

AMNESTY INTERNATIONAL

QUESTIONS & ANSWERS

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Donatella Rovera is a researcher in the Middle East & North Africa Programme at the International Secretariat of Amnesty International in London. She has worked on a number of countries for over 20 years, and is currently the researcher on Israel-OPT. She has an academic background in Political Science, Middle Eastern Politics & Economics and International Law. She has headed several AI missions to countries in the region during high-risk conflict situations.

Our researcher Donatella Rovera is stationed now in southern Israel, pushing to enter Gaza, monitoring the crisis from southern Israel, and conducting first hand interviews with affected individuals and organizations.

Read the questions Donatella answered below.

Featured Guest: Donatella Rovera

From our featured guest: "Take action today on Gaza at www.amnestyusa.org/ricegaza"

Moderator's comment:

Thanks Donatella for a very informative chat on this pressing issue. We're sorry that because of the tremendous volume of questions we were unable to get through them all. The chat has now concluded. Be sure to take action today on Gaza at www.amnestyusa.org/ricegaza

Question Submitted by Betty Kaiser:

The United States has never had an even handed policy in this conflict between the Palestinians and the Israelis. Would it

be a good idea for the US to say to Isreal we will no longer provide the billions of dollars and weapons that we currently give you until you sit down with the Palestinians and seriously negotiate a settlement of this matter. Until you do there will be no more funds. Period.

Donatella Rovera answers:

AI is calling for an immediate, comprehensive arms embargo on all parties.

Question Submitted by Dena:

With the vast superiority of the Israeli army over Hamas small capacity and inferior weaponry, shouldn't it be able to target the persons responsible for firing the weapons without causing these massive civilian injuries? Why won't it let in aid and answer humanitarian organizations questions? Does the response justify the threat? Please explain how this is possible.

Donatella Rovera answers:

Though by far inferior to Israel's sophisticated weaponry, the crude Palestinian rockets nonetheless pose a threat to the lives of the civilian population of southern Israel. These rockets are also easy to move and to hide and hence difficult for the Israeli army to find. However, this does not justify the often disproportionate and indiscriminate Israeli attacks which have killed hundreds of civilians; nor does it justify Israel denying passage of humanitarian aid and basic necessities into Gaza.

Question Submitted by James:

Israel is preventing journalists from entering Gaza, and just recently the shelling of a UN humanitarian aid vehicle resulted in the death of the driver and a UN suspension of aid operations. What can be done to insure that Gaza is not cut off from the eyes of the world, and from the humanitarian aid it most desperately needs?

Donatella Rovera answers:

More pressure is needed on Israel to give unfettered access to Gaza, which they are obligated to do under international humanitarian law. Egypt too should let humanitarian workers and emergency assistance into Gaza.

Question Submitted by John Fouere:

In view of the fact that Palestinian are merely exercising their right, indeed obligation, to resist an illegal occupation of their

lands by Israel, why does your site message mention only Hamas as an agressor. The Israeli attacks are hugely disproportionate, a full scale bombardment of an essentially defenceless population by a fully equipped modern army with tanks, artillery, bombers and fighter planes and helicopters. Gazans have no where to flee to and the Israelis make sure no one can leave. It is a massacre, why does your site not be more objective???

Donatella Rovera answers:

AI has condemned both the blockade, which is a form of collective punishment, and unlawful attacks by Israeli forces. By also condemning violations by Hamas, we are not suggesting that the number of victims on each side is the same, only that we are using the standard of international law to judge the conduct of all parties. We want the international community to ensure immediate, unfettered access for humanitarian assistance, journalists and human rights workers; a full, independent and impartial investigation of violations by all sides; perpetrators to be brought to justice in fair proceedings; an immediate arms embargo on all parties; and international human rights monitors to be dispatched.

Question Submitted by elizabeth:

Hasn't Israel been bombarded with attacks for the past decade? Why is the world turning to condemn Israel now? Who was sympathetic when Israel was the victim? The Gaza Strip was given by Israel as a peace offering, but peace was not maintained. Now that Israel is finally standing up for itself, we tell it that it can't? What are the two sides to the story?

Donatella Rovera answers:

There are indeed two sides involved in the human right abuse and attacks have been carried out by both Israeli forces and Palestinian armed groups over the past eight years. Since September 2000 Palestinian groups have killed some 1,100 Israelis and Israeli forces have killed some 5, 500 Palestinians. In addition, in this period Israeli forces also destroyed several thousands of Palestinian homes throughout the Occupied Palestinian Territories . On both sides civilians have borne the brunt of the confrontations. This is unacceptable and pressure must be exerted on both sides to stop harming and endangering civilians.

Question Submitted by Mary Ann:

I agree that war is not an answer and that Israel should not prevent needed food and health materials into Gaza BUT what does Israel do about Hamas -- this terrorist group which has said many times that its goal is the destruction of Israel-- Hamas which has sent over 6000 rockets into southern Israel over the years--Hamas which refuses to negotiate or recognize Israel--Hamas which has done so much harm to the Palestinians. What is the solution if Israel stops and Hamas does not stop sending rockets and continues building tunnels and arming against Israel??? If you are not a part of the

solution--you are a part of the problem. Lets hear some solutions in addition to Israel stopping the attacks. Mary Ann Maikish mamaikish@yahoo.com

Donatella Rovera answers:

AI has condemned repeatedly for many years the firing of indiscriminate rockets by Hamas and other Palestinian armed groups at civilian population centers in Israel . AI has also condemned suicide bombings and other attacks on civilians by these groups as crimes against humanity. We are calling for an arms embargo on all parties.

Question Submitted by Jeannette:

How can AI even ask the question whether or not US military equipment was used in the killing of civilians. Also, your home page announcing all of this certainly seemed to try to equalize Hamas/IDF -- how can that be? First paragraph -- you never said that the deaths were caused by the Israeli ASSAULT not only the blockade.... Here is how to stop Hamas: END THE OCCUPATION!!

Donatella Rovera answers:

AI is calling for an immediate, comprehensive arms embargo, which would cover all US military assistance and sales of arms and military equipment to Israel. AI has condemned both the blockade, which is a form of collective punishment, and unlawful attacks by Israeli forces. By also condemning violations by Hamas, we are not suggesting that the number of victims on each side is the same, only that we are using the standard of international law to judge the conduct of all parties.

Question Submitted by Andy:

Hi, Donatella: I understand that you obviously work for AI but I'm wondering if, as an individual, you ever find a certain tilt in their position toward one side in the conflict over another. I would like to think that Amnesty International does not "take sides" but rather just responds to each individual situation. Yet when I look at what they are asking, it seems that, not just in the current conflict but pretty consistently, they have become advocates for the Palestinians and opponents of Israel. I certainly do not think the Israeli government is blameless but I also get the strong sense that AI is pretty one-sided. Please be as candid as possible in your response not just as an employee but as a researcher.

Donatella Rovera answers:

AI's work is based on international law, a position which I share entirely, and our demands are for all parties – Israeli and Palestinian – to abide by international law. In many respects, AI's concerns and demands are similar to those of Israeli and

international human rights organizations and UN agencies.

Question Submitted by andy:

What are the Saudis and oil rich countries like Dubai doing to ameliorate the economic and humanitarian crisis in Gaza? The root of the problem is too many young men without jobs or a future. How can they be employed and engaged in building a functioning community in Gaza?

Donatella Rovera answers:

A crucial problem, which remains unresolved and which has in fact significantly worsened in recent years, are the restrictions imposed on the movement of people and goods into/out of the Gaza Strip by Israel, which also controls Gaza's airspace and territorial waters. A functioning economy requires freedom of movement for people and goods, and this does not exist in Gaza. So long as this remains the case Gaza's economy is unlikely to develop.

Question Submitted by Irwin

AI proposes that the US desist from sending arms to Israel. An arms embargo should be extended to all warring parties in the conflict including an embargo of arms to Hamas and Islamic Jihad

Donatella Rovera answers:

Amnesty International does indeed call for an arms embargo on all parties.

Question Submitted by Terence:

The US media asserts that the most recent 6 month truce was, after 5 months, initially broken by Hamas on or about Nov 5 by the firing of Kassam rockets into Israel. Is it not true however that Israel in fact broke the truce the day before when they entered Gaza and killed several Palastinian gunmen near a tunnel, thus ensuring a knee jerk rocket barrage response from Hamas which was then used by Israel as an excuse to launch the heightened blockade and the carefully prepared ground and air war with its brutal consequences?

Donatella Rovera answers:

There were violations of the truce by both sides. But neither side should use violations by the other as an excuse to commit

war crimes and other serious violations.

Question Submitted by Card Higgs:

Why does the media (and even Amnesty) insist on treating Hamas and Israel violence as equal?? Israel has killed hundres of civilians with bombs and rockets including many children. Hamas sends a few rockets and has killed 4. This is far from equal violence.

Donatella Rovera answers:

By condemning violations of international humanitarian law by all sides, AI is not suggesting that the number of casualties is the same. Our public statements and actions have been clear about the numbers of civilians killed and injured in Gaza and inside Israel.

Question Submitted by Nilanjan:

Can Ehud Olmert, Ehud Barak and Tzipi Livni be held responsible for war crimes?

Donatella Rovera answers:

Military commanders and civilian superiors can be held responsible for the acts of their subordinates. Article 86 (2) of Protocol I, which imposes a single standard for military commanders and civilian superiors, reflects customary international law.

It states:

"The fact that a breach of the Conventions or of this Protocol was committed by a subordinate does not absolve his superiors from penal or disciplinary responsibility, as the case may be, if they knew, or had information which should have enabled them to conclude in the circumstances at the time, that he was committing or was going to commit such a breach and if they did not take all feasible measures within their power to prevent or repress the breach."

Thus, in analyzing current events, it is important to examine the chain of command, both with regard to members of government armed forces and their civilian superiors and with regard to all levels of Hamas.

Question Submitted by Nydia:

Is there evidence that Israel is using White Phosphorus and weapons with DIME (Dense Inert Metal Explosives) in Gaza? This was reported on the Huffington Post yesterday (Jan. 7th).

Donatella Rovera answers:

There is evidence that white phosphorous is being used by Israeli force in Gaza, posing an additional risk to the civilian population. We have not yet been able to confirm use of DIME.

Question Submitted by Gsela:

Does the unfettered US support (both financial and military) of Israel help or hinder the resolution of the conflict between Palestine and Israel?

Donatella Rovera answers:

SEE EARLIER ANSWER URQUA

Question Submitted by Ruth:

I would like to know why Amnesty International failed to raise concern about the ongoing shelling of Israeli citizens from Gaza over the past EIGHT years. These gross human rights violations are only briefly appended to by Amnesty which continues to place the blame solely on Israel for the ongoing tragedy. What should Israel do to protect her citizens against these daily terrorist attacks?

Donatella Rovera answers:

Far from placing the blame solely on Israel, Amnesty International has for years condemned and campaigned against human rights abuses committed by Palestinian armed groups, including notably suicide bombing and rocket attacks.

Question Submitted by Rachel:

Will you be going to Zeitoun to investigate the killing of upwards of 60 people from the same family? Will you be investigating the claim by Israel that Hamas fired mortars near the UN school where 40 civilians were killed?

Donatella Rovera answers:

If the Israeli authorities allow us access into Gaza we will investigate as many cases as possible, including the ones you mention.

Question Submitted by Emily:

Looking at the history of this conflict, and the extreme animosity between Palestinians and Israelis, do you believe that the international community could have anticipated this? If, so, then why weren't UN troops sent in much earlier to prevent the initiation of the conflict?

Donatella Rovera answers:

Sending a UN peacekeeping (or peace enforcement) mission requires a decision by the UN Security Council, and usually also the consent of the concerned parties. There has not yet been agreement among the states on the Security Council or from Israel on such a measure.

Question Submitted by Suha:

Is it possible to say that the tactics used by Israel--collective punishment, lack of access to basic humanitarian aid and resources, no media access in or outside of gaza consitutes a violation of international law, specifically war crimes and possibly even acts of genocide? What exactly would qualify this conflict as genocide as defined by international law? And finally, has the US violated in addition to international law, US law by selling military hardware and other equipment used to commit human rights violations? Thank you, thank you for being there.

Donatella Rovera answers:

Both Israeli forces and Palestinian armed groups are committing violations of international humanitarian law and human rights abuses , some of which constitute war crimes or crimes against humanity. These violations include the firing of hundreds of indiscriminate rockets by Palestinian armed groups, Israeli attacks which target civilians or civilian objects, or which are indiscriminate or disproportionate, and the denial of access to humanitarian and medical assistance. Those who provide weapons and other military equipment or assistance to the parties involved in this conflict are not living up to their responsibility to ensure that the weapons/military material is not used to violate human rights that . Hence, Amnesty International is calling for a comprehensive arms embargo on all parties to the conflict in Gaza covering all conventional military and related equipment, components, technology and services. The crime of genocide requires "intent to destroy, in whole or in part, a national, ethnical, racial or religious group." AI does not consider that the violations in the Gaza conflict constitute genocide. However, war crimes and crimes against humanity are among the gravest crimes under international law.

Question Submitted by Michele:

Donatella, If ever you succeed in entering the Gaza Strip, will you be given the opportunity to talk to Hamas leaders ?

Donatella Rovera answers:

I do not know at this stage what we would be able to do if we are able to enter the Gaza Strip. It is the policy of Amnesty International to meet with all parties in order to raise our concerns about the human rights abuse they commit. In this case, a key concern we would want to raise with leader of Hamas and other Palestinian armed groups relates specifically to the rocket attacks launched from Gaza into towns and villages in southern Israel--which Amnesty International condemns and campaigns against.

Question Submitted by Sally:

Now that the United Nations relief workers have pulled out of Gaza, it is hard to imagine that the suffering of those living there could get any worse but we all know it will. Are there groups on the ground willing and able to do this work?

Donatella Rovera answers:

UN relief workers have not pulled out of Gaza; on the contrary, they continue to deploy great efforts to bring assistance to the needy, despite the operational difficulties resulting from the conflict and the stringent restrictions imposed by the Israeli authorities on the passage of goods

Question Submitted by Art:

Don't you think that characterizing Israel's reaction as "a vastly disproportionate response" exacerbates the problem? Hamas intentionally targets civilians, Israel at least makes some effort to avoid civilian casualties. Isn't Hamas' response disproportionate? How would you want your government to deal with an organization bent on YOUR destruction? The Jews are willing to live in peace with the Arabs, but the Arabs (or at least the officials they elect) are not willing to live in peace with the Jews. What would you want your government to do?

Donatella Rovera answers:

Under international law , the firing of indiscriminate rockets by Hamas and other Palestinian groups on Israeli towns and

villages are unlawful and must cease. And many – not all - of the Israeli attacks are unlawful because they are disproportionate or indiscriminate or because they target civilians or civilian objects. International law applies to both sides and violations of its provisions cannot be justified

Question Submitted by Anita:

Many people call Israel's response "disproportionate." What is a "proportionate" response to a terrorist group that deliberately puts civilians at risk by hiding among them and shooting rockets at other civilians?

Donatella Rovera answers:

A proportionate response is one which does not involve the targeting of civilians or civilian objects, or reckless and/or indiscriminate attacks which inevitably kill or harm civilian, or other measures, such as the blockade on Gaza, which collectively punish the civilian population. International humanitarian law takes into account the legitimate military imperatives of warring parties. There is no justification for perpetrating serious violations of IHL.

Question Submitted by Sue

The US historically has provided Israel with significant monetary support and military equipment, including the very bombs used to attack Palestinians. Palestinians support Hamas largely due to the social services it provides its desperate people. Would it help resolve the conflict if the US were to become actively, visibly involved in such support of Palestinians, including building schools, infrastructure, etc? Would this real demonstration of goodwill toward Palestinians lead to a new view of the US as an honest broker with the Palestians' wellbeing truly a goal? Would this measure reduce Hamas's favor among Palestinians?

Donatella Rovera answers:

The US administration provides more military aid to Israel than to any other country in the region and also provides a significant amount of aid to the Palestinian population. I cannot speculate about the reasons why many Palestinians support Hamas. The US role goes beyond the issue of aid, important though this is. In order to be seen as an honest broker the US administration must promote a solution to the conflict which is based on respect for international human rights law and international humanitarian law by all parties.

Question Submitted by Stefano:

What can be done to prevent Hamas from firing at civilians? What are the responsibilities of the warring parties in this conflict? How can refugees be protected?

Donatella Rovera answers:

Surely we must be concerned with the protection of all civilians, Israelis and Palestinians. Israel has a right to take lawful measures against those who launch attacks on its civilian populations but reckless and indiscriminate bombardments and other attacks which have killed hundreds of unarmed Palestinian civilians cannot be the answer. The Palestinian civilian population cannot be punished for attacks for which they have no responsibility. The international community must exert pressure on both sides to put an end to attacks which harm civilians. Countries which have influence on one side or the others must use that influence responsibly and firmly to address the abuses being committed by both sides.

International law prohibits attacks on civilians and civilian objects and attacks which are disproportionate and/or indiscriminate and which endanger civilians. Israel, as the occupying power, has additional responsibilities for the welfare of the populations in Gaza, including an obligation to ensure provision of adequate food and medicine. Both sides are violating international law. Israel has been blocking the passage of emergency humanitarian assistance for Palestinians and has attacked medics and relief convoys. And Israeli forces have been carrying out indiscriminate and disproportionate attacks that have killed hundreds of unarmed civilians. Hamas and other Palestinian armed groups have been firing hundreds of indiscriminate rockets at southern Israeli towns, killing three civilians. Those fleeing the conflict must be protected but at present Palestinians are prevented from leaving Gaza, and cannot find safety in Gaza. Even those who have fled the fighting and taken refuge in UN schools have come under attack from Israeli forces. More than 40 Palestinians were killed in a single attack by Israeli forces on a UN school on 6 January. Israeli officials initially claimed that Palestinian gunmen had fired from the school but have now admitted that this was not true.

Question Submitted by Raymond:

What country is the source of the rockets being used by the Palestinian terrorists.

Donatella Rovera answers:

ANSWERED IN PREVIOUS QUESTION

Question Submitted by Bill:

I have found it difficult to get either the U.S. Speaker of the House or my Congressman to respond to the carnage regarding this conflict. Do you happen to know how much funding the U.S. provides to Israel for military support?

Donatella Rovera answers:

Israel is the largest recipient of US military aid in the region. The US government has a responsibility to ensure that its military aid and funding is not used to commit human right abuses.

Question Submitted by Heather:

I'm shocked by the humanitarian crisis that Israel's attacks are producing and would like hear more about what can be done to aid the Gazans. But I'd also like to know what Israel expects to accomplish with this assault. What will make them halt the operation?

Donatella Rovera answers:

First and foremost it is necessary to stop the killings of civilians who have nothing to do with the conflict but are bearing the brunt of it. This requires pressure on both sides to stop killings and attacks on civilians. An end to impunity for years of serious violations and abuses by all sides – in other words, bringing perpetrators to justice in fair proceedings, is a key element in preventing future violations. The current deprivation of basic necessities for the civilian population in Gaza is not so much due to lack of resources but rather to the restrictions imposed by Israel on the passage of humanitarian aid and other supplies into Gaza, and by the fighting inside Gaza, which render distribution difficult in general and impossible in many areas. The destruction of homes, property and infrastructure being wrought onto Gaza by the Israeli bombardments is on a massive scale and considerable resource will be needed once the fighting stops for the reconstruction. Those resources are not available in Gaza and will likely have to be made available by the international community.

Question Submitted by Sebastian:

Why Amnesty is calling the Israel response disproportionate? After Israel withdrew from Gaza Hamas took an opportunity to arm themselves and create a base to launch over 3 thousands Qammas rockets over Israeli cities (even during a truce). Israel waited too long to react, what would be an adequate response against terrorism? How can Israel provide security to its citizens?

Donatella Rovera answers:

Under IHL, an attack is disproportionate if it may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated. Many of the attacks by Israeli forces match this definition. Some attacks which purportedly aimed to kill a member of Hamas or destroy ammunition have killed and injured many unarmed civilians; some of these could have been carried out in a way that was less likely to harm civilians and civilian objects. Other attacks have

deliberately targeted civilians or civilian buildings, There have also been attacks against medical and relief personnel and facilities.

So far, the attacks by Israeli have resulted in the killing of hundreds of civilian bystanders, including more than 150 children, and the injury of many more civilians. Israeli forces can take lawful measures against Palestinians who are responsible for attacks against Israelis but must not punish those who have no part in the conflict. Ensuring the security of Israeli citizens does not require killing hundreds of unarmed civilians, bombarding a UN school full of civilians, medical personnel and ambulances in the process of evacuating the wounded, relief workers and convoys. Nor is it necessary for Israel's security to deny entry to the Gaza Strip to baby food and nappies, children's shoes and clothes, hearing aid batteries and embroidery thread for deaf children, or spare parts for hospital equipment, drinking water wells and the sewage treatment plant.

Question Submitted by Zawdie:

Hello, Ms. Rovera: Please confirm for me the suspicion that I have that the Israeli total embargo on the movement of goods into and out of Gaza began during the last months of the cease-fire agreement that began in June of 2008. Also, are any figures on the number of Gazans who were dying per day under the embargo vs the numbers per day after the recent Israeli bombings?

Donatella Rovera answers:

Restrictions on the movement of people and goods in and out of Gaza have been imposed by the Israeli army several years ago and were significantly increased in recent years, notably after certain incidents. These include the capture by Hamas and other Palestinian armed groups of an Israeli soldier, Gilad Shalit, from a military base on the Israeli side of the Gaza-Israel border in June 2006; and the take-over in Gaza by Hamas in June 2007. The six-month ceasefire which came into force on 19 June 2008 brought little improvement to the lives of the inhabitants of the Gaza Strip as the stringent restrictions on their movement and on the entry of goods into Gaza remained in place. Several patients who were in urgent need of medical treatment not available in Gaza's hospitals died after being refused passage out of Gaza by the Israeli army, hundreds of students lost their places in universities abroad because they could not leave Gaza, and the inhabitant of Gaza continued to suffer from shortages of most basic necessities and were forced to rely on goods smuggled into Gaza from Egypt via the tunnels. As for the number of Palestinian killed in Israeli bombardments and artillery and other attacks, it increases daily. Since 27 December 2008, more that 800 have been killed, more than a third of whom are unarmed civilians.

Question Submitted by Lauryn:

How do you propose Hamas can be convinced to stop the rocket attacks right away so that Israel will also call a cease fire?

How will middle east and international governments and organizations work to ensure that Hamas's glorifying of death and the murder of civilians will not continue to influence Palestinians, and that monetary and humanitarian aid is actually used for the benefit of the Palestinian people, instead of for weapons stockpiling and rewarding families of suicide bombers?

Donatella Rovera answers:

Rocket attacks against towns and villages in south Israel are launched by all Palestinian armed groups in Gaza, including the armed wing of Fatah, President Mahmoud Abbas' party (the al-Aqsa Martyrs' Brigade). Both the Israeli and Palestinian sides justify their own human rights abuses and crimes by arguing that their attacks are in response to the abuses committed by the other side. In order to put an end to this cycle of attacks and counter attacks it is imperative to put pressure on both sides. Double-standard approaches involving condemnation of the abuses by one side while turning a blind eye to the abuse by the other side are easily dismissed as biased and cannot be effective. Key international players who fail to take a principled position against human rights abuse when these are committed by Israel undermine their chances of convincing those who have influence on Hamas and other Palestinian armed groups to pressure them to stop their attacks

Question Submitted by gail:

you do not call for the cessation of arms from Iran. Is it because you don't believe they are involved or as culpable as the US or is it because the Iranian government could care less what you or anyone else thinks?

Donatella Rovera answers:

Amnesty International is calling for a comprehensive arms embargo covering all conventional military and related equipment, components, technology and services on ALL parties to the conflict in Gaza. This obviously includes Hamas and the other Palestinian armed groups and concerns any party which supplies or facilitates and/or allows the transit and/or passage of such material. Therefore if Iran is involved in any way in providing such material or funds for it, this applies equally to Iran.

As well, since most if not all the supplies of such material to Hamas and the other Palestinian groups reach Gaza via Egypt, the Egyptian authorities must take concrete measures to stop and prevent the passage of such material into Gaza.

Moderator's comment:

Thanks Donatella for a very informative chat on this pressing issue. We're sorry that because of the tremendous volume of questions we were unable to get through them all. The chat has now concluded.

TAKE ACTION on Gaza at www.amnestyusa.org/ricegaza

