



Intelligence and Terrorism Information Center

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A Hamas “ministry of justice” committee called Al-Tawthiq (Documentation) claims to be behind the arrest warrant issued in Britain for former Israeli Foreign Minister Tzipi Livni. It is part of the Hamas campaign to pursue Israelis in Europe in the name of the victims of Operation Cast Lead.

Al-Tawthiq and its Anti-Israel Campaign

1. At the end of January 2009, immediately after Operation Cast Lead, Hamas launched a political-legal-propaganda campaign to slander Israel and pursue its leaders and military commanders as “war criminals.” To that end, on January 21, 2009, **Ismail Haniya** appointed a committee called “the central committee for documentation and prosecuting Israeli war criminals,” or **Al-Tawthiq** (documentation) for short. It was given an **exclusive mandate** to deal with the issue in the Gaza Strip (Hamas’ daily *Felesteen*, January 27, 2009).

2. The committee was appointed by **Faraj al-Ghoul**, minister of justice of the de facto Hamas administration.¹ It is chaired by **Judge Diaa al-Din al-Madhoun**, who defined its mission as “documenting and gathering evidence connected with Israel war crimes, tracking [the so-called Israeli “war criminals”] **and prosecuting them in international, national and local courts.**” According to al-Madhoun, 160 Palestinians were divided into teams and sent to the various districts of the Gaza Strip (*Felesteen*, January 27, 2009). **The broad scope** of the committee’s activities clearly indicates the magnitude of the resources the de

¹ The de facto Hamas administration, which was set up after Hamas took over the Gaza Strip by force in June 2007, is considered illegitimate by the Palestinian Authority and the international community.

facto Hamas administration has invested in its efforts to slander Israel after Operation Cast Lead² and exploit the findings of the **Goldstone Report**.



A page from the website of the de facto Hamas administration's justice ministry website. The title reads "About Al-Tawthiq." According to the posting, it was founded on January 21, 2009, following the "oppressive aggression of Gaza" [during Operation Cast Lead], by the minister of justice in the de facto Hamas administration.

3. At the beginning of the decade **Judge Diao al-Din al-Madhoun**, who heads the committee, was director of a human rights' center in the Gaza Strip called the Tajamu' Center for the Palestinian Right. He was secretary general for legal matters and agreements in the first de facto Hamas administration in 2006. He was a member of a committee appointed by Hamas on the eve of the Annapolis Meeting (November, 2007), to direct Hamas activity against the meeting. After Operation Cast Lead he was appointed to chair the Al-Tawthiq Committee and has since been in charge of the legal struggle against Israeli public figures with the goal of prosecuting them for so-called "war crimes."



Judge Diao al-Din al-Madhoun (Hamas' Palestine-Info website, October 9, 2009).

² The Al-Tawthiq Committee left its fingerprints all over the section of the Goldstone Report which deal with the statistics of Palestinians killed during Operation Cast Lead.

4. Interviewed by Hamas' Palestine-info website on October 9, 2009, al-Madhoun attacked Ibrahim Kharisha, Palestinian Authority representative in the UN Human Rights Council in Geneva, for having asked the council to postpone its deliberation of the Goldstone Report for six months. He said that in a short time Al-Tawthiq had documented close to **1,500 so-called Israeli "war crimes"** based on "international legal principles" for "**714 different [possible] suits.**" He said that Al-Tawthiq had connections with international legal experts in the fields of "human rights" and suits against war criminals, both individuals and institutions. He also said that an agreement had been reached with an institution called the **One Justice Organization** in France, **which was the intermediary between Al-Tawthiq and national and international courts** specializing in war crimes.³

The Al-Tawthiq Committee Claims to Be Behind the British Warrant for the Arrest of Tzipi Livni, Former Israeli Foreign Minister

5. After the British arrest warrant was issued for Tzipi Livni, Diaa al-Madhoun was interviewed by the Palestinian media, especially those affiliated with Hamas. He claimed that **Al-Tawthiq had been responsible** for getting the warrant issued through local British lawyers, and that it was part of the "**pursuit campaign**" Al-Tawthiq was waging against so-called "Israeli war criminals."

6. He said the following:

i) The **Al-Tawthiq Committee** was behind the coordination to prosecute Israel in British courts, which had yielded a warrant for the arrest of Tzipi Livni, who was foreign minister during Operation Cast Lead. As soon as it became known that she was planning to visit Britain, the committee got the warrant issued with **the help of a group of local lawyers**. He said that the committee had formulated a clear strategy for pursuing "Israeli war criminals" and that it would **continue** to do so until they were brought to trial (Al-Biyan Center website, December 15, 2009).

³ **One Justice Organization** is an organization including a group of lawyers from 30 countries, including the United States, France and the Arab countries, with branches in Paris and Geneva. It operates to prosecute Israel, its government and military commanders for so-called "war crimes." Its secretary general is **Philippe Favre**, one of the top lawyers in a group called the International Coalition to Try Israel for War Crimes (www.ikhwanweb.com, the official Muslim Brotherhood website, April 12, 2009). The organization's website is under construction and its logo shows the scales of justice superimposed a column painted in the colors of the Palestinian flag. One of its lawyers in Geneva (Rida Ajami) is counsel for Hani Ramadan, leader of the Muslim Brotherhood in Switzerland.

Al-Tayib Ali, Lawyer

Al-Tayib Ali, 34, is a lawyer with London firm of Irvine, Thanvi, Natas, “specialists in criminal law.” His name was mentioned in the past as having been active in a **pro-Palestinian group of lawyers to get a warrant issued for the arrest of Israeli Defense Minister Ehud Barak** (when he visited Britain for a Labour Party event in September 2009). That was done on the claim that he had committed so-called “war crimes” during Operation Cast Lead. Al-Tayib Ali, one of the group, expressed disappointment when the request was refused, and hinted that the same charge might be brought against him when his term as defense minister ended and he could no longer claim diplomatic immunity (Agence France-Presse, September 30, 2009). According to the British *Law Society Gazette*, July 16, 2009, Ali represents two Al-Qaeda terrorists who claim they were tortured during interrogation.

ii) The Al-Tawthiq Committee set up teams of one hundred members in the Gaza Strip to document so-called “crimes” carried out by Israel during Operation Cast Lead. Al-Madhoun said that statements and evidence had been collected from victims and that samples had been taken from the wounds of corpses to send to international laboratories to prove they were the results of “war crimes.” He said that the committee had contacts in all the European countries with lawyers to submit complaints and charges in international courts (Safa News Agency, December 15, 2009).

Hamas Attacks Britain

7. Concurrently, **Hussam Ahmad**, head of Hamas’ refugee affairs department, attacked the efforts made by Britain to block the legal processes against Tzipi Livni. He said that it reminded him of the role played by Britain in dispersing the Palestinian people by means of the Balfour Declaration and the support it had given the Zionist project at various stages. He said that Britain, which was also subject to international law, should act against war crimes and prosecute war criminals (Hamas’ Palestine-info website, December 17, 2009).



Britain submits to Israeli pressure (regarding the prosecution of Tzipi Livni) (Hamas' Palestine-Info website, December 17, 2009).

In Conclusion

The affair of the arrest warrant issued for Tzipi Livni is perceived by Hamas as a significant achievement for the efforts it wages through the Al-Tawthiq Committee **to exploit the findings of the Goldstone Report**. Hamas seeks to use the Report's conclusions to **exert legal and political pressure on Israel and its political and military leadership**, with the support of local lawyers and pro-Palestinian legal groups in Europe (especially Britain, where the legal system is convenient for Hamas and where for years the movement has had a wide base of supporters⁴).

⁴ In our assessment, Hamas has a broad base of supporters in Britain including Muslim Brotherhood members. In the past that was expressed by the following: Hamas' *Filisteen al-Muslima* published in London, the **Interpal** charitable society in Britain supports the Hamas civilian infrastructure (the *da'wah*) in the Palestinian Authority, local Hamas supporters participate in **anti-Israeli demonstrations and activities throughout Britain**, and there are pro-Hamas activities in **educational institutions** in Britain.