

# UN report details Israeli war crimes in Gaza

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The report into Israel's war on Gaza last summer by the United Nations Human Rights Council (UNHRC) found that both Israel and Hamas committed war crimes during Israel's war on Gaza last summer.

But while some newspaper headlines may give the impression of equal blame, the UNHRC's commission of inquiry nevertheless highlighted the disproportionate nature of the killings—2,251 Palestinians of whom 1,462 were civilians were killed and 11,231 injured, compared to just 67 Israeli soldiers along with 6 civilians killed and 1,600 injured.

In its citation of evidence illustrating the lack of symmetry in Israel's and Hamas's policies and practices, the report provides a devastating indictment of Israel's 2014 war against the Palestinians, a war whose genocidal conduct was deliberate, not accidental, and determined at the highest level of government.

The investigative commission based its report on more than 280 interviews and more than 500 written testimonies and evidence gathered in an 11-month inquiry. Israel refused to allow the investigative team into the West Bank or Gaza.

The commission's work was further hampered by pressure from both Tel Aviv and Washington for the removal of the study's chairperson, the Canadian academic William Schabas, whom they accused of bias against Israel as he had carried out consultancy work for the Palestine Liberation Organisation. Another member of the panel, US jurist Mary McGowan Davis, considered more pro-Israeli, replaced him.

The commission will formally present its report to the UNHRC on June 29 in Geneva.

Notwithstanding the switch of its chairperson, the report demonstrated the brutal nature of the war carried out by the Israel Defence Forces (IDF). It found that Israel's response to rocket fire from Gaza was disproportionate and could amount to a war crime, warranting a referral to the International Criminal Court

(ICC).

The timing of the report is significant, as it coincides with the Palestinian Authority's first submission to the ICC, which is conducting its own preliminary inquiry into allegations against Israel of war crimes and crimes against humanity. This includes an examination of Israel's conduct during the 2014 Gaza war. An ICC team will travel to Israel later this month to investigate.

The UN commission determined that the death and destruction carried out by Israel in Gaza were not isolated events but followed in an ever more brutal fashion the war crimes and atrocities of previous wars on Gaza and Lebanon. It was "concerned that impunity prevails across the board for violations of international humanitarian law and international human rights law allegedly committed by Israeli forces." It called on Israel to break with its "recent lamentable track record in holding wrongdoers responsible."

Despite the mounting civilian death toll, "The fact that Israel did not revise its practice of airstrikes, even after their dire effects on civilians became apparent, raises the question of whether this was part of a broader policy which was at least tacitly approved at the highest level of government."

Israel made "extensive use of weapons with a wide kill and injury radius. Though not illegal, their use in densely populated areas is highly likely to kill combatants and civilians indiscriminately."

The report dismissed the IDF's warnings to Gaza's residents before launching airstrikes, as Israel considered that everyone remaining in the area after such warnings were combatants.

During ground operations in Gaza, the IDF killed hundreds of Palestinian civilians. There were a particularly high number of casualties around Shujaiyeh and during the "Black Friday" operation in Rafah, after an Israeli soldier was thought to have been kidnapped. Justice McGowan Davis commented that

“when the safety of an Israeli soldier is at stake, all the rules seem to be disregarded.”

Crucially, the commission indicated that the upper echelons of the Israeli political establishment, including the prime minister, minister of defence, former IDF chief of staff and head of Israel’s southern command, were responsible for the policies that led to some of these war crimes.

Needless to say, there was not a word of remorse from Israel’s Prime Minister Benjamin Netanyahu. Instead, he accused McGowan Davis of “inciting and agitating against Israel.”

“Israel doesn’t commit war crimes, but defends itself from a terrorist organisation which calls for its destruction,” he declared.

State Department spokesman John Kirby refused to comment on the UNHRC’s report, saying the United States had concerns about the investigation’s methods and the potential for bias.

Netanyahu threatened the Palestinians with new wars, saying, “We will not sit idly by. We’ll continue to act with strength and decisiveness against all those who try to harm us and our citizens and we’ll do so in accordance with international law.”

He was furious that the commission had sought to point the finger of blame not just at the IDF, but at his government.

For years, Netanyahu has delayed the implementation of recommendations from a committee headed by Israel’s former Supreme Court judge Jacob Turkel, which conducted an inquiry into Israel’s policies on investigating allegations of war crimes. Turkel’s committee directed the government to confirm that Israeli law has fully adopted international legal standards regarding war crimes and that ban torture. He also recommended attributing direct criminal responsibility for possible war crimes and crimes against humanity not just to military commanders but also government officials for crimes committed by their subordinates.

Netanyahu’s failure to implement these recommendations has led to bitter altercations between the military and political establishment, with the military accusing the government of being “hung out to dry.”

Israel had sought to pre-empt the UNHRC by commissioning its own report exonerating the military

of all crimes and misconduct. It also got the Friends of Israel Initiative to sponsor a group of top US and European military brass and political leaders to state that Israel’s conduct during the 2014 Gaza war was fully compliant with international law.

The UNHRC’s report, following countless similar reports about Israel’s war crimes, testifies to the political dead-end of the entire Zionist project, whereby a capitalist state based upon religious discrimination and the expulsion and subjugation of the Palestinian people already living there could provide a safe and just haven for the Jewish people after the horrors of the Holocaust. Netanyahu represents an isolated and demoralised ruling class that has lost its head and has no answer to the crisis it confronts other than increased authoritarianism, brutality, militarism and war.

Notwithstanding the nationalist propaganda that Israel represents all those of the Jewish faith, it is a society divided by class, led by a handful of billionaires and venal politicians, and beset with massive social antagonisms.

The repeated turn to mass killings of a genocidal character serves to deepen the revulsion and hostility toward Zionism throughout the Middle East, around the world and among Jewish workers in Israel itself, and discredits Israel’s backers, the US and European imperialist powers. It poses the urgent necessity of uniting Jewish, Palestinian and Arab workers across national and sectarian barriers in the fight against imperialism, Zionism and the Arab bourgeoisie, and for a socialist federation of the Middle East as part of the struggle to put an end to capitalism on a world scale.



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