

Lebanon: The Israeli War Crime That Goes Unmentioned

By [Jonathan Cook](#)

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Here set out in black and white in the Israeli media is a moral conundrum that western politicians, diplomats and international human rights organisations are resolutely failing to address - and one I have been highlighting since 2006.

It was then that Israel implemented for the first time its Dahiya doctrine - turning Lebanon back to the Stone Age. It launched an horrific assault that wrecked Lebanon's infrastructure, killed 1,300 Lebanese - most of them, as ever in Israel's wars, civilians - and made refugees of more than a million inhabitants of the country's south. The exercise has been repeated in Gaza on a regular basis ever since.

Last month the New York Times [kindly published an Israeli press release](#) masquerading as a news report that the Israeli army had photographic evidence that Hizbollah was moving its military bases into villages all over south Lebanon. The evidence was paltry to say the least. And the New York Times, quite bafflingly, said it had not been able to "independently verify" the information, as though it lacked reporters in Lebanon who could visit the sites named by its correspondent in far-away Tel Aviv.

The clear implication of the story was that, when the next war with Lebanon arrives, as the Israeli army keeps promising is just around the corner, Israel will be able to blame Hizbollah when its attacks kill mostly civilians.

As Israel's Haaretz newspaper pointed out - possibly inadvertently - in a headline, the New York was doing Israel's propaganda work for it: "Israel's secret weapon in the war against Hezbollah: The New York Times".

Although the NYT's propaganda role was noted by several observers, no one seemed to make the point that, if Hizbollah is only now moving its bases into these villages, how can one make sense of the prominent justification for the high civilian death toll in Lebanon in 2006? Then Israel argued - and was backed by the UN and others - that the civilian deaths were a result of Hizbollah's "cowardly blending" with the civilian population by firing rockets from built-up areas, though no evidence was produced at the time.

Look at what Amos Harel, Haaretz's military correspondent, writes now:

The [New York] Times reports that Hezbollah, as part of the lessons it drew in the Second Lebanon War, in 2006, moved its "nature reserves" - its military outposts in the south - from open farmland into the heart of the Shi'ite villages that lie close to the border with Israel. That in itself is old news.

Tell that to Jan Egeland, who was the United Nations Undersecretary-General for Humanitarian Affairs at the time (and later joined Human Rights Watch), as well as all those who echoed his accusation against Hizbollah of “cowardly blending”.

There is another, even more vital point unnoticed by most observers but highlighted in Harel’s report for Haaretz. One of the problems for those at the receiving end of these savage Israeli attacks has been: how to respond. Or rather: how to respond within the confines of international law. While Israel has been doing most of the killing, western politicians, diplomats and human rights groups like Human Rights Watch and Amnesty International have been more exercised by the efforts of Hizbollah and Hamas to retaliate in kind.

The international law argument supposedly goes something like this: Israel has the right to defend itself and so long as it is aiming for military targets with its precision armaments and acts proportionately then it is within its rights to launch attacks, whether civilians are killed or not.

The argument’s flip side goes like this: However terrible the suffering endured by their respective populations under this barrage, Hizbollah and Hamas have no right to respond with their imprecise rockets, whether they are aiming for a military target or not, because they cannot be sure their rockets will not hit civilians. In short, anything they fire over the border is a war crime by definition.

If that sounds problematic to you, check out my own public engagement with Sarah Leah Whitson of HRW back in 2006 [debating this very issue](#).

The problem when dealing with asymmetrical confrontations is that traditional interpretations of international law are rigged to the advantage of the stronger, better-armed side.

So how does the Israeli army feel about Hizbollah’s efforts to improve its rockets to avoid this international law problem. Haaretz’s Harel explains what his military contacts have been telling him:

Israel is apparently deeply concerned by Hezbollah’s effort to improve the accuracy of its rockets. The organization has in its possession vast numbers of missiles and rockets – 130,000, according to the latest estimates – but upgrading its capability is dependent on improving the weapons’ accuracy, which would enable Hezbollah to strike effectively at specific targets, including air force-base runways and power stations.

In other words, Israel is “deeply concerned” that Hizbollah might soon be able to operate within the terms of international law as laid down by official arbiters like the UN and HRW.

How is Hizbollah trying to upgrade its rockets? Its allies, Iran and Syria’s Bashar Assad, are trying to deliver more sophisticated weapons to it through Syrian territory. How does Israel feel about this? Harel reports: “Israel is upset at the smuggling of weapons by the Assad regime in Syria to Hezbollah.” In fact, we know Israel is “upset” because it keeps violating Syria’s sovereign air space to launch attacks in Syria to stop convoys it claims are transporting such weapons reaching Hizbollah. It is similarly blockading Gaza to make sure upgraded, precise weapons do not get into Hamas’ hands.

So who will be to blame when Israel gets the next war with Lebanon or Gaza it wants and Hizbollah or Hamas respond by firing their imprecise rockets in retaliation? When Israeli civilians die under those rockets, will Hizbollah and Hamas be responsible or will it be Israel's fault?

We will doubtless hear the answer from the United Nations, Human Rights Watch and the New York Times soon.

www.haaretz.com/news/diplomacy-defense/.premium-1.656516

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