



Honorable Judge Fernando Andeu Merelles  
Magistrate Judge of the Central Court of Criminal Proceedings  
no. 4 of the Audiencia Nacional  
Madrid

Re: Request of Judicial Assistance

In response to the International Request of Judicial Assistance of Honorable Judge Fernando Andeu Merelles, dated September 3, 2008, relating to Preliminary Proceeding 157/08 (hereinafter: "**the Request**") seeking information relating to legal proceedings pending in Israel pertaining to the death of Hamas terrorist leader Salah Shehadah in 2002, we would like to provide the following information. The complaint involves military actions undertaken by Israel in order to protect its citizens against widespread acts of terror by the Hamas terrorist group.

In Israel there are independent mechanisms and various legal procedures which closely review and scrutinize the actions of the Government, including the actions of the **Israel Defense Forces** (hereinafter: "**the IDF**"). The documents attached to this letter are hereby provided as part of the amicable relations between Israel and Spain and as a matter of courtesy and not pursuant to a legal obligation.

Israel's legal and judicial apparatus is fully equipped to address complaints which allege violations of national laws and the International Law by its officials. As indicated previously to the Spanish authorities, the events at issue in the complaint filed in Spain are the subject of independent and impartial proceedings before Israeli investigative, administrative and judicial authorities, including Israel's highest judicial instance, the Israeli Supreme Court. These proceedings are designed to review the question of whether criminal proceedings are appropriate in the present case and whether the Shehadah incident involved any violation of Israeli or international law on

the part of the IDF. The proceedings began long before the filing of the Spanish complaint, and are conducted independently of it.

Under these circumstances, and in the interests of comity, we would aver that it would be clearly inappropriate to allow the action to proceed or remain standing in Spain, which lacks traditional jurisdictional links to the case. Admission of the complaint would infringe upon Israeli sovereignty and due process and conflict with the well-established principle of subsidiarity, which requires that the territorial state be given the first opportunity to investigate and, if necessary, prosecute as well as the principle of complementarity that another State may only consider the exercise of jurisdiction where the territorial state is unable or unwilling to investigate the matter in good faith. Admission of the complaint would also undermine the legitimate use of the principle of universality as this principle clearly was not established for a case such as this.

#### ***Mechanisms of Review under Israeli Law***

In order to understand the attached documents and their significance, it is crucial to understand the overall security context and ongoing terrorist threats facing Israel for years, particularly in view of the modus operandi of the terrorist organizations which direct their attacks against Israel's civilian population, from within densely populated areas without distinction from the civilian population. Due to the broad and continuing nature of this warfare, the IDF and the Israeli legal apparatus have developed and diligently apply procedures and mechanisms to assure their compliance with Israeli law and with the rules and standards of International Law. These review mechanisms include *inter alia*, education and training of IDF commanders and soldiers in the rules of the International Humanitarian Law. In addition, comprehensive legal review is generally provided both at the initial stage of military planning, as well as "in real time" during military operations. Furthermore, legal enforcement over conduct of IDF personnel is carried out by the IDF Military Prosecution which reviews all incidents where it is suspected, claimed or believed that a violation of these rules and standards may have been committed by Israeli personnel. These review and enforcement mechanisms which are conducted by the Israeli Defense Forces are also subject to further review by the Attorney-General, and by Israeli courts, including Israel's Supreme Court.

*IDF Review Mechanisms:* The review mechanisms applied by the IDF include a procedure by which any reports of injury or death to innocent civilians **must** be transmitted to the IDF Chief of Staff and to the Military Advocate General within 48 hours. A field investigation will take place following any such incident. This is an internal review by the Army to determine the facts and circumstances of what actually happened. Within 21 days of the incident, the findings of the military investigation must be transferred to the Military Advocate General. The Military Advocate General, after examining the Investigation Report, if the facts indicate a reasonable suspicion that an offence may have been committed is authorized to order a criminal investigation of the incident. It should be noted, however, that the Military Advocate General is not required to wait for the results of the formal military investigation report before ordering a criminal investigation and in many cases he (or one of his delegated subordinates) can order an immediate criminal investigation. Such criminal investigation is carried out by the Military Investigative Police.

*Review by the Attorney-General:* While the Military Advocate General is the primary investigating authority for alleged violations committed by members of the Israel Defense Forces, the Attorney General, in particular cases and in accordance with the exercise of his discretion, may review decisions made by the Military Advocate General in order to determine whether there are grounds that justify legal action. As a general rule, the Attorney General will not interfere with the exercise of the Military Advocate General's discretion, intervening only in those decisions that are seen by the Attorney General as deviating from accepted legal norms or as not being founded on reasonableness and good faith.

*The Supreme Court Review:* Under Israeli's law and constitutional structure, Israel's Supreme Court sits as the highest administrative court which reviews complaints and petitions concerning the actions of Israeli government bodies. When it sits in this capacity it is denominated as the High Court of Justice. Section 15(d)(2) to the Israeli Judicial Courts Law [Consolidated Version] 5744-1984 provides the High Court of Justice is competent:

"to order State and local authorities and the officials and bodies thereof, and other persons carrying out public functions under law, to do or to refrain from doing any act in the lawful exercise of their functions or, if they were improperly elected or appointed, to refrain from acting."

Non-Governmental Organizations and any person, *including those who are neither Israeli citizens nor residents*, who are *affected or potentially affected* by the actions of the State of Israel, are entitled to directly petition the Supreme Court, sitting as the High Court of Justice, directly on any claim that a government action is *ultra vires*, unlawful or allegedly unreasonable, including, *inter alia*, actions relating to the Israel Defence Forces. Consequently, petitions are brought on a regular basis by Palestinian residents or persons representing their interests claiming that actions taken by the Israeli security forces, including activities in the West Bank and the Gaza Strip violate international law. The Supreme Court rules as a matter of routine on such petitions, and when justified, issues injunctions against the Government, or other relief as appropriate.

In a long line of judgments the Supreme Court has interpreted the scope of its judicial review as the High Court of Justice to fully apply to actions by the IDF, including activities in the West Bank and the Gaza Strip.

Sitting as the High Court of Justice, the Supreme Court can review the determinations of Government (including army) legal officials, such as the Military Advocate General, or even the Attorney General of the State of Israel, and where the determinations of these officials are found unwarranted or unreasonable, they may be nullified by the Supreme Court. Thus, in determining whether or not to initiate a criminal investigation or proceeding, the Military Advocate General's decisions are subject to review by the Attorney General and, ultimately, to review by the Israeli Supreme Court, sitting as the High Court of Justice. Indeed, Israel's Supreme Court has earned world-wide recognition for its jurisprudence, as well as for actions it has taken in this regard.

***Legal Proceedings in Israel Regarding the Shehadah Incident:*** Legal Proceedings in the Shehadah case reflect the expansive scope of the review of actions of the Executive Branch in Israel, including actions of the IDF.

***Review By the Military Advocate General and the Attorney General:*** The Shehadah incident addressed in the Spanish complaint was subject not only to a military investigation that was reviewed by the Military Advocate General; it was also subjected to an inquiry by the Attorney-General following complaints that were submitted directly to him. These legal authorities determined that this case, though it led to tragic loss of civilian lives, did not warrant a criminal investigation into the actions of Israeli officials, as it involved an attack against a lawful target, with due consideration to the principles of the laws of armed conflict, namely the principles of distinction and proportionality.

***Judicial Review by Israel's Supreme Court:*** Several petitions have been filed to Israel's Supreme Court regarding Israel's targeting of terrorists. In the case of *HCI 769/02 Public Commission against Torture v. the State of Israel et al*, filed in January 2002, the Supreme Court, sitting as the High Court of Justice subjected to judicial review the legality of the government's targeting of terrorists. (hereinafter: "**the targeting of terrorists case**"). Copies of the case's main documents are annexed hereto as **Exhibits A-A2**). The Shehadah incident was also subject to extensive judicial review by the Supreme Court in the case of *HCI\_8794/03 Yoav Hess et. al. v. Chief Military Prosecutor et. Al*. filed on September 30, 2003 (hereinafter: "**the Shehadah case**"). Copies of the case's main documents are annexed hereto as **Exhibits B-B11**).

### **The Targeting of Terrorists Case**

The Supreme Court issued a ruling in the **targeting of terrorists** case on December 14, 2006 (Annexed hereto as **Exhibit A**) which held that the legality of the government's targeting of terrorists is subject to judicial review. After lengthy in-depth review, the Court held it is not possible to declare that the policy of preventative strikes, which may involve the death of terrorists and at times innocent civilians, is always permissible or that it is always forbidden. Therefore the *legality of every incident* should be examined in accordance with parameters established by the Court which it formulated in accordance with international customary law and the law of armed conflict. The Supreme Court further held that if the preventative strike causes

the death of innocent bystanders, it should be subject to objective *ex-post* review by an objective examination committee. The Supreme Court further stated:

"After the (*ex post*) review, in the appropriate cases, judicial review of the decisions of the objective examination committee should be allowed. This will ensure its proper functioning." (*See: Targeting of terrorists case, Exhibit A, paragraph 54*)."

The Supreme Court further held that:

"That investigation must be independent (*citations omitted*). In appropriate cases it is appropriate to pay compensation as a result of the harm caused to an innocent civilian (*citations omitted*). Last, if the harm is not only to a civilian directly participating in the hostilities, rather also to innocent civilians nearby, the harm to them is collateral damage. That damage must withstand the proportionality test. (*See, Targeting of terrorists case, Exhibit A, paragraph 40*)."

Accordingly, the Supreme Court definitively held that the targeted killing of individuals who are actively partake in hostilities is legal under both national and international law when carried out within the parameters established by the Court.

### **The Shehadah Case**

In the Shehadah case petitioners, a non-governmental organization "Yesh Gvul", submitted to the Supreme Court a complaint against Israel's Military Advocate General, the Attorney General of the State of Israel, the Commander of the Air Force (Gen. Dan Halutz), Chief of Staff (Moshe Yaa'lon); the Minister of Defense (Benjamin Ben Eliezer) and the Prime Minister of Israel (Ariel Sharon). It should be noted that most of the Government and IDF respondents in the Supreme Court petition in Israel are the same individuals who are named as respondents in the Spanish complaint. After lengthy proceedings which will be described herein, recently, on December 23, 2008, Israel's Supreme Court issued its ruling in the Shehadah case (hereinafter: "**the Shehadah decision**"). A copy of the decision is annexed hereto as **Exhibit B**. We have also included an unofficial Spanish translation of the decision, annexed hereto as **Exhibit B1**).

Petitioners in the Shehadah case requested that the Court nullify the decisions of respondents the Military Advocate General and Attorney General of Israel not to initiate criminal proceedings with regard to the planning and execution of the preventative strike of Hamas terrorist leader Shehadah. Petitioners requested that Court

direct that a criminal investigation be opened to determine whether crimes were committed in the planning and execution of the operation. Petitioners claimed that the failure to initiate a criminal investigation reflects selective enforcement of the law, corruption and wanton disregard for human life. (The petition is annexed hereto as **Exhibit B2**, *See* para. 2).

In its response to the petition, the Government stated that the tragic result of the preventative strike occurred under the difficult circumstances of fighting terrorism in hostile territory. Shehadah was a high- ranking Hamas leader and was one of the founders of Hamas' military wing. Shehadah was responsible for many terrorist attacks against Israeli civilians and was planning additional terrorist attacks against civilians in Israel. The Government decided to initiate a preventative strike operation after it became clear that the arrest of Shehadah was not possible and after a full in-depth review with regard to the proportionality of the planned operation and its military necessity. The officials planning the operation gave thorough and due consideration of the possibility of loss of human lives. The tragic result was due to erroneous intelligence information that was available to the decision makers. Upon review of the incident, and factors considered by them, the Military Advocate General and the Attorney General concluded that there was no basis on which to suspect criminal behaviour. (*See: Response of the Office of the State Attorney to the Petition*, annexed hereto as **Exhibit B3** and paragraph 3 of the Shehadah decision, **Exhibit B**).

On March 22, 2004 Israel's Supreme Court, sitting as a High Court of Justice, stayed the proceedings in the Shehadah case pending the Supreme Court ruling in the targeting of terrorists case. After ruling on the targeting of terrorists case on December 14, 2006, Israel's Supreme Court ordered the resumption of the Shehadah case on January 2, 2007 (The decisions are annexed hereto as **Exhibits B4** and **B6**, respectively).

The Supreme Court in a hearing held on June 17, 2007 examined the affect of its decision in the targeting of terrorists case on the Shehadah incident. The government stated that its actions in the Shehadah matter were in accordance with the guidelines established by the Supreme Court in the targeting of terrorists case, and that the tragic

loss of civilian's lives was due to the IDF's reliance on intelligence information in real time, which was later found to be erroneous (*See*: Para. 25 to the **Supplementary Notice of the Office of the State Attorney**, annexed hereto as **Exhibit B7**). The High Court of Justice ordered the State to notify the Court whether it would be willing to form an objective committee that would examine the circumstances by which innocent civilians were harmed during the Shehadah incident, in the spirit of the guidelines and principles established by the Court in its targeting of terrorists decision. The Court noted that although the guidelines established by the Court in that ruling do not require a retroactive examination of a pre-emptive strike which occurred prior to the decision, the exceptional and special circumstances of this case merits such an examination of this incident. (*See*: Court decision, annexed and marked as **Exhibit B8** and the Shehadah decision, **Exhibit B**, paragraph 8). The State consented to form such an independent investigatory commission and that the Commission would be appointed by the authorized Government authority. The petitioners notified the Court that they would accept the formation of such a commission to investigate the Shehadah incident. (For a chronology of the legal proceedings, *See* **Exhibit B1**, paragraph 8 of the Shehadah decision).

The Prime Minister of the State of Israel appointed a Special Investigatory Commission (hereinafter: "**the Shehadah Investigatory Commission**"), appointed its members and established its investigative authority (*See*, **Notice of the Office of the State Attorney**, annexed hereto as **Exhibit B9**; and **Exhibit B**, the Shehadah decision, para. 10). The petitioners stated that though the appointment of the Shehadah Investigatory Commission was satisfactory to them, they objected to the commission's composition claiming that it was not sufficiently objective. They requested to return to the relief sought in their original petition and that the Court order the State to open a criminal investigation (*See* **Exhibit B11** and the Shehadah decision, **Exhibit B**, para. 10).

On December 23, 2008 the Supreme Court issued a decision dismissing the petition. The Court held that the petition has been exhausted and that Petitioners failed to meet their burden of proof as they did not demonstrate any defect in the exercise of the



discretion by the Military Advocate General and the Attorney General not to open a criminal investigation.

The Court in the Shehadah decision held that despite the fact that the Shehadeh incident did not meet the criteria set forth in the targeting of terrorists decision with regard to the establishment of an investigatory commission; the exceptional and difficult circumstance of the incident indicated that it should be subject to an investigation by an independent Commission in accordance with the principles set forth in the targeting of terrorists case. The examination by such a commission is the appropriate means to investigate this incident, and certainly under the circumstances of this case where there is no *prima facie* evidence which would justify initiating a criminal investigation. The Supreme Court held that the formation of the investigatory commission, its composition, and how it will function is left to the discretion of the executive authority, and that the Commission was formed in accordance with such authority. The Supreme Court did not find any defect which justifies the intervention of the Supreme Court in the broad discretion of the Government in this regard (*See: Exhibit B*, paragraph 11 of the Shehadeh decision).

With regard to the composition of the Shehadah Commission, the Court noted that the manner in which the executive authority exercises its discretion *is* subject to judicial review by the Supreme Court. After review of the facts, the Court found that petitioners failed to demonstrate a defect in the composition of the committee which would justify the Court's intervention to change the composition of the committee. The Court held that the Shehadah Investigatory Commission is comprised of individuals who have military and related legal experience, and that Petitioners' dissatisfaction and lack of faith in the Shehadah Commission is not supported by the facts and does not justify the Court's intervention, particularly at this early stage, before the Commission has completed its work and before its conclusions have been received. (*See Exhibit B*, paragraph 12 of the Shehadah decision). The Court concluded that there is no need to revert back to the original relief requested by the petitioners before the decision on the targeting of terrorists case was issued, and that there is no justification to disband the Shehadah Commission which was established to investigate and is investigating the Shehadah incident.

*The Shehadah Investigatory Commission:* The Shehadah Investigatory is currently investigating the Shehadah incident. In this context it should be noted that the Supreme Court has held in the targeting of terrorists case that the decisions of the investigatory Commission, in appropriate cases, are subject to judicial review. Therefore, in the event that the petitioners are dissatisfied with the findings of the Commission, they may file a petition to Israel's Supreme Court.

National proceedings in this matter are pending in the form of the Shehadah Investigatory Commission's findings and with regard to the availability of further legal proceedings in Israel.

*Civil Proceedings in Israel Regarding the Shehadah Incident:* In Israel, redress with respect to military operations of the IDF in the West Bank and Gaza Strip may also be sought through the civil courts. Palestinians who allege they were harmed by Israeli military action can and do seek compensation in Israeli civil courts. Moreover, in the Shehadah matter all of the complainants who filed the complaint in Spain had previously filed civil proceedings in Israel regarding the same incident.

*C.C. 7606/03 Mattar et. al. vs. The State of Israel et. al:* On December 18, 2003 twelve members of the Mattar family filed a civil law suit in Kfar Saba Magistrate's Court against the Government of Israel, the Minister of Defense, the Chief of Staff and the Commander of the Israeli Air Force<sup>1</sup> (See **Exhibit C**). The plaintiffs claimed that as a result of the action of the IDF in the targeting of terrorist Shahadah, members of their family were killed and they incurred bodily and property damage. The State, in its response argued that, as the claim arose from a military action in the course of an armed conflict, the case should be dismissed on the legal doctrines of Act of State and justiciability (See: **Exhibit C2**) The Court stayed the civil case, pending the ruling of

---

<sup>1</sup> Mr. Raed Mohamed Ibrahim Mattar, the third plaintiff in the above-referenced civil case, is the first complainant in the Spanish Complaint; Mr. Mohamed Ibrahim Mohamed Mattar, the first plaintiff in the above-referenced civil case, is the second complainant in Spain; Mr. Rami Mohamed Ibrahim Mattar, the fourth plaintiff in the above referenced civil case is the third complainant of the complaint in Spain. Plaintiffs 5-12 are the children of the first and second plaintiff in the above referenced civil case. After the filing of the complaint, petitioners consented to dismiss the individually named defendants and replace them with the State of Israel.

Israel's Supreme Court on the targeting of terrorists, Shehadah and the Adalah<sup>2</sup> cases (HCJ 8276/05; HCJ 8338/05; HCJ 11426/05 *Adalah et. al. v. the Minister of Defence et. al. annexed and marked as Exhibit D*) finding that the decisions of these cases may have ramifications on the civil case (See: **Exhibit C3**)

*Request to Amend Complaint to the Kfar Saba Magistrates' Court:* on September 1, 2004 the plaintiffs filed a motion to the Court requesting permission to amend the complaint to add an additional 188 individuals, who alleged that they also incurred property and/or bodily harm as a result of the blast in the Shahadeh incident, among them, Kahlil Khader Mohamed Al Saedi, Mahmoud Sobhi Mohamed El Houweit and Manhassen Ali Hassan Al Sahwa, plaintiffs 4-6 of the Spanish complaint.<sup>3</sup> (See: **Exhibit C4**) The Court denied the plaintiff motion to amend the complaint ruling that the plaintiffs did not meet the procedural requirements of Israeli law for the filing of such a motion. The Court also specifically stated that its denial of the motion to join the 188 plaintiffs to the instant case did not and does not prevent the plaintiffs from filing individual complaints to the Court. To date, the plaintiffs did not re-file their claims. (See **Exhibit C6**, paragraphs 9-14).

*T.A.4445/04 et al Alsaedi et. al vs. the State of Israel (Hadera Magistrate's Court):* In August 2004, Khalil Khader Mohamed Al Saedi, the fourth plaintiff in the Spanish case and 23 other plaintiffs filed individual civil complaints in Hadera's Magistrates Court against the State of Israel alleged that they incurred bodily harm as a result of the Shadeh incident (See: **Exhibit E**) The 24 claims were united by the Court in the Alsaedi case. In February 2006, the plaintiffs' attorney requested that the Court dismiss the complaints without prejudice stating that he was unable to proceed as he was not in contact with the plaintiffs and as he received the case from an attorney in Gaza who did not remain in contact with him, and he could not contact them. (See **Exhibit E1**, Paragraph 2) The Court dismissed the case without prejudice (See: **Exhibit E2**).

---

<sup>2</sup> HCJ 8276/05; HCJ 8338/05; HCJ 11426/05 *Adalah et. al. v. the Minister of Defence et. al. (annexed and marked as Exhibit D)*.

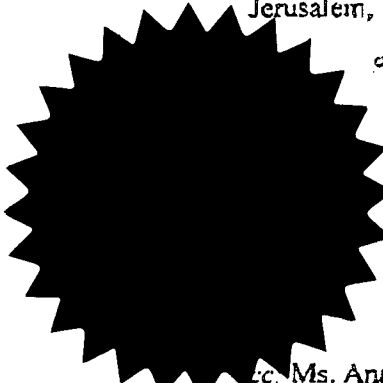
<sup>3</sup> Mahmoud Sobhi Mohamed El Houweit is plaintiff Number 1; Mr. Khalil Khader Mohamed Al Seadi is plaintiff Number 28; Muhamad Mahassen Ali Hassan Al Shawa is plaintiff Number 157)


*Right of Redress to Civil Courts in Israel:* As has been clearly demonstrated in the above-referenced proceedings, Palestinian residents may file civil claims directly to Israeli civil courts, for damages allegedly incurred as a result of actions of the IDF in the West Bank and Gaza Strip. Israeli Courts have issued decisions awarding such damages, and there are numerous cases currently pending regarding claims filed by residents of the Gaza Strip and the West Bank in which damages are sought for loss of life, personal injury and property damage allegedly incurred as a result of IDF actions in these areas.

However, in the context of these types of civil claims, which often address military actions taken by IDF against terrorist Palestinian organizations in the course of an armed conflict, the State may raise well-established legal defences which are recognized in national and international law. In cases where the Court has held that such legal defences are not viable, as has occurred on numerous occasions, plaintiffs have been awarded civil damages. Therefore, petitioners' statement that there is no redress to civil courts in Israel is incorrect, as such redress is not only available, petitioners have already filed such cases in Israel and these cases are currently pending in Israel.

We would like to point out that the complaint filed in Spain states that the claims filed in Israel have no chance of success as a recent amendment to the Israeli law bars the filing of such claim. The amendment, to the extent that it barred access to Israeli courts for specific type of claim was invalidated by Israel's Supreme Court in 2006 (See: Exhibit D)

Jerusalem, 4 day of Shvat 5769  
29 day of January 2009



  
Gal Levartov  
Director  
Department of International Affairs  
Office of the State Attorney  
State of Israel

cc. Ms. Ana Gallego, Director De Cooperacion Juridica Internacional, Ministry Of Justice, Spain



## **Exhibit List**

### ***The targeting of terrorists case***

- A. HCJ\_769/02 *Public Commission against Torture v. the State of Israel et al* -  
Court Decision (December 14, 2006) – English
- A1. HCJ\_769/02 *Public Commission against Torture v. the State of Israel et al* -  
The State Attorney's Response – English
- A2. HCJ\_769/ *Public Commission against Torture v. the State of Israel et al* -  
Complementary Statement by the Respondents – English

### ***The Shehadah case***

- B. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – The  
Court Decision (December 23, 2008) – Hebrew
- B1. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – The  
Court Decision (December 23, 2008) - Spanish
- B2. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – The  
Petition – Hebrew
- B3. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – The  
Response of the Office of the State Attorney to the Petition – Hebrew
- B4. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – Court  
Decision (March 22, 2004) - Hebrew
- B5. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* -
- B6. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – Court  
Decision (January 1, 2007) - Hebrew
- B7. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* -  
Supplementary Notice of the Office of the State Attorney – Hebrew
- B8. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – Court  
Decision (June 17, 2006) – Hebrew

- B9. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* - Notice of the Office of the State Attorney (February 4, 2008) – Hebrew
- B10. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – Court Decision (February 5, 2008) – Hebrew
- B11. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* –The Petitioners Response to the Notice of the Office of the State Attorney from February 4, 2008 – Hebrew
- B12. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – Court Decision (February 21, 2008) – Hebrew
- B13. HCJ\_8794/03 *Yoav Hess et. al. v. Chief Military Prosecutor et. Al* – The office of the State Attorney's response to the notice of the petitioners - Hebrew

### ***Civil Procedures***

- C. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* – Statement of Claim – English
- C1. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* – A Request for an outright dismissal or rejection of the claim And an extension for preparation of the statement of defense – English
- C2. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* - statement of defense – Hebrew
- C3. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* - Court Decision (January 31, 2007)
- C4. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* – An Application to Amend the Statement of Claim – English
- C5. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* - The office of the State Attorney's response to the application to amend the Statement of Claim – Hebrew.
- C6. C.C. 7606/03 *Mattar et. al. vs. The State of Israel et. Al* – Court Decision (December 29, 2005) – Hebrew
- D. HCJ 8276/05; HCJ 8338/05; HCJ 11426/05 *Adalah et. al. v. the Minister of Defence et. al.* - Hebrew

E. *T.A.4445/04 et al Alsaedi et. al vs. the State of Israel (Hadera Magistrate's Court)* - statement of claim – Hebrew

E1. *T.A.4445/04 et al Alsaedi et. al vs. the State of Israel (Hadera Magistrate's Court)* – A request to erase the statement of claim – Hebrew.

E2. *T.A.4445/04 et al Alsaedi et. al vs. the State of Israel (Hadera Magistrate's Court)* – Court Decision (February 16, 2006).