

What Israel is allowed to do

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It seems as if no matter what Israel does, no matter how justified and consistent with international legal norms, human rights groups will accuse Israel of acting illegally.

Israel is in the midst of an extensive military operation in the West Bank to locate three kidnapped Israeli teenagers and to root out the terror infrastructure that facilitated this and other attacks against civilians. Both of these goals are entirely legal and consistent with Israel's obligations to preserve the welfare of its citizens, its obligations under international human rights conventions and UN Security Council Resolution 1373 that requires States to "prevent and suppress terrorist acts."

This should be obvious. But, apparently, it is not.

This week, eleven Israeli non-governmental organizations (NGOs), which receive massive amounts of funding from European government bodies (10 also receive significant funding from the New Israel Fund) enabling immoral propaganda campaigns, [published a public letter](#) accusing Israel of "unnecessary violation of basic rights and collective punishment."

Unsurprisingly, many of these NGOs, including Adalah, HaMoked, and Yesh Din, did not release statements condemning Hamas for kidnapping the Israeli teens, nor the blatant assault on decency and human rights inherent in such a depraved act. (In fact, in a statement condemning Israel's response, Gisha referred to the "alleged kidnapping.") Those NGOs that did issue statements created an artificial balance by criticizing and/or blaming Israel, and predicting that any response would violate Palestinian human rights.

In accusing Israel of human rights violations, these NGOs invoke international legal terms, such as "collective punishment," that have specific meanings beyond colloquial usage. Yet, most people are not familiar with the legal definitions, and instead accept at face value the claims of self-declared human rights defenders.

As a number of legal experts have shown, Israel's operation to find the teens and to root out terror infrastructure is not collective punishment. In the context of international law, collective punishment means the imposition of specific criminal penalties on innocents, not measures that impact collaterally on the population at large. It is understood that civilians will be affected by searches for kidnap victims and perpetrators, both of whom may be located within civilian centers.

By the NGOs' logic, Boston police were not just doing their jobs when they locked down surrounding areas in their search for the Marathon bombers – they committed collective punishment.

Similarly, the NGOs falsely label Israel's restrictions of prisoner privileges as "collective punishment." But denying privileges, such as watching the World Cup on TV, is not the

Indeed, very little of what human rights NGOs say is grounded in the law or connected to the facts of the situation. The NGOs speculate that “The large number of raids and arrests over the last week raises concerns that some of these operations are not the result of pressing operational needs” – but they have no basis for such assertions. The NGOs and their officials are not military experts and are not qualified to address these questions. Furthermore, they cannot possibly know, as they lack the necessary access to military intelligence and strategic information.

And more to the legal question, “pressing operational needs” is not a recognized international standard for evaluating military operations.

The NGO approach to the kidnapping reflects a wider phenomenon: a sweeping campaign by human rights groups immorally ignoring vicious crimes committed by Palestinians against Israeli civilians and hampering Israel's self-defense options. When Israel responds with military force, the actions are automatically labelled "disproportionate," "indiscriminate," and "war crimes."

When Israel shifts to less invasive interventions meant to limit harm to civilians, such as the blockade of Gaza or the security barrier, these too are decried as "illegal" and "collective punishment."

Ironically, by constantly moving the goal posts and reducing Israel's options, albeit options that are sanctioned by international law, human rights NGOs are increasing the likelihood that Israel will turn to legitimate violent confrontations, which cause more harm to civilians.

Perhaps, if the NGOs had instead devoted more energy to opposing terror and delegitimizing Hamas and other anti-human rights groups, the current environment that tolerates attacks against Israeli children –whether in Israel, the West Bank, or on the Syrian border – would not exist.

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