

January 2017



Dear Friend,

The year 2017 will see the occupation enter its 51st year.

One of the measures Israel adopts to sustain its occupation regime is maintaining the appearance of investigating human rights violations and breaches of international humanitarian law committed by its forces. Yet this show of justice is little more than a façade. Over the course of more than 25 years B'Tselem filed complaints with the MAG Corps regarding hundreds of incidents in which soldiers harmed Palestinians' human rights – including instances of killing, injury, violent abuse and destruction of property – demanding that the military investigate. After more than two decades, the figures paint an undeniable picture, with an almost zero indictment rate despite daily abuse of Palestinians rights by soldiers. This routine violence continues unchecked.

Given this state of affairs, B'Tselem decided to change its approach and discontinue referring complaints to the military law enforcement system. The decision was made based on the realization that the system is not actually striving to achieve justice, instead being measured by its ability as a whitewash apparatus as it sanctions human-rights abuses while making a show of endeavoring to uncover the truth.

Enclosed are two reports that B'Tselem published in 2016 analyzing this whitewash mechanism and explaining the reasons for our policy change. *The Occupation's Fig Leaf* examines soldiers' abuse of Palestinians in the West Bank, while *Whitewash Protocol* addresses alleged breaches of law during Israel's latest round of combat in the Gaza Strip (Operation Protective Edge).

Both reports illustrate how the military law enforcement system acts to convey a semblance of accountability that helps Israel counter criticism that it does not enforce the law in cases of soldiers who harmed Palestinians. Worse, it gives rise to an illusion that grants the occupation legitimacy to carry on, portraying the occupation as a moral regime that denounces human rights violations and punishes perpetrators. Any consideration of the military law enforcement system as a body genuinely striving to get at the truth and achieve justice for the victims is not only misplaced but harmful; instead of promoting justice, such dealings merely enhance the whitewash mechanism's veneer of credibility.

Regrettably, the fact that a military court recently convicted a single sergeant of manslaughter for killing a Palestinian does not put so much as a dent in this reality. In fact, the broad media coverage of the trial and verdict are the exception that proves the rule: hundreds of cases in which soldiers harmed Palestinians have been whitewashed, but only rare cases garner public attention and result in significant charges. Even then, liability is systematically placed with low-ranking soldiers, while senior-level commanders and politicians know they will not be held accountable even if it is their policies and statements that contributed to the abuse.

Finally, I want to make it clear that B'Tselem's policy change in no way affects our determination to continue documenting and publicizing reality in the Occupied Territories. We will continue to document Israel's human rights violations there, report them in Israel and abroad, and work to stop them. We will continue to promote accountability, independently investigate incidents and publish our findings. Working in this updated format is part of our commitment to taking action to end the occupation.

Sincerely,


Hagai El-Ad
Executive Director