
REPORT 2004 - Facts and Figures
Amnesty International**Israel and the Occupied Territories**

Covering events from January - December 2003

The Israeli army killed around 600 Palestinians, including more than 100 children. Most were killed unlawfully - in reckless shooting, shelling and bombing in civilian residential areas, in extrajudicial executions and through excessive use of force. Palestinian armed groups killed around 200 Israelis, at least 130 of them civilians and including 21 children, in suicide bombings and other deliberate attacks. Increasing restrictions on the movement of Palestinians imposed by the Israeli army throughout the Occupied Territories caused unprecedented poverty, unemployment and health problems. The Israeli army demolished several hundred Palestinian homes and destroyed large areas of cultivated land and hundreds of commercial and other properties. Israel stepped up the construction of a fence/wall, most of which cut deep into the West Bank. As a result, hundreds of thousands of Palestinians were confined in enclaves and cut off from their land and essential services in nearby towns and villages. Israel's expansion of illegal settlements in the Occupied Territories continued, further depriving Palestinians of natural resources such as land and water. Thousands of Palestinians were detained by the Israeli army. Most were released without charge, hundreds were charged with security offences against Israel and at least 1,500 were held in administrative detention without charge or trial.

Trials before military courts did not meet international standards. Allegations of torture and ill-treatment of Palestinian detainees were widespread and Israeli soldiers used Palestinians as "human shields" during military operations. Certain abuses committed by the Israeli army constituted war crimes, including unlawful killings, obstruction of medical assistance and targeting of medical personnel, extensive and wanton destruction of property, torture and the use of "human shields". The deliberate targeting of civilians by Palestinian armed groups constituted crimes against humanity.

Scores of Israeli conscientious objectors who refused to perform military service were imprisoned and some were court-martialled.

Background

In June a peace plan sponsored by the USA, the UN, the European Union and the Russian Federation and known as the "road map" was agreed by Israel and the Palestinian Authority (PA). It called for the establishment of a Palestinian state by 2005 but contained no mechanism to ensure the parties' compliance with their obligations under international law. It called on the Palestinians to stop attacks against Israelis and called on Israel to stop expanding settlements and to dismantle recently established ones, to halt the destruction of Palestinian homes and assassinations of Palestinians, and to ease closures and blockades in the Occupied Territories. In June the main Palestinian armed groups, *al-Aqsa Martyrs Brigades* (an offshoot of Fatah), Hamas and Islamic Jihad, declared a unilateral cease-fire. Israel released some 600 Palestinian detainees, most of whom had almost served their sentences. Negotiations on the "road map" plan collapsed in September and in November attempts were made to resume negotiations when the UN Security Council adopted a resolution approving the "road map". In December the UN General Assembly adopted a resolution seeking an advisory opinion from the International Court of Justice on the legality of Israel's construction of the fence/wall inside the West Bank.

Killings and attacks by the Israeli army

Around 600 Palestinians, most of them unarmed and including more than 100 children, were killed by the Israeli army in random and reckless shooting, shelling and bombings or as a result of excessive use of force. Some 90 Palestinians were killed in extrajudicial executions, including more than 50 uninvolved bystanders, of whom nine were children. Others were killed in armed clashes with Israeli soldiers.

- On 25 June, 19-year-old Nivn Abu Rujaila was killed when an Israeli army helicopter gunship fired a missile that struck the taxi she was travelling in. The taxi driver, Akram 'Ali Farhan, was also killed. The target of the strike was travelling in another car.
- On 12 June Islam Taha, who was pregnant, and her 18-month-old daughter were killed in Gaza city by rockets launched from an Israeli army helicopter gunship at their car to assassinate her husband, Yasser Taha, who was in the car and who was also killed. Four bystanders were killed and some 20 bystanders, including several children, were wounded. In three similar attacks by the Israeli army in the previous two days, 11 passers-by were killed and scores were injured, including more than 10 children.

Several international activists with the International Solidarity Movement (ISM), journalists and medical workers were killed and injured by Israeli soldiers.

- In March ISM activist Rachel Corrie, a US national, was crushed to death by an Israeli army bulldozer in Rafah in the southern Gaza Strip. In April ISM activists Tom Humdall, a United Kingdom (UK) national, and Brian Avery, a US national, were both shot in the head by Israeli soldiers in Rafah and Jenin respectively. Both were gravely injured. In May UK journalist James Miller was shot in the neck and killed by Israeli soldiers in Rafah.

Israeli soldiers continued to use Palestinians as "human shields" during military operations, forcing them to carry out tasks that endangered their lives.

Most Israeli soldiers and security force members continued to enjoy impunity. Investigations, prosecutions and convictions for human right violations were rare. According to the Israeli army, since the beginning of the intifada (uprising) in September 2000, 61 soldiers had been indicted. Of these, 17 were found guilty of violence, two of improper use of weapons, and 22 of looting or damage to property. In the overwhelming majority of the thousands of cases of unlawful killings and other grave human rights violations committed by Israeli soldiers since the intifada began, no investigations were known to have been carried out.

Killings and attacks by Palestinian armed groups

At least 130 Israeli civilians, including 21 children, were killed by Palestinian armed groups. Almost half of the victims were killed in suicide bombings and the others were killed in shooting attacks. Some 70 Israeli soldiers were also killed in similar attacks by Palestinian armed groups. Most of the Israeli civilians were killed inside Israel whereas most of the soldiers were killed in the Occupied Territories.

- Lilah Kardi, a 22-year-old woman, was killed along with 19 other civilians, including several children, by a Palestinian suicide bomber on a bus in Jerusalem on 19 August. Both Hamas and Islamic Jihad were reported to have claimed responsibility for the attack.
- On 5 October, three female members of the same family - Bruria, Keren and Noya Zer-Aviv, aged 54, 29 and one, respectively and two other relatives were among those killed in a suicide bomb attack which claimed the lives of 20 Israeli civilians and left scores of others injured. The attack, which was carried out by a Palestinian woman in a restaurant in Haifa, was claimed by Islamic Jihad.

Palestinian armed groups repeatedly fired mortars from the Gaza Strip towards nearby Israeli cities and into Israeli settlements in the Gaza Strip. The attacks did not usually result in injuries to Israelis.

Attacks by Israeli settlers on Palestinians in the Occupied Territories

Israeli settlers in the Occupied Territories repeatedly attacked Palestinians and their property. Such attacks increased in October, during the olive harvest, when Israeli settlers destroyed and damaged trees owned by Palestinians in several villages in the West Bank. In most cases attacks by Israeli settlers on Palestinians and their property were not investigated and those responsible were not brought to justice.

- On 27 October Israeli settlers attacked a group of Israeli human rights activists who were helping Palestinian farmers to pick their olives near the village of Einabus in the West Bank. Rabbi Arik Asherman, director of Rabbis for Human Rights, and 66-year-old journalist John Ross were among those assaulted by the Israeli settlers.
- In October, three Israeli settlers were sentenced to 12 to 15 years' imprisonment for the attempted bombing of a Palestinian girls' school in 2002.

Destruction of Palestinian property in the Occupied Territories

The Israeli army destroyed several hundred Palestinian homes and scores of commercial and public facilities, and destroyed or damaged water, electricity and communication infrastructure throughout the Occupied Territories. Often, the destruction was carried out by the Israeli army as a form of collective punishment on the local population in the wake of attacks carried out by Palestinian groups known or suspected of having operated from or near the targeted areas.

The Israeli army stepped up the destruction of the homes of relatives of Palestinians known or suspected to have carried out attacks against Israeli soldiers or civilians.

Frequently, neighbouring houses were also destroyed or damaged by the large explosive charges usually employed by the soldiers to blow up the houses, and in some cases the inhabitants were killed or injured. The army usually did not allow the inhabitants time to salvage their possessions before destroying their homes.

- On 3 March, Noha Makadmeh, a mother of 10 children who was nine months pregnant, was killed in her bed when her home collapsed as Israeli soldiers blew up a neighbouring house in the middle of the night in Bureij refugee camp in the Gaza Strip. Her husband and most of her children were injured, some of them seriously. Six other nearby houses were destroyed by the blast, leaving some 90 people homeless.
- On the night of 9 September the Israeli army blew up an eight-storey apartment building in Hebron, leaving 68 people homeless, 53 of them women and children. Soldiers evacuated the inhabitants without allowing them to take any of their property and later killed two Palestinian gunmen who had entered the building while fleeing from the soldiers. After the bodies of the two gunmen had been removed from the building the soldiers blew it up. Tartil Abu Hafez Ghaiith, an 18-year-old student living in a nearby building, was seriously injured and her neighbour, nine-year-old Tha'ir Muhammad al-Suri, was killed by shrapnel from a shell fired by an Israeli army tank during the attack.
- In October the Israeli army destroyed more than 100 homes and damaged scores of others in a refugee camp in Rafah, leaving hundreds of Palestinians homeless. The Israeli army claimed that it carried out the destruction to uncover three tunnels used by Palestinian armed groups to smuggle weapons from Egypt to the Gaza Strip.
- In a prolonged incursion in the north of the Gaza Strip in June the Israeli army destroyed scores of buildings as well as bridges, roads and other infrastructure. One of the properties destroyed was the Abu Ghaliun tile factory, the largest and most sophisticated such facility in the Occupied Territories. Israeli soldiers destroyed all the machinery and the stock of finished tiles, causing about US\$6 million worth of damage.

Collective punishment, closures and violations of economic and social rights

Increasing restrictions imposed by the Israeli authorities on the movement of Palestinians in the Occupied Territories caused unprecedented hardship for Palestinians, hindering or preventing their access to work, education, medical care, family visits and other activities of daily life. Closures, military checkpoints, curfews and a barrage of other restrictions confined Palestinians to their homes or immediate surroundings most of the time.

The restrictions were a major cause of the virtual collapse of the Palestinian economy, resulting in a dramatic increase in unemployment, which stood at close to 50 per cent, and poverty, with two thirds of the Palestinian population living below the poverty line and an increasing number suffering from malnutrition and other health problems.

Hundreds of Israeli army checkpoints and blockades prevented Palestinians from using main roads and many secondary roads that were freely used by Israeli settlers living in illegal settlements in the Occupied Territories. Closures and restrictions on movement were routinely increased in reprisal for attacks by Palestinian armed groups.

Restrictions on the movement of Palestinians were further increased by the construction by Israel of a fence/wall in the western part of the West Bank and around Jerusalem. Israel claims that the fence/wall, composed of fences, concrete walls, deep trenches and tank patrol roads, is intended to stop Palestinians entering Israel to carry out attacks. However, the fence/wall is mostly being built on Palestinian land deep inside the West Bank, cutting off hundreds of thousands of Palestinians from essential services in nearby towns and villages and from their farming land - a main source of subsistence for Palestinians in this region. The Israeli army declared the areas of the West Bank between the fence/wall and Israel closed military areas and required Palestinians living or owning land in these areas to obtain special permits to move in and out of their homes and land. Israeli soldiers frequently denied passage to residents and farmers in these areas, preventing them from going to work or returning home.

To enforce closures and curfews, Israeli soldiers routinely fired live ammunition, tear gas and stun grenades, detained or ill-treated Palestinians and confiscated vehicles and identity cards. Israeli soldiers frequently refused or delayed the passage through checkpoints of Palestinian ambulances and of patients travelling in ordinary vehicles or on foot, forcing some women to give birth at checkpoints.

- On 28 August, 29-year-old Rula Ashtiya from Salem village was denied passage by the Israeli soldiers at Beit Furik checkpoint separating the village from the city of Nablus. She gave birth on the dirt road by the checkpoint. Her baby girl died shortly after and only then did soldiers allow Rula Ashtiya through the checkpoint on foot to go to the hospital in Nablus.

Conscientious objectors

Scores of Jewish Israelis who refused to perform military service or to serve in the Occupied Territories were sentenced to terms of imprisonment of up to six months. Six others who were court-martialled before a military court for refusing to serve in the Israeli army were awaiting sentence. All were prisoners of conscience.

Forcible transfers

In October the Israeli army ordered the forcible transfer from their native West Bank to the Gaza Strip of at least 18 Palestinians detained administratively without charge or trial. All were forcibly transferred by the end of the year.

Concerns of UN bodies

In August the UN Committee on the Elimination of Racial Discrimination and the UN Human Rights Committee called on Israel to revoke a law, passed in July, which banned family reunification for Israelis marrying Palestinians from the Occupied Territories. The Human Rights Committee also called on Israel to halt the construction of the fence/wall inside the Occupied Territories and allow freedom of movement and end house demolitions, stop using Palestinians as "human shields" and investigate allegations of torture, unlawful killings and other violations.

Administration of justice

Petitions were filed by human rights groups to the Israeli Supreme Court on issues including the use by Israeli soldiers of Palestinians as "human shields", the extrajudicial executions of Palestinians, the construction of the fence/wall inside the Occupied Territories, the law banning family reunification for Israelis married to Palestinians, the lack of investigations into killings by the Israeli army of Palestinian civilians, and the existence of an Israeli secret detention centre, known as "facility 1391". All the petitions were pending at the end of the year.

AI country visits

AI delegations visited Israel and the Occupied Territories in May and August/September. AI delegates met Israeli government officials and raised the organization's concerns.