

January 18, 2009

Human Rights Watch: White (Phosphorous) Lies

Gerald M. Steinberg

Human Rights Watch is one of the most powerful organizations claiming to promote international morality and law, but along with Amnesty International and the United Nations, shares responsibility for the transformation of these principles into weapons aimed at Israel.

In the most recent example, HRW, headed by Kenneth Roth, initiated a campaign alleging that the IDF was using white phosphorus weapons unlawfully in the conflict in Gaza with Hamas. The organization issued a news release, followed by a more detailed publication, while officials gave press interviews to promote the allegations. Marc Garlasco, who claims the title "senior military analyst" (based on a short stint in the Pentagon), declared, "White phosphorous can burn down houses and cause horrific burns when it touches the skin... Israel should not use it in Gaza's densely populated areas."

In a few hours, the "white phosphorous" story was featured in dozens of newspapers, Internet blogs and television news programs. IDF officials, including Chief of General Staff Lt.-Gen. Gadi Ashkenazi, denied that Israel was using phosphorous in anti-personnel weapons, but this did not slow the viral spread of this story.

HRW's "evidence" was based entirely on innuendo and unverifiable "eyewitness" reports. One report states that "[o]n January 9, Human Rights Watch researchers on a ridge overlooking Gaza from the northwest observed multiple air-bursts of artillery-fired WP that appeared to be over the Gaza City/Jabalya area. In addition, Human Rights Watch has analyzed photographs taken by the media on the Israel-Gaza border." HRW does not name its researchers; it does not provide a detailed location of

its observation, nor does it identify the photos it "analyzed" making independent verification of this "evidence" impossible.

INDEED, TWO days later, the International Committee of the Red Cross, which certainly cannot be accused of a pro-Israeli bias, issued a statement that backed the IDF statements. "Using phosphorus to illuminate a target or create smoke is legitimate under international law," it said, adding that there was no evidence that Israel was "using phosphorus in a questionable way, such as burning down buildings or consciously putting civilians at risk." (Flares assist search and rescue forces in saving the lives of wounded soldiers and preventing Hamas from snatching the bodies of dead soldiers. To claim that such operations are illegitimate is, in and of itself, immoral.)

But these points were secondary to the NGO ideologues - the important point was that the images fit the dominant narrative of Israel as always guilty of war crimes, and of the Palestinians (or, in the 2006 Second Lebanon War, Hizbullah) as innocent victims. In this campaign, HRW was joined by Amnesty International, B'Tselem and the Palestinian Center for Human Rights. The latter two are funded by the European Union, ostensibly to promote democracy and human rights. When Hamas launched a phosphorus shell into Israel, these organizations, including HRW, were silent, as has been the case regarding the use of human shields in Gaza and other real war crimes.

By the time the ICRC confirmed the IDF statements, the damage was done - the image of Israel as a serial violator of international law and human rights was reinforced - a major success for Hamas. CNN, the *Times* (London) and *Christian Science Monitor* ran major stories, embellished with quotes from doctors in Gaza, including propagandist Mads Gilbert, who claimed to have seen phosphorous burns. Gilbert also justified the 9/11 terror attacks, but this did not prevent the government-funded Norwegian Aid Committee from financing his incitement. (CNN quoted but then ignored Dr. Peter Grossman, a burns expert in California and unconnected with the conflict, who stated that "it is not possible to tell, based on pictures of burns, whether white phosphorus was responsible.")

Based on these reports, Turkish Prime Minister Tayyip Erdogan repeated the false claim in an anti-Israel diatribe, thereby deepening the rift between Ankara and Jerusalem and increasing the sense of isolation in Israel.

THE FALSE white-phosphorous allegation is part of a pattern led by HRW that reflects the modern version of the blood libel. For the past year, HRW has been a leader in the use of international legal rhetoric such as "collective punishment," to attack Israel. And in the July 30, 2006 Kana incident in the Second Lebanon War, Lucy Mair (HRW's former researcher with a prior history of anti-Israel campaigning) disregarded the Red Cross on-scene estimate of 28 casualties (which proved to be the actual figure) in favor of a higher estimate of 54 provided by an alleged "survivor." HRW's false estimate was widely picked up by the media and further disseminated by HRW in an August 1, 2006 press release, sparking an international outcry and leading to a 48-hour halt in IAF operations, which extended the war.

Similarly, Marc Garlasco led HRW's high-profile "investigation" into the Gaza Beach incident in 2006, repeating claims that "the evidence overwhelmingly supports the allegations that the civilians were killed by artillery shells fired by the IDF," and ignoring details that did not fit his ideological "conclusion." Garlasco was also among the authors of HRW's "Razing Rafah" report of 2004, which contained many unverifiable and disputed claims, erased the context of terror and was used to justify HRW involvement in anti-Israel boycott campaigns.

In this way, HRW and other self-proclaimed human rights organizations have contributed a great deal to undermining the moral basis of morality and international law. Instead of repeatedly calling for "independent investigations" of Israel, the donors to HRW need to undertake an investigation of how this once-serious organization has been destroyed from within.

The writer is the chairman of the Political Science Department at Bar-Ilan University and executive director of NGO Monitor.