

FOR IMMEDIATE RELEASE
September 6, 2010

Israeli military Colonel states, “There are no civilians in war zones.”

Haifa, Israel - Several State witnesses testified in Haifa District Court on Monday, September 6, 2010, in the civil law suit 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, WA, was crushed to death on March 16, 2003, by a Caterpillar D9R military bulldozer. She had been nonviolently demonstrating against the demolitions of Palestinian homes.

One of the witnesses, known to the court as Yossi, was a Colonel in the Engineering Corps. He was responsible for writing operating manuals for military bulldozers and other equipment. He also conducted a simulation of what the bulldozer driver would have been able to see. In his testimony:

- He repeatedly insisted that there are no civilians in a war zone. His assertion disregards the reality in the Palestinian Occupied Territories as well as international humanitarian law, which was created to protect civilians in armed conflict situations.
- Yossi contradicted his own March 2003 testimony, given to military investigators, that the armored personnel carrier (APC) at the incident was intended to protect both soldiers and civilians. Today, he said the APC was there only for the safety of the drivers.
- In his affidavit, Yossi wrote that he conducted a reenactment of the incident. However, he testified today that he did not reenact the scene, but rather filmed a bulldozer of the same model with a bulldozer operator, and another soldier, to get a sense of what the operator at the incident might have seen. He also said he did not view the military's surveillance video of the incident in creating his simulation.
- Yossi claimed that the manual on operating instructions for mechanical engineering equipment in low intensity conflict did not apply to real conflict situations, but rather only in training and administrative activities.
- Yossi stated that the bulldozer driver and commander have the exact same field of vision and that the commander sat at the same level as the driver, contradicting the government's expert witness, who stated that the commander had a better field of vision because he sat higher.

Another witness for the state, Major Yoram Manchori, testified as an expert witness on the bulldozer's field of vision. He was responsible for purchasing heavy engineering equipment and readying it for military use. In May 2010, he created an animated simulation of what the bulldozer driver and commander's vision might have been.

- Manchori insisted he used in the simulation a bulldozer identical to the one that killed Rachel. However, the bulldozer he used had multiple bars on its windows, whereas the bulldozer that struck Rachel had no bars. Upon being informed of this discrepancy, he claimed that the bars did not impact visibility.
- He conducted his simulation on terrain that was very different than the terrain at the scene.

- He determined the simulated location of the bulldozers based on eyewitness recollections given over 7 years after the incident. He did not cross-check them with eyewitness accounts from the time of the killing, nor did he view the military surveillance video of the incident.
- Manchori testified that the price of a Caterpillar D9R bulldozer is currently \$700,000 and the cost of arming it is an additional \$200,000 - \$250,000, figures not previously disclosed. In light of this, it is now known that the cost of mounting a camera, which is often cited as being prohibitively expensive, would be less than 10% of the price of the bulldozer itself.
- Manchori testified that after Rachel's death the Israeli military installed cameras on one bulldozer but due to the high cost, limited increase in field vision and other problems, the installation was discontinued.
- Manchori testified that prior to Corrie's killing, the Israeli military tested the D9R bulldozer field of vision and that he personally had sent three charts of the results to the military investigators in March 2003. In court today, the Corries' lawyer requested to obtain a copy of this report, stating that he needed it in order to analyze the bulldozer visibility claims made in the military police investigation of Rachel's killing. The State argued that the report was classified and should not be allowed into evidence, although the Israeli Supreme Court previously ruled that this report was relevant to the case. Judge Gershon upheld the State's argument.

Regarding the multiple references that there are no civilians in war zones, Cindy Corrie, Rachel's mother said, "This was startling to our family, and to others in the courtroom. Rafah is a densely populated town. In fact, Rachel was killed defending the home of two Palestinian families—a pharmacist, an accountant, their wives and small children. It was extremely troubling for their existence to be categorically denied."

Court today was attended by representatives from the US Embassy, Human Rights Watch and Adalah, a legal and human rights organization.

The trial is slated to resume in October, when the bulldozer driver, the bulldozer commander, and the head of the military police team that investigated Rachel's killing are expected to testify.

For press related inquiries and further information please contact:

stacy@rachelcorriefoundation.org

Phone: +972-52-952-2143