



מרכז המידע הישראלי לזכויות האדם בשטחים (ע.ר.).

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

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# **HOUSE DEMOLITION DURING OPERATIONS AGAINST WANTED PERSONS**

**Information Sheet  
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## INTRODUCTION

On September 8, 1992, soldiers from an undercover unit arrived at the Shabura Refugee Camp in Rafah. They handcuffed Ibrahim Abu Samhadana, called out to the inhabitants over a loudspeaker to leave their homes, and sent Abu Samhadana to check whether his brother, who was wanted by the security forces, was hiding in his home. Abu Samhadana searched the house, then the greenhouses, and told Gaza Strip Commander Brig. Gen. Yom-Tov Samia, that his brother was not there. Abu Samhadana's house was shelled with some kind of heavy ammunition, and he was sent back into the burning house to retrieve his brother, or his brother's body. There were cracks in the walls of the house, and two of the rooms had burned down completely. The wanted person was not captured or killed.<sup>1</sup>

On September 10, 1992, the IDF Spokesperson announced that in another incident, two terrorists were killed and another injured in the course of security force operations in Rafah, after exchange of fire with wanted persons who were encamped in a building. Two other wanted persons managed to escape. The Spokesperson's announcement did not mention the fact that in the course of the incident, the security forces used weaponry which demolished one house and caused severe damage to nine others. Except for **Ha'aretz** journalists Yossi Elgazi and Gideon Levi, who visited the scene, saw the destruction and interviewed inhabitants,<sup>2</sup> all of the Israeli newspapers quoted the IDF Spokesperson's announcement, and did not refer to the irregular means which had been employed.<sup>3</sup>

Only in November 1992, following the firing of anti-tank missiles at nine houses in Khan Yunis and wide media coverage of the event, were senior military sources quoted as saying that "the decision to fire anti-tank missiles at houses was taken following several incidents in which IDF forces had stormed houses where wanted persons were hiding, and were injured or killed during the operation. Authorization for the firing of anti-tank missiles at houses is granted only when there is complete certainty that there are no innocent people in the house."<sup>4</sup>

It appears that the decision to employ ammunition not routinely used in Intifada operations, capable of demolishing houses, [hereinafter "heavy ammunition"] was made following two incidents which took place in the territories during the month of August 1992, in the course of which two members of the security forces were killed by the gunfire of Palestinians using the homes as a protective base.<sup>5</sup> On September 8, 1992, **B'Tselem** documented the first case of house demolition in the course of apprehending a wanted person.<sup>6</sup>

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<sup>1</sup> From the testimony of Ibrahim Hassan 'Atiyya Abu Samhadana. Gideon Levi, "The Rafah Killing Fields," Ha'aretz Supplement, Sept. 25, 1992.

<sup>2</sup> Yossi Elgazi, Ha'aretz, Sept. 20, 1992; Gideon Levi, "The Rafah Killing Fields," Ha'aretz Weekly Supplement, Sept. 25, 1992; testimonies of 'Aisha al-Qadr Sebah al-Qadi, and Sami Sayyam.

<sup>3</sup> Yediot Aharonot, Ha'aretz, Hadashot, Al Hamishmar, Davar, Ma'ariv, Sept. 11, 1992.

<sup>4</sup> Hadashot, Nov. 16, 1992, and the testimony of Tufah residents.

<sup>5</sup> On Aug. 2, 1992, Sgt. Doron Derzi, a soldier from the Shimshon undercover unit, was killed, and two other soldiers were wounded, when an armed wanted person using a Khan Yunis residence as a protective base opened fire at them. On Aug. 26, 1992, Superintendent Eliyahu Avram, commander of the Border Police's undercover unit, was killed while storming a house in Jenin, which two armed wanted persons were using as a protective base.

<sup>6</sup> Previously there had been cases of damage to houses caused by light ammunition fire or hand grenades, but as far as we know, the systematic use of heavy ammunition was first employed only in September 1992.

From September 1992, when Abu Samhadana's house in Rafah was damaged, to the end of April 1993, there were at least fourteen other cases (described below) in which security forces destroyed a number of houses and caused damage to others, with powerful ammunition, during the course of arresting wanted persons.

Ostensibly, these measures seem legitimate as part of the war against armed wanted persons and due to a desire to save lives, both of soldiers and of innocent residents. Seemingly, there is no reason to reject the IDF's explanations for these incidents. This report will try to assess the legitimacy of these activities on the basis of criteria used by the IDF in justifying them, by examining the circumstances under which the IDF carries out such operations, their results relative to the degree of damage caused to property, and the question of whether the operations reduce the toll in human lives.

Finally, the report will also examine the security forces' treatment of the civilian population during the execution of these operations, as well as the authorities' follow-up treatment of innocent victims.

The report will also examine whether the methods used in these operations are in accord with the IDF's open fire regulations.

## **House Demolitions During Arrest Operations of Wanted Persons**

**B'Tselem** has documented 15 cases in which the security forces employed powerful means, such as anti-tank missiles, and rifle-launched anti tank grenades, demolishing some houses and severely damaging other houses and destroying their contents. In at least six other cases, which will not be discussed here, no use was made of missiles or grenades, but the *modus operandi* was similar. Houses were severely damaged and their contents destroyed by massive firing of light ammunition.

In some cases residents, some of whom may have been wanted persons, were apprehended. In the tables which follow, we distinguish residents apprehended in the course of the operation from wanted persons apprehended or killed as a result of firing at the houses. The column headed "Wanted persons" refers to wanted persons apprehended or killed as a result of the demolition operation. The term "wanted persons" refers to Palestinians designated as such by formal IDF announcements. Most of the wanted persons are suspected of participating in serious crimes, such as the murder of "collaborators," and grave assaults on Israeli civilians and IDF soldiers. We emphasize that these people are merely suspects, and the use of force against them by the security forces is justifiable only in circumstances of life danger, or to overcome their resistance to arrest.

The column headed "No. of Houses Demolished" refers to houses that sustained structural damage rendering them uninhabitable. The column headed "No. of Houses Damaged" refers to structural damage to part of a house, or material damage only (such as bulletholes in walls, broken windows, etc.).

## A. Data

No.	Date of Incident	Location	No. of Houses Demolished	No. of Houses Damaged	Wanted Persons	No. Wounded	Treatment of civilians
1	8/9/92	Shabura Refugee Camp Rafah/Gaza	1		None		Landlord was tied up and ordered to search house for wanted persons.
2	10/9/92	Rafah/Gaza	1	9	2 killed* 1 apprehended 2 escaped		No testimony of unusually bad treatment
3	13/11/92	Khan Yunis/ Gaza	1	8	None		The young men were tied up and laid face down. The older men were blindfolded. They were not permitted to drink or perform bodily functions.
4	11/12/92	Anza/Jenin	1 The grounds were leveled by a bulldozer		1 killed	1 soldier killed and 3 soldiers injured after the house was burned.	
5	11/12/92	Near Maghazi Refugee Camp/ Gaza		2	None		The families were evacuated. No reports of ill-treatment.
6	14/12/92	Nablus		1 (partly burned)	None		5 families evacuated in pouring rain.
7	22/12/92	Khan Yunis/ Gaza	1	3	None		Men were blindfolded and their hands were tied.
8	9/1/93	Tufah Nieghborhood/ Gaza		4	2 apprehended		Mens hands were tied. Women were searched on the street. The men did not eat for approx. 10 hours.
9	14/1/93	Dir al-Balah/ Gaza	3		None	One of the residents killed by Army gunfire.	Men were blindfolded and made to lie face down. Some of them were beaten.
10	14/1/93	Khan Yunis/ Gaza		5	None		Residents evacuated. No reports of ill treatment.
11	22/1/93	Tufah neighborhood/ Gaza	1	6	None		Residents held for about 10 hours and only given apples and water. Some were beaten.
12	10/2/93	Khan Yunis/	3	9	4 apprehended		Residents held for approx. 12 hours. The

		Gaza					Men were blindfolded and their hands were tied. They were not permitted to eat or perform bodily functions.
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***Analysis of the Data***

In 15 operations, 43 houses were completely demolished, and 59 others were damaged by anti-tank missiles, grenades, or other heavy ammunition. Hundreds of people were left without shelter.

In all of these operations, the contents of many houses were damaged by rifle ammunition. Kitchen utensils, clothing, furniture, electrical appliances, schoolbags, notebooks and books, as well as money and valuables were destroyed, perforated by hundreds of bullets.

In seven cases there were indeed wanted persons in the houses demolished or damaged. Four were killed (note: as mentioned previously, in one case it is unclear whether two wanted persons were killed before or during the operation) and 14 were apprehended.

In at least one case, two wanted persons managed to escape despite the demolition. In another case, despite the use of heavy ammunition and after the house had caught fire, the wanted person managed to kill one soldier and wound two others before being shot and killed. In another case, a Palestinian who was neither a wanted person nor armed was killed.

Security force treatment of the evacuated residents varies from one case to another. In six cases there was no report of degrading treatment, and it appears that in these cases the residents were only evacuated and were permitted to return to their houses or the ruins thereof after the operation. For nine cases there are a large number of testimonies of degrading treatment, such as the tying of hands and covering of eyes, food deprivation, denial of access to restroom facilities, and beating.

**B. Evacuation**

The area is first encircled by large military forces, and sometimes border police forces. The residents are told to evacuate their homes, either by soldiers who enter the houses, residents sent into the houses by the soldiers, or by the use of loudspeakers.

Residents are instructed to evacuate immediately. Not one of the dozens of Palestinians who testified to **B'Tselem** was given ample time to do anything other than dress hurriedly and

leave. As a result, many lost money, jewelry, documents or objects of sentimental value, such as photo albums and gifts.<sup>7</sup>

From testimonies compiled by **B'Tselem**, it appears that security forces do indeed make an effort to ensure that no one is left in the evacuated houses. Before opening fire at the houses, soldiers use loudspeakers to tell the residents to evacuate. Nevertheless, the evacuation is hasty, residents do not always understand its objective, and there is the danger that a child or elderly person could be left behind either unintentionally or intentionally, because the family members believe that merely a routine search is about to take place.

On January 14, 1993, the homes of the Mazru' and Abu Threim families, in Dir-al-Balah refugee camp in Gaza, were evacuated, in the course of an operation in which three houses were demolished, and one Palestinian (not a wanted person) was killed. On January 18, 1993, Wasfi Mazru' testified to **B'Tselem** fieldworker Bassem 'Eid:

“I heard voices on the loudspeaker calling the Mazru' family and the Abu Threim family to come out at once with their hands raised. My family members and I immediately went out into the street with our hands raised. Over the loudspeaker, we were shouted at to go north, towards the main road of the camp. When we came to the road, soldiers took our identification cards. I also recognized some members of the Abu Threim family there. I asked my daughters-in-law whether they had brought all their children with them and it turned out that one of them had left her four-month-old son in the house. I told her to go back immediately and fetch him.”

The soldiers do not themselves confirm that there is no one at home. Instead, they send family members to do so, and even to search other houses, exposing them to the danger of being fired at by either party. Ibrahim Hassan 'Atiyyah Abu Samhadana, whose house in Rafah was shelled on September 8, 1992, testified to Atty. Bashir Abu Khattab from Palestinian Lawyers for Human Rights on September 22, 1992 that after he was evacuated from his home:

[The officer] told me: "Go search the greenhouses on the western side." I went and searched and found nothing. Suddenly I heard soldiers yelling: "Put your hands up or we'll shoot." They spoke in Hebrew. I answered in Hebrew that my hands were tied and that I couldn't raise them. One of the soldiers said to me: "Put your hands up or we'll shoot you." I approached them and showed them my tied hands. The soldiers took me out of the greenhouse and spoke into their walkie talkie. They were told: "Leave him alone so he can search the greenhouses."

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<sup>7</sup> In an interview by Naomi Levitzki of Yediot Aharonot, Apr. 23, 1992, Brig. Gen. Yom-Tov Samia, Commander of IDF in the Gaza Strip, is quoted as saying: "In missions involving the shelling of houses, I instruct the soldiers to remove photo albums, as well as gold and silver, from the houses." Our testimonies did -

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not corroborate with this report.



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***Damages and Loss - The operation in Jazan a-Najjar neighborhood in Khan-Yunis, Nov. 13, 1992. (Based on an investigation by B ' T s e l e m fieldworker Bassem 'Eid).***

***House of Sa'ud Ghanem a-Najjar:***

Sixty years old, married, 9 children. The house has seven rooms, inhabited by a total of 17 people. The walls of two rooms were completely destroyed and the walls left standing were riddled with cracks. There were many cracks in the ceiling as well.

***House of Hamed Shaqer a-Najjar:***

Married, seven children, age 4 months - 18 years. Severe damage to contents of house.

***House of Sa'id Shaqer a-Najjar:***

Forty-six years old, married, 9 children. Arrived from Saudi Arabia a week before the operation. The house contained 15 vats of fresh olive oil which spilled out onto the floor.

***House of 'Omar Shaqer a-Najjar:***

Sixty-two years old, married, 13 children. Signs of gunfire on the clothes closet. The clothes were riddled with holes by bullets which had penetrated the closet.

***House of Jawdat a-Najjar:***

Sixty years old, married, 10 children. Fourteen people live in the house. The house, which is a two-storey structure, was severely damaged. There were bullet holes in each of the walls, and other property was also extensively damaged.

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## **C. Treatment of Evacuees**

In nine of the 15 cases investigated, witnesses testified to degrading or unfair treatment of evacuees by the soldiers. It should be noted that the residents involved were not suspected of any crime, and were released as soon as the operation was concluded.

In five cases residents were not permitted to eat (the operations lasted over 8 hours). In six cases the men were blindfolded and their hands were tied.] In two cases the evacuees were not allowed to properly relieve themselves. During the operation at the al-Amal neighborhood in Khan Yunis on February 10, 1993, in which ten houses were demolished and seven were damaged, the members of the 'Awad family were evacuated from their homes. On February 14, 1993, Muhammad 'Awad testified before **B'Tselem** fieldworker Suha 'Arraf:

We were told to go to the Al-Khadr building. We went there. We were all searched. The women and children were told to go and stay with relatives or neighbors. My hands were tied and I was blindfolded. They sat us down on the floor; I was not asked about the wanted persons at all. We numbered more than 40 young men. At around 7 a.m. we the heard sounds of helicopters and shelling. We were held in the same position until 8 p.m.. We were not given food and we relieved ourselves where we sat.

In two cases some of the evacuees were beaten, and in another case wanted persons who were apprehended were beaten, although they did not resist arrest.

## **D. Demolition of Houses by Heavy Ammunition and the Open Fire Regulations**

The IDF open-fire regulations in the territories deal with rifles and other light firearms. In the cases discussed here, anti-tank missiles and rifle-launched anti-tank grenades were used.

There are specific written, detailed instructions for the opening fire of various light firearms: live bullets, "rubber" bullets, plastic bullets and teargas. In contrast, heavy ammunition, which is much deadlier and more destructive, is used routinely according to the orders of the commanders in the field, who are not, to our knowledge, instructed or limited by any written regulations.

The open-fire regulations pertinent to light firearms permit "firing in order to hit," which is effectively firing in order to kill, only "in cases where our forces or civilians are attacked by firearms or explosives, including Molotov cocktails," when "our forces or civilians are in a life-threatening situation," or, according to an update from April this year, at any armed Palestinian.

In any other case, the stages of "Procedure for Apprehension of a Suspect", must be executed: a warning cry, shooting in the air, and shooting at the legs only.

Use missiles and grenades undoubtedly constitutes "firing in order to hit." In most cases there were no wanted persons in the structures which were demolished, and obviously there was no threat to the forces, not to mention threat to life.

Circumstances in which firing is directed at a house whose occupancy is not clearly known, are conducive to errors and to the killing of innocent residents. Furthermore, there is no justification for killing wanted persons who are not endangering the lives of security forces.

It would appear, therefore, that the method of shooting missiles at civilian homes does not accord with the regulations for opening fire.

## **E. Compensation**

The damage caused by the operations described above is of immense proportions. For example, as a result of firing at apartment buildings in the Tufah neighborhood in Gaza on April 20, 1993, twenty apartments were destroyed, and 136 people were left homeless, their belongings for the most part burned or destroyed. Speaking on the "Moked" television program on March 3, 1993, Chief of Staff Lieutenant General Ehud Barak stated:

“We are indeed working to ensure that the Civil Administration initiate contact in order to award compensation for people whose property has been destroyed when, in retrospect, it materializes that wanted persons were not in their house nor did the residents have a part in the matter.”

Despite this statement, the security forces and the Civil Administration did not initiate any professional assessment of the damage they had caused, and certainly did not initiate payment of compensation to the affected families.

**B'Tselem** sent an inquiry to the IDF's legal advisors in the West Bank and the Gaza Strip regarding compensation to families whose houses were damaged by ammunition in the course of apprehending wanted persons. The IDF West Bank Legal Advisor replied that the matter was being investigated, and that B'Tselem would receive an answer upon completion of the investigation.<sup>8</sup>

The Gaza Strip Legal Advisor replied that claims regarding property damage were being investigated. Nevertheless, the advisor suggested that the claimants apply to the staff claims officer in the Civil Administration in order to file a claim even prior to the completion of the investigation.<sup>9</sup>

Inquiries by the Gaza Center for Rights and Law to the District Attorney of the Southern Command, received similar answers.

Only in mid-May, in response to inquiries by the Gaza Center, did the Civil Administration begin professional damage assessment on some of the houses. Until the time of writing this report, more than six months after the demolition of the first house in such an operation, compensation has not been paid to a single family, as far as we know.

The authorities must automatically initiate payment of adequate compensation to any family whose house has been demolished or damaged as a result of search operations for wanted persons. The obligation to pay compensation should be self-evident, whether or not wanted persons were found. In the few cases in which armed wanted persons were found, families whose houses were destroyed must be compensated. It should not be assumed that civilians can refuse the demands of armed men to provide them with shelter, and at any rate, even if punitive action should be taken against someone who has cooperated with wanted persons, it is unthinkable that his whole family be punished and remain homeless.

## **SUMMARY**

The following facts emerged from the investigations conducted by B'Tselem and other human rights organizations:

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<sup>8</sup> Letter of the West Bank Military Advisor, Judea and Samaria, to B'Tselem, 00960-123/00, Feb. 9, 1993.

<sup>9</sup> Letter of the Gaza Strip Legal Advisor, to B'Tselem, 01194 474, Feb. 3, 1993.

A. Of 15 operations, only in 7 were armed wanted persons encamped in the houses which were shelled. In all other cases, there were no wanted persons in the houses which were demolished or damaged.

B. Fifteen operations, in which 43 houses were destroyed and 59 houses were damaged, and hundreds of residents were left homeless, led to the killing of four wanted persons and to the apprehension of 14.<sup>10</sup>

C. In one case, even the use of powerful ammunition did not prevent the death of Sub-Inspector Sasson Morduch, and in another case the use of such ammunition did not prevent two wanted persons from escaping. In another case, a Palestinian who was not wanted by security forces was killed.

D. In all the cases, the civilian population was called upon in all cases to evacuate the houses. During most of these operations, all the young men were tied up for long periods of time, were denied food, and were not permitted to relieve themselves. In a few cases there were complaints of beatings and of degrading treatment of women.

E. Contrary to the statement of the Chief of Staff, the authorities have not initiated damage assessment and compensation. To the time this report went to press, eight months after the demolition of the first home, not one family whose house was destroyed has received any compensation. The authorities state that they do not intend to compensate families in whose homes wanted persons were found.

The security forces carried out house-shelling operations without being certain that there were indeed armed wanted persons using the buildings as a protective base.

Destructive ammunition was employed without adequate care, without considering the consequences and without maintaining any proportion between the extent of the destruction caused and the threat posed to the forces in the field.

A clear distinction should be made between those cases in which armed wanted persons are encamped in a house, not heeding the instructions to surrender and even shooting at security forces, and those cases in which the operation is conducted in response to information that the wanted person is using a particular home as a protective base. To the best of our knowledge, not more than one-third of the cases were of the first type, and as mentioned, in 8 of the 15 cases no wanted persons were found in the houses which were shelled.

The facts reflect a policy of collective punishment: in most cases houses were heavily shelled even though no wanted persons were in the homes at the time of the incident; in most cases the treatment of the evacuees was harsh and degrading; the authorities have not initiated compensation awards to the hundreds of inhabitants whose homes have been destroyed or damaged, and in any case they do not intend to compensate homes in which wanted persons were found. This policy is illegal and does not accord with the Israeli government's commitment to ensure the well-being of the inhabitants of the territories.

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<sup>10</sup> As mentioned previously, due to a difference in accounts between IDF and the Border Police, we do not know whether two of the wanted persons were killed during the operation or before it.

## **Recommendations**

The policy of firing at houses, in its present form, should be discontinued. Shelling of houses can be justified, if at all, only if the following conditions are fulfilled:

1. When there is no doubt that armed wanted persons are encamped in the house.
2. When the wanted persons endanger the lives of security personnel.
3. When there is no doubt that all inhabitants of the house have been evacuated.
4. When shooting takes place only after all other means, such as teargas, loudspeaker warnings, and so on, have been exhausted, and only at houses which wanted persons are using as a protective base.

The treatment of the residents at the hands of the soldiers must be fair, as to civilians who are considered protected persons.

The authorities must initiate assessment of the damages and award prompt, fair, and adequate compensation to anyone whose house has been demolished or damaged.

# IDF Spokesperson's Response

על הקו



Information Branch  
April 7, 1993

## RESPONSE TO B'TSELEM REPORT REGARDING THE DEMOLITION OF HOUSES DURING OPERATIONS TO CAPTURE FUGITIVES

The B'Tselem report in question claims that the IDF is resorting to exceptional measures when seizing houses in which fugitives are hiding within Judea, Samaria and the Gaza District, causing heavy damage to the local population's property.

Following is the IDF Spokesman's response to the main claims:

### **Palestinian Terror in the Territories - Background**

Hostile terrorist activity in the territories is an existing and ongoing phenomenon. Within the territories there are about 200 armed fugitives aided in their activities by local residents. These armed fugitives have attacked Israeli civilians, IDF soldiers and many local Arab residents. From January 1, 1992 until today, 15 Israeli civilians and 16 IDF soldiers have been killed in ambushes and knifings. In addition, 274 Palestinian Arabs have been killed by other Arabs.

### **The IDF and the War Against Terrorism in the Territories - Background**

The war against terror is long and continuous. It is fought on many fronts. In light of the recent increase in terror incidents, the security forces have taken rigorous steps to end terror in general, and to prevent the activities of fugitives specifically and to capture them. The war against the fugitives includes joint operations involving the various branches of the security forces.

The fundamental principle in the IDF's activities within the territories is differentiate between local residents not guilty of any crimes and those who have committed acts of terror. The

latter are targeted in the war against terror. According to this principle, the IDF acts to minimize casualties and property damage among the general population not involved in terrorism.

### **The Fugitives and Their Reliance on the Local Population**

The fugitives are the hard core in the forefront of terrorist activity. The principles governing IDF activities are well known to the fugitives, principles which often make life difficult for the IDF and "tie its hands." The fugitives operate from within the local population and are absorbed by it. They use the locals to aid them and they often exploit the locals, holding them hostage to fulfill their aims. In addition the fugitives use the the local population's property and homes as if it were their own. During activities in which the IDF has seized houses where fugitives have been staying, more than once arm caches have been seized that include automatic weapons, pistols and explosive devices.

### **The IDF's Actions Against Fugitives**

The IDF's method of action against wanted criminals is based, above all, on reliable information regarding the whereabouts of such people.

Before taking over a house that has been ascertained to be a hiding-place for fugitives, the IDF takes a wide range of precautions. The process of dispersing the population in the areas around the action consists of several stages whose purpose is to prevent harm to individuals. Residents are called to leave their houses in good time. Armed fugitives are allowed to leave the building without any harm befalling them. These methods have been drawn up as a result of a continual learning process. Their purpose is to minimize the level of danger to IDF soldiers on the one hand, and to the lives of innocent local residents on the other. Proof of this, from examining the incidents in the Gaza District mentioned in the B'tselem Report, is that from January 1, 1993 no local residents or IDF soldiers have been injured during taking over homes of fugitives, except for the case of one Palestinian (Muhammed Salah Musalem Kwita) who was hit by IDF fire and killed after he ran away from a building and did not heed the call of soldiers to stop (14 January 1993). It should be noted that in these actions alone 11 wanted criminals and 20 supporters who hid wanted criminals in their homes were detained. Also worthy of note is that the IDF, contrary to reports, does not use anti-tank missiles whose use requires an area of a few hundred metres but

uses in a controlled way rockets and devices whose strength is much lower.

### **Dealing With The Local Population**

Most of the residents of the houses are released after a short search, except for those who are questioned by the security forces because they are suspected of co-operation with fugitives. Those being questioned are fed. In at least three cases, wanted fugitives were found from amongst those detained.

### **Deviations from the Procedures**

The IDF deals very seriously with any claims by local residents that when their houses are cleared they are not treated as they should be. The IDF views such behaviour in a most serious light. It should be emphasized that unnecessary humiliation or bothering of residents of the homes where fugitives are hiding is forbidden according to IDF regulations. Obviously any official complaint of this nature will be checked and disciplinary measures will be taken against soldiers whom it is found acted against regulations.

### **Compensation**

According to the claim procedures that exist in Judea, Samaria and the Gaza District any resident who feels he has been harmed because of IDF soldiers' actions can file a claim for compensation with the appropriate staff officer in the area. Clearly any claim that is filed will be checked. In addition, directives have been given to Civil Administration staff and to legal advisers in these areas to initiate approaches to the home-owners whose property was damaged in order to help them. It should be noted that despite all that has been said above, until now very few claims have been presented to the Claims Staff Officer for damage compensation.

### **Conclusion**

The use of widespread military force to capture armed fugitives derives from the essential need to capture the terrorists who are hiding in houses while preventing harm to IDF soldiers and the residents of the homes. For this reason, occasionally, exceptional means have been used that have caused harm to property only. As said, residents whose property has been harmed can turn to the Civil Administration for compensation.