

SUBMISSION

That the Israeli “Siege” of Gaza is a Myth

To members of the United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict,

**Professor William Schabas, Justice Mary McGowan Davis
and Dr. Doudou Diène**

By email to coigaza@ohchr.org

January 27, 2015

From Advocate Charles M. Abelson

Hagalil 9,
Apartment 7
Kfar Sava Israel

Tel. +972 9 9 7658623

Email: abelsohnlaw@013net.net

This Submission is not confidential

Table of Contents

1. The Myth of an Israeli Siege on Gaza.....	3
2. Norwegian reporter on availability of goods in Gaza and Israeli support for press freedom	11
3. The big lie of Gaza	12
4. UN Palmer commission negates Human Rights Council on Israeli clash with IHH flotilla.....	14
5. Rafah.....	15
6. Al Mashtal - A Luxury Hotel	17
7. Hamas continues to Prepare for the Next War	18
8. Hamas and the Palestinian Authority (PA)	19
9. Conclusion	20

1. The Myth of an Israeli Siege on Gaza

There was, and is, no Israeli "siege" on the Gaza Strip.

First of all, Gaza shares borders not only with Israel, but with Egypt as well. There is a 13 kilometer (8 mile) frontier between Gaza and Egypt. That country, and not Israel, controls the Rafah crossing into Gaza which has been used primarily by people travelling to and from Egypt, and from there to the rest of the world including the Arab world.

The Commission is requested to bear in mind: between 1948 and 1967 there was no access between Israel and Gaza. Yet Israel was never accused of a siege or blockade.

Most importantly, for several years, all goods have been allowed to enter Gaza from Israel, except for weapons and a short list of dual-use items which can be exploited by terrorists. The ban on weapons and the restrictions on dual-use items stem from the fact that since 2007, Gaza has been ruled by a terrorist organization, namely Hamas, whose declared aim is the destruction of Israel. These restrictions are in place solely to protect Israel's citizens from Hamas' ongoing terrorist attacks.

Not only do food, medicine, fuel and aid enter freely at all times, but in peacetime, commodities and consumer goods of every type are transferred daily from Israel to Gaza through the land crossing. The types and amounts of consumer goods are determined by Palestinian merchants and depend primarily on market forces in Gaza. For the more affluent, Gaza offers a variety of consumer opportunities, from a modestly-sized mall to upscale restaurants. Even during the latest hostilities in Gaza, an international journalist reported on shopping at one of Gaza's supermarkets, which offered "all kinds of goods."

Here are pictures of Israeli products currently on sale in the Gaza which, it is alleged, is under Israeli "siege" and "blockade at Metro Market, Gaza. In all the products below, English, Hebrew and Arabic will be seen. The pictures have been taken from Metro`s site and may be verified on <https://ar-ar.facebook.com/MetroMarket1> The first picture is the entrance to the well-stocked supermarket to show size:



2143 . مشاركة . تعليق . أعجبنى



Detergent





588 Pizza · مشاركة · تعليق · أعجبنى



Tuna



Metro Market

7 يناير، الساعة 05:43 صباحاً
تونة Starkist

371 · مشاركة · تعليق · أعجبنى



Previous · Next



Metro Market

عروض مستمرة ...

Whole Wheat Toast



· مشاركة · تعليق · أعجبي

Corn Flakes



Laundry Detergent



All Gaza imports are arranged between Gaza businessmen and NGOs, and Israeli or other suppliers. If Gazans need more, they can buy it. **There are no practical limits on how much Gaza can import even if its economy grew dramatically.** No limits on fuel. No limits on raw materials for factories (again, except dual use materials). No limits on consumer goods. No limits on medicines.

Popular items for import to Gaza are Jacuzzis and BMW.

Given the free entry of almost all goods, it is impossible to legitimately claim that the Gaza Strip is under siege. For example, in the first five months of 2014, over 18,000 trucks carrying nearly 228,000 tons of supplies entered Gaza. Included in the deliveries were construction materials: since January, 2014 over 4,680 trucks carrying 181,000 tons of cement, wood, gravel, iron and other building supplies passed through the Kerem Shalom land crossing into Gaza.

Israel made tremendous efforts to enable the continued passage of goods and aid into Gaza during the 50 days of the fighting. **It facilitated the entry of approximately 3,600 truckloads carrying some 40,000 tons of food, medical supplies and essential goods during a month of fighting.**

Israel kept the land crossings into Gaza operating even as the terrorist organizations continuously attacked them, including more than a hundred rockets fired at the primary crossing for goods, Kerem Shalom.

In addition to facilitating the transfer of goods, humanitarian aid and fuels, Israel also supplies the Gaza Strip with 10 million cubic meters (2.6 billion US gallons) of water annually and more than half of its electricity.

There are also no limits imposed by Israel on how much Gaza can export.

While Israel faces a serious threat from terrorists in Gaza, it still allows the supervised movement of people into Israel. In the first five months of 2014, approximately 60,000 individuals entered Israel from the Gaza Strip. Many of these were patients and their escorts who received medical treatment in Israel and elsewhere, including the wife and granddaughter of Hamas's leader, while large numbers of Gazan businessmen and merchants also visited Israel.

In light of all these facts, not only is it obvious that there is no siege on Gaza, but it is also not reasonable to say that as a whole the Gaza Strip is under an Israeli blockade.

Anti-Israeli activists often cite the maritime blockade as proof of a general blockade on Gaza itself, but that is deliberately misleading.

In modern times, Gaza has relied almost exclusively on land crossings for the import of goods: it has never had the type of port capable of handling shipping containers (and only had a functioning airport for approximately three years).

The maritime blockade is legal under international law. In 2011, a special panel convened by UN Secretary-General Ban Ki-moon examined the maritime blockade. The UN Panel found both the naval blockade and its enforcement, including in international waters, to be legal. This panel of experts emphasized that all assistance to Gaza should be transferred only through the designated land crossings.

The panel also found that Israel had legitimate security concerns regarding violence by Hamas and that weapons trafficking to Gaza justified Israel to enforce a naval blockade. Repeated attempts to smuggle dangerous weapons via the sea - including powerful long-range rockets from Iran - attest to the fact that the maritime blockade is an essential security measure.

Indeed, the dangers posed by Hamas are well-documented. It is internationally recognized as a terrorist organization, including by the European Union, Australia, Japan, Egypt and the US.

Is this maritime blockade a siege? This is how the dictionary defines "siege": "The act or process of surrounding and attacking a fortified place in such a way as to isolate it from help and supplies, for the purpose of lessening the resistance of the defenders and thereby making capture possible." Does this bear any resemblance to the reality on the Gaza border where as shown above, all exports and imports, except for military and dual-use items, are permitted?

Moreover, Israel does not even have the ability to keep Gaza under siege, because Gaza shares a border with Egypt and a crossing to the Arab world at Rafah. The Gazans and the Egyptians belong to the same people. Thousands of rockets have not been fired at Egypt from Gaza. Siege? Let Egypt open its Gaza border crossings.

The whole siege story is nothing more than a fable made up to sway world opinion against Israel and is a damaging misnomer.

The economic plight of the Gaza Strip does not stem from a mythical siege, but from its rule by a recognized terrorist organization dedicated not to the welfare of its people, but to violence and destruction. When Israel left Gaza in 2005, its aspiration was that the Gaza Strip would become a prosperous and peaceful territory. Israel left over 3,000 greenhouses for the Gazans' use. Israel was prepared to develop an industrial park to provide know-how and employment to the Gazans. These hopes, and concrete plans for developing Gaza, were dashed by the incessant cross-border terrorist and rocket attacks, particularly after Hamas seized control in 2007. The Gazans first act was to destroy the greenhouses.

Furthermore, Gaza's existing resources are systematically abused by Hamas for its own nefarious goals. Enormous amounts of money are used for procuring and producing weapons, training and funding of terrorists, building terror infrastructures and for the enrichment of Hamas' leaders. Almost unimaginable quantities of cement were diverted from the construction of housing, schools and hospitals to building an underground city of terror tunnels and bunkers for Hamas members.

Hamas would like the world to believe that it launched its rockets at Israeli cities and towns in an attempt to "end the siege." It would like the international community to think it is acting in the interests of residents of Gaza. Nothing could be further from the truth.

If Hamas cared about the welfare of the civilians in Gaza, it would not have started the recent hostilities with its rocket barrages. It would have agreed to the Egyptian-proposed ceasefire already on 15 July 2014 (before the ground operation began), saving many lives on both sides. It would have respected the numerous humanitarian ceasefires Israel initiated for the benefit of the residents of Gaza. Most tellingly, it wouldn't have launched frequent rocket and mortar attacks on the Kerem Shalom border crossing, the main entry point into Gaza for goods and humanitarian aid.

What Hamas truly cares about is advancing its agenda to destroy Israel. This terrorist organization seeks to end any control or supervision over what enters and exits Gaza so that it can freely import offensive weapons, including long-range rockets, explosives, military technologies, terrorist trainers, funds and supplies for its terrorist infrastructures. None of these things will help the residents of Gaza; rather, they will only serve to ignite future conflict.

In response to continued terrorist infiltration attempts including construction of an elaborate tunnel network, the launching of thousands of mortars and rockets by Hamas and other groups into Israel and pervasive anti-Israel, anti-semitic incitement, an Israel siege might make sense. Instead, large volumes of humanitarian aid and consumer goods enter Gaza and tens of thousands of Gazans are admitted to Israel for medical treatment annually.

Such is the Israeli "siege" of the Gaza Strip. Under it the territory's Hamas rulers have survived up to now, with cash first from Iran, then Qatar, to arm and train thousands of gunmen. They've acquired technology and material from Iran and Syria for an arsenal (before Operation Protective Edge) of 10,000 or more rockets and missiles. Imported too were building materials for numerous fortifications and tunnels. Simultaneously, jihadis infiltrated from Gaza into Egypt. In World War II, the Warsaw Ghetto was under siege. So was Stalingrad. The Gaza Strip is subject to something altogether different. For accuracy's sake - that is, for journalistic precision - call it a naval blockade to prevent weapons entering Gaza. Hamas and other Palestinian apologists have reason to repeat the "siege" cliché; the Commission needs to be observant of the facts.



Picture of Gaza supermarket taken by Norwegian reporter about 5 August 2014.

2. Norwegian reporter on availability of goods in Gaza and Israeli support for press freedom

[Quotes translated from Norwegian]

After leaving the Gaza Strip, Jorgen Lohne, a journalist from Norway's largest newspaper, Aftenposten, wrote a short article (5 August) summarizing his time there reporting on the hostilities.

Among his observations is the following comment on Israel's support for freedom of the press:

"The IDF helped us into Gaza, where we reported - mostly - about the terrible, heartbreaking effects that their modern warfare has in this densely populated strip of land on the Mediterranean coast. **For that the IDF deserves our respect!**"

He also noted the **large assortment of goods in Gaza's supermarkets** and the attempt to hide that fact (which would show that there was no "siege" on Gaza):

"Should we feel the need to buy our own food or other items, we always go to one of Gaza's supermarkets offering all kinds of goods to us and others who have money. There are many here who need not be dependent on gift packages from the UN agency UNRWA.

'Hey, no pictures!' Screamed a store owner when he saw my cameras: **'If you show what we have here, no one will believe we are under embargo.'**"

The original article in Norwegian can be found at:

<http://www.aftenposten.no/nyheter/iriks/En-privilegert-gjeng-pa-Gaza-stripen-7658984.html#.U-O6aeOSzSu>

3. The big lie of Gaza

(Washington Times) By Daniel Mandel - - Thursday, August 14, 2014

As a ceasefire between Israel and Hamas is hammered out, much talk is heard about aid packages for Gaza, as though none previously existed. The refrain is heard that Gazans are living in a teeming, open-air prison. Repeated endlessly by those under obligation to know the facts, the myth has it that Gaza is, according to:

Robert Fisk, veteran Middle East correspondent: “the most overpopulated few square miles in the whole world.”

Christopher Gunness, spokesman for the U.N. Relief and Works Agency: “one of the most densely populated parts of this planet.”

Amjad Attlah and Daniel Levy of the New American Foundation: “the world’s most densely populated territory.”

James Zogby, founder and president of the Arab American Institute: “one of the most densely populated places on earth.”

Untrue.

Yes, Gaza is heavily populated. But its urban density is neither extreme nor the source of its woes.

According to the U.S. Census Bureau’s 2012 Statistical Abstract, Gaza had in 2010 11,542 people per square mile. That is about as densely populated as Gibraltar (11,506).

Gaza is considerably less densely populated than Hong Kong (17,422) or Singapore (17,723). It is far less densely populated than Monaco (39,609). And Macau (52,163) is over four times more densely populated than Gaza.

No one has called Hong Kong, Singapore, Monaco or Macau teeming, open-air prisons — with reason.

Hong Kong has the world's third largest financial center. Singapore has the third highest per capita income in the world, the fourth biggest financial center and the fifth busiest port. Monaco has the world's highest GDP per capita. Macau is one of the world's richest cities — testimony enough to what hard work, solid industries and responsible government can achieve in small, resource-poor territories.

The idea of Gaza being the most densely populated place in the world is a propaganda fabrication with a very clear underlying logic. Meshing that claim with scenes of poverty easily conjures up the idea that Palestinians lack land and resources.

Once you believe that, it is a small jump to the conclusion that Israel should be giving them both.

In fact, Gaza has been in Arab control since Israel evacuated it in 2005, withdrawing every living and dead Israeli from its soil. Israel left behind an expensive infrastructure of greenhouses and empty synagogues, all of which were swiftly destroyed in an orgy of hate. Hamas ejected Mahmoud Abbas' Fatah from Gaza in 2007 and has exponentially increased rocket assaults on Israel — over 9,000 since that date.

Gaza could be home to a large, prosperous population, providing that it was industrious, prudentially managed, well-governed and — above all — peaceful. It could be the Singapore of the Middle East. But it isn't — it's governed by Hamas, whose Charter calling for war with the Jews until their obliteration is well-known to those who elected it. (Unsurprisingly, Gazans are more supportive of Hamas and of anti-Israel terror attacks than West Bankers).

Gaza, along with the West Bank, has been the recipient of the highest levels of per capita aid in the world. Investment not siphoned off by Hamas has produced results: Gaza boasts shopping malls, five theme parks and 12 tourist resorts.

Compare that to dismally poor Niger, with high infant mortality, life expectancy of a mere 52 years and only one doctor for every 33,000 people. But as Niger is not dispatching terrorists to murder its neighbors, few know and fewer care — and Niger gets little aid.

In the last two years, Hamas has spent an estimated \$1.5 billion, not on schools, hospitals or businesses, but on an underground infrastructure of terror tunnels deep into Israel for the purpose of mounting Mumbai-like mass-casualty terror assaults. Hamas's leaders see jihadist terror as a paramount objective, while death and destruction in Gaza is not their concern.

“Their time had come, and they were martyred,” spoke a Hamas TV host of the Gaza dead during the current fighting, “They have gained [Paradise] ... Don't be disturbed by these images ... He who is Martyred doesn't feel ... His soul has ascended to Allah.” More succinctly, Hamas 'prime minister' Ismail Haniyeh has said, “We love death like our enemies love life! We love Martyrdom.”

The woes of Gaza are not the creation of population density, but of hate and jihad density. The answer lies not in more territory, resources or aid, but in its population and leadership prioritizing life and peace over death and war. As yet, there is no sign of this on the horizon. Irrespective of the eventual ceasefire, we can expect further wars in Gaza.

4. UN Palmer commission negates Human Rights Council on Israeli clash with IHH flotilla

As mentioned above, the maritime blockade imposed by Israel on Gaza is legal under international law.

This is the full report:

http://www.un.org/News/dh/infocus/middle_east/Gaza_Flotilla_Panel_Report.pdf

Summary:

In a UN commission of inquiry appointed by Secretary-General Ban Ki-moon and headed by Sir Geoffrey Palmer, the former prime minister of New Zealand, the new commission determined that Israel's naval blockade of Gaza *is* lawful.

Following are the key findings of the Palmer commission that completely negate the conclusions reached previously by the Human Rights Council:

* "Israel faces a real threat to its security from militant groups in Gaza. The naval blockade was imposed as a legitimate security measure in order to prevent weapons from entering Gaza by sea and its implementation complied with the requirements of international law."

* "Although people are entitled to express their political views, the flotilla acted recklessly in attempting to breach the naval blockade."

* "The majority of the flotilla participants had no violent intentions, but there exist serious questions about the conduct, true nature and objectives of the flotilla organizers, particularly IHH. The actions of the flotilla needlessly carried the potential for escalation."

* "Israeli Defense Forces personnel faced significant, organized and violent resistance from a group of passengers when they boarded the Mavi Marmara requiring them to use force for their own protection."

* "Three soldiers were captured, mistreated, and placed at risk by those passengers. Several others were wounded."

* "Where a State becomes aware that its citizens or flag vessels intend to breach a naval blockade, it has a responsibility to take proactive steps compatible with democratic rights and freedoms to warn them of the risks involved and to endeavour to dissuade them from doing so."

5. Rafah

Rafah is Gaza's connection to the Arab world through Egypt.

In 2014, Egyptian military forces continued to destroy tunnels which had been used over the years of the closure of Gaza to smuggle goods and weapons to the Strip. Rafah

Crossing, between Gaza and Egypt, saw frequent closures, leading to a sharp decline in travel in 2014 compared with recent years. From October 25 2014 – December 20 2014, the crossing closed to outgoing pedestrian traffic from Gaza for a record 57 days, trapping students, families and professionals who were prevented from transiting to third countries via Egypt or Israel. While some passengers stranded in Egypt or third countries trying to return to the Strip were permitted to transit into the territory, between October 25 and the end of 2014, the crossing only opened to outgoing traffic on three days. Egypt cited security concerns as the reason for the closures.

Egypt to remove border city Rafah for buffer zone

Published Thursday 08/01/2015 (updated) 10/01/2015

CAIRO (Ma'an) -- The Egyptian authorities have decided to remove the city of Rafah on the borders with the Gaza Strip completely, says the governor of North Sinai district Abd al-Fattah Harhour.

In a news conference Wednesday (7 January 2015), Harhour said it would be necessary to remove Rafah city completely in order to create a buffer zone on the borders with the Gaza Strip. "A new Rafah city is being established with residential zones appropriate to the nature and traditions of the residents of Rafah." He confirmed that engineering units have already been asked to start work on the new city. The governor's remarks came ahead of the second stage of evacuation of Rafah houses in preparation to create a buffer zone between Egypt and Gaza. According to the original plan, 1,220 houses were slated for evacuation. Some 2,044 families live in those houses. (Maan News Agency)

Egypt has begun the second stage of creating a buffer zone between Sinai and Gaza. The current zone is being expanded from 500 meters to a kilometer. However, there will be additional stages which will ultimately expand the zone to 1.5-2 km. The plan will result in the eviction of hundreds of families, initially to El-Arish and in the future to a new Rafah and a new suburb of Ismailiya on the banks of the Suez Canal. These buffer zones are meant to help the Egyptian military in its fight against the fundamentalist Ansar Bayt al-Maqdis group, which has recently joined the Islamic State. 16-17 Egyptian battalions are operating in Sinai, including commando, armored, and infantry units.

Egypt estimates that its operations have forced dozens of *jihadis* to flee Sinai for Libya. (*Times of Israel*)

Egypt has real security concerns in the Sinai, and they have every right to close the border with Gaza. Everyone understands this and there is little criticism. But Israel, whose citizens are directly threatened every day by Gaza leaders, does not seem to have the same benefits as Egypt concerning its much more liberal policies about imports, exports and people movement from and to Gaza. The double standards continue...

Meanwhile, following the end of the military operation, Israel was reported to have reduced the area of the “buffer zone” from a distance of 300 meters from the border fence of Gaza to a distance of 100 meters.

Lest it be forgotten: Between 1948 and 1967, the Egyptian government restricted movement to and from the Gaza Strip, its inhabitants could not look elsewhere for gainful employment. I could not find any objection or criticism by the United Nations or any human rights organization.

This Submitter has only one question to ask of the Commission: What would the Commission have had to say and write and find about Israel were Israel to have acted towards Gaza as Egypt has acted towards Gaza. Egypt is acting to extend its buffer zone to 1.5 – 2km; Israel is acting to reduce its buffer zone to 100 meters.

6. Al Mashtal - A Luxury Hotel

<http://player.vimeo.com/video/26288397?title=0&portrait=0&byline=0>

The Submitter inquires which open-air prison, under both a “siege” and a “blockade”, suffering a humanitarian crisis, boasts of a hotel similar to the Al Mashtal of Gaza for the recreation of the “prisoners”. The submitter wishes there was a similar hotel by the ocean in Israel!

7. Hamas continues to Prepare for the Next War

Hamas continues to invest in preparations for further hostilities against Israel. These expenditures are made in weapons and military forces instead of investing in education, health and housing in the knowledge that there will be no adverse criticism. Hamas is able to make these "investments" since it is aware that, once war breaks out, the UNHRC will accuse Israel of initiating hostilities because of the "siege" and "blockade" that does not exist and because of Israel's "disproportionate" response.

Israel has been down this road three times already. The scenario for the fourth battle is ready. Hamas fired several rockets from the Gaza Strip into the Mediterranean Sea on Monday 26 January 2015. At what cost to education?

Hamas fires projectiles into the sea on a regular basis, as part of its weapons program. The launches are used by Hamas arms designers to experiment with various projectile models. At what cost to health and hospitals?

Following Hamas' routine of carrying out experiments and checking their rockets, Hamas continues with its domestic weapons production. At what cost to housing?

Senior Hamas official Mahmoud al-Zahar recently revealed Hamas' true intentions by stating, **"We will repeat the same steps in the West Bank as preparation for our arrival in all of Palestine"** Senior Hamas official Mahmoud al-Zahar continued: "Just as we liberated Gaza, just as we established a real national government there, just as we built a victorious army, just as we built a protective police force, and just as we have created security apparatuses with which to fight the enemy, we will repeat the same steps in the West Bank as preparation for our arrival in all of Palestine."

It is submitted that Hamas' statements and actions are declarations of war.

It is submitted that the Commission has been granted a golden opportunity to prevent war, more deaths, more injuries and more destruction:

by robustly revealing Hamas' intentions;

by powerfully calling upon Hamas to desist from all hostile actions against Israel

by boldly declaring that there is no siege and no blockade thereby stripping Hamas of its chief “excuse” for its intended military actions; and

by vigorously demanding that Hamas` resources be devoted to health, hospitals, education, housing, extending employment and developing Gaza`s infrastructure and generally to act for the benefit of the Gazan people.

8. Hamas and the Palestinian Authority (PA)

Hamas` true nature is revealed in the exchanges and accusations between Hamas and the PA. The war of words and more than words between the PA and Hamas continues. The PA recently accused Hamas “militias” of committing the ugliest of crimes and encroachments during the war against PA members in the Gaza Strip. It said Hamas representatives shot and beat dozens of Fatah members. The statement said Hamas also placed more than 300 Fatah members under house arrest, exposing them to Israeli air strikes and that as many as 125 Fatah members were shot by Hamas operatives when they refused to comply. Other Fatah members were kept in Hamas prisons during the war, which also endangered their lives, the statement said.

No less a person than the PA President Mahmoud Abbas himself accused Hamas of conducting atrocities at the war's end when it executed 120 people without trial because they breached the curfew.

Fatah said it preferred to remain silent toward the Hamas “crimes” during the war out of keenness to preserve Palestinian unity. **Fatah also accused Hamas of confiscating food and medicine sent to the Gaza Strip from the West Bank and other countries.** It said **Hamas distributed the aid among its men in mosques and sold some of it in the black market.**

A PA official in fact claimed that \$700 million in international aid designated for reconstruction and humanitarian use in Gaza was taken by Hamas, “over the blood of the children of Palestine.” Fatah spokesman, Ahmad Assaf: “They raised funds from the Arab world in the name of the martyrs in Gaza, and on behalf of women, children and elders, and they talked about rebuilding the Gaza Strip and Israel destroyed mosques,” Assaf said in an interview with Arab media.

The Palestinian Authority appears to be aware of the danger posed by Hamas and its true intentions. Hamas recently alleged that the Palestinian Authority arrested over 1,000 Hamas members in 2014, confirming claims that the PA is actively engaged in battling Hamas in the West Bank. The report details the range of the Palestinian security services' activities against Hamas. **In all, the “peaceful” Hamas counted 2113 “attacks” against it by the PA, including 1,064 arrests and so-called kidnappings, 106 extensions of detentions, 636 summonses for investigations, and 307 miscellaneous attacks.** Hamas further alleged that there was a drastic rise in actions against Hamas in December 2014, with 446 “attacks,” referring to miscellaneous actions like riot dispersal, closing down offices, extending detentions, arrests, “kidnappings,” and summonses for questioning.

It is submitted that the true nature of Hamas has been revealed by its fellow Palestinians and partner in the “unity” government.

It is submitted that Hamas is a cruel, brutal and vicious organization acting murderously against all in its path, whether Palestinian or Israeli, whether fellow Moslem or Jew, whether soldier or civilian, whether adult or child.

It is submitted that Hamas will lie, cheat or steal as it strives to achieve its objectives as set out in its charter: the establishment of an Islamic state in the whole of Palestine, replacing both the Palestinian Authority and Israel.

It is submitted that the Commission must find that it is Hamas' misuse of resources and theft of funds which is primarily responsible for poverty in Gaza.

It is submitted that the Commission must take note of Hamas' true nature and reject out of hand, accusations of “siege” and “blockade” or of oppression or deprivation attributed to Israel.

9. Conclusion

Almost every media report on Gaza will mention a “Gaza siege,” or “blockade of Gaza,” that Israel allegedly has maintained on the Gaza Strip since Hamas took power.

A few examples:

CNN:

But Israel has been criticized for **sealing the borders**, with aid groups saying the blockade has cut off basic supplies and created a humanitarian crisis.

And also in this article

For Hamas any deal must include what it calls the “lifting of the siege” — **the blockade of Gaza that has turned it into an open prison** for the last eight years.

New York Times

Even before the war, Gaza’s humanitarian situation was precarious. An Israeli-Egyptian **blockade** meant to weaken Hamas had decimated the economy, and half the population depended on food aid.

BBC

Hamas, which controls Gaza, says it will not stop fighting until the **blockade**, maintained by both Israel and Egypt, is lifted.

However, here are a few salient facts that should be kept in mind when references are made to the border situation.

1) Since Hamas came to power in Gaza in 2005, it has openly declared hostility, its charter calls for the killing of Jews and the elimination of Israel and in furtherance thereof, has launched nearly 15,000 rockets into Israel, each and every one aimed at civilians, each and every one a distinct and separate crime. **Is there any example on Earth where two warring parties have completely open borders with each other? Cuba and the USA? The Soviet Union and the USA?**

2) There has been no blockade on basic food items, medicine, and other humanitarian goods. Since Hamas came to power, trucks pass over the border with Israel almost every day, laden with these supplies. There have been no reports of starvation or health epidemics in Gaza. Even during Operation Protective Edge, supplies of humanitarian goods entered Gaza almost every day. Again, how often does one party in a conflict try and feed and provide medical services to the ones attacking it? **The UNHRC, the media and much of the rest of the world provided criticism of Israel and little else, Israel provided food, medical services, electricity and water.**

3) Perhaps the most important question is this: If the borders were truly “sealed,” how did Hamas manage to import an estimated 800 tons of concrete and 10,000

rockets? **Think how many schools, hospitals and apartments could have been built using the steel and concrete that instead went to build offensive weapons and sophisticated tunnels under the border.**



4) It is impossible for Israel to “seal” the borders of Gaza or impose a “siege” in the ordinary everyday meaning of the word. **There is a 13 kilometer (8 mile) frontier between Gaza and Egypt. That country, and not Israel, controls the Rafah crossing into Gaza** which has been used primarily by people travelling to and from Egypt, and from there to the rest of the world including the Arab world. **That crossing was used, without the availability of crossings into Israel, between 1948 and 1967.**

The bottom line is that there is not now and there never has been a complete “Gaza siege.” However, Israel is entitled to make every effort to try and prevent materials that Hamas uses for warfare from entering the strip. If the current border restrictions still allowed Hamas to build up an arsenal of 10,000 rockets and create over thirty tunnels into Israel, one can only imagine what they would do with a completely open border.

Supplies from Israel entering Gaza during Operation Protective Edge.



Despite the impression gained from the media, as shown above, and as shown in the article above “The Big Lie”, Gaza is not an “open-air prison.” In summer, Gazans are out in force, enjoying themselves on beautiful beaches and in luxurious hotels, one of which has been shown above, and, as shown above, doing their shopping in well-stocked grocery stores and markets full with fresh produce and goods, much of which is Israeli. Gaza even boasts an Olympic-size swimming pool.



In short, there is no humanitarian crisis in Gaza. Many Gazans have money, food and even luxuries that much of the world goes without. What is missing, however, is a stable,

democratic government and the proper allocation of resources. The moment any Gazan speaks against Hamas in even the smallest way, they are punished severely with torture and death. The misallocation of resources and funds also means that Hamas prefers, and does, pay terrorists to kill Israelis through suicide attacks and missiles.

In short, Gazans can buy whatever they want. They still cannot, however, say whatever they want – for fear of their lives.





It is submitted to the Commission that there is no “siege” and no “blockade” of Gaza, except for weapons and a short list of dual-use items which can be exploited by terrorists.

The only siege and blockade is on the mouths, movements and minds of Gazans on the part of Hamas.

To repeat: **The whole siege story is nothing more than a fable and myth made up to sway world opinion against Israel and is a damaging misnomer.**

It is submitted that the Commission has been granted a golden opportunity to expose the myth of a “siege” or “blockade” and thereby contribute more than anyone else or any other body or organization to disprove and repudiate the excuse for the next war now under preparation, thus preventing more deaths, more injuries and more destruction.

It is to be hoped that the Commission will rise to the occasion.