



The European Alliance for Israel statement on the Davies report

Davies Report undervalues important points

***(Zurich, June 29th 2015)* The European Alliance for Israel (EAI) appeals to the UN HR-Council to refrain from following the recommendations of the Davies Commission, as serious questions must be asked. Some important points were not given adequate consideration in the conclusions and recommendations. Especially relating to the intent to kill civilians in Israel using long ranged missiles and the role of Palestinian armed groups in increasing casualties in Gaza.**

The EAI also acknowledges that the Davies commission had to do its inquiry on the acts of war in Israel and the Gaza strip during summer 2014 under difficult circumstances. Regardless of that, the report cannot be seen as satisfactory. Even though the report accuses the Palestinian Authority and Hamas of having committed or not persecuted several war crimes, the EAI sees the report as unbalanced. To mention in particular the following points:

- **Long range missiles / Death toll**
The principal findings of the report begins with an overview of the death toll, characterising the loss of life in Gaza as “heart-breaking”. When evaluating the conflicting parties’ responsibility for casualties, a look at the death toll is not a fair examination of this war. The intent to kill must be examined and highlighted. When long range missiles are being fired at Israeli city centres, a large number of civilian victims is intended and desired.
- **Role of Palestinian armed groups in causing civilians casualties in Gaza**
The report does not give adequate attention or enough weight to the use of Palestinian human shields. The influence of Palestinian armed groups on civilians’ reaching shelter is only touched on very marginally. During the conflict Israel reported several times that people were being urged to stay in dangerous zones or coerced to move to specifically exposed sites. Given the importance of this fact in judging the death toll as well as the legality of operations, the report is insufficient and unacceptable.
Also, the report is unbalanced and incomplete when judging the legality of military operations by Palestinian armed groups in or from densely populated areas in Gaza. The EAI acknowledges that the report states that illegal operations took place and that they were unacceptable. But at the same time – even though the commission was unable to investigate this properly - the report seeks to downplay the crimes of Palestinian armed groups while overly concentrating on the size of Gaza and its density of population. The report goes so far to generally say that the conduct in question of the armed groups does not modify Israel’s obligations to abide by international law. In consequence, this means that the fact that Gaza is small and densely populated excuses Palestinian armed groups more than it does Israel.
- **Link to the blockade of Gaza**
The introduction of the report puts the war in the context of the blockade of Gaza, coming back to it again in the principal findings.
The EAI acknowledges that the infrastructure in Gaza is weak and the economic situation is difficult for many people. The EAI at the same time rejects the assumption in the report that the major responsibility for this situation lies with Israel.



The existence of the long and well-built tunnels into Israel and the large arsenal of missiles within Gaza prove that significant building capacities are in place. Israel has published estimations of how much civil infrastructure could have been built with the resources invested in the construction of these tunnels. When making a link to the blockade it would thus be of importance to investigate how basic materials and goods are distributed in the Gaza Strip.

- Emotional emphasis purely on the suffering of Palestinians
At the end of the principal findings, the tragic death of a 6 year old Palestinian boy is described very detailed and emotionally. This case story is revisited later on in the chapter on air-strikes on residential buildings and again in the chapter on the use of artillery in populated areas. When reporting the suffering of Israelis, it is not done with the same emotionality. This narrative potentially leads the reader to identify more strongly with the Palestinians, as the “real” victims.

The EAI sees the conclusions and recommendations as a direct consequence of the fact that these points are not sufficiently taken into consideration. The report primarily puts into question Israeli military tactics as well as the military and political leadership of Israel.

The EAI therefore appeals to the UN HR-Council to refrain from following the Davies Commission’s recommendations, where the onus for compliance with international law is unilaterally laid upon Israel’s shoulders.

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The EAI unites:

Österreichisch-Israelische Gesellschaft (ÖIG)

Gesellschaft Schweiz Israel

Dansk-Israelisk Selskab

ICEJ Suomen osasto

Magyar-Izraeli Baráti Társaságok és Körök Országos Szöv.

Federazione delle Associazioni Italia-Israele

Ireland Israel Friendship League

Cultural Friendship Association Romania-Israel

Samfundet Sverige-Israel

Deutsch-Israelische Gesellschaft (DIG)

Ceská Společnost Přátel Izraele

Anglo-Israel Association

FRANCE-ISRAEL. Alliance Général KOENIG

Irish4Israel

Genootschap Nederland Israel

Med Israel for Fred (Norway)

Društvo Srpsko-Jevrejskog Prijateljstva

Associacao de Amizade Portugal-Israel