

**POSITION PAPER: THE POLITICALLY-IMPOSED HUMANITARIAN CRISIS IN GAZA**



## **Policy Recommendations for Canada**

- A. Canada must provide humanitarian aid to Palestinians. Canada must resurrect previous aid programs to Palestinians, or must join into the EU's "Temporary International Mechanism" to provide aid. In July, given the politically- and militarily-imposed humanitarian crisis in Gaza, the UN and select NGOs revised their appeal for humanitarian assistance from \$215 million, to \$384 million. Canada must consider contributing to this need, as it will help the neediest, and does not replace the services normally provided by the Palestinian Authority (PA.) Canada must also reaffirm its commitment to UNRWA in order to support Palestinian refugees in the occupied Palestinian territories and Lebanon.
- B. Canada should call on both Israel and Palestinian militants to respect international humanitarian law. Targeting of civilians by any warring party is strictly forbidden under international law. Hostage taking by Palestinian militants and Israel (e.g. Hamas legislators) is a war crime. Israeli air strikes and artillery shelling of Palestinian homes and civilian areas must stop, as should the launching of rockets against Israeli border towns by Palestinian armed groups.
- C. Canada should call for an immediate stop to all Israeli collective punishment imposed on Palestinians. Canada must condemn recent acts of Israeli collective punishment, which have included the kidnapping of dozens of Palestinian legislators, attacks on electricity and water supplies, border crossing closures, and attacks on transportation infrastructure, among others.
- D. Canada must re-establish dialog with the leaders of the Palestinian Authority. No progress can be made toward peace or justice in the Middle East by summarily dismissing the concerns of any one party, and by imposing pre-conditions to dialog.

### **A: Canada must provide humanitarian aid to Palestinians**

1. Canada must resurrect previous aid mechanisms, or leverage the TIM. The EU welcomes participation in its "Temporary International Mechanism" to direct money to Palestinians, without the money passing to the PA. While not an ideal mechanism, it should be leveraged if no other options will be considered.
2. Canada must apply aid principles of impartiality, neutrality and humanity. Under international aid norms, withdrawing aid because of the Palestinian people's election choices (or because of their current government's positions) violates moral principles of impartiality, neutrality, and humanity.
3. Canada must reconsider aid through PA institutions. The PA provides public services to the Palestinian people on a massive scale, that has not been replaced by the UN or NGOs. The PA employed 39,000 workers in education and 11,000 workers in health care (and runs 22 of 23 general hospitals) which are not being replaced by UN and NGO efforts. PA employees are currently on strike for non-payment, despite efforts by Western countries to route money via alternative means.
4. Canada's aid programs to Palestine were for worthy, democracy-building programs. Canada's pre-2006 aid programs provided assistance to Palestinians via many worthy programs. These programs, focused on good governance, capacity building, municipal development, housing development and the like, could never be misconstrued as underwriting violence.

### **B: Canada must insist that warring parties respect international law**

1. Respect for "law in war" cannot be dismissed with self-justifying reasons. In war, all parties presume to hold the moral high ground. International humanitarian law makes no judgement on which side is right or wrong. Rather, it simply sets limits to the brutality and civilian death and damage tolerated in war. This applies regardless of questions of "who started it," or "who's wrong," and similar

accusations being advanced by some. Under international law (e.g. the Fourth Geneva Convention), there is no justification for the reckless killing of civilians, collective punishment, or the destruction of civilian infrastructure.

2. Canada must hold equal expectations of both the PA and Israel in conduct and negotiations. The PA must recognize Israel, renounce violence, and respect previous accords. In the same way, Israel must 1) respect the territorial integrity of the West Bank and Gaza as required under Oslo and the Road Map Peace Plan; 2) renounce artillery strikes, aerial bombardment, assassinations, and other violence imposed on Palestinians; 3) Israel must transfer customs revenues to the PA as required under the Paris Protocols.
3. Canada must call for respect for all applicable UN resolutions. The history of UN resolutions approved for the conflict (e.g. 194, 242, 338, etc.) would resolve the crisis if respected.

### **C: Canada must call for a stop to Israeli collective punishment**

1. Canada must call on Israel to stop meting out collective punishment. Collective punishment is described as punishment of a group of people for the actions of a few. On the eve of Israel's military action in Gaza, Prime Minister Olmert admitted that Israel sought to "*apply pressure* so that the captured soldier will be freed. We want to create a new equation – freeing the captured soldier in return for lessening *the pressure on the Palestinians.*" (Emphasis added.)
2. Canada must call for a stop to Israel's highly disproportionate use of force. From June 28<sup>th</sup>, when Israel began operation "Summer Rains" until the end of August, Israel killed 226 Palestinians, including 54 children. On July 25, Jan Egeland, UN Under-Secretary-General for Humanitarian Affairs described Israel's actions as "clearly a disproportionate use of force." From June 28 through end August 2<sup>nd</sup>, Israel fired 200-250 artillery shells into Gaza per day, and carried out 220 aerial bombings in Gaza.
3. Canada must call for an end to Israeli attacks on civilians. The Israeli kidnapping of Hamas legislators, combined with attacks on civilian targets (e.g. apartment buildings, power grids, bridges, government buildings) reflects Israel's intent to destroy Palestinian democracy, and to make Palestine ungovernable. Terrorism has been defined as violence aimed at civilians to further political ends. Had Palestinian militants abducted and detained members of Israel's cabinet, it would have been labelled a "terrorist strike."

### **D: Canada must engage the leaders of the Palestinian Authority**

1. Canada must stop isolating Hamas and help it to evolve its positions. "Hamas' refusal to recognize Israel's right to exist and renounce violence will not be changed by isolation but by engagement and diplomacy." (John Dugard, UN Special Rapporteur) Palestinians welcome credible and impartial dialog and negotiating partners; but are naturally suspicious of countries imposing policies of economic and political isolation.
2. Canada must ask for a repeal of pre-conditions to dialog. International players impose pre-conditions on the Palestinian Authority, while permitting a frightful siege of Palestinian territory that includes hundreds of military checkpoints; hundreds of thousands of colonists; and thousands of home demolitions. "A major impediment to progress is Washington's strange policy that dialogue on controversial issues will be extended only as a reward for subservient behavior and will be withheld from those who reject U.S. assertions. Direct engagement with the Palestine Liberation Organization or the Palestinian Authority... will be necessary if secure negotiated settlements are to be achieved." (Jimmy Carter, August 1, 2006)

### **For more Information...**

For more information and background on the violence in Lebanon/Palestine/Israel, Canada's foreign policy posture with respect to Palestine, Lebanon, Hezbollah, Hamas and Israel, and the other topics discussed above, please call CJPME at 514/745-8491.