Gaza Casualties? Fault Hamas and UNRWA

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By Jonathan S. Tobin

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On Monday the United Nations issued a report about attacks on their facilities in Gaza during last summer’s fighting between Hamas and Israel. The report’s conclusion was widely reported as finding that the deaths of 44 civilians were the fault of the Israeli military. Strictly speaking that’s true, as there’s little doubt that the casualties at some of their facilities were killed or wounded by Israeli fire. But before the anti-Israel propaganda machine starts cranking up to denounce the Israelis as war criminals—as the Palestinians are preparing to do at the International Criminal Court—a close reading of a document that was prepared by a hostile UN reveals a far more nuanced picture of what happened in Gaza. While some of the shelters in question might have been struck in error in the heat of battle in a confusing environment, even the UN was prepared to admit that many of their institutions in Gaza were being used as arms depots by Hamas and that armed fighters were shooting at Israel in the vicinity of many of the places that were attacked. While Israel’s military can’t be said to be perfect, the real fault for what happened belongs to both the Hamas terrorist overlords of Gaza and the United Nations Relief and Works Agency (UNRWA) that operated the facilities.

Using their new perch as a member of UN agencies, it’s likely that the Palestinian Authority will seek to get the International Criminal Court to investigate and indict Israel for war crimes in Gaza. This is a dangerous gambit for the PA because even though the UN body is biased against the Jewish state, the evidence of criminal intent or behavior is lacking. Moreover, there is ample proof of Palestinian war crimes. Indeed, every one of the thousands of Hamas missiles fired at Israeli cities and towns was a crime. As were the attempts by the Islamist group to use tunnels dug underneath the international border between Gaza and Israel to commit acts of murder and kidnapping.

The story told in the UN report is not one of callous Israeli behavior. Rather, even this indictment shows that the Israel Defense Forces sought to avoid civilian casualties wherever possible and didn’t fire indiscriminately.

The problem for those wanting to use this document to bash Israel is that it confirms much of what the Israelis said about the use of UNRWA facilities, and specifically the schools designated as shelters. The report admits that several such schools were used for storing Hamas weaponry. Others were, as Israel insists, used as observation posts for Hamas military action. Many were the sites of firing of rockets at Israel and Israeli forces. While UNRWA sought to deflect blame for the use of their buildings for terrorism, even the UN report notes that their security measures to avoid this were inadequate and the agency needs to take the problem more seriously.

Moreover, the UN also admitted that some instances where firing took place that was not in accord with the strict rules of engagement (that compare favorably with those employed by U.S. forces in Iraq and Afghanistan) were being subjected to criminal investigation. That is not the act of an army that doesn’t care about killing civilians.

There’s little doubt that a breakdown of each individual incident would be portrayed in a far less negative light in a document prepared by a more neutral party. After all, the UN was largely dependent on UNRWA for the report. But if we were to accept these findings as definitive, what can’t be forgotten is that the only reason there was any firing anywhere near UN facilities is that Hamas routinely used them and other buildings such as schools and hospitals to shield their efforts to shoot at Israelis. The people of Gaza as a whole, and not just those at UN buildings, were used as human shields by the terrorist movement that governs the strip, itself a war crime.

Moreover, UNRWA has a long record of allowing itself to be used by Hamas as it employed their members and showed little interest in preventing its buildings from being used the same way all other schools and humanitarian institutions were employed—as cover for Hamas fighters.

Even more to the point, the reason why Israelis were in Gaza—from which they removed every single soldier and settler in 2005 in a vain attempt to trade land for peace—was because the area has become a terrorist fortress. Gaza is an independent Palestinian state in all but name and a terrible precedent for those who want Israel to withdraw from the West Bank in the same manner.

Hamas continues to view all of Israel within the 1967 lines as “occupied territory” that must be liberated from the Jews. As long as it rules in Gaza and UNRWA is its willing accomplice, there will never be any “place of safety” in the strip or in Israel. That is the nub of the problem, not specific Israeli decisions to fire on areas where terrorists are shooting.