



# General Assembly

Distr.: General  
29 August 2019

English only

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## Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2019]

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\* Issued as received, in the language(s) of submission only.



## **Private security companies violations of Human Rights in the Occupied Palestinian Territories**

### **Introduction**

Maat for Peace, Development and Human Rights (Egypt) expresses its concern about the negative role of private security companies in the conflict situations in the Middle East and its violations of human rights, especially in the occupied Palestinian territories. Private military and security companies are often referred to as commercial companies that make legal contracts aimed at profit for their military and security services. Most of these private companies operate within the framework of the so-called “outsourcing” operations; they behave under a business relationship between these companies and the state institutions concerned.

This does not contradict with the obligation of these commercial entities to respect human rights during their operations. The Foundation has very complex concerns about the context of the work of these companies and their obligations towards human rights under the umbrella of the occupation. Some countries, headed by the Israeli occupying Power, hire private military and security companies to serve their strategic goals and turn some events and peripheral goals into more costly conflicts, which the Palestinian people suffer under the repression and brutality of the occupation authorities.

### **Violation of the Israeli private security companies**

Private security companies in Israel play a role parallel to the authorities' security role. In 1999, one of Israel's private security companies, MIR Security, entered into a contract with the Israeli police to establish the Safe City model, installing about 1,000 surveillance cameras in the Old City of Jerusalem. According to a report by Privacy International, there are 27 Israeli surveillance companies that provide services to the authorities, which is the highest proportion of surveillance companies to the population in the world.<sup>1</sup>

The Israeli occupation authorities use private military security companies to suppress and impede the right of the Palestinian people to self-determination, by hiring them to perpetuate the settlement project and building the Separation Wall, by participating in guarding and expanding settlements in contravention of international law.<sup>2</sup> Palestinians are deprived of their right to movement as they are endangered and threatened at checkpoints.<sup>3</sup> In addition, Israeli prisons are provided with security equipment to monitor political prisoners and spy on Palestinian detainees, especially in the prisons of Ofer, Negev, Megiddo, Damon and Rashun prison in Jerusalem.

Among the most prominent of these companies: Elbit Ferranti, one of the four largest private security companies in Israel, and the British company G4S, which is known for violations of human rights in many countries, especially in the State of Palestine, Afghanistan and Iraq. Despite the termination of the work of G4S in Israel, there is still ignorance from the international community to hold this company accountable for its direct participation in the gross violations against the Palestinians.<sup>4</sup>

In 2014, these companies were involved in Operation Protective Edge in Gaza which saw more than 2,000 Palestinian deaths (including more than 500 children) and more than 10,000

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<sup>1</sup> Surveillance Industry, “Privacy International launches the Surveillance Industry Index & New Accompanying Report”, Privacy International, October 23, 2017, on this link: <https://bit.ly/2TxkNyF>

<sup>2</sup> Armendáriz, L., Private Military and Security Companies (PMSCs) and contractors in the Occupied Palestinian Territories, NOVACT, 2015, on this link: <https://bit.ly/2TzzvW4>

<sup>3</sup> "Private Security Companies and the Israeli Occupation", Report by Who Profits Research Center, January 2016, p. 44, on this link: <https://bit.ly/2J2Fcb7>

<sup>4</sup> Palestinian BDS National Committee, “BDS: security company G4S announces plans to exit Israeli market”, the BDS movement, March 10, 2016, on this link: <https://bit.ly/2Hu3E2J>

people injured.<sup>5</sup> Members of private security companies are allowed to use force with no automatic internal audit mechanism. Between October 2015 and November 2016, 9 Palestinians were killed by members of private security companies.<sup>6</sup> On 23 October 2015, at the al-Jalamah crossing in the northeast of Jenin, a Palestinian child was killed while walking towards the first checkpoint, "When he suddenly ran towards the first checkpoint, security forces noticed him and opened fire on him." Israeli forces denied that Palestinian Red Crescent Society medical personnel had reached the area. According to eyewitnesses, the child was unarmed, so guards could have used less force and arrested him.<sup>7</sup>

On April 27, 2016, a 23-year-old Palestinian woman and her 16-year-old brother were killed at an army checkpoint in Jerusalem on their way to Jerusalem by Modi'in Ezrachi guards, whose staff are working at eight checkpoints in the West Bank.<sup>8</sup> It was not the first time, in 2010, there was a notable case, Samer Sarhan was shot and killed by a Modi'in Ezrachi guard. Two years after the incident, Israel decided not to charge the guard and claimed that there was insufficient evidence to bring him to trial.<sup>9</sup>

These companies continue to be involved in human rights violations and to impede the right of the Palestinian people to self-determination. Moreover, these companies develop their weapons and strengthen their position through mass killings against the Palestinian people, most recently what happened in Gaza's Great March of Return in 2018, during which Israel committed war crimes and crimes against humanity. In spite of this brutality, it was a point of frustration and a challenge to Israeli private military companies in particular, especially as the Palestinians continue to resist. Confrontations lasted for nearly 51 days and Palestinians are still resisting for their right to self-determination and liberation of their land till the present. Such confrontations place these companies in an embarrassing situation and incur them huge losses. A gradual decrease since 2014 in the exports of arms to Israeli companies can be noted, especially from countries such as India, Brazil and Poland, in conjunction with the principle that these companies and their staff were unable to dominate and confront the Palestinians and their movements, so how to external bodies can trust them! pushing them towards brutally against the Palestinians not only to implement the strategic objectives of the occupation but also to achieve economic gains.<sup>10</sup>

Israel has recently sought to use so-called electronic mercenaries. According to US reports, Israel's ranking in investing in the private cybersecurity sector is second only to the United States. Israel is working to build an electronic city in the Negev desert to be a spy network and an offensive electronic capability capable of penetrating, monitoring and targeting anything that prevents the achievement of Israel's colonial goals; and to enhance its digital capabilities as a means to violate human rights and impede the right of the Palestinian people to self-determination.<sup>11</sup>

<sup>5</sup> Israel and Palestine, Amnesty International UK report, July 2015, <https://www.amnesty.org.uk/gaza-operation-protective-edge> "Activists scale Israel arms manufacturer building, demand end to UK complicity in rights violations", Middle East Monitor (MEMO), July 1, 2019.

<https://www.middleeastmonitor.com/20190701-activists-scale-israel-arms-manufacture-building-demand-end-to-uk-complicity-in-rights-violations/>

<sup>6</sup> Emily Schaeffer Omer-Man, 'Extrajudicial Killing with Near Impunity, Excessive Use of Force by Israeli Law Enforcement Against Palestinians' Spring 2017, Boston University School of Law International Law Journal, 115, 116, on this link: <https://bit.ly/2Cbf484>

<sup>7</sup> Information based on research and monitoring, conducted by Palestinian Centre for Human Rights (PCHR-Ramallah) for the Observatory on PMSC & Human Rights (NOVACT).

<sup>8</sup> Antony Loewenstein and Matt Kennard, "How Israel Privatized Its Occupation of Palestine", The Nation, 14 November 2016, on this link: <https://bit.ly/2fdAh8f>

<sup>9</sup> Association for Civil Rights in Israel, "Petition: Deployment of Private Security Guards in East Jerusalem Is Unlawful", 31 October 2011, on this link: <https://bit.ly/2TFgfWZ>

<sup>10</sup> Shir Hever, "Israel is turning from a security state to a private security state", interview with IMEMCnews, August 2018, For more information, please check this link: <https://imemc.org/article/israel-is-turning-from-a-security-state-to-a-private-security-state/>

<sup>11</sup> محسن صالح، ربيع الدنان، وائل وهبه وباسم القاسم. "فلسطين اليوم"، مركز الزيتونة للدراسات والاستشارات. العدد: 31 مايو 2016. <https://bit.ly/2YYmROU>

## Recommendations

- Maat calls upon the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination to undertake a country visit as soon as possible to monitor the violations committed against the Palestinian people.
- To provide a database for those companies and their employees pursuant to the principle of transparency and accountability.
- To open wide-ranging investigations into violations by private security companies in the occupied Palestinian territories, particularly direct killings and violations at checkpoints and prisons.
- To open comprehensive and expanded international investigation into the relationship between the authorities and individual responsibility for violations committed; to hold them legally and criminally responsible for such violations; and to hold them accountable internationally.
- To subject these companies to periodic accounting before the courts and allow investigations to be opened in cases that have been identified as “lacking clear evidence” for accountability.
- To allow victims and their families access to their right to access to justice, as well as access to the documents and surveillance cameras under the control of the occupation authorities during investigations.
- To stress the implementation of the law requiring members of private security companies to wear name cards to ensure and facilitate holding them accountable.

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