

HAMAS WAR CRIMES

Hamas is an internationally designated Palestinian terrorist organization that controls Gaza,¹ whose explicitly stated mission is the murder of Jews, “obliteration” of Israel, and its replacement with a Taliban-like theocracy.² Since it seized control of Gaza in a violent coup in 2007, it has launched over 18,000 mortars and rockets into Israeli communities,³ and forced Israel to mount three major military operations to protect its citizens: Cast Lead (Dec. 2008-to Jan. 2009); Pillar of Defense (Nov. 2012); and Protective Edge (July 8 to August 6, 2014). Hamas systematically committed war crimes in these actions, as evidenced by its tactics during Protective Edge.

Hamas rockets indiscriminately targeted Israel’s population and civilian centers, a war crime according to the Geneva Conventions and the International Criminal Court.⁴

- Hamas indiscriminately fired over 4,465 rockets⁵ at Israel’s heartland, including densely populated cities such as Jerusalem and Tel Aviv and their civilian structures, during Protective Edge. Over 70% of Israeli citizens were in rocket range.⁶
- Even Palestinian officials acknowledged Hamas’ rockets were war crimes. “Each and every missile against Israel constitutes a crime against humanity whether it hits or misses, because it is directed at civilian targets.” –Palestinian Envoy to the Human Rights Council, July 9, 2014.⁷
- Hamas “made clear in their statements that harming civilians was their aim. There is simply no legal justification for launching rockets at populated areas.” –Sarah Leah Whitson, Middle East Director, Human Rights Watch, Nov. 2012⁸
- The EU “strongly condemns the indiscriminate firing of rockets into Israel by Hamas and militant groups in the Gaza Strip, directly harming civilians. These are criminal and unjustifiable acts.”⁹

Hamas kidnapped Israelis to use them as hostages, a war crime according to the Geneva Conventions and the International Criminal Court.¹⁰

- On June 12, 2014, Hamas operatives kidnapped three Israeli teens as they were returning home from school. Their bodies were found 18 days later.¹¹
- In 2006, Hamas operatives kidnapped IDF soldier Gilad Shalit and held him hostage for over five years until he was released in a prisoner exchange in 2011.¹²
- Hamas built 32 cross-border underground tunnels to infiltrate Israel and kidnap Israelis. Rooms, handcuffs and tranquilizers were prepared for the Israeli victims.¹³

Hamas used Palestinian civilian centers for military purposes, a war crime according to the Geneva Conventions.¹⁴

- Hamas placed its military arsenal and tunnel entrances in Gaza’s schools, homes, residential neighborhoods, hospitals, and mosques,¹⁵ as occurred with UNRWA schools,¹⁶ Al-Shifah¹⁷ and Al-Wafa hospitals,¹⁸ and Islamic University of Gaza.¹⁹
- Hamas booby-trapped thousands of homes and fired 597 rockets from civilian centers, including 260 from schools, 160 from religious sites, 127 from cemeteries, and over 50 from hospitals.²⁰

Hamas used Palestinians as human shields, a war crime according to Article 51(7) of the 1977 Protocols to the Geneva Convention.²¹

- Hamas urged Gaza residents to act as human shields.²²
- Hamas urged residents to ignore Israel's warnings to move to safer areas because of imminent attacks. In some cases, Hamas operatives violently attacked residents who sought safer areas.²³
- "The Israeli army sends warnings to people [Gazans] to evacuate buildings before an attack... Hamas's strict policy, though, was not to allow us to evacuate... Hamas's official Al-Quds TV regularly issued warnings to Gazans not to evacuate their homes. Hamas militants would block the exits to the places residents were asked to evacuate." –Gaza Medical Aid Worker, September, 19 2014²⁴

Hamas conducted extrajudicial executions of alleged Palestinian collaborators with Israel.

- Hamas murdered at least 48 suspected collaborators during the 2014 war,²⁵ accusing them of being spies and executing them publicly, without trial. Hamas has dragged the executed bodies of past suspected collaborators through the streets of Gaza as a warning to others.²⁶

Hamas enlisted children to participate in hostilities, a war crime according to the Geneva Conventions and the International Criminal Court.²⁷

- Hamas admitted to using child labor to construct cross-border tunnels. According to Hamas officials, at least [160 children were killed](#) while building the terror tunnels.²⁸

For documentation and more information, please see www.standwithus.com/factsheets and 10 Facts about Hamas



FOOTNOTES FOR HAMAS WAR CRIMES

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- ¹ BBC, " Hamas: Palestinian Movement," BBC, July 11, 2014 at <http://www.bbc.com/news/world-middle-east-13331522>
- ² "The Hamas Covenant 1988," archived by Yale Law School Avalon Project at http://avalon.law.yale.edu/20th_century/hamas.asp
- ³ 14, 171 rockets and mortars launched 2005 through 2013 at Israel Security Agency, "2013 Annual Summary," at <http://www.shabak.gov.il/English/EnTerrorData/Reports/Pages/2013AnnualSummary.aspx> and over 4500 launched in 2014, see Israel Security Agency, "Monthly Summary," November, 2014 at <http://www.shabak.gov.il/SiteCollectionImages/Monthly%20summary%20-%20November%202014.pdf>
- ⁴ International Criminal Court, "What Are War Crimes?" at http://www.icc-cpi.int/en_menus/icc/about%20the%20court/frequently%20asked%20questions/Pages/13.aspx
- ⁵ Israel Security Agency, "Monthly Summary," November, 2014 at <http://www.shabak.gov.il/SiteCollectionImages/Monthly%20summary%20-%20November%202014.pdf>
- ⁶ IDF Blog, "Operation Protective Edge: General Information," at <http://www.idfblog.com/operationgaza2014/#GeneralInformation>
- ⁷ "Palestinian Envoy to UNHRC: Israelis Warn Civilians Before Attacks, We Don't," *MEMRI*, July 13, 2014 at <https://www.youtube.com/watch?v=DjzS27yICZ8>
- ⁸ Human Rights Watch, "Gaza: Palestinian Rockets Unlawfully Targeted Israeli Civilians," Dec, 24, 2012 at <http://www.hrw.org/news/2012/12/24/gaza-palestinian-rockets-unlawfully-targeted-israeli-civilians>
- ⁹ "European Union Delegation to the UN, "EU Council conclusions on the Middle East Peace Process," July 22, 2014 at http://europa.eu/articles/en/article_15300_en.htm
- ¹⁰ International Criminal Court, "What Are War Crimes?" at http://www.icc-cpi.int/en_menus/icc/about%20the%20court/frequently%20asked%20questions/Pages/13.aspx
- ¹¹ Jodi Rudoren and Isabell Kushner, "Israel's Search for 3 Teenagers Ends in Grief," *New York Times*, June 30, 2014 at http://www.nytimes.com/2014/07/01/world/middleeast/Israel-missing-teenagers.html?_r=0
- ¹² Palestinian Media Watch, "Responses to Gilad Shalit Exchange," *Palestinian Media Watch*, at <http://palwatch.org/main.aspx?fi=947>
- ¹³ Joshua Mitnick and Tamer El-Ghobashy, " Hamas Fighters Infiltrate Israel Through Tunnel and Kill Two Soldiers," *Wall Street Journal*, July 19, 2014 at <http://www.wsj.com/articles/gaza-residents-see-growing-toll-in-israel-fight-1405758914?autologin=y>
- ¹⁴ 1977 Protocol Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts at <http://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=8A9E7E14C63C7F30C125C> - See more at: <http://jcpa.org/article/hamas-israel-confrontation-legal-points/#sthash.8aKCR8jv.dpuf>
- ¹⁵ Hamza Hendawi and Josef Federman, " Hamas admits to rocket fire from residential areas," *Times of Israel*, Sept. 12, 2014 at <http://www.timesofisrael.com/hamas-admits-to-rocket-fire-from-residential-areas/>
- ¹⁶ UNRWA, "UNRWA condemns placement of rockets, for a second time, in one of its schools," *UNRWA*, July 22, 2014 at <http://www.unrwa.org/newsroom/press-releases/unrwa-condemns-placement-rockets-second-time-one-its-schools>
- ¹⁷ William Booth, "While Israel held its fire, the militant group Hamas did not," *Washington Post*, July 15, 2014 at http://www.washingtonpost.com/world/middle_east/while-israel-held-its-fire-the-militant-group-hamas-did-not/2014/07/15/116fd3d7-3c0f-4413-94a9-2ab16af1445d_story.html
- ¹⁸ Stuart Winer, "IDF targets hospital used as Hamas command center," *Times of Israel*, July 23, 2014 at <http://www.timesofisrael.com/idf-targets-hospital-hamas-used-as-firing-position/>
- ¹⁹ Haviv Rettig Gur and Adiv Sterman, "IDF indiscriminately killing in Gaza? Data says no," *Times of Israel*, Aug. 8, 2014 at <http://www.timesofisrael.com/idf-indiscriminately-killing-in-gaza-data-says-no/>
- ²⁰ IDF Blog, "Operation Protective Edge by the Numbers," Aug. 5, 2014 at <http://www.idfblog.com/blog/2014/08/05/operation-protective-edge-numbers/>
- ²¹ 1977 Protocol Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts at <http://www.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=8A9E7E14C63C7F30C125C> - See more at: <http://jcpa.org/article/hamas-israel-confrontation-legal-points/#sthash.8aKCR8jv.dpuf>
- ²² Anne Barnard and Jodi Rudoren, "Israel Says That Hamas Uses Civilian Shields, Reviving Debate," *New York Times*, July 23, 2014 at http://www.nytimes.com/2014/07/24/world/middleeast/israel-says-hamas-is-using-civilians-as-shields-in-gaza.html?_r=1

²³ “ Hamas members brutally beating civilians of Gaza who leave their homes following IDF warning,” *You Tube*, July 24, 2014 at <https://www.youtube.com/watch?v=A11XbvQVfJw>

²⁴ Mudar Zahran, “Gazans Speak Out: Hamas War Crimes,” *Gatestone Institute*, Sept. 19, 2014 at <http://www.gatestoneinstitute.org/4706/gazan-hamas-war-crimes>

²⁵ “ Hamas executes 18 suspected informers,” *Al Jazeera*, Aug. 22, 2014 at <http://www.aljazeera.com/news/middleeast/2014/08/hamas-kills-11-suspected-informers-israel-201482285624490268.html>

²⁶ Elhanan Miller, “ Hamas said to kill over 30 suspected collaborators with Israel,” *Times of Israel*, July 28, 2014 at <http://www.timesofisrael.com/hamas-said-to-kill-over-30-suspected-collaborators-with-israel/>

²⁷ International Criminal Court, “What Are War Crimes?” at http://www.icc-cpi.int/en_menus/icc/about%20the%20court/frequently%20asked%20questions/Pages/13.aspx

²⁸ JPost Staff, “At least 160 children died digging tunnels for Hamas,” *Jerusalem Post*, July 28, 2014 at <http://www.jpost.com/diplomacy-and-politics/at-least-160-children-died-digging-tunnels-for-hamas-369138>