

# **A Call for Ending the Siege of Gaza and Collective Punishment of Innocent Palestinian and Israeli Citizens**

## **RECOMMENDATION**

The New Castle Presbytery overtures the 224<sup>th</sup> General Assembly (2020) of the Presbyterian Church (U.S.A.) to:

1. Call for the United States government to:
  - A. Exhort the government of Israel immediately to cease and desist all hostile actions that are defined as “collective punishment” under International Law. This includes stopping military attacks by air, land, and sea on non-military targets in Gaza that have disproportionately killed thousands of Palestinian civilians and caused billions of dollars in property damage since 2008.
  - B. Exhort the government of Israel to end the siege of Gaza that restricts its access to adequate water and electricity and the entrance of food, medicine, and fuel to Palestinians in Gaza so as to alleviate and end the humanitarian and environmental crises caused by the siege and provide the material resources necessary for economic prosperity, human health and safety, and environmental protection.
  - C. Exhort the government of Gaza and all Palestinian militias within Gaza to cease and desist all hostile activities against Israel and its citizens that are defined as “collective punishment” under International Law. This includes the launching of unguided rockets into civilian areas of Israel.
2. Direct the Stated Clerk to communicate this action to all other PC(USA) councils, the U.S. Government and to the press and media.

## **RATIONALE**

### **Purpose**

This overture is pursued with the hope that:

- The cessation of the Israeli government’s collective punishment of Palestinians (both Muslims and Christians) in Gaza will allow Palestinians to have the necessities for human life and will help lead to a peaceful and just end to the conflict.
- Likewise, the cessation of collective punishment of Israeli citizens by the government and Palestinian militias in Gaza will contribute to a peaceful reconciliation between the two peoples.

The situation in Israel/Palestine cannot and will not improve unless and until these actions perpetrated by each side on the other, and defined by the Geneva Conventions as collective punishment, end for good.

### **International Definition of Collective Punishment**

Collective punishment is a form of retaliation whereby, if a person commits a crime, that person’s family members, friends, acquaintances, sect, neighbors or entire ethnic group are targeted for retaliation. The

punished group may often have no direct association with the person who perpetrated the crime or direct control over their actions.

Article 3 of the 1949 Geneva Convention states that communities and nation states are prohibited from taking actions where “persons may be punished for an offense he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Reprisals against persons and their property are prohibited.” This includes actions against civilians or property in reprisal for actions taken by their government, over which they have no control.

The International Committee of the Red Cross commentary to the conventions states that parties to a conflict often would resort to "intimidating measures to terrorize the population" in hopes of preventing hostile acts, but such practices actually "strike at guilty and innocent alike." They are opposed to these inhumane and unjust actions.

Numerous examples since Roman times of communities or nation states using collective punishment in armed struggles or the occupation of conquered territories include:

- Military operations that disproportionately kill civilians based on their ethnicity or nationality
- Restricting food, or water, or medicine to people based on ethnicity or nationality
- Denying people the right to assembly or travel based on ethnicity or nationality
- Targeting an entire ethnic group or nationality for death or destruction of their homes, property, or economy in retaliation for actions taken by their government over which they have no control.
- Restricting fuel and electricity to people based on ethnicity or nationality

### **Actions by the Government of Israel that Meet the Definition of Collective Punishment**

For thirteen years, the Israeli government has controlled the borders of Gaza, restricting or denying the movement of people, materials, fuel, food, and medicine by land, sea, or air, thus imprisoning 1.8 million Palestinians and creating a humanitarian disaster that is a direct result of the official Israeli policy. In early September 2015, the United Nations Conference on Trade and Development cautioned that without significant changes to Israel’s policy, Gaza has no chance of recovery and will become unlivable by 2020. Since then, Israel has tightened restrictions and the situation has deteriorated.

Although the Israeli government declared an end to its military administration in Gaza in 2005, it continues to control all border crossings by land, sea and air, monitors all movement of people and goods in and out of Gaza and regulates that movement according to Israeli interests. This blockade has caused Gaza’s economy to collapse. Before the blockade Gaza’s unemployment rate was 19%. By 2017, it was 44% among men, 72% among women and for those under age 29, 62%. Some 80% of Gaza’s residents depend on humanitarian aid. About 60% suffer from food insecurity.

This **collective punishment** has been carried out by:

- **Israel’s restricting fuel and electricity to Gaza Palestinians**

For instance, in response to rocket attacks launched by the Palestinian militants, the Israeli Defense Ministry in August 2019 halved the amount of fuel allowed into Gaza from Israel. While Israel’s airstrikes against the sites of rocket launches is not prohibited by international law, cutting needed fuel for the 1.8 million Gaza citizens is a clear example of **collective punishment** that is prohibited by international law.

Because of a fuel shortage and severe damage caused by the Israeli bombing of the power plant in Gaza in 2006, electricity from Israel is supplied for just a few hours every day. Water and sewage systems, which rely on a constant supply of power can barely function. Furthermore, the Israeli government restricts the entry of spare parts to maintain existing systems. The effects on daily life and the ability to do business are disastrous. Long, daily blackouts rob Gaza residents of their human rights and keep them from leading reasonable lives. All these restrictions are examples of **collective punishment**.

- **Israel's restricting food, or water, or medicine**

Infrastructure and public services in Gaza are in dire condition. 96% of Gaza's water is contaminated and unpotable. The sea water desalination plant is not in operation due to the lack of a constant supply of electricity. In retaliation for actions taken by the government of Gaza or militants over which the population has no control, Israel limits the amount of food, medicine, and materials that can enter Gaza. The distance from shore that Gaza Palestinians can fish is also limited, or fishing is prohibited altogether.

Restricting adequate food, water, and medicine to the civilian population in retaliation for actions by a government or militant groups over which civilians have no control is a clear example of **collective punishment**.

- **Israeli denial of the right to assembly or travel**

The Israeli government controls the entry or exit from the Gaza strip by land, air and water. Few Gaza people are permitted to leave, forcing them to live in an open air prison from which they cannot escape. Since the protests along the Gaza perimeter fence began on March 30, 2018, Israeli security forces have fatally shot over 190 demonstrators – including 31 minors. According to figures by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the World Health Organization (WHO), over 12,700 casualties have been treated in Gaza hospitals. Over 5,800 of them suffered live gunshot wounds. 1,900 suffered teargas inhalation injuries, and some 480 were hit by rubber-coated metal bullets. Approximately 2,300 of the casualties were minors. Doctors have had to perform amputations, usually of a lower limb, on 90 protesters, including 17 minors and one woman. These are clear examples of **collective punishment**.

- **Israeli government actions causing civilian death, injury, and property damage**

Since 2008 there have been six major Israeli attacks on the Gaza strip that caused substantial death, injury and property damage to Palestinians and which constitute **collective punishment**.

- Operation Cast Lead: Dec. 2008 - Jan. 2009
- Operation Pillar of Defense: Nov. 2012
- Operation Protective Edge: July - Aug. 2014
- Border Open Fire Policy: 2008 -2018
- Right of Return Protest Killings: 2016 -2018
- Two days of air attacks on Gaza: November 2019

Israel's military actions against military targets, as part of armed conflict, are not prohibited under international law, but many of these actions resulted in death, injury, and property damage to Palestinian civilians not directly related to military targets. These actions, summarized in Table 1, show the disproportional harm perpetrated on Palestinians, which is **collective punishment**. (The source of this information is from the Israeli human rights organization, B'Tselem.)

## **Actions by the Government of Gaza that Meet the Definition of Collective Punishment**

To be sure, the militants and the government of Gaza have been responsible for sending rockets, with no guidance systems, indiscriminately into Israel. Because they can fall in civilian areas and cause death, injury, or property damage, they too, constitute **collective punishment**, for their impact is on persons who are not responsible for the actions of their government. These actions are also summarized in the B'Tselem data in Table 1.

## **Why Presbyterians Must Speak Out Against Collective Punishment**

As Presbyterians following the example of Jesus, we believe the prophetic mission of the church is to speak out courageously, honestly and lovingly **against the siege of Gaza and all forms of collective punishment** carried out in Israel/Palestine as well as the rest of the world. As the Body of Christ on earth, we are called to stand alongside the oppressed to help bring about justice for them, leading to peace and reconciliation with their oppressors.

In accordance with past policy statements and the theological-ethical bases of our confessions, the 219<sup>th</sup> General Assembly (2010) of the Presbyterian Church (U.S.A.) affirmed the following human rights, moral principles, and goals guiding its recommendations regarding the Israel-Palestine conflict:

- The moral principle of applying humanitarian laws regarding warfare to all nations  
These laws, protecting civilians and nonmilitary facilities, prohibit such internationally recognized violations as the use of anti-personnel weapons and weapons of mass destruction, the assassination of political opponents, collective punishment, detention without due process, and the torture or abuse of prisoners.
- The moral principle of applying these same humanitarian laws regarding warfare to nongovernmental combatants  
These laws prohibit such practices as suicide bombing, kidnapping, shelling civilian populations, and torturing or abusing prisoners.

The purpose of this overture is to name the acts of **collective punishment** that the governments of Israel and Gaza are perpetrating against each other and to call for an immediate end to these acts. By honestly recognizing these acts, the Presbyterian Church (USA) can add its voice to an international dialog to which we trust American, Israeli and Palestinian leaders will be compelled to listen and respond. We ask the church to join the witness of others.

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<b>Table 1: Impact of Collective Punishment Actions Taken by the Israeli and the Gaza Palestinian Governments 2008-2018</b>	<b>Israel Government Actions Against Palestinian Citizens</b>	<b>Gaza Government Actions Against Israeli Citizens</b>
Civilians killed in Israeli and Gaza government attacks	2481	13
Minors under 18 years killed in Israeli government attacks	896	1
Homes destroyed/damaged by Israeli and Gaza government attacks	21,500	1
Property damage resulting from Israeli and Gaza government attacks	\$6.7 billion	\$0.02 billion
Civilians with restrictions of food, water and medicine	1,800,000	0
Civilians lives and businesses affected by restriction of fuel and electricity	1,800,000	0
Citizens subject to a siege on land, air and sea	1,800,000	0

**Table 1 statistics on deaths and homes destroyed**

B'Tselem, "The Gaza Strip," March 3, 2019,  
[www.btselem.org/gaza\\_strip/20190303\\_13000\\_gazans\\_homelss\\_since\\_2014\\_war](http://www.btselem.org/gaza_strip/20190303_13000_gazans_homelss_since_2014_war)  
 B'Tselem, "The Gaza Strip," November 11, 2017,  
[www.btselem.org/gaza\\_strip](http://www.btselem.org/gaza_strip)  
 B'Tselem, "Open Fire Policy," January 11, 2019  
[https://www.btselem.org/press\\_releases/20190117\\_2018\\_fatalities](https://www.btselem.org/press_releases/20190117_2018_fatalities)

**Table 1 statistics on property damage**

United Nations Conference on Trade and Development, "Report on UNCTAD assistance to the Palestinian people,"  
[https://unctad.org/en/PublicationsLibrary/tdb62d3\\_en.pdf](https://unctad.org/en/PublicationsLibrary/tdb62d3_en.pdf)

Global news , Nick Logan, "How much will it cost and how long will it take to rebuild Gaza?", July 28, 2014 (statistics from U.N. Conference on Trade and Development statics)  
<http://globalnews.ca/news/1478589/how-much-will-it-cost-and-how-long-will-it-take-to-rebuild-gaza/>

