

An accidental death?

By [Steve Thorngate](#)

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[The Jerusalem Post](#), reporting today on a Haifa court's verdict supporting the Israeli government's position on the 2003 death of U.S. activist Rachel Corrie:

A Haifa District Court invoked the "combatant activities" exception, and said on Tuesday that the US activist who was killed in disputed circumstances involving an IDF bulldozer on March 16, 2003, while protesting an IDF home demolition in Rafah, could have avoided the dangerous situation. The court nonetheless called her death a "regrettable accident."

In the verdict, Judge Oded Gershon invoked the principle of the combatant activities exception, noting that IDF forces had been attacked in the same area Corrie was killed just hours earlier. The combatant activities exception essentially says that a country's armed forces cannot be held liable for civil damages for physical or economic harm to civilians in an area defined as a war zone. . . . The court held that the driver had not and could not have seen Corrie because the bulldozer has an obstructed view.

[U.S. Ambassador to Israel Dan Shapiro](#) in 2011, in his Senate confirmation hearing:

For seven years, we have pressed the government of Israel at the highest levels to conduct a thorough, transparent and credible investigation of the circumstances of [Corrie's] death. The government of Israel has responded that it considers this case closed and does not plan on reinvestigating the incident.

[Shapiro](#) reiterating this position shortly before the verdict, as indirectly quoted by *Haaretz*:

Israel's investigation into the death of American activist Rachel Corrie was not satisfactory, and wasn't as thorough, credible or transparent as it should have been.

[Other activists and eyewitnesses](#) back in 2003:

“She was standing on top of a pile of earth,” fellow activist and eyewitness Richard Pursell, from Brighton, said at the time. “The driver cannot have failed to see her. As the blade pushed the pile, the earth rose up. Rachel slid down the pile. It looks as if her foot got caught. The driver didn’t slow down; he just ran over her. Then he reversed the bulldozer back over her again.”

Tom Dale, an 18-year-old from Lichfield in Staffordshire, said: “The bulldozer went towards her very slowly, she was fully in clear view, straight in front of them. Unfortunately she couldn’t keep her grip there and she started to slip down. You could see she was in serious trouble, there was panic in her face as she was turning around. All the activists there were screaming, running towards the bulldozer, trying to get them to stop. But they just kept on going.”

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