Policy Recommendations for Canada

A. **Canada must insist that Israel’s blockade of Gaza end immediately.** Since 2006, Israel, which controls Gaza’s airspace, maritime border and land borders aside from the one shared with Egypt, has imposed progressively more restrictive controls over Gaza. In what amounts to collective punishment, it has restricted the free passage of consumer and commercial goods, medical supplies, fuel and other essential infrastructure needs such as construction materials, desperately needed following Israel’s 22-day military assault on the Gaza Strip in 2008-2009. It has also blocked virtually all Palestinian exports. Canada must immediately condemn Israel’s blockade, as it runs counter to Israel’s legal obligations as the military occupier to ensure the health and protection of the civilian population under the Fourth Geneva Convention, and as it runs counter to Canada’s moral principles.

B. **Canada must abandon its failed strategy to marginalize Hamas.** Despite Israeli and international attempts to force it out, Hamas has actually consolidated its grip over Gaza in recent years. This is due in large part to the international blockade which has rendered the civilian population dependent on Hamas for services and protection. Hamas has also profited from the black-market of consumer goods smuggled through tunnels. Hamas will necessarily be an integral part of any Israeli-Palestinian political settlement, and Hamas’ legitimate grievances must be acknowledged. Canada must recognize that Hamas is not a monolithic organization but a Palestinian national religious/political movement including people of many views, as well as a militant wing.

C. **Canada should clarify its humanitarian commitment to Palestinians.** The blockade of Gaza has made the work of international/UN aid agencies increasingly difficult at a time when an estimated 80% of the population relies on UNRWA aid to meet their basic food needs. Yet the Canadian government last year announced it would change funding to UNRWA, the caretaker agency for Palestinian refugees in the Middle East. Canada must adopt the principles of humanity, impartiality and neutrality as it considers humanitarian emergencies in Israel-Palestine.

**A: Canada must insist that Israel’s blockade of Gaza end immediately**

1. **Canada must condemn the collective punishment imposed through the blockade of Gaza.** While international law permits the use of blockades by the UN Security Council, it is not a right granted to states. If Israel – as a state – seeks to justify its blockade of Gaza on the basis of “self defence” it must respect the norms of international humanitarian law, and allow unrestricted civilian imports. Under international law, common dual-purpose goods (e.g. cement) cannot be restricted simply because they “might” be used for military purposes. Thus, Canada’s condemnation of the blockade is long overdue since:
   - The blockade prevents the movement of **industrial and agricultural supplies** into and out of Gaza. This has killed industry in Gaza, and has prevented Palestinians from earning their livelihoods, a right under international humanitarian law.
   - The blockade prevents **infrastructure supplies** from being imported into Gaza. For lack of parts and repairs, Gaza’s power, water and sewage systems are unable to fully function. This violates other norms protecting the environment, and civilian health and hygiene guaranteed under international humanitarian law.
   - The blockade severely limits **medical supplies, medical evacuations and access by medical personnel** into and out of Gaza. This prevents civilians from accessing medical care, a right protected under international humanitarian law.
   - The blockade limits **aid shipments and access by aid personnel** into and out of Gaza. This prevents aid to civilians in conflict, a right protected under international humanitarian law.
The blockade limits movement of civilians and students. Israel prevents any entry into and out of Gaza for months at a time. Barring proven security concerns, the right to travel is a right guaranteed under human rights law.

The blockade has limited media access into Gaza. It is not clear how access by the media has an impact on Israel’s security, yet such a move obviously prevents transparency and accountability on the part of Israel and Hamas.

2. The international community, including Europe and the US, opposes the blockade. Canada needs to follow suit. Foreign ministers from the European Union have condemned the blockade as “unacceptable and counterproductive.” They called forcefully for the opening of the border crossings to humanitarian aid, yet the borders remain closed from a practical perspective. Items such as pasta, crayons, books and chocolate have even been banned at times by the Israelis. Secretary of State Hillary Clinton called the blockade unacceptable and unsustainable. Canada must speak up.

3. Canada must promote a single standard for the “rule of law” in the Middle East. In June, 2010, the Red Cross, which is meticulously neutral, took the rare step of publicly declaring Israel’s blockade a crime under international law. The blockade of Gaza, as it stands, is a violation of international law because it collectively punishes the civilian population. B’Tselem, the Israeli human rights organization, released a report the same month noting that 95% of Gaza’s factories have closed, 98% of residents suffer from electrical blackouts, and 93% of Gaza’s water is polluted. Canada’s explicit condemnation of Hamas, and silence concerning Israel is inexplicable, and has neither a legal nor a moral basis.

B: Canada must abandon its failed strategy to marginalize Hamas

1. Canada must replace dogma with dialogue. For years, Hamas leaders have publicly announced their willingness to negotiate peace based on the 1967 borders. Prior to Israel’s assault on Gaza, Hamas also abided by a ceasefire which resulted in a 97% decrease in rocket attacks from Gaza. (The remaining 3% was due to other smaller militant groups acting independently.) Its voluntary decision to negotiate a power-sharing Unity Government with Fatah (following Hamas’ election win in 2006), and its agreement with the 2007 Saudi Peace Plan also demonstrated that Hamas is a willing and able negotiating partner.

2. Canada must take an approach to Hamas based on the root causes of the violence. Despite years of conflict and blockade, Israel is still unable to achieve its stated goals: 1) stopping Hamas rocket fire, 2) closing the smuggling tunnels between Gaza and Egypt, and 3) weakening Hamas. A new approach is needed; Canada and the world cannot allow the misery in Gaza to continue. Whereas rocket attacks from Gaza began in 2001, the roots of the Israeli-Palestinian conflict go back to prior to 1947. Canada’s statements and strategies on the Middle East must reflect an understanding of these root causes. The core needs and rights of all peoples in the conflict must be met: the need for justice, self-determination, security and hope for the future.

3. Canada must encourage Hamas to continue to evolve its positions and abjure violence. Hamas is not a monolithic organization. It is a religious and social organization that has deep roots among the Palestinian people, both in Gaza and the West Bank. Hamas devotes much of its estimated $70 million or more annual budget to an extensive social services network. It funds schools, orphanages, mosques, healthcare clinics, soup kitchens, and sports leagues. Approximately 90% of Hamas’ work is in social, welfare, cultural, and educational activities.

C: Canada should clarify its humanitarian commitment to Palestinians

1. Canada must make a long-term commitment to build and protect hope in Gaza. Hamas’ rockets are a desperate act committed by desperate people living under siege and occupation, with no hope for a better future. In the short-term, sustained and unrestricted aid – both humanitarian and economic – must be funnelled to Gaza to counteract years of conflict and economic strangulation by Israel. CJPME believes, therefore, that Canada must ensure that creative ways are found (such as working through the UNDP, the World Bank or responsible NGOs) to facilitate the flow of Canadian development assistance to Gaza. Canada must provide evidence of follow through with its Jan., 2008
promise of $300 million in aid over five years to Palestinians. Publicly-available information on Canadian aid programs is spotty and difficult to quantify. It is also becoming clear that much of Canada’s aid of late has been going to “security” assistance to Fatah, rather than to the humanitarian needs of the Palestinians (see below.)

2. **Canada should clarify its commitment of funding to UNRWA.** Support for UNRWA is not a form of humanitarian aid. Rather, it is a commitment on the part of the international community to protect vulnerable Palestinian refugees throughout the Middle East until such time as the Israel-Palestine conflict is resolved. Canada’s decision to rethink its UNRWA funding is counterproductive if Canada wishes to combat extremism in the Middle East. UNRWA provides educational programs, relief and social services, health programs, microenterprise and microfinance programs, and emergency relief. UNRWA helps provide some sense of hope to the lives of approximately 80% of Gaza’s population.

3. **In allocating its international aid, Canada must apply principles of impartiality, neutrality and humanity.** Both morally, and under international aid norms, withholding humanitarian or development aid because of the Palestinian people’s election choices (or because of their current civil authority) violates principles of impartiality, neutrality, and humanity.

4. **Canada’s aid should not be “security”-related.** Arming “security forces” in any developing society – as Canada has done with the Dayton initiative and the Karni project with Fatah – is investing in additional violence. Canadian military aid provided in support of the mission of the U.S. Security Coordinator with the Palestinian Authority has only served to destabilize the political and military situation in the Palestinian territories.

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