

UNRWA: Its Role in Gaza

by

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Iz A-Din Adel Al-Fara.
Was a student in an UNRWA school in Gaza,
and participated in a Hamas-affiliated organization.
(Details page 13)

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*“...laying off the agency employees because of their political affiliation means laying off **all** the employees of the aid agency [UNRWA], because...**they are all members of the ‘resistance,’ in its various forms [i.e., terrorist organizations].**”*

— Mustafa Sawaf, editor-in-chief of the Hamas daily *Felesteen*, on April 16, 2009, in a letter to John Ging, UNRWA Director of Operations (Details page 13)

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EXECUTIVE SUMMARY

It is less than a year since the last report on UNRWA by this author was released.¹

However, the current critical political/security situation in the Gaza Strip requires a new analysis of UNRWA's various roles in this specific locale.

Background

In December 2008, after seven years of Hamas and other terrorist groups launching rockets and mortar shells from Gaza at civilians in the south of Israel, Hamas announced that a six-month temporary ceasefire—during which 538 rockets had been fired² at Israel—would not be renewed. In the days that followed, rocket firings averaged 40 per day, with over one million Israeli citizens within range.

On December 27, 2009, Israel began a major military operation — Operation “Cast Lead”—against Hamas in Gaza. As Hamas operated within densely populated civilian areas, Israel utilized pinpoint strikes and unprecedented efforts to warn the civilian population; nonetheless Israeli operations were unable to avoid collateral damage. As international critics were quick to blame Israel, often without an accurate assessment of the situation, Israel opened a second, information and public relations, front.

Operation “Cast Lead” ended on January 18, 2009, with a ceasefire unilaterally declared by Israel, followed by a similar ceasefire announcement from Hamas. In the course of the Operation, Hamas was disabled but not defeated; it is still in control in Gaza, and still smuggling in weaponry. From the time the war ended through July 20, 2009, 144 rockets, 79 mortars and 6 Grad Katyushas³ have been fired into Israel.

With some specific exceptions,⁴ crossings today are open for commercial⁵ and humanitarian materials. By March 2009, \$4.5 billion, including \$900 million from the US, had been pledged by the international community for humanitarian relief and reconstruction. There is considerable unease, however, about how to proceed with the major reconstruction that is required but at the same time prevent money and supplies from falling into hands of Hamas.

Consideration is being given within the international community to utilizing UNRWA—which is broadly viewed as a purely humanitarian organization—as a major conduit of these funds and supplies.

The UNRWA role in Gaza

UNRWA involvement in Gaza is greater than in any of the other regions in which it operates, including Lebanon, Syria, Jordan, and Judea & Samaria (West Bank).

This is a function of demographics: 70% of Gaza’s population, estimated at 1.5 million, consists of persons registered with UNRWA as refugees⁶ — thus UNRWA maintains a significant presence in the region. There are 10,000 UNRWA workers in Gaza, who are almost all Palestinian Arab refugees themselves; this means roughly one out of every 150 persons resident in Gaza is an UNRWA employee.

A strong connection between UNRWA in Gaza and Hamas has been previously documented⁷ and evidence that this continues is provided later in this report. Of particular significance are the recently held elections within the teachers’ sector of the UNRWA union in Gaza,. Candidates associated with the Islamic Bloc, an affiliate of Hamas, won all 11 seats for the executive council⁸— granting Hamas an enormous influence within the UNRWA schools.

The Islamic Bloc (known in Arabic as *Al-Kutla Al-Islamiah*) maintains broad programs in these UNRWA schools, beginning as early as junior high school, which promote radical incitement for jihad and opposition to Israel. Its goal is winning the hearts and minds of students so they can be recruited into the Hamas military wing during high school or after graduation.⁹

UNRWA positions during “Cast Lead”

During “Cast Lead,” statements of a political nature and accusations leveled at Israel were repeatedly made by key UNRWA personnel, even though this is highly inappropriate from individuals who represent an organization the official mandate of which is purely humanitarian.¹⁰ What is more, these statements indicated an anti-Israel bias and frequently a misrepresentation of facts.

UNRWA spokesman Christopher Gunness —in a radio interview¹¹—began talking about “proportionality” on January 5, 2009, without reflecting what international law actually says¹² on this subject:

“This is not proportionate. And what is happening in Sderot [in Israel, where Hamas rockets hit], which is utterly condemnable, I don’t think justifies this level of disproportionality...This degree of killing of innocent women and children and babies is not justified.”

Gunness also took it upon himself to explain Hamas’s rocket attacks:

“But let me also say that the root of the rockets – and people in Gaza tell you this...They will tell you that the occupation is being resisted. That’s the reason for the rockets...”

Gunness is saying here precisely what Hamas says for PR purposes: That it launches rockets because of “the occupation,” where military occupation of Gaza and the West Bank is implied. Gunness, who is speaking for an ostensibly humanitarian agency, has no business explaining why Hamas launches rockets in any case. It is wrong from a humanitarian perspective; from the perspective of international law, it is forbidden.

What Gunness does is to offer a sort of justification, totally disregarding Hamas’s insistence on the illegitimacy of Israel and its call for Israel’s destruction via jihad.¹³

Perhaps most egregious of all, however, was a statement¹⁴ made by Commission-General of UNRWA, Karen AbuZayd:

“The saddest thing,” she intoned, “is that all of the private sector – every single factory and workshop – was destroyed. Anybody who was working has to start all over.”¹⁵

To have destroyed “every single factory and workshop,” Israel would have had to carpet bomb all of Gaza, and this was not remotely the case. In fact, Israeli attacks were pinpoint — done to hit specific identified targets. What is more, one must ask how AbuZayd *determined* such a thing: how could she *know* that there was not a single workshop left standing?

This is not a case of expressing an empathy for the residents of Gaza that engenders a tendency to exaggerate. **In this instance one is led irrevocably to the conclusion that AbuZayd willfully and maliciously misrepresented.**

Instances are also documented in which UNRWA representatives made fallacious charges against the IDF—or leveled charges before facts were checked—with regard to damage done to UNRWA buildings or personnel during the conflict.

The incident that received the most press was the one in which it was either claimed or strongly implied that the IDF hit an UNRWA school in Jabaliya that was sheltering civilians, thereby killing 40 people.¹⁶ An IDF investigation, however, indicated that eight to ten Hamas gunmen were killed near the school, which was never hit, after the terrorists had fired mortar shells at IDF troops.¹⁷

Precipitous charges were made—before facts were confirmed—that the IDF had killed an UNRWA driver in a convoy. An IDF investigation later found this was not true.¹⁸

Other charges included the claim made by UNRWA that the IDF had made illegal use of white phosphorus¹⁹, which was later refuted by the IDF.²⁰

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INTRODUCTION

It is less than a year since the last report on UNRWA written by this author was released.²¹ However, the current critical political/security situation in the Gaza Strip mandates a new analysis of UNRWA's various roles in this specific locale.

A review of the manner in which this agency has conducted itself in Gaza in the last several months—and most particularly in the course of the weeks in which Israel was at war with Hamas—is very much in order. It takes on additional weight as consideration is being given within the international community to the utilization of UNRWA — perceived as a purely humanitarian agency — as a major conduit for funds and materials going into Gaza for reconstruction.

Background

In August and September 2005, Israel withdrew entirely from the Gaza Strip. At this point, the Palestinian Authority (Fatah) assumed administrative control, at least nominally.

Israel had endured intermittent Kassam rocket attacks from Gaza since 2001; these rockets were launched by various terrorist groups, with Hamas a significant player. After Israel's withdrawal from Gaza, the number of rocket launchings increased by 500 percent.²² Hamas felt newly empowered and, absent the presence of Israeli forces, had greater latitude to operate. Fatah was either unable or unwilling to act with sufficient deterrence to significantly reduce these attacks.

Hamas control of Gaza

In June 2007, Hamas seized control of Gaza in a violent coup. At this point the number of rockets launched and mortars fired into Israel again escalated significantly. During the course of 2008, there were 3,300 rocket and mortar attacks,²³ three-fold the number of attacks in 2006.

Israel responded to attacks intermittently, by initiating pinpoint operations: swift airstrikes, and occasionally raids on specific targets such as launching sites or weapons storage facilities — as well as against those responsible for planning or launching attacks.

Additionally, in response to Hamas's control of Gaza —and to warnings of terrorist attacks at the crossings into Gaza— Israel exercised tightened control over these crossings, focusing primarily on allowing the entry of humanitarian aid.

Tahadiyah

On June 19, 2008, a six-month Gaza “ceasefire” between Israel and Hamas brokered by Egypt went into effect. More properly called a *tahadiyah* [lull, calm] in Arabic; it was a temporary and informally agreed upon period of calm that called upon Hamas to cease rocket attacks, and Israel to halt air strikes and incursions into Gaza. While rocket attacks

from Gaza were substantially reduced, they were not halted: 538 rockets and mortars were fired from Gaza during this period.²⁴ Moreover, the smuggling of more sophisticated weaponry and the manufacture of Kassam rockets continued. With the exception of a single response to an immediate threat,²⁵ Israel refrained from acting inside Gaza during this time.

Termination and Escalation

As the six months drew to an end, attacks from Gaza increased —from November 4 to December 19, 340 rockets were launched by Hamas.²⁶ Finally a Hamas spokesman declared that the *tahadiyah* would not be renewed. In the seven days after the *tahadiyah* ended, there were 280 rockets and mortar attacks, averaging 40 per day.²⁷ Some of the rockets launched were Grad Katyushas, with a greater range and accuracy than Kassams. Wide swaths of southern Israel, and over a million Israeli citizens, were now within range.

Operation “Cast Lead”

On December 27, 2008, Israel initiated a major military operation in Gaza, “Operation Cast Lead.” It began with air strikes and proceeded with a ground operation. Israeli military goals were to: weaken the Hamas infrastructure; take out rocket storage sites and launching areas; reduce the number of smuggling tunnels between the Sinai and Gaza; and remove Hamas fighters and —at least in some instances— those planning operations.²⁸

While attacks were carried out with pinpoint accuracy,²⁹ the IDF struggled with an immoral enemy that —in defiance of international law— used Gazan civilians as human shields.³⁰ Hamas fought from, stored weapons in, and launched rockets from civilian areas.³¹

Israeli efforts to avoid collateral damage whenever possible were extraordinary: tens of thousands of leaflets were dropped warning people to get out of the way; phone calls were made to homes that were about to be attacked; operations were aborted when it became clear that civilians were in range; sometimes rockets designed simply to make noise were dropped on buildings to frighten people into leaving before the building — used as a weapons storage or launching site— was hit.³²

And yet, inevitably, there was collateral damage. Thus, Israel fought second, public relations, front in this war, as international critics were quick to place blame without a full understanding of the parameters of the situation.

Major public buildings in Gaza —including Islamic University— were legitimate targets for attack during the operation, as they were sites for development and storage of weapons, and terrorist organizational hubs. Unfounded charges ensued, claiming that the IDF did wholesale and indiscriminate destruction of buildings.³³

Israel maintained a general closure on the crossings into Gaza so that material would not get to Hamas, but permitted large numbers of trucks to go through bearing humanitarian relief. As the Operation progressed, the IDF initiated an unprecedented practice: the voluntary cessation of military activity for a period of roughly three hours each day to allow humanitarian supplies that had been brought to be distributed. Neither water nor electric power supplied to Gaza by Israel was ever halted. Yet, despite this, international criticism was leveled at Israel for allegedly exacerbating a humanitarian crisis.

Following the military operation

Operation "Cast Lead" ended January 18, 2009, with a unilateral decision by Israel to cease firing and withdraw during the course of the following days; the major portion of the pullout was completed by January 20. Israel's announcement was followed by a "ceasefire" declared by Hamas.

In the course of the Operation, Hamas was shelled heavily but not destroyed; Hamas is still in control in Gaza, still defiant, and still smuggling weaponry. From the six months since the war ended through July 20, 2009, 144 rockets, 6 Grad Katyushas, and 79 mortar shells³⁴ were fired into Israel.

With some specific exceptions,³⁵ crossings are open for commercial³⁶ and humanitarian materials. By March 2009, \$4.5 billion dollars, including \$900 million from the US, had been pledged by the international community for both humanitarian relief and reconstruction.

However, as Hamas is in control in Gaza, there is considerable unease about how to proceed with the major reconstruction that is required while at the same time preventing money and supplies from falling into the hands of Hamas.

THE UNRWA ROLE IN GAZA

UNRWA's Gaza operation

UNRWA involvement in Gaza is greater than in any of the other regions in which it operates: That is, in Lebanon, Syria, Jordan, and Judea & Samaria (West Bank).

This is a function of demographics: 70% of the Gaza's population, currently estimated at 1.5 million, consists of persons registered as refugees with UNRWA.³⁷ Thus UNRWA, which serves these people, maintains a significant presence in the region. There are 10,000 UNRWA workers in Gaza; these are almost all Palestinian Arab refugees themselves, which means that roughly one out of every 150 persons resident in Gaza is an UNRWA employee, and that 40% of the schools in Gaza are run by UNRWA.³⁸

Because of this situation, it was inevitable that UNRWA would have involvement in what transpired during the time of Operation "Cast Lead." UNRWA was responsible for some (but not all) of the humanitarian relief distributed, including managing the truck convoys that brought in supplies from crossings; maintaining warehouses where supplies were stored; and distributing the supplies. UNRWA schools were used as shelters for civilians when homes were destroyed; UNRWA buildings and personnel were exposed to the possibility of collateral damage.

The UNRWA-Hamas Connection

The connection between UNRWA and Hamas in Gaza has been solidly documented in prior reports.³⁹ Further, it has been demonstrated that UNRWA over the years has promoted radical Muslim ideology via a Hamas-affiliated presence in its schools.⁴⁰

This connection is not simply a matter of history — it is an on-going phenomenon:

UNRWA Union representatives

The UNRWA teachers' union in the Gaza Strip —by far the largest union sector— has close to 7,000 members; the civil service sector has about 2,000; and general UNRWA workers number about 1,500. Elections are held once every three years to choose representatives to executive councils.

For over 15 years, Hamas (via its affiliate Islamic Bloc)⁴¹ has dominated the UNRWA's teachers' union in the Gaza Strip. In 2006, the Hamas victory was decisive: for the first time, its candidates won all 11 seats, meaning that Hamas representatives would control the executive council of this union sector.

Elections for the unions of the UNRWA workers in 2009 ran from March 16 to March 24. It was estimated that some 97% of those eligible to vote participated; balloting was held at UNRWA headquarters in Gaza. Once again, Hamas-affiliated candidates won all

11 seats in the teachers' section,⁴² guaranteeing Hamas control of UNRWA schools in Gaza.⁴³

Almost immediately, a representative of Hamas in Gaza released a statement, about the group's pleasure with this result, declaring it an indication of the "enormous support" Hamas enjoys.⁴⁴

Within days, John Ging, UNRWA director of operations, threatened to relieve UNRWA personnel of their positions if they were associated with political parties.⁴⁵

Ging wrote a letter to a small number of employees, indicating his concern about a "worrisome" situation. In that letter, he observed that parties "hostile" to UNRWA have advertised the victory in UNRWA elections of certain political candidates over the years, but only now did these statements come from inside Gaza, giving them enhanced credibility.⁴⁶

What can be understood from this statement is that there was UNRWA concern about *appearances* at a time when UNRWA was being watched by the international community. For the fact of the matter is that the affiliation of the Hamas-associated candidates hadn't changed from 2006. What had changed was the fact that Hamas was now in control in Gaza so that the affiliation had more import.

Since this happened, UNRWA has avoided making public the list of winning candidates for the teachers' sector, and —while there have been rumors⁴⁷— there has been no opportunity for discovering if anyone was actually let go.

One of the persons who had been mentioned as having been suspended by Ging was Shall Al-Hindi, who had been elected chairman of the teachers' section. Al-Hindi is a well known Hamas activist.⁴⁸ However, the Palestinian news website Sama⁴⁹ reported, on May 31, 2009, that when Ging attended an event honoring retired UNRWA teachers, he was accompanied by Al-Hindi.

Further evidence that Ging did not actually fire teachers is provided by an editorial, in the form of a critical letter to John Ging, written by Mustafa Sawaf, editor-in-chief of the Hamas daily *Felesteen*, on April 16, 2009.

The most severe criticism leveled by Sawaf concerns Ging's "threat of layoffs." There is no reference to actual lay-offs: as the Intelligence and Terrorism Information Center, which reported this letter, states, "even though that threat is not carried into effect."⁵⁰

Hamas presence in UNRWA schools

As the teachers' sector of the UNRWA union in Gaza is controlled by Hamas, it is to be expected that Hamas would have entrée into the schools. And, indeed, this is the case now and has been the case.⁵¹

On December 30, 2005, a cultural event was held to honor a hundred teachers, male and female, who had been singled out for their excellence from an UNRWA school in Khan Yunis..

Among those present was Dr. Yunes Al-Astal, one of the heads of Hamas who openly advocates terrorist attacks against Israel, and who has issued religious edicts (*fatwas*) to the effect that Jews will be burned in both this world and the next.⁵²

Khaled Madi, an UNRWA teacher, told the audience that “those worthy of being honored are the teachers who sacrificed their lives for the sake of Allah and the homeland, like the *shahids* [“martyrs” who gave their lives in terror attacks] Tareq Abu Al-Hussien, Subhi Abu Namous, Iyad Al-Sir, Muhammad Al-Awaj and Majid Al-Slibi, who were all teachers in Khan Yunis.”⁵³

Another teacher, Sheikh Mansur Bariq taught in UNRWA schools for five years. On March 7, 2009, the Hamas website reported on a ceremony that was held by Al-Qassam Brigades in honor of the families of *shahids* (martyrs) in the western part of Rafah. In his speech at this event Shiekh Bariq said that the way of “resistance” was the only way for the Palestinians to return their rights: “what was seized with force will not be returned but with force and Hamas will be loyal to the blood of the *shahids*.”⁵⁴

***Kutla* activities in UNRWA schools**

The Hamas-affiliated Islamic Bloc (known in Arabic as *Al-Kutla Al-Islamiah*) maintains broad programs in UNRWA schools; these begin as early as junior high school, and promote incitement for jihad and opposition to Israel.

Representatives of the *Kutla* operate in the schools, with each group of representatives supervised by a counsellor (*amir*) assigned by Hamas. The goal is winning the hearts and minds of students so they can be recruited into the Hamas military wing during high school or after graduation.

This is done via supplemental programming, special events, and offers of assistance, including: clean-up projects; visitation of sick students; vacations; soccer tournaments; planting trees at the schools; assistance in preparing for exams; quiz contests with prizes; bringing and bands and singers associated with Hamas; and so on. Teachers are also given gifts by *Kutla* at holiday times.⁵⁵

In early 2009, the Hamas website⁵⁶ reported on *Kutla* programming being done in an UNRWA junior high school in Rafah. The goal, according to the website, was “to draw in 155 new students to operate under the Islamic flag” . Methods included: distributing pamphlets and magazines containing religious indoctrination (*Daawa*); attending school programs; arranging competitions; meeting new students, and offering gifts to teachers and students.

In May 2008, the *Kutla* ran a commemoration of the *Nakba* [“catastrophe,” by which is meant the founding of Israel] in an UNRWA junior high school, Izbeh Beit Hanun. A video on the Hamas website documented the ceremony, in which an unnamed boy, accompanied by a *Kutla* representative, stated:

“We are still holding the key for our return, we are holding weapons and we are defending our country until we return, with the help of Allah, our ownership right....we will free Al-Aqsa [mosque]...and our homeland...from the heretic pigs of the sons of Zion ...we shall return...we shall return...we will never recognize what is called Israel.”⁵⁷

Iz-A-Din Adel Al-Farah, a 15 year old student in eighth grade in UNRWA’s Al-Qarara junior high, had joined the *Kutla* and was head of the *Daawa* committee. After he was killed in an IDF operation in January 2009, *Kutla* activists in the school hung up posters that included a picture of Al-Fara in uniform and carrying a gun.⁵⁸



Letter by Mustafa Sawaf

Perhaps most telling is the letter to John Ging written by Mustafa Sawaf, editor-in-chief of the Hamas daily *Felesteen*, on April 16, 2009—alluding to the alleged layoffs above.

In part, Sawaf wrote:

“[John Ging] should know that laying off the agency employees because of their political affiliation means laying off all the employees of the aid agency [UNRWA], because they are all affiliated [with some political organization]. If they are not members of parties and organizations, they belong to this resisting homeland, i.e., they are all members of the ‘resistance,’ in its various forms [i.e., terrorist organizations]. Not only the officials...belong, but also school children...Will you fire them too, [denying] their right to receive education in the agency’s schools?”⁵⁹

UNRWA DURING “CAST LEAD”

Public statements by UNRWA

Charges regarding the damage being done

A week after the beginning of Operation “Cast Lead,” there emerged the beginning of a pattern in which reports by UNRWA officials painted a more dire scenario in Gaza than what Israeli officials were reporting as the reality.

“Bread and wheat are going to run out extremely rapidly, and people are going to start getting extremely hungry,” said UNRWA spokesman Christopher Gunness on January 4, 2009. “Medical supplies are in critically short supply. When you have a situation where houses are being blown up and women and children are being maimed, I would say that's a humanitarian crisis.”⁶⁰

At this same time, high level Israeli officials maintained that there was no humanitarian crisis and that one would not be permitted to develop.

Political Charges: UNRWA spokesman

A day later, Gunness —in a radio interview⁶¹— began to raise political questions, starting with the issue of “proportionality”:

“First of all, we at the United Nations condemn the rockets... They are utterly condemnable. And my message is as much to the rocket launchers as to the Israeli army, which is that enough innocent women and children, dozens have been killed just within the last few days. And, of course, our hearts go out to those families in Sderot, who... are being terrorized. Of course, that is absolutely condemnable.

“**However, let’s look at the proportionality here.** (emphasis added)

“Let me ask [Meagen Buren, of The Israel Project, speaking unofficially on Israel’s behalf] how many have been killed in the last few days? Five-hundred-thirty-one, among them, women, children. Just last night, seven of our refugees, unconfirmed reports saying killed in their beds while they slept. Nine of our students killed in one air strike.

This is not proportionate. And what is happening in Sderot, which is utterly condemnable, I don’t think justifies this level of disproportionality. (emphasis added)

Anyone looking at the facts, straightforward, on the ground, listens to what [Buren] is saying and says, ‘Yes, of course it’s unforgivable. It’s condemnable.’ But surely, you can also understand that **this degree of killing of innocent women and children and babies is not justified.**” (emphasis added)

There are immediately two problems with what Guinness said: One is that a humanitarian organization should not be making politicized statements. The other has to do with the veracity and the balance of the charges that are leveled:

It is troubling that Guinness cites unconfirmed deaths as if they were facts. What is more, he implies that if an individual killed by the IDF is a “refugee,” it is somehow a given that he was innocent. Why else lament that there was a loss of “seven of our refugees” and then “nine of our students”? Guinness neatly eludes the fact that a refugee might also be a terrorist and a legitimate target for Israeli soldiers. He tells us nothing about who the people allegedly killed actually were.

Then there is his failure to speak even a word about Hamas’s responsibility, according to the Geneva Conventions, for these deaths brought about by having used civilians as human shields.⁶²

Guinness approaches the issue of “disproportionality” from the perspective of someone seeking to vilify Israel without examining the parameters of international law.

Proportional force, according to international law, does not require that an equal number of people be killed on either side. Rather, the basis for determining that an action utilized proportionate force lies in that force having been necessary militarily for defense.

If attempts are made to minimize civilian damage, then even a strike that causes considerable civilian damage—but is directed at a target with a large military value—would be lawful.⁶³

Advocacy

Guinness further states:

“But let me also say that the root of the rockets—and people in Gaza tell you this all the time—and, by the way, I also spend a lot of time in Gaza. They will tell you that the occupation is being resisted. That’s the reason for the rockets...

“And from the UN’s point of view, there is one occupied territory. So if there’s one Israeli soldier occupying the West Bank, then Gaza is also occupied. I’m afraid that is how international law works. Gaza has continued to be occupied. And until the underlying cause of this, the occupation, is addressed and the strangulation, which is part of that occupation, is addressed, I fear for the people of Sderot.”

At this point, we encounter the phenomenon of having the spokesperson for UNRWA speak as if he were the spokesperson for Hamas.

What Guinness is saying here precisely echoes what Hamas says for its public relations: that it launches rockets because of “the occupation,” where military occupation of Gaza

and the West Bank is implied.⁶⁴ Guinness, speaking for an ostensibly humanitarian agency, has no business explaining why Hamas does or does not launch rockets, in any case. From the perspective of humanitarian concerns, launching rockets at civilians is wrong; from the perspective of international law,⁶⁵ forbidden.

What Guinness does is to offer a sort of justification, totally disregarding Hamas's insistence on the illegitimacy of Israel and its call for Israel's destruction via jihad.⁶⁶

Guinness claims that Gaza and the West Bank are one unit, in UN eyes, and that, according to international law, a single Israeli soldier in the West Bank means that Gaza is occupied. This is simply not the case.⁶⁷ What is more, this statement restricts "occupation" to presence only in the West Bank or Gaza; according to Hamas, however, "occupation" means an Israeli presence anywhere from the Jordan River to the Mediterranean Sea.

Similar statements by UNRWA director of operations

Two weeks later, John Ging, director of operations for UNRWA, weighed in with his assessment of the situation:

"The whole infrastructure of the future state of Palestine is being destroyed. Blowing up the parliament building—that's not a Hamas building. The president's compound is for the president of Palestine. Schools, mosques."⁶⁸

How he was able to determine which buildings Hamas was not utilizing is unclear. Hamas frequently used such public building for its purposes: in several instances, mosques were made into storage areas for rockets,⁶⁹ while research and development for Hamas weapons was done within the premises of the Islamic University in Gaza City.⁷⁰

Commissioner-General's public statements

Statements made by UNRWA commissioner-general Karen AbuZayd speak for themselves:

Addressing the Security Council on January 27, 2009, AbuZayd described "what appears to have been systematic destruction to schools, universities, residential buildings, factories, shops and farms," and a Palestinian "rage against attackers for often failing to distinguish between military targets and civilians."

In late March, she told a UN "Seminar on Assistance to the Palestinian People" in Cairo that Israel had damaged 57 UNRWA facilities, including "37 schools and various other premises."

In neither instance did she allude to the problem of Hamas utilization of civilian sites for storage and launching of rockets.⁷¹

Most egregious, however, was a statement AbuZayd made in the course of a talk delivered at DePauw University in Indiana (her alma mater) on March 12, 2009:

“The saddest thing,” she intoned, “is that all of the private sector – every single factory and workshop – was destroyed. Anybody who was working has to start all over.”⁷² (emphasis added)

This is a patently ridiculous attempt to present the damage done by Israel in the course of the war in the worst possible light. To have destroyed “every single factory and workshop,” Israel would have had to carpet bomb all of Gaza, and this was not remotely the case. In point of fact, bombing was pinpoint—done to hit specific identified targets.

British journalist Yvonne Green, who visited Gaza in March 2009, reported:

“What I saw was that there had been precision attacks made on all of Hamas's infrastructure.

“...most of Gaza...was visibly intact.”⁷³

The IDF, in its final report on Cast Lead⁷⁴ confirms this. On page 102, “The Operation in Gaza,” the report states that “the IDF conducted pinpoint surgical aerial strikes, using precision guided munitions.”

One must also ask how AbuZayd might have *determined* such a thing? How could she *know* with certainty that there was not left standing a shoe-maker shop in one place, a pottery shop in another, a dress-maker's shop in a third? A carpenter's shop? A butcher shop?

“*Anybody* who was working has to start over”? What about agricultural workers and those who sell agricultural produce?

This is not a case of expressing an empathy for the residents of Gaza that engenders a tendency to exaggerate. **In this instance one is led irrevocably to the conclusion that AbuZayd willfully and maliciously misrepresented.**

AbuZayd was also involved in an incident in mid-February in which she delivered a letter, written by a Hamas foreign ministry advisor and addressed to President Obama, to Senator John Kerry during his visit to Gaza.

A great deal of UNRWA dissembling followed this incident, and Hamas disavowed official responsibility for the letter.

A senior Israeli official commented: “Unfortunately there is a pattern here. **That no one finds it strange that UNRWA, whose mandate is humanitarian, is the vehicle through which Hamas passes messages on to the US, just shows where UNRWA is at.**”⁷⁵ (emphasis added)

IDF and UNRWA

During the course of Operation “Cast Lead,” UNRWA made several accusations regarding IDF attacks on its buildings or personnel:

Accusation of attack on school in Jabalyia

The incident that received the most press involved a charge that on January 6, the IDF hit an UNRWA school, al-Fahoura, in the refugee camp of Jabalyia in northern Gaza, where civilians who had been forced to leave their homes were sheltered. It was claimed that at least 40 people had been killed, many women and children.

On January 7, UNRWA spokesman Christopher Gunness said, in an interview:

“Well, first of all, for the attack at Jabalyia, we said yesterday 30 confirmed fatalities and 55 injured, including 15 critically. Very sadly, overnight, 10 people passed away.

“The fatality figure has now risen from 30 to 40. The people in the compound, over 1,300 people—by the way, some of those, many of them had been told by the Israeli army to leave their houses and move to a safe place...

“...they...came - frightened, terrified, vulnerable - to our center. They were coming to what they thought was a neutral United Nations shelter, and then the rest is history - 40 people killed.”⁷⁶

At the time, the IDF responded that three civilians and eight to 10 Hamas gunmen had been killed near the school, with no shell having hit the school: an IDF unit that came under fire from a Hamas cell near the school had returned fire.⁷⁷

Early in February, the UN issued a revised report, and explained that the statement in the original report indicating that the compound itself had been shelled was the result of a “clerical error.”⁷⁸

Gunness, for his part, told the *Jerusalem Post* that UNRWA never stated that the shell hit the school, but rather always spoke in more general terms of the casualties in the area.⁷⁹ First, the implication was that the school had been hit. Then, there is the question of the number he not only alleged were killed but cited as “confirmed fatalities.” Confirmed by whom?

The British journalist, Yvonne Green, cited above, noted after her March visit to Gaza that:

“Seeing Al-Fakhora made it impossible to understand how UN and press reports could ever have alleged that the UNWRA school had been hit by Israeli shells. The school, like most of Gaza, was visibly intact.”⁸⁰

On April 22, 2009, the IDF released this statement, following an investigation of the incident:

“the IDF used minimal and proportionate retaliatory fire, using the most precise weapons available to them. Hamas made this necessary, as it fired mortar shells at Israeli forces 80 meters from the school. Additionally, it was concluded that all of the shells fired by IDF forces landed outside of the school grounds. According to a Senior IDF Military Official, the United Nations has also confirmed this finding.”⁸¹

Alleged killing of UNRWA driver

On January 8, 2009, UNRWA announced that it would be suspending operations to deliver food in Gaza because Israeli fire had killed one driver and injured others. UNWRA claimed that those who had been fired on were part of a convoy picking up supplies from the Erez crossing into Gaza, and that Israel had allegedly fired upon it even though the convoy carried a UN flag and had been given Israeli clearance.

John Ging, in a video hook-up from Gaza to a news conference at the UN’s NY headquarters, declared, “This is heartbreaking... a very, very difficult decision for us to take. The population here are in a dreadful state and really need our help at this point but we have also a responsibility to our staff, and eager as they are, and believe me they are, we cannot fly in the face of the security situation.

“[There are risks in a combat zone, but] added to those is the fact that we cannot rely on firm commitments given by the Israeli side, carefully coordinated with them, green lights given to move... specifics provided, carefully coordinated throughout, and to have the Israeli forces on the ground firing at and now hitting aid workers.”⁸²

This was very shortly after the incident had occurred, but there was no indication from Ging regarding how it had already been determined quite definitively (for he spoke definitively!) that it had been Israeli fire at fault.

Shortly thereafter, a report surfaced concerning a Magen David Adom (MDA) medic — who said he had transferred the Palestinians, injured and dead, to an Israeli hospital. The medic stated that he had spoken to the Israeli soldiers who had, at personal risk, assisted in the evacuation of the Palestinians; they told him that the convoy had come under Hamas sniper fire.⁸³

The Palestinian Red Crescent Society, contradicting the statement of the MDA medic, maintained that it had evacuated the Palestinians. *The Jerusalem Post*, in the face of conflicting claims, was able to confirm that on the day of the incident there was one dead Palestinian, and two other Palestinians being treated for gunshot wounds, at Barzilai Medical Center in Ashkelon.⁸⁴ (The fact that they suffered gun shot wounds is significant; reports stated that they had come under IDF mortar fire.)

By January 10, after a preliminary investigation, the IDF officially announced that it had not shot at the convoy at the Ezra crossing. *The Jerusalem Post* reported that UN sources had admitted, subsequent to the original charges, that they were not sure in which direction the truck was headed when it was hit, and also could not say with certainty that [Israeli] tank shells were responsible.⁸⁵

The rush with which UNRWA leveled unconfirmed charges against the IDF in this incident seems yet one more deliberate attempt to damage the IDF image. Ging's statement, "We cannot rely on firm commitments given by the Israeli side," moves beyond carelessness.

UNRWA headquarters in Tel El-Hawa

On January 15, 2009, the IDF was charged with hitting UNRWA headquarters in Tel El-Hawa, as well as a nearby Red Cross pharmaceutical storage facility. The blow to UNRWA headquarters generated a fire. The IDF was accused of using white phosphorus — which, according to international law, is illegal as a weapon in urban areas — in attacking the headquarters. (The next section discusses charges against the IDF regarding the use of phosphorous permitted by international law.)

Christopher Gunness claimed that the headquarters building had been used to shelter people, and that supplies desperately needed by Palestinians in Gaza were on fire.

"What more stark symbolism do you need?" he asked. "You can't put out white phosphorus with traditional methods such as fire extinguishers. You need sand, we don't have sand."⁸⁶ (emphasis added)

UN Secretary-General Ban Ki Moon expressed "strong protest and outrage" and demanded an investigation.⁸⁷

What the IDF discovered upon investigating was that the two incidents took place in the course of fierce fighting in the Tel El-Hawa neighborhood of Gaza City. Hamas had placed anti-tank squads near sensitive facilities, intending to hit an IDF tank, which would have delivered a strategic blow. IDF soldiers had been under fire from both the anti-tank weapons and small arms.

In the case of the pharmaceutical storage facility, the IDF did not return fire at the Hamas fighters near that facility until direct fire from an anti-tank unit had been sustained.

Returned fire, when it was delivered, apparently did hit the pharmaceutical storage facility. However, the IDF had never been provided with information by the Red Cross as to the location of this facility, and it was not marked on IDF maps. No persons were injured in this incident.⁸⁸

Regarding the UNRWA headquarters: the IDF had deployed a smoke screen in the area to “protect a tank force operating in the neighborhood from Hamas anti-tank crews which had positioned themselves adjacent to the UNRWA headquarters. The smoke screen was intended to block the terrorists' field of view...[it]...prevented precise anti-tank fire against IDF forces.”⁸⁹

The smoke projectiles were fired a considerable distance from the UNRWA headquarters. However, fragments of the projectiles apparently hit a warehouse located in the headquarters, causing it to catch fire.

During the incident, claims also were made that an explosive shell or shrapnel had hit the UNRWA headquarters. The subsequent investigation, however, showed that these shells or fragments had been fired at military targets within the battle zone. Once the UN complained about a shell having hit headquarters, IDF forces in the area were ordered to cease firing shells. When the report about the fire was received by the IDF, all firing was stopped and entry into the area of the firefighting trucks was coordinated by the IDF.⁹⁰

The IDF investigation summed up: “The damage caused to the UNRWA headquarters during the fighting in the Tel El-Hawa neighborhood is the unfortunate result of the type of warfare that Hamas forced upon the IDF, involving combat in the Gaza Strip's urban spaces and adjacent to facilities associated with international organizations. These results could not be predicted.”⁹¹

What is remarkable, but also predictable, is that no one from the UN or UNRWA condemned Hamas for shooting “from urban spaces and adjacent to facilities associated with international organizations,” thereby precipitating the problem.

Criticism was leveled exclusively at the IDF.

The charge that the IDF utilized phosphorus

The findings of the IDF investigation⁹² were that:

All use by the IDF in Gaza of munitions containing white phosphorus conformed with international law. What is more, NO phosphorus munitions were used on built-up areas or for anti-personnel purposes.

Two sorts of munitions utilizing white phosphorus were utilized in Gaza by the IDF:

In a very limited number of cases, incendiary munitions were used – but only in open areas — for marking and range-finding. In one single case, such munitions were used to uncover a tunnel entrance.

“As a precautionary measure, even though international law does not prohibit [them], as of January 7th 2009, it was decided that in order to further minimize the risk to civilians from munitions containing phosphorous, the IDF would cease to use the munitions containing larger quantities of phosphorous (i.e. those not used for smoke screening). All IDF forces were directed to act accordingly.”⁹³ Two exceptions uncovered of use of incendiary phosphorus munitions, after January 7, were for purposes of marking only and, consistent with all IDF use of phosphorus, conformed to international law.

In the majority of cases in which phosphorus munitions were used, they were for the purpose of generating a smoke screen. **The munitions contained pieces of felt dipped in phosphorous in a manner that is not intended to cause injuries and which are non-incendiary**...these are munitions which conform in full with international law. ...the limitations under international law on the use of ‘incendiary munitions’ do not apply to this type of munitions.”

It is clear from the IDF report that the fire that erupted in the UNRWA headquarters in Gaza on January 15 could not have been started as a result of IDF utilization of incendiary phosphorus munitions.

John Gunness’s statement, which directly implies that this was the case, is a clear misrepresentation of the facts.

On the basis of precisely what information did he come to speak about needing sand to put out the fire?

That he additionally spoke of the situation as “stark symbolism,” was to exacerbate the false charges to a degree that borders on libelous.

Additional charges

A number of other charges were leveled at Israel regarding attacks upon, and damage to, UNRWA facilities or personnel in the course of Cast Lead. In all cases, initial investigations were done by the IDF at the time charges were made.

After the military operation Cast Lead was completed, IDF Chief of Staff, Lt. General Gabi Ashkenazi appointed five teams —headed by officers with the rank of colonel, who were not part of the chain of command for the actions in question— to investigate the conduct of IDF soldiers. Many of the incidents that were investigated involved UNRWA.

Findings were made public on April 22, 2009.⁹⁴

Issues involving UNRWA that were investigated included the following:

- ◆ The charge: The IDF attacked a building that contained a mother-child clinic.

The finding: Hamas utilized this building for weapon storage; the mother-child clinic was not identified as a clinic. The IDF, however, did warn residents of the building prior to attack.

- ◆ The charge: IDF forces attacked an UNRWA vehicle in the Tel El-Hawa neighborhood in Gaza City.

The finding: The vehicle did not bear UN identification and was carrying a Palestinian anti-tank squad.

¹ “UNRWA Overview and Critique.” See:

<http://www.israelbehindthenews.com/library/pdfs/UNRWAOverviewAndCritique.pdf>

² Sderot Media Center

³ IDF spokesman’s office.

⁴ Items not let in are those that have a “double use.” This includes, broadly, materials that could be utilized for manufacturing munitions — fertilizer, which can become an explosive and items made of heavy metals, or for building bunkers for the storage of munitions — concrete, etc.

Additionally, luxury items such as gourmet foods — that would go primarily to the wealthy elite of Gaza, which is primarily Hamas-associated, are not permitted in.

Source: Guy Inbar, spokesman for the IDF Gaza Administration in telephone interview July 20, 2009.

⁵ According to the Israel-Palestine Chamber of Commerce, it is expected that by the end of 2009, there will be 2 billion shekels in Israeli exports into Gaza.

⁶ This is a considerably higher ratio of refugees to general population than is the case in the other areas served by UNRWA.

⁷ “UNRWA Overview and Critique.” See:

<http://www.israelbehindthenews.com/library/pdfs/UNRWAOverviewAndCritique.pdf>

⁸ Khaled Abu Toameh, “ Hamas wins teachers union elections for UN schools in Gaza,” *The Jerusalem Post*, March 29, 2009.

⁹ Lt. Col. (res.) Yoni Dahoah Halevy, in direct communication with the author. Arabic-speaking, he provided information based on his research, on request.

¹⁰ When founded by UN Resolution 302 (IV), UNRWA was charged with providing “direct relief and work programmes” for the Palestinian refugees.

According to its website (<http://www.un.org/unrwa/overview/index.html>) UNRWA later “adjusted” its programs, so that now it is “the main provider of basic services - education, health, relief and social services.” UNRWA’s role is exclusively humanitarian.

This contrasts strikingly with the mandate of the UN High Commission for refugees, a second refugee agency founded by the UN, which is instructed to “lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees.” See <http://www.unhcr.org/pages/49c3646c2.html>.

When the two mandates are considered in juxtaposition, it becomes imminently clear that UNRWA’s role is restricted to the non-political. When its representatives step make political declarations, they are stepping beyond the purview and the mandate of the agency they represent.

¹¹ A radio news show for Democracy Now! hosted by Ami Goodman, January 5, 2009.

¹² President of the International Court of Justice (ICJ) in the Hague, Rosalyn Higgins, has noted, proportionality “cannot be in relation to any specific prior injury — it has to be in relation to the overall legitimate objective of ending the aggression.” That is, Israel was not required to limit attacks in Gaza to force commensurate to the force of attacks from Kassams that hit southern Israel. It is, rather, legitimate for Israel to use whatever force is necessary to stop the Kassams.

See a full discussion of this issue at:

http://www.jcpa.org/JCPA/Templates/ShowPage.asp?DRIT=1&DBID=1&LNGID=1&TMID=111&FID=378&PID=0&IID=2808&TTL=Did_Israel_Use_“Disproportionate_Force”_in_Gaza?

¹³ According to the Hamas Covenant:

“The Islamic Resistance Movement believes that the land of Palestine is an Islamic Waqf [trust] consecrated for future Moslem generations until Judgment Day. It, or any part of it, should not be squandered: it, or any part of it, should not be given up.” (Article 11)

“Initiatives, and so-called peaceful solutions and international conferences, are in contradiction to the principles of the Islamic Resistance Movement [Hamas]... There is no solution for the Palestinian question except through Jihad.” (Article 13)

“The day that enemies usurp part of Moslem land, Jihad becomes the individual duty of every Moslem. In face of the Jews' usurpation of Palestine, it is compulsory that the banner of Jihad be raised.” (Article 15)

¹⁴ In the course of a talk delivered at DePauw University (her alma mater) on March 12, 2009.

¹⁵ <http://www.depauw.edu/news/?id=23119>

¹⁶ From Herb Keinon and Tovah Lazaroff, “UNRWA offers political cover to Hamas,” *The Jerusalem Post*, February 25, 2009, which cited an interview Guinness gave with “Democracy Now!” radio.

¹⁷ <http://dover.idf.il/IDF/English/News/today/09/4/2201.htm>

¹⁸ Amir Mizroch, “IDF: Army didn’t fire on UN truck,” *The Jerusalem Post*, January 10, 2009.

¹⁹ <http://www.informationclearinghouse.info/article21776.htm>

²⁰ <http://dover.idf.il/IDF/English/Press+Releases/09/4/2202.htm>

²¹ “UNRWA Overview and Critique.” See: <http://www.israelbehindthenews.com/library/pdfs/UNRWAOverviewAndCritique.pdf>

²² Dore Gold, “Israel's War to Halt Palestinian Rocket Attacks,” Jerusalem Center for Public Affairs, March 3, 2008.

²³ Sderot Media Center.

²⁴ *Ibid.*

²⁵ On November 5, 2008, the IDF detected a tunnel intended for the abduction of soldiers near the fence at the Gaza border. In response to this, the IDF initiated a pinpoint operation inside of Gaza near the fence.

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ http://www.mfa.gov.il/MFA/Government/Communiques/2009/Second_stage_Operation_Cast_Lead_begins_3-Jan-2009.htm

²⁹ <http://dover.idf.il/NR/rdonlyres/14998311-6477-422B-B5EE-50C2F1B31D03/0/FINALDRAFTwithclearance.pdf>

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<http://www.jpost.com/servlet/Satellite?cid=1233050211857&pagename=JPost%2FJPArticle%2FShowFull>

³¹ http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Hamas+war+against+Israel/Legal_aspects_of_Hamas_methods_7_Jan_2009.htm.

³² http://www.mfa.gov.il/MFA/Government/Communicues/2009/IDF_warns_Gaza_population_7-Jan-2009.htm

³³ http://www.isria.com/pages/30_July_2009_71.php for full information.

³⁴ IDF spokesman's office.

³⁵ Items not let in are those that have a "double use." This includes, broadly, materials that could be utilized for manufacturing munitions — fertilizer, which can become an explosive and items made of heavy metals, or for building bunkers for the storage of munitions — concrete, etc.

Additionally, luxury items such as gourmet foods — that would go primarily to the wealthy elite of Gaza, which is primarily Hamas-associated, are not permitted in.

Source: Guy Inbar, spokesman for the IDF Gaza Administration in telephone interview July 20, 2009.

³⁶ According to the Israel-Palestine Chamber of Commerce, it is expected that by the end of 2009, there will be 2 billion shekels in Israeli exports into Gaza.

³⁷ This is a considerably higher ratio of refugees to general population than is the case in the other areas served by UNRWA.

³⁸ Two-hundred-twenty-eight schools according to the UNRWA website; most of these are in the camps, with a handful in regions adjacent to the camps. The remainder of Gazan schools —roughly 300— are run by the Palestinian Authority, cooperating with Hamas. Some of the registered refugees who are not in the camps attend PA schools.

³⁹ See:

<http://www.israelbehindthenews.com/library/pdfs/UNRWAOVeriewAndCritique.pdf>

<http://www.israelbehindthenews.com/library/pdfs/UNRWARReport-Consolidation.pdf>

<http://www.israelbehindthenews.com/library/pdfs/UNWRARReport.pdf>

⁴⁰ Ibid.

⁴¹ Party affiliation is always unofficial, but everyone knows who various candidates represent.

⁴² Although for the first time in several years Fatah won in the two other sectors of the union—general workers and social services.

⁴³ Khaled Abu Toameh, " Hamas wins teachers union elections for UN schools in Gaza," *The Jerusalem Post*, March 29, 2009.

⁴⁴ Ibid.

⁴⁵ Amira Hass,” UNRWA threatens to fire Gaza employees with declared Hamas, Fatah loyalties,” Haaretz, April 2, 2009.

⁴⁶ Ibid.

⁴⁷ Lt. Col. (res.) Yoni Dahoah Halevy, in direct communication with the author. Arabic-speaking, he provided information based on his research, on request.

⁴⁸ Ibid.

⁴⁹ <http://www.samanews.com/index.php?act=Show&id=43829>.

⁵⁰ http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e071.htm

⁵¹ ⁵¹ Lt. Col. (res.) Yoni Dahoah Halevy, in direct communication with the author. Arabic-speaking, he provided information based on his research, on request.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ <http://www.terrorism-info.org.il>, op. cit.

⁶⁰ *The Jerusalem Post*, January 4, 2009.

⁶¹ A radio news show for Democracy Now! hosted by Ami Goodman, January 5, 2009.

⁶² The use of "human shields" is prohibited under Article 28 of the Fourth Geneva Convention.

⁶³ President of the International Court of Justice (ICJ) in the Hague, Rosalyn Higgins, has noted, proportionality “cannot be in relation to any specific prior injury — it has to be in relation to the overall legitimate objective of ending the aggression.” That is, Israel was not required to limit attacks in Gaza to force commensurate to the force of attacks from Kassams that hit southern Israel. It is, rather, legitimate for Israel to use whatever force is necessary to stop the Kassams.

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⁶⁴ On June 9, 2009, Khaled Mashaal, head of the Hamas Politburo, during a visit to Cairo, spoke about the need to eliminate Israeli occupation beyond the lines of 1967. http://news.xinhuanet.com/english/2009-06/10/content_11516258.htm

⁶⁵ Fourth Geneva Convention

⁶⁶ According to the Hamas Covenant:

“The Islamic Resistance Movement believes that the land of Palestine is an Islamic Waqf [trust] consecrated for future Moslem generations until Judgment Day. It, or any part of it, should not be squandered: it, or any part of it, should not be given up.” (Article 11)

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“The day that enemies usurp part of Moslem land, Jihad becomes the individual duty of every Moslem. In face of the Jews' usurpation of Palestine, it is compulsory that the banner of Jihad be raised.” (Article 15)

⁶⁷ This statement must be challenged in two regards. First, while the UN is promoting a single Palestinian state in Gaza and the West Bank, there is no evidence that this author finds that it is the position of the UN that the two areas – administered by Hamas and the PA, respectively – are now one unit.

Second, and perhaps more important, is the issue of occupation. By legal definition, occupation occurs when one sovereign state moves into the territory of another sovereign state. (See: <http://legal-dictionary.thefreedictionary.com/Military+Occupation>) As neither Gaza nor the West Bank represent sovereign states, Israeli presence in these areas does not represent “occupation.” What is more, issues of the rights of the Jews to presence in Gaza and the West Bank according to the Mandate for Palestine pertain. What is most certainly the case is that the presence of a single IDF soldier in the West Bank would not constitute “occupation” in Gaza.

⁶⁸ *The Irish Times*, January 17, 2009.

⁶⁹ See <http://www.militantislammonitor.org/article/id/3872>

⁷⁰ Yaakov Katz, “IAF hits Islamic University targets,” *The Jerusalem Post*, December 28, 2008.

⁷¹ Michael Jordan, “UNRWA far from neutral,” JTA, March 31, 2009.

⁷² <http://www.depauw.edu/news/?id=23119>

⁷³ Yvonne Green, “Puzzled in Gaza,” *The Jerusalem Post*, March 2, 2009.

⁷⁴ <http://dover.idf.il/NR/rdonlyres/14998311-6477-422B-B5EE-50C2F1B31D03/0/FINALDRAFTwithclearance.pdf>

⁷⁵ Herb Keinon and Tovah Lazaroff, “UNRWA offers political cover to Hamas,” *The Jerusalem Post*, February 25, 2009.

⁷⁶ From Herb Keinon and Tovah Lazaroff, “UNRWA offers political cover to Hamas,” *The Jerusalem Post*, February 25, 2009, which cited an interview Guinness gave with “Democracy Now!” radio.

⁷⁷ Herb Keinon and Tovah Lazaroff, “UNRWA offers political cover to Hamas,” op.cit.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Yvonne Green, “Puzzled in Gaza,” op. cit.

⁸¹ <http://dover.idf.il/IDF/English/News/today/09/4/2201.htm>

⁸² <http://www.un.org/apps/news/story.asp?NewsID=29489&Cr=gaza&Cr1=unrwa>

⁸³ Amir Mizroch, "Uncertainty shrouds UN driver's death," *The Jerusalem Post*, January 8, 2009.

⁸⁴ Ibid.

⁸⁵ Amir Mizroch, "IDF: Army didn't fire on UN truck," *The Jerusalem Post*, January 10, 2009.

⁸⁶ <http://www.informationclearinghouse.info/article21776.htm>.

⁸⁷ Ibid.

⁸⁸ <http://dover.idf.il/IDF/English/Press+Releases/09/4/2202.htm>

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ See: <http://dover.idf.il/IDF/English/News/today/09/4/2201.htm>.