

PERSONA NON GRATA:
The Expulsion of Lebanese Civilians from
Israeli-Occupied Lebanon

Human Rights Watch
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I. SUMMARY

“They did not allow us to take anything. It was immediate. We were out of the house in five minutes.”

—Ibtisam Ghayad, expelled from the village of Sheba’ with her husband, thirteen-year-old son, and nine other relatives in December 1998.

On July 1, 1999, three residents of Israeli-occupied south Lebanon were expelled. Two of them were elderly: Hassan Mohammed Said, seventy-two years old, and Khalil Deeb Saab, sixty-five. Lebanese daily newspapers reported the expulsions the next day, but Israeli dailies such as *Ha’aretz* and the *Jerusalem Post* did not. The two old men joined the uncounted hundreds, if not more, of Lebanese women, children, and men from the occupied zone who have suffered a similar fate since at least 1985. This report examines the expulsion and other forcible transfers of Lebanese civilians from Israeli-occupied Lebanon, practices that violate international humanitarian law and are grave breaches of the Geneva Conventions. These measures have been carried out by Israel’s local auxiliary militia, known as the South Lebanon Army (SLA), in the occupied Lebanese territory. The use of expulsion as a weapon to punish the civilian population in the occupied zone has received scant attention in Israel and internationally during the two decades that it has quietly made a shambles of the lives of the men, women, and children forced to leave their homes and communities. Human Rights Watch documented cases of individuals and entire families who have been collectively punished by being expelled for the acts or suspected activities of their relatives. These have included admitted or suspected participation in attacks on Israeli military personnel and installations in the zone, membership in the military wings of Lebanese political organizations such as Hizballah and the Amal Movement, refusal to cooperate with the occupation security apparatus, and desertion from or refusal to serve in the SLA.

The expulsions come in the context of Israel’s long occupation of part of southern Lebanon, and the ongoing confrontation between Israeli and SLA military forces and Lebanese guerrillas fighting to oust the occupiers. Historically, it is Lebanese territory which has been the primary stage for this military conflict, and it is in Lebanon where the bulk of the military activity and civilian casualties have occurred. Both sides have carried out indiscriminate attacks on civilians in violation of international humanitarian law. Retaliatory and indiscriminate artillery barrages by Israeli and SLA forces, as well as attacks with Israeli helicopters and fixed-wing aircraft, have killed and injured hundreds of Lebanese civilian men, women, and children, including the shelling near the U.N.

compound in Qana on April 18, 1996, that killed over one hundred civilians. On the other side of the border, Israeli civilians periodically brace for and have been victims of Katyusha rockets fired by Lebanese guerrillas, who continue to use this indiscriminate weapon in illegal reprisal attacks following the killing, and sometimes the injury, of Lebanese civilians. Most recently, in June 1999, two Israeli civilians were killed in Kiryat Shemona during a rain of Katyusha rockets, bringing to nine the number of Israeli civilians who have been killed since 1985 at the border. The rockets were fired by Hizballah guerrillas in reprisal for a ten-hour bombing campaign by the Israeli air force of infrastructure in Beirut and other parts of Lebanon, in which nine Lebanese civilians lost their lives. This aerial assault itself was, according to Israeli officials, a reprisal for a previous launch of Katyushas into northern Israel, which Hizballah had said responded to Israeli/SLA attacks resulting in civilian casualties on the ground in Lebanon.

The expulsions and other forcible transfers of Lebanese civilians from the occupied zone are just one of the methods that the occupation authorities utilize to control the civilian population in that territory and thwart the anti-occupation guerrilla forces. The expulsion of civilians from their homes and villages in the zone, like the indiscriminate attacks launched by both sides, cannot be justified by reference to security threats. International humanitarian law categorically prohibits forcible transfers and deportations, which constitute grave breaches of the Geneva conventions and as such are war crimes.

There has been little in the way of international and Israeli domestic attention to these violations of the laws of war taking place in south Lebanon. Attempts to control civilian populations through the use of torture, intimidation, deportation, and forcible transfer have often been rationalized as a measure of self-defense by an occupying power, despite its absolute prohibition in international law. This is hardly unique to the conflict between Israel and Lebanon. It is precisely the ubiquity of such actions in military conflicts that led to the provisions in international humanitarian law that expressly bar and make punishable such actions.

Testimony from Expelled Lebanese Families

Individual Lebanese and entire families have been expelled in a summary, arbitrary, and often cruel manner, without even the pretense of due process of law. The victims were forced to leave without any advance notice and, with extremely rare exceptions, were not permitted to bring any personal possessions with them. The expulsions have been harrowing personal experiences for the victims, who have included young children:

- In December 1989, Kamal Abdel Karim Yunes, a trader who lived in Markaba, was detained without charge for three days in the SLA security office in the village. Then he was informed that he and his family were being expelled and, according to his testimony, he was told they could not even “take a spoon” with them. Yunes said that an SLA militiaman accompanied him back to the family’s house, where he was bundled into a car with his wife Aziza and two of their children, aged three and seven years old. “All we had were the clothes that we were wearing,” Yunes told Human Rights Watch. The family was transported in a three-car convoy to the Kfar Tebnit crossing and expelled.
- In September 1996, members of the Abdallah family in the village of Houla were awakened by an SLA militiaman who arrived at their home at 6:00 in the morning. Other soldiers surrounded the house. He instructed the family that they must report immediately to an SLA position in the nearby village of Markaba, and transported them there in an unmarked civilian car. “We stayed there for two and a half hours and no one talked to us. I thought that they were sending us to prison,” said Khadija, the matriarch of the family. Finally, two militiamen told the family that they were being expelled. Khadija’s request to bring some possessions from the house was denied. She was transported in another unmarked civilian car, along with her sixty-seven-year-old husband, Abdallah, and her two daughters, Miriam and Rima, to the Beit Yahoun crossing point, where the family was expelled.
- In May 1998, an SLA security officer arrived at midnight at the home of sixty-four-year-old Muhamed Moussa in the village of Sheba’. He instructed Mr. Moussa and his twenty-nine-year-old daughter, Mona, who was a teacher at a local school, to report to the SLA security office in nearby Hasbaiya the next day. When they arrived at the office the next morning, with Mona’s five-month-old daughter in tow, a security officer wearing civilian clothes asked them to identify themselves. He then informed Mona and her father that he had orders to expel them. “I told him that we did not have milk for the baby, or our identity cards,” Mona told Human Rights Watch. “I asked to see Fares al-Hamra and Alameddin al-Badawi [two senior SLA security officials] to know what we did wrong. He said that we could not see them, and that the expulsion decision had been taken.” They were transported to the Zumrayya crossing and expelled.

- In January 1999, twenty-five members of one extended family were expelled from Sheba', including the family's sixty-year-old matriarch and sixteen children between the ages of nine months and thirteen years old. Qassem Naba', twenty-five years old and the father of two of the children, said that at 4:30 one afternoon, as the families were preparing food for the fast-breaking *iftar* meal during the Muslim holy month of Ramadan, a joint force of Israeli and SLA security forces arrived at their houses in three unmarked civilian cars. "They said that all of us had to come with them to Hasbaiya," Qassem told Human Rights Watch. The large group was brought to the SLA security office there. "We stayed outside in the cold for one hour, until about 6:30," Qassem said. "Then Alameddin al-Badawi and Fares al-Hamra told my brother Ahmad that they were expelling us. Ahmad asked why, and he was hit with a Kalashnikov on his back. Then four militiamen beat him in front of us for five minutes. He was bleeding from his face." The twenty-five adults and children were then crammed into two cars, including the trunks, and expelled at the Zumrayya crossing point.
- In January 1989, Qassem Ali Shahrour and three of his children were expelled from the village of Kfar Hamam. Mr. Shahrour, whose wife Youmna had been expelled the previous month, described how the expulsion was carried out: "They woke us up at 3:30 in the morning. There were tanks and many cars, and soldiers on the upper floor of our neighbor's house," recounted Mr. Shahrour, now sixty-nine years old. "They searched the house and told us that we were going to be expelled. It was a mixed group, and Arabic was spoken. But there were Israelis with them. Alameddin al-Badawi was in our house, speaking with an Israeli in Hebrew." He added that Badawi and an Israeli officer appeared to be in charge of the operation. Mr. Shahrour's youngest daughter, Nejla, thirteen years old at this time, was expelled wearing only her pajamas.
- Taleb Ahmed Saad, a twenty-seven-year-old construction worker from the town of Khiam, came under pressure in 1998 to work as an informer for the SLA security apparatus. He was approached three times, and always refused. In July 1998, he was detained without charge in Khiam prison and held for forty-two days. Saad told Human Rights Watch that he was released on August 17, 1998 at 4:00 in the afternoon, and

moved to the SLA security office in Khiam, where he was held overnight. The next morning, two SLA security officers came to him. "I thought that they were taking me home," Saad said. Instead, he was transported to the Kfar Tebnit crossing and expelled. He recalled that the officers told him that the expulsion was an Israeli decision.

As the testimony in this report indicates, many of the expelled families left behind productive agricultural land, livestock, and small businesses, in addition to the homes that they owned. The abrupt dispossession has imposed difficult and enduring economic hardships on expelled families. Human Rights Watch found former homeowners living in small, overcrowded rented apartments in the suburbs of greater Beirut and other urban centers. They said that their houses in the occupied zone sat empty, or in some cases were occupied rent-free by SLA militiamen. Families lost all personal possessions, including clothing, home furnishings, and vehicles. Valuable income-producing livestock, most typically sheep, chickens, and cows, had to be left behind. Women who worked as farmers expressed sadness and anger at having lost not only sources of self-sufficiency and livelihood, but the fields and orchards that they cultivated and loved.

Many expelled families have been reduced to poverty because of lost income from agricultural land and small businesses in their villages. Farmers expressed deep concern about the deterioration of their idle land, particularly olive groves and orchards, from lack of care. Those men and women who managed to find some type of employment in Beirut earned meager salaries that did not match former earnings in the occupied zone, and their standard of living has been dramatically reduced. This was particularly true for families who were farmers and had been largely self-sufficient. Every expelled resident whom Human Rights Watch interviewed in March and April 1999 for this report was profoundly bitter, and many were indignant that there has been little attention to their plight, in Lebanon and internationally.

This report is not a comprehensive historical survey of the expulsions. The cases of expulsion and other forcible transfers described in the report occurred in villages and towns across the occupied zone, from Tair Harfa and Chihine in the southwest to Kfar Hamam and Sheba' in the northeast, between 1985 and 1999. The report is based primarily on the personal testimonies of expelled individuals and families whom Human Rights Watch interviewed in Lebanon. It notes additional expulsions that the Lebanese media and Beirut-based international news agencies reported.

The total number of Lebanese civilians who have been expelled from the occupied zone over the years is unknown. According to the Arqoub Citizens

Committee, a Lebanese nongovernmental organization, between February 1987 and January 1999 approximately 250 residents were expelled from the Arqoub region of the northwestern section of the occupied zone, which includes the villages of Sheba', Kfar Hamam, Hebbariyeh, Kfar Shouba, and Rashaiya el-Foukar. Human Rights Watch learned that forty-six Lebanese who were expelled in 1998 reported their cases to local offices of the International Committee of the Red Cross (ICRC). The U.S. State Department, in sharp contrast, noted only four cases of expulsion in its 1998 Lebanon report on human rights practices, involving twelve residents: five women, four children, and three men. For three of the four cases, the State Department did not confirm the expulsions but said that the victims were "reportedly" expelled.

A Lebanese foreign ministry official in Beirut informed Human Rights Watch in April 1999 that the government did not maintain comprehensive statistics about the expulsions, due to a lack of resources, but that it hoped to do so in the future. We learned that in advance of our March-April 1999 mission the government sought the assistance of several small Lebanese nongovernmental organizations to compile data about the expellees, but this information was not available during the mission or by the time this report went to press. Human Rights Watch requested information from the Council of the South (*majlis al-janoub*, in Arabic), an arm of the state that has provided financial assistance to expelled families since 1996. As this report went to press, this information had not been made available.

The Council of the South is a Lebanese government institution established in 1970 to help residents of south Lebanon and the western Beka' valley affected by Israeli actions, its director Qabalan Qabalan told Human Rights Watch during an interview in Beirut in April 1999. Using government funds, it undertakes infrastructure development and social services projects, and provides ongoing financial assistance to families of Lebanese held in Khiam prison or prisons inside Israel. The Council of the South is also the conduit for one-time payments of LL20 million (about US\$13,300) to families whose children have been killed in military operations; and lump-sum and other payments to released prisoners. Mr. Qabalan said that in late 1996, the prime minister issued an administrative decree that provided for LL3 million in assistance for each expelled family, as well as full medical assistance for the duration of the expulsion. He noted that additional needs of the families are dealt with on a case-by-case basis and require approval of the Council of Ministers (the cabinet). Human Rights Watch requested a copy of the administrative decree; but as of this writing, it had not been made available.

Some expelled families interviewed by Human Rights Watch complained about the Council of the South, and reported that its guidelines for

receipt of financial assistance were unclear. In some cases, families were not aware of the amount of compensation that they were entitled to receive, and said that they had been offered lesser sums. Some said that they only received payment after complaining publicly in the Lebanese media.

Several Lebanese who were expelled between 1997 and 1999 were reluctant to have their names published in this report because they were holding out hope that they would be permitted to return to their villages. Others did not want their names to be known because they feared that relatives who remained behind in the occupied zone might be harassed. Still others expressed fear that if their names were published their houses in the occupied zone might be demolished. Throughout the report, we have indicated the cases for which Human Rights Watch has names on file but individuals requested anonymity, and those cases in which interviewees declined to supply their names.

Life for Residents of the Occupied Zone

Families opposed to the occupation who chose to continue living in the zone found it difficult to carry on their lives with any semblance of normality. Information obtained from families interviewed for this report provides glimpses of this harsh reality of daily life under the occupation for residents who did not ally themselves with Israel and the SLA, or who openly or tacitly opposed the occupation. For these Lebanese, there were constant reminders of the occupation: massively depopulated villages, harassment and pressure from SLA and Israeli security forces, arbitrary restrictions on freedom of movement out of and back in to the zone, and the constant worry about relatives who were arbitrarily detained without charge and tortured in the occupied territory's Khiam prison. Children were also detained in Khiam prison, some of them taken and held for months to put pressure on their parents or older siblings. Women prisoners were tortured as interrogators attempted to gather information from them and as occupation security authorities hoped to pressure male family members to join or return to the SLA or, because the male relatives were known or suspected members of the Lebanese military resistance to the occupation.

In villages throughout the occupied zone, members of some families have been hounded for months or years to serve as informers for the ubiquitous security apparatus that is maintained by the occupation authorities through the SLA and with the participation and oversight of Israeli intelligence. For those men and women who refused to succumb to the pressure, expulsion has been a last and punishing resort. In one case described in the report, a man's refusal to collaborate resulted in his own expulsion and that of his wife and two young children, making the punishment collective in nature. In many other cases, the sustained pressure that occupation security officials have applied on targeted men

and women has literally forced them to flee their villages out of fear, political principle, and often a combination of both. While most of these individuals described themselves to Human Rights Watch as “expelled,” we have distinguished these individuals who have fled the territory from those expelled or otherwise forcibly transferred.

The SLA practice of forced conscription of teenaged boys who live in the zone has also been a long-standing nightmare for families who are opposed to the occupation and despise Israel’s surrogate militia. Some families moved out of the zone on their own initiative to ensure that their sons would not be forced into SLA service. Others stayed in their villages but sent their sons out when they reached fourteen or fifteen years of age. According to testimony, children have been forcibly pressed into service. “They take them at fourteen, fifteen, and sixteen years old,” said a woman from the village of Markaba, whose own son was forcibly conscripted at sixteen. She told Human Rights Watch that a neighbor’s son was forcibly taken at fourteen.

Farmers and other residents who earned their livelihoods in the occupied zone also recounted massive corruption within the top ranks of the occupation security apparatus, in the form of arbitrary “taxes” on business purchases, harvests, and other income. Some families also said that they directly paid cash to SLA security officials to secure the release of sons from the militia or to ensure that these young men and boys would be spared conscription. By several first-hand accounts, militiamen who conducted searches of residents’ homes also “confiscated” — looted — cash, gold, and vehicles, resulting in losses equivalent to thousands of U.S. dollars.

Despite the omnipresent stress, residents who remained in the zone were determined to educate their children, farm the land, maintain local jobs as Lebanese government employees, and manage small, private businesses in their villages. These men and women who did not flee used their own savings, and the money provided by family members who worked abroad or in Beirut and other Lebanese cities, to invest in their homes, agricultural land, and enterprises in the zone. It is in this broader context that the punishing consequences of any family’s expulsion and permanent dispossession should be understood.

The Israeli Role in the Occupied Zone

The Israeli-occupied zone, which borders Israel and comprises about 10 percent of Lebanese territory, has within it over one hundred villages and towns in the south of the country. The zone’s current boundaries took shape in 1985, when the Israeli military withdrew in stages from areas of Lebanon that its troops had occupied to the north, following Israel’s invasion of the country in June 1982. After Israel’s invasion in March 1978, the U.N. Security Council adopted

Resolution 425, which called upon Israel "immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory." The resolution remains in force.

The Israeli Defense Forces (IDF) maintain a headquarters in a former Lebanese army barracks in the town of Marjayoun, inside the zone. An Israeli flag, with Lebanese flags on either side of it, flies atop the group of buildings in which the barracks is located. Heavily fortified IDF military positions throughout the zone, strategically located on the highest hilltops, such as the position at the imposing Crusader-era Beaufort Castle which towers above the village of Arnoun, also fly Israeli flags. "We have thousands of soldiers and officers doing the day-to-day work in Lebanon, risking their lives," then-Israeli defense minister Moshe Arens told the *Jerusalem Post* in March 1999.

Israel controls the occupied zone with its own military and security forces as well as with those of its auxiliary militia, the South Lebanon Army (SLA). The SLA, while composed of Lebanese recruits, is armed and financed directly by Israel. Successive Israeli governments have persistently argued that, while Israel coordinates with and has influence over SLA, the militia is autonomous and Israel is not responsible for the SLA's conduct in the zone, such as the operation of the notorious Khiam prison and the torture of detainees there. The international community takes a different view. In twice-yearly reports to the U.N. Security Council, the U.N. secretary-general does not even mention the SLA by name. Rather, the militia has been consistently described in these reports as "de facto forces" and named as the "local Lebanese auxiliary" of the IDF. It is in part through the deployment and use of the SLA as its surrogate that Israel has maintained the occupation. The IDF Liaison Unit to Lebanon, commanded by an Israeli military officer with the rank of brigadier general, reportedly directs Israeli and SLA military activities in the occupied zone.

In April 1998, the government of then-prime minister Benjamin Netanyahu acknowledged "IDF control" over the territory that Israel occupies in southern Lebanon. On April 1, 1998, the Israeli Ministerial Committee for National Security announced that Israel was accepting U.N. Resolution 425 "so that the IDF will leave Lebanon," and called on the Lebanese government "to begin negotiations...to restore its effective control over territories *currently under IDF control...*" (italics added). Israeli officials continue to evade accountability for the actions of the IDF's Lebanese auxiliaries in the occupied zone, however, and to maintain that Israeli influence falls short of "effective control." This notwithstanding, Human Rights Watch shares the view of the international community that Israel is the Occupying Power in the Lebanese territory it refers to as its "security zone," and is ultimately responsible for its own actions and those of its local Lebanese auxiliary there.

II. RECOMMENDATIONS

To the Government of Israel

- Issue clear directives to all Israeli military and intelligence forces operating in the occupied zone of south Lebanon — including Israel's South Lebanon Army (SLA) auxiliary — to refrain immediately from taking actions that directly or indirectly effect, authorize, or facilitate expulsions of civilian residents from the zone, actions that constitute grave breaches of the Fourth Geneva Convention.
- Publicly announce that Lebanese civilians will no longer be expelled from villages and towns in the zone, and that those who have been expelled are free to return and recover their property under safe conditions, free of any form of coercion or intimidation from occupation security authorities.
- Permit independent international monitors to escort expelled families and individuals from South Lebanon Army crossing points to their homes.
- Allow independent international monitors unimpeded and continuing access to all residents who return, in order to ensure that any coercion or intimidation can be documented and reported to occupation authorities and the international community in a timely and effective manner.
- Permit representatives of human rights organizations based in Israel and elsewhere access to the occupied zone to carry out investigations of violations of international humanitarian and human rights law.
- Publicly commit to holding fully accountable any person — Lebanese or Israeli — who uses the authority established by Israel's occupation of south Lebanon, to coerce, intimidate, or detain arbitrarily any civilian resident of the occupied zone, or to impose collective punishment on any family.

- Revise restrictions on the freedom of movement of residents of the occupied zone to ensure that exit from and entry to the zone is not denied in an arbitrary fashion.
- Develop transparent administrative mechanisms that will enable all residents to appeal any decision that affects their freedom of movement.
- Investigate forced conscription of Lebanese adults and children by the SLA, and bring this practice to an immediate halt.
- Take all appropriate measures to prevent the recruitment of children under the age of eighteen into the South Lebanon Army, and in line with an emerging international consensus, publicly declare support for a minimum age of eighteen for both recruitment and participation in armed conflict.
- Ratify without delay the new ILO Convention Concerning the Prohibition and Immediate Elimination of the Worst Forms of Child Labor, and in accordance with its provisions and apply the relevant penal sanctions to any individual who forcibly recruits children under the age of eighteen for use in armed conflict.
- Immediately end the practice of torture or ill-treatment of detainees, whether by members of the Israeli security services or by members of the SLA. Investigate past and present reports of torture or ill-treatment and bring the perpetrators to justice.
- Amend domestic law to be consistent with the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, including by adopting a definition of torture consistent with international law.
- Ensure representatives of human rights organizations based in Israel and elsewhere have access to all prisons and detention centers in Israel and the territories Israel occupies where Lebanese civilians are held

**To the States that comprise the five-nation Israel Lebanon Monitoring Group
(U.S., France, Syria, Lebanon, and Israel)**

- Condemn the targeting of Lebanese civilians for expulsion from the occupied zone, which is a grave breach of the Geneva Conventions.
- Monitor the expulsion of civilians from the occupied zone.
- Take steps to press Israel to halt the recruitment of child soldiers for its local auxiliary occupation forces.

To the U.N. Secretary-General

- Provide detailed information about cases of expulsion of Lebanese civilians from the occupied zone in the reports submitted every six months to the U.N. Security Council on the United Nations Interim Force in Lebanon (UNIFIL).

To the United States and Member States of the European Union

- Publicly condemn the expulsion of civilians from occupied Lebanon as a clear violation of international humanitarian law, and a war crime.
- Urge the government of Israel to cease actions in south Lebanon that directly or indirectly sanction the expulsion of any civilian residents, and to adopt the other recommendations made in this report.
- Instruct diplomats at the U.S. and European embassies in Lebanon to visit families and individuals who are expelled, and express concern publicly about their cases.
- Condition financial assistance and other forms of aid to Israeli to an end to the practice of civilian expulsions from the occupied zone in south Lebanon.

- Raise the issue of civilian expulsions in the occupied zone of South Lebanon as a matter of grave concern in high-level meetings with Israeli counterparts, such as trade and defense-related missions.
- Urge members of Congress and parliamentarians to raise the issue of expulsions in meetings with Israeli government officials and members of the Knesset.

To the High Contracting Parties of the Geneva Convention

- Search for persons alleged to have committed, or to have ordered to be committed, the expulsion of Lebanese residents of the occupied zone, and bring such persons, regardless of their nationality, before your own courts.
- Take measures necessary for the suppression of all other acts in occupied south Lebanon that are contrary to the provisions of the Fourth Geneva Convention.

To the Government of Lebanon

- Maintain complete and detailed files about expulsions of families and individuals from the occupied zone, and make such information available to the international community.
- Instruct the Council of the South to institute fully transparent procedures with respect to the process that it uses to provide humanitarian assistance to expelled families and individuals, and ensure that such assistance is provided in a timely manner.
- Investigate complaints about the operations of the Council of the South to ensure that all families and individuals entitled to humanitarian assistance received such assistance, and in the proper amount.
- Create a transparent mechanism within the Council of Ministers to ensure that there is effective government oversight of the operations of the Council of the South.

III. THE OCCUPIED ZONE: AN OVERVIEW

“The great success of south Lebanon is the creation of a situation of dependency,” says a senior IDF officer in Lebanon. “That dependency leads to a freedom of operation and movement by the IDF. Our operations and presence in built-up areas in south Lebanon can only work as long as we can control the population.”

—*Jerusalem Post*, July 31, 1998.

The Israeli-occupied zone, which borders Israel and comprises about 10 percent of Lebanese territory, has within it over one hundred villages and towns that are part of Lebanon’s provincial administrative districts of Tyre, Bint Jbail, Marjayoun, Hasbaiya, the Western Beka’, and Nabatiyeh.¹ The zone’s diverse topography includes the coastal plain along the Mediterranean in the southwest and the foothills of the 2,814-meter Mount Hermon (*jebel al-shaykh*, in Arabic) in the northeast. The land yields olives, grapes, figs, pomegranates, cherries, walnuts, wheat, vegetables, legumes, and tobacco.

¹ In Lebanon, provinces (*muhafazat*, in Arabic) are subdivided into administrative districts (*aqdiya*).

It is widely recognized internationally that Israel controls the occupied zone with its own military and security forces as well as with those of its auxiliary militia, the South Lebanon Army (SLA), which the U.N. describes as the Israeli Defense Forces' "local Lebanese auxiliary," and the U.S. Department of State has termed Israel's "surrogate."² The zone's current boundaries took shape in 1985, when the Israeli military withdrew in stages from areas of Lebanon that its troops had occupied to the north, following Israel's invasion of the country in June 1982. After Israel's invasion in March 1978, the U.N. Security Council adopted Resolution 425, which called upon Israel "immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory." The resolution also included the Security Council's decision to "establish immediately under its authority a United Nations interim force for Southern Lebanon [known as UNIFIL] for the purpose of confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the Government of Lebanon in ensuring the return of its effective authority in the area, the Force to be composed of personnel drawn from Member States."³ Resolution 425 was adopted on March 19, 1978.

Over twenty years later, on April 1, 1998, the Israeli Ministerial Committee for National Security announced that Israel was accepting Resolution 425 "so that the IDF will leave Lebanon," and called on the Lebanese government "to begin negotiations...to restore its effective control over territories currently under IDF control..."⁴

² The U.S. State Department, for example, said this in 1999: "Israel exerts control in and near its self-proclaimed 'security zone' in south Lebanon through direct military action and support for its surrogate, the South Lebanon Army (SLA)." U.S. Department of State, Lebanon Country Report on Human Rights Practices for 1998, February 26, 1999. In twice-yearly reports by the U.N. Secretary-General to the U.N. Security Council on the United Nations Interim Force in Lebanon (UNIFIL), the Secretary-General does not name the South Lebanon Army but describes its troops as "de facto forces" that serve as the "local Lebanese auxiliary" to the Israel Defence Forces (IDF). See, for example, Report of the Secretary-General on the United Nations Interim Force in Lebanon (for the period from 16 July 1998 to 15 January 1999), S/1999/61, January 19, 1999.

³ UNIFIL continues to operate in south Lebanon. As of December 1998, its personnel included 4,483 troops from nine nations, assisted by fifty-one military observers from the United Nations Truce Supervision Organization (UNTSO), and employed 486 civilian staff, of whom 344 were locally recruited.

⁴ The full text of the announcement read as follows: "The Ministerial Committee

for National Security today (1.4.98) adopted the following decision:

1. Israel is accepting UN Security Council Resolution 425, so that the IDF will leave Lebanon with appropriate security arrangements, and so that the Lebanese government can restore its effective control over Southern Lebanon and assume responsibility for guaranteeing that its territory will not be used as a base for terrorist activity against Israel.

2. The government expresses its appreciation to the IDF soldiers and commanders who are engaged in the defence of the inhabitants of northern Israel. The IDF will continue its activity against terrorist threats in the "Security Zone", until the necessary security arrangements are effected.

3. The government of Israel calls on the Lebanese government to begin negotiations, on the basis of UN Security Council Resolution 425 to restore its effective control over territories currently under IDF control, and to prevent terrorist activities from its territory against Israel's northern border.

4. Israel views the guaranteed security and safety of the residents of the "Security Zone" in Southern Lebanon and the soldiers of the Southern Lebanese Army as an integral part of the implementation of UN Security Council Resolution 425 and of any other arrangement for the restoration of security along our border with Lebanon.

5. Israel will continue its efforts to achieve peace agreements with all its neighbors.

Cabinet Decision - UN Security Council Resolution 425, Communicated by the Cabinet Secretariat, Jerusalem, April 1, 1998."

Despite this announcement, senior Israeli government officials continue to claim that Israel does not have “effective control” in the occupation zone, and that while it has influence over the SLA the militia is independent of Israel. In April 1999, for example, then-defense minister Moshe Arens described the relationship as closely integrated: “No one contests that the IDF [the Israel Defense Forces] and the SLA coordinate their military activity, since both forces are fighting the same enemy, and that the IDF has influence over the SLA.”⁵ In the same document, the defense minister maintained that Israel does not have “effective control” over south Lebanon, stating: “The IDF maintains a permanent presence in a very small number of military outposts in the Security Zone. Most of the military outposts in the South Lebanon area are manned by SLA soldiers. In addition, from time to time the IDF carries out various activities also outside the outposts, in order to prevent terrorist activities by hostile elements. The IDF does not maintain army bases in settled areas of South Lebanon, except for three [unnamed] locations.”

⁵ Response of the Minister of Defense, represented by the State Attorney, Ministry of Justice. He was replying to a petition presented to Israel’s Supreme Court, sitting as the High Court of Justice, by Israeli lawyers Dan Yakir from the Association for Civil Rights in Israel, and Tamar Pelleg from Hamoked (the Center for the Defense of the Individual). The lawyers petitioned the High Court to secure the release of four Lebanese held in Khiam prison, meet with the four prisoners at the facility, and visit the prison to examine conditions of confinement and the condition of the detainees. *Suleiman Ramadan et. al. v. the Minister of Defense*, High Court of Justice, 1951/99, April 22, 1999.

This comment reflects the general approach of Israeli officials in characterizing the SLA role under the occupation. Human Rights Watch shares the view of the international community and considers the zone to be occupied territory under international humanitarian law, with Israel the occupying power and the SLA its local Lebanese auxiliary force. Human Rights Watch believes that while Israel may dispute the extent of its control in the occupied zone, it cannot shirk its responsibility for the actions carried out by its client militia, the SLA, which is armed and financed by Israel and is widely recognized as being its surrogate in South Lebanon.

Expelled residents of the zone interviewed by Human Rights Watch all noted dramatic declines in the population of their communities over the last two decades: some villages that once had thousands of inhabitants have been reduced in size to several hundred persons, most of them, according to testimony, elderly people or members and supporters of the SLA militia. For example, former residents of Markaba, a village several miles from the Israeli border, said the population had dwindled to 150 to 200 people from some 12,000 before the occupation. Lebanese knowledgeable about the zone estimate that the current population is about 120,000.⁶ Israeli estimates place the number of residents below 100,000.⁷ Contributing to the drain has been the exodus of teenagers and young men to avoid forced conscription into the SLA, departures that have been encouraged and often arranged by their parents (see "Punishing Flight from the Militia," below).

⁶ Human Rights Watch interviews, Beirut, Lebanon, March and April 1999.

⁷ "In 1985, when the strip was occupied, it had over 250,000 residents. In the last census, in 1996, it had some 106,000. At present, some of the estimates range around the 90,000 mark." Ariela Ringel Hofman, "Protect Me From My Friends," *Yedi'ot Aharonot*, March 5, 1999, as reported in FBIS Daily Report, FBIS-NES-1999-0308.

The zone's depopulation is one reflection of the hardships of life under occupation and, since 1982, the dangers accompanying the ongoing military conflict between Lebanese guerrillas (widely described in Lebanon as the resistance, or *muqawama* in Arabic) and Israeli forces and SLA militiamen. Lebanese civilians have been the primary victims in this conflict, and Israeli civilians in northern Israel have suffered death and injury as well. Both sides — Israel and the SLA, and Lebanese guerrilla forces, principally the military wing of Hizballah — have violated international humanitarian law (the laws of war) by carrying out indiscriminate attacks and illegal reprisals against civilians. Israel, with its vastly superior military firepower, has caused by far the most civilian casualties, and the most damage to homes and civilian infrastructure.⁸

The Israeli Role in the Zone

⁸ According to official Israel Defense Forces (IDF) statistics, between 1985 and 1998, a total of seven Israeli civilians have been killed in the Israel-Lebanon border area from indiscriminate attacks by Lebanese guerrillas. Two more Israeli civilians were killed in June 1999 when Hizballah launched volleys of Katyusha rockets at border settlements in northern Israel. Nine Lebanese were also killed in the sharp escalation of hostilities that month, which included a ten-hour bombing campaign by Israel on June 24-25 that targeted Lebanese infrastructure in Beirut and other locations throughout the country. During Israel's military campaign in Lebanon in July 1993, code-named "Operation Accountability," 120 Lebanese civilians were killed; another 154 Lebanese civilians lost their lives during Israel's "Operation Grapes of Wrath" in April 1996. See Human Rights Watch, "Operation Grapes of Wrath: The Civilian Victims," *A Human Rights Watch Short Report*, vol. 9 no. 8(E), September 1997, and Human Rights Watch, *Civilian Pawns: Laws of War Violations and the Use of Weapons on the Israel-Lebanon Border* (New York, Human Rights Watch: May 1996). Also see Human Rights Watch, "Illegal Reprisals by Israel and Hizballah Condemned," press release, June 26, 1999.

The IDF Liaison Unit to Lebanon, commanded by an Israeli military officer with the rank of brigadier general, reportedly directs Israeli and SLA military activities in the occupied zone.⁹ “We have thousands of soldiers and officers doing the day-to-day work in Lebanon, risking their lives,” then-Israeli defense minister Moshe Arens told the *Jerusalem Post* in March 1999.¹⁰ According to the U.S. State Department, there were “approximately 2,000 Israeli army regulars” in the occupied zone in 1998, as well as 1,500 SLA militiamen.¹¹ Israeli journalists, in contrast, put the number of SLA soldiers at 2,500 to 3,000 men.¹² Israel’s annual budget for the zone is reportedly U.S. \$32 million, most of it used to pay the \$550 to \$600 average monthly salaries of SLA soldiers, who are organized into two brigades with three territorial battalions each.¹³

⁹ Arie O’Sullivan, “IDF-south Lebanon liaison commander: Calls for unilateral pullout endanger troops,” *Jerusalem Post*, June 9, 1998. Israeli journalists who have visited SLA military outposts in the occupied zone have observed SLA artillery and mortar fire “under IDF liaison officer supervision.” See Arie O’Sullivan and David Rudge, “Fighting Against Time,” *Jerusalem Post*, July 31, 1998.

¹⁰ Arie O’Sullivan and Amoz Asa-El, “Moshe Arens: There is no magic solution,” *Jerusalem Post*, March 5, 1999.

¹¹ U.S. State Department, Country Report on Human Rights Practices in Lebanon for 1998.

¹² See, for example, *Jerusalem Post*, June 9, 1998, and *Yedi’ot Aharonot*, January 19, 1999.

¹³ O’Sullivan and Rudge, “Fighting Against Time,” *Jerusalem Post*. Unnamed Israeli military sources provided these statistics to the journalists. The *Jerusalem Post* reported in 1999 that the IDF has increased civilian assistance portion of the funds allocated to the security zone to about \$13 million, up from \$8 million in 1998. It noted that “[t]he additional funds are to be used for upgrading 120 kilometers of roads throughout the zone and to improve facilities at Marjayoun and Bint J’bail hospitals.” David Rudge, “IDF boosts funds to security zone,” *Jerusalem Post*, June 19, 1999.

Israel has also long maintained a multi leveled intelligence presence in Lebanon that is involved in activities and decision making with respect to the civilian population. This presence reportedly includes operatives from its external intelligence services, the IDF military intelligence unit of the Army Intelligence Branch (known by its Hebrew acronym AMAN), the Mossad, and the Israeli domestic security service, the General Security Service (GSS) or Shabak, also known by its former name Shin Bet.¹⁴ In April 1999, then-defense minister Arens provided some limited information about the nature of Israel's role in the zone with respect to security matters. He said that he did "not dispute that there is cooperation in various security areas between the security establishment of the State of Israel and the SLA, with both forces constantly facing hostile forces in South Lebanon, and that the State of Israeli [was] interested in strengthening the SLA in its war opposite the said hostile forces." He added that "the parties consult together concerning the arrest and release of people in the al-Khiam installation," but maintained that decisions to continue the detention of Lebanese prisoners in Khiam are "under the responsibility and judgment of the SLA, and not within the authority of the Respondent [the minister of defense]." The defense minister also acknowledged that "indeed, information from the interrogations at al-Khiam [prison] are transferred by the SLA to Israeli security forces. In addition, several detainees underwent polygraph tests by the Israeli side in the framework of the security cooperation between the parties." He made no mention, however, of the exchange of information obtained from SLA questioning of residents of the occupied zone who were not imprisoned in Khiam, nor did he discuss the practice of Israeli intelligence operatives' questioning of civilian residents of the zone, either within Lebanon or in Israel.¹⁵

In 1989, Israel's GSS (Shin Bet) is said to have created a security apparatus within the SLA:

In light of the difficulties that the Army Intelligence Branch was having in Lebanon, a decision was made in late 1989 to ratchet Shin Bet involvement in the region up a notch. With visions of creating an efficiently coordinated intelligence network, the Shin Bet set up an intelligence service call "Mabat" (an acronym for *mangenon ha'bitachon* — "security

¹⁴ Ronen Bergman, "Fighting blind," *Ha'aretz* Magazine, May 14, 1999.

¹⁵ Suleiman Ramadan et. al. vs. The Minister of Defense, High Court of Justice 1951/99.

apparatus”) within the SLA, employing SLA men to gather intelligence in the field under the professional tutelage of Israeli experts.”¹⁶

In 1994, *Jane’s Intelligence Review* described some of the activities of this apparatus:

The SLA is supported by the General Security Service (GSS), a Lebanese-staffed intelligence organization under the supervision of Israel’s internal security service, the Shin Bet. Having operated in the region for over 20 years and enjoying unchallenged air supremacy, Israeli forces have built up a detailed intelligence picture of South Lebanon. The GSS keeps this picture up to date and is also responsible for taking captives to the prison camp at El-Khiam. This notorious camp is regularly stocked with terrorist suspects as well as Lebanese civilians taken hostage to ensure the good behavior of their families and villages.¹⁷

¹⁶ Ronen Bergman, “Fighting blind,” *Ha’aretz* Magazine, May 14, 1999. The U.N. also reported that “[within the Israeli-controlled area (ICA), Israeli continued to maintain a civil administration and security service.” Report of the Secretary-General on the United Nations Interim Force in Lebanon (for the period from 16 July 1998 to 15 January 1999), S/1999/61, January 19, 1999.

¹⁷ Andrew Rathmell, “The War in South Lebanon,” *Jane’s Intelligence Review*, April 1, 1994.

David Hirst, the veteran Beirut-based correspondent for the *Guardian* (London), described the Lebanese GSS as “the local extension of Israel’s Shin Beth.” A senior Lebanese foreign ministry source told Human Rights Watch that the Lebanese intelligence operatives comprise the “elite” of the SLA, adding that the Lebanese government has proof, in the form of taped intercepted conversations, that the operatives receive orders from Israeli intelligence.¹⁸ During a visit to the occupied zone, journalist Hirst interviewed one Lebanese GSS agent who said that his monthly salary was \$1,200, approximately double that of SLA conscript soldiers, one quantitative indicator of a higher status.¹⁹ The Lebanese security agents who have monitored and harassed civilian residents of the occupied zone, summoned them for interrogation, pressured them to serve as informers, and carried out expulsions, are almost certainly members of the Lebanese GSS, although former local residents interviewed by Human Rights Watch identified them only as “security” with the SLA and never used the full organizational name. In their testimony, however, these residents always distinguished between the individuals that they described as security operatives and ordinary SLA soldiers.

Actions of Israeli Intelligence Officers

¹⁸ Human Rights Watch interview, Washington, D.C., May 1999.

¹⁹ David Hirst, *Guardian*, March 13, 1999.

As the testimony in this report makes clear, one of the activities of the occupation security apparatus has been to identify and recruit Lebanese men and women who live inside the zone to serve as informers and gather information about the Lebanese military resistance to the Israeli occupation. Those who have resisted the pressure to collaborate have either fled the zone or have been expelled. The search for intelligence information, and the corresponding pressure on the civilian population, takes place in the context of growing uneasiness within the ranks of the SLA concerning their fate in Lebanon after an Israeli withdrawal from the zone, increasing desertions of both SLA soldiers and security operatives, and Israeli suspicions that serious intelligence breaches may have facilitated the killing of its own forces in Lebanon.²⁰ By Lebanese and Western accounts, the armed wing of Hizballah, in particular, has made major advances in its own intelligence-gathering, beginning in 1995-96. David Gardner, the respected Middle East editor of the *Financial Times*, noted this:

Hizbollah's ability to identify and attack vital Israeli occupation targets has been evident since roughly October 1995. It was then that the Israeli Defense Forces (IDF) began noticing a qualitative change in the Shi'ite movement's tactics — in particular its ability to anticipate the movements of senior Israeli intelligence officers and elite units.²¹

²⁰ Just after midnight on September 5, 1997, for example, twelve Israeli soldiers with the Naval Commando Unit were killed when Lebanese guerrillas ambushed them inside Lebanon, where they were carrying out what the IDF termed “an initiated action” — meaning a commando raid — north of the occupied zone, near Insariyyeh along the Lebanese coast.

²¹ David Gardner, “Hizbollah sharpens up its tactics,” *Financial Times* (London), March 2, 1999.

Israel experienced a severe blow, for example, on February 28, 1999, when the commander of the IDF Liaison Unit in Lebanon, Brig. Gen. Erez Gerstein, was killed when his armor-plated Mercedes was blown up by a remote-controlled roadside bomb near Hasbaiya in the eastern sector of the occupied zone.²² The general was based at the IDF's Lebanon headquarters in Marjayoun, inside the zone. In an article written before Gen. Gerstein's death, the *Jerusalem Post* described him as the Israeli officer "with the closest contacts with the Israeli-financed SLA" who "supervise[d] Israeli and SLA activities in the security zone."²³ In the wake of the incident, for which Hizballah claimed responsibility, the Israeli press reported that Shin Bet operatives arrested Lebanese residents of villages in the eastern part of the zone.²⁴ Future News, the daily English-language news service of Future Television (Beirut), noted in early April 1999 that "lately there has been a wave of arrests of militiamen whom Israeli suspected of providing Hizballah with information enabling them to kill Israel's top general in south Lebanon, Erez Gerstein."²⁵

Testimony collected by Human Rights Watch also indicates that in some cases of expulsion there has been close coordination between the SLA and Israeli intelligence. As recently as January 1999, Israeli intelligence officers reportedly were present during the round-up of twenty-five members of five families who were expelled from Sheba', a large village in the northeastern sector of the occupied zone, where a senior SLA security official had been killed one month earlier. Family members told Human Rights Watch that the Israelis arrived at their homes in three unmarked civilian cars, accompanied by the SLA (see "Collective Punishment," below). Human Rights Watch also collected

²² Killed with Gen. Gerstein were two other IDF soldiers and an Israeli journalist.

²³ Arie O' Sullivan, "IDF-south Lebanon liaison commander: Calls for unilateral pullout endanger troops," *Jerusalem Post*, June 9, 1998. Gen. Gerstein's post as of this writing was held by Brig. Gen. Binyamin Gantz. "Lebanese Town Celebrates Pullout of Militia," *New York Times*, June 6, 1999.

²⁴ "The Shin Bet carried out a series of detentions in villages in the eastern sector of the security zone in the past few days....Official sources in the Israeli defense establishment confirmed last night that arrests have been carried out." Alex Fishman and Eytan Glickman, "More on Israeli Arrests in South Lebanon," *Yedi'ot Aharonot*, March 22, 1999, as reported in FBIS Daily Report, FBIS-NES-1999-0322.

²⁵ Future Television (Beirut), *Daily Report*, April 5, 1999.

testimonial evidence indicating that men and women targeted for expulsion from the occupied zone had previously had direct contact with Israeli intelligence. For example, a middle-aged man who was expelled in February 1999 said that he was summoned in October 1998 to the local SLA security office for his village and questioned. He testified that, from there, militiamen drove him to the security office in Kfar Kila, a village in the occupied zone less than three miles from the Israeli border, where he was questioned for one hour by an Israeli intelligence officer in his twenties who wore civilian clothes:

He accused me of having relatives in the resistance and asked questions about them. I told him that I did not see them. I explained that these relatives had even sent word to me through women visitors [to the village] that they understood why I did not see them. He called me a liar. I replied that no one had ever called me a liar. I told him to ask the SLA about me. I asked him what I did wrong. I am still wondering why they did this to me.

The man said that in February 1999 he was summoned by a local SLA security official, who told him that “the Israelis” had ordered his expulsion. The next day, the man was transported with his wife and thirteen-year-old daughter to the Kfar Tebnit crossing, where their permits were confiscated and they were expelled.²⁶

²⁶ Human Rights Watch interview, Nabatiyeh, Lebanon, March 1999. The man did not want to provide his name, out of fear for his father who still lives in the village, and additional fear that his own house might be demolished. We have also withheld the name of his village to protect further his identity.

Salah (not his real name), who is in his thirties and was expelled from his village in the occupied zone in January 1999, told Human Rights Watch that an SLA security official summoned him in December 1998 and brought him from the local security office to the Israeli border town of Metulla. He said that he was questioned there for one hour by four Israelis who spoke to him in heavily accented Arabic and talked with one another in Hebrew. He said that the Israelis wanted to know why he was traveling frequently to Beirut, trips that he said were necessary because of his family's business in the village. At the end of the session, according to his account, one of the Israelis instructed the militiaman: "Keep him until Sunday and go search his house." When Salah was returned to the security office in his village, he said that he was not detained because a senior SLA security official told him to go home and return on Sunday with a doctor's report.²⁷ Salah returned as requested with the report and was again instructed to go home. He said that about one week to ten days later, his brother was taken to Metulla and questioned for two hours by Israelis:

They asked him to collaborate, and he asked how. They told him: "Your brother is coming and going. He can gather information and tell you, and you can tell us."

Salah's brother refused. About ten days to two weeks later, the same senior SLA security official called Salah. "He told me that I must gather my things and leave, that the situation was not good." He was summoned again to the village's security office. According to Salah's account:

I went the next day in the morning.... A SLA soldier from the village, who serves at the Kfar Tebnit crossing, told me to come with him in a Mercedes civilian car with antennas. I told him that I had my car and my keys, and said "What if you throw me in prison?" He told me to give my keys to anyone in the office, and if my parents asked, they would give my keys to them. He said: "It's not personal. I was ordered to throw you [out] at the Kfar Tebnit crossing." I told him that I did not have my identification, my wallet, that I had nothing with me, and no money. He said that he could not do anything.

²⁷ He speculated that the request for a doctor's report would enable the security official to justify why he had not followed the Israeli order to detain him.

The militiaman drove Salah to the Kfar Tebnit crossing, where he was expelled. “I walked to the Lebanese army checkpoint, and a taxi driver whom I knew took me to Zahrani [a town on the coast south of Sidon], and told my family what happened,” he said. His wife, who was pregnant, joined him twenty days later.²⁸

In a separate interview, another former resident of the zone testified about his own encounter with Israelis in March 1998. Fifty-one-year-old Ahmad Sari Beddah, a prominent figure in the village of Beit Lief who said that he administered the local *waqf* and had been involved in distributing aid to needy villagers since 1978, was taken to the SLA military barracks in Bint Jbail following the killing of his son Yousef, who was a guerrilla, in a military operation. Beddah told Human Rights Watch that he was brought to a room filled with SLA security operatives and about ten Israeli military officers and journalists. “They wanted me to condemn the resistance in front of the cameras,” he testified. “I called for peace. Then an Israeli officer said: ‘We killed your son.’” Beddah said that he explained why his son had joined the resistance, which provoked the officer to hit him and threaten that he would be taken to Khiam prison. “He also told me to tell him where Ron Arad was, or my son’s body would never be released.”²⁹ Beddah told Human Rights Watch that, fearing imprisonment, he fled the zone. He testified that ten days later, some time in early April 1998, SLA security operatives put his wife and three-year-old child into a car and expelled them at the Beit Yahoun crossing. “They told her that she could not take anything with her,” Beddah added.³⁰

²⁸ Human Rights Watch interview, Beirut, Lebanon, March 1999. Name and name of village withheld by Human Rights Watch.

²⁹ Captain Ron Arad, a navigator in the Israeli Air Force, bailed out of his aircraft while flying over Sidon in south Lebanon on October 16, 1986. According to the Israeli government, Arad “landed safely,” was taken prisoner by the Amal Movement, and was “later transferred to the Iranians in Lebanon.” His whereabouts remain unknown. Letter to Human Rights Watch from the Israeli Ministry of Justice, Foreign Relations and International Organizations Department, March 13, 1997.

³⁰ Human Rights Watch interview, Beirut, Lebanon, March 1998.

The resident of another village in the zone, who requested anonymity, described the events that preceded his expulsion in 1997. He told Human Rights Watch that five SLA militiamen arrived at his home at eight o'clock one morning in July 1996, while he was eating breakfast with his wife and children: "Three of them surrounded the house, and one waited in the car. The one who came to the door told me that Ahmed Shibley Saleh [the SLA security official responsible for the western sector of the occupied zone from Bint Jbail to Naqoura] wanted to see me." The man said that he was brought to "Position 17" of the SLA in Bint Jbail, where telephone calls were made. He stated that he was then informed that he was being taken to Khiam prison. He testified that he was held for the first eleven days in Khiam in complete darkness in solitary confinement, and then was tortured and interrogated for sixty days, blindfolded and handcuffed. He said that he was hanged from a ceiling with his toes just touching the floor; doused repeatedly with hot and then cold water; and threatened with electric shock. His interrogators threatened that his wife, mother and sister would be arrested, he added.

The same man recounted that his interrogators, whom he identified as SLA, asked questions about his relationships with Lebanese intelligence, Hizballah, and the Amal Movement. He said that after sixty days he was brought to an office equipped with a computer, where he was questioned by an Israeli interrogator who used a polygraph:

The interrogator in Khiam [prison] told me: "Now you are going to a place where they will know if you are lying." They took me from Khiam to somewhere near the Israeli border. They made me lie on the back seat of a car, handcuffed and with my eyes blindfolded. Once I was inside an office, they removed the blindfold and handcuffs. There were five Israelis — one in civilian clothes named "Jackie," who was wearing jeans and a T-shirt, and four with uniforms.

According to the man's account, Jackie, an Israeli who spoke heavily accented Arabic, questioned him for two hours. "He had my file in front of him, written in Hebrew, with parts of it underlined in blue ink," he said. He described how Jackie wanted specific information about various individuals, including their addresses, and also asked more general questions. After this session, the man was returned to Khiam prison and held there until January 1997. On the day of his

release, he said that SLA militiamen drove him immediately to the Beit Yahoun crossing, where he was expelled.³¹

³¹ The man also requested that Human Rights Watch withhold the name of his village, which is located in the western sector of the occupied zone. Human Rights Watch interview, Tyre, Lebanon, April 1999.

Human Rights Watch obtained additional testimonial evidence which indicates that certainly since 1988 Israeli intelligence operatives have interrogated Lebanese who later were expelled from the occupied zone.³²

Restrictions on Freedom of Movement

Occupation security authorities also closely and strictly monitor and control the movement of all residents of Lebanon between the occupied zone and Lebanon proper. Passport-sized permits, which are written in Arabic and Hebrew, and include a photograph of the bearer, must be presented at designated SLA crossing points in order to leave and reenter the zone on foot.³³ The names of children under fifteen years old are listed on the documents of their parents. According to testimony of former residents of the zone, these permits typically are issued for a three-month period. Possession of a valid permit, however, does not necessarily guarantee that the resident will be able to leave the zone. Human Rights Watch interviewed former residents who had been turned away at crossing points even though they had obtained permits. In other cases, some illiterate villagers belatedly discovered that they were expelled because they were issued exit documents, which they could not read, that enabled them to leave the zone but never return.

³² These cases are described in “Collective Punishment,” and “Punishing Refusal to Serve the Occupation Security Apparatus,” below.

³³ See Appendix A for a copy of a permit issued in 1998.

The arbitrary denial of permits has been used throughout the years to restrict freedom of movement, and to harass and put pressure on targeted individuals and families. As the cases in this report indicate, some husbands and wives have gone months and even years without seeing one another because occupation security officials have refused exit permits to one of the spouses. Human Rights Watch also documented cases in which residents requiring specialized medical care were denied permission to leave the zone. For women whose children lived outside the zone, particularly sons who fled SLA conscription as teenagers, the denial of exit permits was a source of tremendous emotional stress because of the lack of contact. For men whose professions required them to travel outside the zone on a regular basis in order to earn their livelihoods — such as traders and taxi drivers — possession of a permit represented an economic lifeline. Occupation security officials have used the threat of denial of permits as a particularly effective pressure point in the process of forcing some of these men to work as informers. Many who refused either fled the zone in fear or were expelled.³⁴

One illustrative example of restrictions on freedom of movement is a case from Maroun al-Ras, a small village located on a prominent hilltop at the southernmost end of the central section of the occupied zone, less than two kilometers from the Israeli border. From the testimony of former residents, the village's population under the occupation has been gradually reduced to some 150 to 200 people from three major families whose members previously numbered several thousand. Fifty-eight-year-old Asadullah Hmadi and his wife were two of the residents who did not leave. They farmed twenty-five dunums of land, earning between LL13 to LL15 million (\$8,600 to \$10,000) each year from eight dunums that were licensed to grow tobacco.³⁵ They also cultivated wheat, lentils, chickpeas, and other crops for their own use. Asadullah's wife was not permitted to reenter the village in 1998, and he was forced to leave in 1999.

Asadullah told Human Rights Watch that the occupation security authorities had denied him an exit permit for ten years, ever since he sent his oldest son to Beirut, when he was fourteen years old, in order to secure his safety from forced conscription into the SLA. Since that time, other sons also left the village for Beirut. In June 1997, his youngest daughter, Hoda, at age sixteen, was imprisoned in Khiam, one day after her fiancé, Ghassan Eissa, was detained

³⁴ Some of those who fled did not attempt to secure permits but left the zone on foot through the hills, not through SLA crossing points.

³⁵ One dunum is approximately one-quarter of an acre.

there.³⁶ Asadullah's wife, who previously had been issued permits to travel out of the zone to visit her children, suddenly encountered restrictions on her freedom of movement.

"I got a permit while my daughter was in prison, but twice they turned me back from the Beit Yahoun crossing. They gave no reason," she said. She then complained to Raouf Fares, the local SLA security official, and asked for permission to visit her children in Beirut for fifteen days. She said that one evening in February 1998, Fares sent a message, informing her to meet him in nearby Bint Jbail at eight o'clock the next morning and he would give her a paper that would allow her to leave. She used the paper, which she could not read, to exit the zone. She stayed in Beirut for only ten days and then traveled back to the Beit Yahoun crossing:

³⁶ At the time of Human Rights Watch's interview with the family, Ghassan was still detained in Khiam without charge.

While I was waiting to be searched, they told me that I was not allowed to return. I asked why, and they would not tell me. I asked for the official in charge of the crossing, and they refused. I told them that I was growing my crops, and they still refused.

She returned to another crossing two days later, in a futile attempt to return to the village. She was again refused entry, and again was not allowed to see the security official in charge. It was February 28, 1998. Asadullah said that he unsuccessfully sought assistance from the International Committee of the Red Cross (ICRC) and UNIFIL to reverse his wife's forcible transfer.

When Hoda was released from Khiam prison in April 1998, after being held for ten months without charge, she was in poor health, suffering from an ulcer and a nervous breakdown. She was not permitted to leave Maroun al-Ras and had no medical care for the first two months. Through the intervention of the ICRC and UNIFIL, according to family members, Hoda finally was allowed to leave in July 1998. It was only with two medical reports — one from a general surgeon recommending a CAT scan, a high-technology x-ray — and ICRC assistance, the family said, that Asadullah was finally permitted to exit the zone. In early January 1999, he said, he was instructed by a local SLA security official to leave the village immediately and never return to the zone.³⁷

Opaque Aspects of Israeli Control

Israel's presence in, and control of, the occupied zone is transparent in some respects and opaque in others. The IDF, for example, maintains its permanent Lebanon headquarters in a former Lebanese army barracks in the town of Marjayoun inside the zone. An Israeli flag, with Lebanese flags on either side of it, flies atop the group of buildings in which the barracks is located.³⁸ Heavily fortified IDF military positions throughout the zone, strategically located on the highest hilltops, such as the position at the imposing Crusader-era Beaufort Castle which towers above the village of Arnoun, also fly Israeli flags.³⁹ Apart from these military positions, observed journalist David Hirst, "there seem to be...few Israelis in Israeli-occupied Lebanon." He explained why:

³⁷ Human Rights Watch interviews, Beirut, Lebanon, April 1999.

³⁸ David Hirst, "South Lebanon: The strangest war on earth?," *Mideast Mirror*, June 3, 1999.

³⁹ Author's personal observations from front-line villages in south Lebanon in 1995, 1996, and 1999.

It is because, where possible, the Israelis move around in civilian cars. Mercedes. Armor-plated, of course. The SLA use them too; but while the Israelis treat themselves to the deluxe model, they fob off their allies with a cheaper, inferior version. You can tell the difference because the Israeli one, being heavier, is lower slung.⁴⁰

Former residents of the zone, whose testimony is included in this report, described how SLA and Israeli security officers arrived at their homes in unmarked civilian cars, often Mercedes.

In April 1999, Israeli defense minister Moshe Arens told Israel's High Court of Justice that "the IDF does not have effective control in civilian areas of the Security Zone, nor is the IDF interested in such control. Although the IDF has a unit that provides civilian aid to the residents of the Security Zone, the said aid is very limited. Most of the civilian activity is performed by Lebanese government agencies." The defense minister's assertion was contradicted by a senior IDF officer who described to the *Jerusalem Post* an underlying Israeli strategy with respect to civilians in the occupied zone:

"The great success of south Lebanon is the creation of a situation of dependency," says a senior IDF officer in Lebanon. "That dependency leads to a freedom of operation and movement by the IDF. Our operations and presence in built-up areas in south Lebanon can only work as long as we can control the population. That is expensive," says the officer, who could not be named in keeping with IDF regulations.⁴¹

⁴⁰ David Hirst, "South Lebanon."

⁴¹ Arie O'Sullivan and David Rudge, "Fighting Against Time," *Jerusalem Post*, July 31, 1998. One mechanism of control has been the selective provision of job opportunities inside Israel for residents of the occupied zone, made available to relatives of SLA militiamen. "Joining the SLA begets...privileges. The soldier's family is specifically favored for work in Israel, and if his family aren't interested he can 'sponsor' someone else in return for a cut on his salary. Perhaps 3,000 people commute across the 'good fence' everyday." David Hirst, "South Lebanon." The "good fence" passage from Lebanon to Israel is located near the Israeli settlement of Metulah. The U.N. reported that more than 2,500 residents of the occupied zone go to work in Israel daily. See Report of the Secretary-General on the United Nations

Moreover, in April 1998, as noted above, Israel's Ministerial Committee for National Security acknowledged Israel's control of the occupied zone. One important manifestation of this power is Israel's ultimate control of the freedom of movement of the zone's civilian population, although the bureaucratic manifestation of such control has been left purposefully opaque. As noted above, the movement of residents into and out of the occupied zone is controlled through a permit system. These travel documents contain some sections written in Hebrew and other sections written in Arabic. (A copy of one of these documents, issued in 1998, was obtained by Human Rights Watch and is included in the appendix of this report.) It is striking that nowhere on the permit is there any formal identification of the SLA or IDF, although it seems clear that the Hebrew-language term "Lebanon Liaison Unit" refers to the IDF Liaison Unit to Lebanon, whose functions are described above. The Hebrew stamp over the photograph of the bearer of the document reads: "Taibeh, Lebanon Liaison Unit, Civil Assistance, Civil Affairs," indicating perhaps that it was stamped by a member of the IDF Liaison unit who was based in Taibeh, a village in the zone located south of Marjayoun.

On another page of the document is a section written in Hebrew that reads: "Civil Committee, Markaba, Committee's signature," and "Security system signature" and "Details of the approver." It is followed by the signature of an Israeli military officer, who is identified by name, rank (second lieutenant), and a number. The final stamp reads in Hebrew: "Signature of sector, Lebanon Liaison Unit, Taibe Sector," and is not signed.

On June 7, 1999, Human Rights Watch sent a letter and copy of this travel document to Uri Lubrani at Israel's ministry of defense. We asked him if the Hebrew term "Lebanon Liaison Unit" on the document was a reference to the IDF Liaison Unit to Lebanon. We noted in our letter that the document contained at least four Hebrew-language rubber stamps, over several of which were signatures. We requested that Mr. Lubrani provide Human Rights Watch with information concerning Israel's role in regulating the movement of Lebanese civilians into and out of the zone, as well as its role in the issuance and regulation of Arabic- and Hebrew-language identity documents and travel permits for zone residents. As of the date of the printing of this report, Human Rights Watch had not received a reply to this letter. The fact that permits required for travel in and out of the occupied zone appear to be signed and "approved" by an IDF liaison officer is one of the indicators that Israeli authorities exercise control over the civilian population in the zone.

Who Orders the Expulsions?

Because of the lack of a transparent process when expulsions occur in the occupied zone, it is difficult if not impossible to document who precisely within the various levels of the occupation security apparatus issues the orders to expel Lebanese individuals and entire families. The various actors in the decision-making process leading up to each expulsion have never been publicly identified. Nicholas Blanford, a reporter for the English-language *Daily Star* (Beirut) who is an independent and knowledgeable observer of the zone, has emphasized that security policies and activities in the zone, with respect to the civilian population, are carried out by Israeli security, not military, forces in partnership with the SLA:

The IDF sees its role in the occupation zone as combating well-trained and motivated armed guerrillas rather than containing a hostile civilian population. The IDF plays a strictly military role. The policing/security role in the zone is undertaken by the SLA and the Israeli [General Security Service]. Other than occasional foot patrols, Israeli soldiers are rarely seen outside their fortified compounds. The Israelis remain aloof from dealing with the civilian population on a daily basis; this they leave to the SLA.

Blanford told Human Rights Watch that he had no evidence of direct Israeli involvement in the expulsion of residents of the zone, but added:

They don't need to become directly involved. This is the task of the SLA, although the Israelis will at least be aware of any expulsion and in most cases will probably have ordered it in the first place. Ultimately, the Israelis control every facet of the occupation zone either directly or through their client militia.⁴²

⁴² Private communication received by Human Rights Watch, June 29, 1999.

It has typically been SLA militiamen who have transported individuals and families to one of the SLA crossing points at the border of the occupied zone and expelled them. In many cases, expellees recounted how local SLA security operatives informed them that “the Israelis” had ordered the expulsion. Virtually every Lebanese interviewed by Human Rights Watch for this report, including senior Lebanese foreign ministry officials, claimed that the SLA carried out expulsions based on Israeli orders. One Lebanese foreign ministry official knowledgeable about intelligence operations in the zone told Human Rights Watch that the military officer who commands the IDF Liaison Unit to Lebanon is responsible for decisions in the field of a military nature, while Uri Lubrani, the coordinator of activities in Lebanon at Israel’s Ministry of Defense, “makes policy,” and has the final word on actions that will have an impact on the civilian population in the zone, such as expulsions.

A member of the Western diplomatic community in Lebanon shared these views. He said that Israel has a direct role in most expulsions, and that Uri Lubrani’s office makes the final decision on individual cases, based on recommendations from Israeli intelligence officers in the field.⁴³ Human Rights Watch is aware of no official Israeli government statements concerning its decision-making role with respect to expulsions although, as noted, Israel’s defense minister acknowledged in April 1999 that Israel and the SLA “consult together concerning the arrest and release of people in [al-Khiam prison].”⁴⁴

Uri Lubrani is the former Israeli ambassador to Iran. The post that he currently holds at the defense ministry in Tel Aviv was created in 1983, prompted by deep concern about the state of intelligence-gathering in Lebanon, according to the leading Israeli daily *Ha’aretz*:

When Moshe Arens was appointed Defense Minister following Ariel Sharon’s resignation [in February 1983], he characterized what was going on in Lebanon as “an extraordinary intelligence mess” and saw a glaring need for all the various Israeli agencies

⁴³ The diplomat noted that the only exceptions have been expulsions that were carried out by the SLA to settle intra-Lebanese local scores and were not related to Israel’s interests in the occupation zone. Human Rights Watch interview, Beirut, Lebanon, April 1999.

⁴⁴ Statement of the Minister of Defense, represented by the State Attorney, Ministry of Justice, Suleiman Ramadan et. al. v. Minister of Defense, High Court of Justice, 1951/99.

working in the area to be coordinated. He selected Uri Lubrani for the job; to this day, Lubrani serves as coordinator of government actions in Lebanon.⁴⁵

⁴⁵ Ronen Bergman, "Fighting blind."

According to the *Jerusalem Post*, for years Uri Lubrani's deputy has been Col. (Ret.) Reuven Erlich, "a former chief intelligence officer for the IDF Liaison Unit to Lebanon" and "[i]ntimately involved in every link with the SLA."⁴⁶ As noted above, Mr. Lubrani did not reply to the letter that Human Rights Watch sent to him in June 1999.

⁴⁶ Arieh O'Sullivan and David Rudge, "Fighting Against Time," *Jerusalem Post*, July 31, 1998.

IV. COLLECTIVE PUNISHMENT

“It was very cold in the winter. The house had no windows and we used cardboard in place of glass. You will not believe this, but it was so difficult for a while that we were living on potatoes and water.”

—Nejla Shahrour, describing her family’s situation after she was expelled with her father and two brothers from the village of Kfar Hamam in January 1989. Her mother was expelled in December 1988.

Some of the expulsions of civilians from occupied Lebanon have been carried out in swift and punishing reprisal for the known or suspected activities of family members. A teacher from the village of Rihan who was expelled in 1988, with his wife and five children aged twelve to twenty years, told Human Rights Watch that he was questioned about a distant relative who belonged to the resistance and then was informed of his family’s expulsion with these words: “Your relatives are a source of danger for us. Go to them.”⁴⁷ Cases similar to these, described below, constitute collective punishment, a violation of article 33 of the Fourth Geneva Convention (see “Violations of International Humanitarian and Human Rights Law,” below).

⁴⁷ Human Rights Watch interview, Nabatiyeh, Lebanon, March 1999. Name not provided to Human Rights Watch.

The age of persons targeted for expulsion clearly has not been a factor when decisions have been made. Men and women from sixty to over ninety years old have been expelled from towns and villages where they were born and lived all their lives. Some of them have endured this traumatic experience alone, while others have been expelled with their children. For example, on January 25, 1989, eleven members of the family of teacher Yehia Ali were expelled from the predominantly Sunni Muslim village of Sheba' in the northeastern section of the occupied zone. The group included his father, Assad, seventy-seven, and his mother, Fatima Nasr, seventy-five, as well as his wife and eight children, aged four to sixteen.⁴⁸

The abrupt dispossession has imposed difficult and enduring economic hardships on expelled families. Human Rights Watch found former homeowners living in small, overcrowded, rented apartments in the suburbs of greater Beirut and other urban centers. They said that their houses in the occupied zone sat empty, or in some cases were occupied rent-free by SLA militiamen. Families were forced to leave without personal possessions such as clothing, home furnishings, and vehicles, adding to their financial loss. Valuable income-producing livestock, most typically sheep, chickens, and cows, had to be left behind. Many families have been reduced to poverty because of lost income from agricultural land and small businesses in their villages. Farmers expressed deep concern about the deterioration of their idle land, particularly olive groves and orchards, from lack of care. Those men and women who managed to find some type of employment in Beirut earned meager salaries that did not match former earnings in the occupied zone, and their standard of living has been dramatically reduced. This was particularly true for families who were farmers and had minimal food costs because of a high degree of self-sufficiency.

The cases below describe some of the expulsions from the occupied zone between 1988 and 1999 that represented arbitrary punishment that was collective in nature.

⁴⁸ Yehia Ali described to Human Rights Watch his history in Sheba' as an outspoken and peaceful opponent of the occupation, and his opposition to Israeli attempts since 1984 to gain the support of prominent residents for the establishment of a Civil Administration. He escaped expulsion with his parents and family because he was in another house when Israeli and SLA forces entered the village at five o'clock in the morning to assemble the families. Ali said that three days later he fled the occupied zone through the mountains. Human Rights Watch interview, Beirut, Lebanon, March 1999.

January 1999: Sheba'

In an extraordinarily sweeping action, on January 7, 1999, twenty-five members of the families of five brothers — including their wives, sixty-year-old mother, and sixteen children between the ages of nine months and thirteen years old — were expelled from Sheba'.⁴⁹ The expulsion followed the imprisonment on December 27, 1998, of two of the brothers, Ismail Naba', thirty-five, and Hassan, twenty-seven, both traders, in the wake of the December 26 killing of Ghassan Daher, the head of SLA security in Sheba'. The Lebanese press speculated that the killing of Daher was not a political act but was linked to a dispute “over sharing the spoils of the SLA-run protection racket concerning Sheba's lucrative smuggling trade.”⁵⁰ A Lebanese foreign ministry official expressed a similar view to Human Rights Watch.⁵¹

Human Rights Watch visited the families in Shuweifat, near Beirut, in March 1999. The adults and children were sharing a small two-room apartment that a relative had made available for their temporary use. Ten of the children were under the age of six. The youngest of the five brothers, twenty-five-year-old Qassem Naba' — who was expelled with his wife Nawal and their six-month-old daughter and twenty-month-old son — described what happened:

We were at home, preparing *iftar* [the meal that breaks the sunrise to sunset fast during Ramadan]. It was about 4:30. Three civilian cars came to each house, with three men in each car, SLA and Israelis. [He said that the Israelis wore military clothes and spoke Hebrew]. They said that all of us had to come with them to Hasbaiya. They gathered us with our cars at the entrance of Sheba'. In my car was my mother, my wife and my two children. There was one security car in front of my car, and two cars behind me.

The families were thus escorted to the security office in Hasbaiya. “We stayed outside in the cold for one hour, until about 6:30,” Qassem said. “Then Alameddin al-Badawi and Fares al-Hamra [two senior SLA security officials] told my brother Ahmad that they were expelling us. Ahmad asked why, and he

⁴⁹ See Appendix B for the names and ages of the expelled family members.

⁵⁰ See, for example, *Daily Star*, January 9, 1999.

⁵¹ Human Rights Watch interview, Washington, D.C., May 1999.

was hit with a Kalashnikov on his back. Then four militiamen beat him in front of us for five minutes. He was bleeding from his face.”⁵²

⁵² At the time of Human Rights Watch’s visit, Ahmad, twenty-eight years old, was reportedly still suffering from the injuries that he sustained that day. His brother Qassem said that his spine had been injured and he was visiting a chiropractor twice weekly.

The twenty-five family members were then crammed into two cars, including the trunks, and expelled at the Zumrayya crossing point. Qassem was allowed to bring his car, but four vehicles belonging to his brothers were seized.⁵³

In Beirut, the families received clothes, bedding, canned goods and some basic household furnishings from the International Committee of the Red Cross (ICRC), the Council of the South, Hizballah, and members of the community, but ongoing financial support came from one of the brothers' uncles. At the time of the interview with Human Rights Watch, the standard one-time payment of LL3 million (U.S. \$2,000) that the government provides to expelled families through the Council of the South had not yet been paid.⁵⁴ Qassem expressed his frustration at the families' predicament, with two brothers in prison in the occupied zone, and his older brother Ahmad injured: "There are twenty-four people⁵⁵ living in these two rooms and we have no money. I am responsible for all of them. I am trying to get work in a factory, but they prefer to hire Syrians. Even when I get a job, how can I feed twenty-four people?"

December 1998: Sheba'

Two middle-aged brothers, along with their wives and nine children, were expelled from Sheba' in December 1998. This family's ordeal began almost one year earlier, on November 22, 1997, when Muhamed Hassan Hashem, fifty-four, and his brother, Khalil, forty-two, were taken from their homes by SLA security officials Muhamed Naba' and Ghassan Daher.⁵⁶ "They said that the Israelis wanted to talk to us. They didn't say that we were being arrested," Muhamed Hashem told Human Rights Watch.

⁵³ He said that the SLA took the keys of his brother Ismail's 1978 Mercedes 230, his brother Muhamed's 1984 Mercedes 280, and a 1980 Datsun and 1983 Nissan pick-up truck that belonged to his brother Hassan.

⁵⁴ Qassem Naba' informed Human Rights Watch later during the mission that the money had finally been received from the Council of the South.

⁵⁵ Muhamed Naba', one of the brothers who had been expelled, was arrested by Lebanese authorities after the expulsion, and was detained at the time that Human Rights Watch interviewed the families.

⁵⁶ Daher was later assassinated in December 1998, and his successor, Muhamed Naba', deserted the SLA in February 1999. See "1999: A Pattern of South Lebanon Army Defections and Expulsions," above, for additional information.

The men were first transported to the SLA headquarters in nearby Hasbaiya and then moved to Khiam prison. They said that their initial days of detention were spent in solitary confinement in small, windowless cells measuring 1.5 meters by 80 cm, the only air coming through a tiny opening with horizontal bars through which food was passed. Muhamed was held in solitary for thirty-seven days, and Khalil for twenty-eight days. During this time, they said that they were interrogated and tortured, pressured to confess that they were supplying information about the SLA to the Lebanese government.

The brothers told Human Rights Watch that the charges were baseless. Muhamed said that his own movements possibly raised suspicion because he traveled frequently to Beirut for medical treatment.⁵⁷ But he also stressed that the reason that he and his brother were targeted may have been due to a dispute they had with the SLA. He explained that he and his brother farmed two large plots of land, owned by Sheba' residents who lived in the Gulf, that yielded cherries, walnuts, grapes and figs. The militia took part of this land to widen the road between Sheba' and Hasbaiya and cut down the trees. The brothers insisted that the SLA remove from the property the trees that had been cut down. "Fifteen days later they took us," Muhamed told Human Rights Watch.

Khalil Hashem was released from Khiam on October 2, 1998, because he was suffering from severe depression and other medical problems. His brother Muhamed was released on December 24, 1998, and taken directly from the prison to the Kfar Tebnit crossing and expelled.⁵⁸ Muhamed told Human Rights Watch:

They covered my eyes with a towel, handcuffed me, and put me in a car. Once we were outside the prison, they removed the towel. After about twelve minutes, they told me that I was being expelled.

⁵⁷ He showed Human Rights Watch a radiology report from a Beirut hospital that noted "degeneration and diffuse bulging" of three discs, and other spinal problems.

⁵⁸ Journalist David Hirst entered the occupied zone through the Kfar Tebnit crossing, and described it this way: "I had left the last Lebanese army post, on foot, about 500 meters behind. The eery silence, the barbed wire and fortifications, the row of burnt-out cars, casualties of a recent artillery exchange, made this passage from one part of the same small country to another as striking as the border between enemy states." David Hirst, "South Lebanon."

He said that he was deposited at the crossing, and walked one and a half kilometers to the first Lebanese army checkpoint, where he was briefly questioned. He had LL30,000 (about U.S. \$20) that his wife had given to him during her last visit to him in prison, and used the money to take a taxi directly to a relative's house near Beirut.

The next day, at nine in the morning, four SLA militiamen arrived at Muhamed's house and the nearby house of his brother Khalil to gather the remaining family members for expulsion. Khalil's wife Ibtisam Ghayad described the swiftness of the procedure: "They did not allow us to take anything. It was immediate. We were out of the house in five minutes." The nine children of the two families were already in school, seven of them in Marjayoun and two in Sheba'. The children were collected, and then the entire group was transported to the Kfar Tebnit crossing. The SLA soldiers at the checkpoint were informed that the families were not permitted to reenter the occupied zone. Their permits were confiscated and torn to pieces in front of them.

The economic impact of the imprisonment and then the expulsion on the two families was considerable. In addition to their two houses, furnishings and other personal effects, they said that other losses included about U.S. \$5,000 annually from the harvest of cherries, \$4,000 from vegetables that Khalil sold in the coastal city of Sidon (which is located outside the occupied zone), and another \$5,000 from olives consigned to a producer of olive oil. Deprived of two breadwinners during the time that Muhamed and Khalil were detained in Khiam, the wives were forced to sell their jewelry and borrow heavily. Muhamed's wife Rabiha, with eight children to support, sold olives and oil to generate some income, and borrowed LL7 million (approximately \$4,600), which she said had not been repaid at the time of the interview. Khalil's wife sold the two gold bracelets that he had given to her when they were engaged. The women told Human Rights Watch that they needed money not only for daily living expenses but also to "purchase" access to their husbands at Khiam prison and bring them food and other supplies. Ibtisam said that "it was well known that you had to bring gifts" to obtain a visit, noting that families who arrived empty-handed were turned away. Ibtisam, describing one visit, said that she brought with her a large vase, about four kilograms of honey, cartons of cigarettes, yogurt, and sweets. The women also estimated that only about twenty-five percent of the items that they brought for their husbands reached them.⁵⁹

⁵⁹ These also included milk, biscuits, Tang, Nescafe, fruits, vegetables, and tissues. Human Rights Watch interviews, Na'ame, Lebanon, March 1999.

October 1998: Hasbaiya and Ibl al-Saqi

On October 2, 1998, two elderly Druze sheikhs and their wives were expelled from their villages in the northeastern area of the occupied zone, one couple because a son had defected from the SLA intelligence apparatus and the other because a son had allegedly killed an SLA intelligence officer. According to Future News (Beirut), the parents “were summoned early [on October 2] to the militia’s security office in Hasbaiya. The two couples were ordered by militia officers to leave the Israeli-occupied border zone through the Zimraya crossing point at the edge of its eastern sector.”⁶⁰

Mahmoud Hassan Ward, eighty years old, and his wife Zahr Muhamed Nammur, seventy, lived in the predominantly Druze town of Hasbaiya.⁶¹ Their thirty-seven-year-old son, Raja Ward, a high-ranking SLA intelligence officer in the eastern sector of the zone, turned himself in to the Lebanese army in June 1998 and caused an uproar. According to Lebanese military security officials, Ward handed over a notebook with the names of fifty-two Lebanese who allegedly collected information for an arm of Israel’s Shin Bet intelligence agency known as Section 501.⁶² The alleged collaborators were indicted by the military prosecutor, and nineteen were arrested in July; their trial opened in August 9, 1998.⁶³

After Raja Ward’s defection, he was replaced by Nidal Nasr. According to the Lebanese media, Nasr was killed on September 26, 1998, reportedly by Naji Mundhir, an SLA militiaman who then fled the occupied zone.⁶⁴ The expulsion of Mundhir’s father and mother, Fawwaz Husayn Mundhir, seventy-five, and Aziza, seventy, from Ibl al-Saqi, took place less than a week later.

⁶⁰ “Israeli-allied militia expels elderly Druze couples from border zone,” Future Television, *Daily Report*, October 2, 1998.

⁶¹ “SLA officers throw elderly couples out of occupied zone,” *Daily Star*, October 3, 1998.

⁶² Robert Fisk, “Israeli spies exposed by defector,” *Independent*, August 28, 1998.

⁶³ Youssef Diab, “Trial of 78 alleged Israeli ‘informers’ gets under way,” *Daily Star*, August 10, 1998.

⁶⁴ *Daily Star*, October 3, 1998, and Future Television *Daily Report*, October 2, 1998.

May 1998: Sheba'

A family from Sheba' paid a high price in May 1998 for publicly celebrating the release of a relative who had been detained without charge for twelve years in Khiam prison on suspicion of involvement in the armed resistance. On May 7, 1998, thirty-one-year-old Ghassan Moussa was released from Khiam and expelled immediately. He told Human Rights Watch that he was escorted to the Zumrayya crossing by SLA security officers Fares al-Hamra and Muhamed Naba'. "If we see you here, we have orders to kill you," he said al-Hamra told him at the crossing. A week later, Ghassan's sixty-four-year-old father, Muhamed, and his sister, Mona, a twenty-nine-year-old teacher, were expelled, along with Mona's infant daughter.

On the day of Ghassan's release, a welcoming gathering was arranged for him in the town of Chtoura, at the office of Asaad Hardan, a former Lebanese government minister who also is a member of the ruling Higher Council of the Syrian Socialist Nationalist Party.⁶⁵

Relatives, residents of the village, and some SSNP officials attended the event. The next day, Ghassan, his parents and his brothers were interviewed on Lebanese television. Ghassan's mother remained in Beirut with her son, and his father and sister returned to Sheba'. Security officer Muhamed Naba' visited the family's house at midnight with a message from his superior, Fares al-Hamra, instructing Mona and her father to report to the security office in Hasbaiya the next day. Mona protested that she was a teacher and had to be in school. "You had time to go away for Ghassan, and you cannot come to us?," she said Naba' told her.

They traveled to Hasbaiya the next morning, with Mona's five-month-old daughter Maya. According to Mona, a security officer in civilian

⁶⁵ Asaad Hardan served as secretary of defense for the SSNP from 1985 to 1995, according to a Lebanese member of the party. Human Rights Watch telephone interview, June 1999. The first suicide bombings with vehicles in Lebanon occurred in 1983. "The initial spate of Shia suicide bombings was so successful that it inspired other, secular organizations — particularly the Syrian Socialist Nationalist Party — to adopt the tactic in 1984 and 1985," the Federal Research Division of the Library of Congress reported. Thomas Collelo, Ed., *Lebanon: A Country Study* (Washington, D.C.: 1989) p. 228. The SSNP "claimed responsibility for eight of the eighteen suicide bombings directed against Israel in southern Lebanon between March and November 1985." Daniel Pipes, *Greater Syria: The History of an Ambition* (New York, Oxford, Oxford University Press: 1990) p. 127.

clothes asked them to identify themselves and then said that he had orders to expel them at the Zumrayya crossing point. "I told him that we did not have milk for the baby, or our identity cards. I asked to see Fares al-Hamra and Alameddin al-Badawi [another senior security officer] to know what we did wrong. He said that we could not see them, and that the expulsion decision had been taken," Mona told Human Rights Watch. They were also told that no other members of the immediate family could return to Sheba'. (Ghassan's mother, fifty-nine-year-old Shihira Atweh, for example, had remained in Beirut with her son and did not return to the village with her husband and Mona.)

The family was stunned by the expulsion. "His life is there," Mona said, referring to her father. "Our house was old, and my brothers sent money to renovate it and to maintain our land. They invested everything in Sheba'." She added that the family pursued many avenues to have the expulsion decision reversed, including then-Prime Minister Rafiq Hariri, the International Committee of the Red Cross, a local parliamentarian, and a prominent Druze sheikh from Hasbaiya. "Hariri told us that the government would speak to the U.S. embassy about getting us back," Mona said. "After fifteen days, Hariri's people told us that there was no way. They said that the U.S. ambassador talked to [Gen.Antoine] Lahd [the commander of the SLA] and he said 'no way.'"⁶⁶

In a separate and unrelated case, sixty-four-year-old Khowlah Daleh and her husband, Ibrahim Hashem, fifty-seven, were also expelled from Sheba' in May 1998. They had returned to the occupied zone from Beirut the previous day and said that they found SLA security official Muhamed Naba' waiting near their house. Khowlah Daleh told Human Rights Watch that the official asked for their permits. When the couple presented the documents, she said that Naba' tore the photographs out and told them to report to the security office in Hasbaiya the next day, May 19, 1998.

In Hasbaiya, Naba' and another security operative whose name they did not know questioned them for about an hour. The militiamen asked detailed questions about their son, Sheikh Khalil Hashem, who lives in Beirut and gained prominence in Hizballah since his conversion from Sunni Islam to Shia Islam ten years earlier. They also questioned the couple about their thirty-one-year-old daughter Hana', a teacher of Islamic education in official schools who had not visited Sheba' for ten years and was studying law in Beirut at the Islamic Sharia School of the Islamic Sunni Council, the highest Sunni authority in Lebanon (*dar al-ifta'* in Arabic). Khowlah Daleh told Human Rights Watch that she believed the questions were perfunctory and that the decision to expel her and her husband had already been made. The two men put the couple in a car and drove

⁶⁶ Human Rights Watch interviews, Shuweifat, Lebanon, April 1999.

them directly to the Zumrayya crossing. They refused Ibrahim Hashem's request to stop at the house and gather some clothing.

This was not the family's first encounter with SLA security officials. Khowlah said that she was summoned four years earlier and questioned about her children by senior SLA security officer Fares al-Hamra: "He told me that my son was in Hizballah and asked questions about my daughters. He said that they all wore the veil and that maybe they were members of Hizballah. One year later, he summoned me again and said the same things." At the second meeting, he asked Khowlah to deliver a letter to her son, but she refused. She added that al-Hamra said that Hana' was studying Shiism in Beirut, when in fact her daughter was a Sunni religious scholar.

Khowlah and her husband were financially and emotionally devastated by the expulsion and particularly by the loss of their farmland. "We invested all of our money in our house and land. The children helped us build the house, and we planted and worked on the land," Khowlah said. The couple said that their orchards of cherries, walnuts and pomegranates produced about U.S. \$6,600 in income each year. The expulsion marked the second time the family had been dispossessed. Until 1967, they lived in a section of the Arkoub known as the farms of Sheba' and lost their twenty-dunum farm in Haret Qafwa when Israel seized this area.⁶⁷

April 1998: Ramieh

Qassem Muhamed Eissa, a father of four from the village of Ramieh, told Human Rights Watch that he escaped as he was about to be questioned at SLA security headquarters in Bint Jbail and fled the occupied zone. Following her husband's flight, his wife Ghazala said that she was barred from leaving the zone for almost two years and was harassed by SLA security operatives until she was

⁶⁷ Human Rights Watch interviews, Beirut, Lebanon, April 1999. The "Sheba' farms" area is located at the borders of Israel, Lebanon and Syria. Other families expelled from Sheba' and interviewed by Human Rights Watch said they too had title to land in this area. The names of the farms are: Maghr Sheba', Zibdeen, Qafwa, Ramta, Barakhta al-Tahta, Barakhta al-Fouqa, Marah al-Malloul, Fashkoul, Khalla Ghazala, Ruaiassa al-Qaran, Joura al-A'qarib, al-Raba'a, Beit al-Barraq, Dahar al-Baidar, and Mazra'a Bastara. See General People's Council, Sons of Arqoub, *Mazaaria' Sheba' al-lubnaniyya fi muwajahat al-atmaa' al-sahyuniyya* [The Lebanese Sheba' Farms in the Face of Zionist Ambition] (Beirut, National Studies Center: undated), p.8.

finally expelled in April 1998. According to Ghazala, after her husband left the zone, three SLA militiamen — Ali Saleh, Ridda Nasr, and Bassam Obeid — stormed her house and ransacked it, claiming to be searching for weapons. She said that they found no arms, but took Qassem's pick-up truck, which had been sent to him by his brother in Saudi Arabia and was worth about U.S. \$9,000. She also charged that the militiamen stole \$5,000 in cash that the family had been saving to purchase a school bus. "Ridda Nasr counted the money in front of me," said Qassem's mother, Nimri Ali Eissa, who also witnessed the search.

After this, Ghazala reported that she lived uncomfortably in the village, ostracized by her neighbors. "Ahmed Shibley [an SLA security officer] warned everyone not to have contact with us or help plough our land," she said. "Once, my youngest son broke his hand and no one would drive him to the hospital in Bint Jbail. Taxis that charge LL10,000 refused LL20,000. We walked until we found a car from outside the village that would take us to the hospital." Ghazala said that she was expelled with her children on April 1, 1998, and was not permitted to bring any possessions with her.⁶⁸

December 1996: Markaba

The parents of two slain Lebanese guerrillas were expelled from the village of Markaba on December 23, 1996. According to Agence France-Presse, Hussein Dakik, fifty years old, and his wife were expelled ten days after their son Ali, a fighter with the Amal Movement, and another guerrilla were killed in a clash with Israeli forces in Wadi Slouki.⁶⁹ Radio Lebanon reported that seventy-year-old Muhamed al-Hayik and his sixty-four-year-old wife Khadija were also expelled from Markaba through the Beit Yahoun crossing on the same day. It noted that their son Ahmad had recently been killed in a military operation in Wadi Slouki, and that another son, Husam, had fled the SLA and turned himself in to the residents of Qabrika village. "The Israeli forces sent a message with the deportees threatening any relatives of the martyr [Ahmad] against entering the occupied region again," the report concluded.⁷⁰

December 1988 - January 1989: Kfar Hamam

⁶⁸ Human Rights Watch interviews, Ras al-'Ain, Lebanon, March 1999.

⁶⁹ Agence France-Presse, "Israel expels parents of slain guerrilla from buffer strip," December 23, 1996.

⁷⁰ Radio Lebanon (Beirut), December 23, 1996, as reported in FBIS Daily Report, December 26, 1996, FBIS-NES-96-248.

In 1988, Youmna Khalil and three of her children from Kfar Hamam, a village in the northeastern part of the occupied zone, were detained without charge in Khiam prison to force the return of her sons Jamal, twenty years old and Ahmed, nineteen, who had joined the resistance. The pressure of the imprisonment of immediate family members did not yield the return of the two brothers, resulting in the expulsion of their mother in December 1988 and their father and three siblings in January 1989.

According to family members, for two months the SLA inquired repeatedly about the two brothers. Then Naji al-Qadi and Nidal Jamal, two militiamen from the SLA security office in Hasbaiya, came to the house and questioned their mother. "They asked me where my sons were. I said that I did not know, and they said that they were taking me," said Youmna, who was in her sixties at the time of her interview with Human Rights Watch. According to the family, Youmna and her thirteen-year-old son Rabah were detained in Khiam prison on March 23, 1988. Rabah was taken, the family said, because the SLA suspected that he had been in contact with his brother Jamal and knew where weapons were hidden. Two of Youmna's daughters were imprisoned the next month: twenty-five-year-old Nadia on April 4 and seventeen-year-old Jamila on April 26.⁷¹

Youmna told Human Rights Watch that she was held without charge for three months and tortured during interrogation for fifteen days. She said that her interrogators would come at night, blindfold her eyes, place a sack over her head, and cuff her hands in front. She was then pushed to the floor and beaten. She was also doused with very cold or very hot water, and electricity was applied under her fingernails and on her breasts.⁷²

They beat me while I was on the floor. Then, they would stop and there would be silence. Then, suddenly, out of nowhere, they would start beating me again. They told me that I would be released if my sons returned. I refused to bring back my sons. They threatened to expel me or dynamite our house.

⁷¹ Jamila was held without charge until November 1989, and Nadia until August or September 1989 (the family was not sure of the exact date but said that she was released three months before Jamila). Rabah was detained for fourteen months, until May 16, 1989, and was expelled immediately after his release.

⁷² Youmna and other women torture victims who told Human Rights Watch that electricity was applied to their breasts said they were clothed when this occurred.

After her release, Youmna said that SLA militiamen came to the family's home at night and threatened to blow it up. On December 17, 1988, she was summoned to the security office in Hasbayya and again instructed to bring her sons or face expulsion.

I refused. So they drove me to Zumrayya [crossing]. It was raining heavily and there was nowhere to sit, so I sat on the wet ground. I wanted to go to my sister's house in the Beka' and had only LL4,000. The taxi driver [who took her there] would not accept my money when I told him what had happened.

Youmna was expelled alone, without her husband and four children who lived at home. She told Human Rights Watch that she tried once to enter the occupied zone at the Zumrayya crossing, but was informed that there were orders not to admit her unless her sons returned. "I told them that I had other children in the village, and sheep, but they said that was not their problem," Youmna recalled.

On January 5, 1989, Youmna's husband Qassem Ali Shahrour and three of his children were expelled from the village.⁷³ Over ten years later, sixty-nine-year-old Qassem recounted some of the details:

They woke us up at 3:30 in the morning. There were tanks and many cars, and soldiers on the upper floor of our neighbor's house. They searched the house and told us that we were going to be expelled. It was a mixed group, and Arabic was spoken. But there were Israelis with them. [SLA security official] Alameddin al-Badawi was in our house, speaking with an Israeli in Hebrew.

Badawi and an Israeli officer appeared to be in charge of the operation, he said. He watched as Badawi used a folding knife to tear pieces of fabric from the sofa to use as blindfolds. Before he was blindfolded, he saw them loot gold, money, and a television set. The children were herded into a convoy of cars in their nightclothes.

The family suffered major economic loss. They had owned over three hundred sheep, a horse, and generated income from five hundred olive trees, as

⁷³ The children were Ramez, twenty-three; Ikram, fifteen; and Nejla, thirteen.

well as harvests of grapes and figs. “We lived off the land, and had everything that we needed,” Youmna said. For the first four years after the expulsion, they lived in poverty in a village in the Beka’ valley. “It was very cold in the winter. The house had no windows and we used cardboard in place of glass,” said Nejla, who was expelled with her father and three siblings. “You will not believe this, but it was so difficult for a while that we were living on potatoes and water.” The family moved to Beirut when some of the children found jobs, but their circumstances were still difficult at the time of the interview with Human Rights Watch. Nejla, who was twenty-four years old, said that she had hoped to study accounting, but the family was unable to finance her education.⁷⁴

October 1988: Markaba

⁷⁴ Human Rights Watch interviews, Beirut, Lebanon, March 1999.

On October 19, 1988, seven Israeli soldiers were killed instantly and eight wounded when a suicide bomber blew up a car with 330 pounds of explosives near an IDF military convoy at the border gate that leads to the Israeli town of Metulla. The *New York Times* reported that “[a]n Israeli Army official said the suicide bomber, driving a Toyota, detonated the explosive as the Israeli convoy of six vehicles, including a small bus loaded with troops, stopped next to another small convoy headed in the other direction.”⁷⁵ An eighth Israeli soldier died from his injuries several days later. Hizballah’s military wing, the Islamic Resistance, claimed responsibility for the attack, and then-Israeli Prime Minister Yitzak Shamir pledged that “Israel’s just and secure hand will reach the killers.”⁷⁶ On October 23, 1988, the Israeli Army said it had carried out arrests of residents it suspected were involved in planning the attack, and that the IDF had “apprehended the terrorist who is suspected of escorting the suicide car bomber to the area of the terrorist attack.”⁷⁷

Khadija Naim Raghda, from the village of Markaba in the occupied zone, told Human Rights Watch that it was her seventeen-year-old son Mustafa Abdel Karim Hamoud who had accompanied the suicide bomber in the vehicle.⁷⁸ She said that after the attack her son returned to the village, which is located about five miles southwest of Metulla, and that the SLA promptly apprehended him. According to Mustafa’s brother Ismail, the suicide bombing occurred at about 11:00 or 11:30 in the morning, and Mustafa was arrested at about 4:00 that afternoon. The next day, the SLA returned to the family’s house. According to Khadija:

They found nothing. They came back again and ransacked the house. They put a gun to my head and said: “Where does your son hide the weapons?” Then they sprayed something like gasoline and set the house on fire. I watched this. Then they grabbed me and put me in a car, while the house was burning, and took me to Khiam prison. During the ride there, Ahmed

⁷⁵ Joel Brinkley, “A Car Bomb in Southern Lebanon Kills 7 Israeli Soldiers and Hurts 8,” *New York Times*, October 20, 1988.

⁷⁶ Ibid.

⁷⁷ “Bombing Suspects Seized by Israelis,” *New York Times*, October 24, 1988.

⁷⁸ As a security measure, residents of occupied Lebanon are not permitted to drive vehicles unaccompanied by passengers.

Abdel Jalil Sheet [an SLA security officer] kicked me with his boot and spit in my face.

The day after her arrest, a high-ranking Israeli intelligence official and another Israeli commander, accompanied by at least four SLA security officials, arrived at the family's burnt house and dynamited it, according to Khadija's son Ismail who was hiding in the village and watched.⁷⁹

⁷⁹ The names of these officials were provided to Human Rights Watch.

Three days after the bombing, Khadija said that her husband, Abdel Karim Hamoud, who was ninety-nine years old, was expelled from the village and the occupied zone.

Khadija, who was fifty-seven years old in 1988, told Human Rights Watch that at Khiam prison she was interrogated and tortured for fifteen days in the investigation room, with two Israeli officers present. “They wanted information, but I had none,” she said, mentioning that electricity was applied to her fingertips and breasts. After fifteen days, she said that she was handcuffed and blindfolded, and transported to somewhere in Israel, where her son was already in custody. She recalled that this time she was interrogated by Israelis, with one Lebanese in attendance. On the first day, “it was the same type of investigation [as in Khiam], but there was no torture. They brought my son Mustafa, and I passed out. The next day, an Arabic-speaking policewoman told me not to faint. They brought my son again and I hugged and kissed him. I never saw him again,” Khadija said.⁸⁰ She added that Mustafa was quickly tried in an Israeli court — “which he refused to recognize” — and is serving a twenty-year sentence in Ashkelon prison in Israel. Khadija and her son Ismail emphasized that Mustafa was just seventeen, born in 1971, although Israeli newspapers in 1988 reportedly said he was twenty-eight years old. They repeatedly requested that Human Rights Watch include this information in the report.

⁸⁰ Khadija and other family members have not been permitted to visit Mustafa in prison, although they said they do exchange letters. Khadija pleaded with Human Rights Watch to help arrange a visit with her son. In October 1997, Human Rights Watch recommended to the government of Israel that it facilitate family visits for Lebanese prisoners, either directly or through the good offices of the International Committee of the Red Cross. See Human Rights Watch, “Without Status or Protection: Lebanese Detainees in Israel,” *A Human Rights Watch Short Report*, vol. 9 no. 11 (E), October 1997, p. 9.

Khadija was released after two months and twenty-two days, Ismail told Human Rights Watch. She returned to Markaba, but said that she was separated from her expelled husband because she was not allowed to leave the village: “I wanted a permit to go out because I no longer had a house. I had nowhere to go, but Abu al-Rida [the head of security for Markaba] would not give me a permit to go to Beirut.” Finally — Khadija could not remember the exact date — she said that she was given a white piece of paper that allowed her to leave Markaba but never return. She stated that the paper was taken from her at the crossing point on the day that she left. When her husband died in May 1994, the family was not permitted to bury his body in the village.⁸¹

⁸¹ Human Rights Watch interviews, Beirut, Lebanon, April 1999 and May 1999. The prohibition of the burial of some elderly residents in their home villages in the occupied zone has continued. Agence France-Presse reported that on May 2, 1999, the burial of ninety-year-old Safiya Fouani was not permitted in Houla, and that SLA militiamen turned away her funeral cortege at the Beit Yahoun crossing. According to AFP: “The Israeli army has been imposing ‘collective punishment’ measures against the village of Houla...since a deadly anti-Israeli guerrilla attack there in March. Houla residents have been prevented from entering or leaving the occupied border strip since then.” The same day, AFP added, militiamen at the crossing “allowed two other funeral processions to enter the border zone towards the village of Mais Al Jabal and the town of Bint Jbeil.” See “SLA forcibly prevents funeral in south Lebanon village,” *Jordan Times* (Amman), May 3, 1999.

V. PUNISHING FLIGHT FROM THE MILITIA

“They came to us in the afternoon and said that we had to leave in the morning.”

—Former resident of the occupied zone describing how she, her husband, and two children were expelled from the village of Markaba after her son deserted the SLA in 1997.

The SLA practice of forced conscription of teenaged boys has been a long-standing nightmare for families that are opposed to the occupation and despise the SLA. According to Lebanese defense lawyers, since 1985 “about 12,000 people have joined the SLA freely or forcibly.”⁸² Based on the testimony of former residents of the occupied zone, there appears to be no standard procedure for recruitment of militia members and no minimum age requirement for those who have been pressed into service. A woman from Markaba, whose son was forced to join the SLA at sixteen years old (see below), told Human Rights Watch that forced conscription of children by the SLA was not unusual: “They take them at fourteen, fifteen and sixteen years old. They took my neighbor’s son at fourteen,” she said. Present at her interview with Human Rights Watch was one of her nephews, who said that he had been forced into SLA service in 1998, when he was seventeen years old. He remained in the militia for four months and then was released for medical reasons. He fled the village and is afraid to return.

⁸² Agence France-Presse, “Former Israeli-allied militiamen ‘treated correctly’ — lawyers,” June 11, 1999.

A former resident who deserted the SLA in 1995 told Human Rights Watch: “They take them even at twelve years old if they are tall and strong. It depends on the village. If you collaborate with them, they don’t take you. The young men who are left in the villages are either collaborators or militia.” He said that militiamen have visited villages with lists of names, looking for intended conscripts at their homes.⁸³ By the accounts of other residents, sometimes the SLA security chief in a village personally instructed fathers that their sons should “volunteer.” If families were not responsive, the sons were forcibly conscripted. A former resident of Sheba, expelled in December 1998, said that teenagers between the ages of fifteen and seventeen were targeted for conscription: “They had to join the SLA voluntarily or by force. Those who did not had to leave.” As noted earlier, the exercise of this option of flight from the occupied zone has contributed to the depopulation of local villages.

A twenty-one-year-old from a small village in the eastern sector of the occupied zone described how he was forcibly pressed into the SLA in 1995, when he was seventeen years old.⁸⁴ During the two years before he was seized, he would hide when militiamen came to the village looking for new conscripts. In 1995, when he was in his last year of technical school studying to be an electrician, ten militiamen in uniform arrived in a truck and a jeep and surrounded the family’s home, their guns drawn. “They stormed the house and took me,” he said. “They told me that I had a problem and was wanted.”

He said that his parents and his school principal unsuccessfully pleaded with local SLA security authorities to let him finish school. He was taken first to the security office in the village, where he was beaten and tortured because he had eluded military service for several years. Then he was moved to the SLA’s Megidiyya military training camp for twenty days, where he was placed under constant surveillance. After training, he served for two months in Beit Yahoun and Brachit until he managed to escape and flee the zone. As a precaution, the family arranged the departure of his fifteen-year-old brother from the village before he fled.⁸⁵

Some families moved out of the zone voluntarily to ensure that their sons would not be forced into SLA service; others stayed in their villages but sent their sons out when they reached fourteen or fifteen years old. “I left thirteen years ago

⁸³ Name, and name of village, withheld on request.

⁸⁴ Name and village name withheld on request. Human Rights Watch interview, Beirut, Lebanon, April 1999.

⁸⁵ Human Rights Watch interview, Beirut, Lebanon, April 1999.

because I had sons that they wanted,” said sixty-five-year-old Muhamed Eissa, the father of ten children, who lived in the village of Ramieh, which is located close to the Israeli border in the western sector of the zone. He told Human Rights Watch that he left the village with six of his seven sons, and that his oldest son remained behind with his wife and three daughters. At that time, he claimed, a family could avoid conscription of a son by paying U.S. \$5,000 directly to Lt. Col. ‘Akil Hashem, the SLA commander of the western sector.⁸⁶

⁸⁶ Human Rights Watch interview, Ras al-’Ain, Lebanon, March 1999.

In a separate interview, former residents of Kfar Kila described the case of their younger brother Karim (not his real name), who was forcibly conscripted when he was fifteen or sixteen years old. They said that he served in the SLA for nine years, and was wounded three times. The family said that they obtained from Gen. Antoine Lahd, the commander of the SLA, a document ordering Karim's release on medical grounds. "My father brought it to Robin Abboud [whom he identified as the SLA military official responsible for the western sector of the occupied zone] and he tore the paper into pieces," an older brother testified. He said that the family then paid \$5,000 to Abboud, and Karim was released, about eighteen months to two years before the interview with Human Rights Watch.⁸⁷ In 1998, a resident of Mhaibib, a small village located between Meiss al-Jabal and Blida, told Human Rights Watch that he was detained for six days in the SLA security office in Aitaroun after his seventeen-year-old son fled the militia. He was said that he was released after agreeing to pay \$2,000 to the SLA.⁸⁸

Lebanese men, women, and children have been expelled because male relatives either deserted the SLA or fled the zone in order to avoid being conscripted into these occupation forces. There have been numerous reports about this practice but generally little or no details about the circumstances surrounding each case. The U.S. State Department, for example, noted that a family of twelve was expelled from the village of Mayss al-Jebal on September 21, 1996, because a family member had allegedly deserted the SLA.⁸⁹

⁸⁷ Human Rights Watch interview, Beirut, Lebanon, March 1999. Names withheld by Human Rights Watch.

⁸⁸ Human Rights Watch interview, Beirut, Lebanon, April 1999.

⁸⁹ U.S. State Department, Lebanon Country Report on Human Rights Practices for 1996, January 30, 1997.

More recently, in 1998 and 1999, additional families have been expelled as SLA desertions mounted. For example, the *Daily Star* (Beirut) interviewed Hajj Rida Bou Hwaileh, an elderly man who said that he was expelled with his wife and four other family members from Sheba' on April 6, 1999, because his son Khalil, twenty-five, refused to join the militia.⁹⁰ He explained that the family was summoned to the SLA headquarters in nearby Hasbaiya: "I left my work and headed for the SLA office in Hasbaiya as I was told and asked to see the person in charge but we were prevented from entering and told to wait." Then the family was informed that they were being expelled. "I asked them to take me to Khiam prison instead because I would not leave my home and property. I'm an old man and I can only work my plot of land," he told the newspaper. His appeal had no effect, and the SLA drove the family to the Zumrayya crossing point and expelled them.⁹¹

Human Rights Watch examined the cases of two families who were expelled because their sons fled service in the occupation militia.

1996: Houla

On September 17, 1996, four members of a farming family from the village of Houla were expelled, about one week after one of the sons deserted the SLA. At the time of the expulsion, Abdullah Abdullah was sixty-seven years old and his wife Khadija was fifty-seven; their daughters Miriam and Rima were twenty-six and twenty-three, respectively. Abdullah and Khadija were the parents of twelve children. Two of their sons, members of the Lebanese Communist Party, fought as guerrillas and were killed, one in 1982 and the other in 1993. After their son Zeid was killed in 1993, no one from the family was permitted to leave the village. Family members said that Abdullah developed an illness in one eye and was denied an exit permit to go to Beirut for medical treatment. The illness spread to his other eye, and he lost his sight. (Old, frail, and blind, Abdullah was guided into the living room by one of his sons during the family's interview with Human Rights Watch.)

Sakr Abdullah told Human Rights Watch that he was forced to leave Houla in February 1994, when he was twenty-one years old. He had been enrolled in a training school in Khaldeh since 1992, and traveled frequently to and from the

⁹⁰ He told the *Daily Star* that the other family members expelled were his wife Fatima, his daughter Salma, and his daughter-in-law Lamia and her two children.

⁹¹ Mohammed Zaatari, "Deportees adjust to 'life' in Sidon," *Daily Star*, April 8, 1999.

occupied zone to attend classes. He said that after his brother Zeid was killed, SLA security officials refused to issue him a permit to travel outside the zone, and he missed the 1993-94 school year. His mother said that due to Sakr's persistence, and the intervention of "good people" in the village, Sakr received a permit to leave the zone but not to return.

After Zeid was killed, Khadija testified, she was questioned four times by SLA militiaman Abu Burhan in Aitaroun. She said that she was never summoned from her home, but each time was picked up and taken to Aitaroun while she was walking on the road in the village. She stated that Abu Burhan cursed her dead son, asked questions about his friends which she refused to answer, and instructed her not to inform anyone, even her children, that she had been questioned.

Khadija told Human Rights Watch about another encounter with the SLA several years later. Her son Hussam and a friend, who were fifteen and sixteen years old, had been ordered by the SLA security chief in Houla, Kamal Shreim, to inspect all the rocks along the three kilometers of road that led from the village to an SLA military position.⁹² Hussam himself told Human Rights Watch that from a safe distance, Shreim and his assistant, Fouad Slim, closely watch him and his friend perform the dangerous tasks, which took about four to five hours. Hussam said that Shreim ordered him to carry out the work about thirty times. When Hussam finally mentioned to his mother what he and his friend had been forced to do, she went to the security office in Houla and complained. Hussam was no longer forced to serve as a human mine-detector, but Khadija's daughter Miriam and her son Ali were then imprisoned in Khiam and held without charge. Ali was taken on May 5, 1995, and held until August 15, 1995. Miriam was taken fifteen days later and was released on the same day as her brother.

Six months later, the SLA sought to force Ali into service with the militia. In the last week of February 1996, at 10:30 at night, a force of about ten uniformed and armed SLA militiamen surrounded the family's house. Hassan Farid from Adayseh knocked at the door and said that SLA security official Robin About wanted Ali, who was then nineteen years old and in the middle of his third year of technical school. "We knew that they wanted him for the militia," Miriam said. "My sister and I started arguing with him. We said that we would not wake up Ali, and that Robin About should come and talk to us personally. Everyone started shouting and my mother fainted. Finally, Ali came into the room and agreed to go with them."

⁹² The Lebanese military resistance had been detonating roadside bombs, disguised as rocks, in attacks on Israeli forces and the SLA.

Ali was taken to the SLA center in Markaba, where he was told to sign up for one to three years of service with the militia. He refused and was beaten. His signature was forged on a document agreeing to three years of service. On September 10, 1996, Ali deserted the SLA and escaped the occupied zone through Wadi Slouki to Shaqra with his two younger brothers, Hussam and John. Seven days later, the remaining four immediate family members who lived in Houla were expelled.

Khadija, sixty years old at the time of the interview, vividly recalled what happened. She said that one militiaman came to the house at six o'clock in the morning and others surrounded the building. He asked for her husband, and instructed the family that they had to report to the SLA position in Markaba, a village just north of Houla. They were transported to Markaba in an SLA civilian car. "We stayed there for two and a half hours, and no one talked to us. I thought that they were sending us to prison," Khadija said. Then, two militiamen informed the family that they were being expelled. Khadija asked if they could bring some possessions from the house. "No, you cannot set foot in Houla again," she said one of the militiamen told her. Khadija, her husband, and two daughters were taken in another civilian car to the Beit Yahoun crossing point and expelled. She remembered the taxi driver, who would not accept payment from the family, and drove them from the crossroads to the house of their oldest son in Sidon.

Khadija and her husband were farmers in Houla, and operated a small produce store. They grew wheat, lentils, fava beans, and vegetables, and sold milk and eggs from the three cows and sixty chickens that they owned. "We don't know what happened to the cows and chickens," Khadija said, "and a militiaman now lives in our house with his wife and children." The family received LL3 million (about U.S. \$2,000) in compensation for the expulsion from the Council of the South but "this is nothing because we could bring nothing from home with us," she added.⁹³

Less than two months after the Abdallah family was expelled, there were reports in the Beirut-based media that another family from Houla suffered a similar fate because a son had evaded service in the SLA. According to Agence France-Presse, Ali Khalil Nasrallah, his wife and six children were expelled on November 8, 1996, "because one of their sons refused to enrol in the SLA."⁹⁴ A

⁹³ Human Rights Watch interviews, Ghaziyeh, Lebanon, April 1999 and June 1999.

⁹⁴ Agence France-Presse, "SLA expels family of eight, Amnesty appeal for release of doctor," November 8, 1996.

broadcast on Radio Lebanon said that the family members who were expelled numbered nine, and that the family had been dropped at the Beit Yahoun crossing.⁹⁵ The international news agency Reuters also put the number of family members expelled at nine, citing an interview with Ali Nasrallah's wife, Yosra Qaansoh, in the Lebanese daily *al-Anwar*. "They told us: 'The reason for your expulsion is because your son Hassan Ali Nasrallah fled his service in the South Lebanon Army more than two months ago,'" Qaansoh was quoted as saying. She said that the family's request to bring clothes and utensils with them was denied.⁹⁶

1997: Markaba

⁹⁵ Radio Lebanon (Beirut), November 8, 1996, as reported by FBIS, Daily Report, November 15, 1996, FBIS-NES-96-221.

⁹⁶ Reuters, "Lebanon family tells of expulsion from Israeli zone," November 10, 1996.

A woman from Markaba described how her son Khalid (not his real name), who worked as a tractor driver, was forced to serve in the SLA when he was sixteen years old. She said that a militiaman came to the house and asked for Khalid, telling her: "We are taking him for a while, and then we will give him back." When her son did not return home, she visited the SLA security office in Markaba and asked about him. "They told me that he would not be coming back. We went there for twenty days to get information. After this, they told us that they had taken him to the militia."⁹⁷ Her son was first held at the security office, then was moved to the SLA's Magidiyya training center near Hasbaiya. He served in the militia for seven years, living the entire time in military barracks and returning home two days a week.

Khalid deserted the SLA at the beginning of 1997 and fled the zone. His father was then summoned three times to the SLA security office in Markaba. He was questioned, and warned that if his son did not return, the family would be expelled. Fifteen days after the son's desertion, "they came to us in the afternoon and said that we had to leave in the morning," Khalid's mother told Human Rights Watch.

She was expelled the next day with her husband, a fourteen-year-old son, and a daughter in her twenties. An eighteen-year-old daughter and twelve-year-old son were not allowed to leave with the rest of the family. "They made them stay for seven months, just to harass us," she said. The family was not permitted to take any possessions with them, and left behind a car and six cows. Deprived of annual income from the land they planted in tobacco, the family was living in difficult economic circumstances in Beirut at the time of the interview with Human Rights Watch. The woman's request for anonymity was out of concern for a close relative who still lived in Markaba but was prohibited from leaving the zone.

1999: A New Pattern of SLA Defections and Expulsions

⁹⁷ Human Rights Watch interview, Beirut, Lebanon, March 1999.

In 1999, there has been a cycle of defections from the SLA, which has been followed by expulsions of civilians from the occupied zone. It was reported that on February 11, 1999, the head of SLA intelligence in Sheba', Muhamed Naba', deserted the SLA and fled the zone on foot with his wife and six-year-old son.⁹⁸ Naba' had assumed the post after his predecessor, Ghassan Daher, was killed in December 1998, an attack that provoked the expulsion from Sheba' of twenty-five relatives of the suspected killers (see "Collective Punishment," above). After his desertion, Naba' disclosed information to Lebanese army intelligence about "a terrorist and spying network created by Israel" which led to the arrest in Lebanon of "some 20 alleged operatives," Future News reported.⁹⁹ On April 6, 1999, six relatives of Muhamed Naba' were expelled from Sheba': his father, Khalil Ahmed Naba', sixty-seven years old; his mother, Zubaida Mohssina, sixty-five; his son, Ihsan, sixteen; his brother Fadi's wife, Hana'Hareth Shehab, thirty-five, and her children, Maher, nine, and Abdallah, six.¹⁰⁰

Lebanese security sources said that on March 15, 1999, SLA militiaman Khaled Mundhir from the village of Ibl al-Saqi fled the zone and turned himself in to the Lebanese army.¹⁰¹ His brother Najji had deserted the militia in September 1998, reportedly after killing an SLA intelligence operative, which led to the expulsion of his parents in October 1998 (see "Collective Punishment," above).

On April 4, 1999, four SLA militiamen from Sheba' fled the zone and turned themselves over to the Lebanese Army, Future News reported.¹⁰² The *Daily Star* reported the names of the militiamen as Khalil Bou Hwaileh, Safi Saab, Jamal Saab, and George Rahal.¹⁰³ Two days after the four men deserted, the SLA expelled eighteen Sheba' residents, most of them women, children, and the elderly, and some of whom were relatives of the four deserters. According to the

⁹⁸ Agence France-Presse, "SLA intelligence official defects to Lebanon," February 11, 1999.

⁹⁹ Future Television, *Daily Report*, February 12, 1999.

¹⁰⁰ Human Rights Watch telephone interview with Yehia Ali, head of the Arqoub Citizens Committee, June 1999.

¹⁰¹ Agence France-Presse, "SLA militiaman deserts, SLA banishes policeman," March 15, 1999.

¹⁰² Future Television, *Daily Report*, April 5, 1999.

¹⁰³ "Lahoud condemns Israeli 'barbarism,'" *Daily Star*, April 7, 1999.

Daily Star: “They were summoned to the SLA’s Hasbaya security headquarters in the eastern sector of the occupation zone for questioning and then driven to the Zimraya crossing, from where they continued on foot to the Lebanese army checkpoint.”¹⁰⁴ On April 12, the three remaining children of one of the deserters were expelled, bringing the total number of people expelled from the village between April 6 and April 12 to twenty-one.¹⁰⁵

¹⁰⁴ Ibid.

¹⁰⁵ Human Rights Watch telephone interview with Yehia Ali, head of the Arqoub Citizens Committee, June 1999.

The expellees included six relatives of militiaman Khalil Bou Hwaileh: his father, Radi Khalil Bou Hawaileh, sixty-seven years old; his mother, Fatima, sixty-eight; his sister, Selma, thirty-five; and his wife, Lamia Nasser, and their two children, Waad, seven, and Walaa, three. Other expellees were the parents of militiaman Safi Saab: his father, Khalil, sixty years old, and his mother, Khadija, fifty-five. The mother of militiaman Jamal Saab, Houriya Hamdan, fifty, was also expelled. Six relatives of militiaman George Rahal were expelled, three of them on April 6: his father, Adeb Nicola Rahal, fifty-five years old; his mother, Hannah Abu Rizk, forty-five; and his brother, Bassam, fourteen. On April 12, the remaining siblings of George Rahal were expelled: Johnny, twelve years old; Michel, nine; and Farah, seven.¹⁰⁶

¹⁰⁶ Ibid.

VI. PUNISHING REFUSAL TO SERVE THE OCCUPATION SECURITY APPARATUS

“I told them that I do not work for anyone.”

—Kamal Abdel Karim Yunes, expelled from the village of Markaba with his wife and two children in December 1989.

In villages throughout the occupied zone, members of some families have been hounded for months or years to serve as informers for the ubiquitous security apparatus that is maintained by the SLA with the participation and oversight of Israeli intelligence. For those men and women who refused to succumb to the pressure, expulsion has been a last and punishing resort. In one case, described below, a man’s refusal to collaborate resulted in his own expulsion and that of his wife and two children, making the punishment collective in nature. The accounts of the families indicate the persistence of occupation security operatives in the pursuit of potential Lebanese informers. Targeted individuals were threatened with imprisonment if they refused to cooperate, and some were imprisoned in Khiam or detained for short periods in local SLA security offices. In some cases, Israeli intelligence operatives also pressured the victims.

1985-1992: Kfar Kila

Hassan ‘Akil Hammoud from the village of Kfar Kila, who said he was expelled in 1992 when he was about fifty-eight years old, told Human Rights Watch that prior to his expulsion he was under constant pressure during the five years that his son Jihad was detained without charge in Khiam prison.¹⁰⁷ He said that the pressure to serve as an informer with the occupation security apparatus began before Jihad was imprisoned. He explained:

¹⁰⁷ According to the family, Jihad was detained in December 1985, when he was nineteen years old, and released in October 1990. He received a permit to leave the occupied zone in February 1991 but was not permitted to return.

They knew that I had relatives in the resistance. They wanted me to go to Beirut and gather information. They wanted to know about training and where bases were located. They also wanted me to monitor people from Kfar Kila who had moved away to other parts of Lebanon. They promised me that my son would be released if I worked with them.

Hammoud noted that when Jihad was detained he had only one month and a half remaining in his last school year and had a scholarship to continue his education in what was then the Soviet Union. "He wanted to study medicine. Now he is a mechanic," he added. "He was not in the resistance. They took him just to put pressure on me."

Hammoud testified that he repeatedly refused to cooperate with the occupation security apparatus. He worked as a housing contractor, and said that he was also subjected to economic pressure. Several years before his expulsion, he said, residents of Kfar Kila were warned not to sign contracts with him. "I did not realize that this was happening until a relative contracted with someone else to build a house. He told me that Ahmad Abdel Jalil Sheet [the SLA security official responsible for Kfar Kila] had been threatening people not to come to me. It reached a point where I had to sell my personal possessions in order to live," Hammoud told Human Rights Watch.

By his own account, Hassan Hammoud was one of the "notables" in Kfar Kila.¹⁰⁸ He was trusted by the residents, and was openly outspoken about his resistance to the Israeli occupation. When the SLA began to target him, "they were trying to distance me from the people," he speculated. He said that prior to his own expulsion, five of his eight children were expelled. In addition to Jihad, his son Ammar was the first one expelled, directly after he was released from Khiam prison in 1985, when he was twenty-seven years old. He said that his daughter, Salam, was expelled later the same year, when she was twenty-five; his son Zuhair was expelled in 1988, when he was nineteen; and another son, Karim, was expelled in 1989, at age twenty-one.

After his own expulsion, Hammoud settled in Beirut, where his wife Rasa'el Fares visited him twice. Then she was expelled from the village with the couple's thirteen-year-old daughter Wafa' in 1994.¹⁰⁹

¹⁰⁸ A prominent, respected person in a local community.

¹⁰⁹ Human Rights Watch interviews, Beirut, Lebanon, March 1999 and June 1999.

1989: Markaba

Kamal Abdel Karim Yunes, a trader from the village of Markaba, recounted a two-year pattern of harassment and arbitrary arrest before he and his family were finally expelled in December 1989. As a trader, he made frequent trips to Beirut to purchase items that he sold in the village. He traveled on the permit that is required for all residents to exit or enter the occupied zone. Yunes told Human Rights Watch that in 1988 he was summoned to meet with Said Hamoud, an Israeli officer, in Turmouss, a former Lebanese army base known as Kilo Nine that was located close to the Israel-Lebanon border. He said that Hamoud asked him to provide information about Lebanese military positions and Hizballah activities, and that he refused. Hamoud threatened that if he did not cooperate his permit to travel outside the zone would be canceled. The trader again refused, and he paid the consequences: “They seized my permit, and I was prohibited from leaving the village. I had to close my shop because I could not go to Beirut to trade,” he told Human Rights Watch.¹¹⁰

Then the pressure on Yunes intensified. He was summoned to report to the SLA office in the village, where he was held for about seven hours. “They released me, and I stayed at home for twenty-five days. I could not leave the town. Then one night they came for me after midnight. I [escaped from] the house, and they came back again in the morning. They detained me for five days,” he said, at the SLA security office in Markaba. He spent one day at his house, and then word came again that he was wanted at the security office. When he did not appear, militiamen came for him in a civilian car. He said that he was taken to a room where two Israeli intelligence agents questioned him:

They asked why I was being so stubborn, and I told them that I do not work for anyone. They told me to go home, and the same week they took my thirteen-year-old son Hussein to Khiam [prison]. They said that Hussein would be released if I agreed to work as a collaborator. They put me under house arrest, with a guard outside my house. Hussein was held for two months and sixteen days, and then released.

¹¹⁰ Human Rights Watch interview, Beirut, Lebanon, March 1999.

When Hussein was released from Khiam, Yunes arranged for him to leave the occupied zone, an action that triggered additional harassment. He said that one morning a car was sent to his house and he was told that he had to talk again to Said Hammoud in Turmous. Yunes told Human Rights Watch that Hammoud once more pressured him to collaborate and again he refused. "Then you will have no permit and you will stay at home," he remembered Hammoud saying.

During this period of intense pressure, Yunes said that SLA militiamen forced him to drive his truck on militarily dangerous roads to deliver supplies to Israeli military outposts in the zone. These trips usually took place at night, and he carried out about twenty-five missions, transporting water or fuel. "They would come to the house and tell me that I had to go with them. It was dangerous but you cannot say no because they are armed. Once they came when I was ploughing the land, and said that I had to deliver fuel. They started shooting at me, and my wife told me to go," Yunes said. He finally set his truck on fire to escape this potentially life-threatening coercion.¹¹¹

After his last meeting with Said Hammoud, Yunes was placed under surveillance. After several days, he was detained at the SLA security office in Markaba and held for three days. Then he was told that he and his family were being expelled and that they could not "take a spoon." A militiaman accompanied him back to his house. "All we had were the clothes that we were wearing," Yunes told Human Rights Watch. Yunes, his wife Aziza, and two of their children, aged three and seven years old, were bundled into a car and transported in a three-car convoy to the Kfar Tebnit crossing. It was December 15, 1989. He was warned not to inform anyone about the expulsion. His son Hussein — who had been imprisoned in Khiam — later joined Hizballah as a fighter and was killed at Wadi Slouki in a military operation in April 1994.

Yunes left behind farmland that he said yielded between U.S. \$10,000 and \$15,000 annually from its harvest of olives, almonds, and grapes. He noted that his brother, who still lives in Markaba, does not farm the land. "No one dares touch this land," he said, explaining that this would raise the militia's suspicion that the earnings were being sent to him and his family. Yunes added that he does not even contact his brother by telephone, for fear of putting him at risk.

1998: Khiam

¹¹¹ Human Rights Watch recorded another account of civilians, this time children, being forced to carry out military activities. See "Houla: 1996," above.

Taleb Ahmed Saad, a twenty-seven-year-old construction worker from the town of Khiam, was expelled in August 1998. He told Human Rights Watch that he had been approached three times to work as an informer for the SLA. He said that he was contacted at his home and instructed to report to the local SLA security office, where he met with Ali Sweid (also known as Ali Kuftan), the head of security in the village. “He wanted me to work for them in Beirut, but I refused,” Saad said. In July 1998, he was brought to Khiam prison and detained for forty-two days. Saad said he was interrogated for twenty-five days, each time with his hands cuffed in front, a sack placed over his head, and a blindfold over the sack. Many of the questions focused on his brother Saad Ahmed Saad, who was expelled from the village in February 1988 on suspicion of involvement with Hizballah. He was repeatedly beaten, insulted in vulgar language, and threatened that his father, mother and sisters would be taken to the prison. “They wanted names, they wanted to know what I did when I went to Beirut, they asked for information about my brother,” he said. He said that his interrogators were relentless: “Whatever you say is considered a lie, and they keep on trying.”

Saad was released from prison on August 17, 1998 at four o’clock in the afternoon. He was moved from the prison to the SLA security office in Khiam and held there overnight. The next morning, two SLA security officers — Ahmad ‘Issa, who is the officer responsible for the Kfar Tebnit crossing, and Hussein Nasr — came to him. “I thought that they were taking me home,” Taleb said. Instead, he was transported to the Kfar Tebnit crossing and expelled. He recalled that the officers told him that it was an Israeli decision. At the time of his interview with Human Rights Watch, Saad, who is not married, had not been able to find employment in Beirut. His parents, three sisters, and older brother were still living in Khiam.¹¹²

Flight

In some cases, the sustained pressure that SLA and Israeli security officials have applied on targeted men and women has literally forced them to flee their villages out of fear, political principle, and often a combination of both. Most of these individuals described themselves as “expelled,” although in this report Human Rights Watch characterizes such cases as related but distinct phenomena. The circumstances surrounding the flight of civilian residents from the occupied zone have often been similar to those that trigger expulsions.

One example is Majid (not his real name), a former resident of Kfar Kila, who recounted the pressure on him, which he said began in 1990, to work as an

¹¹² Human Rights Watch interview, Beirut, Lebanon, April 1999.

informers for the SLA. He told Human Rights Watch that he traveled several times a week to Beirut to sell farm products and buy supplies for a family store in the village. He said that he was approached by SLA security operative Hassan Moussa, who promised payment if he agreed to provide information:

He said that no one would be suspicious of me because I was always going back and forth to Beirut. I was evasive. He summoned me to the security office because I would not give him a direct answer. I was still evasive. He said that he had to take me to Metulla [a town inside Israel, close to the Lebanese border] to see an Israeli officer, who said that he wanted me to focus on a cousin who had relations with Hizballah. He wanted me to convince my cousin to work for the SLA and inform on Hizballah. He also knew that my sister's husband had links with Hizballah. I told the Israeli yes.

Terrified, Majid left Kfar Kila in June 1991 and never returned. His wife, who was pregnant at the time, stayed in the village and joined him in Beirut three months later. "My parents still do not know why I did not come back. For the first eighteen months in Beirut, it was very difficult and I stayed with relatives. My mother came to visit and said that she wanted me back. I finally explained to her that there were security problems," he told Human Rights Watch.¹¹³ Thirty-three years old at the time of his interview with Human Rights Watch, Majid was living with his wife and three children, aged eighteen months to eight years, and other relatives and their wives and children in a small, overcrowded apartment.

Another example is a case from the northeast section of the occupied zone, where SLA security operatives relentlessly pursued Jamal Shahrour from 1985, when he was seventeen years old, until 1988, when he left his village of Kfar Hamam and joined the resistance as a member of the Lebanese Communist Party. He told Human Rights Watch that in September 1985, as he was returning from the city of Sidon to his village, SLA security operative Adel Wahab told him at the Zumrayya crossing to come the next day to the security office in Hasbayya, which was known as Zaghle. At the office,

¹¹³ Human Rights Watch interview, Beirut, Lebanon, March 1999. Name on file but withheld by Human Rights Watch.

He asked me to cooperate with the SLA. I told him I did not want to work with anybody and that I intended to join the Lebanese army. So he hit me, and said: "Can one hand clap?" I told him no, and he said: "Why then don't you want to work with us?" Then he let me go.

The next month, again at the Zumrayya crossing, Adel Wahab summoned Jamal to Zaghle, where this time he met Nidal Jamal, Wahab's superior: "He told me that I was going to work for them. When I refused, he said that I had promised Adel. I told him that I had not, and let Adel confront me. Adel came [in] and I told him that I had not promised him anything. He just walked away." According to Jamal, Nidal Jamal tried to tempt him by offering "an appropriate salary" and made disparaging remarks about the Lebanese resistance to the occupation. Jamal again refused any form of cooperation. He told Human Rights Watch that in addition to being a student at the time, he was also a shepherd, which is why he believed he was targeted. "Shepherds stay all day long in the wilderness and have the best chances of seeing resistance fighters," he explained.

Two or three months later, Nidal Jamal approached Jamal in the weekly market (*souq al-khan*) that was held on the outskirts of Hasbayya, and summoned him to Zaghle. He was held there from ten in the morning until six in the evening, and pressed again to work with the SLA. He again refused, and was released when his worried parents appeared. The pressure resumed at the beginning of the summer of 1987. Jamal told Human Rights Watch that Nidal Jamal visited his family's house and asked his mother where he was working, which was a construction site in the nearby village of Rashaya al-Fukhar. Jamal said that the security official arrived at the site in a red Mercedes civilian car, accompanied by Naji al-Qadi, another SLA operative, and ordered him to get in the vehicle, at gunpoint.

Jamal testified that he was transported to the Hasbaiya security office, once again, and this time placed in a cell that measured 1.5 by 1.5 meters. He was held there for six days without being questioned. Then he said that he met Alamedin al-Badawi, the top security SLA official in the eastern sector, who read from a file the names of residents of Kfar Hamam who lived outside the occupied zone. Badawi asked Jamal if he knew them. He wanted to know if Jamal had friends in the Christian village of Rashaya al-Fukhar, and if he knew about any communists there. He also asked if Jamal knew who had distributed anti-occupation leaflets on June 5, the anniversary of Israeli's second invasion of Lebanon. Jamal said that he told Badawi that he had no information to provide, and he was released.

From the end of September 1987 until December 1987, Nidal Jamal repeatedly summoned Jamal to the security office in Zaghle, but Jamal did not go. Once, the security operative met Jamal and his mother in the market, chastised him for not going to Zaghle, and told his mother: "I'm going to put your son in Khiam [prison]." In January 1988, SLA militiaman Jamil Mitri visited the family's house, asking for Jamal. Remembering the threat of imprisonment, his mother said that her son was not at home. Jamal fled as Nidal Jamal, Naji Al-Qadi, Riad Al-Hamra, and Amer Al-Halabi arrived in three unmarked civilian cars and surrounded the house. Jamal said that his father was detained in Zaghle for seven days, and was released when the SLA learned that Jamal was in the Beka' valley, outside the occupied zone. Jamal told Human Rights Watch that he joined the Lebanese resistance in the Beka', which led to the eventual expulsion of his parents and four siblings from Kfar Hamam (see "Collective Punishment," above).¹¹⁴

A third case involves a family from the village of Tair Harfa, located in the southwestern sector of the occupied zone. Rasmiya Nimr Rahad, fifty-five years old, told Human Rights Watch that her fifty-seven-year-old husband, Ali Ahmed Yousef, had been "expelled" from the village at the beginning of 1990. As the woman's account unfolded, however, it became clear that her husband had not been formally expelled but fled the zone because of the pressure to collaborate with the SLA. According to Rasmiya:

They said that our sons were in the resistance, and because of this my husband would leave the village only every five or six months, to avoid problems. The year before he was expelled, they began to summon him — they wanted him to bring information from the liberated areas [a term widely used to describe Lebanon beyond the occupied zone]. He told them that he was illiterate. Then they threatened to put him in Khiam [prison] if he did not work for them. He had only two choices, so he escaped.¹¹⁵

¹¹⁴ Human Rights Watch interview, Beirut, Lebanon, May 1999.

¹¹⁵ Family members have frequently been harassed and detained for leaving the occupied zone frequently if their relatives are known or suspected to be members of the resistance.

Rasmiya told Human Rights Watch that she remained in the village with their daughter, then eleven, and nine- year-old son. They were not permitted to leave the zone and remained for eight years, in a state of extreme isolation. “If anyone talked to me, even my brother, they would be summoned for questioning,” she explained. Once, she recalled, a Christian friend from another village stopped by for a visit. Rasmiya said that his license plate number was recorded and he was later called in for investigation.

When Rasmiya’s son reached sixteen years old, he was summoned to the SLA security office in Naqoura and pressured to work with the militia by security officer Akram Alayan and an Arabic-speaking Israeli investigator. At his last meeting with the two men, his mother accompanied him and waited outside.

They threatened to send me to Khiam [prison] if I did not agree to work with them. I was worried about my mother, so I said yes. They explained that they wanted me to mingle with the people and listen. They wanted me to tell them if anyone came to the village at night. They gave me money and made me sign a piece of paper. I told them that I did not want the money. The meeting lasted three or four hours. My mother and I got back to the house at one in the morning. I told her that we could not sleep one more night there.

He fled the village the next day with his mother, taking the same route through the hills and wadis that his father had used eight years earlier.

The family left behind a large house and thirty dunums of land, planted in tobacco, wheat, and barley, and 240 olive trees. They calculated their loss in agricultural earnings at about U.S. \$20,000 annually. “The SLA has forbidden anyone to plough the land between our olive trees. Without ploughing, the trees will die,” Ali Yousef lamented. Rasmiya said that at the time she left in 1998 the village’s population had been reduced to “very old people” and those who worked for or supported the SLA. She said that about seventy-five homes were occupied, but some of them had only one or two residents. The high school had been closed, and only thirty students attended the only other school, which served five villages in addition to Tair Harfa.¹¹⁶

¹¹⁶ Human Rights Watch interviews, Tyre, Lebanon, March 1999.

VII. OTHER FORCIBLE TRANSFERS

“Zuhair Shukair [a local SLA security official] said that I must collaborate and meet Israeli officers. I told him that I would never do that.”

*—Rasmiya Fawzi Jaber,
who was given a permit to
leave her village of
Mhaibib in 1991, when she
was twenty-six years old,
on the condition that she
could never return.*

In this report, Human Rights Watch has documented cases of formal expulsion, instances in which men, women, or sometimes entire families have been summoned to a local SLA security office near their homes in the occupied zone, informed that they were being expelled, and then transported by security officials or soldiers to an SLA crossing point and forced to leave. This chapter of the report includes cases in which residents of the occupied zone have been denied the right to return to the zone, or have been offered an exit permit to leave with explicit instructions that they are not permitted to return to the zone and their homes villages.

Families from the occupied zone who have not been permitted to return to their homes or who have been offered a “one-way ticket” out of the zone by occupation security officials, in the form of a long-sought exit permit, consider and describe themselves as “expelled.” For such families, the difference in the method by which each family member was dispossessed or excluded is meaningless because it was clear to them that the entire family was targeted and punished for actions that they themselves did not personally commit. The example of the Moussa family from the village of Sheba’ is a case in point. As discussed in Chapter IV, Ghassan Moussa was expelled in May 1998 at the Zumrayya crossing immediately following his release from Khiam prison, where he had been held without charge for twelve years. One week later, his father, his sister, and his sister’s infant daughter were also expelled from the village through the same crossing point, and informed at that time that no other family members could return to Sheba’. Ghassan’s mother, Shihira Atweh, was in

Beirut on the day that her husband, daughter, and granddaughter were expelled. Presumably, had Shihira been present in the village, she would have been expelled with her husband and daughter. The Moussa family considers Shihira to be “expelled,” even though she was not ordered to leave her village and then driven to an SLA crossing point (because she happened to be outside, not inside the zone when other family members were expelled). Cases such as these, in which residents are denied the right to return to the occupied zone, constitute forcible transfers, in violation of article 49 of the Fourth Geneva Convention, and grave breaches under article 147 of the convention.

The other paradigm of dispossession — forcing residents of the occupied zone to “voluntarily” accept an exit permit to leave, with the understanding that they will not be permitted to return — should be understood in the context of the strict control that occupation security authorities exercise over the freedom of movement of all residents out of and in to the zone. As the cases presented earlier in this report make clear, entire families have been prohibited from leaving their villages, sometimes for years, as punishment for the known or suspected actions of their relatives. In several cases documented by Human Rights Watch, and noted in earlier chapters of this report, these arbitrary and punitive actions have left women and men suffering from serious medical problems without access to specialized care, and in one case led to blindness (see “1996: Houla,” above). In this context, it is obvious why some residents of the occupied zone decided to accept offers of exit permits, enabling them to leave their villages but never to return. Residents who have been forced to accept such devil’s bargains from occupation security authorities also describe themselves as “expelled.” Human Rights Watch believes that these measures amount to illegal forcible transfers in violation of article 49 of the Fourth Geneva Convention.

For the victims, these forcible transfers are comparable in effect to expulsions. Those who have not been permitted to reenter their villages in the zone, or those who have been forced to leave, are denied access to their homes and local employment, and are separated from members of their families who remain in the occupied territory. It should also be noted that the denial of reentry of one member of a family temporarily outside the territory has sometimes been accompanied by the prior formal expulsion of other family members. Those affected may have been the object of the same form of expulsion order as those physically placed over the border. The circumstances surrounding such forcible transfers are detailed in the three cases that follow from 1991, 1997, and 1998.

February 1998: Aitaroun

In February 1998 and again in April 1998, fifty-nine-year-old Zeinab Beydoun and her husband Khalil, sixty-three, were not permitted to enter their

village of Aitaroun, located east of Bint Jbail, close to the Israeli border. One of their sons, Ali, who lives in Beirut, is a member of Hizballah. The couple's story began in 1997, when Khalil obtained a medical report from a doctor in Bint Jbail, recommending surgery to remove a kidney stone. He secured a permit to leave the occupation zone and had the operation at a hospital in Sidon. He told Human Rights Watch that the surgeon said to return for a checkup in three months. Khalil and his wife obtained exit permits and left the village in mid-June 1997. They said that another son, Castro, was imprisoned in Khiam one day after they left the village, either on June 18 or June 19 (they could not remember the exact date). They said that they knew from residents of the village who visited Beirut that the SLA had searched and ransacked their house after Castro's detention, and that several windows were broken. Castro was still in Khiam at the time of Khalil's interview with Human Rights Watch. Khalil and his wife said they believed that Castro was detained to put pressure on their son Ali, the Hizbollah member.

On June 29, 1997, Khalil and his wife went on an extended visit to Germany to see other sons who they said had left the zone years ago to escape serving in the SLA. They returned to Beirut on February 15, 1998. According to Khalil, they stayed in Beirut for four days and then traveled back to the occupied zone on February 19 in a bus with other travelers. Khalil and his wife were refused entry at the Beit Yahoun crossing.

The couple traveled for the pilgrimage to Mecca, Saudi Arabia, on March 27, 1998, and returned to Lebanon on April 24, 1998. Khalil said they stayed for three days in Beirut and again traveled to the zone in a bus with other passengers. He and his wife were hoping that the SLA would not check the names properly and they would be allowed to enter. But again they were denied entry. Zeinab described her argument with SLA security official Jihad Qassem Fakih. She said that she shouted at him: "You have never seen me! How come you will not let me in? I am not going to your father's home; I'm going to my own home! Why don't you let me in?" Zeinab said he responded: "Get out of my face now." Zeinab replied: "Call the Israelis now, and if we have done anything, then let them take us to Khiam camp." She said that he responded: "I work in the Israeli intelligence."

Khalil told Human Rights Watch that he visited the Council of the South after it was clear that he and his wife would not be allowed to return to the village.¹¹⁷ He said that he asked the council for the compensation payment it

¹¹⁷ The Council of the South is an arm of the Lebanese government that provides monetary compensation to expelled families and individuals. See Summary for additional information.

provides to expellees but was denied this on the grounds that his case had not been published in Lebanese newspapers. He said he explained that he had registered his and his wife's expulsion at the ICRC and with the Lebanese army. "They told me that they approve the names that are published in newspapers," he said. So he provided information to *al-Safir* newspaper (a leading Lebanese daily) which published several lines about the case on September 12, 1998. Nevertheless, Khalil said, the Council of the South maintained that the date of his expulsion was not published. As of the date of his interview with Human Rights Watch, he said that he had not yet received his compensation.¹¹⁸ On June 21, 1999, Human Rights Watch wrote to Qabalan Qabalan, the head of the Council of the South, on behalf of Zeinab and Khalil Beydoun.

August 1997: Chihine

The widowed mother of seven children, who earned her living as a tobacco farmer, described the events that preceded her expulsion from the village of Chihine in the western sector of the occupied zone in August 1997. "They said that I could not enter the village any more because my son was in Hizballah," the woman testified. She explained that her son, who had lived outside the occupied zone since he was in his early teens, was a member of Hizballah but did not serve in its military wing. He was killed in an accident on July 7, 1997, and his funeral was held in Bezouriyeh, a town east of the southern port city of Tyre. The widow said that she stayed in Bezouriyeh for her son's traditional forty-day mourning period, and then traveled back to the occupied zone. She was turned away at the SLA crossing point for her village, where militiamen informed her that she had been expelled. "I cried from the crossing to here," she told Human Rights Watch during an interview at the home of another son who lives in Bezouriyeh.

¹¹⁸ Human Rights Watch interview, Beirut, Lebanon, June 1999.

In addition to her house, the woman estimated that she had forfeited LL7 million (US\$4,600) in annual income from ten dunums of land planted with olive trees, tobacco, and vegetables. She said that she had a license from the Lebanese government to grow tobacco, and after her expulsion she asked a land agent to plant tobacco on her land, but the SLA told the agent that this was forbidden.¹¹⁹ She was also not permitted to retrieve any possessions from her home. “None of my relatives are allowed to enter the house,” she said. “They warned them not to remove anything, and my father was not allowed to send me the furniture.” She noted that most of the residents of the village had left, and that at the time of her expulsion there were only about thirty families living there.¹²⁰ The woman expressed her desire to return to Chihine, where her parents, sisters, and the wives of her brothers still live.

1991: Mhaibib

SLA security officials attempted to use the promise of a requested exit permit to force Rasmiya Fawzi Jaber, a resident of Mhaibib village, to become an informer for the militia. Rasmiya told Human Rights Watch that she had been initially pressured by the SLA in 1986, when she was twenty-one years old. She said that militiamen took her into custody one afternoon and transported her first to the security center in Kfar Kila and then to somewhere inside Israel, where an Israeli officer spoke with her in heavily accented Arabic. He asked questions about relatives, and then said that she would be paid five hundred dollars for every piece of information that she supplied, and more money if she identified individuals who were planning military operations. Rasmiya refused, and told the officer that her parents would kill her if she engaged in such activity.

In January 1990, when Rasmiya was twenty-five years old, two SLA militiamen came to her house and drove her directly to Khiam prison. She said she was tortured under interrogation:

Mahmoud Sa’ed Amar and Zuhair Shukair came to the house. They told me: “We want you to see your brother.” They drove me directly to Khiam. Before we reached the prison gate, they put a sack over my head and handcuffed me. I was under

¹¹⁹ The woman identified the two SLA security officials responsible for Chihine as Akram Alayan and Abu Eissam Alayan, neither of whom live in the village.

¹²⁰ Human Rights Watch interview, Bezouriyeh, Lebanon, March 1999.

investigation [the term used to describe the interrogation process] for one month and three days.

Rasmiya testified that her interrogators, who were always men, applied electricity under her fingernails, on her fingers, and on her breasts. She said that she was beaten with thin electric wires that were tied together with metal. "They would start while I was on my knees. Then I would fall, and they would kick me," she stated. During these sessions, Rasmiya said that she was blindfolded and handcuffed, and sometimes her ankles were bound. Sometimes, she said, she was also doused with hot water, followed immediately by cold water. She added that she was threatened with rape, the demolition of her family's house, and being tortured in front of her parents. She told Human Rights Watch that during this interrogation period she was held intermittently in solitary confinement. She said that she was also brought to the bathroom, handcuffed, where she was forced to kneel for long periods, "sometimes from the morning until the night." Her food was placed on the floor and she was forced to eat it by bending down while in a kneeling position. "The Israelis came on a daily basis," Rasmiya said. "They supervised what was going on. Some of the girls [the Lebanese women prisoners] who had to clean the rooms after the torture saw the Israelis." She said that an Israeli officer named Ibrahim attended the interrogation sessions, and it was her impression that the interrogators had been given free rein to do anything to obtain information.

Rasmiya said that her interrogators wanted information about her older brother, who had been imprisoned six weeks earlier, the names of residents of Mhaibib who worked with the resistance, and the location of places where weapons were hidden. Rasmiya was held in Khiam until June 28, 1991. Soon after her release, she said that she was approached by Zuhair Shuqair, the militiaman responsible for security in Mhaibib and the surrounding villages, who asked her to serve as an informer:

The first time he came to the house, he talked to me alone in a room. He was indirect. He said that my friends in Khiam missed me. I told him okay, I'll go [back to the prison]. He asked if I was afraid and I said no. He wanted me to tell him who was coming or going in the village, or to convince one of my brothers to do so. He came back again after a few days and asked about my decision. I said that I had [already] given him my opinion.

Rasmiya told Human Rights Watch that due to her treatment and the poor conditions in Khiam prison she was suffering at that time from anemia and other health problems, and sought an exit permit so that she could obtain medical care in Beirut. Shuqair said that she was not permitted to leave the occupied zone. She visited him at the security office in Meiss al-Jebel and again requested a permit. “He said that I must collaborate and meet Israeli officers. I told him that I would never do that,” Rasmiya recalled. Shuqair then told her that she could leave but never come back. He gave her a small yellow paper that was signed in red ink, which she used to depart from the zone in late July 1991. “Either you can live there and not use your head, or they force you to leave,” Rasmiya concluded.¹²¹

¹²¹ Human Rights Watch interview, Beirut, Lebanon, April 1999.

VIII. VIOLATIONS OF INTERNATIONAL HUMANITARIAN AND HUMAN RIGHTS LAW

The treatment of the civilian residents of occupied south Lebanon by Israeli and Lebanese military and security forces is governed by international humanitarian law standards codified in the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (the Convention). The civilians in the occupied zone are protected persons under the convention.¹²² Israel, as the Occupying Power, bears ultimate responsibility both for its own actions and the actions of the South Lebanon Army (SLA) that affect the civilian population. Article 29 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, sets out the responsibilities of an occupying force, declaring that "The Party to the conflict in whose hands protected persons may be, is responsible for the treatment accorded to them by its agents..." The official commentary by the International Committee of the Red Cross on article 29 explains why Israel cannot shirk responsibility for expulsions and other forcible transfers from the territory it occupies irrespective of whether such actions are undertaken by its own national forces or by its local auxiliaries:

The term "agent" must be understood as embracing everyone who is in the service of a Contracting Party...It included civil servants, judges, members of the armed forces, members of para-military police organizations, etc. (...)

The nationality of the agents does not affect the issue. That is of particular importance in occupied territories, as it means that the occupying authorities are responsible for acts committed by their locally recruited agents of the nationality of the occupied country.

The SLA, as an auxiliary force to a party to the conflict, is also obliged to respect the laws and customs of war, including those that protect the civilian population.

¹²² Article 4 states in its pertinent part: "Persons protected by the Convention are those who, at a given moment and in any manner whatsoever, find themselves, in case of a conflict or occupation, in the hands of a Party to the conflict or Occupying Power of which they are not nationals."

The convention categorically prohibits deportations, forcible transfers, collective punishment, intimidation and coercion, and forced military service in the armed forces of the Occupying Power or its auxiliary forces. Israel and the South Lebanon Army have violated these international standards with impunity. Unlawful deportation, forcible transfers, and forced conscription of protected persons are grave breaches of the convention.¹²³

Deportations and Forcible Transfers

The expulsions described in this report violate the categorical prohibition of such actions in article 49 of the Convention:

Individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the Occupying Power or to that of any other country, occupied or not, are prohibited, regardless of their motive.

Deportation and forcible transfer are grave breaches of the laws and customs of war.

Collective Punishment

Collective punishment is a term used in international humanitarian law to describe any form of punitive sanctions and harassment, including but not limited to judicial penalties, that are imposed on families or other targeted groups for actions that they themselves did not personally commit.¹²⁴ As the testimony presented in this report makes clear, individuals and families have been summarily expelled from the occupied zone as punishment for the known or suspected actions of others, most typically family members. Others have been denied the right to leave the occupied territory or have been detained, threatened, or tortured in retaliation for the actions or omissions of family members. This practice is a violation of article 33 of the Convention, which states in pertinent part:

¹²³ Article 147.

¹²⁴ "The concept of collective punishment must be understood in the broadest sense: it covers not only legal sentences but sanctions and harassment of any sort, administrative, by police action or otherwise." International Committee of the Red Cross, *Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949* (Geneva, Martinus Nijhoff Publishers, 1987), p. 874.

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.

Intimidation and Coercion

The intimidation and coercion of civilian residents of the occupied zone, particularly for the purpose of collecting information for the security and intelligence apparatus of either the SLA or Israel, is a violation of international humanitarian law. Article 31 of the Convention prohibits coercion:

No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties.

Torture

International humanitarian law and international human rights law both absolutely prohibit torture. Article 32 of the Fourth Geneva Convention prohibits High Contracting Parties from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. Torture is specifically included in this category. Article 147 further specifies that "torture or inhuman treatment" is a grave breach of the Convention.

The prohibition against torture also appears in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR), both of which Israel ratified in 1991. Both treaties prohibit torture under all circumstances, even during a state of war or other public emergency. Both treaties also require states to take effective legislative, administrative, or judicial measures to ensure that this prohibition is enforced. Article 1 of the CAT provides the authoritative definition of the term torture:

any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed, or for any reason based on discrimination of any

kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.

Forced Conscription

It is accepted internationally that the SLA serves as Israel's auxiliary force in occupied south Lebanon, and that Israel finances its operations, provides it with military and other equipment, and pays the salaries of its personnel. The practice of forcing male residents of the occupied zone to serve in the SLA is in violation of the requirements of international humanitarian law. Article 51 of the Convention states in pertinent part:

The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted .

Human Rights Watch does not have evidence that Israel as the occupying power has instructed the SLA to forcibly recruit Lebanese conscripts, including children. Nevertheless, it is Israel's responsibility as the occupying power to investigate this grave breach of the Geneva conventions and bring this practice by its auxiliary force to an immediate halt.

Conscription and Forced Conscription of Children

International law prohibits the recruitment of children under the age of fifteen or their participation in hostilities. The Convention on the Rights of the Child, which has been ratified by both Lebanon and Israel, requires states to "take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have not attained the age of eighteen years, States Parties shall endeavor to give priority to those who are oldest." Article 77 (2,3) Protocol I to the Geneva Conventions sets forth the same requirements.¹²⁵

¹²⁵ "The parties to the conflict shall take all feasible measures in order that children who have not attained the age of fifteen years do not take a direct part in

hostilities and, in particular, they shall refrain from recruiting them into their armed forces." (Article 77 (2)) In recruiting persons between fifteen and eighteen years, parties must give priority to recruiting those who are oldest.

An international effort is underway to raise the minimum age for recruitment and participation in armed conflict from age fifteen to eighteen through an optional protocol to the Convention on the Rights of the Child. The early conclusion of such a protocol was recommended by the 1996 United Nations Study on the Impact of Armed Conflict on Children, and is supported by the International Committee of the Red Cross and Red Crescent, UNICEF, the United Nations High Commissioner for Human Rights, and a growing number of States, intergovernmental organizations, and non-governmental organizations.

International labor law protects children up to the age of eighteen from forced recruitment for use in armed conflicts. The ILO Convention Concerning the Prohibition and Immediate Elimination of the Worst Forms of Child Labor prohibits "forced or compulsory recruitment of children for use in armed conflicts." (Article 3 (a)) Adopted June 17, 1999 by the International Labor Conference, the convention has not yet entered into force.

It is Human Rights Watch's position that no one under the age of eighteen should be recruited (either voluntarily or involuntarily) into any armed forces, whether governmental or nongovernmental in nature.

IX. APPENDICES
Appendix A

Expelled in January 1999

Aziza Musa, 60

(the mother of Qassem, Ahmad, Hassan, Muhamed, and Ismail)

Qassem Naba', 25

Nawal Naba', 20 (his wife)

Their children:

Muhamed, twenty months

Clara, six months

Ahmad Naba', 28

Rima Zahra, 25 (his wife)

Their children:

Ghusoon, 5

Anout, 3

Diana, nine months

Rania Daher, 23 (the wife of Hassan Naba', imprisoned in Khiam)

Her children:

Ayat, 3

Muhamed, 2

(Note: Rania was four months pregnant at the time of her interview with Human Rights Watch.)

Muhamed Naba', 31

Khadija Sa'ab, 33 (his wife)

Their children:

Khalil, 10

Khudor, 8

Ala, 7

Shehnaz, eighteen months

Nuhad Naba', 31 (the wife of Ismail Naba', imprisoned in Khiam)

Her children:

Iman, 13

Muhamed, 11

Riham, 8

Rawiya, 5

Hanin, 3

These were the ages of the expelled family members at the time of their interview with Human Rights Watch in April 1999.

