

Shurat HaDin's 3rd Quarter Report 2020

Dear _____,

It was twenty years ago this month that our “peace partners,” the Palestinians, disastrously launched their terrorist war - the Second Intifada against us. As young attorneys back in October 2000, we watched in fear and frustration as the Israeli security services and IDF desperately struggled to find a way to stop the waves of suicide bombings and drive-by shootings that left more than 1,000 Israelis dead and over 5,000 injured. The terror attacks were no grassroots uprising, as the Palestinian’s claimed, but rather Yasser Arafat’s coldly calculated plan to violently force concessions and compromises out of Israel.

Our efforts to respond to Arafat, to set a national example and to legally fight back against the violence and murders proved to be an effective strategy. We showed the world Jewish community that we did not have to be paralyzed in fear any longer. Shurat HaDin helped to pioneer a new area of law - terror victim litigation, which sought to utilize the legal system to empower the families who tragically lost loved ones. Amazingly, our innovative model was taken up and replicated by lawyers and victims in other conflicts around the world.

Twenty years later and the fight to legally defend Israel and the victims of terror must continue. Unfortunately, our extremist enemies and the outlaw regimes like Iran, Syria and North Korea have never paused with their threats to our existence. For the BDS activists, the International Criminal Court and the antisemitic haters, it is always business as usual.

As such, Shurat HaDin is determined to send a loud and public message - we also do not rest, we also do not slumber and we certainly aren't feeling sorry for ourselves! In fact, we are continuing on the offense even with all the challenges the Jewish State is facing.

We are proud to present this 3rd Quarter report detailing all that Shurat HaDin has been engaged in these past few months:

- **Lawsuit on Behalf of the Kidnapped and Murdered Three Teens**

On June 12, 2014, three Israeli teenagers—Naftali Frenkel, Gilad Shaer, and Eyal Yifrach—were abducted by Hamas terrorists while hitchhiking near the community of Alon Shvut in Gush Etzion. Two of the boys were only sixteen years old; the third was nineteen. The kidnapping sent shockwaves throughout Israel and across much of the world, especially since one of the teenagers had managed to call the police and a tape of his anguished plea for help was released to the media. The Shin Bet, Israel's security service, the Israel Defense Forces (IDF), and the Israel National Police (INP) launched one of the largest manhunts in Israeli history looking for the three boys and the terror cell responsible for kidnapping them. Tragically, the bodies of the three boys were found near Hebron eighteen days after they had vanished—they had been executed shortly after being seized. Days after the heartbreaking discovery, Prime Minister Benjamin Netanyahu ordered a decisive Israeli response and launched Operation Protective Edge, a full-scale military incursion into the Gaza Strip.



The cold-blooded killing of the three teenagers was abhorrent, and Shurat HaDin was determined that crime wouldn't pay for the perpetrators, their masterminds, and their families. In August 2020, Shurat HaDin filed a lawsuit against Hamas seeking NIS 520 million, roughly U.S. \$155 million) in damages on behalf of the bereaved families of the three slain teenagers. The objective of the lawsuit is to prevent the Palestinian Authority (PA) from transferring money to the Gaza-based terrorist faction.

According to a study by a former advisor on Palestinian Affairs for the Coordinator of Government Activities in the Territories, the PA discreetly transfers between \$50-100 million per month to Hamas officials and various organizations that are run by Hamas in the Gaza Strip. Those funds become part of the Hamas coffer that finances terror operations and monies paid to the families of dead terrorists and operatives incarcerated inside Israeli prisons. Hamas finances—even those allegedly earmarked for humanitarian purposes—are dedicated to terror operations. The commander of the Hamas cell that kidnapped the three teenagers received money for the operation from the Hamas leadership in Gaza—that money bought the murder weapons, purchased the vehicles, and paid for safe houses where the suspects while they attempted to evade Israeli forces. [IsraelHayom](#)

- **Annexation Roundtable Discussion**

Undeterred by the international travel restrictions brought on by the COVID-19 pandemic, Shurat HaDin hosted a virtual roundtable discussion to review President Donald Trump's peace plan and the implications of the annexation and installment of Israeli sovereignty to parts of Judea and Samaria.

The roundtable featured Jason Greenblatt, former U.S. special envoy to the Middle East; noted legal scholar Professor Alan Dershowitz; Felix Frankfurter, former Harvard University Professor of Law; Vivian Bercovici, the former ambassador of Canada to Israel; and, Dan Shapiro, a former United States ambassador to Israel. These veteran diplomats and subject matter experts provided their own personal, political, and professional perspectives on the issues. The back and forth was spirited and informative.

Moderator Nitsana Darshan-Leitner explained that Shurat HaDin's practical interest in the proposed annexation stemmed from the work it does in the International Court of Justice in The Hague, the Netherlands, to combat Palestinian allegations that the building of Israeli homes on "disputed" territory constituted war crimes. Darshan-Leitner explained that the application of Israeli sovereignty over the areas would resolve many legal issues since the areas would no longer be considered disputed territories. Jason Greenblatt, President Trump's envoy, noted that Israel was well within its rights to extend Israeli sovereignty to Jewish communities in Judea and Samaria, while former Ambassador Bercovici expressed her concern that annexation would create an apartheid-like reality where Jewish and Arab residents would not have the same rights. Darshan-Leitner preempted this argument, emphatically stating that Israel would ultimately grant citizenship to the 160,000 people in question so that they would not be deemed as second-class citizens.

Professor Alan Dershowitz's statement, perhaps, was most resounding. "Ben-Gurion wanted a state at any cost," Dershowitz explained. "If the Palestinians want a state so badly,



they should at least sit down and negotiate. They will get more with land swaps, and they will get an opportunity in the future. I reject the notion that it doesn't permit for a viable state."

The social media roundtable ended with a discussion of how the U.S. presidential elections could impact the chance for Trump's "Deal of the Century" to advance peace in the region. [JPost](#)

- **Lawsuit Against the UNHRC Over the Blacklist of Israeli Companies**

In August 2020, Shurat HaDin filed a defamation lawsuit against the United Nations Human Rights Committee (UNHRC) on behalf of Rami Levy, an Israeli telecom and supermarket magnate. The UNHRC claimed that Rami Levy's establishments in the West Bank violated international law by operating in Judea and Samaria. The UNHRC blacklists 112 companies—virtually all of them in Israel—for their commercial activities inside the West Bank.

The lawsuit, filed in a Jerusalem Magistrate Court, has become a landmark case because the United Nations is usually immune from legal action. However, as a result of the specifically racist antisemitic and anti-Israel nature of the UNHRC blacklist and its unmistakable targeting of Israeli and Jewish businesses, the United Nations is in clear violation of its founding charter by practicing overt racism based on nationality and religion. The UNHRC list is deemed as nothing more as a politicized extension of the antisemitic and anti-Israel BDS (Boycott, Divest, and Sanction) movement that routinely employs blood libel in its efforts to ostracize and dehumanize Israeli and Jewish interests. All the companies on the United Nations list, even those outside of Israel, are Jewish-owned.



The objective of the UN blacklist is to initiate an international boycott of Rami Levy's supermarket chains and his communications company. Levy and Shurat HaDin are suing the UNHRC because the mere insinuation that he is violating international law or that he is practicing *any* form of racism or discrimination is libelous and contrary to reality. According to the PA's own Central Bureau of Statistics, Palestinians employed by Rami Levy's companies earn *three times* what the average Palestinian worker takes home in salary. Additionally, Rami Levy was outraged by the accusation that his company was doing anything that infringed on the rights of anyone. "All of the workers in our market chains are employed regardless of differences in religion, race, or nationality, and [they] are equally entitled," Levy commented. [JPost](#)

- **Stern Warning to the International Monetary Fund**

The August 4, 2020, massive explosion that devastated much of the area near the port of Beirut killed hundreds and destroyed a good part of the Lebanese capital. The blast was caused by the improper storage of tons of ammonium-nitrate, identical to the fertilizer used to build the Oklahoma City, and was a disaster that exposed two glaring crisis facing the Lebanese government: a financial meltdown caused by corruption and mismanagement that was exacerbated and accelerated by the COVID-19 pandemic, and that the government had allowed Hezbollah, recognized by most western governments as a terrorist organization and Iranian

proxy, had been allowed to use the country as its private weapons storage facility and terror staging ground.

The international community responded to the financial crisis in Lebanon and the International Monetary Fund, or IMF, pledged to assist in the country's recovery, even promising to consider \$10 billion in emergency aid. But Shurat HaDin issued a stern warning to the IMF that the NGO would go after any aid destined to Lebanon unless it could guarantee that the money would not be embezzled by Hezbollah, the Shiite Party of God. Shurat HaDin's letter warned that "the IMF must demand an end to the dangers posed by Hezbollah's position in the Lebanese government." Shurat HaDin has also demanded that Hezbollah's control of the Lebanese banking system and the Lebanese Treasury must be terminated." Hezbollah launders its finances through numerous straw companies and illegal activities, ranging from the global trafficking of narcotics to stolen cars and tobacco tax scams in the United States; numerous Lebanese banks have been sanctioned by the U.S. Department of the Treasury as aiding and abetting Hezbollah's terrorist and criminal enterprises around the world.



Shurat HaDin has assisted numerous terrorist victims in Israel and the United States who were harmed either directly by Hezbollah, such as from rocket attacks during the 2006 Second Lebanon War, or by suicide bombing attacks in Israel perpetrated by Hamas and the Palestine Islamic Jihad, two clients of Iran and their Lebanese proxies.

The Shurat HaDin warning put the IMF on notice that "any funds it provides to Lebanon will be targeted by the victims of Hezbollah's terrorists to enforce their court-ordered judgments. Any banking institution in Lebanon or abroad that transfers IMF funds to Hezbollah will be sued in relevant jurisdictions for aiding and abetting terrorism." [JPost](#)

- **Continuing the fight in the ICC: The Battle for Israel's Farmers**

On September 6, 2020, Shurat HaDin issued a formal letter to Fatou Bensouda, the chief prosecutor of the International Criminal Court (ICC) in The Hague, the Netherlands, requesting that a formal investigation be launched into the Palestinian use of "balloon bombs" against the farmlands of southern Israel. The improvised destructive ordinance, launched from the Gaza Strip by Hamas and other armed groups, includes thousands of kites and helium balloons carrying explosives and incendiary devices meant to kill civilians and destroy Israeli agricultural communities. The devastation to property and the natural environment has been astounding: thousands of acres in forests, natural reserves, and agricultural fields were burnt into ashes and turned into dust, crops were lost, trees set on fire, wildlife suffered a terrible impact, and civilian property in many towns and villages was damaged.



The urgency of the Shurat HaDin request centers on the need to protect Israel's children from indiscriminate harm. The Palestinian booby-trapped balloon and kite firebombs

appear innocuously innocent but are often attached to toys in the insidious hope that a child will pick up the device and then be maimed or killed when it is triggered. The balloon and kite bombs have landed inside schools and kindergartens.

Shurat HaDin has repeatedly provided the ICC with evidence linking the Hamas leadership in Gaza with these crimes. Specifically targeting children is a war crime and well within the purview of the ICC. But the ICC has repeatedly ignored Palestinian transgressions in pre-trial chamber discussions related to the issue of Palestinian Statehood, granting Hamas and others virtual immunity—immunity that has incentivized the terror factions to not only continue their attacks against Israel but to escalate the scale and scope of the attacks. Recent Palestinian strikes illustrate this alarming reality: on August 13, 2020, Palestinian balloon bombs landed in a children's playground in Kibbutz Ruhama; and, on August 17, 2020, an airborne incendiary device landed within a kindergarten in the city of Sderot, causing a fire in the kindergarten.

Shurat HaDin will continue its efforts to shake the ICC out of its negligent slumber when it comes to the issue of Palestinian war crimes. We will not cease our global efforts in pursuit of justice until these Palestinian attacks are brought to the international court and the terror chieftains are held to account for their crimes.

- **Defamation Suit against a BDS activist for Falsely Accusing an IDF Soldier for Killing a Palestinian**

Character assassination on social media has become a form of virtual murder. It is calculating and unforgiving; the consequences of such actions have destructive repercussions. This crime is even more insidious when the perpetrators are members of organized hate groups hiding behind a keyboard to spew fictitious narratives that destroy lives and pursue a despicable agenda. California-born Rebecca Rum was one such victim. And, with Shurat HaDin's help, she's determined to fight back.

Rebecca Rum made Aliyah to Israel in 2012 at the age of eighteen, and volunteered into the ranks of the Israel Defense Forces, serving with distinction as an instructor in the Education Corps. During her military stint, a photo taken of her in basic training while she was in full combat kit and holding a weapon was published on the IDF's official website for recruitment purposes. Ram was an exemplary soldier and a role model.

In 2018, though, three years after Ram was discharged from military service, a Palestinian-Christian and senior BDS activist in California named Suhair Nafal went on her personal Facebook and posted Ram's basic training photograph alongside one of Razan Najjar, a Palestinian nurse from Gaza killed by IDF gunfire in June 2018 during a "March of Return" protests on the Gaza border. The juxtaposition of the imagery was designed to insinuate that Ram was responsible for Najjar's death, even though Ram had already been out of the army for *three* years at the time of the incident.

Nafal's post ultimately reached over a million people, going viral and spreading quickly across the anti-Israel corners of the asymmetrical cyberspace battlefield. Overnight and without an iota of truth behind the propaganda, Rebecca Ram was connected to Najjar's death.



For two years, Ram and her family faced incessant harassment as a result of the post; there were even death threats. In 2020, she turned to Shurat HaDin to refute the lie and make those who fabricate the truth in their war against Israel pay the price for the premeditated transgression.

On September 22, 2020, Shurat HaDin filed a \$6 million lawsuit against Nafal in a California court. After being served with papers, Nafal is reported to have blocked her Facebook page and made it private to conceal any incriminating evidence.

The case against Nafal and the tactics used to destroy lives on social media personified Shurat HaDin's efforts against BDS and the supporters of terrorism. Shurat HaDin president Nitsana Darshan-Leitner stated, "It seems like we're going back to The Protocols of the Elders of Zion and to the antisemitic blood libels that belong to the past. Rebecca and her family have received death threats, only because she decided to join the IDF. Rebecca's lawsuit is the spearhead of our struggle against the global boycott movement against Israel. This is a message to all BDS activists, who should know that they too may be held responsible for their anti-Zionist activity and may even need to pay a heavy price." [JPost](#)

- **Op Ed by Nitsana Darshan-Leitner, Israel HaYom, July 26, 2020:**

Time for social media to change its ways

Facebook, Twitter and their ilk enjoy broad immunity from any liability over user-generated content. That fact that this translates into selective enforcement must change.

<https://www.israelhayom.com/opinions/time-for-social-media-to-change-its-ways/>

- **Op Ed by Nitsana Darshan-Leitner, Israel HaYom, August 28, 2020:**

Beat Nasrallah at his own game

Hezbollah leader Hassan Nasrallah has turned psychological warfare into an art form. It's time for Israel to turn this weapon against him.

<https://www.israelhayom.com/opinions/beat-nasrallah-at-his-own-game/>

All of these actions were spreadly covered in the Israeli and International media. Please see attached. All these actions were done solely due to partnership. Thank you so much.

Enjoy the Holidays,

Nitsana