house until 1:30am on Tuesday, 6 January 2009, when the soldiers woke us up and took us out of the house. They forced us to walk through agricultural land and trees. Soldiers were surrounding us from all sides. I heard them speaking in Hebrew, which I do not understand at all.

They forced us to walk until we reached H.'s house, which was filled with Israelis soldiers. It seemed that the soldiers had seized the house and turned it into a military post. H.'s house is about 50 metres away from my grandfather's house, but we had to walk for a long distance to reach it. I think that was because the soldiers were securing the place and taking us as human shields; they had to go around the house in all directions for several times. Although I was able to see from under the blindfold, I tripped like my cousins who were walking in a chain and did not know what was going on. They fell into the ground because the ground was muddy and had holes and stones and trees.

We entered H.'s house after walking for more than half an hour. I saw soldiers inside the house. It seemed the H. family had left the house before the invasion. The soldiers forced us to stand near the house for about 10 minutes and kept talking to each other in Hebrew. Then, they dragged us to the southwest side of the house and forced us to walk for about 100 metres to a sloped land known as Safiya; Israeli tanks had dug a very large trench in the middle of the sandy land. A large number of Israeli tanks were surrounding the trench. The soldiers started pushing us in the trench. I fell into the trench because of its sharp incline. Besides, I could not get my balance because my hands were tied. Then, I stood up and my clothes were filled with sand that was very cold at that late hour of the night.

The soldiers forced us to sit in the middle of the trench. They untied me and my cousins, and forced us to put our hands behind our backs and tied us again. My body was shivering all night because it was extremely cold inside the trench. I was not the only one shivering; everyone was shivering. I placed my head between my legs and kept taking deep breaths to warm my body.

I sat in the same spot the whole night until morning. Israeli tanks and artillery were surrounding the trench and firing shells towards Beit Lahiya to the east. At around 7:00pm, I started screaming because I was extremely exhausted, to the point that I burst into tears. I begged the soldiers to untie me and allow me to rest for a while, but one of the soldiers kicked my leg with his boots. It was very painful and I cried more and more, but the soldiers did not do anything.

On Wednesday, 7 January 2009, at around 3:00am, the soldiers forced us to sit in pairs and handed us blankets to cover ourselves. My uncle Ahmad and I were sitting next to each other. Because there were not enough blankets, two people from the H. family came and sat next to Ahmad and me. The four of us shared one blanket.

On the morning of Thursday, 8 January 2009, the soldiers gave one of the bound men a sack of bread and a can of meat, and ordered him to distribute the food to us. My share was a loaf of bread with a piece of meat (pastrami) inside. They brought us water in the meat can. I was so hungry and thirsty that I had to eat and drink the disgusting food and water.

After breakfast, the soldiers blindfolded us again because they had removed the blindfolds just before we ate. Then, they surrounded us with a razor wire. Our numbers inside the trench grew bigger each second and reached up to 200 detainees. Each newcomer from Beit Lahiya would bring more shocking news that the Israeli soldiers had destroyed someone's house, bulldozed someone's land, and killed someone. I felt the entire town had been destroyed. In the evening, the soldiers started hitting anyone trying to lean their backs against the walls of the trench.

On the morning of the next day, 9 January 2009, a female soldier came to us and divided us into two groups; a group of men and a group of women and children. She asked me about my age and I told her 15. She asked Hussein, Sameer's son, and 'Ala and Ali A. about their names as well. There were two women, six children and six girls in the trench. The soldiers pulled us away from the men group and out of the razor wire that was surrounding us. They put us – 'Ala, Ali, women, girls, children and I - inside another razor wire. The female soldier started speaking English. She was young, about 18 years old. She was short with two stars on her shoulder, not vine leaves like the officer who beat me inside our house. One of the girls who understood English spoke with her. The girl understood that the soldiers would release us but did not know when. The female soldiers untied us but kept us surrounded from all directions with the razor wire.

Several minutes later, a soldier standing near the razor wire spoke with the female soldier. Then, the soldiers said: "All go to Jabalia." He grabbed Ali and ordered him to grab his white shirt and keep waving it. Ali, 'Ala, Hussein, the women, their young children, girls, Abu Dhiab A. who is an old man and a relative, Mohammad Majed A., and I got out of the trench and headed south to Twam area.

We walked about 40 metres away from the trench when suddenly an Israeli tank positioned about 70 metres south of the trench opened fire towards us. We fell to the ground because we were extremely scared. Then, the tank started to approach us. I stood up and called a soldier who got out of the tank. I told him that the army had let us go and kept pointing at the trench hoping he would understand that I had been there.

At this point, the female soldier reached the top of the trench and pointed towards the main road, and not the shortcut through the agricultural lands where we were heading. We therefore headed southeast to the main road. An Apache helicopter was flying overhead; it was firing and launching missiles towards Twam area I suppose. This terrified me. We walked slowly for a long distance because we were scared and because a woman was walking slowly as she was sick and exhausted. About two hours later, we managed to reach Twam circle which was only one kilometre away. It took us this long because of the destroyed houses and roads and big trenches. In addition to that, we walked very slowly.

Once we reached Twam circle, I saw my cousin Habib A. I asked him about my family and he said they were in the schools. Life around Twam circle was very subdued compared to ordinary days because of the invasion. However, Twam circle seemed much better than Beit Lahiya in any

circumstances. We saw a few cars and people on the street. We entered one of the houses near Twam circle. We drank water inside the house, whose owner I didn't know. We sat inside the house for about half an hour. We left the house and walked east to Abu Sharkh circle.

On the road we – Hussein, 'Ala, Mohammad, Ali and I – ran into another relative who stopped a taxi and took us to Gaza al-Jadida School in Gaza City. My family and relatives were inside the school. Once I walked into the school, I saw my mother, grandmother, siblings, and my uncles' wives and their children. I saw tears in their eyes. I asked them why they were sad, and they told me that my father had been killed in the war. They received the news while we were held inside the trench.

My family and I stayed inside the school until 18 January 2009, the day when we heard that the Israeli army had withdrawn. My grandfather came to the school, and I learned from a young man who was held with me in the trench that my uncle Ahmad had been arrested along with a number of my relatives. He was released 10 days after the Israeli withdrawal from the Gaza Strip.

I came back to my grandfather's house on the morning of 18 January 2009. I discovered that its windows were smashed and the Israeli army had ransacked its contents. My father's house, near my grandfather's house, was completely destroyed.

19 April 2009

Case 7

Name of victim: Majed R.

Age at incident: 9

Date of incident: 15 January 2009

Location: Tel al-Hawa, Gaza City

Place of residence: Tel al-Hawa, Gaza City

Affidavit taken from victim by: DCI-Palestine



Majed. Picture taken by DCI-Palestine on 30 March 2009

I live in Tel al-Hawa neighbourhood in the southwestern part of Gaza City. I live in Tower 5 located on the main street that links the Red Crescent (150 metres to the west) with Barcelona Garden (about 100 metres to the east). My family and I live on the sixth floor of the seven-storey tower. The tower also has a warehouse for water tanks and other supplies used by the residents. The floor of the warehouse is made of clay.

The Israeli operation “Cast Lead” started on 27 December 2008 and many areas in the Gaza Strip were invaded. Warplanes bombed buildings and governmental facilities throughout the first week of the military operation. They bombed several official buildings in our neighbourhood such as the Ministries complex in the north about 500 metres away, and the office of the Prime Minister, 700 metres away from our house. I watched television and heard the news about martyrs and death everywhere. I was scared that something might happen to me because of the bombardment. I stayed inside the house and never left because I thought being in the house with my family was the safest place; especially since the schools were closed. I constantly heard huge explosions and tanks. I was very scared of the explosions and bombardment.

On 14 January 2009, the bombardment intensified and I heard explosions every five minutes. Everybody in the house was very scared. Inside the house was my mother Afaf (47), sisters Dalia (10) and Nisma (9), my half brother Nimr (40), his wife Mai (40) and their children Marah (13) and Mahmoud (6). Mai is a doctor at the Red Crescent Hospital. My mother tried to calm me and my sisters when we cried. We were afraid and didn't know where to hide from the bombardment.

At around 9:00pm, my brother Nimr said “Let's go down to the warehouse because it is much safer especially since the bombardment has intensified and I hear loud sounds.” I asked my brother about the sound and he said it was the sound of tanks approaching. We all carried our blankets and mattresses and went down to the warehouse. When we reached the warehouse, we found our neighbours from the same building were already there. I do not know their names but I recognized their faces. The warehouse has an iron door and it was opened by the neighbours. In the centre, there are stairs. On the southern side, there are water tanks, whereas the northern side is an empty clay floor of about 300-square metres.

We sat on the northern side of the warehouse. There are two unfinished bathrooms on the eastern side. They are just two walls: 1.5x1 metres. We all sat on the empty floor. We tried to sleep a little. We placed the mattresses on the western side of the warehouse, and the men sat on the chairs next to the water tanks on the other side of the warehouse.

By 10:30pm, there were about 40 people in the warehouse including men, women, and children. They were residents of the same tower. I did not know all of their names; only a few of them.

At around 11:00pm, the bombardment became so heavy that the windows used for ventilation shattered and my sister was injured in her head from the glass. "Don't be scared. The Israeli army is far away and we are safe," my mother told us, but I was very scared. I tried to sleep but would wake up now and then to the sound of explosions near the tower. This situation continued until the morning.

At 5:00am, I heard doors being broken. I heard heavy fire and bullets entered the windows of the warehouse. We had no electricity; the only light came from my brother Nimr's torch placed on a concrete pillar inside the warehouse, and our vision was limited. At this moment the tower superintendant Ahmad S. came and sat down with the men on the southeastern side. "Go slowly to the side of the bathrooms," he said in a low voice. The bathrooms were on the southwestern side, about 20 metres away. Everybody including women and children got up and went. My family and I tried to enter the bathrooms but they were crowded; around 40 people were inside. Everybody was standing because there was no place to sit. We stood for about 10 minutes, during which the sound of explosions grew bigger. We heard Israeli soldiers shouting nearby, and the sound of gunfire entering the warehouse. I then heard the door of the warehouse being broken and Israeli soldiers shouting in a language that I later learned was Hebrew.

The soldiers entered the warehouse firing everywhere. I saw small red lights moving everywhere inside the warehouse. I saw the shadows of around 30 soldiers on the wall in front of us. At this point, Ahmad S. (50) shouted at us "Say katan...katan; a word in Hebrew meaning small." He was telling everyone, including the children, to say this. Everyone shouted but I did not because I was scared if they heard me they would shoot me. I then learned that katan means "children".

After the shouting stopped, the shooting also stopped. I saw two soldiers standing by the door of the bathrooms where I was hiding behind my mother. One of them lit a torch he held in his hand and said in broken Arabic "Come on, get out, one by one." My brother Nimr was the first to get out. Once he got out, the soldiers shot at him. I thought they killed him but then I saw him; he was still standing. He began taking off his clothes. Ahmad S. and his sons, I do not know their names, got out and the other men followed them. The soldiers took them and forced them to lie down on the floor on the eastern side of the warehouse. My mother, sisters, and the other women and children got out as well.

At this moment, I saw a large number of soldiers standing in the warehouse. They were carrying

weapons and wearing green caps. One of them was carrying a cleaver and that really scared me. Their faces were painted with the same colour I see in action movies on television. A soldier spoke to us in broken Arabic that was difficult to understand. He told us to go to the southwestern corner of the warehouse. My mother, the other women, children, and I went to the southwestern corner as he said. I was very scared thinking they would shoot me. I was grabbing my mother's hands and hiding behind her. We stood for about 10 minutes as the soldiers walked through the warehouse searching the men and forcing them to strip down to their underwear.

At this moment, a soldier came and stood two metres away from us. "Come here," he said while pointing at us. "Me?" my mother asked. "No, him," he said in broken Arabic as he pointed at me. He approached me and grabbed my shirt from my neck and dragged me away. "He's a child," my mother began shouting. I thought they would kill me. I became very scared and wet my pants. I could not shout or say anything because I was too afraid.

The soldier dragged me towards the bathrooms, 20 metres away. He pushed me towards the small corridor in front of the bathrooms. He began shouting at me and speaking a language I did not understand. I was very scared by the way he looked. He was very tall and his face was painted black, green, and other colours. He was wearing a cap. Everything about him scared me. He lit a torch he was carrying in his hand and I saw his face very well. He pointed his weapon at me. He was shouting at me and I did not understand him, so he grabbed me and pushed me against the wall.

He then started motioning with his hand and I figured out he wanted me to open the bags; small bags that the residents brought down with them containing their personal effects and money. The bags were similar to the bags used by football players. I understood from his hand gestures that he wanted me to open the bags. There were two bags in front of me. I grabbed the first one as he stood one and a half metres away. I opened the bag as he pointed his weapon directly at me. I emptied the bag on the floor. It contained money and papers. I looked at him and he was laughing. I grabbed the second bag to open it but I could not. I tried many times but it was useless, so he shouted at me. He grabbed my hair and slapped me very hard across the face. I did not shout or cry but I was very scared. He dragged me away from the bags and forced me to stand against the wall, as he stood about one and a half meters behind me. He then shot at the bag that I could not open. I thought he shot at me, so I shouted and put my hands on my head. He then pulled me through the corridor. "Go to your mother," said another soldier who spoke Arabic well, but was dressed like them and was carrying a weapon. I ran to my mother and hid in her arms. "I wet my pants," I said to her. "It's fine," she said. I then saw the soldiers drag the men to the southern side of the warehouses near the water tanks.



**Picture taken by the entrance to the bathrooms where Majed was forced to assist Israeli soldiers.
30 March 2009**

As for us, the soldiers forced us to sit on the floor. I understood later that they asked who spoke English and my sister-in-law Mai talked to them. She asked us to sit on the mattresses on the floor. The mattresses and blankets were burnt from the gun fire. She then told us that the soldiers wanted us to sit in a circle with our backs facing each other. We did what they said. I was sitting next to my mother. A soldier then came and brought a chair, which was already in the warehouse, and placed it in the middle of the circle. I thought they would ask us to sit on this chair and then shoot us. I became very scared but could not do anything. However, the soldier sat on it and would shout now and then “Boom. Boom,” like the sound of an explosion. We would all put our hands on our heads, and the soldier would laugh loudly. He repeated this about five times. He then went and sat about five metres away from us. Four other soldiers sat next to him. The soldiers pointed their weapons at us, and I would get scared. I could see the red light moving over my body and on my siblings and mother.

There was a thin red light coming from their weapons. Whenever I saw them lifting their weapons or the red light, I thought they would shoot us. I relaxed a little whenever they lowered their weapons. The soldiers then took out chocolates and biscuits and began eating. I was very hungry. The soldiers looked at us and lifted their chocolate bars. I thought they would give us some. One of them then pointed at me to sit down, while another placed his hand against his neck, as if he was telling us they would slaughter us. I was scared to death and focused my eyes on the ground so that he would not see me.

We stayed like this for about five hours. Some of the soldiers left and others came. Some children were crying for food. Others needed to go to the bathroom. After speaking with my sister-in-law Mai, a soldier allowed only the children to go to the bathrooms with their mothers. But the bathrooms were in the corner in front of all the people and soldiers, so I did not go. Besides, I already wet my pants because I was terrified when the soldier dragged me out of the bathroom.

At around 3:00pm, a soldier came and told Mai as I understood to “Hold a white flag and head to the Red Crescent.” My mother took off her white headscarf and we all left the warehouse and headed west to the Red Crescent, about 150 metres away. The men remained in the warehouse and did not come with us. I did not see them when we left the warehouse. Mai walked in front, holding the white flag. I was holding my mother and siblings’ hands. I saw a tank positioned at the front door of the tower, while other tanks were on the street that leads to the Red Crescent.

OPAC Alternative Report

We did not hear that many explosions. We walked on the street that was full of rubble and destroyed cars. I saw small burning pieces in the street and my mother told us to stay away from them because they were phosphorus. Their smell was awful.

We walked over the rubble until we reached the Red Crescent. We entered the reception hall and found a number of people and children just like us. Mai brought us biscuits and water. We then heard extensive fire and the sound of explosions grew bigger. The bombardment and shelling also intensified. It was like this for several hours. We were scared and the children were crying. Some of the nurses in white dresses and other children tried to calm us down.

At around 8:00pm, I heard the doctors and some people shouting "Get out, the hospital is on fire." I grabbed my mother's hand tightly. My siblings were with us. My mother gave us white napkins and said "Pick them up and let's get out." I picked them up and ran out to the street. I saw many people outside. I think they got out of the hospital just like we did. We quickly headed north to the main street. I saw black smoke rising from the hospital, especially from the top floor. At this moment, I heard a woman shouting "Come, come." She was in an ambulance. I looked at her and saw it was Mai. We went inside the ambulance and it quickly drove away. On the street, I saw patients on hospital beds accompanied by doctors fleeing the area. I also saw something strange. There was a patient lying on a bed with a generator hanging from it. Another person was pushing the bed. The people were shouting loudly. Everyone in the street was shouting. The ambulance drove us to some relatives living in Sheikh Radwan neighbourhood. We spent the night there. We were less scared than before. There, my mother did laundry. She also asked me to take a shower. I took some clothes from my relatives and changed my dirty clothes. I slept in my mother's arms that night and I did not leave her.

On 16 January 2009, at around 10:00am, my brother Nimr called to check on us. I think his wife told him where we were. An hour later, he came to us. We asked him what happened to them. He told us, "They kept us near the water tanks in the warehouse. They made fun of us and searched us now and then despite the fact that we were wearing only our underwear. In the evening, they took us to the front door of the tower and held us there for about two hours. Then they locked us in the guard's room and left us there until morning when some people heard us and opened the door."

At school, I am afraid of remembering and talking about what happened. Some people from different organizations came to the school and talked to us about the events and all the dead and injured people. I am sometimes ashamed to talk about things in detail with people I do not know. I am also afraid to tell people about the difficult situation I experienced, which I do not like to remember. I don't even talk about it with my mother. I prefer to forget, and sometimes I cry when I remember. I talked to you only because you said you are from an organisation that is devoted to helping children.

30 March 2009

ANNEXURE B – Table of incidents involving the use of children as human shields

Case	Name	Date of Incident	Age at incident	Date affidavit taken	Violations	Summary of Incident
1	Mohammad B.	15-Apr-04	13	6-May-04	Human shield Ill-treatment	Arrested at 12:30 while watching protests; accused of throwing stones; dragged on the ground; assaulted by several soldiers and tied to bonnet of a jeep for 4 hours. During this time, a soldier slapped him, and when Mohammad asked why, the officer replied 'shut up you son of a bitch.' A big soldier punched him in the face. Soldiers threw tear gas canisters at protesters, they were thrown back, choking Mohammad. He asked to be put inside the jeep and told 'shut up' then slapped. At 4:30pm, he was untied and thrown inside the jeep and hit his head.
2	Ameed E.	26-Feb-07	15	20-Mar-07	Human shield Ill-treatment	Used as a human shield by Israeli soldiers during an incursion into Nablus. Forced at gunpoint to walk in front of soldiers and enter two houses while soldiers were shooting behind and around him.
3	Jihan D.	28-Feb-07	11	24-Mar-07	Human shield Ill-treatment	Interrogated and threatened before being forced to walk in front of Israeli soldiers into an abandoned building which the soldiers believed was sheltering Palestinian combatants.
4	Ismail M.	11-Apr-07	14	7-May-07	Human shield Ill-treatment	Used as a human shield by Israeli soldiers during an incursion into Balata Refugee Camp. Oday was punched in the face and slapped for 10 min while boys from the camp were throwing stones. A stone hit him on the ankle. The soldier kept hitting him. Both boys were ordered to sit on the bonnet of the jeep for 10 minutes.
	Oday G.	11-Apr-07	15	7-May-07	Human shield Ill-treatment	
5*	Rana N.	11-Jul-07	14	8-Aug-07	Human shield Injuring	Shot and injured in leg and abdomen while sent by Israeli soldiers to inform her family to evacuate their home.
6	Ali A.	5-Jan-09	16	30-Mar-09	Human shield Detention Ill-treatment	Detained for 3-10 days and used as human shield during Operation Cast Lead along with brothers: Nafiz (17) and 'Ala (15), and cousins Hussein (12) and Khalil (15) and nine other male relatives. Searched and made to strip. Painfully handcuffed to form a human chain. Led at gunpoint. Held for several hours without food and restricted bathroom access. Made to stand outside blindfolded and handcuffed in a chain between soldiers and an explosion. Detained in muddy, deep trench, separately handcuffed for two days, with limited access to food, water and blankets. Soldiers would occasionally open fire and the detainees underneath were hit by burning bullet casings. On 8 January, Ali, 'Ala, Hussein and Khalil were released. Nafiz was taken to Beersheba prison along with others. He was released seven days after the others.
	'Ala A.	5-Jan-09	15	n/a		
	Nafiz A.	5-Jan-09	16	n/a		
	Hussein A.	5-Jan-09	12	n/a		
	Khalil A.	5-Jan-09	16	19-Apr-09		
7	Majed R.	15-Jan-09	9	30-Mar-09	Human shield Detention Ill-treatment	Used as human shield Tel al-Hawa, Gaza City, during Operation Cast Lead. Soldiers stormed the building in which Majed and his family were sheltering. A soldier grabbed him by his shirt and pushed him against the wall while shouting at him. Was ordered to open bags and suitcases at gunpoint. Struggled to open one and was grabbed by the hair, slapped and slammed against the wall. A soldier then fired at the suitcase to destroy the lock.

* Case documented by B'Tselem. All others documented by DCI-Palestine.

ANNEXURE C – Correspondence with the Israeli government

i) Letter sent by DCI-Israel to the Israeli Ministry of Defence and the Israeli Ministry of Justice on 28 April 2009 with regards to human shields



אנ"י-האגודה הבינלאומית לזכויות הילד די.סי.אי.ישראל (ג"ד)
DEFENCE FOR CHILDREN INTERNATIONAL
الحركة الدولية للدفاع عن الأولاد - فرع إسرائيل

DCI
Israel-Section

28 אפריל 2009

שר בטחון

בפקס : 03-6962757

משרד הבטחון

רח' קפלן 37, הקריה, תל אביב 61909 בדוא"ל : ozar_sar@mod.gov.il
ישראל

שר נכבד,

האגודה הבינלאומית לזכויות הילד – סניף ישראל, מכינים דו"ח הבוחן את מילוי המחויבויות של ישראל תחת הפרוטוקול האנצפיונלי של האמנה לזכויות הילד על מנזרבות ילדים במאבק מזוין (אופמ"ק) בהקדמה לסקירה הראשונית של המדינה בפני ועדת האו"ם לזכויות הילד בתחילת 2010.

בתפקידי כמנכ"לית הארגון, אני כותבת ביום זה בכדי להציג מספר שאילת רציניות באשר לשימוש צה"ל בילדים פלסטינים כמגנינים אנושיים במהלך מבצעים צבאיים בשטחים הכבושים.

באוקטובר 2005, בית המשפט העליון קבע כי השימוש באזרחים פלסטינים במבצעים צבאיים הלנה הפרה של החוק ההומאני הבינלאומי ואסר על הלנה של הצבא הישראלי להשתמש באזרחים כמגנינים אנושיים או כשבייים במהלך מבצעים הצבאיים. בעקבות פסיקת בית המשפט, צבא ההגנה לישראל הכין והציג פקודות האוסרות בתכלית נהלים אלה כבר במאי 2002.

מאז החלטת בית המשפט העליון ב-2005, נחשף מספר גובר של אירועים שבהם ילדים פלסטינים נוצלו כמגנינים אנושיים. דו.סי.אי. פלסטין, תינד ב-2007 שלושה אירועים בהם היו מנזרבים ארבעה ילדים פלסטינים. שניים מהמקרים הללו תועדו גם על ידי ארגון זכויות האדם הישראלי "בלעם". לאחרונה, DCI – ישראל נחשף משני אירועים שבהם מנזרבים ילדים פלסטינים שישמשו כמגן אנושי על ידי כוחות ישראלים במהלך מבצע "עופרת יצוקה" ברצועת עזה בינואר 2009. פרטי האירועים מצורפים למכתב זה.

לאור הראיות הנ"ל, DCI – ישראל מנווניינים להציג את השאלות הבאות :

1. באילו אמצעים ישראל נקטה כדי להבטיח שהחלטת בית המשפט העליון האוסרת על שימוש במגנינים אנושיים נאכף? אלא המציאו לנו עותקים של פקודות כתובות, נהלים וכיוצ"ב, שהוצאו על ידי צה"ל.
2. איזו אמצעים ישראל אימצה כדי להבטיח שכל המקרים הכוללים מגנינים אנושיים נחקרים באופן יסודי ובלתי תלוי?

¹ ב"צ 3799/02, עדאלה ב' יחדק איתן, מסקד הצבא הישראלי בגדה המערבית. ראה – www.adalah.org/features/humshields/decision061005.pdf

3. אילו צעדים משמעותיים ו/או עולמיים נלקטים כנגד חיילים אשר מקינים פקודות האוסרים על שימוש במגזרים אנושיים במהלך מבצעים צבאיים?

אנחנו מנצלים ומנציקים את תשובתך המקדמת ביותר לשאלה הנ"ל.

בברכה,

הדיל יונס

מנכ"לית

העתקו

- היועצת המשפטית של אביי

- הועד המנהל של אביי

די.סי.אי פלסטין תיעדה את חמשת המקרים הבאים אשר כוללים שימוש ביחידים פלסטיניים כמגזרים אנושיים בידי הצבא הישראלי. התקצירים מבוססים על תצהירים תחת שבועה שלקחו מהקורבנות על ידי ועדי השטח של DCI – פלסטין.

1. בחמישי לינואר 2009, במהלך מבצע "עופרת יצוקה", נכנסו כוחות רגליים ישראלים

לא-ענטאטרה (בצפון עזה) ועיכבו מאות גברים וילדים. שלושה אחים משפחת אל-ענטאר (ליקאים 15, 16 ו-17) קיבלו פקודה לצאת מבתם, הפטיטו מהם בניגוד כבד והם נקשרו בידיהם לנוד 10 קרובי משפחה אחרים ליצירת שרשרת אנושית. במשך כמעט 24 שעות, הבנים והגברים בכיסוי ראש וקשורים זה לזה, אולצו ללכת ברחובות בקו ישר לפני החיילים ולעבור מבית לבית. הם הוכרחו לעמוד בטור באמצע הרחוב כשהיילים נעמדו מאחוריהם בזמן שדחפורים נעקרים עצים בקרבת מקום. תל החיילים הכריחו אותם לעמוד בתעלה בחוץ והקיפו אותם בגדר תיל. במשך 48 השעות הקרובות, הם ישבו על הרצפה בגזרים מילמיליים, בכיסוי ראש וקשורים בנייד הכוחות הישראליים מנהלים קרבות באזור. טנקים שהוצבו בשטח ירו פגזים שהרעידו את האדמה וגרמו לפגילת תרמילי פגזים, רסיסים ואבנים סביבם. חיילים ירו בנשקם מעליהם, דבר שגרם לתרמילי הכדורים ליפול על ראשיהם, ולקרימת כוויות בפניהם.

2. ב-15 לינואר 2009, במהלך מבצע "עופרת יצוקה", חיילים ישראלים נכנסו לקומת

הכניסה של בניין מגורים בתל אל-הווא בעיר עזה, בו תפסו מחסה כ-40 גברים, נשים וילדים מכמה משפחות. חייל הורה למגיד רבאח בן ה-9 לפתוח ולרוקן את כל השקיות והתיקים המכילים את הפרטים האישיים של המשפחות אשר תפסו מחסה בבית. מגיד מילא אחר ההוראות בעוד החייל נעמד במרחק מטר וחצי ממנו כשהלשק מכוון אל היד. רועד מפחד, היד נאבק לפתוח את אחד התיקים שהיה נעול. החייל תפס את מגיד

בשיעור, סטודנטים בניגוד, הטיח אותם בקיר ואז ירה בתוק כדי להרוס את המגנול. הוא לא הורה ללכת לחזור לאימו.

3. ב-11 לאפריל 2007, חמישה ג'יפים צבאיים של צה"ל שהיו בדרכם לכפר קליל עצרו בכביש ליד מחנה הפליטים בקאסה ליד שכם. ילדים צעירים החלו להשליך אבנים על הג'יפים מכיוון מחנה הפליטים. חיילי ישראל קראו לאינסטיטוט אל-מסרי בן ה-14 ומנואדי אבו-ג'אאיים בן ה-15 שישבו בקרבת המקום והתבוננו במתרחש. החיילים סטרו, היכו וצעקו על הצעירים והורו להם לשבת על מכסה המנוע של הג'יפ הצבאי כדי להפסיק את זריקת האבנים. 15 דקות לאחר מכן חייל הורה לצעירים ללכת ולומר למשליכי האבנים להפסיק ואז לחזור לג'יפ. הצעירים העמידו פנים שהם עושים כך ואז ברחו למקום מבטחים.

4. ב-26 לפברואר 2007, ג'יהאן דאדוש² בת ה-11 משכם, אולצה להוביל חיילים ישראלים לבית נטוש שבו, על פי החשד, חמושים הקימו נמדות. החיילים פקדו על ג'יהאן להוביל את הדרך בתוך הבית החשוך כשהם מאירים בנורת פנסיהם מאחור. ג'יהאן נאמרה לעלות במדרגות וללכת לכיוון המטבח כשהחיילים בנקבותיה, חמושים ומוכנים לירות. הם שאלו אותה על דלת קטנה במטבח שהוביל לגג הבית. מאחור יותר, החיילים לקחו אותה לבית ואמרו לה לא לומר לאף אחד שהיא לקחה אותם לבית הנטוש.

5. ב-26 לפברואר 2007, אמיד אמירה³ בן ה-15 משכם הצטווה ללכת לכיוון בית דודו כשארבעה חיילים חמושים הולכים אחריו. החיילים הורו לאמיד לומר למשפחת דודו לצאת מהבית. מאחור יותר, 12 חיילים לקחו את אמיד חזרה לבית וכשהגיעו לדלת הכניסה, החיילים הורו לו לפתוח את הדלת ולהיכנס ראשון לבית. בפנים, החיילים הורו לאמיד לפתוח את הדלת לכל חדר, ללכת פנימה ואז אמרו לו לזוז הצידה לפני שהם מתחילים לירות. אמיד ביסה חצי שעה בתוך הבית בעוד החיילים חיפשו בכל חדר. החיילים ירו בערך 10 כדורים בתוך הבית וכיוון דלת הכניסה. החיילים לא הובילו את הנער חזרה לביתו, הורו לו ללכת מקדימה ובאופן דומה חיפשו בתוך הבית. לאחר מכן החיילים הובילו את אמיד חזרה לבית דודו והורו לו להיכנס ולפתוח את כל החלונות.

² ריזה זמ
http://www.btselem.org/english/Testimonies/20070228_Human_Shields_in_Nablus_witness_Jihan_De_dush.asp

³ ריזה זמ
http://www.btselem.org/english/Testimonies/20070228_Human_Shields_in_Nablus_witness_Amid_Amirah.asp

ii) English translation

Ministry of Defence
Minister of Defence
37 Kaplan Street, Hakiryia, Tel Aviv 61909
Israel

Ministry of Justice
Human Rights Department
Salah Al-Din St. 29
Jerusalem

28 April 2009

Dear Minister:

Defence for Children International–Israel is drafting a report examining Israel's fulfilment of its obligations under the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) in advance of the State's initial review before the UN Committee on the Rights of the Child in early 2010.

In my capacity as the Director of DCI-Israel I am writing today to pose some serious questions regarding the Israeli army's use of Palestinian children as human shields during the course of military operations in the Occupied Territory.

In October 2005, the Israeli High Court of Justice (HCJ) ruled that the use of Palestinian civilians in military operations is a violation of international humanitarian law and banned the Israeli army's practice of using civilians as human shields or hostages during its military operations. Per the Court's judgement, the Israeli Defence Forces prepared and issued orders explicitly banning these practices as early as May 2002.

Since the HCJ's 2005 decision, many more incidents of Palestinian children being used as human shields by the Israeli army have come to light. DCI-Palestine documented three incidents involving four Palestinian children in 2007. Most recently, DCI-Israel has learned of two incidents involving Palestinian children who were used as human shields by Israeli forces during Operation Cast Lead in the Gaza Strip in January 2009. Details of these incidents, based on sworn affidavits taken from the victims are annexed to this letter.

In light of the evidence above, DCI-Israel would like put forth the following questions:

1. What measures has Israel taken to ensure the HCJ ruling banning the use of human shields is upheld and enforced? Please provide us with copies of written directives, procedures, etc. that have been issued by the IDF.
2. What measures has Israel adopted to ensure that all cases involving human shields are thoroughly and impartially investigated?
3. What disciplinary actions and/or punishments are taken against soldiers who violate

directives prohibiting the use of human shields in the course of military operations?

We look forward to receiving your earliest response to these important questions.

Sincerely,

Hadeel Younis
Director

Copy:

- DCI-Israel Legal Advisor
- DCI-Israel Board of Members

DCI-Palestine has documented the following five incidents involving the use of Palestinian children as human shields by the Israeli army. The summaries are based on sworn testimonies taken from the victims by DCI-Palestine fieldworkers.

1. On 5 January 2009, during Operation Cast Lead, Israeli ground forces entered al-'Atatra (northern Gaza) and detained hundreds of men and boys. Three brothers from the A. family (aged 15, 16 and 17) were ordered out of their house, stripped of their heavy clothing, and tied at the hands to about 10 other relatives, forming a human chain. For almost 24 hours, the boys and men, blindfolded and bound together, were forced to walk through the streets in a straight line in front of soldiers and move from house to house. They were made to stand in a line in the middle of the street as soldiers stood behind them while bulldozers uprooted nearby trees. The soldiers then forced them to sit in a trench outside and surrounded them with razor wire. For the 48 hours that followed, they sat on the ground with minimal clothing, blindfolded and bound as Israeli forces engaged in combat activities nearby. Tanks stationed in the vicinity fired artillery, shaking the earth and causing shell casings, shrapnel and stones to rain down around them. Soldiers fired their weapons from the ground above, causing the bullet casings to fall on their heads, searing their skin.
2. On 15 January 2009, during Operation Cast Lead, Israeli soldiers entered the ground floor of a residential building in Tel al-Hawa, Gaza City, where approximately 40 men, women and children from several families were taking shelter. A soldier ordered 9-year-old Majed R. to open and empty all the bags and suitcases containing the personal belongings of the families sheltering in the house. Majed followed the orders as the soldier stood 1.5 metres away with his gun pointed at him. Shaking from fear, the boy struggled to open one of the suitcases, which was locked. The soldier grabbed Majed by his hair, slapped him in the face, slammed him against the wall, and then fired at the suitcase to destroy the lock. He then ordered the boy to go back to his mother.
3. On 11 April 2007, five Israeli military jeeps heading towards Kafr Qallil village stopped on the road near Balata Refugee camp in Nablus. Young boys began to throw stones at the jeeps from the direction of the refugee camp. Israeli soldiers called over 14-year-old Ismail M. and 15-year-old Oday G. who were sitting nearby and watching what was happening. The soldiers slapped, hit and shouted at the boys and then ordered them to sit on the bonnet of a military jeep so the stone-throwing would cease. Fifteen minutes later, a soldier ordered the two boys to go tell the stone-throwers to stop and then return to the jeep. The boys pretended to do so and then ran away to safety.

4. On 26 February 2007, 11-year-old Jihan D. from Nablus was forced to lead Israeli soldiers to an abandoned house where soldiers believed militants were taking up positions. The soldiers ordered Jihan to lead the way inside the dark house as they lit a path with their flashlights from behind. Jihan was told to climb the stairs and walk towards the kitchen as the soldiers followed, armed and ready to shoot. They asked her about a small door in the kitchen, which led to the roof of the house. Later, the soldiers took her home and told her not to tell anyone that she had taken them to the abandoned house.

5. On 26 February 2007, 15-year-old Ameen A. from Nablus was ordered to walk towards his uncle's house while four armed soldiers followed him. The soldiers ordered Ameen to tell his uncle's family to exit their house. Later, 12 soldiers took Ameen back to the house and when they reached the front door, the soldiers ordered him to open the door and enter the house first. Inside, the soldiers ordered Ameen to open the door to every room, walk inside and then told him to step aside before they opened fire. Ameen spent a half hour inside the house as soldiers searched every room. The soldiers fired about 10 bullets inside the house and towards the front door. The soldiers then lead Ameen back to his house, ordering him to walk in front, and similarly searched the inside. The soldiers later lead Ameen back to his uncle's house and ordered him to go inside and open all the windows.

See also:

http://www.btselem.org/english/Testimonies/20070228_Human_Shields_in_Nablus_witness_Jihan_Daadush.asp

See also

http://www.btselem.org/english/Testimonies/20070225_Human_Shields_in_Nablus_witness_Amid_Amirah.asp

iii) Letter sent by DCI-Israel to the Israeli Ministry of Defence and the Israeli Ministry of Justice on 28 April 2009 with regards to informers



אב"י-האגודה הבינלאומית לזכויות הילד ד.סי.אי-ישראל (ע"ר)
DEFENCE FOR CHILDREN INTERNATIONAL
الحركة الدولية للدفاع عن الاولاد - فرع اسرائيل

DCI
Israel-Section

28 אפריל 2009

שר בטחון

בפקס : 03-6962757

משרד הבטחון

רח' קפלן 37, הקריה, תל אביב 61909 בדוא"ל : ozar_sar@mod.gov.il
ישראל

שר נכבד,

האגודה הבינלאומית לזכויות הילד- אב"י ישראל מכינים דו"ח הבוחן את מילוי המחויבויות של ישראל תחת הפרוטוקול האופציונלי של האמנה לזכויות הילד על מעורבות ילדים במאבק מזוין (אופא"ק) כהקדמה לסקירה הראשונית של המדינה בפני ועדת האו"ם לזכויות הילד בתחילת 2010.

בתפקידי מנכ"לית האגודה, אני כותבת היום מתוך דאגה לנוהל גיוס ילדים כמשתפי פעולה או כמוודיעים עבור הצבא הישראלי. בשל כך אני מבקש להציג את השאלה הבאה למשרד הבטחון :

1. האם לצבא ההגנה לישראל יש מדיניות ו/או נוהל של גיוס או ניסיון לגיוס ילדים (מתחת לגיל 18) כמשתפי פעולה או מודיעים מבין אלה העצורים בידי הצבא הישראלי בשטחים הכבושים?

אנחנו מצפים ומעריכים את תשובתך המוקדמת ביותר לשאלה הנ"ל.

בברכה,

הדיל יונס

מנכ"לית

העתק:

- היועצת המשפטית של אב"י

- הוועד המנהל של אב"י

iv) English translation

Ministry of Defence
Minister of Defence
37 Kaplan Street, Hakiryia, Tel Aviv 61909
Israel

Ministry of Justice
Human Rights Department
Salah Al-Din St. 29
Jerusalem

28 April 2009

Dear Minister:

Defence for Children International–Israel is drafting a report examining Israel's fulfilment of its obligations under the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC) in advance of the State's initial review before the UN Committee on the Rights of the Child in early 2010.

In my capacity as Director of DCI-Israel I am writing today out of concern for the practice of child recruitment for the purpose of acting as informants of collaborators for the Israeli military. I would therefore like to put forth the following question to the Ministry of Defence:

1. Does the Israeli Defence Forces have a policy and/or practice of recruiting or attempting to recruit child (under the age of 18) informers or collaborators from among those detained by the Israeli military in the Occupied Territory?

We look forward to receiving and appreciate your earliest response to the question raised above.

Sincerely,

Hadeel Younis
Director

Copy:
- DCI-Israel Legal Advisor
- DCI-Israel Board of Members

- v) Response to DCI-Israel from the Israeli Ministry of Defence received late May (dated 13 May 2009) with regards to the use of Palestinian children as human shields



משרד הביטחון

לשכת שר הביטחון

תשס"ט אייר י"ט הקריה,
13/05/2009 תאריך:
שר-130509-3078 עוזר ק:

לכבוד
הדיל יונס
מנכ"לית אב"י-האגודה הבינלאומית לזכויות הילד ד.סי.אי ישראל
ת.ד. 2533
ירושלים

הנדון: מייל מיום 11.5.09 - אגודה בינלאומית לזכויות הילד ד.סי.אי ישראל

הריני מאשרת קבלת המייל מיום 11.5.09.

בכבוד רב,
עו"ד רונית בר
עוזרת שר הביטחון

רר/

vi) English translation

Ministry of Defence
Hakerya
Date: 13/5/2009
R: assistant to the minister 3078-130509

Dear,

Hadeel Younis
Director
DCI-Israel
P.O.Box 2533
Jerusalem

RE: your letter dated 11/5/09 – DCI-Defence for Children International, Israel Section

We confirm receiving your letter dated 11/5/09.

Sincerely,
Adv. Ruth Bar
Assistant to the Minister

- vii) Response to DCI-Israel from the Israeli Ministry of Defence received late June (dated 17 June 2009) with regards to the use of Palestinian children as human shields



משרד הביטחון

לשכת שר הביטחון

הקריה, כ"ה סיון תשס"ט
תאריך: עוזר שר-4074-170609
ק:

לכבוד
הדיל יונס
מנכ"לית אב"י – האגודה הבינלאומית לזכויות הילד די.סי.אי-ישראל
ת.ד. 2533
ירושלים 91024

הנדון: מכתבך מיום 10.6.09 בענין שימוש בפלשתינאים כמעין מגנים אנושיים

אעדכנך כי פצ"ר עוסק בתחקירים של האירועים ולכן אין ביכולתנו להשיב לפניות כגון אלו עד אשר יסוכמו התחקירים.

בכבוד רב,
ער"ד רות בר
עוזרת שר הביטחון

רר/

viii) English translation

Ministry of Defence
Hakerya
Date: 17/6/2009
R: assistant to the minister 4074-170609

Dear,

Hadeel Younis
Director
DCI-Israel
P.O.Box 2533
Jerusalem 91024

RE: your letter dated 10/6/09 – regarding the use of Palestinians as Human Shields

This is to inform you that the incidents were being investigated by the Military Advocate General, and further details could not be shared until the investigations were completed.

Sincerely,
Adv. Ruth Bar
Assistant to the Minister

Case 9

Name of victim: Abdullah J.

Age at incident: 17

Date of arrest: 28 May 2007

Place of arrest: District Coordination Office

Place of residence: Hebron City

Affidavit taken from victim: by DCI-Palestine on 19 July 2007 at Hasharon Prison

A day before my arrest, the soldiers came to my home and they informed me that I had to go to meet intelligence officers at the DCO the next day. When I went there, I was arrested and transferred to Etzion Detention Centre. I was medically examined and photographed. I was placed in a room until the next morning.

The following day, I was transferred to Askelan. I was handcuffed, blindfolded and my legs were tied. When I arrived at Askelan I was medically examined again and photographed. I was then placed in a cell for an hour. Then, I was interrogated. I was charged with planning to kidnap a settler with Saleh J. Each interrogation session lasted for two hours. They put me in the cell for long periods of time and told me they would demolish my home. The interrogator would leave me alone in the interrogation room by myself and put the A/C on. He did this repeatedly and would then return. The interrogator suggested that I work as a collaborator. I spent 35 days in solitary confinement. I wasn't allowed to change my clothes during this period.

Once the interrogator called my family house and he presented a piece of paper to me and told me to sign it to let me talk with my family. Once he told me to write whatever I wanted in Arabic so I wrote a confession. After that he brought papers in the Hebrew language and asked me to sign them. During the 35 days in the cell, I was interrogated for 20 days. The interrogator would leave me for one or two days and then interrogate me again on the following day. During this period I was allowed out of the cell.

19 July 2007

Case 10**Name:** Mohammad B.**Age at incident:** 17**Date of arrest:** 25 July 2008**Place of arrest:** Bethlehem**Place of residence:** Bethlehem**Affidavit taken from victim:** by DCI-Palestine on 12 August 2008 in Ofer prison

Mohammad. Photo provided by family while Mohammad is in detention.

My father, Ahmad B., was assassinated by an Israeli special unit five months ago with other wanted men including Mohammad S. After my father's death, I was arrested on 16 April 2008 and detained in Mascobiyya Interrogation Centre and Prison and released on 7 May 2008. I was interrogated and accused of belonging to Islamic Jihad.

On 25 July 2008, at around 2:00 am, I woke at the sound of an explosion. I knew it was Israeli soldiers blowing up the iron door of our house, which caused parts of the door to splinter. Luckily, no one was injured. The soldiers called out my name. When they saw me, they immediately arrested me. They handcuffed my hands and blindfolded my eyes. I was thrown on the floor and the soldiers focused their rifle lights on my face. One of the soldiers beat me four times on my back with the barrel of his rifle. He said that next time they would abuse my little brother.

My brother later informed me that the soldiers searched our house and damaged its contents, but did not find anything. While being thrown on the floor, the soldiers were shouting at me and asking me where the weapon I had was. I told them I had nothing.

Being handcuffed from behind my back and blindfolded, they moved me to Rachel's tomb checkpoint, and then immediately to Etzion in the early hours of the morning. They kept me eight days in Etzion without interrogation. Eight days later, I was transferred to Ofer prison after I had learned that there was an order to put me to administrative detention for four months.

In Ofer prison, they took me to a small room near the prison for interrogation. The room had a desk and two chairs. The interrogator; a young thin man with light coloured hair, about 1.80 metres tall, said that I would stay in prison for a long time, unless I cooperate and work with them. The interrogator said that I would be released immediately and I could go home if I cooperated. I asked how I could work with them and he said I have first to say yes then he would give me the details. I replied: "Shame on you! I am a son of a martyr and you are asking me to be informant and work with you?" He replied that no one would need to know about it. I said that I did not want to work with them and they had no evidence against me. I was arrested before

OPAC Alternative Report

and detained; they interrogated me but found nothing against me. Therefore, they released me. There were no charges against me.

The interrogator said to me that I was accused of weapon possession and also of belonging to Islamic Jihad. He said they had a secret file against me and there was an order to put me to administrative detention.

I was put on trial on 6 August 2008 and informed that there was an order to put me to administration detention. After deliberating the case between the judge, the prosecution and the lawyer, the judge confirmed the order and ruled that the order would end on 24 November 2008.

12 August 2008

Case 11**Name:** Ma'zouz K..**Age at incident:** 16**Date of arrest:** 26 March 2009**Place of arrest:** Bethlehem**Place of residence:** Haris, Nablus**Affidavit taken from victim:** by DCI-Palestine on 20 April 2009 in

I was born on 9 August 1992. I am in the 10th grade. My family consists of 14 members. My father works in the settlement of Burkan. I was detained on 26 March 2009.

On 26 March 2009, at around midnight, my entire family and I were awake because the village was filled with Israeli soldiers who had imposed a curfew on the village from early evening. I heard the soldiers knocking on the neighbours' door. Eventually, the soldiers came knocking on our door.

The soldiers banged on the door of our house and my father answered the door. Around 20 soldiers entered our two-storey house. I was on the second floor when the soldiers came to the house. I discovered the number of soldiers when I came downstairs. One of the soldiers ordered my father to gather all the males and bring them downstairs. I came downstairs, as well as my brothers. The soldier then ordered my father to bring down my mother and sisters.

The soldiers examined my older brothers' IDs, Mohammad and Aziz. After they checked their IDs, they took them outside the house. I learned later that they took them to the village school that was overtaken by the soldiers. The soldiers arrested people, took them to the school and interrogated them.

The soldiers took us to a room inside the house. I was with my mother and my uncle's wife who came to our house to see what was going on. My father was also brought to the room with us. A soldier approached me and spoke in Hebrew. My father translated what he was saying because my father understands Hebrew since he works in a settlement. I handed my ID to the soldier. When he read my name, he said "You're under arrest." He tied my hands tightly behind my back with plastic cords and blindfolded me in front of my mother, father, and uncle's wife. He grabbed my shirt and took me to my uncle Yahia's house nearby. It became clear to me that the soldiers were also in my uncle's house. The soldiers took me to the living room. I was able to see things from beneath the blindfold. A soldier photographed me with a camera he had. I kept sitting in my uncle's house for about 15 minutes.

Fifteen minutes later, the soldiers took me out of my uncle's house and into the street. I was able to see four military jeeps and many soldiers surrounding our house and my uncle's house. The soldiers placed me in the back of one of the jeeps. Two soldiers were with me inside the jeep. The jeep began moving and stopped at the front gate of the village school.

When we reached the school, the soldiers took me to one of the rooms. A Jewish intelligence officer speaking fluent Arabic was in the room. He ordered the soldiers to untie me. The soldiers quickly untied me and removed the blindfold. I saw the intelligence officer who introduced

himself. He was tall and blonde. He sat on a chair next to me. He was smiling at me. He asked me about my health. He was polite. He asked me to collaborate with him and work as an informant. "All you have to do is tell me about those who carry out military activities targeting state security, especially people your age who throw stones and Molotov cocktails on the road that leads to Ariel [West Bank settlement]," he said. "I'm not a spy," I said to him. He became angry and shouted at me "You'll see what will happen to you, dog." He called one of the soldiers and ordered him to tie me and take me out. The soldier took me to one of the rooms in the school and locked the door behind me. I was kept there for about half an hour.

A soldier took me out of the room to another room inside the school. An Arab policeman was in the room. He said he would interrogate me. He accused me of throwing stones at Israeli cars. I denied it. He shouted at me saying "If you don't confess, we'll not allow your brothers to work in Burkan settlement." My brothers work in a factory in the settlement of Burkan. I became afraid of such threat, so I confessed to throwing stones at the Israeli cars passing on the main street leading to the settlement of Ariel. I confessed to that though I did not throw any stones. His threat scared me. I then signed the statement that was written in Arabic by the policeman. I was tied with plastic cords during the interrogation.

After interrogation, a soldier took me out of the room to a big hall inside the school. Many people from my village were detained in this hall, including my two brothers Mohammad and Aziz, who were released that day.

I was kept inside the hall until 4:00am when the soldiers took all the arrested people to the school yard. I saw a large military truck in the yard. The soldiers placed us inside the truck and drove us to Huwwara detention centre. We reached the centre at 10:00pm. In other words, we were kept inside the truck from 4:00am until 10:00pm without being allowed to go to the bathroom or eat. Inside the truck we were surrounded by the soldiers who kept shouting at us and making fun of us the entire time.

At around 10:00pm, we reached Huwwara detention centre and the soldiers took us to a room. A doctor was in the room. He asked us general questions about our health and filled out a questionnaire. He did not examine us. After that, the soldiers took us to the detention rooms. I was kept 19 days in the detention centre. I was then transferred to Megiddo prison where I am now.

I was sentenced to three months in prison, starting from the day I was arrested, and ordered to pay a 500 NIS fine. So far my family has not visited me. I saw them only in the courtroom.

I want to add that while I was detained in the village school, one of the soldiers violently twisted my arm behind my back while another one slapped me across the face and said "Don't move! Fuck you, brother of a whore." That really affected me psychologically.

20 April 2009