

Sharon's Collective Punishment: A War Crime

by Dean Andromidas

No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.—Article 33, Geneva Convention IV Relative to the Protection of Civilian Persons in Time of War; August 1949

Under Prime Minister Ariel Sharon, Israel is worsening its record of committing the worst war crimes of the new century. UN Secretary General Kofi Annan on July 19 warned Israel against the policy it has now launched, of “collective punishment” and forcible deportation of the families of wanted Palestinian fighters; these actions are defined as war crimes. Even the U.S. State Department weakly protested the policy on the same day.

While diplomats dither, 2 million Palestinians are the victims of a humanitarian catastrophe which constitutes a Class A war crime. Israel is openly violating Article 33 of the Geneva Convention, an article explicitly drafted to prevent a repeat of the horrors of Nazi-occupied Europe during World War II, where civilian non-combatants were victimized as part of a policy of “collective punishment.” While no one can condone the bombing of civilian targets by Palestinian militants, the Geneva Conventions are clear.

Curfew Is Mass Murder

Since June 19, when the Israeli Defense Forces launched “Operation Determined Path,” the IDF has imprisoned nearly 2 million Palestinians throughout the West Bank, imposing a continuous curfew, brutally enforced at gunpoint.

Dr. Mustafa Barghouti, of the Union of Palestinian Medical Relief Committees, told *EIR*; “The curfew is having a drastic effect on every aspect of life throughout the West Bank. All business are paralyzed. Doctors cannot go to their hospitals, lawyers cannot go to their offices, people who have jobs cannot get to work. . . . Universities are paralyzed, the health system has collapsed. We had one of the highest rates of vaccinations at 96%; it now is below 35%. This curfew is creating a humanitarian disaster. This constitutes collective punishment. One can only explain it as an attempt to destroy the social and economic life of an entire people.”

The fact that, on July 16, a Hamas cell was able to attack a bus just outside a heavily guarded Israeli settlement, killing eight people, and that the next day, two suicide bombers could

strike in the central bus station in Tel Aviv, demonstrates that the curfew is not an effective military policy. Opposition to it is broad among reserve and retired IDF officers and soldiers, many of whom are organizing publicly to demand that Israel withdraw from the Palestinian territories.

The curfews have the direct and calculable effect of causing an increase in the death rate among the Palestinian population, from the causes described by Barghouti, and others. Families of ten or more people are being confined, 24 hours a day, to homes that in most cases constitute not more than 30-40 square meters. Many have the running water shut off or broken. The curfew is only lifted for a few hours at a time every three days. Even in the most maximum-security prisons of modern nations, such conditions as this curfew are imposed only during special lock-downs. On June 21, an Israeli tank in Jenin fired on citizens in the market place who thought the curfew had been briefly lifted, and were buying food: A woman and three children were killed.

Beyond creating mass psychological terror, there is also mass murder. People are not being massacred, but pushed into a slow death like the poor Jews in the first two years of the Warsaw Ghetto, before SS Gen. Jürgen Stroop was given the order to destroy it. Under current curfew conditions, *no* Palestinians—not even emergency medical workers—are allowed on the street, which means that medical services have been suspended. Within any given 96-hour period, babies must be born at home, heart attacks and other medical emergencies must go unanswered, cancer patients cannot receive their chemotherapy.

The economy has been brought to a halt. Because of these curfews, the dwindling number of bread winners have not been able to work for several weeks. Workers cannot go to their factories, storekeepers cannot go to their shops, nor can farmers go to their fields.

West Bank Locked Down

Lock-down curfews have been placed on all the largest concentrations of population in the West Bank: Nablus, with a population of 261,340, under curfew since June 21; Jenin, population 203,026, under curfew since June 19; Qalqiliya, with 72,007 people, under curfew since June 22; Tulkarm, with 134,110 people, since June 19; Bethlehem's 137,286 people under curfew since June 19; Ramallah's population of 213,582 locked down since June 24; and Hebron's 405,664 residents since June 25. In addition, the villages of Tubas and Arab have been under curfew since June 25, and the village of Beitunia since June 19.

The first seven cities constitute the West Bank's principal governates, and are the commercial and civil centers which supply essential services, including health and education, to the surrounding towns and villages. Thus even those villages not under curfew are being punished as well. Furthermore, these major cities are all under siege, surrounded by Israeli troops. They have been turned into ghettos, from which Pal-

estinians need passes to leave or return. Those who try to leave are forced to spend hours on long lines in order to pass the checkpoints.

According to an emergency appeal of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), which provides food and other services at Palestinian refugee camps, the humanitarian conditions in both the West Bank and Gaza have fallen to levels “unprecedented in 35 years.” Because of the massive destruction caused by Israeli military operations in attacks on Palestinian refugee camps during Operations Defensive Shield and Determined Path, UNRWA has called for an emergency \$172 million over and above their normal operating budget.

Responsible for 19 refugee camps throughout the West Bank, UNRWA provides food aid for over 600,000 refugees. During curfew no food can be distributed, and even when the curfew is lifted for a few hours, permission from the local Israeli military commander is not assured. UNRWA workers, many of whom live in the occupied territories themselves, are also subject to the curfews and often cannot get to work. UNRWA sources report that although mass starvation is not occurring, the “situation is extremely hard.”

Similarly, the UN World Food Program has made an emergency appeal for \$18.2 million, having spent its entire 2002 budget for Palestine. It reports that, because of the “collapse of the local economy and a dramatic fall in average incomes,” because of the Israeli security operations, 620,000 Palestinians on the West Bank alone need food aid. In Hebron, 100,000 people, 25% of that city’s population, need food aid. In Jenin, 45,000—25% of the population—and 50,000 people in Nablus, need food aid.

U.S. Ambassador Highly Critical

Israel came under criticism from an unusual source: U.S. Ambassador to Israel Daniel Kurtzer, whose boss, President George W. Bush, calls Ariel Sharon “a man of peace.” Kurtzer, an Orthodox Jew who cannot be accused of “anti-Semitism” by his Israeli right-wing critics, strongly criticized Israel’s occupation policies. Kurtzer gave a July 9 speech in Tel Aviv entitled “The Economic Dimension of Peace,” quoting the few crumbs from President Bush in favor of easing economic conditions in the West Bank, to present how bleak Palestinian conditions are.

“Initial findings from a USAID-funded study indicate that malnutrition among Palestinian children, defined as the stunting of growth or abnormally low body weight, is rising,” Kurtzer said. “A large percentage of children under five and women of childbearing age suffer from anemia. The United Nations Office for the Coordination of Humanitarian Affairs



Under the Israeli Defense Forces’ “lock-down curfews” clamped on the whole West Bank since June, even this life-threatening transport of ambulance patients—here, through a roadblock in Surda, with a long line waiting behind—is no longer possible. Emergency workers are locked down 24 hours a day with everyone else, and the seriously ill or wounded die.

reports that approximately 2 million Palestinians, or 62% of the population, are considered ‘vulnerable,’ meaning that they have had inadequate access to food, shelter, or health services. This figure is 25% higher than only six months ago.

“The World Bank now estimates that unemployment in the West Bank and Gaza is about 50% and rising. As would be expected, poverty rates have exploded. The World Bank estimates that 50-60% of Palestinians now fall under the poverty line—defined as an income of \$2 a day. According to a very conservative UN estimates, GDP in the West Bank and Gaza fell 33% last year. No figures are available for 2002, but there is no question that GDP has plunged still further. Clearly this is a population in great risk. . . . The curfews and closures, and the inability to move between towns and cities, are making life very difficult for the average Palestinian.”

Since Kurtzer was quoting a State Department Agency for International Development (USAID) funded study, the Bush Administration knows that if the Sharon government is not forced to lift the collective punishment, the situation will deteriorate further, until Israel is in violation of the “Convention on the Prevention and Punishment of the Crime of Genocide,” of 1951. This convention is as clear as the Geneva Convention’s Article 33, cited above. Article 2 of the Genocide Convention states: “Genocide means any of the acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, such as: a) killing members of the group; b) causing serious bodily or mental harm to members of the group; c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.”