

CONFERENCE SUMMARY.....GAZA IN CRISIS...JANUARY 23, 2009

In her introductory speech, **Mrs. Salwa Kader** drove home the offense to humanity displayed in Gaza. The unimaginable horror and the tears of the mourners attacked our hearts as we listened to the description of the atrocities. Mrs. Kader presented a rarely heard history of the GAZA in order to realize the richness of the area that the media omits in all portrayals. The 1.5 million inhabitants are proud of the scholarly glory of Gaza's past and the delight in dispelling the media's erroneous portrayal of the people and the place was clear. This was the gateway between Africa and the Middle East. Click here for a copy of the speech.....Salwa requested one moment of silence for the suffering in Gaza prior to introducing the distinguished panel.

Andrew Whitley, currently Director of the Representative Office of UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, located in New York was our first presenter. Joining UNRWA in July 2002 as its Director of External Relations, he was responsible for donor relations and resource mobilization, at its Gaza Headquarters. In the course of his career with the UN, he has also served with UNCTAD in Geneva, as Chief of the Secretary-General's Office, and with the Department of Peacekeeping Operations, holding senior posts in UN transitional administrations in East Timor and Kosovo.

Mr. Whitley, reiterated the understated HORROR of the recent horrific aftermath of the bombing. The inability to get food and aid into the area due to the blockade has been beyond imagination. Human Beings cannot be denied the right to live decently and comfortably with sustenance. The fact that tunnels were made to get some supplies and goods, does not give Israel license to bomb them. It seems apparent that Israel took time during the lull to prepare militarily. He explained that each humanitarian crisis always occurs in a specific political context and the political dynamics around the present crisis in Gaza are particularly complex, including, for example, security in Israel, the role of Hamas in Palestinian politics, the upcoming elections in Israel, the fact that the Israeli offensive began in the closing weeks of the Bush Administration, implications for Al Qaeda, concerns in the broader Middle East, the relevance of U.N. Security Council resolutions, et cetera, et cetera, et cetera. Looking at the implications of the present crisis in Gaza for humanitarian actors generally, Gaza today raises many of the dilemmas faced by humanitarians in other difficult situations: questions of access to those in need, questions of the security of humanitarian personnel, questions about the relationship of humanitarian action with international humanitarian law.

The latest conflict in Gaza has exacerbated an already fragile humanitarian situation and created another humanitarian crisis in the Middle East. Even before Israeli airstrikes began, humanitarian agencies faced restrictions on personnel and shortages of vital supplies. The current round of fighting has left almost 1400 people dead, thousands wounded and many more with limited access to food, water and health care. Though limited humanitarian aid has been allowed into the territory, humanitarian aid alone cannot be the answer to the problem. As with all conflicts, the answer lies in a political settlement. The United Nations Security Council should establish a commission of inquiry to investigate alleged laws-of-war violations in Gaza “There must be a serious and independent investigation into the shocking loss of civilian life that took place near the UN. The January 6 attack, which is reported to have killed between 30 and 40 people, illustrates the need for a wide-ranging independent investigation. The United Nations in Gaza said the school was clearly marked as a UN building and that it had provided GPS coordinates for the site to Israeli forces.

The consistent failure of both Israel and Hamas to investigate past allegations of laws-of-war violations by their forces underscores the need for an international investigation into this incident as well as other alleged laws-of-war violations by both parties to this conflict, Human Rights Watch said. The UN commission of inquiry should make its findings public, and offer recommendations for holding accountable all persons found responsible for serious laws-of-war violations.

We have been unable to conduct full independent research on this and other incidents at this time due to ongoing hostilities, and because Israel has severely restricted access to Gaza for all international media and human rights monitors since early November, and blocked access entirely since the fighting began on December 27. Due to the blockade, wheat, food, first aid and supplies cannot be delivered to assist the suffering.

According to officials from the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and eyewitnesses who spoke to the media and Human Rights Watch, at around 3:45 p.m. on January 6, at least three Israeli tank shells struck around the perimeter of the UN's al-Fakhora school, where hundreds were sheltered from the fighting in the crowded Jabaliya refugee camp. Other accounts have referred to an Israeli mortar or artillery attack.

Ms. Sarah L. Whitson concludes that the extent of the devastation seems to far surpass all reports but the humanitarian impact still needs to be

assessed as well as the overall justness of the war. This cannot be done until Israel, who is in complete control, allows reporters and investigators into the area. The allowance of the goods and aid to the area is not humane to be prohibited or obstructed. The international court of justice has supported occupation and Hamas said that they would not support the lull unless the blockades were brought down. Self defense as a justification is not acceptable. Allegations that there were weapons stockpiled in the Mosques cannot be investigated until passage into the area is permitted. Even if weapons were there, it should not warrant the bombing. Israel is arbitrarily blocking, delaying and harassing people with emergency medical problems who need to leave the Gaza Strip for urgent care. This is a serious violation of human rights. Other Arab countries are not permitting their people to demonstrate peacefully against the atrocities in Gaza. This should be addressed. Egypt must also be told to allow free passage again of people and goods in and out of **Gaza**.

Professor Stephen Shalom reiterated that Gaza has gone through a humanitarian disaster of the first order, and is still suffering from a severe humanitarian crisis.

International humanitarian law prohibits the intermingling of military and civilian forces. But this law does not say that if one party DOES intermingle then the other party it is entitled to act without regard for civilian casualties. It remains incumbent on the attacking party to still weigh the harm to civilians against the military benefit of any strike. Although there is great military benefit in destroying a military target in Gaza that is responsible for massive numbers of Israeli civilian deaths, no military target in Gaza existed which posed such a threat. Only three Israeli civilians were killed in the entire war, and those were the only Israeli civilians killed from Gaza since June 5. This level of military threat could not be important enough to warrant the killing of thousands of civilians. IHL is absolutely clear that it is never permissible to intentionally aim at a civilian target. The Hamas firing of rockets against civilian targets is, of course, a violation as well. But it is also the case that Israel has attacked -- intentionally -- civilian targets, on a much larger scale.

Israel bombed "the main police building in Gaza and killed, according to reports, forty-two Palestinians who were in a training course and were standing in formation at the time of the bombing. It has been well established that Israel has intentionally attacked civilian buildings and facilities -- and the people inside those buildings and facilities -- if those buildings and facilities were in any way connected to Hamas...ie. Social service facilities, its parliament, its justice building, and so on. A senior

Israeli military official told the *Washington Post*, "There are many aspects of Hamas, and we are trying to hit the whole spectrum, because everything is connected and everything supports terrorism against Israel." Major Avital Leibovitch, an IDF spokeswoman, said, "Anything affiliated with Hamas is a legitimate target." Brigadier General Dan Harel declared: "We are hitting not only terrorists and launchers, but also the whole Hamas government and all its wings.... We are hitting government buildings.... After this operation there will not be one Hamas building left standing in Gaza...." But of course in every one of these civilian buildings there are civilians present.

Israel attacked money exchanges in Gaza -- because, they said, these financially assisted Hamas. Recall what happened on 9-11. Al Qaeda attacked the World Trade Center. When they were condemned for their horrific murder of civilians, they replied that economic cites like the WTC provided the wherewithal for the US government to carry out its unjust policies.

One can fight unjustly for a just cause and one can fight justly for an unjust cause. One can also fight justly if the cause is unjust. That is, even killing a soldier is wrong if it is in pursuit of an unjust cause. Many human rights organizations, like Amnesty International, the Red Cross, and Human Rights Watch say that their mandate is only to judge the conduct of war, *jus in bello*, and therefore they don't consider the justness of the cause.

But there's another view that says that the conduct of fighting is related to the justness of the cause. This doesn't mean that in a just cause it is OK to kill civilians -- that is always wrong. It does mean that in an unjust cause, it is wrong even to kill even soldiers.

So if it is found by the International Court of Justice that the continuing Israeli occupation is unjust, then NO killing can be just. If you find that Israel could have extended the lull with Hamas simply by agreeing to remove the "collective punishment" of the border closures, then Operation Cast lead was not a Works Agency. There needs to be teeth in the ability for the guilty to be made accountable to Security Council decisions and mandates.

Ambassador Richard W. Murphy (Chairman - UNRWA) has served with the State Department in Southern Rhodesia (now Zimbabwe), Lebanon, Syria, Saudi Arabia, and Jordan. From 1983-1989 he served as Assistant Secretary of State for Near Eastern and South Asian Affairs. During that period he was particularly active in the Israeli-Arab peace process. He has

received the President's Distinguished Service Award three times and the State Department's Superior Honor Award twice.

Ambassador Murphy verbalized the horrific extent of the formidable disaster in the Gaza, the worst since the war began. It is absolutely unimaginable.

In 42 years Israel has broken so many resolutions. The international laws need to find a way to be implemented. The Security Council has addressed issues of the necessity of allowing free movement of people, goods and supplies. Israel controls access to everything and so must be made accountable for human rights violations. The Palestinians are now being kept at a starving level. There are no light bulbs, no books. People have a right to survive.

Moral support is needed as well as tremendous financial support. The Palestinian Authority would never stand in the way of money reaching Gaza to heal the wounds and feed the hungry. There is an immediate need for 3 million dollars. UNRWA has been working alongside these Palestinian refugees in the Middle East for almost as long as the problem has existed. Today, in three out of UNRWA's five fields of operation -- in Lebanon, the West Bank and Gaza -- the lives of hundreds of thousands of ordinary Palestinians have been ruined by events not of their making. Donor governments have been doing their best but far too little money has become available for essential and life-saving needs.

The Friends of UNRWA Association has launched the [2009 Gaza Humanitarian Appeal](#), a major funding campaign directed to humanitarian assistance for emergency medical and food relief, which is urgently needed by Palestinian refugees in Gaza in response to the rising humanitarian crisis. As the conflict in Gaza intensifies, the situation of the Palestinian refugees is becoming increasingly dire. Since December 27th, UNRWA has: distributed basic food, water and clothing to the 1.5 million Gaza residents in need; provided shelter for thousands of Palestinians in UNRWA schools and shelters; supplied medicines, blood and generator fuel for hospitals and public institutions

Since December 27th, UNRWA has been one of the only organizations capable of distributing humanitarian aid and has been responsible for the distribution of materials donated from various organizations, institutions, and governments. To read the Friends of UNRWA Association report about the ongoing humanitarian crisis,

The Friends of UNRWA Association is asking the private sector to generously donate to an emergency humanitarian appeal to provide critical humanitarian assistance such as temporary housing, supplies, medical and food relief. Help is urgently needed in order for UNRWA to provide emergency assistance. The mission of the Friends of UNRWA Association is to support the work of the United Nations Relief and Works Agency (UNRWA) for Palestine refugees in the Middle East.

The Friends of UNRWA Association is a non-profit organization that supports the work of UNRWA for the benefit of Palestine refugees. The goal is to raise private sector funds within the United States to help refugees help themselves.

There is a hesitation by the Arab community to talk about Islamic extremism and CIA activity where they should speak up. The Arab community, unfortunately, does not trust organizations affiliated with the UN to deliver monies to be of most help to the situation and tend to send money directly to villages in GAZA. The root cause of this is partly due to the impression the UN has given the impression to favor Israel. The UNRWA is extremely trustworthy and all monies can be tracked to go to the rightful place.

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Palestine will not agree to accept a 2 state solution. There must be a deliberate process established and brought to the table. The passage of times makes the process harder.