



AMERICAN MUSLIMS FOR PALESTINE

EMPOWERMENT through
EDUCATION and **ACTION**

The truth behind Israel's attack on Gaza

Myths vs. Facts

July 2014
American Muslims for Palestine

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Myths vs. Facts

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INTRO

Given the pervasive and one-sided Israeli narrative regarding “Operation Protective Edge,” Israel’s current assault on Gaza, AMP wishes to contextualize the issues in efforts to break through biased media reporting and Israeli propaganda. We hope this framework helps your discussions within your mosques, Islamic centers and with the media.

The report is organized into two parts. Part I will be a list of brief talking points about Gaza. Part II will offer the historical and political context to the issue for those who want a deeper understanding.

PART I

Brief talking points

- Palestinians suffer under an apartheid system of occupation that has denied them the freedom of movement, subjected them to random arrests and detentions and subjected them to extreme violence by the Israeli military forces and settlers.
- On April 24, more than 100 Palestinian political prisoners waged a hunger strike that lasted three months to protest Israel’s use of administrative detention – holding them without charge or trial. It was the longest lasting hunger strike in Palestinian prisoner history.
- Israeli Occupation Forces killed 12 Palestinians between May and June. Two of them were youth walking peacefully down the street on Nakba Day, May 15. CNN caught the shooting on video.
- On June 2, Hamas and Fatah created a Unity Government. This was roundly condemned in Israel because it has a vested interest in keeping Palestinians divided.
- On June 12, three Israeli settlers went missing. Prime Minister Benjamin Netanyahu blamed Hamas and used this as a pretext to invade the West Bank, killing 19 Palestinians.
- There is no evidence that any faction was behind the settlers’ disappearance and none claimed responsibility.
- The settlers’ disappearance must be viewed from within the context of the occupation and the creation of Jewish-only settlements on Palestinian land in the West Bank. The Fourth Geneva Convention prohibits an occupying force from settling its population on the land it occupies. Settlements are illegal and are a constant source of friction between expansionist Jews and the Palestinians, whose land they are stealing. At least 2,100 settler attacks against Palestinians have occurred since “weapons other than live ammunition,” between 2011 and 2013, injured 2006; and 1,500 Palestinian children, according to human rights group DCI-Palestine.
- A ceasefire between Hamas and Israel had been in place since November 2012.
- Israel broke the ceasefire on June 29, 2014, when it assassinated a Hamas leader, responsible for enforcing the ceasefire.
- Hamas had not fired one rocket since 2012, until the June 29 assassination.

- Israel’s claim that Hamas positions itself in civilian areas is not true. The Gaza Strip is one of the most densely populated places on earth with more than 12,000 people per square mile, according to the CIA World Fact Book.
- In contrast to Iraq and Syria, Palestinian civilians in Gaza have nowhere to run.
- Israel has been indiscriminately targeting civilian areas, such as mosques, hospitals and homes, which is in direct contravention of international law.
- Israel’s ‘pinpoint strikes’ on houses have killed entire families, including at least 25 children.
- Former Israeli lawmaker Michael Ben-Ari called for Israel to make Ramadan a “month of darkness.”
- Israeli Major Gen. (res.) Oren Shachor was quoted in Haaretz as saying, “If we kill their families, that will frighten them (Hamas),” offering proof that Israel is purposely targeting civilians.
- The United Nations High Commission on Human Rights Navi Pillay raised concerns on July 11 that Israel was targeting civilians, including children, by bombing homes. There is “serious doubt about whether the Israeli strikes have been in accordance with international humanitarian law and international human rights law,” she said.
- In a recent press conference, Israeli Prime Minister Benjamin Netanyahu called American efforts to broker peace, “naïve” and that he would “*never, ever*, countenance a fully sovereign Palestinian state in the West Bank,” according to the Times of Israel, proving Israel does not want peace.

PART II

Context to the recent assault on Gaza

Israel has successfully framed the attack on Gaza that started on Tuesday, July 8, as self-defense, responding to rockets from Gaza. Israel also has been successful in tying its actions in Gaza and its incursion into the West Bank to the deaths of three Israeli settlers, who went missing on June 12, 2014.

The narrative is misleading and disingenuous. It excludes realities on the ground for Palestinians, who endure random arrests and detentions, settler and Israeli military violence, and the loss of their freedom of movement on a daily basis. For instance, in the first 10 days of June – two days before the Israeli settlers went missing – Israeli forces kidnapped at least 17 Palestinian children, many in the middle of the night from their own beds.

Here is a breakdown of what occurred and how it led to the current assault on Gaza:

- * June 12 – Three Israeli settlers go missing.
- * June 13 – Israeli officials know the settlers are dead but Prime Minister Benjamin Netanyahu issued a gag order, preventing the release of this information.
- * Israel uses the settlers’ disappearance to justify an 18-day incursion into the West Bank, ostensibly to rescue the settlers.

- ^ During this time, Israeli forces and settlers killed 19, including several children.
 - ^ Raided thousands of homes
 - ^ Arrested more than 1,000 people, including hundreds of children
 - ^ Demolished several homes

*All these actions amount to collective punishment. Amnesty International and other human rights groups have called on authorities to end this collective punishment immediately.

* Israel maintained the fiction that it hoped to find the settlers alive as a pretext to dismantle Hamas' West Bank operations and weaken the new Unity Government between Hamas and Fatah.

* There is no evidence that Hamas ordered the settlers' kidnapping and no Palestinian faction took credit for it.

* The incursion whipped up anti-Palestinian fervor in Israel that resulted in the kidnapping, torture and death of 16-year-old Muhammad Abu Khdeir.

* Netanyahu's power base is weakening. The public blamed him for the settler deaths because of a previous prisoner exchange, and Foreign Minister Avigdore Lieberman ended his partnership with Netanyahu and dismantled the Likud-Beiteinu faction.

* The anti-Arab sentiment, added to the above domestic political situation, left Netanyahu with no choice but to attack Gaza as a way to increase domestic political support.

* Hamas had not fired a rocket into Israel since a 2012 ceasefire agreement.

* On June 29, Israel broke the ceasefire when it assassinated a Hamas leader, responsible for enforcing the ceasefire.

* International law gives an occupied people the right to defend itself by any means necessary.

* On July 15, Israel announced it has accepted a ceasefire agreement brokered with Egypt, while Hamas rejected it. The real truth is that all Palestinian factions rejected the ceasefire simply because they were not party to the negotiations. In other words, Hamas was not included in the negotiation for the ceasefire.

Going back to the occupation

We argue the root of “all” issues relating to Palestine is the Israeli occupation of Palestine. And, here are some historical facts supporting our argument.

- Historical Palestine has been occupied since 1948.
- Israel occupied the West Bank and the Gaza Strip in 1967.
- Israel annexed ever more Palestinian land, since.
- Israel violates International law by forcible acquisition of Palestinian land.
- Israel remains in violation of several United Nations resolutions – namely:
 - > Security Council Resolution 242 (obligating Israel’s withdraw from the territory occupied in the Six-Day War); and
 - > Security Council Resolution 383, (demanding Israel to comply with Resolution 242. These resolutions were supported by the United States.
- In consideration of international law and the official US position, Israel remains an occupying force.
- Since 1948, the UN Security Council has passed more than 50 binding resolutions demanding Israel to grant the Palestinians their basic rights, such as the right of return and the cessation of settlement building in the West Bank, among others. Israel has defied “all” UN resolutions.

Disengagement and collective punishment

Although Israel disengaged from the Gaza Strip in 2005, removing all troops, military installations and more than 8,000 settlers, it remains in total control of Gaza’s land and maritime borders, and its airspace.

- The Palestinians in Gaza are collectively punished for exercising their democratic right to choose their political leadership and as a result the entire population is put on “diet” ¹
- The Gaza Strip is the world’s largest open-air prison.
- Israel can neither export nor import any essentials (food, medicine, etc.) of life.
- The border crossings from Gaza into Israel remain closed and the Rafah crossing into Egypt is opened only sporadically.

Debunking Israeli propaganda

Hamas uses civilians as human shields

Hamas uses civilians – especially children – as human shields and therefore forces Israel to kill Palestinian innocents.

FACT: Aggressors have used the human shield argument throughout history to demonize the victim and absolve themselves from any criminal activity in the targeting of civilians, according to journalist Abby Martin. Israel uses this argument frequently to try to justify its indiscriminate targeting of civilians.

Human rights organizations such as Amnesty International have investigated Israel's claims that Palestinians resistance groups use human shields and found this to be categorically false. They also did not find any evidence that resistance groups fired from homes, mosques or schools, as Israel claims.

But Amnesty International, B'Tselem and independent media investigations in Haaretz and the Independent have found ample evidence that Israel uses Palestinian children as human shields. In fact, the Goldstone Report, the UN-commissioned study on Operation Cast Lead in 2008-'09 found Israel guilty of using Palestinian human shields.

“According to the National Lawyers Guild, Physicians for Human Rights-Israel, Human Rights Watch and Amnesty International, Israel directly targeted civilians or recklessly caused civilian deaths during Operation Cast Lead. Far from avoiding the deaths of civilians, Israel effectively considers them legitimate targets,” the Nation reports.

Finally, Haaretz newspaper reported on July 13, 2014, that Israeli Major Gen. (res.) Oren Shachor said, “If we kill their families, that will frighten them,” offering proof that Israel is purposely targeting civilians.

Since Israel's 2006 assault on Lebanon, the Israeli military has employed the “Dahiya Doctrine,” whose purpose is to “deliberately target civilian infrastructure, as a means of inducing suffering for the civilian population, thereby establishing deterrence,” according to the Goldstone Report.

Hamas positions itself in civilian areas and buildings

MYTH: Israel frequently tries to justify civilian casualties by saying that Palestinian resistance groups use human shields or ensconce themselves in heavily populated areas.

FACT: Gaza as one of the most densely populated regions on earth trapped into more people per square mile is defenseless targets of Israeli strikes.

- The Goldstone Report, a UN-commissioned study of Operation Cast Lead, disputes Israeli claims that resistance groups positioned themselves inside dense neighborhoods. On the contrary their investigation finds evidence of Israeli forces using Palestinians, even children, as human shields, in direct violation of international humanitarian law.
- Gaza is a tiny strip of land about 140 square miles with 1.7 million people (11,600 people p/ sq. mile. (UN Relief and Works Agency)
- Refugees from 1948 and 1967 – 1.1 million people – constitute about 75 percent of the total population and half of them live in refugee camps. (UNRWA)

This is a war on Gaza

MYTH: Israel portrays this as a war.

FACT: This is not a war. Only one side has an army. Only Israel has an army.

- Palestinians don't have an army or arms. Unfortunately, American law ensures that Israel will always have a Qualitative Military Edge in the Middle East.
- Each year, Israel receives more than \$3 billion in unconditional military aid from the United States, an undeclared nuclear power, and the sixth largest weapons exporter in the world.

For more information on disproportionality refer to Al Mezan Center for Human Rights www.mezan.org/en/ and Al Haq www.alhaq.org/

For Operation Cast Lead statistics - Israeli forces killing 1,409 Palestinians, (including 355 children) and injuring more than 5,300, download a detailed report.

Israeli is merely defending itself

MYTH: Israel says the attack on Gaza is an act of self-defense to protect its citizens from rockets being fired from Gaza.

FACT: International law stipulates that the occupier must provide for the security of the people it is occupying. Israel always demands the opposite.

Israel has been occupying the Palestinian people for 67 years. During that time, Israel has killed untold numbers of Palestinians; incarcerated at least 40 percent of the male population; demolished more than 27,000 homes since 1967; destroyed and depopulated 530 villages; erected the Apartheid Wall on Palestinian land in the West Bank; moved in more than 500,000 Jewish settlers to live in more than 120 settlements and 100 'outposts' built illegally in the West Bank and East Jerusalem; and it has held Gaza under a total siege since 2007. The United Nations says that if conditions caused by the siege and Operation Cast Lead, the Israeli assault that killed 1,409 Palestinians in 2008-09, Gaza will be uninhabitable by 2020.

All of the above mentioned contravene numerous international and international humanitarian laws.

Furthermore, Hamas abided by the ceasefire agreed upon in 2012. Israel broke the ceasefire on June 29, when it assassinated a member of Hamas who was responsible for enforcing the ceasefire.

Israel cannot continue to subjugate and oppress and entire population and then act surprised when they react. According to international law, Israel is supposed to be providing security to the Palestinians, not demanding security from the people from whom they have stripped their basic human rights.

Actually, it is the Palestinians who are acting in self-defense against. For instance, Israel disengaged from Gaza in September 2005 and pulled out its troops and settlers. From September 2005 to September 2006, Israel launched 15,000 artillery shells and 550 airstrikes into the tiny strip of land. Israel killed 525 Palestinians there. In contrast, resistance groups fired 1,700 homemade rockets. No Israelis were killed.

International law and the right to resist occupation

Palestinians have been under occupation for decades. This is the last and longest military occupation in modern history. International law guarantees all people the right to self-determination because it is the foundations from which springs all human rights. The Fourth Geneva Conventions, the Universal Declaration of Human Rights and the UN Charter all guarantee the right to resist occupation, as does UNGA Resolution 2649. (US Campaign to End the Israeli Occupation)

Israeli violations of the US Arms Export Act and the Foreign Assistance Act

In order to understand how Israeli attacks on Palestinians may violate American laws regarding the sale of weaponry to foreign countries, it is important to understand how international law regulates warfare.

The Fourth Geneva Conventions, The Hague Regulations of 1907, the Universal Declaration of Human Rights and the UN Conventions on the Right of Children stipulate:

1. Principle of Distinction - parties in conflict must distinguish between civilians and combatants, and civilian and military objects. (AI Mezan Center for Human Rights)
2. Principle of Proportionality - The aggressor must refrain from any attack that could result in the loss of civilian life, injury to civilians and loss of their property, or any measure disproportionate to the anticipated military benefit. (National Lawyers Guild)
3. The Foreign Assistance Act stipulates that the United States may not sell weapons to any country that 'engages in a consistent pattern of gross violations of internationally recognized human rights. (National Lawyers Guild)
4. Israel and the US signed the Mutual Defense Agreement in 1952. It stipulates that Israel can only use US-made weapons for internal security, as part of a peacekeeping mission or in legitimate self-defense. (NLG) The US Arms Export Act stipulates the US president must notify Congress of any country misusing weapons it had purchased from the United State.

1. "Israel's starvation diet for Gaza," by Jonathan Cook The Electronic Intifada, Oct. 24.



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