

Israeli Court to Hear Testimonies in the Unlawful Killing of American Activist Rachel Corrie

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FAMILY SEEKS ACCOUNTABILITY SEVEN YEARS AFTER AN ISRAELI MILITARY BULLDOZER CRUSHED THEIR 23 YEAR OLD DAUGHTER TO DEATH

On March 10 the Haifa District Court will begin hearing eyewitness testimonies in a civil lawsuit filed by Rachel Corrie's family against the State of Israel for her unlawful killing in Rafah, Gaza. Rachel Corrie, an American student activist and human rights defender from Olympia, Washington was crushed to death on March 16, 2003 by a Caterpillar D9R bulldozer while nonviolently protesting Palestinian home demolition with fellow members of the International Solidarity Movement (ISM). The trial is expected to shed light on the circumstances of her death and hold the Israeli military responsible for it, after the Israeli government failed to conduct a thorough, credible and transparent investigation into her killing.

"As we approach the seven-year anniversary of Rachel's killing, my family and I are still searching for justice. The brutal death of my daughter should never have happened. We believe the Israeli army must be held accountable for her unlawful killing," said Rachel's mother, Cindy Corrie who will be attending the trial next week. "We hope this trial will also illustrate the need for accountability for thousands of lives lost, or indelibly injured, by the Israeli occupation and bring attention to the assault on nonviolent human rights defenders – Palestinian, Israeli, and international," stated Ms. Corrie.

The lawsuit, filed in March 2005, is one piece of the Corrie family's seven-year effort to uncover information and pursue truth and justice for their daughter and sister. On March 17, 2003, the day after Rachel was killed, Israeli Prime Minister Ariel Sharon promised President Bush a "thorough, credible, and transparent" investigation. In 2003, the Israeli military police concluded that the two soldiers who operated the D9R Caterpillar bulldozer that killed Rachel did not see her, though eyewitnesses indicate she was clearly visible, wearing a florescent orange jacket. The case was closed, no charges were brought, and the Israeli Government declined to release the investigative report. The lawsuit charges that the Israeli government violated both Israeli and international law.

"The killing of Rachel Corrie is yet another example of Israel's unlawful attacks on unarmed civilians in the Occupied Palestinian Territories," said attorney Hussein Abu Hussein who is representing Rachel Corrie's family. "The Israeli soldiers and commanders acted in violation of both Israeli and international law prohibiting the targeting of civilians and the disproportionate use of force against non-violent protest with blatant disregard to human lives," added Abu Hussein.

In 2004, Lawrence B. Wilkerson, Chief of Staff to former Secretary of State Colin Powell, wrote to the family of Rachel Corrie that the Israeli investigation into her killing was not "thorough, credible, and transparent," and advised the family to "use the Israeli court system." Several other U.S. officials have voiced concerns or raised questions about the Israeli investigation, including former U.S. Senator and now Vice President Joseph Biden, as well as other Department of State officials in the Bush and Obama Administrations.

Related Events

Wednesday, March 10th 9:00-16:00

Trial Begins in the Haifa District Court.

Other trial dates are set for March 14, 15, 17, 21, 22 and 24.

Friday, March 12th 13:00-15:00

Screening of the film RACHEL at the Tel Aviv Cinematheque.

To be followed by a Q & A discussion with filmmaker Simone Bitton and members of the Corrie family. A rigorous cinematic inquiry into Rachel Corrie's killing, Naomi Klein wrote: "RACHEL is a triumph of investigative journalism, and also a stunning piece of art." Official Selection: Berlin, Tribeca, HotDocs.

Tuesday, March 16th 20:00-22:00

Anniversary of Rachel Corrie's Killing; Location TBA.

Palestinian, Israeli and International artists and activists gather to call for truth, accountability and justice, in Rachel's case and beyond. Additional events will be held in Gaza (at the Rachel Corrie Children and Youth Cultural Center in Rafah), in the West Bank (TBA), and around the world.

Background

When the Israeli Government did not live up to Prime Minister Sharon's promise, the Corries lost the most logical means of finding justice for Rachel: a thorough, credible and transparent investigation and criminal trial of those responsible for her killing.

In a well-documented 2005 report, Human Rights Watch concluded that the Israeli military acted with impunity and concluded that the Israeli investigation of Rachel Corrie's death: "fell far short of the transparency, impartiality, and thoroughness required by international law."

Upon the suggestion of the US Department of State, the Corrie family initiated a private lawsuit against the State of Israel and Ministry of Defense five years ago. "The opportunity to pursue justice for Rachel in court comes with the responsibility to do so – to challenge the impunity that the Israeli military and government enjoy within the legal system," said Rachel's father, Craig Corrie who will be attending the trial as well. "We have undertaken this lawsuit with the knowledge that so many families harmed as deeply as ours cannot access the courts. Palestinians are routinely denied their petitions, or are required to post impossibly expensive bonds to file their cases."

Since the Corrie family initiated legal proceedings, the State of Israel has and continues to employ procedural tactics in order to delay the hearing of the trial. Four eyewitnesses to Rachel's killing were granted entry visas to testify in Israel, but only following external diplomatic pressure. The Israeli authorities are still refusing to allow the Palestinian doctor from Gaza, who treated Rachel and confirmed her death, to enter Israel to give testimony. The Corries' legal team is seeking to have the doctor testify via video-conference; however, the state is arguing that he should not be permitted to testify remotely due to difficulties in supervising the procedure. Furthermore, an unconventional motion submitted by the state and approved by the court on February 28, 2010, grants the state the right to submit its testimonies up to 30 days after the plaintiffs' testimonies have been heard.

The lawsuit charges that the Israeli government is responsible for the intentional killing of Rachel Corrie in violation of her constitutional rights under Israeli law and her rights as a protected civilian in violation of international law. Alternatively, the lawsuit charges that the Israeli government should at least be held responsible for the gross negligence of the Israeli soldiers who acted recklessly against

unarmed and nonviolent civilians. The government alleges that the actions of the Israeli army in Rafah, should be considered an “Act of War” that took place in the course of an armed-conflict, thereby releasing the state from any liability and that the killing of Rachel Corrie by the military bulldozer should be considered an “Act of State,” absolving the soldiers responsible from any liability under Israeli law. Finally, the state argues that Rachel Corrie was responsible for her own death as she acted in reckless disregard of her life.

Craig Corrie: “The civil trial before us is quite limited in scope. It cannot address any criminal actions that might have taken place in Rachel’s killing. It cannot correct the lies and misrepresentations that have been made afterwards. It cannot address the repeated acts of abandonment by some in our own government, as we have looked for justice for such a very long time. It may, however, disclose some information, and may result in a finding of responsibility on the part of the Israeli military. After seven years, this process will, perhaps, yield some of the results we have been seeking in our quest for truth, accountability, and justice, in Rachel’s case and beyond.”

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