Israel's War on Gaza: Political, Moral, and Legal Accountability

A one-day symposium organized by the Issam Fares Institute for Public Policy and International Affairs - AUB

September 28, 2014
A Summary by Bayan Jaber

A one-day symposium organized by the Issam Fares Institute for Public Policy and International Affairs (IFI) explored the question of accountability surrounding Israel's recent war on Gaza, by bringing together panelists from a variety of fields pertaining to civil society, academia, and national Palestinian organizations. The enriching forum, held at the American University of Beirut (AUB) on September the 28th, 2014 discussed courses of action for political, moral and legal accountability in light of the institutional tools and instruments available.

Raji Sourani, a prominent human rights lawyer from Gaza described the recent assault as unprecedented in terms of the intensity of bombing witnessed. He stressed that the social and economic situations were truly catastrophic and that Israel had very precise intentions behind the war. "They put civilians in the eye of the storm and wanted to bring shock and terror to the civilians and break the political will of the people", he said.

Sourani described the level of deterrence, fear and confusion as one that was similar to the Twin Towers attack on September the 11th, 2001. He noted that all suffering souls should be protected, but when the West provided Israel with full legal political immunity in order to defend its civilians, they overlooked the Palestinians’ rights to self-defense. He said that more than a fourth of the Palestinians became refugees in a few days. He thus called for the respect of Geneva Conventions and justice to be served by applying the rule of law.

Despite expressing pain, he proudly described the people of Gaza as resilient: "We are not a good victim for the Israeli people," he said. He stated that despite the difficulties, students are back in school and people are returning to their businesses while holding on to their strategic optimism.

The first session of the symposium discussed the evolving role of the United Nations (UN) on the ground and in parallel with the politics of the UN Security Council. Pierre Krahenbuhl, Commissioner-General of the United Nations Relief and Works Agency (UNRWA), discussed the challenging work of UNRWA in polarized environments, particularly where levels
of passion and hostility are particularly high. He criticized the media for focusing on military strategies rather than on the perspectives of people. He also drew attention to the strikingly high figures of refugees between the years of 2000 and 2014, whereby the number of Palestinian refugees was multiplied by ten times.

Krahenbuhl stated that UNRWA is criticized for keeping the citizens of Gaza dependent on food distribution, but pointed out that the focus should be on the unresolved political situation that is leading to such poverty in the first place. He remarked that there is no pride in revealing the vast figures of people dependent on food distribution. "It's wrong to think that people want to be dependent on food assistance when they actually wish to take care of their own families", he said.

Krahenbuhl revealed that the conflict has pushed Gaza to a breaking point and argued that there was a disproportionate and excessive use of force. He stated that UNRWA lost eleven of its staff members during the conflict and that their schools were shelled. It is thus imperative to engage Israel and hold it accountable by holding a board of inquiry by the secretary of state. He stated that they are not political actors; rather they contribute to an understanding of the human cost.

He also drew attention to an impending crisis of homelessness. He pointed out that as the conflict ended, international attention has shifted – yet the crisis should still be considered of equal magnitude, especially with winter looming. He said that hope exists as schools have reopened but pointed out that many of the chairs will be empty, and the level of child trauma experienced goes far beyond the destruction of buildings.

The second session of the symposium discussed the issue of moral and political accountability, with particular emphasis on the role of movements such as the Boycott, Divestment, and Sanctions Movement (BDS) and the US Campaign for the Academic and Cultural Boycott of Israel (USACBI). It also provided an assessment of the role of international commissions.

Omar Barghouti, co-founder of the Palestinian Civil Society Boycott, Divestment and Sanctions movement against Israel revealed that BDS is recognized as an organization that poses an investment risk as billions of dollars in contracts were lost in reaction to BDS appeals. BDS is working on a large scale in the Arab world with big complicit companies and puts Israel in risk of international isolation. He noted that its work is not heroic, as it is simply stops people from becoming partners in crime and divesting in companies that demolish homes.
David Lloyd, co-founder of USACBI and Professor of English Literature, University of California, Davis, revealed that academic boycott is gaining force in the U.S. He stressed that the battle at hand is one involving information, noting Israel’s increasing attempt to stamp out advocacy work of boycott movements. He stated that people should circle information about the nature of the Israeli state and try to change public opinion at the grassroots level.

In the third session, Asli Bali, a Professor of Law at UCLA, and Lisa Hajjar, Edward Said Chair of American Studies of the Center for American Studies and Research (CASAR), AUB, assessed existing and new technical and legal questions raised by the recent assault. The two speakers also identified courses of action for legal accountability and addressed the roles of international law in ending impunity.

The final panel concluded that advocacy is a powerful tool in promoting accountability especially in light of the weakness of international tools available and the hostility of the environment. Barghouti suggested that more work should be done in advancing research that empowers work towards justice. In this sense, people could work on academic activism. This empowers those trying to change policies by providing them with research, policy briefs and more thorough research on apartheid. He pointed out that there is a lack of academic work on apartheid within the state of Israel and this hinders activists from holding complicit companies accountable.