

**EXECUTIVE SUMMARY OF IAC PRESENTATION:  
“JENIN AND OTHER PALESTINIAN CITIES: OPERATION DEFENSIVE SHIELD”**

On 29 March 2002, the Israel Defense Forces (IDF) embarked upon a targeted military campaign into the territories captured by Israel during the Six-Day War of June 1967 (the “Territories”) that had come under the control of the Palestinian Authority (PA) as a result of the series of agreements reached between the Palestinians and Israel since 1993, commonly referred to as the Oslo Accords. The military campaign, which Israel dubbed “Operation Defensive Shield,” was provoked by 20 months of unabated and escalating terror attacks committed by organized Palestinian terrorist groups against Israeli civilians – culminating in a spree of Palestinian violence in the last four days of March 2002 during the Passover holiday that claimed the lives of 53 civilians and wounded over 258 others.

During the 20 months of Palestinian violence, numerous pleas were made to the PA to end the terror attacks, as it was duty-bound under explicit provisions of the Oslo Accords. In fact, however, the PA played an active role in encouraging the violence for illicit tactical objectives. PA Chairman Yasir Arafat was quite blunt in speeches made in his native tongue to his Palestinian constituency:

“Kill a settler every day. . . . Shoot at settlers everywhere. . . . I want you to kill as many settlers as possible. . . . Do not pay attention to what I say to the media, the television or public appearances. Pay attention only to the written instructions that you receive from me.”

Several high-ranking PA officials confirmed in Arabic-language interviews that the hostilities initiated in September 2000 were a premeditated response by the PA to their failure to achieve their goals through negotiation – in blatant disregard of the Oslo Accords commitments to “renounce the use of terrorism and other acts of violence” and to ensure that “all outstanding issues relating to permanent status will be resolved through negotiations.” The PA effectively orchestrated the violence by glorifying homicidal suicide bombers and other terrorists as “martyrs”; fostering an atmosphere of pervasive incitement, especially directed at children; allowing terrorists and armed militia to operate freely throughout the Territories; and smuggling illegal weapons and explosives into the Territories – all in direct contravention of explicit obligations delineated in the Oslo Accords. There can be no doubt that, as one PA official boasted: “The leadership of the PA remained the source of the authority, and it alone was the factor capable of leading the operations of the *intifada* throughout the homeland. I can say for certain that brother Abu-Ammar [Arafat] is the ultimate authority for all operations, and whoever thinks otherwise does not know what is going on.”

The decision by the Government of Israel to embark on the military campaign was thus compelled by the circumstances and the inherent duty to defend its own population. The IDF entered the main Palestinian cities to locate and disable the Palestinian terror apparatus, arresting terrorists, dismantling explosives laboratories and factories, and confiscating illegal weapons and explosives. In the words of the U.S. Congress: “Israel’s military operations are an effort to defend itself against the unspeakable horrors of ongoing terrorism and are aimed only at dismantling the terrorist infrastructure in the Palestinian areas, an obligation Arafat himself undertook but failed to carry out.”

The military campaign into Palestinian cities other than Jenin involved some armed conflicts – but by and large the operation successfully yielded the detentions and arrests of numerous militants and terror group leaders (some 5,000 Palestinians, including 2,900 wanted persons, were detained and interrogated); the discovery and demolition of extensive explosives “laboratories”; and the confiscation of massive amounts of illegal arms and counterfeiting machinery. At the same time, humanitarian aid flowed relatively smoothly to those in need, with good coordination maintained between the IDF and the humanitarian aid organizations.

Jenin merits special attention. Jenin is aptly known among the Palestinians as the “capital of suicide bombers,” having supplied the murderers who executed 28 terror attacks, killing 60 and wounding over 1,000 Israelis since the start of the uprising. Jenin is comprised of a city and refugee camp. The

camp is a small fraction of the city, both in size and population. The military campaign in the city was conducted without undue resistance or incident.

The refugee camp was another story. The IDF met fierce resistance every step of the way from the scores of Palestinian gunmen hunkered down in narrow alleys, and from the master bomb-makers in the camp, who rigged up an elaborate system of tripwires, with exploding houses, sewage covers, and even trees. Snipers lurked everywhere, utilizing private homes as their bunkers. Palestinian militants placed the civilians of the camp, including children and women, directly and deliberately in harm's way as human shields. There is at least one reported case of a woman luring soldiers to her aid, then detonating the explosives she carried on her body when they approached. One Islamic Jihad commander told the Palestinian press that, "Believe me, there are children stationed in the houses with explosive belts at their sides." There was, in short, serious urban warfare in Jenin. In the end, there was devastation. That was inevitable; war is not pleasant. The fierceness of the ensuing battle served only to confirm Jenin's significance to the Palestinian terror organizations and the degree to which that city had become saturated in militant fighters.

Extensive statements from Palestinian terrorist leaders who led the battle in Jenin confirmed the following: (1) those Palestinians who remained in the Jenin camp did so intentionally for the purpose of battling – with guns, explosives, and booby-traps – the Israeli troops; (2) civilians were offered (indeed, directed) by the IDF to leave the camp to avoid casualties and almost all did; those who stayed, including women and children, chose to do so, principally to participate actively in the fighting and to support the Palestinian side in battle; (3) civilians who complied with IDF directives and stayed away from the fighting were left unharmed and treated fairly; (4) the actual fighting by the Palestinians was fierce and determined, inflicting substantial casualties on the IDF; (5) armed Palestinian terrorists deliberately located themselves among civilians – in blatant violation of international law and the laws of armed conflict – thus making it extremely difficult the IDF to isolate civilians from the battles; (6) many of the Palestinian casualties were self-inflicted by their direct participation in the fighting and through explosions caused by Palestinian booby-traps and mines; and (7) Palestinian homes were destroyed only as a necessary last resort to bring the fighting to an end, the choice having been made in an effort to limit potential civilian casualties.

In the end, 52 Palestinians, of which the overwhelming majority were terrorist fighters, were killed – fewer than the number of Israeli civilians killed in the four days of murders at the end of March prompting the military campaign. Israel lost 23 soldiers. Jenin wasn't a crime. It was another tragically bloody battle in a war started by the Palestinians 21 months ago.

The accusations about the IDF withholding or hampering the provision of humanitarian aid are overstated. Perfection cannot be expected, especially during intense guerilla warfare. The IDF took special care regarding the supply of humanitarian aid. 245 truckloads of food were brought into the Jenin area, while in the weeks previous to the operation, less than 160 truckloads arrived. The Jalameh trucking terminal remained open; 200 truckloads of food and basic supplies passed through this terminal alone, as did dozens of trucks loaded with humanitarian aid. 807 thousand liters of fuel and 150 tons of gas were brought to Jenin.

Constant contact was maintained by the IDF with Palestinian officials and with international representatives, focusing on humanitarian issues, particularly the movement of ambulances, evacuation of the dead and injured, as well as the delivery of food shipments. According to Dr. Mundar Sharif, the PA's deputy head of health services: 257 injured Palestinians were evacuated to the hospital in Jenin for treatment (through 18 April); between 2-24 April, 78 people were evacuated from Jenin to hospitals in Israel, while an additional 21 Palestinians injured in the fighting in Jenin were also transferred to Israeli hospitals. Travel to local dialysis machines was arranged for kidney patients needing treatment. There were no shortages of oxygen, medicine, blood supplies or medical equipment in the local Jenin hospital; truckloads of these supplies were brought to the hospital. When Israeli blood donations were rejected, Israel arranged for blood to be delivered by helicopter from Jordan. Finally, Israel delivered a large emergency generator to the hospital in Jenin.

The inevitability of civilian casualties and the difficulty of access for humanitarian aid were caused largely by the Palestinian militants and their deliberate intermingling among civilians, including:

- Instances of suicide bombers pretending to surrender, then detonating their charge;
- Improper use of the emblems of the Geneva Convention – including abuse of ambulances to carry explosives and suicide bombers;
- Wanton deployment of explosive devices and illegal use of mines and booby traps, delaying relief and causing Palestinian civilian casualties;
- Booby-trapped bodies – further constraining humanitarian efforts;
- Shielding behind civilians – including cases of gunmen, even a suicide bomber, advancing (in one case opening fire) behind or with civilians; hiding bomb “factories” in civilian buildings; and initiating attacks from populated areas;
- Cynical abuse of Palestinian children through their active participation in the hostilities; and
- Sacrilegious abuse of the sanctity of houses of worship.

Two significant points must be made about access by humanitarian aid vehicles to the Jenin camp. First, the only entry to the camp from the city was heavily booby-trapped and impassable. The IDF engineers could not neutralize the mines and explosives on the road until after the Palestinian militants were subdued and defeated. Second, the Palestinians repeatedly used Red Crescent ambulances to transport arms and explosives. The IDF in fact filmed at least one instance where an explosives belt was discovered hidden in an ambulance stretcher. Likewise, at least one suicide bomber, Wafa Idris, used the cover of her work for the Red Crescent as the means for gaining entry to Israel with her explosives. These incidents compelled the IDF to require advance coordination with the various humanitarian organizations to permit entry of all such vehicles into Jenin, and it required the IDF to carefully search all vehicles and their contents before allowing passage.

Finally, the IDF was constrained to destroy 130 of the 1,900 homes in the refugee camp, having determined that short of aerial bombardment, there was no other feasible manner of neutralizing the mines and booby-traps and subduing the terrorists hiding there. Clear warnings were given in advance, and only a few militants determined to fight literally to the end may have been killed in that activity (one of whom apparently was in the process of placing an explosive on the bulldozer).

In summary, the events of the 20 months in question demonstrate wholesale abdication of the core Oslo Accord principles by the PA. These fundamental and repeated breaches compelled IDF military involvement. There is no dearth of international law requiring all peoples to combat by all means acts of terror and their perpetrators, and allowing – indeed demanding – that member states defend their citizens against such threats. The circumstances in Israel over the 20 months preceding Operation Defensive Shield were exemplary of conditions requiring strong military action – especially once it became clear that more moderate steps were ineffective and that the sovereign power was condoning, if not actively encouraging and financing, the terror activities and their sponsors.

As to Jenin, the plain facts are that the IDF engaged in hand-to-hand, door-to-door combat, in an intensely built-up shantytown, among dozens of houses booby-trapped by Palestinian militants, yielding a handful of civilian casualties. That incredible result testifies to the extraordinary scrupulousness of the Israeli army, which sacrificed 23 soldiers in battle, precisely so as to spare Palestinian civilian casualties that inevitably would be inflicted by massive aerial bombardment or artillery attacks. The IDF ought to be commended, not condemned.

If the UN wishes to defuse regional tensions and signal that terrorism is not acceptable, then there must be no equivocation. In a Middle East where perception is more important than reality, the UN’s silence regarding Palestinian terror is deafening and its moral equivalency is interpreted as a green light for terrorists. The main casualty is UN credibility. This inquiry provides another opportunity to do justice. Let us hope objectivity prevails. It is our best and only chance for real peace.