

MEMMO

March 14, 2008

Israel Seeks to Minimize Casualties, Facilitate Humanitarian Assistance as Hamas Hides Behind Civilians

In the face of escalating terrorist and rocket attacks, Israel has been forced to take actions to defend its citizens, the prime obligation of any nation. At the same time, Israel is careful to take steps to limit civilian casualties and facilitate humanitarian assistance to Palestinians. In contrast, Hamas uses Palestinian civilians as a cover for its aggression and cynically exploits humanitarian efforts to further its violent agenda.

Israel has been forced to take increased action to defend its citizens from incessant rocket attacks and other terrorism.

- Israel has demonstrated extreme restraint in the face of years of escalating rocket attacks and other violence against its civilians. Since Israel withdrew from Gaza in 2005, some 4,000 rockets and mortars fired from Gaza have landed in Israeli towns and villages.
- The escalation of attacks by Hamas—firing Iranian-supplied longer-range and more destructive rockets on Ashkelon, a major Israeli population center of 120,000 people—has forced Israel to take increased measures to defend its citizens from such wanton violence.



Israel has been forced to take measures to defend its citizens from daily Hamas rocket attacks.

- Both Congress and the administration have supported Israel's right to defend itself amid the increased violence. In an overwhelming vote of 404 to 1, Congress passed a resolution backing Israel's defensive actions, while Secretary of State Rice has said that "no Israeli government can tolerate that...Israel will exercise its right to defense."
- Israel remains committed to continuing talks with the Palestinians while at the same time acting to defend its citizens. Israeli Prime Minister Ehud Olmert said March 10 that the terrorists' "purpose is to divert us from a path of peace. There's no chance they will succeed."

Israel goes to great lengths to limit civilian casualties while Hamas cynically uses civilians as a cover for its attacks.

- The description of Israel's response to the attacks as "disproportionate" is misleading and is used by some to delegitimize Israel's right to defend its citizens from daily, indiscriminate rocket attacks.
- Israel's purpose in responding to these attacks is not to punish the population of Gaza (a purpose for which proportionality might be a relevant consideration), but to protect its citizens and prevent the further launching of attacks.
- Instead of responding to these attacks with a "proportionate" response—e.g. firing indiscriminate rockets at civilian population centers—Israel responds in a measured manner, seeking to limit civilian casualties by carrying out targeted operations against Hamas command centers, Palestinian rocket-launching devices and vehicles carrying Qassam rockets and armed terrorists.
- By intentionally firing rockets from densely populated areas, Hamas is violating the Geneva Conventions that make clear that "the deliberate intermingling of civilians and combatants, designed to create a situation in which any attack against combatants would necessarily entail an excessive number of casualties is a flagrant breach of the Law of International Armed Conflict."

Israel is facilitating the delivery of humanitarian goods into Gaza despite Hamas' efforts to exploit such actions to further its terrorism.

- Israel continues to facilitate humanitarian efforts to the Palestinians despite Hamas' repeated attacks on the very crossings used to transport the goods into Gaza. Hamas has sought to use these border crossings to smuggle weapons and to try to infiltrate into Israel to carry out attacks.
- Israel continues to allow patients to leave Gaza for medical treatment in Israel, with a total of 12,760 people having entered Israel since June 16, 2007. Would-be suicide bombers have used fake medical information in attempts to enter Israel and carry out attacks.
- Since the beginning of the year, 84 shipments of medicines and other supplies have been given priority to enter Gaza. Israel has not refused entry of any medicines or medical equipment, which is often taken by Hamas for its own medical facilities.
- Israel currently provides more than 70 percent of Gaza's electricity, while the quantity of fuel allowed into Gaza exceeds basic needs by three times, according to Israeli officials. Hamas is diverting the fuel for its own use rather than provide for all citizens of Gaza.
- Hamas often exploits the transferring of humanitarian aid to smuggle weapons and explosives. IDF forces recently discovered more than two tons of fertilizer—used to make explosives—in a humanitarian aid truck bound for Gaza.
- Hamas also has seized humanitarian supplies shortly after they enter Gaza. On Feb. 7, the Associated Press reported that Hamas policemen commandeered a Palestinian Red Crescent aid convoy of 14 trucks filled with food and medicine. Hamas has even looted reserve fuel from hospitals to supply its own forces.