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A Report on Army Actions at Birzeit University on November 21, 1984 (Excerpt)

Birzeit Public Relations Office, December 1984

Jerusalem (*Associated Press*)—Israeli troops opened fire today on West Bank Palestinian students demonstrating their support for PLO leader Yasser Arafat, killing one student and wounding five, witnesses and hospital officers said.—Associated Press dispatch, November 21, 1984

Newspapers around the world reported the killing of Birzeit student Sharaf Khalil Hassan Tibi by Israeli soldiers on November 21, 1984. On that day, army gunfire mortally wounded Sharaf and he later died en route to the hospital.

However, the facts of how Sharaf Tibi was killed and the implications of his death received far less attention. Today's tragedies, of course, often become yesterday's headlines, but the lessons of these tragedies should not also be consigned to oblivion, lest the tragedies repeat themselves. In the case of the killing of Sharaf Tibi and related events on that day, Birzeit University is convinced that the practices of the army deserve especially serious scrutiny and criticism. Without this scrutiny, the names of other young people in the

occupied territories will inevitably be added to the sad roll call on which Sharaf's name is inscribed.

Despite numerous problems with the military authorities, including nine military-ordered closures of the University, Birzeit University has never before issued such a detailed report on a single event in its history, using such methods as intensive collection of sworn affidavits. We did so at this time not simply because the University community was shocked and grieved at the first killing of a Birzeit student on campus. We did so also because the culmination of eyewitness reports from our faculty and students began to form a disturbing picture of a series of seemingly deliberate actions by soldiers that day that contributed immeasurably to the toll of human suffering.

These allegations prompted us to begin a thorough investigation of the events of November 21. Experienced field workers from the Ramallah-based Law in the Service of Man, an affiliate of the International Commission of Jurists in Geneva, carried

out the collection of sworn affidavits from witnesses to the events. The originals of these affidavits are in the files of Law in the Service of Man. University attorney Raja Shehadeh reviewed and checked these affidavits, and the Public Relations staff of Birzeit University, which was on the scene that day, also supplemented the affidavits by questioning closely administrators, faculty and students to clarify the chronology of events and to obtain additional corroboration. The rules of evidence were strictly observed, with each witness questioned separately and without prior knowledge of other witnesses' statements.

Our investigation focused on two main issues:

- 1) The army's delay of ambulances and private cars transporting injured students to a hospital. Soldiers delayed two ambulances and one private car transporting injured students to a hospital in three separate incidents documented in this report. These delays are contrary to all standards of international law, where it is clearly affirmed that the transport of injured persons should not be obstructed. Indeed, such delays cannot even be explained under the general rubric of "security" considerations that are so often invoked by the army in the occupied territories. The military authorities have sufficient power to enter hospitals and question and even detain patients to obviate the necessity to delay the wounded.
- 2) The army's use of high-velocity live ammunition against unarmed students in a deliberate and aggressive fashion. Numerous witnesses reported the army opened heavy fire without warning and aimed at body height, as detailed in the following report.

Our investigation yielded a detailed and chilling portrait of the events of November 21. We do not, of course, have the power to investigate the motives and policy that

led to these events: to question soldiers or review the orders issued by the military commander that day. Sadly, we can see no sign that a commission of inquiry empowered to carry out this crucial investigation has been established. We hope readers of this report may consider appealing that such a commission of inquiry be launched and its findings made public.

Background

On Wednesday, November 21, at about 10:00 am, students held a rally near the library building in the old campus of Birzeit University to support the convening of the Palestine National Council in Amman. During the previous week, several such meetings, with different viewpoints expressed in a democratic framework, had been held by students on campus to discuss the issues raised by the convening of the Council. Reports by army spokesmen of inter-student tension that day were absolutely false. Indeed, students critical of the convening of the Council were holding another meeting on Birzeit's new campus about three kilometers away when the following events occurred.

Shortly after 10:00 am, some students from the old campus rally, chanting and singing, came out of the University to march around the streets of Birzeit. Some students built stone barricades across the roads leading to the University's old campus, in case of an army attack on the march. It was a small good-humored march of some 150 students. The majority of the students formed a group on the road in front of the mosque. A smaller group of some 20 students were at the top of the Atara road, about 50 meters from the group outside the mosque.

Shooting to Kill

Using the affidavits from eye-witnesses, we estimate that the army arrived in Birzeit town just after 10:30 am. Shortly before, a faculty member had observed "a light colored medium-sized car with yellow number plates and people in civilian dress inside" parked near the entrance to Birzeit town and then noted in his affidavit:

"a single jeep came around the bend from Ramallah and stopped at the light colored car mentioned earlier. A soldier got out of the jeep and talked to the occupants of the car, then one or two people got out of the car and a pink piece of paper was produced, I could not see by whom. . . . This was placed on the bonnet of the car and signed . . ." (LP)*

The army jeep continued for a short distance and then stopped in view of several faculty members watching from a nearby house. As soon as the jeep stopped, the soldiers started firing at students on the Atara road. At the entrance to the Atara road, one of the soldiers:

"assumed a kneeling position, and through binoculars I could see that his rifle was fitted with a telescopic sight, which he was using. He fired about six shots from this position, taking careful aim between shots, toward the students; his aim being directed at body level, not in the air nor at the ground." (LP)

Meanwhile, the other soldiers had also started to fire:

"They were shooting in the direction of the mosque, apparently aiming each shot. They were in no danger themselves in my opinion, since the students were much too far away to reach them with stones, and they were protected by olive trees, and the house." (AP)

On coming under fire the students ran back, first to shelter near the mosque and the women's hostel, and then into the University's old campus. Six students were wounded by army gunfire in the area of the mosque and the women's hostel, including Sharaf Tibi, who later died of his wounds. The first casualties were seen being carried to the Birzeit Women's Charitable Society Clinic within 10 minutes of the beginning of the shooting. From this it seems likely that the students were shot by the soldiers who arrived first, at the entrance to the Atara Road, and who were seen advancing toward the mosque firing at the students.

In a Radio Israel broadcast of November 21, a spokesman for the army was quoted as saying that the soldiers only fired live ammunition to "extricate themselves from a dangerous situation," and only after they had fired warning shots in the air, and used teargas to try to disperse the crowd. This version of events is flatly contradicted by eye-witnesses:

"Just before the students disappeared I saw teargas and smelled it, although I couldn't see who fired it. This was about 1/4 hour, at least, after the shooting first started, and it was the first teargas that was used that day." (SD)

"Not a single shot was fired in the air. There were no warnings to the students, and no teargas was used, and as I said the shooting started immediately [after] the jeep stopped." (LP)

The published reports of an NBC reporter on the scene agree with these witnesses. An Associated Press dispatch noted:

"NBC Radio reporter Mel Laytner said he saw Israeli troops open fire without warning on a crowd of 200 students . . ."

By 11:00 am, the students had taken cover in the university restaurant. The army was surrounding the old campus and had declared the town of Birzeit a "closed

* See Key to Affidavits at the end of the report.

area.” Four wounded students, including Sharaf Tibi, had been taken to the Birzeit clinic, opposite the back entrance to the old campus. Two other students wounded near the women’s hostel could not reach the clinic due to gunfire.

Obstructing the Transfer of the Wounded to Hospital

There was no doctor in the Birzeit clinic that day, and the facilities were not sufficient to deal with such severe injuries. Sharaf, who later died of his wounds, was bleeding profusely, and appeared to have two bullet wounds in his chest. There has been no post-mortem examination so it is impossible to give a more detailed description of his wounds. One other student at the clinic also had a bullet wound in his chest, while the other two at the clinic had arm injuries. One student wounded near the women’s hostel had a bullet wound in his knee, which left a gaping hole, and the other had been shot in the toes. These last two injuries later required operations, as did the student who sustained a chest injury.

Although ambulances had been summoned (see chronology), none appeared. The city of Ramallah is only 10 kilometers from Birzeit, and the ambulance should have appeared on the scene quickly. Students and staff attending the injured students were extremely worried, especially about Sharaf. Thus, students began searching for a car to transfer the injured to a hospital. Owing to gunfire faculty members at the old campus noted that they were unable to reach their own cars, parked in a lot down the road. As a result of the lack of ambulances, Sharaf and another student in the clinic were transported by private cars; the two students near the women’s hostel were also taken by private cars to Maqassed Hospital. Two other students at the clinic

were taken by the Ramallah Government Hospital ambulance, when it finally arrived at the clinic around 12:10 pm.

The private car carrying Sharaf, a small yellow sedan, left for Ramallah at 11:10 am. There were three students in the car with Sharaf. The driver took the Jifna/Jalazoun road. One of the passengers in the car described what happened on the way to Ramallah:

“A checkpoint barrier obstructed us at the entrance to Jifna on the Birzeit side. We asked the soldiers’ permission to take the casualty because he was in very serious condition, but they refused to let him pass. They contacted their officers. We waited at the barrier for nearly 25 minutes, and throughout this time we were pleading with the soldiers to let us pass as the condition of the wounded student was getting worse.”(KR)

Another of the passengers in the car described the same events:

“At Jifna there was a barrier at the entrance to the village on the Birzeit side. There the army stopped us, so we told them that we were carrying a wounded student, and that his condition was serious. They saw this for themselves but they forbade us to pass, and said that they must call their commander. There were four soldiers. We talked with the one in charge of the group, told him of the situation, and insisted that he call his commander. He threatened to shoot; that is to say he ordered the soldiers to fire if we crossed the barrier.”(AB)

While the car was waiting at the checkpoint the soldiers taunted the students, and attempted to provoke them. A woman came out from one of the nearby houses and also begged the soldiers to let the wounded student pass. The soldiers shouted insults at her and told her to leave.

"The woman returned to her house and brought a blanket. We wrapped the casualty in it as the blanket he had been wrapped in was soaked in blood."(KR)

One of the passengers in the car believes that Sharaf died at the checkpoint. Another believes that the moment of his death came on the road to Ramallah, when the car was finally allowed to pass. It is beyond doubt that when he arrived at the Ramallah Government Hospital at 11:50 am he was already dead. We will never know if Sharaf could have been saved if he had reached the hospital sooner. The 25 minute delay at the checkpoint in Jifna denied him his chance of survival. In addition to causing this delay, the army also confiscated the ID cards of the students in the car, plus the driver's license, and the insurance documents of the driver. At this writing, these documents have not been returned.

University officials had contacted Maqassed Hospital a little before 11:00 am, and told them of the wounded students in Birzeit. The ambulance left immediately, and headed for Birzeit as fast as possible. It ignored the army checkpoint on the road to Birzeit, and arrived outside the clinic around 11:20 am.

There the ambulance was stopped by the army and ordered to treat an Israeli soldier. The doctor in the ambulance examined the soldier, but could find nothing wrong with him. However, other soldiers insisted that the soldier should be put into the ambulance so the ambulance crew was forced to comply. When they had done this the doctor asked permission to attend to the seriously wounded students in the clinic. He pointed out that the condition of the soldier in the ambulance was not serious enough to justify neglecting the wounded students. The soldier himself told the doctor he thought he was suffering from the effects of smoke and teargas and

he showed no sign of other injuries. But the soldiers nonetheless prevented the ambulance from proceeding to the clinic to attend to the students, and refused the doctor's request to take a student in the ambulance alongside the soldiers. Instead they forced him to take the soldier, accompanied by a number of other soldiers.

As the ambulance was driving away from the university it was stopped again by soldiers. A witness noted in his affidavit:

"A soldier was standing on the bumper at the back of the ambulance while it was moving forward very slowly. It was the Maqassed Hospital ambulance. I asked the driver if he was carrying any wounded. He said he had tried twice to get to the scene of the incident, but the army would not let him through. As I reversed, the soldier who was on the back of the ambulance started banging on top of the ambulance while yelling to the driver 'Sa'h' ("drive" in Hebrew)."(AA)

The ambulance was finally ordered to take the soldier out of Birzeit. On the road between the old and new campuses it was delayed again.

"We remained stationary for almost 1/4 hour. During this time we were trying continually to ask the soldiers to permit us to go to the university to help the wounded students. However, they refused this. Then an Israeli ambulance approached, and they moved the Israeli soldier into it. After that we headed to the old campus, that was about 12:00 am, to carry out our duty to the wounded. However, we were assailed at every turn by soldiers obstructing us and searching the ambulance. When we arrived at the old campus [after the arrival of the Ramallah Government Hospital ambulance] we did not find any wounded students, all of them had been taken. (MD)

The Ramallah Government Hospital is under the authority of the Israeli military

government. Hospital staff are under strict orders not to release any information to investigators or to the public. Consequently, no affidavits could be taken from hospital personnel about the events of November 21. However, reliable sources with direct knowledge of the incident have told us that the ambulance sent to Birzeit was interfered with and delayed by the army. On the way to Birzeit the army turned back the ambulance and sent it to the police station in Ramallah. Here the ambulance crew was required to take aboard a police officer in order to proceed to Birzeit. Despite the presence of the police officer the student transported from the clinic to the hospital in the ambulance declares that the ambulance was delayed at an army checkpoint.

The ambulance was seen arriving at the hospital after 12:30 pm which strongly suggests that it did not go unhindered to and from Birzeit. In any case, the delay caused by diverting the ambulance to the police station was more than half an hour.

Other Events

In addition to the events described in detail above, the army was responsible for several other acts that day which deserve scrutiny.

- When the students had been confined to the university restaurant, and the conflict with the army was over, a small group of soldiers entered the old campus of the University, and went into the student cafeteria. Here they smashed all the windows with their rifle butts, and broke up furniture. The vandalism continued even after university officials had complained to senior Israeli officials on the scene, including Colonel Maurice Bar-Kochba, head of the Israeli “civil” administration in the Ramallah district. At first he said that students must be responsible for the de-

struction but then, after seeing the soldiers with his own eyes, told another soldier to “take their names.”

- Soon after surrounding the campus soldiers went up onto the roofs of surrounding buildings, and fired into the courtyard of the old campus. This was an act designed to cause the maximum possible damage to university property. Several bullets smashed windows, and were found embedded in the walls of faculty offices. Fortunately these offices were empty at the time.

- In the village of Birzeit, men were forced by Israeli soldiers to clear the road of stones. A Birzeit faculty member who protested this degrading treatment was struck in the face. He noted:

“We finished clearing the first barrier and the soldier ordered us to go on to the second barrier, and we walked in its direction. He wasn’t satisfied with the normal speed we walked and he ordered us to run. The others ran and the same soldier came to me and said “faster.” I tried to convince him that we had dignity and he fired a shot in the direction of my foot.”(TD)

- Several faculty members reported seeing settlers at army positions during the course of the day. Settlers were identified by their civilian dress and their appearance—knitted skullcaps and long beards—which is not characteristic of intelligence officers, the only other individuals who would have been wearing civilian dress. Settler coordination with the army is not atypical, but deserves serious attention as settler violence against the civilian population in the occupied territories is an increasingly serious problem.

Conclusion

This report has presented a detailed and documented account of the death of Birzeit student Sharaf Tibi, and related events on

November 21, 1984. Its most grave conclusions are two: that the army unconscionably and illegally obstructed the transfer of wounded to a hospital and that the army employed "shoot-to-kill" heavy gunfire against students, without any form of warning.

We believe these conclusions warrant international concern and action. Even under occupation, or indeed in a state-of-war, international law dictates that medical personnel should be assisted in carrying out their duties and that the transport of the injured should not be obstructed. Certainly, in a situation like that at Birzeit on November 21, when the army dealt only with unarmed students and was, by any measure, in control of the area, it should have been all the more easy for the army to fulfill its obligations under international law. Instead, the opposite was the case and the defenselessness of the wounded led to their victimization.

Birzeit University presents this report to our fellow universities and educational institutions, to international human rights organizations, and to concerned individuals in the hope that they might take

appropriate action, whether through calling for an impartial commission of inquiry or through other avenues, to halt these illegal practices.

Key to Affidavits

1. LP: Leighton Pratt, Associate Professor of English, Birzeit University.
2. AP: Anya Pratt, Assistant Professor of English, Birzeit University.
3. AB: Ali Burham, student, Birzeit University.
4. KR: Kamal Radi, student, Birzeit University.
5. AA: Albert Aghazarian, Assistant to the Vice-President for Public Relations, Birzeit University.
6. MD: Maqassed doctor in Maqassed ambulance. Name withheld on request.
7. SD: Svea Dawani, Birzeit resident.
8. TD: Toufiq Dawani, Assistant Professor of Anthropology, Birzeit University.

A number of additional affidavits were collected and the information used here in this report. They are not directly quoted due to the request of the individuals concerned for anonymity.