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Military investigator testifies that head of IDF Southern Command instructed bulldozer operator not to cooperate with investigation

Monday, March 22 and Wednesday March 24, 2010 the Haifa District Court saw the fifth and sixth days of testimony in the civil lawsuit filed by Rachel Corrie's family against the State of Israel for her unlawful killing in Rafah, Gaza. Rachel Corrie, an American human rights defender from Olympia, Washington, was crushed to death on March 16, 2003 by a Caterpillar D9R bulldozer. She had been nonviolently demonstrating against Palestinian home demolitions with fellow members of the International Solidarity Movement (ISM), a Palestinian-led movement committed to resisting the Israeli occupation of Palestinian land using nonviolent, direct action methods and principles.

An Israeli military police investigator, who was part of the team that investigated Rachel's killing, completed his testimony on March 22. In his testimony he stated that:

- One commander of the unit involved in the incident interrupted the testimony of the operator of the bulldozer that killed Rachel, telling him that the head of the Southern Command of the Israeli military ordered him to stop talking, not to sign anything and not to cooperate with the investigation. When asked if he considered this an intervention into the interrogation, the investigator testified that he did.
- The investigator stated not only that he did not visit the site of the killing, but also that the bulldozer involved in the killing was removed from the scene directly after the incident. He testified that the only tool he used in conducting the investigation was taking testimonies of eye-witnesses and soldiers.
- In his investigation, he did not refer to or read the Israeli military manuals that provided instructions and safety standards for operation of D9 bulldozers. He also failed to question the bulldozer driver about these regulations.
- Though the camera posted on the border was taping 24 hours a day, 7 days a week, the investigator testified that he did not see footage from the camera, nor did he ask to, stating that it was someone else's responsibility.

Asher Asban, who conducts professional investigations involving safety regulations related to both commercial and military incidents, provided expert testimony for the Corries. He testified that:

- According to the military's rules, it was forbidden to operate the D9 bulldozer if there were civilians within a 20 meter radius around it.
- The driver would have been able to see bright colors such as that of the jacket Rachel was wearing when she was killed.
- The Israeli military had the ability to purchase cameras from Caterpillar to mount on the bulldozers. Such cameras would provide 360 degrees visibility.

On Wednesday, March 24, Craig Corrie, Rachel's father, was the final witness to testify. Rather than concentrating on the failure to uphold a court order regarding two conditions under which to perform an autopsy, the State instead focused its line of questioning on passages from emails that Rachel wrote and on the family's correspondence with the US Embassy and State Department regarding the issue of the autopsy and investigation. Mr. Corrie was also questioned as to whether Rachel was given the status of "shaheedah" (martyr) by the Palestinian Authority, and whether there were any streets named after her in Gaza or Ramallah. He answered that on the March 16th anniversary of Rachel's death, a street was named for her in Ramallah and that according to his understanding of the word "shaheed," it is used to describe anyone killed as a result of the occupation.

This portion of the trial with witnesses for the plaintiffs, the Corrie family, ended on March 24. The State has been granted 30 days to submit a list of witnesses and their affidavits. Judge Oded Gershon stated that proceedings will continue in September at the earliest with the next trial date currently set for September 5, 2010.

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