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Unit Commander Says Ordered to Continue Bulldozer Work Despite Danger to Civilians

Corrie Trial Spotlights Israeli Accountability for Unlawful Killing of Nonviolent Protester

(Haifa, Israel – April 4, 2011) – The commander of the unit that killed Rachel Corrie told a Haifa court on Sunday that he was ordered to continue bulldozer work even though it presented danger to civilians, including foreign activists, who were present in the area and could not be dispersed.

Known to the court as Captain S.R., the Bedouin officer said that he actually requested to halt bulldozer operations on the day Rachel was killed, because he thought civilians might be hurt, but was ordered to continue.

“Today’s testimonies provide further strong evidence regarding the Israeli military failure to take necessary and reasonable measures to protect Rachel’s life and prevent her avoidable tragic death. They also underscore the systemic inadequacy of the military investigation system which in this case, was nothing but a whitewash,” said Attorney Hussein Abu Hussein, who represents the Corrie family. “More than eight years after Rachel’s death, we are uncovering new pieces of the truth despite a wall of secrecy and lack of transparency.”

Rachel, an American student activist and human rights defender, was crushed to death by an Israeli military Caterpillar D9R bulldozer on March 16, 2003 while nonviolently protesting the demolition of Palestinian homes in Rafah, Gaza.

On the day she was killed, Captain S.R. radioed to Israeli army command and said that something from the bulldozer fell on Rachel. However, in court, he admitted he did not see the exact moment of the incident and that this was only a fleeting hypothesis. He said he reached Rachel’s body less than one minute after the incident and it was immediately clear by marks in the ground that Rachel had been hit by the bulldozer.

Captain S.R.’s testimony about the location of Rachel’s body after she was hit corroborated that of international eyewitnesses and the bulldozer driver, all of whom said that after the bulldozer backed up, Rachel’s body was located between the bulldozer and the mound of earth that it had pushed. This calls into question the testimony of the bulldozer commander, and the position of the State, that Rachel’s body was in

a different location: on the far side of the mound of earth created by the bulldozer. Captain S.R. confirmed that evidence photos taken by the protesters that day accurately reflect the scene of the incident after Ms. Corrie was hit.

Additional testimony included:

- He testified the unit's standard practice on the ground was to stop if someone was within five meters of the bulldozer. International eyewitnesses previously testified that Rachel was well beyond this distance when the bulldozer began its approach.
- He confirmed he did not think the presence of protesters in the area was forbidden and stated he was not sure if it was a closed military zone, but in any event, he did not think he had the authority to declare it one. He added that it was forbidden for people to be that close to the bulldozer, and that demonstration dispersal measures were carried out on one occasion several hours earlier that day, but were abandoned as they failed to impact the protesters.
- He confirmed that a female soldier viewed the site through a remote camera that day, and instructions could be given to his unit based on what was seen.
- The Captain's review of an interview he gave to Israeli Channel 2 TV's "Uvda" program confirmed the existence of IDF video footage that has not been submitted into evidence by the State or provided to the Corrie family's attorneys through discovery. The interview, aired on April 5, 2003, included a segment of March 16th, 2003 Israeli military video of the operations. His testimony confirms additional IDF video exists, even though the lead Military Police investigator responsible for obtaining evidence in the case stated firmly that there is no additional video.
- He confirmed that a written document does exist that outlines regulations, specific to civilians, for a "removal procedure" – a set of instructions outlining how to remove civilians in situations such as these. Attorneys for the State continued to claim the regulation does not exist – in direct contradiction to the sworn testimony of their own witness moments before.

The second witness to testify on Sunday was S.L., who in 2003 was head of the Mechanized Engineering Equipment Department. In an affidavit submitted to the court, referring to regulations, S.L. said, "in no way is the directive applicable to the operational conditions in which the bulldozer operated in this case." However, in court on Sunday, he contradicted that assertion and admitted that regulations requiring that D9 bulldozers not operate within 20 meters of people did, in fact, apply.

When asked if there were "lessons learned" in response to this incident, he said he was unaware of any changes made in training and affirmed that to date, cameras to improve visibility have not been added to the bulldozers. He said the Israeli army experimented with cameras but found they were not a good solution because they were too easily

damaged and because neither the bulldozer operator nor his commander had ability to pay attention to the cameras under operational circumstances. However, he confirmed that unmanned “drone” bulldozers with cameras attached were used by the Israeli army during the Lebanon invasion of 2006.

Sunday’s proceedings were attended by the American Embassy and representatives from the legal and human rights organizations; Avocats Sans Frontières, Al Haq, Amnesty International, Human Rights Watch, National Lawyers Guild, and Yesh Din.

The next hearing is scheduled for Wednesday, April 6th from 9:00-16:00 before Judge Oded Gershon, 6th floor, Haifa, District Court, 12 Palyam St., Haifa, Israel. The Deputy Battalion Commander and Platoon Commander are scheduled to testify.

An additional hearing is anticipated.

Please visit <http://rachelcorriefoundation.org/trial> for updates, changes to the court schedule, and related information.

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