

Hirsh Goodman and Jonathan Cummings, Editors

# **The Battle of Jenin:**

A Case Study in Israel's  
Communications Strategy



## The Jaffee Center for Strategic Studies

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The purpose of the Jaffee Center is, first, to conduct basic research that meets the highest academic standards on matters related to Israel's national security as well as Middle East regional and international security affairs. The Center also aims to contribute to the public debate and governmental deliberation of issues that are, or should be, at the top of Israel's national security agenda.

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on Information Strategy



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## Preface

In July 2002, in the wake of Israel's Operation Defensive Shield and charges of a massacre committed by Israeli forces in the Jenin refugee camp, the Jaffee Center for Strategic Studies held a conference entitled "Jenin: A Case Study in Israel's Communications Strategy." The conference was part of the Center's Andrea and Charles Bronfman Program on Information Strategy.

Defensive Shield was launched in April 2002 following an upsurge in Palestinian violence. The task of the Israel Defense Forces (IDF) in the densely populated Jenin refugee camp was to destroy the operational infrastructure of the militant organizations. Fighting was fierce, casualties were high, and reliable information was scarce. The intense confrontation in a closed military zone created fertile ground for rumors and distorted reports.

Because the Jenin operation, and the way it was reported, was such an outstanding example of Israel's lack of strategic and operational media planning, the Bronfman Program devoted a full day's discussion to the issue. The conference sought to understand essentially what went wrong and why. How was it possible that so many uncontested reports of a massacre circulated around the world when no massacre had occurred? What could be so wrong with Israel's media policy to allow such a warped and damaging perception of events to gain credibility?

Approximately 170 people attended the conference, practitioners of Israel's media policy in government and the military, as well as academics, journalists, and cadets from the Foreign Ministry and military colleges who later in their careers will be dealing with media policy.

Over the course of the day, participants offered their answers to a series of questions regarding Jenin. The first panel addressed the question of what actually happened on the ground. In the second session, two foreign correspondents who reported on Jenin and whose coverage was broadcast around the world shared their perceptions of military-media relations. They were joined by an Israeli correspondent who surveyed and analyzed the coverage of Jenin in the Arab media. The third session assessed the damage caused by the negative media coverage of Jenin, from political,

economic, and diplomatic perspectives. Lastly, an effort was made to identify the lessons learned and the lessons still to be gleaned from the battle at Jenin, at the level of operational and strategic planning.

In an attempt to take a step back from Jenin, Keynote Speaker Martin Howard, Director-General for Corporate Communications at the UK Ministry of Defence, looked at the United Kingdom's experience in devising a strategy to deal with media management. While the issues that the UK defense establishment has confronted differ from Israel's conflict with the Palestinians, Howard argued that the rules of the game are simple and transferable.

Appended to this case study are summaries of two major reports relating to Jenin, one issued by Human Rights Watch and the second issued by the United Nations, as well as a number of excerpts from the international press that provide important contexts for the discussion.

The conference was sponsored by the Andrea and Charles Bronfman Program on Information Strategy, a research program initiated at the Jaffee Center in 2002. Through a series of workshops, seminars, conferences, and basic research guided by an interdisciplinary core group, the aim of the Program is to propose a comprehensive doctrine that will provide a model for Israel's military-media relations in the future.

Initially it was decided that the conference would be held under Chatham House rules, whereby remarks made by participants are left unattributed. Because of the importance of the issues that emerged during the conference, however, the participants approved summaries of their observations and have kindly agreed that these summaries be published with attribution. It is hoped that the publication of their remarks will heighten awareness and broaden the public debate on media strategy.

The proceedings published here are not a verbatim rendering of the presentations, rather a selective summary of the main points made, based on full transcripts of the day's discussions. We have made every effort to ensure that brevity has in no way compromised accuracy. Though accounts by the various participants may vary on facts and figures, we have remained faithful to their individual versions.

We would like to take this opportunity to thank once more those who gave of their time to participate in the conference, those who attended, and those who continue with the project. We would also like to thank the Head and the staff of JCSS for their help in making the program and this publication possible. Special thanks to Judith Rosen for her editorial assistance.

H.G. and J.C.  
Editors

## Introduction

As the current violent conflict with the Palestinians persisted and intensified, it became painfully clear that Israel was unable to portray its position effectively in the international media. For whatever reason, messages coming from government and military spokespeople were confused; briefings for the press were erratic and the information given there was treated with suspicion. While the acts of violence perpetrated against Israel were reported, these were quickly overshadowed by the extensive coverage of Israel's counter-responses.

The Palestinians realized soon after the violence began in September 2000 that other than suicide bombing, the media was the most important strategic weapon they possessed. One of the early and central goals of the "Al Aqsa Intifada," as the Palestinians named this war, was to internationalize the conflict and conjure up the type of international support that would limit Israel's freedom to use fully the force at its disposal in responding militarily to Palestinian attacks. In order to internationalize the conflict, effective use of the media was critical.

As became evident from the very early stages of the war and immortalized by the footage of 12 year old Mohammed al-Dura shot to death in Gaza, the Palestinians proved their ability to use the media to their advantage. The Palestinian Authority (PA) carefully selected good spokespeople who delivered consistent, unified, and articulate messages with credibility – often to reporters and anchors who were all too pleased to listen and were extremely mild in their questioning. Palestinian cameramen working as stringers for the world's major networks whose own crews Israel, with dubious logic, had decided to keep out of the war zone, were trained and intimidated by the PA to "frame the shot" - magnifying what could only be seen as Israeli brutality and Palestinian suffering. And, in the rare cases where the international press did not toe the line, the PA was not above issuing blatant threats or expelling news reporters.

As a result, and exacerbated by Israel's own incompetence, the cumulative damage to Israel's international image over the past two years has been significant, sometimes with worrying results. This has not been the case in the US, where the September 11 mega-terror catastrophe changed American attitudes to terror and suicide bombing

in particular. But in Europe there have been calls for a boycott of Israeli goods, and in Germany there was an attempt to halt the sale of spare parts and armored personnel carriers to Israel.

Moreover, while the Palestinians have not been able to internationalize the conflict as they wanted, Egypt has withdrawn its ambassador to Tel Aviv, the Jordanians have not appointed a replacement to their ambassador whose term expired, the Gulf States and Morocco have cut their economic ties with Israel, and there is a growing call from the Europeans and the Russians for some type of international force to be deployed in the area. Clearly media ineptitude has had strategic consequences for Israel in this war.

It is precisely because this conflict with the Palestinians is inherently ugly, with Israeli tanks deployed in densely populated urban areas, with guns being used against boys throwing stones, with cumbersome, often humiliating, lines at the roadblocks, and with entire Palestinian cities being surrounded and curfews placed on hundreds of thousands of people, that Israel should have realized the media consequences of military operations and prepared accordingly. It clearly did not.

At no time during this war was the lack of media awareness more dramatic than the period of the IDF's incursion into the Jenin refugee camp during Operation Defensive Shield in April 2002 following the Passover evening carnage at the Park Hotel in Netanya. For days, many all over the world, including some in Israel, believed that a massacre had taken place in the camp, that every house had been destroyed, that young men were being lined up and indiscriminately shot, and that Israeli troops, after losing 13 men in an ambush, went on a murderous rampage of revenge. The networks reported hundreds killed, and NGO, Red Cross, and European diplomatic "eye-witnesses" were given numerous minutes of air time to report the stench of bodies, the rubble, and the piles of dead.

When it was over, 56 Palestinians were killed in the Jenin refugee camp, most of them armed men. Of the almost 2,000 homes in the camp, 130, several dozen of them bomb making factories, were destroyed. Throughout the conflict, as opposed to what was reported, Israel and PA officials in Jenin and, in some cases, Red Cross and UN officials as well, maintained constant contact. Together they worked out a system for allowing ambulances safe passage, and facilitated the distribution of all humanitarian aid that arrived, such as blankets from the Israeli Arab community. Israel delivered three electric generators to the hospital to guarantee its continued functioning.

None of this was reported. Neither was the decision by Israel's Minister of Defense to use infantry and not F-16s as the army requested, despite the near certainty that this would lead to Israeli casualties, which indeed it did. The minister was aware of

what the probable collateral damage would be from an air strike in terms of Palestinian civilian casualties, and hence his decision.

By the time Israel finally opened the camp to reporters, the world believed that there had been a massacre in Jenin. Because of the haphazard and disorganized way in which Israel allowed the media to enter the camp, the Palestinians were the first to get to the microphones with stories of horror, all told against the backdrop of destroyed houses and rubble. In the Arab world, the Jenin massacre became entrenched in the Palestinian narrative, no matter what reports by the UN and others subsequently found. Also, no documentation was provided showing that the houses destroyed had either been bomb factories or were used by the terrorists to resist the IDF. Israel's voice was not heard.

To find out why, the Bronfman Program on Information Strategy at the Jaffee Center for Strategic Studies held a conference in July 2002 to assess Israel's military-media relations in light of international coverage of the events at Jenin. Following the conference, initial conclusions regarding Israel's communications strategy were formulated at the Jaffee Center and disseminated to the policy community. Testimony to the relevance and urgency of this message is the fact that some of the measures indicated by the conclusions have already been implemented. The essential conclusions are:

1. In the type of conflict that Israel currently faces with the Palestinians, the degree of international legitimacy that each side enjoys will affect the political outcome of the conflict no less than the results of the military confrontation between them. Moreover, the level of international legitimacy itself influences the military outcome of the conflict by shaping the frameworks of time and space in which the sides operate. A higher degree of legitimacy will give greater freedom of maneuver in both spheres: more time and greater space in which to act against one's opponent.
2. In this type of conflict, the media is of strategic importance, since it has a formative influence on the degree of legitimacy that each side enjoys. The more convincing the "story" that is portrayed in the international media regarding the justness of one side's struggle, the more legitimacy that side will gain in the eyes of the international community.
3. In this context, the efforts of the opposing side to impress its story into the consciousness of important target audiences – in the US and to a great extent in

Europe – are to be seen as a strategic threat. Thus, Palestinian attempts at misinformation, such as Saeb Erekat's repeated claims of a massacre in Jenin during Operation Defensive Shield, are to be considered a strategic threat with massive negative potential.

4. The awareness that the media aspects of the current conflict are of strategic importance must lead to the adoption of a strategy that grapples with this element of the confrontation, matched by the formulation of ground rules on the operational and tactical levels. Initial analysis of the battle in Jenin during Operation Defensive Shield indicates that this awareness had not yet penetrated to all areas of the government, notwithstanding that since the violent struggle erupted in September 2000 there had been a significant improvement in Israel's understanding of media aspects of the conflict. Evidently no operational or tactical doctrine was developed to deal with the strategic threat.
5. The awareness that the political outcome of the conflict will be influenced by the "story" that will be imprinted in the consciousness of the critical audiences must dictate that in planning an operation such as Defensive Shield, formulating the "story" that will justify and explain the efforts is of no lesser importance than planning the military aspects of the operation. Moreover, on the operational and tactical levels, modes of operation that will allow Israel the telling of this "story" in the best possible way must be planned in advance. Thus, if Israel had intended to use Operation Defensive Shield to impress upon the international community the "story" of the extensive terrorist infrastructure that the Palestinians have built across the West Bank, IDF troops and General Security Service (GSS) agents should have been equipped with tools for documenting this infrastructure before it was destroyed and with a mechanism for transferring this documentation to those who disseminate it to the international press.
6. Similarly, publicizing Israel's activities designed to mitigate the suffering of the Palestinian population, even while the battle raged, required organization beforehand to have information and documentation available regarding the various relief efforts. The conference emphasized that the IDF did much to alleviate the suffering of the population of the Jenin camp during the fighting, with medical supplies, food, water, and electricity, and some of this activity was even documented by the military authorities responsible. Nevertheless, it was not brought to the attention of spokespeople at the Media Center in Jerusalem

and the documentation was not relayed to those who could have given it wide distribution.

7. The intelligence efforts in advance of the operation to predict the enemy's likely military preparations – to foresee and plan for violent opposition along with the booby-trapped buildings where it was expected Israel's troops would enter – should be complemented by equally serious efforts to anticipate the opponent's communications strategy. Since it appears that from the beginning of the violence the PA has made significant efforts to internationalize the conflict along the lines of the Balkan conflict, in which Israel is assigned the role of Serbia, there were indications that if IDF forces entered Palestinian population centers, the leaders of the Palestinian Authority would claim that the IDF was conducting a massacre. Awareness of this could have resulted in a refutation, prepared in advance, to demolish the anticipated version of misinformation.
8. Similarly, the expected reaction of the international press to the proposed operation should be assessed, and prepared for accordingly. It should be remembered that the representatives of the international media are skeptical about information that Israel supplies. Thus it is important to rebuild the trust between these journalists and the public affairs and information professionals in Israel. The dynamic of distrust also requires some soul searching on Israel's part: it must look at why the foreign correspondents' trust in its communications professionals has eroded and draw the necessary conclusions.
9. As a general rule the international press should be afforded the greatest possible access to the operational arena, since the damage caused by rumors that spread in the absence of reliable information can be greater than what may be caused by the facts themselves. However, where the operational demands do not allow access to the operational area, the foreign press must be given information that will enable it to report the events with accuracy. Israel's failure to release as much information as possible means that the information that comes to the media from its opponent will assume a disproportionate level of importance.
10. Efforts to persuade the heads of international media organizations to give greater weight to Israel's claims should not be neglected, particularly when it is clear that there exists a preference for Palestinian claims. However, these efforts must not come at the expense of a commitment to supply as much reliable real-time

information as possible to the international media. In any case, the international media should not be seen as necessarily inimical – an easily self-fulfilling prophecy. This attitude only angers the foreign correspondents and affects the coverage they give to the events.

11. There is much to be learned from the experience of other countries, particularly the US and the UK, in the field of managing communications during protracted armed conflicts such as in Ireland and in Afghanistan. Insofar as these countries have devoted much thought to the issue, their experiences should be examined carefully, and the insights they have gleaned should be adapted to the reality of Israel's situation.

There are other conclusions to be drawn and constructive measures to be implemented. At the very least, however, it is clear that government and military authorities, recognizing the essential demand for a communications strategy, have begun to pool efforts to repair Israel's embattled image. Certainly given the protracted nature of the Israeli-Palestinian violence, these efforts are of critical strategic importance.

**Hirsh Goodman**

Director, Andrea and Charles Bronfman Program on Information Strategy  
Tel Aviv, December 2002

## Session I

# Jenin: What Actually Happened?

*The first session brought together five speakers who presented the events of the IDF operations in Jenin during Operation Defensive Shield from their own perspectives in an attempt to establish what actually happened.*

### **Jenin: The Operational Considerations**

Lt.-Col. Adir Haruvi

IDF Spokesperson's Unit

Operation Defensive Shield was a response to the wave of terror that peaked in March 2002 with 127 Israeli fatalities. The aim of Defensive Shield was to destroy the terrorism infrastructure: the explosives labs, weapons, and personnel. One measure of the operation's success was the reduction in Israeli fatalities in April. Success was also contingent on minimal loss of life to our forces and to the Palestinian civilian population.

### ***Operational decisions aimed at minimizing loss of civilian life***

■ Defensive Shield was primarily an infantry operation, a decision that surprised even the Palestinians. The method initially chosen, breaking holes through adjacent interior walls of houses so that the troops could move without being exposed to enemy fire, had previously been used in the Balata refugee camp in Nablus. In Jenin, the buildings were more solidly built, and so this method was not practical. It was in one of the exposed alleyways that 13 IDF reservists were killed.

■ Jenin was one of the few places that were not under curfew during Operation Defensive Shield. In fact, there was a cease fire every few hours and there were calls to come outside in order to separate the civilian population from the fighters who were barricaded inside the camp. A number of people did come out, but some remained inside. It is not clear if they did so willingly or if they were prevented from leaving and thus became human shields for the fighters.

- In cases where there was firing from inside mosques or other holy places, such as what occurred in the Church of the Nativity in Bethlehem, IDF troops did not return fire.
- The IDF changed its operational plans after the death of the 13 soldiers on April 9 and increased deployment of armored bulldozers, which were able to destroy booby-trapped houses without endangering IDF troops. Here too, there were repeated calls for inhabitants to leave before their houses were destroyed.

### ***Media aspects of operations in Jenin***

Before Operation Defensive Shield, foreign correspondents and Palestinian stringers enjoyed freedom of movement. Israeli journalists, on the other hand, were not permitted to enter Palestinian areas (Area A) without prior permission from the General Officer in charge of the regional command. At the start of Defensive Shield, the area was declared a zone closed to the press.

The decision to close the area was based on military considerations. It was important for commanders to operate without having to ensure the safety of journalists or to take risks caused by media presence. There were cases in previous operations in which foreign journalists were injured.

A Media Center was established in Jerusalem to fill the vacuum and to brief journalists daily. This attempt was only partially successful, and the response from the foreign correspondents was mixed. Specifically, there was great difficulty in supplying suitable footage, and in its absence the images that were ultimately broadcast on the international media were often imbalanced.

The Media Center also provided a venue for Israeli response to Palestinian claims of human rights abuses broadcast in the international media, including allegations of poisoned candies distributed to children.

The media strategy adopted in Defensive Shield was not new, rather evolved from an increased understanding of the hostile media environment in which the IDF operates. In addition to the obvious difficulty of providing reliable and timely information from the front, including visual images, Palestinian attempts to manipulate the media had to be confronted. For example, it is suspected that the carcasses of animals were buried in the rubble of the houses in the Jenin refugee camp to produce the smell of death that was widely reported in the international press and lent credence by Terje Larsen, UN Special Coordinator for the Middle East Peace Process.

## The IDF and the Civilian Population

Lt.-Col. Fuad Halhal

Office of the IDF Coordinator of Government Activities in the Territories

The IDF made considerable efforts to ensure provision of services to the civilian population of Jenin during Operation Defensive Shield. This included maintaining utilities and allowing the free movement of community leaders and representatives of international organizations.

Contact between the IDF and the civilian leadership of Jenin – the governor, the director of the hospital, the mayor, and others – was maintained throughout Operation Defensive Shield. These contacts were documented on video. The contact between representatives of the IDF, the Palestinian Authority, and the various NGOs in the field was also uninterrupted. There was little or no reporting of these contacts in the international press.

As a result of these contacts, there were a number of key examples of continued humanitarian assistance during the fighting in Jenin:

- There were numerous efforts to keep up a viable health system in Jenin during Operation Defensive Shield. Working together with the International Committee of the Red Cross (ICRC), the Palestinian Red Crescent, and the Palestinian Ministry of Health, the IDF made efforts to ensure the free passage of ambulances and medical teams. In the first two days of fighting, 38 people were brought to the hospital at the edge of the refugee camp and received medical attention. In addition, 10 bodies of those killed in the fighting were taken to the morgue.
- At a certain point in the fighting, after several incidents in which ambulances were found to be ferrying terrorists and weapons, the area Battalion Commander issued instructions that medical teams travel only along a “cleared” route, and that all ambulances be checked for suspected terrorists. The Palestinians initially refused to accept this directive, agreement being reached only after lengthy discussions with the ICRC. Implementation was delayed after 13 soldiers were killed on April 9.
- The medical system in Jenin did not collapse. 257 people were treated during Operation Defensive Shield. Delays in part resulted from Palestinian intransigence.
- The supply of utilities in Jenin was maintained as far as possible. Emergency generators were purchased and brought to the Jenin hospital when the main electricity supply units were damaged. Later, when the conditions allowed, the East Jerusalem Electric Company sent engineers to repair the damage.
- Together with other humanitarian organizations, including the ICRC and UNWRA,

provision was made for the thousands of inhabitants who left the refugee camp. Tents, blankets, medicine, and food were brought to temporary shelters for these refugees.

■ The principal supplier of oxygen for the West Bank, Ibrahim Haddad, is located in Jenin. When he was unable to supply oxygen to other West Bank cities, alternative arrangements were found. Tul Karm received oxygen from Haifa, and Hebron received oxygen from Beer Sheva.

■ Between April 20 and 22, 80% of the damage to the water and electricity supply sustained during the operation was repaired.

Rumors of a massacre began with the arrest of a large number of young men who were taken away for questioning. The IDF did not fully grasp the significance of the rumors that spread rapidly in the camp and among journalists, and it was this story rather than that of coordination and humanitarian relief that made the headlines in the international press.

## **Facts, Illusion, and Strategy**

Ze'ev Schiff

Defense Editor, *Ha'aretz*

To examine the IDF operation in Jenin, one needs to look at it from a number of angles. One must first understand exactly what happened at the operational level and the humanitarian level. Only then can the international dimensions of the conflict be examined, including the controversy over the proposed international commission of inquiry to investigate the alleged massacre. On the specific question of media coverage, media and modern warfare are closely related and the media should be seen as another weapon to be deployed in conflict.

Of the 13,000 residents of the Jenin refugee camp, some 2,000 remained inside the camp during the final phase of the battle. By the end of the battle, 56 had been killed. There were about 1,800 houses in the camp, according to analysis of aerial photographs, of which some 130, or roughly 7%, were destroyed.

Without entering into operational details, we should ask why the fighting in Jenin was so intense, and so different from other battles. There are questions about the reservists who were fighting in Jenin. Other reserve units fought extremely successfully and without heavy losses, in Qalqilya, Tul Karm and Bethlehem, for example. There is also a question about why the Palestinians, some 150 in number, fought so fiercely in Jenin. Abdel Rahman Sa'adi, a member of the Islamic Jihad who analyzed the battle in an interview with the *Boston Globe* said, "This was a massacre of the Jews, not of us."<sup>1</sup>

Against the backdrop of these questions lies the coverage of the battle. Among the dozens of articles in the British press on Jenin, one drew comparisons between what happened here and in Chechnya, where thousands were killed by shelling, indiscriminate bombing, and finally execution.<sup>2</sup>

On the international level, there were those tempted by the US proposal that the United Nations send a commission of inquiry to the area. However, the Secretary-General's answers to an Israeli request for further clarification on some key issues regarding the commission's mandate and authority led Israel to reverse its initial decision to approve the commission. Israel's withdrawal of support for the commission was reached in an understanding with the US. In exchange, Israel was to lift the siege on the Mukata'a, Arafat's headquarters in Ramallah, and to allow the murderers of Minister of Tourism Rehavam Ze'evi to be deported to Jericho, rather than be turned over to Israel.

The proof that Israel's change of heart was justified is to be found in two documents subsequently published, which indicate that to many, findings of a massacre were a foregone conclusion. One was by General William Nash, who was to be the military advisor to the commission of inquiry, who noted serious concerns of war crimes on the part of Israel.<sup>3</sup> In Europe, there was widespread media coverage of an extraordinary statement by the European Union, in which reference was made to rumors of massacre. "If they are confirmed," the statement continued, "they will have very serious consequences."<sup>4</sup>

Examining Israel's failure in media management is only part of the story. There is also a question about the media's failure in their reporting of Jenin, particularly the international media. At a certain point, it became clear that the allegations of a massacre were untrue, and yet very few journalists or editors corrected their earlier reporting or admitted to having been misled. Saeb Erekat originally claimed that 3,000 people had been killed, and later reduced the number to 500. Yet there was little or no coverage when the true figure emerged. For many viewers, and particularly readers, 500 remains the reported figure, rather than the actual number of some fifty. There was also little retrospective analysis of why the reporting at the time was so inaccurate.

<sup>1</sup> "Claims of Massacre Go Unsupported by Palestinian Fighters," *Boston Globe*, April 29, 2002.

<sup>2</sup> "Inside the Camp of the Dead," Janine di Giovanni, *The Times*, April 16, 2002. In the article di Giovanni noted, "Rarely in more than a decade of war reporting from Bosnia, Chechnya, Sierra Leone, Kosovo, have I seen such deliberate destruction, such disrespect for human life."

<sup>3</sup> Schiff's comment refers to Nash's statement, "These serious concerns about war crimes apply to both the armed Palestinians and the Israeli forces," in "Finding the Facts on Jenin Could Help Both Sides," *International Herald Tribune*, May 9, 2002.

<sup>4</sup> Statement from the European Union Presidency, April 16, 2002.

During combat, priority must be given to Israeli correspondents. In the interests of democracy and public opinion, the government and the military should allow the local press open access. Where it is difficult to allow free movement of local correspondents, there should be arrangements made for a pool of reporters and photographers. Allowing foreign correspondents into the battlefield is a completely separate issue and is primarily a question of security. Experience indicates that in general, foreign correspondents should not be allowed to wander freely among soldiers and commanders during combat.

## **Human Rights and Jenin**

Lior Yavne

Press Officer, B'Tselem, Israeli Information Center for Human Rights in the Occupied Territories

Operation Defensive Shield saw both the most intense military operation of the current conflict between Israel and the Palestinians, and the most vigorous campaign of disinformation by both parties. If truth is the first casualty of war, this was indeed the case in Jenin.

From the Palestinian side, alongside the political motives for disseminating disinformation, there were objective difficulties in getting any accurate information out of the refugee camp. The extended curfews and the cuts in the electricity supply provided fertile ground for rumors of a massacre, particularly in cases where some family members were evacuated to places outside of the refugee camp, leaving others inside the camp. The number of those feared dead was considerably higher than in fact was the case.

Paradoxically, the subsequent effect of this inaccurate information was that important debate within Israeli society on human rights abuses against the Palestinian civilian population was stifled. In its place, attention was focused on the allegations of a massacre and negative press coverage.

It is difficult to piece together an accurate picture of what actually happened inside the Jenin refugee camp. Although eyewitness accounts exist, many of the Palestinians had a very limited view due to restrictions on movement within the camp. In many cases there is no testimony relating to incidents resulting in Palestinian fatalities. In circumstances where there were no witnesses, it is difficult to establish whether fatalities resulted from excessive use of force by IDF soldiers. For the fact finders, there was also limited access to IDF troops that were involved in the fighting. When evidence was gathered, this was achieved by publishing advertisements in

newspapers calling on soldiers to make statements, which led to a number of important testimonies being recorded.

It is important to realize that the events of Jenin were not isolated incidents. There is evidence of the same human rights abuses in other cities, including looting, damage to property, and use of civilians as human shields, and in some cases more widespread abuses.

### *Examples of human rights violations in Jenin*

- The Palestinian fighters waged their war in areas of concentrated population, thus not only violating international law, but also endangering the civilian population surrounding them. As a result, more than 20 of the 55 Palestinians killed by IDF troops during the fighting were civilian bystanders.

- There was a change of mood among IDF soldiers following the incident on April 9 in which 13 soldiers were killed. According to testimony, soldiers became much less selective, sloppier in their use of fire.

- There was insufficient opportunity given to the civilian population to leave the refugee camp for the relative safety of the town. There is evidence that houses were destroyed with disabled inhabitants unable to leave, despite their asking for assistance from the IDF soldiers.<sup>5</sup>

- There is evidence that the wide-scale demolition of houses was unlawful. International law states that such action is permitted only if there is an immediate military imperative, if less severe measures have been attempted and failed, and if there has been a sincere effort to minimize civilian casualties. It appears that some of the demolitions do not meet those criteria. There is also evidence that little or no warning was given to the residents of some of the houses about to be destroyed and that the destruction of houses continued after the fighting had ended.

- A case has been documented in which IDF personnel evacuated two women, aged 50 and 60, from a house that had been destroyed 10 days earlier by an IDF bulldozer. This was 4 days after receiving information about the women's location. There were other cases in which IDF personnel were not sent to rescue civilians buried in ruins, despite an agreement to do so.

- Ambulances were prevented from moving within the Jenin refugee camp, and there is evidence that medical attention was delayed, resulting in the deaths of civilians.<sup>6</sup> Restrictions on medical personnel were also recorded in other areas. The IDF spokesperson maintains that ambulances were permitted to evacuate casualties,

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<sup>5</sup> Evidence of Fatiha Suleiman regarding her disabled son Jamal, who is still missing.

and that chronic patients, particularly those in need of dialysis, were allowed to receive treatment. There is, however, evidence of patients dying while waiting for the necessary permission to receive treatment. The protection of medical services and personnel is a basic principle of the laws of war, and these were violated in Operation Defensive Shield.

## **A Critical Analysis from a Reservist's Perspective**

Eylon Javetz

Communications Strategist

The events in Jenin and the adverse press coverage they received illustrate some deficiencies in the IDF's planning, organization, and management of the information aspects of urban operations. These deficiencies resulted in a series of tactical malfunctions and the ensuing strategic blunder, which culminated in allegations around the world of a massacre.

There were a number of failures in the area of media preparedness:

- No media training was given, nor were soldiers briefed on the rationale, intelligence background, or media concept of the operation.
- There was very little media awareness on the battalion and platoon levels.
- Barring the press from the battle zone increased freedom of maneuver, but the press filled the information gap with imagination, rumor, and disinformation. When 13 IDF soldiers were killed, for example, rumors were allowed to circulate for a long time with a highly demoralizing effect.

Media awareness should be an integral part of urban operations, rather than an afterthought. Media-related changes can include the creation of media teams at the brigade level, assimilation of relevant procedures and concepts, appointment of platoon media representatives, and distribution of video and disposable cameras to document explosives labs and booby-traps, such as those that were found and destroyed in Jenin.

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<sup>6</sup> Evidence of Jihad Hassan. For 11 days, IDF soldiers prevented him from traveling 200 meters to the hospital.

## Session II

# Jenin in the International Media

*The second session of the conference examined the coverage of Jenin in the international media from the perspective of foreign correspondents reporting from Israel and continued with an analysis of the Arab press.*

### **BBC Coverage of Operation Defensive Shield in Jenin**

James Reynolds

BBC Middle East Correspondent

The focus of BBC coverage of Operation Defensive Shield moved from Bethlehem to Jenin on April 7, when reports of intense fighting began to surface. A team was established on the outskirts of the town, since there was no access to the area in which the fighting was taking place. Correspondents understood that the area was a closed military zone, even though they would have liked the opportunity to cover the story from close up.

For three days the BBC crew was based at the Salem IDF post, and relied on phone contact with the IDF and with Palestinian sources in the city of Jenin, but not in the Jenin refugee camp. The IDF reported that it was extremely hard fighting – the toughest of Defensive Shield. Almost from the beginning Palestinian sources described the events in the refugee camp as a massacre.

Reporting reflected both the claims of the two sides, and the lack of firm information available. Jeremy Cooke's report from outside Jenin, broadcast on BBC television, reflects this difficulty:

It is Israel's increasingly secret war. Prime Minister Ariel Sharon has branded this city a viper's nest of terror. Now with cameras and reporters kept well back, Jenin is taking a pounding. You can tell by the smoke that the fighting is centered around the refugee neighborhood, a hotbed of Islamic militants.

For the Israelis this is payback for suicide bombings, but at a high price. Their wounded are airlifted to hospitals. At least nine soldiers have been

killed in the ground offensive. It's bad, but Palestinians living in the city say they are counting their casualties by the dozen. And so for days now the Israeli helicopter gunships have been carrying out wave after wave of attacks against Jenin, and already both sides here are talking about this as the most intense fighting since Ariel Sharon launched his offensive.

It is impossible for us to get inside the city to find out exactly what is happening. But many Palestinians inside are talking about a blood bath. Our repeated attempts to enter Jenin met with predictable results. For the Red Cross too these are frustrating times. They have also heard of many Palestinians wounded and killed. But reaching the casualties has proved impossible.

We have no ability to contact people inside the camp because the electricity is down. That's why we have no telephone. That's all I can say to you. We really don't know what is happening inside.

There is an inherent tension between correspondents' and networks' desire for fresh news and the reluctance of the armed forces to allow journalists to be close to combat. That is understood by both parties, and may never be fully resolved.

From April 10, when there was news that the fighting had died down, BBC crews made repeated attempts to enter the refugee camp in armored vehicles. At one point, they were close to the camp, but were intercepted by Israeli soldiers who confiscated press cards. There was intense speculation concerning the allegations of a massacre and a great demand for any evidence. Correspondents, however, were not able to confirm or deny the allegations.

On April 16, BBC reporters finally managed to enter the refugee camp and interview Palestinians. In the report that was broadcast that day, the BBC quoted figures of 50 Palestinians killed. In order to check the facts more carefully, the BBC commissioned a one-hour radio documentary concerning allegations of a massacre. The reporter spent five days in the refugee camp and interviewed refugees, fighters, civilians, NGO representatives, and community leaders. Despite requests to the Ministry of Foreign Affairs and the IDF, there were only three Israeli interviewees – Dr. David Zingen, who was a reserve medical officer during the fighting, and two reserve soldiers. Notwithstanding the lack of Israeli input, the program received positive reviews, and was considered balanced.

From the perspective of a foreign correspondent, trying to report accurately from Jenin, particularly in the first few days, was frustrating. There was a tendency to create instant mythology, and BBC reporters tried hard not to contribute to this. The

challenge was to uncover the facts as comprehensively as possible, and to report them as accurately as possible.

## Coverage of Jenin on France-2 TV

Charles Enderlin

Bureau Chief, France-2 Television

The story of press coverage of Jenin has its origins some weeks before the beginning of Operation Defensive Shield with a report on Israel's Channel 2 television. The report, which aroused a great deal of controversy, included footage of a soldier in Ramallah saying, "I don't understand what a nice Jewish boy like me is doing here far from home."<sup>7</sup> As a result, the Defense Minister issued an order that both local and foreign journalists should no longer be attached to IDF units in order to provide material for use on a pool basis. For the foreign press this had been one of the principal sources of footage in reporting IDF operations.

When it became clear that a military operation was about to be launched with a large-scale call-up of reserve troops, almost all major foreign networks concluded this would be important news and their foreign correspondents had to be as close as possible to the action. In fact, the IDF declaring the area a closed military zone was a great incentive for journalists to try to get inside the area. Ultimately, almost every foreign correspondent got into the closed zone at some point and discovered a civilian population under siege. This was the source of the bias. Journalists could show only one part of the story – the suffering of the Palestinians against the IDF soldiers in helmets and flak jackets armed with rifles, tanks, and APC's.

The general instructions to the France-2 television crew inside the closed zone were not to get hurt and not to get caught. The crew edited footage on the spot and broadcast directly to Paris using a satellite phone. Since there were few other journalists inside the combat area, local Israeli channels requested use of the footage. However, when these channels edited the material and removed the more negative images of IDF actions, France-2 stopped supplying the footage from Jenin.

There is a long history of IDF intransigence in giving its side of the story to the foreign press. This was certainly the case in Jenin. Despite repeated requests for interviews with soldiers and officers in the field, there was little cooperation from the IDF Spokesperson's Unit. This made it almost impossible to present a balanced picture and encouraged rumors. When the information did come in, it was often contradictory.

<sup>7</sup> Channel 2, March 15, 2002.

The professionalism of the crew on the spot kept France-2 from falling into the trap and using the word “massacre.”

Towards the end of Operation Defensive Shield, the Foreign Press Association threatened to appeal before the High Court and the closed military zone orders were canceled in most areas. Only at this late stage did the IDF start to let foreign journalists interview soldiers and officers. However, it was too late to “balance” the story.

There is a feeling among the foreign press that the policy of Israel is to be deliberately obstructive in some cases. While it is generally possible to get a statement in French from the Foreign Ministry within a few minutes of a terror attack, it is much more difficult to move around the Palestinian territories and report on incidents from there. Often, getting back into Israel can take a number of hours, leaving the network only with the option of a response from a Palestinian minister carried by microwave from Ramallah.

There is a danger to Israel of falling into a fixed conception that “the foreign press is against us, and that the world is against the Jewish state.” A situation has developed where it is more and more difficult to trust Israeli spokespeople and the accuracy of their information. At the same time, it is difficult to trust the Palestinian spokespeople.

## **Reverberations of Jenin in the Arab World**

Ehud Ya’ari

Arab Affairs Editor, Israel Channel 2 News

There is a tendency in the Arab media to oscillate between flights of verbal fancy when a suicide bomber strikes and deep despondency when Israel responds. This lack of restraint is also evident in the use of gruesome visual images, including lengthy close-up shots of dead bodies. There is little sense that true stories are parts of fuller narratives that develop over time, and little reporting of Israel as a participant in the wider story. Thus, Israeli operations are usually presented as independent events, and are rarely described as responses to previous Palestinian actions. This was particularly true in the case of Jenin.

There was extensive coverage of Jenin in all the Arab networks. Tenor of the coverage vacillated wildly between bloodthirsty calls for revenge and lamentations of failure. In reports from the camp during the fighting, militia leaders described their resistance against the IDF troops, including the ambush in which 13 soldiers were killed. They also described the dozens of explosive charges laid in water pipes and kitchen cabinets. The image was not the tragedy of a Palestinian Masada, rather

the victory of a Palestinian Karbala, a battle of heroism and glory.

After the battle, there was an immediate shift in tone from heroism to massacre. Just as the fighting itself had to be seen as a Palestinian Karbala, the results of the fighting had to be portrayed as a massacre. For the Palestinians, this was the natural ending to the revisited story of Sharon and his army crushing a Palestinian refugee camp. Knesset Member Ahmed Tibi suggested to Yasser Arafat that he use the term “Jeningrad” to describe the fighting. The switch between the two narratives was quick and complete.

## Session III

# Strategic Assessment

*In this session, the speakers assessed the damage that negative press coverage caused in the political, economic, and diplomatic spheres.*

### **Damage Assessment: An Overview**

Dr. Ephraim Kam

Deputy Head, Jaffee Center for Strategic Studies

There are three areas in which the IDF operations in Jenin produced negative results for Israel:

- In the Palestinian mindset, Jenin is now associated with massacre, despite those reports having been partially corrected in the West. Even informed Palestinians express no doubt that there was indeed a massacre, just as there is a collective memory of 10,000 Palestinians massacred in “Black September” 1970, though the real number was closer to 1,000.
- Although the rumors of a massacre were largely dismissed as baseless in Europe, they provided grounds there for allegations of war crimes and justifications of Palestinian terror. They also contributed to the rise of anti-Semitism in Europe.
- Operation Defensive Shield, particularly the operation in Jenin, showed the limits of the IDF’s ability to reduce the levels of Palestinian terror. Within a month of IDF forces withdrawing from the Palestinian cities after the completion of Defensive Shield, the level of terror attacks rose to approach what had been experienced before the operation.

A number of factors limited the damage to Israel. Central among these was the largely unsuccessful Palestinian attempt to sustain the myth of a massacre, reinforced by the UN Secretary-General’s decision not to send a commission of inquiry to Jenin, and his eventual acceptance of Israel’s account of the number of casualties. Instead, the attempt impacted negatively on the credibility of the Palestinian leadership in

the international community, and has been translated into pressure on the Palestinian Authority to undertake a process of reform.

## **The Economic Implications of Negative Press Coverage**

Dan Propper

Chairman, Osem Group of Companies

The economic damage caused by extended periods of violence that receive negative press coverage is considerable, and can last for a long time. It is very difficult to quantify the economic damage directly attributable to the current wave of violence, and even harder to isolate the role of negative media coverage in the economic downturn.

Within Israeli society, the continued violence and its associated media coverage led to a drop in confidence in the economy. This is exacerbated by unclear political messages and a lack of national leadership in the economic field. In times of tension or crisis, there must be a single, authoritative spokesman who addresses the mood of the nation, such as Chaim Herzog in 1967 or Nachman Shai in the Gulf War. This is true for all dimensions, including the economy.

On the international stage, the image of Israel is a contributing factor to the country's economic and political relations with the world. However, there are other factors, such as a tendency to support the underdog, or a certain level of anti-Semitism, that also affect the way in which Israel is seen.

The negative image of Israel, particularly in the European press, has contributed to a sense of unease about doing business here. There is a noticeable fall in business visitors – investors, analysts, and buyers. There are questions about the ability of Israeli companies to supply goods to overseas customers, and concerns about fulfilling contracts for goods already sold. This lack of confidence results from a perceived lack of stability and is fueled by unclear media messages. In addition, there have been cases of boycotting Israeli products and “showcasing” Israeli products so that consumers will be able to identify – and avoid - them easily.

Israeli companies have found a number of solutions, such as offering more attractive terms to European purchasers, or subcontracting to European suppliers. The overall economic damage incurred, however, is significant and will be long-term, even though it could be reduced by friendlier media coverage.

## Jenin: The Diplomatic Cost

Gideon Meir

Deputy Director General for Press and Public Affairs, Israel Ministry of Foreign Affairs

The IDF operation Defensive Shield and the campaign in Jenin came as a direct response to the Passover bombing in the Park Hotel in Netanya. However, the context for the media handling of Defensive Shield dates back to the capture of the Karine-A arms ship in January 2002, which was a low point for Israel's communications strategy and marked the beginning of a turnaround.

There were four objectives with regard to media handling in Defensive Shield:

- To attain legitimacy for the government's policy
- To facilitate freedom of political and military action for Israel
- To portray Israel's fight against terrorism as an integral part of the international campaign against terrorism
- To confront and challenge anti-Israel activity in the international arena

Achieving these objectives required greater coordination than had existed before between the various institutions that deal with the foreign press. Until Defensive Shield, coordination between the military and the political-diplomatic institutions had been minimal, and even today no binding rules exist for determining the parameters of such needed coordination.

One lesson learned from the past is that there is incalculable value in coordinating communications across the defense community – the IDF, the General Security Service, and the Mossad. There was a much higher level of coordination of this kind during the recent wave of violence, but there remains a need for the one in charge of the international media and other aspects of public diplomacy to ensure that media issues are factored into policy decisions at the highest level.

When the cabinet decided to launch Operation Defensive Shield, all the relevant bodies – the Ministry of Foreign Affairs, the IDF Spokesperson's Unit, the Prime Minister's Office, the Government Press Office, and the Ministry of Tourism – established a round-the-clock media center in Jerusalem to coordinate Israel's message to the local and international press. The Media Center was supported by a monitoring unit at the Neve Ilan studio outside of Jerusalem and an instant response team. Information was rapidly transferred via beeper, e-mail, and mobile phones. There were two meetings each day to coordinate messages and a daily press briefing to the local and international press.

Despite this level of coordination, Jenin became a classic example of military considerations outweighing attempts to receive positive coverage in the international press. When rumors of a massacre first began to surface, the Foreign Ministry argued for a gradual and controlled opening of the area to journalists. The area, however, remained closed. It would have been beneficial to a projection of Israel's point of view to have media professionals in the battlefield. Israel also lost opportunities to correct inaccurate reporting – for example, to broadcast footage of IDF forces carrying out humanitarian relief work as proof of the regard for the Jenin populace.

The decision to declare the area a closed military zone fueled suspicions of what was happening and contributed to the Security Council's Resolution 1405 to establish a commission of inquiry to determine what actually occurred in the Jenin refugee camp. Israel eventually refused to accept the mission, preferring to pay the political price rather than risk what was almost certain to be a highly critical report. Ultimately, the UN Secretary-General ordered the mission canceled, and the political damage was far less extensive than originally feared.

With regard to events in Jenin, the foreign press exhibited a tendency to adopt uncritically the Palestinian narrative. As a result, most of the international news networks, among them CNN and the BBC, were far from impartial in their reporting of Jenin. Among the examples of slanted coverage:

- Use of negative terms relating to Israel, such as “army of occupation” and “illegal settlements”
- Broadcast of remarks by Palestinian spokesmen without offering Israel an equal opportunity – for example, equal time – to reply. Palestinian spokesmen were not asked challenging questions and their statements were accepted at face value.
- Projection of images of Israeli operations as background images during interviews of Israelis. No images of Palestinian acts were displayed when Palestinian spokesmen were interviewed.
- Use of archive pictures to illustrate Israeli military operations in a negative light
- Emphasis on Palestinian civilian suffering detached from the context of Palestinian terrorism

The images broadcast from Jenin had an enormous impact on international public opinion. In a number of cases, high profile international political figures gave credence to the allegations of a massacre in Jenin. Highly damaging comments by Terje Larsen, UN Special Coordinator for the Middle East Peace Process, UN High Commissioner for Human Rights Mary Robinson, and Peter Hansen of UNWRA were widely reported in the international press. In the US the picture was less negative and US

networks were generally less willing to accept the Palestinian version of events.

### ***Assessment***

The handling of the events in Jenin should prompt some soul searching on the part of Israel and the foreign media. On Israel's part, the experience of Defensive Shield has led to a number of operational recommendations for the future:

- There should be an arrangement for pooling correspondents of the written press and supplying visual material through the IDF Spokesperson's Unit. Verification of the reality on the ground will occur through the presence of journalists.
- Review of the closed zone policy. This is indicated by the fact that when foreign correspondents were eventually allowed into the refugee camp to see the area of fighting and to interview residents, coverage improved.
- Greater willingness to declassify and release intelligence data to the international press, such as interviews with captured militants from the fighting in Jenin and suicide bombers.
- The Ministry of Foreign Affairs has opened an office in the Jerusalem Capital Studios in order to be in closer contact with the foreign press and to have material available for them.
- Improvements in inter-agency cooperation are vital to producing a single message, and a permanent media center should be established, not only in times of crisis.
- There is a low level of media awareness among soldiers and commanders. IDF training programs should consider promoting media awareness as a matter of urgency.

However, real change will only come when communicating Israel's message to the outside world is considered a critical weapon by political leaders, and the resources and authority are given to the relevant governmental bodies.

## Session IV

# Lessons Learned from Jenin

*The speakers of the final session looked at military-media relations from the perspective of the strategic planner, and attempted to suggest some lessons to be learned from the experience of Jenin.*

### **The Strategic Imperative of Media Awareness**

Brig.-Gen. Shlomo Brom

Jaffee Center for Strategic Studies

There is widespread agreement that planning policy on a national level must take the media into account. The first step in planning strategy is to establish the strategic environment in which we operate to identify both limitations and opportunities. In particular, it is important to understand the norms of international behavior, since deviation from the norms will require a more vigorous public diplomacy effort. It is also important to note that these norms are not fixed.

Some of today's critical norms are:

- In the post-colonial era, occupation of one people by another is unacceptable.
- There is increasing pressure to protect civilians in war, in contrast to the "total war" doctrine of World War II, which led to many millions of innocent civilians killed and wounded. Weapons that harm indiscriminately, such as anti-personnel mines, or actions such as strategic bombing are now unacceptable.
- There is a considerable weakening of the concept of sovereignty. The international community is increasingly willing to intervene in a state's internal affairs if there is evidence of human rights abuses, as in Kosovo.
- The creation of an International War Crimes Tribunal has strengthened the concept of accountability in the international system.

It would be a mistake to draw the conclusion that the strategic environment is inherently unfavorable to a projection of Israel's image. Correct strategic thinking,

based on a clear analysis of the strategic environment, can direct the media towards a more constructive coverage of events here.

## **Communications and Strategy: Lessons Learned from Jenin**

Brig.-Gen. Eival Giladi

Head of Strategic Planning, IDF Policy and Plans Directorate

The fighting in Jenin highlighted the difficulties in relaying an accurate message during military operations. There were a number of examples where the message that the IDF wanted to convey was not reported in the international press, including:

- IDF actions framed in a context that domestic and international audiences would understand. After 130 Israelis were killed in March 2002, the results of Palestinian terror could not have been clearer. Yet placing the Jenin operation and the ensuing deaths of 52 Palestinians within that context did not occur.
- The care the IDF took to provide humanitarian support to the civilian population. After initially allowing free movement of ambulances and medical teams, it was discovered that wanted militants and weapons were being transferred out of the refugee camps in ambulances. Despite attempts to find a number of different solutions in cooperation with the local authorities, there was little reporting either of the dilemma that the IDF faced, or of the continued assistance for chronically ill patients to receive treatment.
- The consideration to limit civilian casualties and damage to buildings given that combat took place in urban surroundings. The decision to deploy infantry troops, as opposed to armor, combat aircraft, and artillery, placed the soldiers in greater danger and required more time to complete the operation. However, this message was not reported in the international press.
- The deployment of armored bulldozers. Because of the extensive damage they caused and their threatening appearance, Palestinian claims of people being buried alive were widely accepted. The fact that no one was buried alive due to adequate advance warnings and that the use of the bulldozers brought the fighting to a quicker end was also not reported.

However, it is important that we do not allow the media to decide whether what we do is right or wrong. The function of defining what is acceptable must remain in the hands of the society, which is responsible for its own actions.

Effective communication must be based on an understanding of the changing

strategic environment in which we live. The revolution in military affairs (RMA) has given us new technology for fighting war and new forms of conflict. There is also a new news environment, but we do not yet fully understand the rules of engagement.

### ***Different audiences, different messages***

There may be a conflict between the need for a positive media image abroad, and the need to create a collective version of events that supports a particular interpretation of history for domestic constituents.

- In the case of Jenin, an internal Palestinian narrative of “Jeningrad,” stressing the heroic resistance to occupation and repression, stood alongside an entirely contradictory message to the outside world of “Sabra and Jenina,” in which Jenin was described as another link in the chain of Israel’s, and particularly Ariel Sharon’s, brutal treatment of the Palestinians.
- In order to deter enemy activity, and to reassure the civilian population that they are being protected, military planners might prefer to deploy concentrated force and end the fighting quickly. This may not be the best decision from the point of view of international audiences
- In both Israel and the PA-controlled areas, the national leaderships are attempting to inspire their respective populations with a sense of national strength, to project deterrence to the enemy, and to remain the victim in the eyes of the international community. It is difficult to do this all at the same time.

Sometimes the story is there, but we don’t know how to get it out. In Bethlehem, for example, 40 explosive devices were found in the Church of the Nativity after the militants left. We did not manage to get that fact out to the international press.

One conclusion is that we must consider bringing foreign news crews closer to combat units. Even if some events do not “look good,” the overriding image will be one of professional soldiers doing their job. This is not an environment which we can close to the press. There are too many routes by which news will get out. We must accept this and work within this reality.

Palestinians understand the importance of the media and in many ways have dictated the narrative. They have managed to write the script – including the name of the conflict. For two years Israel has been fighting under the name “Intifada.” The fact that Operation Defensive Shield was given a name does, albeit belatedly, illustrate an attempt to create an alternative, Israeli explanation of the fighting.

Democratic systems encourage a diversity of views, and this can sometimes result

in an unclear political message, particularly when there is a national unity government that draws support from a wide political spectrum. However, government authorities try to release accurate and trustworthy information, and if that information is not considered reliable by foreign audiences, this must be corrected.

### ***Interim conclusions***

- Media is now one of the elements to be considered at the level of strategic planning. There may be room for improvement, but the basic understanding exists.
- If a major initiative is planned, there is a period of “build-up” in the media. For example, broadcasting pictures of weapons being smuggled across the Egyptian border in tunnels under houses in Rafiah would have explained the necessity of demolishing the houses. Without that information, the demolitions appeared random and unnecessary.
- Fighting in urban environments creates new challenges for media-military relations and this is an area in which the IDF is still developing a doctrine. Information does not yet flow smoothly from the area of fighting to the media outlets.
- Information specialists need to be close to the fighting to facilitate the flow of information.
- The military needs to know that it is not responsible for setting, or explaining, government policy.
- The press should be allowed access to the battlefield at an early stage, and this includes foreign press. There should also be an attempt to release information from the battlefield quickly and effectively. There is much unclassified information, including pictures, documents, and interviews that would help our position considerably.

Looking back at Jenin, it is clear that there was no massacre. The IDF humanitarian efforts were considerable, and probably unprecedented. There were incidents in which inaccurate or hasty reports were broadcast. Both the military and the media have some role in how the projection of events unfolded. While the IDF must still continue to improve its understanding and practice in media relations, the media must also uphold its standards and not be tempted into bias or distortion.

## Keynote Address

# Devising National Strategy on Military-Media Relations

Martin Howard

Director General for Corporate Communications, UK Ministry of Defence

*In an attempt to take a step back from Jenin, Martin Howard, Director-General for Corporate Communications at the UK Ministry of Defence, looked at the United Kingdom's experience in devising a strategy to deal with media management. While the issues that the UK defense establishment has confronted differ from Israel's conflict with the Palestinians, Howard argued that the rules of the game are simple and transferable.*

Strategy is an overused word but an underused concept. Media management actually often ends up reacting to the day's events rather than pursuing a long-term course of action. The UK has nevertheless devised a strategy for handling media aspects of military operations over the last several years, with the initial changes dating from the experience of the Falkland Islands crisis in 1982.

This thinking on media management is derived from an overall statement of objectives and vision for the defense establishment. The vision for the organization as a whole should be simple, focused, and relevant, and develop a sense of ownership in the organization.

### ***Context – an organization with vision and objectives***

In the case of the UK defense establishment, the defined objectives include:

- Defending the UK and its dependent territories and wider British interests
- Acting as a force for good in the world
- Providing and maintaining battle-winning forces and capabilities
- Achieving military success

While there is currently no official statement of what kind of organization the UK

defense establishment wants to be, the aspiration is to be modern, relevant, professional, innovative, energetic, respected, and a good employer. Some of these terms are particularly relevant in promoting a positive view of the defense establishment in the UK. In Israeli terms, there is less need to stress the relevance of the defense establishment, and less competition for employees in the open job market.

### ***Reputation matters***

Together, the objectives and the vision of the organization are primary factors in its reputation. Although this thinking is borrowed from the corporate sector, the reputation of an organization is critical for a number of audiences in the defense sector:

- Senior management – military, civilian, and political – should be in agreement about the overall direction of the defense establishment.
- Domestic audiences must feel confident and secure that the armed forces are capable of defending them.
- International allies and partners must feel that they can operate together with the UK defense establishment; potential enemies must be deterred from hostile acts.
- Military and civilian employees have to feel that they are working for an organization that is competent and well regarded in order to perform to the best of their ability.
- Potential recruits will be attracted to work in an organization if it can clearly state what it does and if it has a good reputation.

### ***Managing media-military relations***

The UK defense establishment's handling of media relations is based on a number of factors:

- There are very few specialist defense correspondents, and there is a generally low level of understanding of military affairs. There is a tendency to stereotype military operations, which can be problematic.
- Since 1990, much of the military activity that the UK has been involved in has been discretionary. Most of these operations have resulted in very low levels of casualties, and it remains to be seen what the response of the UK public would be to a conflict in which several hundreds of people were killed.
- With regard to maintaining operational security, there is very little official control over the media. The relevant legislation, the Official Secrets Act, can only be applied to those who reveal information and not to those who receive and publish it. The

“D”-notice committee issues guidelines regarding potential dangers to operational security, although following these rulings, like much of the limitation on the media, is voluntary.

■ There is an overriding importance to gaining and maintaining public support for military operations. Explaining and updating the progress of battle is increasingly a part of modern conflict. This was evident in operations in Kosovo.

Thus, the UK’s strategy has evolved from within an organization that has defined a vision and a set of overall objectives for itself, and within the context of the specific situation in which the UK defense establishment operates. The strategy can be divided into three broad themes – principles, resources, and processes:

### ■ Principles

- Openness: A critical starting point and the base of much of the thinking is why conceal, rather than why reveal.
- Engagement: There is an effort to maintain positive and productive relationships with military correspondents, while realizing that there are essential differences of interests between journalists and the defense establishment.
- Pro-activity: When bad news happens, as it inevitably will, there is great value in preempting the journalists and telling the story accurately, quickly, and in this way limiting damage.
- Accuracy: While journalists are not obliged to be absolutely accurate at all times, the government must be. The credibility that the government has is easily lost, and must be strictly protected. If there are incidents in which the government does release inaccurate information, for whatever reason, it must correct it as quickly and as completely as possible. Easily corrected mistakes can turn into embarrassing and damaging stories if not dealt with immediately.
- Speed: This may be inconsistent with accuracy, and so mechanisms must be in place for accurate information to get to the correct place rapidly.

### ■ Resources and skills

- Understanding the media: In order to work effectively with the media, you have to understand the demands they are under. Often, journalists are prepared to accept “plausible facts” – which may not necessarily be entirely accurate, but are believable. If you cannot supply the information, others will be able to do so.
- Training: There is specialist training to develop the skills needed to work with the media.
- 24/7 capability: Resources for handling media requests are available around the

clock, including access to operational and political sources.

- **Equipment:** The technical ways of getting information from one place to another in real time and under extreme conditions are available when necessary.
- **General media awareness:** There is an emphasis on developing media awareness across the entire defense establishment. You can't go to sea and complain about the ocean.

#### ■ **Processes**

- Media handling is embedded in policymaking. It is part of the thinking from the very beginning. At the operational level, there is a written doctrine covering media operations that guides more detailed planning.
- Operational situations may demand different messages or themes for different audiences, and this can be difficult to implement without some leakage between audiences.
- There are mutually accepted rules of engagement for media in conflict situations, outlined in what is known as the "Green Book," which set out pool arrangements, accreditation as a war correspondent, protection of journalists, and so on. Such an arrangement relies on a high level of agreement between press and government, and is difficult to establish and maintain.
- Media management requires a planning capability in order to coordinate and schedule the announcements of various official bodies. There is, however, a danger that this becomes too visible and is seen as spin-doctoring.
- Routines, such as regular press conferences, are useful for journalists if they fit into news cycles. However, it is important to maintain a level of flexibility, so that real news can still break without waiting for the next window of opportunity.
- Linkage between defense policy and wider government policy gives the context for particular action.

There are, however, certain problem areas in the field of media handling during conflict. First, there is a mismatch between the time scales of media outlets, which can broadcast information almost immediately and sometimes inaccurately, and official sources who may need time to establish accurate facts.

In cases where inaccurate reports are broadcast, it can be difficult to correct such inaccuracies after the fact. Equally, official sources cannot always plan media appearances to coincide with the ideal moment to report on progress in a particular operation. This was the case in the UK, when a secret hostage rescue operation was in progress at the time that the Chief of the Defence Staff was appearing on a high-profile television show. It was decided to take advantage of the large audience to

break the news of a successful operation at the beginning of the program and then update on a fast moving situation at the end.

Second, there is the dilemma of keeping operational preparations secret, particularly in democracies. One possible course of action is to brief the media, and to request that they delay reporting until operational security permits. In some cases, reports on military preparations, if not sensationalized, can act as a deterrent, and are preferable to rumors.

Third, it can be difficult to inform members of the defense establishment before the news reaches the mass media. Whereas the media works around the clock, many defense employees do not. Fourth, there is a certain level of cynicism on the part of journalists about the impartiality of news from within the defense establishment. That is a particular concern in the UK at the moment.

Finally, journalists are always looking for apparent or actual contradictions in comments from different parts of the defense establishment. While total consistency is very difficult to achieve, there must be a real effort to coordinate output.

## ***Conclusions***

Four conclusions are derived from this approach to military media-relations:

- There is nothing particularly sophisticated about good media management. It is a case of developing a sensible approach and applying it.
- The key principles are not specific to the field of military-media relations in the UK, but are equally applicable to the corporate sector and to different international audiences.
- The key relationship to develop and maintain is that between the press officer and the journalist. Good strategic thinking and planning cannot compensate for poor contact on the individual level.
- The media is not the friend of the defense establishment, but it need not be the enemy – unless you make it so.

Media strategy is not a “magic bullet.” It will not solve problems, nor will it compensate for bad policy. It can help explain good policy better. But it is not a quick process. It requires both a sustained and constant effort to develop the kind of relationships that will result in a change in media coverage, and similar efforts to maintain those relationships.



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# APPENDICES

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## Appendix I

### Excerpts from Human Rights Watch Report (May 2002)

#### Jenin: IDF Military Operations

##### **About this research**

A Human Rights Watch team of three experienced researchers spent seven days in Jenin from April 19, 2002 to April 28, 2002 to research this report. The team interviewed over one hundred residents of Jenin refugee camp, gathering detailed accounts from victims and witnesses and carefully corroborating and cross-checking their accounts with those of others. Human Rights Watch investigators also collected information from other first-hand observers of the events in the Jenin refugee camp, including international aid workers, medical workers, and local officials. The research also included information from public sources, including Israeli governmental sources, about the incursion. However, the IDF has not agreed to Human Rights Watch's repeated requests for information about its military incursions into the West Bank and Gaza Strip. Although Human Rights Watch's research has been extensive, we do not pretend that it is comprehensive. Further inquiry is still in order, particularly as the excavation process proceeds, and if Israel ultimately decides to make its soldiers involved in the operation available for interview.

##### **Summary**

On April 3, 2002, the Israeli Defense Forces (IDF) launched a major military operation in the Jenin refugee camp, home to some fourteen thousand Palestinians, the overwhelming majority of them civilians. The Israelis' expressed aim was to capture or kill Palestinian militants responsible for suicide bombings and other attacks that have killed more than seventy Israeli and other civilians since March 2002. The IDF

military incursion into the Jenin refugee camp was carried out on an unprecedented scale compared to other military operations mounted by the IDF since the current Israeli-Palestinian conflict began in September 2000.

The presence of armed Palestinian militants inside Jenin refugee camp, and the preparations made by those armed Palestinian militants in anticipation of the IDF incursion, does not detract from the IDF's obligation under international humanitarian law to take all feasible precautions to avoid harm to civilians. Israel also has a legal duty to ensure that its attacks on legitimate military targets did not cause disproportionate harm to civilians. Unfortunately, these obligations were not met. Human Rights Watch's research demonstrates that, during their incursion into the Jenin refugee camp, Israeli forces committed serious violations of international humanitarian law, some amounting *prima facie* to war crimes.

Due to the dense urban setting of the refugee camp, fighters and civilians were never at great distances. Civilian residents of the camp described days of sustained missile fire from helicopters hitting their houses. Some residents were forced to flee from house to house seeking shelter, while others were trapped by the fighting, unable to escape to safety, and were threatened by a curfew that the IDF enforced with lethal force, using sniper fire. Human Rights Watch documented instances in which soldiers converted civilian houses into military positions, and confined the inhabitants to a single room. In other instances, civilians who attempted to flee were expressly told by IDF soldiers that they should return to their homes.

Despite these close quarters, the IDF had a legal duty to distinguish civilians from military targets. At times, however, IDF military attacks were indiscriminate, failing to make this distinction. Firing was particularly indiscriminate on the morning of April 6, when missiles were launched from helicopters, catching many sleeping civilians unaware. One woman was killed by helicopter fire during that attack; a four-year-old child in another part of the town was injured when a missile hit the house where she was sleeping. Both were buildings housing only civilians, with no fighters in the immediate vicinity.

The IDF used armored bulldozers to demolish residents' homes. The apparent purpose was to clear paths through Jenin's narrow and winding alleys to enable their tanks and other heavy weaponry to penetrate the camp interior, particularly since some of these had evidently been booby-trapped. However, particularly in the Hawashin district, the destruction extended well beyond any conceivable purpose of gaining access to fighters, and was vastly disproportionate to the military objectives pursued. The damage to Jenin camp by missile and tank fire and bulldozer destruction has shocked many observers. At least 140 buildings-most of them multi-family

dwellings-were completely destroyed in the camp, and severe damage caused to more than 200 others has rendered them uninhabitable or unsafe. An estimated 4,000 people, more than a quarter of the population of the camp, were rendered homeless because of this destruction. Serious damage was also done to the water, sewage and electrical infrastructure of the camp. More than one hundred of the 140 completely destroyed buildings were in Hawashin district. In contrast to other parts of the camp where bulldozers were used to widen streets, the IDF razed the entire Hawashin district, where on April 9 thirteen IDF soldiers were killed in an ambush by Palestinian militants. Establishing whether this extensive destruction so exceeded military necessity as to constitute wanton destruction-or a war crime-should be one of the highest priorities for the United Nations fact-finding mission.

The harm from this destruction was aggravated by the inadequate warning given to civilian residents. Although warnings were issued on multiple occasions by the IDF, many civilians only learned of the risk as bulldozers began to crush their houses. Jamal Fayid, a thirty-seven-year-old paralyzed man, was killed when the IDF bulldozed his home on top of him, refusing to allow his relatives the time to remove him from the home. Sixty-five-year-old Muhammad Abu Saba'a had to plead with an IDF bulldozer operator to stop demolishing his home while his family remained inside; when he returned to his half-demolished home, he was shot dead by an Israeli soldier.

Human Rights Watch has confirmed that at least fifty-two Palestinians were killed as a result of IDF operations in Jenin. This figure may rise as rescue and investigative work proceeds, and as family members detained by Israel are located or released. Due to the low number of people reported missing, Human Rights Watch does not expect this figure to increase substantially. At least twenty-two of those confirmed dead were civilians, including children, physically disabled, and elderly people. At least twenty-seven of those confirmed dead were suspected to have been armed Palestinians belonging to movements such as Islamic Jihad, Hamas, and the al-Aqsa Martyr's Brigades. Some were members of the Palestinian Authority's (PA) National Security Forces or other branches of the PA police and security forces. Human Rights watch was unable to determine conclusively the status of the remaining three killed, among the cases documented.

Human Rights Watch found no evidence to sustain claims of massacres or large-scale extrajudicial executions by the IDF in Jenin refugee camp. However, many of the civilian deaths documented by Human Rights Watch amounted to unlawful or willful killings by the IDF. Many others could have been avoided if the IDF had taken proper precautions to protect civilian life during its military operation, as required

by international humanitarian law. Among the civilian deaths were those of Kamal Zgheir, a fifty-seven-year-old wheelchair-bound man who was shot and run over by a tank on a major road outside the camp on April 10, even though he had a white flag attached to his wheelchair; fifty-eight year old Mariam Wishahi, killed by a missile in her home on April 6 just hours after her unarmed son was shot in the street; Jamal Fayid, a thirty-seven-year old paralyzed man who was crushed in the rubble of his home on April 7 despite his family's pleas to be allowed to remove him; and fourteen-year-old Faris Zaiban, who was killed by fire from an IDF armored car as he went to buy groceries when the IDF-imposed curfew was temporarily lifted on April 11.

Some of the cases documented by Human Rights Watch amounted to summary executions, a clear war crime, such as the shooting of Jamal al-Sabbagh on April 6. Al-Sabbagh was shot to death while directly under the control of the IDF: he was obeying orders to strip off his clothes. In at least one case, IDF soldiers unlawfully killed a wounded Palestinian, Munthir al-Haj, who was no longer carrying a weapon, his arms were reportedly broken, and he was taking no active part in the fighting.

Throughout the incursion, IDF soldiers used Palestinian civilians to protect them from danger, deploying them as "human shields" and forcing them to perform dangerous work. Human Rights Watch received many separate and credible testimonies that Palestinians were placed in vulnerable positions to protect IDF soldiers from gunfire or attack. IDF soldiers forced these Palestinians to stand for extended periods in front of exposed IDF positions, or made them accompany the soldiers as they moved from house to house. Kamal Tawalbi, the father of fourteen children, described how soldiers kept him and his fourteen-year-old son for three hours in the line of fire, using his and his son's shoulders to rest their rifles as they fired. IDF soldiers forced a sixty-five-year-old woman to stand on a rooftop in front of an IDF position in the middle of a helicopter battle.

As in prior IDF operations, soldiers forced Palestinians, sometimes at gunpoint, to accompany IDF troops during their searches of homes, to enter homes, to open doors, and to perform other potentially dangerous tasks. In Jenin, such coerced use of civilians was a widespread practice; in virtually every case in which IDF soldiers entered civilian homes, residents told Human Rights Watch that IDF soldiers were accompanied by Palestinian civilians who were participating under duress. The forced use of civilians during military operations is a serious violation of the laws of war, as it exposes civilians to direct risk of death or serious injury.

Human Rights Watch has so far found no evidence that Palestinian gunmen forced Palestinian civilians to serve as human shields during the attack. But Palestinian gunmen did endanger Palestinian civilians in the camp by using it as a base for

planning and launching attacks, using indiscriminate tactics such as planting improvised explosive devices within the camp, and intermingling with the civilian population during armed conflict, and, in some cases, to avoid apprehension by Israeli forces.

During “Operation Defensive Shield,” the IDF blocked the passage of emergency medical vehicles and personnel to Jenin refugee camp for eleven days, from April 4 to April 15. During this period, injured combatants and civilians in the camp as well as the sick had no access to emergency medical treatment. The functioning of ambulances and hospitals in Jenin city was severely circumscribed, and ambulances were repeatedly fired upon by IDF soldiers. Farwa Jammal, a uniformed nurse, was killed by IDF fire while treating an injured civilian. In at least two cases, injured civilians died without access to medical treatment. Direct attacks on medical personnel and the denial of access to medical care for the wounded constitute serious violations of the laws of war.

During the period that the IDF directly controlled Jenin camp, the Israeli authorities were obliged under international humanitarian law to take all feasible precautions to protect camp civilians from the dangers arising from hostilities, and to ensure to the maximum extent possible under the circumstances that the civilian population had access to food and medical supplies. In practice, however, the IDF prevented humanitarian organizations, including the International Committee of the Red Cross, from gaining access to the camp and its civilian inhabitants—despite the great humanitarian need. This blockage continued from April 11 to 15, after the majority of armed Palestinians had surrendered. Human Rights Watch investigated and found no evidence to sustain reports that the IDF had removed bodies from the refugee camp for burial in mass graves.

Every case listed in the report below warrants additional thorough, transparent, and impartial investigation, with the results of such an investigation made public. Where wrongdoing is found, those responsible should be held accountable. There is a strong prima facie evidence that, in the cases noted below, IDF personnel committed grave breaches of the Geneva Conventions, or war crimes. Such cases warrant specific criminal investigations with a view to ascertaining and prosecuting those responsible. Israel has the primary obligation to carry out such investigations, but the international community also has a responsibility to ensure that these investigations take place.

## Recommendations

### *To the government of Israel:*

- Carry out a full and impartial investigation into the violations of international humanitarian law documented in this report, make the results public, and bring to account anyone found responsible for wrongdoing. If war crimes are found to have been committed, institute immediate criminal proceedings.
- Declare unequivocally that Israeli security forces will respect and abide by their obligations under international humanitarian law, and uphold in all circumstances the principle of civilian immunity by taking all feasible precautions to protect civilians, discriminating between military targets and civilians, and ensuring access for medical and humanitarian assistance.
- Take immediate action to end any excessive, indiscriminate, and disproportional use of force by Israeli security forces that endangers civilians.
- Take immediate action to end the practice of using Palestinian civilians as human shields in IDF military operations, and hold accountable in disciplinary or criminal proceedings persons found responsible for ordering, condoning, or carrying out this practice.
- Cease immediately the coerced use of civilians to facilitate IDF military operations. Order all IDF personnel to halt these practices, disseminate this order throughout the IDF chain of command, and hold accountable those persons responsible for ordering, condoning, or carrying out these practices.
- Cease immediately the practice of using lethal force to enforce curfews.
- Ensure that the Palestinian population has access to an adequate level of health care, food, medical assistance, and other humanitarian goods and services essential to civilian life.
- Ensure that medical personnel and ambulances are able to carry out their duties and that patients are able to reach health-care facilities, by allowing both groups to move freely. Any restrictions on movement must not be excessive in impact or duration, be subject to regular review, and be imposed only when and to the extent that is absolutely necessary.
- Cooperate fully with the fact-finding mission established by the U.N. Security Council to investigate the events in Jenin.
- Facilitate the immediate deployment of international observers in the West Bank and Gaza Strip with a mandate to monitor, verify, and report publicly on the compliance by all parties with international humanitarian law standards.

***To the Palestinian Authority and armed Palestinian groups:***

- Declare unequivocally that Palestinian security forces and members of armed groups will respect and abide by the principles of international humanitarian law, such as upholding in all circumstances the principle of civilian immunity, including by not targeting civilians through the deployment of suicide bombers or other means, whether in settlements or in Israel proper; by discriminating between military targets and civilians; and by ensuring access for medical and humanitarian assistance.
- Investigate all actions and policies that violate these principles and laws, make the results public, hold accountable persons found to have violated these principles and laws, and provide punishments or disciplinary measures that accord with the severity of these offenses.
- Cooperate fully with the fact-finding mission established by the U.N. Security Council to investigate the events in Jenin.

***To the government of the United States:***

- Request that the government of Israel take immediate steps to implement the above recommendations in both public and private communications.
- Support efforts to address human rights and international humanitarian law violations by all parties in the West Bank and Gaza Strip, including the establishment of an international presence there whose responsibilities include monitoring, verifying, and reporting publicly and regularly on the compliance by all parties with international human rights and humanitarian law, and provide experts for such an international presence.
- Treat serious and systematic violations of international human rights and humanitarian law by any party as requiring immediate remedy, and ensure that enforcement of human rights and humanitarian law protections are not made subordinate to the outcomes of direct negotiations between the parties to the conflict.
- Seek written assurances from Israel that weapons of U.S. origin, including but not limited to Apache and Cobra helicopter gunships, D-9 armored bulldozers, and TOW anti-tank missiles, are not used to commit violations of international human rights and humanitarian law in the West Bank and Gaza Strip.
- Conduct and make public the results of a comprehensive review of Israeli use of U.S.-origin weapons in the West Bank and Gaza Strip, and update this review not less than every six months.
- Restrict Israel's use in the West Bank and Gaza Strip of any U.S.-origin weapons found to be used in the commission of systematic violations of international human rights and humanitarian law.

- Inform the government of Israel that continued U.S. military assistance requires that the government take clear and measurable steps to halt its security forces' serious and systematic violations of international human rights and humanitarian law in the West Bank and Gaza Strip. These steps should include conducting transparent and impartial investigations into allegations of serious and systematic violations, making the results public, and holding accountable persons found responsible.
- Monitor and report publicly on the use of U.S.-origin donor resources to ensure that such resources do not support PA agencies or Palestinian groups responsible for serious and systematic violations of international human rights and humanitarian law.

### *To the Member States of the European Union:*

- Treat serious and systematic violations of international human rights and humanitarian law by any party as requiring immediate remedy, and ensure that enforcement of human rights and humanitarian law protections are not made subordinate to the outcomes of direct negotiations between the parties to the conflict.
- Develop and make public benchmarks for compliance by the government of Israel with international human rights and international law commitments as embedded in Article 2 of the Euro-Mediterranean Association Agreement between the E.U. and its member states and Israel.
- Develop and make public benchmarks for compliance by the Palestinian Authority with international human rights and international law commitments as embedded in Article 2 of the Interim Association Agreement on trade and cooperation between the E.U. and its member states and the Palestinian Authority.
- Support efforts to address human rights and international humanitarian law violations by all parties in the West Bank and Gaza Strip, including the establishment of an international presence there whose responsibilities include monitoring, verifying, and reporting publicly and regularly on the compliance by all parties with international human rights and international law, and provide experts for such an international presence.
- Seek written assurances from Israel that weapons originating with E.U. member states are not used to commit violations of international human rights and humanitarian law.
- Conduct and make public the results of a comprehensive review of Israeli use of weapons originating with E.U. member states, and update this review not less than every six months.
- Implement the European Code of Conduct on Arms Exports and restrict transfer

to Israel of weapons found to be used in the commission of serious and systematic violations of international human rights and humanitarian law in the West Bank and Gaza Strip.

***To the United Nations Security Council and Secretariat:***

- Ensure that the terms of reference of the fact-finding team appointed by the U.N. Secretary-General to investigate the situation in the Jenin refugee camp and endorsed in UNSC resolution 1405 include international human rights and international humanitarian law, and that the fact-finding team in compiling its report take into account all reliable and verifiable accounts of violations of international human rights and humanitarian law.
- Make the report of the fact-finding team public in a timely manner.
- Establish on an urgent basis a permanent international presence in the West Bank and Gaza Strip to monitor and report publicly and regularly on the compliance by all parties with international human rights and humanitarian law.

***To the International Community:***

- Take immediate action, individually and jointly, to ensure respect for the provisions of the Fourth Geneva Conventions relative to the Protection of Civilian Persons in Time of War, and Palestinian compliance with the law prohibiting attacks on civilians.
- Take steps, in accordance with paragraph 11 of the December 5, 2001 Declaration of the conference of High Contracting Parties to the Fourth Geneva Convention, to arrange urgently for “the deployment of independent and impartial observers to monitor” Israeli and Palestinian compliance with the Fourth Geneva Convention and other provisions of international humanitarian law.

## Appendix II

### Excerpts from UN Report on Jenin

#### Report of the Secretary-General prepared pursuant to General Assembly resolution ES-10/10 (Report on Jenin)

##### **Summary**

This report was prepared on the basis of General Assembly resolution ES-10/10, adopted on 7 May 2002, in which the Assembly requested the Secretary-General to present a report, drawing upon the available resources and information, on the recent events that took place in Jenin and other Palestinian cities. The General Assembly requested the report following the disbandment of the United Nations fact-finding team that had been convened by the Secretary-General in response to Security Council resolution 1405 (2002) (2002) of 19 April 2002.

The report was written without a visit to Jenin or the other Palestinian cities in question and it therefore relies completely on available resources and information, including submissions from five United Nations Member States and Observer Missions, documents in the public domain and papers submitted by non-governmental organizations. The Under-Secretary-General for Political Affairs wrote to the Permanent Representative of Israel and the Permanent Observer of Palestine to the United Nations requesting them to submit information but only the latter did so. In the absence of a response from Israel, the United Nations has relied on public statements of Israeli officials and publicly available documents of the Government of Israel relevant to the request in resolution ES-10/10.

This report covers the period from approximately the beginning of March to 7 May 2002. The report sets out the context and background of the situation in Israel and the Occupied Palestinian Territory, including the security, humanitarian and

human rights responsibilities of both parties. It briefly charts the rising violence since September 2000, which had by 7 May 2002 caused the deaths of 441 Israelis and 1,539 Palestinians.

The report describes the pattern of attacks carried out by Palestinian armed groups against Israel operating from the West Bank and Israel's military action during Operation Defensive Shield, which began on 29 March with an incursion into Ramallah, followed by entry into Tulkarm and Qalqilya on 1 April, Bethlehem on 2 April, and Jenin and Nablus on 3 April. By 3 April, six of the largest cities in the West Bank, and their surrounding towns, villages and refugee camps, had been occupied by the Israeli military. Operation Defensive Shield was characterized by extensive curfews on civilian populations and restrictions, indeed occasional prohibitions, on the movement of international personnel, including at times humanitarian and medical personnel as well as human rights monitors and journalists. In many instances, humanitarian workers were not able to reach people in need. Combatants on both sides conducted themselves in ways that, at times, placed civilians in harm's way. Much of the fighting during Operation Defensive Shield occurred in areas heavily populated by civilians and in many cases heavy weaponry was used. As a result of those practices, the populations of the cities covered in this report suffered severe hardships. The Israeli Defence Forces announced the official end of the operation on 21 April but its consequences lasted until the end of the period under review and beyond.

## **F. Recent events in Jenin**

### **Introduction**

43. In the early hours of 3 April 2002, as part of Operation Defensive Shield, the Israeli Defence Forces entered the city of Jenin and the refugee camp adjacent to it, declared them a closed military area, prevented all access, and imposed a round-the-clock curfew. By the time of the IDF withdrawal and the lifting of the curfew on 18 April, at least 52 Palestinians, of whom up to half may have been civilians, and 23 Israeli soldiers were dead. Many more were injured. Approximately 150 buildings had been destroyed and many others were rendered structurally unsound. Four hundred and fifty families were rendered homeless. The cost of the destruction of property is estimated at approximately \$27 million.

### **Jenin refugee camp before 3 April 2002**

44. On the eve of Israel's military incursion in April, the Jenin refugee camp, established in 1953, was home to roughly 14,000 Palestinians, of whom approximately 47 per

cent were either under 15 or over 65 years of age. It was the second largest refugee camp in the West Bank in population and was densely populated, occupying a surface area of approximately 373 dunums (one square kilometre). The Jenin refugee camp came under full Palestinian civil and security control in 1995. It is in close proximity to Israeli settlements and is near the “green line”.

45. According to both Palestinian and Israeli observers, the Jenin camp had, by April 2002, some 200 armed men from the Al-Aqsa Martyrs Brigades, Tanzim, Palestinian Islamic Jihad and Hamas who operated from the camp. The Government of Israel has charged that, from October 2000 to April 2002, 28 suicide attacks were planned and launched from the Jenin camp.

46. The Government of Israel has published information regarding infrastructure within the Jenin camp for the carrying out of attacks. The Israeli Defence Forces point to their discovery in the camp of arms caches and explosive laboratories and the numbers of Palestinian militants killed or arrested there during Operation Defensive Shield. They cite posters glorifying suicide bombers and documents describing Jenin as a “martyr’s capital” reportedly found by Israeli soldiers in the camp during the incursion.

47. The Government of Israel and IDF have acknowledged that their soldiers were unprepared for the level of resistance they encountered in Jenin camp, noting that it was “probably the most bitter and harsh” that they had faced. The IDF soldiers who took part in the operation were, for the most part, reservists who had been mobilized only on or after 17 March. Many were called up only after the Passover bombing in Netanya (27 March).

#### **Israeli Defence Force incursion into Jenin city and refugee camp, 3-18 April 2002**

48. Although available first-hand accounts are partial, difficult to authenticate and often anonymous, it is possible, through Government of Israel, Palestinian Authority, United Nations and other international sources, to create a rough chronology of events within the Jenin camp from 3 to 18 April 2002. The fighting lasted approximately 10 days and was characterized by two distinct phases: the first phase began on 3 April and ended on 9 April, while the second phase lasted during 10 and 11 April. Most of the deaths on both sides occurred in the first phase but it would appear that much of the physical damage was done in the second.

49. There are allegations by the Palestinian Authority and human rights organizations that in the conduct of their operations in the refugee camp the Israeli Defence Forces engaged in unlawful killings, the use of human shields, disproportionate use of force, arbitrary arrests and torture and denial of medical treatment and access. IDF soldiers who participated in the Jenin incursion point to breaches of international humanitarian law on the part of Palestinian combatants within the camp, including basing themselves in a densely populated civilian area and the use of children to transport and possibly lay booby traps.

50. In the account of the Government of Israel of the operation, IDF first surrounded and established control of access into and out of the city of Jenin, allowing its inhabitants to depart voluntarily. Approximately 11,000 did so. According to Israeli sources, in their incursion into the camp IDF relied primarily on infantry rather than airpower and artillery in an effort to minimize civilian casualties, but other accounts of the battle suggest that as many as 60 tanks may have been used even in the first days. Interviews with witnesses conducted by human rights organizations suggest that tanks, helicopters and ground troops using small arms predominated in the first two days, after which armoured bulldozers were used to demolish houses and other structures so as to widen alleys in the camp.

51. Using loudspeakers, IDF urged civilians in Arabic to evacuate the camp. Some reports, including of interviews with IDF soldiers, suggest that those warnings were not adequate and were ignored by many residents. Many of the inhabitants of the Jenin camp fled the camp before or at the beginning of the IDF incursion. Others left after 9 April. Estimates vary on how many civilians remained in the camp throughout but there may have been as many as 4,000.

52. As described by the Government of Israel, “a heavy battle took place in Jenin, during which IDF soldiers were forced to fight among booby-trapped houses and bomb fields throughout the camp, which were prepared in advance as a booby-trapped battlefield”. The Palestinian Authority acknowledges that “a number of Palestinian fighters resisted the Israeli military assault and were armed only with rifles and ... crude explosives”. An IDF spokesman offered a slightly different portrayal of the resistance, stating that the soldiers had faced “more than a thousand explosive charges, live explosive charges and some more sophisticated ones, ... hundreds of hand grenades ... [and] hundreds of gunmen”. Human rights reports support the assertions that some buildings had been booby-trapped by the Palestinian combatants.

53. That the Israeli Defence Forces encountered heavy Palestinian resistance is not in question. Nor is the fact that Palestinian militants in the camp, as elsewhere, adopted methods which constitute breaches of international law that have been and continue to be condemned by the United Nations. Clarity and certainty remain elusive, however, on the policy and facts of the IDF response to that resistance. The Government of Israel maintains that IDF “clearly took all possible measures not to hurt civilian life” but were confronted with “armed terrorists who purposely concealed themselves among the civilian population”. However, some human rights groups and Palestinian eyewitnesses assert that IDF soldiers did not take all possible measures to avoid hurting civilians, and even used some as human shields.

54. As IDF penetrated the camp, the Palestinian militants reportedly moved further into its centre. The heaviest fighting reportedly occurred between 5 and 9 April, resulting in the largest death tolls on both sides. There are reports that during this period IDF increased missile strikes from helicopters and the use of bulldozers - including their use to demolish homes and allegedly bury beneath them those who refused to surrender - and engaged in “indiscriminate” firing. IDF lost 14 soldiers, 13 in a single engagement on 9 April. IDF incurred no further fatalities in Jenin after 9 April.

55. Press reports from the days in question and subsequent interviews by representatives of non-governmental organizations with camp residents suggest that an average of five Palestinians per day died in the first three days of the incursion and that there was a sharp increase in deaths on 6 April.

56. Fifty-two Palestinian deaths had been confirmed by the hospital in Jenin by the end of May 2002. IDF also place the death toll at approximately 52. A senior Palestinian Authority official alleged in mid-April that some 500 were killed, a figure that has not been substantiated in the light of the evidence that has emerged.

57. It is impossible to determine with precision how many civilians were among the Palestinian dead. The Government of Israel estimated during the incursion that there were “only dozens killed in Jenin ... and the vast majority of them bore arms and fired upon [IDF] forces”. Israeli officials informed United Nations personnel that they believed that, of the 52 dead, 38 were armed men and 14 were civilians. The Palestinian Authority has acknowledged that combatants were among the dead, and has named some of them, but has placed no precise estimates on the breakdown. Human rights organizations put the civilian toll closer to 20 - Human Rights Watch documented 22 civilians among the 52 dead, while Physicians for Human Rights noted that “children

under the age of 15 years, women and men over the age of 50 years accounted for nearly 38 per cent of all reported fatalities”.

58. The Israeli Defence Forces stated at the time that their methods might not change, “because the basic assumption is that we are operating in a civilian neighbourhood”. Other accounts of the battle suggest that the nature of the military operation in Jenin refugee camp did alter after 9 April 2002. On that day, in what both the Palestinian Authority and the Government of Israel describe as a “well-planned ambush” 13 IDF soldiers were killed and a number of others wounded. A fourteenth soldier died elsewhere in the camp that day, bringing the IDF death toll during the operation in Jenin to 23.

59. Following the ambush, IDF appeared to have shifted tactics from house-to-house searches and destruction of the homes of known militants to wider bombardment with tanks and missiles. IDF also used armoured bulldozers, supported by tanks, to demolish portions of the camp. The Government of Israel maintains that “IDF forces only destroyed structures after calling a number of times for inhabitants to leave buildings, and from which the shooting did not cease”. Witness testimonies and human rights investigations allege that the destruction was both disproportionate and indiscriminate, some houses coming under attack from the bulldozers before their inhabitants had the opportunity to evacuate. The Palestinian Authority maintains that IDF “had complete and detailed knowledge of what was happening in the camp through the use of drones and cameras attached to balloons ... [and] none of the atrocities committed were unintentional”.

60. Human rights and humanitarian organizations have questioned whether this change in tactics was proportionate to the military objective and in accordance with humanitarian and human rights law. The Palestinian Authority account of the battle alleges the use of “helicopter gunships to fire TOW missiles against such a densely populated area ... anti-aircraft guns, able to fire 3,000 rounds a minute ... scores of tanks and armoured vehicles equipped with machine guns ... [and] bulldozers to raze homes and to burrow wide lanes”. Other sources point to an extensive use of armoured bulldozers and helicopter gunships on 9 and 10 April, possibly even after the fighting had begun to subside. During this stage, much of the physical damage was done, particularly in the central Hawashin district of the camp, which was effectively levelled. Many civilian dwellings were completely destroyed and many more were severely damaged. Several UNRWA facilities in the camp, including its health centre and sanitation office, were badly damaged.

61. Within two days after 9 April, IDF brought the camp under control and defeated the remaining armed elements. On 11 April, the last Palestinian militants in Jenin camp surrendered to IDF, having requested mediation by B'Tselem, an Israeli human rights organization that operates in the Occupied Palestinian Territory, to ensure that no harm would come to them. According to Palestinian Authority sources, those surrendering included wanted Islamic Jihad and Fatah leaders; others were three injured people and a 13-year-old boy.

### **Conclusion and aftermath of the IDF incursion, 11 April-7 May 2002**

62. As the IDF incursion into Jenin wound down, a range of humanitarian problems arose or worsened for the estimated 4,000 Palestinian civilians remaining in the camp. Primary among these was the prolonged delay in obtaining medical attention for the wounded and sick within the camp. As the fighting began to subside, ambulances and medical personnel were prevented by IDF from reaching the wounded within the camp, despite repeated requests to IDF to facilitate access for ambulances and humanitarian delegates, including those of the United Nations. From 11 to 15 April, United Nations and other humanitarian agencies petitioned and negotiated for access to the camp with IDF and made many attempts to send in convoys, to no avail. At IDF headquarters on 12 April, United Nations officials were told that United Nations humanitarian staff would be given access to the affected population. However, such access did not materialize on the ground, and several more days of negotiations with senior IDF officials and personnel of the Israeli Ministry of Defence did not produce the necessary access despite assurances to the contrary. On 18 April, senior United Nations officials criticized Israel for its handling of humanitarian access in the aftermath of the battle and, in particular, its refusal to facilitate full and safe access to the affected populations in violation of its obligations under international humanitarian law.

63. UNRWA mounted a large operation to deliver food and medical supplies to needy refugees who had fled the camp and to Jenin hospital but was not allowed to enter the camp. The humanitarian crisis was exacerbated by the fact that, on the first day of the offensive, electricity in both the city and the camp were cut by IDF. Electric power was not restored until 21 April.

64. Many of the reports of human rights groups contain accounts of wounded civilians waiting days to reach medical assistance, and being refused medical treatment by IDF soldiers. In some cases, people died as a result of these delays. In addition to those wounded in the fighting, there were civilian inhabitants of the camp and the

city who endured medication shortages and delays in medical treatment for pre-existing conditions. For example, it was reported on 4 April that there were 28 kidney patients in Jenin who could not reach the hospital for dialysis treatment.

65. The functioning of Jenin Hospital, just outside the camp, appears to have been severely undermined by IDF actions, despite IDF statements that “nothing was done to the hospital”. The hospital’s supplies of power, water, oxygen and blood were badly affected by the fighting and consequent cuts in services. On 4 April, IDF ordered the Palestinian Red Crescent Society (PRCS) to stop its operations and sealed off the hospital. Hospital staff contend that shells and gunfire severely damaged equipment on the top floor and that at least two patients died because of damage to the oxygen supplies. None of the Palestinians within the hospital was permitted to leave until 15 April.

66. It appears that, in addition to the denial of aid, IDF in some instances targeted medical personnel. Before the Jenin incursion, on 4 March, the head of the PRCS Emergency Medical Service in Jenin was killed by a shell fired from an Israeli tank while he was travelling in a clearly marked ambulance. On 7 March, a staff member of UNRWA was killed when several bullets were fired by Israeli soldiers at an UNRWA ambulance in which he was riding near Tulkarm in the West Bank. On 3 April, a uniformed Palestinian nurse was reportedly shot by IDF soldiers within Jenin camp and on 8 April an UNRWA ambulance was fired upon as it tried to reach a wounded man in Jenin.

67. The Government of Israel repeatedly charged that medical vehicles were used to transport terrorists and that medical premises were used to provide shelter. This, according to Israel, necessitated the strict restrictions on humanitarian access. Furthermore, in the specific case of Jenin camp, IDF spokesmen attributed denials of access to the clearance of booby traps after the fighting had subsided. The IDF spokesman also maintained that the “Palestinians actually refused our offers to assist them with humanitarian aid” and that “everyone who needed help, got help”. There is a consensus among humanitarian personnel who were present on the ground that the delays endangered the lives of many wounded and ill within. United Nations and other humanitarian personnel offered to comply fully with IDF security checks on entering and leaving the camp, but were not able to enter the camp on this basis. Furthermore, United Nations staff reported that IDF had granted some Israeli journalists escorted access to the camp on 14 April, before humanitarian personnel were allowed in. United Nations personnel requested similar escorted access to assess

the humanitarian condition of people in the camp, but were unsuccessful, despite assurances from senior IDF officials that such access would be possible.

68. On 15 April, 12 days after the start of the military operation, IDF granted humanitarian agencies access to the Jenin refugee camp. The Palestine Red Crescent Society and the International Committee of the Red Cross were permitted to enter the camp under military escort but reported that their movement was strictly confined to certain areas and further constrained by the presence of large quantities of unexploded ordnance including booby traps. After evacuating only seven bodies, they aborted their efforts. A United Nations team including two trucks with water and supplies was forbidden from unloading its supplies and was also forced to withdraw. Supplies were distributed to the camp inhabitants only beginning the following day, 16 April. Acute food and water shortages were evident and humanitarian personnel began calls for specialized search-and-rescue efforts to extract the wounded and the dead from the rubble.

69. Once IDF granted full access to the camp on 15 April, unexploded ordnance impeded the safe operations of humanitarian personnel. Non-United Nations humanitarian agencies reported that large amounts of unexploded ordnance, explosives laid by Palestinian combatants as well as IDF ordnance, slowed their work. Negotiations carried out by United Nations and international agencies with IDF to allow appropriate equipment and personnel into the camp to remove the unexploded ordnance continued for several weeks, during which time at least two Palestinians were accidentally killed in explosions.

## Appendix III

# Coverage of the Battle of Jenin in the International Press: Selected Excerpts

### UK Press

“There were apparently hundreds of dead. “

Brigadier-General Ron Kitrey, IDF Spokesman, quoted in the *Evening Standard*, April 12, 2002

“We are talking here of massacre, and a cover-up, of genocide.”

A. N. Wilson, *Evening Standard*, April 15, 2002

“Almost every building in the refugee camp has been torn, levelled or turned into a sieve by the profligate use of heavy weaponry, including American-supplied helicopter gunships and Israeli tanks.”

Sam Kiley, *Evening Standard*, April 15, 2002

“Israelis are scared to death. They have never truly trusted Britain — and with some of the people we employ in the Foreign Office why the hell should they?”

Lead editorial, *The Sun*, April 15, 2002

“Rarely in more than a decade of war reporting from Bosnia, Chechnya, Sierra Leone, Kosovo, have I seen such deliberate destruction, such disrespect for human life.”

Janine di Giovanni, *The Times*, April 16, 2002

“The scale [of destruction] is almost beyond imagination.”

Suzanne Goldenberg, *The Guardian*, April 16, 2002

“A monstrous war crime that Israel has tried to cover up for a fortnight has finally been exposed ... The sweet and ghastly reek of rotting human bodies is everywhere, evidence that it is a human tomb. The people say there are hundreds of corpses, entombed beneath the dust.”

Phil Reeves, *The Independent*, April 16, 2002

“Jenin was every bit as repellent in its particulars, no less distressing, and every bit as man-made [as Osama bin Laden’s attack on New York on September 11]. ...Jenin camp looks like the scene of a crime... Jenin already has that aura of infamy that attaches to a crime of especial notoriety.”

Lead editorial, *The Guardian*, April 17, 2002

“All but a few streets have been blown apart”

David Blair, *The Telegraph*, April 17

“Jenin ‘Massacre’ Evidence Growing”

BBC News, April 18, 2002

“No camera frame is wide enough to capture the scale and awfulness of what has happened in the Jenin Refugee Camp. It is far worse than the TV pictures.”

Rory Macmillan, quoted in *The Scotsman*, April 19, 2002

## **US Press**

“Interviews with residents inside the camp and international aid workers who were allowed here for the first time today indicated that no evidence has yet surfaced to support allegations by Palestinian groups and aid organizations of large-scale massacres or executions by Israeli troops.”

Molly Moore, *Washington Post*, April 15, 2002

“You said specifically, and others said 500 in Jenin... Where are you getting evidence that shows 500 people were killed there? ...If [Israel’s] numbers are right and your initial numbers are wrong, will you come back here on our network and retract what you said?”

Erekat: “Absolutely.”

Bill Hemmer interview of Saeb Erekat, CNN, April 14, 2002

Palestinian allegations “that a large-scale massacre of civilians was committed [in Jenin] appear to be crumbling under the weight of eyewitness accounts from Palestinian fighters who participated in the battle and camp residents who remained in their homes.”

Charles A. Radin and Dan Efron, *Boston Globe*, April 29, 2002

## NGO Reactions

“We have expert people here who have been in war zones and earthquakes and they say they have never seen anything like it. It is horrifying beyond belief.”

Terje Roed Larsen, UN Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, April 18, 2002

“What was before us easily paralleled anything I had witnessed while working as a forensic expert in Grozny, the capital of Chechnya, after the Russian offensive.”

Derrick Pounder, professor of forensic medicine at the University of Dundee, on a mission to the West Bank with Amnesty International, April 18, 2002

## List of Conference Participants

Brig.-Gen. (ret.) Shlomo Brom, Jaffee Center for Strategic Studies

Dr. Ilana Dayan, Israel Channel 2 Television

Charles Enderlin, Bureau Chief, France-2 Television

Brig.-Gen. Eival Giladi, Head of Strategic Planning, IDF Policy and Plans Directorate

Hirsh Goodman, Jaffee Center for Strategic Studies

Lt.-Col. Fuad Halhal, Office of the IDF Coordinator of Government Activities in the Territories

Lt.-Col. Adir Haruvi, IDF Spokesperson's Unit

Martin Howard, Director General for Corporate Communications, UK Ministry of Defence

Eylon Javetz, Communications Strategist

Dr. Ephraim Kam, Deputy Head, Jaffee Center for Strategic Studies

Gideon Meir, Deputy Director General for Press and Public Affairs, Israel Ministry of Foreign Affairs

Dan Propper, Chairman, Osem Group of Companies

James Reynolds, BBC Middle East Bureau

Ze'ev Schiff, Defense Editor, *Ha'aretz*

Ehud Ya'ari, Arab Affairs Editor, Israel Channel 2 News

Lior Yavne, Press Officer, B'Tselem, Israeli Information Center for Human Rights in the Occupied Territories

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