



**Adalah** The Legal Center for Arab Minority Rights in Israel

عدالة المركز القانوني لحقوق الأقلية العربية في إسرائيل

عدالة המרכז המשפטי לזכויות המיעוט הערבי בישראל

19 February 2007

Mr. Menachem Mazuz  
Attorney General  
29, Saladin Street  
Jerusalem

**Re: October 2000 – "The Accused" Report**

Reference:      Our letter of 15 October 2006  
                    Your letter of 25 October 2006  
                    Our letter of 14 December 2006

Pursuant to the correspondence referenced above, we are contacting you in regard to this matter as follows:

1. We have yet to receive your response to our letter of 14 December 2006.
2. We would like to also emphasize in this letter, as we emphasized in our letter of 14 December 2006 and in the report “The Accused,” the illegality of conducting an examination of Mahash’s conduct by any entity in the State Prosecutor’s Office.
3. In our letters of 15 October 2006 and 14 December 2006, we asked that Mr. Shendar be immediately suspended from his position in order to enable an appeal to be submitted on the findings and conclusions of Mahash in its report of September 2005. We also reiterate this request here. Mr. Shendar’s presence at the top of the pyramid that is supposed to somehow review our contentions, which are described in detail, *inter alia*, in “The Accused” report, violates the obligation to hold a fair proceeding and entails a clear conflict of interest.
4. It may also be noted in this context that Mahash’s blatant failures became apparent once more in the report of “The Commission of Inquiry for Examining the Law Enforcement System in the Case of Parinyan and Policeman Tzachi Ben Or, deceased” (the Zeiler Commission report), published on 18 February 2007. The consistent illegal behavior of Mahash in this context, once again in under the leadership of Mr. Shendar and Mr. Shviro, necessitates both the suspension of Mr. Shendar and a study of our contentions in the framework of the organization that is under your authority.
5. If the blatant failures of Mahash (and its illegal activity in regard to the investigation of policemen responsible for the killing of Arab citizens at the beginning of October 2000 and the wounding of many others) are not subject to

any real and serious investigation, this would provide backing and legitimacy for the shoddy activity of Mahash, which violates basic constitutional rights. We request, therefore, as we requested in our letter attached to "The Accused" report on 15 October 2006, that an immediate investigation be opened into the extreme failures of Mahash.

6. In summary, we wish to draw your attention to the fact that we will not hesitate to approach the authorized judicial body, including the Supreme Court, in the event that two basic steps are not promptly implemented as required by law:
  - a. The suspension of the State Prosecutor, Mr. Eran Shendar.
  - b. The opening a genuine, serious and comprehensive inquiry into the illegal conduct of Mahash with regard to the investigation of the police officers responsible for the killing and serious injury of Arab citizens at the beginning of October 2000.

We would appreciate your prompt response.

Respectfully,

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Marwan Dalal, Adv.

Respectfully,

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Hassan Jabareen, Adv.

cc:

Minister of Justice, Professor Daniel Friedmann