

Israel and the UN Gaza Report



The Ethos of Israel's Citizen Army



IDF Paratroopers, June 5, 1965



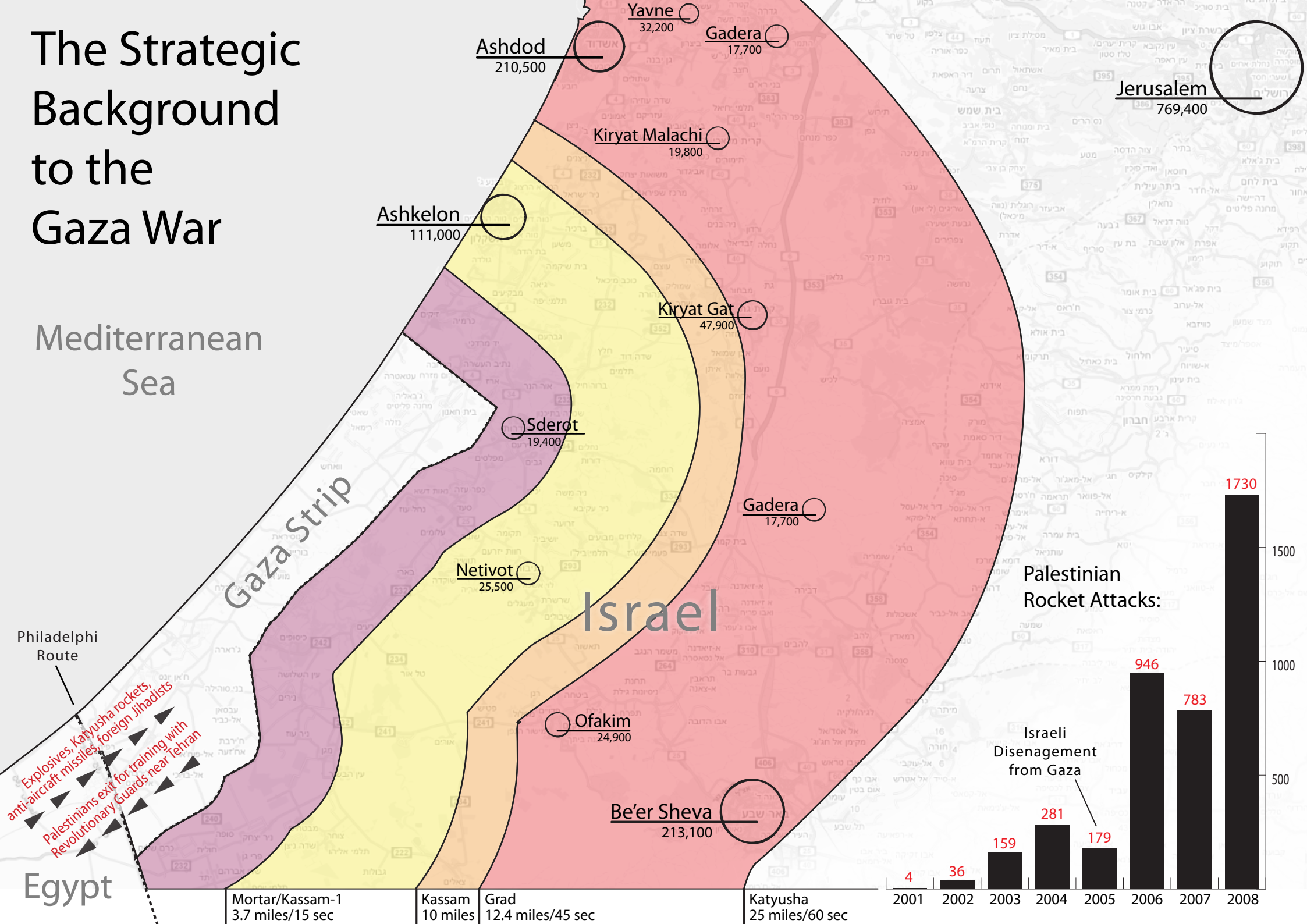
Missile attack, Sderot, September 3, 2007



Kindergarten,
Be'er Sheva, December 30, 2008

The Strategic Background to the Gaza War

Mediterranean Sea



UN Gaza Report: The Main Accusation Against Israel: **“Deliberate Attacks Against the Civilian Population”** ^(XI)

“...a deliberately disproportionate attack designed to punish, humiliate and terrorize a civilian population.” ⁽¹⁸⁹³⁾

“a deliberate policy of disproportionate force aimed not at the enemy but at... the civilian population.” ⁽¹⁸⁸⁶⁾

“The repeated failure to distinguish between combatants and civilians...the result of deliberate guidance issued to soldiers...” ⁽¹⁸⁸⁹⁾

The Evidence of **Deliberate Israeli Attacks on Civilian Targets** in the UN Gaza Report:

1 Deliberate Attacks on Non-Combatants

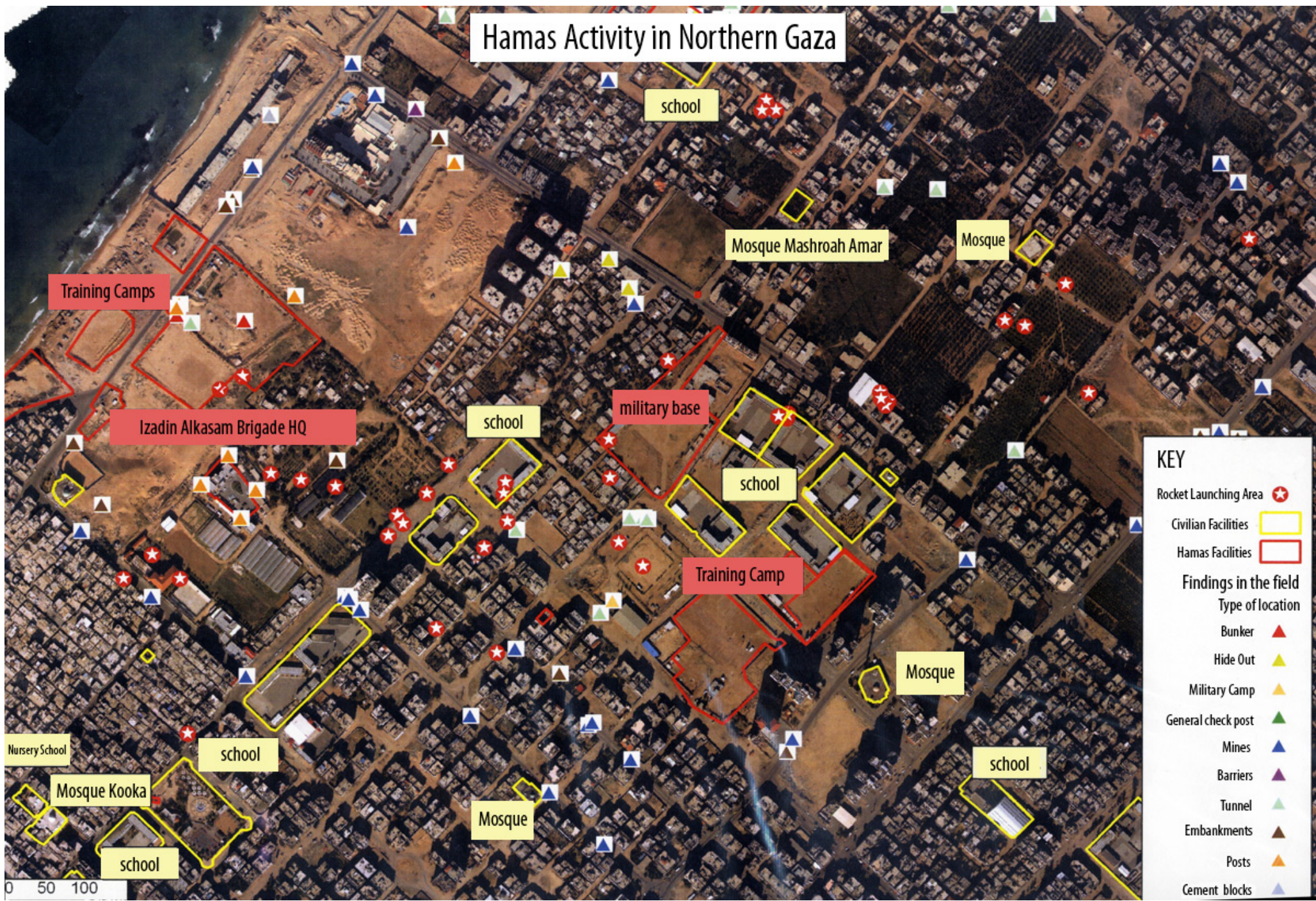
2 The Scale of the Destruction

3 Attacks on Mosques

1 Deliberate Attacks on Non-Combatants:

“The mission found numerous instances of deliberate attacks on civilians and civilian objects (individuals, whole families, houses, mosques) in violation of the fundamental international humanitarian law principle of distinction, resulting in deaths and serious injuries.” (1921)

Hamas Activity in Northern Gaza



KEY	
Rocket Launching Area	★
Civilian Facilities	□
Hamas Facilities	□
Findings in the field	
Type of location	
Bunker	▲
Hide Out	▲
Military Camp	▲
General check post	▲
Mines	▲
Barriers	▲
Tunnel	▲
Embankments	▲
Posts	▲
Cement blocks	▲

"The IDF will hit and destroy any site or building containing ammunition or weapons. As of the publication of this announcement, the life of anyone in whose home ammunition and weapons are to be found is in danger, and he must leave the place for the sake of his own safety and that of his family."

IDF Command



Phone Message, December 27, 2008



Al Aksa TV Transmission



Hamas MP Fathi Hammad, February 29, 2008



Hamas militant, Gaza, January, 2009

The Hamas Police as a Case Study

Among the 89 killed in the IDF attack on police headquarters on December 27, 81 (91%) were members of armed terrorist groups. Among them:

Omar Bakr Shimali (b. 1988) was a member of the **Izz ad-Din al-Qassam Brigades**. Shimali began as an activist in the Hamas student organization (al-Kutla al-Islamiya). He was assigned to a “Special Unit” and was stationed at front-line positions. At the same time, Shimali was active in the military police and worked at police headquarters.

Mohammed Khaled Shahiber (b. 1987) joined the **al-Qassam Brigades** in 2007 and was stationed at front-line positions.

Bilal Mahmoud Omar (b. 1989) joined the Muslim Brotherhood in 2006 and at the same time was active in the Hamas security apparatus. In 2007 he joined the **al-Qassam Brigades** and was assigned to forward positions. He served as a security guard at the home of Police Commander Tawfik Jabber.

Sidqi Ismail Hamad (b. 1983) was active in Hamas and the Muslim Brotherhood, and in mid-2008 joined the **al-Qassam Brigades**. He served as a bodyguard for Hamas Prime Minister Ismail Haniyeh. He was an officer with the rank of lieutenant in the Security and Protection apparatus.

Mohammed Tawfik al-Nimra (b. 1986) joined Hamas in 2003 and also swore loyalty to the Muslim Brotherhood. In 2006 he joined the **al-Qassam Brigades** and was stationed in front-line positions.

Mohammed Ziad al-Nabih (b. 1981) joined Hamas and the Muslim Brotherhood in 1995 and the **al-Qassam Brigades** in 2004.

Nasser Abdallah al-Ghara (b. 1962) joined Hamas and the Muslim Brotherhood in 1989, and in 2004 he joined the **al-Qassam Brigades**. He was active in the engineering unit that was engaged in preparing explosive charges.

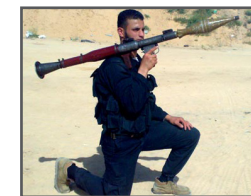
Nahez Salim abu-Namous (b. 1989) joined the **al-Qassam Brigades** in 2007 and underwent infantry and mortar training.

Hussam Muhammed al-Majaida (b. 1982) joined Hamas in 2004 and a year later the **al-Qassam Brigades**. He was active in the Executive Force of the Palestinian Police established by Hamas in 2006.

Hassan Maher Hassan Aruk (b. 1985) was active in the **al-Qassam Brigades** and was stationed in front-line positions.

Hamza Oudeh Muhammad al-Khalidi (b. 1983) was active in **Jaysh al-Ummah**, an **al-Qaeda affiliate** in the Gaza Strip.

Muhammad al-Dasuki (b. 1982), active in the **Popular Resistance Forces**, suspected of involvement in the terrorist attack against a U.S. convoy in the Gaza Strip in October 2003.

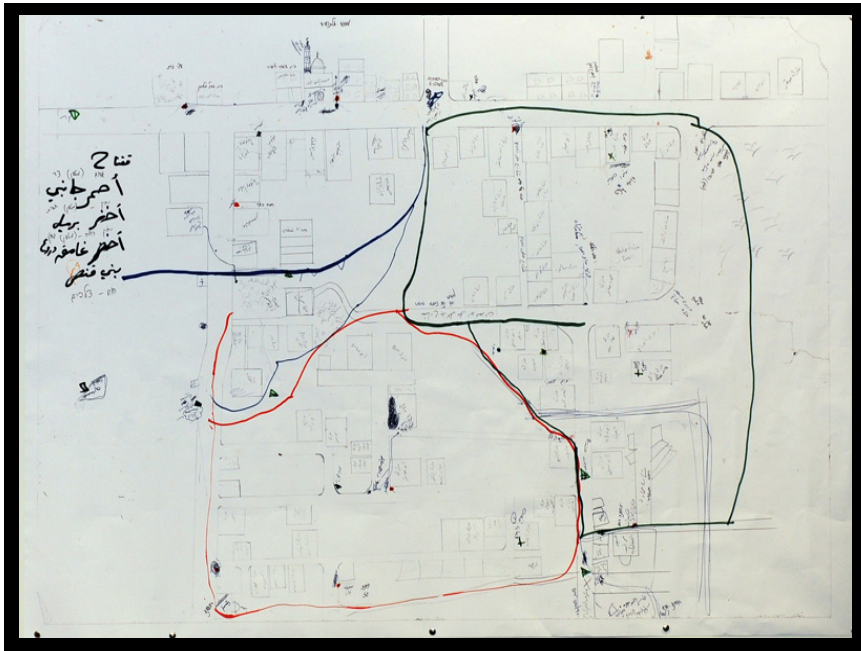


Note: The UN Gaza Report itself establishes that:

“...if the members of the law enforcement agency are at the same time members of an armed group, they would be combatants.” (431)

2 The Scale of Destruction

"During its visits to the Gaza Strip, the Mission witnessed the extent of the destruction of residential housing caused by air strikes, mortar and artillery shelling, missile strikes, the operation of bulldozers and demolition charges. The destruction of housing was carried out in the absence of any link to combat operations." (53)



Al-Atatra Map, Gaza, Found by the IDF on January 7, 2009



Booby-trapped house, Northern Gaza, January 2009



Missile storage, Zeitun mosque, Gaza, January 2009



Weapon storage, Northern Gaza, January 2009

3 Attacks on Mosques

“The Mission is unable to make any determination on the general allegation that Palestinian armed groups used mosques for military purposes.” (486)



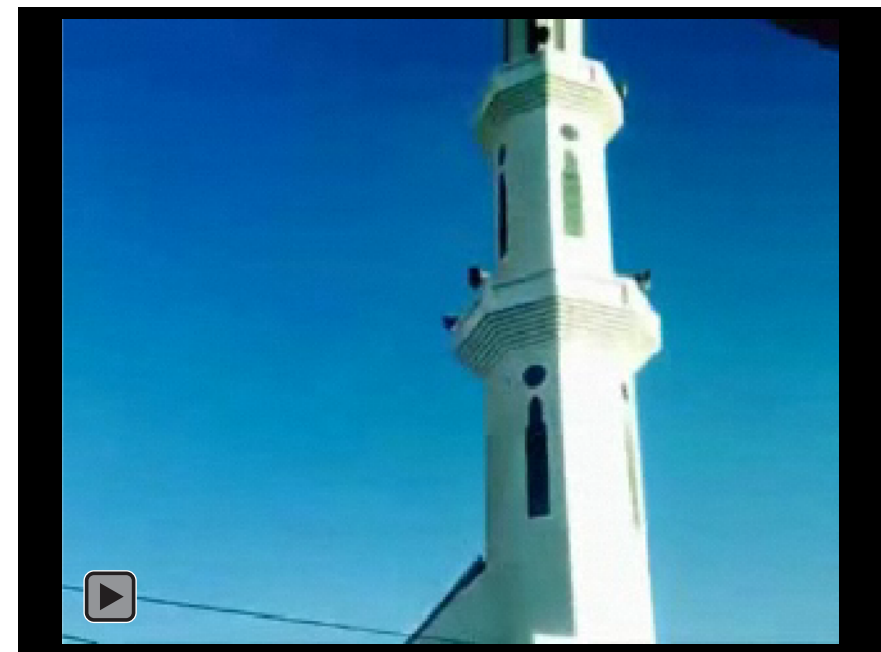
Zeitun mosque, Gaza, January 3, 2009



Tel El-Awa mosque, Gaza, December 31, 2008



Missile from a mosque yard, Gaza, January 7, 2009



Hamas attacking Ibn Taymmiyah mosque, Rafah, August 14, 2009

Sources Used by the Gaza Report Which Raise Doubts About the Veracity or Reliability of Its Conclusions:

1 Jessica Montell, Executive Director of B'Tselem

2 "Soldiers Breaking the Silence"

3 UN Gaza Report

1 Jessica Montell, Executive Director of B'Tselem - Israeli Human Rights NGO Extensively Cited in the Gaza Report:

*"I was disturbed by the framing of Israel's military operation as part of "an overall policy aimed at punishing the Gaza population for its resilience." **The facts presented in the report itself would not seem to support such a far-reaching conclusion.** In light of the sweeping conclusions regarding Israel, the very careful phrasing regarding Hamas abuses is particularly conspicuous. The mission did not find conclusive evidence regarding Hamas' use of mosques and civilian buildings for military purposes, nor does it criticize Hamas' firing from and shielding themselves within civilian areas. The evidence accumulated over the past eight months regarding both these phenomenon cannot be ignored."*

2 “Soldiers Breaking the Silence”: Testimonies that Were Left Out of the UN Gaza Report:

“There were briefings by commanders on the importance of not harming civilians and property in the houses that the forces entered and also an order was given that forbids sleeping on Palestinians’ beds.”

“There was an explicit order not to shoot towards people carrying white flags.”

“The assumption was that if civilians are encountered they are to be sent to an area far from the theater of combat. The soldiers reported on their communications devices the movement of civilians in order to prevent their being harmed by other forces.”

3 UN Gaza Report:

*“The Mission notes that those interviewed in Gaza appeared reluctant to speak about the presence of or conduct of hostilities by the Palestinian armed groups. Whatever the reasons for their reluctance, **the Mission does not discount that the interviewees’ reluctance may have stemmed from a fear of reprisals.**”⁽⁴⁴⁰⁾*



Col. Richard Kemp, UN Human Rights Council Emergency Session, October 16, 2009

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