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B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories

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## **The Performance of Law Enforcement Authorities in Responding to Settler Attacks on Olive Harvesters**

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Researched and written by Yehezkel Lein

Edited by Yael Stein

Data coordination by Maya Johnston

Fieldwork by Musa Abu Hashhash, Najib Abu Rokaya, 'Ali Daraghmeh, Suha Zeid, Iyad Khadad, and Raslan Mahagna

Translated by Shaul Vardi, Zvi Shulman, and Maya Johnston

English editing by Rachel Greenspahn

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רחוב התעשייה 8 (קומה רביעית), ירושלים 93420, טלפון 6735599 (02), פקס 6749111 (02)  
8 Hata'asiya St. (4th Floor), Talpiot, Jerusalem 93420, Tel. (02) 6735599, Fax (02) 6749111  
e-mail: [mail@btselem.org](mailto:mail@btselem.org) <http://www.btselem.org>

## Introduction

In the beginning of October, the annual olive harvest began in the West Bank. This year's harvest, which has been particularly plentiful, comes at a time of unprecedented socio-economic hardships among the Palestinians. The survival of tens of thousands of Palestinian families is more dependent than ever on their ability to harvest their olives and market the oil they yield. However, the olive harvest has been disrupted by violent and systematic attacks by groups of armed settlers.

Only in early November, four weeks into the olive harvest, did the Israeli security forces begin to take significant measures to prevent the settler violence. These efforts reduced the level of violence in some locations, however in other areas the attacks continued.

Deliberate attacks by settlers against Palestinians during the olive harvest is a phenomenon which recurs on an annual basis, though the frequency and severity of the attacks vary from year to year. In general, these attacks are committed by residents of a specific handful of settlements. In recent years, dozens of Palestinians have been shot and beaten while harvesting their olives. Since 1998, three Palestinians have been shot and killed in such attacks, all carried out by settlers from Itamar: Ahmad Suleiman Hatataba, 68, from Bet Furiq, in October 1998; Farid Nasasra, 29, also from Bet Furiq in October 2000; and Hani Bani Many, 22, from 'Aqqraba in October 2002. In the first case, the person responsible was convicted of murder, but in the other two, the perpetrators have not been apprehended or prosecuted.

The attacks on Palestinians discussed in this report have taken place against the backdrop of the Israeli security forces' ongoing policy of non-enforcement of the law with regards to violent settlers. This policy is illustrated at all stages of attacks: inadequate preparations for such attacks, even when they are completely predictable; refraining from halting the attacks even when security forces are present at the site, and refusal to thoroughly prosecute the perpetrators. The Chief of Staff, Lt. Gen. Moshe Ya'alon, recently admitted to the Knesset Foreign Affairs and Defense Committee that "I am also unhappy about the level of law enforcement over the years. Why is there no enforcement? That is a complex question."<sup>1</sup>

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<sup>1</sup> *Y-Net*, 22 October 2002.

This report describes the violence attacks carried out by settlers towards Palestinian olive harvesters this year. The report examines the preparation of the security forces to protect the olive harvest, and the manner in which they intervened during the events. This report is the latest in a series of reports issued by B'Tselem since the beginning of the current intifada relating to settler violence and the failure to hold them accountable to the law.<sup>2</sup>

This report does not address other aspects of Israel's policy in the Occupied Territories that indirectly affect the ability of Palestinians to harvest olives, extract the oil, and sell it. One of the most important examples of such indirect interference is the Israel's imposition of sweeping restrictions on the freedom of movement of Palestinians.<sup>3</sup>

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<sup>2</sup> See B'Tselem reports: *Tacit Consent: Israeli Law Enforcement on Settlers in the Occupied Territories*, March 2001; *Standing Idly By: Non-enforcement of the Law on Settlers, Hebron 26-28 July 2002*, August 2001; *Free Rein: Vigilante Settlers and Israel's Non-enforcement of the Law*, October 2001;

<sup>3</sup> For discussion on this aspect, see: B'Tselem, *Civilians Under Siege – Restrictions on Freedom of Movement as Collective Punishment*, January 2001; *No Way Out: Medical Implications of Israel's Siege Policy*, June 2001; *Lethal Curfew: The Use of Live Ammunition to Enforce Curfew*, October 2002.

## **The Importance of the Olive Industry and this Year's Harvest**

The olive sector is one of the most important agricultural industries in the Occupied Territories. Some 837,000 dunams – approximately 45% of the arable land in the Territories – are planted with olive trees.<sup>4</sup> Most of the olive groves are located in the West Bank, where the olive industry accounts for approximately 40% of the total value of agricultural produce (excluding livestock), and approximately 70% of the production of fruit trees. The olive trees in the West Bank belong to some 70,560 farmers or households.<sup>5</sup> The livelihood of thousands more families depends, to a lesser or greater extent, on activities associated with the olive industry – pressing the olives, transporting olive oil to the markets, and marketing the product.

Unlike other sectors, most activities relating to the olive harvest are concentrated in a period of just two months, and usually begins in mid-October. This year, however, the olive harvest began earlier than usual in many parts of the Occupied Territories, as many farmers were concerned that IDF invasions or settler attacks would disrupt the harvest. As a result, farmers began the olive harvest as early as late September or early October, despite the fact that some of the olives picked were not yet ripe.

Approximately 92% of the olive crop is intended for the production of oil, which takes place at one of 194 olive presses throughout the Occupied Territories. The oil is extracted as soon as possible after the olives are picked from the trees. This is crucial, as the level of acidity in the olives begins to rise as soon as they are picked, and after just a few days in storage the quality of the oil declines and their value drops.

The annual olive harvest varies from year to year. The harvest in 2000 was particularly plentiful: approximately 126,000 tons of olives were brought to the olive presses in the Occupied Territories, and approximately 27,000 tons of olive oil were produced. By contrast, the equivalent figures for 2001 were 22,000 tons and 5,400 tons, respectively. A particularly large crop is expected this year, with the forecast for the yield being approximately 14,000

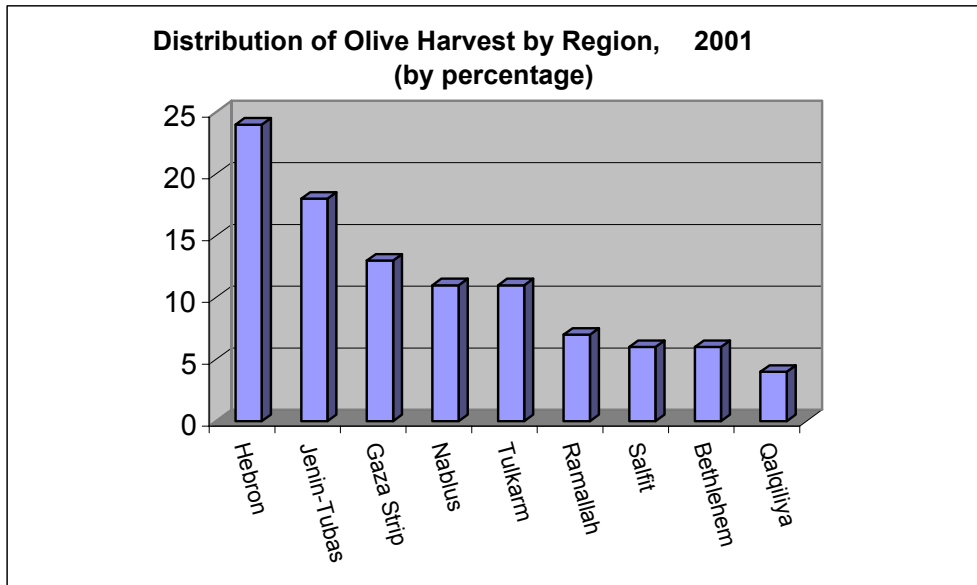
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<sup>4</sup> All the quantitative data in this section are taken, unless otherwise noted, from the Palestinian Central Bureau of Statistics – [www.pcbs.org](http://www.pcbs.org).

<sup>5</sup> This figure was given to B'Tselem by the umbrella organization of Palestinian farmers – Palestinian Agricultural Relief Committee (PARC).

tons of live oil, which is 23% above the average amount produced in the Occupied Territories over the past five years (1997-2001) of 11,380 tons.<sup>6</sup>

The importance of the olive industry to the Palestinian population varies by region in the West Bank; the differences are clearly revealed by the quantity of olives brought to the olive presses. Of the total harvest brought for pressing in 2001, the Hebron district accounted for 24%, and the Jenin-Tubas region for 18%.



Over the past decade, the significance of agriculture within the Palestinian economy has fallen sharply. According to most estimates, agriculture now accounts for no more than 8% of the gross domestic product (including livestock). During the first half of 2002, approximately 14% of the 60,000 jobs in the Occupied Territories were in the agricultural sector. Yet, the importance of agriculture as a source of employment and income among the rural population, which constitutes 60% of the total population of the West Bank, is far greater than that reflected by the aggregate figures presented above.<sup>7</sup>

The importance of the agricultural sector in general, and the olive industry in particular, has increased significantly since the beginning of the present intifada. Prior to the outbreak of the

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<sup>6</sup> The forecast for this year's harvest was provided by PARC.

<sup>7</sup> According to the Palestinian Central Bureau of Statistics, a locale is defined as rural if it has a population of less than 4,000, or if it has a population of less than 10,000 but lacks basic infrastructure and services (electricity, water, clinic, postal services, etc.).

intifada, many rural residents in the West Bank were employed inside Israel. These individuals lost their jobs following the prohibition on entry of Palestinians into Israel's territory. The restrictions on movement within the Occupied Territories also led to an increase in unemployment. The rise in unemployment, with some 50% of the work force currently out of work, resulted in the gradual increase of the number of Palestinians whose livelihood depends on existing sources of income, including the olive industry.

Thousands of families in the Occupied Territories have fallen below the poverty line, which is defined as per capita consumption of less than two dollars a day, since losing their income sources. Approximately 55% of West Bank residents and 70% of the residents of the Gaza Strip now live below the poverty line. According to a survey by the Palestinian Central Bureau of Statistics, 51% of households in the Occupied Territories have reduced the amount of food they consume, and 63% report a deterioration in the quality of the food they consume. Another recent survey stated that 22.5% of children under the age of five are suffering from some degree of malnutrition.<sup>8</sup>

The rural Palestinian population placed great expectations on this year's olive harvest because of the severe economic situation and the anticipated plentiful yield. This year more than ever, the economic viability of thousands of Palestinian households depends on their ability to complete the economic cycle of the olive industry: harvesting the fruit, extracting the oil, and selling the oil.

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<sup>8</sup> John Hopkins University et al., *Preliminary Findings of the Nutritional Assessment and Sentinel Surveillance System for West Bank and Gaza*, August 2002.

## Settler Violence against Olive Harvesters

Attacks on olive harvesters by settlers are one aspect of the broader phenomenon of settler violence against Palestinians throughout the year. Since the beginning of the intifada, settlers have killed sixteen Palestinians and injured dozens more in circumstances in which settlers' lives were not in jeopardy. The level of violence usually rises during the olive harvest because of the increased exposure of tens of thousands of Palestinians involved in the picking. For a period of some two months, entire Palestinian families spend many hours in open areas far from their homes, sometimes very close to settlements that were built on or next to Palestinian farmland.

Since the beginning of the current harvest season, the acts of violence against olive harvesters have been more frequent and intense than in previous seasons. Public figures associated with the settlers have expressed tacit "understanding" for these acts. For example, MK Nachum Langelant of the National Religious Party declared in the Knesset: "Some of the Arabs' olives are right there on the fences of the settlements. What are we talking about? These are settlements that people have broken into; terrorist gangs have broken into them. What do you expect from the settlers who live in that settlement, Mr. Minister of Defense? What do we expect?"<sup>9</sup>

An investigation conducted by B'Tselem since the beginning of the harvest season indicates that most of the attacks were perpetrated by the residents of a relatively small number of settlements, and usually in olive groves surrounding the settlements. The settlements involved are: Itamar, Bracha, and Yizhar, including their satellite outposts to the south and southeast of Nablus; Kefar Tapuah, which is situated on Road No. 60 to the northeast of Salfit; Shevut Rachel and Eli, including several adjacent outposts, close to Road No. 60 north of Ramallah; Tekoa, to the southeast of Bethlehem; and Pene Hever, which is situated northeast of Yata in the south of the West Bank. Violent attacks also occurred in other places throughout the West Bank, though on a less systematic and protracted basis.

The frequency of attacks declined toward the end of October, in part because of security forces' activity and substantial efforts to enforce the law on settlers (see below). However, testimonies given to B'Tselem indicate that Palestinians were unable to reach hundreds of

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<sup>9</sup> Discussion of a motion raised by MK Muhammad Baraka, 29 October 2002.

olive trees located near settlements, and that Palestinians were afraid to approach these areas from fear of settler attacks.

In the most serious attacks, settlers went to the groves where Palestinians were working, shot and threw stones at them, and beat them with clubs and rifle butts. In most of these cases, the Palestinians fled the site, sometimes after several were injured. A shooting attack perpetrated by settlers from Itamar on 6 October 2002 against olive pickers from the village of 'Aqqraba resulted in the death of Hani Hamadallah Mustafa Bani Many, 22, and injury of Fahdi Fadil Bani Jabber's right hand. At the same spot the day before Ghalab Adal Ahmad Abu Nasser lost an eye.

After a settler beat him with a rifle butt, Hisham Hashem Mafdi Suleiman, 42, a resident of the village of Einabus, described one of the attacks by settlers from Yizhar against the olive harvesters from his village:

At about 9:30 A.M. on 5 October 2002, approximately twenty settlers arrived on the site. Some of them were armed. At first, they fired at people who were picking olives in the far corner of the grove. The olive harvesters had no way to resist the attack... so they began to flee. When the settlers reached the place where I was, I saw them beating an old man by the name of Kamal al-Khaja (Abu 'Aziz). I spoke to the settlers in English, asking them to let us leave the site. I told them that my wife was seven months pregnant, and asked them to let her walk away, because she could not run. Instead of showing consideration for her condition, they attacked her and began throwing stones at her.<sup>10</sup>

In other cases, settlers gathered a distance away from the groves, usually on higher ground. They shouted and cursed at the Palestinians and once even shot in the air on occasion, with the aim of forcing the harvesters to leave the area. In his testimony, Yasser Hassan Muhammad Kawarik, 42, resident of 'Awarta, which is located southwest of Itamar, told B'Tselem about an incident that occurred on 22 October:

At about 9:30 A.M., a white, four-wheel drive Mitsubishi arrived at the olive groves and eight people got out. I saw them from a distance of about three hundred meters. They were armed and some of them were in army

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<sup>10</sup> The testimony was given to Najib Abu Rokaya on 6 October 2002.

uniform. I recognized them as the settlers from the settlement [Itamar] who had fired at us earlier. Some of them wore skullcaps and some had beards. They began to shout and curse at us, and shot repeatedly in the air. I estimate that they shot more than five hundred bullets. We were very scared.<sup>11</sup>

The settlers also caused deliberate damage to property: they uprooted and burned olive trees, spilled harvested olives on the ground, and destroyed tools used for the harvest. In one attack, settlers even burned several cars used by the farmers to transport the olives.

In his testimony, ‘Abd al-Hamid Mahmud Ahmad ‘Abdallah, 70, resident of the village of Turmusayya, described the circumstances in which, settlers burned the vehicles used by the residents of the village to transport the olives on 21 October 2002.

At about 9:00 A.M., I saw a group of some twelve settlers approaching us from the direction of the Shevut Rachel settlement. They dispersed in the area and attacked us wildly... They beat us with the butts of their rifles and shot repeatedly in the air to frighten us... As we were running away, I looked back and saw the settlers pouring some kind of fluid on our cars, which were parked on the site, and then setting fire to them. We did not dare to return to put out the fire, and kept running for some 50 - 60 meters until the settlers stopped chasing us and left the site... I lost two cars.

‘Abdallah added that four additional vehicles used by the villagers to collect the olives were also burned by the settlers in the same incident.<sup>12</sup>

During the current harvest season, settlers stole olives on many occasions. This was the first year where the theft of olives was committed on a systematic basis. In some cases, settlers arrived in Palestinian-owned olive groves, picked the olives, and stole them. In other cases, settlers came to the grove and stole sacks of olives that had already been picked by the Palestinians. This behavior was even supported by some of the rabbis affiliated with the settlers, including former Chief Rabbi Mordechai Eliyahu, who stated that:

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<sup>11</sup> The testimony was given to ‘Ali Daraghme on 22 October 2002.

<sup>12</sup> The testimony was given to Iyad Haddad on 23 October 2002.

Since the land is the inheritance of the People of Israel, planting on this land by gentiles is planting on land that does not belong to them. If someone plants a tree on my land, both the tree and the fruit it yields belong to me.<sup>13</sup>

On September 29, 2002, Muhammad Mahmud Abd al-Halim 'Ubeid, 49, a resident of Yasuf, saw settlers from Kefar Tapuah go to his land and pick olives that belong to him.

The next morning, the settlers kept on doing this. They arrived equipped with sticks and ladders. This time there were about twenty settlers, who split into two groups. They began to work at about 6:00 A.M. I realized that this was a new policy on the part of the settlers, and that if we waited and did nothing, we would lose all our olives within one week.<sup>14</sup>

In another case, on 7 October 2002, at the end of his day's work, Rassem Zakariya, a resident of the village of Burin, carried the bags of olives he had picked that day on his back. He took them to the by-pass road adjacent to the grove in order to load them into a car and take them to the village. For several days, settlers from Yizhar had prevented him from reaching the grove, and had stolen some of his olives. Muhammad Raja Muhammad Zaban, also a resident of Burin, was present and described what he saw:

Rassem managed to carry two of the sacks, and was about to take the third. I was standing and drinking water with some other villagers near to a house alongside the by-pass road. Suddenly a Subaru van belonging to the settlers arrived. We were about 50 meters away. Three settlers got out of the vehicle. They loaded one of Rassem's sacks onto the vehicle, and were about to take the second. We saw them and started to run toward them, throwing stones. They got into the car and fled along the road leading to Yizhar. The sack they took contained approximately 60 kilograms of olives.<sup>15</sup>

There were also instances in which settlers blocked Palestinians from entering their olive groves. In some cases, the initiative was taken by the settlers, while in other cases, as will be

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<sup>13</sup> *Ha'aretz*, 25 October 2002.

<sup>14</sup> The testimony was given to Raslan Mahagna on 3 October 2002.

<sup>15</sup> Testimony taken by Raslan Mahagna on 9 October 2002.

shown below, IDF soldiers themselves were the ones who prevented Palestinian access to the groves, with the army contending that entry had not been coordinated in advance. On 18 October 2002, Mahmud Rashid Hamad Salah, 47, resident of al-Khadr, a village near Bethlehem, tried to reach his olive grove. He had been told that settlers from Efrat were uprooting his olive trees.

My children and I walked to the groves because the army does not allow Palestinian vehicles to drive on the Bethlehem-Hebron road. We got there in the afternoon and saw four armed settlers in civilian dress. They aimed their rifles at us and said: “You are forbidden to go onto the land.” We told them that we wanted to pick the olives. We wanted to collect the trees that the settlers had cut down. They did not let us go to the land. We continued to argue with them until the security official from the settlement arrived. He had heard about what was happening, and came to talk with us. When we told him what happened, he went over to the settlers. About two hours later, they let us go onto the land for three hours to collect the olives.<sup>16</sup>

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<sup>16</sup> The testimony was given to Suha Zeyd on 20 October 2002.

## The Response of the Law Enforcement Authorities

With the exception of Area A (constituting approximately 18% of the West Bank), law enforcement in the West Bank is the responsibility of the IDF and the Israel Police Force.<sup>17</sup> In 1994, after Baruch Goldstein's massacre of Palestinians in the Tomb of the Patriarchs, an official commission of inquiry was established, headed by then Supreme Court President Meir Shamgar. Responding to the commission's findings, then Attorney General Michael Ben Yair established clear procedures for law enforcement in the Occupied Territories. These procedures were updated in 1998 by the present Attorney General, Eliyakim Rubinstein.<sup>18</sup>

According to these procedures, the police force is responsible for law enforcement within the settlements themselves, and in cases in which prior information enables preventative action to be taken. The IDF is responsible for events taking place outside the settlements and in instances in which it arrives at the scene before the police. The procedures also require the police and the IDF to evaluate the situation with emphasis on expected violence, with the goal of preparing for these in advance.

There has been almost no implementation of these procedures, as is clearly demonstrated by the IDF and police response to settler violence during this harvest season. The security forces did not prepare in advance for potentially violent events, despite the fact that such incidents could have been anticipated, nor did they intervene in most cases when such incidents occurred.

Following great delay, and after media reports and criticism of the manner in which the security forces responded to violence against the olive pickers, the army and police made a few arrests and issued orders directing settlers who had assaulted olive pickers to stay away from the relevant areas. These measures may have contributed in part to the drop in violence. This drop also demonstrates that security forces could have prepared for such events prior to the olive-harvest season, yet they did not. As such, they are responsible for the acts of violence that ultimately took place.

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<sup>17</sup> For a full discussion of the law enforcement provisions regarding settlers in the Territories, see the B'Tselem reports: *Free Rein; Tacit Consent*.

<sup>18</sup> *Procedure for the Enforcement of Law and Order regarding Israeli Offenders in Judea and Samaria and the Gaza Strip*, September 1998.

As a result of settler violence and the lack of response by the security forces, hundreds of olive trees in areas near settlements were not picked. Palestinians did not harvest these groves out of fear of attacks by settlers and concern that the security forces would not protect them.

## **The IDF**

B'Tselem asked the IDF Spokesperson for details regarding the preparations made by the IDF in anticipation of this year's olive harvest. In its reply, the IDF Spokesperson's Office stated that:

As part of the preparations, the IDF contacted the Palestinian population through the DCO, and informed them that it intended to enable the olive harvest, even in areas adjacent to Israeli settlements in Samaria – *solely insofar as this takes place with prior coordination*, in order to enable the security forces to protect the harvesters. To this end, the IDF forwarded through the DCO detailed maps specifying the precise locales in which prior coordination is required by the olive harvester.<sup>19</sup>

This policy, which forbids Palestinians to enter their own land without the prior permission of the Israeli security forces, epitomizes the discriminatory manner in which the IDF refrains from protecting the life and property of Palestinians against attacks by settlers. The IDF seeks to avoid its basic responsibility, and rather than prepare properly and protect Palestinians picking olives on their own land, it sets conditions that must be met to entitle the Palestinians to protection by the IDF.

It should be noted that ensuring the safety of the olive pickers would not have required the extensive deployment of personnel in every olive grove in the West Bank. Past experience should have enabled preparations to be made in the four or five places where trouble could have been anticipated. In these locales, a permanent presence could have been established, or soldiers could have carried out periodic patrols during the harvest season.

The IDF policy is particularly unreasonable when contrasted with the enormous efforts made by the IDF to protect the settlers, often violating the rights of Palestinians in the process. For example, the IDF has demolished hundreds of houses in “clearing” operations near

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<sup>19</sup> Letter of 3 October 2002 from Lt. Henrietta Levy, Head of Assistance Branch, Office of the IDF Spokesperson. Emphasis in original.

settlements, expropriated thousands of dunams of land to build by-pass roads, and imposed curfews on Palestinians to enable settlers to move about freely. The IDF also scrupulously protects dozens of outposts that have been established without approval from the authorities.<sup>20</sup>

Beyond the fundamental flaw in the army's policy, even this policy has not been implemented in some cases. Palestinian DCO [District Coordinating Office] officials in Hawara and Salfit, which are responsible for the areas where most of the attacks took place, told B'Tselem that they did not receive maps specifying the locations in which prior coordination was required. According to the DCO in Hawara, their Israeli counterpart informed them verbally that prior coordination was required in groves situated "up to 200 meters from the fence of a settlement, or in groves overlooking a settlement."<sup>21</sup> Lacking precise maps, this statement did not clarify the location of the areas "requiring coordination." As a result, some Palestinians who set out to harvest their olives were completely unaware that they were supposed to have sought prior permission from the IDF.

Some Palestinians refused to accept the requirement for "prior coordination" demanded by the IDF, both as a matter of principle and because of their lack of trust in the Israeli law enforcement system. Yet, testimonies given to B'Tselem show that even when there was prior coordination with the IDF, that did not always ensure that Palestinians would be able to harvest their olives in peace.

Suleiman Abu Mifrah, the Head of the village of Takua, contacted the Palestinian DCO in order to coordinate with the IDF the arrival of a group of harvesters to olive groves situated a few hundred meters from the settlement of Tekoa. He related to B'Tselem what happened then.

On 22 October 2002, we received permission to work for one day, starting at 7:00 A.M. Following this, a large group, including myself, set out in the direction of the land, and we began to prepare our tools. We laid out tarps and ladders under the olive trees and began to pick the fruit. Fifteen minutes later, at approximately 8:00 A.M., we saw a settler arrive on foot from the

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<sup>20</sup> It must be emphasized that in international law, there is no difference between settlements approved by the authorities and the outposts. However, the latter are illegal even in terms of the laws and procedures applied by Israel in the Occupied Territories because they were not established in accordance with the series of authorizations required for new settlements or new "neighborhoods" within existing settlements. For more details on this aspect, see B'Tselem, *Land Grab – Israel's Settlement Policy in the West Bank*, May 2002.

<sup>21</sup> This information was given to Najib Abu Rokaya on 20 October 2002.

east - the direction of the settlement of Tekoa. He stopped at a distance of approximately 80 meters from us, and we saw that he was armed. After about ten minutes he walked up to us and began throwing stones... Then a military jeep arrived and two soldiers got out and stood by the jeep. After about an hour, six masked and armed settlers arrived, and stood approximately 100 meters from us. I went up to the two soldiers and told them about this. They went over to the settlers and spoke with them. Then the two soldiers retreated to their positions, while the settlers stayed where they were and threw stones at us continuously... The settlers threw stones for half an hour, while the soldiers stood by and did nothing. Later, an Israeli commander arrived, accompanied by a group of soldiers. The commander told us that he had come on behalf of the DCO. They tried to prevent the settlers from throwing stones at us, but they did not succeed in controlling them. The commander then ordered us to leave the area. Otherwise, he said, the settlers would open fire and there could be a massacre. He commented that he could not stay with us all day to prevent the settlers harassing us.<sup>22</sup>

Expulsion of the Palestinian olive harvesters from the site under the circumstances described above, without making any effort to stop the attacking settlers or remove them from the site, has typified the behavior of IDF soldiers since the beginning of the harvest season.

Palestinians who were harvesting olives have been removed from their worksites during or after attacks by settlers, as well as in instances where there were no attacks. In such cases, the IDF justified the removal on the grounds that harvesters had not coordinated their work with the IDF, or that the area had been declared a closed military zone.

In testimony to B'Tselem, Hisham Hashem Mafdi Suleiman, a resident of Einabus, described events that occurred during an attack by settlers from Yizhar on 5 October 2002:

When the soldiers arrived, I talked with them. While pointing at the grove, they told me that this area was a closed military zone, and that we must not go there. The area they pointed to extended to a point just fifty meters from the edge of the village. When I asked the soldiers how we were expected to pick our olives, they said that the army would discuss the matter, and they would then inform us through the DCO as to when and how we could

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<sup>22</sup> The testimony was given to Suha Zeyd on the day of the incident.

harvest our olives. I replied that there was a simple way to let us harvest the olives. All they needed to do was to prevent the settlers from going to the area and attacking us.<sup>23</sup>

In another incident, on 3 October 2002, a group of Israeli and international activists arrived in the village of Yasuf, adjacent to the settlement of Kefar Tapuah, with the goal of helping Palestinians to harvest their olives. The visit came after three days during which the settlers from Kefar Tapuah had prevented the villagers from reaching their olive groves, and had themselves harvested and stolen the villagers' olives. One of the leaders of the delegation, Rabbi Arik Asherman, of Rabbis for Human Rights, stated in his testimony to B'Tselem:

We arrived in the morning at the olive groves to the southeast of Yasuf, adjacent to New Tapuah. We immediately spread the plastic tarps under the trees and began to harvest the olives. Because of the theft of olives by the settlers during the preceding days, it was vital for the villagers to use the time as effectively as possible. At the beginning of the day, a few IDF soldiers were present – between four and six. As we worked, more and more armed settlers began to gather in the area. At first, the soldiers did their job properly, and kept the settlers away from us. At one stage the settlers began to curse the soldiers. They shouted at them, “Traitors, you are not Jewish, why are you protecting the Shahids [martyrs]?” The soldiers called for reinforcements. After a while more soldiers arrived, as well as police. The police told us to move back a few rows of trees, and promised that we could go back later. But then a military commander arrived and told us that the field had been declared a closed military zone, and that the olive harvest could not continue that day. They told us to go back to the village, while the settlers remained where they were.<sup>24</sup>

It is obviously easier for Israeli soldiers to evict a group of Palestinian olive harvesters, which includes children and the elderly, than a group of determined and armed settlers. However, neither the lack of preparation for coping with armed settlers nor the reluctance to confront them can justify the systematic eviction of Palestinians working on their own land. The IDF failed in its role as the authority in charge of law enforcement in the Occupied Territories. Rather than allowing the harvest and protecting the Palestinians, the army has taken the easy

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<sup>23</sup> The testimony was given to Najib Abu Rokaya on 6 October 2002.

<sup>24</sup> The testimony was given to Lior Yavne on 1 November 2002.

way out, harming the ability of Palestinian farmers to earn a living, flouting the rule of law, and rewarding the settlers for their violence.

### **The Israel Police Force**

In response to an inquiry by B'Tselem, the Spokesperson of the Samaria and Judea Police District stated that, "Police units were instructed to respond quickly if they received reports of this kind, and to prioritize a rapid response in arriving at the scene, where the police officers act to stop the offense, collect evidence against suspects, arrest them and bring them to court, while prioritizing prosecution for alleged offenses."<sup>25</sup>

At a meeting with representatives from B'Tselem, Commander Shahar Ayalon of the Judea and Samaria Police emphasized that, in practical terms, the Judea and Samaria District does not have the resources to make preparations to prevent violent acts by settlers against olive harvesters.<sup>26</sup> The fact that the district has, according to Commander Ayalon, only nineteen patrol vehicles speaks for itself. Accordingly, Commander Ayalon added, the police primarily focuses on the field of criminal investigation, while the IDF is the body that has the capacity to engage in preventive action.

The fact that one of the main bodies responsible for enforcing the law on the settlers has almost no resources to perform this function reflects the fact that the political echelon gives little importance to law enforcement on settlers. The grave lack of resources and personnel facing the Judea and Samaria Police District constantly creates problems in implementing the procedures established by the attorney general, according to which one of the principal tasks of this district is to anticipate violent incidents and make suitable preparations.<sup>27</sup>

The invasion of Palestinian olive groves by settlers in order to steal the crop began at the end of September, and continued for several days without the police intervening, despite numerous complaints filed by Palestinians via the DCOs. In his meeting with representatives from B'Tselem, Commander Ayalon noted that one obstacles delaying law enforcement in some incidents when settlers stole olives was the lack of clarity regarding the ownership of

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<sup>25</sup> Letter of 27 October 2002 to B'Tselem from Superintendent Rafi Yafe, Spokesperson of Judea and Samaria Police District.

<sup>26</sup> The meeting took place on 4 November 2002 at the District Headquarters in East Jerusalem.

<sup>27</sup> For discussion of the severe shortage facing the Judea and Samaria Police District, see: State Comptroller, *Report 52A*, 23 September 2001.

the land. In some cases, Commander Ayalon reported, the police were obliged to wait until the Civil Administration gave its opinion regarding ownership.

This situation emerged despite the fact that, according to the Spokesperson of the Judea and Samaria Police District, one of the steps taken by the police in order to “maximize effective enforcement” and upgrade patrols in “areas where friction is common” was to “map areas and hours of the olive harvest.” The fact that the maps prepared in advance by the police did not include clarification of ownership, at least regarding areas where harassment could be anticipated, is yet another indicator of the failure to prepare properly.

Because the main police effort relating to settler violence is given to investigating incidents and making recommendations regarding the prosecution of suspects, it is too early to evaluate the results of the actions taken by the police in this regard. The number of prosecutions filed against settlers who attacked olive harvesters (relative to the total number of attacks), and the severity of the penalties imposed on those found guilty, will test the readiness of the Israeli law enforcement system to nullify the quasi-immunity that law-breaking settlers have enjoyed thus far.

## Conclusions

On 28 October 2002, Prime Minister Ariel Sharon expressed his disapproval of the acts of violence described in this report. He stated that, “We must look severely upon the attacks on olive harvesters. For Palestinian farmers, the olive harvest is a festival and a cultural event that goes beyond the purely economic dimension. In the future, all necessary steps will be taken to prevent the recurrence of such incidents.”<sup>28</sup> Coming after one month of continuous violence by settlers, and against the background of Israel’s long-standing policy of not enforcing the law on violent settlers, these comments can only be interpreted as a cynical attempt to pay lip service to the principle of law enforcement.

The acts of violence presented in this report should never have happened. The claim that “in the future, steps will be taken” to prevent such acts proves that there are steps that could have been taken but were not. The law enforcement agencies in the Occupied Territories demonstrated complete indifference to the attacks on Palestinian olive harvesters and their property. Despite the fact that these attacks could have been anticipated, insufficient action was taken to prevent them. Only after being pressured into doing so did the IDF and the Police begin to take significant measures to stop the acts of violence, vandalism and theft.

Israel failed to perform its obligatory role as an occupying power to protect the life and property of residents under its control. When combined with the extensive efforts made by Israel to protect the settlers, this failure violates the obligation to treat all persons in the occupied area equally, regardless of their political status or ethnic background. In addition, this failure constitutes a violation by Israel of its obligation to ensure that persons living under its control can realize their right to work and earn a living in dignity.

The settlers’ harassment of olive harvesters since the beginning of the harvest season is not an unusual phenomenon. It is the result of an ongoing discriminatory policy, in which the Israeli authorities refrain from enforcing the law on a limited number of settlers who seek to kill and injure Palestinians and damage their property at every opportunity. In the absence of enforcement, the power of the legal authorities is eroded. This creates a sense among certain sections of the settler population that they are immune from the law, and a belief that violence can be an effective and productive tool in advancing their aims.

Therefore, B’Tselem demands that the Israeli government:

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<sup>28</sup> *Y-net* Website.

- To instruct the security forces in the Occupied Territories to prevent settler attacks on Palestinians and provide effective protection to Palestinians;
- To make the necessary preparations to prevent the violent acts from occurring, in cases in which acts of violence are anticipated;
- To immediately assign additional forces to the Judea and Samaria Police District, and provide the district with the budget needed to improve its operational and enforcement capability;
- To compensate the Palestinians who were physically injured and whose crops were plundered as a result of the security forces' failure to protect them;
- To conduct a thorough investigation into every act of violence.

## Appendix 1: Testimonies

### Burin, Nablus District

#### *Testimony of Muhammad Raja Muhammad Zaban, 40, married with five children*<sup>29</sup>

I have five children, between the ages of five and twelve. I cultivate land that I own and other plots that I rent from residents of Burin. On some of the land I rent, I share the profits with the owners, and on other parts, I pay rent annually. I currently cultivate around fifty dunams [4 dunam = 1 acre]. About two-thirds belongs to my brothers and me, and the other third belongs to village residents. I grow olive trees on thirty dunams, and on the rest I grow wheat, barley, and sesame. I do not grow fruit and vegetables because we don't have water for irrigation. Everything I grow relies on rainfall.

My father was also a farmer. I began to work with him when I was ten, and even after his death, I continued to farm. I am very attached to the land.

The past few years have been very difficult. I have suffered considerably because of the settlers and the Israeli army. The land that I farm is located on the other side of the bypass road that separates the village and the land belonging to its residents from the Yizhar settlement. Since Yizhar was established, I have had problems with the settlers, but I used to be able to work my land. The problems with the settlers have been particularly bad over the past two years and have become unbearable.

Last year, on 15 June 2001, after I had harvested the wheat and barley crops and was ready to begin the grinding process, settlers from Yizhar came and burned up all of my crops. I filed a complaint at the Palestinian DCO, but in the end nobody paid for the damage. In January of this year, the settlers uprooted seventy olive trees. I complained to the Hawara police. I have a copy of the complaint: Incident no. 15, Investigation Unit, DCO, Grizim, 16 January 2001. The investigator was Matans Hadad. Nothing ever came of the investigation.

In June 2002, settlers set fire to 200 of my olive trees in the area near the settlement, and in 2001 they torched one of my plots which had about 150 olive trees. In March 2002, I managed to plow 15 dunams. I had rented fifteen dunams of land near the army base in

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<sup>29</sup> The testimony was given to Raslan Mahagna on 9 October 2002.

Hawara and paid 150 Jordanian dinars [1 dinar = 6.5 shekels] as rent, but the army did not let me work the land.

On Wednesday at about 8:00 A.M., villagers saw about twenty settlers picking my olives. I had plowed this orchard in April and it was well cultivated. We didn't do anything about the settlers that day, because we had given up on filing complaints, which had never helped. We were sure that this time too nothing would happen if we complained. I also thought that the settlers would only come that one time.

The settlers had all the equipment necessary to pick olives, and they finished picking about 5:00 P.M. I watched them all day long.

The settlers returned the next day at the same time and began to pick olives. We contacted the head of the Burin village council, and he contacted the Palestinian DCO. At 2:00 P.M., army and police forces arrived, as did officials from the Israeli DCO. There were a total of about eight soldiers and police officers. They spoke with the settlers for about 30 minutes and then left. The settlers stayed and continued to pick olives.

On Friday [4 October], the settlers returned, but they finished early, around 2:00 P.M. That day, I had gone with my wife and our neighbor, Hakam 'As'us, to harvest on another plot of land. There were about 100 olive trees on the plot, which was located some two kilometers from the village. We got there at about 6:00 A.M. Two settlers arrived at about 10:00 A.M. They stood on the hill above us, about one hundred meters away from where we were, and shouted and cursed at us in Hebrew. I couldn't understand them, or see if they had weapons. They stayed there for about half an hour. We weren't deterred by their shouts. I should note that other farmers from Burin were also working in the area.

Within ten minutes from the time that the settlers left, a Yizhar security vehicle arrived. It parked about 200 meters away from us. The two settlers who got out were armed with Uzi rifles. They walked a few steps toward us, aiming their rifles at us as they moved. Then they went back to the car. They went back and forth like that a number of times, but their actions didn't deter us from our work. I knew though, as did the others nearby, that something was going to happen, so we took the olives we had picked, went down the hill, and set the sacks down alongside the bypass road. Then we went back to picking.

About fifteen minutes later, we saw about twenty settlers running toward us. They had clubs and the last two also had rifles. It was close to noon. They stopped around 50 meters from us.

We were about fifteen farmers, and we gathered together. We moved our small children away. Then the settlers started to throw stones at us. In response, we threw stones at them. They were higher up, so they had the advantage. None of us were hit. We realized that we couldn't fight them, so we began to run down the hill toward the bypass road.

We left all our equipment in the groves. We also left behind a number of sacks of olives that we hadn't managed to take down the hill earlier. The settlers took all the equipment and olives. They put them in the settlement's security car and left. We then returned and continued picking until it began to get dark, around 5:00 P.M.

On Monday, I worked in the groves. The settlers only watched us, and shouted and cursed like they did the day before. We continued picking. 'Abed Rassem Zakariya was working next to me. When we finished work that day, I put my two sacks of olives on the back of my donkey, and Rassem, who didn't have a donkey to carry the olives, had to carry on his back each of his three sacks and take them down to the bypass road. He managed to carry two of the sacks, and was on the way to take the third sack. I was standing with several villagers about to take a drink of water by a house that was close to the bypass road, about fifty meters from where Rassem had placed his sacks. A van with settlers inside appeared and stopped about fifty meters from us. Three settlers got out. They put one of Rassem's sacks in the van and were about to take the other one. We started to run toward them and throw stones. They got into the van and drove off along the road leading to the Yizhar settlement. The sack that they took had about sixty kilograms of olives in it.

Some of the villagers saw what happened. About 100 of them gathered on the main bypass road. Soldiers in an army jeep came by and stopped. We told them what had happened. They said we should complain at the DCO. Then they left. Fifteen minutes later, another vehicle with soldiers came. We also told them what had happened. We gave them a description of the settler's vehicle and where it turned. They asked for the license plate number. We told them that we hadn't been able to get it. But we described the vehicle, a white Subaru van that drove toward the Yizhar settlement. The soldiers ordered us to disperse and go back to the village. They threatened that if we didn't, they would call for reinforcements to disperse us. We did as they ordered, and the soldiers then left the area.

I did not work in the groves today because I went to 'Urif to press the olives that I had managed to pick. I think we are going to be facing a hard season. But we have no choice but to go to the olive groves. It is my future and the source of livelihood for my children and me.

The next time, though, I will hire laborers to do the picking, so as not to endanger my children's lives. I won't be taking my children to help with the picking any more this year.

### **Al-Khadr, Bethlehem District**

#### ***Testimony of Mahmud Rashid Hamed Salah, 57, married with ten children*<sup>30</sup>**

I live in the old quarter of al-Khadr. Two of my ten children are married and they live with us together with their wives and five children. We make a living from farming. We own a 43 dunam plot of land situated in an area known as Batan Al-Ma'asi or Har Efrat. Most of the land is planted with olive trees; one dunam has almond trees. I have documents proving the I own the land.

My plot is situated close to the settlement of Efrat. Only a fence separates the plot from the settlement. The proximity to the settlement has caused many problems for me. Often the settlers come to my land, uproot trees, destroy the land, and force me to leave – despite the fact that I have a permit from the Israeli army to work on the land.

Since the outbreak of the second intifada and the closure of the main road from Bethlehem to Hebron, it has been difficult for us to reach our land. During the olive harvest last year, we received permission to go to the grove. We ride on donkeys to get there and harvest our olives. On the first day of the harvest, when my wife, children, and I arrived at the grove, approximately ten armed settlers suddenly appeared and demanded we leave the land and not return. When I refused to leave, five settlers who were in civilian dress and appeared to be approximately twenty years old, began to beat me with clubs and kick me all over my body. As a result of the beating, I fell to the ground in terrible pain. Later, they dragged me out of my plot and prevented me from going back in. On the following days, I tried to go back to my plot, but the settlers stood there and did not let us enter. As a result, we could not harvest all the trees and lost most of last year's crop.

This year, between March and September, Israel invaded Bethlehem several times, imposed a curfew on the city, and blocked all the roads in the area. As a result, we could not reach our land. The olive harvest began this month, and we have about 100 trees that bear fruit. I intended to go to the grove with my children starting on 20 October to harvest the olives.

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<sup>30</sup> The testimony was given to Soha Zeyd on 20 October 2002.

However, on Friday [18 October], ‘Abd a-Salam Ahmad ‘Abd a-Salam, who lives close to my plot of land, informed me that in the afternoon he had seen from his window several settlers cutting down my trees. He approached the settlers and asked them to stop uprooting the trees but they mocked him, beat him, and drove him away. ‘Abd a-Salam continued to watch as the settlers cut down all the olive trees except for five.

My children and I walked to the groves because the army does not allow Palestinian vehicles to drive along the Bethlehem-Hebron road. We got there in the afternoon and saw four armed settlers in civilian dress. They aimed their rifles at us and said: “You are forbidden to go onto the land.” We told them that we want to pick the olives. We wanted to collect the trees that the settlers had cut down. They did not let us go onto the land. We continued to argue with them until the security official from the settlement arrived. He had heard about what was happening, and had come to talk with us. When we told him what happened, he went over to the settlers. About two hours later, they let us go onto the land for three hours to collect the olives. As I looked at the felled trees I got very upset and sat down on the ground in despair. My children tried as best as they could to collect the olives during the time they had been allotted. Then we put them in bags and loaded them onto a tractor. The settlers shot at the tractor, but the driver managed to move out of their sight.

Yesterday [19 October] at approximately 7:30 A.M., I left on foot with my son Hassan, my daughter-in-law, and my two daughters to go to our land again. We got as far as the military checkpoint at the entrance to the settlement of Efrat. The soldiers at the checkpoint took our identity cards for inspection, searched us and, let us pass after about 90 minutes. When we reached our plot of land and tried to go to it, we were prevented by some ten settlers. They tried to scare us and prevent us going any closer. They aimed their guns at us and demanded that we stand to one side, and they searched us. This went on for about two hours. Then the security officer of the settlement arrived and allowed us to enter the land for just two hours. We entered the land and began to harvest the olives. An hour later, the same settlers came back to our land and demanded that we leave right away. They threatened us with their weapons and drove us off the land. We went home.

We do not know what to do; we have lost this year’s olives, as well as the trees that have been cut down.

## **Bani Na'im, Hebron District**

### *Testimony of Muhamad Ibrahim al-Manasreh, 52, married and father of nine<sup>31</sup>*

I live in Bani Na'im, a village located six kilometers east of Hebron. My family has a 500 dunam tract of land in the al-Hajuj valley. The valley is just to the north of the settlement Pene Hever.

The farmers who own land near the settlement, including myself, have not managed to harvest olives this year due to fear of settler attacks. Some of the village farmers spoke with the Civil Administration about this. We were told to supply them with a list of the farmers who own land near the settlement and their ID numbers in order to coordinate our arrival at the fields with the army. On Sunday [27 October], at around 10:00 A.M., I went to the Civil Administration office in Hebron along with other farmers from Bani Na'im, including Ruhi Hussein Qassem and Ibrahim 'Ali al-Haj, to hand in the list. We gave it to a man called Tziyon. He told us to give him the license plate numbers of the cars we would be taking to the land. We told him we couldn't know in advance which cars we would be taking. Tziyon gave us a contact number for a man called Tareq. Tziyon said Tareq worked in the Civil Administration and would be in charge of our matter. We called Tareq the same day to coordinate our going to the groves the next day. He said that he would wait for us with some soldiers near the grave of the prophet Yakhin, some two kilometers south of Bani Na'im.

On Monday morning [28 November], a group of about 30 farmers, mostly women, went to our land. We were in five cars. On the way, we passed near the meeting place Tareq had mentioned. No one was waiting there. We continued on to the plots of land. We stopped at the top of the valley and started walking down toward the olive groves. When we got to a road that runs some 500 meters from the groves, shots were fired at us from the hill across the valley. The Pene Hever settlement is on that hill. I looked to where the shooting came from. There was a settler in civilian clothing standing

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<sup>31</sup> The testimony was given to Musa Abu Hashhash on 5 November 2002.

near the gate. He was shooting. About 100 meters from there, there was another man, who was in uniform. I think it was the settlement's guard. When we heard the shots and saw that the bullets hit the ground close to us, we ran up the valley toward the cars. The shooting stopped a few minutes later.

Some of the farmers wanted to leave, to get away from the danger. Others wanted to take the risk and go back to harvest the olives. Eventually, everyone agreed to try to get back to the groves. When I got to my plot, I was surprised to see that the branches of most of my olive trees had been cut and that the olives had been harvested. Only one tree remained intact with fruit on the branches. I think the settlers harvested our olives.

The other farmers' plots were undamaged. While we were in the groves, the shooting started again. It lasted for more than fifteen minutes. One of the farmers called Tareq from the Civil Administration. I don't know what Tareq told that farmer, but I saw the man in the uniform go over to the settler who had shot at us and talk to him. After that, the shooting stopped. My family and I stayed on our plot until about 2:30 P.M. Some of the other farmers stayed longer.

My plot usually yields 3000 kilograms of olives a season. This time, we harvested only 70 kilograms. I still don't know whether the trees that are right next to the settlement's fence still have fruit, because I can't get to them. It's too dangerous.

### **Turmusayya, Ramallah District**

#### ***Testimony of Sa'id Taleb Hasan Quq, 43, married with nine children***<sup>32</sup>

On Monday [21 October], at around 7:45 A.M., I went with my wife, Hasiba Muhamed Quq, 37, and other farmers from the village towards the a-Dhaharat and a-Sasder agricultural areas, which lie about three kilometers east of the village and about 300 meters from the settlement of Shevut Rahel. In total, we were a group of about 40 farmers. We all got into twelve cars and one tractor and went to the field. The olives are the only source of income for the farmers, especially as of late, because farmers have been subjected to constant curfew and closure.

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<sup>32</sup> The testimony was given to Musa Abu Hashhash on 5 November 2002.

At around 8:00 A.M., we arrived at the area and began to spread out on specific plots. My wife and I went to the land that belongs to the Nuri family in order to help them harvest the olives. Around fifteen minutes after we arrived, I saw a private car, a white Subaru station wagon with yellow [Israeli] license plates, approaching from the direction of the settlement. The driver of the car drove past us and continued on about 200 meters. Afterwards, he returned to the settlement. There were two settlers in the car, and the rest of the farmers and I suspected that they were checking out the situation and were planning to attack us. We thought this because in the previous few days settlers had harassed farmers from the village, and two weeks earlier, they had chopped down about 200 olive trees. Similarly, we knew that three days earlier [18 October], a number of settlers from the Shevut Rahel settlement attacked farmers in the a-Dhaharet region and stole fourteen full bags of olives. In addition, they damaged the car of one of the farmers, Nasar Ghajer Jabara, and threatened to shoot at the farmers in order to make them leave.

The moment that I saw the suspicious car, I called the Israeli DCO and spoke with the official in charge, Hagai. I know Hagai from a previous incident in which I was asked to be in contact with the Israeli DCO so that the Israeli army could provide us with protection from the settlers. I spoke with Hagai and told him there was suspicious settler traffic and that no soldiers were in the immediate area. Hagai asked me, surprised, why the army hadn't yet reached the location and added that he was sending soldiers immediately. We spoke in English because I lived in the U.S. for a long time.

At around 9:30 A.M., I saw about twelve settlers coming from the direction of the settlement. They wore civilian clothes and were armed. Some of them carried pistols and others had rifles. Four or five of them were wearing facemasks. When they approached, I could see that they were about 20 to 30 years old. One of them was Boaz, whom I know because he had attacked villagers several times in the past. He also threatened me in 1999 in order to get me to evacuate my land so that the settlers could take control of it. In addition, last April, he and other settlers attacked my car and Abu Sa'id's car, breaking the windows.

Boaz wore a skullcap and we could see his face. He carried an automatic weapon and stood at the head of a group of settlers that began to throw stones at the farmers and to shoot into the air. Afterwards they threw a stun grenade and split up into groups. Each group approached one of the groups of farmers scattered in the fields. The group that approached us consisted of five settlers. Boaz was one of them.

At that moment, one of the settlers struck me with his weapon. I protected myself with my hands. Another settler hit my wife with his weapon and threw stones at her. When I saw the other settler attacking my wife, I became very upset and went toward him, while the first settler continued to beat me. I pulled the gun with my hand and the gun case fell. The settler started to worry about the case and I managed to distance myself from him. I noticed that my wife had also managed to get away from the other settler. We ran a distance of about 50 to 60 meters together. The settlers chased us. As I was running, I saw that one of the settlers was hitting ‘Abd al-Hamid, who was trying to protect himself with his hands. ‘Abd al-Hamid’s wife and his sons managed to run away at the beginning of the incident. After we had run away, the settlers stopped chasing us. I saw that the farmers’ cars were on fire. My car, a 1983 Opel Escona, was among them..

The settlers left the area after they torched the two Subarus belonging to al-Haj ‘Abd al-Hamid Abu Hadiya, a 1986 truck, a 1990 Renault Express, a 1999 Mercedes 412 belonging to Ibrahim Muhamed ‘Udeh, a 1987 Renault Express belonging to ‘Issa ‘Abd al-Hadi, Ahmad Sarhan’s 1992 GMC and Amjad ‘Awad Mukhsin Hizma’s 1987 Opel Kadette.

At the same time, more residents of the village reached the area. I also saw two cars arriving from the direction of the settlement. I think that they were dark green Mitsubishi. I know that both of these cars are used for patrolling the settlement. The two cars stopped at a distance of about 50 meters from where the incident had taken place. Two guards from the settlement got out of the cars. One of them was Mark, whom I knew from previous incidents that I mentioned earlier. I yelled at Mark and told him that it would be best if he went back because other residents of the village were coming. I told him this to warn him and avoid friction, which could result in casualties. Suddenly, two army jeeps arrived. At the same time, I saw several civilians throwing stones at the settlement’s guards. The number of village residents at the scene had reached about 200. They came towards us while the settlers retreated together with the soldiers.

The army arrived at around 10:45 A.M. and began to retreat. At the same time, additional army and police forces arrived and were stationed around the settlement to calm the situation. My wife identified the settler who had hit us. She pointed at him with her finger while he was escorting the soldiers. She told me that the settler who was standing near the soldiers was the one who had harassed her. I remember that he was short, with a medium build, and looked about 30 years old. He also had a beard and side-curls. We were standing close to the soldiers, who were separating us from the settlers, and my wife, who had identified the settler, hit him with her hands. The soldiers took the settler and put him into one of the jeeps. The villagers

attempted to get close to the settler, and the soldiers tried to prevent them from doing so. The situation continued like that until 12:30 P.M.

Afterwards, some of the landowners from the area burned the thorns and bushes in the parts of the field that were barren of trees. They did that because the settlers did not allow them to reach those areas the previous year in order to cultivate them. The army ordered the residents to leave within five minutes. After putting pressure on the landowners through the village elders, the residents consented to the army's orders and left.

After we had left, I saw the police filming the cars that had been torched. Afterwards, they transported us, the owners of the cars that were damaged, to the police station in Bet-El to file a complaint. We filed a complaint and investigators took our testimonies. I received a copy of the complaint. We were taken back to village, where we arrived at about 7:00 P.M.

## Response of the IDF Spokesperson

**Israel**                    **Defense**                    **Forces**  
**The**                    **I.D.F**                    **Spokesperson**  
**Public**                    **Relations**                    **Branch**  
Itamar                    Ben                    Avi                    st.  
Tel                    Aviv                    63476  
Tel:                    972-3-6080339/40  
Fax:                    972-3-6080334  
1                    December,                    2002



**To**  
**Mr. Yechezkel Laine**  
**B'Tselem**

### **Re : Your Appeal to the IDF Spokesperson**

Here is our response to the report about the recent olive harvest:

As part of the ongoing war on terrorism lasting over two years, the IDF makes a clear distinction between terrorists and the terror infrastructure which we will continue to fight, and the civilian population which we have no intention of harming. The purpose of this differential policy is to maintain the daily life of the Palestinian population not involved in terrorism, concurrent and determined fighting against terrorism and those dispatching it.

Being aware of the importance of the Palestinian olive harvest, as a central component of the livelihood of the Palestinian population in this season, the IDF deployed its forces in advance to secure the olive harvest in the different regions. So, on the one hand, the olive groves are not used as cover for terrorist attacks, and on the other hand the Palestinian olive harvesters are not harmed during the harvest.

It should be noted in this context that most of the olive groves in the West Bank including those close to Palestinian villages and are not a source of friction with Jewish communities, have been able to harvest without any restrictions.

The IDF authorizes harvesting in places close to Jewish communities in Samaria, but it was clarified that this requires prior coordination, in order to safeguard the harvesters by the Israeli security forces.

This adherence is necessary, among others, because of the fear that terrorists will use the olive groves to carry out terrorist attacks in the nearby communities.

It is noteworthy that in those places where the harvest was coordinated in advance, including those several meters away from Israeli communities, the IDF deployed in advance to secure the olive harvest and the harvesting proceeded unhindered.

On the other hand there were many instances whereby the Palestinians harvested close to Israeli communities without IDF coordination. In these instances clashes often erupted between Israeli residents and Palestinian harvesters.

In every incident of this kind, after reports of clashes or injuries during the harvesting were received, our security forces reached the area to end the clashes and calm temperaments. Furthermore, the IDF drew lessons during the first weeks of harvest,

and deployed in most friction areas to prevent further conflict. In places where Israeli civilians broke the law and hurt Palestinian civilians, the IDF and police forces took action against the assailants. Thus 8 Israelis were detained and investigations are being held against other Israeli citizens

The incidents mentioned in the report are now under investigation. The following is evident from initial findings:

\*Regarding the incident in Tekoah, the Coordination and Liaison offices representative requested to wait until the matter is clarified with IDF and Police officials. He did not instruct the Palestinians to stop the olive harvest .

\*The Harvesting in Acrabeh was not coordinated with Coordination and Liaison officials.

\*The Harvesting in Inbus took place a few days later.

The IDF reiterates its call to any Palestinian who was attacked or hurt during the olive harvest, to file a complaint with the Israeli police, so that their claims can be investigated in depth and if need be, have criminal charges filed against those responsible.



Sincerely  
Cap. Anrieta  
Public

Yours,  
Levi  
Relations

**Response of the Israel Police Force, SHAI District\***

**SHAI District  
Headquarters  
Tel: 02-6279200  
Fax: 02-6279239  
20 November 2001**

**To: Attorney Yael Stein, B'Tselem**

**Re: Response to B'Tselem's Report on Settler Violence against Palestinians during the Olive Harvest**

1. In the beginning of October, when the olive harvest season was just beginning throughout the West Bank, the commander of the SHAI District had mapped out a general law enforcement policy for all the district's units. The policy was designed to be rigorous and uncompromising in the face of friction and confrontations between settlers and Palestinians connected to the olive harvest.

The SHAI District police force takes many and a diverse range of actions to maximize effective law enforcement. Many police cars engage in increased patrols in areas where there is likely to be friction, based on a mapping of such areas and the hours during which the olive harvest is conducted. In addition to increased presence and visibility, police officers carry out covert actions, as a result of which they have caught eight settlers who had intended to confront olive harvesters.

Police units were instructed to respond quickly if they received reports of this kind, and to prioritize a rapid response in arriving at the scene, where the police officers act to stop the offense, collect evidence against suspects, arrest them and bring them to court, while prioritizing prosecution for alleged offenses

Another channel for action is the relationship between the SHAI District and the Palestinian police force. Information is provided through the District Coordination Office, regarding areas where Palestinians are harvesting olives, enabling the deployment of forces in the designated area.

2. The SHAI District police force concentrates investigative efforts in collecting evidence for every investigation that has been opened into the various incidents, some of which are mentioned in your request. Suspects have been identified in the majority of the cases relating to the olive harvest. Charges will be brought against them at the conclusion of the investigation, based on the evidence collected.
3. The SHAI District police force works in full coordination and cooperation with the IDF regarding defending olive harvesters, in order to expand and improve law enforcement in this matter. Joint patrols are conducted by police officers and soldiers.
4. The SHAI District police force invests effort and resources in law enforcement. It goes without saying that the regions in question are particularly vast and remote, making enforcement difficult sometimes. It is for this reason that the aforementioned guidance and instructions were given.

Sincerely.

Rafi Yafeh, Superintendent  
Spokesperson, SHAI District Police

\* Translated by B'Tselem