

AL MEZAN CENTER FOR HUMAN RIGHTS



KILLED FOR JUSTICE

**A REPORT ON THE MURDER OF RACHEL AILENE CORRIE BY AN
ISRAELI BULLDOZER IN RAFAH**

GAZA, APRIL 2003

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AL MEZAN CENTER FOR HUMAN RIGHTS

Al Mezan Center for Human Rights is a Palestinian Non-governmental non-partisan organization with its HQ based in the refugee camp of Jabalia. . Al Mezan's mandate might be précised as follows:

“to promote, protect and prevent violations of human rights in general and ESC rights in particular, to provide efficient aid to those victims of such violations, and to enhance, substantially, the quality of life for the marginalized sectors of the Gaza Strip community.

Aims: As these conditions worsen, the need for constructive sustained action to prevent the collapse of Palestinian society altogether becomes even more urgent. The Mission of the Mezan Center for Human Rights, based in the Jabalia refugee camp in the northern Gaza Strip, is to work to provide a secure and long-lasting foundation for the provision of human rights on all levels. While al-Mezan must confront the daily violations of political rights especially given the current international situation, its long term aim is to encourage and develop economic, social, and cultural rights (ESC). It acts not only as a monitoring and documentation center for rights abuses, but perhaps even more importantly, as a vehicle through which legal aid and advocacy, fieldwork, education and consciousness-raising on such fundamental issues as basic human rights, democracy, and international humanitarian law takes place on a daily basis.

Focus Groups & Organization: Al-Mezan targets all levels of society including the most marginalized groups (women, children, the elderly, the disabled, the unemployed) through a series of thoughtfully focused public lectures and seminars, training sessions, and open debate and consensus-building forums. It provides free legal aid and advice for all members of the community, individually and collectively, and has full-time fieldworkers living in each of the major regions within the Gaza Strip who are therefore able to establish important personal contacts and networks while providing essential documentation of daily rights violations which is then made available at the Center's main office. In addition to these key activities, Al-Mezan works with numerous NGOs and international rights organizations in order to encourage the broadest possible cooperation both within and outside of the OPT.

It is indeed no exaggeration to say that the future of Palestinian civil society depends on the efforts and success of organizations such as Al-Mezan especially in such critical times as these.

4. Structural Outline & Contact Information: Al-Mezan has four key units and a library that is currently being expanded. Each unit consists of a unit coordinator and qualified, professional staff members. Unit descriptions and goals are described below.

a. Monitoring and Documentation (fieldwork) Unit

This unit aims to monitor and document human rights violations in the OPT, whatever the party of violation is. The unit's focus shifted towards civil and political rights owing to the massive Israeli violations of these rights since the beginning of the *al- Aqsa Intifada*. However, its principle aim is to focus on economic, social, and cultural rights.

The role of this unit is crucial for the other units, which base their programs on the information it provides. The Fieldwork Unit monitors human rights violations according to scientific standards so that they can be used in the Center's reports and studies. The Fieldwork Unit keeps close, day-to-day communication with the local community and NGOs.

b. Legal Aid Unit

One of the most effective ways Al-Mezan promotes human rights in the OPTS is by providing legal aid and advice for individuals or groups whose rights have been violated. Legal aid and advice are free for anyone requiring these services. Under normal circumstances, the unit concentrates on aiding victims of ESC rights violations, especially among the most marginalized groups in the Palestinian community.

Additionally, the Legal Aid Unit aims to help establish a legal system that respects human rights standards and upholds democratic principles consistent with the rule of law and the separation of powers. To achieve this purpose, the unit keeps in continuous contact with the Palestinian Legislative Council and follows up all draft laws in order to assure they comply with human rights standards.

The unit aims at raising legal consciousness, especially among lawyers who are expected to carry out an active role in the protection of human rights. To this end, the unit conducts an annual six-month training course for lawyers.

c. Training and Mass Communication Unit

Training is one of the most effective and necessary ways Al-Mezan can promote human rights and democracy in the OPT. This unit aims to raise human rights awareness among all Palestinians, particularly marginalized groups such as refugees, women, children, and the disabled. By making people more aware of their fundamental rights, Al-Mezan can promote grassroots democratic values and the demand that these rights be upheld.

The unit conducts free training courses, lectures, seminars and workshops on ESC rights. Palestinian scholars and activists, together with the Center's professional staff, are invited to take part in these activities. The unit also supervises '**Pass the Word**' program, in which university students raise their fellows awareness after the unit equips them with the necessary knowledge and tools.

The '**Face the Public**' program, designed and supervised by the unit, further addresses ESC rights issues. Through this program, '**Face the Public**' facilitators offer Palestinian citizens the chance to meet directly with officials to discuss their problems and needs. By creating a basis for popular accountability, Al-Mezan hopes gradually to improve Palestinian living conditions.

The Training and Mass Communication Unit is also concerned with public relations and works with local, national, and international organizations and media in this regard.

d. Technical Assistance and Advocacy Unit

The Technical Assistance and Advocacy Unit's mission is twofold. First, the unit aims to conduct scientific research on ESC rights in the OPT and to prepare reports accordingly. Secondly, the unit will follow up the results of its studies through various channels. It hopes to make its findings available to individuals and organizations both nationally and internationally.

The 'Budget Analysis Project' supervised by the unit is a unique tool meant to assure better rights-related services in the OPT. This project aims to analyze the Palestinian Authority's budget from a human rights perspective and to assess budget allocation in accordance with community needs and priorities. Through advocacy and in cooperation with scholars, NGOs, and activists, the unit seeks to change the PA's policies regarding education, health care, housing, etc.

e. Documents Library

The Center is developing a human rights library that will be used as an information center for Al-Mezan staff, researchers, students, and the public. The library contains numerous national, regional and international law texts, and primary and secondary sources relating to international law, human rights, democracy, development, and socio-economic issues, including studies related to women. These sources will be available in both Arabic and English.

General and Contact Information

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Legal Status: National non-profit organization

Date of Registration: May 1999

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INTRODUCTION

On 28 September 2000, Ariel Sharon, then leader of the Israeli opposition and now Israeli Prime Minister, visited the Al Aqsa Mosque, the most important Islamic site in the Occupied Palestinian Territories (OPT). Sharon's actions caused protests to erupt at the al Aqsa mosque compound, and the following day Israeli soldiers killed five Palestinian demonstrators. The violence that continued inaugurated what is now known as the Al Aqsa *Intifada* or "uprising". Israeli Occupation Forces (IOF) have used a variety of techniques to punish Palestinians. For twenty-eight months the Occupied Territories have been under a comprehensive siege restricting people's movement, making their daily life extremely difficult. The army has systematically destroyed homes, uprooted trees and bulldozed agricultural land. Educational, religious and economic establishments have been routinely and arbitrarily targeted. As of June 2003 nearly three thousand Palestinians have been killed owing to the excessive and lethal force used against them. Thousands more have been wounded.

Israel has been systematically violating Palestinian human rights since 1948. Its crimes against Palestinian civilians and their property have tended to lessen or increase according to the political situation both inside and outside Israel. Since the outbreak of the Al Aqsa *Intifada*, however, the situation has worsened significantly. In late March 2002, the IOF seized control of almost all the territory handed to the Palestinian Authority following the signing of Oslo Declaration of Principles and subsequent negotiations in the West Bank and Gaza. In the Gaza Strip Israeli incursions into Palestinian towns and villages took place daily. During these invasions, the IOF murdered civilians, destroyed homes, businesses, wells and agricultural land. Home demolitions were concentrated in the town of Rafah, especially along the border with Egypt. With the increase in violence against the Palestinians, hundreds of peace activists began to frequent the Palestinian territories in an attempt to provide protection for Palestinian civilians and to bear witness to the crimes of the occupation. In Rafah, activists of the International Solidarity Movement set up a continued presence in an attempt to slow down or prevent continued terror against its civilians.

According to the Al Mezan Center for Human Rights, 3,575 homes have been destroyed in the Gaza strip as of May 2003. 1,336 of these homes were in Rafah. In addition, 219

residents of Rafah have been killed by the IOF since the outbreak of the Intifada on September 28, 2000.

CONDITIONS OF THE INCIDENT



Rachel talking to the bulldozer driver moments before her death.

Rachel's companions trying to help her.

In the afternoon of March 16, 2003, a group of activists belonging to the International Solidarity Movement (ISM) were visiting the site of a destroyed water-well in the Tel as-Sultan area east of Rafah. Among them was Rachel Ailene Corrie, a 23-year-old American university student. Rachel had been an active member of the group for almost two months. At around 3 pm, one of the ISM members received a phone call from a colleague in the as-Salam neighborhood, a small district located on southeastern border of Rafah. They were told that Israeli bulldozers had begun to destroy civilians' homes in the area. ISM members had been spending their nights in threatened homes for over four months trying to prevent their demolition, so they decided to go and help again.

Israeli bulldozers and tanks were already inside the area when the ISM activists arrived. They had begun bulldozing the area around the homes targeted for demolition. ISM group members, practicing non-violent resistance, stood in front of the bulldozers in an attempt to prevent the Israelis from proceeding with their demolition orders. The bulldozer-operators continued to raze the area around them, however, several times threatening group members both verbally and physically. This episode lasted more than two hours.

Rachel was among the ISM participants in this action and was familiar with this routine. Because ISM members are trained to make themselves visible before proceeding with any

action, Rachel was dressed in jeans and an orange fluorescent jacket. She was holding a megaphone to her mouth attempting to speak to the driver of a bulldozer, when he was moving against the home of Dr. I. Samir, where ISM members had spent many nights before. As she was standing in front of the house, Rachel got trapped under a mound of dirt pushed forward by the bulldozer driver. The driver continued to move forward until Rachel was completely buried under the bulldozer. He then backed up, rolling over her a second time.

An ISM companion the ISM called an ambulance, which transported Rachel to Rafah's An Najar hospital where she died approximately twenty minutes later. Doctors said she suffered severe fractures in the skull and chest.¹

People all over the world were horrified by Rachel's death. Her fellow ISM members claim the bulldozer driver saw her clearly and killed her deliberately. People in Rafah expressed shock and sorrow at what had happened to someone who had come there to protect them. Because Rachel Corrie's death received a fair amount of publicity in the US media, the US Department of State demanded an immediate investigation into her killing. Israel called it a tragic mistake, but those aware of the on-going situation in the OPT recognized this as a lie. Rachel was as much a victim of Israeli war crimes as the Palestinians who are murdered routinely by the occupation forces. As Steve Niva reminded us in the *Palestine Chronicle*, "The Geneva Conventions expressly prohibits attacks on civilian populations regardless of the motivation, even if in retaliation for attacks on its own civilians."² The IOF continues to violate these essential human rights laws.

ISM members in Rafah contacted the Mezan Center for Human Rights seeking legal advice when the American Embassy in Tel Aviv asked the Palestinian Authority to hand over Rachel's body. Corrie's parents had asked that she remain in Gaza untouched, but their wish was not heeded. On 17 March 2003, after a delay of three hours at an Israeli checkpoint, a group of ISM members accompanied Rachel's body into Israel. A month after the incident occurred, the Israeli government had still not released the findings of its investigation.

¹ Full affidavits from Rachel's ISM colleagues who were at the site are provided on pages 19 – 30 in this report with greater details on the incident.

² Niva, Steve; *Palestine Chronicle* Israeli Bulldozer Crushes U.S. Activist, 2 Palestinians Killed Monday, March 17 2003.

WHAT IS ISM?



A small girl grows up under Israeli occupation

The International Solidarity Movement describes itself as a Palestinian-led, grassroots non-violent resistance movement. International activists are invited to come to Palestine from all over the world to stand with Palestinians against the Israeli Occupation. The movement was founded in 2001 after witnesses described how (among other things) Israeli soldiers repeatedly fired live ammunition into crowds of non-violent Palestinian protesters – people whose right to resist Israel’s occupation is authorized by the United Nations (UNGA Res. 42/159, 7 Dec. 1987). Israeli soldiers were less likely to open fire on a crowd or beat Palestinian civilians, however, if there were international activists standing with the demonstrators. Likewise, media coverage of a demonstration often depended on the presence of international activists.

The ISM recognizes the nature of the Israeli Occupation and understands that the Israeli military values the lives of international activists more highly than it does Palestinians’. ISM activists know that Israeli Occupation Forces practice collective punishment against the Palestinians through systematic closures, humiliation, curfews, home demolitions, beatings, arrests, and killings, including extra-judicial executions. Up until the time of Rachel Corrie’s murder, members of the ISM believed that the presence of internationals would deter the Israeli military from targeting Palestinian civilians.

The ISM uses non-violent direct action techniques in order to protect Palestinian civilians. Palestinian and international activists stand together in front of advancing Israeli tanks, work to remove roadblocks, to prevent home demolitions and arbitrary arrests, ride along in ambulances that are shot at, and defy curfews and closures in order to witness and report Israeli crimes to the world.

ISM IN RAFAH



Rachel and her companions near the border in Rafah

The International Solidarity Movement began in the West Bank and later has had a limited presence in the Gaza Strip. ISM Rafah began in the fall of 2002. Activists stay in homes under threat of demolition and where homes block the construction of the Separation Wall which is being established along the borderline. Activists have joined municipality workers routinely shot at while trying to repair pumping stations and water wells. On another occasion, activists pushed their way through a line of Israeli soldiers in order to bring medical supplies into the Mawasi area which has been under a two-year closure. Activists also set up tents between partially destroyed areas of refugee camps and Israeli bulldozers and tanks in order to prevent further destruction. Because of the particularly violent nature of attacks against Palestinians in Rafah, international activists have had to take many of the actions unaccompanied by local residents. Documentation of the on-going human rights abuses against Palestinians is a critical aspect of activism in Rafah as well.

The goal of ISM members in Rafah is to make people worldwide aware of the name of this devastated and forgotten town, a town the Israeli military has been systematically destroying “without a word of official international outrage”, as one of them remarked.

OTHER ATTACKS ON ISM MEMBERS

On 2 April 2002, Israeli Occupation Forces fired guns mounted atop APCs (Armored Personnel Carriers) in front of a group of international and Palestinian activists non-violently protesting the Israeli invasion of Beit Jala. Several people were injured including a British woman hospitalized for a month with serious injuries. Also in April 2002, Israeli Occupation Forces attacked a crowd of Palestinian medics and international activists in Nablus. All were severely beaten. During the summer of 2002 Israeli soldiers shot and killed a Palestinian medic and activist standing with four international activists. In April 2003, Israeli APCs fired at a group of international activists in Jenin. At the time of writing this report, one remains hospitalized and has undergone repeated surgery. These are just a few examples of the way Israeli Occupation Forces have targeted both international and Palestinian activists in the ISM. With the deliberate killing of Rachel Corrie, the ISM has had to re-evaluate its belief that internationals are immune from direct targeting.

Recently, the Israeli Government decided on new procedures to stop the flow of international peace activists in the OPT. Numerous activists were sent back from Israeli airports. Those who could enter Israel were blocked at the checkpoints between the OPT and Israel. Since April 2003, all of the international activists who wished to enter the Gaza Strip had to sign a new form prior to entry to the Gaza Strip. Following is the new form and an affidavit taken by Al Mezan from an American national.

Israel Defense Forces

Form to be filled out and submitted to IDF authorities prior to entry to Gaza Strip

First name/a ----- Family Name: -----
Nationality: ----- Passport No-----
Home address: -----
Purpose of Visit in detail:-----

Duration of visit: -----
Organization arranging visit: -----

Conditions of Entry into the Gaza Strip

Foreign nationals entering the Gaza Strip, please note that the IDF is counted on to ensure the safety of civilians not engaged in hostilities. However, in the current circumstances, the IDF cannot guarantee the personal safety of foreign nationals visiting the area. Although the IDF cannot accept responsibility of death, injury or damage/loss of properly incurred as a result of military activity, foreign nationals visiting the area are subject to the following conditions whose purpose to minimize the risks involved.

The military installation area along the border with Egypt is Israeli administered territory and is strictly out of bounds to foreign nationals. Please note that this area has been the site of intense hostilities and is extremely dangerous.

Interference or obstruction of Israeli security personnel in the performance of their duties is a criminal offense.

The areas adjacent to the perimeter fence, Israeli settlements, Roads serving Israeli civilians and IDF positions are Closed Military Zones and are out of bounds to all persons.

Foreign nationals are strongly advised to stay well clear of areas of military activity.

Declaration

I declare that the details provided above are true and correct and I have read the above condition and agree to abide by them fully. I am aware that my failure to do so may lead to my arrest and/or prosecution and/or expulsion from the Gaza Strip and/or from the territory of the State of Israel. I am aware of the risk involved and accept that the Government of State of Israel and its organs cannot be held responsible for death, injury and/or damage/loss of property, which may be incurred as a result of military activity. I understand that I am not to disrupt IDF operations in any way, and I hereby declare that I have no association with the organization known as the ISM (International Solidarity Movement) or any other organization whose aim is to disrupt IDF operations.

Affidavit taken by Al Mezan on from an American citizen who entered the Gaza Strip and signed the new form.

Name: Jon Jackson

Address: USA

Job: Librarian

E-mail: jacksonalfaa@eriseup.net

My name is Jon Jackson. I am an American Citizen, age 49 years. I arrived at the Erez checkpoint around 10:30 (I had missed the 431 bus and took a taxi). This was the second time I accepted to enter Gaza in a week. After handing the soldier my passport I waited about an hour. When I was called to the counter, I was given a piece of paper to sign regarding the "conditions of Entry into the Gaza Strip".

I objected to the language absolving the IDF from any responsibility were I to be injured by IDF fire, but I signed the paper because I believed I would not be allowed in if I did not sign.

Jon Jackson

STANDING OF HUMANITARIAN AND HUMAN RIGHTS LAWS

As an occupying power, Israel is bound by the provisions of humanitarian law in its actions in the OPT. Israel is a signatory to the Geneva Conventions, the fourth of which governs the relationship between the occupying power and the civilians living under occupation as long as the state of occupation lasts. Israel has, on a number of occasions, attempted to argue that the Fourth Geneva Convention Relative to the Protection of Civil Persons in Time of War, of 12 August 1949, is not applicable to the Occupied Palestinian Territories. This report does not aim to raise the legal debate on the applicability of this Convention, or other human rights treaties to Israel in the OPT. It is worth noting, however, that the international community stands unified in its conviction that the Fourth Geneva Convention is indeed applicable to the OPT including East Jerusalem. Hence, the international community stands together in asserting that Israel does not have a free hand in the OPT and must therefore abide by the principles set forth in the Convention. “Israel has argued that because prior to 1967 neither Jordan nor Egypt were legitimate sovereigns in the West Bank and Gaza Strip respectively the Fourth Geneva Convention does not apply in these areas as they were not the *de jure* territories of a High Contracting Party when they were occupied. Israel contends that the Convention only applies to a situation where the occupying power displaces a legitimate sovereign holding *de jure* title to the territory occupied. Israel thus considers itself not an ‘occupying power’, but an ‘administering power’ in light of what it considers to have been a vacuum of sovereignty in the West Bank and Gaza.”³

Inasmuch as the Fourth Geneva Convention is applicable to the OPT, Palestinian civilians are considered “protected persons.” The murder of Rachel Corrie is legally inseparable from the context of Israel’s continued use of excessive and lethal force against the Palestinian civilians in the OPT. The same day Rachel was killed, Israeli Occupation Forces killed ten Palestinians, four of them children living in the Gaza Strip⁴. This arbitrary use of force and targeting of civilian persons breaches the provisions of the Fourth Geneva Convention, specifically Articles 146 and 147. Article 146 obliges the Contracting Parties to the

³ See Al Haq and al Mezan report on ‘Israel’s Noncompliance with The International Covenant on Civil and Political Rights: Supplemental Information Additional to the Second Periodic Report of the State of Israel Concerning its Implementation of the International Covenant on Civil and Political Rights’ p. 2.

⁴ See Press Release by Al Mezan, titled, “New Israeli Crimes in Gaza - IOF Kill Eleven People Including an American Peace Activist”, March 17, 2003, available on www.mazan.org

Convention to provide ‘effective penal sanctions for persons committing, or ordering the commission of, breaches in the present Convention.’ Article 147 defines ‘grave breaches’ stipulating that

*Grave breaches to which the preceding Article (Article 146) relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: **willful killing**, torture or inhuman treatment, including biological experiments, willfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or willfully depriving a protected person of the rights to fair and regular trial prescribed in the present Convention, taking of hostages and **extensive destruction and appropriation of property**, not justified by military necessity and carried out unlawfully and wantonly.*

It should be noted that Rachel was murdered while she was trying to protect civilian homes from destruction. In principle, deliberate targeting of private property, including the destruction of homes in occupied territories, is a grave breach according to the above-mentioned Article 147 of the Fourth Geneva Convention. Article 23 of the same Convention states that:

Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities is prohibited, except where such destruction is rendered absolutely necessary by military operations.

Like all other nations, Israel is bound by certain human rights standards. The International Covenant on Civil and Political Rights (1966) to which Israel is a signatory considers the right to life of all people a non-derogable right, meaning there are no conditions under which this right can be suspended. Article 6(1) provides that “Every human being has the inherent right to life. Law shall protect this right. No one shall be arbitrarily deprived of his life.” The Covenant clearly considers the right to life the most fundamental of all rights. Hence the right to life is not “considered a matter exclusively within the domestic jurisdiction of a state, but a matter of international concern, although states also have to ensure that their organs

respect the life of persons within their jurisdiction.”⁵ The same Article also prohibits arbitrary deprivation of life, a concept comprehensively elaborated upon by the ICCPR Committee, particularly comment⁶. The Committee provides that each State that is party to the ICCPR has to prevent and punish deprivation of life by criminal elements within the state as well as by state security forces⁶.

As mentioned above, Israel is obliged to investigate, without delay, such violations. As of the writing of this report, however, Israel has published no investigative findings on the killing of Rachel Corrie or the ten Palestinians killed that same day.

OTHER ATTACKS ON ISM MEMBERS AND OTHER PEACE ACTIVISTS SINCE THE MURDER OF RACHEL CORRIE

Facts collected by the Al Mezan Center for Human Rights suggest that the murder of Rachel Corrie was only the beginning of a campaign to target international activists in Rafah and several other towns in the OPT. On April 11, 2003, a group of ISM volunteers including Tom Hurndall, a British citizen, gathered in Yibna (a district of Rafah) with the intention of erecting a tent in an area where tanks fired into the street each night often endangering and injuring children and unarmed adults. When the activists arrived, accompanied by Palestinian residents of Rafah, soldiers were already shooting from nearby watchtowers and a tank. The activists decided to turn back and postpone the action, when a shot was fired at the wall of the house directly behind a large group of children who had gathered on a pile of rubble. The shot caused the children to divide into two groups, one of which was able to run to safety. When Tom Hurndall went to escort the remaining children to safety, he was shot in the head and fell forward. He was wearing an orange high visibility jacket⁷. He was taken to hospital in critical condition and remains to this day on life support systems. He died a few weeks after the incident.⁸

⁵ Fact Sheet No. 11 (Rev.1), Extra judicial, Summary or Arbitrary Executions – www.unhchr.ch/html/menu6/2/fs11.htm

⁶ CCPR General Comment 6, www.unhchr.ch - Treaty Bodies Database

⁷ From a statement given to Al Mezan by Alison Phillips, a 63-year-old British citizen, who lived in Rafah for sometime and volunteered as a peace activist with the ISM.

⁸ For more details on this case, please see an affidavit given to Al Mezan by Laura Gordon in Appendix 1.

On Friday May 2, 2003, a British journalist and cameraman, James Miller, was shot in the neck while filming an Israeli incursion into Rafah. An Israeli ambulance took Miller away from the scene after almost an hour. He was announced dead later that night.

APPENDIX 1

AFFIDAVITS TAKEN BY AL MEZAN FROM RACHEL'S FELLOW ISM MEMBERS

1. Name: Greg Schnabel

United States citizen

Email: Notfood@hotmail.com

Chicago, IL U.S.A.

Born: April, 26 1974

I Greg Schnabel came to Rafah to work with the International Solidarity Movement.

At approximately 3p.m. on the afternoon of March 16, 2003 I was with Rachel at a water well in the Tel al Sultan district of Rafah. We received a call from our fellow I.S.M. activists in the Hi Es Salam district. Our friends informed us that two bulldozers were in that neighborhood threatening to destroy family houses. Rachel and I went to the Hi Es Salam area to help our friends. The homes that were being threatened by the bulldozers were the homes of families that our group had been sleeping with for the past four months. We had personal relationships with these families and defending their homes from being destroyed was very important too us.

When Rachel and I arrived on the scene two bulldozers were clearing the ground near to these homes. There was also a tank. Our group began to stand in front of these bulldozers in an attempt to stop them. Generally they did not stop when we stood in front of them, but continued to push the dirt up from underneath our feet and push us away. Several times we had to dive away at the last moment in order to avoid being crushed.

This continued for about two and a half hours. All the time the bulldozers were approaching closer to the families' homes. They made several attempts to evade us and outmaneuver us. At one point Will from the United States was nearly crushed between the bulldozer and a pile of razor wire. The bulldozer stopped at the last minute in Will's case. If it had moved any closer he would have been impaled by the razor wire.

The bulldozers destroyed part of a home that was unoccupied. Members of our group including myself stood inside this home in an attempt to stop them. One bulldozer then moved toward the house of Dr. Samir, whose family we had become close to.

Rachel was standing in front of this home. As the bulldozer approached she stood her ground. Rachel was wearing an orange fluorescent jacket. She was clearly visible to the bulldozer driver as well as to the soldiers in the tank. The bulldozer began to push up the ground from beneath her feet. The pile of earth was mounding up and she tried her best to stay on top of it. As the ground continued to move Rachel went down on her knees. The bulldozer continued to move forward. Rachel began to become buried beneath the dirt. Still it did not stop. Finally, Rachel was beneath the bulldozer. The bulldozer did not even pick up its blade. It ran over her completely and continued to advance. It stopped when she was completely underneath the body of the bulldozer. It then moved backwards over her body. It moved clear of her and backed away.

At this point I and my friends ran to her. She was obviously in terrible condition. Her upper lip had been split open and was bleeding. We called an ambulance immediately and continued to monitor her vital signs. She was breathing but she was losing consciousness rapidly. Within a minute she was no longer able to give us her name or speak. We continued to talk to her encouraging her, breathing with her, and telling her we loved her.

The ambulance staff came and took her to the hospital. Once there she died within twenty minutes or less.

Greg Schnabel

March 16, 2003

2. Name: RICHARD PURSELL

British citizen

Construction Worker

Brighton , England

Born: 12/10/71

I am Richard Pursell of the United Kingdom. I am here in Rafah to demonstrate solidarity with the Palestinian people and take non-violent direct action to confront the Illegal Israeli occupation . I am making this statement at 11:30 on the night after the incident.

On 16/03/2003 myself , Rachel Corrie and Greg (?) were acting as human shields at the well in Tel al Sultan. We received a call at 2.30 from other ISM activists who were working in the Hi es Salaam area that bulldozers had been spotted . We arrived ten minutes later at the area between the houses we were protecting and houses that had been destroyed a week earlier. Using a megaphone and banners to identify ourselves as international non-violent activists we moved forward to confront the bulldozers. For two hours we attempted at great risk to ourselves to obstruct and frustrate the bulldozers in their work. One activist from the U.S was trapped underneath barbed wire . The bulldozers seemed intent on piling up the land in front of the buildings whilst making occasional runs at houses.

There were two bulldozers, one marked 94 serial number 949623 the other 95 serial no.949645. There was one tank but I do not recall its number. I noted these numbers prior to the incident.

At approximately 16:45 a bulldozer began making a straight run at a house that I now know to belong to a doctor Izmir (*Samir*)⁹. At this point the majority of the group were positioned around a wrecked building. We were all within 70 meters of each other. I was to the left of the ruined building and to the right of Dr Izmir's house. Rachel was approximately 15 meters in front of me. The ground was level and the light was good; I had a good view of everything that happened. Rachel was wearing an orange fluorescent jacket with reflective strips (The type worn by construction workers for High Visibility and the avoidance of accidents .)

⁹ Correction by the Center.

Rachel stood to confront the bulldozer and it approached her at about five or six miles an hour. The blade on the bulldozer was dipped into the ground and was scooping up soil. As the bulldozer came nearer the pile mounted up. Rachel climbed up the pile and at the one stage was looking into the cabin window. There is no way that the driver could not have known she was there. The bulldozer continued driving forwards and Rachel turned round to face in my direction. She began to slide down the pile; however as soon as her feet touched the ground for some reason she fell forward. Maybe her foot was caught or the weight of the soil pushed her forward. At this point the panic on her face was obvious . We were all shouting, screaming and gesturing by this stage. The earth was totally pushed over her, engulfing her. She was lost to my sight. I noticed that the driver had not lifted the blade . The machine rolled straight over her and continued for a little way. It then reversed over her and retreated about twenty meters. Rachel was left in its tracks, bleeding from her mouth and twisted. The tank came over to where she was briefly and then retreated to the border fence with the two bulldozers. At no point did any member of the Israeli forces enquire as to Rachel's well-being or offer any assistance.

Eventually we were able to call an ambulance and one arrived shortly. Rachel was taken to hospital in Rafah , where I heard she had died.

I certify that this is a true account to the best of my recollection.

RJA PURSSELL

16/3/2003

AFFIDAVIT TO THE MURDER OF RACHEL CORRIE, 16/03/2003, RAFAH.

By: Thomas Edward Dale; Date of Birth: 17/08/84; British Citizen; living in Lichfield, Britain., written on 17/03/2003

When I first arrived in the Hi Salam area there were 2 Bulldozers and 1 Tank. The Bulldozers were destroying agricultural land, turning over the soil and starting to demolish pieces of unfinished buildings in the area. The group was demonstrating against the destruction: carrying banners and shouting through a megaphone. There were 8 international activists, 4 British and 4 American. 2 activists, including Rachel were wearing high-visibility orange jackets with reflective strips.

The bulldozers were working perpendicular to the border, at the 'Brazil' edge of Hi Salam. I saw Nick narrowly escape being hit by a 9ft concrete pillar that fell toward his head. Shortly after I arrived an additional tank arrived and the bulldozers began to work in long lines, parallel to the border, between where they had been and the house of a friend of ours, a Doctor, some 300 meters east. At one point, I watched other activists help to rescue Will who was partially buried in a pile of earth with razor wire in it. For the most part the group only followed and observed the bulldozers, only occasionally placing ourselves in their path. The atmosphere had been relatively unthreatening, with the tank shooting at the ground a few times and one gas grenade being thrown. In the entire time I was there, the Palestinian resistance did not fire once, or make its presence known in any way. It was during this time that I was asked to note down the serial number of one of the bulldozers: 949645.

At around 16:45 both tanks were at the eastern edge of the area they had been patrolling. When the incident happened I was standing on a pile of rubble, some 10-15 meters away from Rachel. Rachel walked to place herself in between a bulldozer and the house of the Doctor, which was slated for destruction. She was clearly visible to both drivers of the bulldozer as well as to the crew of a least one of the tanks, who were watching from the side. The bulldozer approached slowly, from about 10 meters away, after Rachel knelt on the ground. As it approached her the mound of earth pushed in front of the blade forced her to stand up. She managed to clamber on top of the mound before the Caterpillar D-9

bulldozer's onslaught made her start to lose her footing. She began to disappear under the earth as her fellow internationals communicated to the bulldozer drivers what their machine was doing to Rachel, using hand signals and a megaphone. The crew continued; dragging Rachel under the earth, then out of our site under the blade, keeping on until her body was directly beneath the cabin of the bulldozer, between and under the treads. It waited over her body for a few seconds before moving backwards. The drivers left the bulldozer blade down, running over her body a second time. They knew she was under there – the blade can only have been left down to deliberately crush her a second time. We ran to Rachel where Rachel was lying. Her face was scarred with a gash cutting her lip to her cheek and covered in blood. She continued to gasp intermittently as her responsiveness faded. The ambulance arrived after about 5 minutes; I and 3 other ISM activists went with her to the An Najah (Najar) hospital in Rafah. At the hospital, the doctors tried CPR and adrenaline, but it seemed that she had died in the ambulance.

LICHFIELD ACTIVIST WITNESSES ISRAELI ARMY MURDER OF AMERICAN ACTIVIST IN RAFAH, THE GAZA STRIP, PALESTINE.

On 16/03/2003, Tom Dale, an activist for the International Solidarity Movement from Lichfield witnessed an Israeli Army Bulldozer crush Rachel Corrie, an American activist and friend to death. He writes:

'When the incident happened I was standing on a pile of rubble, some 10-15 meters away from Rachel. Rachel walked to place herself in between a bulldozer and the house of a Doctor, which was slated for destruction. She was clearly visible to both drivers of the bulldozer as well as to the crew of a least one of the tanks, who were watching from the side. The Bulldozer approached slowly, from about 10 meters away, after Rachel knelt on the ground. As it approached her the mound of earth pushed in front of the blade forced her to stand up. She managed to clamber on top of the mound before the Caterpillar D-9 Bulldozer's onslaught made her start to lose her footing. She began to disappear under the earth as her fellow internationals communicated to the bulldozer drivers what their machine was doing to Rachel, using hand signals and a megaphone. The crew continued; dragging

Rachel under the earth, then out of our site under the blade, keeping on until her body was directly beneath the cabin of the bulldozer, between and under the treads. It waited over her body for a few seconds before moving backwards. The drivers left the bulldozer blade down, running over her body a second time. They knew she was under there – the blade can only have been left down to deliberately crush her again. We ran to Rachel where Rachel was lying. Her face was scarred with a gash cutting her lip to her cheek and covered in blood. She continued to gasp intermittently as her responsiveness slowly faded. At the hospital, the doctors tried CPR and adrenaline, but it seemed that she had died in the ambulance.'

I have been in many confrontations of a similar kind – as has Rachel. Each second I believed that this had to be the second it would stop

The house, like dozens of others in the area is set to be demolished not because of any supposed link to militants, but only because it lies within 100 meters of the new border wall, currently in construction. Families receive no compensation from Israel, and are frequently given just a few minutes warning in the form of live ammunition being shot through the walls of their house.

**Following is a letter from Rachel's family to the people of Rafah sent
forty days after her death.**

April 23, 2003

To the people of Gaza

From the family of Rachel Corrie

Greetings to all of our friends in the occupied territories, we, the parents, sister and brother of Rachel Corrie, want to thank you for all you did for Rachel while she working in Rafah and for all you have done to honor her memory since she died on march 16. We understand that you will be remembering her especially on the on the fortieth day anniversary of the her death. Know that we will be thinking of all of you.

We are grateful to those of you who became Rachel's friends and who welcomed her into your homes and shared your tea and food with her. she wrote to us about you and about your wonderful families. She admired how you supported one another even as you struggled against the cruelties of the occupation. Writing about you, Rachel told us, "I am nevertheless amazed at their strength in being able to defend such a large degree of their humanity- laughter, generosity, family- time-against the incredible horror occurring in their lives and against the constant presence of death .. I am also discovering a degree of strength and of basic ability for humans to remain human in the direst of circumstances ... I think the word is dignity."

We are grateful to those of you who cared for Rachel as she died and after. We will always remember the respect and love with which she was treated in life and in death by the people of Gaza.

We are grateful to all of you who have honored Rachel's memory during these past weeks. It lifts our spirits to hear of the Rachel Corrie Children and Youth Cultural center in Rafah and the Rachel Corrie Center for Women's Empowerment. We know there are now newborn babies named Rachel and streets that bear her name, too. We cannot find adequate words to tell you how much these things mean to us . Thank you for the many ways in which you have honored our daughter and sister.

Rachel wrote to us that coming to Rafah was one of the best things she had ever done in her life. She told us that she would stay in Rafah longer than she had originally planned. She had watched another ISM volunteer say goodbye to the families she had grown close to, and Rachel said she saw then how hard it would be to one day leave all of you. She had dreams of making connections between Rafah and her hometown in the United States-Olympia, Washington. She had started planning to make Rafah and Olympia sister cities. She had gone to her old elementary school in Olympia and had encouraged the children there to write letter to the children in Rafah. She was hoping to help the women in Rafah who make handcrafted items to sell those items at the fair trade store in Olympia. Rachel wanted your voices to be heard in the United States. Had she lived, Rachel would have worked to make all those things happen. Now, we want you to know that many people in the United States are working very hard to make these dreams of Rachel's come true. The dreams are not forgotten. Rachel is not forgotten. And your suffering is not forgotten.

Our family wants very much to come to Rafah. We plan to do so as soon as we are able. When we come, we hope to meet the children who taught Rachel Arabic words, the grandmothers who watched out for her health, and the families with whom she shared meals and tea. We hope to visit the Rachel Corrie Children and Youth Cultural Center and the Rachel Corrie Center for Women's Empowerment and maybe to meet newborn baby named Rachel. We are eager to look into your eyes and to have your into ours as we remember Rachel together.

We want you to know that each day here in the United States we are doing all that we can to make Americans aware of your suffering. We will continue to work here for a just and peaceful resolution to this conflict that has caused so much loss for each of you and now for us, as well. We know that Rachel will forever be linked to the Palestinian people. She brought your story to us so that now, you will always be in our hearts.

Sincerely,
Cindy, Craig, Chris and Sarah Corrie,
Rachel's Family.

**Affidavit given to Al Mezan by Laura Gordon, an ISM member in Rafah
on the shooting of Tom Hurndall.**

Laura Gordon
250 South Homewood Avenue
Pittsburgh, PA 15208

Unites States Citizen
Volunteer
Born 7-25-82

Background Information: I have been living in Rafah for one-and-a-half months working with the International Solidarity Movement (ISM). ISM is a non-profit organization founded by Palestinians and internationals at the beginning of the Second Intifada in response to the growing violence of the Israeli Occupation of Palestine. ISM brings internationals to Palestine to work with Palestinian communities as peace activists and human rights observers. ISM Rafah engages in a variety of activities, including observation and documentation work, community building, and direct action against the excessive violence of the Israeli Army (house demolitions, curfew, unwarranted use of firearms, the daily indiscriminate murder of Palestinian citizens). I plan to remain in Rafah working with ISM until outside circumstances such as money, burnout, arrest, or deportation necessitate my departure.

Account of Incident: On Friday, April 11, 2003, at about 4:15 PM, 10 ISM international activists from US, Britain, and Italy, went to Yibneh to engage in a direct action. Everyday, a tank parks in front of the Tawheed Mosque on Salehadeen Street in Yibneh and shoots into the street and buildings, endangering people who come to pray and children playing in the street. Two days before, two brothers, 15 and 18 years old, had been shot in this area (one in the neck when he went to the kitchen to get a glass of water) by the Israeli Army. Our action, proposed by a local Palestinian group, involved setting up a tent in the place where the tank normally parks and maintaining international and Palestinian presence in that tent at all times.

We congregated by a house near the area around 4:15 and were told that the tank was parked where we had planned to set up the tent, and the tank and two nearby sniper towers had

been shooting continuously into the area for the past ten minutes. I went with two Palestinian adolescents to assess the situation. When we got to the area, we saw that the tank had moved away from the area. We proceeded to wait in an area where the group could join us. I attempted to call back to the group on my cell phone, but it was malfunctioning so one of the Palestinian youths left to inform the others about the situation. After he left, the more Western of the two sniper towers in the region began to shoot at a building near the remaining Palestinian and myself, so that if we attempted to leave the area we would have to cross the path of fire. On the other side of us, the tank began to fire into the area. There was no Resistance at that time, so these were clearly intimidation tactics of the Israeli Army to remove us from the area. We slowly walked with our hands up past the point where the sniper tower had been shooting in our path. As soon as we passed that point, the shooting stopped, which underlined our feeling that these were intimidation tactics focused at us. Meanwhile, I had gotten hold of Joe, an American ISM activist, who told me to come meet them about 30 meters Northeast of my position, behind the roadblock separating Salehadeen Street from Kir Street. This roadblock is a mound of sand about 8 feet in height built by Palestinians to deter movement into the dangerous area of Yibneh. There is a small space, about a foot-and-a-half wide, between the eastern part of the roadblock and the building, where there is no sand and people may walk through with relative ease. I will henceforth refer to this as the “sidewalk.”

At approximately 4:45 PM, when we arrived to where the group was standing, the group had already decided to abandon the action at that time due to the danger presented by the shooting in the area. The group was milling around about 5 meters North of the roadblock. There were many children in the streets, as children follow us everywhere we go because we are strangers to the community and therefore subjects of curiosity. There had at this point been no shooting in the area since the previous shooting in my path.

We began to leave the area. At this point (about 4:50 PM), individual sniper shots began to be fired by the more Eastern of the two towers, into the street where we had congregated, both into the building East of us and into the roadblock, where there were children playing. The following is information I have gathered from eyewitnesses:

When shooting began, most children scattered. However, a few remained trapped, paralyzed from fear, in vulnerable areas on the sidewalk and in front of the roadblock, where they were vulnerable to fire. Seeing children in danger, Tom Hurndall, from Britain; Nicola, from Italy; and one Palestinian youth, went to the roadblock to remove the children. They removed one boy from the area and went back to remove two girls. While on the sidewalk, in the process of removing the girls, Tom Hurndall was shot in the head by the sniper tower.

I heard a shot (perhaps the seventh shot), followed by screaming, and turned around to see what had happened. At first I thought a child had been shot, but then I saw Tom, on his back, with blood coming out of his head. A group had gathered around him and Palestinians carried him to a less exposed place in the area where our group had been congregating minutes before. Alice and Joe, ISM activists, applied first aid, while others called an ambulance. In the chaos and urgency of the situation, he was put in a taxi and taken to El Najar Hospital in Rafah, where he was declared brain dead and stabilized sufficiently to be driven in an ambulance to Europa Hospital, and eventually transferred by helicopter to Soroka Medical Center in Beer Sheva. The two ISM activists accompanying him were not allowed to come with him in the helicopter.

He remains almost completely brain dead, in a coma in Soroka Medical Center. He is on life support. His death is imminent. Doctors judge his consciousness level at four (on a scale of 3 to 15, 15 being normal). His parents and friends are staying there with him full time.

Tragedies such as this happen on a daily basis to Palestinians. The Occupation is not a defensive measure as the Israeli Army and Government would like to portray it, but rather an act of unnecessary violence and oppression in many forms and on many levels. The army must withdraw immediately to avoid further atrocities such as this one.

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