

Free Gaza Flotilla Subject to Coordinated Israeli Government Media Campaign and Military Action

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According to an <u>article in the Jerusalem Post</u> [1] on May 25, 2010, the Israeli "Navy is preparing an operational plan to stop the flotilla of nine ships-loaded with hundreds of international activists and thousands of tons of supplies-- which are scheduled to try and break the sea blockade on Gaza by anchoring in the newly-expanded port later this week." The article describes a military campaign coordinated with a major media campaign.

The web edition of the largest circulation paper in Israel, YNET News.com, reports that "Israel is also preparing for the media blitz certain to follow the flotilla, which many believe will harm the state's [Israel's] already floundering reputation." [2] According to the article, "Foreign Ministry, IDF, and PR spokespersons are preparing interviews for global news agencies in order to explain Israel's position, mainly that the flotilla serves the terror organization ruling Gaza and not its residents."

The 700 human rights workers on the nine boats of the International Freedom Flotilla come from 40 countries [3] and include 35 members of parliament from 15 different countries [4]. The humanitarian aid includes medical supplies, such as wheel chairs and medicine, toys for children, pencils, and building supplies, ranging from bags of cement to pre-fabricated homes.

According to the Jerusalem Post article, in preparation for the military campaign, the Israeli Defense Force "has established a joint taskforce together with the Israel Police, the Foreign Ministry and the Prisons Service to coordinate efforts to stop the flotilla and manage the potential media fallout."

The Jerusalem Post article also describes the basic elements of the Israeli government media campaign, "to stress that the supplies the ships are carrying are unnecessary and that Israel – together with various international organizations – already transfers these supplies to Gaza via land crossings."

The article then gives the Israeli government talking points of its media campaign:

"Foreign Ministry spokesman Yigal Palmor said that existing land crossings were more than capable of meeting Gaza's needs;" that "15,000 tons of supplies enter Gaza each week;" and that "building materials are allowed in when monitored by international organizations who ensure that the materials will not be commandeered by Hamas for the fortification of bunkers." Citing a story in the Financial Times, the article says that the 200 to 300 smuggling tunnels from Egypt into Gaza "have become so efficient that shops all over Gaza are bursting with goods."

Contradicting the Foreign Ministry spokesman, a United Nations report says the "Livelihoods and lives of people living in the Gaza Strip have been devastated by over 1000 days of near complete blockade." [5]

Also contradicting, a May 23, 2010 article on the Israeli YNET News.com, <u>"UN says Gaza</u> <u>blockade hinders reconstruction aid,"</u> [6] says "Most of the property and infrastructure damaged in Israel's offensive on the Gaza Strip was still unrepaired 12 months later and aid efforts have been largely ineffective, a UN report said Sunday." The article goes on to quote from a UN report that says "In view of the scale of the needs, international assistance in Gaza is tantamount to tinkering at the edges."

Also contradicting, a January 20, 2010 World Health Organization fact sheet [7] states that

The lack of building materials is affecting essential health facilities: the new surgical wing in Gaza's main Shifa hospital has remained unfinished since 2006. Hospitals and primary care facilities, damaged during operation 'Cast Lead', have not been rebuilt because construction materials are not allowed into Gaza.

Furthermore, if tunnels are so efficient and food and building material so widely and cheaply available in Gaza as the Israeli government says, then the blockade is not working anyway. So why is Israel continuing the blockade, including threatening the flotilla?

Furthermore, the Israeli government has not backed up its far-fetched claim of tunnel efficiency by building its own tunnels to replace its traditional land, sea, and air import and export means.

Prime Minister Netanyahu's spokesman Mark Regev was quoted in the article smearing the human rights activists saying "they are the opposite" for failing "to say anything about human rights of Israeli civilians who have been on the receiving end of Hamas rockets for years."

However, the Israeli Ministry of Foreign Affairs own website <u>"One Month of Calm Along the</u> <u>Israel-Gaza Border."</u> [8] provides evidence that Israel successfully stopped rocket fire on June 19, 2008 with an Egyptian brokered ceasefire. Then the Israeli military launched an attack on Gaza on November 4, 2008 ending that ceasefire. Then, according to <u>another</u> <u>Ministry of Foreign Affairs website</u> [9], during the Israeli government's 22 day Operation Cast Lead attack on Gaza that started on December 27, 2008, 776 rockets and mortars landed in Israeli territory, a doubling of the intensity of rocket fire from Gaza from the previous peak, until a new cease fire was announced on January 18. Thus, it was Israeli government action that belies its supposed concern about the safety of Israeli civilians. [10]

Regev also condemned the activists for failing to say anything about "the human rights of Palestinians who live in Gaza under the jackboots of the Hamas regime that oppresses women, Christians, and gays – a regime that has brutally suppressed all political opposition, destroyed independent media, closed down internet cafés, and has even made it illegal for a male hairdresser to cut the hair of a woman." However, if the Israeli government is concerned about jackboots of a regime, why does the Israeli government suppress civil liberties of Israeli human rights organizations, as described in a New York Times article, <u>"Israeli Rights Groups View Themselves as Under Siege,"</u> [11] published on April 5? One could well ask about the jackboots of the Israeli occupation of Palestine that includes targeted assassinations, detention without trial, torture, demolishing houses, bombing civilian neighborhoods, destroying civilian infrastructure and siege on a defenseless civilian population in Gaza.

Palmer also charged that organizers of the flotilla "are less interested in bringing in aid than in promoting their radical agenda, playing into the hands of Hamas provocations. While they have wrapped themselves in a humanitarian cloak, they are engaging in political propaganda and not in pro-Palestinian aid."

If it were true that the purpose of the human rights workers is to score political points why does the Israeli government play into their hands by engaging in a blockade that involves the illegal collective punishment of the entire civilian population of Gaza? Collective punishment puts Israeli government political and military leaders in breach of article 33 of the <u>Fourth Geneva Convention</u> [12].

Any attack on the ships of the International Freedom Flotilla could also put Israeli government officials in violation of several articles of the <u>United Nations Convention on the</u> <u>Law of the Sea, Part VII</u> [13]:

article 87(a) provides for "freedom of navigation."

article 88 states, "The high seas shall be reserved for peaceful purposes."

article 89 states, "No State may validly purport to subject any part of the high seas to its sovereignty."

article 90 states, "Every State, whether coastal or land-locked, has the right to sail ships flying its flag on the high seas"

By failing to defend the high seas from Israeli-government piracy other governments and the UN are acquiescing to degradation of international law regarding the freedom of navigation.

Defend the International Freedom Flotilla

As <u>Richard Falk</u>, <u>Professor Emeritus of International Law at Princeton University</u> [14] said, "by now it has been demonstrated that neither governments nor the UN will challenge this blockade, only people of conscience and courage will." Support demonstrations are taking place in cities around the world demanding action from the US government and the UN to defend free passage in international waters and to end the illegal siege of Gaza.

Readers can track the flotilla, click links to latest news, and find a list of emergency response plan actions that they can take at http://gazafreedommarch.org/cms/en/flotilla.aspx [15]

James Marc Leas is a Jewish patent lawyer who is a co-chair of the National Lawyers Guild Free Palestine Subcommittee. He participated in the <u>NLG delegation to Gaza in February</u>, <u>2009</u>. [16]

Notes

[1] <u>"Fate of Gaza flotilla remains vague,"</u> Jerusalem Post, May 25, 2010.

[2] "Gaza activists: Israel to put us in concentration camp," YNET News.com, May 28, 2010

[3] <u>"Israel's Disinformation Campaign Against the Gaza Freedom Flotilla,"</u> By Gaza Freedom Flotilla, May 28, 2010

[4] http://gazafreedommarch.org/cms/en/flotilla.aspx

[5] <u>"Farming without Land, Fishing without Water: Gaza Agriculture Sector Struggles to</u> <u>Survive,</u>" UN Office for the Coordination of Humanitarian Affairs fact sheet, May 25, 2010

[6]<u>"UN says Gaza blockade hinders reconstruction aid,"</u> YNET News.com, May 23, 2010

[7] World Health Organization fact sheet, January 20, 2010

[8] <u>"One Month of Calm Along the Israel-Gaza Border"</u> Israeli Ministry of Foreign Affairs website 27 July 2008.

[9] "Operation Cast Lead: Israel strikes back against Hamas terror in Gaza," 21 Jan 2009

[10] Further details about the ceasefire and rockets can be found in an article, <u>"Israeli</u> <u>Government Contradicts its Own 'Self-Defense' Argument"</u> by the present author.

[11] <u>"Israeli Rights Groups View Themselves as Under Siege,"</u> New York Times, April 5, 2010

[12] <u>Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva,</u> <u>12 August 1949</u>, International Committee of the Red Cross

[13] United Nations Convention on the Law of the Sea, Part VII

[14] Richard Falk, Professor Emeritus of International Law at Princeton University

[15] Gaza Freedom March, http://gazafreedommarch.org/cms/en/home.aspx

[16] <u>"Onslaught, Israel's attack on Gaza and the Rule of Law</u>," Report of the National Lawyers Guild delegation to Gaza in February 2009.

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