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A statement issued by the: INTERNATIONAL COALITION AGAINST WAR CRIMINALS

ISRAEL IS COMMITTING A NEW – COOL WAR CRIME THROUGH DISTRIBUTING THE SPOILS OF THE WAR OF 1948.

The Israeli Knesset approved on Monday, 3 / 8 / 2009 on a new law allowing the privatization of large-scale to what is known as "state land" Which can permit to the "Israeli national fund" to purchase the lands of the Palestinian refugees and then sell them to the Jews only. Under the new law passed by a large majority, "Israel Lands Administration" will sell tens of thousands of acres to the Israeli National Fund, which will sell, lease and invest the lands of the Palestinian refugees, which may not dispose of the State of Israel.

By a Careful study of the new law in the light of the customary international law and the Rome Statute of the International Criminal Court and the Geneva Conventions and Protocol I thereto, this law is classified as a war crime. It is the organizers of the proposal and the legislation and implementation that should bear the responsibility of all the legal consequences of the looting of property protected under the international law. This is mainly based by the international coalition against war criminals in its assessment as follows:

- The principles of the international laws of war are applied to the war in 1948 between the Arab countries and Israel, , and where the Palestinian refugees issue was a natural outgrowth of this war, it can not in any way the exception of the Arab-Israeli conflict out of the international humanitarian law.

Israel has previously refused to implement the decisions of the international legitimacy and the most important decision (194) of the General assembly of the United nations in December 1948, resolution 302 on 8 December 1950 and resolution 512 on January 26 which all support the right of Palestinian refugees to return to their lands and villages or accept compensation if they wanted it. On this basis, the Absentee Property Service was established in the State of Israel, which has been acting in specific governmental limits of the land without the prejudice to the individual property. While it is recognized by the Department of Investigation in the coalition to some past abuses, in particular, the raised bids in 2007, where 96 of them were offered to sell the property of the Palestinian Refugees. In the year 2008, 106 were raised while in early 2009 80 bids were offered for the sale of property belonging to Palestinian refugees. Hence, the coalition stresses that it is not entitled to the dispose of the State of Israel where all these rights refer to individuals who have documented ownerships in accordance with Land Registry by Ottoman and British authorities.

- The Experts in the international coalition against war criminals recognize that Israel has tried several times to appropriate the property of the Palestinian refugees through the enactment of national laws that are contrary to the international law, the most important among these laws are:
 - The law of absentees' abandoned property which was issued in 1950, and was provided for putting Arab properties under guard, and gave the right to the custodian of the disposition of such property, but on a small scale.
 - Land Acquisition law, which was issued in 1952 and has given the Israeli government an authority of the seizure of the property of the refugees on the pretext of using these properties for the purposes of reconstruction and development and economic affairs or for reasons relating to the promotion of public security.
 - the law of conduct, issued in 1953, and gave the Minister of Finance of Israel the power to issue a decision on the seizure of some property of the refugees and registered property of the state on behalf of (the reconstruction and development administration).
 - statute of interval period, which was issued in 1957 and stipulated for the property that the person was capable of acting in his land through planting or investing since (25) years, coinciding at the same time with preventing refugees from reaching their property and dispose of.
 - some other laws that were expropriating property for military and security reasons or for the imperatives of development.

But despite all of the above it was not case of a complete appropriating as is the case with the new law which seizes on the overall of the Palestinian Refugees' Property and turning it into a war booty and enables Israel to sell in the first phase of which 4% of the total land and property worth about 350 billion U.S. dollars, and gives the process chance to develop later as a plundering of the entire property of the refugees.

- The coalition considers the seriousness of this case and believes that the Israeli step is a war crime and call for a systematic trial of all who participated in it. Here, the coalition shows the following:

The sale of property of absentee Palestinians and in anyway, is effectively a final confiscation of it from the hands of its owners. It also snatches the role of the entrusted in the property from Israel until finding a solution to the refugees' issue. This is contrary to Article 147 of the Fourth Geneva Convention which states that Extensive Appropriation of property in the occupied territories represents a gross violation of the Geneva Convention as stated in Article 147

Those Grave breaches to which the preceding article indicates are involving any of the following acts, if committed against persons or property protected by the Convention: willful killing, torture or inhuman treatment, , willfully causing great suffering or serious injury of the body or the health, unlawful deportation or transfer, unlawful confinement, compelling protected persons to serve in the armed forces of the enemy, or be deprived of their right to be tried lawfully and impartially according to the instructions contained in this Convention, taken as hostages and causing extensive destruction and appropriation of their property in a large scale by illegal and arbitrary ways and without being justified by military necessity .

Article 46 of the Regulations annexed to the Treaty of Lahai → concerning the Laws of the land war in 1907 stated the need to respect the right of private property, which expressly prohibits the confiscation of private property.

(The respect of the family's honor and rights, the lives of persons and private property, as well as the beliefs and religious rites. the confiscation of private property is prohibited)

Persons who are responsible for the new law are guilty of looting property in accordance with the international law (plunder), and any pretext made by Israel in the looting of the protected property is a mere reliance on the laws of war in the first epochs of the human history, and this contrasts absolutely with the Regulations of Lahai and with the international law and the laws of war and the humanistic law which all dropped the name of what is known as "war booty" where the only explanation that applies to the act of Israel is a crime of pillaging.

The international coalition against war criminals reminds of what had been mentioned in the file X of the Nuremberg Tribunal Where it addressed at first the processes of confiscating of property after the end of fighting in World War II. The court held that the forfeiture constitutes a violation of Article 46 of the lahai Regulations, which prohibit, as mentioned, the confiscation of private property.

The court also decided the following:

(We conclude from the credible evidence before us that the confiscation of the Austin plant based upon German inspired anti-Jewish laws and its subsequent detention by Krupp firm was also a violation of Article 46 of the Hague Regulations which provides that private property must be respected: that the Krupp firm voluntarily and without duress participated in these violations by purchasing and removing the machinery and leasing the property of the Austin plan and in leasing the Paris property .)

Thus, Israel and decision makers in it are all engaged in the court's decision .

• since Israel has expelled the Palestinian refugees from their homes, and in accordance with the international law, it is obvious that a violation occurred by Israel to the procedure elements of war crimes that have been adopted by the Assembly of States Parties in the Rome Statute and by the International Criminal Court in its first session held in New York during the period from 3 to 10 September 2002, and in particular Article 7 (a) (d) relating to the deportation or forcible transfer of population, which constitutes a crime against humanity. Where these elements in the article represent the following:

- The perpetrator deport or forcibly transfer one or more persons to another State or location, by expulsion or other coercive acts for reasons not permitted under the international law.

- that the person or persons were lawfully present in the region who was/were deported from.

- The perpetrator was aware of the factual circumstances that established the lawfulness of such presence.
- This action was committed as part of a widespread or systematic attack directed against civilian populations.
 - The perpetrator knew that this action was a part of a widespread or systematic attack directed against civilian populations or intended the conduct to be a part of that attack.
- All those who participated in this law, are being charged with the violation of article 7 (a) (h): which is relating to the persecution which constitutes a crime against humanity according to the definition of the elements of crime according to what follows:
 - The perpetrator deprives one or more than one person through a severe deprivation of the fundamental rights while such deprivation is contrary to the international law.
 - The perpetrator targets such person or persons because they belong to a class or a specific group, or targets the group itself.
 - Such targeting is based on political, racial, national, ethnic, cultural, religious and related to gender as defined in paragraph 3 of Article 7 of the Statute, or any other grounds that are universally recognized as impermissible under the international law.
 - such targeting was committed in connection with any act referred to in paragraph 1 of Article 7 of the Statute or any crime within the jurisdiction of the Court.
- The international coalition sees that the new Israeli law is an attempt in a series of complementary Crimes of Apartheid against the indigenous peoples by separating them from their land, their families and their property, and a serious violation of article 7 (a) (j) which are related to and which constitutes a crime against humanity as defined by the elements of the crime as follows:

The perpetrator commits an inhumane crime against a person or more.

- The act of the crime is referred to in paragraph 1 of Article 7 of the basic Statute or any act which is similar to any of those acts.
- The perpetrator is aware of the factual circumstance that proves the nature of the act.
- The act is committed in the context of an institutionalized regime which is capable of oppressing and dominating by the systematic ethnic group against a group or other ethnic groups.
 - The perpetrator intends by that conduct to maintain the system.
- The conduct is committed as a part of a widespread or systematic attack directed against a civilian population.

- The perpetrator knows that this conduct is part of a widespread or systematic attack directed against a civilian population or intended to be a part of that attack.

- Coalition argues that those who are responsible for this law had been intentionally and knowingly broke through Article 8 (2) (a) '2 '2: which is related to the war crime and the inhuman treatment elements which can be summarized in the following:
 - The perpetrator inflicts a physical pain or mental pain or suffering upon one or more persons.
those persons are protected under one or more of the Geneva Conventions of 1949.

The perpetrator is aware of factual circumstances that proves that protected status.

- The conduct took place in the context of an international armed conflict and was associated with.

- The perpetrator is aware of factual circumstances that proves the existence of an armed conflict.

- The Coalition sees that anyone who participated in drafting or proposing or implementing the new law is required to be brought to justice on charges of violating Article 8 (2) (a) '4 ': through destructing and appropriating of property ,such war crime elements are embodied in the following:

- The perpetrator destroys or seizes certain property.

- This seizing not be justified by a military necessity.

- The destruction or appropriation is extensive and arbitrary.

- Such property is protected under one or more of the Geneva Conventions of 1949.

- The perpetrator is aware of the factual circumstances that proves that protected status.

- The conduct took place in the context of international armed conflict and was associated with.

- The perpetrator is aware of factual circumstances that proves the existence of an armed conflict.

The international coalition against war criminals considers that the new law put all contributors under the submission of international law in the future because of breaching Article 8 (2) (b) '8 'of elements the crime of war which posed that occupation by a State Judge, directly or indirectly, meant to transfer some civilian population from the territory it occupies, or the deportation or transfer of all the inhabitants to the occupied territory or some of them to or outside the corners of these lands, and such deeds are represented as the following:

- The perpetrator directly or indirectly, transfers some of the population into the territory it occupies; or transfer all the inhabitants of the occupied territory within the occupied lands or transfer some of them in these lands or beyond.
- The conduct took place in the context of international armed conflict and was associated with.
- The perpetrator is aware of the factual circumstances that proves the existence of an armed conflict.

The Coalition sees that every one shared in this conspiracy knowingly or kept silent from while he occupies an empowered influence, has actually violated and blatantly the elements of war crimes in particular articles 8 (2) (b) '9', Article 8 (2) (b) '13', Article 8 (2) (b) '14' which are concerned with the elements of the war crime that are related to depriving the nationals of the hostile party from their rights or claims, and this what the Israeli government actually did through enacting a law that bans the direction to the courts to claim one's right, as well as Article 8 (2) (b) '16' of the elements of the war crime of pillaging, these elements can be summarized as the following:

- The perpetrator appropriates certain property.
- The perpetrator intends to deprive the owner of the property and to appropriate it for private or personal use.
 - The appropriation is being done without the consent of the owner.
 - The conduct takes place in the context of the international armed conflict and is associated with.
 - The perpetrator was aware of the factual circumstances that proves the existence of an armed conflict.

As well as what had been mentioned of Article 8 (2) (e) '5' concerning the crime of looting of property of all elements, as well as Article 8 (2) (e) '8' related to the elements of the war crime of displacing civilians, and also Article 8 (2) (e) '12' to the crime of war and the destruction and seizing the enemy property, Here, we stress that each of those who behaved against these materials will be subjected to prosecution by the coalition and its organizational working groups.

The International Alliance against criminals, based on Resolution 194 issued on 11.12.1948, which provided for the return of the Palestinian refugees to the areas in which they were expelled in 1948, and on what had been added to the resolution in 1949

concerning the payment of compensation for the refugees or to return to their homeland, and with reference to the reports of the UN Security Council envoy during the period (1948-1949) Ralph Bunche, and investigation reports by the representatives of the United Nations for the period during the years between (1948-1950), reports of the International Red Cross for the years (1948-1950) and the report of UNRWA during the period (1950-1958), the persons and property covered by the paragraph of compensation are those who belong to the areas occupied by the Israelis out of the partition resolution which was issued in 1947 under No. 181 and granted the Jews and the State of Israel 54% of historic Palestine, while Israel captured (22%, which reunited the Partition Resolution) and this subsequently approved by the committees at the time of assessment of the property as the value of property compensation for the Palestinian refugees in 1950 which reached about (3275.5) million U.S. dollars. a(1074.4)- million U.S. dollars from the total sum was the value of agricultural land, (710) million was the estimated value of residential houses in the villages, The value of residential houses in urban areas amounted to (590) million, and the estimated value of the lands that were used for building (18.1) million, and the stores and shops (69) million, and some plants (13) million, and the value of furniture of refugees who were expelled by force of arms (294) million, and the value of compensation for livestock (42) million . The agricultural land in Beersheba area and the Galilee, Led and Ramla which were included only the third record of the Arab League, was not included in the rest of the reports issued by international bodies, which have been estimated by the value (465) million in year 1950. The international coalition against war criminals gives notes on the following:

The previous estimates of the international institutions,

issued in 1950 and the estimates which have been done by economists in the coalition demonstrates that prices of the past subject to / as the day / to the inflation and purchasing power and growth and development of society, including calculating the growth rate according to the medium-and high purchasing power and costs as well as the agenda of living and high prices of land in Israel from 1950 to today by 7-fold , thus the value of property of the Palestinian refugees is estimated at today's prices (8.75) Biliar U.S. dollars, while the government of Israel will benefit in the first stage from constituting this law, by selling 4% of the property of the Palestinian Refugees ,the sum reaches to 350 billion U.S. dollars through unjustly action.

The international coalition against war criminals estimates through a preliminary study, that the compensations of the denial of production of land and property during the years of displacement ,adding to this the presentation of the human factor and stayed on the ground beside the developed industrial process, trade and agricultural production and economic growth in addition to what had been extracted from underground like metals and gases ,these factors will have a vale reaches to (1.3725) Biliar U.S. dollars, this

enormous sum is actually the result of a war crime continued throughout the 61-year occupation of land and violating rights, and this confirms the size of the looting carried out by the Israeli government which asserts that it is a war crime of the first degree carried out through an expanded and systematic way.

The coalition also asserts that the new law includes the land previously seized from the Arabs in Israel, which is estimated at (1.2) million acres, and valued according to its current geographical distribution today and in accordance with the preliminary study by (1.8) Billion U.S. dollars.

Any share of everybody among the Palestinian refugees is not estimated less than (1.6) million, whether he is a new born baby or an adult, and the Palestinian refugee is the only one who decides whether to accept compensation or to recover his property and inheritance without losing sight of the original compensation for investment in the past 61 years, this compensation must be accompanied by the return of Palestinian refugees to their villages and towns of origin as a matter of another compensation.

All of the above should not neglect the right of refugees of compensation for moral suffering, displacement and all the psychological and social consequences. This issue is driven up to the representatives of the Palestinian people appreciation.

The coalition also estimates and according to the estimates performed by the Economic Department and the preliminary study that the compensations to the deprivation of the production of land and property during the years of displacement, with the presentation the human factor which affects the development of land and the industrial process, trade and agricultural production and economic growth and metals and gases extracting process, the value of all may reach up to imaginary numbers resulting from the crime of permanent war which continued over the 61-year occupation of land and rights Which demonstrates the size of the looting carried out by the Israeli government and asserts that it is a war crime of the first degree that had been done through expanded and comprehensive methods.

The coalition indicates also that the new law includes the land previously seized from the Arabs in Israel, which is estimated at (1.2) million acres.

The total preliminary figures indicating that the initial value of the property of the refugees, according to several independent institutions, is estimated at (11.9225) billion U.S. dollars.

The international coalition against war criminals notes that the new law includes the land previously seized from the Arabs in Israel, which is estimated at (1.2) million acres,

and valued by the current geographical distribution, according to the preliminary study by (1.8) billion U.S. dollars.

This means that the share of each of the Palestinian refugees at least almost the first analysis reaches to (1.6) million, whether born or adult in the present day. According to the resolutions of the United Nations, the Palestinian refugee is the only one who decides whether to accept compensation or to recover his property and inheritance without any losing of the original compensation for investment in the past 61 years, and according to this cannot be in any case making a separation between the right of return of the Palestinian refugees to their villages and towns of origin and between the issue of compensation.

The international coalition against war criminals considers that the looting of property made by the Israeli government is one of the most important looting and seizure processes in the history of mankind.

The Coalition emphasizes a racist character of the new law by requiring the sale to the Jews only, beside its requirement that land and villages must receive the approval and the acceptance of some commissions associated with Jewish organizations such as the Jewish Agency and World Zionist Congress. This means an exception of the Arabs and putting the issue in the hands of the ideological organizations to limit their activities and movements socially and financially.

- The International Alliance against war criminals decided to set up a special section of a group of experts in various fields to follow up the crime of pillaging property from the Palestinian refugees. This section by the cooperation with the investigation circle into the coalition will launch an extensive and comprehensive investigation concerning the new - old crime, and confirms the following:

reserving the right to bring claims based— on the signatures of the owners of land upon international bodies to stop the sale and the seizure of the Israeli government funds and investments for every sale process.

Coalition calls upon the Palestinian National Authority to go on an urgent basis to the General Assembly of the United Nations for issuing a resolution against the illegality of the Israeli measures and the criminalization of buying the property of the Palestinian refugees and deprive them from their rights or their compensations.

The Coalition calls upon the Security Council to intervene immediately to stop Israel's violations to its resolutions that are related to the Palestinian refugees.

The Service of litigation in the international coalition studies the ways to bring the Israeli National Fund, which owns large tracts of land on behalf of the Jewish people up to the world , national and regional courts and the international jurisdiction, for every purchase or sale of property of the refugees, where the law limited the sales of Absentee

Property for the National Fund .The Alliance will also examine opportunities and ways for prosecuting the Fund's investments in all countries of the world.

The international coalition considers the duty of all human rights organizations locally and internationally to cooperate in prosecuting and criminalizing any person, firm or company or government organization or entity under any guise, trying to buy the property of the Palestinian refugees or investing without the permission of the original owners who were forcibly evicted from their land.

The International Alliance calls upon all refugees, especially those who have dual citizenship, to raise the issues of their countries against the State of Israel on charges of stealing their land and property.

Calls for international coalition forces and— Palestinian civil society organizations to establish a bank of information contains copies of original contracts of the land, along the lines of digital data bank, created by Adala foundation.

The international coalition, and after the termination of the first phase of the investigation, will prepare a list of black personalities, Israeli or any other person involved in the crime of looting the property of the refugees, and arrest and prosecute them under the international law.

The international coalition calls the Israeli government to reverse its decision immediately, and stresses that the time for impunity is over, and states that the most wanted war criminals to justice today are the citizens of Israel.

THE INTERNATIONAL COALITION AGAINST WAR CRIMINALS

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