

[OVT-026] A Call for Ending the Siege of Gaza and Collective Punishment of Innocent Palestinian and Israeli Citizens

Source: Presbyterian  
Committee: Unassigned

Event: 224th General Assembly (2020)  
Sponsor: New Castle Presbytery  
Type: General Assembly Full Consideration

## Recommendation

The Presbytery of New Castle overtures the 224th General Assembly (2020) of the Presbyterian Church (U.S.A.) to do the following:

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.

*가자 지구의 전투 종식과 무고한 팔레스타인 및 이스라엘 시민들에 대한 집단 처벌에 대하여 - New Castle 노회로부터 상정됨*

뉴 캐슬 노회는 다음과 같은 조치를 취할 것을 미국장로교 224차 총회(2020)에 천의합니다.

미국 정부에 다음과 같은 요구를 합니다:

- a. 이스라엘 정부가 국제법에 따라 “집단지 처벌”로 정의된 모든 적대 행위를 즉각 중단하고 멈추도록 촉구합니다. 이는 2008년 이후 팔레스타인 민간인 수천 명을 무수히 살해하고 수십억 달러의 재산 피해를 입힌 가자 지구 비 군사적 목표물에 대한 항공, 육지, 해상에서의 군사 공격을 중단하는 것을 포함합니다.
- b. 가자 지구의 적절한 물과 전기에 대한 접근을 제한하는 가자 지구 포위 공격을 종식시킴으로 가자 지구의 팔레스타인에게 식량, 의약품 및 연료의 유입을 제한하는 인도주의적 및 환경적 위기를 완화하고 종식시킬 것을 이스라엘 정부에 권고합니다. 이는 경제적 번영, 인간의 건강과 안전, 환경 보호에 필요한 자재 지원을 제공합니다.

- c. 이스라엘 정부가 국제법에 따라 "집단지 처벌"로 정의된 모든 적대 행위를 즉각 중단하고 멈추도록 촉구합니다. 이에는 유도되지 않은 로켓을 이스라엘의 민간 지역에 발사하는 것도 포함됩니다.
2. 정서기에게 이 조치를 다른 모든 미국장로교 공의회, 미국 정부, 언론 및 미디어에 전달할 것을 지시합니다.

El Presbiterio de New Castle propone a la 224a Asamblea General (2020) de la Iglesia Presbiteriana (EE. UU.) a realizar lo siguiente:

Llamado al gobierno de los Estados Unidos a:

- a. Exhortar al gobierno de Israel a detener y desistir inmediatamente de todas las acciones que están definidas como "castigo colectivo" bajo la ley internacional. Esto incluye detener los ataques militares por aire, tierra y mar hacia los blancos no militares en Gaza, que han matado desproporcionalmente millones de personas palestinas y han causado miles de millones de dolares en daños de propiedades desde el año 2008.
- b. Exhortar al gobierno de Israel un alto al asedio en Gaza que restringe el acceso al agua potable, electricidad y la entrada de comida, medicina y combustible al pueblo palestino en Gaza para aliviar y terminar la crisis humanitaria y ambiental causada por el asedio y proveer recursos materiales necesarios para la prosperidad económica, la salud y seguridad humana y la protección ambiental.
- c. Exhortar al gobierno de Gaza y a todas las milicias palestinas dentro de Gaza a detener y desistir inmediatamente todas las acciones que están definidas como "castigo colectivo" bajo la ley internacional. Esto incluye el lanzamiento de cohetes sin guía hacia las áreas civiles de Israel.
2. Indicar al secretario ejecutivo comunicar esta acción a otros concilios de la IP (EE. UU.), al gobierno estadounidense y a los medios de prensa.

## 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; and
- 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; and
- 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 percent. By 2017, it was 44 percent among men, 72 percent among women, and for those under age 29, 62 percent. Some 80 percent of Gaza's residents depend on humanitarian aid. About 60 percent 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. Ninety-six percent of Gaza's water is contaminated and undrinkable. 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 more than 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), more than 12,700 casualties have been treated in Gaza hospitals. More than 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–January 2009

—Operation Pillar of Defense: November 2012

—Operation Protective Edge: July–August 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 219th General Assembly (2010) of the Presbyterian Church (U.S.A.) affirmed the following human rights, moral principles, and goals guiding its recommendations regarding the Israeli-Palestine conflict:

- d. 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.
- e. 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. (*Minutes*, 2010, Part I, p. 1022)

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 (U.S.A.) 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.

**Table 1 Statistics on Deaths and Homes Destroyed**

**Table 1: Impact of Collective Punishment Actions Taken by the Israeli and the Gaza Palestinian Governments 2008–2018**

	Israel	Government
	<b>Actions Against Palestinian Citizens</b>	
Civilians killed in Israeli and Gaza government attacks	2,481	
Minors under 18 years killed in Israeli government attacks	896	
Homes destroyed/damaged by Israeli and Gaza government attacks	21,500	
Property damage resulting from Israeli and Gaza government attacks	\$6.7 billion	
Civilians with restrictions of food, water and medicine	1,800,000	
Civilians lives and businesses affected by restriction of fuel and electricity	1,800,000	
Citizens subject to a siege on land, air and sea	1,800,000	

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).

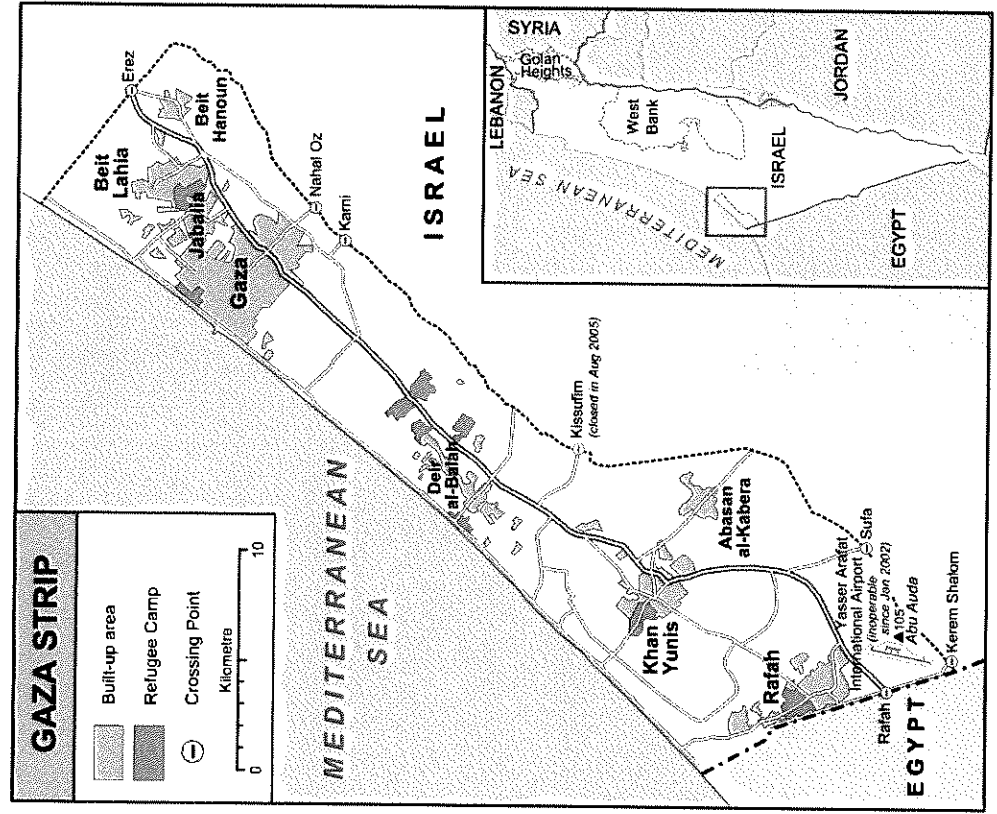
**Table 1 Statistics on Property Damage**

United Nations Conference on Trade and Development, "Report on UNCTAD assistance to the Palestinian people,"

[https://unctad.org/en/PublicationsLibrary/ldb62d3\\_en.pdf](https://unctad.org/en/PublicationsLibrary/ldb62d3_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/>



CRITERIA FOR OVERTURE EVALUATIONS  
OVERTURES FOR 224<sup>TH</sup> GENERAL ASSEMBLY

Item: 026 – A Call for Ending the Siege of Gaza and Collective Punishment of Innocent Palestinian and Israeli Citizens

1. Likelihood that Presbytery's action will be crucial (are others likely to sign on, whether we do or not?) **This is a highly charged moral issue and will generate substantial support.**
  
2. Impact on Presbytery. Does this overture propose a change that will have an effect on congregations in our Presbytery? **It may have an impact on where congregations send mission dollars.**
  
3. Special expertise. Is this a topic on which Presbytery has specialized knowledge or expertise? **No**
  
4. Significance to the denomination. Is this an overture that has intrinsic value to the denomination, or is it a minor issue that could be pursued in another way, without an overture? **It is not a minor issue, but the question is how much does the PC USA have on its own to make an impact for change.**
  
5. Unintended consequences. Is the overture understandable, and does it accomplish its purposes? **I am not sure how effective this action will be.**
  
6. Relation to Presbytery policy. Are any of Presbytery's policies affected by the overture? **No**

Bob Schulz, Stated Clerk

Date: 2/5/2020