



المؤسسة العربية لحقوق الانسان  
Arab Association for Human Rights

## “LET THEM SUFFOCATE”



Police Brutality during House Demolition  
in Upper Galilee Village of al-Bea'neh,  
February 25, 2004

(Case Study No. 1)

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## Case Study No. 1

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# “Let Them Suffocate”: Police Brutality during House Demolition in Upper Galilee Village of al-Bea’neh, February 25, 2004

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Cover photo: Police gathered near site of demolition, February 25, 2004 (HRA ©)

Title: Quotation from the testimony of Fatmah Saleh Bakri

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**The Arab Association for Human Rights (HRA)** was founded in 1988 by a group of lawyers and community activists to promote and protect the civil and political, economic, social and cultural rights of the Palestinian Arab minority in Israel from an international human-rights perspective. In 2003, the HRA expanded its activities to include a human-rights monitoring program, whose methodology relies on field research and interviews and legal analysis of the domestic and international human-rights standards. The idea of establishing a Research and Reporting program was first developed by the HRA in the wake of the events of October 2000, when 13 minority citizens were killed by state police forces. Since that time, a steady trickle of serious and often physical human-rights abuses against minority citizens means that the need for human-rights documentation and reporting of these abuses is more vital than ever. This report is the first in a series of case-studies put out by the HRA’s Research and Reporting program to document instances of human-rights abuse inside Israel.

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# Executive Summary

This report examines in detail the behavior of the Israeli police in the enforcement of house demolitions in the Arab village of al-Bea'neh in the Upper Galilee on February 25, 2004. The Arab Association for Human Rights (HRA) based in Nazareth recognizes that house demolitions inside the state of Israel are a government policy directed almost entirely against the country's Palestinian Arab citizens, who are both deprived of land on which to build homes and face grossly unfair obstacles to gaining permits to build on land they do own.

The HRA harshly criticizes Israel's policy of systematically denying the Palestinian Arab minority citizens, which make up approximately 20% of the whole population, their basic human rights to an adequate standard of housing and living and the right to integrity of the private sphere. In particular the HRA condemns the manner in which these demolition operations are carried out.

The purpose of this report is not to consider the justice of the claims of the five families in al-Bea'neh who lost their homes. Rather it is to focus on the continuing brutal mistreatment of Israeli citizens belonging to the Palestinian Arab minority by the country's security forces. One of the major confrontation lines between the police and the Palestinian Arab minority is over the enforcement of house demolitions. It is clear from the testimonies contained in this report that the police continue to regard the Palestinian Arab population as "enemies" who can be handled only through the excessive use of violence.

What makes the evidence contained in this report so alarming is that the Israeli police appear not to have internalized the lessons of October 2000, when they shot dead 13 unarmed Palestinian Arab citizens during demonstrations. Afterwards, a state commission of inquiry, the Or Commission, heard evidence that police had used excessive and lethal force in non-threatening situations. Senior police commanders promised to change a police culture that has traditionally viewed Palestinian Arab citizens as an enemy.

The problems were highlighted again last year when the Or Commission published its report into the October events. Justice Theodor Or warned: "The police must realize that the Palestinian Arab sector in Israel is not the enemy and must not be treated as such." He also observed that "the police must raise the level of dialogue between its officers and the leaders of the [Palestinian] Arab community." He concluded: "It is important to plant an understanding in all ranks of the police of the need for calm and moderate conduct vis-a-vis the Palestinian Arab sector. At the same time, it is important to uproot the instances of bias against the Palestinian Arab sector that were revealed even among veteran and respected police officers."

Justice Or, however, feared that “the culture of drawing conclusions by the police from the events of October 2000 is not deeply rooted.” The police tactics used in al-Bea’neh confirm that not only is such a culture not deeply rooted but that it may be non-existent. All the mistakes of police over-reaction demonstrated in October 2000 were repeated at al-Bea’neh.

According to the testimonies, the police remained in the village for nearly two and a half hours after the demolitions were complete and continued to attack residents. The need for the police’s continuing, inflammatory presence after their work had been carried out must be questioned.

Justice Or’s point about the need for encouraging dialogue between the police and the Palestinian Arab leadership appears to have been ignored too. A delegation including the head of the municipal council was sprayed with a yellow-colored liquid used for riot control when they tried to approach commanders to calm the situation. At least two members of the delegation were also viciously attacked by police without provocation during the negotiations.

These assaults were not minor matters. Salah Mohammed Saleh al-Dhabbah, a member of the delegation, needed surgery to his skull due to a fracture caused by a policeman who hit him over the head. Another delegate Ahmed Qasem Bakri was attacked by four policemen who hit him with batons and rifle butts and kicked him. A hospital report notes that he had internal bleeding in an eye, his nose, a rib and section of his face were broken, a cut to his eyebrow needed seven stitches, and there was extensive bruising over most of his body.

It is also clear that in declaring an area of the village a “restricted zone”, the police commanders gave sanction to officers to use violence against anyone within that cordon, however legitimately they were there. Thus, Lateefa and Alia Titi both describe how police forced their way into their home – which was inside the restricted zone but unconnected to the demolition – and attacked the men and women inside. The violent assault on the family by several policemen occurred in front of the family’s children, which included a two-week-old baby. The police also fired tear gas indiscriminately at the house, without regard for the possible lethal effects of the gas on young children trapped in a confined space.<sup>1</sup> There is also evidence suggesting that the children have been traumatized by this display of unprovoked violence.

The testimonies collected by the HRA fieldworkers in the week following the demolitions also show that police besieged a kindergarten, trapping several dozen small children in the building while they fired tear gas indiscriminately in the area. Several of the children had panic attacks and problems breathing because of the large quantities of gas being fired close to the kindergarten. The kindergarten principal, Fatmah Saleh Bakri, who tried to remonstrate with the

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<sup>1</sup> It should be noted that some of the spent tear gas canisters collected by the HRA on the day of the event were made in the United States.

police and warned them that the children were suffocating inside, was told “Let them suffocate”. When she continued to plead with the officers, a policeman pointed his gun directly at her face.

Like many other witnesses, Fatmah Bakri says she was verbally assaulted by police. In a telling remark, one officer said to her “You saboteurs. We will demolish all your houses.” The institutional racism of the police towards Palestinian Arab citizens – which Justice Or identified as infecting the most senior levels of command – is still prevalent.

The nature of the operation, including the declaration of a restricted zone, suggests that it was carefully planned in advance and authorized at the highest levels. It is clear that the hostile attitude of the Israeli police towards the Palestinian Arab minority citizens is institutionalized in character and not the result of individual misdemeanors or misconduct. It is telling that several witnesses refer to the police as “soldiers” or “troops”, which reveals their perception of internal law enforcement when it is applied to their communities. The police who enter Palestinian Arab villages are invariably paramilitary forces, usually drawn from the Border Police which also operates in a semi-militaristic fashion inside the occupied West Bank and Gaza.

The testimonies of the al-Bea’neh residents suggest that the demolition operation was designed not only to tear down houses but to incite fear among the villagers. The HRA believes that the case of al-Bea’neh is part of a worrying development in Israeli policy which seeks to collectively marginalize and criminalize the Palestinian Arab minority inside Israel. The growing number of house demolitions and the manner in which they are carried out justifies the Palestinian Arab citizens’ fear that they are viewed as an unwelcome demographic threat to the Jewish character of Israel.

In light of the events that took place in al-Bea’neh, it appears that the recommendations of the Or Commission are not only being disregarded but reversed. The current provocative displays of violence by the police mirror the events in the early months of 2000 that led to lethal confrontation between the police and Palestinian Arab citizens in October 2000. During that period, the police repeatedly used violence in the Galilee while enforcing a widespread policy of house demolitions, leading to huge antagonism between the Palestinian Arab minority and the security forces. The HRA therefore believes that an in-depth investigation of the al-Bea’neh case is needed urgently.

## Description of Events

On Wednesday, February 25, 2004, the Israeli Lands Administration (ILA) demolished five houses in the village of al-Bea'neh in the Upper Galilee.<sup>2</sup> The houses were located next to each other over an area of about 10 dunums.<sup>3</sup> The first house belonged to Mr. Yousef Jamal Shoubash Titi, who had been living in the house with his wife for more than six months before the demolition.<sup>4</sup> The second house – located in the same building as Yousef's home and adjacent to it – belonged to Mr. Arafat Jamal Shoubash Titi, who was planning to move into the house with his wife within a short period of time. The third house, belonging to Mr. Zuheir Mohammed Shoubash Titi, was still in the early stages of construction, as was the fourth house which belonged to Mr. Adel Jamil Shoubash Titi. The fifth house, which belonged to Mr. Ihsan Shoubash Titi, was in the final stages of construction.

Yousef told the HRA<sup>5</sup> that the land had belonged to his father and uncles since the period of Ottoman rule in Palestine. He said he had been applying for a permit to build a home on the land for many years but his applications had been rejected by the Building and Planning Committee. Despite several attempts by the former and current leaders of the municipal council to secure a construction permit for the land on his behalf, they had got nowhere. Yousef had also had his application turned down by the District Court in Haifa and had lost his appeal to the Supreme Court. Yousef said that, faced with the prospect after 15 years of marriage to continue living in a single room with his wife in her parents' home, he had felt left with no option but to build his house without a construction permit.

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<sup>2</sup> For reasons for demolishing the houses, see the comments of the spokesperson for the ILA on February 25, 2004 in Annex A.

<sup>3</sup> Approximately 2.47 acres.

<sup>4</sup> Noura Mohammad Shoubash Titi, Yousef's wife, described the conditions in which the couple lived before their house was built:

“I married my cousin Yousef 15 years ago, and we lived in a room in the home of my parents with no kitchen or bathroom; we eat, took showers and did everything at their place. We have not started a family during this time because we do not want to have babies under these conditions; we want to live in a home of our own. We started to build the house under great financial hardship and even now are still paying the construction costs (contractors, laborers and building materials), even though the house has been demolished. The authorities sent us several notifications of their intention to demolish the house before and after we moved into it. The day before the demolition, a policeman came from the police station in Karmiel and asked to talk with my husband Yousef. He said they did not intend to demolish the house and that they wanted to maintain good neighborhood relations. He asked him to go to an attorney to stop the demolition.”

Following the demolition of their house, Noura and Yousef moved back in with her family and are living in the same conditions as before.

<sup>5</sup> In a telephone interview between Yousef and an HRA fieldworker on March 5, 2004.

Having collected testimonies from eyewitnesses, the HRA can present a comprehensive picture of the events as they unfolded on the day the houses were demolished:

The operation started at 7:00 am, with the assistance of the northern district of the Israeli police, and lasted around eight hours. The police began concentrating their forces at the entrance to al-Bea'neh village, on the main road that connects Acre and Safad. The forces consisted of Border Police, special units, heavy equipment, ammunition, horses and bulldozers. The police closed the area and prohibited the people from entering or leaving the village.

The execution of the operation, including the large number of police and weapons brought to the site, the deployment of the officers, and the division of their tasks, suggest that the operation was carefully planned in advance. Before the operation, neither the ILA nor the police sent warnings to the owners of the houses of the intention to demolish them,<sup>6</sup> which would have allowed the owners time to seek court injunctions preventing the demolitions and time to remove furniture from their homes.

The unexpected presence of such large numbers of police raised concern among the residents of the village, leading to an announcement over the loudspeakers from the mosque calling on residents to head towards the site of the houses. Many residents rushed there.

Once the troops had assembled at the entrance to the village, they began moving towards the Titi family's houses. As they advanced, officers fired tear gas and percussion grenades at random, causing distress to many residents who suffered from shortness of breath, panic attacks, retching and blurred and painful vision.<sup>7</sup> Police also sprayed those present at the site, including the Head of the Municipal Council, with a yellow-colored liquid to disperse them from the area.<sup>8</sup>

The threatening impression of police and paramilitary units such as Border Police advancing towards the Titi family's houses led a number of al-Bea'neh inhabitants to resort to protective measures which in some cases turned into open antagonism against the police forces. For instance, the police vehicle carrying the water cannon was attacked with stones.<sup>9</sup>

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<sup>6</sup> Although Noura and Yousef received several notices warning of the ILA's intention to demolish their house, they were never told the date or time of the demolition. Rather, they were assured by an officer from Karmiel police station that the demolition was not imminent and might be avoided. See: note 4 above.

<sup>7</sup> See: Annex B.

<sup>8</sup> See: Annex C. This liquid was sprayed from water cannons at very high pressure. Dye that is resistant to repeated washings is often used in such instances to mark those present at an event so that they can be identified up to several days after they come into contact with the colored liquid.

<sup>9</sup> See: Annex C.

The police continued advancing on the site of the Titi family's houses. When they arrived at the site, they closed off all of the roads and streets leading to the houses from a distance of about 100 meters, banning entry into this area (hereinafter referred to as the “**restricted zone**”).<sup>10</sup> The forces then removed all those present in the houses marked for destruction and started the demolitions.<sup>11</sup> The police force also uprooted trees on the Titi's land and destroyed granite blocks to be used in the construction which had cost more than 100,000 NIS.<sup>12</sup>

From the testimonies presented here, it is clear that before, during and after the demolition operation, the police used excessive force against residents within the restricted zone, even though they did not face any danger to their safety. Dozens of residents required medical treatment for their injuries, including some whose injuries were so serious they are still undergoing treatment.<sup>13</sup> The police also verbally abused the residents, cursing and threatening them, and using a language that suggests a culture of institutional racism is still deeply embedded in the police force and sanctioned by senior commanders. In addition, the police damaged property indiscriminately.

After the demolitions, the police did not immediately leave but remained for approximately another two and a half hours during which time they continued firing tear gas and spraying the residents with the yellow-colored liquid. There appears no reasonable explanation for their remaining in the area after they had finished enforcing the demolitions.

According to one of the testimonies, the police fired tear gas and percussion grenades into a house due for demolition<sup>14</sup> before bursting in. Without any forewarning, and without asking the inhabitants to vacate the premises, the police began attacking both the men and women, hitting, kicking and beating them with batons. After the inhabitants left, their furniture was thrown out<sup>15</sup> and the house demolished.

Troops also entered another house,<sup>16</sup> which was inside the restricted zone but was not threatened with demolition, and brutally attacked the men and women inside. There appears to have been no justification for this assault on individuals who were entirely unconnected from what was taking place closeby.

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<sup>10</sup> It should be noted that the restricted zone was in a residential area and that all the events that are described in the “Testimonies” section of the report took place within this zone.

<sup>11</sup> See: Annex D.

<sup>12</sup> 21,895 USD or 18,545 EUR according to April 22, 2004 exchange rates.

<sup>13</sup> For example, Mr. Salah Mohammad Saleh al-Dhabbah, see his testimony in the “Testimonies” section.

<sup>14</sup> The home of Yousef and Noura.

<sup>15</sup> See: Annex E.

<sup>16</sup> The home of Hussein Ibrahim Shoubash Titi and his wife Alia' Abed Titi.

A kindergarten for some 103 children located about 100 meters away from the site of the demolished houses was also affected by the events. Gas from the tear gas canisters drifted into the classrooms causing panic and breathing problems among some children. As a result, a number of the children needed medical treatment; however, the police prevented ambulances from approaching the site.

The testimonies also describe how the police force damaged cars that were parked along the street leading to the site of the houses, breaking windshields and removing cars from the area without first asking the owners to move them.<sup>17</sup>

Tear gas canisters were also fired towards the village council building, which bordered the restricted zone. This action, and other measures taken by the police against the residents, prompted a group of people, including the Head of the Municipal Council Mr. Ahmad Saleh al-Dhabbah, to approach the commanders of the operation in an attempt to calm the situation and prevent further deterioration. The police responded by spraying the delegation with yellow-colored liquid and beating and physically injuring some of the members.

In the next section we reproduce eight testimonies collected by the HRA fieldworkers that describe in detail the measures taken by the police against those present at the site during the operation. The HRA collected these testimonies from some of the victims of and witnesses to the police violence a week after the demolition. The HRA knows that there are many more such victims but given the extent of police misconduct has not been able to present them all here. However, the testimonies included in the report provide a clear picture of the police's behavior and actions.

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<sup>17</sup> See: Annex F.

# Testimonies

## **Testimony of Mr. Ibrahim Shoubash Titi, 77, al-Bea'neh<sup>18</sup>**

On Wednesday, February 25, 2004, I woke by the telephone ringing. It was my son Shoubash and he told me that a large police force was stationed at the entrance of the village and that he feared the forces would come to my nephews' homes to demolish them. I put on my clothes quickly. While I was on my way to the houses I saw the police forces entering the village. I also saw tear gas filling the air and water cannons spraying yellow water.

Then, I headed towards the troops, reaching them at a public square on the way to the houses. In the meantime, the police kept firing teargas bombs. I approached the commanding officer and told him: "Sir, we are not in a war and you are not facing an army; there are only children and women. Please calm the situation, and I will make sure that the young men disperse."

Suddenly I saw my son Shoubash inside a police car being beaten by officers. I asked them, "Why are you hitting him?" and "What did he do to deserve this?" The officer said, "Go away". I told him I had not said anything bad to them, but he again said, "I told you: Go away." When I turned round, he hit me with his club on the back of my head.

Then, I hurried to the site where the demolition was about to take place and saw the soldiers move a fuel container belonging to the Titi family to the pavement and fill the tanks of their bulldozers. After that, they started demolishing the houses.

They also tore down a barn in which one cow and three lambs were kept. Furthermore, the troops destroyed the granite stones which we use in our work and which cost at least 100,000 NIS (more than \$20,000) and uprooted olive, peach and mulberry trees that were planted near the houses.

## **Testimony of Ahmad Qasem Bakri, 52, al-Bea'neh<sup>19</sup>**

On Wednesday, February 25, 2004, I was in al-Bea'neh when I heard that the police were coming to the village to demolish houses belonging to the Titi family, so I headed towards their houses. I parked my car far away from the site and moved closer on foot. When I arrived, I saw bulldozers demolishing the houses and uprooting olive trees.

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<sup>18</sup> The testimony was collected by an HRA fieldworker on February 27, 2004.

<sup>19</sup> The testimony was collected by an HRA fieldworker on March 5, 2004.

I decided to go to the municipal council to see what I could do because I was a former member of that council. After taking various roads to avoid encountering the police, I arrived at the council where I saw many people congregating inside and outside the building. I went inside to see the Head of the Municipal Council but the people were pushing and jostling in a panicked way to get away from the teargas bombs that were being fired in our direction by the police. People were packed inside and almost suffocating.

When I found the Head of the Council, I told him: "How dare they allow themselves to attack people and the council, a government institution? I ask you to go to the commanding officers, ask them to calm the situation and demand their withdrawal." The Head of the Council agreed with me and so a group of us ventured outside.

After walking for a few meters, we were confronted by a large police vehicle that was indiscriminately spraying yellow liquid. We were sprayed, too. The Head of the Council demanded that the police stop using the water cannon on us. The police vehicle desisted. Then, our group approached the police commanders, each of us addressing a different officer at the site. I requested from one that he withdraw along with his colleagues and stop firing teargas bombs because people were being hurt. In return, I promised to calm down the young men in the village, to make them draw back and maintain order. But the police officer refused to listen. Instead, he pushed me towards a group of policemen and ordered: "Arrest him." Four policemen attacked me and started beating me up with their clubs, rifle butts and boots. They beat me up all over my body.<sup>20</sup> At that moment, I felt sick and nauseous, and I almost fainted.

Then they took me in a police car to the medical clinic in the village, and from there I was taken to the hospital. The medical report diagnosed the following: A blow on the back of the head, a blow on the left eyebrow (seven stitches), internal bleeding in the eye, a blow under the right eye along with bruises and bleeding, a strong blow to the right side of the face (probably a fracture), a fracture of the nose, blows and bruises all over the body (including the fingers, hands, legs, thighs, abdomen and the back), and a fractured left rib<sup>21</sup>.

### **Testimony of Mr. Salah Mohammed Saleh al-Dhabbah, 50, Der al-Assad<sup>22</sup>**

On Wednesday, February 25, 2004, I was on my way to Karmiel. When I passed the entrance to the village of al-Bea'neh, I noticed large groups of people and police. I asked what was going on and was told that a demolition operation was underway in the village. At that point, I decided – as I am a relative of the Head of the Municipal Council – to go and see him and discuss

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<sup>20</sup> See: Annex G.

<sup>21</sup> See: Annex G.

<sup>22</sup> The testimony was collected by an HRA fieldworker on March 5, 2004.

what could be done. I went on foot towards the council, where I saw people gathering inside and outside the building. I entered, and I and other people inside the building talked with him. Eventually, we decided to go out and try to calm the situation to prevent further escalation.

I went out with the Head of the Municipal Council, accompanied by Ahmad Qasem Bakri and Omar Qasem and Ibrahim Khatib. We headed towards the police, who were firing teargas bombs in all directions. After we had walked for about 10 meters, a police vehicle started to spray us with yellow liquid. Despite this, we continued approaching them.

The Head of the Municipal Council pointed towards the police officers and asked them to stop spraying the yellow-colored liquid and to stop firing teargas bombs. They responded to his request and stopped spraying the group with yellowed water. As soon as we arrived, the Head of the Council approached the head of the police unit and asked him to calm the situation by halting the firing of teargas bombs and by halting the police's advance into the village. Instead of agreeing, the police behaved violently towards the people present, among them Ahmad Bakri and Omar Qasem. As a result, the tension increased and the police fired a teargas bomb into the crowd. This provoked a young man to try to attack one of the police officers, but I stopped him and tried to calm him down.

Suddenly, I felt a strong blow on my forehead and another blow from behind. I fell on the ground, and the police officers started to kick me with their boots. I got up and tried to move away from the police towards the council building. As I was walking, a police car sprayed me with yellow liquid and I fell again, causing an injury to my left side. I tried to get up but I could not. Then I fainted.

I regained consciousness in the Intensive Care unit at Hayat Center in Der al-Assad, where they offered first aid treatment. Then they transported me in an ambulance to Nahariyya Hospital where I was told that I had suffered the following injuries: fractures in the frontal part of the skull; fractures of the ribs from the left side; a blow on the back of the head.

In the hospital, I was told that I need to be treated at Rambam Hospital. I was moved to that hospital, where I underwent surgery to my head. Broken bone in my skull had to be removed. The hospital also told me that I will need plastic surgery, since the shattered bones have to be replaced.<sup>23</sup> I stayed in the hospital for four days.

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<sup>23</sup> This surgery will take place during the end of April or beginning of May, 2004.

## **Testimony of Ms. Izdihar Mohammed Shoubash Titi, 35, al-Bea'neh<sup>24</sup>**

On Wednesday morning, February 25, 2004, I was sleeping at home when my sister Zuheira Titi woke me up. She told me: "Get up, they are coming to demolish the house of my sister Noura." I woke up quickly and put on my clothes. I ran to the site along with my sisters Zuheira, Azhar, and Taghreed Titi. Noura was at home. We found the Head of the Municipal Council standing near the house, still wearing his pajamas. We asked him what to do and he answered that we should do the impossible and try to stop them from demolishing the house. After that, the Head of the Council went home and changed into his clothes. Meanwhile, we stayed inside the house.

Yousef Titi, Noura's husband, asked the mosque to call to the residents of the village for their help. They responded to the announcement and came from all directions. We saw also that people were coming from the neighboring villages of Der al-Assad and Majd al-Kroum, but many could not enter the village because the police forces had closed all access roads and banned any person from entering or leaving the village. We asked the people who were at the site to stay in the area and block the road leading to the houses threatened with demolition to stop the operation.

A helicopter was hovering overhead. The police forces were stationed at the entrance to the village. At that moment, I was standing on the roof of Yousef and Noura's [Titi] house, and I could see the troops entering the village and advancing towards us. They were firing teargas bombs. The police forces also removed cars close to where the houses were located, causing severe damage to them.

They continued advancing towards the house until they reached the site. At that moment, I was inside the house with my sisters and my cousin Jirnas Titi (the sister of Yousef) and another girl called Tammam Titi (wife of Arafat Titi, the brother of Yousef). Zuheira went to the porch to see where the police were. The police threw a percussion grenade at our house to scare us into leaving but we stayed put.

The police burst into the building. Instead of asking us to leave they started beating us right away. The police hit us with batons and rifle butts. I heard one of the police officers call me a prostitute. I tried to run from the house, but I felt a strong blow with a baton on my back. I felt treated like a slave.

Finally, I managed to get out of the house. I saw that they were still firing teargas bombs and that they were spraying people gathering at the site with yellow liquid. They even sprayed the liquid at the council building and threw teargas bombs inside it. The Head of the Council asked them to stop their

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<sup>24</sup> The testimony was collected by an HRA fieldworker on March 1, 2004.

actions, but they continued. A person called Mohammed Dhabbah from Der al-Assad was beaten. I was informed that he suffered fractures to his skull. Another person called Ahmad Qasem was also beaten cruelly.

After they had beat us and expelled us from our house, I headed towards the village center. I did not see the demolition operation; I only saw them take out Noura and Yousef's belongings, such as the refrigerator and the furniture in the salon, before they demolished the house. When I heard that our house was demolished, I broke down.

After the demolition, the police forces stayed in the village for another two and a half hours. When we heard that they had withdrawn from the village, we went back to the site and saw the damage. They had also uprooted olive trees which had been planted in the time of the British Mandate.

At that moment, I started collecting the remains of the bombs scattered around our house to show the world that we are telling the truth. After that, my cousin took me to Nahariyya Hospital because I had pains in my legs and hands because of the beatings with the clubs.

**Testimony of Ms. Noura Mohammed Shoubash Titi, 31, al-Bea'neh<sup>25</sup>**

On Wednesday morning, February 25, 2004, I was asleep at home. One of the residents in the village contacted the Head of the Municipal Council and informed him that the police were coming to demolish our house. The Head of the Council knocked at the door to warn us but I did not hear him. I woke up only when I heard noise outside. People had started gathering around the house a few minutes after the police's arrival had been announced from the mosque.

My family and other people from the village came to the house. When the police moved closer, they started firing teargas bombs. Most of the people gathered at my house left, because they started feeling short of breath from the gas. However, I and my sisters Izdiyar, Zuheira, Azhar and Taghreed Titi, and my sister-in-law Jirnas Titi, stayed. I felt dizzy because of the gas and I almost fainted.

First, the police fired teargas bombs at the house, and then they forced their way in and started beating everyone ruthlessly. I was beaten by more than one person. One of them pulled my hair and dragged me outside. While he was pulling me, parts of my body were exposed because my clothes had slipped off. He kept dragging me, and the others beat me and kicked me with their boots all over my body. One of them hit me on the head with his rifle butt. At that point, I started bleeding. I felt like they were all monsters around me.

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<sup>25</sup> The testimony was collected by an HRA fieldworker on March 1, 2004.

Everyone was running away from the area but I, my sister Zuheira and my sister-in-law Jirnas stayed. We were by ourselves at the side of the road because we refused to accept the police officers' orders. We were surrounded by many policemen. For the next half hour I was standing outside and my head kept bleeding.

The policemen made fun of us and insulted us. When I saw the bulldozers coming close to the house, I became hysterical and started screaming, then I fell to the ground. My husband Yousef Titi came over and held me and tried to calm me down but when he saw the blood streaming from my head he started screaming for an ambulance. One of the ambulances was about 200 meters away but the police did not let it enter the area. Only when a person, who was at the site, came, they allowed him to enter and take me to the ambulance.

I was unconscious all the time I was in the ambulance. I regained consciousness in Nahariyya Hospital. The paramedics said I had to undergo a CT [computed tomography] scan but the medical personnel in the hospital refused to do so. They only treated the wound.

I only saw the first part of the demolition because after that I fainted. In our house, we kept granite stones and tools and taps for the water system and various new equipment for the house of Arafat Jamal Shoubash Titi, the brother of Yousef, who had not finished building. They destroyed everything.

### **Testimony of Ms. Lateefa Mohammed Titi, 47, al-Bea'neh<sup>26</sup>**

In the early hours of Wednesday, February 25, 2004, I heard that the police were in the village to demolish houses belonging to my relatives. I went out to see what was happening. My son Saleh saw me and asked me to come back home, fearing that I might suffocate from the teargas bombs fired by the police. I suffer from high blood pressure and diabetes. I returned home and went up to the house of my eldest son Hussein [the two houses are adjacent in the same building].

At Hussein's house, I was with Alia' [Hussein's wife], my daughter Raza' and my son Saleh. My sister-in-law arrived at the house having been blocked from picking up her child from the kindergarten by the police. Alia's sister-in-law was also with us. She had faced the same problem when she tried to collect her child from the kindergarten. Alia's aunt and grandmother were with us too.

Saleh was watching TV and playing with his nephews (a four-year-old girl, a two-year-old boy and a two-week-old baby). We were watching what was happening outside through the window. We saw the police fire teargas bombs

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<sup>26</sup> The testimony was collected by an HRA fieldworker on March 4, 2004.

at the people in the streets and people were running away and the troops were chasing them away.

In the meantime, we saw a woman called Salwa Bakri running after her son, who himself was running away from the police. Salwa stopped at our house and we heard the police insulting her and ordering her to go upstairs. Salwa knocked at our door, but I was so scared from what I had seen outside that I told my son Saleh not to open the door. The knocking grew louder, so Saleh peeked through the eye of the door and could only see Salwa. He said: “Don’t worry, this is Salwa.” As soon as he opened the door, about nine police officers forced their way in. We found out later that the police had been hiding below so that we couldn’t see them through the eye of the door; and that they had asked her [Salwa] to knock at the door.

The policemen pushed Salwa in and entered our house in a violent manner. They started beating us with their clubs. They also hit and kicked the furniture, causing much damage.

After they had entered, they seized Saleh and said they wanted to arrest him. Saleh was barefoot, which is proof that he had nothing to do with what was going on outside. He had been in the house all the time, in the company of the children. Raza' and I tried to free him from their grip, pulling him towards us, but the policemen started beating me on my right hand and left shoulder with their batons. One of the policemen pushed me and held me on the couch while two others stood over me and prevented me from standing up. I saw Saleh fall to the ground. One of the policemen kicked him in the right cheek with his boots. His sister Raza' tried to defend him and hit one of the policemen; when she tried to move the policeman away from her brother, he grabbed her by her clothes, pushing and pulling her violently and ripping her blouse. He scratched her chest and neck.

While Saleh was on the floor, his aunt also tried to protect him from the blows. She threw herself down on him and placed her hands around his head, but the policemen hit her with a baton on her head, causing a bleeding wound. She lost consciousness and let go of Saleh.

Two policemen dragged Saleh out of the house, across the floor and the staircase. As they pulled him downstairs, he was shouting and saying that he did not do anything. Another policeman ridiculed him saying: “Oh, so you didn’t do anything! Okay.” Then, he hit Saleh with his baton on the chest. When I saw them holding Saleh and beating him brutally, I lost control. I grabbed a large plate with fruit, which was on the table, and threw it at them. It hit one of the policemen on the head but he wasn’t hurt because he was wearing a helmet.

When they took Saleh to the car, I was screaming and calling his name and then I fainted; my high blood pressure could not stand all that stress. I woke up

to find myself in the hospital. My hands were bruised from the intensity of the beating. In the hospital, I had to be sedated.

**Testimony of Ms. Alia' Abed Titi, 22, al-Bea'neh<sup>27</sup>**

On Wednesday, February 25, 2004, I was at home with my mother-in-law Lateefa Titi, my sister-in-law Raza' Titi, my brother-in-law Saleh Titi, and my aunt, grandmother and another sister-in-law of mine. Saleh opened the door to allow Salwa Bakri in, when all of a sudden about eight policemen forced their way in. In addition, a lot of gas drifted in through the open door because they were firing teargas bombs in the yard downstairs. I couldn't avoid inhaling the gas.

We were scared because there were five children in the house – my three children and two of my brother's children – and all of them are under four years old (my youngest son is only two weeks). One of the policemen held Saleh and started beating him with his club. I tried to grab the club and take it from him but I could not. I was so frightened.

Before the police entered our house, my youngest son had been asleep in another room. We had closed the door of that room and placed a wet towel in front of the door jam, since we feared that the gas might get in. After the police had forced their way in, I took the baby out of the room and put him in the salon because the window of the room was close to the main door of the house, and I was afraid that the police might break the glass.

My daughter, who is four years old, kept clinging to me before the police entered the room. She was very afraid. The police were firing teargas bombs against the wall of the house, and with each bomb my daughter would cry and scream because the sound of the bombs was so loud. When the policemen entered the house, I moved her away from me. My grandmother and sister-in-law took her and put her in one of the rooms. During the confrontation with the policemen, I went into that room and found my daughter but I couldn't find my two-year-old son. I was frantic and started screaming: "Where is my baby, where is my baby?" I discovered a few moments later that he was with my aunt in another room where my aunt, grandmother and sister-in-law were hiding, fearing for the lives of the children.

After making sure that the children were okay, I returned to the salon where I saw one of the policemen pushing my mother-in-law with brutal force while she was trying to hold Saleh. He was beating her with his baton. I came close to her and tried to protect her and to prevent him from beating her, but he beat me with his baton on my hands. I stayed there behind my mother-in-law and he kept beating me on my neck and back. I started screaming and I told them:

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<sup>27</sup> The testimony was collected by an HRA fieldworker on March 4, 2004.

“Get out of my house; I have small kids here. One of the policemen told me: “Go to the room”, and he hit me with his baton; but I continued to scream and I repeated: “I have small kids.” Another policeman said to me: “Shut your mouth, you animal, and get inside.”

After attacking my mother-in-law and cousin, one of the policemen dragged Saleh out of the house. I and my mother-in-law kept screaming. After that, I went to the room where the children were to check on them. I heard my daughter screaming. After that, I fainted, and an ambulance took me to hospital.

At the hospital, a social worker visited me and told me that my kids were okay and that a psychologist had talked to them because they were so terrified by what had happened in the house. My kids witnessed all the beatings we were subjected to.

When we returned home, the children’s conversation revolved around what had happened. Whenever someone visits us, they talk about that incident. Whenever there is a knock on the door, my daughter tells her father: “Don’t open because the police will enter the house and beat us.” And I know also that my daughter asked her grandmother why she didn’t run away but stayed in the salon as they beat her. And I, too, have troubles falling asleep at night, because whenever I close my eyes the pictures of the policemen beating me start haunting me.

**Testimony of Ms. Fatmah Saleh Bakri, 34, Acre<sup>28</sup>**

On Wednesday, February 25, 2004, at around 8:00 am, I arrived at al-Bea’neh Junction. I am the principal of Amal Kindergarten in the village, coming each day from Acre. From a distance I could see lots of cars, as well as army patrols and police cars. I didn’t know what was going on so I changed direction and approached al-Bea’neh from the road of Majd al-Kroum village. In the meantime, one of the assistants at the kindergarten called me by phone. She sounded very scared and spoke quickly and with a tense voice. I only understood “The children are suffocating. Call the buses quickly.” Then she hung up.

I was about 200 meters away from the building (which comprises three classrooms with 103 children all together). I saw people gathering around the building. I got out of the car and ran towards the kindergarten to see what was happening. At the entrance, there were large numbers of armed policemen and a group of mounted police. Because of the many teargas bombs fired, the sky looked white. At that moment, I saw one of the assistants in the kindergarten

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<sup>28</sup> The testimony was collected by an HRA fieldworker on March 4, 2004.

carrying a child and running outside. The scene terrified me because I thought the child was dead.

I went into one of the classrooms quickly and the teaching assistant shut the door behind me, fearing that the tear gas might enter. A large number of children were still inside the building. Another group of children had escaped, with the help of local residents, to one of the neighboring houses. As I entered the kindergarten, I inhaled a lot of tear gas. When I entered the classroom, I was coughing and my eyes were full of tears. When the children saw me in that condition they started to cry because they were scared. They screamed: "We want to go home. We are suffocating." The neighbors brought me a piece of onion to counter the effects of the gas, and the assistant teachers placed wet pieces of cloth on the mouths and faces of the children.

After resting for a few minutes, I asked one of the assistants to keep the classroom door closed, and I went out to check on the other classrooms in the building. Then I decided to contact the neighbors and people I know to ask them to help me get the kids out, but I was in such a panic that I couldn't remember any of their phone numbers. I did not know what to do. I hoped it might be possible to take the kids out in my car, so I went to the entrance of the kindergarten to talk to the policemen. I said: "The children are suffocating because of the tear gas and I want them out". One of them answered, "Let them suffocate". Then, I told them that one of the teachers was pregnant, but he said: "I can't do anything. Get inside." One of the policemen raised his rifle and pointed it at my face. We were face to face with each other and I said: "You rats, get away from here. The kids are suffocating".

While I was standing outside, the police threw more teargas bombs. Because of this, I felt I was suffocating and had difficulties speaking. One of the policemen said: "You saboteurs. We will demolish all your houses." I answered: "You want to do to us what you do in the West Bank." Then he called me prostitute. He also used other abusive language. All the policemen were using swear words and curses. I also insulted him and said: "You dog". Then, he pointed his rifle right in my face. I felt shortness of breath. My brother-in-law came and took me back inside the kindergarten.

As soon as I entered the kindergarten, I passed out. My neighbor told me that she called the ambulance but that the police did not allow it to come to our area. After that, they made me inhale onion to regain consciousness. I stood up and started checking on the kids and the teachers. When I entered the second-grade classroom, the pregnant teacher collapsed.

By then, there were still 10 children in the building. I put them all in my car and drove my way out, past the policemen who were standing in front of the car. I took the children to the house where the rest of the children were staying. After I had dropped them off, I saw an ambulance, and I and another teacher

got in. My blood pressure was very low, and the paramedics gave us oxygen masks.

Inside the ambulance, I found Muhannad Bakri, a boy from the kindergarten who had been taken to the house earlier and was short of breath. The ambulance had come to take him to hospital.

After they examined me in the hospital, they made me sit outside. I didn't know if they wanted to release me or not. They told me: "Stay here. There are many injured people."

I don't know what made the police approach the building of the kindergarten. The houses that were demolished were far from our building. It was clear to me that they wanted to terrorize the people. The children's parents have told me that they get scared whenever they hear the sound of airplanes because it reminds them of the sound of the teargas bombs.

## Conclusions

On February 25, 2004, in a well-planned operation, armed Israeli police entered the village of al-Bea'neh in the Upper Galilee. Their aim was to enforce the demolition of five houses belonging to the Titi family, on the grounds that the houses were built without permits. The demolition operation was executed without warning to the owners, who were not given time to pursue legal processes to halt the demolitions or to remove their personal belongings from the houses.

Moreover, the operation to demolish the houses went far beyond its original goal. Within a very short period of time it had escalated into an aggressive operation in which police used excessive and indiscriminate force against residents, including the firing of tear gas at nearby buildings, including a kindergarten, repeated physical assaults on bystanders, including representatives from the municipal council seeking to calm the situation and on women, and verbal attacks on residents that suggest a deep-seated and continuing racism against Palestinian Arab citizens. This brutal conduct of the police reveals a predisposition on their part to use violent methods when dealing with the Palestinian Arab minority in Israel.

According to the testimonies collected by the HRA, the police force acted abusively – both physically and verbally – before, during, and after the demolition. This abuse, which was indiscriminate and without provocation, was directed towards the residents of al-Bea'neh as well as anyone who happened to be in the area.

The testimonies show that the police assaulted people present in an area they had declared without notice a “restricted zone”. They attacked both the owners of the houses and bystanders who were not involved in protesting against the demolitions. There is no evidence to suggest that these injured residents posed any threat to the safety of the police. In fact, in once case, the police forcefully entered the home of local residents who had chosen to stay inside during the operation.

There can be no justification for the arbitrary firing of teargas and percussion grenades in a residential area. The testimonies show that these actions caused shortness of breath, nausea, and dizziness to people who inhaled the smoke. Teargas canisters were even launched into an area near a kindergarten.

Police also attacked an official figure, the Head of the Municipal Council. He, and those who came with him to try to calm the situation, were sprayed with yellow dye by a high-velocity water cannon. Furthermore, the people who came with the Head of the Municipal Council were beaten up and suffered

severe injuries. This suggests that the police force entered the village under orders to treat all the residents as a potential enemy, using violence against them without regard to who they were or what they were doing.

The testimonies show that the police did not seek to exploit the available means of preventing the escalation of violence: they made no attempt to engage in dialogue but instead resorted immediately to aggressive and violent methods for handling residents.

The HRA views the conduct of the police and the measures that they employed as dangerously violating the local residents' rights to life, dignity, and personal security.

Moreover, the HRA believes that the conduct of the police reveals a dangerous pattern in the way they treat the Palestinian Arab minority in Israel, proving that the Israel Police have failed to internalize any of criticisms of the Or Commission, which called last year for a fundamental change in the way that official state institutions, including the police, deal with members of the Palestinian Arab minority. The commission observed the simple but often forgotten fact that the members of the Palestinian Arab minority are citizens with basic and equal rights with the Jewish majority.

The Or Commission also identified a culture of institutional racism within the police force and partly blamed this official ethos for the events of October 2000, in which 13 unarmed members of the Palestinian Arab minority were shot dead by the police at the start of the intifada. International human rights groups observed at the time that the police appeared to identify members of the country's Palestinian Arab minority as "enemies" rather than as citizens. The events in al-Beaneh suggest that more than three years on nothing has been done by senior officers to eradicate such prejudices from the country's police force. In fact, given that an operation of this nature was ordered by senior commanders, it suggests that the culture of racism in the police force derives from its most senior ranks.

The HRA therefore recommends that an inquiry be opened to investigate the conduct of the police and the measures that they took during the demolition operation, and that those responsible for the use of excessive force be held accountable for their actions in court. The HRA also recommends compensation for all those who suffered damages or harm due to actions of the police.

Additionally, the HRA believes that the competent state institutions must learn from this incident by adopting the recommendations of the Or Commission and implementing them immediately

## **Annex A**

### **Eviction of seizure of state land (February 25, 2004)**

In a joint operation by the Israel Lands Administration and the Israel Police (Galilee District), an eviction was effected in a total area of some 2.59 acres in the village of Ba'aneh seized by the Titi family. The eviction operation was intended to enable the development of a solution for the housing shortage in the village of Ba'ana and the construction of 40 housing units.

The eviction operation took place after all legal measures were exhausted in an effort to evict the Titi family, which seized the area in 1999. All the attempts of the Israel Lands Administration to prevent the seizure of the land, through legal suits and injunctions, were grossly ignored. Indeed, a building was constructed and occupied on the area, as well as an additional shell that has not yet been occupied, and two commencements of construction, together with an olive grove and parking lot housing equipment of the occupiers.

In October 2002, the Supreme Court rejected the petition filed by the family against the ruling issued by the Haifa District Court ordering the area to be vacated; accordingly, the ruling became peremptory. Despite this, the family refused to leave the site. In April 2003, Judge Avital Bet-Ner of the Magistrate's Court in the Krayot ordered that the court ruling be executed within 30 days, and authorized the Israel Lands Administration to enter the area in order to execute the order, if this was not executed by the defendants without recourse to the executor's office.

The eviction operation forms part of an extensive series of planned operations to evict those who seize state land, reflecting the policy of strict enforcement adopted by the Israel Lands Administration toward the illegal seizure of the public land it manages.

## Annex B



HRA ©

Spent teargas canisters



HRA ©

Other side of window in photo opposite



HRA ©

Teargas cloud in the restricted zone

## Annex C



HRA ©

Truck with mounted water cannon

# Annex D

## Bulldozer demolishing houses



HRA ©



HRA ©



HRA ©



HRA ©

# Annex E

## Furniture removed from the houses



HRA ©



HRA ©

## Annex F



HRA ©

Car pushed off the side of the road by police

## Annex G



Qasem Bakri, Sout al-Balad ©



Above:

On the right side of the picture, police beat Ahmad Qasem Bakri as he is on the ground; in the center foreground, one can see a policeman pointing a teargas gun in the direction of the photographer.

Left:

Ahmad Qasem Bakri displaying his injuries