

ISRAEL: WILL THE STATE BE EXONERATED FROM ITS RESPONSIBILITY?

The Association Ha Moked, our partner, and a number of other Israeli Human Rights organisations, have formed a coalition to fight against a law prepared by the Ministers of Justice, of the Police, and... of Finance!

The issue is to exonerate the state of Israel of all responsibility for the consequences of violent acts committed by security-forces between December 9th 1987 and December 13th 1993, which is to say: from the beginning of the Intifada till the Oslo-agreement.

During this period of time, cf. the ministers who are drafting this bill, 1.000 Palestinians were killed and 18.000 injured. According to the dispositions of Israeli legislation and to the jurisprudence of the Supreme Court, most of those, or their beneficiaries, may lay claim to a compensation. In actual fact, 4.700 complaints have already been lodged... and the movement is increasing this year -Ha Moked has a part in this- so it is to avoid laying out important sums of money, that the Israeli government wants to legislate.

This law would lead to a further violation of the victims' rights: In Israel like elsewhere, they have a right to claim a just compensation in case they have been submitted to the use of force, either unjust or out of proportion. Of course, in this event, the State of Israel would avoid having to face the proof, by its law-courts, of a "customarily excessive" use of public force against the Palestinians. The intended retroactivity of this law is another shocking aspect.

On July 25', the law was put through parliament and approved, but has still to be examined by the special commissions of the National Assembly, and amendments are not impossible.

Agir Ensemble pour les Droits de l'Homme, in a letter to the Prime Minister, joining our Israeli partners, has underscored that the State should not be able to release itself from its obligation to protect the lives, physical integrity and rights to property of persons within its jurisdiction.

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