



The EU and Gaza 2023:
Terrorism is fought with Counter-terrorism,
not Wars against Civilians

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Note: *The information covers only the first month of the war in Gaza.*

Cover photo: Tom Chrostek, Unsplash

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Summary

Despite several attempts for decades to reach at a political solution between Israel and Palestine, Netanyahu and his supporters offer nothing but permanent oppression while Hamas has resorted to terror. Each party refers to their rights: The right to defend versus the right to self-determination. This attitude has resulted in an escalation of tensions over time that led to a massive loss of life since October 7, 2023, when Hamas killed 1,200 Israelis and Israeli forces have so far killed 11,000 mostly civilians in Gaza. If there is a solution, it can be none other than a political one agreed between the two parties and be supported by an even-handed approach by the international community within the confines of international law.

AS A EUROPEAN FOLLOWING THE NEWS FROM GAZA in neighboring Jordan, I recall the words of Martin Luther King Jr.: “In the end, we will remember not the words of our enemies, but the silence of our friends”. Terrorism should be combatted and countries have the right to self-defense. However, I have heard little from EU country leaders or the bloc’s collective organs and representatives in general—and European Commission President Ursula Gertrud von der Leyen, in particular—regarding the collective punishment of Palestinians, which is in blatant violation of European principles and international law.

Terrorism should be combatted, and countries have the right to self-defense, but collective punishment of civilians is a blatant violation of European principles and international law.

What I hear from the other side of the Atlantic, and then repeated in Europe, is US Secretary of State Anthony Blinken clearly stating that depriving civilians of food, water, electricity and fuel is a war crime. However, the subject here is not Palestine but Ukraine, where the civilian casualties, most of them collateral, are already fewer than those killed by the relentless and indiscriminate bombing of Gaza, a campaign that amounts to modern-day carpet-bombing.

It is worth adding that the Palestinian casualties to date have been suffered over a period just one twentieth the duration of the war in Ukraine. Dresden comes to mind. Nazism and the Holocaust are universally condemned. However, it is also widely agreed now that the destruction of that city, a cultural landmark of little strategic significance, constitutes one of the moral “causes célèbres” of World War II, where the indiscriminate area bombing was not proportionate to the military gains.

John Kirby of the US National Security Council cried in front of the cameras when he referred to the killing of children, again in Ukraine. On Gaza, he had this to say: “This is war, it’s combat, it’s bloody, it’s ugly and it’s going to be messy, and innocent civilians are going to be hurt (sic)”. So far, the children killed in Ukraine account for 6 percent of the total casualties, compared to 40% in Gaza.

For his part, UK Prime Minister Rishi Sunak visited Israel to reaffirm his country’s unconditional support to Israel and tell the Israeli Prime Minister, Benjamin Netanyahu “we want you to win”. He stayed at the King David Hotel in Jerusalem, the building that was serving as the British Headquarters of what was then Mandatory Palestine (1918–1948) when it was blown up in 1946. The blast killed 91 people, many of them British, and was perpetrated by a group that were labelled terrorists at the time. That group was the Irgun led by Menachem Begin, who later became Prime Minister of Israel (as a non-terrorist and a friend of the West) as leader of Likud – the same party led by Benjamin Netanyahu.

All principled countries have experienced terrorism at some point but have used means that are within their own national and international law to counter it, without resorting to state terror.

Terrorism can be clearly defined. As can the right to defense. However, the use of “defense” by occupying forces like Israel is questionable: history has not described the atrocities the Nazis committed against freedom fighters (and civilians) as “German defense” against occupied France, Yugoslavia and Greece during World War II. The war in Gaza is taking place in what the EU and the International Court of Justice among others consider Occupied Palestinian Territory.

Terrorism is fought with counter-terrorism, not wars (or “crusades”, to use US President George W. Bush’s infamous term). All principled countries have experienced terrorism at some point in time and have used means that are within their own national and international law to counter it, without resorting to the terror of indiscriminate collective punishment. The Franco regime did not bomb the Basque region because of the activities of ETA, a separatist organization seeking independence from Spain. Nor were there indiscriminate killings of Catholic civilians in Northern Ireland in response to the activities

of the IRA. When established laws and principles were broken by their governments and security forces, both countries initially covered them up for security reasons or out of embarrassment, until history uncovered them at some future date, usually decades later. The people in Gaza now cannot wait to see who will end up on the right side of history in the future. Their future is now, if it was not brought to an abrupt end last month or before.

The relentless bombing during the first three weeks of the war amounts to nearly twice the power of a Hiroshima bomb.

Proportionality is an internationally accepted principle for judging war crimes. The number of civilian victims in Gaza is already off the chart, even before we find out how many Palestinians are still lying dead under the rubble – the latter includes 1,350 missing children not included in the current death toll. If the stated objective of Israel's ongoing offensive is to eliminate Hamas, I have yet to find out how many of its members have been killed as a percentage of the nearly 11,000 civilian victims, including more than 4,500 children. It remains to be seen whether Israel will use less powerful bombs in the future, as is now being humanely advised to do by the US, and whether there will be fewer bombs raining from the sky, compared to the 10,000 bombs dropped during the first three weeks of the war (500/day), according to Yoav Gallant, the Israeli Defense Minister. This relentless bombing amounts to more than 25,000 tons of explosives or nearly twice the power of a Hiroshima bomb.

While PM Netanyahu says "Israel has to stand firm against the world", the world is neither anti-Semitic or against the Jews but against certain actions taken by the State of Israel at certain times.

Israel does not seem to accept international law, as Gallant went on to not only say that "There will be no electricity, no food, no fuel, everything is closed" in Gaza, but if another enemy of Israel, namely the Hezbollah political and paramilitary group in Lebanon, makes the same mistake as Hamas, "Those who will pay the price are, first of all, the citizens of Lebanon. What we are doing in Gaza we know how to do in Beirut". He also rejected the "moral preaching" of the world, along with PM Netanyahu who said that "Israel has to stand firm against the world". For its part, the world is neither against the Jews nor anti-Semitic; it is against certain actions taken by the State of Israel at certain periods, and especially in Gaza today.

In accordance with the reasoning of the current Israeli Government, there is no difference between Hamas fighters and civilians and the numerical differences between civilian casualties in Gaza and Ukraine do not matter. Even if numbers were more balanced between Gaza and Ukraine, what they represent does matter. In Gaza, hospitals, clinics and ambulances protected by international law have been repeatedly hit and rendered non-functional. More than half of Gaza's 35 hospitals are no longer operational. At least three-quarters of all primary care facilities across Gaza have been shut down due to damage and lack of fuel and medical supplies.

More than 100 UN personnel in Gaza have already been killed. Those killed were not UN military "blue helmets" caught in crossfire but civilians providing humanitarian assistance.

Israel has stopped supplying fuel to Gaza on the grounds that Hamas would use it to power its operations and continue the fight. This does not justify the destruction of solar panels used by hospitals in their struggle to provide whatever rudimentary services they can despite their grossly diminished capacity and the sacrifice of their medical staff. The World Health Organization, the Red Cross and the Red Crescent refer to dozens of medical staff killed so far. The 300 members of Médecins Sans Frontières have now left Gaza.

Among the UN personnel in Gaza, more than 100 have already been killed. This number is more than in any comparable period in the history of the organization and continues to rise every day. Those killed were not UN military "blue helmets" caught in crossfire; they were civilians providing humanitarian assistance.

The West considers press freedom and media objectivity a hard-won privilege and uses it to criticize less democratic (typically enemy) regimes. But the silence of Western politicians is often followed by vague press and media reports that take pride in being free

of government control. The language many media use is telling: the Israelis are “killed” and the Palestinians “die”. When reporting numbers, the narrative tends to be “The Israeli casualties are x. The Palestinian casualties are y, according to Hamas”. The former is presented as a fact, the latter as an allegation and presumably an inflated fact. The qualified wording when reporting Palestinian casualties accords with the beliefs of US President Joe Biden, who said he has “no notion that Palestinians are telling the truth about how many people are killed”. But beliefs cannot counter the facts as reported by the UN and the many reputable humanitarian agencies still active on the ground, despite the odds they face. Indeed, in contrast to the US administration, the US intelligence community is showing growing confidence that reports from Hamas-controlled Gaza are “roughly accurate”.

There are many other glaring examples. Reports that “bombs hit a densely populated area in Gaza” fail to disclose that the area was Jabalya, the largest refugee camp in Gaza, which hosts more than 100,000 displaced Palestinians in an area of just 1.4 square kilometers. True, the media did not tell a lie, but avoiding telling the truth is not that different. The UN said the bombing of Jabalya “may be a war crime”. Collective punishment is unacceptable, still more so if it evolves into genocide and ethnic cleansing. The UN 1948 Genocide Convention is a good reference point to start assessing the current situation.

Moreover, Gaza’s children are the victims of deliberate and indiscriminate bombing. Though equally sad, the Ukraine child casualties are collateral damage. International law is clear on this difference. What is also clear is that the enormous death toll in Gaza is not because there are too many children, but because there are too many bombs. Too many bombs or not, the western media habitually add “we could not verify who dropped them, and we have reached out to the Israeli Defense Forces for clarification”. The world may find out who dropped the bombs in the future, like it did after Israel set up the Winograd Commission to investigate the 2006 Lebanon War. The Commission was praised as testimony to Israel’s ability to self-criticize as it pointed the finger at key decision-makers whose immediate reaction to start a war after the kidnapping of Israeli soldiers by Hezbollah limited Israel’s range of other options. The war did not end up with a victory for Israel and the Hezbollah emerged stronger being today the most potent political force in Lebanon. In the words of Henry Kissinger, the erstwhile US Secretary of State: “The conventional army loses if it does not win. The guerrilla wins if he does not lose”. Hezbollah became stronger after that war.

The Irgun became part of the regular Israeli army in 1948, the year the State of Israel was established. ETA and the IRA stopped their activities after political solutions prevailed. Will Hamas do the same, if Palestine is established in line with international resolutions adopted globally decades ago, with the expected objection by Israel, which relies on its military might and the US, which relies on its UN veto? Whether and when the international resolutions for settling the case of Israel/Palestine are adopted in practice remains to be seen as, for example, ten days into the war the US was the only member of the 15-strong UN Security Council to veto a resolution calling for ‘humanitarian pauses’ to deliver lifesaving aid to millions in besieged Gaza.

The surprise attack by Hamas on 7 October broke what was considered an impenetrable wall built by the Israelis to keep the people of Gaza within their occupied territory. It resulted in the killing of 1,200 Israelis. It was an atrocious act and initiated Israel’s latest war against Gaza. It does not however abscond Israel of its responsibility to distinguish between civilians and combatants, protect the wounded and sick, and allow the rapid and unimpeded access to humanitarian assistance. And from Israel’s perspective, the carpet bombing of Gaza may fail to deliver what it had expected, A military victory without a

The Winograd Commission that investigated Israel’s immediate reaction to start a war against Lebanon in 2006 concluded that such a reaction limited Israel’s range of other options.

A military victory without a change of policy is a pyrrhic one as the ground has been laid by the ongoing war for perpetuating the conflict.

The status quo is untenable and will not change through continuing terrorist acts or wars. It requires a political solution agreed between the two parties that is supported by an evenhanded approach by the international community within the confines of international law.

change of policy is a pyrrhic one as the ground has been laid by the ongoing war for perpetuating the conflict. The relatives and friends of the 11,000 already confirmed dead and the million displaced Palestinians, as well as those of the 1,200 Israelis killed by Hamas, will not forget for decades to come.

If the War on Gaza is less of a justified defense response and more a short-term rage response—or worse, a long-term Israeli plan to eliminate the Palestinian presence in Gaza—it is time for Western, and especially European, politicians to engage in some soul-searching.

Yes, some politicians have souls. If their voices are not heard by their fellow politicians, the voices of the growing millions of ordinary citizens across the world will become louder, countering the Western apathy aptly summarized by Alex Chalk, Secretary of State for Justice and Lord Chancellor in the UK, who considers those participating in peaceful demonstrations “even with no malicious intent” to be supporting extremists. The deaths of Israelis and Gazans is a reminder that the status quo is untenable and will not change through terrorist acts or wars. If there is a solution, it can be none other than a political one agreed between the two parties that is supported by an evenhanded approach by the international community within the confines of international law.