



**Intelligence and Terrorism  
Information Center**

March, 2010

# **Hamas and the Terrorist Threat from the Gaza Strip**

**The Main Findings of the Goldstone Report  
Versus the Factual Findings**

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## Introduction: main findings

1. This document provides the main findings of a study which examined **how the Goldstone Report dealt with the nature and activities of Hamas in the Gaza Strip before and during Operation Cast Lead.**

2. The first part of the study examines how the Report relates to **the terrorist threat as it developed in the Gaza Strip in the years before Operation Cast Lead.** The subsequent parts deal with the **various aspects of Hamas' strategy and combat tactics during the operation,** emphasizing the massive use it made of Gazan civilians as human shields. The study does not deal with specific cases of IDF actions, which the IDF has examined separately.

3. The study **compares the findings of the Goldstone Report with the actual events on the ground.** It is supported by a **vast amount of reliable, varied information which originated in the Israeli intelligence community, as well as open-source information, including statements made by Hamas elements.**

4. The comparison clearly indicates **four basic flaws** in the way the Goldstone Report relates to the period before Operation Cast Lead:

A. **The Report does not deal with the nature of Hamas, particularly its terrorist aspects.** It focuses on severe criticism of Israel and presents an openly pro-Palestinian version of the Israeli-Palestinian conflict. **It does not deal with Hamas' ideology,** its strategy, the military-terrorist infrastructure it constructed, its radical Islamic nature, the way it relates to the West and the pro-Western Arab regimes, the brutality with which it treats its Palestinian opponents, the direction and aid it receives from its headquarters in Damascus, and **its record as the terrorist organization which led suicide bombing terrorism against Israel and fired rockets at its civilians over a period of many years.** The Report refers to the de facto Hamas administration as a governmental entity ("the Gaza authorities"), and **adopts Hamas' false claim that there is no connection between that entity and the military-terrorist wing.** The facts unequivocally prove that **Hamas is one integral system, with a hierarchical leadership which maintains close contact** between its political, administrative, security and military-terrorist branches.

B. **The Report minimizes the extent and gravity of the terrorist activity carried out against Israel from the Gaza Strip and does not assign responsibility for it to Hamas.** It focuses on rocket fire during the six months before Operation Cast Lead and devotes very little space to the rocket and mortar shell fire which began in 2001. It also does not deal with the other types of terrorist attacks

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originating in the Gaza Strip (including mass-murder attacks in Israel and the repeated attacks on the crossings and humanitarian facilities such as the Nahal Oz fuel terminal). **The Report does define** the rocket fire targeting the Israeli civilian population as a **war crime** (during the seven years leading up to Operation Cast Lead about 8,000 rocket and mortar shell hits were identified in Israel territory, killing and wounding civilians and severely disrupting daily life). **However, the Report does not assign responsibility for the war crime to Hamas** or any other terrorist organization operating in the Gaza Strip (such as the Palestinian Islamic Jihad, which operated side by side with Hamas). Thus the war crime **has no address (and no person, institution or organization is held accountable for it)**. Hamas exploited this basic flaw to shirk all responsibility for the rocket fire, using the Report as a tool for its legal and propaganda campaigns against Israel.

C. **As part of its general trend to minimize the significance of the terrorist threat, the Report does not deal with Hamas' military buildup in the Gaza Strip during 2007-2008, which threatened Israel** (as opposed to its extensive coverage of the historical development of the Israeli-Palestinian conflict). **That was in spite of the military buildup which created a significant threat to Israel and was a gross violation of the Oslo accords between the Palestinians and Israel (the Oslo accords allowed the Palestinian Authority to hold weapons only for the purposes of policing and security). It ignores the various components of the process,** including the institutionalizing and organizing of the Hamas' forces into semi-military units (similar to and inspired by Hezbollah); the **smuggling into the Gaza Strip of an unprecedented quantity of advanced standard weapons and raw materials for the manufacture of weapons; intensive training in the Gaza Strip, Iran and Syria; and the manufacture of large quantities of rockets and IEDs.** It also ignores the extensive efforts made before Operation Cast Lead to prepare residential areas for fighting, **part of its combat doctrine of using civilians as human shields.** The effort included stockpiling weapons, constructing pits and other facilities for firing rockets, erecting fortifications and digging tunnels, planting IEDs and mines, and booby-trapping buildings.

D. **The Report completely ignores the massive amounts of aid Iran as well as Hezbollah and Syria (directly or through Hezbollah) gave Hamas to construct its military-terrorist infrastructure.** Their support was **accelerated** during the two years preceding Operation Cast Lead and included **smuggling long-range rockets into the Gaza Strip, assistance in developing and transferring knowhow for the self-production of rockets and IEDs, assistance in advanced training** for hundreds of terrorist operatives and providing **broad**

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**financial aid** (given to Hamas by Iran). **All of the above have continued after Operation Cast Lead and make it possible for Hamas to restore and improve the military capabilities which were damaged.** The aid includes long-range rockets from Iran which can reach the center of Israel.

5. **These four basic flaws in the Goldstone Report impair the reader's ability to understand Israel's reasons for Operation Cast Lead,** and bias the description of the developments leading to it.

6. **On the other hand, the Goldstone Report accepted the Hamas version of everything regarding the sharp escalation in rocket fire during 2008 which made Israel undertake the operation.** For example, **it minimizes the meaning of Hamas' systematic violations of the Egyptian-brokered lull arrangement during the six months preceding the operation.** It provides a **short, superficial description (with motifs from Hamas propaganda)** of the rocket attack Hamas initiated when the lull ended. In addition, **it does not assign responsibility for ending the lull to Hamas** (despite the fact that **Hamas unilaterally announced the lull had ended** and accompanied the announcement with **an escalation in rocket fire**, for which it was severely criticized by Egypt and the Palestinian Authority). All of the above are part of the Goldstone Mission's underlying bias, which dictated its methodology and whose intention was to make Operation Cast Lead illegitimate in the eyes of the world and to prepare the ground for the serious accusations the Report made against Israel.

7. **Throughout Operation Cast Lead itself, Hamas implemented a combat doctrine which made massive use of civilians as human shields.** The doctrine, **inspired by Hezbollah's experience in Lebanon,** was formulated in the years preceding the operation. **The Goldstone Report does not deal with Hamas' combat doctrine and its implications for asymmetric warfare in urban settings. Asymmetric warfare was characteristic of Operation Cast Lead, and presented the IDF with difficult operational and moral dilemmas** (similar to those faced by the Americans, British and others in various combat zones). **The report systematically ignores or rejects Israel's position on the issue of human shields.** Rather, it accuses Israel itself of using civilians as human shields, although Israel made every effort to prevent harm from coming to non-combatant civilians.

8. This study documents the **various combat tactics used by Hamas and the other terrorist organizations to turn civilians into human shields.** Those tactics **included forcing residents to stay at home in neighborhoods** where the IDF operated; **assimilating terrorist operatives into civilian neighborhoods; exchanging their uniforms for civilian clothing** while fighting the IDF; **surrounding operatives with**

**children** to facilitate their escape from combat zones; making **large-scale military use of civilian houses**, which included **constructing tunnels** for assault and escape; situating its military infrastructure within civilian houses and public institutions; turning residential neighborhoods into combat zones (operational plans for which were seized by the IDF during the operation); **firing rockets and mortar shells from within civilian population centers**, including from next to buildings and from roofs; and **summoning civilians to come to operatives' houses to serve as human shields** for terrorist operatives in danger of being attacked by the IDF.

9. As part of implementing this doctrine, **extensive use was made of public and administrative institutions** on the assumption that it would increase Hamas operatives' chances of survival and make it difficult for the IDF to operate. This study documents the wide-spread, formal **military use made of mosques, hospitals and educational institutions** as locations for storing weapons, deploying terrorist operatives, fighting and firing rockets.

10. The study presents, among other findings, many specific examples, such as **weapons hidden under a pulpit in a mosque** in the Al-Atatra neighborhood of the northern Gaza Strip, **the extensive military use of the Shifa'a hospital** (the largest in the Gaza Strip) and others, **the extensive use of ambulances** to transport terrorist operatives during the fighting, **booby-trapping a school in the Zeitoun neighborhood** in Gaza City, and **turning the laboratories of the science department of the Islamic University in Gaza City into production lines for rockets and other weapons**. **The Goldstone Report, on the other hand, either ignores the information about Hamas' combat tactics** or minimizes its extent and importance.

11. The study examined the evidence regarding the **degree to which Hamas' internal security services were involved in military-terrorist activities**, both routinely and during Operation Cast Lead. The Goldstone Mission accepted Hamas' claim that the police and other internal security services are civilian entities whose only duty is enforcing law and order. The Report is therefore extremely critical of Israel for having attacked Hamas police and internal security service targets, representing them as attacks on civilians. **Hard Israeli intelligence information as well as public declarations made by senior Hamas figures and open-source information demonstrate the nature of the involvement of the internal security services in Hamas' military activities. That involvement is expressed at three levels:**

A. **The senior governmental level: The support of the interior ministry of the de facto Hamas administration for Hamas' Izz al-Din al-Qassam Brigades** and other terrorist organizations. Speaking in Arabic (not what they told members of the

Goldstone Mission), **senior members of the Hamas administration repeatedly praised the cooperation between the interior ministry, the internal security services and the various terrorist organizations** (which they refer to as “the resistance”). For example, **Fathi Hamad**, interior and internal security minister, boasted that his ministry made every effort to protect the various organizations and to **“facilitate their jihadist missions.”** To that end, he said, he and the members of his ministry met with the commanders of the organizations on a routine basis to remove obstacles which might hinder their military-terrorist activity. On another occasion, he praised his predecessor Sayid Siyyam, saying that one of his main achievements was the creation of the **“cooperation and coordination between the security services and the Palestinian resistance.”**

**B. Formal cooperation between the police and other internal security services, and Izz al-Din al-Qassam Brigades:** Intelligence information indicates that **for years there was formal cooperation** between the police and internal security services, and the Izz al-Din al-Qassam Brigades. It included **joint deployment at bases and headquarters, joint training exercises at Izz al-Din al-Qassam Brigades facilities** (a Hamas video clip shows Izz al-Din al-Qassam Brigades operatives training with police vehicles), **conducting ambushes and observations, the transfer of weapons from the Brigades to policemen and joint preparations for a scenario for fighting the IDF.** In such a scenario, police and other security services would join the fighting at the expense of their internal security duties. That cooperation has continued after Operation Cast Lead. For example, on December 20, 2009, the Brigades held a large military exercise in the northern Gaza Strip. It was intended to simulate fighting against the IDF in a scenario of a military operation in the Gaza Strip. The Hamas internal security services played a central role in the exercise, closely cooperating with the Brigades.

**C. Fighting under the command of the Izz al-Din al-Qassam Brigades:** Police and other security service operatives were integrated into the Izz al-Din al-Qassam Brigades. According to large amounts of reliable intelligence, **police and other internal security service operatives served extensively, both routinely and in emergency situations, in the Brigades (including during Operation Cast Lead).** In the scenario of a broad-scale Israeli incursion into the Gaza Strip, **operatives of the internal security services become an integral part of Hamas’ military structure** (whether by having individual operatives join the organic forces of the Brigades, or whether by having the security services fight side by side with them).

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12. **During and after Operation Cast Lead police and other security service operatives with double identities were killed. Hamas made an effort to hide the names and identities of operatives killed during the fighting.** However, even during the Operation, and more so after it, **its efforts were gradually overcome and posters commemorating those killed were issued. Some of them clearly indicated the double identity of the police killed showing them wearing both Izz al-Din al-Qassam Brigades and police uniforms** and filling roles in both entities. The posters used terminology characteristic of the Brigades. Additional information shows that internally, as opposed to what is reported in the Goldstone Report, **Hamas makes no distinction between Brigades and internal security services operatives**, regarding all those killed during Operation Cast Lead as fighters.

13. The **statistics of Palestinian casualties during Operation Cast Lead, as they appear in the Goldstone Report**, were also examined by the Israeli defense establishment. According to a thorough examination, during Operation Cast Lead **1,166 Palestinians** were killed, of whom **709 were operatives in Hamas' military and security system. At least 60% of the casualties were terrorist operatives actively engaged in the fighting.**

14. The Goldstone Mission, on the other hand, accepted the data provided by the human rights organizations in the Gaza Strip, most of which **match the false Hamas database** and Hamas' **Tawthiq** ("documentation") Committee, which is the creation of the de facto Hamas administration's justice ministry. (Today Tawthiq exploits the Goldstone Report to wage a legal campaign against Israel in Europe.) According to the data issued in the Report, the total number of Palestinians killed was more than 1,444, of whom some 20% were "combatants." One reason for the discrepancy between the data is the false representation of police and internal security casualties as ordinary civilians, used to magnify the claims against Israel and reinforce the thesis that it deliberately targeted civilians.

15. The percentage of operatives killed (at least 60%), compared with the number of non-combatants killed, is **relatively high, particularly since the fighting took place in a densely-populated civilian area. In that area, Hamas made extensive use of non-combatant civilians as human shields.** The Report does not relate to the special challenges of asymmetric warfare against terrorists **using civilians as human shields** and ignored the tragedy of civilian losses exploited for propaganda purposes. It does not make an effort to compare the way the IDF fought in the Gaza Strip with **similar military campaigns fought by national armies** against terrorist organizations and radical Islamic elements in other arenas (Iraq, Chechnya and Afghanistan).

16. **The main conclusion of this study is that there is an enormous discrepancy between the findings of the Goldstone Report and the factual findings, and an extreme imbalance tipped against Israel in favor of Hamas. The Report systematically relies on selective, biased information, in many cases supplied by Hamas or by individuals and/or institutions controlled by it. The Report analyzes the selective, biased information in a way clearly intended to reinforce the thesis that Israel deliberately targeted civilians** (a thesis which supports Hamas propaganda). We, the researchers and authors of this study, are aware that some of the information we had access to was not available to the Goldstone Mission. However, it is also clear that the authors of the Goldstone Report consistently avoided using information which was, in fact, accessible, but which did not support its main thesis, or at least presented serious doubts regarding its validity.

17. **The Goldstone Report either ignores or minimizes the serious nature of the terrorist threat from the Gaza Strip facing Israel during the period before Operation Cast Lead (the potential for which still exists). The Report also systematically does not relate to the nature of Hamas or its goals. It also assigns no responsibility to it or any other terrorist organization for the years of rocket fire targeting Israeli civilians.** It also does not blame Hamas for its use of Palestinian civilians as human shields. **As far as Hamas is concerned, it is absolved by the Goldstone Report of all responsibility for war crimes** carried out before and during Operation Cast Lead. Therefore, since the publication of the Report, Hamas has tried **to use it wherever possible against Israel and sometimes even against the Palestinian Authority.**

## Sources

18. This study is based on a **vast amount of intelligence information** from the Israeli intelligence community which was made accessible to the team of researchers. It also made extensive use of Palestinian, Arab and international media, and of previous bulletins issued by the Intelligence and Terrorism Information Center (which were used selectively by the Goldstone Mission). In addition, **the intelligence information was supported and complemented** by statements and investigations of **IDF forces** who fought on the ground.

19. This study employed the following concrete sources of information:

A) **Vast amounts of intelligence** information, based, among other things, on human sources (HUMINT) **and intelligence sources**, including the tactical communications networks of the terrorist organizations.

B) **Interrogations of terrorist operatives** belonging to Hamas and the other terrorist organizations who were detained during Operation Cast Lead.



- C) **Video clips** photographed by the Israeli Air Force during the operation.
- D) **Analysis of aerial photographs** of terrorist targets (bases, headquarters, facilities, weapons) and of residential neighborhoods in the Gaza Strip in which the military-terrorist infrastructure was based.
- E) **Documents** seized during Operation Cast Lead (including two operational sketches of residential neighborhoods in the northern Gaza Strip which were prepared as combat zones).
- F) **Video clips and information from the Hamas media** (including interviews held by Western correspondents with local residents).
- G) **Photographs** taken by IDF forces operating in the Gaza Strip.
- H) **Statements made by IDF officers** who participated in the fighting.

## Methodology

20. The study was written by a team of researchers at the **Intelligence and Terrorism Information Center (ITIC)** at the **Israel Intelligence Heritage & Commemoration Center**, headed by Dr. Reuven Erlich (Col., Ret.), **with the assistance of the Israeli defense establishment**. The ITIC dealt extensively with some of the issues appearing in the study in the years preceding Operation Cast Lead.

21. **This study provides a response to the Goldstone Report regarding the activities and nature of Hamas and the nature of the terrorist threat from the Gaza Strip. However, it does not deal with other military and political aspects of Operation Cast Lead and its results**, nor does it compare the operation with other arenas in which asymmetric warfare has been waged.

22. The **methodology** of the study is a **comparison of the Goldstone Report** and the **facts on the ground**, as they **were reflected by the evidence** relating to the actions of Hamas and the other terrorist organizations before and during Operation Cast Lead. **Key issues were examined** and a comparison was made between what the Report said and the factual findings.

## The Methodology of the Goldstone Report

23. During its research, the team was exposed to the Goldstone Mission's way of thinking and drawing conclusions. **The most conspicuous methodological flaws, which appear throughout its 452 pages, are its complete lack of balance, and its clear,**

**systematic pro-Palestinian bias, exemplified by its adoption of the Hamas narrative and reflecting its initial prejudice against Israeli.**

24. **In any research work, regardless of its professional level, there is a certain amount of subjectivity** and a potential for bias, even subconsciously, **but the Goldstone Report is an extreme case.** It is doubtful whether the way the Goldstone Report used information regarding Hamas and terrorism can be understood as anything other than a **conscious attempt to serve a central, premeditated thesis.** The main thrust of the thesis is to accuse Israel of war crimes against Palestinian civilians.

25. As a result of its fundamental bias, the **Goldstone Report is tainted by a variety of flaws** which are evident throughout: its **complete asymmetry in collecting statements**, which led it to **rely to a great extent on biased and unreliable information** supplied by Hamas or by **Hamas-controlled** sources which were **neither independent nor objective**; its **systematic rejection or minimizing of the significance of available Israeli information and information from other Western sources**; its **failure to analyze essential facts and events**; and its passive approach to collecting the data related to core issues which might have balanced the picture relating to Israel.

26. To the above can be added **its complete acceptance of the Palestinian narrative** (particularly Hamas') and as a result **its complete disregard** for Israel's positions, considerations and worldview. **It lacks an attempt to put Operation Cast Lead into a wider perspective**, such as an analysis of the **problematic nature of waging asymmetric warfare** as related to the massive use Hamas made of civilians as human shields, or **a comparison of the results of the fighting in the Gaza Strip with fighting in other areas** where national armies combat terrorist and guerilla organizations operating from within civilian populations.

## **The Structure of the Study**

27. The study is divided into **four parts**, each of which deals with the various aspects of Hamas' activities and the terrorist threat from the Gaza Strip:

**Part One** deals with the period preceding Operation Cast Lead;

**Part Two** deals with Hamas' use of Gazan civilians as human shields;

**Part Three** examines the integration of the police and Hamas' other internal security services into the Izz al-Din al-Qassam Brigades in military-terrorist activities;

**Part Four** includes two appendices. The first deals with data related the number of Palestinian casualties and the second contains publications issued by the Intelligence

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and Terrorism Information Center dealing with key issues dealt with by the Goldstone Report.

Each of the first three parts begins by presenting the results of a comparison between the Goldstone Report and the factual findings, and the conclusions drawn from the comparison.

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**Part One: An Examination of How the Goldstone Report Relates to Hamas and the Terrorist Threat to Israel from the Gaza Strip before Operation Cast Lead**

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## Main Findings

1. Most of this study deals with the period before Operation Cast Lead covered by the Goldstone Report and examines how the Report relates to the terrorist threat facing Israel. It methodically compares the facts regarding Hamas and the other terrorist operatives in the Gaza Strip with the way they are represented in the Goldstone Report. The study indicates the significance and conclusions arising from the comparison.

2. **The main conclusion of the comparison of the terrorist threat with the way it is described in the Goldstone Report is that the Report is biased against Israel with respect to the way the basic data are presented, the analysis of the developments and processes which led to Operation Cast Lead, the descriptions of the conduct of Israel and Hamas during the combat and their responsibility for harm to civilians.** As opposed to the exhaustive presentation of the Israeli-Palestinian conflict from a blatantly pro-Palestinian point of view, including issues which have no bearing on the Gaza Strip, the terrorist threat facing Israel from the Gaza Strip **is presented in a short, selective, biased form in an attempt to minimize both its nature and extent.**

3. **The main aspects of the terrorist threat which were not properly addressed by the Goldstone Report are the following:**

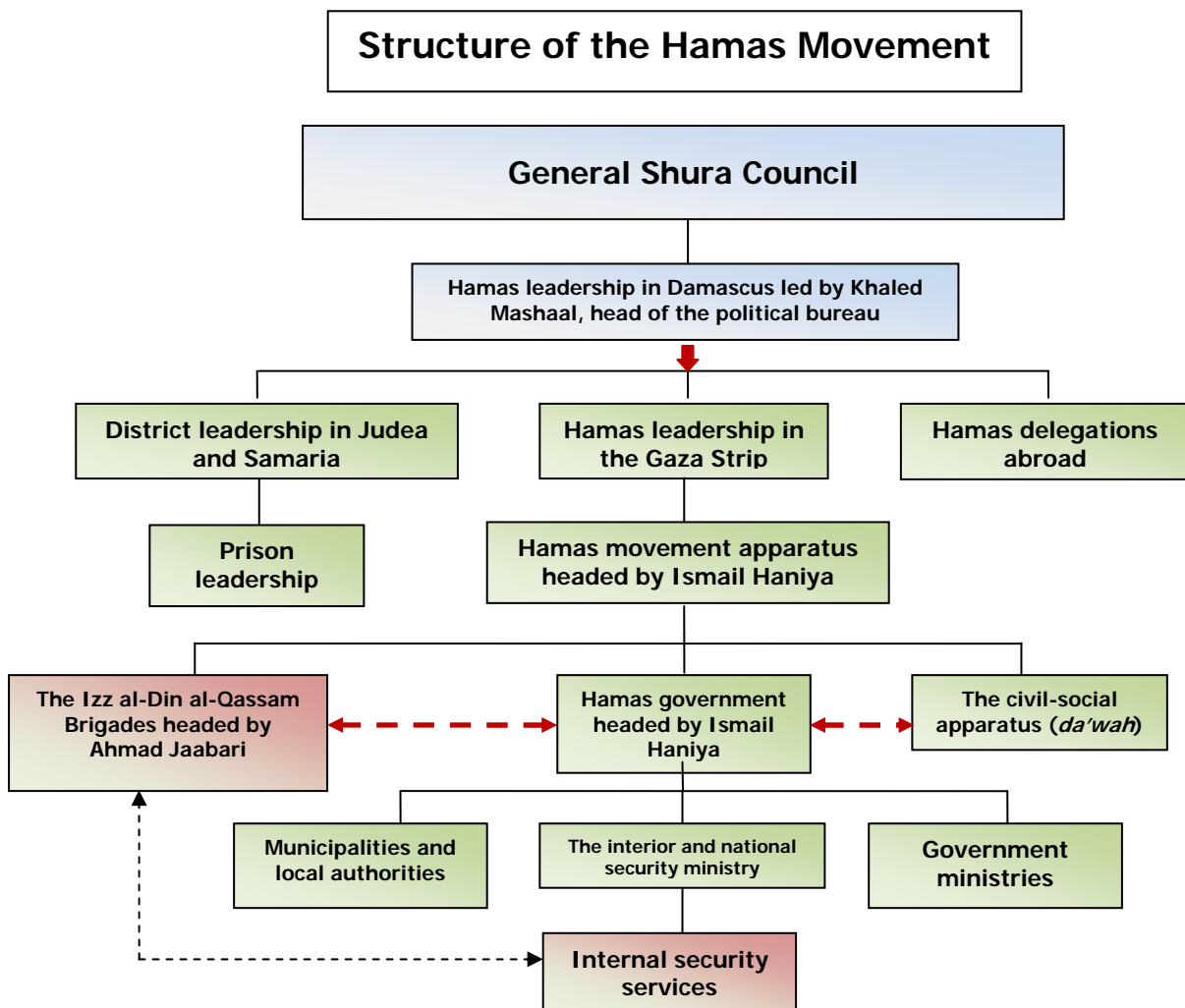
A) **The nature of Hamas and the other terrorist organizations operating in the Gaza Strip:** The Report does not refer to them as terrorist organizations, but rather calls them "Palestinian armed groups." By using such terminology, the Report ignores or at least obscures and minimizes the terrorist nature of the organizations which fire rockets at Israeli civilians (defined by the Report as a "war crime"). In fact, **the Report does not deal with the nature of Hamas and the other terrorist organizations in the Gaza Strip** at all. It does not mention **Hamas' ideology** (for example, the Hamas Charter, which advocates the destruction of the State of Israel), its **overall strategy** (the employment of terrorism and its consistent resistance to the peace process), the **military infrastructure** it constructed in the Gaza Strip, its **radical Islamic nature**, its **use of force and occasional brutality** in dealing with opponents (particularly Fatah), the **process of enforced Islamization** of the Gaza Strip, and the direction and support it receives from **its headquarters in Damascus**. The Report does not refer to Hamas and other organizations in the Gaza Strip as terrorist organizations, in complete contradiction to not only the Israeli but also the American and European Union positions, all of which have designated them, both their political and military wings, as terrorist organizations.

B)  **Hamas' record as the organization leading lethal suicide bombing terrorism:** During the 1990s Hamas initiated and carried out the **suicide bombing attacks primarily against civilian Israeli targets which included buses, restaurants, shopping malls, coffee houses, night clubs, markets and the main streets of Israel's cities.** Hamas developed suicide bombing terrorism and turned it into its main "strategic" weapon during the Palestinian terrorist campaign which began in 2000 (referred to by the Palestinians as "the second intifada"). During the campaign **Hamas carried out the greatest number of deadly suicide bombing attacks** (followed by the Palestinian Islamic Jihad and Fatah). The most prominent Hamas attacks were the ones at the Dolphinarium Disco in Tel Aviv (June 1, 2001, 21 dead, most of them teenagers) and at the Park Hotel in Netanya on the eve of the Passover Seder (March 27, 2002, 30 dead). **Even after Hamas turned rocket fire into its leading weapon (2006), from time to time it continued carrying out suicide bombing attacks in Israeli territory** (for example, the attack in Dimona on February 4, 2008, by two Hamas suicide bombers from Hebron). The suicide bombing attacks of Hamas (and the other terrorist organizations) were accompanied by the "shaheed cult," which glorifies and perpetuates the "heritage" of the suicide bombers, trying to turn them into cult figures and role models for Palestinian children and adolescents.

C) **The strong connection between Hamas' political and military-terrorist wings:** The Goldstone Report refers to the de facto Hamas administration in the Gaza Strip as "the Gaza authorities," a kind of governmental authority. The Report quotes (false) allegations of the de facto Hamas administration that it has no direct or indirect connection with Hamas' military-terrorist wing (the Izz al-Din al-Qassam Brigades). In reality, and completely contradicting to the claim, **the de facto Hamas administration is not a separate, independent entity, but rather an integral part of one organizational system. Between the system's political and military components there is a close connection, as expressed by the following:**

(a) **The military wing (Izz al-Din al-Qassam Brigades) is an integral part of the Hamas movement and subservient to the directives of the political leadership.** The political leadership is deeply involved in the military wing's routine terrorist activities (transmitting instructions for carrying out or restraining rocket fire) and in other military fields (such as **appointments to the military-terrorist wing, transferring the funds** necessary for its activities, **arranging the purchases of its weapons, coordinating the training courses in Iran).**

(b) **Senior members of the Izz al-Din al-Qassam Brigades participate in and greatly influence decision making.** For example, **Ahmad Jaabari, head of the Brigades, is a member of the Hamas leadership in the Gaza Strip.** Senior military figures routinely consult with and update the heads of the movement and senior members of the de facto administration. Consultations about decisions apply not only to military-operational issues such as rocket firing policy and timing, but to political developments related to the conflict with Israel and the internal Palestinian issues, Hamas' internal security activities in the Gaza Strip and the negotiations for the release of abducted Israeli soldier Gilad Shalit.



#### D) The terrorist threat from the Gaza Strip:

(a) **The Goldstone Report does not ignore the rocket fire.** It deals relatively extensively with it and its serious consequences for the residents of southern Israel. However, **it minimizes the seriousness of the rocket threat** by focusing on the rocket attacks carried out during the six months preceding Operation Cast Lead. On the other hand, **it refers only briefly** to

rocket fire in general, which began seven years before Operation Cast Lead (before the Operation, **more than 8,000 rocket and mortar shell hits** were identified in Israeli territory). The continuous rocket fire had a negative impact on the everyday life of hundreds of thousands of Israeli civilians. The Report ignores the fact that Hamas' strategy focused on Israeli civilians by launching rockets from densely-populated Palestinian areas and using civilians as human shields.

(b) The Goldstone Report also ignores terrorist attacks other than rocket fire carried out from the Gaza Strip (including repeated attacks on the border crossings, abductions other than that of Gilad Shalit, suicide bombing attacks and mass-casualty attacks planned for Israeli towns and villages). Those attacks and others which were planned and prevented by Israel would have had far worse consequences had it not been for the Israel's counterterrorism activities. The Report also does not mention the terrorist attacks originating in Judea and Samaria (while it does give a detailed survey of Israel's actions there), sometimes directed by Hamas' headquarters in the Gaza Strip and with their operational, financial and moral support.

(c) According to the Goldstone Report, all the rocket fire aimed at the civilian population could be considered "**war crimes,**" but **the Report does not assign responsibility for the "war crimes" to Hamas or any other organization or institution in the Gaza Strip.** As opposed to its outright allegations against Israel, **it does not specifically accuse any body, group or individual of responsibility for the "war crimes"** systematically committed against Israel from the Gaza Strip for seven years. Hamas has fully exploited this **basic flaw in the Report** to shirk all responsibility for the rocket fire.

**E) Hamas' military buildup increased after the disengagement in 2005 and was accelerated after Hamas took over the Gaza Strip in 2007:** The Report surveys, from its own biased perspective, the historical context of Operation Cast Lead but **does not deal with the various aspects of the Hamas-led military buildup, which is vital to understanding the terrorist threat faced by Israel, then as now.** They include **military compounds constructed by Hamas** throughout the Gaza Strip, the establishment of semi-military organized units, **its battle doctrine, the intensive military training there as well as in Syria and Iran,** its massive fortifications above and below ground, **the intensive smuggling** of millions of dollars worth of standard advanced weapons into the Gaza Strip through the tunnels under the Gaza-Egypt border (Between 2007 and 2008 an unprecedentedly large quantity of

weapons was smuggled into the Gaza Strip: a large number of standard rockets with ranges of between 20 and 40 kilometers, thousands of anti-tank weapons, more than 200 tons of standard explosives and about 60 tons of raw materials for the manufacture of weapons), **its self-production of weapons** (rockets, IEDs and anti-tank weapons), the close cooperation between Hamas' internal security services and the Izz al-Din al-Qassam Brigades, etc. The Report gives partial technical details about the rockets, mortars and anti-tank weapons, and omits all other aspects of the military buildup. It makes no attempt to join the dots and present a genuine picture of the way Hamas operates, **despite the fact that all the necessary materials were in its possession or readily available.**

F) **The Report completely ignores the role of external support for the military buildup received by Hamas from Iran and Syria (where Hamas' external headquarters are located).** The Report does not deal with the massive support Iran and Syria have given to the terrorist organizations operating in the Gaza Strip, especially Hamas and the Palestinian Islamic Jihad, intended to further their own regional interests and implemented either directly or through a sub-contractor (Hezbollah). **It increased during the two years preceding Operation Cast Lead,** and included the following: smuggling weapons (primarily advanced 122mm long-range rockets, 120mm mortars and advanced anti-tank weapons), **transferring the technical knowhow** which enabled Hamas to establish extensive capabilities for manufacturing rockets and IEDs, **providing training for hundreds of terrorist operatives, extensive financial aid,** and political and propaganda backup. The support continued after Operation Cast Lead and now includes long-range Iranian rockets which can reach the center of Israel.

4. **Beyond ignoring the basic data** vital to a general understanding of the development of the terrorist threat from the Gaza Strip, which have direct and even decisive implications for the mandate received by the Goldstone Mission, the Report **adopted Hamas' perspective of the events in 2008** which brought the situation to the **boiling point** and forced Israel to launch Operation Cast Lead. Key issues follow which are fundamentally flawed in the Report.

A) **The increased rocket threat in 2008:** It included a **significant rise in the number of rockets fired** (almost **double** the number of the previous year), **an upgrading of launching capabilities** (the smuggling of standard rockets and mortars by **Iran**), **the increase in rocket range** (which put hundreds of thousands of Israeli civilians within range), **the increase in the destructive power of the rocket heads,** and **the enlargement of the terrorist organizations' rocket arsenal.** Although the Goldstone Report does deal with the rocket fire, **it does not**

**give proper importance to the construction of the threat and its increase, and it does not assign responsibility to Hamas and Iran or relate to them in any way.**

B) **Systematic violations of the lull arrangement:** The lull arrangement formulated by Egypt **was systematically and repeatedly violated by Hamas and the other terrorist organizations, both through firing rockets and mortar shells into Israeli territory and by carrying out other types of terrorist attacks** (including an attempted abduction through a tunnel, prevented by the IDF). The Report **minimizes** the significance of the violations of the lull in the fighting and does not assign responsibility to Hamas, choosing rather to adopt Hamas' perspective by representing the rocket fire as a response to the "blockade" Israel imposed on the Gaza Strip. It describes in the briefest terms, adopting themes and narratives from Hamas propaganda, the serious rocket fire attack Hamas carried out toward and directly after the end of the lull arrangement and does not assign responsibility for it to Hamas.

C) **Hamas' ending of the lull arrangement: The lull arrangement ended with a formal, unilateral announcement from the Hamas leadership** following an assessment of the situation. The announcement was accompanied by a **rocket and mortar shell attack on Israel** based on Hamas' assumption that even if the situation escalated, it would be able to control and contain it, and to prevent a serious Israeli response. **The Goldstone Report does not assign responsibility for ending the lull arrangement to Hamas** despite the fact that **Egypt**, which brokered the arrangement, and the Palestinian Authority both strongly criticized Hamas for the escalation it initiated.

D) **Hamas' exploitation of the lull for its military buildup:** Hamas and the other terrorist organizations exploited the lull arrangement **to accelerate their military buildup in order to upgrade their offensive and defensive capabilities**. That included extensive training, accompanied by the large-scale smuggling of arms provided by Iran. The arms were brought into the Gaza Strip through tunnels under the Egyptian border. In addition, during the lull Hamas continued manufacturing homemade weapons, especially rockets, IEDs, and anti-tank weapons. The Goldstone Report ignores all of the above.

## Conclusion

5. A comparison of the terrorist threat which developed in the Gaza Strip during the years preceding Operation Cast Lead and the way it is described in the Goldstone Report clearly show that the **Report is unbalanced and selective in its representation of the data and in its analysis of the historical-security background of Operation Cast Lead (which is relevant and important for the Report's conclusions)**. On the other hand, the Report provides an long analysis of the Israeli-Palestinian conflict (from a pro-Palestinian perspective) with regard to the Gaza Strip, Judea and Samaria. The Report **does not correctly analyze the new situation in the Gaza Strip which emerged after the Israeli disengagement in 2005 and Hamas' violent takeover in 2007, and it skips over several central security developments** relevant to the increased terrorist threat before Operation Cast Lead.

6. **The Goldstone Report does not analyze the nature of Hamas and the other terrorist organizations operating in the Gaza Strip, it disregards the accelerated Hamas-led military buildup** in the years preceding the operation, and it **minimizes of the importance of the rocket and mortar shell fire** from the Gaza Strip into the populated areas of the western Negev. The fire from the Gaza Strip increased dramatically in the years before Operation Cast Lead. The Report does not state **that Hamas, aided and abetted by Iran and Syria**, was responsible for the rocket fire terrorist threat which increased along Israel's southern border. In effect, **the Report absolves the Hamas movement and the terrorism-supporting countries of responsibility** and instead focuses harsh criticism on Israel and the IDF.

## Section I: The Historical-Security context of Operation Cast Lead

### The Goldstone Report

7. The Goldstone Mission Report was prepared by a fact-finding committee established by the UN Human Rights Council and issued on September 15, 2009. The Mission's mandate was "to investigate all violations of international human rights law and international humanitarian law by the occupying Power, Israel, against the Palestinian people throughout the Occupied Palestinian Territory, particularly in the occupied Gaza Strip" (i.e., Operation Cast Lead) (Resolution adopted at the 9<sup>th</sup> special session of the Human Rights Council, January 12, 2009).

8. The report discusses what it purports were Israel's goals in Operation Cast Lead and other military operations conducted in the Gaza Strip, and concludes that "disproportionate destruction and violence against civilians were part of a deliberate policy" (Paragraph 1215, p. 258),<sup>8</sup> based on so-called "historical" events in the second Lebanon war. It reinforces its conclusion (identical to propaganda issued by Hamas and the other terrorist organizations) with statements made by military and political figures in Israel, some of them without official roles (pp. 255-257).

9. The Report either **ignores or systematically minimizes the severity of the terrorist threat Israel faces from the Gaza Strip**. Particularly blatant is the way the Report does not specifically refer to Hamas as the organization leading terrorist attacks from the Gaza Strip both before and during Operation Cast Lead, and as the body responsible for events in the Gaza Strip. It makes do with a **footnote** stating that the Mission uses the term "Gaza authorities" when referring "the de facto Hamas-led authorities **established** in Gaza since June 2007" [ITIC emphasis] (Paragraph 137, pp. 37-8, footnote 1).

10. In the paragraph dealing with the "historical context" of Operation Cast Lead, the Report describes at great length the Israeli-Palestinian conflict, beginning with the Six Day War in 1967 (Paragraphs 176-197, pp. 46-52). Anti-Israeli in bias, it deals with the conflict in the broad general context of the Oslo accords, the establishment of the Palestinian Authority, the

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<sup>8</sup> All the quotations are from the final version of the Goldstone Report, September 25, 2009, in English, accessible at the UN Human Rights Council website, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>.



outbreak of the second intifada,<sup>9</sup> the construction of the security fence (called “the separation wall”<sup>10</sup> in the Report), the Israeli disengagement from the Gaza Strip,<sup>11</sup> the establishment of the International Quartet, Hamas’ participation in the Palestinian Legislative Council elections, its violent take-over of the Gaza Strip, the Annapolis process during Ehud Olmert’s term as prime minister and the restrictions the IDF placed on merchandise entering the Gaza Strip.

**11. However, the Report’s “historical” analysis makes no provision whatsoever for the military buildup of Hamas and the other terrorist organizations under the aegis of Iran and Syria. It conceals the fact that the Gaza Strip turned into a focal area for terrorist attacks against Israel after the disengagement** (For example, the rocket fire into Israeli territory between 2001 and 2008 was barely touched upon in the Report, mentioned only in Paragraph 183 on p. 48, where it received three lines.). It also conceals Hamas’ consistent opposition to the peace process and its attempts to undermine it. The foregoing facts are important for understanding the **terrorist threat** facing the State of Israel from the Gaza Strip and the **objectives of Operation Cast Lead**.

## **Factual Findings**<sup>12</sup>

12. The IDF launched Operation Cast Lead after eight years of relentless terrorist activity from the Gaza Strip, activity which was primarily manifested by rocket and mortar shell fire at towns and cities in southern Israel. In the years before the operation, in addition its terrorist activity, Hamas established itself as a military-terrorist power, took over the Gaza Strip by force in June 2007 and accelerated the construction of a vast military infrastructure (analyzed below). The infrastructure, which was founded with and supported by Iranian and Syrian financial, military and media backing, **was Israel’s primary target during Operation**

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<sup>9</sup> The Palestinian terrorist campaign against Israel which began in September 2000 is referred as “the second intifada” and described as a “popular uprising.” Representing the organized and armed intifada as a popular uprising **ignores the central role** of the Palestinian suicide bombing terrorism led by Hamas and the other terrorist organizations. Such biased terminology is threaded throughout the Report, which unilaterally reflects the viewpoint of Hamas and the other terrorist organizations regarding the conflict with Israel.

<sup>10</sup> Paragraph 185, p. 48, describes the adverse effects of the Israeli security fence’s construction on the Palestinian population in the West Bank, and indicates the position of the International Court on the issue. However, it disregards the main reason the fence was built, i.e., the increase in suicide bombing terrorism in Israeli cities originating from the West Bank, and the fence’s important contribution to stopping the murderous attacks. After it was built Hamas and Palestinian Islamic Jihad leaders admitted it contributed to a decrease in suicide bombing attacks. For example, **Ramadan Abdullah Shalah, a Palestinian Islamic Jihad leader**, told the Qatari newspaper *Al-Sharq* that the **“separation fence” in the West Bank limited the capability of the “resistance”** [i.e., the terrorist organizations] to carry out suicide bombing attacks (*Al-Sharq*, March 23, 2008). Interviewed by Hezbollah’s Al-Manar TV, he said that without the fence, which creates an obstacle for the “resistance,” “the situation would be entirely different” [ITIC emphasis] (Al-Manar TV, November 11, 2006).

<sup>11</sup> Even after the **disengagement** from the Gaza Strip, the Report accuses Israel of continuing to “occupy” it (Paragraph 49, p. 187). However, it ignores the disengagement’s difficult security and political consequences: the increased rocket fire and the other terrorist attacks originating in the Gaza Strip, Hamas’ takeover of Gaza, the accelerated military buildup and the enforcement of radical Islamic norms on the population, all carried out despite the fact that Israel withdrew entirely from the Gaza Strip.

<sup>12</sup> To contrast the findings of the Goldstone Report with those of our examination, the term “factual findings” will be used.

**Cast Lead, and not the Palestinian population and its civilian infrastructure,** as claimed in the Goldstone Report and by Hamas propaganda.

13. The objective of Operation Cast Lead was to make a fundamental change in the security situation of southern Israel, in particular to reduce significantly the rocket and mortar shell attacks. In retrospect, the objective was **achieved**: the terrorist infrastructure and its operatives took a severe blow, the rocket fire from the Gaza Strip was reduced, and **the security of southern Israel has been improved**.<sup>13</sup> However, Hamas has rebuilt its military infrastructure and smuggles large quantities of weapons into the Gaza Strip.

14. By falsely representing Operation Cast Lead as deliberately attacking the civilian Palestinian population to create deterrence and fear, the Goldstone Report serves the vicious propaganda campaign initiated by Hamas in January 2009, before the operation ended. The campaign, which received media support from Al-Jazeera TV, was aimed at delegitimizing the operation, claiming that Gazan civilians (especially children) were being deliberately targeted by the IDF, and that the operation had failed to damage Hamas' terrorist infrastructure. Hezbollah used a similar campaign during and after the second Lebanon war.

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<sup>13</sup> The terrorist organizations in the Gaza Strip still sporadically fire rockets at the Israeli civilian population but far fewer than before Operation Cast Lead, and so far Hamas makes a greater effort to prevent the attacks.

## **Section II: The Nature of Hamas and the Other Terrorist Organizations Operating in and from the Gaza Strip**

### **The Goldstone Report**

15. An analysis of the nature and modus operandi of Hamas and the other terrorist organizations operating in the Gaza Strip is necessary for understanding the background and reasons for Operation Cast Lead. In that regard the Goldstone Report is **very short, superficial, selective and biased**. It is based on poor, indirect information taken from the terrorist organizations' websites and reports of human rights organizations operating in the Gaza Strip. To a great extent, such organizations serve Hamas, which controls the messages originating in the Gaza Strip. In addition, the Mission admits that it did not take statements from the terrorist organization leaders, who **refused** to answer key [and relevant] questions about their combat tactics, leaving it to their representatives to speak for them (Paragraph 1636, p. 354; Paragraph 441, p. 112; Paragraph 498, p. 124).<sup>14</sup>

16. In Part Two, Section A (VI), which deals with Israel's military activities in the Gaza Strip during Operation Cast Lead, there is a **short paragraph entitled "Palestinian armed groups."**<sup>15</sup> The amorphous term relieves Hamas (and any other terrorist organization) of responsibility, and is used by the Report to refer to the terrorist organizations (e.g., Paragraph 332, p. 86). It lists the following "Palestinian armed groups" operating in the Gaza Strip: Hamas' Izz al-Din al-Qassam Brigades, the Al-Aqsa Martyrs Brigades (without stating that they belong to Fatah), the [Palestinian] Islamic Jihad,<sup>16</sup> the Abu Ali Mustafa Brigades of the Popular Front for the Liberation of Palestine and the Nasser Salah al-Din Brigades of the Popular Resistance Committees. No mention is made of a number of small terrorist organizations operating in the Gaza Strip or of **jihadist networks affiliated with the global jihad** (one of them, the Army of Islam, was involved in the abduction of Israeli soldier Gilad Shalit). **The descriptions of the organizations**, most of which appear on the American and European Union lists of designated terrorist organizations, **are superficial and do not detail their nature, terrorist activities, ideology**, the support they receive from Iran or Syria and the basic information necessary for understanding them.

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<sup>14</sup> Nevertheless, one of the Mission members, a colonel retired from the Irish army, Desmond Travers, noted that Hamas and the armed military organizations did not present obstacles to the Mission and that they cooperated fully with it (Al-Jazeera TV, October 16, 2009).

<sup>15</sup> Also referred to a "Palestinian armed factions."

<sup>16</sup> The organization is referred to throughout the Report as the Islamic Jihad. Its full name is the Palestinian Islamic Jihad.

17. In Part Three, Section 24 (A), towards the end of the Report, in the discussion of the consequences of rocket and mortar shell fire targeting the civilians of southern Israel, there is a short **sub-section entitled “Relevant Palestinian armed groups.”** It contains six short paragraphs (Paragraphs 1610-1615, pp. 349-350) of one or two sentences each, describing the “Palestinian armed groups” in the Gaza Strip. **The Izz al-Din al-Qassam Brigades** are called “the armed wing of the Hamas political movement” which “initiated the manufacture of rockets, now generically known as ‘Qassams,’ inside the Gaza Strip” and mentions figures about rocket fire provided by the Al-Qassam Brigades website). **The Al-Aqsa Martyrs Brigades** are described as “claiming affiliation with Fatah” and as having launched rockets and mortar shells into Israeli during the “Egyptian brokered ceasefire.” **The [Palestinian] Islamic Jihad** is described as having a “military wing” called Saraya al-Quds (“the Jerusalem Battalions”), manufacturing Al-Quds rockets and claiming responsibility for rocket attacks on Israel. **The Abu Ali Mustafa Brigades** are described as the military wing of the **Popular Front for the Liberation of Palestine** and as having claimed responsibility for launching rockets into Israel. **The Nasser Salah al-Din Brigades of the Popular Resistance Committees** are also mentioned. None of the organizations is described in a way that might hint at their terrorist nature or contribute information about the goals of their activity in the Palestinian arena.

18. Throughout the Report, **Hamas and the other terrorist organizations are never referred to as “terrorist.”** (In all 452 pages, no terrorist organizations are mentioned as operating in and from the Gaza Strip.) That is despite the fact that their continued activities are premeditated and directed **against clearly civilian targets** to achieve political goals, which includes them in every definition of terrorism accepted by the international community (see below). The Report uses neutral terms such as **“Palestinian armed groups”** (its most frequent epithet) or **“Palestinian (armed) factions.”** Terrorist operatives are referred to as **“Palestinian combatants,”** or sometimes **“fighters.”**<sup>17</sup> The de facto Hamas administration, which seized control by force (and which is considered illegitimate), is generally referred to as the “Gaza authorities,” a term lacking even a hint of Hamas’ comprehensive responsibility for the Gaza Strip and the fact that it is responsible for the terrorism emanating from it, or its control over the activities of the other terrorist organizations.

19. The short, superficial, biased descriptions of Hamas (and the other terrorist organizations) **do not mention their ideology,** their long-range goal (the destruction of the State of Israel, which appears in the Hamas charter, also not mentioned in the Report), the **strategy**

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<sup>17</sup> **Hamas** and the other terrorist organizations do not use such neutral terminology. Senior Hamas figures refer to *mujahideen* (jihad fighters), Hamas fighters, Hamas movement fighters and Hamas resistance fighters. The Goldstone Report **deliberately uses terms which do not connect military-terrorist activity with the names of the various Palestinian terrorist organizations.**

they intend to use to achieve that goal (terrorism and violence, what they refer to as the “resistance”) and the **radical-Islamic nature** of Hamas and the Palestinian Islamic Jihad (evident in the enforcing of Islamic codes on the Gazan population). The missing data are basic and vital to understanding the terrorist threat faced by Israel in greater strategic contexts. The superficial, biased description of the terrorist organization, are **especially conspicuous** in view of the lengthy, detailed descriptions of the so-called “crimes” committed by Israel against the Palestinians, and its purported “historical” responsibility (in the view of the Report) for Operation Cast Lead and other rounds of confrontation.

20. The structural imbalance of the Report enables Hamas, which controls the Gaza Strip and operates from it, to **shirk all responsibility** for the continued terrorist activity from the Gaza Strip and realize its objective of turning Operation Cast Lead into a propaganda tool to slander and discredit Israel in the international arena.<sup>18</sup> It is therefore not surprising that **Hamas welcomed the Goldstone Report with open arms**, representing it as “an important victory,” using it to wage a legal campaign against Israel in European countries.



The Goldstone Report puts Israel in fetters (Al-Bayan Center website, Gulf States, October 18, 2009).

## Factual Findings: The Nature of Hamas

21. The Gaza Strip has been completely under Hamas control since the movement took it over in June 2007 and expelled the Palestinian Authority (which has received international recognition, while the de facto Hamas administration is considered illegal). That was the result of a process begun after Israel's disengagement from the Gaza Strip in the summer of 2005.

<sup>18</sup> A short time after Operation Cast Lead, Khaled Mashaal the head of Hamas' political bureau in Damascus, paid a visit to Khartoum where he presented what he called Hamas' short- and long-term “work programs.” The objective was to persecute Israel “politically, diplomatically and in the media” by condemning Israel and bringing Israelis to trial “in every corner of the world.” Khaled Mashaal told the international community that anyone who supported Israel would bear responsibility and added that “**the time has come to get rid of that entity**, which is a burden on the Arabs and Muslims and on all of humanity” (Al-Jazeera TV, February 8, 2009).

22. The Hamas movement (an acronym for “the Islamic resistance movement”) was established at the end of 1987 by Sheikh Ahmad Yassin and based on the social-religious networks (*da’wah*) of the radical Islamic Egyptian Muslim Brotherhood. His objectives were to give the Brotherhood’s radical Islamic ideology a Palestinian-nationalist cast. Its central goals were **the destruction of Israel, the struggle against the Jews and the founding of an Islamic-Palestinian state in its stead, and to employ terrorism and violence to achieve them. None of that is mentioned in the Goldstone Report.**

## Hamas’ Ideology

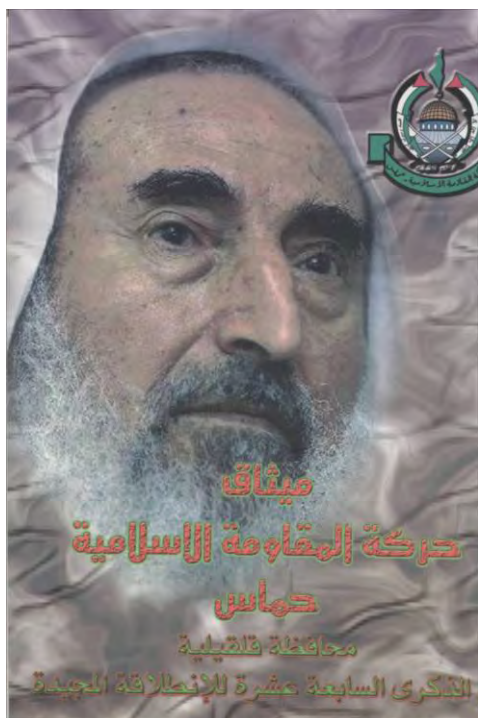
23. **Hamas’ ideology**, as clearly set out in its 1988 charter, states that the Palestinian problem is fundamentally **religious** and not nationalist or territorial, and that it centers around **the conflict between Islam and the so-called “infidel” Jews**. Thus the issue cannot be resolved by political means or by “two states for two people” (a concept vigorously opposed by Hamas, which does its utmost to prevent its adoption), **but only through a jihad** (holy war) **to liberate all Palestine, destroy the State of Israel, and establish a Palestinian Islamic state on the ruins**. According to Hamas’ ideology, **all of Palestine, “from the [Jordan] river to the [Mediterranean] sea,” is sacred to the Muslim endowment (*waqf*)**. Thus none of it can be relinquished, particularly Jerusalem.<sup>19</sup> **The charter is laced with anti-Semitic myths in the spirit of *The Protocols of the Elders of Zion*** (which are in fact mentioned in Paragraph 32 of the charter).<sup>20</sup> Hamas’ ideology is also imbued with deep hatred for the West and its values, **has not been modified since the charter was written** and is expressed in public statements made by Hamas’ senior figures, in the Hamas media, literature, theatre, songs, etc. It is also inculcated into the perception of Hamas operatives as well as children and adolescents in the Gaza Strip through the formal and informal educational systems, which endeavor to raise a new generation which will hate Israel and the desire to destroy it.

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<sup>19</sup> For further information see the ITIC bulletin issued in March 2006 entitled “The Hamas Charter (1988): Overtly anti-Semitic and anti-West, radical Islamic in outlook, it stresses Hamas’ ideological commitment to destroy the State of Israel through a long-term holy war (jihad)” at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_charter.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_charter.pdf). **This fundamental statement of Hamas’ ideology is essential for understanding the nature of the movement, and is not mentioned in the Goldstone Report.**

<sup>20</sup> Judge (Ret.) Hadassa Ben-Itto, who wrote *The Lie that Wouldn’t Die*, *The Protocols of the Elders of Zion*, sent a letter to Judge Goldstone on **July 15, 2009, two months before the Report was published**. She directed his attention to the 1988 Hamas charter and to its anti-Semitic paragraphs, including Paragraph 32, which mentions *The Protocols of the Elders of Zion*. Goldstone ignored her letter, and there is no reference to the Hamas charter in the Report. (The Report does not deal with Hamas ideology.) In her letter, Judge Ben-Itto wrote the following: “What is said in that document created in 1988, and never revised or repealed, is repeated daily in the Palestinian media, even in programs for children, in sermons in mosques and in TV series distributed to all Muslim countries and to Muslim minorities in the West. Not only Israel, but Jews everywhere, are marked as a threat to world peace and must therefore be removed from the world scene. It is this threat, not only rockets, that we face across our border, so close to home, and any international body that presumes to judge us, has yet to suggest how a small vulnerable country like ours can hope to effectively defend itself when its very existence is openly threatened, not by those who seek peace by they those who are sworn to destroy it.”

## The Hamas Charter, Which Is Not Mentioned in the Goldstone Report, Is an Anti-Semitic Document Which Calls for the Destruction of Israel through Jihad



The front cover of the charter, issued by Hamas in Qalqiliya in 2004. It shows Ahmed Yassin, who gave the charter its final form. The Goldstone Report makes no mention whatsoever of Hamas' ideology, which seeks to destroy the State of Israel through violence and terrorism and to establish a radical Islamic Palestinian state on the ruins.



Paragraph 15 of the Hamas charter, which states that Palestine will be "liberated" from the Jews through jihad, which is a personal duty of every Muslim.

## Graphic Depictions of the Vision of the Destruction of Israel



The map shows all the land between the Jordan river and the Mediterranean sea covered with a kaffia (traditional Arab/Palestinian head covering). The message is that all Palestine will be Palestinian. (Hamas forum, January 9, 2009).



The fist of the "resistance" [i.e., the terrorist organizations] smashes the Star of David [i.e., Israel] (Hamas forum, January 19, 2009).

## Raising the Younger Generation to Fight Israel and Murder Jews



The graduation of children at one of the kindergartens belonging to the large Hamas-affiliated Al-Mujama Al-Islami charitable society. The children wear army uniforms, carry plastic rifles and wave flags bearing the emblem of the Muslim Brotherhood (Hamas' parent movement). They march in pseudo-military fashion and perform combat exercises. One of the children shouts, "Hear the call: Allah is the greatest of all!" and the others shout in reply "Allah is the greatest of all!" He shouts, "Who is your hero?" to which they reply, "The prophet [Muhammad]." "What is your path?" "Jihad." "What is your greatest aspiration?" "To die for the sake of Allah." "What is your movement?" "Hamas." And finally, "What is your army?" "Al-Qassam [i.e., Hamas' Izz al-Din al-Qassam Brigades]." (Hamas' Al-Qsa TV, May 31, 2007).



On September 22, 2009, Al-Qsa TV broadcast a children's program called "Pioneers of Tomorrow." It featured a "bear" named Nassur ("victor" in Arabic) who specifically called for the slaughter of Jews. Nassur says, "We want to slaughter them [the Jews] to make them leave our land, right?" (Al-Qsa TV, September 22, 2009, courtesy of Palestinian Media Watch).

Click for Video  
[Video no. 1](#)

## The Suicide Bomber Culture Fostered by Hamas

Poster dedicated to Hamas shaheeds killed in the West Bank and Gaza Strip in December 2003. The upper inscription is a Qur'an verse often quoted to justify suicide bombing attacks. The inscription beneath the Hamas emblem reads "The Palestinian resistance organization [Hamas] sacrifices to Allah, may he be praised and exalted, a select group of the best Izz al-Din al-Qassam Brigades members, expecting them to receive their reward from Allah in the next world because their pure names rose to heaven when they fought the occupying enemy [and sacrificed their lives]. It is jihad that leads to victory or the death of a martyr for the sake of Allah."







The suicide bomber as role model: Youngsters, apparently students, in the background on a poster of Mahmoud Ahmed Marmash, who carried out a suicide bombing attack at a shopping mall in Netanya on May 18, 2001. The attack killed five civilians and wounded more than 100. In the background there are posters of other Hamas shaheeds and slogans calling for attacks. The pictures were found in an educational institution and seized by the IDF in Operation Defensive Shield.

## Spreading Hatred for the Jews and Calling for Their Murder

Click for Video  
[Video no. 2](#)

Video clip which appeared on Hamas' TV channel. It shows an anti-Semitic Friday sermon accusing the Jews of trying to take over the world, and includes a reference to The Protocols of the Elders of Zion. The preacher speaks of the moment when "the children of the Jews are destroyed and no Jew or Zionist is left on earth" (Al-Aqsa TV, April 3, 2009).



Picture posted on Hamas' main Internet forum incites Palestinians to kill Jews:  
 "Killing Jews is worshipping Allah, through it you will come closer to Allah"  
 (PALDF, Hamas' main forum, November 15, 2009).

24. Based on its radical Islamic ideology, Hamas **has consistently rejected the agreements reached between the Palestinian Authority-PLO and Israel (including the Oslo accords)**. That is also the reason Hamas refused to recognize the authority of the PA and formulated its own independent terrorist policy to sabotage the Oslo- and Annapolis-

based peace processes. After Hamas completed its takeover of the Gaza Strip in June 2007 it accelerated the process of turning it into a **hotbed of anti-Israeli terrorist activity**. Rocket and mortar shell attacks on Israel replaced suicide bombing attacks as the leading modus operandi of the terrorist organizations.

## Terrorist Record

25. **Hamas has a long, rich record of terrorism**. During the 1990s it initiated **the lethal suicide bombing terrorism intended to undermine the Oslo process** and subvert the chances of an Israeli-Palestinian peace agreement. Hamas later **refined suicide bombing attacks**, turning them into the **main “strategic weapon”** of the Palestinian terrorist organization campaign which began in **September 2000** (the “second intifada”).

26. The first suicide bombing attack was carried out in the village of Mehola in the Jordan Valley by a Hamas terrorist on April 16, 1993. During the second intifada, until 2005, Hamas was foremost in suicide bombing attacks, carrying out about 40% of them. It was responsible for the most deadly attacks, prominent among which were the attack at the **Dolphinarium discotheque in Tel Aviv** (June 1, 2001, 21 killed) and the **Park Hotel in Netanya** (March 27, 2002, the night of the Passover Seder, 30 killed). Following the attack on the Park Hotel, the IDF initiated Operation Defensive Shield, which led to a dramatic reduction in the scope of attacks originating in Judea and Samaria. **Most of the suicide bombing attacks were intended to kill as many Israeli civilians as possible**. Prominent targets were public transportation during rush hour, places of entertainment (restaurants, shopping malls, coffee houses, night clubs) and population concentrations in the large cities (markets, malls, main streets). The suicide bombing attacks peaked with the following:

## The Suicide Bombing Attack Carried Out by Hamas on the Night of the Passover Seder at the Park Hotel in Netanya



27. In 2006 rocket fire became Hamas' favorite kind of attack, partially because of the difficulties encountered in carrying out suicide bombing attacks from the Gaza Strip, Judea and Samaria. As opposed to the claim made to the Goldstone Mission,<sup>21</sup> Hamas did not completely abandon suicide bombing attacks. For example, on September 22, 2007, a joint Hamas-PFLP explosive-belt suicide bombing attack was prevented; on February 4, 2008, an Izz al-Din al-Qassam Brigades suicide bomber from Hebron blew himself up at a commercial center in the southern Israeli city of Dimona. Another suicide bomber was shot to death as he tried to detonate his explosive belt. The

<sup>21</sup> The Goldstone Report quotes the "Gaza authorities [i.e., the de facto Hamas administration], which claimed that in April 2006, "to spare civilian life" they abandoned suicide bombing attacks (Paragraph 1634, p. 354). In April 2006, when Hamas came into power, there was a significant **increase** in rocket fire targeting Israeli civilians. Hamas took no effective steps to stop the rocket fire, so that its claim of wanting "to spare civilian life" cannot be considered realistic. Senior Hamas leaders, while softening their tone for Western ears, repeatedly stressed at that time that Hamas adhered to all forms of the "resistance," i.e., suicide bombing attacks as well.

attack killed a 73-year old Israel woman and wounded about 10 civilians. In addition, Hamas allowed the Palestinian Islamic Jihad and other terrorist organizations operating in the Gaza Strip to carry out attacks against Israel.

## Hamas Posters Call for Attacking Israeli Civilians with Rockets on the Eve of the Hamas Takeover of the Gaza Strip

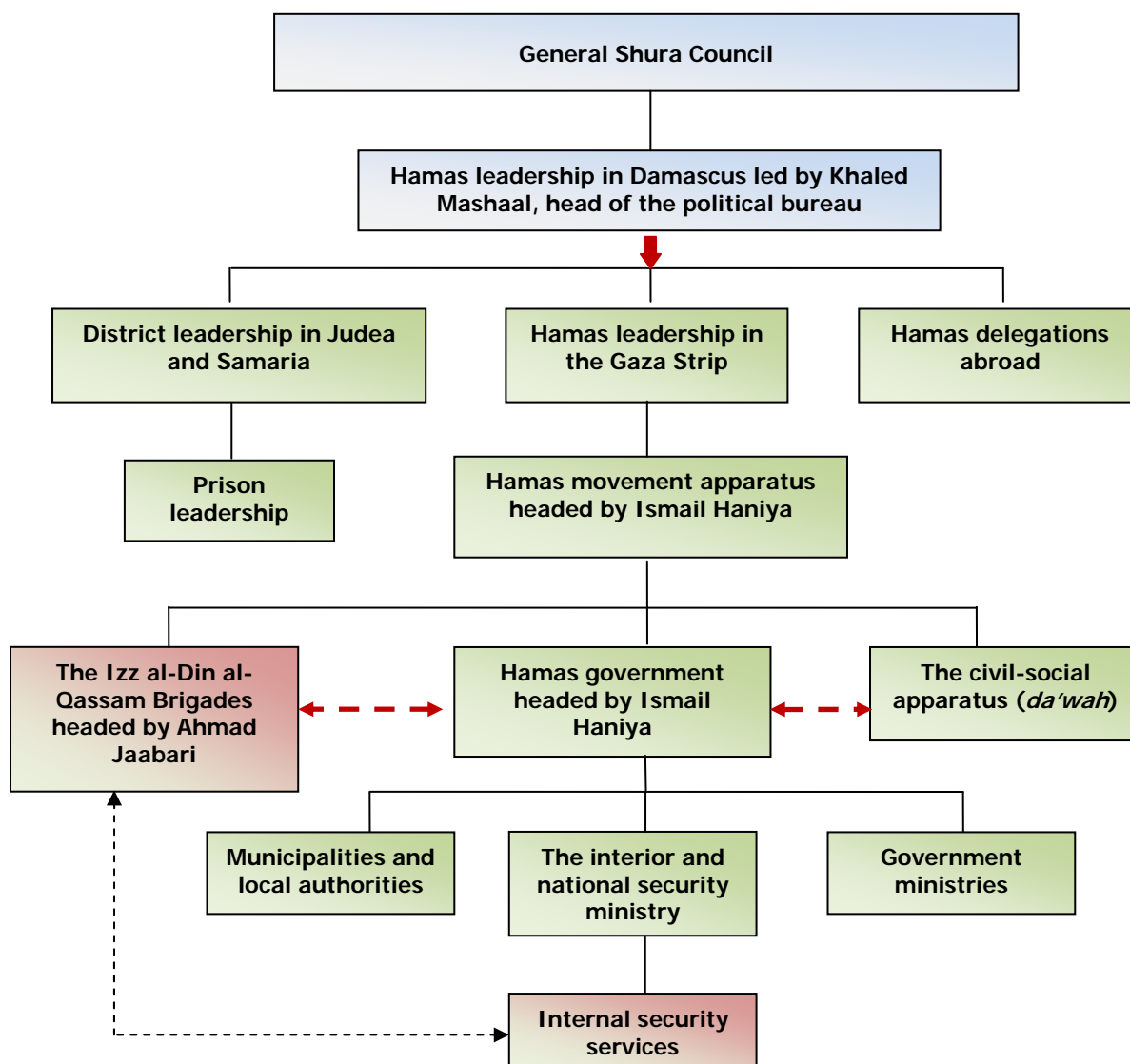


"Qassam missiles reach Sderot..." "Message to the Zionists – leave Sderot, there is no place for you there" (Hamas forum, May 25, 2007).



A call for Israelis to flee the Qassam rockets (Hamas forum, May 21, 2007).

## Structure of the Hamas Movement



### 28. Notes:

- A) **The General Shura Council** – Hamas' supreme source of authority.
- B) **The Hamas leadership in Damascus** – The overseers of the Hamas movement, traditionally the focus of the leadership. The head of its political bureau is **Khaled Mashaal**, the senior figure in Hamas. The political bureau maintains close contact with the leadership in the Gaza Strip and in Judea and Samaria, and with Hamas representatives in various countries, such as Iran.
- C) **The Hamas movement leadership in the Gaza Strip** – The Gazan leadership determines Hamas policy in the Strip, including its policy of terrorism, in consultation with the Izz al-Din al-Qassam Brigades (Hamas' military-terrorist wing) and the

leadership in Damascus. It is headed by Ismail Haniya. The leadership coordinates and directs Hamas activity in the various districts of the Gaza Strip.

D) **The Izz al-Din al-Qassam Brigades in the Gaza Strip** – The Brigades deal with directing the fighting against Israel, promoting the military buildup and in time of need enforcing Hamas control on the ground and suppressing opposition. It is headed by Ahmed Jaabari. The Brigades leadership commands the brigades and battalions (see below) throughout the Gaza Strip. It maintains close contact with the Hamas leadership in the Gaza Strip and with Damascus.

E) **The [de facto] Hamas administration in the Gaza Strip** – The administration is a political-security body headed by Ismail Haniya with the participation of other senior Hamas figures. It implements Hamas policies, is an important tool in controlling the Gaza Strip and is a dominant factor in Hamas considerations. In reality, it governs the Gazans' daily lives. Ismail Haniya, the so-called "prime minister," is involved not only in political and administrative activities but also in directing the Izz al-Din al-Qassam Brigades and in enforcing Hamas' policies, employing, among other factors, its interior and national security ministry.

F) **The internal security services** – The internal security services are responsible for implementing the internal security policies of the de facto Hamas administration and for controlling internal affairs in the Gaza Strip. They are responsible for suppressing opposition, deal with the population, implement Hamas' policy of Islamization and maintain public order. They are subordinate to the interior and national security ministry (**The current interior and national security minister is Fathi Hamad, who replaced Sayid Siyyam after he was killed in Operation Cast Lead.**). The internal security services are an integral part of Hamas' combat array and maintain close operational cooperation with the Izz al-Din al-Qassam Brigades (Hamas' military-terrorist wing), as was evident during Operation Cast Lead.

29. Contrary to the "findings" of the Goldstone Report, the de facto Hamas administration **is not** an independent body but part of **one organizational system**, and there are **close connections** between its military and political components:

A) **The Izz al-Din al-Qassam Brigades take orders from the Hamas leadership in the Gaza Strip.** The leadership is deeply involved in its activities, both in operational matters (transmitting orders for rocket fire, or for restraining it) and in other areas (appointments within the wing, providing the funds necessary for its operations, acquiring its weapons, etc.).

B) **Senior members of the Izz al-Din al-Qassam Brigades participate in the decision-making process and have considerable influence over it.** For example, Ahmed Jaabari, head of the Brigades, is a member of the Hamas leadership in the Gaza Strip. Senior Hamas military figures routinely update and consult with the heads of the movement and senior members of the de facto Hamas administration. The consultations and decisions relate not only to military-operational matters, but to a variety of other issues, such as rocket launching policy, developments in the conflict with Israel and internal Palestinian issues, Hamas' internal security activities and developments in the negotiations for swapping captive Israeli soldier Gilad Shalit for Palestinian prisoners.<sup>22</sup>

**Interview with Ahmed Jaabari, Head of the Izz al-Din al-Qassam Brigades, in Which He Admits that Hamas Funds the Brigades (From Al-Aqsa TV, November 6, 2009)**

**Question:** Where does your money come from?

**Answer (Jaabari):** Allah supplies the needs of everyone.

**Q:** Where do the Izz al-Din al-Qassam Brigades get their financing from? It is said that you have a lot of funds.

**A:** It is only natural, because we are the sons of the jihad fighters' movement [i.e., Hamas], and **the movement [i.e., Hamas] pays the Izz al-Din al-Qassam Brigades' expenses.**

**Q:** What is your connection with Iran?

**A:** We have no connection with anyone, especially not with external factors, neither Arab nor Islamic countries.<sup>23</sup> We of the Islamic resistance movement, **Hamas, know that our funding comes from our movement, which collects dues from all its activists.** It is the movement that receives contributions and support, and therefore it bears the expenses of its jihad fighters and sponsors them to the best of its abilities and with all its force.



<sup>22</sup> For example, on November 23, 2009, a delegation of senior Hamas figures from the Gaza Strip went to Cairo to meet to meet with members of Egyptian general intelligence and the German mediator. In included Mahmoud al-Zahar and Ahmed Jaabari.

<sup>23</sup> For political and propaganda reasons Hamas generally denies or whitewashes the military and financial aid it receives from Iran.

30. **In conclusion**, the vast amount of information available about the nature of the connections between the various apparatuses and bodies within the Hamas movement makes it clear that all its components should have been examined as **one integral unit**. It is also clear that the **senior members of the administration are involved in formulating its terrorist policies and in directing and funding its terrorist activities**. The connections between the various branches show that when the de facto Hamas administration headed by Ismail Haniya told the Goldstone Mission that it had no connection, direct or indirect, with the Izz al-Din al-Qassam Brigades, **it lied**. Hamas is one movement with many sections, controlled and directed by one leadership.

### **The Contradiction between the Goldstone Report and the American-European Concept**

31. The Goldstone Report's representation of Hamas directly **contradicts the official American and European Union point of view, which regards all of Hamas as one terrorist entity**. In the United States, the Hamas movement is designated as a terrorist organization, and therefore its activities on American soil are illegal. Since the enactment of the Patriot Act following the 9/11 terrorist attacks, the law enforcement authorities in the United States have instituted vigorous action to eliminate all activity identified as supporting Hamas. The American administration **does not differentiate between the purportedly different wings of Hamas**, military and political, and regards it as a terrorist organization **preventing the development toward a Palestinian state** and working against the peace process. Hamas' name appears on the State Department list of terrorist organizations (Number 13), and Iran, which supports it, heads the list of terrorism-sponsoring countries.<sup>24</sup>

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<sup>24</sup> <http://www.state.gov/s/ct/rls/other/des/123085.htm>



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## Foreign Terrorist Organizations

OFFICE OF THE COORDINATOR FOR COUNTERTERRORISM  
July 7, 2009

Foreign Terrorist Organizations (FTOs) are foreign organizations that are designated by the Secretary of State in accordance with section 219 of the Immigration and Nationality Act (INA), as amended. FTO designations play a critical role in our fight against terrorism and are an effective means of curtailing support for terrorist activities and pressuring groups to get out of the terrorism business.

### Current List of Designated Foreign Terrorist Organizations

1. Abu Nidal Organization (ANO)
2. Abu Sayyaf Group
3. Al-Aqsa Martyrs Brigade
4. Al-Shabaab
5. Ansar al-Islam
6. Armed Islamic Group (GIA)
7. Asbat al-Ansar
8. Aum Shinrikyo
9. Basque Fatherland and Liberty (ETA)
10. Communist Party of the Philippines/New People's Army (CPP/NPA)
11. Continuity Irish Republican Army
12. Gama'a al-Islamiyya (Islamic Group)
13. HAMAS (Islamic Resistance Movement)
14. Harakat ul-Jihad-i-Islami/Bangladesh (HUJI-B)
15. Harakat ul-Mujahidin (HUM)
16. Hizballah (Party of God)

The first page of the list of terrorist organizations as it appears on the American Department of State website. Hamas is number 13 and the Palestinian Islamic Jihad is number 33; other Palestinian terrorist organizations are included. The list does not distinguish between their political, military and administrative wings, understanding that they cannot be separated.

32. **The European Union** also regards Hamas as one entity, and does not distinguish between its wings. The EU follows the instructions of the International Quartet, of which it is a member,<sup>25</sup> and does not have official contacts with Hamas. Hamas was placed on its list of terrorist organizations in 2003. **It was again included on the updated list of January 26, 2009:**

<sup>25</sup> The International Quartet: Russia, the United States, the European Union and the United Nations. The conditions it imposes on Hamas are the recognition of Israel, renouncing violence and respecting previously signed agreements. Hamas adheres to the path of violence, refuses to accept the Quartet's conditions, and has done its best to undermine the peace process since its inception. The Goldstone Report mentions the Quartet but does not mention that Hamas refuses to accept its conditions (See Paragraph 188, pp. 49-50).

## The Updated European Union List of Terrorist Organizations<sup>26</sup>

**COUNCIL COMMON POSITION 2009/67/CFSP**  
**of 26 January 2009**  
**updating Common Position 2001/931/CFSP on the application of specific**  
**measures to combat**  
**terrorism and repealing Common Position 2008/586/CFSP**  
 27.1.2009 EN Official Journal of the European Union L 23/37

33. Section Two of the updated list, which deals with terrorist groups and entities, lists Hamas as well as the Izz al-Din al-Qassam Brigades (number 17):

15. 'İslami Büyük Doğu Akıncılar Cephesi' – 'IBDA C' ('Great Islamic Eastern Warriors Front')
16. \*'Grupos de Resistencia Antifascista Primero de Octubre' – 'G.R.A.P.O.' ('Antifascist Resistance Groups First of October')
- 17. 'Hamas', including 'Hamas-Izz al-Din al-Qassem'**
18. 'Hizbul Mujahideen' – 'HM'
19. 'Hofstadgroep'
20. 'Holy Land Foundation for Relief and Development'

## Factual Findings: The Palestinian Islamic Jihad and Other Terrorist Organizations

### The Palestinian Islamic Jihad

34. The Palestinian Islamic Jihad, which is barely mentioned in the Goldstone Report, is a relatively small organization, but **its importance is great** because **it plays a central role in anti-Israeli terrorism**. It has a radical Islamic ideology which integrates religious fanaticism and extremist nationalism. It regards terrorism as the only way of furthering its aims, the first of which is the destruction of the State of Israel. To a great extent, the PIJ is dependent on Iran. The United States and the European Union classify it as a terrorist organization, while the Goldstone Report does not relate to the nature of the organization. The Report makes a (unrealistic) distinction between its political and the military-terrorist wings (the Jerusalem Battalions), but even the military-terrorist wing is not mentioned as a

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<sup>26</sup> Council Common Position 2009/67/CFSP of 26 January 2009 updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2008/586/CFSP at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:023:0037:0042:EN:PDF>

terrorist organization (even not indirectly by reference to the American and European Union positions).

35. **The Palestinian Islamic Jihad is also dependent on Syria**, even more so than Hamas. **Syria permits it to locate its headquarters, commanded by Dr. Ramadan Abdallah Shalah**, on its soil, and from Syria to direct its terrorist activities in the territories, including the Gaza Strip. (The Goldstone Report makes no mention of any headquarters in Damascus, neither of the PIJ nor of other terrorist organizations which direct their networks from there.) **Iran**, the organization's main sponsor, finances almost its entire budget. Furthermore, Iran uses the PIJ as its proxy to escalate terrorism against Israel and increase its own influence, while hiding its role. The PIJ, inspired by its founder, Dr. Fathi Shqaqi, enthusiastically supported the Ayatollah Khomeini and the Islamic Revolution in Iran, and **its pro-Iranian orientation has become its trademark**.

36. **The Palestinian Islamic Jihad's ideology seeks the immediate "liberation" of Palestine through armed jihad. The jihad is directed against Jewish existence in Israel** and its objective is to destroy the "Zionist entity." Accordingly, anti-Israeli terrorism is a duty which must be realized immediately and not postponed until after the establishment of the Islamic state. To that end the organization violated the temporary ceasefires and lulls in the fighting agreed to by Hamas, which had governmental constraints.

37. Although the Palestinian Islamic Jihad is a small terrorist organization, **its activities during the second intifada were extensive and the consequences were deadly**. Between the beginning of the intifada and 2005, the PIJ carried out more **than 1000 terrorist attacks**, killing at least 150 and wounding at least 950, the overwhelming **majority** of them **civilians**. The organization specialized in mass-murder suicide bombing attacks in Israeli cities, carried out through its operational networks in northern Samaria. The most conspicuous was the suicide bombing attack at the Maxim restaurant in Haifa on October 4, 2003, which killed 21 and wounded at least 60. Its favorite targets were buses and crowded civilian sites such as restaurants, shopping malls and coffee houses.

38. **On the eve of Operation Cast Lead** the organization had about 1000 terrorist operatives, among them a hard core of dozens who dealt with day-to-day terrorist activities. They were located chiefly in the cities of Gaza and Rafah, but operated in other locations in the Gaza Strip. **The organization had its own facilities for manufacturing weapons, and produced Quds rockets**. The PIJ's routine activities include firing rockets and mortar shells, attacks along the border between Gaza and Israel, and infiltrations into Israeli territory. In the years before Operation Cast Lead the PIJ also dispatched suicide bombers

from the Gaza Strip (e.g., in 2006 it was responsible for two suicide bombing attacks in Israel. In January 2007 it was responsible for the suicide bombing attack in Eilat in which three civilians were killed.) The organization has relatively well-developed operational capabilities and was responsible for a considerable percentage of the attacks carried out from the Gaza Strip, especially rocket attacks.



Palestinian Islamic Jihad operatives prepare to fire rockets (From the 2007 annual activity report of the Jerusalem Battalions, PIJ website, April 2008).



Left: Palestinian Islamic Jihad operatives prepare rockets for firing. Right: Armed PIJ operatives with an improved Quds rocket (From the 2007 annual activity report of the Jerusalem Battalions, PIJ website, April 2008).

## Other Terrorist Organizations

39. On the eve of Operation Cast Lead a number of other terrorist organizations were operating in the Gaza Strip (referred to in the Goldstone Report by the neutral term “Palestinian armed groups”). Two of them deserve mention:

A) **Networks belonging to Fatah’s Al-Aqsa Martyrs Brigades:** Even after the violent Hamas takeover of the Gaza Strip, a number of Fatah operational networks continued their terrorist activities against Israel **with a total of several hundred**

**operatives.** Hamas allowed them to continue their activities, as opposed to the limitations it imposed on Fatah's political activities. Most of them are concentrated in the northern Gaza Strip. In many instances they are driven by local and personal motives and have many local commanders. In fact, **they do not function as a unified organization with a hierarchical structure.** They are armed with light weapons, anti-tank weapons and self-produced rockets, and their activities routinely include launching rockets, placing IEDs, attempts to infiltrate into Israeli territory (and on occasion, collaborating with other terrorist organizations).

B) **The Popular Resistance Committees:** On the eve of Operation Cast Lead the organization had **several hundred operatives**, a few dozen forming the hard core. The PRC had two main and several smaller factions. Their military-terrorist wing is the **Salah al-Din Brigades.** Its operational capabilities are high and it has many varied types of weapons. Its operatives carried out various types of terrorist attacks, including rocket and mortar shell fire, attacks close to the security fence, and attempts to carry out showcase attacks at the border crossings and within Israel (the PRC was involved in the abduction of Israeli soldier Gilad Shalit.). It receives funding from Hamas and **sometimes serves as its subcontractor** for attacks. The PRC has weapons-manufacturing capabilities, although they are less well developed than those of Hamas and the Palestinian Islamic Jihad.

40. Other terrorist organizations which began to flourish after Hamas took over the Gaza Strip are the **Salafist-jihadist networks**<sup>27</sup> (which the Goldstone Report completely **ignores**). They are ideologically affiliated with **Al-Qaeda** and adhere to the principle of cross-border jihad. They favor religious fanaticism and are intolerant of the West and its values. One of their most prominent networks is **Jund Ansar Allah** ("the army of Allah's supporters"), which declared itself in November 2008. It was suppressed by Hamas following a violent confrontation at the Ibn Taymmiyah mosque in Rafah, after its leadership proclaimed the establishment of an "Islamic emirate in Palestine" (August 14, 2009). Another prominent network is **Jish al-Islam** ("the army of Islam"), which was established in 2004. It made headlines when it collaborated with Hamas and the Popular Resistance Committees in the attack at Kerem Shalom in June 2006 in which Gilad Shalit was abducted. Over the years the network attacked Palestinian public figures and abducted foreign nationals, among them British journalist Alan Johnston (March 2007).

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<sup>27</sup> **Salafism** is a Sunni Islamic trend whose principle tenet is practicing Islam the way it was practiced by the first generations of Islam, considered as role models for Muslims.

## **Section III: Hamas-Governmental Support for Terrorism: the De Facto Hamas Administration in the Gaza Strip**

### **The Goldstone Report**

41. The Goldstone Report relates to the de facto Hamas administration in the Gaza Strip as an administrative authority, and by implication as a legitimate entity in every respect (completely contradicting its lack of legitimacy as far as both the Palestinian Authority and the international community are concerned). The Report refers to the de facto Hamas administration as “the Gaza authorities” (a general term lacking the word “Hamas”). Ismail Haniya, who heads it, is referred to as “the head of the Gaza authorities.” **The Report does not state that the Palestinian Authority, headed by Mahmoud Abbas, is the legitimate authority**, nor that the de facto Hamas administration violently overthrew the Palestinian Authority and took control over the Gaza Strip in June 2007.

42. The Goldstone Report completely rejects the Israeli position that the institutions of the de facto Hamas administration are part of its **terrorist infrastructure** (p. 17), and refers to them as “civilian objects” which were **deliberately** targeted by Israel (ibid). It also accuses Israel of having imposed a “blockade” on the de facto Hamas administration immediately after “the Hamas electoral victory in the legislative elections” (pp. 82-3). It briefly mentions (Paragraph 413, p. 105) that in June 2007 “Hamas [seized]...full control over Gaza” but it does not detail the full implications of the takeover, such as the increased terrorist threat to Israel, and the subsequent problems faced by Mahmoud Abbas and the Palestinian Authority in general, especially the polarization of Palestinian society.

43. The Report erroneously **makes a complete distinction** between the “Gaza authorities” and the “Palestinian armed groups” (i.e., “the terrorist organizations”). It quotes the bogus claims made by the de facto Hamas administration that it has **“nothing to do, directly or indirectly,” with the Izz al-Din al-Qassam Brigades, nor any idea of the tactics used by the “armed groups” operating in the Gaza Strip** (Paragraph 441, p. 112; Paragraph 1635, p. 354). Thus, while it stresses that the “Gaza authorities” should respect international law and prevent it from being violated, in effect relieves the de facto Hamas administration of all responsibility for doing so. It specifically states that “[f]rom the facts it ascertained, the Mission finds that the Palestinian armed groups have failed in their duty to protect and respect civilians,” making them responsible for “protection and respect,” and **not the de facto Hamas administration** (Paragraph 1688, p. 365). The Report **strongly**

**condemns** the indiscriminate rocket fire of the “groups” at the residents of southern Israel, calling it a “war crime” which can be considered “a crime against humanity,” **but it does not directly charge the de facto Hamas administration or any specific terrorist organization in the Gaza Strip with the responsibility** (Paragraph 1691, p. 366).<sup>28</sup>

## **Factual Findings**

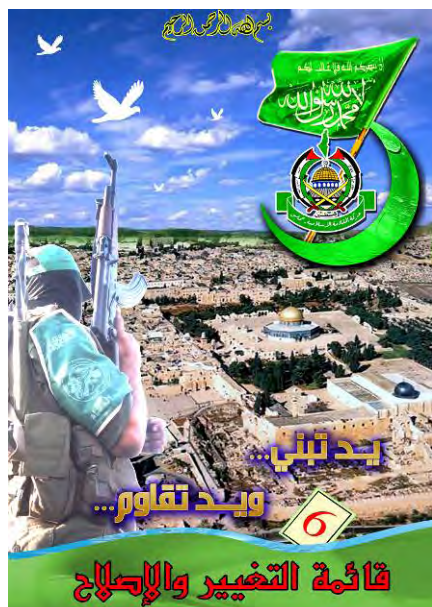
44. On January 5, 2006, Hamas won a landslide victory in the Palestinian Authority's Legislative Council elections. Fatah, its rival, and the leader of the Palestinian nationalist movement since its inception, was roundly defeated. The political victory, which sent and continues sending shock waves through the Palestinian arena, was used by Hamas to wrest control of the Gaza Strip from the Palestinian Authority **by force** and to establish its own radical Islamic de facto administration.

45. The de facto Hamas administration is not recognized by the international community and its relations with the pro-Western Arab countries, particularly Egypt, are charged and problematical. It gradually brought about the growth of a hybrid political entity, a quasi-state, which openly supports the terrorist organizations in the Gaza Strip and terrorist activities against Israel. Since Hamas took over the Gaza Strip it has **considerably accelerated** its military buildup (with Iranian and Syrian support), and initiated a significant increase in rocket attacks against Israel. **This entity, which is an integral part of the Hamas movement, is directly responsible for Operation Cast Lead.**

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<sup>28</sup> Desmond Travers, Col. (Ret.) of the Irish Defense Army, a member of the Goldstone Mission and who stated that he helped it with military issues, said in an interview with the pro-Hamas TV channel Al-Jazeera TV (October 16, 2009) that the members of the Mission debated whether Hamas had the “right” to defend itself. He said that as the controlling authority in the Gaza Strip, it did have the right to defend both itself and the Strip. Thus a paradoxical situation is created, in which the Report **relieves Hamas of responsibility for the terrorist activities of the “armed groups,”** a central member of the Mission gives it the “right” to defend itself against the Israeli response to those same terrorist activities.

## Posters Distributed before the Elections to the Palestinian Legislative Council Stress Hamas' Adherence to Continuing the Path of Terrorism after the Elections



Pictures disseminated by Hamas before the Palestinian Legislative Council elections. Left: One hand builds, the other resists. In the background, the Temple Mount. The number 6 indicates Hamas on the voting roster. Right: Bullets form the number "6." The upper inscription reads "Resistance [i.e., terrorism] – the symbol of the honor of the [Muslim] nation and the secret of its glory and victory" (From Hamas' Palestine-info website, January 24, 2006).



Trampling on the symbols of Fatah and the Palestinian Authority as Hamas takes over the Gaza Strip: the man in the picture is PA Chairman Mahmoud Abbas (Photo: Ibrahim Abu Mustafa for Reuters, June 15, 2007).

## De Facto Hamas Administration Oppression

46. Despite the fact that Hamas won a democratic election, it remains a **totalitarian radical Islamic movement** which **exploited** the democratic process to take over Palestinian politics and has no intention of giving up control. That was clearly illustrated a year and a half after the elections, when Hamas took over the Gaza Strip by force (June 2007) in what the



Palestinian Authority and Fatah described as a **military coup**. In the year and a half between the coup and Operation Cast Lead Hamas brutally repressed its opponents. Within the Gaza Strip the de facto Hamas administration **has gradually enforced its radical Islamic code on the population**, establishing what the Egyptians and its rivals in the Palestinian Authority – which fear the Gaza Strip Islamization will seep into their own territories – have often described as an “**Islamic emirate**.”

47. The Goldstone Report makes almost no mention of the **brutal means of repression** used by Hamas against its opponents, whether they belonged to Fatah or other powerful networks. They murdered them (in targeted killings, sometimes throwing them off roofs), tortured them, and shot them in the knee to neutralize and cripple them. For example:

A) **Murder of opponents** (committed directly or by proxy): On September 7, 2005, Mousa Arafat, a nephew of Yasser Arafat, was murdered in his home. At the time he served as commander of military intelligence, a reward for his loyalty to Mahmoud Abbas. The murder was committed by the Popular Resistance Committees with the support of Hamas. On January 4, 2007, Hamas operatives murdered Colonel Muhammad Ghraib, the inspector general of preventive security, attacking him at his home in Jabaliya. The attack left nine dead and more than 75 wounded.

B) **Repression of opponents** (detentions, shooting at demonstrators): Hamas' takeover of the Gaza Strip was accompanied by a wave of murders of individuals and forces loyal to Mahmoud Abbas, a policy which has continued to this day. On November 12, 2007, Hamas operatives opened fire at a rally commemorating Yasser Arafat. Seven Fatah-affiliated demonstrators were killed and several dozen were wounded. On August 2, 2008, during a wave of detentions carried out by the Hamas security services, a violent confrontation broke out between them and Fatah activists in the Shuja'iyya neighborhood in the eastern part of Gaza City. Many Fatah activists fled, some of them reaching the border fence near Nahal Oz in the northern Gaza Strip. Israel allowed 180 of them to enter its territory, among them 22 wounded, some of them critically, who were taken to hospitals in Israel for treatment (IDF Spokesman's website, August 3, 2008).



**Hamis security force operatives detaining Fatah activists in the Gaza Strip (Al-Alam TV, August 1, 2008).**

C) **The execution of Fatah activists during Operation Cast Lead:** During and after Operation Cast Lead, Hamas **executed** activists affiliated with Fatah and imprisoned those suspected of collaborating with Israel. According to the Amnesty International report issued on February 10, 2009, Hamas eliminated Palestinians suspected of collaborating with Israel. The assassinations, torture and kidnappings carried out by the Hamas forces and its "militias" began on the first day of Operation Cast Lead (December 27, 2008) and continued after the IDF declared a ceasefire (January 18, 2009). **Hamis operatives shot and killed at least 24 Palestinians.** Dozens of others had their knee caps shot, were beaten or were tortured. Shooting them in the knee (familiar from previous Hamas-Fatah confrontations) was intended, according to the Amnesty report, to cause permanent disability.<sup>29</sup>

D) **Statements made by Operation Cast Lead prisoners held by Israel:** Acts of repression carried out Hamas were described by Palestinians detained by IDF forces during Operation Cast Lead. For example, **Nawaf Faisal Atar**, a Hamas operative from Al-Atatra who was detained on January 11, 2009, said that Gazans who dared oppose Hamas were shot in the leg (as described by the Amnesty report). He said that Gazans were afraid to express their opposition because anyone who did would be labeled a collaborator and executed. **Hamad Faraj Salah**, a resident of Jabaliya, was detained on January 12, 2009. He stated that in 2007 Hamas shot and killed his brother, who was guarding the house of the Palestinian Authority's head of internal

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<sup>29</sup> The Amnesty report was not the first time complaints of repression were lodged against Hamas. On September 13, 2007, the Palestinian Centre for Human Rights in the Gaza Strip sent a letter to Ismail Haniya headed "Concern over some violations by members of the Executive Force and Izzedeen El-Qassam Battalions. According to paragraph IV of the letter, "PCHR has documented several cases in which Izzedeen El-Qassam Battalions acted as a police force, which constitutes a flagrant violation that must be addressed. One of the leading violations is the establishment of several detention centers administered by El-Qassam battalions, in which civilians are detained, interrogated, and subjected to torture and other forms of cruel and inhumane treatment" (From the PCHR website).

security. He also stated that Hamas prevented Gazans affiliated with Fatah from receiving UNRWA food and other assistance.<sup>30</sup>

## Implications for the Internal Palestinian Arena and the Peace Process

48. **The Goldstone Report ignores the serious consequences of the Hamas takeover of the Gaza Strip for Palestinians and for the peace process:** Hamas has mired itself in a bitter struggle with Fatah and the Palestinian Authority, and deepened its political isolation and the social polarization between the Gaza Strip and Judea and Samaria. The Palestinian Authority regards the de facto Hamas administration as illegitimate,<sup>31</sup> while Hamas in turn attacks the legitimacy of Mahmoud Abbas' administration. Pro-Western Arab countries, particularly Jordan and Egypt, are hostile to Hamas and its de facto administration, but are also careful not to break off relations. **The United States, the European Union and the International Quartet do not recognize Hamas** or the legitimacy of its regime. The widening political and social rifts between the Hamas entity in the Gaza Strip and the Palestinian Authority in Judea and Samaria are a permanent obstacle and undermine the efforts to resolve the Israeli-Palestinian conflict. **None of the above is mentioned in the Goldstone Report, which is careful not to state that the Hamas de facto administration completely lacks legitimacy.**

## Declarations Made by Senior Hamas Figures in Support of Terrorism

49. Since Hamas took over the Gaza Strip, its senior figures have repeatedly and openly stated that **it supports terrorism** (the "resistance," according to Hamas). For example:

A) **Musa Abu Marzuq**, deputy head of the Hamas political bureau in Damascus, meeting with intellectuals and politicians in Egypt, was told that following the establishment of the Hamas government, the intensity of the "resistance" [i.e., terrorist attacks] had waned. He replied that the opposite was true, saying **"This is the first time since the Oslo Accords that a Palestinian government has supported the resistance [i.e., terrorism], does not pursue its operatives, does not detain them and does not hinder their activities."** He boasted that under the Hamas government **showcase attacks had been carried out in Israel** ["the Zionist

<sup>30</sup> Based on reports of the interrogations of Hamas operatives detained during Operation Cast Lead (Israel Security Agency website).

<sup>31</sup> On June 20, 2007, about a week after the Hamas takeover of the Gaza Strip, Mahmoud Abbas delivered an angry, emotional speech. He called Hamas traitors, murders and conspirators. He described the takeover of the Strip as a "plot," behind which were Hamas and several countries in the Middle East (i.e., Iran and Syria) whose interests were completely opposed to the national Palestinian project. He said that the establishment of the Hamas-run "emirate" in the Gaza Strip was **illegitimate** and without Islamic roots (Al-Jazeera TV, June 20, 2007).

entity," according to Musa Abu Marzuq], among them the attack in which a "Zionist soldier" [Gilad Shalit] had been taken captive. **Asked about the reduction in the number of suicide bombing attacks under Hamas, he admitted that "It is difficult [to carry them out] because of the separation fence and the gates surrounding the residents of the West Bank"**<sup>32</sup> (From a posting by Abd al-Maaz Muhammad, Ikhwanonline.com, June 2, 2007).

B) **Fathi Hamad**, interior and national security minister of the de facto Hamas administration, interviewed by the Chinese News Agency on July 13, 2009, said that "the Zionist enemy" would leave "occupied Palestine" only [if forced to do so] by the "resistance" [i.e., terrorism]. Hamas, he said, "cannot give up one inch of the historical land of Palestine because it is a Muslim endowment." He added that the organizations in the Gaza Strip were preparing for the next round of confrontation with Israel with guerilla warfare training, by digging tunnels and by accelerating the rate of rocket manufacture. **Ismail Haniya**, interviewed by *Al-Rai* on July 13, 2009, said that the Hamas government retained the option of "resistance" [i.e., terrorism] to establish a Palestinian state. He said that the government was trying to conduct the daily lives of the Gazans without running the danger of waiving their "rights," and by **continuing to back the "resistance" project**.

C) **Sayid Siyyam**, the late interior and national security minister, killed by the IDF in Operation Cast Lead, publicly stated on his appointment as minister that he would not detain "resistance" operatives [i.e., terrorist operatives]. In fact, he said, the "resistance" [i.e., terrorism] was "the legitimize right of the Palestinian people" (Ma'an News Agency, March 24, 2006). **Fathi Hamad**, who inherited the interior and national security ministry, listed his predecessor's "achievements," saying that **"Among the minister's greatest achievements was the creation of the cooperation and coordination between the current security services and the Palestinian resistance...against the Zionist enemy...and for that reason [the enemy] attacked the headquarters of the security services [during Operation Cast Lead] (Hamas police website, May 7, 2009).**

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<sup>32</sup> Musa Abu Marzuq thus admitted that the security fence – what the Goldstone Report calls "the separation wall" – makes it difficult to carry out suicide bombing attacks in Israel. On the other hand, the Goldstone Report does not mention the importance of the fence to Israel's **security**.

## Sayid Siyyam, Former Interior and National Security Minister, Visits Hamas' Training Academy



Terrorist operatives at the "military academy" learn about IEDs and other means of destruction (From a CD seized by the IDF in Operation Cast Lead).



Sayid Siyyam, former interior and national security minister in the de facto Hamas administration, during a visit to the Abdallah Azzam "military academy" (From the Hamas forum, June 6, 2007)<sup>33</sup>

50. A detailed description of the support Hamas' interior ministry gives the various terrorist organizations was included in a speech given by **Fathi Hamad** at a seminar held by the labor unions in Gaza City on October 28, 2009. Present at the time were the commanders of Hamas' internal security services. The main points of his speech were reported by the Hamas-affiliated Safa News Agency (Safa News Agency, October 28, 2009).<sup>34</sup>

A) The interior ministry "**operates in coordination with all the factions of the resistance in Gaza**" [i.e., with all the terrorist organizations operating in the Gaza Strip].

B) The ministry makes an effort "**to protect them and make it easier for them to carry out their jihad missions in all spheres.**"

C) There is on-going coordination between the interior ministry and the various organizations: "**We routinely meet with the commanders of the factions** [i.e., the terrorist organizations] to remove the obstacles between us. We have put an end to the security coordination with the occupation [i.e., the security coordination which existed between the Palestinian Authority and Israel] and **replaced it with jihadist coordination**" [i.e., operational coordination to carry out terrorist attacks against Israel].

<sup>33</sup> The Abdallah Azzam "military academy" was established by Hamas in the Nusairat refugee camp in the central Gaza Strip, south of Gaza City. Hamas operatives were trained there in the years preceding Operation Cast Lead. Dr. Abdallah Azzam, for whom it is named, was a Palestinian from northern Samaria who became Osama bin Laden's ideologue and formulated the concept of jihad as the personal duty of every Muslim.

<sup>34</sup> His remarks were also posted on the Hamas' Palestine-info website on October 28, 2009.



The upper inscription reads: “[Fathi] Hamad: We operate in coordination with the resistance factions [i.e., the terrorist organizations] to make it easier for them to accomplish their missions.” The lower inscription: “Hamad: We meet the commanders of the factions [i.e., terrorist organizations] on a permanent basis to remove obstacles” (Safa News Agency, October 28, 2009).

51. Fathi Hamad’s remarks illustrate the central role played by Hamas’ interior and national security ministry in overseeing rocket attacks and other forms of terrorist activities, according to Hamas’ changing considerations. On another occasion he held a press conference at which he made it clear that the interior ministry did not prevent the other organizations from firing rockets, **on condition that they coordinated their attacks with Hamas** (Al-Quds TV, November 21, 2009). He further stated that rocket fire had to be carried out in **coordination** with the ministry and with general agreement, especially after Operation Cast Lead (De facto Hamas administration interior and national security website, November 23, 2009).

Click for Video  
[Video no. 4](#)

## The Connections between Senior Figures in the De Facto Hamas Administration and Izz al-Din al-Qassam Brigades Operatives

52. Senior members of the Hamas movement and the de facto Hamas administration are often photographed carrying weapons, participating in shooting practice, wearing uniforms and using walkie-talkies to communicate with military-terrorist operatives. For example:

The emblem of the  
Izz al-Din al-  
Qassam Brigades



Abd al-Aziz Rantisi, who inherited the Hamas leadership from Ahmed Yassin and died in an Israeli targeted killing, appears on the back cover of the Hamas charter: Rantisi, described as dealing with policy and the media, holding a rifle. In the background are armed masked figures. The inscription under the picture reads “Oh master, take as much as you want from us,” encouragement for self-sacrifice (i.e., terrorist attacks) for the sake of Allah. At the left is the emblem of the Izz al-Din al-Qassam Brigades, an integral part of Hamas.

53. The close connections between **Ismail Haniya** and Hamas operatives is attested to by his appeals to them during prayers in the mosques. For example, on September 18, 2009, during prayers at the Al-Umri mosque in Gaza City on the last Friday of the Muslim holy month of Ramadan, Haniya was given a walkie-talkie used by Izz al-Din al-Qassam Brigades operatives. He used it to bless the “jihad fighter brothers” and asked Allah to watch over them, and guide their considerations and rocket fire. They were, he said, the hope of the Palestinian people and the [Islamic] nation “in the jihad battlefield for the sake of Allah” (PALDF.net, Hamas’ main forum). On October 10, 2007, he held a similar conversation with Hamas terrorist operatives from the same mosque.



Ismail Haniya using a walkie-talkie to bless Izz al-Din al-Qassam Brigades operatives, September 18, 2009 (PALDF.net, Hamas’ main forum).

Click for Video  
[Video no. 5](#)

54. The following pictures are from a video clip uploaded to YouTube by a surfer calling himself "alkhaldia," April 2009. The video was taken sometime in 2008 before Operation Cast Lead. It shows senior members of the de facto Hamas administration and the Hamas movement wearing full military uniforms and standing alongside Izz al-Din al-Qassam Brigades terrorist operatives during rifle practice. In it appear Mahmoud al-Zahar, Khalil al-Hayeh, Nizar Awadallah and Sayid Siyyam.

### **Senior Figures in the De Facto Hamas Administration and the Hamas Movement Wear Uniforms, Carry Arms in a Practice Shoot**



**Khalil al-Hayeh, senior Hamas figure in uniform (center) holds a Kalashnikov.**



**Khalil al-Hayeh launching an RPG.**



**Mahmoud al-Zahar firing a Kalashnikov.**



**Mahmoud al-Zahar and Sayid Siyyam firing Kalashnikovs at a firing range.**





Sayid Siyyam and Mahmoud al-Zahar fire pistols.

Click for Video  
[Video no. 6](#)



Sayid Siyyam, in uniform, holding a Kalashnikov.



Sayid Siyyam and Mahmoud al-Zahar firing Kalashnikovs.



Sayid Siyyam, in uniform, firing a Kalashnikov.



Sayid Siyyam, in uniform, holding a Kalashnikov.

Click for Video  
[Video no. 6](#)

Mahmoud al-Zahar practices shooting next to Ahmad Jaabari, commander of the Izz al-Din al-Qassam Brigades. The announcer says, "Heroic commander and protective father, two important titles for one person. And who is he? The jihad fighter commander, Mahmoud al-Zahar" (Al-Aqsa TV, February 6, 2008).

## Conclusion

55. **Intelligence information and statements made by senior members of the Hamas de facto administration and the Hamas movement about their support for terrorism and their personal involvement in quasi-military activities, prove that Hamas' claims, adopted by the Goldstone Report, have no basis whatsoever in fact.** They prove that the interior and national security ministry, which is an integral part of the de facto Hamas administration, is in charge of supporting Hamas' military-terrorist wing, as well as those of the other terrorist organizations, and of directing their activities **in coordination with Hamas strategy. Thus all Hamas** (the movement, its "political" wing, the de facto administration in the Gaza Strip and the **Izz al-Din al-Qassam** Brigades, its military-terrorist wing) is **fully responsible for the rocket fire into Israel** (defined by the Goldstone Report as "war crimes") and for **turning the Gaza Strip into a hotbed of terrorism.**

## Section IV: The Hamas-Led Military Buildup in the Gaza Strip

### The Goldstone Report

56. The Goldstone Report almost **completely ignores the military buildup carried out by Hamas** (and the other terrorist organizations, based on the experience gained by Hezbollah in Lebanon). Such an examination is **vital to understanding the significance and strength of the terrorist threat facing Israel on the eve of Operation Cast Lead, and the type of combat waged by Hamas**. The Report ignores the various fundamental components of the military systems constructed by Hamas and the other terrorist organizations within densely-populated civilian areas, the order of battle and **the semi-military structure** of the Hamas units; Hamas' **military doctrine**, the **intensive training** held by the terrorist organizations in the Gaza Strip as well as in Syria and Iran, the **underground fortifications**, the industry of smuggling arms into the Gaza Strip through tunnels under the Gazan-Egyptian border, the development and self-production of weapons, the integration of Hamas' internal security services into its military systems, and the support given by **Iran and Syria** in constructing Hamas' military-terrorist force (See below).

57. Of all of the above, the Goldstone Report deals only with the rockets, mortars and anti-tank weapons in the hands of the terrorist organizations, and its treatment is short and superficial. Section XXIV (p. 346) deals with the influence of rocket and mortar shell fire on Israeli civilians (**and thus strictly limits its treatment to one of the results of the process and not to the process itself and its roots**). The Report provides a short – and not always accurate – survey (based on an Amnesty report and other sources, some of them problematic) of the types of rockets in the possession of the “Palestinian armed groups,” including the Iranian 220mm Fajr, mortars and anti-tank weapons. The Report provides basic technical details, especially about range (Paragraph 1616-1623, pp. 350-352). The Report makes no specific reference to Hamas, which possesses most of the weapons. The tunnels are described as the Gaza Strip's “lifeline,” a “necessary means of survival,” but there is **no mention** of the advanced weapons **smuggled in, now as then, through them**.

### Factual Findings

58. Israel's unilateral disengagement from the Gaza Strip in August 2005 created new conditions which enabled Hamas' to take over the Gaza Strip within a short period of time, peaking with the violent overthrow of the Palestinian Authority. Hamas neutralized the

military and political forces of Fatah and the PA's security apparatuses, and established a **radical Islamic entity supported by Iran and Syria**. It conducted its own foreign and domestic policies, **waged a terrorist campaign against Israel**, and separated itself from the Palestinian Authority in Judea and Samaria.

59. The Hamas entity is **fully responsible for the developments leading to Operation Cast Lead**. Hamas, inspired by Hezbollah, accelerated its military buildup, which from Hamas' point of view was a successful response to its asymmetry vis-à-vis the IDF ("**asymmetrical warfare**" is a term essential for understanding the nature of the fighting during Operation Cast Lead, but is not mentioned in the Goldstone Report). One of the objectives of Hamas' military buildup was to construct a military-security system which would ensure Hamas' continued control of the Gaza Strip, protect it from its internal and external enemies, and most important, **would enable Hamas to realize its jihadist nature through continued terrorist activity against Israel** ("the resistance"). That was expressed by **intensive rocket and mortar shell fire**, which increased dramatically after the disengagement (See below), and attempts, partially successful, to carry out other types of terrorist attacks, the most prominent of which was the abduction of Gilad Shalit.

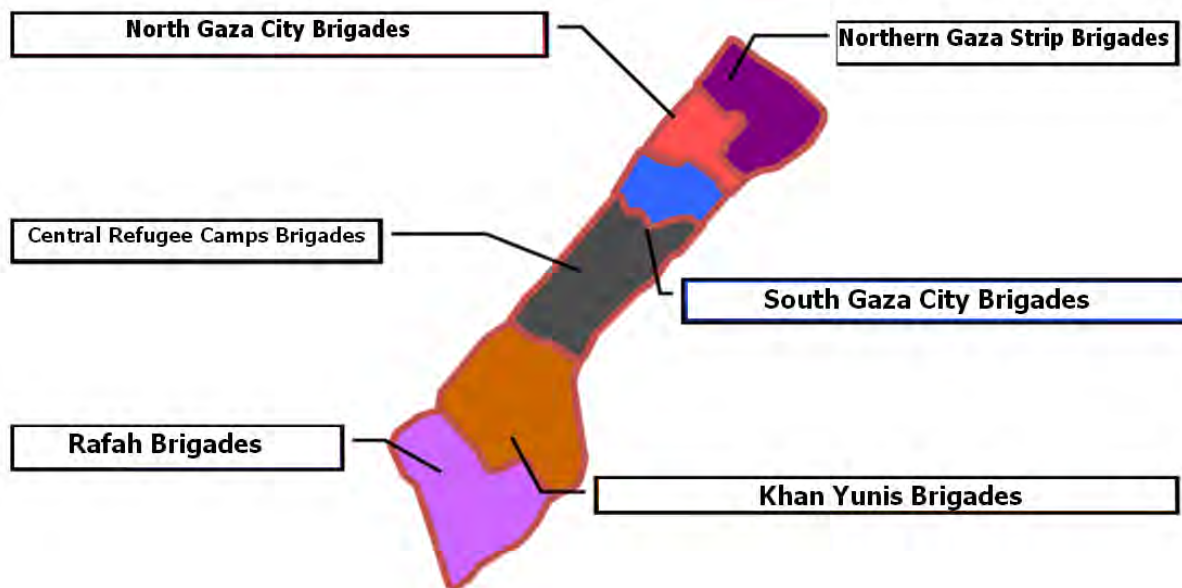
60. **The following is an overview of Hamas' military buildup during the three years preceding Operation Cast Lead (data not included in the Goldstone Report but particularly relevant to the growing terrorist threat which led to Operation Cast Lead<sup>35</sup>):**

A) **Its hierarchical structure:** On the eve of Operation Cast Lead Hamas' military-terrorist wing had six territorial brigades and additional designated units. Each brigade was composed of a number of battalions, and every battalion of a number of companies. Each company was composed of several platoons which were made up of combat teams. On the eve of the Operation Hamas had one brigade in the northern Gaza Strip, two in Gaza City, one in the central refugee camps and two in the southern Gaza Strip. **Most of the brigades were deployed within the Gazan population.**

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<sup>35</sup> The information about the military buildup is available in the ITIC bulletin "Hamas's military buildup in the Gaza Strip (Updated April 2008)" at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_080408.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_080408.pdf). The bulletin and scores of others, which provided copious information about the subject, were available to the Goldstone Mission on the ITIC website, but were used selectively.

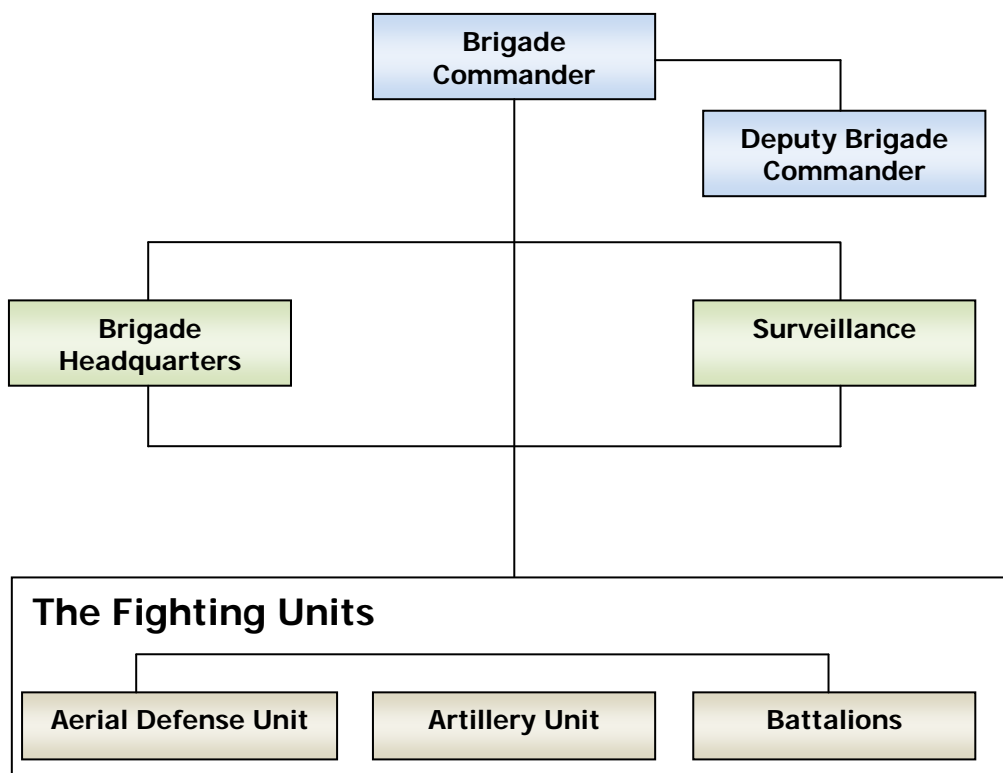
### Izz al-Din al-Qassam Brigades Deployment in the Gaza Strip



#### Notes

- i) On the eve of Operation Cast Lead the Izz al-Din al-Qassam Brigades were organized into six territorial brigades.
- ii) The deployment reflected Hamas' combat doctrine, according to which fighting the IDF is waged from **within population centers**.
- iii) The brigades were deployed throughout the various districts of the Gaza Strip. They were divided into battalions and companies and deployed in the cities, towns and neighborhoods. Their operatives were situated in **houses, mosques and public buildings**, and from there fought the IDF.

### Structure of a Territorial Brigade



B) **The nature of Hamas' military-terrorist wing:** Hamas' order of battle, both offensively and defensively, is based on the **Izz al-Din al-Qassam Brigades**, Hamas military-terrorist wing. During the year preceding Operation Cast Lead its growth was accelerated to turn it into a kind of **semi-regular army** which would defend the Gaza Strip and also continue initiating terrorist attacks against Israel. Fabricated statements made by Hamas to the Goldstone Mission were aimed at evading responsibility for the establishment and operation of the order of battle.

C) **Hamas' defense doctrine, which was intended to provide an asymmetric response to the IDF's military and technological superiority**, was manifested in a variety of ways: Using weapons which were successfully employed by Hezbollah in the second Lebanon war (rockets, IEDs, anti-tank weapons); causing the IDF multiple casualties by fighting from densely-populated civilian areas; blending in with the civilian population to evade detection; booby-trapping civilian houses, bases and operatives' houses with large quantities of explosives; exhausting the Israeli home front with massive barrages of rocket fire both routinely and during IDF preventive actions within the Gaza Strip; and extensive propaganda campaigns exploiting Palestinian and Arab media and the Internet to win sympathy for the Palestinians and to vilify Israel and restrict its freedom of movement.

D) **The control of the Hamas leadership over the military system:** The movement leadership in the Gaza Strip and Damascus control the entire Hamas military infrastructure, including the Izz al-Din al-Qassam Brigades, the internal security apparatuses (the core of which is the police, into which the Executive Force was integrated), the de facto Hamas administration and Hamas' vast civilian-social infrastructure (the *da'wah*). Thus there is no basis in fact for the distinction the Goldstone Report makes between the "Gaza authorities" (i.e., de facto Hamas administration) and the Brigades, which are part of the **same system** and controlled by **one leadership** implementing **one policy**. Since the de facto Hamas administration was established in March 2006, and more intensely since Hamas took over the Gaza Strip in June 2007, **the leadership in the Gaza Strip has consistently increased its power at the expense of the leadership in Damascus**. Therefore, the attempts made by the Gaza Strip leadership to shirk responsibility for the activities of the Brigades, including rocket fire into Israeli territory, clearly cannot be taken at face value.

E) **Hamas' order of battle:** Hamas' military system is based on the Izz al-Din al-Qassam Brigades, which had more than 10,000 operatives on the eve of Operation Cast Lead, commanded by **Ahmad Jaabari**. Usually, the Brigades have a core of several hundred trained operatives who deal with the routine military-terrorist actions

against Israel. In addition, there are about 10,000 operatives, members of the internal security services (primarily the police) who reinforce the Brigades in emergency situations, **some of them serving simultaneously in both systems**. On the eve of Operation Cast Lead Hamas had a total of about **15,000 military-security operatives** under its own command. **Between 3,000 and 4,000** operatives belonging to the other terrorist organizations in the Gaza Strip can be added to the above figure.

**F) Hamas' underground network and smuggling system:**

(a) As part of its military buildup, Hamas constructed an **extensive underground network** in various areas of the Gaza Strip for defense and offence. It was intended to threaten the IDF forces operating within the Gaza Strip, neutralize part of their ability to attack Hamas' military-terrorist infrastructure, and enable movement and surprises, thus giving the military operatives a chance to catch their breath during extensive or prolonged fighting.

(b) **The tunnel and smuggling network:** Hamas' underground network included **tunnels for smuggling** (including weapons) and for **offensive purposes** against the IDF and **Israeli communities** near the border. The smuggling tunnels were built in the Rafah region and along the border with Egypt. The tunnels served as two-way streets for the passage of terrorist operatives and for the smuggling of weapons, equipment and merchandise. The **offensive tunnels** made it possible for Hamas operatives to overcome the Israeli security fence and penetrate into Israeli territory (**such a tunnel was employed on June 25, 2006, to attack an IDF post** near the Sufa crossing, and abduct Gilad Shalit). **The Goldstone Report does not deal with the military-terrorist uses of the tunnels and instead stresses their importance as the Gaza Strip's "life line," in subservience to Hamas propaganda.**

(c) Following Hamas' takeover of the Gaza Strip and the collapse of the apparatuses loyal to the Palestinian Authority, **smuggling into the Gaza Strip received a new impetus**. During 2007 and 2008 Hamas and other terrorist organizations smuggled large quantities of arms and materials, including large quantities of standard rockets with ranges of 20 and 40 kilometers, thousands of anti-tank weapons, about 104 tons of explosives annually, and raw materials for the self-production of weapons, mainly rockets.

## Smuggling Tunnels and Tunnels in Civilian Residences and Facilities



Tunnels for smuggling terrorist operatives and weapons into the Gaza Strip from Egypt  
(IDF Spokesman, November 1, 2007).



Antechamber and tunnel uncovered by IDF forces in the home of a wanted Fatah operative during an operation in the Gaza Strip  
(September 19, 2007).



Generator and digging equipment found near a tunnel shaft. The generator was sunk into the ground inside a hothouse to conceal its noise and make it harder to find (IDF Spokesman's website, August 16, 2007).

G) **Weapons:** In its military buildup Hamas made every effort to acquire advanced, standard weapons to complement its self-production. On the eve of Operation Cast Lead, the arsenal of Hamas and the other terrorist organizations included the following:



(a) **Standard and self-produced rockets:** The terrorist arsenal contained between **1,500 and 2,500 rockets**. The figures include a few hundred standard rockets with ranges of between **20 kilometers** (122mm Grad rockets) and **40 kilometers**, (between 12.5 and 25 miles), all or some smuggled from **Iran**.<sup>36</sup> Others were independently manufactured in the Gaza Strip and have ranges of up to 20 kilometers (12.5 miles) (90mm, 115mm and 175mm).



Center: Grad rocket fired on December 28, 2007, exhibited at the police station in Sderot, flanked by remains of Qassam rockets which landed in the region, arranged on shelves.

(b) **Mortars:** Hamas and the other terrorist organizations had **several thousand standard and self-produced mortars**. Among them were scores of standard **Iranian-made 120mm mortars** and 60mm and 81mm mortars. They also had hundreds of self-produced 80mm, 90mm, 100mm and 135mm mortar shells, and a number of 240mm-250mm mortars.



120mm mortar shell with a rocket engine, manufactured in Iran.



120mm explosive mortar shell, manufactured in Iran.

<sup>36</sup> **The rocket threat from the Gaza Strip grew after Operation Cast Lead**, a result of the rebuilding of Hamas' military-terrorist infrastructure **with Iranian support**. Today Hamas and the other terrorist organizations have a total of **between 2,500 and 3,500 rockets**, many hundreds of which are advanced 122mm rockets with a range of 40 kilometers (25 miles) and a few hundred 120mm Grad rockets.



Part of the tail of a mortar shell fired into the western Negev from the Gaza Strip.



Tail of a 120mm mortar shell from the second Lebanon war.

(c) **Anti-tank weapons:** The second Lebanon war accelerated Hamas' acquisition of advanced anti-tank weapons in the Gaza Strip. **On the eve of Operation Cast Lead** Hamas had **thousands** of anti-tank rockets, most of them self-produced of the type known as **Al-Yassin** (an engineering reproduction of the PG-2 rocket). It also had many hundreds of PG-7 and PG-2 rocket launchers. In addition, Hamas had a few score **modern, standard anti-tank missiles** of various types, among them **Konkurs** (AT-5), **Sagger** (AT-3) and others.



Konkurs missile in its launching container



Sagger missile

(d) **Anti-aircraft weapons:** Hamas and the other terrorist organizations had scores of SA-7 shoulder-fired missiles and dozens of 14.5mm anti-aircraft machine guns.



“Aerial defense” – The emblem of the Izz al-Din al-Qassam Brigades anti-aircraft unit (From YouTube, source: Izz al-Din al-Qassam Brigades information bureau, January 11, 2008).

(e) **Explosives and self-produced IEDs:** Since it took over the Gaza Strip, Hamas has smuggled in large quantities of standard-quality explosives and the raw materials for self-production. During 2007 and 2008, more than 100 tons of explosives were smuggled into the Gaza Strip every year. In addition, about 30 tons of raw materials for the self-production of explosives were also smuggled in each year. The successful smuggling of standard explosives heightened the capabilities and lethal nature of the self-produced IEDs and war heads of the rockets and anti-tank weapons. On the eve of Operation Cast Lead, Hamas had many thousands of various types of anti-personnel, anti-tank and anti-aircraft weapons (including Shawaz explosively formed penetrators).



Shawaz EFPs on the front cover of chapter “Engineering Corps” (From an Izz al-Din al-Qassam Brigades pamphlet dealing with the principles of military studies).



A Hamas Shawaz (“flame”) EFP found on September 12, 2006. It can penetrate more than 23.6” of steel.

(f) **Training inside and outside the Gaza Strip:** Hamas’ military buildup also included training to raise the fighting and professional standards of its operatives. Izz al-Din al-Qassam Brigades operatives underwent regular training in the Gaza Strip and abroad. In the Gaza Strip they had **basic training** (physical fitness, shooting skills, field skills) and advanced **professional**

**training** (sharpshooting, anti-tank attack, intelligence and artillery). The training was supervised by local instructors, some of whom had been trained abroad. Hamas also established a “military academy” named after Dr. Abdallah Azzam, a Palestinian from the Jenin district who became Osama bin Laden’s ideologue, died in Afghanistan, and was turned into a role model for Hamas.<sup>37</sup> The advanced professional training was held in **Iran, Syria and Lebanon** (through Hezbollah). In addition, operatives of the **internal security services** (the Executive Force, the **police**, etc.) underwent basic and advanced training in the Gaza Strip, Iran and Syria to prepare them to operate within the ranks of the Brigades in an emergency.

### Training in the Gaza Strip



Click for Video  
[Video no. 7](#)

Izz al-Din al-Qassam Brigades operatives train in the Nusairat refugee camp during the lull in the fighting (Al-Aqsa TV, October 17, 2008).

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<sup>37</sup> For further information see the June 4, 2009 bulletin, “During Operation Cast Lead a promotional film was seized about a military academy established by Hamas named after Dr. Abdallah Azzam, Osama bin Laden’s ideologue. Hamas turned him into a role model, although in practice the movement restricts the activities of the global jihad networks in the Gaza Strip” at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e073.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e073.pdf).



Izz al-Din al-Qassam Brigades operatives train launching mortar shells (Al-Aqsa TV, February 14, 2007).



Izz al-Din al-Qassam Brigades operatives train with anti-tank RPG-7s (Filisteen al-Mubasher website, December 10, 2007).



Poster at the entrance to the "military academy": "Welcome to the academy named for the shaheed, Dr. Abdallah Azzam." The bottom line is a quote from Abdallah Azzam: "The Muslim is most glorious when he wages jihad for the sake of Allah." The Hamas emblem is in the lower left-hand corner (From a disk seized by the IDF during Operation Cast Lead).

## **Section V: The Increase in Terrorism from the Gaza Strip and the Events Leading to Operation Cast Lead**

### **Overview of Rocket and Mortar Shell Attacks**

#### **The Goldstone Report**

61. The Goldstone Report goes into fairly extensive detail about what Israel considered the main reason for Operation Cast Lead, i.e., the continued rocket and mortar shell attacks from the Gaza Strip and their destructive effect on the daily lives of the civilian population in southern Israel. However, the Report **minimizes the severity of the threat** by focusing on the six months prior to Operation Cast Lead rather than analyzing **their increasing frequency between 2001 and 2008**, the rockets' technical upgrading and the subsequent growing number of Israelis within range. The Report also minimizes the terrorist threat by **ignoring other types** of terrorist attacks launched from the Gaza Strip, such as **border crossing attacks**, mass-casualty attacks targeting Israeli villages near the Strip, Gaza Strip-based suicide bombing attacks in Israeli territory, in some instances including the use of tunnels (such as the one used in the abduction of Gilad Shalit), some of which were booby-trapped.

62. The Goldstone Report only **briefly** discusses the rocket and mortar shell attacks on Israel between 2001 and the lull in the fighting of June 2008 (Paragraph 103, p. 31; paragraph 1597, p. 347). It notes that during that time "Palestinian armed groups" launched about 8,000 rockets and mortar shells at Israel.<sup>38</sup> The Report further states that up until the IDF activity in the Gaza Strip [Operation Cast Lead] the city of Sderot and nearby towns were inside the range of fire.<sup>39</sup> It also adds that during the Operation the range increased to **40 kilometers** (25 miles) to include the cities of Beersheba, Ashdod and Yavne. Throughout, however, it systematically does not mention Iran as the source of the rockets and mortars.

63. The description of the attacks **does not** explicitly **mention Hamas and the other terrorist organizations which carried them out**. Mentioning their responsibility would have aided in understanding the policy behind the attacks, which may differ between the

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<sup>38</sup> This figure, based on data from the IDF Operations Division, refers to landings **identified in Israeli territory**. It does not reflect the **thousands of rocket and mortar shells which landed in the Gaza Strip as a result of technical malfunctions** ("work accidents").

<sup>39</sup> The list of cities within rocket and mortar range prior to Operation Cast Lead can be extended to include **Ashqelon** (population 106,000) and **Netivot** (population 24,000). However, it was the city of **Sderot** that suffered the greatest number of rocket hits.

various terrorist organizations ( Hamas, for example, may at times be influenced by governmental considerations, unlike the other terrorist organizations, such as the Palestinian Islamic Jihad). By avoiding mention of Hamas and other terrorist organizations and using the term "Palestinian armed groups," the Report **relieves Hamas and the other terrorist organizations of direct responsibility** for what the Report itself defines as "**war crimes.**" **Hamas took advantage of that fundamental flaw in the Goldstone Report** and absolved itself of all responsibility for the attacks, after the report was approved by the Human Rights Council in Geneva and passed by the UN General Assembly (November 5, 2009). Hamas spokesman **Sami Abu Zuhri** noted that Hamas was not concerned over the pending "investigation," since the Goldstone Report mentioned the "resistance" (i.e., terrorist organizations) in general rather than Hamas in particular (BBC in Arabic interview, November 6, 2009).<sup>40</sup>

64. **In summation**, on October 29, 2009, Justice Goldstone sent a public letter to two members of the House of Representatives expressing his reservations over the draft proposal submitted to the House<sup>41</sup> (which the House eventually approved). In response to criticism, Goldstone stressed that the Report extensively addressed the rocket and mortar shell attacks on Israel, which constituted "war crimes" and might be even considered a "crime against humanity." In his response, however, Justice Goldstone did not blame Hamas. **The "war crimes" strongly condemned by the Goldstone Report remain crimes without a perpetrator**, in contrast with the harsh allegations made by the Report against Israel, which acted in self defense against those "war crimes."

## **Factual Findings**

65. **The three years before Operation Cast Lead were characterized by an escalation of terrorist attacks from the Gaza Strip and a decrease in their scale and severity from Judea and Samaria.** The escalation peaked with the rocket attack against Israel in December 2008 and on eve of Operation Cast lead. Rocket and mortar shell attacks, which began in **late October 2001**, gradually became the weapon of choice in the Palestinian terrorist campaign **and the main threat posed by Hamas and other Palestinian terrorist organizations** to hundreds of thousands of Israeli civilians. Hamas and the other organizations consider rocket attacks an **asymmetrical**, simple, cheap, and reliable response to Israel's military superiority. They turned them into an effective terrorist

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<sup>40</sup> On October 29, 2009, Judge Goldstone sent an open letter to two members of the American House of Representatives in which he noted his reservations of the draft of the proposed resolution lodged with the House regarding the Report (which was eventually ratified by the House). In response to criticism, Goldstone emphasized in the letter that the Report made extensive note of the rocket fire into Israel, which constituted a war crime and might even be considered a crime against humanity. However, he did not assign any responsibility to Hamas.

<sup>41</sup> To a great extent, the concept was first developed by **Iran** for the Lebanese **Hezbollah**, and later for **Hamas**. It was Iran that provided Hamas with the necessary know-how for building homemade rockets, smuggled standard long-range rockets into the Gaza Strip, and trained Hamas in firing rockets on Iranian territory.

means for disrupting the daily lives of the **Israeli civilian population** (gradually extending the range to cover new areas), destabilizing the social structure, bypassing the security fence created by Israel along the Gaza Strip, creating a balance of terror and making it difficult for Israeli security forces to implement preventive and counter-terrorist activities.

66. As suicide bombing attacks became less frequent in 2005, the result of various counter-measures taken by Israel, **rockets became Hamas' strategic choice** in its armed struggle against Israel. After the unilateral disengagement in the summer of 2005, Hamas attempted to export rocket strategy to Judea and Samaria as well. Hamas' networks there attempted to produce and fire rockets at Israel, ultimately failing because of effective measures taken by the IDF and later by the Palestinian authority as well.<sup>42</sup>

## Hamas Attempts to Export Rocket Attacks to Judea and Samaria



Picture posted on the Hamas website following the disengagement: "Qassam rockets in the occupied [West] Bank... The weapon of deterrence for the next stage" (Izz al-Din al-Qassam Brigades website).



Explosive laboratory with materials used to manufacture Qassam rockets in the village of Al-Yamoun, northern Samaria (Photo courtesy of the IDF Spokesman, March 2, 2005).

<sup>42</sup> To a great extent, the concept was first developed by **Iran** for the Lebanese **Hezbollah**, and later for **Hamas**. It was Iran that provided Hamas with the necessary know-how for building homemade rockets, smuggled standard long-range rockets into the Gaza Strip, and trained Hamas in firing rockets in Iranian territory.



67. Rocket attacks began seven years and two months before Operation Cast Lead, on **October 26, 2001**, when Hamas fired its first homemade Hamas-1 rocket at the southern city of Sderot. Eight years later, on the anniversary of the attack, Hamas said in an announcement that it had “sent a message to the enemy saying that **there is no place for them in our land**, and they should get out.” It promised the Palestinian people that “ We will make life a **living hell** for the Zionists...attacking their settlements<sup>43</sup> and cities...until all the land of Palestine is liberated” (Al-Bayan Center website, October 27, 2009). Rocket and mortar shell attacks from the Gaza Strip gradually increased, **peaking in 2004**, one year before the disengagement. In the first years of the Palestinian terrorist campaign (intifada), the use of rockets was overshadowed by suicide bombing terrorism. In 2005 the number of rocket attacks temporarily decreased, obviously to allow Israel to disengage from the Gaza Strip without interference.

68. In the three years prior to Operation Cast Lead (2006-2008) there was a **dramatic increase** in rocket and mortar shell attacks from the Gaza Strip and a significant decrease in suicide bombing terrorism.<sup>44</sup> **There were several reasons for the increase:** the operational difficulties Hamas and the other terrorist organizations faced as a result of the Israeli security forces' counterterrorism activities in Judea and Samaria; the formation of a Hamas-controlled, terrorism-supporting de facto administration in the Gaza Strip; the upgrading of the technical capabilities of Hamas and the other terrorist organizations, the result of the transfer of technical knowhow and the supply of raw materials, which made the large-scale self production of rockets and mortars of increasing quality possible; and the supplies of standard rockets and mortars with increased ranges and destructive capabilities smuggled into the Gaza Strip by Iran with the assistance of Syria and Hezbollah. In addition, internal Palestinian considerations influenced the rocket and mortar shell attacks, as did pressure exerted by Israel on the Hamas-controlled Gaza Strip and developments in the Israeli-Palestinian conflict.<sup>45</sup>

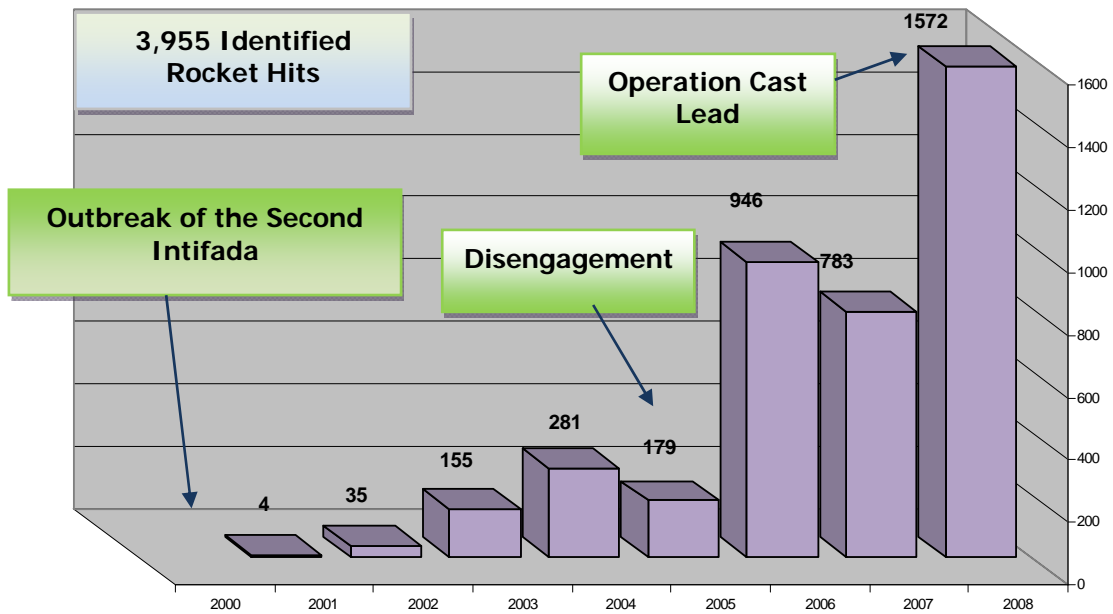
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<sup>43</sup> According to Hamas, population centers in Israel, including the city of Sderot, are illegitimate “settlements.”

<sup>44</sup> The number of the suicide bombing attacks decreased significantly, but they did not stop entirely. During periods in which Hamas kept a low profile in carrying out such attacks, the Palestinian Islamic Jihad took the lead and made efforts to launch them from the Gaza Strip.

<sup>45</sup> **Tactical considerations** played a part as well, namely the terrorist organizations' desire to inflict as heavy losses as possible on Israel and to draw media attention to their attacks. For example, on the day of Israeli Parliament elections, 122mm Grad rockets were fired at Ashqelon for the first time. In early September 2007, at the beginning of the school year, exceptionally large volleys of rockets were fired at Sderot.

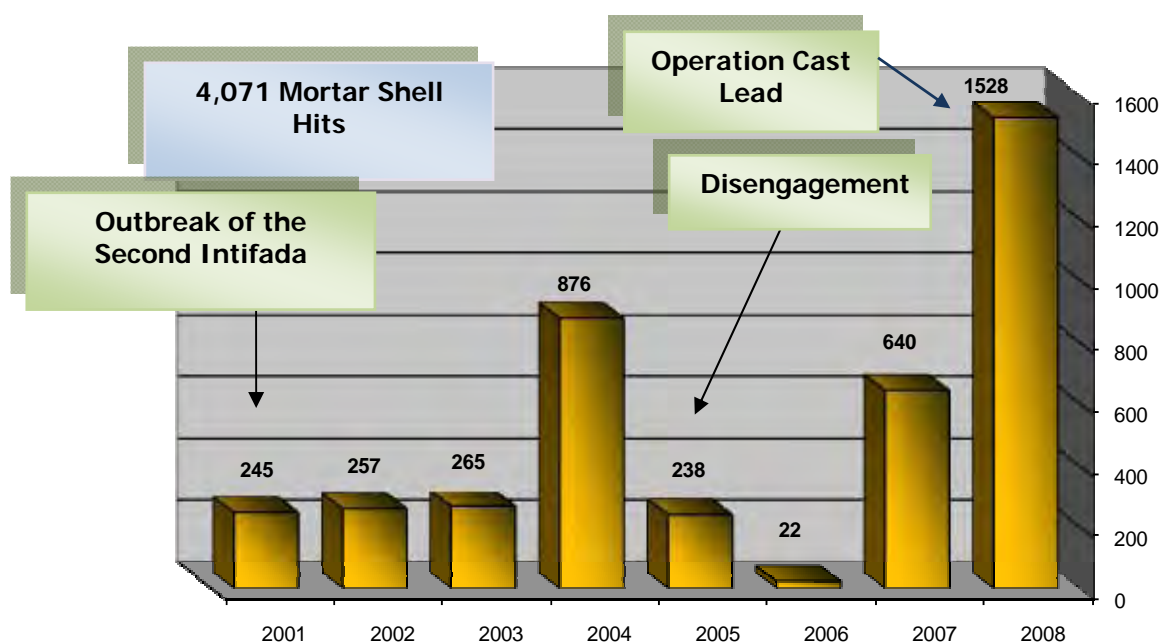
## Rocket Attacks by Year (before Operation Cast Lead)<sup>46</sup>



69. In the two years prior to Operation Cast Lead there was also a **significant increase in the number of mortar shell attacks: more than 4,000 mortar shells** were fired before Operation Cast Lead, more than half between 2007 and 2008, most of them by Hamas. Because of their short range, mortar shells targeted Israeli population centers near the Gaza Strip and IDF forces operating near the border fence. In 2006, the year following the disengagement, there were fewer such attacks, but the numbers rose again in 2007, when mortars were used to attack both military and civilian sites. As the attacks increased, **Hamas began using standard 120mm mortar shells, extending mortar range and increasing their destructiveness.** Firing methods were upgraded as well by using stationary launch sites and sophisticated targeting devices, tactics learned in training courses in Iran.

<sup>46</sup> Regarding the statistics on the number of rockets and mortar shells, this document uses data provided by the Operations Division of the IDF General Staff. A rocket or mortar attack is defined as an incident in which a launch is detected and the rocket or mortar shell clearly hits Israeli territory or, before the disengagement in the vicinity of an Israeli population center in the Gaza Strip before the disengagement. Such an attack is also defined as an incident in which a rocket or mortar shell is fired from the Gaza Strip and an explosion is heard, even if the landing site of the rocket or mortar shell is not clearly identified. **The number of launches is at least 20% greater than the number of landings identified in Israeli territory** (figures based on the number of launches instead of the number of landings would therefore have been much higher). Rocket attack data is listed separately from the mortar shell attacks since the terrorist organizations may have differing policies regarding the use of each.

## Mortar Shell Attacks by Year



## The Consequences of the Rocket and Mortar Shell Fire, 2001-2008

### The Goldstone Report

70. **The Goldstone Report** refers to rockets and mortar shells as **improvised**, unsophisticated weapons whose major effect is **causing panic and disrupting civilian life**. The Report mentions the casualties suffered by Israel caused rocket and mortar shell attacks, along with some of the casualties suffered by Palestinians inside the Gaza Strip as a result of technical malfunctions of the rocket launchers (referred to as “work accidents” by the IDF). According to the Report, between June 28, 2004 (when the first person was injured by a rocket) and June 17, 2008 (the beginning of the lull arrangement), **21** Israeli civilians, **two** “Palestinians” (i.e., Israeli Arabs), and one **foreign worker** were killed in Israeli territory (a total of 24 deaths). Also killed in two separate incidents were Palestinians in the Gaza Strip: one Palestinian was killed when a rocket landed near the border, and 20 Palestinians were killed when a vehicle loaded with rockets blew up in the Jabaliya refugee camp (the Report does not mention that the vehicle belonged to Hamas and was carrying Qassam rockets. See below). The Report further states that 11 of all Israeli fatalities occurred in the **city of Sderot**, near the Gaza Strip (Paragraph 1628, p. 353).

71. **The Report does not ignore the severe psychological, social, and economic impact of the continuing rocket and mortar shell attacks on the civilian population of southern Israel**. It states that the Mission took particular note of the high level of

psychological trauma suffered by the population hit by the rockets. According to the Report, data gathered by Israeli organizations in October 2007 found that 28.4% of adults and 72%-94% of children suffered from post-traumatic stress disorder. The Report further notes that 1,596 people were "reportedly" treated for stress-related injuries during Operation Cast Lead while over 500 people were treated following it (Paragraph 105, p. 31). The Report notes the **damage** caused to houses, schools, cars, and even a synagogue (Paragraph 106, pp. 31-32), and the negative effects on the economy, social life and education of Israeli civilians in the affected communities (Paragraphs 106-107, pp. 31-32).

72. **The Report unequivocally states that the rocket attacks were indiscriminate and aimed against the civilian population of the State of Israel, and as such constituted war crimes and may even be considered crimes against humanity, without assigning responsibility to Hamas:** "The Mission has further determined that these attacks constitute *indiscriminate attacks upon the civilian population of southern Israel* and that where there is no intended military target and the rockets and mortars are **launched into a civilian population**, they constitute a *deliberate attack against a civilian population*. **These acts would constitute war crimes and may amount to crimes against humanity.** Given the seeming inability of the **Palestinian armed groups** to direct the rockets and mortars towards specific targets and given the fact that the attacks have caused very little damage to Israeli military assets, the Mission finds that there is significant evidence to suggest that one **of the primary purposes of the rocket and mortar shell attacks is to spread terror amongst the Israeli civilian population, a violation of international law**" (Paragraph 108, p. 32). (ITIC emphasis)

73. However, while the Goldstone Report does indicate that there was indiscriminate rocket fire targeting civilians and notes the severe impact the continued attacks had on the civilian population, it **systematically assigns no responsibility** for what it calls "war crimes" to **Hamas, which controls the Gaza Strip, sets rocket and mortar attack policy, and plays a major part in its execution.** Hamas is not included in what the Goldstone Report calls the "Palestinian armed groups," so that the **war crimes which according to the Report have been going on for years, have no leader, organization, entity, or political address, no one bears the responsibility or is to be held accountable for those crimes.** Hamas, therefore, initiated the rocket fire policy against Israel and, as it claimed, found itself cleared of all charges in the Goldstone Report.<sup>47</sup>

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<sup>47</sup> For example, **Musa Abu Marzuq**, deputy head of the Hamas political bureau in Damascus, thanked the human rights organizations and all the countries which voted in favor of the Human Rights Council's decision to adopt the conclusions of the Report. He noted, among other things, that the Report did not blame Hamas for the rocket fire since it did not mention it by name, only "Palestinian armed groups" (Al-Jazeera TV, October 16, 2009). Based on the Report, other Hamas spokesmen repeatedly absolved themselves of all blame.

## Factual Findings

74. **Prior to Operation Cast Lead, rocket and mortar fire disrupted the daily lives of some 200,000 Israeli civilians residing in the western Negev.** Before 2008, the city of **Sderot** (population 20,000) was the main target of the attacks. A long-range rocket was first launched at Ashqelon on March 28, 2006 (election day). It can be said, however, that the city of **Ashqelon** (population 110,000) came under fire only in 2008. The number of civilians hit by the rockets grew during Operation Cast Lead as the rockets' range increased to include such major cities as Ashdod and Beersheba, **affecting almost one million civilians in southern Israel.** As for the number of fatalities, in 2001-2008 (prior to Operation Cast Lead) **14 civilians** were killed by rocket fire. **Eight civilians and two IDF soldiers** were killed by mortar fire (a total of 24 killed). In addition, hundreds of Israeli civilians were injured, thousands of civilians (including children) suffered from anxiety, shock, and various traumas resulting from the attacks.



Qassam rockets disrupt the beginning of the school year. Left: the shattered windows of the kindergarten. Right: a kindergarten in Sderot near which a rocket landed (Amir Cohen for Ynet, September 3, 2008).



First graders in Ashqelon during a Red Alert (Amir Cohen for Reuters, March 3, 2008).

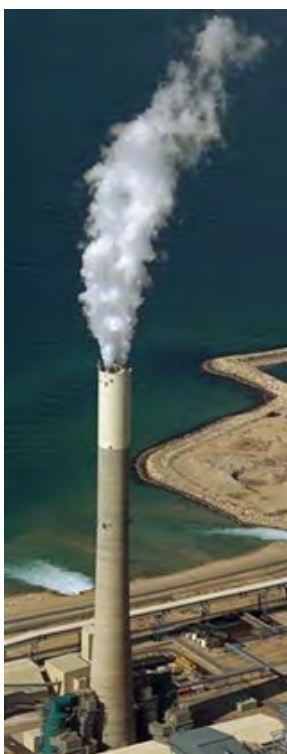
75. **The “work accidents” of Hamas and the other terrorist organizations, briefly mentioned in the Report, did in fact cause numerous casualties to Gaza Strip residents.** They were mainly the result of the relatively low quality of improvised weapons used by Hamas and the other terrorist organizations. The most notable incident took place on September 23, 2005, when 19 Palestinians were killed and over 80 injured when a vehicle loaded with Qassam rockets blew up during a military parade organized by Hamas in the Jabaliya refugee camp (the incident was mentioned but not elaborated on in the Report).<sup>48</sup> That was not the only “work accident” in which Gaza Strip residents were killed, but it was certainly the most conspicuous (the Report does not mention many other similar accidents or those responsible for them). It is unclear why the Report mentions the casualties suffered by Palestinians as a result of technical malfunctions of those responsible for the attacks in the same breath as the casualties suffered by Israel as a result of the **clear intention** to hit civilians. Thus, it should be emphasized that **Hamas** was responsible for the casualties caused to civilians both in Israel and in the Gaza Strip.

76. The Goldstone Report discusses the technical difficulties of firing rockets at specific targets. Aware of the fact, Hamas and the other terrorist organizations therefore **targeted large areas**, i.e., **Israeli population centers**. However, the terrorist organizations expressed their **intention** to hit specific civilian targets. For example, the **Ashqelon power plant**, which also provides about 65% of the Gaza Strip's electricity, was constantly targeted by the terrorist organizations' rocket fire in the hope of eventually hitting it. The terrorist organizations also fired **mortar shells at the crossings** between Israel and the Gaza Strip, disrupting the passage of goods and people. The Goldstone Report, which strongly criticizes Israel for “blockading” the Gaza Strip, ignores the incessant **targeting of the crossings by the terrorist organizations**, and does not condemn Hamas and the other terrorist organizations for it.

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<sup>48</sup> The incident which the Goldstone Report did not elaborate on was an explosion which took place during a “victory rally” held by Hamas in the Jabaliya refugee camp, on the outskirts of Gaza City. The rally included a military parade of terrorist operatives in which arms and ammunition, including rockets, were displayed. A “work accident” which occurred during the parade killed 19 people and injured over 80. As usual, Hamas blamed Israel for the incident and “retaliated” by firing a massive volley of 15 rockets at the city of Sderot. Due to public criticism following the incident, Hamas suspended its direct involvement in rocket fire and allowed Fatah and Palestinian Islamic Jihad networks to take the lead in rocket attacks.

## Power Plant in the Crosshairs



The Rutenberg power plant in Ashqelon, which supplies most of the Gaza Strip's electricity, and continued to do so during Operation Cast Lead. Nevertheless, it was declared a target by the terrorist organizations operating in the Gaza Strip (Photo: Israel Electric Company).

77. Since it began rocket attacks, Hamas and the other terrorist organizations, with the assistance of Iran, have made efforts to **increase their rocket production and upgrade their technical capabilities**. They focus mainly on **increasing range** to reach more Israeli population centers, lengthening rocket shelf-life, and enhancing the effectiveness of the warheads to maximize casualties and destruction.

## Other Types of Terrorist Attacks from the Gaza Strip in the Years Preceding Operation Cast Lead

### The Goldstone Report

78. The Goldstone Report mentions the rocket and mortar fire during the lull but it **completely ignores** other terrorist attacks carried out or prevented during the years before Operation Cast Lead, except for the abduction of Gilad Shalit (see below). What is particularly

troubling is that the **Report ignores terrorist attacks at the crossings**, because it goes to great lengths to condemn Israel for closing them. That is part of its **overall tendency not to condemn Hamas and the other terrorist organizations, while minimizing the significance of the escalating terrorist threat from the Gaza Strip** which was the reason for Operation Cast Lead.

## The Issue of Gilad Shalit

79. The Goldstone Report addresses the issue of the abducted soldier Gilad Shalit several times:

A) In the Executive Summary at the beginning of the Report (Paragraphs 76-76, pp. 26-27), the Report addresses the ongoing captivity of Gilad Shalit, the measures taken by Israel following his abduction, the questioning of Gaza Strip residents by the IDF during Operation Cast Lead, and the appearance of Noam Shalit, Gilad Shalit's father, at a Mission hearing held in Geneva on July 6, 2009 (see also Paragraph 1342, p. 285). The Report repeats the details of the abduction and Israel's reaction in its historical review (Paragraph 189, p. 50).

B) **The Report also asserts that Gilad Shalit, who was abducted from Israeli territory, meets the requirements for prisoner-of-war status under the Third Geneva Convention**, and as such he should be protected, treated humanely and be allowed external communication. The Red Cross should be allowed to visit him, and information about his condition should be provided to his family (Paragraph 77, p. 27; Paragraph 1343, p. 285).<sup>49</sup> The concluding part of the Report, in the paragraph which summarizes the "legal findings" under the headline "Actions by Palestinian armed groups" (Paragraph 1952, p. 419), reiterates Gilad Shalit's status as a prisoner of war.

C) According to the Report, **the Mission asked the "Gaza authorities" (i.e., the de facto Hamas administration) to confirm the status of Gilad Shalit, and "in their reply, which the Mission considered to be unsatisfactory, the Gaza authorities denied** being involved in any way with the capture of Gilad Shalit and stated that they are [sic] not in possession of any information regarding his current status" (Paragraph 1340, p. 285). (ITIC emphasis)

D) With that in mind, the Mission recommends that "Palestinian armed groups who [sic] hold Israeli soldier Gilad Shalit in detention release him on humanitarian grounds. Pending such release they should recognize his status as prisoner of war, treat him as such, and allow him ICRC visits" (Paragraph 1973, Section (b), p. 427).

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<sup>49</sup> The assertion that Gilad Shalit is a POW lacks a legal basis, since POWs can exist only in wars between state armies. The position taken by the Goldstone Report may provide legal justification for holding Gilad Shalit in captivity, and consequently, for abducting more soldiers in the future.



80. The Report criticizes the “armed groups” that hold Gilad Shalit captive, demands his recognition as a prisoner of war, Red Cross visits and his release on humanitarian grounds.<sup>50</sup> **Once again it does not explicitly state that Hamas controls his fate, that it indirectly negotiates with Israel for his release in exchange for terrorist murderers imprisoned in Israel, and that Hamas is the real address for the Mission's criticism of the conditions of his captivity.**

## **Factual Findings**

81. **Since the disengagement (August 2005), rocket fire** has become the **leading weapon** for **Hamas and the other terrorist organizations**. However the terrorist organizations attempted **other types of terrorist attacks from the Gaza Strip**, some of showcase attacks. Some were carried out and some prevented thanks to the intensive counterterrorism activities of the Israeli security forces (exposing tunnels, tracking down arms and ammunition smuggled into the Gaza Strip, targeted killings, and capturing terrorists). Such terrorist attacks required the IDF, despite the disengagement, to launch incursions for limited periods of time, and also required **Israel to close down the crossings** occasionally. During 2008 there was an increase in planned attacks and the number of terrorist attacks prevented. The IDF's preventive activities served as an excuse for Hamas and the other terrorist organizations to launch revenge and deterrent attacks to make it difficult for Israel to take preemptive actions.

82. The following is a summary of the various types of attacks ignored by the Report:

- A) Terrorist attacks targeting the Gaza Strip crossings, carried out between the disengagement and Operation Cast Lead (2006-2008).
- B) Other types of terrorist attacks carried out between 2006 and 2008.
- C) Prominent attacks carried out during the lull in the fighting, June-December 2008.

## **Terrorist Attacks Targeting the Crossings**

83. The Goldstone Report **greatly emphasizes** the so-called “blockade” of the Gaza Strip imposed by closing the crossings, **while it ignores the security context in which they were closed**. Therefore, several prominent examples of **terrorist attacks targeting the**

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<sup>50</sup> While his release is discussed as a theoretical statement, the Report expresses concern over Israel's statements that the “blockade” will continue until Gilad Shalit's release, saying that this would constitute collective punishment of the civilian population of the Gaza Strip (Paragraph 78, p. 27; Paragraph 1344, p. 285).

**crossings** which were carried out between the disengagement and Operation Cast Lead (i.e., 2006-2008) follow:

A) **On the afternoon of April 9, 2008**, a squad of four armed terrorists broke through the border fence in the northern Gaza Strip. They went to the **fuel terminal of Nahal Oz** and shot at Israeli civilians working there, killing two. Responsibility for the attack was claimed by the Palestinian Islamic Jihad, the Popular Resistance Committees, and Fatah-Al-Aqsa Martyrs Brigades. **Hamas'** Izz al-Din al-Qassam Brigades assisted them by firing mortar shells at the IDF forces which pursued the terrorists, even though Hamas took no part in the shooting itself. The Brigades claimed responsibility for firing 43 mortar shells following what they referred to as **"the heroic action carried out by the Palestinian resistance groups in Nahal Oz"** (Izz al-Din al-Qassam Martyrs Brigades, April 9, 2008).

B) **On April 19, 2008, Passover eve**, IDF forces prevented a **combined, large-scale terrorist attack in the vicinity of the Kerem Shalom crossing** and near Kissufim. Supported by mortar and small arms fire, and using fog for cover, a BRDM (armored Soviet combat reconnaissance/patrol vehicle) broke through the Kerem Shalom crossing gate crossing. **Two explosive-laden vehicles disguised as IDF jeeps** then drove through the breach. One blew up near the watchtower, while the other drove toward IDF soldiers and blew up next to them. The Kerem Shalom crossing sustained serious damage and **had to be closed for several months for repairs. Hamas claimed responsibility for the incident.**

C) In the early morning of **May 22, 2008**, a truck loaded with about four tons of explosives blew up at the goods terminal of the **Erez crossing** (northern Gaza Strip). The site was damaged but no casualties were reported. The Palestinian Islamic Jihad claimed responsibility for the attack.



**Truck blows up at the Erez crossing  
(Hamas' PALDF forum, May 22, 2008)**

D) The **Karni crossing**, vital for the Gazans, was attacked on **April 26, 2006**. A Popular Resistance Committees terrorist squad attempted to carry out an attack combining small arms fire and car bombs at the crossing. The attack was prevented by the Palestinian security services, who at that time were loyal to Mahmoud Abbas. The objective of the attack was to disrupt the functioning of the crossing, which is used for delivering goods, foodstuffs, medicine, and raw materials into the Gaza Strip.



The detonation of the explosives found on one of the three vehicles involved in the attempted attack the Karni crossing (Photo courtesy of Israeli Channel 10 TV, April 26).



The five barrels of explosives found on the vehicle (Photo courtesy of Channel 10, April 26).

E) **On February 1, 2006, a suicide bombing attack was prevented at the Erez crossing:** Two terrorists were killed and explosive belts were found on their bodies. The Popular Resistance Committees claimed responsibility for the attack.

84. The long periods during which the crossings were closed and the shortages of goods in the Gaza Strip **resulted primarily from Hamas' policy of terrorism**. Hamas took an active role and allowed its military wing and other terrorist organizations to carry out terrorist attacks at the crossings. Hamas cynically took advantage of the suffering its policy caused the Gaza Strip population for propaganda purposes. They attacked Israel (and Egypt), blowing the Gazans' suffering out of proportion and portraying it as a humanitarian disaster. Traces can be found in the Goldstone Report. Based on outright lies, the propaganda campaigns were geared towards international public opinion and designed to create an atmosphere of urgency and crisis that would **pressure** Israel to open the crossings **even while rocket, mortar fire and other terrorist attacks continued**.

## Other Types of Terrorist Attacks

85.  **Hamas and the other terrorist organizations operating in the Gaza Strip carried out other terrorist attacks, including mass-killing attacks involving car bombs and suicide bombers.** The Goldstone Report ignores them as well (except for the abduction of Gilad Shalit). The following are some of the major terrorist attacks carried out between 2006 (the year after the disengagement) and the lull in 2008:

A) **June 25, 2006, the abduction of Gilad Shalit:** A group of terrorists entered Israel through a tunnel dug under the border in the Rafah region, emerging behind an IDF force. **Some of the tunnel had been dug inside Israeli territory, near the Kerem Shalom crossing.** Covered by mortar fire and anti-tank missile fire, the group split into three squads which simultaneously attacked the IDF forces. One hit a tank with missiles, killing two crew members, Hanan Barak and Pavel Slutzker and injuring one. Gilad Shalit was abducted, and two soldiers in the **observation post** were injured. Hamas, the Popular Resistance Committees, and the Army of Islam, a network affiliated with the global jihad, all claimed responsibility for the attack. **Hamas**, which holds Gilad Shalit captive, has refused to allow Red Cross representatives to visit him and negotiates his release with Israel in exchange for terrorist operatives held in Israel. The Goldstone Report did not mention that the incident caused a severe escalation on the ground.

B) **September 12, 2006:** An IDF tracker was killed in a clash with two terrorists **near the Kissufim crossing.** An IDF force exposed a tunnel dug near the border fence leading into Israeli territory and probably meant to be used in a terrorist attack. IEDs, Kalashnikov rifles, and bullet-proof vests were found nearby. Several organizations, including Hamas, claimed responsibility for the attack.

C) **November 6, 2006: A female suicide bomber** attempted to attack an IDF force south of Beit Hanoun in the northern Gaza Strip. The force identified the terrorist and signaled her to stop, at which point she blew herself up, causing slight injuries to one IDF soldier. The Palestinian Islamic Jihad claimed responsibility for the attack.

D) **December 13, 2006:** An IDF force identified, shot and killed a Palestinian terrorist north of the Karni crossing. According to Palestinian media reports, the terrorist was on his way to carry out a terrorist attack in the Nahal Oz region (Ramattan News Agency, December 13, 2006).

E) **January 29, 2007: A suicide bomber** who reached Eilat through Sinai blew himself up at a bakery in **Eilat**, killing three civilians. The terrorist belonged to the Palestinian Islamic Jihad and came from the Gaza Strip. The attack was carried out in

collaboration with a Fatah network. (In 2007 other attempts to launch terrorist attacks in Israel through Sinai were prevented.)

F) **August 25, 2007:** The IDF **prevented a terrorist attack in the village of Netiv Ha'asara**, north of the Gaza Strip. Two terrorists climbed over the security fence using a rope ladder and once in Israeli territory, opened fire at a soldier in an outpost. The soldier returned fire and an IDF force killed the two terrorists.

G) **September 6, 2007:** Israeli security forces prevented an attempt made by a squad of seven terrorists to infiltrate into Israel to attack an IDF outpost north of Kissufim. Their vehicle contained hundreds of kilograms of explosives.

H) **November 19, 2007:** Israeli security forces prevented an attempt by three terrorists to **infiltrate** the village of Netiv Ha'asara. Two terrorists were killed while the third was injured.

I) **January 15, 2008:** **A sniper** shot and killed a worker (a volunteer from Ecuador) in the fields of the village of Ein Hashlosa, near the border fence. The Izz al-Din al-Qassam Brigades claimed responsibility for the attack.

J) **March 6, 2008:** Two IDF soldiers riding in a jeep were killed by an **IED** near Kissufim. Responsibility for the terrorist attack was claimed by Hamas and the Palestinian Islamic Jihad.

K) **April 4, 2008:** The convoy of the Israeli minister of internal security was shot at during a visit to the Sderot area. One of the minister's aides was wounded.

L) **April 11, 2008:** **Snipers** fired machine guns at a farmer who was working in the fields of the village of Nir Oz.

M) **April 16, 2008:** An IDF force identified two terrorists attempting to place IEDs near the border fence in the vicinity of the village of Be'eri. The force entered the Gaza Strip and was ambushed. In the exchanges of fire, three IDF soldiers were killed and three were injured. Hamas claimed responsibility for the attack.

N) **June 12, 2008:** Using rockets and mortars for cover, the terrorist organizations attempted to perpetrate a terrorist attack using a **front loader**. It aroused the suspicion of IDF forces when it approached the border fence in the northern Gaza Strip, near the village of Netiv Ha'asara. The vehicle stopped and a terrorist who ran out of it was shot and killed. The IDF force shot the front loader, which burst into flames.



The booby-trapped front loader in flames (IDF Spokesman, June 12, 2008)

## Terrorist Attacks during the Lull in the Fighting

86. The following are some major terrorist attacks carried out **during the lull in the fighting** in 2008 (**ignored** by the Goldstone Report as well):

A) **September 2, 2008: An IED was detonated** near Erez crossing. No casualties were reported.

B) **September 11, 2008:** An IED was used to attack an IDF force patrolling near the border fence south of Kissufim outpost. A fictional network claimed responsibility for the incident (The Palestinian Islamic Jihad's Quds.net website, September 11, 2008).

C) **October 31, 2008:** An IDF force identified a terrorist squad **attempting to place an IED** near the border fence north of Sufa crossing. The force approached the squad, which fired **two anti-tank missiles** at it. The force returned fire and drove the terrorists from the area.

D) The **Army of Islam** claimed responsibility for firing missiles on November 2, 2008.<sup>51</sup>

E) **November 28, 2008:** An IDF force identified suspicious terrorist operatives who were most likely engaged in placing an IED near the security fence in the vicinity of Abasan, near Khan Yunis. In the ensuing exchange of fire one Popular Resistance Committees terrorist operative was killed and four were injured. In response, the terrorist organizations launched 17 mortar shells and one rocket shell into Israel. Hamas claimed responsibility for most of the attacks (Izz al-Din al-Qassam Brigades, November 29). One of the mortar shells landed in an IDF base located in the Nahal Oz region, **injuring eight soldiers, one of them seriously.**

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<sup>51</sup> The **Army of Islam** is a Palestinian network in the Gaza Strip with several dozen operatives ideologically affiliated with the global jihad and in contact with global jihad operatives. For more details, see the ITIC Information Bulletin: "The Army of Islam, a radical Islamic Palestinian terrorist group in the Gaza Strip, claimed responsibility for the abduction of British journalist Alan Johnston. In exchange for his release, they demand the release of global jihad operatives, particularly Sheikh Abu Qatada..." ([http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/islam\\_troops\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/islam_troops_e.htm))

## Escalation in 2008

### The Goldstone Report

87. **The dramatic increase in rocket and mortar fire in 2008, which was the main reason for Operation Cast Lead, was not given its proper weight in the Goldstone Report.** The Report is based on the premise that Operation Cast Lead was the result of the events of the **six-month lull in the fighting** which preceded the operation and the “blockade” supposedly imposed by Israel on the Gaza Strip,<sup>52</sup> rather than the **escalation in terrorism** which was initiated by Hamas.

88. The Report provides an almost day-by-day account of the events which it claims constituted violations of the lull during the months of June, July, and August. In contrast, the massive escalation of rocket fire which began in the months of November and December is described in more general terms. Moreover, the Report even implies that the IDF’s incursion into the Gaza Strip for preventing a terrorist attack through a tunnel was one of the main reasons for the collapse of the lull, similar to the claims made by Hamas. Even though the Report clearly states that the lull did not apply in Judea and Samaria, it attributes many incidents of fire in the Gaza Strip during the lull to the IDF’s counter-activities in Judea and Samaria, failing to mention terrorist attacks which originated in the Gaza Strip, Judea and Samaria, or Jerusalem (such as the construction vehicle attacks in Jerusalem, July 2 and July 22).<sup>53</sup>

#### Conclusions

**89. The Goldstone Report’s methodology mitigates and diminishes the significance of the rocket attacks and the general terrorist threat from the Gaza Strip and in Judea and Samaria. In addition, it creates an “understanding” for the motivations of Hamas and the other terrorist organizations, and in fact clears Hamas of responsibility for the escalation (See below) which led to Operation Cast Lead.**

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<sup>52</sup> The Report uses Hamas’ terminology. While Israel did restrict the passage of goods into the Gaza Strip, mostly out of security considerations, Israel (and Egypt) did not “blockade” the Gaza Strip. Goods passed through the crossings before, during and after Operation Cast Lead.

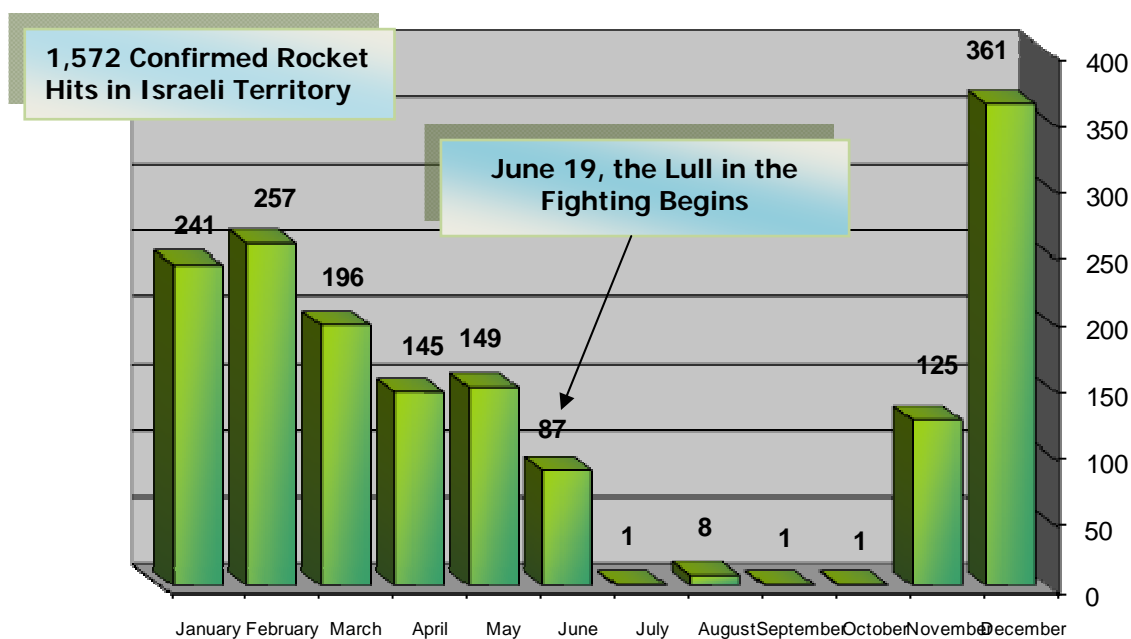
<sup>53</sup> For further information see the July 23, 2008 bulletin, “Jerusalem as a focus for terrorism: Another mass-casualty attack using a construction vehicle, part of a trend of increasing terrorist activity in Jerusalem” at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/ct\\_e003.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/ct_e003.pdf).

## Factual Findings

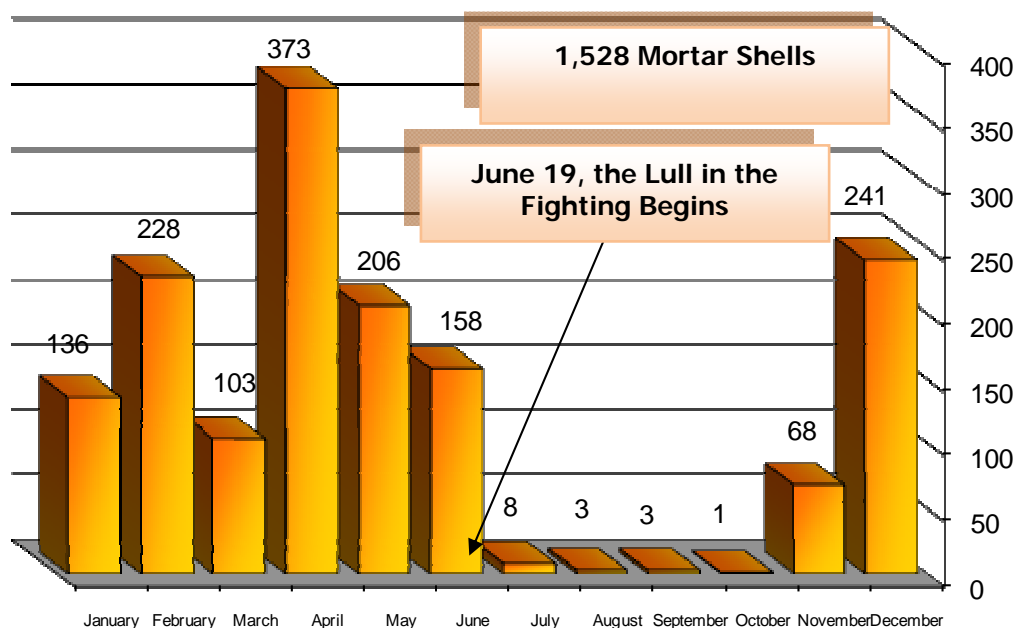
90. A dramatic escalation in rocket and mortar shell attacks from the Gaza Strip was evident throughout 2008. The attacks can be described as follows:

A) **Extent:** 2008 marked the peak of rocket and mortar shell attacks, **the numbers nearly double** those of 2007. A total of **3100 rockets and mortar shells** hit Israeli territory in 2008 (1,572 rockets and 1,528 mortar shells).

### Rockets fired at Israel in 2008

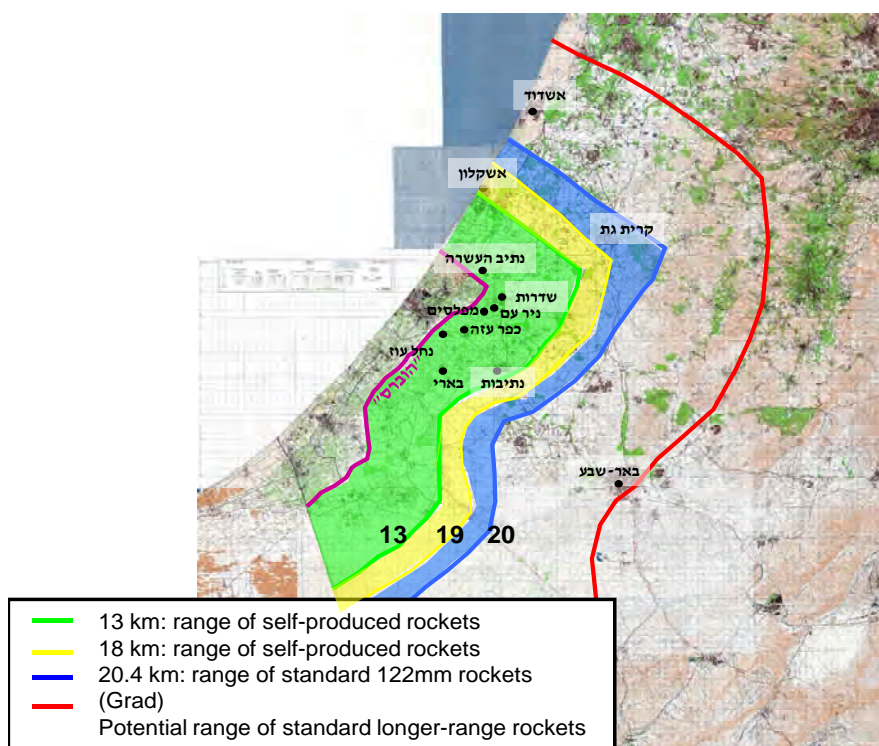


### Mortar Shell Fire in 2008





B) **Dramatic increase in the number of Israelis exposed to rocket fire from the Gaza Strip:** Before 2008, the city of Sderot (population 20,000) and towns surrounding the Gaza Strip were the preferred target for rocket and mortar shell attacks. In 2008, **hundreds of thousands of more Israeli civilians were threatened** as the list of targeted cities gradually increased to include first **Ashqelon and Netivot** and, during Operation Cast Lead, **Ashdod, Beersheba, and other cities within a 40-kilometer range (25 miles) of the Gaza Strip**. Thus during Operation, a situation for which Hamas was well prepared, **nearly one million of southern Israel residents were exposed to rocket and mortar shell attacks of various levels of intensity**.



**Population Centers in Israel Threatened by Rockets on the  
Eve of Operation Cast Lead  
Cities in Israel Exposed to Rocket Fire during Operation  
Cast Lead**

City	Population <sup>54</sup>
Ashdod	208,900
Beersheba	186,800
Ashqelon	110,000
Kiryat Gat	47,900
Rahat	43,300
Yavne	32,300
Netivot	26,100
Ofakim	24,700
Kiryat Malachi	19,700
Sderot	19,400

C) **Hamas again took the lead in rocket attacks**, being responsible for about 35% of the total rocket launches (Palestinian Islamic Jihad was the leader in 2006-2007).

D) **There was a significant increase in the effectiveness and quantity of rockets possessed by Hamas:** In 2008, Hamas began routinely using standard rockets, including **122mm Grad rockets** (with ranges of about 20 and 40 kilometers, or 12.5 and 25 miles) **and 120mm mortar shells**<sup>55</sup> smuggled into the Gaza Strip (in our assessment from Iran). Such standard ammunition with upgraded propellants, considerably different from self-produced rockets and mortars, **increased the rockets' range and their destructiveness.**

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<sup>54</sup> According to the Central Bureau of Statistics, September 2008

<sup>55</sup> In 2008, about 57 122mm Grad rockets were fired, mostly at Ashqelon.

## Improved Rockets and Mortars Smuggled by Iran into the Gaza Strip and Used in the Year before Operation Cast Lead

### Upgraded 122mm Grad Rocket

Grad rocket with an articulated engine

Diameter: 122mm

Maximum range: 20 km (12.5 miles)

Weight: 62 kg (136.4 lbs)

Length: 2800mm (9 feet)

Country of origin: Iran



### 122mm Grad Rocket with 40 km Range

Diameter: 122 mm

Maximum range: 40 km (25 miles)

Warhead weight: 18-22 kg (39.6-48.4 lbs)

Number of metal pellets: 3000-5700

Country of origin: China



The remains of a rocket identified by the Israeli police, found near Gan Yavne (December 28, 2008).

## 120mm Mortar Shell

**Standard Iranian-made 120mm mortar shell** (copy of an Israel Military Industries mortar shell from the 1970s). **It is equipped with an auxiliary rocket that increases its range from six to ten kilometers.**

**Note:** On February 24, 2008, a shell of this type landed in the vicinity of the village of Saad. On June 5, a mortar shell hit a factory in the village of Nir Oz, killing one resident **engine** and injuring four others.



E) **There was a significant increase in the size of the arsenals of Hamas and the other terrorist organizations.** On the eve of Operation Cast Lead, **they had 1500-2500 standard and improvised rockets** of various ranges, and several thousand mortars (see the section on military buildup).

F) **Increased Israeli civilian casualties:** As a result of rocket and mortar fire, four people were killed in 2008 prior to Operation Cast Lead (compared to two in 2007 and two in 2006). Several dozen civilians were injured and several hundred suffered trauma and stress-related injuries.

## The Lull in the Fighting, June 18 to December 18, 2008

### The Goldstone Report

91. The Goldstone Report goes into **fairly considerable detail** about the rocket and mortar shell attacks during the first five months of the lull, but it does so selectively and **minimizes** the terrorist threat faced by Israel. The Report details only rocket and mortar fire, **completely ignoring other forms of terrorist attacks or terrorist attack attempts made during the lull.**

## Factual Findings

92. During the first half of 2008, Hamas initiated an escalation of rocket and mortar shell attacks. On June 17, 2008, after several months of contacts between Israel, Hamas and Egypt, Egypt and Hamas each separately announced that a **lull** (*tahdiya*) arrangement had been reached, effective June 19, 6:00 A.M. It was an **unwritten** arrangement which, in Israel's view, **had no time limit**. According to Hamas and the other terrorist organizations, it was valid for six months.

93. The lull was based on the **cessation of fighting in the Gaza Strip**, which Hamas pledged to impose on the other terrorist organizations, and they expressed their (reluctant) agreement. **The cessation of fighting** – fundamental to the arrangement – was supposed to result in the opening of the crossings between Israel and the Gaza Strip, the advancing the negotiations for the release of abducted soldier Gilad Shalit, and the setting up of talks for opening the Rafah crossing between the Gaza Strip and Egypt. At Israel's request, and based on past lessons, the lull was only valid for the **Gaza Strip**, since it was clear that applying it to Judea and Samaria would give the terrorist organizations a pretext to violate the arrangement in the Gaza Strip.

94. The lull arrangement in the Gaza Strip meant that Israeli security forces would have **complete freedom to operate** against terrorist organizations in **Judea and Samaria**. On the other hand, **terrorist attacks perpetrated by terrorist organizations in Judea and Samaria during that time did not constitute violations of the lull**. In fact, throughout the lull, Israeli security forces continued to operate against the networks of Hamas and the other terrorist organizations in Judea and Samaria, and at the same time, terrorist attacks were perpetrated in Judea and Samaria.

95. During the lull which preceded Operation Cast Lead, **347** rockets and **255** mortar shells landed in Israeli territory. The lull can be divided into two periods:

A) **First period** (June 19-November 4): The first five months of the lull **were relatively quiet**. During that time, there was a significant decrease in rocket and mortar fire targeting western Negev population centers, and in Sderot and elsewhere, superficially at least, life return to its former routine. During that period Hamas adopted a policy of restraint, but the relative quiet was broken by sporadic rocket and mortar shells fired mostly by other terrorist organizations. **In those five months, 20 rockets were fired at Israel** (three of which landed in the Gaza Strip) **as well as 18 mortar shells** (five of which landed in the Gaza Strip). The IDF did not carry out

preventive counterterrorism activities within the Gaza Strip, engaging only in security and defense activities along the border fence.

B) **Second period** (November 4-December 19): During those two months, terrorist attacks by Hamas and the other terrorist organizations caused the lull to **deteriorate** gradually. It **collapsed** completely on Hamas initiative, triggered by an abduction attempt planned for the Kissufim region prevented by the IDF (November 4).

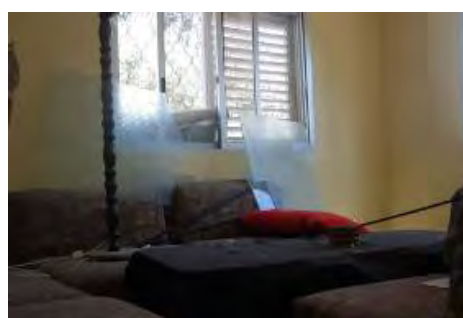
96. During those five months, the crossings between Israel and the Gaza Strip were **generally open** (Israel closed them for short periods following rocket and mortar shell attacks). The Karni, Sufa and later Kerem Shalom crossings allowed dozens of supply trucks to enter the Gaza Strip every day, bringing quantities of goods (including some which Israel had not permitted before, such as cement and iron). At that time, Hamas leaders admitted that there was, in fact, an improvement in the delivery of supplies.

97. Some of the lull violations were carried out by rogue terrorist organizations which refused to comply with Hamas policy (mainly the Palestinian Islamic Jihad and Fatah's Al-Aqsa Martyrs Brigades networks). Hamas **made no effective effort** to impose the lull on them.<sup>56</sup> In some incidents, rockets and mortar shells were fired to protest the implementation of the lull only in the Gaza Strip (rather than in Judea and Samaria as well) and in response to incidents in Judea and Samaria (for example, on June 24, 2009, three rockets were fired at Sderot – the first violation of the lull – in response to the killing of a senior PIJ operative in Nablus).

### Violations during the First Period of the Lull



Rescue forces en route to the rocket hit site in Sderot (Hamutal Ben Shitrit for [www.sderotmedia.com](http://www.sderotmedia.com), June 24, 2008).



Damage caused to a house in Sderot by a rocket hit (Hamutal Ben Shitrit for [www.sderotmedia.com](http://www.sderotmedia.com), June 24, 2008).

<sup>56</sup> Following Operation Cast Lead, Hamas proved it had the capability to impose a truce on the rogue networks **much more effectively** than during the lull (if it wanted to).



A Fatah network claims responsibility by phone (Al-Jazeera TV, June 26, 2008).



Rocket fired by Fatah's Al-Aqsa Martyrs Brigades at Sderot on June 26 (Al-Alam TV, June 26, 2008).



Sderot resident entering a bomb shelter as a Red Alert is sounded (Ze'ev Trachtman, July 10, 2008).



Fatah's Al-Aqsa Martyrs Brigades launch rockets (Al-Jazeera, July 10, 2008).

## The Deterioration of the Lull Arrangement, November 4 to December 18, 2008

### The Goldstone Report

98. The escalation in rocket and mortar fire from the Gaza Strip in the months of November and December is described **only in general terms** in the Goldstone Report. **Israel, in fact, is made out to be responsible for the escalation**, the result of its preventive activities, its responses to rocket and mortar shell fire attacks, and mostly for closing the crossings, which is described extensively and in great detail.<sup>57</sup> The Report **does not blame Hamas and the other terrorist organizations for the escalation**, while it goes to great lengths to detail the suffering caused to Gaza Strip residents by Israel's so-called "closure regime" of the Gaza Strip (Paragraph 266, p. 71).

<sup>57</sup> In contrast, the Rafah crossing, which was also closed during that time, is hardly mentioned in the Report, perhaps because Hamas (an important source of information for the fact-finding mission) did not want to emphasize its difficulties with Egypt.

99. The Report briefly mentions **the failed abduction attempt of November 4**, which was followed by an escalation on the ground (Paragraph 254, p. 68). It does not, however, blame Hamas for the attempted abduction, nor does it examine the incident, which was important, in detail. Instead, it presents the versions provided by Israel and Hamas (which claimed that the IDF operation was designed to sabotage the reconciliation talks between Hamas and Fatah in Cairo) and notes, "Both sides blamed the other for the escalation of violence" (such "balanced," neutral wording does not reflect Israel's reliable intelligence that Hamas planned to carry out an abduction in Israeli territory in the midst of the lull).

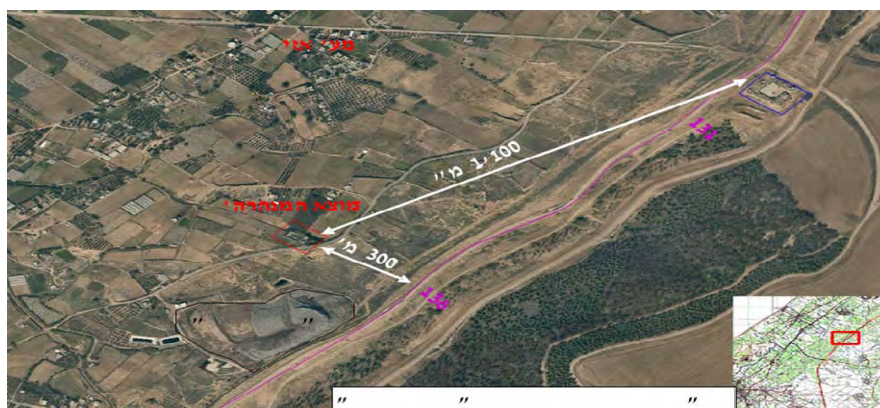
100. **The Report does not blame Hamas for the collapse of the lull**, even though Hamas unilaterally announced that it had ended. The Goldstone Report indirectly blames Israel by presenting the position of the de facto Hamas administration: "On December 18, 2008, the Gaza authorities declared that the truce was at an end and would not be renewed on the grounds that Israel had not abided by its obligations to end the blockade on Gaza" (Paragraph 262, p. 70). (**Note:** The announcement of the termination of the lull came from the **Hamas leadership** in Damascus, a **Hamas spokesman**, and an **Izz al-Din al-Qassam Brigades spokesman**, rather than just from the "Gaza authorities"; see below).

## Factual Findings

101. November 5 marked the beginning of the second period of the lull's deterioration. It began with an **abduction attempt prevented** on November 4, which was supposed to be carried out through a tunnel near the border fence (in the vicinity of Kissufim). The preventive action conducted by the IDF was based on intelligence which began accumulating towards late October 2008, about a tunnel built by Hamas for an abduction in the region near the Kissufim outpost.

102. The planned Hamas operation included the specific training of operatives for an offensive mission, and the nature of the training and the equipment **indicated that Hamas was preparing for an abduction**. At the same time, it was learned that the excavation of the tunnel was about to end and that Izz al-Din al-Qassam Brigades operatives were conducting unusual activities. Reliable information in early November indicated the intention to activate the tunnel. As a result, Israel made the decision to launch a preemptive operation in the Gaza Strip to prevent the abduction attempt.





The tunnel and the area around it. The entrance is located 300 meters (2/10 of a mile) from the border fence and 1100 meters (7/10 of a mile) from the IDF base.

103. Based on intelligence, on the night of November 4 an IDF force operated about 300 meters inside the Gaza Strip **to prevent the abduction**. As the IDF attacked the tunnel, it became clear that Hamas had taken the possibility into consideration and booby-trapped both the house at the end of the tunnel and the tunnel entrance. IDF forces blew up the house and left the Gaza Strip following the operation. Six IDF soldiers were injured, two of them seriously; **seven Hamas operatives** were killed and several were injured.

104. Spearheaded by Hamas, the Palestinian terrorist organizations responded immediately by firing several dozen rockets and mortar shells at western Negev population centers, blatantly violating the lull arrangement. **The massive shelling stopped at noon on November 5; however, sporadic fire continued throughout the week**. A total of **61 rockets** were fired during the week, 16 of which landed in the Gaza Strip. In addition, **18 mortar shells** were fired. Three rockets landed in the vicinity of Ashqelon, one of them in the center of a residential neighborhood (three women suffered stress-related injuries). One of the rockets landed inside a village, damaging greenhouses. The Israeli Air Force made several strikes on squads of rocket and mortar shell launchers. It was the **most serious** incident since the beginning of the lull and led to an escalation.

105. An escalation in rocket and mortar fire followed in **November and December**, in which **Hamas** played a major role. Its objective was to force Israel into a new lull arrangement with improved conditions for Hamas. It resulted from Hamas' sense of power and self-confidence, in view of what Hamas felt was Israel's avoidance of harsh responses. The main elements of the escalation were the following:

A) **Constant rocket and mortar shell fire:** During November and December 2008, population centers in the western Negev and the Ashqelon area were under **almost daily attack**.

B) **Extent of attacks:** The number of incidents **drastically increased** compared to the first period, even though they were still far from the pre-lull figures.

C) **Types of weapons used:** 122mm Grad rockets (fired at Ashqelon) and 120mm mortar shells were fired during the second period (which had not been used during the first period).

D) **Direct involvement of Hamas:** During the second period Hamas was directly involved in rocket and mortar shell fire, and even **publicly claimed responsibility**. Hamas was joined by the Palestinian Islamic Jihad, Fatah, and other smaller terrorist networks. During that time, **Hamas made no effort to stop the attacks, and even encouraged the process which eventually resulted in the collapse of the lull**.

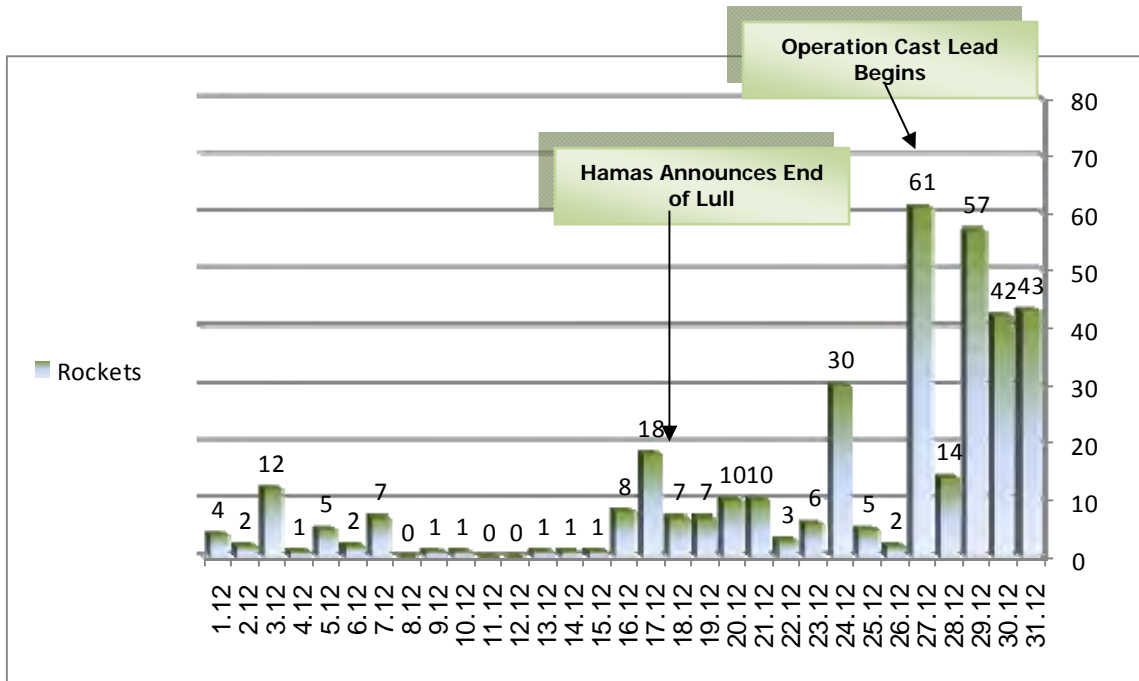
106. Israel's reactions grew more severe as well:

A) **Increase in the IDF's preventive activities:** Faced with the significant change in the number of rocket and mortar shell attacks, the IDF changed the scope of its counterterrorism activities and resumed operations inside the Gaza Strip. However, its activity was confined to the prevention of rocket and mortar fire and IED attacks, without initiatives (such as targeted killings), which were carried out in the pre-lull period.

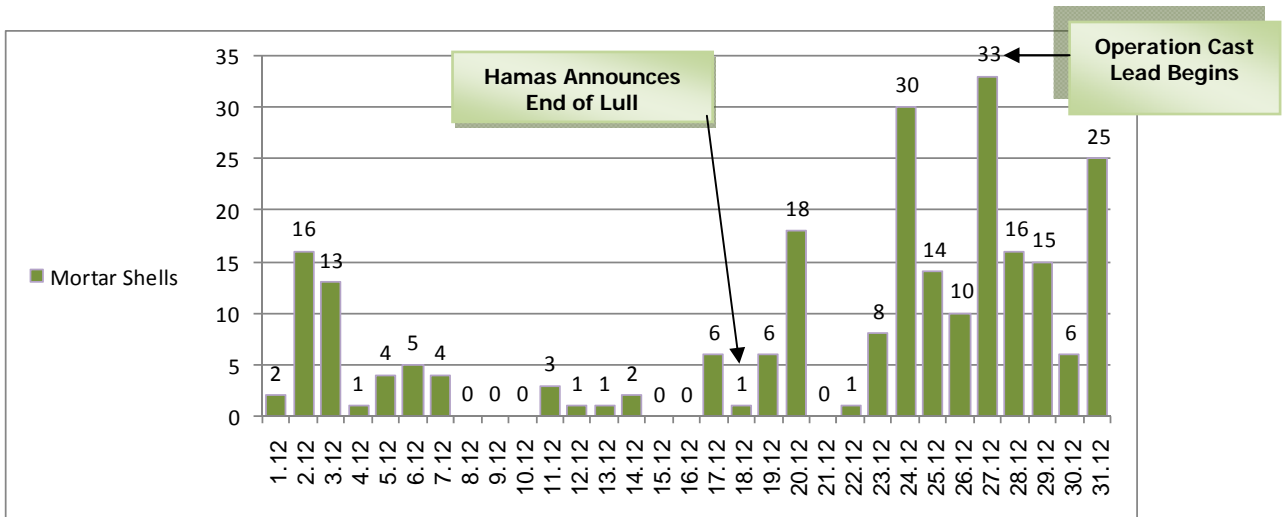
B) **Closing the crossings following attacks and alerts:** During the first period of the lull Israel closed the crossings for short periods of time in response to attacks on its territory. In the last month and a half of the lull the crossings remained closed **most of the time** since there were constant attacks and more alerts. However, the crossings did open on occasion following appeals by international aid organizations regarding shortages in the Gaza Strip, but they were soon reclosed because of the continuing fire (**the Goldstone Report does not examine the connection between terrorist activity and closing the crossings**).

107. The escalation in rocket and mortar fire, which began in early November, **peaked** in the second half of December, on the eve of Operation Cast Lead, as illustrated by the following charts:

## The Deterioration and Collapse of the Lull: Rocket Attacks, December 2008



## The Deterioration and Collapse of the Lull: Mortar Shell Attacks, December 2008



## Hamas' Unilateral Decision to End the Lull

### The Goldstone Report

108. Despite Hamas' unilateral announcement ending the lull, and despite the attacks on Israel, **the Goldstone Report does not blame Hamas for ending it**. It implicitly **blames Israel** by reiterating the position of the Hamas administration: "On 18 December 2008, the Gaza authorities declared that the truce was at an end and would not be renewed on the grounds that Israel had not abided by its obligations to end the blockade on Gaza" (Paragraph 262, p. 70). **The Report ignores Hamas' decision to end the lull unilaterally, the escalation initiated by Hamas, and the negative reactions of the Palestinian Authority and Egypt to Hamas' actions.**

### Factual Findings

109. **Hamas' unilateral decision** to the end lull and the **escalation** it initiated **played a major role in the events which ultimately led to Operation Cast Lead**. On September 18,<sup>58</sup> the Hamas leadership met to discuss whether or not to extend it. Opinions in the Gaza Strip leadership of Hamas were divided, while the Damascus leadership, headed by Khaled Mashaal, chief of the political bureau in Damascus, **decided to bring it to an end** in an attempt to achieve a new lull with better conditions for Hamas. The decision was made knowing that it would lead to an **escalation**. The leadership, however, assumed Hamas would be able to control and contain it. Hamas was joined in its decision to end the lull by the Palestinian Islamic Jihad and the other Palestinian terrorist organizations.

110. On December 18, **Hamas** (rather than the "Gaza authorities," as the Goldstone Report states) **unilaterally** and officially announced that the lull would end the following morning, December 19, at 6:00 A.M. The announcement blamed Israel ("the Zionist enemy") for not abiding by its obligations to open the crossings, "cease aggression," and apply the lull to the West Bank<sup>59</sup> (Hamas' Palestine-Info website, December 18, 2008). The decision was accompanied by rocket and mortar fire targeting Israel, clearly indicating that **Hamas planned an escalation**.

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<sup>58</sup> According to Hamas; according to Israel, the lull had no time limit.

<sup>59</sup> As noted above, the lull did not apply to Judea and Samaria from the outset.

## A Selection of Video Clips Showing Hamas Leaders and Spokesmen Announcing the End of the Lull



Izz al-Din al-Qassam Brigades spokesman Abu Obeida: the lull is coming to an end "and we will not renew that lull" (Al-Jazeera TV, November 8, 2008).



Izz al-Din al-Qassam Brigades spokesman Abu Obeida: The lull will not be extended (Izz al-Din al-Qassam Brigades website, December 17, 2008).



Khaled Mashaal, chief of the Hamas political bureau: "The lull was set for six months and it is ending on December 19 (Al-Quds TV, December 14, 2008).



Hamas spokesman Fawzi Barhoum: "The lull will end on December 18, and I see no reason to renew it" (Al-Aqsa TV, December 17, 2008).

Click for Video  
[Video no. 8](#)

111. **Hamas' media campaign**, which accompanied the end of the lull and the escalation, **portrayed Palestinians as being on the defensive**, demanded that Israel lift the "blockade," and stressed the Palestinians' "right" to respond to so-called Israeli "aggression." The campaign, which completely ignored the constant violations of the lull by Hamas and the other terrorist organizations, **was designed to lay political groundwork and prepare public opinion for an escalation in the Gaza Strip, orchestrated and carried out by Hamas and the other terrorist organizations** (with the support of Damascus and Tehran). **Hamas propaganda is evident** in the Goldstone Report, which does not adhere to the facts.

112. **The Palestinian Authority opposed the escalation initiated by Hamas.** Prior to Hamas' announcing the end of the lull, Palestinian Authority leaders, including Mahmoud Abbas, said that they supported its extension, and that firing rockets was useless because all

it did was provide Israel with a pretext to attack Hamas. Accordingly, the Palestinian Authority attempted to make Hamas reconsider, claiming that such a step would lead to a blockade of the Gaza Strip and worsen the Gazans' situation, and that it could lead to an Israeli attack on the Gaza Strip in the future.

113. Mahmoud Abbas' referred to his attempts to persuade Hamas to extend the lull in a speech he gave at the opening ceremony of the Fatah Revolutionary Council meeting (October 2009). He said that one week or ten days prior to the launch of Operation Cast Lead (i.e., December 17, 2008), he had called two Hamas activists, Ghazi Hamad and Ahmed Youssef, informing them of the coming Israeli attack. He added that all they had to do to avoid it was to extend the lull. When they did not respond, he said, he ordered Sa'eb Erekat to contact the **Hamas leadership in Damascus**. After they, too, did not agree, **Mahmoud Abbas contacted the president of Syria** and asked him to convince the Hamas leadership to extend the lull (Palestinian TV, October 16, 2009), to no avail.



Cartoon in a Palestinian Authority newspaper sneering at Ismail Haniya, portrayed as Iran's proxy. In the foreground is a peaceful Ahmed Yassin, thinking, "I hope Allah is happy with me." Behind him is stern Ismail Haniya, saying, "I hope Iran is happy with me" (*Al-Hayat al-Jadeeda*, December 18, 2008).

114. Understanding that the new situation was potentially dangerous and could lead to uncontrolled deterioration, **Egypt also expressed its strong objections to Hamas' ending the lull, a move which had been supported by Iran and Syria**. Egypt publicly attacked Hamas, Iran, and Syria:

A) With the end of the lull approaching, (according to Hamas and the other Palestinian terrorist organizations) a **"well-informed Egyptian source"** called on the **Palestinian organizations to renew the lull with Israel**. The source told an *Al-Hayat* correspondent that the Israelis planned to respond to any Palestinian escalation **and that their response could be severe**, to the point of hitting senior Hamas figures. They called on the organizations, chiefly Hamas, **to think first of Palestinian interests** and to agree to the extension of the lull based on previously achieved understandings (*Al-Hayat*, December 15, 2008).

B) In the days following the Hamas announcement, the Egyptian media strongly criticized **Iran and Syria**, accusing them of attempting to turn the Palestinian cause into a “playing card” (*Al-Gomhuriyya*, December 23, 2008). An *Al-Gomhuriyya* article said Hamas “fired primitive rockets” and accused it of **“being totally disconnected from its people.”** According to the article, Hamas was not concerned about the well-being of the Palestinians, preferring instead to be part of the Syrian-Iranian axis of evil, opposed to the axis of moderate Arab countries (*Al-Gomhuriyya*, December 24, 2008).

C) The editor-in-chief of Egypt’s official daily *Al-Gomhuriyya* strongly criticized Hamas. He wrote that “Hamas did not achieve victory over Israel with its rockets – victory belongs to Egypt’s intellect... Hamas did nothing for the lull. It promised to release the soldier [Gilad Shalit] and did not keep its promise. It also promised to put an end to the internal Palestinian schism, and signed the national dialogue document drawn up by Cairo, but then reneged. If Hamas wants to get Cairo involved to the point at which it asks for a continuation of the lull, and then tell the world that Egypt was the one seeking the lull, it is out of the question... Cairo will not become embroiled again in a matter pertaining to Hamas” (*Al-Gomhuriyya*, December 15, 2008).

## **The Escalation Preceding Operation Cast Lead, November 19 to December 27, 2008**

### **The Goldstone Report**

115. The Goldstone Report devotes barely **two lines (!)** to the severe escalation in rocket and mortar shell fire initiated by Hamas following the end of the lull. The Report does not mention Hamas’ responsibility. It links **the attack of December 24** to the IAF’s strikes on positions inside the Gaza Strip and to Israel’s not opening the crossings. Following the two lines describing the escalation, the Report also mentions a rocket which accidentally landed in the northern Gaza Strip, killing two girls (Paragraph 265, p. 71).

### **Factual Findings**

116. Hamas spokesmen said that they intended to **escalate terrorist activities from the Gaza Strip** following their announcement: **Musa Abu Marzuq**, deputy chief of the Hamas political bureau in Damascus, said that the end of the lull marked the **beginning of a phase in the “confrontation” which he believed to be more fitting for the “natural relations” between the occupier and the occupied** (*Al-Quds Al-Arabi*, December 19, 2008). Hamas representative in Lebanon **Osama Hamdan** accused Israel of not abiding by the terms of the lull and even implied that Hamas would **not settle for firing rockets and**

**mortar shells alone** (being “much bigger and more dynamic than that”), **and that more severe attacks would be carried out** (Al-Manar TV, December 19). The Palestinian Islamic Jihad also bragged about its rocket fire capabilities.

117. Hamas’ statements **were translated into rocket and mortar shell attacks on the ground**. Even before Hamas formally announced the end of the lull, the terrorist organizations, mainly the Palestinian Islamic Jihad, launched an intensive rocket and mortar shell attack, which Hamas later joined. The main incidents were the following:<sup>60</sup>

- A) **December 16: Eight** identified rocket hits, one of which fell on the soccer field of Sapir College, near Sderot.
- B) **December 17: 18 identified rocket** and **six mortar shell** hits. One of the rockets landed in the **Ashqelon industrial zone**, causing minor injuries to three civilians. Another rocket landed in a commercial center, causing minor injuries to three people and considerable property damage.



**Rocket damage to a commercial center in Sderot  
(Photo by Ze'ev Trachtman, December 17, 2008)**

- C) **December 18: Seven** rocket and one mortar shell hits. Damage was caused to a cow shed in the village of Nahal Oz.
- D) **December 19:** Once the lull had ended, **seven** rockets and **six** mortar shells landed in Israeli territory. There was also an incident of small arms fire at farmers working in the fields of the village of **Nir Oz**. There were no casualties but the vehicle was damaged.
- E) **December 20: Ten** rocket and **18** mortar shell hits were identified in Israeli territory. One of the rockets hit **downtown Sderot**; There were no casualties and no damage was done.

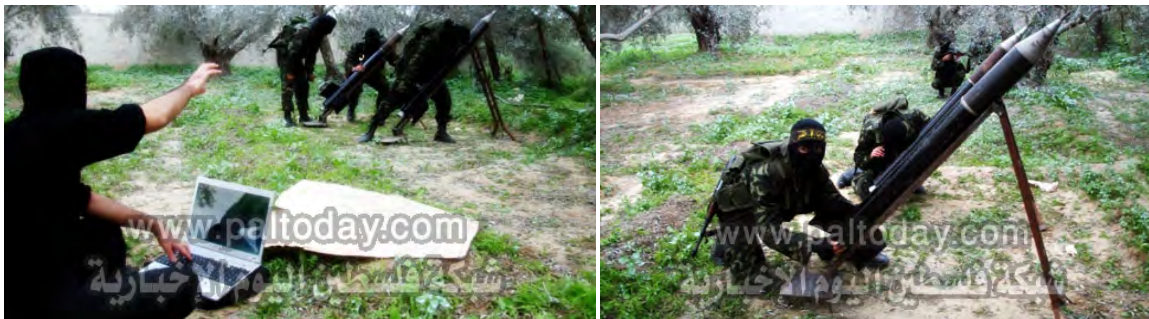
<sup>60</sup> For further information see the December 21, 2009 bulletin “Intensive rocket fire attacks against western Negev population centers and the Ashqelon region after Hamas announces the end of the lull arrangement” at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e018.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e018.pdf).



F) **December 21: Fifteen** rocket and **three** mortar shell hits were identified in Israeli territory. One resident of the town of Netiv Ha'asara sustained minor injuries. Four rockets landed in the **Sderot** area, **one of which directly hit a house** causing massive property damage and minor injuries to one person. One rocket landed **near an elementary school in Sderot**; another landed in the **Ashqelon industrial zone**. There were no casualties and no damage was done.



Direct rocket hit at a house in Sderot on December 21 (Photo by Ze'ev Trachtman, December 21, 2008).



The Palestinian Islamic Jihad launches rockets (Hamas' Paltoday website, December 21, 2008).

G) **December 22:** There was a decrease in rocket and mortar shell fire after Hamas and other terrorist organizations agreed to a 24-hour ceasefire to allow goods to be delivered to the Gaza Strip. However, the ceasefire was violated during the day when **three rockets and one mortar shell** landed in Israel.

118. On the evening of **December 23**, an IDF force prevented **an IED attack near the town of Netiv Ha'asara, north of the Gaza Strip**. The incident began when soldiers in an IDF observation post identified three armed terrorists attempting to place an IED near the border fence. The IDF force attacked and during the exchanges of fire an IED was detonated and a grenade was thrown at the force. The IDF sustained no casualties; the three terrorists were killed. At the scene, assault rifles, ammunition clips and grenades were found (IDF Spokesman's website, December 24, 2008). Hamas announced that all three terrorists killed were its operatives (Al-Qassam website, December 24, 2008).



The weapons found near the three terrorists killed in the attack prevented near the town of Netiv Ha'asara (IDF Spokesman, December 24).



Poster released by the Palestinian Islamic Jihad: "We have [many] more [rockets]" (Saraya al-Quds website, December 25, 2008)

119. The Hamas-initiated escalation peaked on **December 24, 2008**, three days before the beginning of Operation Cast Lead. The pretext used by Hamas was the killing of the three Hamas operatives the previous day. Behind the rocket and mortar shell attacks, and the threat to combine them with suicide bombing attacks,<sup>61</sup> however, **was Hamas' intention to establish new rules of engagement on the ground with Israel following the lull:** Hamas sought to restrict Israel's freedom of action and reaction by exacting a heavier toll for successful counter-terrorism operations by the IDF, and force Israel to open the crossings to the Gaza Strip while Hamas and the other terrorist organizations carried out and even escalated their terrorist attacks.

120. On December 24, 2008, Hamas launched a **massive attack on Ashqelon, Netivot, Sderot, population centers surrounding the Gaza Strip, the crossings between Israel and the Gaza Strip, and IDF bases. Sixty rockets and mortar shells were fired, most of them by Hamas.** On December 24, **mortar shells** were also fired at the **Kerem Shalom crossing**; on December 25 the **Erez crossing** was directly hit by a mortar

<sup>61</sup> Abu Obeida, Izz al-Din al-Qassam Brigades spokesman, declared that all Hamas' options were open, including suicide bombing attacks, although that did not mean they would be carried out immediately (Al-Aqsa TV, December 24, 2008).

shell. It was the most severe attack of its kind since the start of the lull six months previously. Dozens of civilians suffered stress-related trauma and property was damaged.

### **Scenes from the Rocket and Mortar Shell Attack of December 24 (Three Days before the Beginning of Operation Cast Lead)**



A family in front of its ruined house in the village of Tekuma, near Netivot (Gil Cohen Magen for Reuters, December 24, 2008).



A rocket which landed in Netivot (Yehuda Peretz for the Israel Project, December 24, 2008).



Frightened child after a rocket attack in Ashkelon (Reuters, 24 December. Photo by Amir Choen).

## **Hamas' Military Buildup during the Lull**

### **The Goldstone Report**

121. The Goldstone Report does not mention that Hamas and the other terrorist organizations in the Gaza Strip took advantage of the lull to continue their military buildup to enhance their offensive and defensive capabilities for a possible escalation (which was ultimately initiated by Hamas).

## Factual Findings

122. The cessation of the IDF's activity in the Gaza Strip during the lull was used by Hamas and the other terrorist organizations to speed up their military buildup and increase their readiness for a possible confrontation with the IDF. **Significant quantities of weapons and ammunition** were smuggled through the tunnels, training was accelerated and Hamas and the other terrorist organizations continued their self production of weapons.

123. In November and early December 2008, Hamas test-fired several models of standard and self-produced artillery rockets, including long-range rockets, as part of the preparations for a coming confrontation. In most of the test launches, carried out primarily at night, rockets were fired from the ruins of Netzarim in the southern Gaza Strip, and in some cases out to sea.



Izz al-Din al-Qassam Brigades training in Gaza City during the lull (Muhammad Salem for Reuters, August 10, 2008).



Preparing for an escalation (Izz al-Din al-Qassam Brigades website, December 18, 2008).



The Palestinian Islamic Jihad's Jerusalem Brigade training on the last day of the lull (Al-Jazeera TV, December 18, 2008).

## Section VI: Rocket and Mortar Shell Fire during and after Operation Cast Lead

### The Goldstone Report

124. The Goldstone Report devotes just three paragraphs to rocket and mortar fire during Operation Cast Lead. According to the Report, which cites the “Israeli authorities,” **571** rockets and **205** mortar shells were fired at Israel during the 22 days of the operation. The Report also notes that the Izz al-Din al-Qassam Brigades and Palestinian Islamic Jihad websites claim they fired over 800 rockets during that time (Paragraph 1604, p. 348). The Report further states that the range of rocket and mortar shells increased considerably during the operation, reaching Beersheba, while continuing to hit Sderot and other western Negev population centers. According to the Report, 90 rockets landed in Sderot during the 22 days of the operation (Paragraph 1605, pp. 348-349).

125. The Goldstone Report stresses the relatively small number of casualties from rocket and mortar fire sustained by Israel during the operation, noting three civilians and one IDF soldier killed. The Report cites data from Magen David Adom indicating that 918 people were injured (17 critically, 62 seriously, and 829 slightly), and 1,595 civilians treated for trauma (Paragraph 1606, p. 349).

### Factual Findings

126. During the fighting, **571 rockets<sup>62</sup> and 205 mortar shells landed in Israeli territory**. The rockets included **132 upgraded 122mm rockets with ranges of up to 40 kilometers**. Most of the launches were inaccurate, with only about a quarter hitting urban areas. In our assessment that the lack of accuracy was the result of the increasing pressure exerted by IDF forces on the launching squads, bad weather, and the fact that a significant portion of the artillery was fired at sites that had not been targeted before (such as Beersheba). The primary launching sites, mostly for rockets with ranges of 40 kilometers, were Jabaliya in the northern Gaza Strip, the refugee camps of Shati and Shuja'iyya in Gaza City, the Nusairat refugee camp in the central Gaza Strip, and the ruins of the Israeli settlement of Netzarim (i.e., most of the rockets were launched from densely-populated

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<sup>62</sup> According to the IDF's detection systems, about 650 rockets were fired from the Gaza Strip at Israeli residents.

areas). Some of the launches took place during ceasefires which were meant to facilitate the delivery of humanitarian assistance to Gaza Strip residents.<sup>63</sup>

### **Long-Range Rockets Fired from the Gaza Strip during Operation Cast Lead<sup>64</sup>**

<b>Rocket</b>	<b>Range</b>	<b>Number</b>	<b>Notes</b>
122mm	40 km (25 miles)	132	<b>The extent of fire remained constant throughout the operation. There was also an increase before turning points</b> (the entrance of ground troops and the end of the operation).
122mm	20 km (12.5 miles)	87	<b>Gradual decrease in fire</b> as fighting progressed, moving towards firing rockets from the heart of urban areas.
90mm	12-20 km (7.5-12.5 miles)	38	<b>Gradual decrease</b> and eventually a complete stop.
90mm, 115mm	12-20 km	377	<b>Gradual decrease</b> in extent of fire.

127. Most of the rockets were fired by **Hamas** operatives. Operation Cast Lead marked the first time that standard Chinese-made rockets were used, probably smuggled into the Gaza Strip from **Iran** during the lull. They resemble standard 122mm rockets, with a maximum range of about 40 km. **Employing them threatened hundreds of thousands of Israeli civilians** in large urban centers, including Beersheba, Ashdod, Kiryat Gat, and Gedera. The city of Beersheba was first targeted on December 30, 2008, the fourth day of Operation Cast Lead. In total, almost **one million residents of southern Israel** were threatened by rockets during Operation Cast Lead.

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<sup>63</sup> Two weeks after the beginning of Operation Cast Lead, with severe shortages of supplies in the Gaza Strip for civilian population, Israeli opened a humanitarian corridor almost every day. It opened between the hours of 13:00 and 16:00, during which the fighting was supposed to cease in order to enable the Gazans to equip themselves and repair the damaged infrastructure. While the IDF ceased firing, the terrorist organizations did not respect the arrangement, which was meant to help the civilian population, and deliberately fired many rockets into Israel.

<sup>64</sup> The table reflects launches rather than hits identified in Israeli territory.

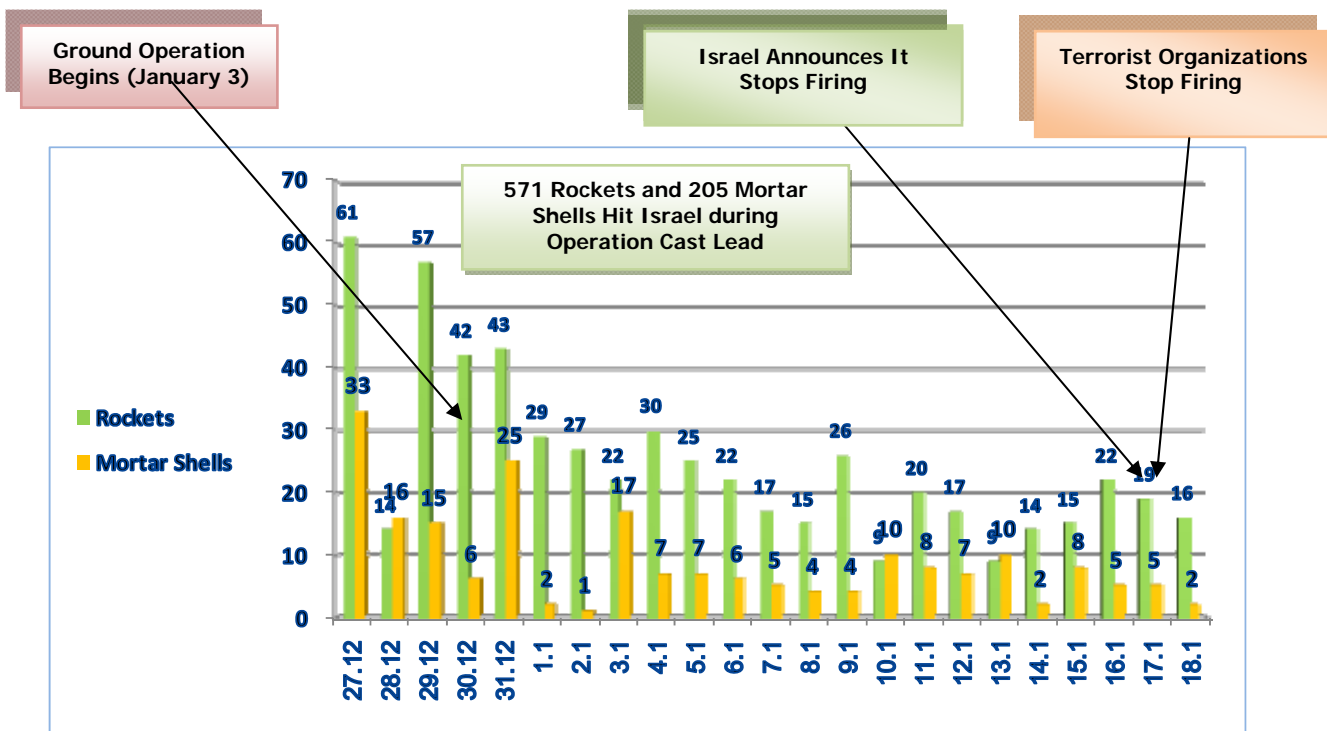


The damage sustained by the Beersheba kindergarten (Photo by Herzl Yosef, Ynet, December 30, 2008).



The Beersheba classroom hit by a rocket (Israeli Foreign Ministry, December 31, 2008).

### Daily Distribution of Rocket and Mortar Fire during Operation Cast Lead



128. The Goldstone Report **highlights** the relatively small number of casualties (three civilians and one soldier<sup>65</sup>) sustained by Israel (comparing it to the numerous casualties sustained by the Palestinians). However, the rockets were fired by Hamas and the other terrorist organizations **with the intention of causing as much harm as possible to Israeli civilians**. In a speech given during Operation Cast Lead, Senior Hamas figure **Mahmoud al-Zahar** praised the Izz al-Din al-Qassam Brigades, saying that following the

<sup>65</sup> Not including the IDF soldiers killed during the operation.

IDF's ground assault, Hamas **was justified in attacking hospitals, ambulances and synagogues, and killing both men and women** (Al-Aqsa TV, January 5, 2009). Israel also had intelligence about a plan to fire rockets at **schools in the city of Ashdod** to prevent them from opening, even though rockets are not exact weapons and specific sites such as schools are hard to target.

129. **Hamas' objective** was to cause as many Israeli civilian casualties as possible. There were a relatively small number of fatalities and no mass casualties among school children because of the rockets' technical limitations, launching difficulties experienced by the terrorists and Israel's preventive measures which allowed the civilian population to take cover. Furthermore, the small number of casualties was a result of precautions taken by the Israeli home front (schools were closed in southern Israel, mass-participation events were canceled and residents were asked to remain at home). Had those precautions not been taken, without a doubt the number of casualties would have been much greater, considering the number of rockets which landed near schools, kindergartens, civilian houses and public institutions in Sderot, Beersheba, Ashdod, and Ashqelon.



Home front command soldiers on the scene of a rocket hit near the kindergarten in Ashdod (Photo by Eddie Israel, used courtesy of NRG, January 11, 2009).



Damage caused to a kindergarten in Ashdod by a rocket hit (Photo by Yossi Landau, used courtesy of the ZAKA spokesman, January 6, 2009).



Ball bearings scattered by a Grad rocket which hit a Beersheba school (Yaron Brenner for Ynet, December 31, 2008).



130. Hamas boasted that during Operation Cast Lead it could extend the range of its rockets to Tel Aviv. Hamas' Al-Aqsa TV broadcast a video clip of the names of Israeli population centers hit by rockets, implying that next target would be **Tel Aviv**. The name Tel Aviv appears next to a large set of crosshairs, with text at the bottom of the screen reading "All our options are open" (Al-Aqsa TV, January 10, 2009). The video clip reflects Hamas' attempt, with Iranian assistance, to obtain rockets whose range would cover more Israeli cities, especially Tel Aviv. After Operation Cast Lead, in late October 2009 Hamas test fired a rocket with a range of 60 kilometers (37.5 miles). In our assessment it was one rocket **of a shipment of several dozen Fajr-5 rockets<sup>66</sup> manufactured by the Iranian weapons industry**. Those rockets have a maximum range of **75 kilometers** (almost 47 miles), that is, capable of reaching the center of **the metropolitan Tel Aviv area**.



From a video clip broadcast during Operation Cast Lead, in which Hamas threatens to hit Tel Aviv (Al-Aqsa TV, January 10, 2009).

## The Period after Operation Cast Lead

### The Goldstone Report

131. The Goldstone Report **does not discuss** the period **following** Operation Cast Lead, which is relevant to the understanding of the consequences of the Operation. That is because it demonstrated that the operation had caused **the considerable decrease in rocket attacks** (and other terrorist activities) from the Gaza Strip. In addition, it illustrated the efforts made by Hamas to implement a policy of restraint regarding rocket fire.

### Factual Findings

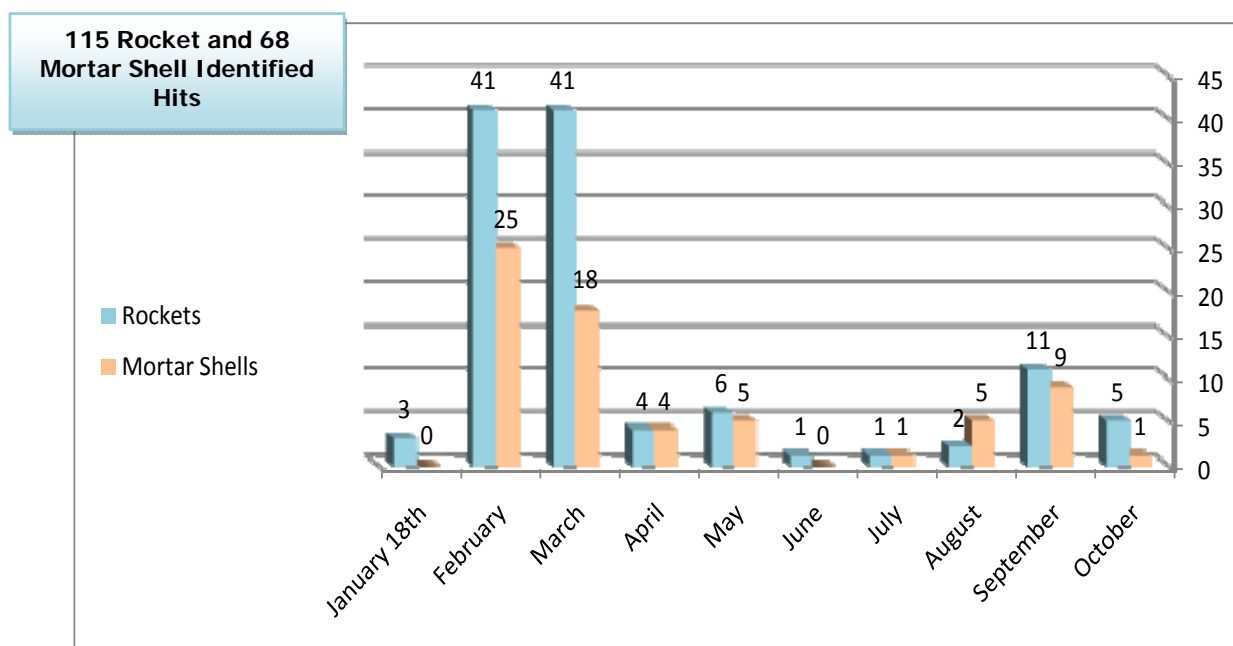
132. On January 18, 2009, Israel officially declared it had stopped firing. The IDF forces completed their withdrawal from the Gaza Strip on January 21, ending Operation Cast Lead.

<sup>66</sup> Hezbollah had Fajr-5 rockets on the eve of the second Lebanon war.

In the first days, despite Hamas' public agreement to a limited ceasefire, and despite the IDF's withdrawal from the Gaza Strip, quiet was not completely restored to the western Negev. There was almost daily sporadic rocket and mortar fire (including long-range rockets), but to a lesser extent than before Operation Cast Lead. Eventually, beginning in April 2009, the attacks ceased for the **most part and life went back to normal in the Gaza Strip and in western Negev population centers.**

133. The months that have passed since April 2009 **prove that Operation Cast Lead bore fruit.** Hamas has made an effort to hold its fire and impose (with some degree of success) its policy on the rogue terrorist networks which occasionally attempt to violate the relative quiet (for the most part groups affiliated with the global jihad, as well as the Palestinian Islamic Jihad and Fatah). Hamas' enforcement of its policy **has been much more effective than before Operation Cast Lead,** even though it is not part of a lull arrangement. The relative quiet has been used by Hamas **to rebuild its military infrastructure,** among other methods by using the tunnels to smuggle weapons and ammunition. Thousands of small arms and machine-guns, hundreds of rockets and mortar shells, and dozens of tons of explosives and raw materials for their production have been smuggled in since the Operation. In addition, efforts are made to introduce weapons which would change the balance (long-range rockets, anti-tank and anti-aircraft weapons) and to increase the range of the rockets in Hamas' arsenal.

### The Results of Operation Cast Lead: Significant Decrease in Rocket and Mortar Shell Fire



134. **The graph shows that even though rocket and mortar fire has not ceased completely, it did decrease significantly following Operation Cast Lead, mostly since April 2009 compared with 2008. Therefore, the operation achieved its main objective of reducing the rocket threat and improving security for the people of southern Israel.**

135. An in-depth discussion of the reasons behind Hamas' policy of restraint is beyond the scope of this study. Briefly, it resulted from the restoration of Israel's deterrent power following Operation Cast Lead and Hamas' fear of an escalation. Hamas needed a **timeout** to **rebuild the civilian, military and governmental infrastructures** hit during Operation Cast Lead and strengthen its control over the population. Still, senior Hamas figures have often reiterated that the "resistance" (i.e., terrorism) remains Hamas' strategic option for restoring the so-called "Palestinians' rights." The restraint, therefore, signals a temporary respite rather than a consistent long-term policy.

136. An attack was carried out during the relatively quiet period on June 8, 2009, near the **Nahal Oz fuel terminal** in the northern Gaza Strip. Examination showed that an eight – to ten-man terrorist squad arrived at the scene **in three trucks, with three booby-trapped horses**. Apparently their intention was to carry out a **combined showcase attack**, the first of its kind since Operation Cast Lead, including the detonation of bombs, personal attacks and possibly infiltrating Israeli territory and abductions. Responsibility for the terrorist attack was claimed by a network called **Jund Ansar Allah**, which announced its establishment in the Gaza Strip in November 2008 and was suppressed by Hamas in August 2009. The network claims **ideological affiliation with the global jihad**. (Note: The Goldstone Report does not mention Gaza Strip networks affiliated with global jihad, whose activity increased under the Hamas regime.)

137. **Evidence that rebuilding military infrastructure is higher on Hamas' list of priorities than the needs of the civilian population can be found in a speech given by Hamas political bureau chief Khaled Mashaal**. He told a convention of Arab parties in Damascus that "[w]hile externally there is talk in Gaza Strip of reconciliation [between Hamas and Fatah] and rebuilding, the hidden truth is that **most of the money and efforts go towards the 'resistance' and military preparations.**" He later emphasized again that **the donations received by Hamas were used to prepare for "the escalation of the resistance"** (that is, to prepare for the escalation of anti-Israeli terrorist attacks from the Gaza Strip) (*Filastin al-'Aan*, November 12, 2009).

138. The speech given by Khaled Mashaal refutes one of the major conclusions of the Goldstone Report, which blames Israel and its policy for the distress of the Gazan population while ignoring or minimizing the threat of Hamas-led terrorism. His remarks also highlight the fact that even after Operation Cast Lead, Hamas' resources have been devoted to military preparations for the next round with Israel.

## Section VII: External Support for Terrorism: Iran and Syria Support the Buildup of the Military Infrastructures

### The Goldstone Report

139. The Goldstone Report **completely ignores** the external support which helped create a terrorist infrastructure along Israel's southern border. The Report **does not mention** the massive support extended by **Iran and Syria** to terrorist organizations operating in the Gaza Strip, mainly Hamas and the Palestinian Islamic Jihad (one reference which could indicate possible Iranian support can be found in Paragraph 1621, p. 351, where the Report states that some believe that a 220mm Iranian-made Fajr-3 rocket was smuggled into Gaza). It is **the only reference to Iran in the entire Report** (it does not specifically say, however, that the rocket was smuggled by Iran or what organization it was meant for).

140. **Iranian and Syrian support is highly important for understanding the overall nature of the terrorist threat facing Israel on the eve of Operation Cast Lead.** It allows the two countries, both on the US State Department list of state sponsors of terrorism, **to establish a focus of terrorism along Israel's southern border threatening about one million Israelis**, and to manipulate Gaza-based terrorism to promote their own strategic interests. To that end they have created **another front** against Israel, similar to the northern front in Lebanon, where Hezbollah plays the role played by Hamas in the Gaza Strip. Therefore, a brief discussion of Iranian and Syrian support for Palestinian terrorism in the Gaza Strip follows, focusing on the period which preceded Operation Cast Lead.

### Factual Findings

141. **Syria has supported** Hamas and the Palestinian Islamic Jihad for many years, since the regime of Hafez Assad, the father of current Syrian president Bashar Assad. Syria provide the terrorist organizations with operating permits for their headquarters and bases on its soil, it allows Hamas political bureau chief Khaled Mashaal and PIJ leader Ramadan Abdallah Shalah to operate in Damascus and from there to coordinate terrorist activities in the Gaza Strip and in Judea and Samaria, supports the training of terrorist operatives in Syria and returns them to the Gaza Strip, allows operatives to pass through Syrian territory on their way to training in Iran, assists with smuggling weapons and ammunition to the Gaza Strip through various routes, transfers technical know-how to terrorist organizations, and provides

political and media support in Palestinian conflict with Israel, the internal Palestinian arena (in the conflict against the Palestinian Authority) and on the pan-Arab and international scenes.

142. **The Iranian support of Hamas and the Palestinian Islamic Jihad is a central component in Iran's security concept, designed to confine Israel to conflicts along its borders and create a response for a possible Israeli attack** on Iran. The support is integrated into Iran's policy of exporting the revolution and reflects its deep-seated hostility towards Israel. Iran's support of Hamas has increased in the past two years and is provided either directly or through a sub-contractor (Hezbollah).

143. Iranian support includes **smuggling weapons and ammunition to the Gaza Strip, particularly 122mm Grad rockets** with ranges of up to 20 kilometers, and rockets with ranges of up to 40 kilometers; smuggling advanced anti-tank missiles and standard explosives; **transferring technical know-how** which allows Hamas to manufacture deadly IEDs (**Shawaz** EFPs) inspired by Hezbollah in Lebanon; transferring know-how for the self-production of 115mm rockets with a range of 15 kilometers and 175mm rockets with a range of 20 kilometers; **advanced training of hundreds of terrorist operatives on Iranian soil**; several hundred million dollars' worth of **financial aid** each year; **political backing and media support to terrorist organizations against both Israel and the Palestinian Authority.**

144. Iranian support was designed to further Iran's (and Syria's) policy of creating a rocket threat to Israel from the **north** (through Hezbollah in Lebanon) and from the **south** (through Hamas in the Gaza Strip) which would be used to further Iran's strategic interests. The policy is also intended to undermine the peace process, which Iran strongly opposes, and to embarrass the Palestinian Authority, which was engaged in the Annapolis process, by disrupting the lull and encouraging continual acts of terrorism from the Gaza Strip against Israel.<sup>67</sup>

145. Examples of standard rockets provided by Iran to Hamas are the following:

A) The examination of remains of rockets fired at Israel in the year preceding Operation Cast Lead indicates that at least some of the standard rockets **originated in Iran**. In early 2008 a **122mm Grad rocket** was fired at Ashqelon. Examination showed that it had a special form, its engine made in four pieces 50cm (about 20") each. In our assessment, it was constructed specifically in order to make it easier to conceal and smuggle into the Gaza Strip. Such a custom-designed weapon could have

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<sup>67</sup> For further information see the January 12, 2009 "Iranian Support of Hamas" at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/iran\\_e004.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/iran_e004.pdf).

been produced only by a country with a developed military industry, such as Iran. The remains of the rocket's detonator also indicated that it was made in Iran.



Remains of an Iranian-made 122mm Grad rocket

B) In the year preceding Operation Cast Lead Iran provided Hamas with Chinese-made 122mm rockets with ranges of up to 40 kilometers. One hundred and thirty-two of them were fired during Operation Cast Lead, putting new cities in southern Israel (including Beersheba) within rocket range.



Chinese-made 122mm rocket provided to Hamas by Iran.

146. On March 9, 2008, the British *Sunday Times* published an interview held in the Gaza Strip by correspondent Marie Colvin with a senior operative belonging to the Izz al-Din al-Qassam Brigades, who preferred to remain anonymous (even though his description appears in the article). In the interview, the operative spoke about the training undergone by Hamas operatives in Iran and Syria. He said the following:<sup>68</sup>

A) **Three hundred of the group's "best brains" have trained in Iran:** The Iranian Revolutionary Guards have been training them in Tehran for more than two years, ever since Israel withdrew from the Gaza Strip in August 2005 [i.e., since the disengagement]. **So far 150 have finished** their training. **An additional 150 are currently there**, learning how to produce deadlier rockets.

B) **The route to Iran:** Hamas operatives leave the Gaza Strip and enter Egypt, from there fly to Syria and from there to Tehran. Entering and leaving Tehran they [their passports] are not stamped for security reasons.<sup>69</sup>

<sup>68</sup> For further information see the March 17, 2008 bulletin, "Senior Hamas operative figure tells London *Sunday Times*' Gaza Strip correspondent about Iranian and Syria military aid, detailing the training received by hundreds of Hamas terrorist operatives and describing the transmission to Hamas of Iranian technical know-how for the manufacture of rockets and IEDs" at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_160308e.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_160308e.pdf).

<sup>69</sup> That was also the case in the past with Hezbollah operatives who left for training in Iran. For example, Hussein Ali Suleiman, a Hezbollah terrorist operative captured in the second Lebanon war, said that he had trained in Iran with a

C) **Length and location of training:** Hamas operatives train for periods of **between 45 days and six months**. The training takes place at a closed military base under difficult conditions and is supervised by Revolutionary Guards. The operatives are allowed off base only once a week, and even then only in a group and accompanied by Iranian security personnel.

D) **Training topics:** Hamas operatives undergo training in **tactical warfare and weapons operation**. They return to the Gaza Strip with advanced skills in technology, rocket launching, detonating IEDs, sniping and other military tactics, **similar to those used by Hezbollah**.

E) **So far [as of the interview, March 2008] seven groups of Hamas operatives have been sent to Iran:** The best students in each group remain in Iran to participate in advanced courses and then return to the Gaza Strip as **instructors**.

F) **Training in Syria:** Hamas operatives from the Gaza Strip are also sent to **Syria** for basic training. So far **650 Hamas terrorist operatives** have been trained by Syrian instructors who learned their techniques in Iran. **There were 62 terrorist operatives training in Syria at the time of the interview** [March 2008].

147. **Political support and media backing:** After Hamas unilaterally announced the end of the lull on December 18, 2008 (and the countdown to Operation Cast Lead began), **Syria launched a propaganda campaign** which gave complete support to Hamas' decision to end the lull **and to the deliberate escalation** of Hamas and the other terrorist organizations. Syria also waged a vicious propaganda campaign against Israel, accompanied by blatant **anti-Semitic incitement**. On December 21, 2008, the Syrians held a demonstration in front of the Egyptian embassy in Damascus in which President Mubarak was called a "coward," and an "agent and servant of the CIA" (*Al-Watan*, December 21, 2008).

148. The following appeared in Syrian media regarding the end of the lull:

A) **A commentator on Palestinian affairs for Radio Damascus** praised the Palestinian organizations for announcing the end of the lull before Israel did (ignoring the fact that Israel had made it clear that it intended to continue the lull). According to the commentator, the Palestinian organizations had fired some rockets into open territory in Israel as a warning. He added that later on some of the rockets targeted at specific Israeli sites (i.e., population centers) "when Israel continued its crimes with even more ferocity" (Radio Damascus, December 22, 2008).

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group of 40-50 Hezbollah operatives from Lebanon. He said that the men in his group did not have their passports stamped in Syria and Iran to hide the fact that they had gone to Iran for training.



B) A vicious anti-Semitic article published in the newspaper *Tishreen* said that shortly after “Olmert’s **holocaust**, which rained fire on the Palestinians,” Israel was planning yet another so-called “**holocaust**” in the Gaza Strip. “The Israeli wild beast, or the **Israeli Dracula**, if you will, is sharpening its fangs and claws to bite and tear hunger-weary Palestinian flesh... **Israel’s appetite for Palestinian blood is always insatiable... being a fundamental component of the Zionist ideology, in which Palestinian blood is necessary for the creation of Zionist matzo, something everyone who knows his history is well aware of...**” (*Tishreen*, December 23, 2008).

C) An article in *Al-Thawra* claimed that the IDF activity in the Gaza Strip was reminiscent of the “**Nazi scenes** which we have witnessed for 60 years.” According to the article, closing the crossings and cutting off power and fuel supply were further examples of the behavior of a “**racist country that has engaged in such practices ever since it was established on murder and terrorism.**” It further stated that “**Olmert’s terrorist government**” proved that it consistently eradicated any chance for peace in the Middle East, and asked, “**What can the world expect from a racist entity established on lies and the deprivation of people’s rights?**” (*Al-Thawra*, December 14, 2008).

149. **During Operation Cast Lead**, Israel was attacked with **weapons and ammunition** transported to Hamas (and to other terrorist organizations) by Iran in the year preceding the operation. In particular, **the Chinese-made long-range** (40 kilometer) **Grad rockets** allowed Hamas to target major cities in Israel, such as **Beersheba and Ashdod**, thus threatening about **one million residents of southern Israel** (Hamas boasted that in due course its rockets would reach Tel-Aviv).

150. Following **Operation Cast Lead**, Iran rushed to **help Hamas rebuild the military infrastructure** hit in the fighting. Its support included transporting weapons and ammunition (such as rockets with ranges of up to 75 kilometers capable of reaching central Israel) via a route passing through **Sudan and the Sinai Peninsula to the Gaza Strip**. Following Operation Cast Lead, **Ismail Haniya, the de facto Hamas administration chief in the Gaza Strip**, sent a letter to Iranian leader Ali Khamenei thanking Iran for its support during the Operation and blessing Iran for “helping the Palestinians (walk) the path of resistance [i.e., terrorism]” (Press TV website, January 31, 2009).

## **Part Two: The Use of Civilians in the Gaza Strip as Human Shields during Operation Cast Lead**

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## Main findings

1. During Operation Cast Lead the IDF waged what is known as **asymmetric warfare** against Hamas and the other terrorist organizations. What was accepted in the past as a confrontation between national armies has become **warfare primarily between a national army and semi-military terrorist or guerilla organizations**. There is lack of symmetry between the sides not only in their military capabilities, but particularly in the way they regard the battlefield, the principles of warfare and moral norms. The State of Israel is not the only nation forced to wage asymmetric warfare. Many other countries have gained experience in fighting terrorist and guerilla organizations and have been forced to contend with political, operational, legal and moral dilemmas similar to those facing the IDF and the State of Israel during Operation Cast Lead.

2. One of the most prominent features of asymmetric warfare is combat in an urban setting densely populated with civilians, where terrorist and guerilla organizations and groups of radical Islamists **situate their military infrastructure and use the civilians as human shields**. Such organizations assume that the national army (i.e., a Western army such as the IDF) **will hesitate to attack terrorist bases and operatives located in a civilian environment** because of moral, political, legal and image considerations.

3. **Hamas' deployment and its combat tactics in the Gaza Strip are a classic example of that kind of warfare, its complexity and the sorts of problems it engenders**. Hamas is an example of a terrorist organization which controls a state-like entity. With Iranian and Syrian aid and support, Hamas established a significant military infrastructure. **Hamas' combat doctrine, formulated in the years preceding Operation Cast Lead and also inspired by the experience of Hezbollah in the second Lebanon war, was well suited to the nature of its confrontation with the IDF and the particular nature of the population and situation on the ground in the Gaza Strip.**

4. At the core of Hamas' combat doctrine is reducing friction with the IDF in open areas and **channeling the fighting into densely-built zones**. The doctrine is based on **blending its military operatives with the civilian population. That is done to harm IDF forces insofar as is possible and reduce the harm done to Hamas operatives, fully conscious of the fact that it will result in the deaths of civilians** who find themselves trapped in zones of intensive fighting. Hamas encouraged and **sometimes forced** Gazan civilians to remain in urban areas despite the knowledge that their lives would be in danger. Hamas regarded their loss as a **powerful propaganda weapon** in the battle for hearts and minds, which it considers particularly important and to which it allots great resources.

5. **Hamas' combat doctrine of using civilians as human shields was put into practice in Operation Cast Lead.** During the operation IDF soldiers reported that terrorist operatives did not confront them in open areas near the border fence, but rather deployed their forces in the populated areas of the Gaza Strip. **When the IDF entered those areas they found themselves facing regular, organized military networks which had been prepared in advance within the local civilian infrastructure.** As the fighting progressed and the terrorists retreated deep into densely built-up areas, the IDF forces were faced with improvised military compounds which had been hastily organized in civilian buildings and public institutions. As the fighting progressed, the **IDF soldiers were exposed to a variety of combat tactics which made extensive use of civilians as human shields.**

6. **The Goldstone Report neither seriously examines Hamas' combat doctrine, which uses civilians as human shields, nor analyzes the nature of the asymmetric warfare which characterized the fighting in Operation Cast Lead (the term, which is a particularly appropriate description for that type of combat, is totally absent from the Report).** The Report does not methodically or comprehensively examine Hamas' combat tactics in built-up areas, consistently rejects information relating to them, or minimizes their importance and significance. The Report does say that the "Palestinian armed groups" should have used all possible means to prevent Palestinian civilians from being harmed during the fighting, but **does not assign responsibility for their welfare to Hamas.** Hamas, which controls the Gaza Strip, and whose military operatives played a central role in fighting the IDF, is not mentioned as **bearing any responsibility for the intensive use made of Gazan civilians as human shields.**

7. **A great deal of reliable information proves absolutely that Hamas and the other terrorist organizations made frequent use of the following tactics:**

A. **Blending with civilian groups, especially children, and using children for military purposes:** Hamas operatives deliberately mingled with groups of civilians, primarily children, and deliberately used them in the fighting (a modus operandi familiar from previous clashes with the IDF). That is proved by films taken by the Israeli Air Force, intelligence, the interrogation of detained Hamas operatives and open source information. Israeli Air Force videos clearly show **terrorists using groups of children as cover to escape from combat areas** and joining groups of children. Intelligence indicates that Hamas operatives used children to transfer rockets to launching sites and employed women carrying children to prevent the IDF from attacking. (An Israeli Air Force video shows a terrorist operative disguised as an old

woman.) The Goldstone Report minimizes the significance of those tactics, claiming that it did not find proof.

**B. Extensive military use of civilian houses:** Storing weapons, booby-trapping houses with series of IEDs (including a booby-trapped mannequin dressed as a Hamas operative, reported and photographed by the IDF), digging tunnels and shooting from inside houses (sometimes after having taken them over by force). There is a large amount of reliable intelligence proving the military use of civilian houses, as well as aerial photographs, reports made by IDF soldiers substantiated by photographs, the interrogation of detained terrorist operatives and seized documents. The **Goldstone Mission**, aware that it did not have independent tools to examine the issue, said in the Report that it asked the "Gaza authorities" (i.e., the de facto Hamas administration) for information about locations in which the "armed groups" operated. The (false, predictable) answer received was that the "Gaza authorities" had no information about the activities of such "armed groups" or about weapons hidden in civilian houses.

**C. Wearing civilian clothing:** Terrorist operatives fighting the IDF exchanged their uniforms for civilian clothing to blend in with the civilian population, increasing their chances of survival and making it harder for the IDF to fight them. That was proved by IDF soldiers' reports, Al-Aqsa TV photographs of Hamas operatives, and intelligence. The Goldstone Report does admit that military operatives did not always distinguish themselves from the civilian population, but claims that it did not find proof that operatives belonging to "armed groups" fought the IDF dressed in civilian clothes.

**D. Situating the military infrastructure in residential areas:** There is a great deal of reliable intelligence, including aerial photographs and seized documents, **showing that Hamas' extensive military infrastructure was deployed in residential neighborhoods**, and reports to that effect were received from IDF forces fighting on the ground. Such neighborhoods included the Al-Shati refugee camp, the town of Jabaliya and the Jabaliya refugee camp, Beit Lahia, and various neighborhoods in Gaza City. Within such densely-populated areas Hamas situated **military camps, training camps, fortified posts** (sometimes located on the roofs of civilian houses), **rocket launching sites, shooting ranges, extensive tunnels for offense and defense**, and **IEDs and mine fields**. The terrorist infrastructure was situated in or near houses, near mosques, educational institutions and in or near hospitals. The Goldstone Report pays very little attention to the above facts and minimizes their significance.

**E. Constructing escape and assault tunnels inside civilian houses:** IDF forces operating on the ground reported finding many tunnel openings in civilian houses. **Hamas constructed the tunnel system to abduct IDF soldiers, escape from**

**the fighting front, store weapons and as booby-trapped death traps for IDF soldiers.** In one instance **the IDF discovered a tunnel leading from a civilian house near the border fence to the Nahal Oz fuel terminal** (a distance of 205 meters, or 224 yards), to be used in a terrorist attack inside Israel. The Goldstone Report notes the tunnels mainly in the context of the so-called Israeli "blockade" of the Gaza Strip but ignores the fact that the areas in which Hamas fought the IDF were honeycombed with tunnels opening into civilian houses intended for a variety of military purposes.

**F. Turning civilian neighborhoods into combat compounds:** During Operation Cast Lead the IDF found two operational sketches which belonged to Hamas. They indicated that the **Al-Atatra and Beit Lahia neighborhoods in the northern Gaza Strip were planned to be turned into combat compounds.** It was a pattern also implemented by Hamas in other locations. The neighborhoods were divided into combat areas, IEDs were placed in them, and infantry, anti-tank and sniper squads were deployed. During the fighting IDF forces came upon military compounds established within civilian structures which had been made military in every respect, where they seized many weapons and exposed booby-trapped houses and tunnels. An Israeli Air Force video shows a length of cloth being extended over a street in the Shati neighborhood of Gaza City to hide military activity. The Goldstone Report does not mention the preparations made for turning civilian neighborhoods into military compounds as part of the implementation of Hamas' combat doctrine.

**G. Launching rockets and mortar shells near civilian population concentrations:** A modus operandi often used by Hamas and the other terrorist organizations, it was extensively employed during Operation Cast Lead and in the years preceding it. There is a great deal of information relating to the extent of Hamas' policy of firing rockets near civilian houses and public institutions. That includes IDF force reports, Israeli Air Force videos, aerial photographs showing rocket launchings near civilian houses and public institutions, the interrogation of detained Hamas operatives and reports issued by the Palestinian and Arab media. The Goldstone Report does not completely ignore the facts but as usual minimizes their significance by claiming it could not decide whether the rocket fire was part of a deliberate policy or whether it was the result of the shooters defending themselves from IDF attacks.

**H. Encouraging civilians to serve as human shields in order to prevent terrorist operatives' houses from being attacked by the Israeli Air Force:** That tactic, employed by terrorist organizations a number of times in the two years prior to Operation Cast Lead, was put into practice during the Operation as well. For example, on December 27, 2008, the residents of a civilian house were warned by the IDF that it

intended to attack the building and asked the residents to evacuate to prevent harm from coming to civilian non-combatants. A video taken by an Israeli aircraft shows many civilians gathered on the roof of the house to prevent the attack, which was aborted. Another video, taken on December 28, 2008, shows civilians summoned to the roof of a terrorist operative who had rockets stored in his house. The Israeli Air Force fired a warning shot and only attacked the building after the civilians had vacated the premises. A strong secondary explosion proved that weapons were in fact stored in the house. The Goldstone Report quotes a statement made by a senior Hamas figure before Operation Cast Lead, explaining Hamas' logic behind the use of women, children and the elderly as human shields. The Report denounces the statement but does not make a thorough examination of the use of civilians as human shields.

8. An **important aspect** of Hamas' combat doctrine implemented during Operation Cast Lead was the **extensive military use of public and administrative institutions**. The objective was to increase the chances of preserving the military infrastructure and terrorist organization operatives by assuming that the IDF would not attack public buildings. **There is information from various sources proving that Hamas made extensive military use of mosques, hospitals, ambulances and educational institutions**. The Goldstone Report does not grant much significance to such use, although it is familiar from the years preceding Operation Cast Lead. In some instances the Report rejects Israel's information or minimizes its extent, significance and importance.

9. **The following are examples of the military use Hamas made of public and administrative institutions, and the Goldstone Report's treatment of the issue:**

A. **Mosques:** The military use included situating bases and headquarters inside mosques, **positioning snipers, storing weapons** and hiding terrorist operatives, **launching rockets and mortar shells next to them**, booby-trapping them and their surroundings, and using them as interrogation facilities. IDF forces found weapons in mosques in the Gaza City neighborhoods of Zeitoun and Jabaliya, including rockets and an anti-aircraft gun (documented with photographs). Israeli Air Force attacks on terrorist targets in mosques resulted in massive secondary explosions, the result of the detonation of stored explosives (documented by Israeli Air Force videos). The Goldstone Report does not reject the possibility the mosques were used for military purposes, but does not unequivocally state that was the case or indicate it was widely done. The Report also does not assign responsibility to the de facto Hamas administration for the military use made of the mosques.



**B. Hospitals and other medical institutions:** The **military use of hospitals and other medical institutions** included firing rockets from locations close to hospitals, hiding senior Hamas operatives and field operatives in hospitals, locating military networks in or near hospitals and storing weapons in or near hospitals. Particularly conspicuous was the military use of the Shifa'a hospital in the western part of Gaza City, the children's hospital in the Nasser neighborhood and the Kamal Adwan hospital in the northern Gaza Strip. The Goldstone Report either rejects the information about the military use of hospitals outright or minimizes its extent and significance. The Report also does not assign responsibility to Hamas for the military use made of hospitals.

**C. Military use of ambulances:** One Hamas combat tactic, familiar from previous confrontations, was the **use of ambulances to move terrorist operatives from the combat zones and to transfer weapons. Hamas and the other terrorist organizations methodically and routinely used ambulances for military purposes during Operation Cast Lead.** They were used to move operatives from place to place, evacuate operatives from combat zones and carry out reconnaissance missions. The Goldstone Report, relying on statements from Palestinian civilians and members of the medical staffs (Gazans living under the shadow of Hamas threats), minimizes the importance of the military use of ambulances. While it does not reject the possibility that it was done, it determines that if it was done, it was the exception rather than the rule.

**D. The military use made of educational institutions:** The military use included locating military facilities near educational institutions, firing rockets and mortar shells from nearby, booby-trapping a school, storing weapons in schools and even holding military activities in them. The most conspicuous use of an educational institution for military purposes was the **Islamic University in Gaza City**, a Hamas political and military stronghold. The IDF exposed a school which was completely booby-trapped in the Zeitoun neighborhood. A fuse led from it to the nearby zoo, some of whose cages still held animals. In the zoo were RPG launchers, rifles and other weapons. The Goldstone Report does not deal in depth with the military use made of educational institutions and Hamas' responsibility for it, and contents itself with general remarks.

10. **In certain instances, Gazan civilians volunteered to serve as human shields** and help Hamas because they identified with its objectives. In other instances, **there was a general Gazan conspiracy of silence, the result of their oppression by the Hamas regime.** However, according to reliable intelligence, during Operation Cast Lead there were also **several instances of protest, and even physical resistance, to rockets and mortar shells' being launched near civilian houses and to their takeover for**

**military purposes.** Izz al-Din al-Qassam Brigades operatives were sometimes harassed and even told to distance themselves from houses, which raised operational problems during the fighting. In some instances **Hamas operatives responded to civilian opposition with violence, on occasion even shooting the protestors.** Criticism for using civilians as human shields negatively affected public support for Hamas after Operation Cast Lead, forcing it to undertake broad propaganda and social activities to improve its image. The Goldstone Report does not deal with the issue.

11. Despite the negative consequences, studying the lessons of Operation Cast Lead and weighing the advantages and disadvantages, led Hamas to the conclusion that **combat in densely-populated areas and the tactic of using civilians as human shields had proved themselves.** That was true in the fields of operations and propaganda, and in the battle for hearts and minds (in that respect Hamas regards the Goldstone Report as a significant achievement, and senior Hamas figures have said as much). **Thus after the Operation Hamas formulated ideas and recommendations to improve the tactics of blending into the population,** of using civilian vehicles for military purposes, and of exploiting civilian facilities and international institutions for military purposes in the **next round of fighting the IDF.**

## Section I – Hamas' Combat Doctrine for Urban Areas and Its Implementation in Operation Cast Lead

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### Overview

12. **In the years preceding Operation Cast Lead Hamas developed a combat doctrine suitable for the asymmetric nature of the confrontation with the IDF and the unique characteristics of the Gazan terrain and population. The doctrine centers on reducing friction with the IDF in open areas and channeling the fighting into densely built-up areas to kill and wound as many IDF soldiers as possible, using local civilians as human shields.** The Goldstone Report does not examine Hamas' combat doctrine and its significance in depth, ignoring the complexity and problems a regular army has fighting terrorist operatives who have blended into the civilian population.

13. The Goldstone Report does not try to analyze Hamas' combat doctrine. Rather, it focuses on accusing Israel of deliberately harming civilians, with no consideration of the dilemmas facing Israel and other countries which have fought terrorism and Islamic radicalism (in Iraq, Afghanistan and Chechnya, for example). The dilemmas become sharper with an examination of Hamas' combat doctrine and tactics implemented in Operation Cast Lead.

### Hamas' Combat Doctrine, Formulated before Operation Cast Lead

#### The Goldstone Report

14. The Goldstone Report makes no genuine attempt to examine Hamas' combat doctrine in a built-up area using civilians as human shields. It was one of the main issues of Operation Cast Lead which could have had a decisive influence on the conclusions and recommendations of the Report regarding Hamas' responsibility for the deaths of Palestinian civilians. The Report mentions it briefly in Paragraphs 35 and 36 on page 18 in the section dealing with the "obligation of Palestinian armed groups in Gaza to take feasible precautions to protect the civilian population and civilian objects."

15. **The Report indirectly admits that the Mission did not have adequate tools to analyze the use of civilians as human shields,** saying that "[t]o gather first-hand information on the matter, **the Mission requested a meeting with representatives of**

**armed groups**. However, the groups were not agreeable to such a meeting. The Mission, consequently, had little option but to rely upon indirect sources to a greater extent than for other parts of its investigation" (Paragraph 441, p. 112). On the other hand, **the de facto Hamas administration falsely told the Goldstone Mission that it "had nothing to do, directly or indirectly, with al-Qassam Brigades or other armed groups and had no knowledge of their tactics"** (ibid.) (ITIC emphasis).

16. The Report notes that **"those interviewed in Gaza appeared reluctant** to speak about the presence of or conduct of the armed Palestinian groups" (Paragraph 440, pp. 111-112) (ITIC emphasis). Thus, "In forming an opinion on the subject...the Mission mostly reviewed the allegations made in reports by the Government of Israel, by private individuals and organizations (Paragraph 442, p. 112)," **all indirect sources**.<sup>1</sup> In this instance as well, the Mission did not thoroughly investigate the issue.

17. **The Goldstone Report states in general that the "armed Palestinian groups"** [i.e., Hamas and the other terrorist organizations] did have a presence in "urban areas" **during Operation Cast Lead**. The Report **also states that the "Palestinian armed groups" launched rockets from within urban areas** during the fighting. However, it does not analyze urban areas in general and Hamas' use of civilians as human shields in particular as central aspects of Hamas' combat doctrine, with the result that it does not systematically or comprehensively examine Hamas' combat tactics in built-up areas, as implemented during the operation.

18. The report states that the Mission focused on Israel's claims that "Palestinian fighters" attacked Israel from within populated areas and places considered by international law as "protected sites," such as schools, mosques and medical units (Paragraph 443, p. 112). The Mission also examined other aspects of the issue, such as the misuse of ambulances, failing to distinguish themselves from the civilian population, and booby-trapping civilian property (ibid.). The Mission reached the following conclusion (Paragraph 488, p. 122):

"...On the basis of the information it gathered, the Mission **found no indication** that the civilian population was **forced** by Hamas or Palestinian armed groups **to remain in areas under attack** from the Israeli armed forces" (ITIC emphasis).

19. In Section 1973 (a), **the Mission recommends that the "Palestinian armed groups" "take all feasible precautionary measures to avoid harm to Palestinian civilians during hostilities."** **Nowhere is Hamas mentioned** as a factor bearing any

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<sup>1</sup> The Mission had at its disposal a large amount of reliable information about Hamas' use of civilians as human shields provided by the Israeli government, including "The operation in Gaza, 27 December 2008 – 18 January 2009, factual and legal aspects, July 2009). The issue was also the subject of several ITIC bulletins before, during and after Operation Cast Lead. The Mission, for reasons of its own, **chose not to use** the information available to it.

responsibility for the Gazans' welfare. Rather, the Report continually refers to the "Gaza authorities" and states (Paragraphs 1953 and 1954 on p. 420) that **although the "Gaza authorities" [i.e., Hamas] denied they had any control over the armed groups and their activities, "if they failed to take the necessary measures to prevent the Palestinian armed groups from endangering the civilian population, the Gaza authorities would bear responsibility for the damage arising to the civilians living in Gaza."**

## **Examination of Specific Incidents**

20. **Without a thorough examination** of Hamas' combat doctrine (which uses civilians as human shields) and its development in the years preceding Operation Cast Lead, **the Mission focused on examining specific incidents** which occurred during the Operation. For example, it examined two incidents in which it was claimed that "armed Palestinians" fired at IDF forces from UN facilities in densely-populated areas (the shelling in al-Fakhura Street and the incident in the UNRWA compound in the Rimal neighborhood, Paragraphs 446-460, pp. 113-116).

21. The conclusion reached by the Mission, **based on eye witness accounts and reports from NGOs** and human rights organizations, was that there was an indication that **"Palestinian armed groups" had fired rockets from within the civilian population.** The Report also quotes reports of human rights organization stating that rocket units of the "Palestinian armed groups" **did operate from populated areas**, especially as the IDF **"took control of the more open or outlying areas"** (Paragraphs 449-450, pp. 113-114) (ITIC emphasis). However, **firing from populated areas is only one manifestation, although an important one, of the use made of the civilian population as human shields**, and which the Report does not deal with methodically, despite the information available to the Mission.

22. The Report admits that the "Palestinian armed groups" **fought from within urban areas** and it does not ignore the responsibility of the "Gaza authorities" [i.e., Hamas] to do everything in their power to protect the civilian population [i.e., the responsibility of the de facto Hamas administration to protect the civilian population from Hamas' military operatives]. However, faithful to the course it plots throughout, **the Report minimizes the extent and importance of Hamas' irresponsibility and states that "[w]hile the Mission is unable to form an opinion on the exact nature or the intensity of combat activities carried out by the armed groups in urban residential areas** that would have placed the civilian population and civilian objects at risk of attack, **their presence in these**

areas as combatants is established from the information that has come to the attention of the Mission" (Paragraph 116, p. 460) (ITIC emphasis).

## **An Examination of Palestinian Claims of the So-Called Israeli Use of Palestinian Civilians as Human Shields**

23. The anti-Israeli bias and lack of balance in the issue of the use of civilians as human shields is particularly conspicuous when the Goldstone Report deals with the Palestinian claims against the IDF. **As opposed to the selective, superficial nature of its treatment of the terrorist organizations' use of civilians as human shields, the Report devotes an entire section<sup>2</sup> to an examination of the claims that the IDF used Palestinian civilians as human shields.** The Mission examined four cases in which it was claimed that IDF soldiers forced Palestinian civilians to enter buildings at gunpoint. However, **the Mission does admit that it did not find confirmation for the specific cases it examined** (Paragraph 1094, p. 229), **but that did not prevent it from determining that the testimonies strongly supported the "general allegation" against the IDF in the matter.**

## **Factual Findings**

### **Hamas Combat Doctrine**

24. "If you are stupid enough to enter the Gaza Strip, we will fight you. You will not only face thousands of fighters, but a million and a half people will fight you out of their love for death as martyrs" (Khaled Mashaal, head of Hamas' political bureau, at a press conference in Damascus, March 1, 2008).

## **The Unique Characteristics of the Gaza Strip Population**

25. **The Gaza Strip is 365 square kilometers (or 137.5 square miles) in area and is one of the most densely-populated areas in the world, with more than 1,400,000 inhabitants.** More than a third of the Gazans live in Gaza City. About 960,000 live in cities or in large urban-like settlements. The population is very young and a large percentage are children and adolescents. About 48.8% are children under the age of 15.

26. According to UNRWA statistics from December 31, 2006, **about a million Gazans are classified as refugees** and half of them live in **eight refugee camps**. The population grows at the rate of 4.5% annually. The average family size is six children. **The refugee camps in the Gaza Strip are one of the most populated areas in the world.** For

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<sup>2</sup> Section XIV, pp. 218-232, "The use of Palestinian civilians as human shields."

example, according to UNRWA, more than 80,600 refugees live in the Shati refugee camp, whose area is less than one square kilometer (.39 square miles).



Left: Al-Bureij refugee camp (PALDF, Hamas' main forum, August 28, 2009). Right: The southeast border of the Nusairat refugee camp (PALDF, August 28, 2008). The buildings are crowded one next to the other, characteristic of the Gaza Strip refugee camps.

27. The crowding in the Gaza Strip created an arena which was convenient for the Palestinian terrorist organizations.<sup>3</sup> The Strip was built up over a number of years, has different types of structures, both organized and unorganized, some temporary and some permanent, above and below ground. Such urban spaces, including the crowded refugee camps, are better suited to defense than offense. For that reason, Hamas' combat doctrine makes well-considered use of the conditions on the ground in fighting IDF forces.

## Main Aspects of Hamas' Combat Doctrine

28. During Operation Cast Lead the IDF was forced to fight in a densely-populated civilian environment in which Hamas and the other terrorist organizations had situated the military-terrorist networks from which they fought and to which they retreated. **Using Gazan civilians as human shields is an integral part of the combat doctrine formulated by Hamas and the other terrorist organizations operating in the Gaza Strip. It was inspired by Hezbollah, which was influenced by Iran.** Hezbollah built an extensive military infrastructure in south Lebanon and Beirut, assimilated into and mostly hidden in populated areas, in effect using the residents of south Lebanon and Beirut as human shields. That was done to reduce Hezbollah's vulnerability, make it "immune" from IDF attacks and enable it to gain the advantage on the propaganda-media battlefield by representing Israel as deliberately attacking innocent civilians.

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<sup>3</sup> For the terrorist organizations, fighting from within the population of the Gaza Strip is easier than from within that of south Lebanon. In south Lebanon, where Hezbollah concentrated its military infrastructure, there are about 680,000 inhabitants, as opposed to the 1.4 million crowded into the Gaza Strip. For example, **Bint Jbeil**, a Hezbollah stronghold where there was fierce fighting during the second Lebanon war, is home to 30,000 residents, while the Jabaliya refugee camp has 107,000 Gazans.

29.  **Hamas and the other terrorist organizations not only copied Hezbollah's combat doctrine, they refined and adapted it to the unique conditions of the Gaza Strip, where the defending force has a greater advantage than in south Lebanon.** The Gaza Strip is a flat, exposed, continuous territory, as opposed to the wooded, mountainous, partitioned terrain of south Lebanon.  **However, the population density is far greater in the Gaza Strip than in south Lebanon, and it has more crowded refugee camps scattered throughout its territory.** Hamas and the other terrorist organizations  **differentiate between fighting in the open and in built-up areas. Their combat theories are based on deploying and activating their main forces in and around residential areas in densely-populated urban settings,** while the auxiliary forces in open areas are deployed to exhaust but not halt the IDF forces or prevent them from entering.

30.  **Hamas' program of ground defense in the Gaza Strip,** in the face of the threat of the superiority of a broad IDF ground operation, is based on an analysis of the relations between asymmetric forces and Hamas' understanding of the nature of the conflict between the sides. For Hamas, the asymmetry is both advantageous and disadvantageous for each side. Faced with recognizing the IDF's obvious superiority, especially in the open areas of the Gaza Strip, Hamas took into consideration that the IDF's activity would include a prolonged, static halt in densely-populated urban and built-up areas where Hamas had conspicuous advantages.

31. In Hamas' view, fighting in IDF in densely-populated areas would enable it to wage a guerilla-style war of attrition. Hamas feels that Israel's political and military leadership are wary of being drawn into a prolonged bout of guerilla warfare because of the loss of lives it would entail. Thus at the tactical level, drawing the fighting into the densely built-up areas of the Gaza Strip might serve to balance the IDF's advantages to a great degree. That would be done even at the expense civilian casualties, which could for propaganda purposes. Hamas intended the move to lead, sooner or later, to a victory over Israel both on the ground and in the battle for hearts and minds,  **by obviating Israel's ability to achieve a clear victory on the battle field.**

32. Based on such an analysis,  **Hamas formulated a number of principles for using its forces, which were put into action in Operation Cast Lead:**

A.  **Not to employ its full strength during the initial stages of the fighting,** especially in open areas.

B.  **To minimize friction with the IDF in open areas and to channel the fighting into built-up areas,** where the defensive force had the advantage.



C. **To delay the movements of the IDF forces** in rural areas and on the outskirts of cities.

D. **To wage most of the fighting in densely built-up areas** [cities and refugee camps] to kill and maim as many IDF soldiers as possible, while **blending into the civilian population**.

33. Civilians were also used as human shields in the **concept of anti-Israel offense** formulated by Hamas and the other terrorist organizations, especially in **firing rockets and mortar shells**, characteristic of terrorist organization activity in the years preceding Operation Cast Lead. **Rockets and mortar shells were often fired from within population centers, near civilian houses or institutions** (even schools), and sometimes from the roofs of houses, to make it difficult for the IDF to attack the launching squads. The terrorist organizations made Beit Hanoun, Beit Lahia and other residential areas in the northern Gaza Strip their preferred sites for launching rockets into Israel's western Negev, often to the displeasure of the local residents (although rocket attacks on Israeli civilians were carried out from other locations as well). Rocket and mortar shell fire targeting Israeli population centers from within the Palestinian population continued throughout Operation Cast Lead, as will be documented below.

## **Implementing the Doctrine in Military Preparations for an Israeli Incursion into the Gaza Strip**

### **The Goldstone Report**

34. Hamas' combat doctrine was fully implemented in the years preceding Operation Cast Lead, but the Goldstone Report's survey of the security-historical context of Operation Cast Lead does not deal with it at all, despite the great amount of information available from both Israeli and foreign sources.

### **Factual Findings**

#### **Deploying the Military Force of Hamas and the Other Terrorist Organizations within the Civilian Population**

35. **On the eve of Operation Cast Lead, Hamas had under its command about 15,000 armed operatives with varying degrees of skills.** Approximately one third of them belonged to the Izz al-Din al-Qassam Brigades, the rest to its internal security services (most of whose operatives integrated into the Brigades in times of emergency, and who were

under Brigade command during the fighting against the IDF). **In addition between 3,000 and 4,000 operatives from the other terrorist organizations** could be added to Hamas' order of battle. Thus the total number of **armed terrorists** stood at about **20,000**, equipped with light arms, anti-tank weapons, anti-aircraft weapons, powerful IEDs, rockets and mortars.

**36. Hamas terrorist networks were organized in a semi-military hierarchical structure and used semi-military methods. The Gaza Strip was divided into six territorial districts, each of which had its own brigades, as follows:**

**A. The Gaza City district**, the capital and nerve center of the Gaza Strip: **Two territorial brigades were deployed there, the Northern and Southern Gaza City Brigades** (numbers 1 and 2 on the map). Gaza City is densely-populated, home to about 450,000 Palestinians. Hamas' central administration and military force are located there, as are its military network and administrative facilities. Most of Hamas' military infrastructure is established within civilian houses and its facilities are located nearby.



**Bird's-eye view of Gaza City: the military units of Hamas and the other terrorist organizations deployed in densely built-up neighborhoods.**

**B. The northern Gaza Strip district**, in which the **Northern Brigade** is deployed (number 3 on the map). The area is basically agricultural and serves as the main launching ground for rocket attacks against Israel. The urban areas of **Beit Hanoun, Beit Lahia and Al-Atatra** served, before and after Operation Cast Lead, as the main rocket launching grounds for Hamas and the other terrorist organizations. **The area of Jabaliya**, in the rear of the northern Gaza Strip, contains the Jabaliya refugee camp,

the most densely-populated region of the Gaza Strip, where 100,000 Palestinians have a living space of about 3 meters (or 3.58 yards) per person.



**The densely populated Jabaliya refugee camp, from which rockets were fired into Israeli territory (PALDF, Hamas' main forum, June 2008).**

C. The **Refugee Camp district of the central Gaza Strip** is essentially Gaza City's back yard and where the **Central Refugee Camps Brigade** is deployed (number 4 on the map). There are four main refugee camps in the central Gaza Strip (Nusairat, Al-Bureij, Al-Maghazi and Deir al-Balah), the town of Deir al-Balah and a number of small agricultural settlements. About 130,000 Palestinians live in the district. It serves the terrorist organizations as a kind of logistic area in the rear of Gaza City. In addition, Hamas keeps part of its military infrastructure there to defend the district and for attacks against Israel to be carried out from it.

D. The **southern Gaza Strip district** is where the **Khan Yunis and Rafah Brigades** are deployed (numbers 5 and 6 on the map). About 250,000 people live in the district. It includes three sub-districts: Khan Yunis, Rafah and Mawasi (which houses the ruins of the former Israeli settlements of Gush Katif). There are two refugee camps in the district, Khan Yunis and Rafah, where about 160,000 Palestinians live. The southern Gaza Strip district serves as the Gaza Strip's exit point to Egypt, the Arab-Muslim world and the entire world, and through it pass weapons,<sup>4</sup> money and terrorist operatives.

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<sup>4</sup> Including standard long-range Grad rockets sent, in our assessment, from Iran.

37. The six brigades operate independently in a hierarchical, organized fashion:



Territorial brigade deployment

38. With the outbreak of Operation Cast Lead, the six territorial brigades were deployed in the various districts of the Gaza Strip. Their “battalions” and “companies” were deployed in cities, neighborhoods, towns and villages. Hamas field operatives who served in the units were situated, with their weapons, in civilian houses, mosques and near public institutions, and fought the IDF using tactics of blending into the civilian population and using civilians as human shields (See below).

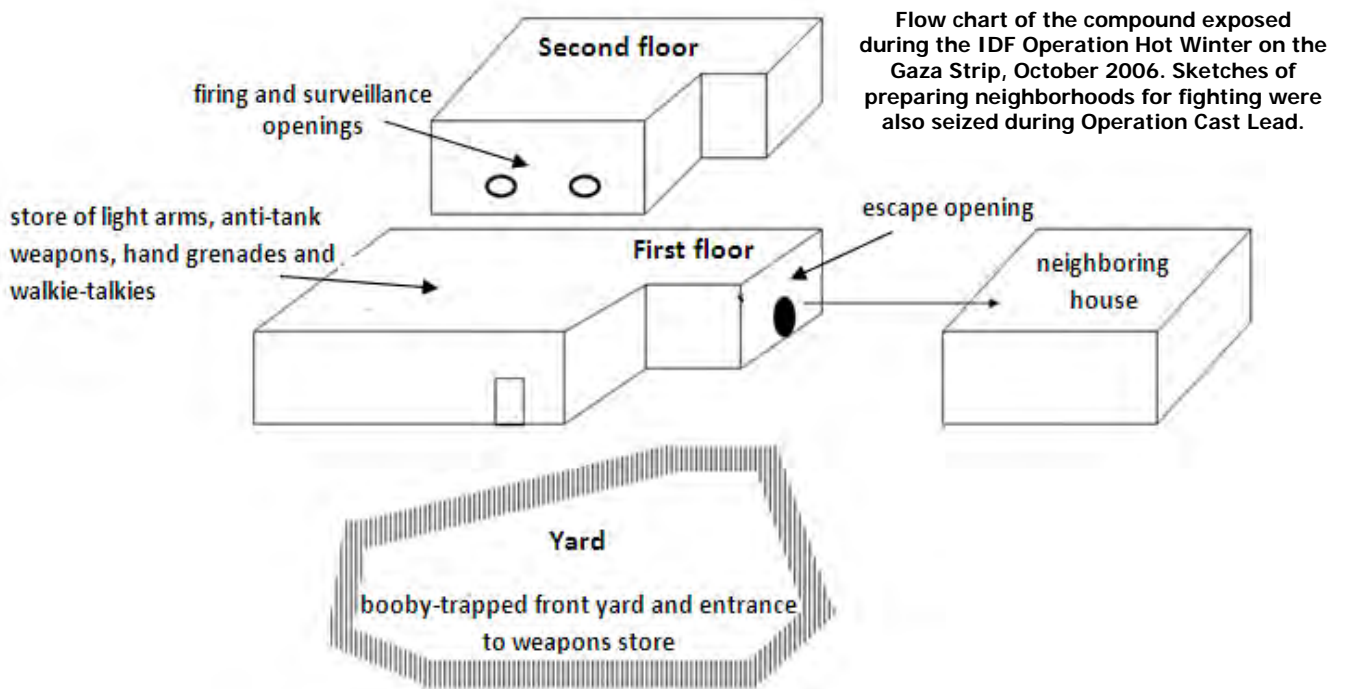
### Implementing Hamas’ Combat Doctrine: Basing Military Networks in Population Centers

39. Hamas’ combat doctrine was manifested by a military defense program which had been planned and implemented over a period of years since Israel completed its unilateral disengagement in the summer of 2005. Its objective was to improve the Izz al-Din al-Qassam Brigades’ capabilities in a possible confrontation with the IDF, utilizing the lessons learned during the second Lebanon war and in IDF operations in the Gaza Strip. Hamas made what it felt were the necessary alterations to its combat doctrine, putting theory into practice in accordance with its operational needs.

40. As part of the defense program, during the period before Operation Cast Lead **Hamas made extensive preparations for a possible confrontation with the IDF, turning densely-populated areas into military compounds where it situated its military infrastructure.** That included storing weapons in civilian houses and public institutions; locating headquarters, offices, bases and observation posts in civilian houses; using administrative and public buildings (such as mosques) for military purposes; hiding weapons in civilian houses and digging tunnels between houses to hide terrorist organizations and allow for their escape of; enlisting civilians to protect the houses of terrorist operatives, on the assumption that the IDF would not attack; dressing terrorist operatives in civilian clothing and transporting them in civilian vehicles; placing large quantities of IEDs or series of IEDs in or near civilian houses; and preparing IEDs and booby-trapped cars to explode and kill IDF forces in densely-populated civilian areas (the number of IEDs possessed by Hamas at the beginning of the Operation is estimated at several thousand). **All of the above were implemented during Operation Cast Lead.**

41. **The following are examples of the construction of Hamas' military-terrorist infrastructure within the civilian population, based on its defense plan:**

**A. Preparing neighborhoods and civilian houses for fighting:**



**B. Digging tunnels and trenches:** Tunnels and trenches were dug in built-up areas, and between them and open areas close to the Israeli border. The tunnels were dug between houses to make it possible for terrorist operatives to move freely throughout the combat zones and to increase their ability to operate and survive. Sometimes the tunnels were also booby-trapped or used for storing weapons.

C. **Digging explosive pits along main thoroughfares**, camouflaging IEDs in earthworks at the sides of roads, placing IEDs in areas where IDF forces were expected to act.

D. **Blocking roads with earthworks**, preparing battle zones in built-up areas and preparing underground posts for launching rockets and mortar shells, which would also serve as shelters and front-line ammunition stores.



Earthworks to block roads and piles of dirt to camouflage IEDs near civilian houses.

E. **Booby-trapping civilian houses** in an obvious manner by placing IEDs inside, or hiding them under the floor or digging explosive tunnels under the buildings.

### Various Aspects of Military Activity in Civilian Houses



Popular Resistance Committees terrorists manufacture rockets in a civilian house during the lull in the fighting which preceded Operation Cast Lead



Left: Opening of a tunnel in a civilian house. Right: Putting the excavated sand into flour sacks.

### **“Work Accidents” Caused by Situating the Military Infrastructure in Civilian Houses**



The ruins of the house of a Hamas operative in Beit Hanoun which collapsed on June 12, 2007, the result of a “work accident” in which Hamas operatives were preparing an attack. The house belonged to Ahmed Hamouda, senior Izz al-Din al-Qassam Brigades commander. Ten Palestinians were killed in the explosion and more than 40 wounded. The building collapsed and nearby buildings were extensively damaged. The nature and gravity of the explosion indicated that the building housed a large quantity of explosives, whose detonation caused the collapse (Hamas’ Al-Aqsa TV, June 12, 2007).



Aerial photo of the house of Ahmed Hamouda, senior Izz al-Din al-Qassam Brigades operative, before it collapsed in a “work accident.” The house is clearly visible as being situated in a residential neighborhood.

## **Firing Rockets and Mortar Shells from Densely-Populated Residential Areas**

42. Civilians were also used as human shields for terrorist offensives. In the years preceding Operation Cast Lead, **Hamas and the other terrorist organizations customarily launched rockets and mortar shells from within densely-populated, built-up areas.** The squads often positioned their launchers **close to civilian houses, and sometimes near educational institutions.** They sometimes wore civilian clothing to protect themselves from IDF counterterrorism activities.

43. The terrorist organizations' favorite rocket launching sites are the settlements in the northern Gaza Strip close to the Israeli border, but rockets are sometimes launched from other locations. Among the terrorists' favorite areas are the **Jabaliya** refugee camp, **Beit Lahia** and **Beit Hanoun**. Rockets and mortar shells are routinely fired from there, targeting the southern Israeli cities of Sderot and Ashqelon as well as other Israeli population centers. Sometimes terrorists fire rockets from the Gaza City region and other populated areas in the central Gaza Strip because of operational considerations, using long-range standard rockets to compensate for pushing the rocket launching squads away from the border.

### **Examples of Rockets and Mortar Shells Launched near Civilian Houses (during the Period Preceding Operation Cast Lead)**



**Shaheed Muhammad Salami Khilles, senior operative of the Shuja'iyya mortar unit, wears civilian clothing to fire a rocket from a residential area (Hamas forum, November 1, 2007).**





The Popular Resistance Committees fire rockets from a densely-populated area (Muqawamah website, February 27, 2008, courtesy of Israeli Channel 10 TV).



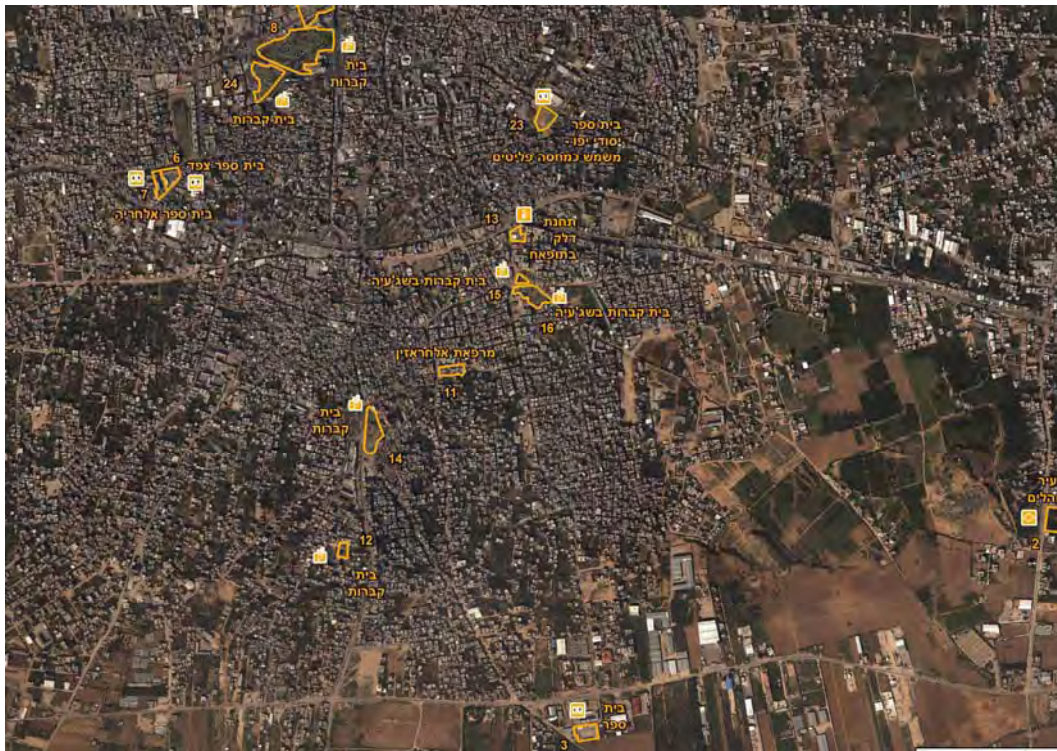
The Palestinian Islamic Jihad fires rockets near civilian houses (Al-Alam TV, April 20, 2008).



Mortar launching squad near a civilian house ( Hamas' Al-Qassa TV, October 26, 2007)



Rockets fired from the northern Gaza Strip (close to a building) at Israel during IDF activity in Beit Hanoun (Al-Jazeera TV, April 28, 2008)



Aerial photograph of a Shuja'iyya civilian house and institutions near which rockets were fired.

## Implementing of the Concept of Using Civilians as Human Shields during Operation Cast Lead

### Goldstone Report

44. The Goldstone Report **does not deal** methodically or seriously with Hamas' combat doctrine or with how it was implemented during Operation Cast Lead.

### Factual Findings

45. **According to Hamas' combat doctrine, most of the fighting is waged in densely-populated, built-up areas using civilians as human shields. The doctrine was implemented in Operation Cast Lead, although not always successfully. During the Operation clear instructions were transmitted by Hamas' military communications network in the southern part of Gaza City to draw IDF forces into the built-up area without dispatching its own forces to confront the IDF in open regions. The objective was to put into practice the principle of fighting in built-up areas, even at the loss of the lives of non-combatant civilians.**

46. **As the fighting continued, the use of civilians as human shields increased. Civilian houses near which fighting was waged served the terrorist operatives as hideouts,**

places to store weapons, observation posts and rocket launching sites. **According to reports from the Gaza Strip, after the IDF issued warnings to the civilian population, Hamas operatives forced residents of the northern Gaza Strip to remain in their houses and prevented them from fleeing the combat zones** (See below). Hamas' tactical communications in the Gaza Strip **transmitted explicit instructions to operatives to fight from inside civilian houses even if it meant using force**. The fact that civilians remained at home limited the IDF's freedom of action and caused non-combatant casualties. The IDF focused its activity on terrorist operatives while trying not to harm the civilian population.

47. **The entrance of IDF land forces into built-up areas exposed the significant extent of the use** Hamas and the other terrorist organizations made of civilians as human shields. **Hamas waged its fighting from civilian neighborhoods which had previously been prepared, and made use of mosques, hospitals and educational institutions for military purposes**. Some examples follow (For an in-depth analysis see below).

## **Examples of Hamas' Implementation of its Combat Doctrine during Operation Cast Lead.**

### **Terrorist Operative Statements to the Media**

48. Statements made by Izz al-Din al-Qassam Brigades and Popular Front for the Liberation of Palestine – General Command operatives to the media include:

A. **A Hamas terrorist operative said that he and his comrades had booby-trapped buildings in Gaza City at the beginning of the ground operation of Operation Cast Lead:** "A short time before evening the [Israeli] forces tried to enter [Gaza] city. Jihad fighters began moving through the city to booby-trap it...**Every comrade booby-trapped his [own] house**. We booby-trapped Gaza City from the inside and we were all ready to die on our land, and **especially in our houses**, that is, I wanted to fight from inside my house..." (Al-Jazeera TV, February 21, 2009). The findings of this study indicate that Hamas operatives extensively booby-trapped civilian houses throughout the Gaza Strip.



Al-Jazeera TV interviews Izz al-Din al-Qassam Brigades operatives who boast about booby-trapping Gaza (Al-Jazeera TV, February 21, 2009).

[Click for Video \(1\)](#)

B. In a telephone interview, Abu Nidal, commander of the military-terrorist wing of the PFLP-GC in the Gaza Strip, said the following: "The resistance [i.e., the terrorist organizations] understood from the beginning what the extent of the Zionist attack was, and defended itself. These areas do not present a problem because of the population and building density, which provide the resistance with a shield and enable it to move easily to strike blows at Zionist vehicles [i.e., the IDF's armored vehicles] which try to move in" (Al-Jazeera TV, January 15, 2009).

[Click for Video \(2\)](#)

## Israeli Air Force Videos

49. The following are examples of Israeli Air Force videos of the **use made of civilian houses by terrorist operatives** during Operation Cast Lead:

A. One tactic used by Hamas and the other terrorist operatives was **to cover the streets with lengths of cloth** to hide their activity from Israeli Air Force aircraft and allow the operatives freedom of movement in densely-populated areas. A video photographed on January 4, 2009, shows terrorist operatives spreading a length of cloth over a street in the Shati neighborhood in Gaza City.



Stages of spreading a cloth over the street to hide military activities in the heart of the Shati neighborhood in Gaza City.

[Click for Video \(3\)](#)

B. **On December 28, 2008**, the Israeli Air Force attacked a weapons storehouse located very close to civilian houses. The strong primary and secondary explosions indicated that **large quantities of weapons had been stored there**.



Weapons storehouse near civilian house. Left: Secondary explosion.

[Click for Video \(4\)](#)

C. **On January 5, 2009**, the Israeli Air Force attacked a terrorist squad **shooting at IDF forces from inside a civilian house**. A rocket launcher was also located **between two civilian houses**.



Left: Rocket launched between houses. Right: Terrorists shoot through the windows of a civilian house.

[Click for Video \(5\)](#)

D. **On January 5, 2009**, the Israeli Air Force identified a scout in a civilian house in the heart of a neighborhood in the Gaza City, who observed through a window and reported on the movements of IDF forces.



Surveillance post in a civilian house.

[Click for Video \(6\)](#)

E. On January 10, 2009, the Israeli Air Force **attacked a rocket launcher situated in the heart of a built-up, populated area.**



Attack on rocket launcher situated in the heart of a residential area

[Click for Video\(7\)](#)

F. Israeli Air Force aircraft identified a terrorist operative launching mortar shells at IDF forces. **The mortar was situated on the roof of a civilian house.**

G. The Israeli Air Force attacked an anti-tank cannon situated on the roof of a civilian house.



Left: Terrorist operative launches mortar shells from the roof of a house. Right: Mortar shells on roof hit by Israeli Air Force strike and explode.

[Click for Video \(8\)](#)



Anti-aircraft gun mounted on a roof and covered with camouflage netting.

[Click for Video \(9\)](#)

H. The Israeli Air Force attacked a rocket launcher situated among civilian houses.



Rocket launcher situated between two civilian houses.

[Click for Video \(10\)](#)

## Civilians Protest Being Used as Human Shields during Operation Cast Lead

### The Goldstone Report

50. The Goldstone Report plays down the Gazans' fears of Hamas and does not present an accurate picture of their protests against being used as human shields. The Mission noted that it interviewed a number of Gazans about the conduct of the "Palestinian armed groups" during the operation. **It states that those interviewed were**



reluctant to speak about the presence or conduct of the “Palestinian armed groups” during the fighting, adding that whatever the reason for their reluctance, **the Mission did not rule out that it might be because of fear of reprisals** (by inference from Hamas and the other terrorist organizations, called the “Palestinian armed groups” by the Goldstone Mission. The Mission did not thoroughly investigate the issue.).

## **Factual Findings**

51. The residents of the Gaza Strip were afraid to give the Mission information that might embarrass or incriminate Hamas, exposed, as they were, to Hamas’ brutal policy of oppression. **However, according to reliable intelligence, there were civilian protests in the Gaza Strip against operatives shooting near their houses, storing weapons in their houses and other manifestations of their being used as human shields.** In several instances the protests were physical, especially in cases in which the civilians feared that military activity endangered their lives (for example, when a woman was killed when a rocket hit her house).

52. **The following examples are based on intelligence about civilian complaints, protests and even physical resistance:**

A. It was reported that during Operation Cast Lead civilians drove away Hamas operatives who wanted to shoot from nearby and demanded that they shoot from open areas. In addition, civilians physically resisted the launching of rockets and mortar shells by Hamas operatives near their houses in three locations: the heart of the **Jabaliya** refugee camp, **Khan Yunis** and the **Al-Sabra** neighborhood in Gaza City. In certain instances their resistance hindered Hamas’ firing. Following the protests, Hamas operatives were instructed not to cause friction with the local residents, to fire their rockets early in the morning and not to fire at all from within population centers. Hamas operatives even expressed worry that they might lose public support and on occasion were instructed to move away from civilian houses while shooting.

B. Hamas’ tactical networks reported that operatives found it hard to fire rockets from built-up areas because of civilian opposition (January 8, 2009).

C. Hamas’ tactical networks reported that operatives should not pay attention to civilian complaints and should operate in the district regardless of what the residents thought (January 12, 2009).

D. Local farmers resisted Izz al-Din al-Qassam Brigades operatives and even confronted them to prevent them from using their property for military purposes.

Brigades operatives also faced resistance from homeowners whose abandoned buildings they took over.

E. Hamas operatives took over civilian houses to fight from. For example, they took over the roofs of high-rise buildings [in Gaza City], mounted machine guns on them and turned them into anti-aircraft positions. Every civilian attempt to stop them was met with severe violence, sometimes including shots fired at the protestors.

53. A terrorist operative detained during Operation Cast Lead described the resistance of civilians to rockets' being fired near their houses and property. The detainee was **Husam Assa'ad Ghazi Atar**, 24, an Izz al-Din al-Qassam Brigades operative from Al-Atatra. **He said that during the fighting** [i.e., Operation Cast Lead] **rockets were fired from a local vineyard, which belonged to Mahmoud Ghazi Atar, 86, from Al-Atatra. He tried to prevent the terrorist operatives from shooting from his land, but they shot at him.** They came to the site several times until Mahmoud Atar managed to collect a group of people who helped keep them away.

54. **Criticism of Hamas' conduct during the fighting, which was perceived as immoral, damaged public support for Hamas after Operation Cast Lead.** There was also criticism of the way the Hamas leadership went underground during the Operation, and an increase in the awareness that Hamas and not only Israel bore responsibility for the difficult humanitarian situation in the Gaza Strip.

## **Lessons Hamas Learned during Operation Cast Lead about the Use of Civilians as Human Shields**

### **The Goldstone Report**

55. The Goldstone Report does not examine Hamas' combat doctrine and the extensive use it made of civilians as human shields, and certainly not the lessons Hamas learned about it from Operation Cast Lead.

### **Factual Findings**

56. The use of civilians as human shields presented difficulties for Hamas operatives on the ground, who experienced manifestations of protest during the fighting. **Hamas was fully aware that firing from mosques, schools and other civilian facilities led to civilian**

**deaths.** In addition, it was also reported that **some of the ground operatives regarded operating from within the civilian population as immoral and even contrary to Islamic law.** Therefore, they **urged their commanders to carry out military activities from uninhabited regions.** To justify fighting from within the civilian population, senior Hamas figures countered by saying that the large number of civilian deaths enabled Hamas to make propaganda capital and mobilize the population to struggle against Israel.

57. **In the final analysis Hamas came to the conclusion that its combat doctrine of using civilians as human shields had proved itself in Operation Cast Lead. As far as Hamas was concerned, beyond the operational difficulties it presented to the IDF, which was forced to find a response to combat in densely-populated urban situations, it made propaganda capital for the battle for hearts and minds** (in that context, Hamas perceives the Goldstone Report as a significant achievement which serves its purposes).

58. **Hamas therefore formulated ideas and made recommendations for improving the tactic of blending into the civilian population,** using civilian vehicles and civilian facilities as well as those belonging to international organizations, and exploiting educational institutions for military purposes. **Reliable intelligence indicates that as far as learning lessons for the next round of fighting with Israel is concerned, the following recommendations were made and are already being implemented:**

- A. **Preparing camouflaged civilian vehicles for military purposes:** Vehicles will be marked as belonging to foreign institutions, ambulances, press vehicles, commercial vehicles with product advertising, taxis, etc.
- B. **Situating operatives in health facilities, mosques and charitable societies** affiliated with Hamas.
- C. **Preparing safe houses camouflaged as civilian houses.**
- D. **Establishing a network of shelters** connected by tunnels, especially in schools.
- E. **Situating military communications posts in civilian houses.**
- F. **Situating security service operations rooms in hospitals.**
- G. **Continued use of educational institutions for military purposes.** (For example, on June 15, 2009, a tunnel dug by Hamas operatives under a UNRWA-

affiliated school collapsed in Gaza City. At the time of the collapse a summer camp was in session.)

### **Operational Use of Communications Vehicle in the Past: a Lesson for the Future?**



59. On June 9, 2007, a four-man Palestinian Islamic Jihad-Fatah terrorist squad attacked an IDF post and patrol near the Kissufim crossing. The terrorists arrived in a jeep marked "Press" and "TV," broke through the gate and entered Israeli territory. IDF forces which arrived at the scene exchanged fire with the terrorists and killed one of them; the other three escaped. In pictures the markings on the jeep can be clearly seen (Courtesy of *Yedioth Aharonoth* and Maor Azoulai).

## Section II - Hamas' Military Use of Public and Administrative Institutions and Facilities during Operation Cast Lead

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### Overview

60. There is a great deal of reliable intelligence from a variety of sources supported by videos and photographs, showing that Hamas and the other terrorist organizations made **extensive military use of public and administrative institutions and facilities** during Operation Cast Lead.

61. **The intelligence covers the following:**

- A. **Mosques**
- B. **Hospitals and ambulances**
- C. **Educational institutions** (the Islamic University in Gaza as a case study)
- D. Other public institutions, such as **charitable societies**

62. The Goldstone Report either rejects Israel's information, minimizes it or refers to it only in general terms.

### Mosques

#### The Goldstone Report

63. The Goldstone Report did not make an in-depth examination of the military use of mosques. Instead, it related to the issue from the angle of IDF activity against the Al-Maqadma mosque in Beit Lahia at the beginning of the ground phase of Operation Cast Lead (January 3, 2009). In that instance, the only one examined by the Goldstone Mission, the Report states (Paragraph 36, p. 18) that "Although the incidents investigated by the Mission did not establish the use of mosques for military purposes or to shield military activities, **it cannot exclude that this might have occurred in other cases.....**" (ITIC emphasis).

64. In Paragraph 1953, p. 420, the Report states that "...[a]lthough in the one incident of an Israeli attack on a mosque (al-maqadma) it investigated the Mission found that **there**

**was no indication that that mosque was used for military purposes or to shield military activities, the Mission cannot exclude that this might have occurred in other cases"** (ITIC emphasis).

65. **Section VIII of the Report relates concretely to the use of mosques** in attacks against the IDF or for storing weapons. **The Report claims it "was not able to investigate" the Israeli accusations.** The Mission investigated the incident in which an Israeli missile was launched at the Al-Maqadma mosque and did not find evidence that weapons were stored or that any other military activity had been held there by "Palestinian groups." **With respect to that particular mosque,** the Report determined that Israel's claims were baseless. However, "[t]he Mission [was] **unable to make any determination on the general allegation that Palestinian armed groups used mosques for military purposes"** (Paragraphs 464-465, p. 117; Paragraph 486, p. 122, ITIC emphasis).

66. Regarding the investigation of the sites where "armed groups" operated against the IDF, the Goldstone Report notes that the Mission asked the "Gaza authorities" [i.e., the de facto Hamas administration] **if they knew of public buildings or mosques used as weapons stores. The "Gaza authorities" answered that they had "no knowledge" of such activities.** The Goldstone Mission was not entirely convinced. **"The Mission notes, more importantly, that, whether the answer reflects the reality or not, the Gaza authorities are obliged under international law to control the activities of armed groups operating on the territory under their control.** If they failed to take the necessary measures to prevent the Palestinian armed groups from endangering the civilian population by conducting hostilities in a manner incompatible with international humanitarian law, **they would bear responsibility for the damage done to the civilians living in Gaza"** (Paragraph 498, p. 124, ITIC emphasis).

67. **The Goldstone Report claims that the Mission examined pictures provided by Israel allegedly showing "the launching of rockets 'from within or near residential buildings, including schools, mosques and hospitals...'** The Report notes that the Mission could not verify the Israeli allegations and that many of them were taken before Operation Cast Lead.

68. **Conclusions:** Using non-committal language, the Goldstone Report does not take a definite stand regarding the military use made of mosques by the "Palestinian armed groups," i.e., Hamas and the other terrorist organizations. **It does not reject outright that such use was made, but does not unequivocally say it was or indicate that it was a general modus operandi** (and thus minimizes its significance). It does not

directly state that **the de facto Hamas administration was responsible for the military use of mosques, a gross violation of international laws governing armed combat and a misuse of the special status and protection given by international law to houses of worship.**

## Factual Findings

### Historical Background: The Military Use of Mosques as a Factor of Hamas' Combat Doctrine in Urban Areas

69. The massive military use Hamas and the other terrorist organizations made of mosques has historical-religious roots. By the 7<sup>th</sup> century the prophet Muhammad had turned the mosque he built in Medina into a center for preaching, a place where political matters were dealt with, consultations held and appointments made, and where the Muslim army was prepared before it was dispatched to war and to attack the enemies of Islam. **Muslim sages are of the opinion that the mosque is not only a house of prayer, but that other uses, including military and political, are acceptable.** Contemporary examples of the military and political uses made of mosques by radical Islamic terrorist organizations can be found in the Gaza Strip and many other places in the Arab-Muslim world.<sup>1</sup>

### Iraqi and American Forces Operate against Rebels Using the Mosques of Fallujah



Aerial photograph of the Hajj Muhsein Abd al-Aziz al-Qabisi mosque compound in Fallujah. Armed rebels fought coalition forces from it (Photograph from globalsecurity, April 7, 2004).



Iraqi soldiers inside the mosque in Fallujah<sup>2</sup>

<sup>1</sup> For further information see the March 2, 2009 bulletin, "The use of mosques for military and political purposes by Hamas and other terrorist organizations and Islamic groups..." at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e065.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e065.pdf), pp. 22-32.

<sup>2</sup> <http://www.pacificviews.org/weblog/archives/000702.html>

70. **The extensive network of nearly 1,000 mosques in the Gaza Strip**, which has been significantly expanded during the past 30 years, **is for the most part under Hamas control**. The large number of mosques and their distribution throughout the Gaza Strip, the relative security felt by Hamas operatives when inside them and the religious roots of their military use made them a **central component in Hamas' combat doctrine in urban areas**, manifested during Operation Cast Lead. **In addition, at least until the Operation, Hamas and the other terrorist organizations generally assumed that the IDF would not attack them, even if operatives fought or fired rockets at Israeli territory from within or nearby, because they were religious institutions and attacking them would be viewed negatively** by the Arab-Muslim world and even by Western countries.<sup>3</sup>

71. As a function of Hamas' combat doctrine, mosques in the Gaza Strip were **prepared by Hamas and the other terrorist organizations for the event of an IDF incursion. During Operation Cast Lead they were used for a variety of military purposes**: hiding terrorist operatives, storing weapons, as sites for launching rockets and mortar shells, as bases for launching attacks and fighting and for training terrorist operatives. **A great deal of evidence was found for those uses before, during and after Operation Cast Lead**. Putting the mosques to military use **endangered the lives of innocent civilians who were not involved in the combat**, both before and certainly during the Operation, especially in view of the large quantities of weapons stored in them.

## **Military Use of Mosques during Operation Cast Lead**

### **Overview**

72. According to intelligence, on the eve of Operation Cast Lead almost **100 mosques in the Gaza Strip had apparently been prepared for military-terrorist use**. The large number indicates that it was not a chance occurrence but rather a tactic used systematically according to Hamas' combat doctrine.

73. **Proof for the military-terrorist use Hamas made of the mosques comes from several sources:**

A. **Intelligence**: There is a large amount of reliable evidence relating to bases and headquarters situated in mosques, the production and stockpiling of weapons, military training courses, the hiding of terrorist operatives, rockets and mortar shell

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<sup>3</sup> In Iraq and other conflict areas the Western countries were forced to act against terrorists who used mosques. For example, in 2004 the Americans fought armed men who had sought cover in the mosques in Fallujah and Samara (west and north of Baghdad). For further information see "The use of mosques," above, pp. 23-26.



launched from nearby, the booby-trapping of mosques and turning basements into interrogation facilities.

**B. Reports from IDF forces on the ground:** IDF reports, accompanied by photographs, show that explosives, weapons, ammunition and military equipment were stored in the mosques. The weapons included Qassam rockets, IEDs, Kalashnikov assault rifles, ammunition magazines and even an anti-aircraft gun.

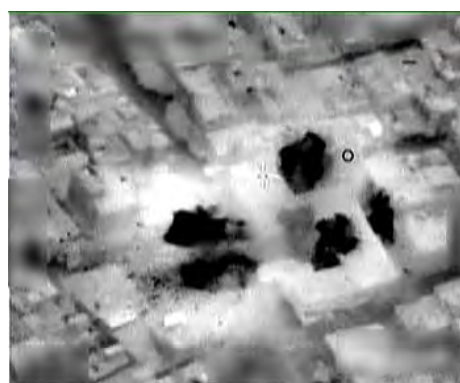
**C. Israeli Air Force video tapes:** Videos of IAF attacks showed **strong secondary explosions** caused by large quantities of detonated weapons and explosives, as well as videos of rocket launchers positioned in mosque yards.

**D. Documents:** An operational sketch of Al-Atatra in the northern Gaza Strip was seized during Operation Cast Lead. **It showed that the mosques were integrated into the combat system, and that IEDs, anti-tank and emergency squads were placed nearby.**

74. The following are examples of mosques used for military purposes identified during Operation Cast Lead:

### **The Al-Khulafa'a al-Rashidoun Mosque in the Jabaliya Refugee Camp**

75. On January 1, 2009, the IDF attacked the **Al-Khulafa'a al-Rashidoun Mosque in the Jabaliya refugee camp, where large quantities of weapons were stored.** According to intelligence, the mosque served Hamas as an operations room and weapons storehouse. The weapons were stored in two stories dug beneath the mosque. Senior Hamas figures frequented the mosque, among them Nizar Riyan, killed by the IDF during Operation Cast Lead. A member of the Riyan family was responsible for the storehouse.



Left: The mosque before the attack. Right: A series of secondary explosions indicate the presence of weapons stored in the mosque.

[Click for Video \(11\)](#)



The Al-Khulafa'a al-Rashidoun Mosque in the Jabaliya refugee camp attacked by the IDF (Photo courtesy of the IDF Spokesman, January 2, 2009).

76. The **Al-Khulafa'a al-Rashidoun Mosque** is one of the largest in the Gaza Strip, long nicknamed the "**fortress of the fighters who sacrifice their lives [i.e., suicide bombers] for the sake of Allah**" (*qala'at al-istashhade'en*). Hamas' official Internet forum reported losses of operatives belonging to the mosque:<sup>4</sup> Since 2000, 12 Hamas suicide bombers and between 50 and 90 rank and file operatives, most of them from the Izz al-Din al-Qassam Brigades, were killed. One of the most famous was **Ibrahim Nizar Riyan**, trained and dispatched by his father, the mosque imam, to carry out a suicide bombing attack of Israel.<sup>5</sup>

77. **Nizar Riyan**, who was the interior minister of the de facto Hamas administration, delivered a sermon in the mosque the day before he died in an IDF targeted killing. **The sermon included support for and encouragement of the Izz al-Din al-Qassam Brigades operatives**, exhorting them to "strike Israel, Ashdod and Ashqelon, and even deeper into the Israeli home front." He specifically called on them to **kill Jews, saying "our dialogue with the Jews is with our guns,"** and told the Jews to get out of "Palestine," quoting the well-known anti-Semitic Muslim tradition (*hadith*), which says that on Judgment Day the trees and stones will tell the Muslims where the Jews are hiding behind them and call on [the Muslims] to kill the Jews.

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<sup>4</sup> Hamas reports relating to Izz al-Din al-Qassam Brigades operatives killed sometimes include the names of the mosques to which they belonged

<sup>5</sup> [www.paldf.net/forum/showthread.php?t=406392](http://www.paldf.net/forum/showthread.php?t=406392).



Left: The Al-Khulafa'a al-Rashidoun mosque (<http://www.mazajcafe.com/vb/a-t30648.html>, January 18, 2009). Right: Graffiti, either on the mosque or on another structure in the Gaza Strip, reading "Al-Khulafa'a al-Rashidoun Mosque, the fortress of the suicide bombers who sacrificed their lives for the sake of Allah" (PALDF, Hamas' main forum, April 13, 2009). According to additional sources, the mosque's nickname is widespread throughout Gaza.<sup>6</sup>



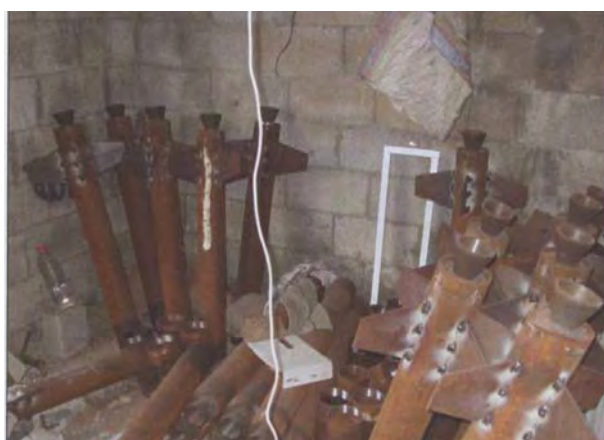
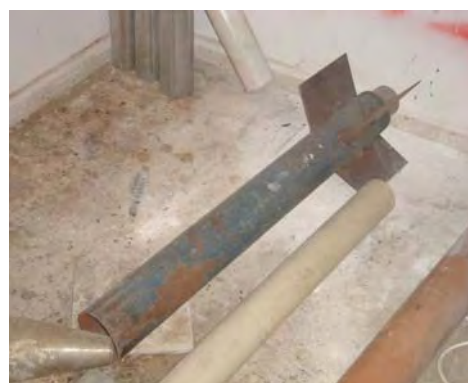
Nizar Riyan delivers a sermon the day before he dies in a targeted killing, inciting Muslims to kill Jews (Al-Aqsa TV).

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<sup>6</sup> For example, see <http://www.eyoon.com/sites/31960.html> and <http://www.alqassam.ps/arabic/sohdaa5.php?id=610>

## Mosques in Zeitoun

78. On January 11, 2009, during searches carried out by IDF forces, **a store of rockets and mortar shells was found in a mosque in the Zeitoun neighborhood in Gaza City**. The mosque was located next to the house of an Izz al-Din al-Qassam Brigades commander. The following pictures show the rockets and other weapons found in the mosque.



79. During Operation Cast Lead an RPG was fired at an IDF force from inside a mosque in Zeitoun. The following aerial photograph shows the location of the mosque.



The mosque in Zeitoun from which the RPG was fired

## Weapons Found in Mosques in Jabaliya (Northern Gaza Strip)

80. On **January 13, 2009**, IDF forces operating in the northern Gaza Strip discovered a **mosque in Jabaliya where large quantities of weapons were stored**. Among them was an **anti-aircraft gun**.<sup>7</sup>



Weapons found in a mosque in Jabaliya. Left: An anti-aircraft gun (Photo courtesy of the IDF Spokesman, January 13, 2009).

[Click for Video \(12\)](#)

<sup>7</sup> The Goldstone Report makes brief mention of the Israeli report of weapons in a mosque in Jabaliya (Paragraph 464, p. 117).

## Weapons in Mosques in Al-Atatra (Northern Gaza Strip)

81. A sketch seized during Operation Cast Lead, shows how the mosques in Al-Atatra neighborhood were prepared for fighting against the IDF. IEDs were placed nearby, and anti-tank squads and emergency squads were positioned in close proximity. **Snipers mounted the minaret of the Al-Tawhid mosque.**

82. On January 14, 2009, IDF forces found large quantities of weapons in one of the mosques in Al-Atatra. Some of them were hidden in a storeroom built under the imam's pulpit.



Aerial photograph of the mosque in Al-Atatra where weapons were found.



Weapons, bullet-proof vest and ammunition under the pulpit, mosque in Al-Atatra (Photo courtesy of the IDF Spokesman, January 15, 2009).



Weapons, bullet-proof vest and ammunition under the pulpit, mosque in Al-Atatra (Photo courtesy of the IDF Spokesman, January 15, 2009).



The Al-Atatra mosque pulpit (minbar). On January 14, a Kalashnikov assault rifle, bullet-proof vest and binoculars were found underneath.



IEDs, ammunition and equipment found in a mosque in Al-Atatra (Photo courtesy of the IDF Spokesman, January 15, 2009).



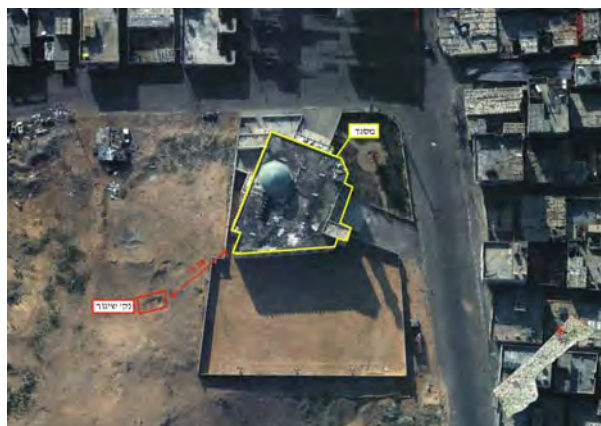
A side room in a mosque in Al-Atatra where IEDs were found.



IEDs found in a side room in a mosque in Al-Atatra. Upper left: Fragmentation charge camouflaged with Styrofoam to resemble a building block. Lower left and right: Fragmentation charges camouflaged with Styrofoam. Lower left: IED inside a plastic jerry can found in a side room in the mosque.



## Rocket Launching Sites near Mosques According to Aerial Photographs



Rocket launching site near the Safi mosque in the Shati refugee camp in the northern Gaza Strip. Discovered by the IDF during Operation Cast Lead.



IED and rocket launching site near the Filastin mosque in the Rimal neighborhood of Gaza City. Located by the IDF during Operation Cast Lead.

## Military Use of Mosques According to Aerial Photographs

83. On **January 7, 2009**, rockets were fired into Israeli territory **from a rocket launcher positioned in the yard of the Al-Taqwa mosque in Sheikh Radwan in Gaza City**. The launcher was attacked and destroyed by the Israeli Air Force.



Launching a rocket from the yard of the Al-Taqwa mosque according to IAF video.



Tunnel opening near a mosque in Jabaliya, identified during Operation Cast Lead.



IED detonating location in a mosque in Rafah controlling the main road leading to Khan Yunis, located during Operation Cast Lead. The IED is detonated from the mosque by the cable. Discovered during Operation Cast Lead.

## Israeli Air Force Videos Showing Weapons Stored in Mosques

84. During Operation Cast Lead the Israeli Air Force took films documenting weapons storehouses in mosques. **Strong secondary explosions** clearly visible after the attacks indicate that large quantities of explosives had been stored there. For example:

A. On **December 31, 2008**, the IAF attacked the **Abu Hanifa Na'aman mosque in Sheikh Ajalin in Gaza City**. The mosque had been used to store **weapons**, among them rockets, including long-range rockets. A large secondary explosion is visible, its size indicating the large number of weapons stored in the mosque.



Left: The Abu Hanifa Na'aman mosque was used as a storehouse for weapons.  
Right: The attack on the mosque.



Left: First secondary explosion. Right: Second secondary explosion.

[Click for Video \(14\)](#)

B. On **January 13, 2009**, the IAF attacked the **Omar bin Abd al-Aziz mosque in Beit Hanoun** in the northern Gaza Strip. The primary and secondary explosions visible in the video indicate that many weapons were stored there.



Left: The Omar bin Abd al-Aziz mosque in Beit Hanoun before the attack. Right: The mosque after the attack, showing the many secondary explosions around it.

[Click for Video \(15\)](#)

### Intelligence Relating to the Military Use of Mosques

85. According to reliable intelligence, the mosques were put to the following military uses:

- A. Headquarters
- B. Weapons storage
- C. Refuge for military operatives
- D. Directing the fighting against the IDF
- E. Meeting place for senior Hamas figures

86. Examples of the military use of mosques in the northern and central Gaza Strip are the following:

#### Central and Northern Gaza Strip

- A. **Great Mosque in Al-Bureij** – Served as a weapons storehouse, meeting place and training location for Hamas military operatives. Large quantities of various types of weapons were stored there. About 30 meters, or 32 yards, from the mosque are a school and a hospital.
- B. **Al-Shaheed Mosque in Al-Bureij** – Put to military use by Hamas operatives. Tunnels were dug beneath it. Used to store weapons.
- C. **Al-Sahabah Mosque in the Daraj neighborhood** – Served Hamas operatives and supporters. It is possible that weapons and ammunition were stored in the basement.
- D. **Al-Iman Mosque in Sheikh Radwan in Gaza City** – Used by Hamas to store weapons. A tunnel led from the mosque to the home of Sayid Siyyam.

- E. **Al-Rimouk Mosque**– Used by Hamas to store weapons.
- F. **Zakaria Mosque in Daraj** – Weapons were stored in the basement. A number of lathes were located close to the mosque.
- G. A mosque in the **northern part of Nusairat** served as a weapons storehouse for the Jerusalem Battalions, the military-terrorist wing of the Palestinian Islamic Jihad. Rockets and other weapons were stored there.
- H. **The Izz al-Din al-Qassam Mosque in Nusairat** served as the regional terrorist center and a storehouse for many forms of advanced weapons. Terrorist operative meetings were held in the mosque, which was connected to a tunnel network.
- I. **The Ribat Mosque in Beit Lahia** had a weapons storehouse connected to tunnels used by Hamas. Nearby was a tunnel apparently used to bring operatives to the mosque.
- J. **The Usbat Abd Rabbo Mosque** was used by a Hamas for an ambush which was prevented by the IDF. The ambush was operated from a building booby-trapped with an explosive pit and explosively formed projectile (EFP).

### **Southern Gaza Strip**

- A. **The I'bad al-Rahman Mosque in Khan Yunis** – Used by Hamas to store weapons. The mosque is situated to the west of the Khan Yunis police station.
- B. **The Al-Fadhila Mosque in Rafah** – Attacked by the IDF, it contained 50 Qassam rockets and many other weapons.
- C. **The Al-Abrar Mosque in Rafah** – Hamas' largest weapons storehouse in Rafah. The weapons were stored under its eastern section.
- D. **The Al-Farouq Mosque in the densely-populated Shaboura neighborhood of Rafah** – Used by Hamas to store large quantities of weapons.

### **IDF Officer's Report**

87. According to a report from an IDF officer who operated in the settlement of **Hirbet Ikhza'a** in the southern Gaza Strip, local residents said that a number of days before the IDF's land incursion the local mosques had been closed off and **they had been forbidden to pray in them**. They said they saw Hamas operatives bringing crates with military equipment into the mosques.

## Aerial Photographs



The Ribat mosque in Beit Lahia



The location of the tunnel dug (broken blue line) to the mosque used for military purposes

## Statements from Hamas Operatives Regarding the Military Use of Mosques

88. The following are statements from Hamas operatives detained by IDF forces during Operation Cast Lead regarding the **military use of mosques**:

A. **Rami Musbah Abd Rabbo**, a Hamas operative from **Jabaliya**, said that Hamas stored a great quantity of weapons in mosques, for example the **Salah al-Din Mosque** in Jabaliya, where rockets and other weapons were stored.

B. **Hamad Faraj Abd Rabbo Salah**, 29, from **Jabaliya**, was detained on January 9, 2009. He was an operative in a Fatah military network called the Ayman Joude

Battalions. During interrogation he said that Hamas operatives stored weapons in the upper stories of the **Salah al-Din Mosque in Jabaliya**. There were so many weapons that local residents stopped praying there because they were afraid the mosque would explode.

C. **Subhi Majid Atar**, a Hamas military operative from Al-Atatra (northern Gaza Strip), said during interrogation that as part of his military training he studied the theoretical aspects of firing rockets and RPGs. The lessons were held in the **Bilal bin Rabah Mosque** in Al-Atatra.

D. **Muhammad Imad al-Din al-Rahman Amsi**, a Hamas military operative detained during Operation Cast Lead, said that he heard that **Hamas operatives had received orders to fire from mosques and schools**. The operatives, he said, understood that the reason for the order was that Israel would not shoot at such locations.

## **Epilogue: The Ibn Taymiyyah Mosque in Rafah as a Focal Point for the Fighting between Hamas and Armed Islamists Affiliated with Al-Qaeda**

89. On August 14, 2009, seven months after Operation Cast Lead, Hamas fought armed Islamists at the Sheikh al-Islam ibn Taymiyyah Mosque in Rafah.<sup>8</sup> Hamas forces were brought in to deal with armed jihadists affiliated with Al-Qaeda, whose leader had challenged Hamas by proclaiming the establishment of an Islamic emirate in the Gaza Strip.

90. **Hamas did not hesitate to use a military-security force composed of Izz al-Din al-Qassam Brigades and security service operatives against the armed men who had barricaded themselves inside the mosque.** Hamas declared the mosque a closed military zone and prevented journalists from approaching it. Hamas forces used RPGs and light arms to shoot at the jihadists. Recordings from the Izz al-Din al-Qassam Brigades communications network smuggled out of the Gaza Strip and posted on the Internet indicated that Hamas did not hesitate to use excessive military force against the armed jihadists in the mosque and civilians who had not left the area. One of the

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<sup>8</sup> **Sheikh al-Islam ibn Tamiyyah** was a 14<sup>th</sup> century Islamic theologian and exegete. Today his writing serves as the basis for the development of the ideology of radical Islamic movements. Because of his scholarship, he is considered an important source of Islamic authority.

recordings is of **an order to shoot an RPG at the minaret of the mosque**, despite its religious significance.<sup>9</sup>

91. According to an August 15, 2009 report from the Palestinian Centre for Human Rights, the violent suppression of the jihadists caused the deaths of 28 Palestinians and the wounding of more than 100; more than 100 Palestinians were detained, some of them wounded. Among the dead were Salafist jihad operatives, Izz al-Din al-Qassam Brigades operatives, Hamas policemen who participated in the fighting and civilians who were in or near the mosque at the time. The mosque and surrounding buildings suffered considerable damage.

### Photographs from the Incident at the Ibn Taymiyyah Mosque



Armed terrorists affiliated with the global jihad. Sheikh Abd al-Latif Musa delivers a sermon in the Ibn Taymiyyah Mosque, surrounded by armed bodyguards (Safa News Agency, August 14, 2009).

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<sup>9</sup> For further information see the August 1, 2009 bulletin, " Hamas steps up its struggle against the global jihad-affiliated networks trying to challenge its control of the Gaza Strip" at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e080.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e080.pdf).





The Ibn Taymiyyah Mosque after the confrontations. The damage it sustained, particularly the minaret, is easily discerned. Hamas operatives were ordered to fire on the minaret (Photo: Reuters, August 16, 2009).

## Hospitals

### The Goldstone Report

92. The Goldstone Report relates to the issue of “Misuse of medical facilities and ambulances” in the Section VIII, “OBLIGATION ON PALESTINIAN ARMED GROUPS IN GAZA TO TAKE FEASIBLE PRECAUTIONS TO PROTECT THE CIVILIAN POPULATION,” which begins on page 117. It quotes Israeli information from a July 2009 Israeli government report which “alleges” that Hamas used medical institutions for terrorist purposes (Paragraph 466, p. 117). The Report deals specifically with **three hospitals**:

A. **Al-Quds hospital** in the Tel al-Hawa neighborhood of Gaza City, which, the report claims, was damaged by IDF fire on January 15, 2009. The Report claims to have investigated the Israeli claim it was “one of the hospitals which were allegedly used for military purposes by Palestinian armed groups” (Paragraph 467, p. 118).

B. The **Al-Wafa hospital** in the eastern part of Gaza City, which according to the Report, was also attacked [by the IDF].

C. **Al-Shifa'a hospital**, the largest in the Gaza Strip, in which Israel said Hamas set up a military bases on the ground floor and in two units. Report footnote 324, page 118, quotes Israel information according to which "Ismail Haniyeh, the head of Hamas in the Gaza Strip, located his Southern Command centre in one of the Shifa'a Hospital units, while the senior leaders of Hamas stationed themselves in another unit."

**93. The conclusions of the Goldstone Report regarding this issue again reject or minimize the value of Israeli information:**

A. Regarding **Al-Quds hospital**, the Report says that the Mission "conducted extensive interviews with al-Quds hospital staff and others who were in the area at the time of the attack. **It concluded that it was unlikely that there was any armed presence in any of the hospital buildings at that time**" (Paragraph 467, p. 118).

B. Regarding **Al-Wafa hospital**, the Mission "also investigated the attacks against al-Wafa Hospital in eastern Gaza City. As in the case of al-Quds hospital, after hearing credible testimony from doctors at that hospital, **the Mission excluded the possibility that there were combatants inside the hospital at the time of the attack**" (ibid.).

C. Regarding **Al-Shifa'a hospital**, the Mission notes that the Israeli claims rely on a detained Hamas operative and on an Italian article is based on a single anonymous source. However, the Mission "did not investigate the case of al-Shifa'a hospital and is not in a position to make any finding with regard to these allegations" (Paragraph 468, p. 118).

94. The bottom line was **that the Report rejects the Israeli claims** that hospitals were used for military-terrorist purposes. According to Paragraph 36, p. 18, "...**The Mission did not find any evidence** to support the allegations that hospital facilities were used by the Gaza authorities or by Palestinian armed groups to shield military activities and that ambulances were used to transport combatants or for other military purposes..." (ITIC emphasis; also see Paragraph 469, p. 118).

## **Factual Findings**

### **Overview**

95. The vast amounts of Israel's information, from both intelligence sources and reports from IDF forces on the ground, show that **Hamas did in fact make extensive military use of hospitals and other medical facilities**. That was done on the correct

assumption that the IDF would not attack them, thus giving Hamas' military-terrorist operatives a kind of immunity.

96. The principle military uses of hospitals and other medical facilities were the following:

- A. **Firing rockets** close to medical institutions
- B. **Providing refuge for senior Hamas figures** and operatives
- C. **Situating military facilities** in or near hospitals
- D. **Storing weapons** in or near medical centers

97. Examples follow:

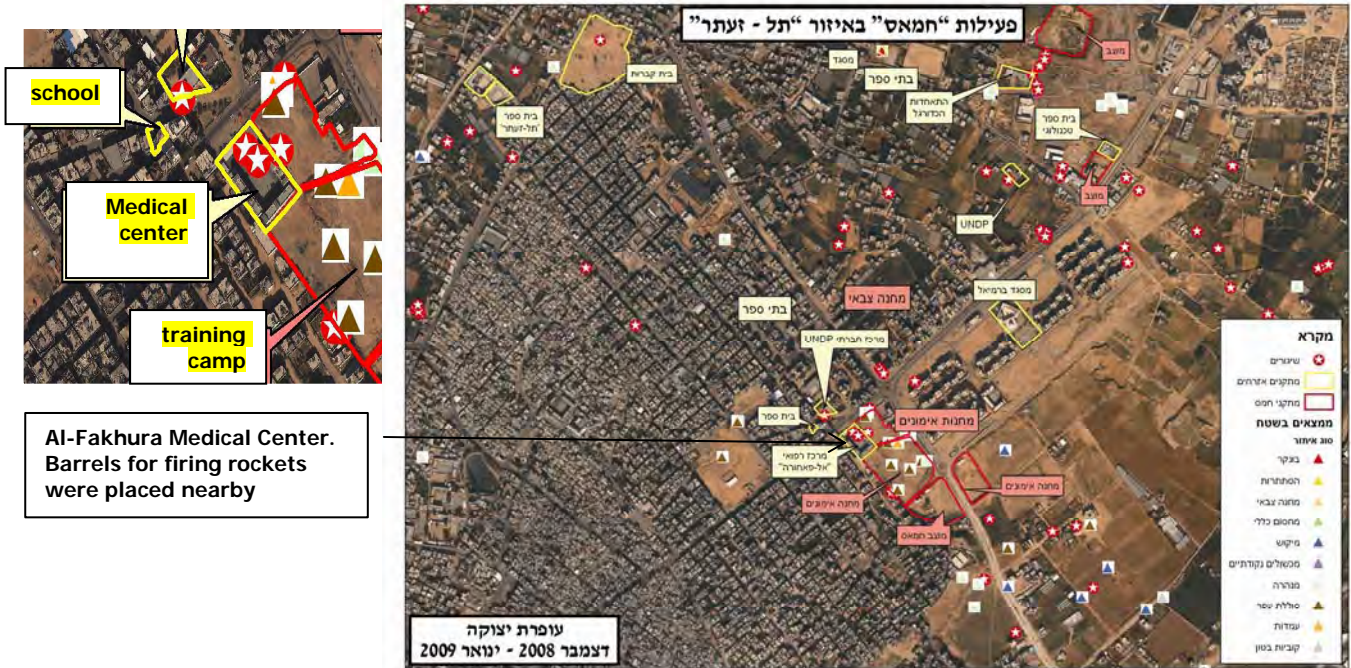
### **Rocket Fire from near Medical Facilities**

98. According to an April 6, 2009, IDF investigation, **on a number of occasions Hamas fired rockets from sites situated near medical facilities and even from within one medical compound**. However, no proof was found that rockets were fired from inside. For example:

- A. **Rockets were launched close to Al-Fakhura Medical Center** (an aerial photograph of the center shows a large number of rocket launching sites close by).
- B. A rocket launching site was identified **in the Shati refugee camp** near a medical facility and other public buildings.
- C. An IED/mine was positioned near a hospital in **Jabaliya**, with the possibility of detonating it from inside the building.

### **Military Facilities near Al-Fakhura Medical Center**

99. Hamas built a military camp and training camps **near Al-Fakhura Medical Center in the Tel al-Zaatar neighborhood in the northern Gaza Strip**. An aerial photograph shows that the entire region was mined and that **tunnels were dug under or near the center**. In addition, a large number of **rocket launching sites** can also be seen near the center.



Al-Fakhura Medical Center. Barrels for firing rockets were placed nearby

Al-Fakhura Medical Center which also serves as a girls' school (light green at left) surrounded by Hamas military installations (orange). The inset picture shows the Al-Fakhura Medical center and school. Next to them are a training camp (orange) and rocket launching sites (red).

**Military Use of the Shifa'a Hospital**



The Shifa'a Hospital (Photo from the website of the Palestinian Authority ministry of health)

100. The **Shifa'a Hospital**, located in the western part of Gaza City, is the largest and most important hospital in the Gaza Strip. **Large amounts of evidence, including Israeli intelligence and an IDF investigation, show it was used for military purposes by Hamas during Operation Cast Lead. For example:**

- A. Senior Hamas and Izz al-Din al-Qassam Brigades figures hid in the **hospital** during Operation Cast Lead. **They closed off some of the departments, stationed armed guards and closely examined everyone in**

**the hospital.** The senior figures who sought shelter in the hospital included Mahmoud al-Zahar and Sayid Siyyam. In addition, Ismail Haniya, head of the de facto Hamas administration, set up his headquarters in the hospital's burn ward (or under the maternity ward, according to another version).

B. A Hamas operative detained during Operation Cast Lead told his interrogators that **senior Hamas operatives took over a large bunker** under the hospital and hid there.

C. Terrorist operatives established positions near the hospital **to launch mortar shells.**

D. **Hamas transferred weapons from buildings close to the hospital.**

E. The teaching and training area of the hospital next to the new delivery room **was used as living quarters by Hamas operatives.**

F. **A tunnel was dug** under a mosque near the hospital, which served as a **direct escape route** from one to the other. The tunnel opening and a hidden room were built under the maternity ward.

G. A Palestinian suspected of collaborating with Israel **was executed in the hospital.**

101. The following are **open source publications** from **Fatah and the Palestinian Authority** about the military use of the **Shifa'a** hospital:

A. **Fatah sources** reported that Hamas prepared the ground floor of the hospital's X-ray department as a **jail and interrogation facility**. That was after the prison in the Shati refugee camp had been completely destroyed by the Israeli Air Force. The equipment belonging to the X-ray department was moved to the hospital's first floor or lobby (Al-Ahed, a Fatah-affiliated website, January 21, 2009).

B. **The Salam Fayyad government's ministry of health** issued an official statement accusing Hamas' security services of having turned medical centers into jails and interrogation facilities during Operation Cast Lead. The statement expressed the surprise of the Palestinian people and the entire world that after the IDF operation, Hamas' security services took over the **Shifa'a** hospital, especially the cancer ward and the new building which was supposed to be used by specialists. According to the statement, turning the medical facilities into interrogation centers entailed removing the medical personnel, who had answered

the call of the Fayyad government's ministry of health and returned to work in view of the IDF operation in the Gaza Strip (Ma'an News Agency, February 7, 2009).<sup>10</sup>

C. An article in the Italian *Corriere della Sera*, published on January 22, 2009, included a statement made by a Gazan named Magah al-Rahman, who said that Hamas had set up an interrogation center for Fatah prisoners in the basement of Shifa'a. He said he heard about it from Democratic Front for the Liberation of Palestine operatives.

## **Military Use of the Children's Hospital in the Nasr Neighborhood of Gaza City**

102. There is also a great deal of intelligence information about the military use of the **children's hospital in Nasr** in Gaza City:

A. **Headquarters were set up under the hospital's new wing.**

B. On the night of December 27, 2008, the **senior Hamas leadership slept** in the hospital.

C. Sources in the Gaza Strip reported that hospitals, including the children's hospital, **served as shelters and resting places for operatives.**

## **Military Use of the Shaheed Kamal Adwan Hospital**



**Entrance of the Shaheed Kamal Adwan Hospital  
(Photo from the website of the Palestinian Authority ministry of health)**

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<sup>10</sup> The Goldstone Report ignores not only Israeli information, but also the claims raised by the Palestinian Authority ministry of health in the media affiliated with Fatah and the PA.

103. The **Shaheed Kamal Adwan Hospital** is located in the northern Gaza Strip in the Beit Lahia area, near Jabaliya. According to intelligence, Hamas used it in the following ways:

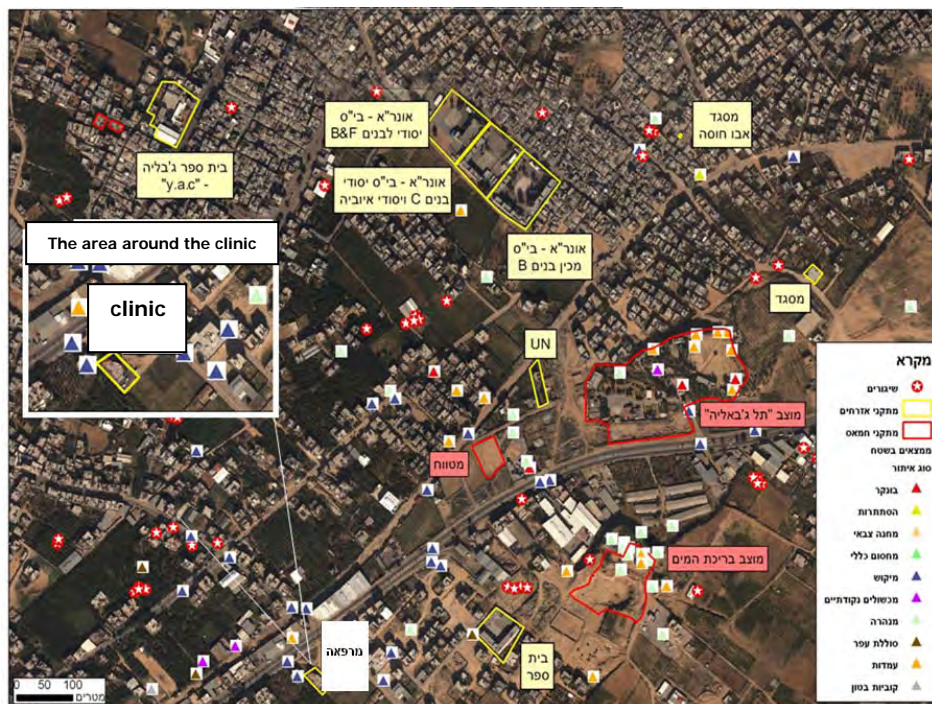
- A. During Operation Cast Lead terrorist operatives set up an improvised **operations room** in the hospital.
- B. When the IDF ground force phase of Operation Cast Lead began, **terrorist operatives gathered in the hospital**. During the fighting they remained there in civilian clothing, **transferring weapons**. Hamas operatives found refuge during the fighting in and near the hospital.
- C. The hospital was a **focal point for the police and other security services in the northern Gaza Strip**. Armed operatives were seen on its grounds.
- D. Fathi Hamad, senior Hamas figure (appointed interior minister after Operation Cast Lead) found refuge in the hospital.

### Rocket Launching Site near the Shuhada'a Medical Center

104. The following is an aerial photograph showing a **rocket launching site located near the Shuhada'a Medical Center** in the Shati refugee camp, northern Gaza Strip.



## Military Facilities near a Red Cross Clinic and Schools in Jabaliya



The area around the Jabaliya clinic (lower white rectangle). Mines and military facilities can be seen near the clinic.

## Other Medical Institutions Used for Military Purposes

### Intelligence Information

105. Further intelligence information regarding Hamas' military use of medical facilities during Operation Cast Lead:

A. Weapons were stored in a **Hamas medical center in Nusairat**. The center is located next to a mosque and across from a school. During the day patients were treated and at night weapons were moved in and out.

B. Military operatives hid in **Al-Aqsa Hospital**.

C. Terrorist operatives hid in the **European Hospital**.

D. Senior Hamas military operatives met in the **Dar al-Salaam Hospital**.



## Open Source Information

106. The following is open source information about the military use of hospitals and medical centers during Operation Cast Lead:

A. The ministry of health of the Salam Fayyad government said in a statement that Hamas had used more than 15 rooms in the upper floor of the old Al-Nasr Hospital in Khan Yunis, the bottom floor of the new Al-Nasr Hospital, and the psychiatric hospital as interrogation and torture centers (Ma'an News Agency, February 7, 2009).

B. A Palestinian named Magah al-Rahman who lived near Al-Quds Hospital told a correspondent from the Italian newspaper *Corriere della Sera* that during Operation Cast Lead Hamas operatives took shelter in the **Al-Quds Hospital administration building**. He said they used ambulances and forced the ambulance drivers and nurses to provide them with uniforms and equipment so that they would not be targets for IDF snipers (*Corriere della Sera*, January 22, 2009).

C. The January 20, 2009 issue of *Newsweek* published an article by Rod Nordland, according to which "Talal Safadi, an official in the leftist Palestinian People's Party, said that resistance [sic] fighters were firing from positions all around [Al-Quds] hospital."<sup>11</sup>

### **CORRIERE DELLA SERA***it*

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## «Così i ragazzini di Hamas ci hanno utilizzato come bersagli»

*Abitanti di Gaza accusano i militanti islamici: «Ci impedivano di lasciare le case e da lì sparavano»*

Headline of the article in *Corriere della Sera* (January 22, 2009). 12. On January 22 the Italian daily *Corriere della Sera* published an article by Lorenzo Cremonesi whose headline and subhead read "The boys of Hamas used us like targets" and "Gazan residents accuse the Islamic militants: they prevented us from leaving the house and shot from there [inside houses]."

<sup>11</sup> <http://www.newsweek.com/id/180691/page/2>.

## Ambulances

### The Goldstone Report

107. The Goldstone Report treats the issue of the use of ambulances in the section dealing with "Misuse of medical facilities and ambulances" (p. 117). It quotes an Israeli "allegation" that " Hamas made particular use of ambulances, which frequently served as an escape route out of a heated battle with IDF forces" (Paragraph 470, p. 118). **The Report notes it is "aware of an interview reportedly given by an ambulance driver to an Australian newspaper, in which he describes how Palestinian combatants unsuccessfully tried to force him to evacuate them from a house in which they were apparently trapped.** The same driver reportedly told the journalist that " Hamas made several attempts to hijack the ambulance fleet of al-Quds Hospital" (Paragraph 472, p. 119; ITIC emphasis).

108. The Report claims to have investigated the incident, interviewing representatives of the Palestinian Red Crescent Society, who denied the claim that "Palestinian fighters" had used their ambulances. It also quotes a statement from the Israeli Red Magen David that no use was made of PRCS ambulances to transport weapons or fighters (Paragraph 475, p. 119, footnote 328.)

109. Based on the statements made by civilians and medical personnel either living under the threat of Hamas reprisals or who did not have direct access to events in the Gaza Strip, the Report minimizes the significance of the information possessed by Israel and states that "...**While it is not possible to say that no attempts were ever made by any armed groups to use ambulances during the military operations, the Mission has substantial material from the investigations it conducted and the enquiries it made to convince it that, if any ambulances were used by Palestinian armed groups, it would have been the exception, not the rule...**"(Paragraph 474, p. 119; ITIC emphasis).

## Factual Findings

### Overview

110. During Operation Cast Lead **Hamas used vehicles with the markings of medical organizations for military purposes. They did so consistently and methodically,** and not exceptionally, as stated in the Goldstone Report.

111. According to Hamas' combat tactics, **ambulances and vehicles belonging to international organizations are used to move military operatives between the various battle zones and to transport rockets and other weapons.** Such vehicles are used during the fighting to evade examination and exploit the freedom of movement given them by the IDF. **The same method was also used by Hamas during the period preceding Operation Cast Lead.**

## **IDF Investigation and Statements from IDF Officers**

112. An IDF investigation (carried out by a colonel and reported on April 6, 2009) showed that Hamas made military use of ambulances, some of them belonging to the civil defense apparatuses of Hamas' internal security service. In addition, Hamas ordered vehicles painted as ambulances. According to the investigation, the ambulances were used for the following purposes:

- A. Transporting ground operatives and senior figures from place to place.
- B. Evacuating operatives.
- C. Patrolling

113. Other findings of the IDF's investigation (also based on intelligence information) were:

- A. Hamas operatives used ambulances to **transport rockets.** A number of times Hamas operatives were seen unloading rockets from ambulances to fire them.
- B. Hamas sent ambulances to various sites **to collect operatives, sometimes disguising them as wounded.**

114. An IDF brigadier general testified during the IDF investigation that in Operation Cast Lead there were at least three incidents where **ambulances were identified as carrying armed Hamas operatives along with ambulance rescue teams.**

## **Statement of an Ambulance Driver to an Australian Newspaper Correspondent**

115. On January 26, 2009, the Australian *Sydney Morning Herald* (referred to in the Goldstone Report) published an article by Jason Koutsoukis, who interviewed **Muhammad Shriteh**, a Gazan ambulance driver who evacuated the wounded during Operation Cast Lead. He said that during most of Operation Cast Lead he would **"co-ordinate with the Israelis before we pick up patients... so they would not shoot**

at us.” He said that the more **immediate threat was from Hamas**, who would **“lure the ambulances into the heart of a battle to transport fighters to safety”** (ITIC emphasis).

116. The ambulance driver described an incident which occurred during the second week of Operation Cast Lead, in which the ambulance had been urgently called to a house in Jabaliya. When he entered the house, which had been partially destroyed, he saw three Hamas operatives hiding inside. The operatives, who were scared and nervous, told him to get them out of the house, put them into the ambulance and drive them away. He said he refused, because he knew that if the IDF found him evacuating fighters and not wounded Palestinians they would kill him. One of the operatives threatened to shoot him but he still refused. In the end, they let him drive away without them.

117. Muhammad Shriteh added that on a number of occasions during Operation Cast Lead **Hamas operatives tried to take over ambulances belonging to Al-Quds Hospital** [located in Tel al-Hawa in Gaza City]. Hospital employees usually received warnings beforehand and removed all the ambulances from the hospital grounds to make it seem as though they were in use, returning them only after the Hamas operatives had left.

smh.com.au  
The Sydney Morning Herald

## Hamas tried to hijack ambulances during Gaza war

Jason Koutsoukis in Gaza City  
January 26, 2009

<http://www.smh.com.au/news/world/hamas-tried-to-hijack-ambulances-during-gaza-war-2009/01/25/1232818246374/html?page=fullpage#contentSwap1>

**PALESTINIAN** civilians living in Gaza during the three-week war with Israel have spoken of the challenge of being caught between Hamas and Israeli soldiers as the radical Islamic movement that controls the Gaza strip attempted to hijack ambulances.

Statement of the ambulance driver from The Sydney Morning Herald, January 26, 2009.

118. In addition, a surfer on a Fatah forum reported that Israel designated ambulances as targets because Hamas operatives used them for military purposes. He said that Hamas took over ambulances donated by Arab countries, removed the medical equipment and used them as taxis. Another surfer on the forum said that originally the ambulances were

white, but that Hamas operatives took them to a body shop [to be painted] (Fatah forum, May 26, 2009).

119. Proof can be found in the remarks made by Omar al-Nasr, director of public relations and information for the Palestinian ministry of health. He said that Hamas had emptied 46 ambulances donated by Arab countries, painted them black and used them as military vehicles (Qudsnet, May 19, 2009).

## **Additional Information**

120. **The statements from the IDF and from the ambulance driver are supported by Israeli intelligence information.** According to statements made by Hamas operatives during Operation Cast Lead, ambulances were used to **transport operatives and weapons**. According to other intelligence information, Izz al-Din al-Qassam Brigades operatives used **ambulances and motorcycles to patrol at night**.

121. The following are examples of ambulances used **to evacuate military operatives and transport weapons**:

A. On **January 1, 2009**, the Israeli Air Force attacked the **Khulafa'a Mosque** in Jabaliya. The attack caused a number of secondary explosions, indicating that large quantities of weapons had been stored in the building. A short time later a number of **ambulances were seen arriving at the mosque and evacuating several unhurt operatives and weapons which had not been destroyed in the attack**.

B. On **January 4, 2009**, a rocket launching squad was attacked in the northern region of Gaza City. Immediately after the attack **a number of ambulances arrived and evacuated the casualties, also taking weapons which had not been damaged**.

C. On **January 6, 2009**, after the IDF had warned it intended to attack a building, **several ambulances were seen evacuating dozens of armed operatives**.

## **Senior Hamas Figures Smuggled out of the Gaza Strip by Ambulance**

122. **Ambulances were also used to smuggle senior Hamas figures out of the Gaza Strip during Operation Cast Lead. Riding in ambulances**, a delegation of Hamas leaders **left for talks with the head of Egyptian general intelligence, Omar Suleiman**. Two of them, **Jamal Abu Hashem and Ayman Taha**, left the Gaza Strip for

Egypt **hiding in an ambulance** to ensure they would not be attacked by the IDF (Egyptian TV quoting a source in the Hamas police, January 9, 2009). Eye witnesses said that they saw other senior Hamas figures in another ambulance (ibid.).

123. **Mahmoud Abbas** mentioned the issue in a **speech he gave at the American Arab University in Jenin. He attacked Hamas and criticized the leaders of the organization who had used ambulances to flee to Sinai during Operation Cast Lead** (Palestinian TV, October 17, 2009).

### Example from the Past: Using Ambulances to Evacuate Terrorist Operatives



A UNRWA ambulance evacuating a wounded Palestinian and terrorist operatives from the combat zone (Photo courtesy of Israeli Channel 10 TV, May 11, 2004). A Reuters report showed two ambulances arriving at an exchange of fire between the IDF and terrorist operatives. Two terrorists wearing uniforms got into the UNRWA ambulance, accompanying a wounded operative who was armed and wearing a uniform. Another armed terrorist in civilian clothes was seen fleeing the scene. In response, UNRWA head Lionel Brisson claimed that the ambulance driver and nurses ordered the armed men to get out, but one of them got out and threatened the driver, saying that if he didn't drive directly to the hospital, he would be killed.

### Using Drug Containers for Military Purposes

124. During Operation Cast Lead **IDF forces seized homemade hand grenades hidden in plastic drug containers**. The grenades were intended to be used primarily **to attack Israeli soldiers inside houses** (in exposed areas their effect would be limited). They contained about 40 grams, or about 1.5 ounces, of explosives packed into drug containers. A delayed-action fuse was inserted (the metal cylinder in the picture). The grenade would be detonated by lighting the fuse. It was a cynical misuse and violation of the immunity granted to medicines and humanitarian assistance.

125. Home made hand grenades were also found in vitamin bottles labeled Super-Vit, a concentrated vitamin-mineral extract (From an article by Yaakov Katz, *Jerusalem Post*, February 13, 2009).



Left: Hand grenade inside a container of vitamins. Right: Hand grenade inside a container of Equetro.



Left: Two containers of vitamin extract. Right: A container of Equetro, a drug used for the treatment of acute manic and mixed episodes associated with bipolar disorder.

## Educational Institutions

### The Goldstone Report

126. Regarding mortar shell fire near a school, the Report mentions mortar shells fired by the IDF at al-Fakhura junction in Jabaliya next to a UNRWA school, which, at the time, was claimed to be sheltering more than 1,300 people (Paragraph 41, p. 19 [summary]). The Report notes that “the Israeli armed forces launched at least four mortar shells...[T]hree...shells landed on al-Fakhura Street, killing at least...24 people and injuring as many as 40. The Mission examined in detail statements by Israeli Government representatives alleging that the attack was launched in response to a mortar attack from an armed Palestinian group. While the Mission does not exclude that this may have been the case, it considers the credibility of Israel’s position damaged by the series of inconsistencies, contradictions and factual inaccuracies in the statements justifying the attack” (Paragraph 41, p. 19).

127. The Report notes (Paragraph 443, p. 112) that the Mission focused on “allegations” that “Palestinian fighters” attacked from within civilian areas and from protected sites such as schools, mosques and medical units. It goes on to say (Paragraph 446, p. 113) that in the case of the shelling at al-Fakhura, it accepted the possibility that Palestinian combatants had fired from the vicinity of the school: “[t]he Mission investigated two incidents in which the Government of Israel alleged that Palestinian combatants had fired

on the Israeli armed forces from within a United Nations protected site or its immediate vicinity in densely populated urban areas. In the case of the **shelling in al-Fakhura Street** by the Israeli armed forces on 6 January 2009 (Chap. X), **the Mission accepted, on the basis of information in the reports it had seen, the possibility of mortar attacks from Palestinian combatants in the vicinity of the school**" (ITIC emphasis).

128. The Report notes that "[t]he Mission now turns to the...question of whether and to what extent Palestinian armed groups made use of residential housing and of protected sites, such as schools, hospitals, mosques and United Nations facilities, in their engagements with Israeli ground forces" (Paragraph 454, p. 115, ITIC emphasis). However, the Report does not deal with the extent of the use and makes do with general statements.

129. In another, very general instance, the Report quotes Amnesty International accounts from Gazan civilians who said they had "observed Palestinian fighters **firing a rocket from a courtyard of a Government school in Gaza City at a time when the schools were closed**" (Paragraph 449, pp. 113-113, ITIC emphasis). The Mission notes it "reviewed the pictures allegedly showing the launching of rockets 'from within or near residential buildings, including **schools, mosques and hospitals**' in the Israeli Government's paper...[but] that it is not reasonably possible to determine whether those photographs show what is alleged. As the Israeli Government concedes, many of them refer...to previous alleged instances of firing of rockets from Gaza" (Paragraph 451, p. 114, ITIC emphasis).

130. In the final analysis, it can be said that the **Goldstone Mission did not thoroughly examine the military use Hamas made of educational institutions**, instead basing general statements on a small number of accounts. The Report ignores the fact that Hamas situated its military infrastructure near schools and does not specifically say that Hamas and other terrorist operatives fired rockets and mortar shells near educational institutions, a modus operandi familiar from the period preceding Operation Cast Lead and implemented during it as well.



## **Factual Findings**

### **Overview**

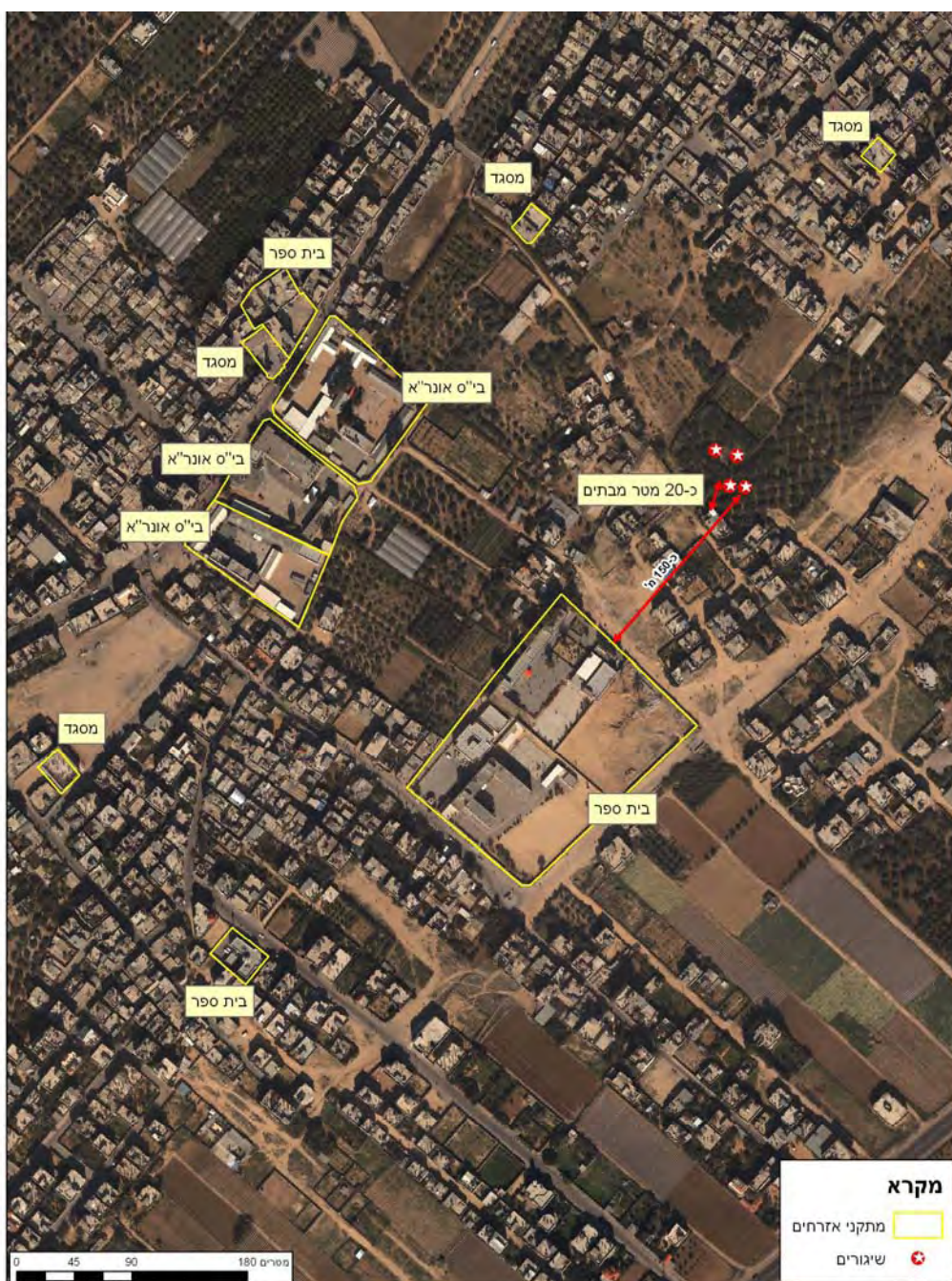
131. A vast amount of reliable intelligence indicates that Hamas and the other terrorist operatives did in fact make military use of educational institutions, in the following ways:

- A. **Firing rockets and mortar shells near educational institutions.**
- B. **Booby-trapping a school.**
- C. **Situating military facilities near educational institutions.**
- D. **Holding military activities inside educational institutions** (the Islamic University is a particularly conspicuous example).

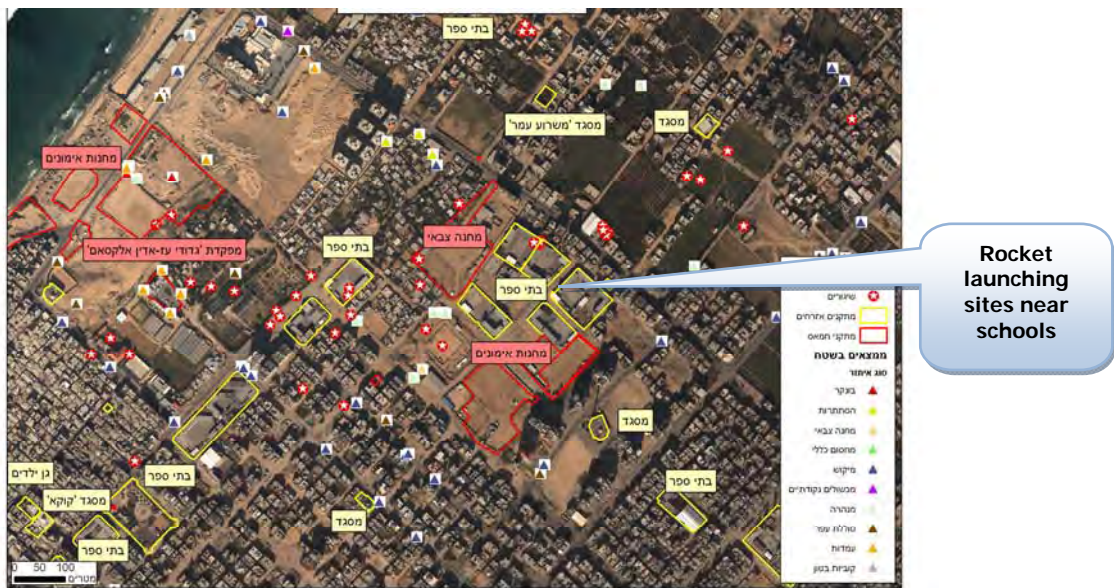
### **Rocket and Mortar Shell Fire near Educational Institutions**

132. **Firing rockets and mortar shells near civilian population centers and educational and public institutions**, and situating military facilities near them, was a **well-known modus operandi of Hamas and the other terrorist organizations during the period preceding Operation Cast Lead**. Its objective was to protect the rocket launching squads from an IDF response and increase their chances of survival. There were many examples of it during the Operation.

### Aerial Photographs



Rocket launching sites (red) near an UNRWA school and civilian houses (yellow) in the refugee camp area in the central Gaza Strip.



Rocket launching sites (red) near schools (yellow) in the northern Gaza Strip.

### Israeli Air Force Video of Rocket Launchings near Schools

133. On January 18, 2009, at the end of Operation Cast Lead and after Israel had announced it had ceased firing, terrorist operatives near a school launched rockets into Israeli territory. **The Israeli Air Force identified the rocket launcher located between two schools on the outskirts of Shuja'iyya in the eastern part of Gaza City. The IAF did not attack because of the launcher's proximity to the schools.** The following are pictures of the sites and the rocket launching squads:



Firing rockets near two school buildings (red arrows) after the cease fire is declared (IDF Spokesman, January 18, 2009).

[Click for Video \(16\)](#)

134. On **January 8, 2009**, a terrorist squad was located as it prepared rockets for launching in a school yard. The Israeli Air Force attacked the launcher before the rockets could be fired.



Left: School compound (red). Right: Rocket launcher located in school yard.



Terrorist squad in a school yard preparing a rocket launcher for firing.



Identifying a rocket launcher in the school yard.

[Click for Video \(17\)](#)

135. On **January 13, 2009**, an Israeli Air Force aircraft identified an operative near a large school in the Sabra neighborhood of Gaza City, placing an IED to attack IDF forces.



Terrorist operative extending detonating cable across the street from the school.

[Click for Video \(18\)](#)

136. On **January 14, 2009**, two rocket launchers were identified near a school



The two rocket launchers positioned near the school fence.

[Click for Video \(19\)](#)

137. On **January 17, 2009**, a rocket was launched near a school in the Jabaliya neighborhood of Gaza City. It was attacked after it had fired.



Launch in progress (circle) identified close to Raf'a boys' school (building above arrow) in Jabaliya.

[Click for Video \(20\)](#)

## Intelligence Information

138. According to intelligence information, rockets were fired from an **UNRWA school in Khan Yunis**. Local residents expressed a desire to leave the vicinity because they feared an Israeli reprisal.

## Interrogation of a Detainee

139. **Nawaf Feisal Atar**, a Hamas operative from **Al-Atatra** in the northern Gaza Strip, was detained on January 11, 2009. **During interrogation he admitted that Hamas operatives customarily fired rockets from schools.** He gave as examples **the Sakhnin school in the Abu Halima area and another in the Al-Mal neighborhood.** He said that Hamas operatives knew Israel aircraft would not attack schools.

## A Booby-Trapped School in Zeitoun

140. On **January 11, 2009**, an IDF force operating in the northern Gaza Strip discovered **a school in the Zeitoun neighborhood which had been completely booby-trapped.** A delayed action fuse had been strung to the small zoo next to the schools, some of whose cages still held animals. The IDF soldiers neutralized the bombs. Within the school a cache of weapons was discovered, including rifles and RPG launchers.



Aerial photograph of the booby trapped school (marked with arrow) in Zeitoun of Gaza City.



Photograph of the booby-trapped school in Zeitoun (IDF Spokesman, January 11, 2009).



Booby-trapped school in Zeitoun. A delayed action fuse leads from a small zoo located near the school to the school itself. IDF soldiers neutralized the bomb. A cache of weapons was found in one of the zoo pavilions, among them rifles and RPG launchers (IDF Spokesman, January 11, 2009).

[Click for Video \(21\)](#)



Detonator for booby-trap in school



## Locating Military Facilities near Educational Institutions



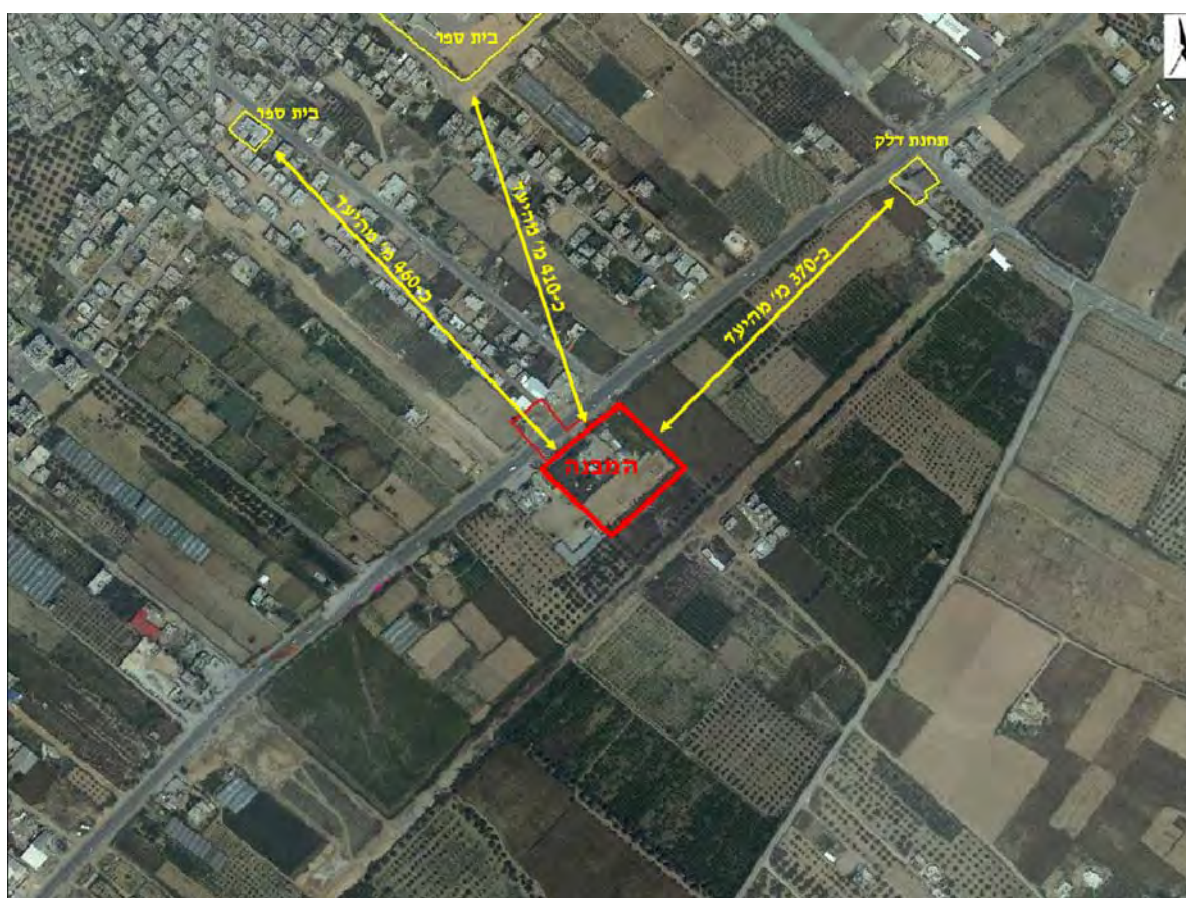
A Hamas military camp (red) discovered during Operation Cast Lead, situated near a school (yellow) in the Shuja'iyya Jdeida neighborhood



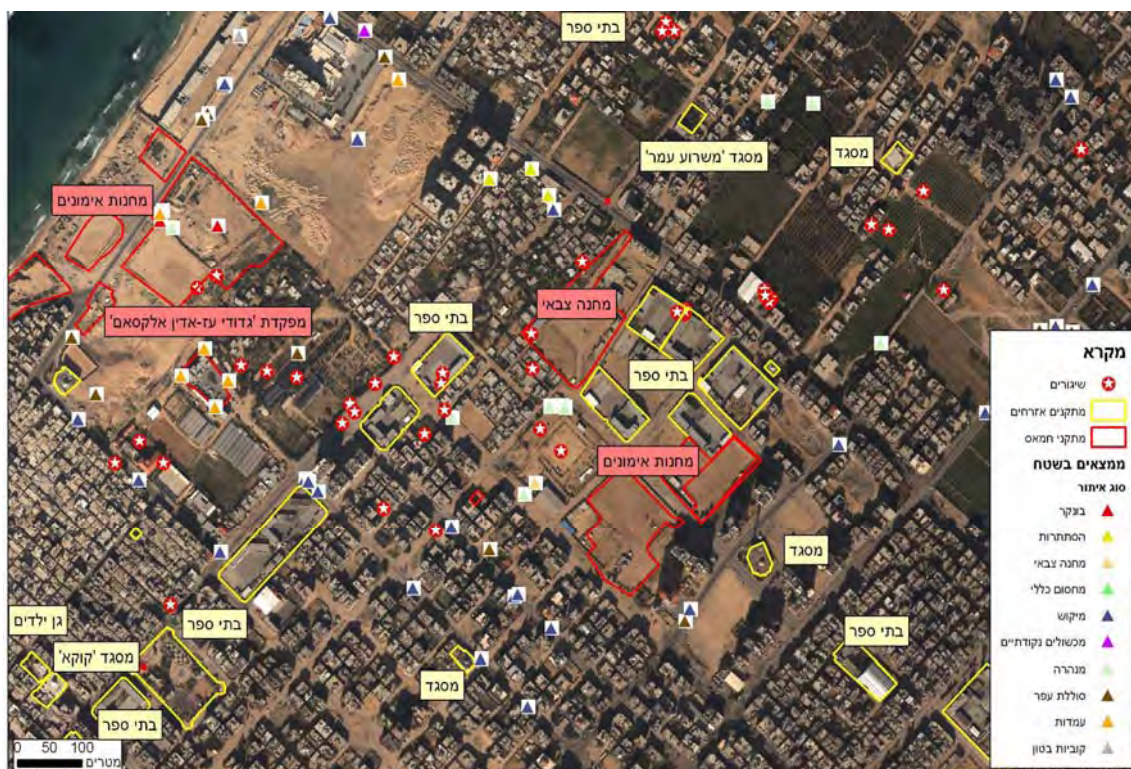
Hamas headquarters (red) in Tel al-Hawa in Gaza City situated near schools (yellow).



Hamas' military networks and launching sites (red) in the Jabaliya area near UNRWA schools (yellow).



Hamas military post and training camp (red) in Al-Bureij near schools (yellow).



Rocket fire sites and Hamas military-terrorist facilities (red) and schools (yellow) in the northern Gaza Strip.

## Directing Military Activities within Educational Institutions

### Intelligence Information

141. In one pavilion of the zoo in the booby-trapped school in Zeitoun a weapons cache was found which included rifles and RPGs. It was not the only case. According to intelligence information, Hamas used other institutions for military purposes. For example:

A. Hamas operatives took over the first floor of the **Tabariya School in Khan Yunis**. According to reports it was used by Hamas operatives and no classes were held at the school during Operation Cast Lead.

B. Hamas used **Al-Fadhila school in Rafah** (built by the Islamic Society) as a weapons storehouse.



Light arms and RPGs found in a pavilion in the zoo next to a school in Zeitoun.

142. **The Islamic University in Gaza City as a case study:** The university serves Hamas as a political stronghold and is **a classic example of the extensive, varied military use of an educational institution**. It produces and stockpiles weapons, recruits operatives (including suicide bombers), and plays host to secret Izz al-Din al-Qassam Brigades meetings and military training (See below).

## The Military Use of Educational Institutions as a Modus Operandi

### Examples from the Past of Mortar Shell Fire from an UNRWA School in Beit Hanoun



A three-man mortar-shell launching squad situated near a central building of an UNRWA educational complex in Beit Hanoun. The video shows how the squad operatives prepare the location and fire mortar shells close to the building. After the launch they can be seen taking shelter inside it (From a video taken by the Israeli Air Force and distributed by the IDF Spokesman, October 31, 2007).

### Hiding Weapons in a School



Anti-tank missiles and launcher discovered by IDF forces operating in the Gaza Strip. They were hidden on the grounds of a school on the outskirts of Shuja'iyya (IDF Spokesman, May 22, 2008).

## Directing Military Activities from Educational Institutions The Islamic University in Gaza City as a Case Study

### The Goldstone Report

143. Paragraph 1273 of the Goldstone Report, page 271, states the following: "The Mission ... also saw the destruction caused at **the Islamic University** and in other university buildings that were destroyed or damaged. These were **civilian, educational buildings** and the Mission did not find any information about their use as **military facility or their contribution to a military effort that might have made them a legitimate target in the eyes of the Israeli armed forces**" (ITIC emphasis).

### Factual Findings

144. On December 28, the second day of Operation Cast Lead, the Israeli Air Force attacked Hamas' weapons research and development center in the Islamic University in Gaza City. Situating the center there reveals the university's true nature. The Islamic University is not just an academic institution, as the Goldstone Report claims, but also a Hamas political stronghold, **which was used for many military purposes by the Izz al-Din al-Qassam Brigades.**

- 1- مبنى القنس ( k طلاب فقط )
  - 2- مبني القاعات الدراسية المدرجة ( p طلاب / طالبات )
  - 3- مبني طبية ( m طلاب / طالبات )
  - 4- مبني المختبرات العلمية ( c طلاب / طالبات )
  - 5- مبني اللحيدان ( I طالبات )
  - 6- مبني المدينة المنورة ( n طالبات )
  - 7- مبني المكتبة المركزية ( D طلاب / طالبات )
  - 8- مبني الإدارة وهيئة التدريس ( B طلاب / طالبات )
  - مفتوح أمام الطالبات " الفترة الصباحية " أيام ( السبت ، الأحد ، الإثنين ) مفتوح أمام الطلاب " الفترة الصباحية " أيام ( الثلاثاء ، الأربعاء )
  - 9- مركز المؤتمرات ( T طلاب / طالبات )
  - 10- مبني كلية الطب ( طلاب / طالبات )
  - 11- مبني القبول والتسجيل ( A طلاب / طالبات )
  - 12- مبني تكنولوجيا المعلومات ( I طلاب / طالبات )
  - 13- مبني الأنشطة الطلابية ( Q طلاب فقط )
  - 14- مسجد الجامعة .
  - 15- ملعب الجامعة .
- [جدول للطلبة الجدد يوضح لهم أكثر](#)



Aerial photograph of the Islamic University in Gaza. Building Number 4 houses the laboratories, where weapons were developed (Picture from Islamic University student forum website).



The science faculty building of the Islamic University in Gaza after the Israeli Air Force strike during Operation Cast Lead (Izz al-Din al-Qassam Brigades website, December 31, 2009).



The science faculty building of the Islamic University in Gaza after the Israeli Air Force strike during Operation Cast Lead ( Hamas' Al-Aqsa TV, December 28, 2009).

145. For almost three decades the Islamic University has served Hamas as an important focus of political power in the Gaza Strip. It provides jobs for senior Hamas figures who work in the various faculties and administration; it is a hothouse for the movement's young political, military and civilian leaders; and it sponsors Hamas' social activities (the *da'wah*, i.e., preaching, propaganda, collecting donations and holding rallies). In addition, **it serves as a center for Hamas' military-terrorist activity.**

146. **The Izz al-Din al-Qassam Brigades hold a wide variety of military-terrorist activities within the university walls.** They store weapons, recruit operatives (including suicide bombers), and use it to hold secret meetings and military training and instruction. Using the university laboratories and their readily available chemicals and equipment, the members of the science faculty provide knowhow for the development and production of weapons (such as long-range rockets). Hamas sends students involved in weapons production to Iran, Syria and Lebanon for advanced training. In addition, students who studied at the Islamic University are recruited to the ranks of the Brigades and are dispatched on terrorist attacks against Israel, including suicide bombing attacks.

## **Military Use of Other Public Institutions**

147. **In addition to medical and educational facilities for military purposes, other public institutions are also exploited.** For example, according to intelligence information, **weapons were stored in the Al-Salah Society building in Rafah** (one of the largest charitable societies in the Gaza Strip). They included a large number of rockets and mortar shells, and Grad rocket warheads.



## Section III: Hamas' Combat Tactics in Densely Populated Urban Areas during Operation Cast Lead

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### Overview

148. During Operation Cast Lead Hamas employed various urban combat tactics formulated in the years before the operation as part of its combat doctrine. **They are based on small squads of terrorist operatives (often in civilian clothes) blending into the population and waging war from civilian areas while using the residents as human shields.** The Goldstone Report ignores the tactics, is lenient with the "Palestinian armed groups," or rejects the Israeli position. It does not clearly indicate the combat tactics used by Hamas and the other terrorist organizations, **which made advance military preparations to fight the IDF using tactics which risked the lives of Gazan civilians.**

149. There is a variety of reliable intelligence, based, among other things, on aerial photographs, intelligence information and reports from IDF forces operating on the ground, which exposes the various combat tactics employed by Hamas (and other terrorist organizations) in densely-populated urban areas. **They included:**

- A. Blending into civilian groups, mainly children.
- B. Making extensive military use of civilian houses.
- C. Replacing military uniforms with civilian clothes.
- D. Placing military facilities in or around residential areas.
- E. Constructing escape and assault tunnels from civilian houses.
- F. Turning residential neighborhoods into combat zones.
- G. Preventing civilians from leaving residential neighborhoods where combat was waged.
- H. Firing rockets and mortar shells from population centers.
- I. Summoning civilians to serve as human shields to prevent Israeli Air Force attacks on terrorist operatives' houses.

## Blending into Civilian Groups

### The Goldstone Report

150. According to the Report, **the Mission found no proof** that “Palestinian fighters” blended into the population for protection from IDF attacks (Paragraph 481, p. 121). The Report states (Paragraph 480 p. 120) that reports from several NGOs suggest that members of the armed Palestinian groups moved in civilian clothes as soon as the operation started.

### Factual Findings

151. **Blending into civilian groups** (including children) and using them for combat missions is a **well-established tactic employed by Hamas and the other Palestinian terrorist organizations**. That was demonstrated in the years preceding Operation Cast Lead during IDF activities in the Gaza Strip, for example, in Zeitoun (January 2004) or in the Jabaliya refugee camp during Operation Hot Winter (March 2008).<sup>1</sup> In most cases the initiative was taken by the terrorist operatives. In other cases, however, civilians, especially children, took the initiative because they identified with the struggle against Israel and wanted to shield the operatives.

### Intelligence Information

152. Intelligence information clearly indicates that during Operation Cast Lead Hamas and other terrorist organization operatives would **blend into the civilian population to protect themselves from IDF attacks**. Statements made by detained Izz al-Din al-Qassam Brigades operatives show that they had methods of moving among the civilian population, which included **wearing civilian clothes instead of uniforms and not showing their weapons**. Likewise, Hamas operatives would position innocent civilians near IDF tanks to prevent IDF soldiers from shooting at them.

153. **During the Operation, a Hamas operative from Jabaliya recounted that Hamas operatives used small children for their military activities**. For example, **one of Hamas’ rocket squads transferred the rockets to their launching site** (near a school) **on a cart in which children were also riding**. There were also cases where **Hamas operatives dressed as women** carrying babies, thus guaranteeing their safety from IDF attacks.

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<sup>1</sup> For further information see the January 2009 bulletin “Hamas Exploitation of Civilians as Human Shields,” at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e028.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e028.pdf).

## Interrogations of Hamas Detainees

154. **Muhammad Abd al-Rahman Amsi**, an Izz al-Din al-Qassam Brigades operative, was detained during Operation Cast Lead. During interrogation he recounted how Hamas used civilians as human shields:

A. He said Hamas operatives used civilians, including children, to avoid being hit by IDF forces.

B. He recounted an incident in which Hamas operatives from a rocket unit placed a number of rockets on a donkey-driven cart and wrapped them in blankets. They subsequently asked a 12 year-old boy to lead the cart to avoid being hit by the IDF. He saw the boy leading the cart with Hamas operatives following 150 meters, or 164 yards, behind.

C. He said Hamas operatives frequently took cover in civilian houses to avoid being hit, and that he himself changed his clothes and hid in a civilian house to avoid capture by IDF soldiers.

## Open Source Information

155. Khaled, a boy from Al-Rimal in Gaza City, said the following to a reporter from *Kul al-Arab* (an Arabic-language newspaper published in Israel): “We boys, in small groups and in civilian clothes, carry out missions of assistance for the resistance men [i.e., terrorist operatives] by delivering information on the movement of enemy troops or by providing them with ammunition and food” (*Kul al-Arab*, January 14, 2009).



Anti-aircraft machine gun aimed at Israeli fighter planes. Civilians gathered around the machine gun can be seen in the photograph (Izz al-Din al-Qassam Brigades forum website, December 31, 2008).

## Attack Footage Filmed by the Israeli Air Force

156. The intelligence information is supported by attack footage filmed by the Israeli Air Force during Operation Cast Lead, which clearly shows **terrorist squads making deliberate use of civilians (mainly children) as human shields**. The objective is to give the squads a better chance to survive, knowing that the Israeli Air Force does not generally attack civilians. The footage shows **terrorist operatives escaping with the assistance of organized groups of children and terrorists fleeing towards a crowd of children**. The videos also show vehicles used by terrorist operatives escaping towards civilian buildings.

### 157. Descriptions of incidents:

A. **A terrorist is seen firing from a rooftop**. Having identified an aircraft, he descends from the rooftop to escape. He then stands at the entrance of the house and calls civilians to come help him get out. A group of children arrive and enter the house. Immediately afterwards, the terrorist comes out under the cover of the children, using them as human shields, as can be seen in the next video (January 6, 2009).



He calls civilians to help him come out of the house.



Terrorist identified shooting from rooftop.



He comes out of the house using the children as human shields.



A group of children enter the house.

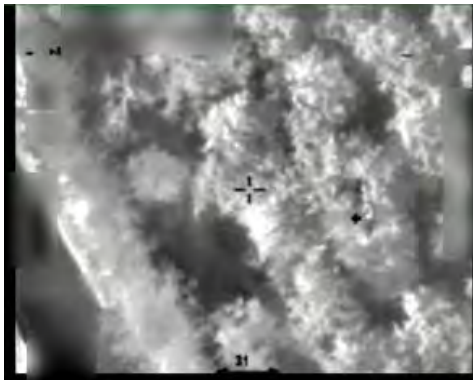
[Click for Video \(22\)](#)

B. During Operation Cast Lead (January 13, 2009), a wanted terrorist operative discovered that he had been identified by an Israeli Air Force aircraft. **He then closely followed an old woman** and they quickly left the scene together. Later it became evident that the **“old woman” was apparently another terrorist dressed in women’s clothing**.



Pictures from a, Israeli Air Force video. Left: A terrorist see an aircraft overhead in the Jabaliya region. Right: He follows an “old woman” and escapes, using her for cover.

C. Operatives shot at IDF forces from an orchard or dense vegetation. They then escaped to the street and blended into the civilian population (January 13, 2009), as can be seen in the following video:



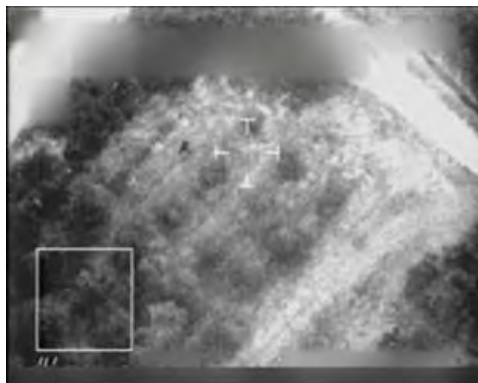
Left: Terrorists shoot from dense vegetation. Right: They flee the launching site.



The two terrorists arrive on the street and blend into the civilian population.

[Click for Video \(24\)](#)

D. A terrorist escapes after launching a rocket into Israeli territory. He runs across a field **and attempts to blend into a group of children**. He then continues running towards an inhabited area where a civilian tries to push him away, as can be seen in the following video:



Left: The terrorist flees the launch site. Right: He blends into a group of children he met in a field.



He reaches a residential neighborhood where a civilian attempts to push him away.

E. A terrorist dressed in civilian clothing approaches a road used by the IDF, using a civilian house for cover. Having set an IED, he climbs the wall of a house and **enters it to join the residents**. The residents of the house show a white flag. IDF forces isolate the terrorist, detain him, and release the others, as can be seen in the following video.



The operative climbs into the house, where non-combatant civilians are located.



An operative ambushes approaching IDF forces.



The civilians surrender and the terrorist joins them.

The events leading to the IDF's detention of an operative wearing civilian clothing:

[Click for Video \(26\)](#)

F. During a chase after a **truck with terrorist operative passengers**, it **escapes to a civilian house** to prevent an attack by the Israeli Air Force.



The vehicle drives into a house with non-combatants; the rocket is still in the air.



Chasing a vehicle containing wanted Hamas operatives after a rocket launch.

Photographs from the Israeli Air Force video.

158. The IAF videos also show a squad of armed terrorists blending with a large crowd of civilians which includes children (January 9, 2009), and a squad of four terrorists escaping to an area where there are children and a woman (January 12, 2009).

## Extensive Military Use of Civilian Houses

### The Goldstone Report

159. According to the Report, only in one case investigated by the Mission was the presence of Palestinian operatives noted in a civilian house. An eye witness told the Mission that three operatives trapped in his neighbor's house were "wearing military camouflage and headbands of the Al-Qassam Brigades" (Paragraph 479, p. 120).

160. **Booby-trapped civilian houses:** In light of various Israeli reports (Paragraphs 461-462, pp. 117-118), the Report states that "the Mission **does not discount the use of booby traps by the Palestinian armed groups**, [but] it has no basis to conclude that civilian lives were put at risk, as none of the reports record [sic] the presence of civilians in or near the houses in which booby traps are alleged to have been set" (Paragraph 463, p. 117, ITIC emphasis).

161. **"The Mission asked the Gaza authorities to provide information on the sites from where the Palestinian armed groups** had launched attacks against Israel and against the Israeli armed forces in Gaza. The Mission similarly asked whether, to their knowledge, civilian buildings and mosques had been used to store weapons. **In their response, the Gaza authorities** [i.e., the de facto Hamas administration] **stated that they had no information on the activities of the Palestinian armed groups or about the storage of weapons in mosques and civilian buildings. The Mission does not find this response to be entirely plausible.**" (Paragraph 498, p. 124, ITIC emphasis). The Mission did not examine whether **Hamas operatives or Hamas weapons were situated in civilian houses**. The Mission notes that the "Gaza authorities" (with no mention of Hamas) are obliged to control the activity of "armed groups," but it does not assign **any** responsibility to the Hamas administration regarding the extensive military use made of civilian houses.

## Factual Findings

### Overview

162. **Much reliable intelligence** from varied sources showed the military use made by Hamas and the other terrorist organizations of **civilian houses** in fighting the IDF. The information includes ground and aerial photographs, Israeli Air Force attack footage, and seized documents. **Reports by IDF forces** operating in civilian areas often pointed to the military use made of civilian buildings.



163. Civilian houses were used in densely-populated neighborhoods to inflict casualties on the IDF and **reduce the vulnerability of operatives belonging to Hamas and other terrorist organizations**. During the Operation, the IDF was exposed to the problematic aspects of asymmetric warfare while conducting operations in densely-built areas against terrorist operatives wearing civilian clothing assisted by civilians (including the women, children and the aged).

## Intelligence Information

164. Intelligence information indicates that Hamas made military use of civilian houses while risking the lives of their inhabitants, for example:

- A. The residence of a Hamas operative in Rafah housed an underground arms and ammunition store in a tunnel dug under the building. The weapons included IEDs, mines, rifles, and a large quantity of ammunition. Several people lived in the building.
- B. Weapons were stored in the house of an Izz al-Din al-Qassam Brigades commander in one of the refugee camps in the Gaza Strip. The operative lived there with his five brothers.
- C. In the house of another operative weapons were manufactured. The operative, his wife, and their four children lived there.

## Israeli Air Force Photographs



A camouflaged anti-aircraft cannon positioned on the roof of a civilian house (January 6, 2009)

165. IAF photographs showing terrorists firing at the IDF from a civilian house:



Terrorists firing at the IDF from the windows of a civilian house. The fire came from windows on the top floor.

### **Weapons Found by IDF Forces in Civilian Houses**

166. During the operation, IDF forces discovered large quantities of weapons in civilian houses, for example:



Weapons found in the houses of Hamas operatives (IDF Spokesman, January 15).



EFP (explosively formed projectile) found in a civilian house.



Weapons found in the houses of Hamas operatives (IDF Spokesman, January 15).



Rocket found in a civilian house.

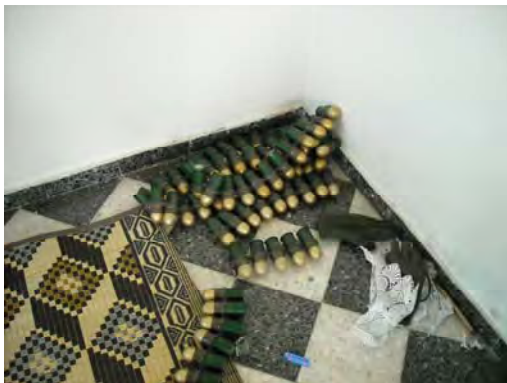


Rockets found in a civilian house.



Weapons and raw materials used in the manufacture of explosives found in a civilian house. The picture shows a bag of table salt (with Hebrew lettering) used in the manufacture of explosives.

### Weapons and Military Equipment Found in Civilian Houses



## IEDs, Booby Traps and Combat Areas Located in Civilian Houses

167. Before Operation Cast Lead, it was the IDF's assessment that Hamas combat tactics would include booby-trapped buildings (mainly civilian houses) **and a network of booby-trapped tunnels and tunnels designed for transporting personnel and weapons**. During the Operation, IDF forces in civilian houses exposed **dozens of IEDs, both single and in series**, designed to attack IDF soldiers.



**Booby traps, IEDs and series of IEDs found in civilian houses in the Gaza Strip (IDF Spokesman, January 7, 2009).**

168. IDF engineering forces operating on the ground reported that they frequently encountered booby-trapped doors, windows and openings, and even **entire houses booby-trapped with all their contents**. For example, during a debriefing an IDF commander reported that in one incident IDF forces attacked a building in **Jauhor al-Dik**, a neighborhood east of the Al-Bureij refugee camp in the central Gaza Strip. It inadvertently triggered a chain of IEDs which resulted in the destruction of additional buildings in the neighborhood. Another commander said that in some cases IDF forces

fired at buildings which turned out to be booby-trapped, resulting in the destruction of the entire building.

169. **On January 5, IDF forces operating in Al-Atatra discovered a booby-trapped house designed to abduct soldiers.** The house had a narrow corridor which led the soldiers to a mannequin dressed as an armed Hamas operative. Behind it was a Claymore antipersonnel mine designed to blow up on contact. On the other side of the corridor was the entrance to a tunnel though which a soldier would be abducted.

170. The use of the booby-trapped house exposed a modus operandi used by Hamas and the other terrorist organizations to attack and possibly abduct IDF soldiers. A **senior Israeli engineering officer on the scene said the following:** "Hamas is doing everything it can to attack our forces and are very creative... In one of the houses [in Al-Atatra] they used a...**mannequin** dressed as a Hamas operative and booby-trapped it to attack the soldiers who would try to detain it." According to an account from another IDF officer who was also on the site, the mannequin was positioned to draw the soldiers' attention.



**The mannequin found in a house in Al-Atatra.**



EFP



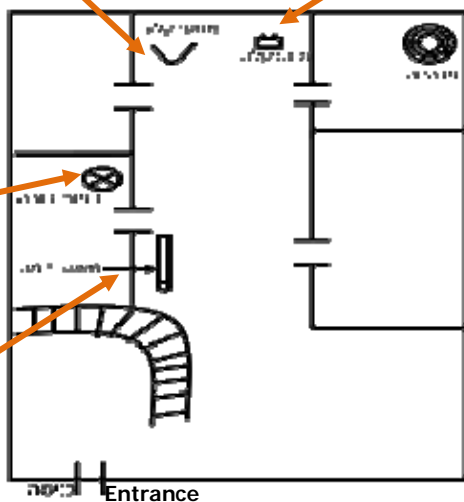
Activation system



Mannequin



Launcher

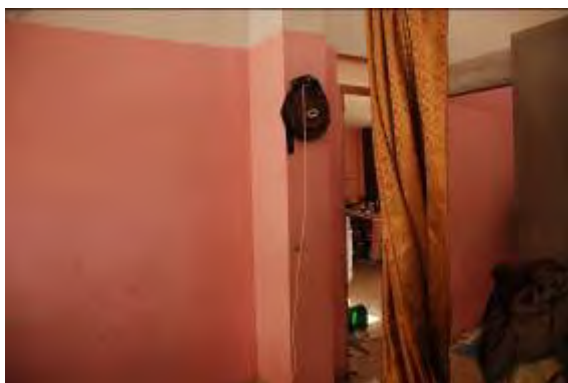


Tunnel

Sketch of the booby-trapped house in Al-Atatra and what was discovered there.

Method of operation: A mannequin is placed at the house entrance; shooting it activates the charge. A group of terrorists is then supposed to emerge from the tunnel and abduct a soldier, who would be transferred through the tunnel to another house (the houses were connected by a tunnel network). After the abduction, an IED would go off near the tunnel entrance to block it and attack the rescue team.

[Click for Video \(27\)](#)



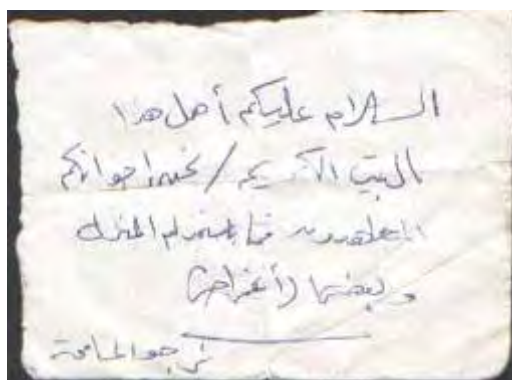
A booby-trapped civilian house

### Activating Mines and IEDs in Civilian Houses

171. Civilian houses were also used as activation sites for **mines and IEDs placed on the roads near the buildings**. A cable connected the mine or IED to the house, from where it was activated against IDF forces.

### Seized Document and Statement by a Detained Izz al-Din al-Qassam Brigades Operative

172. Evidence of the use made of civilian houses by Hamas was a **thank you note** found by IDF forces inside a house during the operation. The note was left by Hamas operatives who invaded the house and used it for military purposes (January 12, 2009). The note reads: "Peace be upon you, dwellers of this honorable house. **We, your brothers, holy war fighters [mujahideen], used this house and some of the things in it**. Our apologies." According to statements made by detained Hamas operatives, the residents' resistance to the use of their houses for military purposes was limited **because they feared for their lives**, thus in many cases it was **forced** on the residents.



The thank you note.

173. For an analysis of **two other seized documents**, sketches of Al-Atatra and Beit Lahiya in the northern Gaza Strip, see the section dealing with turning residential neighborhoods into combat zones.

### Interrogation of a Detainee

174. **Muhammad Imad al-Din Abd al-Rahman Amsi**, an Izz al-Din al-Qassam Brigades operative from Jabaliya, said that he and another "operative" **took over the Hamouda family residence in the Al-Salam neighborhood** and from there attacked IDF forces which had surrounded the area. He said there were instances where he and his fellow squad operatives shot at IDF soldiers from the house of a Gaza resident, even though the resident refused to cooperate: "When we saw IDF soldiers advancing, we entered the house of one of the residents **and threatened him so he would let us**



**shoot at the soldiers from his house. He strongly objected, but we didn't ask him."**

175. Muhammad Amsi also said that he fled to the residence of Sheikh Fathi Abu Ida in Jabaliya and sought refuge there. The sheikh helped him hide his rifle and grenades. However, IDF soldiers were able to locate the hiding place, raided the residence and detained him (from Muhammad Amsi's interrogation by Israeli police, from an article by Shimon Ifargan, *Ma'ariv*, February 18, 2009).

## **Wearing Civilian Clothing instead of Uniforms**

### **The Goldstone Report**

176. In many issues involving Hamas' combat tactics in civilian areas, the Goldstone Report's **attitude is lenient**. It minimizes the considerable amount of evidence (some of which it had access to) and **does not hold Hamas accountable** for the **constant risk** caused to the Gaza Strip population by the activities of its operatives who wore civilian clothes to increase their chances of survival.

177. The Report uses a looking-glass approach to avoid the conclusion that even early in the fighting Hamas operatives dressed in civilian clothing to increase their chances of survival and make it difficult for the IDF to identify them and distinguish them from innocent civilians. It claims that "The repeated failure to distinguish between combatants and civilians appears to the Mission to have been **the result of deliberate guidance** issued to [Israeli] soldiers, as described by some of them, and not the result of occasional lapses" (Paragraph 1889, p. 407, ITIC emphasis).

178. Further on, the report **specifically addresses the issue of civilian clothing worn by the Izz al-Din al-Qassam Brigades**. In Paragraph 480, pages 120-121, the Report cites several NGO reports that "**in general members of Palestinian armed groups did not wear military uniforms.**" It then goes on to say that "[r]eports on the military operations by NGOs suggest that **in general members of Palestinian armed groups did not wear military uniforms**. One report states that after the destruction caused by the Israeli air strikes at the start of the military operations, **members of al-Qassam Brigades abandoned military dress and patrolled streets 'in civilian clothes'**. A second report states that **members of the Palestinian armed groups 'also mixed with the civilian population**, although this would be difficult to avoid in the small and overcrowded Gaza Strip, and there is no evidence that they did so with the intent of shielding themselves" (ITIC emphasis).

179. The issue of using civilian clothing to blend into the population is therefore **exceptional** in the Goldstone Report, since the fact-finding Mission accumulated enough proof in this instance (according to the methodological standards set by the Mission itself). **Such proof should have allowed it to explicitly condemn Hamas (and the other terrorist organizations) for fighting the IDF in civilian clothing throughout almost the entire Operation, operating from civilian areas and risking civilian lives.** However, the Report is lenient with the “armed groups” and claims (**Factual Findings**, Paragraph 483, p. 121) that they “were not always dressed in a way that distinguished them from civilians.” It also states that the Mission “**found no evidence that Palestinian combatants mingled with the civilian population with the intention of shielding themselves from attack.**” The Report also claims that the Israeli government presented no visual or other evidence to support the claim that “Palestinian fighters” routinely blended with the civilian population to conceal their activities (Paragraph 479, p. 120).

180. In the section of the **Legal Findings** pertaining to the issue of civilian clothing, firing from inhabited areas, booby-trapping civilian houses, using mosques, etc., the Report **is lenient** with the “armed organizations.” While it does note (Paragraph 495, p. 123) that they “**did not at all times distinguish themselves from the civilian population,**” **it also says that their failure to do so was not a violation of international law**, even though it “would have denied them some of the legal privileges accorded to combatants.” In addition, “the Mission found no evidence that members of Palestinian armed groups engaged in combat in civilian dress,” despite its own findings cited in Paragraph 480, pages 120-121. According to Paragraph 495, “The reports received by the Mission suggest that it is likely that the Palestinian armed groups did **not at all times adequately distinguish themselves** from the civilian population among whom the hostilities were being conducted. Their failure to distinguish themselves from the civilian population by distinctive signs is not a violation of international law in itself, but **would have denied them some of the legal privileges afforded to combatants.** What international law demands, however, is that those engaged in combat take all feasible precautions to protect civilians **in the conduct of their hostilities.** The Mission **found no evidence that members of Palestinian armed groups engaged in combat in civilian dress. It can, therefore, not find a violation of the obligation not to endanger the civilian population in this respect** (ITIC emphasis).”

## Factual Findings

### IDF Reports

181. On several occasions, IDF officers who took part in the fighting during Operation Cast Lead stated that **many military operatives often took off their uniforms early on**, changed them for civilian clothing, and blended with the population or fought the IDF in civilian clothes.

182. For example:

A. An IDF officer engaged in combat in **Al-Atatra** reported that most of the terrorist operatives wore civilian clothes and blended into the local population or left the neighborhood. The officer was aware of at least ten Izz al-Din al-Qassam Brigades operatives detained while wearing civilian clothing.

B. An IDF officer operating in another section of **Al-Atatra** also stated that Izz al-Din al-Qassam Brigades operatives wore civilian clothing. He said that in one instance, a Hamas operative in civilian clothes was caught among civilians who later attempted to leave the scene (the civilians were forced by Hamas to remain in the neighborhood). The officer saw two Hamas military operatives in civilian clothing, with their weapons, killed in the fighting.

C. An IDF officer belonging to a force which operated in **Hirbet Ikhza'a** (in the southern Gaza Strip) recounted that Hamas military wing operatives wore civilian clothing. Local residents questioned by the IDF said that as soon as the Operation began, Hamas operatives took off their uniforms, removed their ranks, and dressed in civilian clothing. Most of them escaped deep into residential areas and some blended with the neighborhood residents. Later, several senior military operatives in civilian clothing entered the neighborhood and warned the residents not to leave the area. One of them, dressed in civilian clothing, was killed by IDF forces.

### Videos on the Hamas TV Channel

183. Videos of individual terrorists and rocket launching squads wearing civilian clothing were broadcast on Hamas' Al-Aqsa TV (even though Hamas' policy of concealment prevented such videos from being widely issued). For example, on **January 14, 2009**, Hamas' Al-Aqsa TV broadcast videos of an **operative in civilian clothing** firing RPGs at IDF forces from a civilian house.



Hamas operative fires RPGs from a civilian house (Al-Aqsa TV, January 14, 2009).

184. A video released by the **Izz al-Din al-Qassam Brigades** broadcast by Hamas' Al-Aqsa TV on January 6, 2009, shows a **mortar squad** of several terrorist operatives **in civilian clothing firing a 120mm mortar**. According to the video, the squad was operating in the **Jabaliya refugee camp**. It shows squad operatives firing mortar shells from the middle of a road and from the vicinity of civilian houses. The narrator says that they are firing at the [Israeli] enemy which is attacking Jabal al-Kashef (an area overlooking the Jabaliya refugee camp from the north).



Picture from a video clip released by the Izz al-Din al-Qassam Brigades. It shows a terrorist squad launch 120-mm mortar shells from the middle of a residential neighborhood in the Jabaliya refugee camp during Operation Cast Lead. Hamas operatives in the video are wearing civilian clothing (Al-Aqsa TV, January 6, 2009).

## Foreign Press Reports

185. **Foreign correspondents** who interviewed Hamas operatives **also reported military Hamas operatives dressed in civilian clothes**. During the fighting, a British *Times* correspondent in the Gaza Strip, **Azmi Keshawi**, interviewed a Hamas platoon commander nicknamed **Abu Jundal**. According to the correspondent, Abu Jundal stood in a Gaza City street, **unarmed and wearing civilian clothes (" Hamas fighter: 'We fight Israel one day on, one day off,'"** *The Times*, Britain, January 7, 2009).

## Activities of Hamas Security Services Wearing Civilian Clothing

186. **Hamas' security service operatives, who joined the activities of the Izz al-Din al-Qassam Brigades, also wore civilian clothing.** Islam Shahwan, the spokesman of the de facto Hamas administration's interior ministry, publicly admitted that during the Operation police operatives in the Gaza Strip were on high alert to protect the "interior front" from IDF activities in the Gaza Strip. According to Shahwan, police personnel operated on the ground **in civilian clothing to prevent them from being identified by IDF forces** (Sawt al-Aqsa Radio, January 5, 2009). Regarding Hamas security services' resuming normal activities following Operation Cast Lead, Islam Shahwan said that **"the security services are now back to operating in uniforms"** (Al-Arabiya TV, February 5, 2009).

187. According to reliable intelligence, during Operation Cast Lead Hamas operatives were explicitly instructed not to wear uniforms and carry out their activities in civilian clothing with their weapons concealed.

## Situating the Military Infrastructure in or near Residential Areas

### The Goldstone Report

188. The Report mostly addresses Israel's view of Hamas and the "supporting infrastructure," claiming that "Israel regards very large sections of the Gazan civilian population as part of the 'supporting infrastructure'" (p. 257, Paragraph 1210; Conclusions and Recommendations, pp. 406-407, Paragraph 1886). The Report does not examine the "Palestinian armed groups" or Hamas in the context of situating military infrastructures in residential areas.

## Factual findings

### Overview

189. **Prior to Operation Cast Lead, Hamas and the other terrorist organizations located their military infrastructure in the midst of civilian population concentrations.** The infrastructure, attacked by the IDF during the operation, included headquarters, bases, offices, training camps, weapons and ammunition storehouses, lathes and workshops, tunnels, posts and bunkers. **Locating military facilities in**

densely-populated residential neighborhoods risked the lives of civilians, who often found themselves trapped in combat zones. For example:

## Situating Military Facilities in the Shati Refugee Camp in the Northern Gaza Strip

190. The **Shati refugee camp** in the northern Gaza Strip borders the coast and is home to **over 80,000 people**. Hamas situated military camps, training camps, and a fortification system (bunkers, mine fields, tunnels, dirt ramps and anti-tank concrete blocks) near civilian houses as well as schools and mosques. Hamas turned **almost the entire coastal region of the camp into a military compound under its control**. Rockets were fired at Israel from the Shati refugee camp and from the vicinity of its civilian houses and public institutions.



The deployment of military facilities of Hamas and other terrorist organizations in the Shati refugee camp. The picture shows training camps and military camps (red). There are rocket launch sites (red circle enclosing white star) located among civilian houses and in the vicinity of schools and mosques. It also shows civilian houses, mosques and schools (yellow).

## Locating Military Facilities in Tel al-Zaatar

191. **Tel al-Zaatar** is a densely-populated neighborhood in the northern Gaza Strip. It houses several schools, mosques, a medical center and several UN facilities. The aerial photograph shows that **Hamas established its bases, military camps and training camps near the schools and Al-Fakhura Medical Center**. It shows that mines were

laid in parts of the neighborhood with tunnels passing nearby. Also evident are numerous **rocket launching sites** situated **in the middle of the neighborhood**.



Aerial photograph of Tel al-Zaatar, where several military facilities were located: military camp, training camps, posts (red) and rocket launching sites (red circle enclosing white star).

## Locating Military Facilities in the Jabaliya Area

192. **Jabaliya** is a town and a refugee camp located in the northern Gaza Strip. With an area of about 1.4 square kilometers, or 0.54 square miles, it is home to 107,000 people (including the refugee camp population). There are schools (including some run by UNRWA), mosques and a hospital. **The aerial photograph shows that Hamas and the other terrorist organizations deployed military outposts and a shooting range in the area, dug tunnels between civilian houses and mined extensive areas.** Before and during Operation Cast Lead, many locations in the center of Jabaliya served as rocket launching sites, including areas adjacent to UNRWA schools and mosques.



Aerial photograph of the Jabaliya area, where military facilities (shooting range, outposts, launch sites, and fortifications, marked in red) were located near civilian houses and institutions (hospitals, schools and mosques, marked in yellow).

## Locating Military Facilities in the Region of Beit Lahiya in the Northern Gaza Strip

193. Beit Lahiya is a densely-populated area in the northern Gaza Strip and home to about 60,000 residents. Hamas established fortified positions, fortified houses and tunnels in the area. Its geographic position made it a favorite site for launching rockets into Israel.





One example of a fortified position (red) built on the roof of a civilian house (yellow) in the middle of a residential neighborhood in Beit Lahiya

## Digging Escape and Attack Tunnels from Civilian Houses

### The Goldstone Report

194. The Goldstone Report mentions the issue of Gaza Strip tunnels in two main contexts:

A. Tunnels in the Rafah region, on the Gaza Strip-Egypt border, designed to smuggle food and fuel to break the “blockade” imposed by Israel (completely ignoring the fact that the tunnels were also used for smuggling weapons).

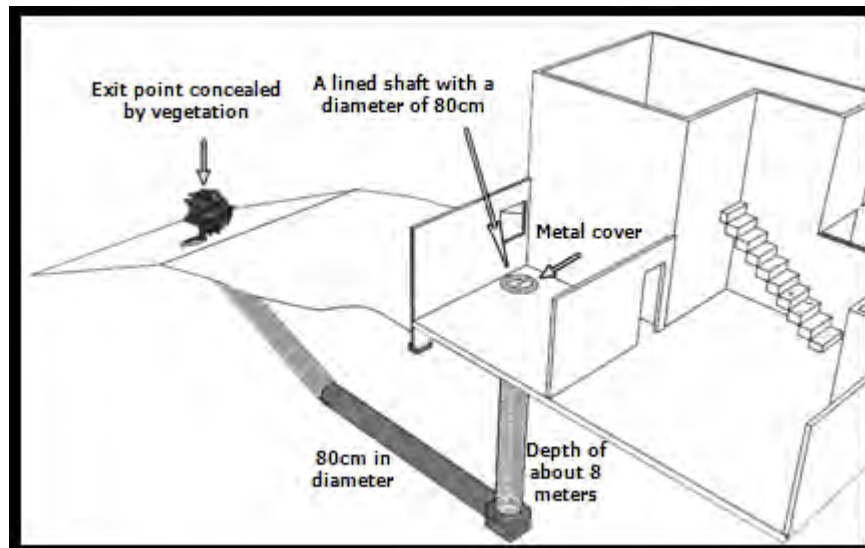
B. Attack tunnels dug from the Gaza Strip into Israeli territory (such as the tunnel used by the squad that abducted Gilad Shalit).

195. On several occasions the Goldstone Report mentions that local residents and operatives questioned by the IDF were frequently asked about the location of tunnels in the areas where they lived. However, it does not mention why the operatives were questioned about the tunnels (See for example Paragraph 1067, p. 224, and Paragraph 1072, p. 225). The Goldstone Report ignores the fact that residential areas were

crisscrossed with tunnels whose entrances were placed inside civilian houses and used for military purposes.

## Factual Findings

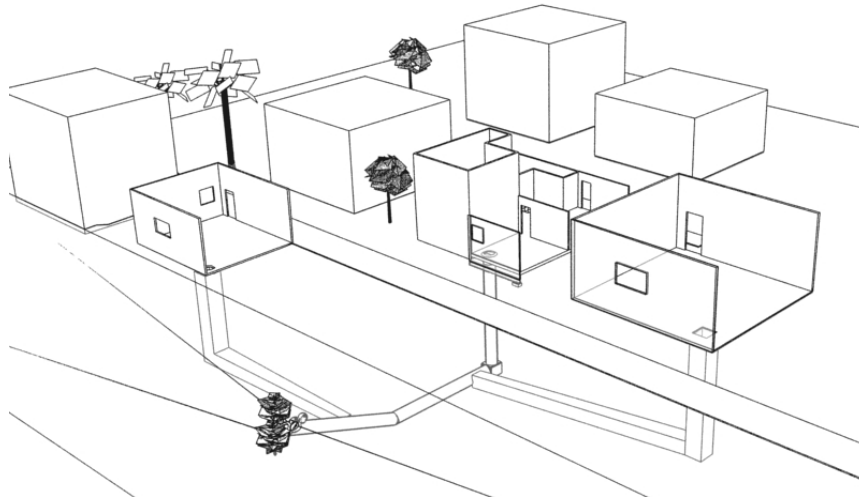
196. During the fighting in the Gaza Strip IDF forces reported many tunnels whose entrances were discovered in open territory and in civilian houses. **The tunnel network built by Hamas in urban areas was designed for abducting IDF soldiers, escaping from combat zones, storing weapons and laying booby traps.** The tunnel entrances were hidden inside civilian houses, mosques and under agricultural areas. Most of the tunnels were dug under existing structures, and their entrances were constructed beneath the floors. During Operation Cast Lead, IDF forces found tunnel entrances in concrete floors, mostly in room corners. The tunnel entrances were concealed with rugs or ply board on which floor tiles were placed.



Simulation of a shaft coming out of a house and ending in a tunnel. To be used either for escape to nearby open territory or for the attack and abduction of an IDF soldier. The depth of the shaft is about 6 meters, or 6.5 yards. At its lower end there is a tunnel leading to another building or to open territory for escape. The shaft can be entered and exited using a rope ladder.



A tunnel entrance in the concrete floor of a house next to the wall.



**Simulation of a shaft and tunnel system: a tunnel network linking three houses to an escape or attack tunnel which ends in open territory. Such a system allows Hamas operatives to move from one house to another during battle or to escape from the houses. Alternately, they can penetrate a house seized by an IDF force and attack it from inside.**

## **Assault Tunnels Leading to Israel from Civilian Houses in the Gaza Strip**

197. During Operation Cast Lead, IDF forces also discovered **assault tunnels whose entrances were inside houses, and which were meant for carrying out terrorist attacks in Israeli territory. On January 11, 2009, an IDF force discovered a 205-meter, or 224-yard, tunnel dug from a residential building towards the Nahal Oz fuel terminal. The tunnel exit was inside Israeli territory.** Investigation showed that the tunnel was **ready for attack**; it only remained to break through a layer of soil to allow terrorists to exit the shaft.

198. The tunnel was dug several months prior to the Operation to carry out **a terrorist attack in Israeli territory.** The operatives who dug it planned the exit **near the wall of the Nahal Oz fuel terminal, a blind zone for IDF surveillance, so operatives could exit the tunnel unseen.** The **high-quality construction** of the tunnel is particularly notable. It included a flight of stairs at the shaft exit to allow operatives to leave quickly.



Aerial photograph of the tunnel's location.



The booby-trapped tunnel entrance near the Nahal Oz fuel terminal.



Left: Stairs at the tunnel exit. Right: The tunnel entrance.

199. On **January 12, 2009**, IDF forces located a three-story civilian house which was the origin of an **800 meter, or 875-yard tunnel dug towards Israeli territory**. Piles of sand and loose floor tiles were found on the first floor. The building was located in a southeast suburb of Gaza City, near the Ali al-Munzir neighborhood and the Nahal Oz fuel terminal.



Left: The house from which the tunnel was dug. Right: Aerial photograph of the house near the Nahal Oz fuel terminal and the tunnel dug out of it.

## Turning Residential Neighborhoods into Combat Compounds

### The Goldstone Report

200. The Goldstone Report does not discuss **Hamas' turning entire residential neighborhoods into combat compounds**, encountered by IDF soldiers during Operation Cast Lead. It is part of Hamas' combat doctrine for urban areas, as noted above.

### Factual Findings

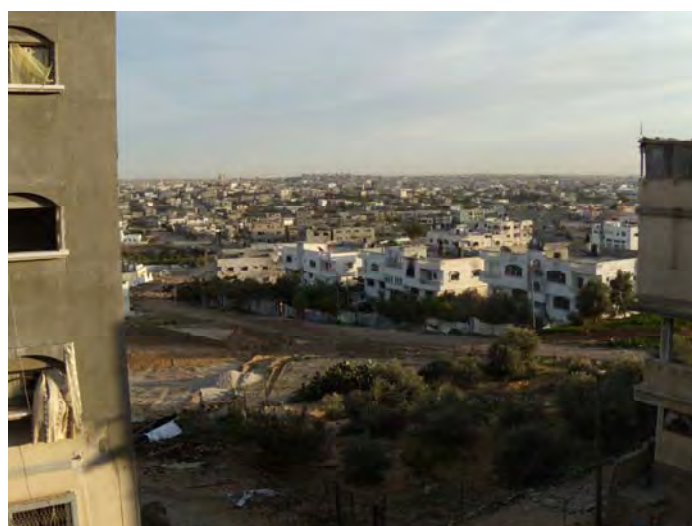
201. During Operation Cast Lead, **IDF forces found two operational sketches of Al-Atatra and Beit Lahiya in the northern Gaza Strip. They show that Hamas made advance preparations for fighting the IDF from there.** They show plans for setting IEDs, deploying forces and establishing Hamas positions in the middle of densely-populated residential neighborhoods, plans that were put into action during Operation Cast Lead, as reported by IDF forces operating in those areas.



An aerial photograph of the neighborhoods of Al-Atatra (yellow) and Beit Lahiya (red) in the northern Gaza Strip

## Case Study 1: Al-Atatra

### Overview



Al-Atatra (view from west to east). The photograph clearly shows the crowding of buildings.

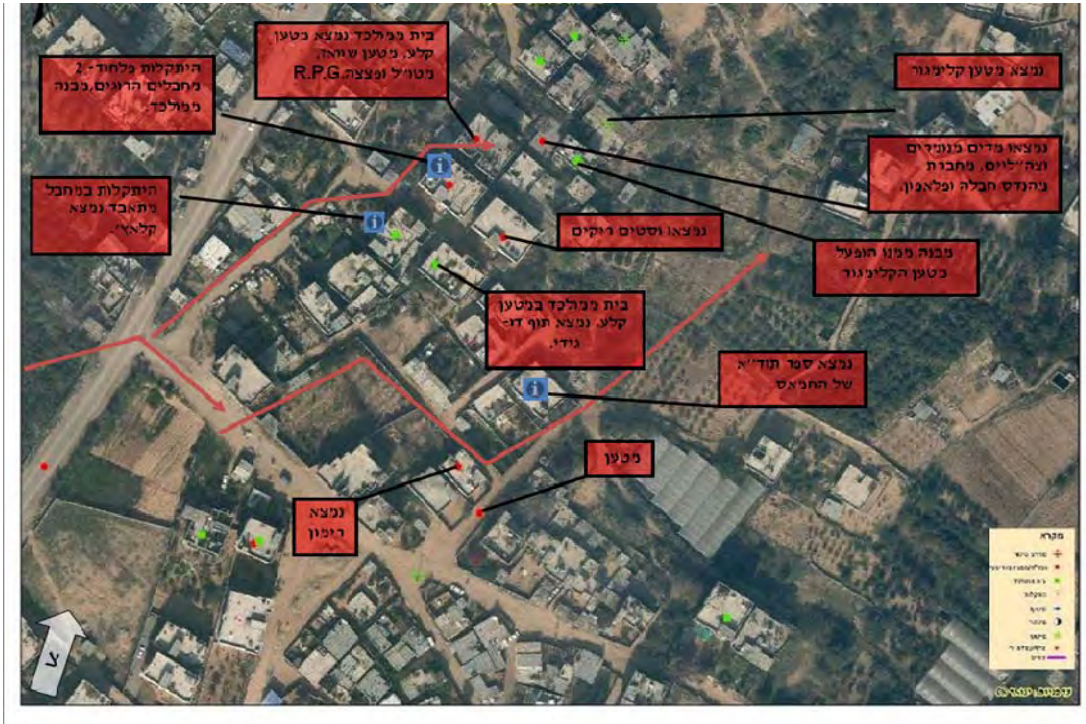
## Features Exposed during the Fighting

202. About 5000 people live in Al-Atatra in the northern Gaza Strip. During the fighting, IDF forces found a densely-built urban area packed with IEDs laid on the streets or concealed in residential buildings, booby traps (including on the main access road), sniper fire, anti-tank weapons and mortar shells.

203. Two IDF officers reported statements indicating that the residents of Al-Atatra knew that IDF forces were coming, **but Hamas forced them not to leave**. The officers also said that Hamas operatives dressed in civilian clothes blended with the population. There were no obvious military facilities (bases, bunkers, etc.) in Al-Atatra, **because the military infrastructure had been situated inside civilian houses**. Rocket launching sites were found in the neighborhood and on its outskirts.



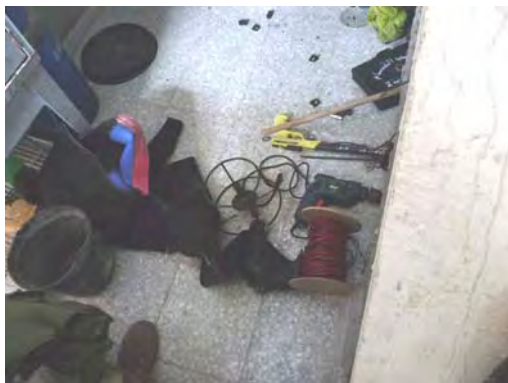
Left: Weapons and military equipment found in one of the houses. Right: A tunnel entrance in one of the houses.



Booby-trapped houses, IEDs, weapons and military equipment found in Al-Atatra, marked on an aerial photograph reported by IDF forces.

204. IDF forces uncovered **large quantities of weapons** concealed in the houses of Al-Atatra residents. IDF officers stated that many advanced IEDs (Shawaz EFPs), other weapons and tunnels with entrances located inside houses were also found. The IEDs and the weapons were concealed in various places (underneath beds, in kitchens and other hiding places). For example:

A. **The house of local Hamas operative Wa’el Atar** had a Kalashnikov, a Claymore anti-personnel mine, explosives and grenades, bullet-proof vests, wires for IEDs and tools. An operational sketch of the neighborhood prepared by Hamas was also found (See below).



Military equipment found in Wa’el Atar’s house



B. **Another neighborhood house** was found to contain a stockpile of weapons used by Hamas operatives during the fighting. It included advanced IEDs (Shawaz EFPs) and Kalashnikov rifles. Two motorcycles and an **explosive belt** were also found nearby, as well as a tunnel that was probably used by operatives for hiding and moving from one house to another.



Weapons stockpile found in one of the houses in Al-Atatra. Right: Advanced IEDs (Shawaz EFPs).



Left: Tunnel entrance. Right: Two motorcycles.

C. The local Hamas headquarters of the northern sector of Al-Atatra was located in the bedroom of one of the houses. The house was booby-trapped and contained IEDs (Shawaz EFPs), mortar shells, and military paperwork. Snipers shot at IDF forces from the house.

### Preparing Al-Atatra for Combat

205. The forces and weapons encountered in Al-Atatra by the IDF **were prepared in advance by Hamas** and appeared on an operational sketch seized by the IDF in the house of local resident **Wa'el Atar**. The chart, made of construction paper 90 X 90 centimeters, or 35" X 35", shows that **Hamas divided Al-Atatra into three combat zones**, marked in blue, red and green. **Various types of IEDs** were marked on the

chart: underbelly charges, barrel charges, roadside charges, anti-personnel charges and anti-tank charges, all of which were laid throughout the neighborhood.

206. The Al-Atatra sketch (and one seized in Beit Lahiya) and IDF reports clearly show that Hamas' defense was based on the widespread use of IEDs, booby traps, sniper posts, tunnels and meeting points in buildings. Analysis of the sketch indicates the following:

A. **Hamas deployed series of IEDs** on the front line, both in urban areas and near major roads, and placed fewer IEDs in relatively open areas. IEDs to attack the IDF's armored vehicles were placed at major junctions, **while IEDs to attack IDF soldiers were deployed in civilian houses.**

B. Hamas and the other terrorist organizations' **sniper posts and anti-tank positions** were mostly situated in civilian houses to attack IDF forces and avoid being attacked by them.

C. **Tunnels** were dug **from civilian houses** for abductions, retreating from combat zones and storing weapons. Some of them were also booby trapped. The tunnel entrances were carefully camouflaged.

D. **Snipers were deployed in mosques**, with various IEDs laid nearby. An IED was also laid near a gas station in Al-Atatra.



**A mosque in Al-Atatra from which snipers fired at IDF soldiers.**

207. The following visual aids show how **Al-Atatra** was prepared for fighting the IDF:

A. **A:** Reduced photograph of the operational sketch of Al-Atatra.

B. **B:** The sketch superimposed on an aerial photograph.

C. **C:** Preparing Al-Atatra for fighting, as it appeared on the sketch.

- D. **D:** Names of civilians near whose homes weapons and forces were deployed
- E. **E:** Aerial photograph of the **Tawhid Mosque**, near which an infantry post and explosive pit were positioned.
- F. **F:** **The Omar Ibn al-Khattab Mosque**, near which an IED was laid.

**Visual Aid A: Reduced photograph of the operational sketch of Al-Atatra**

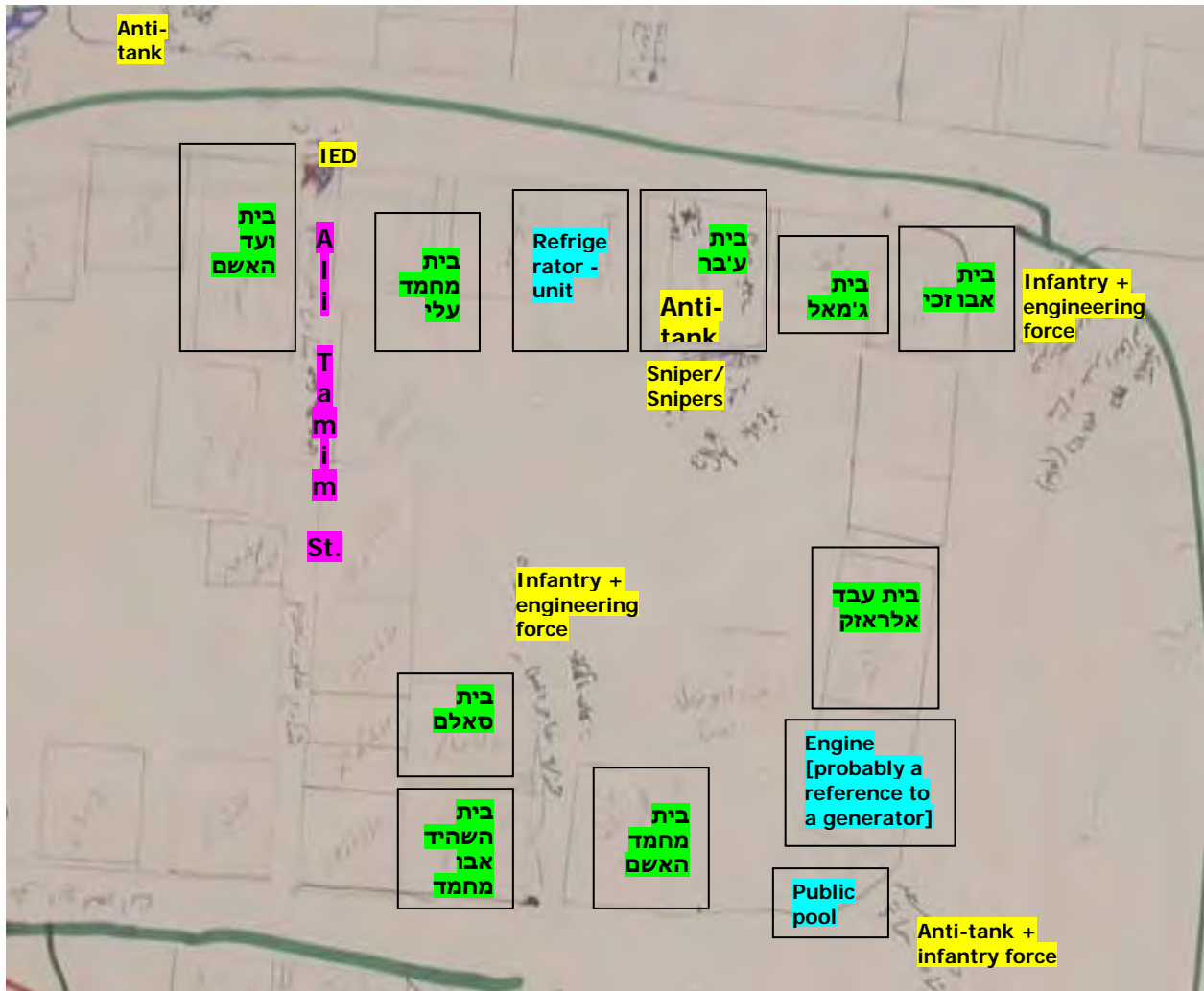


**Visual Aid B: The sketch superimposed on an aerial photograph. Positions, tunnels, IEDs and mine sites from the sketch are shown on the photograph.**





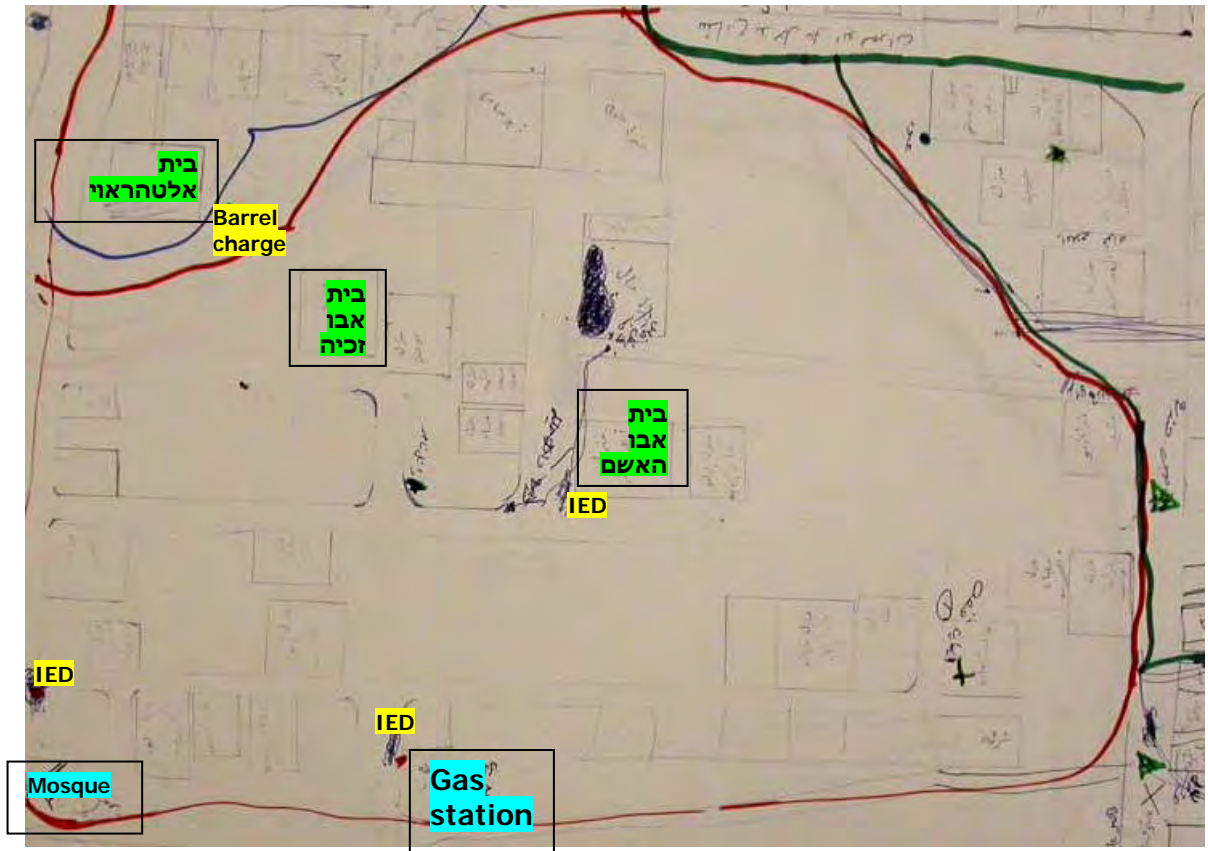
Region II: Anti-tank, Infantry, engineering squads and snipers near civilian houses, Public pool and generator



**Legend:**

- Blue: Non-residential structure
- Green: Civilian house
- Yellow: IEDs and preparations for combat
- Purple: Street

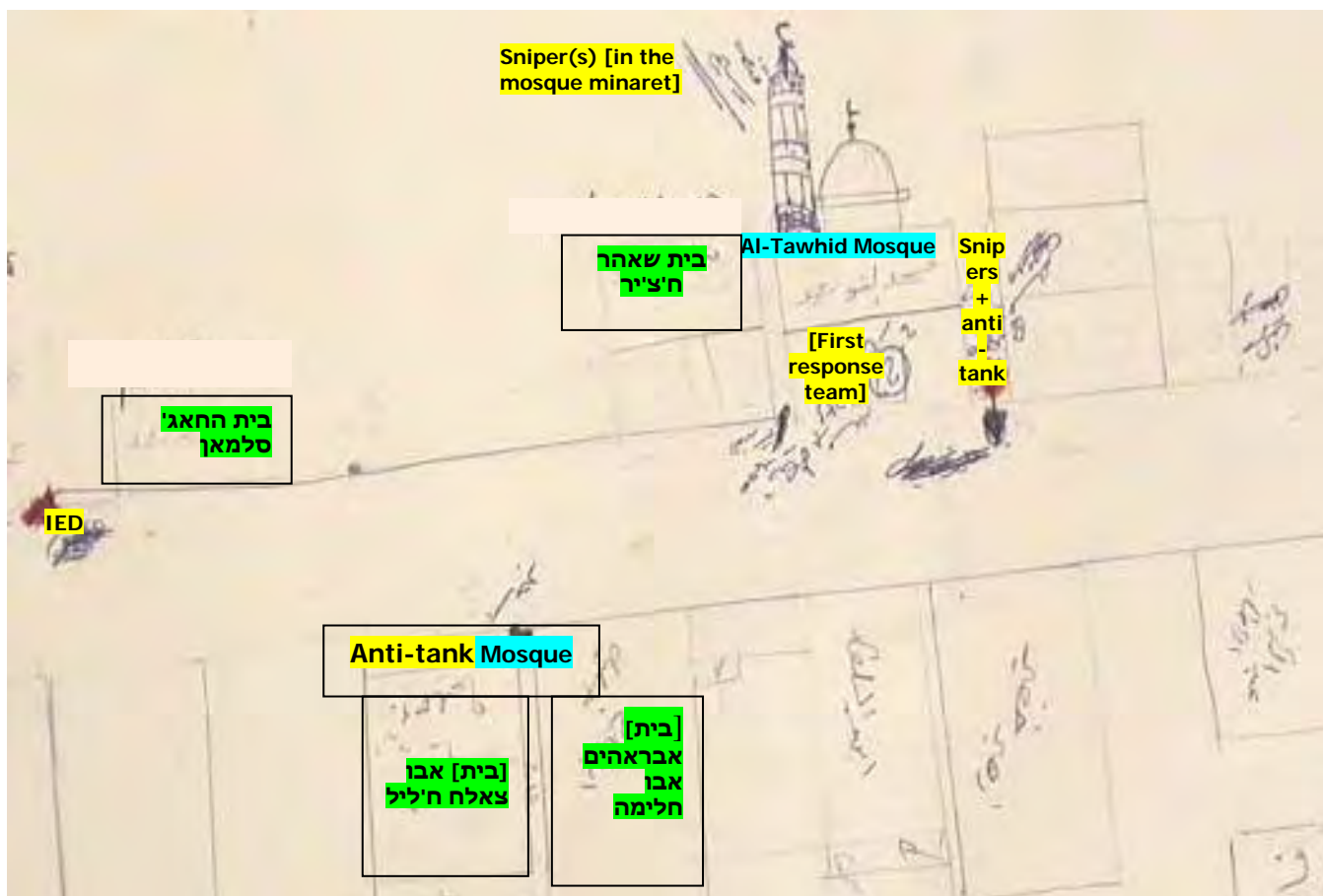
Region III: IEDs near civilian houses, mosque and gas station



**Legend**

- Blue:** Non-residential structure
- Green:** Civilian house
- Yellow:** IEDs and preparations for combat
- Purple:** Street

### Region IV: IED, Emergency squad, Snipers, and anti-tank weapons near mosques and civilian houses

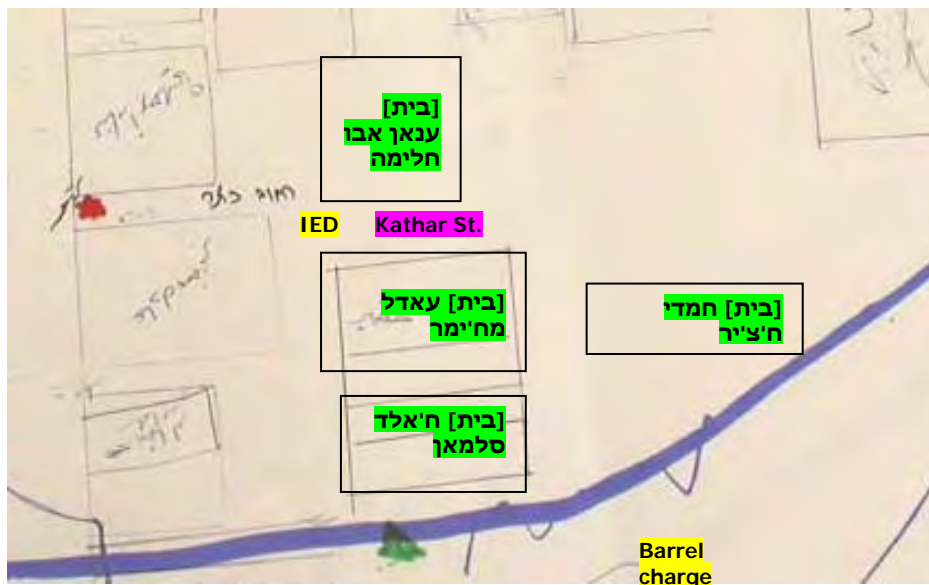


**Legend**

- Blue: Non-residential structure
- Green: Civilian house
- Yellow: IEDs and preparations for combat
- Purple: Street



### Region V: IEDs near civilian houses



**Legend**

- Non-residential structure
- Civilian house
- IEDs and preparations for combat
- Street

**Visual Aid D: The names of civilians appearing on the sketch near whose homes weapons and forces were deployed**

Name of resident/family	Military activity carried out in or near of the house
Hajj Salman house	Roadside charge laid near the house
Ibrahim Abu Halima [house]	Anti-tank post was located in a mosque near the house
Abu Saleh Khalil [house]	Anti-tank post was located in a mosque near the house
Shaher Hadhr house	The house was adjacent to the Al-Tawhid Mosque, where snipers and a first response team were positioned, and near which an anti-tank post was located
Al-Tahrawi [family] house	Barrel charge laid in the vicinity of the house
Abu Zakieh [family] house	Barrel charge laid in the vicinity of the house
Abu Hashem [family] house	Roadside charge laid in the vicinity of the house
Wa'ad Hashem [family] house	Roadside charge laid and anti-tank post established near the house
Muhammad Ali [family] house	Roadside charge laid near of the house
Ghabar [family] house	Anti-tank squad deployed inside the house, sniper or snipers positioned in near the house

Jamal [family] house	Adjacent to Ghabar house, in which an anti-tank squad was deployed and in or near which sniper or snipers were positioned
Abu Zaki [family] house	Adjacent to Jamal house, near which infantry, engineering, and anti-tank squads as well as a sniper (or several snipers) were deployed
Muhammad Hashem house	Infantry and engineering force deployed in the vicinity of the house
Shaheed (martyr) Abu Muhammad [family] house	Infantry and engineering force deployed near the house
Salem [family] house	Infantry and engineering force deployed near the house
Anan Abu Halima [house]	Roadside charge laid near the house
Adel Mukhaimer [house]	Roadside charge laid near the house
Khaled Salman [house]	Barrel charge laid near the house
Hamdi Hadhr [house]	Barrel charge laid near the house
Wa'el [family] house	Anti-tank force deployed inside the house
Nadi al-Atar house	Anti-tank squad/weapon established near the house
Hatem Salim house	Anti-tank squad/weapon established near the house
Habib [family] house	Anti-tank squad/weapon established near the house
Abu Faisal [family] house	Anti-tank squad/weapon established near the house
Abu Subhi [family] house	Barrel charge laid near the house

**Visual Aid E: Aerial photograph of the Tawhid Mosque (yellow), near which an infantry post and an explosive pit were positioned (red).**



**Visual Aid F: The Omar Ibn al-Khattab Mosque in Al-Atatra (yellow), near which an IED (green) was laid according to the seized sketch.**



## Case Study 2: Turning Beit Lahiya in the Northern Gaza Strip into a Combat Compound

208. During Operation Cast Lead the IDF also seized a sketch of positions and IEDs located in **Beit Lahiya in the northern Gaza Strip, home to about 55,000 people** (January 17, 2009). Marked on it are the positions of **sniper posts, anti-tank posts, and IED points of various kinds**. It was found in the home of a Hamas operative, which also served as a sniper post. Numerous IEDs (Claymore anti-personnel mines, Shawaz EFPs), Kalashnikov rifles and a heavy machine gun were also found in the building.



Weapons taken out of the Hamas operative's house.

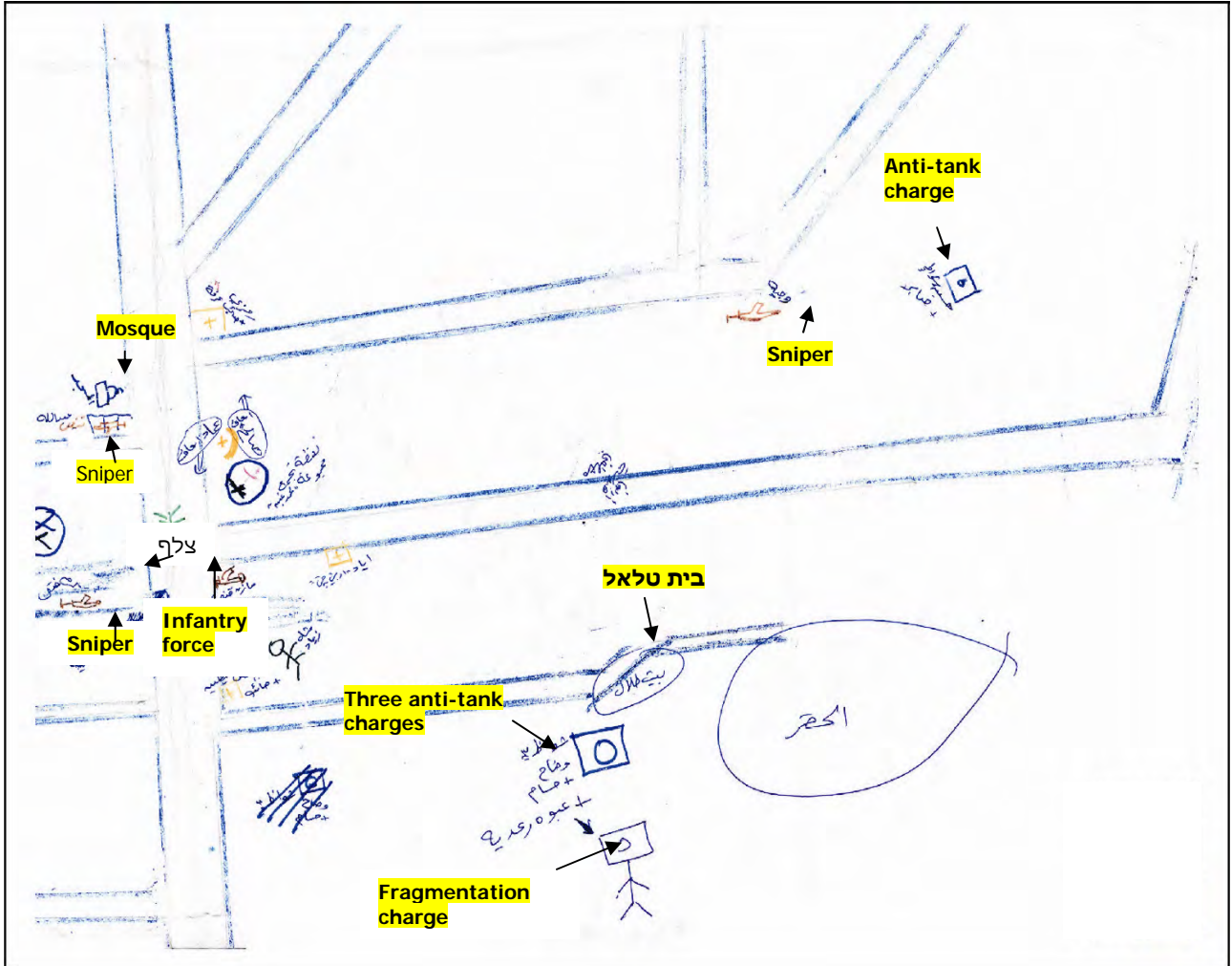


Heavy machine gun found in the Hamas operative's house.

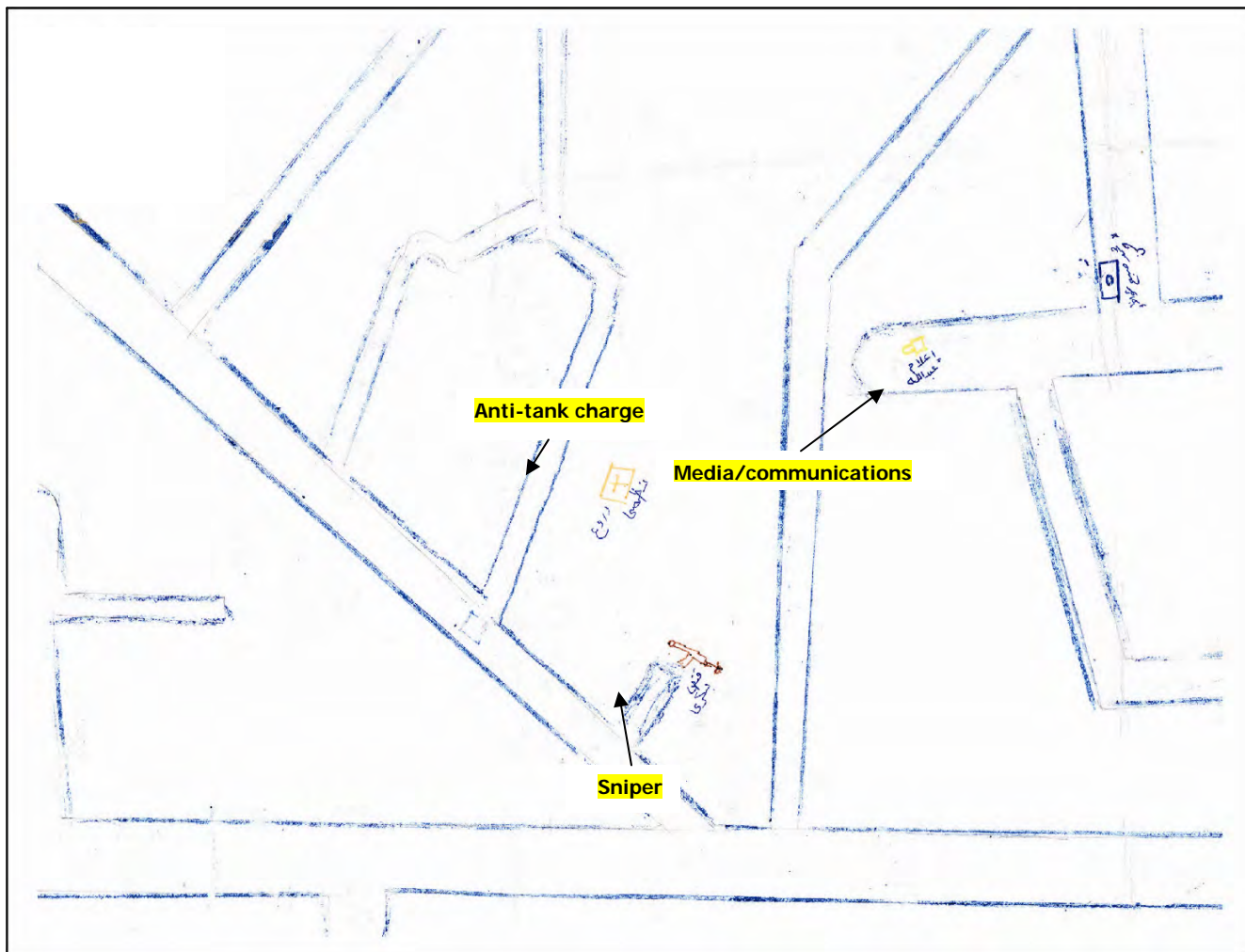


**Visual Aid 2: Positioning weapons and deployment of forces in the neighborhood**

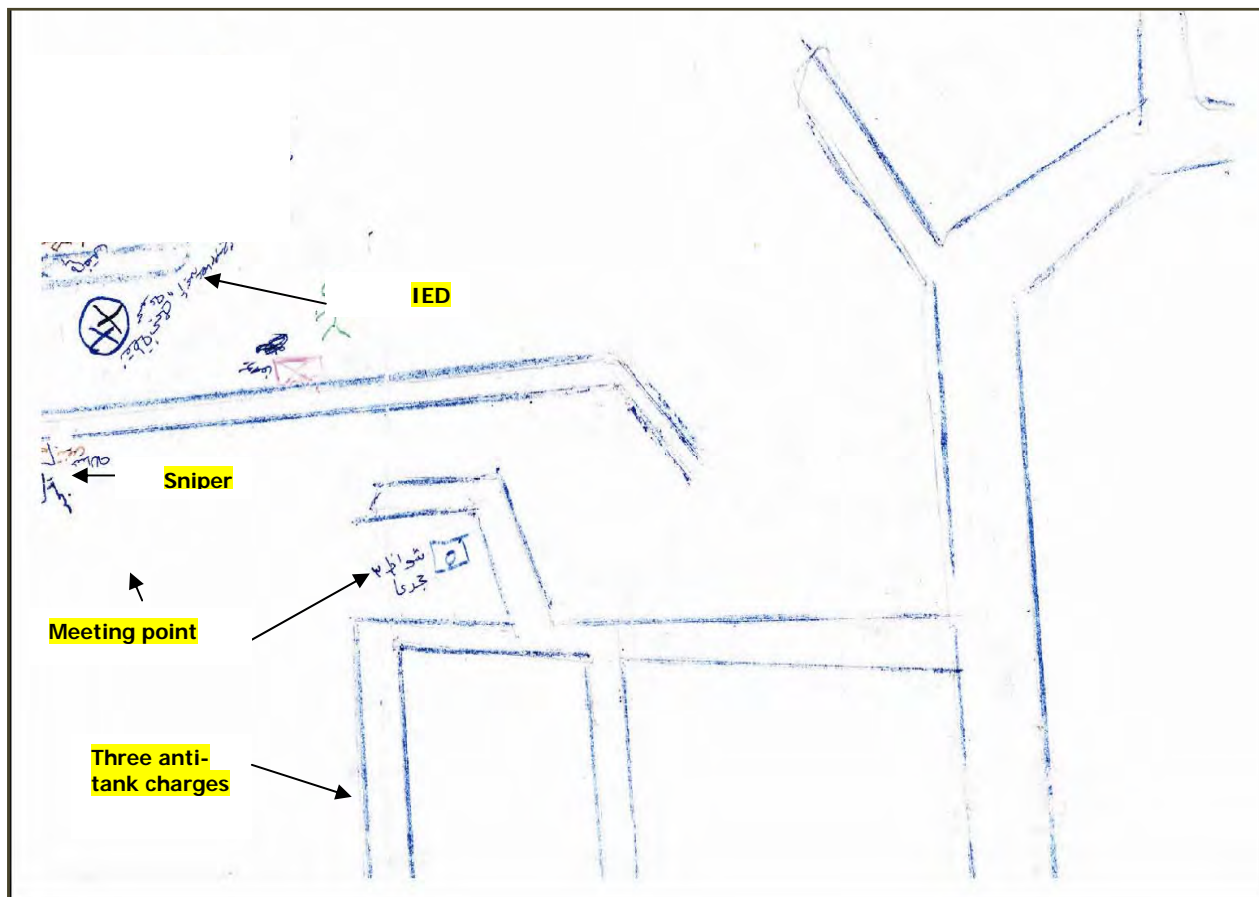
**Region I**



## Region II

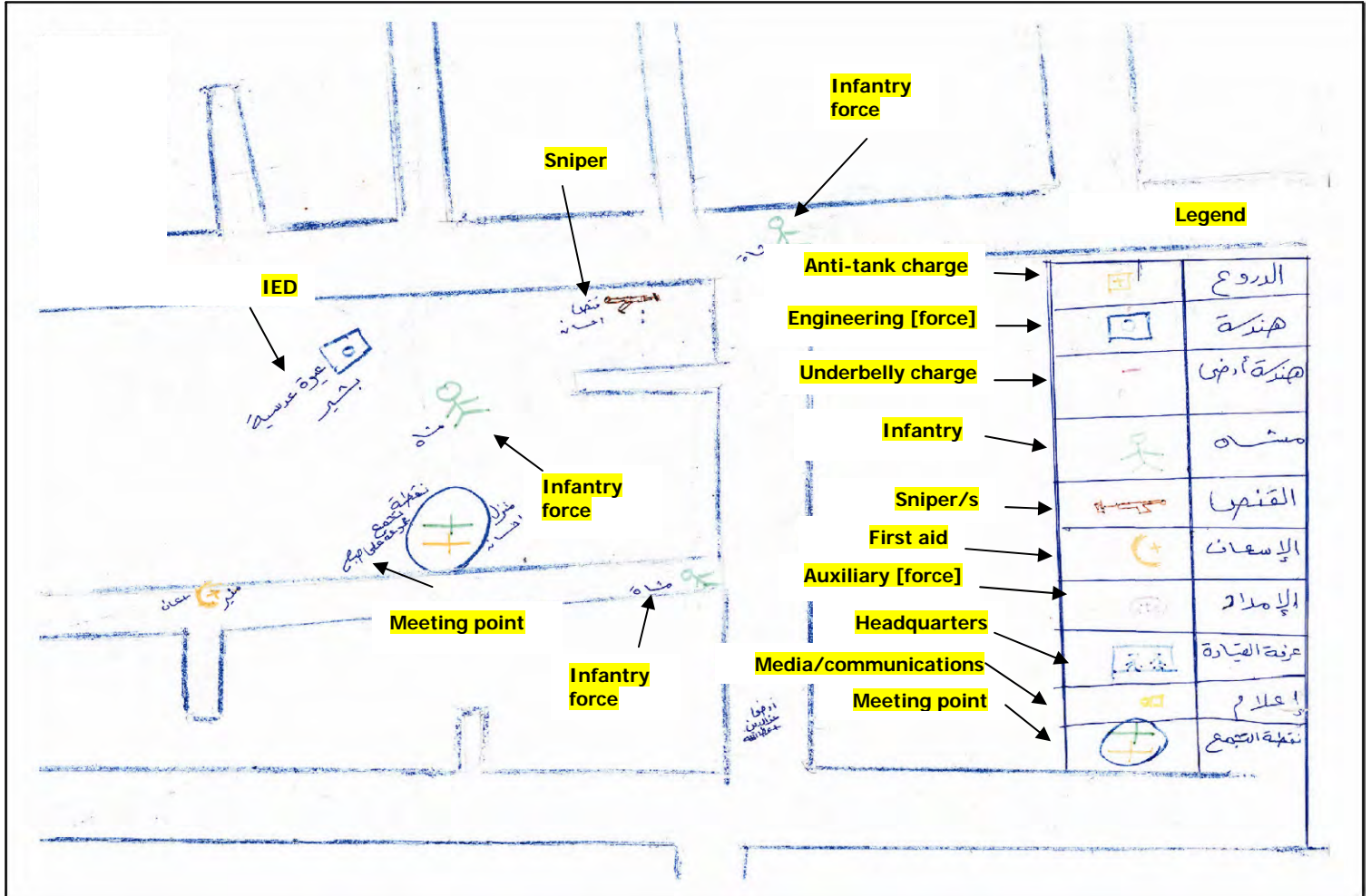


### Region III

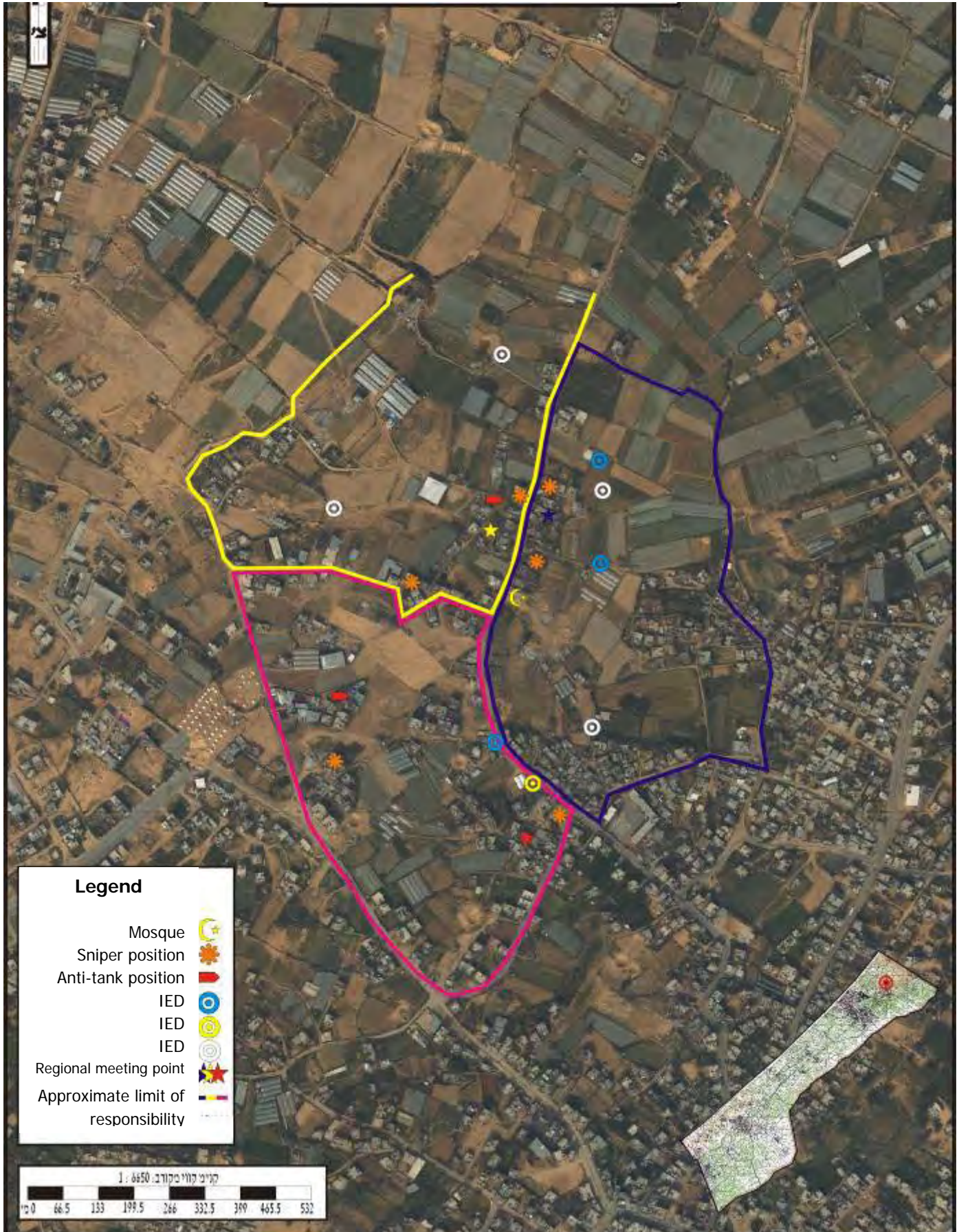




### Region IV



**Visual Aid 3: The Beit Lahiya sketch superimposed on an aerial photograph. It shows that sniper positions, anti-tank weapons and IEDs were placed near a mosque and residential areas.**



## Forcing Civilians to Remain in Combat Zones

### The Goldstone Report

211. The Goldstone Report deals briefly with the question of whether civilians stayed in their homes willingly, knowing that they were risking their lives. In paragraph 440, pages 111-112, the Report notes that to collect additional information, the Mission interviewed Gazans, who appeared reluctant to speak about the presence or conduct of hostilities by the "Palestinian armed groups." The Mission further states that whatever the reason for their reluctance, **it does not discount it may have stemmed from a fear of reprisals** (i.e., from Hamas and the other terrorist organizations, or even "Palestinian armed groups." However, again, the Mission does not elaborate).

212. The Goldstone Report notes that the Mission asked numerous witnesses in Gaza **why they stayed in their homes** in spite of the shelling, bombing and Israeli ground activity. They stated that they had not left either because **they had experienced previous incursions and, based on past experience, did not think they would be at risk as long as they remained indoors, or because they had no safe place to go**. In addition, some Gazans stated that they stayed because they wished to watch over their homes and property (Paragraph 475, p. 119).

213. The Report claims that on the basis of the information it gathered, **the Mission found no indication that the civilian population was forced by Hamas or Palestinian armed groups to remain in areas under attack from the Israeli armed forces** (Paragraph 488, p. 122). The Report (Paragraph 1953, p. 420 ) concludes that the Mission found no evidence to suggest that Palestinian armed groups either directed civilians to areas where attacks were being launched or that they forced civilians to remain within the vicinity of attacks.

### Factual Findings

214. According to reports from IDF forces operating in the Gaza Strip, **Hamas operatives in the northern Gaza Strip** (such as **Al-Atatra**) **forced the residents not to abandon their homes and prevented their escape from combat sites**, forcing them to be **human shields**. Furthermore, it was reported that Hamas operatives collected warning flyers dropped by the Israeli Air Force to prevent the residents from evacuating their homes.

215. According to the statements of two IDF officers who fought in Al-Atatra and talked to local residents:

A. Local residents anticipated the arrival of the IDF in the neighborhood (which, as already mentioned, Hamas had prepared in advance for combat). **They were instructed by Hamas not to leave**, and said **they obeyed out of fear**. In some instances, men fled, leaving women, children, the old and the infirm behind. Some Hamas operatives left, and some of them dressed in civilian clothing and blended with the residents.

B. During the first phase of the Operation, which lasted about a week, **the residents remained in their homes because of pressure exerted by Hamas, despite IDF requests for them to leave the area**. The residents did not begin evacuating until later.

216. A similar statement was made by an IDF officer whose force operated in the town of Khirbet Ikhza'a, in the southern Gaza Strip (opposite the Israeli village of Nir Oz). The officer said that small arms and anti-tank weapons were fired at the force from the town. When the IDF entered, the questioning of local residents indicated that Hamas operatives had fled the area. Among them were the commander of the local Izz al-Din al-Qassam brigade and its company commanders. **Hamas operatives had removed their uniforms as the fighting began, most of them leaving the town and a few in civilian clothing blending with the local population.**

217. While Hamas' military operatives escaped deep into populated territory, **local residents were forbidden to leave Khirbet Ikhza'a**. Locals said they had been told **"they would pay dearly"** for any attempt to leave. Senior Hamas operatives in civilian clothes **patrolled the town on motorcycles, threatening the residents**. In one incident, Hamas operatives shot at a vehicle in which a family from the Al-Najar clan attempted to escape.

218. The Israeli officer stated that one day after the IDF entered the town, hundreds of locals came out of their homes holding white flags to avoid being hit by IDF fire. They were mostly women and children, but there were also several men, mostly former Fatah or Palestinian Authority operatives, who stayed because they feared Hamas.

219. Al-Atatra and Khirbet Ikhza'a are **conspicuous examples of Hamas' combat tactics, whose goal is to fight the IDF in populated areas using civilians as human shields**. The same combat tactics were used in other locations. There is no doubt that local residents living under Hamas' oppressive regime were afraid to **tell the truth to the Mission**, as the Goldstone Report does imply.

## Firing Rockets and Mortar Shells from Residential Areas

### The Goldstone Report

220. The Goldstone Report asserts that there are indications that the “Palestinian armed groups” fired rockets from populated areas (for example Paragraph 449, p. 113) and even coerced residents into letting them launch artillery from their yards. The Report raises the question of whether rocket and mortar attacks from urban areas were carried out with the “specific intent of shielding the combatants,” stating that **“the Mission had not been able to obtain any direct evidence on this question; nor do reports from other observers provide a clear answer”** (Paragraph 452, p. 114; ITIC emphasis). **The Report notes that the Mission reviewed pictures “allegedly” showing the launching of rockets from within or near civilian buildings**, including schools, mosques, and hospitals. The pictures were included in a paper published by the Israeli government which the Mission obtained. The Mission notes that **it is not reasonably possible to determine whether those photographs show what is alleged, especially since many of them refer to the period before Operation Cast Lead.**<sup>2</sup>

221. By not stating that **systematic and deliberate fire was launched from populated areas to shield the rocket launching squads from Israeli attacks**, the Report minimizes their significance as part of the military doctrine of Hamas and the other Palestinian terrorist organizations. The Report also shows “understanding” for the tactical considerations of the launching squads, noting that in the first days of the ground assault Israeli forces took over the open areas so that most – if not all – of the locations still accessible to the “Palestinian armed groups” were in urban areas (Paragraph 482, p. 121). It also cites (Paragraph 450, p. 114) the International Crisis Group and Human Rights Watch, which found that the **practice of firing close to or within populated areas increased as the Israeli armed forces took control of the more open areas.**

### Factual Findings

222. **Firing rockets from densely-populated urban areas at Israel or at IDF forces operating near or in the Gaza Strip is a combat tactic of Hamas and the other**

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<sup>2</sup> The pictures were taken from a report published by the Israeli government in July 2009. The report contains aerial photographs obtained from the IDF and photographs from Palestinian media. Most of the photographs do refer to the period of time prior to Operation Cast Lead. However, three of them, including a photograph of artillery fire from the vicinity of a school (Paragraph 157, p. 58) **refer to Operation Cast Lead**. Those photographs show that firing rockets from near residential and public buildings is a **systematically-used combat tactic** rooted in the years before Operation Cast Lead, which the report does not mention. The years before the Operation are relevant for an analysis, as they indicate a pattern instead of isolated occurrences which took place only during Operation Cast Lead.

**Palestinian terrorist organizations.** The squads take positions near civilian houses to conceal the source of fire and to shield themselves from the IDF's counter-attacks. Early in Operation Cast Lead most of the rockets were launched from underground launching sites. As the fighting continued, however, the use of mobile tripods became widespread **and rockets and mortar shells were fired from urban territory and from deep inside the Gaza Strip.**

223. Evidence of rocket and mortar fire from near civilian houses includes Israeli Air Force photographs, tactical communications of Izz al-Din al-Qassam Brigades operatives, interrogations of detainees, and open source information. For example:

### Israeli Air Force Photographs



Left: Underground rocket launching pit located near civilian houses. Right: After the attack, a rocket exploded in the pit (Photo courtesy of the IAF, December 27, 2009).



Underground rocket launching pit located near civilian houses.



Rocket launcher placed between two civilian houses (January 6, 2009).



Mortar shell launched from near civilian houses. The terrorist operative escaped into the building (January 4, 2009).

[Click for Video \(28\)](#)



Rocket launcher identified in the window of a civilian house (January 17, 2009).

[Click for Video \(29\)](#)

## Aerial Photograph (Operation Cast Lead)



Rocket launching site (red) near public buildings in the Shati refugee camp in the northern Gaza Strip. Left to right (yellow): Public building, Soccer stadium, Al-Shuhada'a Medical Center, Palestinian Association for Handicapped Rehabilitation

## Media Reports

224. A notable example of **rockets launched** near public buildings was mentioned in a telephone conversation by **Al-Arabiya TV** correspondent **Hanan al-Masri**, who worked the station's Gaza City office, on one of the first days of Operation Cast Lead. She was heard saying that **Grad rockets were fired at Israel near the building which housed the channel's offices in the heart of Gaza City** (the Burj al-Shuruq building, which houses the offices of other foreign Arab and Western media in the Gaza Strip). The reporter was on the air when she said that she heard a very loud noise, wondering whether it was an Israeli Air Force raid. She finally realized, however,



that the noise was a 122 mm Grad rocket launched from the vicinity of the building where she was located.<sup>3</sup>



AI-Arabiya TV reporter saying that a Grad rocket was launched under the office building where the AI-Arabiya offices are located.



Hamas operative firing an RPG from a civilian house (AI-Aqsa TV, January 14, 2009)

<sup>3</sup> Even though the Grad rocket was launched near the building, putting the lives of foreign reporters at risk, the incident was **not reported** by Al-Arabiya service TV or, as far as is known, by the other foreign media in the Gaza Strip.



Izz al-Din al-Qassam Brigades video showing a mortar launch squad operating from a residential neighborhood in the Jabaliya refugee camp (Al-Aqsa TV, January 6)

[Click for Video \(30\)](#)

225. An article by the Italian *Corriere della Sera* (January 22, 2009) recounts statements from Gaza Strip residents about the combat tactics employed by Hamas. A reporter for the newspaper interviewed a Gazan woman who said that **Hamas' rocket launchers and observation posts were located on tops of the tall buildings in the Gaza Strip** hit during Operation Cast Lead. She said **the launchers were also placed near a UN storehouse, which caught fire**. The woman also said that Hamas operatives often forced their way into the homes of civilians, who attempted to prevent them from entering.

226. An article published by Ethan Bronner for *The New York Times* ("Parsing Gains of Gaza War," January 19, 2009) describes the rocket launching technique used by Hamas operatives. According to the article, the operatives fired rockets from between residential buildings, covering the **alleys with sheets** so that the launchers could be placed without the Israeli Air Force's detecting them. It further states that Hamas operatives fled the scene immediately after the launch (**an Israeli Air Force video shows a length of cloth being spread across a street in the Gaza neighborhood of Shati**).

## Interrogation of Detainees

227. **Nawaf Faisal Atar**, a Hamas operative from Al-Atatra detained on January 11, 2009, said that masked Hamas operatives **launched rockets from civilian buildings and agricultural areas despite the objections of the residents**, who were worried that the IDF would destroy their homes and fields. However, he also added that the resistance of the locals was limited, because those who dared to oppose Hamas had their legs shot or were executed as collaborators.

228. **Amar Youssef Abd al-Karim Hamed**, a Hamas operative from Beit Hanoun, said during interrogation that [rocket] fire was launched at Israel from **Al-Zira'a College** (the faculty of agriculture in Beit Hanoun, part of Al-Azhar University).

## Summoning Civilians to Serve as Human Shields to Prevent Israeli Air Force Attacks on Houses of Terrorist Operatives'

### The Goldstone Report

229. The Goldstone Report relates to issue under the subheading **"Forcing civilians to remain in an area for the specific purpose of sheltering that area or forces in that area from attack"** (p. 119). **According to the Report, the Mission asked several witnesses in Gaza why they had remained in their homes in spite of the shelling, bombing and Israeli ground invasion. They stated that they had not left either because they had experienced previous incursions and did not think they would be at risk as long as they remained indoors or because they had no safe place to go.** In addition, some said **they had stayed because they wanted to watch over their homes and property.** According to the accounts, the Mission states that it did not find any evidence of civilians forced to remain in their houses by "Palestinian armed groups" (Paragraph 475, p. 119).

230. The Mission notes an incident in which women and children responded a summons to gather on the roof of the house of a Palestinian who had been informed by the Israeli authorities that his house would be targeted. According to the Mission, the incident was documented in video footage in the public domain and referred to in submissions received by the Mission as evidence for the use of human shields. The Mission claims, however, that an incident **occurred in 2007 and that no such incidents are alleged by the Israeli Government with regard to Operation Cast Lead.** It further states that the

Mission received no reports of such incidents from other sources. On the contrary, in one case investigated by the Mission, a Hamas official received a phone call from the Israeli armed forces to the effect that his house would be targeted. He evacuated the house with his family and alerted the neighbors to the imminent threat so that they, too, were able to leave their homes before the missile struck (Paragraph 476, p. 120).

231. The Mission refers to a statement made by **Fathi Hamad**, a Hamas member of the Palestinian Legislative Council (currently the interior minister of the de facto Hamas administration) which is cited by Israel as evidence of Hamas' use of human shields. In the statement, which was included in the Israeli report on Operation Cast Lead, Fathi Hamad **clearly admits** "...Hamas created a **human shield** of women, children, the elderly and the *mujahideen* against the Zionist bombing machine."<sup>4</sup>

232. However, the Report emphasizes that it is not proof that Hamas forced civilians to act as human shields. It says (Paragraph 478, p. 120) that "[a]lthough the Mission finds this statement morally repugnant, **it does not consider it to constitute evidence** that Hamas forced Palestinian civilians to shield military objectives against attack. The Government of Israel has not identified any such cases...On the basis of the information it gathered, the Mission **found no indication** that the civilian population was **forced** by Hamas or Palestinian armed groups **to remain in areas under attack** from the Israeli armed forces (ITIC emphasis)."<sup>5</sup>

## Factual Findings

### Using Civilians to Shield Operatives' Houses

233. On the first day of Operation Cast Lead (December 27, 2008), the residents of a Gaza Strip building where weapons were stored received a warning [from the IDF] to evacuate because the IDF was going to attack it.<sup>6</sup> An Israeli Air Force video filmed before the attack **shows many civilians gathered on the roof of the building. The attack was subsequently aborted.**

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<sup>4</sup> The Goldstone Report, Paragraph 477, p. 120. The quote is from the Israeli report "The operation in Gaza" (July 2009), p. 69, relying on Hamas' Al-Aqsa TV (February 29, 2008).

<sup>5</sup> Analysis of past events (See below) shows that the population was not "forced" to serve as human shields to protect civilian buildings under attack, but did so willingly. Many times local residents rushed to operatives' houses of their own free will after the summons issued by Hamas' officials and media. However, in Operation Cast Lead local residents were sometimes forced to accept hostilities conducted from their houses. On several occasions they even protested and actively resisted.

<sup>6</sup> During Operation Cast Lead, the IDF took precautions to minimize harm to the civilians among whom terrorist operatives sought shelter. Messages aimed to make people evacuate designated combat zones and targets were relayed by various methods, including dropping leaflets, temporarily taking over the frequencies of local radio stations serving terrorist organizations, and telephoning residents.

## Israeli Air Force Video



Pictures from an IAF video (December 27, 2008) show several civilians gathering on the roof of the building to prevent it from being attacked, after receiving warnings to evacuate.

[Click for Video \(31\)](#)

234. On December 28, 2008, the Israeli Air Force attacked a Hamas weapons store inside the house of a terrorist operative in **Zeitoun** in Gaza City. The IDF warned residents of the building to evacuate the site. However, instead, **they mounted the roof of the building to serve as human shields for the terrorist operative**. The IAF aborted the attack, but fired a warning shot with a different kind of ammunition at another corner of the house **to make them leave**. Only after they left was the attack carried out. **A loud secondary explosion was proof that weapons were in fact stored in the building.**

[Click for Video \(32\)](#)

## **Analysis and Examples of the Aforementioned Modus Operandi from the Past: The Logic behind Using Civilians as Human Shields for the Houses of Terrorist Operatives**

235. About two years before Operation Cast Lead, Hamas and other terrorist organizations adopted the combat tactic of using civilians to shield the houses of terrorist operatives likely to be attacked by the Israeli Air Force.

236. The tactic was put to use at least twice during Operation Cast Lead and in several other instances in the two years before the Operation. **The logic behind it is that the presence of civilians in targeted sites will deter the IDF and significantly increase the terrorist operatives' chances of survival if they have been targeted by the Israeli Air Force.** Hamas believed that the IDF would not attack the houses of terrorist operatives where civilians gathered, although advance warning had been given to keep them away.

237. **The combat tactic of deliberately using civilians to shield terrorist operatives' houses proved effective as far as the terrorist organizations were concerned.** That was because the IDF did not attack terrorist operatives' houses where many civilians had gathered, even though attacking such a target is permitted by military law. That gave the terrorist organizations more room to operate and granted them (and their leaders) a sort of "immunity," allowing them to continue their operations against Israeli civilians and targets. **The modus operandi is in gross violation of international law, which forbids the use of civilians as human shields, considering it a crime against humanity and a war crime** (according to the Rome Statute of 1998, which resulted in the establishment of the International Criminal Court).

## **Statements from Senior Hamas Figures Encouraging the Use of Civilians as Human Shields**

238. Senior Hamas figures **encouraged and praised** the use of the tactic, and even visited places where civilians were used as human shields to express their sympathy. For example:

A. Interviewed by Al-Jazeera TV, Hamas administration chief **Ismail Haniya** boasted of the Palestinians' "firm stand." He boasted that while Israel threatened to bomb houses [where terrorist operatives resided], hundreds and **thousands of Palestinians came out "in the middle of the night" and mounted the roofs of buildings which the Israelis threatened to bomb** (Al-Jazeera TV, February 29, 2008).

B. **Fathi Hamad**, a member of the Palestinian Legislative Council who was later appointed interior minister of the de facto Hamas administration, said “My fellow jihad warriors, we are now standing at the entrance to the house of one of our jihad warriors and commanders, Abu Bilal al-Ja’abir, who was contacted by the enemies of Allah [i.e., the Israelis] [to announce] that they were going to bomb his house [See below]... However, what they don’t know is that the Palestinian people have developed [methods] of seeking death. **For the Palestinian people, death has become an industry, at which women excel** and so do all people on this land: **the elderly excel, the mujahideen excel and the children excel.** **Accordingly, they created a human shield of women, children, the elderly and the *mujahideen*** to challenge the Zionist bombing machine, as if telling the Zionist enemy, ‘We are as eager to die as you are eager to live’” (Al-Aqsa TV, February 29, 2008).



Fathi Hamad explains the concept of using women, children, and the elderly as a human shield against IDF attacks (Al-Aqsa TV, February 29, 2008)

[Click for Video \(33\)](#)

C. **Ismail Haniya** visited the residence of Muhammad Baroud, a senior Popular Resistance Committees operative in the Jabaliya refugee camp on November 18, 2006. Many civilians were called to shield the operative’s residence after receiving advance warning by telephone from the IDF. On the following day, Ismail Haniya came to express his sympathy and was warmly welcomed by the residents who had served as human shields. He told a press conference that “I believe that what happened tonight **will become an example to be followed...** an example for our Palestinian people and a message that aggression will not break their spirit...” (Sawt al-Quds Radio, November 19, 2006).

D. **Sheikh Nizar Rayan**, who was both a senior Hamas official and an operative in the Hamas military wing and was killed by the IDF during Operation Cast Lead, also took part in “defending” the residence of Muhammad Baroud. Following the incident, he announced the beginning of an operation called **“Guarding the Houses of Jihad Warriors.”** He said that from that point on “jihad warriors will not allow Israel to attack their homes...” In another interview, he said that **the men and women who came to Muhammad Baroud’s house divided into night shifts and day shifts** (Palestinian TV, November 19, 2006; Pal Media website, November 19 and 20, 2006).<sup>7</sup>



Hamas operative Nizar Rayan: The residents will defend jihad operatives “with their body and their spirit”; “we will not allow Israel to attack the house of any jihad operative starting today...” (Palestinian TV, November 19, 2006)



Nizar Rayan with Izz al-Din al-Qassam Brigades operatives (Al-Jazeera forum website, June 24, 2008)

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<sup>7</sup> On December 31, 2009, in the beginning of Operation Cast Lead, **Nizar Rayan received a warning that the Israeli Air Force was planning to attack his house** in the Jebaliya refugee camp (northern Gaza Strip). His house served as a weapons storehouse. There was an escape tunnel for Izz al-Din al-Qassam Brigades operatives dug under the house (IDF spokesman, January 1). **Despite the warning, Nizar Rayan refused to evacuate and stayed indoors.** He also did not evacuate his family. The IAF attacked his house, which indeed contained a large quantity of explosives (numerous secondary explosions were spotted following the attack on the house). The attack killed Rayan and his family, and considerable damage was caused to nearby houses.



E. Hamas spokesman **Musheir al-Masri** came with hundreds of people, including teenagers and children, to shield **Wael Rajab al-Shaqra**, an **Izz al-Din al-Qassam Brigades operative** from Beit Lahiya. Upon his arrival, he stirred the audience by saying that the residents “made a martyrs’ pact for the sake of Allah” and that they would “continue defending their dignity and homes **and serve as human shields** until the enemy withdraws” (Al-Aqsa TV, November 20, 2006).

F. **Abu Mujahed**, a spokesman for the **Popular Resistance Committees**, said after the incident that “no house will be bombed starting today.” He **called on all sectors of the Palestinian people to do their duty and serve as human shields** for the buildings used by the various organizations, pointing out that it was the “right thing to do” (Palestinian TV, November 18, 2006). The PRC website posted an article entitled “**Excellent precedent: masses shield the homes of jihad warriors from bombing**” (Muqawama website, November 21, 2006).

### **Examples of Civilians Deliberately Used to Shield the Houses of Terrorist Operatives during the Two Years before Operation Cast Lead<sup>8</sup>**

239. The Goldstone Report claims that in 2007 an isolated incident was recorded in which women and children were summoned to the rooftop of a house belonging to a Palestinian who had been informed by Israel that his residence would be attacked. Several such incidents were documented in 2006-2007, and **at least two incidents** were documented during Operation Cast Lead.

#### **The Case of Popular Resistance Committees Operative Muhammad Baroud**



**Right: Palestinian civilians gathering in front of Muhammad Baroud's house in the Jabaliya refugee camp. Left: Palestinian civilians light a bonfire on the roof so that Israeli pilots will see them (Palestinian TV, November 18, 2006).**

<sup>8</sup> For further information see the January 2009 study, “*Hamas Exploitation of Civilians as Human Shields*.” It can be found at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e028.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e028.pdf). It was available to the fact-finding Mission.

## The Case of Izz al-Din al-Qassam Brigades Commander Wael Rajab al-Shaqra

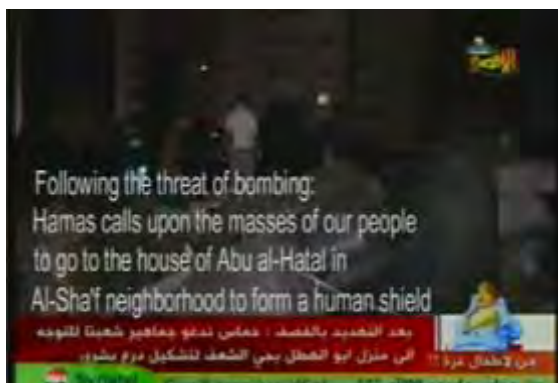


Residents on the roof of the house of Wael Rajab al-Shaqra in Beit Lahiya (ANB, November 20, 2006).



A crowd on the roof and in front of the house of Wael Rajab al-Shaqra in Beit Lahiya, (ANB TV, November 20, 2006).

## Hamas Summons Palestinians to the House of Abu al-Hatal<sup>9</sup>



A Hamas summons for Palestinians to go to the house of Abu al-Hatal (in Shuja'iyya, Gaza City) to act as human shields (Al-Aqsa TV, March 1, 2007).



Palestinian civilians used as human shields on the roof of Abu al-Hatal's house. The Arabic subtitle reads "The occupation threatens to bomb the house...and civilians go out to challenge them" (Al-Aqsa TV, March 1, 2007).

<sup>9</sup> In many cases, Hamas' calls to civilians to defend the houses of terrorist operatives were sent out through the Al-Aqsa TV channel.

### The Case of Abu Bilal al-Ja'abir



On March 1, 2008, Hamas' Al-Aqsa TV interviewed Abu Bilal al-Ja'abir from the northern Gaza Strip, who claimed that the "occupation forces" had contacted him and threatened to bomb his house. He said that he talked to "some friends" who summoned masses of people to gather on the roof of his house "to create a human shield." The photographs show civilians gathered on the roof of the house (Al-Aqsa TV, March 1, 2008)

**Part Three: Integrating the Hamas  
police and internal security services in  
military-terrorist activity both routinely  
and during Operation Cast Lead.**

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## Main Findings

1. **The Goldstone Report claims that the police force in the Gaza Strip is an entirely civilian entity whose objectives are to enforce law and order and protect the “internal front.” The Report thus attacks Israel for having struck police facilities during Operation Cast Lead and claims that the 248 policemen killed were not combatants, but merely civilians. In addition, the Report claims that Hamas’ internal security services are also civilian, with the exception of the national security service, whose operatives it considers combatants because they were charged with carrying out concrete military missions.** The Report (as usual) rejects Israel’s position that Hamas’ security services, including the police, have clearly military functions. **The Report prefers the (false) claim of the “Gaza authorities” [i.e., the de facto Hamas administration] and spokesmen for the police (who are subservient to Hamas) that the security services are entirely civilian.**

2. **Reliable intelligence information** refutes the Goldstone Report findings in that respect. **A large number of Hamas police and other internal security service operatives served in the police and Izz al-Din al-Qassam Brigades (Hamas’ military-terrorist wing) at the same time. They were actively involved in routine fighting against the IDF before Operation Cast Lead, participated in combat during the Operation, and several of them appear on lists of terrorist operatives killed during the fighting. In addition, reliable intelligence unequivocally proves that behind the scenes Hamas does not differentiate between Brigades and internal security service operatives.**

3. **The close cooperation between the Izz al-Din al-Qassam Brigades and the police and other internal security services has existed on a number of levels and was implemented in a number of ways:**

A. **The administration: The interior ministry supports the Izz al-Din al-Qassam Brigades and other terrorist organizations.** Speaking to the Palestinian target audience (as opposed to what was said to members of the Goldstone Mission), **senior Hamas figures repeatedly praised the collaboration between the interior ministry, the internal security services, and the various terrorist organizations (referred to as “the resistance”).** For example, **Fathi Hamad, current interior and national security minister of the de facto Hamas administration, boasted that his ministry made efforts to protect the various organizations and “facilitates their jihadist missions.”** To that end, he noted, he and the men

working for him met with the organization commanders on a regular basis to remove obstacles hindering their military activities (Wafa News Agency, October 28, 2009).

**B. Formal collaboration between the police and other internal security services, and the Izz al-Din al-Qassam Brigades:** Intelligence information indicates that **for years there has been extensive, formal collaboration between the Hamas police and other internal security services**, and the Brigades. On the eve of Operation Cast Lead it included joint deployment in bases and headquarters, training at Brigades facilities (a seized video clip shows Brigades operatives riding in police vehicles), logistical support through **transferring weapons** from the Brigades to the police, **ambushes and observations** of IDF forces, collecting intelligence and **reporting to the Brigades about IDF activity, and joint preparations for scenarios of fighting the IDF**. Internal security service operatives **were integrated into routine military actions against the IDF and plans were made to have them join the fighting in an emergency situation, as was the case during Operation Cast Lead**.

**C. Combat under the command of the Izz al-Din al-Qassam Brigades: Integration of the police and other internal security services into the Brigades.** According to a great deal of reliable Israeli intelligence, **police and internal security operatives served both routinely and in emergency situations in the Brigades**. According to the intelligence, the situation was widespread. Many police operatives, senior and junior, and operatives from other services **were placed under the command of the Brigades during the fighting and were stationed in the front lines in the fighting against the IDF**. During Operation Cast Lead Hamas tried to hide the identities (including names) of the military-terrorist operatives killed to support the myth of a Hamas “victory” over Israel. **However, during the fighting, and more so afterwards, the policy became more difficult to implement and death announcements began to be issued, some of which clearly indicated the double identities of the police who were killed**. Some of the announcements show the operatives wearing police (or other internal security services) uniforms as well as Brigades uniforms and employed by both groups, while the terminology used was characteristic of the Brigades.

**D. Internal security services carried out military-terrorist activities as organic units, side by side with the Brigades** (laying IEDs, firing rockets and mortar shells, fighting IDF forces).

4. In a large-scale Israeli incursion into the Gaza Strip, such as Operation Cast Lead, the operatives of the security services become an integral part of Hamas’ combat system. In such a case, the security service operatives involved in the activities of the Izz al-Din al-Qassam



Brigades join Hamas' organic military forces. The other operatives in the security services act as an auxiliary force for the Brigades (for example, by transferring weapons and equipment). In addition, the security services also act as an organic fighting force, side-by-side with the Brigades. The chance of that happening increases the longer the fighting in the Gaza Strip lasts, and the deeper the IDF incursion. The military activity of the naval police as an organic unit is especially conspicuous along the shore because it is the dominant fighting body there (since the Brigades do not have a naval force).

5. **Sayid Siyyam**, killed in an IDF attack during Operation Cast Lead, **was a good example of the senior figures in the police and other security services who had double identities**. He was **both interior and national security minister in Ismail Haniya's de facto administration and a senior member of the Hamas leadership in the Gaza Strip**. Large amounts of reliable intelligence (detailed in this study) **indicate his conspicuous involvement in the military-terrorist activity of the Izz al-Din al-Qassam Brigades while he served as interior minister and was in charge of the internal security services**. His involvement included transferring forces from internal security to the Brigades, helping purchase and smuggle weapons, transferring information and weapons from Syria to the Gaza Strip, participating in Brigades meetings, and sending internal security operatives to their training exercises.

6. **The formal collaboration between the internal security services and the Izz al-Din al-Qassam Brigades also continued after Operation Cast Lead**. For example, on **December 20, 2009, the Brigades held an extensive military exercise in the northern Gaza Strip to simulate ground combat against the IDF** a scenario of a large IDF land incursion. **Hamas' internal security services played a central role in the maneuver, collaborating with the Brigades**. The operational collaboration between the various groups included tracking IDF land and air forces, and staging clashes with IDF forces deep within the Gaza Strip. They practiced initiating contact, firing at IDF forces, discovery and transmitting orders for opening fire. The national security services, which were seriously involved in fighting the IDF, instructed its field operatives to fight the IDF in coordination with the Brigades, including simulating and attack on IDF force barricaded in a building.

## Section I – Integrating the police and other internal security services into the Izz al-Din al-Qassam Brigades

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### The Goldstone Report

7. The Goldstone Report devotes a relatively large amount of space to the issue of a so-called “a deliberate attack on the police facilities in Gaza,” including a fairly long survey of the establishment of the internal security services, beginning in 2005.<sup>1</sup> It appears in Section VII, which deals with “Deliberate attacks on the Gaza police” (Paragraphs 393-438, pp. 99-111); the Report details the attack on pages 100-102. The members of the Goldstone Mission paid a visit to police headquarters and to five police stations which were attacked during the first hour of Operation Cast Lead, and took statements from eye witnesses. According to the Report, **264** internal security service operatives **were killed during the operation: 248 police, 11 internal security operatives and five national security operatives** (Paragraphs 354 and 357, pp. 90-91).

8. Further on, the Report presents two positions regarding the role of the police in the Gaza Strip: the Israeli position, which regards the police as part of Hamas’ military force, since a large proportion of the police also belong to the Izz al-Din al-Qassam Brigades (Paragraph 408, p. 103). On the other hand it presents the version of the “Gaza authorities” [i.e., the de facto Hamas administration], which claims that the function of the police is “to protect the internal front,” that is, to “ensure that the relationship between the civilian population and the authorities stayed ‘intact,’” to distribute humanitarian assistance to the civilian population and to enforce law and order (Paragraphs 409-411, p. 103). **According to the Report, the police were armed with Kalashnikov assault rifles and batons because the authorities could not provide them with other police equipment, such as tear gas and small guns** (Paragraphs 409-410, pp. 103-104).

9. The Report claims that Israel’s position on the nature of the police is completely different from the characterization of the police missions given on the websites of Hamas’ interior ministry and security services, from the instructions given to the police by the interior

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<sup>1</sup> The survey of the development of the security services is long and detailed (Paragraphs 412-423, pp. 104-107), as opposed to the way the Report conspicuously ignores the history of many other relevant aspects in the growth of the terrorist threat from the Gaza Strip.

minister and from the interviews held by Mission members with the director of police and police spokesman. **To “decide” between the two, the Mission presented a long historical survey of the development of the security services in the Gaza Strip.** The survey appears on pages 103-107 of the Goldstone Report, and its main points are the following (with the addition of comments by the authors of this study):

A. In **April 2006**, three months after Hamas won the election, **Sayid Siyyam, then the interior minister, established the Executive Force.** It had roles as both agents of law and order enforcement and as a potential military force [and spearheaded Hamas’ violent confrontations with Fatah]. He appointed Jamal Jerah (a long-time operative in Hamas’ military-terrorist wing) to command it, and Jamal Abu Samhadana, head of the Popular Resistance Committees, a terrorist organization, as its director. (**Note:** Abu Samhadana continued as head of the PRC.) After his appointment, Abu Samhadana said that the Force would be composed of 3,000 new recruits from “various armed Palestinian groups,” including the Izz al-Din al-Qassam Brigades.

B. In **August 2007**, after Hamas took over the Gaza Strip, it decided to reorganize the security services in the Gaza Strip, and integrate operatives of Executive Force into the new internal security system. In October 2007 the security services operating in the Gaza Strip were reorganized, all those belonging to the Palestinian Authority were disbanded. A new internal security service was established (based on the Executive Force), subservient to the interior and national security ministry.

10. The Goldstone Report uses its survey to support the de facto Hamas administration’s position. **Regarding reports of the participation of the police in combat and its function as a military force, it determined that “a situation in which a recently constituted civilian police force integrates former members of armed groups would not be unique to Gaza. That prior membership in itself would not be sufficient to establish that the police in Gaza is a part of al-Qassam Brigades or other armed groups”** (Paragraph 418, p. 106, ITIC emphasis).

11. In any case, the Report claims that although certain members of the police might have “retained their links with armed groups,” it would seem that **“the claim of the Israeli government that the overwhelming majority of the police were at the same time members of terrorist organizations appears to be an overstatement and unjustified”** (Paragraph 419, pp. 106-107, ITIC emphasis). **An exception is the national security service** whose operatives the Report calls “combatants.” That is because their

formal responsibility (based, according to the Report, on the force's website) is "[to protect] the [Palestinian] state [sic] from any foreign aggression" and "responsibility for the defense of the Palestinian homeland [sic] in the face of external and internal threats" (Paragraph 415, p. 105).

12. Rejecting the Israeli position as to the double identity of the police, the Report states that:

A. The information is insufficient to conclude that "the Gaza police as a whole had been 'incorporated' into the armed forces of the Gaza authorities. Accordingly, **the policemen killed cannot be considered to have been combatants** by virtue of their membership in the police" (Paragraph 433, p. 110, ITIC emphasis).

B. The Report also states that "the policemen killed on 27 December 2008 cannot be said to have been taking a direct part in hostilities. Thus, **they did not lose their civilian immunity from direct attack as civilians on this ground**" (Paragraph 434, p. 110, ITIC emphasis).

C. **"The Mission has earlier accepted that there may be individual members of the Gaza police that were at the same time members of al-Qassam Brigades or other Palestinian armed groups and thus combatants.** Even if the Israeli armed forces had reliable information that some individual members of the police were also members of armed groups, this did not deprive the whole police force of its status as **a civilian law-enforcement agency**" (Paragraph 436, p. 111, ITIC emphasis).

13. The IDF attack on police targets is also dealt with in the "Conclusions and Recommendations" section of the Report, where it is determined that Israel failed to respect the principle of proportionality between the military advantage gained by "killing some policemen" who might have been members of Palestinian armed groups and the loss of civilian life (most of the police and civilians who were in the police station during the attack) (Paragraph 1923, p. 414).

## Factual Findings

### Support of the De Facto Hamas Administration's Interior Ministry for the Izz al-Din al-Qassam Brigades and the Other Terrorist Organizations ("the Resistance")

14. Much intelligence information and public statements of senior Hamas figures show the extensive support of the de facto Hamas administration's interior ministry for the Izz al-Din al-Qassam Brigades and the other terrorist organizations. The support is a function of Hamas' interests and policies. When Hamas felt it was in its movement and administrative interests to have a lull in the fighting, the interior ministry used the internal security services to enforce one on the rogue terrorist organizations, with a great deal of (although not complete) success. The interior ministry of the de facto Hamas administration has played an active role in managing Hamas' terrorist policies, including providing support for terrorist operatives who fired rockets into Israeli territory during the seven years preceding Operation Cast Lead.

15. Senior members of the Hamas administration have repeatedly praised the collaboration between the interior ministry, the internal security services and the "resistance" (i.e., the terrorist organizations). For example:

A. **Fathi Hamad**, interior minister, said on his appointment that the objectives of the interior ministry would not change, but would remain "to preserve the option of jihad and resistance," as opposed to the Fatah security services which "struggled against the resistance and maintained security collaboration with the [Israeli] enemy" (Fathi Hamad interview with the Hamas information office posted on Hamas' PALDF forum on May 6, 2009). In a similar interview held when he was appointed to his post, he listed the achievements of his predecessor, Sayid Siyyam, saying that one of the most important was the creation of "collaboration and coordination between the security services and the Palestinian resistance [i.e., terrorist organizations]." He said the collaboration did not please the "Zionist enemy," which was why Israeli bombed the security services' headquarters during Operation Cast Lead (Hamas police website, May 7, 2009).

B. **Fathi Hamad** gave a speech at a seminar held in Gaza City on October 28, 2009, in which he described the collaboration and coordination between the interior ministry and the "resistance" [i.e., terrorist organizations]. Commanders of the

internal security services were present at the time. His main points, as quoted by the Hamas-affiliated Safa News Agency, were the following:<sup>2</sup>

- 1) The interior ministry “**coordinates with all the factions of the resistance in the Gaza Strip**” [i.e., with the terrorist organizations operating in the Gaza Strip].
- 2) The ministry makes an effort “**to sponsor them and facilitate every aspect of their jihadist missions.**”
- 3) **There is ongoing coordination between the interior ministry and the various organizations: “We routinely meet with the commanders of the factions** [i.e., with the commanders of the terrorist organizations operating in the Gaza Strip] **to remove obstacles.** We have put an end to security coordination with the occupation [i.e., the Palestinian Authority’s security coordination with Israel] and **replaced it jihadist coordination**” [i.e., operational coordination to carry out attacks on Israel].



The headline reads “[Fathi] Hamad: ‘We coordinate with all the resistance factions [i.e., the terrorist organizations] to facilitate their missions.’” According to the caption, Hamad said the interior ministry coordinated with all the factions of the Palestinian resistance in the Gaza Strip in every field. He said [his office] aspired to protect them and to facilitate their jihad missions at all levels (Safa News Agency, October 28, 2009).

C. **Ismail Haniya**, head of the de facto Hamas administration, told the graduating class of police officers at the Yasser Arafat police precinct that the **security services did not recognize collaboration with the “Zionists”** [a veiled reference to the security services of the Palestinian Authority]. They would not pursue the “resistance”

<sup>2</sup> The remarks were also quoted by Hamas’ Palestine-Info website on October 28, 2009.

[i.e., the terrorist organizations] **because they were an “umbrella for the resistance, and in fact, the resistance itself”** ( Hamas’ Al-Aqsa TV, October 30, 2009).

## **The Roots of the Double Identity of the Police and Other Internal Security Services**

16. On the eve of **Operation Cast Lead** Hamas had more than **13,000 internal security operatives organized into five forces**: the **police** (formerly the Executive Force, which included the **elite rapid intervention force** and the **naval police**), the **internal security service**, the **security and protection force**, the **national security service** and **civil defense**. Services with similar missions served the Palestinian Authority in the Gaza Strip and were responsible for preserving internal security as well as confronting Israel.

17. **Despite the Hamas victory in the Palestinian Legislative Council elections in January 2006** and the establishment of its de facto administration, **Hamas did not receive control of the security services**, which remained under Palestinian Authority and Fatah control. **For that reason in April-May 2006 Hamas established its own security service with a military orientation which was supposed to be the executive arm of the Hamas administration and a counterweight to the forces loyal to Mahmoud Abbas**. The force was called the **Executive Force**, or the **Special Executive Force**, and was subordinate to the interior ministry of the Hamas administration. Its ranks were filled primarily by Hamas and Izz al-Din al-Qassam Brigades operatives. **It was commanded by senior military-terrorist figures**, some of them with duties in the Brigades. **Jamal Jerah, a long-time Hamas military-terrorist operative, was appointed commander**.

18. Operatives who joined the Executive Force, both commanders and field operatives from the **Izz al-Din al-Qassam Brigades**, **were not required to relinquish their affiliation with the Brigades** (and sometimes with other terrorist organizations). **They retained their membership in both entities, collaborated, and used Brigades equipment and ordnance** (such as IEDs and anti-tank missiles). **The Executive Force, with its military capabilities, was the central factor in the violent confrontations between Hamas and Fatah in the Gaza Strip, at the end of which Hamas overcame the Fatah security services and operatives, despite the latter’s numerical superiority, and took over the Gaza Strip** (June 2007).

19. In many instances police and other security service operatives could choose between belonging to the Izz al-Din al-Qassam Brigades and its security services. However, **affiliation with the Brigades was not necessarily a full-time job** and military-terrorist operatives

had the possibility of being fully employed by the security services, with a commensurate salary, and also of working part time for the Brigades and receiving a partial salary (such activity would be regarded as “reserve duty”). **Those were the roots of the double identities of many security service operatives, a situation which existed during Operation Cast Lead and also exists today.**



**Administrative order authorizing the inclusion of operatives of the Executive Force in the lists of the interior ministry [from a report about the operative force posted on the Hamas website on January 9, 2007]. That gave governmental legitimacy to the Executive Force but did not change its military nature.**



**Well-armed members of the Executive Force wearing uniforms. It is an internal security service which serves as a military force in every respect.**

20. **The Executive Force is regarded by the Palestinian population as repressive and violent, and for that reason the heads of Hamas have tried to restrain it, improve its image and reinforce its legitimacy.** Therefore, after Hamas took over the Gaza Strip in June 2007 **it established a new police force within its internal security services, also subservient to the interior ministry. The Executive Force was integrated into it** and ceased to be independent. Hamas operatives joined the police, as did operatives from other terrorist organizations in the Gaza Strip. **The new police force was**

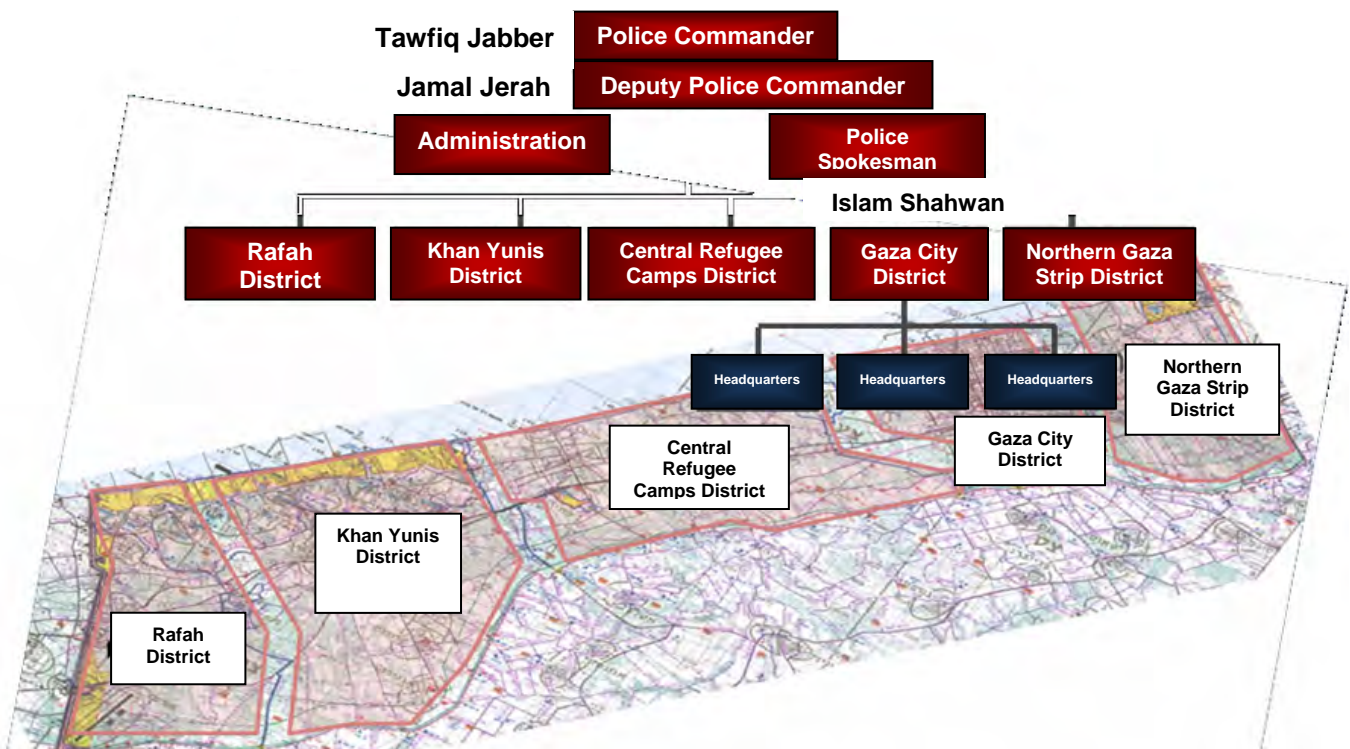


headed by **Tawfiq Jabber** (a former Fatah operative who changed camps), with **Jamal Jerah** as his deputy, a senior Izz al-Din al-Qassam Brigades operative and former Executive Force commander.



General Tawfiq Jabber, former police commander, killed on the first day of Operation Cast Lead.

### The Structure of the Hamas Police Force



21. The **double identities**, security and military, played by senior and junior military operatives who joined the Executive Force is **illustrated by statements made by Jamal Abu Samhadana** after he was appointed inspector general of the interior ministry. He stressed that **his activity in the interior ministry did not conflict with his activity as commander of the Popular Resistance Committees** and that the PRC under his direction would continue to carry out terrorist attacks even after his appointment (Pal-Media,

April 21, 2006). He also told a British newspaper that “We have only one enemy. They are Jews. We have no other enemy. I will continue to carry the rifle and pull the trigger whenever required to defend my people” (*Sunday Telegraph* interview, Britain, April 23, 2006).



Jamal Abu Samhadana, appointed commander general of the interior ministry while continuing as leader of the Popular Resistance Committees, a terrorist organization operating in the Gaza Strip which at the time served as a Hamas subcontractor (Picture from the Popular Resistance Committees website [www.moqamawah.com](http://www.moqamawah.com), June 9, 2006). Abu Samhadana was killed in an Israeli attack, June 8, 2006.

## Formal Cooperation between the Police and the Izz al-Din al-Qassam Brigades

### The Police

22. The Hamas police force routinely deals with public order and all types of crime. It also routinely maintains formal collaboration with the Izz al-Din al-Qassam Brigades and in emergency situations is an integral part of the Hamas military system.

23. When the Executive Force was integrated into the police, the latter clearly acquired the nature of a military force. It was provided with advanced weapons such as RPG launchers, hand grenades and IEDs, none of which is necessary or standard issue for routine police work but which are commonly in the possession of the Izz al-Din al-Qassam Brigades. [Note: The Goldstone Mission was told that the police possessed only “Kalashnikovs and batons,” which was incorrect.] They were used against Hamas’ opponents in the Gaza Strip who dared to challenge its control, and sometimes against the IDF. One example of Hamas’ use of its military police force for internal security missions was the takeover of the Hilles clan compound in Shuja’iyya in August 2008. Police armed with RPG-7s fought alongside Brigades operatives.



Hamas police (blue uniforms), operatives of the police rapid intervention force (blue camouflage uniforms) and Izz al-Din al-Qassam Brigades operatives (green uniforms) during the takeover of the Hilles clan compound in Shuja'iyya, August 2008. The operatives have RPG-7s, weapons not usually found in ordinary police forces and usually employed by the military (Photo from Hamas' PALDF forum).

24. Even after the Executive Force was integrated into the police, many of its commanders and operatives remained terrorist operatives and continued carrying out attacks on Israel as part of the Izz al-Din al-Qassam Brigades. Many police commanders also belonged to the Brigades, among them **Waal Rajub**, commander of the northern Gaza Strip; **Husam Shahwan**, apparently responsible for the crossings and borders administration; **Mahmoud al-Shambari**, commander of Beit Hanoun; **Imad Issa**, deputy commander of the refugee camps in the central Gaza Strip; **Jamal Dib**, deputy commander of Gaza City; **Qader Qirnawi**, commander of the Al-Bureij refugee camp; **Imad Amsi**, head of the rapid intervention force; **Islam Shahwan**, formerly spokesman for the Hamas police; **Alaa al-Batsh**, from the administration of municipalities, and many others. Many junior police operatives also continued as members of the Brigades.

25. During the period preceding Operation Cast Lead, senior figures of Sayid Siyyam's interior ministry issued instructions **to assign operatives from internal security to the Izz al-Din al-Qassam Brigades**. It was an ordinary administrative act **characteristic of the way the ministry ran the security services**.

26. The police continued its **close, formal collaboration with the Izz al-Din al-Qassam Brigades**. In the year preceding Operation Cast Lead **the police supported the Brigades** even as they continued their traditional policing functions. Police routinely monitored IDF activity, **gathered information** which was transmitted to the Brigades and even **carried out terrorist attacks** against the IDF **under directions** from the Brigades.

27. Both bodies often **held joint operational activity**, made joint use of headquarters, patrolled together and **trained together**. For example, in Al-Bureij, in the central Gaza Strip, a joint police-Izz al-Din al-Qassam Brigades headquarters was set up with a common

operations room. In the Nusairat refugee camp a joint post was erected. In other cases, the police actively participated in the Brigades training and exercises.

**28. Examples of Hamas police involvement in Izz al-Din al-Qassam Brigades activities during the year preceding Operation Cast Lead:**

A. **February 2008** – Police operatives were involved in a **clash and gunfight with IDF forces**.

B. **March 2008** – **The police actively participated in fighting the IDF** during Operation Hot Winter (February 28 – March 3, 2008)<sup>3</sup>. The police, including the chief of the Beit Hanoun police, Mahmoud Al-Shambari, carried out terrorist attacks.

C. **April 2008** – One of the terrorists who participated in Hamas' attempted **mass-killing attack at the Kerem Shalom crossing** was an investigator for the Dir al-Balah police.<sup>4</sup>

D. **April 2008** – **Police fired anti-aircraft guns at Israeli Air Force planes** and tried to hide in order not to expose their involvement.

E. **June 2008** – Police operatives **used police vehicles to transfer weapons to the Izz al-Din al-Qassam Brigades**.

F. **July 2008** – **Police operatives placed sophisticated IEDs** in the Beit Lahia region of the northern Gaza Strip.

G. **October 2008** – **The Hamas police took an active, central part in an Izz al-Din al-Qassam Brigades exercise** near the Al-Bureij refugee camp.

H. **November 4, 2008** – During an IDF counterterrorism activity to prevent an infiltration into Israel through a tunnel, **the Hamas police and the Izz al-Din al-Qassam Brigades coordinated with and updated each other**.<sup>5</sup>

**29. A notable example of police double identity was exposed on February 5, 2008, when the Israeli Air Force attacked the police post in Khan Yunis.** The attack resulted in the **deaths of seven operatives, all of them identified by Hamas and other websites as Izz al-Din al-Qassam Brigades operatives.** The Brigades forum posted their pictures under the caption "Shaheeds of February 2008." On February 5 an Egyptian forum quoted a Hamas Palestine-info posting saying that sources in the Hamas

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<sup>3</sup> After massive rocket attacks on Sderot and Ashqelon, IDF ground forces operated in the Shuja'iyya and Jabaliya regions and exchanged fire with terrorists, while the Israeli Air Force attacked terrorist targets.

<sup>4</sup> On April 19, 2008, Passover eve, the IDF prevented a large-scale joint terrorist attack in the areas of the Kerem Shalom crossing and Kissufim in the southern Gaza Strip.

<sup>5</sup> On November 4, 2008, an attempted abduction was prevented by the IDF. Hamas dug a tunnel near the border fence in the Kissufim area and planned to use it to infiltrate into Israeli territory.

movement had reported that **all the shaheeds were Brigades fighters as well as members of the Palestinian police, which belonged to the interior ministry of Ismail Haniya's administration** (Egyptian Talks forum, February 6, 2008).

خيارات

حازم كمال  
Feb 6 2008, 09:51 AM  
مشاركة 1#



Member

المجموعة: Members  
المشاركات: 54  
التسجيل: 08 January-16  
البلد: مصر - القاهرة - مصر الجديدة  
رقم العضوية: 18967

- جميعهم ينتمون "للقسام" وكانوا يؤدون صلاة العصر  
مجزرة صهيونية: 7 شهداء من الشرطة في قصف صهيوني استهدف مقرأ أمنياً بخان يونس  
[ 05:57 - 05/02/2008 م ]

مجزرة صهيونية بحق المصلين من أفراد الشرطة بخان يونس  
خان يونس - المركز الفلسطيني للإعلام

في مجزرة جديدة؛ اغتالت قوات الاحتلال الصهيوني سبعة أفراد الشرطة الفلسطينية الخاصة وجميعهم من مجاهدي "كتائب الشهيد عز الدين القسام"، الذراع العسكري لحركة المقاومة الإسلامية "حماس" في قصف نفذت بجنوب قطاع غزة. وأكدت مصادر طبية لمراسل "المركز الفلسطيني للإعلام" استشهاد سبعة من أفراد الشرطة وإصابة أربعة آخرين بعدما قصفت قوات الاحتلال بصاروخ من طراز "أرض أرض"، مساء الثلاثاء (2/5) مصلين في موقع قوات حفظ النظام والتدخل في عيسان الكبيرة في خان يونس (جنوب قطاع غزة).

وقالت المصادر إن الشهداء هم: أحمد أبو مصبح وسامي أبو سعادة ومعتز أبو شهلة وعبد الناصر أبو نصر ومحمد أبو سعادة ووافي أبو يونس ورأفت قديح، فيما أصيب ثلاثة آخرون بجروح مختلفة.

وذكرت مصادر في حركة "حماس" لمراسل "المركز الفلسطيني للإعلام" أن جميع الشهداء هم مجاهدون في "كتائب القسام"، الجناح العسكري للحركة، إلى جانب كونهم أفراد في الشرطة الفلسطينية التابعة لوزارة الداخلية في حكومة تسيير الأعمال برئاسة إسماعيل هنية. وأكدت مصادر محلية لمراسلنا أن قوات الاحتلال قصفت بصاروخ "أرض أرض" موقع قوات حفظ النظام والتدخل في خان يونس واستهدفت مصلين في الموقع، حيث كان أفراد الشرطة يؤدون صلاة العصر، مما أدى إلى وقوع هذا العدد الكبير من الشهداء.

وهرع عدد كبير من المواطنين إلى مكان القصف وعملوا على إخلاء الشهداء والجرحى وسط حالة من الغضب والهتافات التي تطالب بالرد على جرائم الاحتلال.

من جهته؛ أكد المهندس إيهاب الغصين الناطق باسم وزارة الداخلية أن الاحتلال الصهيوني يحاول شن هجمات على مراكز الشرطة والداخلية ليواصل رسالته أنهم يريدون أجهزة أمنية عميلة تقوم بمنع المقاومة وحفظ أمن الصهاينة.

وشدد على أن "أجهزة الأمن الفلسطينية الشريفة مستمرة على عهدها في حماية المقاومة لأنها حق شرعي".

وقال "إن هناك أوامر بالتخفيف من عدد العناصر في المباني والمقرات، إلا أن ذلك لا يعني إخلاءه بالكامل"، وأضاف: "سنواصل تقديم الخدمة للمواطن ونعمل على حفظ الأمن ونحن نشدد على ضرورة أخذ الحيطة والحذر".

Posting from an Egyptian forum called Egyptian Talks about the attack on Khan Yunis. According to the highlighted portion, all the shaheeds were Izz al-Din al-Qassam Brigades jihad fighters [mujahidoun] and members of the Palestinian police force of the interior ministry of Ismail Haniya's administration.

30. There is formal collaboration between the police, other security services and the Izz al-Din al-Qassam Brigades in the field of **training** as well. For example, in October 2008 the police played a major role in a Brigades military exercise in the Al-Bureij region. In addition,

the Brigades' information office issued a video tape seized by the IDF during Operation Cast Lead which showed **armed Brigades operatives riding in police vehicles during military training**. Internal security operatives also went to Iran and Syria for training to enable them to join the Brigades' ranks in emergency situations.



Armed Izz al-Din al-Qassam Brigades operatives riding in a police car during a joint training exercise (Brigades emblems are visible in two of the pictures). The photos are part of a DVD seized in Operation Cast Lead, promoting Hamas' Abdallah Azzam "military academy".

[Click for Video \(1\)](#)

## Reports from Operatives Detained in Operation Cast Lead about the Double Identity of Hamas Police

31. On January 9, 2009, at the height of Operation Cast Lead, **Muhammad Imad al-Din Abd al-Rahman Amsi** was detained. He was a resident of Jabaliya, in his second year of religious studies at the Islamic University in Gaza City and an Izz al-Din al-Qassam Brigades operative who had been recruited to Hamas in 2005. His interrogation revealed many examples of the double identities played by Hamas police.

32. **Muhammad Amsi stated that in 2007, having finished his matriculation exams, he joined a terrorist squad headed by Ibrahim Nasser al-Najar**, also a resident of Jabaliya, who was both a Brigades operative and a policeman. Early in 2008 Ibrahim al-Najar was replaced by **Mahmoud al-Darhali**, also a resident of Jabaliya and both an Brigades operative and police force employee. Mahmoud al-Darhali enlarged the squad with Muhammad Hassan Dmeida, also a Brigades operative and resident of Jabaliya, who worked for the police at the same time.

33. In October 2008 Muhammad Amsi moved to a unit commanded by **Muhammad Jouda**. It was a forward unit whose task would be to fight IDF forces when they entered the Gaza Strip. He said that **some of the operatives in the unit were also both members of the Brigades and of the police**. For example:

A. **Saber al-Najar**, 35, both worked for the Palestinian police and served in the Izz al-Din al-Qassam Brigades. His mother was Fatma, who carried out a suicide bombing attack on November 23, 2006.<sup>6</sup>

B. **Imad Hamouda (Abu Balal)**, 25, resident of Jabaliya, an Izz al-Din al-Qassam Brigades operative who also worked for the police, sustained leg wounds during the last war [Operation Cast Lead].

C. **Issam Muhara (Abu Anas)**, 23, resident of Jabaliya, Izz al-Din al-Qassam Brigades operative and Palestinian police employee.

34. **During interrogation Mahmoud Amsi mentioned many other Izz al-Din al-Qassam Brigades operatives who also worked for the Palestinian police, including those who had positions of command in Hamas**, such as:

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<sup>6</sup> On November 23, 2006, and IDF force stationed on the outskirts of the Jabaliya refugee camp identified a female suicide bomber approaching with explosive device. The suicide bomber, Fatma al-Najar, blew herself up, causing slight injuries to four of the soldiers. Hamas claimed responsibility for the attack. Fatma al-Najar, who had led women's demonstrations in the Gaza Strip, was 57 years old. It was the first time a suicide bomber of such an advanced age had been dispatched.

A. **Sayid Ahmed Shaaban (Abu Ahmed)**, 47, resident of Jabaliya, deputy company commander in the Izz al-Din al-Qassam Brigades, worked for the police.

B. **Muawad Nabil al-Matuq (Abu Muhannad)**, resident of Jabaliya, deputy commander of an Izz al-Din al-Qassam Brigades battalion, worked for the police.

C. **Shams al-Din al-Najar**, 25, resident of Jabaliya, squad commander in the Izz al-Din al-Qassam Brigades and simultaneously a policeman.

D. **Daoud Nasser al-Najar (Abu Ihab)**, 27, resident of Jabaliya, squad commander in the Izz al-Din al-Qassam Brigades and simultaneously a policeman.

35. **Other Hamas operatives detained and interrogated during Operation Cast Lead** revealed information which shed light on the dual identities of the Hamas police:

A. **Imad Yussuf Abd al-Karim Hamad**, Hamas operative from Beit Hanoun, gave information about **Muhammad Shambari, an officer in the police force who managed the police center in Beit Hanoun**. He said he had heard that in addition to his job with the police, **Shambari handled a rocket-launching squad and was in charge of other squads which shot at IDF forces**.

B. During interrogation **Mu'taz Fayiz Abd al-Majid Abu Hamad** revealed **links between the internal security services and the Izz al-Din al-Qassam Brigades**, including **the coordination of the use of weapons and training facilities**.

C. **Musa Muhammad Abd al-Rahman Wadhan**, was an Izz al-Din al-Qassam Brigades scout. He said that Wajdi Masri, a resident of Beit Hanoun, used to call him to ask about IDF force movements. Wajdi Masri, from Beit Hanoun, was an operative in both the Brigades and the Executive Force (which was integrated into the police force).

## **Formal Cooperation between the Police and Other Security Services, the Izz al-Din al-Qassam Brigades**

### **The Rapid Intervention Force**

36. The **rapid intervention force** is an **integral part of the Hamas police**. It is an **elite force sent into action primarily when violent events demand the use of significant force**. It is based on former Executive Force operatives and described as particularly qualified to deal with special missions, such as the detaining of senior criminals, dispersing violent riots and intervening in serious clan feuds. The force has about 2,000 operatives, many of whom



also belonged to the Izz al-Din al-Qassam Brigades, 900 of them in the Gaza City district and the rest scattered throughout the Gaza Strip.

37. The force is headed by **Imad Amsi**, formerly deputy commander of the Executive Force and an Izz al-Din al-Qassam Brigades operative. It has **weapons not usually found in ordinary police forces, such as sophisticated IEDs received from the Brigades**. In the past rapid intervention force operatives also trained with anti-aircraft guns. Its operatives also train and undergo military exercises with the Brigades.



Operatives of the rapid intervention force carrying PK rifles and RPG-7s (Hamass' PALDF forum)

38. **During 2008 rapid intervention force operatives were involved in military activity against the IDF along with the Izz al-Din al-Qassam Brigades:**

A. During the IDF's Operation Hot Winter (February 28-March 3, 2008) the rapid intervention force active fought the IDF at the side of the Izz al-Din al-Qassam Brigades.

B. On April 9, 3008, rapid intervention force operatives shot at IDF forces in the Kissufim region. In the exchange of fire one IDF soldier was killed and two sustained minor wounds. After the event the Izz al-Din al-Qassam Brigades claimed responsibility to conceal its links with the rapid intervention force.

C. On April 4, 2008, rapid intervention force operatives planned to shoot IDF forces in conjunction with Izz al-Din al-Qassam Brigades operatives.

D. In March 2008 rapid intervention force operatives trained with Soviet DShK ("Dushka") heavy anti-aircraft guns.

E. In September 2008 rapid intervention force operatives participated in an **Izz al-Din al-Qassam Brigades exercise** and in offensive ambush training, using advanced IEDs belonging to the Brigades. Information acquired before Operation Cast Lead indicates that most of the members of the rapid intervention force **were trained by the Brigades**.

39. During Operation Cast Lead rapid intervention force operatives served as part of the Izz al-Din al-Qassam Brigades. **According to Israeli information, transferring rapid intervention force operatives to the Brigades was common.** Some of those in the artillery, machine gun and sniper units were killed. **During the Operation operatives of the rapid intervention force in Jabaliya were in contact with Brigades operatives and even helped them acquire weapons, including mortar shells,** to attack IDF forces.

### **The Naval Police**

40. The **naval police** was established after the Hamas takeover of the Gaza Strip in June 2007, and is part of the police force. It has several hundred operatives, some of whom belonged to the Executive Force. **Its commander and deputy commander are long-time Izz al-Din al-Qassam Brigades operatives.** Many of its members belong to the Brigades as well and fulfill functions which have no relation to policing the seas.

41. **Although it is supposed to deal with maritime issues, the naval police was involved in operational activities against the IDF, including those which had nothing to do with its nominal functions: firing anti-aircraft guns at Israeli Air Force planes, collecting intelligence and providing logistical support for the Izz al-Din al-Qassam Brigades.** During an escalation the naval police deploy for defensive missions, including positioning weapons and mines, and setting ambushes along the coast (as they did during Operation Hot Winter). **The naval police also established a unit of suicide bombers. The naval police has advanced IEDs, various types of RPGs and mortars, i.e., weapons which indicate involvement in non-maritime activities.**

42. **The type of training received by naval police operatives is also an indication of the military roles they are expected to fill,** unrelated to maritime activities. **For example, in June 2008 naval police operatives in Rafah trained in firing RPGs.** In November they trained in using **anti-tank weapons, commando activities and ambushing.** **They also participated in training for firing homemade Al-Yassin anti-tank rockets.**

43. In **2008** naval police operatives were **involved in military activities in collaboration with the Izz al-Din al-Qassam Brigades,** for example:

A. **January** – Naval police operatives positioned heavy weapons, including machine guns, mortars, RPG launchers and mines, in preparation for a possible IDF incursion.

B. **February-March** – During IDF Operation Hot Winter, naval police commanders and operatives were involved in fighting the IDF (firing mortar shells and activating the

suicide bombing unit). The operatives received heavy weapons (machine guns and RPGs), the coast was mined, and they transmitted reports about the location of IDF forces to the Izz al-Din al-Qassam Brigades.

C. **March 6** – Naval police operatives set up ambushes for IDF forces.

D. **April 23** – Naval police operatives were involved in placing IEDs.

E. **May 2** – Senior naval police operatives transmitted instructions to place IEDs and explosive barrels along the coast.

F. **June** – Naval police operatives in Rafah trained firing Al-Yassin RPG-2s and probably RPG-7s.

G. **September 23** – Naval police operatives were attached to the Izz al-Din al-Qassam Brigades.

H. **October 14** – Senior naval police operatives placed IEDs along the coast.

## Cooperation between Other Internal Security Services and the Izz al-Din al-Qassam Brigades

### The Internal Security Service

44. The internal security service was established by Hamas in August-September 2007 as the preventive intelligence force of the de facto Hamas administration. Its commander is senior Hamas figure Salah Abu Sharakh and it has hundreds of operatives, most of them Hamas operatives.

45. The internal security service works in close collaboration with the Izz al-Din al-Qassam Brigades, including directing the service's activities. Many of its commanders are also belong to the Brigades as commanders and operatives. In the past the internal security service attached its operatives to the Brigades for joint activities. They participated in a Brigades' infantry course and were also involved in storing Hamas weapons. Preparations have also been made to integrate the internal security service into joint Brigades' activities in a scenario for an IDF incursion into the Gaza Strip.

46. The internal security service has weapons uncharacteristic of internal security activities, such as dozens of rockets. Weapons and ammunition are routinely exchanged with the Izz al-Din al-Qassam Brigades. For example, the internal security service operatives gave the Brigades their old rifles after they had received new light weapons.

## The National Security Service

47. **The national security service was reestablished after Hamas took over the Gaza Strip** as the body responsible for supervising the crossings with Israel and the border with Egypt. There are about **1,000 national security service operatives**, some of them members of the former Palestinian Authority national security services who pledged allegiance to Hamas. They are deployed along the Egyptian-Gazan border, and in other locations throughout the Gaza Strip. The national security service is headed by **Hussein Abu A'dhira** (a former Fatah operative). **National security service operatives also belong to the Izz al-Din al-Qassam Brigades**, continue their activities in it, and carry weapons.

48. **The Goldstone Report exceptionally refers to national security service operatives as "fighters" in view of their mission (as defined by the force's website) as "the protection of the State from any foreign aggression"** (Goldstone Report, Paragraph 415, p. 105). The force's website does in fact define its role as **"protecting the state from any foreign attack and protecting its land borders and territorial waters."**<sup>7</sup>

49. The national security service is under the administration of the interior ministry, but it is actually strongly connected to the Izz al-Din al-Qassam Brigades and there is much collaboration between their operatives on the ground, and the service even receives directions from the Brigades. **The service routinely tries to supervise the tunnel industry and smuggling which does not belong to Hamas**, and on the other hand **supports the Brigades' smuggling activities and does not take action against its tunnels**. Internal security service operatives turn a blind eye to weapons smuggled into the Gaza Strip through the tunnels, and have even been involved in such activities.

50. **Examples of the military and weapons smuggling activities of the national security services** are:

A. **January 2, 2007** – National security service operatives **opened fire on an Israeli Navy vessel**.

B. **October 18, 2007** – National security service operatives **opened fire on an Israeli naval vessel** along with the naval police in conjunction with Izz al-Din al-Qassam Brigades operatives. **Responsibility was claimed by the Brigades, not by the national security service**.

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<sup>7</sup> [http://www.nsf.gov.ps/index.php?option=com\\_content&task=view&id=2&Itemid=18](http://www.nsf.gov.ps/index.php?option=com_content&task=view&id=2&Itemid=18) .

C. **November 8, 2007** – A senior national security service operative was involved in **smuggling iron pipes for manufacturing rockets. The consignment of rockets was ordered by the Izz al-Din al-Qassam Brigades.**

D. **January 20, 2008** – National security service operatives, coordinating with Izz al-Din al-Qassam Brigades operatives, **placed IEDs along the fence on the Egyptian border.**

E. **July 2008** – Senior figures in the national security service were involved in **smuggling weapons** for the Izz al-Din al-Qassam Brigades. The weapons included **several tons of explosives, various types of arms and ammunition.**

## **The Security and Protection Service**

51. **The security and protection service was established to guard senior members of the de facto Hamas administration and its institutions in the Gaza Strip. The service has about 1,500 operatives** and reports directly to the interior ministry. **As with other security services, former and current operatives of the Izz al-Din al-Qassam Brigades also belong to the security and protection service** (among them **Ismail Jaabari**, who formerly headed the force). Some operatives may have served as instructors in a course for Brigades' operatives. Some may also have been involved in firing mortar shells at IDF forces on May 22, 2008 in an attempt to conceal their organizational affiliation.

52. **Former security and protection service commander Ismail Jaabari** said in an interview that the **heads of the service and its operatives were proud to belong to the resistance**, were ready to fight the Israeli occupation and had even sacrificed many martyrs to that end (Hamas' Paltoday website, April 3, 2008).

## Section II – Cooperation between the Police, Other Internal Security Services and the Izz al-Din al-Qassam Brigades during Operation Cast Lead

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### The Goldstone Report

53. Regarding the activities of the police during Operation Cast Lead, the Goldstone Report quotes the police spokesman, who said their role was mainly to “protect the internal front,” that is, to ensure that the relations between the civilian population and the authorities remained intact. He said that the police also monitored the distribution of humanitarian aid to the civilian population and continued regular law-enforcement activities, focusing on preventing looting and price speculation (Paragraph 411, p. 104). **The report does not discuss the extensive cooperation between police and security service personnel on one hand and Izz al-Din al-Qassam Brigades on the other in fighting against Israel during Operation Cast Lead.**

### Factual Findings

#### Intelligence Information on Hamas Internal Security Service Involvement in Fighting the IDF

54. **According to Israeli intelligence information there was extensive, systematic, formal cooperation between the police, other internal security services and the Izz al-Din al-Qassam Brigades. Examples follow of the involvement of the police and other internal security services in the fighting against Israel during Operation Cast Lead:**

A. **The police: Police personnel, including senior commanders, were put under the command of the Izz al-Din al-Qassam Brigades, Hamas’ military wing, during the fighting.** In the northern Gaza Strip explicit instructions were given to the police putting them under the command of the military wing. Some policemen were in direct confrontation with Israel and fought under Brigade command. The Brigades were assisted by the police operations room. Senior Rafah police members transferred communications devices to the Brigades. It was reported that Hamas intended to bring to trial any policeman who shirked his duty during Operation Cast Lead, except those who were transferred to the Brigades’ command.

B. **Rapid intervention force:** During the fighting, the rapid intervention force **helped Izz al-Din al-Qassam Brigades operatives obtain weapons** for fighting against IDF forces. **Some of the rapid intervention force casualties in the Rafah area** were sustained while **its operatives fought under Brigade command**.

C. **The internal security service:** **Internal security operatives in the Al-Bureij area were involved in setting up an ambush behind one of the local mosques.** Internal security operatives were prepared to set up **ambushes, fire rockets and snipe at the IDF.** **Na'im al-Ghoul**, the head of the internal security service in Rafah, was involved in military-terrorist activity.

D. **Naval police:** The naval police **followed the activities of the Israeli navy and made preparations to attack. They were involved in placing IEDs in various locations along the coast.** The naval police operatives were armed with anti-tank launchers and anti-aircraft guns, weapons not usually issued to police forces. Senior naval police officers in Rafah were involved in transporting Yassin anti-tank launchers and coordinating mortar shelling.

E. **The internal security services (without specific affiliation):**

- 1) Senior personnel of the internal security services also occupied positions in the **Izz al-Din al-Qassam Brigades during the fighting.**
- 2) Personnel of the security services were involved in **placing IEDs** near the cemetery and established a control post near a girls' school in Shuja'iyya neighborhood.
- 3) Internal security service operatives **made preparations to attack Israeli unmanned aircraft.**
- 4) The internal security services engaged in surveillance of **IDF forces.**

55. In addition, senior Izz al-Din al-Qassam Brigades and other security service operatives wore **civilian clothing** during Operation Cast Lead to blend in with the population and avoid being hit by the IDF. **Intelligence information shows that from the beginning of Operation Cast Lead, personnel of Hamas' security service, including the police force, were instructed to come to work in civilian clothing with their weapons hidden, and received instructions not to congregate.** Former police spokesman **Islam Shahwan** said in an interview during the operation that **policemen wore civilian clothing** (Agence France-Presse, January 1, 2009).

## Joint Deployment of Izz al-Din al-Qassam Brigades- Security Services

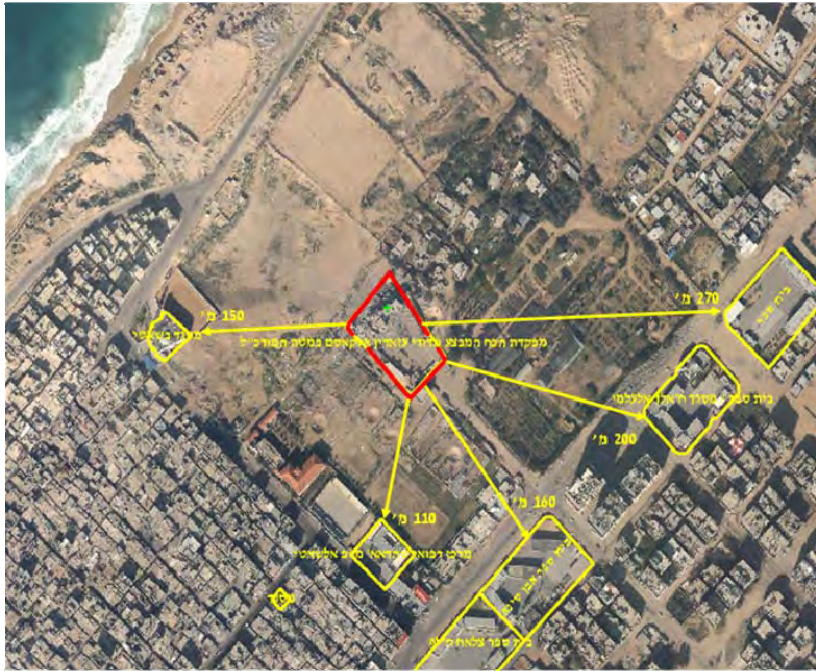
56. One aspect of the formal cooperation between the police and the security services was joint deployment in buildings and compounds before Operation Cast Lead. For example:

A. Police forces were deployed in the **Saraya compound in Al-Rimal in Gaza City**. Information shows that in early 2008 the Hamas police **rapid intervention force also established its headquarters in the compound**. Intelligence information indicates that there was a **large presence of Izz al-Din al-Qassam Brigades operatives in the compound and that it housed a site for manufacturing arms and ammunition**. **Brigades' operatives carried out activity to connect it to Hamas' network of tunnels**. The tunnels were booby-trapped and could be detonated should the Palestinian Authority regain control of the Gaza Strip.



A headquarters of the Izz al-Din al-Qassam Brigades and the Executive Force (police) in the northern Gaza Strip, attacked by the IDF. Hamas took over the compound in July 2007. The site was used for storing weapons, ammunition and equipment (IDF Spokesman, December 27, 2008).





The location of an Izz al-Din al-Qassam Martyrs Brigades and Executive Force (police) headquarters near schools and a mosque

**B. A police compound in Zeitoun served Fatah's Al Aqsa Martyrs Brigades.**

According to intelligence information, in 2006 and 2007 training and preparation for terrorist attacks were held in the compound. It was attacked by the IDF during Operation Cast Lead on January 14, 2009. There were no casualties.



The police compound in Zeitoun attacked by the IDF.

**C. Sudaniya (northern Gaza Strip) housed a joint headquarters and interrogation center used by both the internal security services and the Izz al-Din al-Qassam Brigades.** After the Hamas takeover of the Gaza Strip (2007) the

site was manned by operatives of the internal security service and the Brigades. It served as a warehouse for weapons, ammunition and equipment, and was used as a base for launching operations and patrols. In the vicinity there are a mosque, several schools and the offices of the handicapped association. Hamas constructed tunnels under the building to be able to detonate it should the Palestinian Authority regain control of the Gaza Strip.

**D. The Palestinian prisoners' tower in Tel al-Hawa in Gaza City housed headquarters, weapons storage facilities and offices used by the Izz al-Din al-Qassam Brigades and one of the police units. Snipers and mortars were positioned on its roof.** Approximately 145m, or 160 yards, from the building there are schools and mosques.



**Hamas headquarters and weapons storehouse in the Palestinian prisoners' tower in Tel al-Hawa. The site was attacked by the IDF in Operation Cast Lead.**



The location of the Palestinian prisoners' tower in the heart of a residential neighborhood, in the vicinity of schools and mosques

## Senior Officials' Statements regarding Police Participation in the Fighting Alongside Terrorist Organizations (the "Resistance")

57. In an interview that took place in the midst of Operation Cast Lead, several days before the beginning of the ground phase of the operation, **Islam Shahwan**, at that time spokesman for the Hamas police, said that police operatives had received clear instructions from the Hamas leadership to fight the IDF forces. He noted that senior police officers had drawn up an operational plan and declared a general alert for the police and security services to assist in any emergency or ground assault (Agence France-Presse, January 1, 2009).<sup>8</sup>

58. **Hamas police chief Jamal Jarah** (Abu Obeida), a former senior operative in the Izz al-Din al-Qassam Brigades, said the following when interviewed about the functioning of the Hamas police during Operation Cast Lead: "The police were able to protect the home front of the resistance by tracking agents, pursuing them, and arresting them;" "the police took part [in the fighting] side by side with the resistance [i.e.,

<sup>8</sup> Regarding the statement of the police spokesman, the Goldstone Report argues that it alone cannot justify the claim that the police were part of the armed forces (p. 108, paragraph 427).

**terrorist organizations], helping it to defend the soil of Gaza...**" (PalMedia website, February 22, 2009).

في أول تصريح إعلامي لمكتبنا صرح العميد أبو عبيدة الجراح مسير عام الشرطة الفلسطينية أن الشرطة الفلسطينية ورغم الضرب القاسية التي تلقتها في 27 / 12 / 2008 والتي دمر الاحتلال من خلالها جميع مواقعها وقتل أكثر من 250 عنصر من أفرادها وضاباطها إلي أنها استطاعت حماية ظهر المقاومة من خلال رصد العملاء وملاحقتهم والقبض عليهم كما أن الشرطة شاركت جنبا إلي جنب مع المقاومة تساندها في الدفاع عن تراب غزة ووجهت العميد أبو عبيدة الشكر لكل عناصر الشرطة بضاباطها وجنودها لما بذلوه من جهدا والتزام في الحفاظ علي الجبهة الداخلية خلال الحرب علي غزة .

Jamal Jarah's statement (From the website of the Palestinian police in Gaza, February 22, 2009)



Jamal Jarah (Abu Obeida), the Hamas police chief (From the website of the Palestinian police in Gaza)

**59. Before, during and after Operation Cast Lead, the chiefs of the security services spoke about their involvement in the fighting:**

**A. Police chief Jamal Jarah said that his service was "the police of resistance according to a Palestinian national decision." He added that they were committed to stand up and fight instead of hiding "as others do." He noted that both the police and the resistance would "not allow the enemy to attack the Gaza Strip." He also noted that the police, which were severely hit in the first days of Operation Cast Lead, would continue playing a role in any possible escalation with Israel. He said he was proud of the achievements of the police "in light of the circumstances," adding that "the police and the resistance are still fighting side by side" (Al-Hayat, November 14, 2009).**

**B. Hussein Abu A'adira, the national security chief, said that his forces would not sit idly by if there were an Israeli incursion or invasion of the Gaza Strip. He said, the national security service would be part of the "resistance" against Israel and would**

protect the homeland and the civilians using all possible means. He added that the security servicemen would be on the **front line of the resistance** to protect the Palestinian people (*Al-Risala*, May 29, 2008).

C. **Islam Shahwan**, a former police spokesman, said that **“the police officers received clear instructions from the leadership to fight the enemy if there is an invasion of the Gaza Strip”** (Agence France-Presse, January 1, 2009).

D. **Sami Nawfal**, the interior minister’s assistant for security affairs, said that the main activity of the services was defending the home front, the civilians and **“the resistance and its operatives”** from those who attempted to harm them (Al-Bayan Center website, March 5, 2009).

E. Following Operation Cast Lead, **Hussein Abu A’adira**, the commander of the Palestinian national security service, said that during the “crazy” fighting the service had managed to maintain the “Palestinian resistance,” defend the homeland and maintain internal and external security. He also added that **“his forces” would be part of the resistance** against any act of aggression against the Gaza Strip and would protect the civilians using all possible means (*Al-Risala*, March 3, 2009).



Hussein Abu A’adira interviewed by Al-Risala, March 3, 2009.

## Joint Exercise Carried Out after Operation Cast Lead

60. On December 20, 2009, the Izz al-Din al-Qassam Brigades conducted an extensive military exercise in the northern Gaza Strip. It simulated a combat situation against IDF forces in a scenario of a ground military operation in the Gaza Strip. **Hamas’s internal security apparatuses played a central role in the exercise while closely cooperating with the various security services and the Brigades.**

**61. The operative coordination between the various bodies included surveillance of IDF forces in the air and on the ground, simulating clashes with IDF forces deep inside the Gaza Strip, engaging the enemy, and firing at IDF forces after their discovery.** The national security service, which was deeply involved in activities against the IDF, instructed its field ranks to act against the IDF in coordination with the Izz al-Din al-Qassam Brigades, including simulating a scenario of attacking an IDF force entrenched in one of the houses.

## Section III – Police and Other Internal Security Operatives with Double Identities Killed during and after Operation Cast Lead

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### The Goldstone Report

62.  **Hamas and human rights organizations tend to include the policemen and security service personnel killed in the operation in the number of civilians instead of the number of combatants.** They claim (as noted above) that the internal security apparatuses of the de facto Hamas administration **is completely civilian in nature and not military-operative** (such as Hamas's Izz al-Din al-Qassam Martyrs Brigades). **The Goldstone Report embraces that view**, noting that the Israeli government presented no evidence to contradict the civilian nature of the Gaza Strip police, even though there might be some individuals within the police force who still have contact with the "armed groups" (Paragraph 419, pp. 106-107).

### Factual Findings

#### Introduction

63. **According to intelligence information, double identity among policemen and other security service personnel is widespread**, being part of the **operational collaboration between them and the Izz al-Din al-Qassam Brigades**. That collaboration included a deployment of the police and the security service personnel in a combat scenario against the IDF, directed and assisted by the Brigades. **As part of that collaboration, operatives of the security services were transferred to fight under the command of the Brigades during Operation Cast Lead. Some of them were killed in the fighting.** The transfer of operatives between the security services and the military wing was natural and orderly. According to intelligence information, **Hamas makes no distinction between military operatives, police operatives and security service personnel killed in Operation Cast Lead**. That clearly contradicts the argument that the police and other security service personnel were civilians, an argument embraced by the Goldstone Report.

## Publication of Internet Posters for Policemen with Double Identities

64. During Operation Cast Lead, Hamas made an attempt to conceal the names and identities of the operatives killed in clashes with the IDF (due to concerns over lowering morale and an interest in establishing the myth of "victory" over the IDF). However, during the operation and even more so after it, Internet posters for clearly attested to the double identities of policemen killed. Some of the posters published on the Izz al-Din al-Qassam website showed operatives who had been killed dressed in both police and Brigades uniforms, and made use of terminology commonly used with Brigade casualties: [Izz al-Din] Al-Qassam *shaheed* ("martyr") and *mujahed* ("holy warrior"). Furthermore, Hamas reports about the victims of the Israeli Air Force raid which took place on December 27 featured terms such as "Al-Qassam shaheeds" or "mujahed" (well-known terminology for Brigades operatives) with the names of policemen killed.

65. Following Operation Cast Lead, other Internet posters were published for police shaheeds noting that they were also Brigades operatives. Some of the posters were published on the Brigades website and show operatives who were killed wearing both police and in Brigades uniforms.

66. Some of the police and other security service personnel with double identities killed in Operation Cast Lead were:

A. **Muhammad Yahya Muhanna**, for whom two Internet posters were issued on the Hamas forum, **one where he appears in Gaza police uniform and another where he appears as an Izz al-Din al-Qassam Brigades commander** (PALDF, December 30, 2008).



Muhammad Yahya Muhanna, commander in the Izz al-Din al-Qassam Brigades (PALDF, Hamas' main forum, December 30, 2008)



Muhammad Yahya Muhanna in Gaza police uniform (PALDF, December 30, 2008)



B. northern Radwan battalion of the Izz al-Din al-Qassam Brigades. The interior ministry issued an Internet poster commemorating him. The same photograph also appeared on his Internet poster on the Hamas forum.



Left: A poster commemorating Adel Abu al-Awn, commander of the sniper unit in the northern Radwan battalion of the Izz al-Din al-Qassam Brigades, who was also an officer in the Palestinian police. The poster shows Adel Abu al-Awn in police uniform, proof of his double identity (Hamas forum, January 20, 2009). Right: The original photograph, posted on the interior ministry website in July 2008.



Other photographs of Adel Abu al-Awn. Left: A photograph of his head from his funeral, with an Izz al-Din al-Qassam Brigades headband. Right: In civilian clothes and in police uniform.



An Izz al-Din al-Qassam Brigades poster commemorating the death of Adel Abu al-Awn, commander of the Radwan battalion sniper unit.

C. **Shhade Fathi al-Kurd** – Two posters appeared on the Hamas forum one after the other, one stating he was a police captain (*naqib*) and the other a commander in the Izz al-Din al-Qassam Brigades artillery unit (Hamas forum, January 19, 2009).



Shhade Fathi al-Kurd, "a commander and shaheed of [Izz al-Din] Al-Qassam," "one of the commanders of the Yavne Battalion artillery unit."



Shahade Fathi al-Kurd photographed in police uniform, however, the text reads, "A commander and shaheed of [Izz al-Din] Al-Qassam."

D. **Muhammad Ibrahim Abu Sha'er** – An Izz al-Din al-Qassam Brigades operative killed on January 6, 2009 during Operation Cast Lead. He was an operative of the rapid intervention force, and also belonged to the Brigades artillery unit (PALDF, January 7, 2009).



Left: Muhammad Ibrahim Abu Sha'er's body, with a headband reading "Al-Qassam Brigades;" Right: The operative, called "a shaheed of Al-Qassam," in rapid intervention force uniform. According to the Hamas forum, he belonged to Hamas' artillery unit (PALDF, January 7, 2009)

E. **Amin Fouad al-Zarbatli** – A memorial posting on the Hamas forum states that he was an Izz al-Din al-Qassam Brigades operative in a police building at beginning of Operation Cast Lead. The article also states that he worked in the police department of certification (Hamas forum, January 22, 2009).



Amin Fouad al-Zarbatli, a policeman and Izz al-Din al-Qassam Brigades operative (Hamas forum, January 22, 2009)

F. The Hamas forum issued an Internet poster for **Arafat Farjallah Farjallah**, a policeman and Izz al-Din al-Qassam Brigades operative, killed in Operation Cast Lead in the attack on the Al-Jawazat headquarters (December 27, 2008) [i.e., police headquarters named after Arafat struck by the Israeli Air Force]. In his poster he is shown in police uniform (PALDF, September 10, 2009).



Arafat Farjallah Farjallah, policeman and Izz al-Din al-Qassam Brigades operative (PALDF, September 10, 2009)

G. **Haydar Muhammad Hassouna** – According to *Al-Fateh*, a children's magazine published by Hamas (April 15, 2009), he was killed at a Palestinian police installation in Gaza City at the beginning of Operation Cast Lead. Haydar Hassouna served simultaneously in the police and in the Izz al-Din al-Qassam Brigades.



Haydar Muhammad Hassouna

67. **Umar Baker Shimali was a policeman with double identities**, killed in an Israeli Air Force raid while in a mosque in the Al-Jawazat headquarters (i.e., the Arafat police headquarters in Gaza City attacked by the Israeli Air Force on December 27).

68. **Umar Baker Shimali's death notice issued by the Izz al-Din al-Qassam Brigades states, among other things**, that:

A. **He joined the military division of Hamas about a year before becoming a shaheed**. The first step of his activity within the Izz al-Din al-Qassam Brigades was in the "support unit" (the auxiliary force). Shortly afterwards, he joined the front line in one of the Brigades' elite units. After that, **he received a promotion because of his courage, bravery, and actions and joined the special unit**.

B. "On Saturday, December 27, 2008, Umar Baker Shimali was one of the participants of a military refresher course<sup>9</sup> in the Al-Jawazat headquarters. As [the participants] were standing at attention<sup>10</sup> at the course's military parade, they were hit by an enemy aircraft bombing. As a result of the treacherous raid, Umar and dozens of his colleagues died."



A picture of Umar Baker Shimali, described as a jihad fighter (mujahed) in the Izz al-Din al-Qassam Brigades (from the Izz al-Din al-Qassam Brigades website)

<sup>9</sup> *Dawra tanshitiyya askariyya*, meaning a refresher course of military skills.

<sup>10</sup> *Al-tabour al-askari* in the original Arabic.

### موعد مع الشهادة

كان شهيدنا عمر يعمل في السلطة الفلسطينية في جهاز الانضباط العسكري التابع للشرطة الفلسطينية، وكان على رأس عمله في مقر الجوازات، وفي أول أيام "حرب الفرقان"، وتحديدا يوم السبت في السابع والعشرين من ديسمبر من العام 2008م كان عمر أحد المشاركين في دورة تنشيطية عسكرية في مقر الجوازات، وخلال وقوفهم في الطابور العسكري للدورة تم استهدافهم وقصفهم من قبل طائرات العدو الصهيوني، فقضى عمر والعشرات من زملائه نتيجة هذا القصف الغادر.

مضى عمر بعد أن أمضى في هذه الحياة الدنيا 20 عاما اختتمها بالعمل مجاهدا ومرابطا في سبيل الله على الثغور، مضى نحسبه شهيدا ولا نزكي على الله أحدا.

Part of Umar Baker Shimali's death notice, which appeared in a posting on the Izz al-Din al-Qassam Brigades website.

69. The posters issued for shaheeds with double identities killed in Operation Cast Lead were not exceptional. Similar posters were issued in various incidents in which policemen were killed, both before and after Operation Cast Lead. For example:

A. **Maher Shhade Abu Tir** died in a targeted killing on October 30, 2007. In his poster he is shown wearing a police uniform while he was also an Izz al-Din al-Qassam Brigades operative. The poster commemorates his death as a martyr and jihad fighter in the Brigades (PALDF, February 2, 2009).



Maher Shhade Abu Tir in police uniform; he was an Izz al-Din al-Qassam Brigades operative at the same time. The poster commemorates his death as a shaheed and mujahed in the Brigades (PALDF, February 2, 2009).

B. **Bilal Ibrahim Abu Awad** died in a targeted killing on October 30, 2007. He is shown wearing a Palestinian police uniform; he was also an Izz al-Din al-Qassam

Brigades operative. The poster commemorates his death as a shaheed and mujahed in the Brigades (PALDF, February 2, 2009).<sup>11</sup>



**Bilal Ibrahim Abu Awad**, shown wearing a Palestinian police uniform; he was also an Izz al-Din al-Qassam Brigades operative. The poster commemorates his death as a shaheed and mujahed in the Brigades (PALDF, February 2, 2009).

C. **Muhammad Ahmed Abu Salem**, killed on August 21, 2007, is pictured in his poster once in police uniform and once in Izz al-Din al-Qassam Brigades uniform (PALDF, January 1, 2008).



**Muhammad Ahmed Abu Salem** is pictured wearing both a police and an Izz al-Din al-Qassam Brigades uniform (PALDF, January 1, 2008).

70. There was also evidence of the double identities of policemen found after Operation Cast Lead. For example, in August 2009 the Izz al-Din al-Qassam Martyrs Brigades, with the assistance of the internal security services, suppressed a network affiliated with the global jihad in the southern Gaza Strip. The casualties included policemen with double identities:

<sup>11</sup> <http://www.paldf.net/forum/showthread.php?t=362154>

A. **Ayman Khaled Ibrahim Abu Sibleh**, a policeman killed on August 14, 2009, was also as an Izz al-Din al-Qassam Brigades operative. He was killed in battle against Jund Ansar Allah in the incident at the Ibn Taymiyyah mosque in Rafah.<sup>12</sup>



Announcement of the death of Ayman Abu Sibleh, a policeman who also belonged to the Izz al-Din al-Qassam Brigades (From the Brigades website)



Ayman Khaled Ibrahim Abu Sibleh  
(Photo from Brigades website)



From the Izz al-Din al-Qassam Brigades announcement of Sibleh's death (From the Brigades website)

B. According to an Izz al-Din al-Qassam Brigades announcement, **Tariq Farid Abu Jizer** died in a police mission in Khan Yunis on August 27, 2009. According to the announcement he died during "an honorable jihad mission" fulfilling his "national commitment" as part of the rapid intervention and public order force of the Palestinian police.

<sup>12</sup> For more information see our September 1, 2009 Information Bulletin: " Hamas steps up its struggle against the global jihad-affiliated networks trying to challenge its control of the Gaza Strip. Hamas recently used extreme force to suppress global jihad operatives, one of whose leaders proclaimed the establishment of an Islamic emirate in the Ibn Taymiyyah mosque in Rafah " at [http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e080.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e080.pdf).



**Tariq Farid Abu Jizer (Photo from the Brigades website)**

Military Wing of Hamas Movement  
Information Office
الجناح العسكري لحركة حماس  
الكتيب الإعلامي

0908-03 2009-08-27

**(ولا تحسبن الذين قتلوا في سبيل الله أمواتا بل أحياء عند ربهم يؤمنون)**

**فات عسكري صاهر عن :**

... كاتبا الشهيد نور الدين القسام ...

**كاتبا القسام ورف الاخاه القسامي طارق أبو جيز الذي استشهد أثناء تأدية راحه اتوجي**

يكل آيات الإيمان بقضاء الله وقدره، وبعد المؤمنين الواثق بكنهه الله تعالى، وسبوح اخاهين المجاهدين على حسرتي الذين واثقوا بالوطن على نور الوطن الخيب عمنهم وجاهدوا وجاهم وقاتمهم رب العالمين ...

تراف كاتبا الشهيد عز الدين القسام - الجناح العسكري حركة حماس - زلي اخاه اهد فرسانه الميامين:

الشهيد القسامي اخاه / طارق فريد أبو جيز (22 عاماً)  
من مسجد "صلاه التوجي" الاميني

وانادي اذهبي لي اعلان جهيدا - اذ ان الله تعالى - فصد اليوم الخمس 06 رمضان 1430هـ الموافق 27/08/2009م أثناء تأدية راحه اتوجي في جهاز الشرطة الفلسطينية - حلف شفا والتدجيل، وقد جاءت شهاده جده بده هنيوار جهادي مشترك في صفوف كاتبا القسام، حيث اتى وفق وجهته في المنهل والإيمان والوطن في سبيل الله، فمسه عن الشهادة الأكرم ولا ترمي على الله أحداً..

وسأل الله أن يتقبله في الشهداء، وأن يسكنه فسيح جناته، وأن يرزق أخاه هبل العسر وحسن والعزاء، وإن شاء الله. وآية إنه

**From the Izz al-Din al-Qassam Brigades announcement of the death of Tariq Farid Abu Jizer.**

71. According to the Hamas children's magazine *Al-Fateh* (January 15, 2010), **Suleiman Hussein Abu Naja died as a shaheed on October 29, 2009 while on a "special jihad mission."** The article said he served in both the police force and in the **Izz al-Din al-Qassam Brigades**. According to the Fatah forum (October 29, 2009), citing "reliable sources" in Rafah, he died as a result of electric shock **in one of the tunnels** near his residence in the Rafah neighborhood of Shaboura (Sawt Fatah website, October 29).



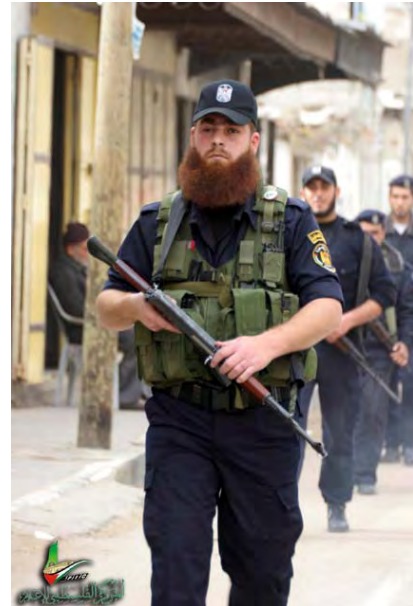
**Suleiman Hussein Abu Naja on the Izz al-Din al-Qassam website (right). It is noted that he served in the police force at the same time as his activity in the Izz al-Din al-Qassam Brigades.**

72. On January 30, 2010, the police station in Shuja'iyya held a parade. Pictures posted on the Internet show policemen marching in police uniforms and armed with various weapons, including heavy machine guns. A close up of one of the marchers shows him wearing a police uniform with an Izz al-Din al-Qassam Brigades pin stuck in his vest (PALDF, Hamas' main forum, January 31, 2010).





Police armed with heavy machine guns (PALDF, Hamas' main forum, January 31, 2010).



Policeman in police uniform. An Izz al-Din al-Qassam Brigades pin is visible on the shoulder of his vest. His cap bears the police insignia.

## The Findings of the Orient Research Group Compared with the Goldstone Report

73. The Goldstone Report cites the findings of an Israeli study conducted by the Orient Research Group (ORG)<sup>13</sup> (Paragraph 394, pp. 99-100; footnote 253, p. 100). The study, based on the list of casualties published by the Palestinian police, indicated that **most of the policemen killed were also operatives of the Izz al-Din al-Qassam Brigades or other organizations**. The Goldstone Report rejects the findings of the ORG study, while complimenting the police director who met with the Mission members: “[and] was very open

<sup>13</sup> A study conducted at the request of Israel's prime minister's office.

in acknowledging that many of his men were Hamas supporters, but insisted at the same time there are others who support other Palestinian functions..." (Paragraph 420, p. 107).

**74. To reject the findings of the ORG study, the report questions its research methodology, which was based to a great extent on identifying the names of the casualties using publicly available information, including those who appeared on the websites of the terrorist organizations ("the armed groups"). For that purpose, the report raises the claim that Al-Mezan, a Palestinian human rights organization, published a report which found that the "resistance groups" (i.e., terrorist organizations) and political groups often "adopted" killed civilians.** They referred to them as shaheeds, published their posters on the websites, and praised their contribution to the "resistance to the occupation." According to the Al-Mezan report, the families of the victims agreed to such "adoption" for various reasons, including the possibility of receiving financial assistance from the "resistance groups" (p. 107, paragraph 423).<sup>14</sup>

**75. The Goldstone Report's mention of the (doubtful) theory of the Al-Mezan organization and then contrasting it with the findings of a careful, meticulous research conducted by ORG is designed to undermine the credibility of the findings of the ORG study. Those findings corroborate the findings of this study, which prove the involvement of the internal security services in Hamas's military-terrorist activity, but they contradict the thesis presented by the Goldstone Report, according to which the police is a strictly civilian organization.**

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<sup>14</sup> It is possible that there have been isolated incidents in which terrorist organizations did "adopt" civilian casualties, but we are not familiar with such a situation on any significant scale.

## Section IV – Sayid Siyyam as a Case Study: Portrait of the Interior and National Security Minister of the De Facto Hamas Administration, Killed by the IDF in Operation Cast Lead, an Example of Double Identity

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76. On the afternoon of January 15, 2009, the Israeli Air Force attacked a building in the neighborhood of Jabaliya where Sayid Siyyam, a senior Hamas figure, was located, killing him (IDF Spokesman, January 15). Sayid Siyyam was the **interior and national security minister in the de facto Hamas administration and a senior Hamas figure in the Gaza Strip**, and was in charge of oppressing Fatah and other Hamas opponents. **He was the highest-ranking leader killed in Operation Cast Lead. Israel has a great deal of intelligence about his deep involvement in the activity of the Izz al-Din al-Qassam Martyrs Brigades.**

77. Sayid Siyyam was a **figure who combined political, security and military activities**. A short portrait follows:

- **Full name:** Sheikh Sa'id Muhammad Sha'ban Siyam (Abu Muss'ab)
- **Origin/place of residence:** Born in Al-Shati refugee camp, Gaza, 1959, resident of Sheikh Radwan in Gaza City. His family is from the village of Al-Jura near Ashkelon (also the origin of Ahmed Yassin and Ismail Haniyah).
- **Marital status:** Married and father of six.
- **Education:** Studied at a teachers' seminar in Ramallah and trained as a science and math teacher. He completed his studies in the Open University of Al-Quds with a BA in Islamic culture.
- **Early activities:** Worked at an UNRWA school in Gaza. He left following disagreements with his employers regarding his political affiliation. He was involved in social activity as part of Hamas's *da'wah* network. He worked as a preacher and volunteer imam in Gaza Strip mosques.
- **Career in Hamas:** Was a member of the Hamas leadership in the Gaza Strip and took part in important forums. With the outbreak of the terrorist campaign (the Al-Aqsa intifada) his political status within Hamas strengthened. Between December 2001 and April 2002 he was the Hamas spokesman. He was responsible for establishing Hamas' Radio Al-Aqsa station, which operates from the Gaza Strip. He was elected to the Palestinian Legislative Council, receiving a large number of votes. **In 2003 he joined**



**the Hamas political leadership in the Gaza Strip.** As interior minister in the de facto Hamas administration, he was one of the highest-ranking, most influential people. **He established Hamas' Executive Force, which oppressed Fatah and Hamas' other opponents in the Gaza Strip.** He was one of the leaders of the Hamas military takeover of the Gaza Strip, following which he established and ran the police and the internal security services.

- **Arrests by Israel and the Palestinian Authority:** Arrested by Israel four times between 1989 and 1992. He was among the Hamas activists expelled to Lebanon (1992) and arrested twice by the Palestinian Authority security services (1995).
- **Statements made after being appointed minister of internal affairs:** After his nomination he said that he would not stop the members of the "resistance" (i.e., terrorists) because he believed the "resistance" was "a legitimate right of the Palestinian people" (Ma'an News Agency, March 24, 2006). His support of terrorism was highly significant because as interior minister he was in charge of the Palestinian security services which support Hamas' military-terrorist wing, the Izz al-Din al-Qassam Brigades.



Sayid Siyyam with Hassan Muhammad Harb, an Izz al-Din al-Qassam Brigades operative also killed in Operation Cast Lead (PALDF, September 10, 2009).



Two senior Hamas figures, Sayid Siyyam and Mahmoud al-Zahar, dressed in uniform at a shooting range with Izz al-Din al-Qassam Brigades operatives (From a video clip uploaded by "ALKHALDIA" to YouTube in April 2009; the clip was shot in the year preceding Operation Cast Lead).



Studies in one of the classrooms of the "military academy" visited by Sayid Siyyam. The subject is explosives and IEDs (From a CD seized by the IDF in Operation Cast Lead).



Sayid Siyyam, the former minister of internal affairs and national security in the Hamas administration, during his visit to Hamas' Abdallah Azzam "military academy"<sup>15</sup> (Hamas forum, June 6, 2007).

**78. Reliable intelligence information from the period prior to Operation Cast Lead shows that Sayid Siyyam was deeply involved in the activity of the Izz al-Din al-Qassam Brigades.**

**A. Controlling operatives:** Sayid Siyyam made decisions about transferring operatives from Hamas' internal security services to the Izz al-Din al-Qassam Brigades.

**B. Acquisition and smuggling of arms to the Gaza Strip:** He was involved in the acquisition (including funding) and smuggling of arms to the Gaza Strip.

**C. Holding Izz al-Din al-Qassam Brigades meetings:** Brigades meeting were held in his home.

**D. Training:** He sent security service operatives to train Izz al-Din al-Qassam Brigades operatives.

**E. He was involved in coordinating the reaction to the explosion in Jabaliya** (September 23, 2009),<sup>16</sup> **which was caused by a Hamas "work accident"** (19 people were killed and over 80 were injured in the explosion).

<sup>15</sup> A "military academy" established by Hamas in Al-Nusairat, central Gaza Strip (south of Gaza City). The "academy" has provided Hamas operatives with various military courses in the years preceding Operation Cast Lead. Dr. Abdallah Azzam, after whom the academy is named, is a Palestinian from the Jenin area who became Osama Bin Laden's ideological mentor and established a worldview which considers jihad to be a duty of every Muslim.

<sup>16</sup> On the afternoon of September 23, 2005, Hamas held a "victory rally" in the Jebaliya refugee camp, located on the outskirts of Gaza City. During the rally terrorist operatives held a military parade, exhibiting arms and ammunition, including rockets. An explosion occurred during the parade, probably as the result of a "work accident," leaving 19 dead and over 80 wounded. Hamas, as usual, assigned responsibility for the incident to Israel and "retaliated" (to an incident in which Israel was in no way involved) by firing a massive volley of 15 rockets at the city of Sderot. Following the incident, due to public criticism, Hamas temporarily stopped its direct involvement in firing rockets, allowing Fatah and PIJ groups to take the lead in such attacks.

## **Appendix I**

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**Analysis of the Ratio between the Military  
Operative and Civilian Casualties during  
Operation Cast Lead**

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**Section III:** Operation Cast Lead vs. Other Areas of Asymmetric Warfare

## Overview

1. **The Goldstone Report relies on data from Hamas and human rights organizations operating in the Gaza Strip, based on flawed methodology (analyzed in the study). According to the data, the number of casualties exceeds 1,400, while the number of “combatants” (i.e., terrorist operatives) is about 20% percent of the casualties.** While the Mission makes it clear that it does not draw conclusions about the total number of casualties and the percentage of civilians, **it supports the Palestinian version** and ignores other findings.

2. A study carried out by the Israeli defense establishment found that **1,166 people** were killed during Operation Cast Lead, of whom **609 were terrorist operatives** belonging to Hamas’ military and security infrastructure. **With the addition of one hundred terrorist operatives from other organizations killed in the fighting, the total number is 709. At least 60% of the total casualties in Operation Cast Lead were operatives from the Hamas military and security infrastructure,** the remaining 40% non-combatant civilians hit in error or individuals whose identities could not be verified. The findings are supported by intelligence information and public statements made by Hamas senior officials.

3. A major factor in the **considerable divergence** between the findings of the Israeli defense establishment and the data published by Hamas and human rights organizations in the Gaza Strip is **the classification of 264 casualties,** most of them (according to the Goldstone Report) **belonging to the police and some of them belonging to the other internal security services.** While according to the Israel study they should be included in the number of combatants (terrorist operatives) killed in the fighting, Hamas and Gaza Strip human rights organizations claimed to the Mission that they should be listed as citizens. In practice, however, reliable intelligence information shows that **Hamas’ own casualty counts make no distinction between the casualties Izz al-Din al-Qassam Brigades and members of the police and internal security services who participated in the fighting.**

4. Much reliable intelligence information presented in Part Three of this study shows that **the police and Hamas’ other internal security services formally cooperated with the Izz al-Din al-Qassam Brigades before, during and after Operation Cast Lead.** Some of them even served simultaneously in the police (or other internal security services) and in the Brigades, and took part in fighting the IDF in Operation Cast Lead (some were featured on posters which appeared in Hamas-affiliated media, showing them in both police and Brigades uniform). Therefore, their portrayal as civilians by Hamas and human rights organizations has no basis in fact. It is aimed at increasing the number of those defined as



civilians killed in the fighting and give more weight to the claim that Israel deliberately targeted civilians.

5. The Goldstone Report, which uses the unreliable casualty statistics provided by Hamas **to vilify the IDF and the State of Israel, notes that the ratio between civilians and “combatants” killed in the fighting raises “serious concerns about the way Israel conducted the military operations.”** The Report also ignores the nature of **asymmetric warfare** (a term it does not use) in a densely-populated environment where terrorist operatives deliberately employ civilians as human shields.

6. **The Report does not examine the nature of asymmetric warfare in the Gaza Strip within the broader context** of similar campaigns conducted during the last two decades by national armies (including Western nations) against terrorist operatives or radical Islamic operatives in such combat zones as Iraq (the second battle of Fallujah, 2004), Chechnya (1995), and Afghanistan.

## **Section 1: Main findings of a statistical study carried out by the Israeli defense establishment compared with data from Hamas and Palestinian NGOs in the Gaza Strip**

### **Data from Palestinian Sources According to the Goldstone Report**

7. Early in the section on Palestinian losses in Operation Cast Lead, the Report noted that it received statistics on the casualties from the “Gaza authorities” (i.e., the de facto Hamas administration), specifically from its documentation committee (Al-Tawthiq). The Mission also received information from Palestinian Human Rights Centre (PHRC) (and Al-Mezan (human rights organizations operating in the Gaza Strip), and the Israeli organization B’Tselem. Some of them provided detailed lists with the names of those killed (Paragraph 352, p. 90).

8. **The figures cited by the Palestinian sources are fairly consistent: 1,417 (PHCR), 1,409 (Al-Mezan), and 1,444 (Al-Tawthiq).** The Israeli organization B’Tselem provides a slightly lower figure: **1,387** (Paragraph 30, p. 17; Paragraph 353, p. 90). The Report notes that the Mission did not cross-reference the lists from the various human rights organizations (p. 90, Paragraph 353). It further states (p. 92, Paragraph 363) that it cannot entirely discount the possibility that Palestinians may have been killed as a

result of fire by “Palestinian armed groups” in encounters with the Israeli armed forces, claiming, however, that it did not encounter any information suggesting that such was the case.

9. Referring to the Israeli figures, the Report notes that the IDF put the number of Palestinian casualties at 1,166: 709 terrorist operatives, 295 non-combatant Palestinians, and 162 whose identity is unknown. According to the Israeli data, at least 60% and possibly more were operatives who participated in the fighting bold. The Report notes that the Israeli figures do not include a list of victims and have no explanation for the discrepancy between them and those issued by Palestinian sources, except the different classification of policemen, whom Palestinian sources do not consider combatants (Paragraph 359, p. 91). According to the Goldstone Report, 264 operatives belonging to Hamas’ internal security services were killed in the fighting, 248 policemen, 11 internal security service operatives, and 5 national security service operatives (Paragraphs 354-357, pp. 90-91).

10. While the Goldstone Report does state that it will not draw conclusions about the total number of casualties and the percent of civilians, the fact is that it again supports the Palestinian side. It says that the statistics provided by the Palestinian NGOs in the Gaza Strip are consistent and based on “extensive field research” (Paragraph 30,p. 17), in other words, the Report prefers Palestinian statistics to those provided by Israel. It also notes that according to the NGO statistics, only one in five casualties was a “combatant” (i.e., terrorist operative), claiming it raises “very serious concerns” about the conduct of Israel’s military activities in the Gaza Strip (Paragraph 30, p. 17; Paragraphs 361-362, pp. 91-92).

11. The conclusion that the number of civilian casualties was relatively significant is used by the Goldstone Report as yet another means of vilifying the IDF’s conduct in Operation Cast Lead. The “serious concerns” raised by the Mission are designed to support the main argument on which the entire report is based, that Operation Cast Lead was illegitimate because it mainly targeted Gaza Strip civilians rather than terrorist organizations.

## Factual Findings

### Summary of the Findings of the Israeli Defense Establishment Study

12. A thorough study of the intelligence information regarding Palestinian casualties in Operation Cast Lead conducted by the Israeli defense establishment reveals a completely

different picture. The study is based on intelligence information cross-referenced with Palestinian media reports. The information is **incomplete and therefore the findings should not be considered final**. Nevertheless, **they do provide a reasonable picture** of the number and identity of the casualties.

13. **According to the Israeli study, 1,166 Palestinians were killed during Operation Cast Lead, 609 of whom were terrorist operatives belonging to the Izz al-Din al-Qassam Brigades and Hamas security services. About 100 more terrorist operatives from other organizations involved in the fighting were killed, bringing the total to 709.** Of them, **232 belonged to Hamas' internal security services** (according to a list of names posted by the Hamas police in on its website). The 457 casualties not listed by the study as terrorist operatives were noncombatant civilians killed in error (in most cases) or Palestinians whose identity could not be determined (in some cases).

14. The study shows that **at least 60% of the total casualties in Operation Cast Lead were Hamas operatives who fought the IDF**. The figure is **substantially** different from that provided by the Palestinian human rights organizations, whose findings were adopted by the Report. According to the Goldstone statistics, only one in five casualties was a "combatant," meaning that **only about 20% of the casualties were terrorist operatives involved in the fighting**.

15. The findings **make it difficult to understand the Goldstone Report's assertion that Israel deliberately targeted the Gaza Strip civilian population**. The ratio between casualties among terrorist operatives and civilians in the densely-populated Gaza Strip **strongly confirms Israel's claim of the systematic effort made by the IDF to minimize Palestinian civilian casualties**, whose homes became combat zones and who were used by the terrorist organizations as human shields (that becomes even more evident when the Gaza Strip is compared with other combat zones around the world).

## **Section II: Reasons for the Statistical Divergences**

### **Defining Internal Security Service Operatives Killed in the Fighting as Civilians (by the Goldstone Mission)**

16. The discrepancy between the data provided by Hamas and human rights organizations in the Gaza Strip (henceforth "the Gaza Strip data") and the Israeli defense establishment findings (henceforth "the Israeli finding") stems mostly from the classification of casualties among the police and Hamas' other security

**services.** The Gaza Strip data is based on the claim that Hamas policemen engage in civilian tasks and as such must be considered and counted as civilians. In contrast, according to the Israeli data, based on intelligence and open source information, **there is no doubt that Hamas' policemen and other security service operatives formally cooperated with the Izz al-Din al-Qassam Brigades before and during Operation Cast Lead. They fought the IDF under Brigades command and followed its operational orders. Many policemen and internal security servicemen had double affiliations while in service, and simultaneously served as terrorist operatives and policemen.** Thus they cannot be considered civilians and should be counted as terrorist operatives killed in the fighting.

## **Hamas' Policy of Concealment**

17. **The Goldstone Report notes that the data regarding casualties provided by Hamas elements in the Gaza Strip and by Al-Tawthiq** (a committee established by Hamas) **give no figures for the number of combatants killed** (Paragraph 354, p. 90). Not only is it an indication of the unreliability of the Al-Tawthiq data (according to which no terrorist operatives were killed), the failure to mention casualties among terrorist operatives is consistent with Hamas' policy of concealment and its unwillingness to cooperate with the Mission about information about the activity of the terrorist organizations during the fighting. The policy supports Hamas' (false) propaganda, according to which Israel's military operations deliberately target civilians.

18. As part of the policy of concealment, a warning was sent to all surfers on Hamas' PALDF forum (Hamas' main forum) stating that according to the policy of the Gaza Strip terrorist organizations ("jihadi resistance"), **posting photographs, names or any other details about the casualties suffered by the "resistance" was forbidden until the cessation of the "Israeli aggression" in the Gaza Strip.**<sup>1</sup> Hamas did, however, release fabricated data about the numerous casualties supposedly inflicted on the IDF during Operation Cast Lead.<sup>2</sup>

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<sup>1</sup> From Hamas' PALDF forum, January 10, 2009.

<sup>2</sup> In his "victory speech," Izz al-Din al-Qassam Brigades spokesman **Abu Obeida** claimed that **at least 80 IDF soldiers were killed in the fighting**, of them 49 in direct clashes with the Palestinian fighters. He claimed that instead of issuing the actual number of casualties, the IDF reported that they were killed in car accidents (Al-Aqsa TV, January 19, 2009). According to figures provided by the IDF Spokesman (as of January 19, 2009, when Abu Obeida made the announcement), 10 soldiers were killed in the operation, four of whom were killed by friendly fire.

## Announcement Posted on Hamas' Main Internet Forum during Operation Cast Lead (PALDF, January 10, 2009)

#1	10-01- 2009, 20:41
:::تنبيه هام بخصوص أخبار وصور شهداء المقاومة :::	
<h3 style="color: red;">الإخوة الكرام</h3> <p style="color: red; text-align: center;"> <b>تماشياً مع سياسة فصائل المقاومة المجاهدة في غزة..  نفيدكم بأنه يمنع منعاً باتاً نشر أخبار عن أعداء أو أسماء أو صور أو  أي تفاصيل عن شهداء المقاومة وجرحاها ، وذلك حتى انتهاء  العدوان الصهيوني بالنصر المبين لنا ولأمتنا بإذن الله تعالى  وسيحذف كل ما يمس هذا الموضوع مع تنبيه ناشره  فلنكن جميعاً جنوداً للمقاومة .. فإن لم نستطع أن نعينها .. فلا أقل من  ألا نعين العدو عليها</b> </p> <p style="text-align: center;"> وإن تركوك في وجه المنايا = فمت في العز لكن لا تساوم  وإن سكتت حكومات الدنيا = كفاك الله يا رجل العزائم </p>	
صامد مراقب	تاريخ الانتساب: 09 2005 الجنس: ذكر مشاركات: 542

The announcement reads:

"Important information about information and photographs of the shaheeds of the resistance.

'Dear brothers, in accordance with the policy of the the jihad resistance in Gaza...we are informing you that it is completely forbidden to issue information regarding the numbers, names or pictures or any [other] detail about the shaheeds [*shuhada'a* in the original] or wounded of the resistance. [The ban is in force] until the end of the Zionist aggresion through the clear victory of [the resistance] and our people, may Allah, may he be exalted, allow it. Any [announcement] violating these rules will be deleted and a warning will be sent to whoever posted it. **Let us all be soldiers of the resistance**, and if we cannot aid [the resistance], at least let us not help the enemy [it its fight] against it" (ITIC emphasis).

## Cracks in Hamas' Policy of Concealment: Data Issued by the Interior Minister of the Hamas Administration Compared with Israeli Intelligence Information

19. Hamas' policy of concealment was also employed after Operation Cast Lead, even though cracks appeared in it from time to time. In various public statements senior Hamas officials spoke of at least 500 casualties in its military wing and security services, considered one and the same even by Hamas officials themselves. Two such statements are particularly noteworthy:

A. **Khaled Mashaal, head of the Hamas political bureau**, said during a visit to Kuwait that **“the movement lost more than 400 shaheeds from the Izz al-Din al-Qassam Brigades and the police”** (Al-Qabas, June 20, 2009).

B. **Fathi Hamad, the interior and national security minister of the de facto Hamas administration**, interviewed by the Algerian website Al-Shurouq al-Yawmi (June 28, 2009 said, **“About 500 people were killed outright in the very beginning; they were sons of the Al-Qassam organization.”** (I.e., The interior minister, in charge of the police and the internal security services, **made no distinction** between them and the Izz al-Din al-Qassam Brigades.)

20. According to the Gaza Strip data, **about 500** operatives were killed in the first attack carried out by the IDF at the beginning of the operation. The figure can be viewed as partial and minimal, **since the number of casualties increased** as the fighting continued. It therefore **appears that the discrepancy between the figure cited by the interior minister** and the Israeli study, which found that the number of Hamas casualties amounted to 609 military and security operatives, is **insignificant**.

21. **The statements are supported by intelligence information about the number of casualties originating with elements in the Izz al-Din al-Qassam Brigades. The information shows that there were approximately 500 casualties, which is not particularly different from the figures which appeared in public statements made by Hamas senior officials. The information also makes no distinction between the casualties of the security services and those of Hamas’ military-terrorist wing .**

22. **Reliable intelligence information indicates that military and security operatives were mutually integrated and therefore as far as Hamas was concerned, there was no distinction between them.** The casualty counts are **broken down by sectors and districts** (coinciding with the Izz al-Din al-Qassam Brigades’ deployment) **without distinction between the affiliations of the casualties.** The intelligence clearly proves that there was no foundation for identifying security operative casualties as civilian. Hamas represented them as civilians as a propaganda ploy to discredit Israel.

## **Hamas Dominance in Preparing the Palestinian Casualty Database**

23. **According to the Goldstone Report, the Mission did not cross-reference the lists of casualties it received from the various organizations operating in the Gaza Strip. However, the Mission notes that the statistics of the various NGOs**

were consistent. (Paragraph 361, p. 91). **Consistency is not proof of reliability**, because a comparison of the various versions originating in the Gaza Strip shows that they do not significantly differ from the database, thus **they do not represent fieldwork carried out individually by several organizations**, each independently reaching similar results. Examination by the Israeli defense establishment shows that the **various lists are generally consistent with each other and that it can be assumed that they all originate from the same pool of identical names.**

24. **The basic list of names for the Gaza Strip data was prepared, in our assessment, by Hamas, which made advance preparations at the end of Operation Cast Lead**, for a “documentation” operation whose echoes are clearly evident in the Goldstone Report. The “documentation” enterprise was led by **Al-Tawthiq, the so called Central Commission for Documentation and Pursuit of Israeli War Criminals**. Established by Hamas in late January 2009 by **Ismail Haniya, head of the de facto Hamas administration**, its objective is to document and pursue so-called Israeli “war criminals.” **When Al-Tawthiq was established, it was given the mandate as the sole official body to address the issue** (Hamas’ daily *Felesteen*, January 27, 2009).

25. The “legal authority” for Al-Tawthiq came from **Faraj al-Ghoul**, the justice minister (of the **illegal de facto** Hamas administration in the Gaza Strip). Al-Tawthiq is headed by **Judge Dia’a al-Din al-Madhoun**, who said that the commission’s goal was to “document and collect evidence pertaining to Israeli war crimes, to monitor, and to file lawsuits with international, national and local elements.” **According to Al-Madhoun, teams consisting of 160 people were formed and divided among the districts of the Gaza Strip** (*Felesteen*, January 27, 2009). The number of “documentation” teams formed by Hamas indicates that the de facto Hamas administration **made a considerable effort and devoted substantial resources** to discredit Israel following Operation Cast Lead.

26. In practice, the de facto Hamas administration, which controls the political and media messages coming out of the Gaza Strip, **provided the various elements, including the local human rights organizations, with “statistical data” concocted in advance** to “prove” what had been defined before any investigation had been held as “Israeli war crimes.” A Hamas organization such as Al-Tawthiq, or even NGOs operating in the Gaza Strip, could obviously not have been expected to submit independent data which would completely contradict Hamas’ propaganda and political line, which were eventually adopted by the Goldstone Report.

## Other Core Issues Challenging the Reliability of the Palestinian Statistical Data

27. The Gaza Strip data were not based on thorough, objective fieldwork, and the names of casualties were not carefully checked and their identities were not cross-referenced and verified. The data, which was given to the Mission by Hamas and Al-Tawthiq, was **biased and distorted**. The fact that Al-Tawthiq's statistics do not mention Hamas operatives killed in the fighting exposes their **absurdity**, but that did not prompt the Mission to question them or their validity.

28. **Several other factors challenge the reliability of the numbers and identities of Palestinian casualties:**

A. **Gaza Strip residents** approached by the Mission were well fully aware of Hamas' policy of concealment and its propaganda objectives. At the same time, they live under Hamas' oppressive regime. It can be assumed, therefore, that they **feared exposing the casualties among the operatives as identified with the Izz al-Din al-Qassam Brigades, instead portraying them as civilians**.

B. Given the circumstances in the Gaza Strip, **there was no way to determine whether civilian deaths during the Operation resulted from IDF attacks or terrorist operative attacks**. Friendly fire is inherent in such warfare, and was even responsible for some IDF losses. According to intelligence information, in several cases Izz al-Din al-Qassam Brigades operatives did not hesitate to fire inaccurate mortars at IDF forces, even from densely-populated areas or near sensitive sites such as schools, knowing that civilian casualties would result. The Goldstone Report does not discount the possibility but expresses reservations, saying that it received no information to that effect. It can be assumed that those killed by friendly fire were added to the lists of civilians killed by IDF attacks.

C. **There is no way to verify that deaths by natural causes were not included in the casualty count of Operation Cast Lead** (Israeli liaison sources provide an average figure of 400 deaths per month in the Gaza Strip). Some Gaza Strip residents were motivated to report natural deaths as a result of the fighting to receive guaranteed financial compensation. Furthermore, financial considerations for the inclusion of fictitious names in the lists of casualties cannot be ruled out.<sup>3</sup>

D. **Gaza Strip burial services and death registrations were in a state of anarchy throughout the fighting**. Statements from Gaza Strip residents reported

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<sup>3</sup> According to Israeli liaison sources, since Operation Cast Lead **there have been considerable irregularities in the transfer of birth and death data to the Israeli side**. According to the Palestinians, one of the reasons is the damage caused to the population registry computers during Operation Cast Lead. An examination conducted by the IDF showed that the population registry offices situated in the location specified by Hamas were not attacked **showing Hamas direction in concealing birth and death data in the Gaza Strip**.



numerous dead bodies left in the open for prolonged periods, improvised and non-reported burials, using pre-existing graves and stacking dead bodies into graves (Ma'an News Agency, January 15, 2009).

E.  **Hamas took advantage of the IDF activity to settle scores with its internal opponents**, specifically Fatah. There is no accurate information on the number of Fatah operatives eliminated by Hamas. Their names may also have been included in the list of civilians killed by Israel.

29. All of the above **provide an explanation** for the discrepancy between the number of casualties in the Israeli study (1,166) and the Gaza Strip data on which the Goldstone Report relies (1,417 to 1,444). **The discrepancy** (278 casualties, using the maximum number provided by Hamas' Al- Tawthiq) **appears acceptable** given the problematic records of casualties provided by Hamas and Gaza Strip NGOs.

## **Section III: Operation Cast Lead vs. Other Areas of Asymmetric Warfare**

30. The last several decades have seen **considerable changes** in the nature of violent conflicts. In the past two hundred years, "classical" warfare was usually waged between conventional armies belonging to sovereign countries. In recent years, **regular armies find themselves increasingly fighting paramilitary terrorist or guerilla organizations, which deliberately operate from the vicinity of civilian population in densely-built, urban territory**, in many cases in areas that are not controlled by an effective, political, centralized regime. **This type of warfare**, which characterized Hamas' actions during Operation Cast Lead, is complex and problematic, **presenting countries and regular armies with moral, judicial and political dilemmas** yet to be properly addressed by the international community.

31. **In many cases, such warfare is assisted and supported by sovereign countries** which prefer to wage their wars through proxy organizations. That type of warfare, which Israel has faced for the past thirty years, has been termed "**asymmetric warfare**" (a term which does not appear in the Goldstone Report). **The State of Israel is not alone in facing the complexities** and difficulties of such warfare. Many countries around the world have considerable experience in fighting terrorist and guerilla organizations in places like Vietnam, Algeria, the Philippines, Afghanistan, Iraq and Lebanon.

32. In the past decade, Western countries (including the US and Britain) engaged in several campaigns against terrorist or outlaw elements hiding within the civilian population.

Conducted in such countries as Iraq and Afghanistan, the campaigns (inadvertently) take a heavy toll on civilians. However, the Goldstone Report, which completely ignores the **dilemmas inherent in asymmetric warfare**, chooses to criticize only the IDF, which makes an effort to avoid casualties among non-combatant civilians.

33. It is difficult to compare campaigns which take place in different combat zones, conducted by different armies, against different enemies, for different periods of time. Such a comparison is also problematic because the available reliable information about casualty statistics in other combat zones is limited, even more so than it is for Operation Cast Lead. Nevertheless, the Goldstone Report should have made the effort to examine other asymmetric areas of war, despite the difficulties involved. Such a comparison **could have provided the Mission with a more objective view of the fighting in the Gaza Strip and put the statistics of the Gaza Strip casualties in proper proportion, compared with those of casualties in similar arenas.**

## Appendix II

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### A Selection of Intelligence and Terrorism Information Center Bulletins Issued in Recent Years on Issues Relevant to the Goldstone Report

#### Overview

1. Two of the Goldstone Report's most serious flaws are its **superficiality and reliance** information which is **selective**, biased, and sometimes fabricated, and in many instances was provided by Hamas or public figures and institutions operating in the Gaza Strip under Hamas authority. The Mission used the selective and biased information it received to construct the false thesis, similar to Hamas propaganda, that Israel deliberately targeted Palestinian civilians during Operation Cast Lead.

2. **Some of the information accessible to the authors of this study was not available to the Goldstone Mission. However, the Mission systematically ignored vast amounts of available information** which contradicted its central thesis or at least raised serious questions about its validity. Among other sources of information, there were more than 100 Intelligence and Terrorism Information Center bulletins.

3. The following is a list of the ITIC bulletins translated into English (and other languages) which were available to the authors of the Goldstone Report (accessible at [www.terrorism-info.org.il](http://www.terrorism-info.org.il)). They have been divided into the key topics relevant to the Gaza Strip.

## The Hamas Takeover of the Gaza Strip and its Significance

1. Street fights in Gaza between Palestinian police and Hamas reflect the struggle for control of the Gaza Strip after the disengagement (19/10/2005).  
[http://www.terrorism-info.org.il/malam\\_multimedia/html/final/eng/eng\\_n/sf\\_gaza.htm](http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/eng_n/sf_gaza.htm)
2. The socio-political makeup of "Hamastan" (27/10/2005).  
[http://www.terrorism-info.org.il/malam\\_multimedia/html/final/eng/eng\\_n/hamastan\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/eng_n/hamastan_e.htm)
3. Profile of the Hamas movement (12/02/2006).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e0206.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e0206.pdf)
4. Hamas rocket attacks on Sderot and the western Negev continue on the backdrop of the extremely violent confrontations between Hamas and Fatah in the Gaza Strip (18/05/2007)  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_180507.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_180507.htm)
5. Moussa Abu Marzouq, Deputy Chairman of the Hamas Political Bureau, admits that the Hamas government supports terrorism and confirms that the Israeli security fence in the West Bank makes suicide bombing attacks more difficult (07/06/2007).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_060607e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_060607e.htm)
6. Dramatic escalation in the violent confrontations between Hamas and Fatah. Hamas has taken over extensive areas of the Gaza Strip as the collapse of Fatah and the security forces accelerates (14/06/2007).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_130607\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_130607_e.htm)
7. The meaning of the term "Islamic emirate", used by Abu Mazen and official Palestinian and Egyptian media to refer to the political entity formed in the Gaza Strip following the Hamas takeover (08/07/2007).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/islamic\\_emirate\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/islamic_emirate_e.htm)
8. Since Hamas took over the Gaza Strip, it has intensified its activities to impose an Islamic social code (31/08/2007).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/islamization\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/islamization_e.htm)
9. A record in Hamas' violent suppression of Fatah in the Gaza Strip (15/11/2007).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/gaza\\_121107e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/gaza_121107e.htm)
10. Fatah suppressed in the Gaza Strip (04/08/2008).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e002.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e002.htm)
11. Hamas security forces exerted massive military power to confront the Dugmush clan and operatives of the Army of Islam, a network affiliated with Al-Qaeda (21/09/08).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e006.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e006.htm)
12. Society and politics in the Gaza Strip (04/11/2008)  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e008.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e008.htm)
13. Yet another step in the establishment of a totalitarian "Islamic Emirate" in the Gaza Strip (13/11/08).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e009.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e009.htm)

## Hamas' Essential Nature and Its Military Buildup

14. Profile of the Hamas movement (12/02/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e0206.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e0206.pdf)

15. Senior Hamas operative figure tells London Sunday Times' Gaza Strip correspondent about Iranian and Syria military aid (17/03/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_160308e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_160308e.htm)

16. Hamas's military buildup in the Gaza Strip (Updated April 2008) (09/04/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_080408.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_080408.pdf)

17. Hamas and the other Palestinian terrorist organizations are taking advantage of the lull in the fighting to promote their military buildup, which includes intensive training, in preparation for the day after (21/08/08).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e003.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e003.htm)

18. As part of the Gaza Strip military buildup, women are trained for combat and for suicide bombing attacks (07/09/08).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e005.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e005.htm)

19. Hamas has lately regulated the flourishing tunnel industry in the Gaza Strip (28/10/08).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_e009.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_e009.htm)

## The Gaza Strip as Focal Point for Anti-Israeli Terrorist Activity

20. Attempt foiled to export technology from the Gaza Strip to the West Bank to manufacture rockets and explosive charges (31/10/2005).

[http://www.terrorism-info.org.il/malam\\_multimedia/html/final/eng/eng\\_n/ct\\_isse.htm](http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/eng_n/ct_isse.htm)

21. The Palestinian Islamic Jihad in the Gaza Strip is increasing its efforts to infiltrate terrorists into Israel (29/03/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/pij\\_e0306.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/pij_e0306.htm)

22. Strong indications that the Popular Resistance Committees have become a kind of sub-contractor for Hamas, enabling it to encourage attacks against Israel (28/04/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/prc\\_270406e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/prc_270406e.htm)

23. The Palestinian Preventive Security thwarted an attempt to perpetrate a deadly terrorist attack at Karni Crossing (02/05/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/karni\\_020506e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/karni_020506e.htm)

24. IDF force attacked and soldier abducted near Kibbutz Kerem Shalom (27/06/2006)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/kerem\\_shalom\\_e.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/kerem_shalom_e.pdf)

25. IDF force attacked and soldier abducted near Kibbutz Kerem Shalom (Update No. 1) (27/06/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/kerem\\_shalom\\_be.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/kerem_shalom_be.pdf)

26. IDF force attacked and soldier abducted near Kibbutz Kerem Shalom (Update No. 2, June 28, 1 p.m.) (28/06/2006)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/kerem\\_shalom\\_ce.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/kerem_shalom_ce.pdf)

27. The Palestinian Islamic Jihad and Fatah elements in the Gaza Strip dispatched a terrorist who carried out a suicide bombing attack in Eilat (31/01/07)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/eilat\\_290107e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/eilat_290107e.htm)

28. On Israel's Independence Day, the IDF thwarted a terrorist attack (possibly an abduction attempt) by Hamas against a military target in the southern Gaza Strip, under the cover of massive mortar and rocket fire (26/04/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_ct0407e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_ct0407e.htm)

29. Hamas rocket attacks on Sderot and the western Negev continue on the backdrop of the extremely violent confrontations between Hamas and Fatah in the Gaza Strip (18/05/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_180507e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_180507e.htm)

30. The Hamas rocket attack on Sderot and the settlements around the Gaza Strip continues as the Hamas-Fatah confrontation in the Gaza Strip wanes. (May 17 Bulletin update) (20/05/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_200607e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_200607e.htm)

31. The Hamas rocket attack on Sderot and the settlements around the Gaza Strip entered its seventh day as a ceasefire between Hamas and Fatah was maintained (21/05/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_210507e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_210507e.htm)

32. The rocket attacks on Sderot and the western Negev settlements, although fewer, continue (25/05/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_240507e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_240507e.htm)

33. Fatah-Palestinian Islamic Jihad terrorist squad infiltrated Israel near the Kissufim Crossing to attack an IDF force (11/06/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/pij\\_e100607.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/pij_e100607.htm)

34. The attack at the Kissufim Crossing: the Palestinian Islamic Jihad manipulated the media regarding the use of a jeep camouflaged as a press vehicle (12/06/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/pij\\_110607e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/pij_110607e.htm)

35. Increased terrorism against Israel as a solution to internal Palestinian strife (14/06/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_110607e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_110607e.htm)

36. Increased terrorism against Israel as a solution to internal Palestinian strife (16/06/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_110607e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_110607e.htm)

37. The Israel Security Agency arrested two female residents of the Gaza Strip who, guided by the Palestinian Islamic Jihad, intended to perpetrate a double suicide bombing attack at a crowded place in Tel-Aviv and in Netanya (17/06/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_130607e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_130607e.htm)

38. IDF security forces operating in the Gaza Strip detained a Palestinian Islamic Jihad terrorist operative involved in the May 2004 attack along the Kissufim road in which a woman and her four daughters were killed (15/07/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_160707e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_160707e.htm)

39. Osama Hamdan, the Hamas representative in Lebanon, told Iranian television that suicide bombing attacks against Israel were justified, especially attacks in buses (21/08/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/osama\\_hamdan0807e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/osama_hamdan0807e.htm)

40. On the morning of September 3 the Palestinian Islamic Jihad launched an exceptional rocket attack on Sderot (03/09/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/sderot\\_030907e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/sderot_030907e.htm)

41. Palestinian Islamic Jihad Website and a spokesman claimed the volleys of Qassam rocket fire at Sderot were launched to mark the beginning of the school year (05/09/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/pij\\_e\\_spokesmen.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/pij_e_spokesmen.htm)

42. Yet another attempt to infiltrate Israel from the Gaza Strip (10/09/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/pij\\_100907e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/pij_100907e.htm)

43. A rocket fired at the northern Negev on the night of September 10 hit the IDF base at Zikim, wounding 50 soldiers (11/09/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/zikim\\_e0907.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/zikim_e0907.htm)

44. A terrorist squad fired a mortar shell from within an educational complex in the town of Beit Hanoun in the northern Gaza Strip (04/11/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/edu\\_institutions\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/edu_institutions_e.htm)

45. Terrorist attacks and the propaganda campaign to undermine the Annapolis meeting (20/11/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_201107e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_201107e.htm)

46. Rocket threat from the Gaza Strip, 2000-2007 (19/12/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/rocket\\_threat\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/rocket_threat_e.htm)

47. Two days of hard fighting in the south: Israeli counterterrorist activities and Hamas rocket attacks (January 15-16) (16/01/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/jan15\\_16\\_08e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/jan15_16_08e.htm)

48. Renewed escalation of Hamas rocket fire at western Negev towns and villages (Summary of events, February 5-7) (10/02/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_070208e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_070208e.htm)

49. A new round of escalation in rocket attacks launched by Hamas and the other terrorist organizations against Israel (29/02/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_280208e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_280208e.htm)

50. Five days of escalation in the Gaza Strip (03/03/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_020308e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_020308e.htm)

51. During the last round of escalation in the Gaza Strip the terrorist organizations again made extensive use of Palestinian civilians as human shields (06/03/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/human\\_s\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/human_s_e.htm)

52. Hamas's military buildup in the Gaza Strip (Updated April 2008) (09/04/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_080408.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_080408.pdf)

53. Two Israeli civilians were killed in a terrorist attack at the fuel terminal of Nahal Oz, the only source of fuel supply for Gaza Strip residents (10/04/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_100408e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_100408e.htm)

54. Three IDF soldiers killed by Hamas gunfire in renewed escalation in the Gaza Strip (17/04/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_170408e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_170408e.htm)

55. On Passover Eve IDF forces prevented a combined mass-casualty attack at the Kerem Shalom Crossing. The attack was carried out by Hamas as part of its campaign against the crossings, to the detriment of the residents of the Gaza Strip (22/04/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_210408e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_210408e.htm)

56. An attempted mass-killing attack was prevented when a truck carrying explosives blew up near the Erez Crossing (22/05/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_220508e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_220508e.htm)

57. An increase in attacks on Christian and institutions identified with the West in the Gaza Strip (02/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/gaza\\_020608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/gaza_020608e.htm)

58. The Israeli security forces detained a terrorist from Rafah who infiltrated into Israel through Egypt (26/10/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_e008.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_e008.htm)

59. Escalation in the Gaza Strip: the IDF operated inside the Gaza Strip near the security fence to prevent the abduction of soldiers (05/11/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_e011.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_e011.htm)

60. During the recent rocket attack from the Gaza Strip, the Army of the Nation, an organization affiliated with Al-Qaeda, claimed responsibility for rocket fire targeting the western Negev and Ashqelon (19/11/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/gj\\_e001.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/gj_e001.htm)

61. Intensive rocket fire attacks against western Negev population centers and the Ashqelon region after Hamas announces the end of the lull arrangement (21/12/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e018.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e018.htm)

62. Summary of rocket fire and mortar shelling in 2008 (01/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/ipc\\_e007.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/ipc_e007.pdf)

## **The Lull in the Fighting and Its Unilateral Termination by Hamas, and Subsequent Deliberate Escalation (June – December, 2008)**

63. Senior terrorist-operative joins the Hamas administration: Jamal Abu Samhadana appointed general supervisor of the interior ministry and the police (25/04/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_230406e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_230406e.htm)

64. The Egyptian initiative for a lull in the fighting (updated to May 5, 2008 ) (06/05/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hudna\\_050508e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hudna_050508e.htm)

65. Israel has decided to give a chance to the Egyptian-brokered talks on a lull in the fighting, while keeping military readiness for an IDF operation in the Gaza Strip (12/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/lull\\_120608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/lull_120608e.htm)

66. The arrangement for a lull in the fighting (Updated to 6 p.m., June 18) (18/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/lull\\_180608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/lull_180608e.htm)

67. Implementing the arrangement for a lull in the fighting (Updated to June 22, 4 p.m.) (22/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/lull\\_220608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/lull_220608e.htm)

68. Implementing the lull arrangement (Updated to June 26, 4 p.m.) (27/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/lull\\_260608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/lull_260608e.htm)

69. Implementing the lull arrangement (Updated to June 29, 4 p.m.) (29/06/2008)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/lull\\_290608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/lull_290608e.htm)

70. Escalation in the Gaza Strip: the IDF operated inside the Gaza Strip near the security fence to prevent the abduction of soldiers (05/11/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ct\\_e011.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ct_e011.htm)

71. Significant erosion of the lull arrangement in the Gaza Strip (16/11/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e011.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e011.htm)

72. The erosion of the lull arrangement continues (30/11/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e013.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e013.htm)

73. Intensive rocket fire attacks against western Negev population centers and the Ashqelon region after Hamas announces the end of the lull arrangement (21/12/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e018.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e018.htm)



74. Escalation in the south: more than 60 rockets and mortar shells fired at the cities of Ashqelon, Netivot, Sderot and other population centers in the western Negev. Hamas claims responsibility for most of the attacks (25/12/2009)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e019.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e019.htm)

## Using the Civilian Population as a Human Shields

75. The Palestinian terrorist organizations, have recently made more frequent use of civilians as human shields to protect their bases and operatives (26/11/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/human\\_shield\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/human_shield_e.htm)

76. A terrorist squad fired a mortar shell from within an educational complex in the town of Beit Hanoun in the northern Gaza Strip (04/11/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/edu\\_institutions\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/edu_institutions_e.htm)

77. During the last round of escalation in the Gaza Strip the terrorist organizations again made extensive use of Palestinian civilians as human shields 06/03/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/human\\_s\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/human_s_e.htm)

78. Hamas's military buildup in the Gaza Strip (Updated April 2008) (09/04/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_080408.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_080408.pdf)

79. Using civilians as human shields (22/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/gaza\\_120608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/gaza_120608e.htm)

80. Hamas Exploitation of Civilians as Human Shields (06/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e028.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e028.htm)

81. Civilians as Human Shields (19/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e046.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e046.htm)

82. Using civilians as human shields: launching rockets at Israel from locations close to buildings and schools (20/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e044.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e044.htm)

83. Using the Civilian Population in the Gaza Strip as Human Shields (21/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e049.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e049.pdf)

84. Israeli Air Force Film Clips Show Use Hamas Makes of Gazan Civilians as Human Shields (28/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e054.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e054.htm)

85. Evidence of the Use of the Civilian Population as Human Shields (04/02/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e055.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e055.htm)

86. Israeli Air Force Film Clips and IDF Spokesman Pictures Show Use the Hamas Made of a School for Military Purposes during Operation Cast Lead File No. 4 (16/02/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e060.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e060.htm)

87. Evidence from Operation Cast Lead Shows Hamas Uses Mosques to Store Weapons and as Sites Launch Rockets and Mortar Shells File No. 3 (16/02/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e059.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e059.htm)

88. The use of mosques for military and political purposes by Hamas and other terrorist organizations and Islamic groups(01/03/2009 ).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e065.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e065.htm)

89. List of Intelligence and Terrorism Information Center bulletins dealing with Hamas and the other terrorist organizations' use of the civilian population as human shields (02/03/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e063.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e063.htm)

90. Using civilians as human shields (25/03/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e068.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e068.htm)

91. Pictures and recordings of the battles near the Ibn Taymiyyah mosque in Rafah provide rare evidence of the brutality of Hamas' suppression of its jihadi-Salafist opponents (06/09/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e081.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e081.htm)

## **The Military Use of Administrative and Public Buildings**

92. The Palestinian terrorist organizations, have recently made more frequent use of civilians as human shields to protect their bases and operatives (26/11/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/human\\_shield\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/human_shield_e.htm)

93. A terrorist squad fired a mortar shell from within an educational complex in the town of Beit Hanoun in the northern Gaza Strip (04/11/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/edu\\_institutions\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/edu_institutions_e.htm)

94. During the last round of escalation in the Gaza Strip the terrorist organizations again made extensive use of Palestinian civilians as human shields 06/03/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/human\\_s\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/human_s_e.htm)

95. Using civilians as human shields (22/06/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/gaza\\_120608e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/gaza_120608e.htm)

96. Sa'id Siyam, a Hamas leader and Minister of Internal Affairs and National Security in Haniyah's administration, was killed in an Israeli Air Force strike (15/01/2009)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e041.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e041.htm)

97. Civilians as Human Shields(19/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e046.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e046.htm)

98. Using civilians as humans shields: launching rockets at Israel from locations close to buildings and schools (20/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e044.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e044.htm)

99. Using civilians as humans shields: launching rockets at Israel from locations close to buildings and schools (20/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e044.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e044.htm)

100. Using the Civilian Population in the Gaza Strip as Human Shields (21/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e049.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e049.pdf)

101. Using the Civilian Population in the Gaza Strip as Human Shields (21/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e049.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e049.pdf)

102. Gazans Tell How Hamas Used Them As Human Shields (28/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e052.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e052.htm)

103. Evidence of the Use of the Civilian Population as Human Shields (04/02/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e055.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e055.htm)

104. During Operation Cast Lead, improvised grenades probably manufactured by Hamas were found inside drug bottles (16/02/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e061.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e061.htm)

105. Civilians as human shields: additional evidence from various sources demonstrating the use made by Hamas of civilian houses for military purposes during Operation Cast Lead – file no. 5 (18/02/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e062.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e062.htm)

## **The Police and Other Internal Security Services Join Hamas' Military-Terrorist Wing**

106. Senior terrorist-operative joins the Hamas administration: Jamal Abu Samhadana appointed general supervisor of the interior ministry and the police (25/04/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_230406e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_230406e.htm)

107. Hamas security forces exerted massive military power to confront the Dugmush clan and operatives of the Army of Islam, a network affiliated with Al-Qaeda (21/09/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e006.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e006.htm)

108. Hamas's Military Force in the Gaza Strip (04/-1/09).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e025.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e025.htm)

109. Mounting evidence indicates that during Operation Cast Lead (and in ordinary times) members of Hamas's internal security forces served as commanders and operatives in Hamas's military wing (Izz al-Din al-Qassam Brigades). (23/03/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e067.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e067.htm)

110. Examination of the number of Palestinians killed during Operation Cast Lead indicates that most were armed terrorist operatives and members of Hamas's security forces involved in fighting against the IDF (07/04/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ipc\\_e021.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ipc_e021.htm)

111. Further proof that Palestinian policemen also serve in the Izz al-Din al-Qassam Brigades, Hamas' military-terrorist wing (01/09/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e079.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e079.htm)

## Palestinian Casualties during Operation Cast Lead

112. Hamas hides the casualties suffered by its operatives: Hamas's main online forum censors the publication of names and photographs of operatives killed in Operation Cast Lead (12/01/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e037.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e037.htm)

113. Examination of the number of Palestinians killed during Operation Cast Lead indicates that most were armed terrorist operatives and members of Hamas's security forces involved in fighting against the IDF (07/04/2009).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/ipc\\_e021.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/ipc_e021.htm)

## Documents Containing Basic Relevant Information

114. Palestinian Terrorism in 2005 (01/01/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/palestinian\\_terror\\_e.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/palestinian_terror_e.pdf)

115. Profile of the Hamas movement (12/02/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_e0206.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_e0206.pdf)

116. The Hamas Charter (21/03/2006)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_charter.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_charter.htm)

117. The Palestinian terrorist organizations, have recently made more frequent use of civilians as human shields to protect their bases and operatives (26/11/2006).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/human\\_shield\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/human_shield_e.htm)

118. Anti-Israeli Terrorism, 2006: Data, Analysis and Trends (11/03/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/terrorism\\_2006e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/terrorism_2006e.htm)

119. Rocket threat from the Gaza Strip, 2000-2007 (19/12/2007).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/rocket\\_threat\\_e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/rocket_threat_e.htm)

120. Hamas's military buildup in the Gaza Strip (Updated April 2008) (09/04/2008)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/hamas\\_080408.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_080408.pdf)

121. Anti-Israeli Terrorism in 2007 and its Trends in 2008 (25/05/2008)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/terror\\_07e.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/terror_07e.htm)

122. Hamas and the other Palestinian terrorist organizations are taking advantage of the lull in the fighting to promote their military buildup, which includes intensive training, in preparation for the day after (21/08/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e003.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e003.htm)

123. Society and politics in the Gaza Strip (04/11/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e008.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e008.htm)

124. The Six Months of the Lull Arrangement (28/12/2008).

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e020.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e020.htm)

125. The Six Months of the Lull Arrangement (30/12/2008)

[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e017.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e017.htm)

126. Summary of rocket fire and mortar shelling in 2008 (01/01/2009).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/pdf/ipc\\_e007.pdf](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/ipc_e007.pdf)
127. Hamas Exploitation of Civilians as Human Shields (06/01/2009).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e028.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e028.htm)
128. The use of mosques for military and political purposes by Hamas and other terrorist organizations and Islamic groups(01/03/2009 ).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e065.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e065.htm)
129. The Gaza Strip after Operation Cast Lead: The rebuilding of the civilian and military infrastructure in the Gaza Strip carried out by Hamas. At the same time, Hamas continues entrenching its control of the Gaza Strip (29/06/2009).  
[http://www.terrorism-info.org.il/malam\\_multimedia/English/eng\\_n/html/hamas\\_e074.htm](http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/html/hamas_e074.htm)

## Serial Publications

130. **During Operation Cast Lead** the Intelligence and Terrorism Information Center issued 18 Daily Bulletins. Many of them dealt in part with the use made during the fighting of the civilian population as human shields by Hamas and the other terrorist organizations. In addition, the **weekly updates** issued by the ITIC contained large amounts of relevant data concerning the development of the terrorist threat against Israel from the Gaza Strip.