



## **Briefing provided to the EU ahead of the release of the Goldstone Report**

This paper aims to provide an analysis of attempts that have been made to ensure accountability since the Israeli military offensive in the Gaza Strip between 27.12.08 and 18.01.09, and to recommend further EU action on this issue, within the context of the current fact-finding mission led by Justice Richard Goldstone on behalf of the UN Human Rights Council.

Since the Goldstone report and recommendations will only be released to the public in mid-September, ahead of the HRC session, this paper ends by recommending possible strategies without responding to the specific content of that report.

### **The Goldstone report: Background**

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This mission, although originally mandated by the HRC, a body whose credibility and partiality is often questioned, has succeeded in garnering much broader support (including EU support)<sup>1</sup> due to its own declared intentions of impartiality and professionalism.

The importance of the Goldstone commission and report lies in two complementary aspects:

#### **1. Establishing an authoritative version of the events that occurred during the offensive.**

In the course of the military offensive led by Israel in the Gaza Strip between 27.12.08 and 18.01.09 most international parties were evacuated from the Gaza Strip and the majority of international media were barred entry into it. As a result, the facts regarding what occurred in Gaza during those days are either left to the contending claims of Palestinian witnesses in Gaza and the Government of Israel, or to international institutions and NGOs collecting evidence in the days after the Crossings were re-opened. In contrast, the attacks staged by Hamas against Israeli centers of population in the course of the offensive were exposed to public scrutiny and widely covered by international press in real time.

In order to enable processes of accountability regarding violations of IHL and IHRL in the course of the offensive, it is essential to establish a version of the facts, which will be generally accepted by the international community, as well as by Israelis and Palestinians, as credible and reliable.

#### **2. Laying the foundations for local and international justice mechanisms for purposes of accountability**

The fact-finding report and its conclusions are also important since they include an authoritative legal analysis of the context within which the events occurred and

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<sup>1</sup><http://unispal.un.org/unispal.nsf/361eea1cc08301c485256cf600606959/de5eda1fef346083852575d6004f017b?OpenDocument>



conclusions regarding culpability of the parties. Stemming from this analysis is the possibility of constructing effective justice mechanisms that will ensure that those parties responsible for any violations be exposed and brought to justice, in an impartial and proper manner. The identity and record of Justice Goldstone and his team, as well as their methodology and style are key to the establishment of a process that is widely perceived to be just and impartial.

**However**, the commission was not enabled entry into Israel and never received a response to its requests for cooperation from the Israeli authorities. Moreover, Israel has publicly claimed that the project was not impartial, and it is likely that the credibility of its findings will be challenged by Israel based on the fact that the Israeli authorities did not cooperate with the mission.

In practice, the team entered Gaza, and interviewed Palestinian victims, witnesses and political stakeholders in Gaza. In Jordan and Geneva, it also held hearings for Israeli victims and witnesses, PA/Fatah stakeholders and Palestinian NGOs from the West Bank. Israeli organizations met with them repeatedly and provided them with extensive evidence, and can testify to their professionalism and impartiality at least in their approach to the fact-finding phase.

In order to illustrate the importance of the Goldstone mission, this paper details some prior and current investigations and accountability processes initiated in this respect, focusing on their limitations. Special attention is afforded to processes initiated in Israel.

### **Official Israeli investigations and reports since the offensive**

Throughout the time following the offensive, the government of Israel has maintained that the fact of the offensive and the manner in which it was carried out was justifiable and did not contravene IHL. Israeli politicians expressed anger at the voicing of allegations of violations, whether by UN officials, international NGOs or Israeli civil society, including soldiers who participated in the attacks. They maintained, and continue to maintain, that the army acted in a moral manner and that the majority of violations cited were misinterpreted, exaggerated, wrong or even willfully invented.

The Israeli Chief of Staff declared "I do not believe that IDF soldiers harmed Palestinian civilians in cold blood", adding, "my impression is that the IDF acted morally and ethically, and if there were incidents like these, they were isolated".<sup>2</sup>

Following the widespread media coverage of suspicions of serious violations and public debate in Israel and overseas, the Israeli Chief of Staff Lt. Gen. Ashkenazi appointed five Colonels who were not directly in the chain of command for the operations in question to hold five field investigations into 17 separate allegations made by NGOs and international

<sup>2</sup> "Chief of Staff Gabi Ashkenazi: I don't believe IDF harmed Gaza civilians in cold blood", *Ha'aretz*, 22 March 2009. Available on <http://www.haaretz.com/hasen/pages/1073208.html>.



institutions. Their findings were presented to the Chief of Staff and the Israeli army published the findings of its examination at a briefing for foreign correspondents on 22 April 2009.<sup>3</sup> All these investigations found that the IDF had acted reasonably and had not deliberately violated limits of IHL.

In addition, the Israeli government has stated that field investigations are underway to examine more than sixty other incidents, acting chiefly upon reports received from local and international NGOs. According to the Israeli government, as of 1 July 2009 there were also thirteen IDF Military Police (criminal) investigations currently in progress into incidents giving rise to suspicions of misconduct by military personnel during recent the offensive.<sup>4</sup> A further criminal investigation was opened following allegations made by several IDF soldiers who participated in the offensive and accused the army of serious violations at a conference in the Rabin Military Preparation Center. This investigation was closed shortly after, based on the claim that some of the allegations were based on hearsay and untrue.<sup>5</sup>

In July the Israeli government published a 159-page-long report entitled "The Operation in Gaza 27 December 2008 – 18 January 2009, Factual and Legal Aspects" (henceforth 'the Israeli government report').<sup>6</sup> The main bulk of the report is devoted to an analysis of the context in which the attack was carried out and the legal justification for embarking on it and for the manner in which it was carried out. It also details the activities of Hamas and the steps that had been taken by the IDF to alleviate suffering and prevent unnecessary death and hardship. This part of the report completely supports the decisions of the government and the army in this respect. The final third of the report describes the investigations underway and details their initial findings, stressing that they are still ongoing. This part of the report concludes in almost every instance that the allegations of deliberate breaches of IHL are unfounded and that everything possible had been done to minimize damage to civilians, medical facilities, etc., so that the Laws of Armed Conflict had not been breached.

### **Structural problems with the Israeli investigation**

Irrespective of the content of the various investigations and reports published by the Israeli government and army, there are several key problems which prevent us from seeing them as sufficient or appropriate local accountability mechanisms.

#### **1. An alleged perpetrator investigates itself.**

The army is one of the institutions that are accused of the violations, and yet it is investigating itself, rather than a body external to it. The report published in July gives a

<sup>3</sup> Israeli Ministry of Foreign Affairs, "IDF: Conclusions of investigations into central claims and issues in Operation Cast Lead", 22 April 2009. Cited in [http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A%20HRC%2012%2037\\_AEV.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A%20HRC%2012%2037_AEV.pdf)

<sup>4</sup> The State of Israel, "The Operation in Gaza 27 December 2008 – 18 January 2009, Factual and Legal Aspects". Available on <http://my.ynet.co.il/pic/news/GazaOp.pdf>

<sup>5</sup> *Idem*

<sup>6</sup> *Idem*



detailed description of the IDF internal system of review, which may indeed be efficient. However, those carrying out the investigations are colonels in the army and officers of the military police, and they report to the Military Advocate General (MAG), who is authorized to try soldiers for both military and criminal offenses within the military court system, but was also responsible for legal counseling and authorization of measures by the forces during the offensive. The fact that the instance to whom the findings are reported to is the MAG compromises the accountability project at the outset. A body examining itself for purposes of reporting to the outside world can be reasonably expected to be reluctant to find flaws in its own decision-making processes and acts, and is always in danger of turning the investigation report into an apologetics for its actions rather than an impartial search for the truth.<sup>7</sup>

## 2. The investigating parties are subordinate to suspected decision-makers.

Because the investigating parties are subordinate to the army's Chief of Staff, the crucial question of whether the military as a body could have decided to implement or enable the violations as a matter of policy on the highest levels cannot be answered. Moreover, a military investigation leaves out the possibility of examining policy decisions taken by the government, which is the other institution accused of violations.

### **Case analysis from the report: Attacks on medical evacuation vehicles**

In the Israeli government report, the issue of medical vehicles is dealt with twice. Once in order to claim that Hamas misused them for military purposes<sup>8</sup> and a second time in order to detail its own investigations into allegations of IDF attacks against Palestinian ambulances<sup>9</sup>

In the section on Hamas activities, the report makes general allegations regarding Hamas misuse of medical vehicles, but its footnotes provide reference only to a case from 2004, and the example provided for the period of the Gaza offensive is a single journalist's article (The Sydney Morning Herald) in which an ambulance driver is reported to have said that Hamas had unsuccessfully attempted to use his ambulance to transport militants.<sup>10</sup>

In the section on its own attacks on ambulances, the report concluded that in some of the cases IDF forces assessments may have been "mistaken..." but "the conduct of IDF forces was reasonable and did not demonstrate the intent or recklessness necessary to elevate such action to the level of violation of the Law of Armed Conflict."<sup>11</sup> The report does not relate to the systemic reason for the attacks, namely the fact that the existing mechanism in place between the IDF, the ICRC and the Palestinian ambulance services for the authorization and coordination of safe passage of evacuating crews was not functioning in

<sup>7</sup> The Israeli government report was clearly published, not with the intention of ascertaining facts, but of explaining and justifying its actions: Not only was it published only in English, but it was publicly stated to constitute a "defense brief" for the Israeli army, "the Israeli narrative" in the face of the evidence against it, and the fear of international justice mechanisms. Such a text may provide important information but it has little to do with the project of accountability. See Haaretz Online, 27.2.09, "Israel prepares "defense brief" ahead of UN Gaza reports." <http://www.haaretz.com/hasen/spages/1103109.html> .

<sup>8</sup> Idem, pp. 64-66

<sup>9</sup> Idem, pp. 139-140

<sup>10</sup> Idem, pp. 64-66

<sup>11</sup> Idem, p. 139



a manner enabling safe evacuation.<sup>12</sup> Instead, the report relates to individual cases in which lack of coordination had led to attacks on ambulances, and reaches the conclusion that they were isolated and accidental cases. When challenged in court during the offensive with regard to the lack of coordination,<sup>13</sup> State representatives did not deny that this was the case and claimed their conduct was justified since the conditions of combat did not enable proper coordination. Only two weeks into the offensive, on the day of the court hearing and after the ICRC had partially suspended its activities due to danger to its personnel,<sup>14</sup> a "humanitarian coordinating cell" was set up to improve the situation.<sup>15</sup> But the IDF report implies that this cell was active from the start of or even prior to the offensive.<sup>16</sup> From our experience during the offensive, the "humanitarian cell," located in central Israel, did not improve matters on the ground and refused to respond to calls by Palestinians and by local NGOs.

According to evidence collected by independent medical experts, requests to coordinate evacuation with Israeli authorization met delays of hours, days and in some cases more than a week, for which reason some services evacuated without coordination.<sup>17</sup> Moreover, even medical sorties that were given authorization by Israel via the coordination mechanism were sometimes attacked.<sup>18</sup> Finally, even in the absence of prior coordination, IHL demands that special protection be given to evacuation vehicles. The suspicion of misuse cannot justify such a sweeping tendency to attack medical vehicles, resulting in at least 29 ambulances damaged or destroyed.<sup>19</sup>

### **Israeli past experience with accountability – an atmosphere of impunity**

Israel's record regarding its own investigations of violations committed by the security system in the past is less than satisfactory. For example, although from 2001 to 2008 the

<sup>12</sup> See Van As, Sebastian et al, Final Report, Independent fact-finding mission into human rights violations in the Gaza Strip during the period 27.12.2008-18.01.2009. (Eds. PHR-Israel and PMRS), Brussels, April 2009. P.9.

[http://www.phr.org.il/phr/files/articlefile\\_1241949935203.pdf](http://www.phr.org.il/phr/files/articlefile_1241949935203.pdf)

<sup>13</sup> Petition to the High Court of Justice submitted by Israeli NGOs against attacks on ambulances, *Physicians for Human Rights and others v. Prime Minister of Israel and others*, HCJ 201/09.

<sup>14</sup> Following injury to an UNRWA worker and an ICRC worker during humanitarian duties, ICRC temporarily stopped evacuation activities outside Gaza city, on the 7<sup>th</sup> and 8<sup>th</sup> of January. Source: Confidential telephone communication between ICRC Jerusalem, ICRC Gaza and PHR-Israel, 7<sup>th</sup> and 8<sup>th</sup> of January 2009. On the difficulties encountered by ICRC coordinating evacuation see <http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/palestine-news-080109>.

<sup>15</sup> The embassy representatives of European member states including the Slovenian presidency informed PHR-Israel and Gisha of the intention to set up a "humanitarian cell" for coordination on January 8, during a briefing held at the EC delegation's offices in Ramat Gan, Israel. In the court hearing the next day the State representatives repeated this intention, calling the cell a "humanitarian war room". See also PHR-Israel, *Ill Morals*, Part II, p. 27.

[http://www.phr.org.il/phr/files/articlefile\\_1237966109984.pdf](http://www.phr.org.il/phr/files/articlefile_1237966109984.pdf)

<sup>16</sup> pp. 101-102

<sup>17</sup> See e.g., Van As, Sebastian et al, "Final Report, Independent fact-finding mission into human rights violations in the Gaza Strip during the period 27.12.2008-18.01.2009" (Eds. PHR-Israel and PMRS), Brussels, April 2009, p.9.

[http://www.phr.org.il/phr/files/articlefile\\_1241949935203.pdf](http://www.phr.org.il/phr/files/articlefile_1241949935203.pdf)

<sup>18</sup> *Idem.*, p.19, Case Study 3, testimony T12.

<sup>19</sup> Gaza Strip: Initial Health Needs Assessment, WHO, February 2009. In total, an estimated 16 medical personnel were killed and 25 injured. [http://unispal.un.org/pdfs/WHO\\_GazaHealthNeeds.pdf](http://unispal.un.org/pdfs/WHO_GazaHealthNeeds.pdf)



State Attorney's Office received over 600 complaints regarding ill-treatment by Israeli Security Agency (ISA/GSS) interrogators, it has not found cause to order the instigation of a single criminal investigation.<sup>20</sup> This is mainly because the State Attorney's Office bases its decision on the findings made by the Inspector of Complaints by ISA interrogees (the Complaints Inspector), who is himself an ISA agent and subordinate to the head of the ISA.<sup>21</sup>

Even when criminal investigations are opened into violations committed by security forces, perpetrators are rarely held accountable. For example, Since September 2000, B'Tselem has submitted 345 complaints for violence during arrest—beating, using rifle butts, clubs and other means of injury—against Palestinian detainees by police, border police, and soldiers. Of the 345 total complaints, only 14 cases have resulted in an indictment—just 4%.<sup>22</sup> In general, since the start of the second Intifada in 2000, investigations into the killing of Palestinian non-combatants by IDF gunfire are hardly ever held, and the decision to open an investigation in such cases is dependent on an internal operational probe by the military unit involved in the killing. As a result, the majority of investigations today are limited to more minor offenses such as non-lethal violence and theft.<sup>23</sup>

Moreover, according to the IDF's own figures, between September 2000 and June 2007, 1,091 investigations were opened by the Military Police Criminal Investigation Division (MPCID) on the suspicion of criminal offenses by IDF soldiers against Palestinians and their property. Of these, only 118 resulted in indictments and 101 in convictions.<sup>24</sup>

The possibility of opening an **Independent Commission of Inquiry** external to the various security bodies does exist. However, Israel's record in this regard is not better. During demonstrations in Israel in October 2000, 13 unarmed civilians were killed by Israeli police forces, using live ammunition, sniper fire and rubber-coated metal bullets. Following the events an Independent Commission of Inquiry was established by PM Ehud Barak, headed by senior judge Theodore Or. However, the Or Commission only submitted its findings in September 2003, three years after the events, and, moreover, its recommendations did not lead to accountability. After the police investigations unit had held a belated investigation at the request of the Commission (begun in late 2004 and closed in 2005), in January 2008 the Israeli Attorney General ordered the closing of all files. Despite the fact that the

<sup>20</sup> Letter to B'Tselem from Attorney Boaz Oren, head of the International Agreements Unit, Ministry of Justice, 26 June 2006 and Letter to B'Tselem from Michal Tene, Head of the Public Inquiries Unit and Freedom of Information Act, 20 December 2008.

<sup>21</sup> B'Tselem and HaMoked, Supplemental Information for the Consideration of Israel Submitted to the UN Committee Against Torture, April 2009

<sup>22</sup> *idem*

<sup>23</sup> A petition to the Israeli High Court of Justice filed in October 2003 by the human rights organizations B'Tselem and The Association for Civil Rights in Israel (ACRI) against that policy is still pending. See HCJ 9594/03 B'Tselem et al. V. Military Advocate General

<sup>24</sup> Source of figures: IDF Spokesperson's response to Yesh Din's questions, October 28, 2007. <http://www.yesh-din.org/site/images/ds1eng.pdf>. By comparison, 5,090 IDF soldiers were indicted for other criminal offenses (such as drug offenses) between 2003 and 2006 alone (*idem*).



Commission had provided ample incriminating evidence regarding individuals and institutions, none of the police officers or commanders involved in the fatal shootings of Palestinian citizens of Israel will face criminal indictment.<sup>25</sup>

### **Civil society efforts to ensure accountability following the offensive**

**During the attacks** affected individuals and Israeli, Palestinian and international NGOs released large amounts of information to the press and to policymakers, and attempted to redress ongoing violations by holding correspondence with the army and the government directly and via diplomats, in real time.

Two weeks into the offensive, Israeli NGOs filed two petitions with the Israeli High Court of Justice,<sup>26</sup> seeking orders for the Israeli army to be restrained from causing delays in evacuating the wounded in Gaza to hospitals and attacking ambulances and medical personnel; and to enable essential supply of electricity and desist from attacking civilian infrastructure.

In the hearing, held while the offensive was ongoing, the Israeli army did not deny the factual evidence presented to the court by the NGOs but claimed both that its measures were justifiable and that it intended to improve conditions. The Court gave its ruling only after the ceasefire, rejecting the petitions and accepting the explanations provided by the army.<sup>27</sup>

As it became clearer that there was no hope of changing Israeli policies during the attack, or of bringing it to an end, many organisations came to a recognition that fact-finding projects and local and international advocacy for accountability were the only ways left open.

**Immediately after the ceasefire**, eleven Israeli human rights organizations contacted Attorney-General Manny Mazuz and demanded that an independent and impartial body be established to investigate the behavior of the army in the Gaza Strip, and that the investigation not be left within the military system. The organizations' request was rejected on the grounds that the Israeli army has the appropriate tools to examine the various suspected violations of international law. A second appeal to the Attorney General on 19 March 2009 with a request that he review this decision has still not received a reply.<sup>28</sup>

<sup>25</sup>For this and further details on the Or Commission of Inquiry see [http://www.adalah.org/eng/pressreleases/pr.php?file=08\\_01\\_29](http://www.adalah.org/eng/pressreleases/pr.php?file=08_01_29), <http://www.adalah.org/eng/commission.php>, for a summary of the Or Commission's report see <http://www.adalah.org/features/commission/orreport-en.pdf>.

<sup>26</sup> *Physicians for Human Rights and others v. Prime Minister of Israel and others*, HCJ 201/09 and *Gisha: Legal Centre for Freedom of Movement and others v. Minister of Defence*, HCJ 248/09.

<sup>27</sup>[http://www.adalah.org/eng/pressreleases/pr.php?file=09\\_01\\_19\\_1](http://www.adalah.org/eng/pressreleases/pr.php?file=09_01_19_1)

<sup>28</sup> <http://www.acri.org.il/pdf/gaza190309.pdf>



**Following the attacks**, numerous international, Palestinian and Israeli organisations embarked on their own investigations of the events and published them widely. The materials were then submitted to the Goldstone Commission.<sup>29</sup>

The Israeli army and Ministry of Defense have repeatedly delegitimized testimonies by Israeli civil society that diverge from its public relations line. Most recently this occurred following publication in June of a report by the organization Breaking the Silence, which published the testimonies of about 30 soldiers regarding the events in Gaza.<sup>30</sup> Rather than addressing the substance of the claims, the army dismissed the publication by claiming that these soldiers belong to a political body active against the army, and therefore their testimonies do not deserve a response. Moreover, the Israeli foreign ministry protested to three European governments who had funded the organization (Spain, Holland and the UK).<sup>31</sup>

### International efforts (UN, ICRC)

**During the attacks** several international institutions published information and concerns regarding violations of human rights during the attacks. Most prominent was an ICRC news release in which Gaza-based officials expressed shock at the condition in which they found civilians and wounded people in a particular part of Gaza, after their evacuation had been prevented for more than a week.<sup>32</sup>

**Following the attacks**, various bodies were requested by the UN to report on some or all of the allegations, including a UN Board of Inquiry mandated by the Secretary General,<sup>33</sup> the UN High Commissioner for Human Rights,<sup>34</sup> the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,<sup>35</sup> and finally the team mandated by the Human Rights Council and headed by Richard Goldstone. The ICRC also held a comprehensive investigation into IHL violations by both parties to the conflict, but its conclusions were neither made public nor made available to the UN. They were submitted only to the Israeli and Hamas administrations.<sup>36</sup>

All the reports published so far on behalf of the UN have found some basis for the claims of IHL violations. The OHCHR found "significant prima facie evidence of serious violations of

<sup>29</sup> A list of materials produced by Israeli NGOs since the offensive and submitted to the Goldstone mission is available upon request.

<sup>30</sup> [http://www.shovrimshatika.org/oferet/ENGLISH\\_oferet.pdf](http://www.shovrimshatika.org/oferet/ENGLISH_oferet.pdf)

<sup>31</sup> See e.g. <http://www.haaretz.com/hasen/spages/1104513.html>

<sup>32</sup> 09/04, "Gaza: ICRC demands urgent access to wounded as Israeli army fails to assist wounded Palestinians"; 8 January 2009. ICRC, news release 09/05, "Gaza: life-saving ambulances must be given unrestricted access to the wounded", 8 January 2009.

<sup>33</sup> Summary by the Secretary-General of the report of the United Nations Headquarters Board of Inquiry into certain incidents in the Gaza Strip between 27 December 2008 and 19 January 2009 (A/63/855-S/2009/250)

<sup>34</sup> [http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A%20HRC%2012%2037\\_AEV.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A%20HRC%2012%2037_AEV.pdf)

<sup>35</sup> A/HRC/10/20, 17 March 2009, "Human rights situation in Palestine and other occupied Arab territories; Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967."

<sup>36</sup> Unofficial meeting held by ICRC at their Tel Aviv office with Israeli human rights organizations, February 2009.



international humanitarian law having been committed by the Israeli forces and Palestinian militants", and recommended the following:

**"All allegations of violations of international humanitarian law and human rights violations during the Gaza military operations must be investigated by credible, independent and transparent accountability mechanisms, taking fully into account international standards on due process of law. Equally crucial is upholding the right of victims to reparation. All parties concerned, as well as States and the international community as a whole, should render full support and cooperation to all such accountability efforts. The High Commissioner stresses in particular the need for full cooperation with and support to the ongoing work of the independent fact-finding mission mandated by the Human Rights Council and headed by Justice Richard Goldstone..."<sup>37</sup>**

### **Conclusion and recommendations**

The Goldstone report and its recommendations are yet to be published and for this reason it is difficult to relate to their content. The coalition therefore makes the following recommendations in a tentative manner.

**This coalition urges the EU to encourage Israel and the Palestinians to establish impartial and independent local investigations and justice mechanisms for the Gaza offensive. However, due to Israel's past record of impunity when holding investigations into its own violations, it is necessary that independent international bodies be asked to observe these processes, in order to ensure their transparency and proper enforcement and their conformity with principles of International Humanitarian Law.**

**The coalition therefore recommends that the EU**

- 1. Call upon both Israelis and Palestinians to hold independent, impartial and transparent investigations locally; to prosecute, in accordance with due process standards and independent and transparent local justice mechanisms, those responsible for law of war violations; and to compensate the victims.**
- 2. Support, and work for the creation of, a dedicated international mechanism to support, monitor and report on the parties' efforts to conduct thorough, impartial and credible investigation into allegations of such law of war violations and to prosecute those responsible.**
- 3. If the parties to the conflict fail in their obligation to investigate and prosecute laws of war violations, to support the establishment of international justice mechanisms that will ensure the above process of accountability.**

○ 28 August 2009

<sup>37</sup>[http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A%20HRC%2012%2037\\_AEV.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A%20HRC%2012%2037_AEV.pdf)



**B'TSELEM:** The Israeli Information Center for Human Rights in the Occupied Territories is the leading Israeli organization monitoring, documenting and advocating to improve human rights in the West Bank and Gaza Strip. Founded in 1989, B'Tselem publishes reports, engages in advocacy and serves as a resource center.

**HaMoked:** Center for the Defence of the Individual is an Israeli human rights organization whose main objective is to assist and represent Palestinians of the Occupied Territories whose rights are violated due to Israel's policies. Its activities include casework, litigation, advocacy and reporting.

**Physicians for Human Rights-Israel (PHR-Israel)** struggles for the right to health of all people under Israeli control, including Palestinians in the OPT, prisoners and detainees, residents of unrecognized villages in Israel, refugees and migrant workers, and Israeli residents. Activities include medical assistance, casework, legal action, advocacy, public outreach and education.

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