

# Israel withdraws from Gaza as evidence of war crimes emerges

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The Israeli military reportedly withdrew its last soldiers from the Gaza Strip Wednesday as new evidence of the war crimes committed during its three-week assault on the Palestinian territory emerged.

Troops continue to mass on the Israeli side of the border with defense official Tzachi Hanegbi warning that the military was prepared to respond with “overpowering” force if rockets were fired from Gaza.

The casualty toll continues to rise as bodies are dragged out of the rubble in areas that were previously not accessible. The death toll from the Israeli attack, which began December 27, is currently 1,300, including 410 children and 104 women, according to the Gazan ministry of health. Approximately 5,300 Palestinians have been injured, including 1,855 children and 795 women.

The World Health Organization has issued a warning of an outbreak of disease as weeks-old bodies remain unburied and raw sewage flows in the streets due to the destruction of Gaza’s infrastructure. Thirty-four health facilities, including eight hospitals, were damaged or destroyed by shelling; 16 health care workers were killed and another 22 injured while on duty, according to the health ministry.

The crisis has been exacerbated by the lack of water and electricity. John Holmes, the UN humanitarian chief, said 400,000 Gazans—around a third of the population—are still without water and electricity is available for less than half the day. Hundreds of thousands were forced to flee their residences and at least 100,000 people have been left homeless.

The United Nations, whose secretary-general Ban Ki-moon toured the devastation in Gaza Tuesday, calling it “shocking and alarming,” estimated some \$330 million is needed for urgent aid.

Reconstruction may cost close to \$2 billion, according to Palestinian and international estimates. More than 5,000

buildings were completely destroyed and another 20,000 damaged or partially destroyed by the air strikes and artillery and tank fire of the Israeli Defense Forces (IDF).

Amnesty International (AI) has joined several other human rights organizations in accusing Israel of war crimes because of its use of white phosphorus munitions in Gaza’s densely populated residential neighborhoods. Referring to the napalm-like material—which covers the skin and continues to burn through muscle and bone until it is deprived of oxygen—Donatella Rovera, a researcher with AI, said, “Its repeated use in this manner, despite evidence of its indiscriminate effects and its toll on civilians, is a war crime.”

Chris Cobb-Smith, a British weapons expert who visited Gaza as part of a four-person Amnesty team following the start of a ceasefire on Sunday, said he found widespread use of the chemical weapon. “We saw streets and alleyways littered with evidence of the use of white phosphorus, including still-burning wedges and the remnants of the shells and canisters fired by the Israeli army,” he said in a statement.

Israel used these munitions against a UN Relief and Works Agency compound in Gaza, where hundreds of Palestinians were seeking refuge when it was shelled on January 15. In another incident on the same day, a white phosphorus shell landed in the al-Quds hospital in Gaza City, causing a fire and forcing hospital staff to evacuate patients.

In an action aimed at sheltering military officials from prosecution for war crimes, Israeli Army Radio reported that the full names and pictures of battalion commanders involved in Operation Cast Lead would not be released. According to the *Jerusalem Post*, the decision was made in anticipation that international war crimes lawsuits would be filed against IDF officers, who could face prosecution when traveling overseas.

The newspaper reported that Defense Minister Ehud Barak

has ordered the IDF to set up a team of intelligence and legal experts—a so-called Incrimination Team—to collect evidence related to operations in the Gaza Strip that could be used to defend military commanders against future lawsuits. The team had already received all the footage filmed by IDF Combat Camera teams deployed inside the Gaza Strip, to review and decipher.

“The decision to set up the team,” the *Post* reported, “was made as part of IDF preparations for a wave of international lawsuits related to Operation Cast Lead, which Attorney-General Menahem Mazuz warned last week would be filed against soldiers following the operation.”

In the last few years, several military and intelligence figures, including then-Gaza Division commander Brig.-Gen. Aviv Kochavi and former Shin Bet chief Avi Dichter, were forced to cancel trips to the UK for fear of arrest on arrival. Supporters of the Palestinians have used Britain’s Universal Jurisdiction legislation, which allows private criminal complaints of war crimes to be filed even if the alleged perpetrators are citizens of other countries and the actions were not committed on British soil.

Citing the Jawalan.com web site, *Haaretz* reported that European attorneys have petitioned a Belgian court to arrest Foreign Minister Tzipi Livni upon her arrival in Brussels Wednesday. The paper said the complaints were apparently lodged on behalf of Belgian and French nationals with relatives who were either wounded or killed in Gaza, and call for Livni to be arrested for war crimes.

An unnamed Israeli human rights group has also set up an Internet site ([www.wanted.org.il](http://www.wanted.org.il)) detailing the crimes committed by senior government officials and Israeli Defense Forces officers. The site includes “arrest orders” for Defense Minister Ehud Barak, Prime Minister Ehud Olmert, Foreign Minister Tzipi Livni, Deputy Defense Minister Matan Vilnai, Public Security Minister Avi Dichter, National Infrastructure Minister Benjamin Ben-Eliezer, IDF Chief of Staff Gabi Ashkenazi and his two predecessors, Dan Halutz and Moshe Ya’alon, former air force commander Eliezer Shkedy and others.

The dossier on Ehud Barak reads:

“In June 2007, the suspect imposed a siege on 1.5 million residents of Gaza. The siege, which is ongoing in 2009, is collective punishment according to International Law. The year and a half long siege caused severe food and fuel shortages, intermittent drinking water and electricity supply, disruption to sewage treatment plants and shortages of medicine and essential medical equipment, affecting the lives of 1.5 million people—a violation of the Fourth Geneva Convention and Rome Statute.

“On 27 December 2008, the suspect ordered the aerial bombardment of Gazan population centers. The attacks involved hundreds of aircraft sorties, dropping hundreds of tons of bombs on Gazan neighborhoods. At least 1,200 people—men, women and children—were killed and 5,300 people were injured. The bombs damaged thousands of homes and turned hundreds of thousands of people into refugees.”

In his first day in office, US President Barack Obama called Israeli Prime Minister Ehud Olmert and Palestinian Authority President Mahmoud Abbas and expressed his determination to help establish “an effective anti-smuggling regime to prevent Hamas from rearming, and facilitating in partnership with the Palestinian Authority a major reconstruction effort for Palestinians in Gaza,” according to a White House statement.

Obama pledged to strengthen the ceasefire agreement brokered by the outgoing Bush administration, which involves promises by the US to deploy technical, intelligence and military assets across the Middle East and to enlist NATO and US-allied Arab regimes to help prevent arms getting into Gaza, particularly from Iran.

Obama also spoke with Egyptian President Hosni Mubarak and Jordan’s King Abdullah II who are part of the US and Israeli effort to isolate Hamas—which won parliamentary elections in 2006—and reinstall the puppet regime of Abbas’s Palestinian Authority in Gaza.

While the Israeli offensive failed to crush Hamas—there were large demonstrations in Gaza in support of the organization after the Israeli troop withdrawal—the bloodletting was meant as an object lesson to the entire Palestinian population. As one Israeli journalist, David Essing, wrote on the foreign policy and defense web site *Isracast*, “Clearly West Bank Palestinians must see the calamity that radical Hamas has brought upon Gaza and that the West Bank could also suffer the same fate as Gaza if the Palestinians there did not choose to follow President Abbas and his policy of compromise with the Jewish state.”



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