

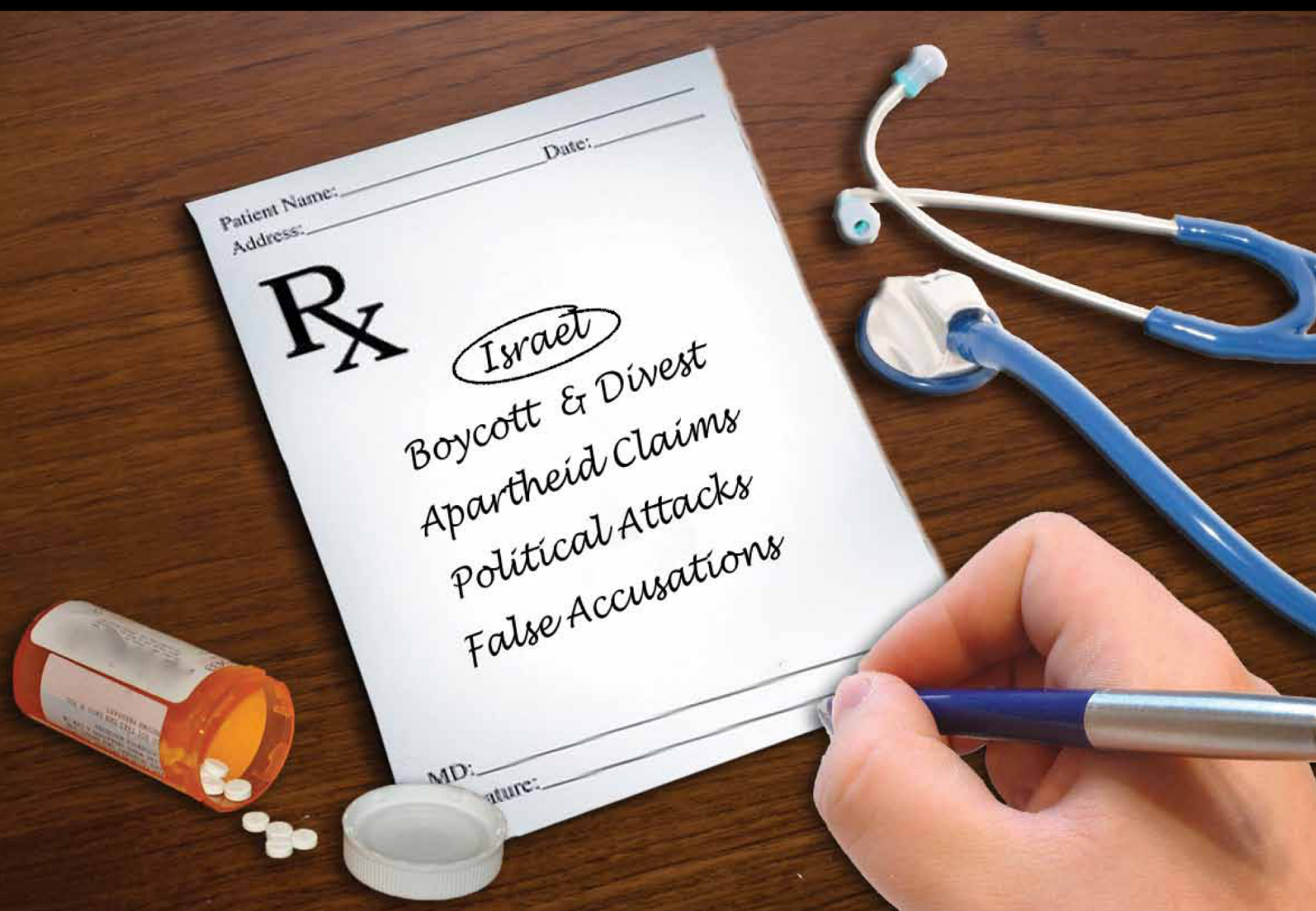
JULY 2013

# NGO MALPRACTICE

The Political Abuse of Medicine, Morality, and Science

Gerald M. Steinberg & Naftali Balanson, Authors

Alex Greenberg, Editor



NGO Monitor Monograph Series



Making NGOs Accountable



# NGO Malpractice

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Alex Greenberg, Editor

July 2013

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## INTRODUCTION

**T**he medical community, broadly defined, is morally committed to the highest standards of professionalism and universality, treating all those in need irrespective of any other factor. In contrast, as this report demonstrates, a number of highly influential non-governmental organizations (NGOs) claiming medical mandates and active in the framework of the Arab-Israeli conflict consistently violate these moral principles.

Independent of the health services the NGOs provide, sometimes on an impressive scale, these groups have intentionally politicized medicine, using it as a means to demonize Israel and discriminate against Israelis.

Their claims and reports violate professional and methodological norms, exacerbate tensions, and contribute to the conflict.

This report will demonstrate how five NGOs with a medical mandate make human rights claims that are inconsistent with the available evidence, tendentiously distort or misrepresent the evidence that does exist, and report as fact claims based on unverifiable allegations. The political, legal, and military analysis is often highly distorted or without basis in fact, and outside the expertise of the NGOs.<sup>1</sup>

In addition to their medical claims, these NGOs advocate on a range of issues related to the Arab-Israeli conflict, using their humanitarian work as an opportunity to take partisan positions against Israel. This activism goes far beyond medicine,

where NGO members may possess a certain level of expertise.

With one exception, the organizations discussed in this study are openly supportive of Palestinian political goals, and exploit their medical credentials as a tactic for furthering this agenda and the Palestinian narrative. These groups use medical jargon and their reputations as medical experts to make political and legal judgments on issues on which they have no specialized expertise.

### NGOs, the “Halo” Effect, and the “Double Halo”

The ability of medical NGOs to exert political influence is a reflection of the wider “halo effect,” by which groups perceived to promote good principles are shielded from scrutiny. Academics such as Willets observe, “[t]here is a widespread attitude that NGOs consist of

altruistic people campaigning in the general public interest, while governments consist of self-serving politicians. ... such an attitude should not be adopted as an unchallenged assumption...”<sup>2</sup> Similarly, Steinberg has demonstrated that “reports and statements made by prominent NGOs are routinely accepted at face value by journalists, diplomats, academics, and others, who act as force multipliers for the NGOs’

agendas.” This is because the NGO community is “generally understood to embody an alternative to the prevailing ‘selfish and particularist interests’ of states, governments (including democracies), multinational corporations, and

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<sup>1</sup> These practices are entirely inconsistent with the guidelines for human rights fact-finding frameworks. For more information, see Gerald M. Steinberg, Anne Herzberg, and Jordan Berman, *Best Practices for Human Rights and Humanitarian NGO Fact-Finding* (Martinus Nijhoff, 2012).

<sup>2</sup> Peter Willets, ed., “Introduction,” in *The Conscience of the World: The Influence of Non-Governmental Organisations in the UN System* (Washington, DC: Brookings Institution Press, 1996); see also Peter Willets, “The Impact of Promotional Pressure Groups in Global Politics,” in *Pressure Groups in the Global System: The Transnational Relations of Issue-Oriented Non-Governmental Organizations*, ed. Peter Willets (Palgrave Macmillan, 1982).

political parties.”<sup>3</sup> In addition, Blitt demonstrates that NGOs that deal with human rights elicit “instinctive support amongst the general public.”<sup>4</sup>

NGOs often use a lexicon formulated from international human rights documents adopted in the years following World War II, such as the UN’s Universal Declaration of Human Rights. Even when advocating a specific, localized, and controversial campaign, NGOs are able to present it as important, urgent, and a violation of consensus norms and mainstream moral positions. By such means, opposition to the NGOs’ private and at times radical agenda becomes a rejection of modern civility and ethics.

An added degree of credibility is granted to providers of medical assistance and relief – stemming from popular notions of morally objective doctors who diagnose problems with wisdom and expertise – exacerbating the general “halo effect.” As a result of this “double halo effect,” medical NGOs are rarely challenged on their organizational biases or questioned about the accuracy of their fact-finding.

The “halo effect” also compensates for the lack of expertise in the military, legal, and diplomatic spheres where NGOs often campaign. Aware of the esteem in which they are held, organizations promote highly distorted narratives and unverifiable statements. NGO claims that could be easily verified (or disproven) by the media are published without scrutiny. Moreover, officials of medical NGOs are invited to opine in even the most reputable news media on subjects outside their medical expertise.

They also solicit and receive donations from a broad range of well-respected institutions, often as a direct result of the “double halo effect.” As

will be discussed below, the NGOs in this report – including groups based in Israel, the West Bank, and Gaza – receive significant funding from European governments, prominent private foundations, and United Nations bodies. For example, over half of Physicians for Human Rights-Israel’s income from donations in 2011 originated with governments.

The political impact of this NGO network extends beyond media exposure and fundraising directly into the political process. NGOs routinely “use their access to influence agendas, speak in the proceedings, meet both formally and informally with the UN officials and participating diplomats, and submit documents that are quoted in the final reports.”<sup>5</sup> At the UN and other multinational bodies,<sup>6</sup> accreditation allows NGOs to join official forums, network with diplomats, and affect deliberations. In other words, accreditation provides non-representative groups special access to international decision makers.

Most critically, accreditation allows NGOs to submit both oral and written “evidence” to various UN institutions. This “evidence,” having been uncritically accepted by a UN body, becomes a matter of record. For example, the discredited Goldstone Report on the warfare in Gaza during 2009 quoted a joint report from Physicians for Human Rights-Israel and Palestinian Medical Relief Society,<sup>7</sup> which speculated about “the use of weapons whose potential long-term impact on individual

3 Gerald M. Steinberg, “The Centrality of NGOs in Promoting Anti-Israel Boycotts and Sanctions,” *Jewish Political Studies Review* 21, no. 1–2 (Spring 2009).

4 Robert C. Blitt, “Who Will Watch the Watchdogs? International Human Rights Nongovernmental Organizations and the Case for Regulation,” *Buffalo Human Rights Law Review* 10 (2005): 263.

5 Ann M. Florini, “Who Does What? Collective Action and the Changing Nature of Authority,” in *Non-State Actors and Authority in the Global System*, ed. Richard A. Higgott, Geoffrey R.D. Underhill, and Andreas Bieler (London: Routledge, 2004), 199.

6 Steinberg, “The Centrality of NGOs in Promoting Anti-Israel Boycotts and Sanctions,” 7.

7 Sebastian Van As et al., “Independent Fact-finding Mission into Violations of Human Rights in the Gaza Strip During the Period 27.12.2008 – 18.01.2009” (Physicians for Human Rights – Israel and Palestinian Medical Relief Society, April 2009), available at <http://www.phr.org.il/uploaded/FullFactFindReport.pdf>.

victims' health raises concern.”<sup>8</sup> In a similar vein, two EU reports on Jerusalem appear to quote a Physician for Human Rights-Israel press release (issued jointly with Adalah<sup>9</sup> and Al Mezan<sup>10</sup>) claiming that a “requirement for Israeli ambulance staff to enter Palestinian neighborhoods in East Jerusalem only under police escort” regularly results in “unnecessary, and potentially life-threatening, delays for Palestinian residents in East Jerusalem.”<sup>11</sup> The EU reports, however, fail to mention the numerous incidents of Israeli ambulances being attacked while responding to emergency calls in those neighborhoods.<sup>12</sup> In these and other examples, unsupported speculation stripped of context substitutes for accuracy.

### The Durban Strategy

The political bias of many of the medical NGOs examined in this monograph is a reflection of their participation in the “Durban Strategy,” the international campaign to demonize and isolate Israel that was crystalized at the NGO Forum of the United Nations World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance. The so-called Durban Conference was held in South Africa in September 2001, in symbolic recognition of improvements in that country’s human rights record. However, that moral symbolism was hijacked by politicized NGOs, some of which distributed antisemitic literature, to equate apartheid South Africa with

Israel,<sup>13</sup> to delegitimize Israel as an “apartheid state” guilty of “racist crimes against humanity including ethnic cleansing [and] acts of genocide.”<sup>14</sup> On this basis, the NGO Forum issued a Final Declaration, calling, *inter alia*, for “the imposition of mandatory and comprehensive sanctions and embargoes, the full cessation of all links (diplomatic, economic, social, aid, military cooperation and training) between all states and Israel.”<sup>15</sup>

The Final Declaration became a blueprint for the NGO political warfare against Israel, which has intensified in the past decade. As part of the Durban Strategy, NGOs accuse Israel of “human rights violations,” “war crimes,” and “crimes against humanity,” and allege that Israel denies Palestinians’ access to medical care, violates their right to health, and is responsible for poor health markers among the Palestinian population. This selective narrative, however, ignores a reality in which over 200,000 Palestinians were treated in Israeli hospitals, alongside Israelis, in 2012; Israel has steadily increased the number of permits for residents of Gaza, despite the closure policy;<sup>16</sup> Israel provides subsidized, and at times

### *The Final Declaration became a blueprint for the NGO political warfare against Israel, which has intensified in the past decade.*

8 “Report of the United Nations Fact-Finding Mission on the Gaza Conflict” (United Nations Human Rights Council, September 25, 2009), para. 1258, *available at* <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>.

9 See “Adalah,” *NGO Monitor*, December 21, 2011, *available at* <http://www.ngo-monitor.org/article/adalah>.

10 See “Al-Mezan Center for Human Rights,” *NGO Monitor*, accessed on March 6, 2013, *available at* [http://www.ngo-monitor.org/article/al\\_mezan\\_center\\_for\\_human\\_rights](http://www.ngo-monitor.org/article/al_mezan_center_for_human_rights).

11 “EU Heads of Mission: Cover Note,” 2009, *available at* [http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/10\\_01\\_11\\_eu\\_hom\\_report\\_on\\_east\\_jerusalem.pdf](http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/10_01_11_eu_hom_report_on_east_jerusalem.pdf).

12 Nir Hasson, “Rocks Thrown at Two Israeli Ambulances in East Jerusalem,” *Haaretz*, November 6, 2010, *available at* <http://www.haaretz.com/news/national/rocks-thrown-at-two-israeli-ambulances-in-east-jerusalem-1.323279>.

13 Tom Lantos, “The Durban Debacle: An Insider’s View of the World Racism Conference at Durban,” (PDF) *The Fletcher School of Law and Diplomacy*, Tufts University, vol. 26.1, Winter/Spring 2002.

14 NGO Forum Declaration and Programme of Action, NGO Forum, World Conference Against Racism, Racial Discrimination Xenophobia and Related Intolerance, Durban, South Africa, August 27-Sept 1, 2001, Article 426, *available at* <http://academic.udayton.edu/race/06hrights/WCAR2001/NGOFORUM/>

15 *Ibid.*, Article 425.

16 Menachem Aloni, “The coordination in the health field in the Judea and Samaria region and in the Gaza Strip goes on and also increases,” *Coordination of Government Activities in the Territories*, January 23, 2013, *available at* <http://www.cogat.idf.il/901-10737-en/Cogat.aspx>.

free, health care to Palestinians; and Palestinians have a life expectancy above world average, and an infant mortality rate lower than most other countries in the region.<sup>17</sup> Indeed, World Health Organization monthly reports on patient referrals from Gaza show an average approval rate of 92% for 2012.<sup>18</sup>

Still, the prejudicial claims and distorted narratives are then used to lobby for condemnations of Israel by the UN and European governments, and to drive for BDS (boycott, divestment, and sanctions) campaigns. Of the NGOs examined in this report, Gaza Community Mental Health Programme and Palestinian Medical Relief Society have formally endorsed the BDS campaign,<sup>19</sup> and Medical Aid for Palestinians supports it. Leaders of Physicians for Human Rights-Israel have been involved in similar initiatives, including calls for a worldwide boycott of the Israel Medical Association.

Claims by medical NGOs are also used by other activists in their BDS campaigns. For example, Physicians for Human Rights-Israel, Médecins Sans Frontières, and *The Lancet* were cited in a policy statement proposal in support of BDS, asking the American Public Health Association to call on “Financial organizations...[to] offer an occupation-free account option for members who seek to avoid investing their assets in companies that support apartheid-type policies in the occupied lands of Palestine.”<sup>20</sup>

17 “Behind the Headlines: The Israel Humanitarian Lifeline to Gaza,” The Israel Ministry of Foreign Affairs, May 25, 2010, available at [http://www.mfa.gov.il/MFA/HumanitarianAid/Palestinians/Israeli\\_humanitarian\\_lifeline\\_Gaza\\_25-May-2010.htm](http://www.mfa.gov.il/MFA/HumanitarianAid/Palestinians/Israeli_humanitarian_lifeline_Gaza_25-May-2010.htm). See also Dr. Elihu D. Richter, “Israeli Approvals for Medical Entry in the Shadow of Terror Attacks at the Erez Crossing,” *The Jerusalem Center for Public Affairs*, No. 567, October 2008 available at <http://jcpa.org/article/israeli-approvals-for-medical-entry-in-the-shadow-of-terror-attacks-at-the-erez-crossing/>

18 World Health Organization, “WHO monthly reports on referral of patients from the Gaza Strip,” available at <http://www.emro.who.int/pse/publications-who/monthly-referral-reports.html>.

19 “Palestinian Civil Society Call for BDS | BDSmovement.net,” July 9, 2005, available at <http://www.bdsmovement.net/call>.

20 A copy of this proposal is on file with NGO Monitor.

The Durban Strategy has been deployed by NGOs during escalations in armed conflict involving Israel – such as Gaza (2006, 2008-9, 2012) and Lebanon (2006). The first implementation of the NGO Durban Strategy, including the use of unsubstantiated and invented allegations related to medical issues, took place in April 2002, during the IDF’s Operation Defensive Shield in the Jenin refugee camp. The Israel government ordered the military to act in response to a series of Palestinian mass terror attacks, coordinated from Jenin. In the month of March 2002 alone, Palestinian terrorists murdered nearly 150 Israeli civilians and injured hundreds, including the Passover Seder bombing on March 27 at the Park Hotel in Netanya that killed 29 and injured 130.<sup>21</sup>

As Israeli forces entered the area in order to disrupt these horrific acts of violence, a number of politicized NGOs, including Amnesty International, spread the false accusation of an Israeli “massacre,” namely that “there are large numbers of civilian dead underneath these bulldozed and bombed ruins that we see.”<sup>22</sup> In fact, there were 53 bodies beneath the rubble, and 48 of them were combatants. The Israeli army, on the other hand, suffered a relatively large number of deaths for its counterterror operations, 23, due to the decision to fight house-to-house to reduce civilian casualties.<sup>23</sup>

Soon after the operation, Human Rights Watch (HRW) published a biased and tendentious “report” based on unverified “eyewitness claims” that included unfounded allegations of “Attacks against Medical Personnel, Lack of Access to Medical Treatment, Attacks on Ambulances and Medical Personnel, Denial of Humanitarian

21 Articles in medical journals echoed NGOs in erasing the context of terrorism that resulted in a large number of Israeli casualties. For a discussion of these issues, see Dr. Elihu Richter, “Terror Toll Before Jenin,” *European Journal of Public Health*, 2005, 15 (1):105; available at <http://eurpub.oxfordjournals.org/content/15/1/105.full>

22 BBC News, “Jenin ‘massacre evidence growing,’” April 18, 2002, accessed on April 22, 2013, available at <http://news.bbc.co.uk/1/hi/scotland/1937048.stm>.

23 Amos Harel and Avi Isacharoff, *The Seventh War* (Hebrew), Tel Aviv: Yediot Aharonot, 2004, pp. 257-258.



Access.” Despite the absence of credible evidence, HRW charged that

the IDF blocked the passage of emergency medical vehicles and personnel to Jenin refugee camp, ...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. ...Direct attacks on medical personnel and the denial of access to medical care for the wounded constitute serious violations of the laws of war.

Based solely on the claims of Palestinians in the area, and without any analysis or information related to the military dimensions, HRW falsely asserted that these IDF actions took place in the absence of any Palestinian combatants or attacks.<sup>24</sup>

HRW’s politicized allegations were refuted in detail by IDF and other Israeli medical personnel.<sup>25</sup> Dr. David Zangen, chief medical officer of one of the IDF brigades involved in the operation, provided detailed accounts demonstrating the contradictions between Palestinians “testimonies” and IDF medical activities. Far from deliberately damaging medical facilities, “IDF soldiers were careful not to enter the hospital grounds, even though we knew that they were being used to shelter wanted persons. We maintained the supply of water, electricity and oxygen to the hospital throughout the course of the fighting, and helped set up an emergency generator after the electricity grid in the city was damaged.” He also documented the

treatment given to Palestinians who claimed to have been denied such treatment.<sup>26</sup>

Another Israeli doctor, Dr. Sami Viskin, documented the use of ambulances for transporting Palestinian terrorists and bombs, and other evidence that contradicted HRW’s and similar allegations. Viskin noted that “Deaths among Palestinian unarmed civilians, caught in the crossfire between fighting forces, were unintentional. This is a tragic, yet unavoidable consequence of war, of all wars. Genuine, continuous efforts are being made by the IDF to keep Palestinian civilian losses to a minimum, at times at the cost of Israeli soldiers’ lives. By contrast, civilian losses in Israel are nothing short of deliberate.”<sup>27</sup>

## NGO Politics and Medical Journals

The NGO Durban strategy and form of political warfare is also manifested in the close links between the medical-based NGO network and professional medical journals. The record demonstrates that *The Lancet*, in particular, publishes and often gives prominence to officials of these organizations or to articles based on their reports, providing a scientific veneer to NGO political claims. Under the editorship of Richard Horton, *The Lancet* frequently advocates for the Palestinian cause, partnering with a number of pro-Palestinian NGOs and maintaining the Lancet-Palestinian Health Alliance, “a loose network of health researchers committed to illuminating the conditions under which Palestinians live today.”<sup>28</sup>

Medical journals in the UK have also served as platforms for targeting Israeli doctors and the Israeli medical establishment. In December

24 “Jenin: IDF Military Operations”, May 2002 Human Rights Watch, Israel, The Occupied West Bank And Gaza Strip, and the Palestinian Authority Territories, May 2002 Vol. 14, No. 3 (E), available at <http://www.hrw.org/reports/2002/israel3/israel0502.pdf>

25 For a detailed analysis of the methodological failures and ideological bias in HRW’s publications, see Sarah Mandel, “Experts or Ideologues? A Systematic Analysis of Human Rights Watch’s Focus on Israel,” NGO Monitor Monograph Series, September 2009, available at <http://www.ngo-monitor.org/hrw.pdf>

26 David Zangen, “Seven Lies About Jenin,” *Maariv*, November 8, 2002, English translation available at <http://www.mfa.gov.il/MFA/Archive/Articles/2002/Seven+Lies+About+Jenin+David+Zangen+views+the+fil.htm?DisplayMode=print>

27 Sami Viskin, “Shooting at ambulances in Israel: a cardiologist’s viewpoint,” *The Lancet*, March 11, 2003, available at <http://image.thelancet.com/extras/02art8008web.pdf>

28 “Conference and Gaza Visit: Health Under Occupation,” *Medical Aid for Palestinians*, March 16, 2010, accessed on March 5, 2013, available at <http://www.map-uk.org/regions/opt/news/view/-/id/639/>.

2007, an ideological NGO<sup>29</sup> was cited by a group of British doctors, spearheaded by Derek Summerfield,<sup>30</sup> in one such attack in *The Lancet*:

There was also direct involvement in several cases [of torture] by the Chief Medical Officers of the Israeli Prison Service and Police Service, and by no less than the Chairman of the Ethics Board of the IMA, all named. How long can this grotesque situation continue?<sup>31</sup>

These same doctor-activists were also responsible for an April 21, 2007 letter to *The Guardian*, calling for the boycott of the Israel Medical Association (IMA) and its expulsion from the World Medical Association (WMA).<sup>32</sup> *The Guardian* letter triggered a news item in the *British Medical Journal*,<sup>33</sup> as well as lengthy

***Senior NGO officials appear as “talking-heads” on reputable news channels and have their opinions reported in newspapers as objective analysis.***

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29 Noam Hoffstater, “Ticking Bombs” *Testimonies of Torture Victims in Israel* (Public Committee Against Torture in Israel, May 2007), available at <http://www.stoptorture.org.il/files/pcat%20new%20web%20file%20eng%20light.pdf>.

30 Summerfield has a long history of similar campaigns. See Derek Summerfield, “Palestine: the assault on health and other war crimes,” *BMJ* (October 2004): 329: 924 and David Katz, “Palestine: the assault on health and other war crimes, Israeli situation is not analogous to apartheid regime,” *BMJ* 330, no. 7485 (January 2005): 255, available at <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC546084/>. The latest available information shows that Summerfield is on the Board of Advisors for Gaza Community Mental Health Programme, an anti-Israel political advocacy NGO discussed in this study. See “Annual Report-2009,” pg. 7, available at [http://www.gcmhp.net/en/index.php?option=com\\_phocadownload&view=category&id=4:annual-reports&Itemid=49](http://www.gcmhp.net/en/index.php?option=com_phocadownload&view=category&id=4:annual-reports&Itemid=49).

31 Colin Green et al., “Medical Ethical Violations in Gaza,” *The Lancet* 370, no. 9605 (December 2007): 2102, doi:10.1016/S0140-6736(07)61784-X.

32 “Israeli Boycotts: Gesture Politics or a Moral Imperative?,” *The Guardian*, April 21, 2007, available at <http://www.guardian.co.uk/world/2007/apr/21/israel.comment>.

33 O. Dyer, “Group of British Doctors Call for a Boycott of the Israel Medical Association,” *BMJ* 334, no. 7599 (April 28, 2007): 871–871, doi:10.1136/bmj.39196.455613.DB.

rejoinders from Summerfield<sup>34</sup> and the head of the IMA.<sup>35</sup>

## **Medical NGOs as Political Actors**

This monograph opens with an analysis of how medical NGOs are received in the media, showing that mainstream media and medical journals act as facilitators and “force-multipliers” for NGO political agendas. Despite their stated editorial guidelines, media outlets ignore the obvious politicization of these groups; the “halo effect” exempts NGOs from the scrutiny that is applied to other political actors. Outlandish NGO claims are repeated at face value, and senior NGO officials appear as “talking-heads” on reputable news channels, such as the BBC or CNN, and have their opinions reported in newspapers as objective analysis. Although officials from these medical NGOs have no legal expertise, their conclusions regarding alleged “violations of international law” are repeated and accepted without question.

This process is also characteristic of professional medical journals. Although they purport to maintain academic and scientific standards far above those of general media, medical journals have been abused, providing highly distorted versions of the past or current affairs in order to demonize Israel. Of note, *The Lancet*, it appears, has intentionally adopted a partisan political agenda, presenting it as having been vetted through a stringent evaluation process.

After discussing the impact of NGOs in the media, the paper turns to the five main politicized medical NGOs active in the context of the Arab-Israeli conflict: **Médecins Sans Frontières (MSF/Doctors without Borders), Medical Aid for the Palestinians (MAP), Physicians for**

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34 “Response to Israeli Med Assoc from Signatory of Letter Calling for Boycott | BMJ,” April 2007, accessed on February 26, 2013, available at <http://www.bmj.com/rapid-response/2011/11/01/reponse-israeli-med-assoc-signatory-letter-calling-boycott>.

35 “Israeli Medical Association Opposes Suggested British Boycott | BMJ,” May 2007, accessed on February 26, 2013, available at <http://www.bmj.com/rapid-response/2011/11/01/israeli-medical-association-opposes-suggested-british-boycott>.

**Human Rights–Israel (PHR-I), Palestinian Medical Relief Society (PMRS), and Gaza Community Mental Health Programme (GCMHP).** Although these NGOs vary in size, membership, agenda, and claims to impartiality, they all have a significant presence international media and broad policy impact, which facilitate and amplify their roles in political warfare targeting the State of Israel.

The five medical NGOs selected for detailed and systematic analysis in this study are far from unique. Rather, they illustrate the general practice among many politicized medical organizations, such as Medecins du Monde (Doctors of the World, founded in France) and Medico International (based in Germany and Switzerland, funded by the German government). Similarly, many NGOs claiming to promote human rights and humanitarian assistance, but not explicitly focused on medical issues, such as Public Committee Against Torture in Israel, Gisha, B’Tselem, Palestinian Center for Human Rights, Al Haq, Amnesty International, Human Rights Watch, FIDH, and Oxfam International, often make use of health related claims in opposing and condemning Israel.

**Médecins Sans Frontières (MSF/Doctors without Borders)** is among the largest and most prestigious international NGOs. MSF’s charter rejects the politicization of aid, and this appearance of impartiality gives its accusations against Israel greater credibility. In contrast, its leaders have occasionally used public platforms, including a 2004 article in *Diabetes Voice* and press conferences during the 2009 Gaza conflict, to selectively accuse Israel of war crimes and other violations of human rights.

**Medical Aid for the Palestinians (MAP)** is a major UK-based charity operating medical clinics in the PA, Gaza, and Lebanon, with senior British public figures on its board. MAP has promoted a divisive, anti-Israel narrative through its lobbying of the British Parliament. MAP has also repeatedly joined with other

political advocacy NGOs to lobby the European Union and other international actors to sanction Israel and force policy changes.

**Physicians for Human Rights–Israel (PHR-I)** is an Israel-based political advocacy group, whose openly partisan activity includes “solidarity” events in support of often violent Palestinian protesters. PHR-I has waged a decades-long campaign alleging the complicity of Israeli medical professionals in the torture of Palestinian prisoners. These well-circulated and oft-repeated claims are based on unsubstantiated claims that have not been corroborated by PHR-I. The Israel Medical Association severed ties with PHR-I due to a related campaign.

**Palestinian Medical Relief Society (PMRS)** is led by Palestinian politician Dr. Mustafa Bargouthi. PMRS views its humanitarian endeavors “as an entry point” for political advocacy and action.<sup>36</sup> Accordingly, it has attempted to link Israeli policies to specific medical conditions in Gaza, ignoring other factors that do not contribute to the demonization of Israel. PMRS has also repeatedly accused Israel, without evidence, of deploying unconventional weapons.

**Gaza Community Mental Health Programme (GCMHP)**, as its name suggests, focuses primarily on psychological issues. Its demonization of Israel also highlights this aspect, with officials repeatedly claiming that Jews are “psycho-pathologically disturbed” and that Israeli soldiers are psychologically unstable. GCMHP also promotes anti-Israel campaigns, such as BDS and the Free Gaza flotillas.

Each of these NGOs, to varying degrees, cynically exploits its “double halo” to conduct political campaigns against Israel. Sometimes, such as with PHR-I, these claims target Israeli medical professionals. In other instances, medical evidence is falsified, fabricated, or misrepresented to demonize Israel. Often though, these medical NGOs exploit their

36 “Palestinian Medical Relief Society - PMRS-About Us,” accessed on March 5, 2013, available at <http://www.pmr.ps/details.php?id=gtc2via1411yj33hbnojn>.

credibility and respect as doctors to make unsubstantiated claims unrelated to medicine. In their publications and activities they draw factual conclusions and assign moral and legal responsibility in a highly superficial and narrow political manner, relying on their “double halo” to protect them from scrutiny and accountability.

Lastly, this paper addresses the activities of an individual, **Dr. Mads Gilbert**. Gilbert, a Norwegian anesthesiologist, was in Gaza on behalf of the Norwegian Aid Committee (NORWAC) for part of the conflict in early 2009, giving numerous interviews to international media during the fighting and afterwards. His conduct offers an important case study into how medical NGO activists exploit their “double halo.” Gilbert’s inflammatory statements and allegations regarding Israel’s conduct during the fighting, which were widely and uncritically repeated in the media, reflect his “solidarity with the Palestinians”<sup>37</sup> and his assertion that “all doctors are politicians whether they like it or not.”<sup>38</sup>

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37 Grit TV, “Dr. Mads Gilbert: A Physician in Gaza,” April 28, 2009, *available at* <http://grittv.org/2009/04/28/dr-mads-gilbert-a-physician-in-gaza/>

38 “High-Profile Doctor in Gaza Called an ‘Apologist for Hamas’ | Fox News,” Fox News, November 30, 2011, *available at* <http://www.foxnews.com/story/0,2933,477881,00.html>.

## MALPRACTICE IN THE MEDIA

### Mainstream Media

Political advocacy NGOs depend on the media to achieve publicity for their organizational goals. In turn, many journalists and media platforms rely on “expert” information, claims, and data from NGOs, often without any independent verification.

Through steady coverage in the international media, the local NGOs analyzed in this paper, have built an international presence. Dr. Ruchama Marton, founder and President of PHR-I,<sup>39</sup> has contributed articles to *The Guardian*<sup>40</sup> and *The Palestine-Israel Journal*.<sup>41</sup> She has also been cited on CNN<sup>42</sup> and the BBC. Dr. Mustafa Barghouti of PMRS has written articles on broader political issues for CNN,<sup>43</sup> the *New York Times*,<sup>44</sup> and the Huffington Post.<sup>45</sup> Barghouti has also been interviewed on the BBC<sup>46</sup> and other media

39 Ruchama Marton, “Occupation’s 44th Year: PHR Israel Founder,” accessed on March 5, 2013, available at <http://www.phr.org.il/default.asp?PageID=190&ItemID=1139>.

40 “Ruchama Marton,” *The Guardian*, September 11, 2002, available at <http://www.guardian.co.uk/world/2002/sep/11/september112002.september1162>.

41 Ruchama Marton, “The Psychological Impact of the Second Intifada on Israeli Society,” *Palestine-Israel Journal of Politics Economics and Culture* 11, no. 1 (2004), available at <http://www.pij.org/authors.php?id=15>.

42 “Group Accuses Israel of Pushing Ill Palestinians to Spy,” CNN, accessed on February 26, 2013, available at [http://articles.cnn.com/2008-08-04/world/israel.informants\\_1\\_rocket-and-mortar-attacks-palestinian-patients-gaza-and-israel?\\_s=PM:WORLD](http://articles.cnn.com/2008-08-04/world/israel.informants_1_rocket-and-mortar-attacks-palestinian-patients-gaza-and-israel?_s=PM:WORLD).

43 “Palestinian Leader: Why Our Occupation Must End Now,” CNN, August 4, 2008, accessed on February 26, 2013, available at <http://www.cnn.com/2011/09/21/opinion/opinion-mustafa-barghouthi/index.html>.

44 Mustafa Barghouthi, “When Will It Be Our Time?,” *The New York Times*, December 17, 2009, sec. Opinion, available at <http://www.nytimes.com/2009/12/17/opinion/17iht-edbarghouthi.html>.

45 Mustafa Barghouthi, “Palestine’s Guernica and the Myths of Israeli Victimhood,” *The Huffington Post*, December 29, 2008, available at [http://www.huffingtonpost.com/mustafa-barghouthi/palestines-guernica-and-t\\_b\\_153958.html](http://www.huffingtonpost.com/mustafa-barghouthi/palestines-guernica-and-t_b_153958.html).

46 “Mustafa Barghouti : I Believe in Civil Disorder,” BBC, November 18, 2009, sec. HARDtalk, available at <http://news.bbc.co.uk/2/hi/programmes/hardt/8366959.stm>.

outlets. Dr. Eyad El-Sarraj, founder and president of GCMHP, has been interviewed on the BBC<sup>47</sup> and has contributed articles to the *Los Angeles Times*,<sup>48</sup> *Foreign Policy* magazine,<sup>49</sup> the *Boston Globe*,<sup>50</sup> and *The Daily Star*.<sup>51</sup>

The vast majority of these media appearances dealt with topics far removed from a medical context. This creates the false impression that these NGOs and their staff have the capacity to comment with expertise on the conflict. Two examples related to PHR-I are highly illustrative. Following the 2009 Gaza fighting, the British *Guardian* newspaper reported,

a medical human rights group said there was “certainty” that Israel violated international humanitarian law during the war, with attacks on medics, damage to medical buildings, indiscriminate attacks on civilians and delays in medical treatment for the injured. “We have noticed a stark decline in IDF morals concerning the Palestinian population of Gaza, which in reality amounts to a contempt for Palestinian lives,” said Dani Filc, chairman of Physicians for Human Rights Israel.<sup>52</sup>

47 *Free Gaza Founder Eyad Sarraj Responds to Netanyahu and Barak*, 2010, available at [http://www.youtube.com/watch?v=ceIggX9LZDg&feature=youtube\\_gdata\\_player](http://www.youtube.com/watch?v=ceIggX9LZDg&feature=youtube_gdata_player).

48 Eyad El-Sarraj, “Catastrophe for Gaza,” *Los Angeles Times*, December 14, 2008, available at <http://www.latimes.com/news/opinion/la-oe-sarraj14-2008dec14,0,2658218.story>.

49 Eyad El-Sarraj, “Gaza’s Agony,” *Foreign Policy*, January 28, 2010, available at [http://www.foreignpolicy.com/articles/2010/01/27/gazas\\_agony?page=0,1&sms\\_ss=twitter&at\\_xt=4cbcb49969c0c2f,1](http://www.foreignpolicy.com/articles/2010/01/27/gazas_agony?page=0,1&sms_ss=twitter&at_xt=4cbcb49969c0c2f,1).

50 Eyad El-Sarraj, “A 14-year-old in Gaza Has One Question: Why?,” *Boston Globe*, January 11, 2009, available at [http://www.boston.com/bostonglobe/editorial\\_opinion/oped/articles/2009/01/11/a\\_14\\_year\\_old\\_in\\_gaza\\_has\\_one\\_question\\_why/](http://www.boston.com/bostonglobe/editorial_opinion/oped/articles/2009/01/11/a_14_year_old_in_gaza_has_one_question_why/).

51 Eyad El-Sarraj, “Grasp Whatever Is Left of the Scattered Hopes for Peace,” *The Daily Star Newspaper - Lebanon*, November 15, 2006, available at <http://www.dailystar.com.lb/Opinion/Commentary/Nov/15/Grasp-whatever-is-left-of-the-scattered-hopes-for-peace.ashx>.

52 “Guardian Investigation Uncovers Evidence of Alleged Israeli War Crimes in Gaza,” *The Guardian*, March 23, 2009, available at <http://www.guardian.co.uk/world/2009/mar/23/israel-gaza-war-crimes-guardian>.

The JTA wire service also publicized the PHR-I claims under the headline “Report: Israeli military violated medical ethics,”

The military prevented the delivery of medical assistance to wounded Gazans, attacked Palestinian medical personnel and prevented ill Palestinians from seeking treatment outside of Gaza, according to the Israel chapter of Physicians for Human Rights [sic] in a report released Monday... The incidents are in violation of directives of international law that forbid attacks on medical personnel and medical facilities in times of fighting, according to the physicians’ group.<sup>53</sup>

***The mistake, and the damage, could have been easily avoided had both undertaken rudimentary fact-checking.***

Both media platforms repeated PHR-I’s allegations, apparently repeating Palestinian “testimony,” despite the fact that neither Dr. Filc nor PHR-I has the relevant competence to make the factual claims and to carry out the described military and legal analysis. Later investigations by the IDF determined that PHR-I’s accusations were baseless. A July 2009 report on the findings of detailed inquiries into the Gaza War contradicted the claims made by PHR-I and provided a fundamentally different depiction of the IDF’s approach to health issues during the fighting.<sup>54</sup> For instance, it noted that Hamas had intentionally situated a weapons

depot in proximity to health facilities, a central factor ignored by PHR-I.<sup>55</sup>

A second example also saw a number of newspapers repeat a PHR-I claim as fact without verifying its accuracy. The Norwegian newspaper *AftenPosten*<sup>56</sup> and the Israeli news website *Ynet* reported the death of Muhammad al-Harrani, a Gaza Palestinian allegedly denied treatment in Israel. The sole source for this claim was a PHR-I press release condemning Israel for causing his death.<sup>57</sup> The day after these articles appeared, causing significant damage to Israel, it was confirmed that al-Harrani was still alive and that “family members knowingly provided false information to “the organization.”<sup>58</sup> PHR-I, an Israel-based NGO with no access to Gaza, had issued its press release based on the family’s claims alone, and without ascertaining that the information was factually correct. Both the newspapers and PHR-I acted unprofessionally, accusing Israel of a death that had not been verified. The mistake, and the damage, could have been easily avoided had both undertaken rudimentary fact-checking.

### Medical Journals

NGOs that make health claims are also frequently cited in medical journals. This is not surprising, given the thematic affinity between the NGOs’ activities and the journals’ subject matter. However, in many respects, the similarities end there. Whereas political advocacy NGOs misrepresent medicine and health claims for political aims, adding legal conclusions for which they have no qualifications, medical journals are supposed to operate under scientific guidelines,

<sup>55</sup> Ibid., para. 349–350.

<sup>56</sup> “Døde Etter å Ha Blitt Nektet Innreise i Israel,” *Aftenposten*, May 1, 2008, accessed on February 26, 2013, available at <http://www.aftenposten.no/nyheter/uriks/Dode-etter-a-ha-blitt-nektet-innreise-i-Israel-6561396.html>.

<sup>57</sup> Meital Yassur Beit-Or, “Palestinian Cancer Patient Dies While Waiting for Israeli Entry Permit,” *Ynet*, May 1, 2008, accessed on February 26, 2013, available at <http://www.Ynetnews.com/articles/0,7340,L-3538080,00.html>.

<sup>58</sup> Meital Yassur Beit-Or, “‘Dead Gazan’ Alive and Kicking,” *Ynet*, May 13, 2008, accessed on April 4, 2013, available at <http://www.Ynetnews.com/articles/0,7340,L-3542849,00.html>.

<sup>53</sup> “Report: Israeli Military Violated Medical Ethics,” *JTA*, March 23, 2009, available at <http://www.jta.org/news/article/2009/03/23/1003903/report-israeli-military-violated-medical-ethics>.

<sup>54</sup> “The Operation in Gaza - Factual and Legal Aspects - The Use of Force - Complaints About IDF Conduct,” August 2009, accessed on February 26, 2013, available at [http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Hamas+war+against+Israel/Operation\\_Gaza\\_factual\\_and\\_legal\\_aspects\\_use\\_of\\_force\\_complaints\\_about\\_IDF\\_5\\_Aug\\_2009.htm](http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Hamas+war+against+Israel/Operation_Gaza_factual_and_legal_aspects_use_of_force_complaints_about_IDF_5_Aug_2009.htm).

methods, and principles, and should be able to distinguish science and health from politicized campaigns. Commitment to these values, as well as peer review and proper editorship, should ostensibly prevent abuse.

However, this is not always the case. Medical journals have become sites for NGO demonization of Israel and the exploitation of medicine and science. The confluence of NGOs, health claims, and demonization has been highly damaging for the professional reputation and credibility of the journals.<sup>59</sup>

The June 2004 issue of *Diabetes Voice*, a publication of the International Diabetes Federation (IDF), contained an article by Panagiotis Tsapogas, medical coordinator of the Greek section of Médecins Sans Frontières in Gaza in 2002-2003, "Poverty, stress and unmet needs: life with diabetes in the Gaza Strip."<sup>60</sup> The article, which is a clear demonstration of the exploitation of medical allegations as part of the Durban Strategy, was prefaced by an inappropriate and irrelevant abstract that did not discuss diabetes and repeated the Palestinian narrative of the history of the conflict:

2003 marked the 55th anniversary of the Nakba (cataclysm) of the Palestinian people. In 1948, according to the United Nations Conciliation Commission, 762,000 Palestinians were evicted from their cities and villages, hundreds of which were razed to the ground. What remains of the Palestinian people's land is now split between the West Bank of the river Jordan and Qita Ghazzah (Gaza Strip), and remains occupied by Israeli military forces and settlers. In 2003, the

second uprising, or Al-Aqsa Intifada against this occupation entered its third year.<sup>61</sup>

As Prof. Gerald Steinberg responded,

This short abstract consists of a blatantly political attack that has little or nothing to do with diabetes. The one-sided and highly distorted version of history that is presented is based on a distorted Palestinian version of events and vocabulary, and immorally ignores the brutality of Palestinian terrorism. It is also entirely inconsistent with the goals proclaimed by *Diabetes Voice*, the International Diabetes Federation, and Médecins Sans Frontières.<sup>62</sup>

On August 2, 2004, President of the Israel Diabetes Association, Itamar Raz, wrote a letter to the *Diabetes Voice* systematically rebutting the distorted abstract and disputing the accuracy of claims made by Tsapogas's article. Raz wrote that the abstract had "virtually nothing to do with the diabetes health-care content that followed, was historically incorrect and presented one very biased side of a very complex political situation. However, I believe that the article itself also provides an incomplete and politically biased view of the suffering of people with diabetes in the Gaza Strip."<sup>63</sup> Raz later published an expanded response in the September 2004 issue of the *Diabetes Voice* entitled "Diabetes Under Fire," in which he challenged Tsapogas' claims and documented his own efforts alongside Palestinian doctors working with diabetics.<sup>64</sup>

Following this challenge, the International Diabetes Federation publicly apologized and the editor-in-chief of *Diabetes Voice* resigned. The apology on its website included the following text:

61 Gerald M. Steinberg, "SPME | Steinberg, Diabetes Voice Exchange," *SPME | Scholars for Peace in the Middle East*, March 11, 2006, available at <http://spme.net/articles/342>.

62 Ibid.

63 <http://www.idf.org/webdata/docs/Gaza%20letter%20Itamar%20Raz.pdf> (Link Expired)

64 Itamar Raz, "Diabetes Under Fire," *Diabetes Voice* 49, no. 3 (September 2004): 14-17.

59 See "British Medical Journals Play Politics," *The Israel Medical Association Journal*, Vol. 11, June 2009, pp. 325-327 available at <http://www.ima.org.il/FilesUpload/IMAJ/0/42/21452.pdf>

60 Panagiotis Tsapogas, "Poverty, Stress and Unmet Needs: Life with Diabetes in the Gaza Strip," *Diabetes Voice* 49, no. 2 (2004), available at <http://www.idf.org/diabetesvoice/articles/poverty-stress-and-unmet-needs-life-with-diabetes-in-the-gaza-strip-0>.

The paragraph, which had also been posted on the IDF website together with the Table of Contents of the said issue, expressed views which were not those of IDF and was immediately removed from the website. We regret the political tone of this introductory paragraph, which in no way represents the views of the Federation. On behalf of IDF and *Diabetes Voice*, we offer our unreserved apology to those who have been offended.<sup>65</sup>

Other egregious factual errors and legal distortions, reflecting political and ideological agendas, are often found in the highly respected and widely read British medical journal, *The Lancet*.<sup>66</sup> Under the editorship of Richard Horton,<sup>67</sup> *The Lancet* has become a platform for anti-Israel political warfare, using its authoritative position to promote demonization, one-sided NGO narratives, and Palestinian political goals, without context or discussion.<sup>68</sup> In particular, *The Lancet* has partnered with a number of pro-Palestinian NGOs to maintain the Lancet-Palestinian Health Alliance, “a loose network of health researchers committed to illuminating the conditions under which Palestinians live

65 Ibid.

66 *The Lancet* is also known for egregious distortions on topics related to other conflict zones. Perhaps most well-known is the survey of deaths in the Iraq War (Gilbert Burnham, Riyadh Lafta, Shannon Doocy, Les Roberts, “Mortality after the 2003 invasion of Iraq: a cross-sectional cluster sample survey,” *The Lancet*, Volume 368, Issue 9545, October 21, 2006, pp. 1421 - 1428, doi:10.1016/S0140-6736(06)69491-9), which has been heavily criticized as a gross over-estimation possibly based on unethical and fabricated research methods. See Ben Russell, “‘Lancet’ back at centre of controversy,” *The Independent*, October 12, 2006 for a brief discussion of other problematic articles, including one that was responsible for a drop in vaccinations of children, and Seth Mnookin, “The Vaccine-Autism Fraud’s Surprising History,” *The Daily Beast*, January 13, 2011, available at <http://www.thedailybeast.com/articles/2011/01/13/mmr-vaccine-scare-andrew-wakefields-fraudulent-study.html>.

67 For further discussion of Horton’s “errors, biases, and distortions,” see Elihu D. Richter, “Richard Horton’s 2007 Visit to Gaza and Israel: A Fool’s Journey,” *SPME | Scholars for Peace in the Middle East*, January 14, 2008: available at <http://spme.org/4417/professor-elihu-d-richter-md-mph-richard-hortons-2007-visit-to-gaza-and-israel-a-fools-journey/>

68 The problems at *The Lancet* have been well documented. See, for example, The Editorial Office, “The Games Go On: British Medical Journals Play Politics, Again,” *Israel Medical Association Journal*, Vol. 14, February 2012, pp. 82-83.

today.”<sup>69</sup> Through this partnership, *The Lancet* publishes reports and articles, holds annual conferences, and solicits research papers and studies specifically focusing on Palestinian issues, often in an overtly political context.

***Under the editorship  
of Richard Horton,  
The Lancet has become a  
platform for anti-Israel  
political warfare.***

*The Lancet* has also provided a platform for GCMHP and its founder Dr. Eyad El-Sarraj since 1996. In September 1996, *The Lancet* article “Israel: Justice in Heaven” included a history and short documentation of Sarraj’s activism.<sup>70</sup> A March 2005 article titled “Protecting the Mental Health of Gaza’s Inhabitants” chronicled the history of GCMHP and updated the timeline of Sarraj’s continued activism. The end of the article included Sarraj’s unsupported “analysis” of the conflict: “Jews have been victimized and have a traumatic history and so now do the Palestinians...Violence only makes people more defensive and paranoid.”<sup>71</sup> Sarraj was also praised by Richard Horton, in March 2009, for his assistance in *The Lancet*’s publication of “The Occupied Palestinian Territory: Peace, Justice, and Health” series.<sup>72</sup>

MAP officials have also contributed numerous articles to *The Lancet*, and their political views are frequently cited. On February 2, 2009, founder of MAP Dr. Swee Ang Chai published the introduction from her book

69 “Conference and Gaza Visit: Health Under Occupation.”

70 L Reiner, “Israel: Justice in Heaven,” *The Lancet* 348, no. 9029 (September 14, 1996): 737–738, doi:10.1016/S0140-6736(05)65606-1.

71 Sharmila Devi, “Protecting the Mental Health of Gaza’s Inhabitants,” *The Lancet* 365, no. 9465 (March 2005): 1125–1126, doi:10.1016/S0140-6736(05)71860-2.

72 Richard Horton, “The Occupied Palestinian Territory: Peace, Justice, and Health,” *The Lancet* 373, no. 9666 (March 2009): 784–788, doi:10.1016/S0140-6736(09)60100-8.



*The Wounds of Gaza*<sup>73</sup> on *The Lancet's* "Global Health Network" website. The article remained posted for twenty-eight days until it was removed following widespread criticism. *The Lancet* explained, "We have taken down the blog post *The Wounds of Gaza* because of factual inaccuracies."<sup>74</sup>

The article, which had no footnotes or references, was filled with unverifiable anecdotes advancing the author's anti-Israel stance. The entry began with a misrepresentation of two incidents, whose historical veracity are the subject of much scholarly debate: "Are we talking about the Khan Younis massacre of 5,000 in 1956, or the execution of 35,000 prisoners of war by Israel in 1967?"<sup>75</sup> Apparently, Chai arrived at her figures by taking an UNWRA report, which claimed "a large number of civilians were killed," and inflating the number by a factor of twenty.<sup>76</sup> While the details she provided are entirely inaccurate and without basis, they also failed to advance any medical claims.

As the founder of MAP, Chai's introduction also alleged that, during the 2009 Gaza War, which was accompanied by a widespread NGO-led political attack targeting Israel,<sup>77</sup> the IDF illegally deployed phosphorus shells and bombs with the intention of harming civilians. Citing the testimonies of unnamed "eyewitnesses," she spuriously wrote,

During the land invasion, eyewitnesses describe the tanks shelling into homes first

73 G. A. Sittah and A. S. Chai, "The Wounds of Gaza" (2009), available at <http://www.middleeastmonitor.org.uk/downloads/publication/final-introduction-from-beirut-to-jersulaem-introduction-20091.pdf>.

74 "Lancet Withdraws Gaza Article, Author Responds," *The Peoples Voice*, March 5, 2009, available at <http://www.thepeoplesvoice.org/TPV3/Voices.php/2009/03/05/lancet-withdraws-gaza-article-author-res>.

75 Sittah and Chai, "The Wounds of Gaza," 9.

76 Special Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, December 15, 1956, available at <http://unispal.un.org/UNISPAL.NSF/0/6558F61D3DB6BD4505256593006B06BE>

77 Gerald M. Steinberg and Anne Herzberg, eds., *The Goldstone Report "Reconsidered" - A Critical Analysis*, Jerusalem: NGO Monitor and Jerusalem Center for Public Affairs, 2011.

with a conventional shell. Once the walls are destroyed, a second shell—a phosphorous shell is then shot into the homes. Used in this manner the phosphorous explodes and burns the families and the homes. Many charred bodies were found among burning phosphorus particles.<sup>78</sup>

She further claimed that "the use of DIME (dense inert material explosives) was **evident**" (emphasis added), based on ambiguous "evidence" such as "extremely heavy" bomb casings and shrapnel. Chai also describes other incidents based on the testimony of unnamed witnesses she prejudicially describes as "survivors." Under the section entitled "Executions" she wrote,

Survivors describe Israeli tanks arriving in front of homes demanding residents to come out. Children, old people and women would come forward and as they were lined up they were fired upon and killed. Families have lost tens of their members through such executions. The deliberate targeting of unarmed children and women is well documented by human rights groups in the Gaza Strip over the past month.<sup>79</sup>

This extensive list of accusations, which Chai presented as "well documented," not only lack any factual basis, but were not even repeated by other anti-Israel NGOs or by the Goldstone Report. That *The Lancet* could publish such claims demonstrates a failed editorial process, entirely in violation of basic scientific and academic standards. Despite the highly inflammatory and obviously fabricated allegations in her article, MAP's Chai was considered a reliable source.

In addition to Chai, Andrea Becker of MAP, has been a significant presence in the medical journal, although her qualifications to write about medical issues are unknown.<sup>80</sup> As part

78 Sittah and Chai, "The Wounds of Gaza," 9.

79 Ibid., 10.

80 Becker's educational background is in international development, and she has worked for other political advocacy NGOs. See <http://www.linkedin.com/pub/andrea-becker/20/74/452>.

of *The Lancet* series “Health in the Occupied Palestinian Territory,”<sup>81</sup> Becker co-wrote the article “Keys to Health: Justice, Sovereignty, and Self Determination” in March 2009.<sup>82</sup> She was also acknowledged for “reading, discussing, and commenting on several drafts” of *The Lancet* article “Health Status and Health Services in the Occupied Palestinian Territory”<sup>83</sup> and the March 2009 article “Health as Human Security in the Occupied Palestinian Territory.”<sup>84</sup> *The Lancet* noted Becker’s affiliation with MAP, but recorded that she declared no conflict of interest.<sup>85</sup>

***NGOs that claim to promote universal values, such as the “right to health,” benefit from the powerful halo effect afforded to them by the media.***

Becker was quoted yet again in the May 2009 *The Lancet* article “Health in the Occupied Palestinian Territories.”<sup>86</sup> The author, Simon Nadel, cited one of Becker’s other submissions to *The Lancet*, “Implied as the basis for the series is the premise laid out clearly in the Comment by Andrea Becker and colleagues... ‘Israel’s siege, bombardment, and invasion of the Gaza Strip... [and] a strangulated Palestinian economy, gross restrictions on ordinary movement, and a pervasive environment of intimidation, uncertainty, and insecurity.’” Not only did *The*

81 Simon Nadel, “Health in the Occupied Palestinian Territories,” *The Lancet* 373, no. 9678 (May 2009): 1843, doi:10.1016/S0140-6736(09)61015-1.

82 Andrea Becker, Katherine Al Ju’beh, and Graham Watt, “Keys to Health: Justice, Sovereignty, and Self-determination,” *The Lancet* 373, no. 9668 (March 2009): 985–987, doi:10.1016/S0140-6736(09)60103-3.

83 Rita Giacaman et al., “Health Status and Health Services in the Occupied Palestinian Territory,” *The Lancet* 373, no. 9666 (March 2009): 837–849, doi:10.1016/S0140-6736(09)60107-0.

84 Rajaie Batniji et al., “Health as Human Security in the Occupied Palestinian Territory,” *The Lancet* 373, no. 9669 (March 2009): 1133–1143, doi:10.1016/S0140-6736(09)60110-0.

85 Becker, Al Ju’beh, and Watt, “Keys to Health.”

86 Nadel, “Health in the Occupied Palestinian Territories.”

*Lancet* accept Becker’s claims at face value, they did not appear to have questioned whether she was qualified to reach such judgments on complex military, economic, and socio-political issues. Clearly, as in the case of Chai, Becker’s role in MAP gave her the resources and visibility to promote the political attacks on Israel that were published in *The Lancet*.

MAP has reciprocated, providing Richard Horton with a platform in its 2010 “Programme Report.”<sup>87</sup> Writing in the foreword, Horton emphasized the importance of international advocacy and “collaboration between Palestinian and international researchers; health agencies and professionals, and community organisations” in the face of a situation where

Gaza has been plunged into a deepening humanitarian crisis, marked by displacement, destruction of property, lingering insecurity and, overarching all these factors, a consistent violation of human rights.

*The Lancet* also published PHR-I official Ruchama Marton’s article promoting the 2012 Palestinian statehood campaign in the United Nations. In it, Marton endorsed the Palestinian initiative using pseudo-medical pretenses, but concluded, “There is no way that a future Palestinian state, if there ever is one, can handle the health-care system (or any other socioeconomic system) if the Israeli occupation and control continues.” As justification for her argument, Marton reflected PHR-I’s narrative of the conflict and its systematic exploitation of medical claims to promote an anti-Israel agenda:

Israel has used health and medicine as an instrument of control and oppression of the Palestinian people and leadership in the occupied Palestinian territory throughout the years since 1967. We at Physicians for Human Rights—Israel conceive this situation as a disease for which the cure is

87 MAP Programme Report 2010 (Medical Aid for Palestinians, 2010), available at [http://www.map-uk.org/files/674\\_map\\_programme\\_report\\_2010.pdf](http://www.map-uk.org/files/674_map_programme_report_2010.pdf)

the total removal of control by Israel over the Palestinians.<sup>88</sup>

NGOs that claim to promote universal values, such as the “right to health,” benefit from the halo effect afforded to them by the media. As seen with *The Lancet*, this problem is compounded when editors overtly encourage and adopt the political agenda.

However, media outlets, including medical journals, are not the only venue for NGO Durban warfare. As the six case studies presented in this monograph show, medical NGOs engage in diverse and diffuse campaigns against Israel. Contrary to their portrayal in the media, these highly politicized groups are not credible or objective actors.

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88 Marton, “The Psychological Impact of the Second Intifada on Israeli Society.”

# MÉDECINS SANS FRONTIÈRES (MSF)-DOCTORS WITHOUT BORDERS

## Organizational Structure

**M**édecins Sans Frontières (MSF) was created in 1971 by a group of French journalists and doctors,<sup>89</sup> growing to be “an international humanitarian aid organization that provides emergency medical assistance to populations in danger in more than 60 countries.”<sup>90</sup> MSF has nineteen offices worldwide<sup>91</sup> and ten specialized “satellite” organizations “to increase efficiency.” These include; MSF-Supply, MSF-Logistique, Epicentre, Fondation MSF, Etat d’Urgence Production, MSF Assistance, SCI MSF, SCI Sabin, Ärzte Ohne Grenzen Foundation, and MSF Enterprises Limited.<sup>92</sup>

MSF emphasizes the principle of political neutrality in humanitarian work, as noted by executive director of MSF-UK Marc Dubois, “humanitarian aid with a political agenda is a contradiction in terms.”<sup>93</sup> The MSF charter also stresses these principles:

Médecins Sans Frontières **observes neutrality and impartiality** in the name of universal medical ethics and the right to humanitarian assistance and claims full and

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89 “MSF Timeline - Doctors Without Borders,” accessed on March 5, 2013, available at <http://www.doctorswithoutborders.org/aboutus/timeline.cfm>.

90 *MSF Financial Report 2010* (Médecins Sans Frontières, July 8, 2011), 4, available at [http://www.msf.org/shadomx/apps/fms/fmsdownload.cfm?file\\_uid=A329DC95-54AD-4402-B087-EFB811DCA169&siteName=msf](http://www.msf.org/shadomx/apps/fms/fmsdownload.cfm?file_uid=A329DC95-54AD-4402-B087-EFB811DCA169&siteName=msf).

91 MSF Website, “MSF Financial Report 2010,” July 8, 2011, at 4, available at [http://www.msf.org/shadomx/apps/fms/fmsdownload.cfm?file\\_uid=A329DC95-54AD-4402-B087-EFB811DCA169&siteName=msf](http://www.msf.org/shadomx/apps/fms/fmsdownload.cfm?file_uid=A329DC95-54AD-4402-B087-EFB811DCA169&siteName=msf)

92 *MSF Activity Report 2010* (Médecins Sans Frontières, August 2011), available at <http://www.msf.org/msf/articles/2011/08/iar-2010--facts-and-figures.cfm>.

93 Marc DuBois, “UK Undermines Its Own Somalia Aid with a Political Agenda,” *Medecins Sans Frontieres*, March 10, 2011, available at <http://www.msf.org/msf/articles/2011/03/uk-undermines-its-own-somalia-aid-with-a-political-agenda.cfm>.

unhindered freedom in the exercise of its functions. **Members undertake to respect their professional code of ethics and to maintain complete independence from all political, economic or religious powers.** As volunteers, members understand the risks and dangers of the missions they carry out and make no claim for themselves or their assigns for any form of compensation other than that which the association might be able to afford them. [emphasis added]<sup>94</sup>

In 2010, MSF’s total expenditures amounted to €813,000,000, making it one of the highest funded NGOs in the world. Government donors include municipalities and regional councils in Belgium; Denmark; European Union; the Foreign Ministry, municipalities, and regional councils in France; Germany; Greece; Ireland; municipalities and regional councils in Italy; Luxembourg; Norway; the Foreign Ministry, municipalities, and regional councils in Spain; Sweden; Switzerland; and United Kingdom. Institutional donors include World Health Organization, World Food Programme (WFP), and the United Nations Children’s Fund (UNICEF).<sup>95</sup>

## MSF’s Institutionalized Bias against Israel

As seen above, MSF leadership describes pursuing a political agenda and undertaking humanitarian work as a “contradiction in terms.”<sup>96</sup> Nonetheless, MSF staff members have been involved in numerous incidents that violate its commitment to avoiding the “contradiction.”

On January 16, 2009, MSF officials, at press conferences in both Paris and Jerusalem, repeatedly accused Israel’s military of war crimes during ongoing operations in Gaza, without offering corroborative evidence. Joining a chorus of political advocacy NGO and

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94 “MSF Charter and Principles.”

95 *MSF Financial Report 2010*, 29–31.

96 DuBois, “UK Undermines Its Own Somalia Aid with a Political Agenda.”

Palestinian spokespeople, MSF International Board Member Dr. Christophe Fournier declared, “The Gaza population continues to be victimized by indiscriminate gunfire and bombing.” Cécile Barbou, medical coordinator for MSF’s programs in Gaza also said, “How far can the Israeli army go before the international community mobilizes to stop it? **It’s hell here.** Even people carrying white flags are being shot at”<sup>97</sup> (emphasis added). Both of these speakers claimed that a wanton disregard for civilian life is an integral part of Israeli policy – and the single greatest factor in Gazan suffering.

Felipe de Ribeiro, executive director of MSF France, continued this campaign,

Using the excuse that a sniper or snipers are laying in wait near a medical facility in order to bomb that location is unacceptable. That’s not an acceptable argument.

De Ribeiro’s claim, like many other participants in this campaign,<sup>98</sup> is that Israel sought to maximize civilian casualties, including around protected facilities like hospitals, and used terrorist actions as a pretext. Not only is this an entirely invented claim without even the pretense of a factual basis, but, it implies that Hamas terrorists bear no responsibility for their routine use of human shields.

**Dr. Marie Pierre Allie**, president of MSF France also described the conflict in similar biased and unsupported terms,

We are told that the population is warned before every attack, but people have nowhere to flee, nowhere to take refuge. In more than 40 years of work in conflict situations, MSF has rarely faced such levels of violence against civilian populations. Whether in Somalia, the DRC, or even Darfur, none of those wars

produced so many deaths in so little time. Our goal is not to establish a hierarchy of war horrors, but to denounce the cynical way in which Israel is carrying out its military offensive, with no respect for civilians.<sup>99</sup>

Allie’s facile comparison of Israel to the intentional killings of hundreds of thousands in Darfur, the Congo and Somalia underline the presumption that Israel is engaging in deliberate and unprovoked mass slaughter of civilians. This also immorally absolves Hamas and other terrorist groups for attacks targeting Israeli civilians and endangering innocent residents of Gaza.

Allie’s comments are also factually inaccurate, to understate the case. According to the Congolese group Justice Plus, 620 civilians were murdered and 160 children abducted in northern DRC between December 24, 2008 and January 13, 2009, the same period as the fighting in Gaza.<sup>100</sup> The UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that rampant looting and responsive military incursions by the armies of Uganda, DRC, and South Sudan forced roughly 30,000 refugees to flee.<sup>101</sup> In fact, MSF’s own list of “Top Ten Humanitarian Crises of 2009”<sup>102</sup> does not mention Gaza, while listing “Unrelenting violence” in Eastern DRC:

From November 2008 to October 2009, MSF carried 528,850 medical consultations, cared for 10,160 malnourished children, and treated 4,900 patients suffering from cholera, and provided medical care to 5,330 rape

<sup>99</sup> Ibid.

<sup>100</sup> “DR Congo: LRA Slaughters 620 in ‘Christmas Massacres’ | Human Rights Watch,” *Human Rights Watch*, January 17, 2009, available at <http://www.hrw.org/news/2009/01/17/dr-congo-lra-slaughters-620-christmas-massacres>.

<sup>101</sup> “DRC-UGANDA: Deadly LRA Attacks Prompt Exodus in Northeastern DRC,” IRINnews, December 30, 2008, available at <http://www.irinnews.org/report.aspx?reportid=82140>.

<sup>102</sup> “MSF’s Top Ten Humanitarian Crises of 2009,” *Medecins Sans Frontieres*, accessed on March 5, 2013, available at <http://www.doctorswithoutborders.org/publications/topten/2009/>.

<sup>97</sup> “‘This Bloodshed of Civilians Must End:’ Excerpts From MSF’s Gaza Press Conferences | Doctors Without Borders,” *Medecins Sans Frontieres*, January 16, 2009, available at <http://www.doctorswithoutborders.org/press/release.cfm?id=3345&cat=press-release>.

<sup>98</sup> Gerald M. Steinberg and Anne Herzberg, eds., *The Goldstone Report “Reconsidered” – A Critical Analysis*, Jerusalem: NGO Monitor and Jerusalem Center for Public Affairs, 2011.

***Dr. Marie Pierre Allie, President of the French Branch of the organization, said that Israel's self-defense actions in Gaza were actually worse than the Darfur genocide in the Sudan. Only a blind moonbat could even make such a comparison!***

***- Professor Alan Dershowitz***

survivors in Eastern Congo in November 2008 to October 2009.<sup>103</sup>

The singular blaming of Israel and the view that it intentionally targets civilians were also reflected in an MSF *Alert* newsletter article, "Gaza: A Devastating Disregard for Civilians." In this article, Franck Joncret, MSF head of mission in the West Bank and Gaza, referred to the Gaza War as a "steamroller attack."

Following criticism from supporters, MSF was forced to apologize for the "one-sided... presentation of the Gaza conflict." MSF acknowledged that "the article, as it was written, did not sufficiently contextualize the Israeli incursion into Gaza as a response to the longstanding and indiscriminate rocket attacks being launched by Hamas from the Strip into Israel."<sup>104</sup> Although MSF apologized for a lack of context, the statement did not address the prejudicial and exaggerated nature of its employees' remarks in the article or that of its staff at the press conferences in January.

MSF's response to the Gaza War resulted in significant public criticism and an erosion of its credibility. Writing in the *Jerusalem Post*, columnist Michael Freund commented:

Doctors Without Borders? It sounds more like doctors without scruples to me. MSF's strident anti-Israel record, and its inability or unwillingness to contextualize the Middle Eastern conflict, is a stain on its reputation and does a grave disservice to its professed mission. By repeatedly slamming Israel, and

ignoring the outrages perpetrated against the Jewish state, the group has played right into the hands of those who seek to destroy Western civilization and its values. There is nothing medicinal or therapeutic in that.<sup>105</sup>

Alan Dershowitz also castigated MSF for the inflammatory statements made during the press conferences:

Dr. Marie Pierre Allie, President of the French Branch of the organization, said that Israel's self-defense actions in Gaza were actually worse than the Darfur genocide in the Sudan. Only a blind moonbat could even make such a comparison!<sup>106</sup>

Dershowitz's criticism resulted in a response from Matthew Spitzer, president of the American section of MSF. Spitzer resorted to a defense of Allie that relied on semantics, arguing that she had been discussing the "compressed timeframe" in which the casualties had accumulated but not the actual number, which was far greater in Darfur. Spitzer did not address the inherent bias in Allie's remarks, her tone, or the contemporaneous deaths in the DRC:

MSF has worked in Darfur for several years. In 2004, it published one of the first retrospective mortality studies describing the impact of the violence there. With medical teams operating in Gaza, MSF was well positioned to credibly speak out about the reality of high numbers of civilians wounded and killed there during

103 Ibid.

104 "Gaza: A Devastating Disregard for Civilians | Doctors Without Borders," *Medecins Sans Frontieres*, March 11, 2009, available at <http://www.doctorswithoutborders.org/publications/alert/article.cfm?id=3481&cat=alert-article>.

105 Michael Freund, "Doctors without Scruples," *The Jerusalem Post*, July 23, 2010, available at <http://www.jpost.com/Opinion/Columnists/Article.aspx?id=182219>.

106 Alan Dershowitz, "Moonbats Against Israel," *The Huffington Post*, July 28, 2010, available at [http://www.huffingtonpost.com/alan-dershowitz/moonbats-against-israel\\_b\\_661916.html](http://www.huffingtonpost.com/alan-dershowitz/moonbats-against-israel_b_661916.html).

an extremely compressed timeframe. This speaking out -- in both Darfur and Gaza -- was consistent with MSF's bearing witness to the suffering of populations in danger in numerous conflict areas. But at no time did MSF representatives falsely claim that the consequences of the Israeli offensive in Gaza resulted in a greater overall toll than that exacted by the violence in Darfur.<sup>107</sup>

These attempted justifications notwithstanding, MSF's participation in the political war that accompanied the military activity, combined with the 2004 "Gaza diabetes" incident, demonstrate the dangers of this form of NGO malpractice.

In contrast to 2009, MSF's response to the November 2012 fighting in Gaza showed less bias. In an interview with the French newspaper *Liberation*, MSF's head of mission in Gaza, Virginie Mathieu, said it was "worth noting" that Israel was permitting wounded people to leave via crossings into Israel and that Israel was permitting medical supplies to enter Gaza.<sup>108</sup> To be sure, a separate MSF statement, also quoting Mathieu, stated that "This new offensive is making an already very fragile humanitarian and public health situation much worse" and denounced "the politicization of the Palestinian health system and the impact of the double conflict -- Israeli and Palestinian and between Palestinian groups." However, the primary focus was on MSF's efforts to assist in health care in Gaza, in particular during the fighting.<sup>109</sup>

107 Matthew Spitzer, "For Doctors Without Borders, the Welfare of Patients Always Comes First," *The Huffington Post*, August 25, 2010, available at [http://www.huffingtonpost.com/matthew-spitzer/setting-the-record-straight\\_9\\_b\\_694619.html](http://www.huffingtonpost.com/matthew-spitzer/setting-the-record-straight_9_b_694619.html).

108 Cordélia Bonal, "Gaza: 'Des blessés sont coincés chez eux'" *Libération*, November 21, 2012, available at [http://www.liberation.fr/monde/2012/11/21/gaza-des-blesses-sont-coincés-chez-eux\\_862035](http://www.liberation.fr/monde/2012/11/21/gaza-des-blesses-sont-coincés-chez-eux_862035). English translation by MSF available at <http://www.doctorswithoutborders.org/news/article.cfm?id=6433&cat=voice-from-the-field>.

109 Médecins Sans Frontières, "Response to emergency needs in Gaza," November 29, 2012, available at <http://www.msf.ca/news-media/news/2012/11/response-to-emergency-needs-in-gaza/>.

## Masab Bashir and the PFLP Terror Group

In 2007, an MSF employee from Gaza was charged with terror offences. Masab Bashir was arrested for plotting the assassinations of Prime Minister Ehud Olmert, Minister Avigdor Lieberman, and Director of the Elad Foundation<sup>110</sup> David Be'eri. Having worked for MSF for at least five years, and on the basis of Israeli humanitarian aid policies, Bashir "received a permit from the IDF to travel to Jerusalem for work." The twenty-five year old resident of Dir el Balah admitted to meeting with operatives from the Popular Front for the Liberation of Palestine (PFLP) terror group in September of 2006, and also to undergoing firearms and close-combat training.<sup>111</sup>

Duncan McLean, director of MSF in the region, was interviewed by the *Jerusalem Post* regarding Bashir. McLean stridently defended MSF, going as far as to suggest that it was immaterial to his work. "We are a humanitarian organization, and if we had felt he was a risk we would not have employed him." McLean further defended the organization and its procedures by saying, "We are very sad for Bashir, but we want to make it very clear that we make a distinction between his professional work and what he does on his personal time. I don't think our organization can be held reliable for every aspect of our staff's lives."<sup>112</sup> McLean did not indicate whether changes to MSF's screening of employees and other protocols were being considered. McLean also did not comment on the role of MSF's employment of Bashir, which facilitated his greater freedom of movement and was exploited for terror activities.

110 An Israeli NGO operating in Jerusalem.

111 Yaackov Katz and Judy Seigal, "Shin Bet Foils Plot to Kill Olmert," *The Jerusalem Post*, May 17, 2007, available at <http://www.jpost.com/Israel/Article.aspx?id=61696>.

112 Ibid.

## MEDICAL AID FOR PALESTINIANS (MAP)

In contrast to MSF's global agenda and activities, Medical Aid for Palestinians (MAP) is an example of an NGO that is focused explicitly on the Palestinian cause, including the political campaigns.

### Organizational Structure

MAP was founded in 1984 ostensibly as “an independent, non-political, nonsectarian humanitarian aid organization,” which “works for the health and dignity of Palestinians living under occupation and as refugees” and “responds rapidly in times of crisis, and works directly with communities in the longer term on health development.”<sup>113</sup> It claims to “not take any political side or [sic] the conflicts between Palestine and other countries.”<sup>114</sup>

The initial objective proclaimed by MAP was to provide medical assistance for Palestinians affected by “the Israeli invasion and the civil war in Lebanon,” with operations limited to Palestinian refugee camps in Lebanon. By the early 1990s, MAP had expanded its programs to the West Bank and Gaza.<sup>115</sup> Currently, MAP has offices in Ramallah, Gaza City, Beirut, and London, managing programs in Lebanon, the West Bank, Gaza, and refugee camps on the Syrian-Iraqi border.<sup>116</sup>

In the 2011-12 fiscal year, MAP reported donations totaling £3,074,000 from a wide range of government agencies, individuals,

philanthropic foundations, and fundraising events.<sup>117</sup> Government donors included the European Commission, Ireland (Irish Aid), and the UK (Department for International Development). Non-governmental donors have included: the 1970 Trust, ABC International Bank, Abdel Mohsen and Laila Al-Wattan, Afari Foundation, EEF Charitable Trust, Europe Arab Bank, International Arab Charity, Munib R. Masri Development Foundation, Scottish Community Foundation, and Trocaire (Ireland).<sup>118</sup>

### Political Advocacy

MAP's highly politicized “Advocacy Department,”<sup>119</sup> led by Andrea Becker, is a clear indication of this organization's role in promoting the Palestinian position under the banner of “medical assistance.” The 2010 Programme Report detailed the nature of its advocacy work, explaining that

It takes time to change attitudes and even longer to change systems. Therefore advocacy is an ongoing process aimed at raising public awareness about issues and building strong networks of likeminded organisations and individuals. For MAP, advocacy work can sometimes be public and involve the media, while at other times it can be more effective lobbying governments and policy makers behind the scenes. Through a diversity of channels, MAP continues to advocate for an end to policies which threaten the rights and lives of the Palestinian population.<sup>120</sup>

MAP expresses its political claims and promotes its agenda in medical terms. The most frequent example is the right to healthcare and health services, which is used to frame its political

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113 “Medical Aid for Palestinians: 25 Years of Support” (Medical Aid for Palestinians, undated), accessed March 5, 2013, available at [http://www.map-uk.org/files/610\\_map\\_background.pdf](http://www.map-uk.org/files/610_map_background.pdf).

114 “Ethical Fundraising Policy” (Medical Aid for Palestinians, undated), available at [http://www.map-uk.org/files/850\\_ethical\\_policy\\_\(website\\_version\).pdf](http://www.map-uk.org/files/850_ethical_policy_(website_version).pdf).

115 “Medical Aid for Palestinians - About Us - History,” *Medical Aid for Palestinians*, accessed on March 5, 2013, available at [http://www.map-uk.org/about/map\\_history/](http://www.map-uk.org/about/map_history/).

116 “Medical Aid for Palestinians - Our Work,” *Medical Aid for Palestinians*, accessed on March 6, 2013, available at <http://www.map-uk.org/ourwork/>.

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117 Ibid., 18.

118 Ibid., 18.

119 *Programme Report 2010* (Medical Aid for the Palestinians, 2010), 7–10, available at [http://www.map-uk.org/files/674\\_map\\_programme\\_report\\_2010.pdf](http://www.map-uk.org/files/674_map_programme_report_2010.pdf).

120 Ibid., 7.



campaigns against Israeli policies. In its 2010 Program Report, MAP claimed that

In the West Bank, the ongoing construction of the Separation Wall, the settlement infrastructure and the hundreds of checkpoints compromise the right to health in terms of accessible, affordable and appropriate services.<sup>121</sup>

In a statement on July 21, 2011, MAP reiterated its stance:

The things that concern me most right now are the arbitrary controls on movement and the divisive permit system, which leave many Palestinians in the West Bank without swift access to emergency treatment. Let's be clear: this means that injured Palestinians have to wait longer for emergency treatment.<sup>122</sup>

MAP's allegation that Israeli defensive measures are "arbitrary" reflects the primary political objectives. There is no mention of the security context and the numerous mass terror attacks that led Israel to construct the security barrier. Extensive evidence showing that the barrier has been successful in protecting the rights of Israelis, in particular the right to life, is also entirely omitted. Moreover, despite the need for such security measures, thousands of Palestinians from the West Bank are treated in Israeli hospitals each year, and the Civil Administration facilitates mobile clinics that bring health care to isolated villages.<sup>123</sup>

MAP's political agenda was further highlighted by the appointment of Chris Patten as President in 2010. Patten, a senior British politician, served as External Relations Commissioner of the European Union between 1999 and 2004. In this and other positions, Patten has expressed

<sup>121</sup> *Programme Report 2010*, 7.

<sup>122</sup> "Support MAP Emergency Response Programme," *Medical Aid for Palestinians*, July 21, 2011, available at <http://www.map-uk.org/regions/opt/projects/view/-/id/81/>.

<sup>123</sup> Menachem Aloni, "The coordination in the health field in the Judea and Samaria region and in the Gaza Strip goes on and also increases," *Coordination of Government Activities in the Territories*, January 23, 2013, available at <http://www.cogat.idf.il/901-10737-en/Cogat.aspx>.

controversial political views regarding Israel, contributing to Durban-style attacks against Israel. For example, regarding Israel's incursion into Jenin in April 2002, Patten condemned Israel,

Israelis can't trample over the rule of law, over the Geneva conventions, over what are generally regarded as acceptable norms of behaviour without it doing colossal damage to their reputation.<sup>124</sup>

He also states that one has "to recognise, what is the political context in which young men and women strap bombs to themselves and go out to murder other young men and women."<sup>125</sup>

As president of MAP, Patten authored an opinion article in *The Guardian*, "The EU must show real courage on the Middle East," arguing that "Inaction renders Europe complicit in illegal acts in the Middle East. It can no longer play third fiddle."<sup>126</sup> Additionally, on a trip to the region with MAP, he gave an interview to *The Guardian*, calling "Israel's policy of blockading Gaza had been a 'terrible failure – immoral, illegal and ineffective,' ... which had 'deliberately triggered an economic and social crisis which has many humanitarian consequences.'"<sup>127</sup>

***There is no mention of the security context and the numerous mass terror attacks that led Israel to construct the security barrier.***

<sup>124</sup> Ian Black, Ewen MacAskill and Nicholas Watt, "Israel faces rage over 'massacre'," *The Guardian*, April 17, 2002, available at <http://www.guardian.co.uk/world/2002/apr/17/israel2>

<sup>125</sup> "Patten: Sharon's policies caused 'cult of death,'" *BBC News*, April 18, 2002, available at <http://news.bbc.co.uk/1/hi/world/europe/1920853.stm>

<sup>126</sup> Chris Patten, "The EU Must Show Real Courage on the Middle East," *The Guardian*, June 11, 2010, available at <http://www.guardian.co.uk/commentisfree/2010/jun/11/eu-show-courage-on-middle-east>.

<sup>127</sup> Harriet Sherwood, "Chris Patten Urges Bolder EU Approach over Middle East Conflict," *The Guardian*, July 18, 2010, available at <http://www.guardian.co.uk/world/2010/jul/18/chris-patten-eu-middle-east>.

MAP's advocacy manifesto, seen above, describes a concerted effort to lobby policy makers and legislators. Here, too, MAP uses the veneer of medicine and health to disseminate an anti-Israel narrative to British parliamentarians, journalists, and EU politicians through "fact-finding" visits, such as the one participated in by Chris Patten.

MAP's report "Britain and Palestine: A Parliamentary Focus" describes delegations of British parliamentarians that visited Israel and the West Bank, under the auspices of MAP and the Council for Arab-British Understanding (Caabu) lobby group, in 2010 and 2011. The aim of these trips is to give "British parliamentarians, delegations and political figures... an unforgettable perspective on the practical realities of the situation." The text of the report is an almost entirely one-sided narrative. The "key issues examined during the recent parliamentary visits" are all discussed from the Palestinian perspective: settlements and the "Separation Wall"; Palestinian children in Israeli military courts; restrictions in Area C; the blockade of Gaza, which causes "medical emergencies," "humanitarian catastrophe," and "medicine shortage"; and the "continued occupation of the West Bank," which "has a serious impact on Palestinians' access to health."

MAP and Caabu assert that their lobbying "play[s] a valuable role informing parliamentary debate on the Middle East. Follow-ups to the 2010–11 trips have included a House of Commons Adjournment Debate on access for construction materials to Gaza; a Westminster Hall Debate on the detention of Palestinian children; Parliamentary Questions to the Prime Minister and debates in the House of Lords."<sup>128</sup>

MAP has also aligned with other NGOs in broader politicized campaigns to pressure the EU to sanction Israel. During December 2009, MAP was one of a number of prominent political advocacy NGOs, including Amnesty

International UK, Christian Aid UK, Diakonia (Sweden), Oxfam International, and Trocaire<sup>129</sup> that published a report titled "Failing Gaza: No building, no recovery, no more excuses."<sup>130</sup> The report's concluding sections list recommendations for state interventions and diplomatic actions, which are consistent with the broader political strategy:

The European Union should now take an international lead, alongside the US and other players, to secure an end to the blockade. Now that the Lisbon Treaty is in force, the EU has an important opportunity to fulfill its vision of a more coordinated and effective foreign policy by agreeing and organizing a unified push to end the blockade of Gaza.<sup>131</sup>

In another section of the report, "A Call to Action,"<sup>132</sup> MAP and the other NGOs offer their own political considerations and recommendations for the European Union, the Middle East Quartet, and the international community. Regarding Israel, the NGOs use tendentious rhetoric and invented legal claims, and deny Israel's legitimate right to self-defense:

Notwithstanding that the primary responsibility lies with Israel, which must abide by its international obligations as the Occupying Power and reverse its policy of collective punishment by ending the blockade and opening all crossings. It must also stop unlawful incursions and attacks inside Gaza.<sup>133</sup>

Addressing the European Union, MAP reiterated its demand for intensive diplomatic pressure,

129 Other NGOs include: Broederlijk Delen (Belgium), CAFOD (UK), CCFD Terre Solidaire (France), Church of Sweden, Finn Church Aid (Finland), Medico International (Germany), Medico International Schweiz (Switzerland), Mercy Corps, MS ActionAid Denmark, and United Civilians for Peace.

130 "Failing Gaza: No Rebuilding, No Recovery, No More Excuses A Report One Year After Operation Cast Lead," December 2009, available at [http://www.map-uk.org/files/548\\_failing\\_gaza\\_report\\_dec\\_09.pdf](http://www.map-uk.org/files/548_failing_gaza_report_dec_09.pdf).

131 Ibid., 4.

132 Ibid., 16.

133 Ibid., 16.

128 MAP, Caabu, "Britain and Palestine: A Parliamentary Focus," October 11, 2001, at 1 and 11, available at [http://www.map-uk.org/files/919\\_map\\_parliamentary\\_focus\\_report.pdf](http://www.map-uk.org/files/919_map_parliamentary_focus_report.pdf)

including sanctions, to change Israeli policies unilaterally:

The EU must commit itself to the explicit aim of ending the blockade of Gaza by taking a strong and unified stance and a renewed international lead on the issue. The EU and its Member States should use every opportunity with Israel to issue clear, strong and public calls to demand the full and unconditional end of the blockade on Gaza. The EU should confirm publicly that the upgrading of relations with Israel is put on hold, pending tangible progress in Israel's respect for human rights and international humanitarian law, which should include its actions with regard to the blockade of Gaza.<sup>134</sup>

In November 2012, MAP was also one of twenty-two political advocacy NGOs that called on the EU to “ban imports of settlement products,” “prevent financial transactions to settlements and related activities,” “discourage businesses from purchasing settlement goods and from all other commercial and investment links with settlements,” “exclude settlement products and companies from public procurements tenders and other forms of economic sanctions,” and “issue guidelines for European tour operators to prevent support for settlement businesses.”<sup>135</sup> This one-sided, selective analysis erased the security rationale for Israel's defensive measures and reduced the complexities of the Arab-Israeli conflict to a single factor.<sup>136</sup>

MAP was also involved in a church-based divestment campaign, as part of the broader anti-Israel BDS (boycott, divestment, and sanctions) initiatives comprising the Durban Strategy. Caterpillar, a construction machinery company,

<sup>134</sup> Ibid., 16.

<sup>135</sup> MAP et al, “Trading Away Peace: How Europe helps sustain illegal Israeli settlements,” October 30, 2012, available at [http://www.fidh.org/IMG/pdf/trading\\_away\\_peace\\_-\\_embargoed\\_copy\\_of\\_designed\\_report.pdf](http://www.fidh.org/IMG/pdf/trading_away_peace_-_embargoed_copy_of_designed_report.pdf)

<sup>136</sup> “‘Trading Away Peace’: How Biased Political NGOs Fuel Conflict,” *NGO Monitor*, November 26, 2012, available at [http://www.ngo-monitor.org/article/\\_trading\\_away\\_peace\\_how\\_biased\\_political\\_ngos\\_fuel\\_conflict](http://www.ngo-monitor.org/article/_trading_away_peace_how_biased_political_ngos_fuel_conflict).

was targeted by anti-Israel activists in the UK for selling equipment to the Israeli military. In 2006, representing the NGO, MAP CEO Belinda Coote signed a statement addressed to the Anglican Church Commissioners:

We were pleased when the General Synod voted last month in favour of divestment from companies profiting from the illegal Occupation of Palestine. To overturn this decision, which was based on many months of discussions and careful reflection by Church representatives, would send entirely the wrong message to Israel.<sup>137</sup>

### Politicized Fundraising

MAP's “Ethical Fundraising Policy” sets out strict guidelines for potential donors. In addition to emphasizing “accountability, transparency, and effectiveness,” this policy states,

We will not accept donations that promote political, partisan, sectarian individuals or organizations. We are a strictly non-profit organization that is based on non-political, non-partisan, non-sectarian policy. We do not take any political side or [sic] the conflicts between Palestine and other countries. We believe that every individual has rights to have access to health. We are always clear who we are and what we do. We only accept donations from donors who understand our policy and terms.<sup>138</sup>

In practice, however, MAP's fundraising routinely disregards its own standards. MAP has repeatedly accepted money from individuals and proceeds from events whose anti-Israel rhetoric has been denounced by other NGOs and reputable public figures.

In October 2002, MAP accepted the proceeds of a book that argued for the legitimacy of

<sup>137</sup> “Letter to Church Commissioners,” *Palestinian-Italian News*, May 4, 2006, available at <http://www.infopal.it/disinvestite-le-azioni-dalla-compagnia-caterpillar-un-appello-della-chiesa-dinghilterra/>.

<sup>138</sup> “Ethical Fundraising Policy” (Medical Aid for Palestinians, undated), available at [http://www.map-uk.org/files/850\\_ethical\\_policy\\_\(website\\_version\).pdf](http://www.map-uk.org/files/850_ethical_policy_(website_version).pdf).

Palestinian terror attacks against Israeli civilians. Ted Honderich, a professor of philosophy at University College London, turned to MAP after Oxfam rejected his offer to donate his advanced royalties of £5,000 from his book *After the Terror*.<sup>139</sup> The book was accused of “asserting the moral right of the Palestinians to their terrorism.”<sup>140</sup> In one particular paragraph Honderich wrote,

Those Palestinians who have resorted to violence have been right to try to free their people, and those who have killed themselves in the cause of their people have indeed sanctified themselves. This seems to me a terrible truth, a truth that overcomes what we must remember about all terrorism, and also overcomes the thought of hideousness and monstrosity.<sup>141</sup>

Because of the controversy<sup>142</sup> and the political implications of accepting the donation, Deputy-Director of Oxfam Great Britain John Whitaker released a statement explaining the organization’s decision to refuse the donation:

The decision to decline your donation was taken for one reason alone -- that Oxfam cannot accept, endorse or benefit from certain opinions given in your book and repeated in your letter. Your public references to Oxfam

could be taken to imply endorsement of your opinions -- an implication that is untrue.<sup>143</sup>

In contrast, MAP accepted Honderich’s gift.<sup>144</sup> MAP’s chief executive Belinda Coote defended MAP’s decision, “Ted Honderich is a moral philosopher...He doesn’t trade arms or peddle baby milk.”<sup>145</sup>

On other occasions, MAP has enjoyed the profits of events condemned as antisemitic. In 2009, playwright Caryl Churchill waived admission fees for her play *Seven Jewish Children*,<sup>146</sup> inviting audience members to contribute to MAP instead.<sup>147</sup> The play was publicly condemned for its antisemitic overtones. Jeffrey Goldberg, the American journalist and contributor to *The Atlantic* stated, “The mainstreaming of the worst anti-Jewish stereotypes – for instance, that Jews glory in the shedding of non-Jewish blood – is upon us.”<sup>148</sup> Foreign affairs columnist for the *Wall Street Journal* Bret Stephens wrote an article “The Stages of Anti-Semitism,” criticizing *Seven Jewish Children* as an “avant-garde play that revives an ancient hatred.”<sup>149</sup> Playwright Israel Horovitz also responded,

It is possible to criticize Israel without being anti-Semitic, as it is possible to criticize

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139 Owen Bowcott, “Oxfam Shuns £5,000 in Row over Book,” *The Guardian*, October 9, 2002, available at <http://www.guardian.co.uk/uk/2002/oct/09/internationaleducationnews.voluntarysector>.

140 Ibid.

141 Ibid.

142 As recently as January 2011, Professor Honderich reiterated similar claims about the justification and right to Palestinian terrorism. In a letter to *The Guardian* he wrote, “It is that the Palestinians have a moral right to their terrorism within historic Palestine against neo-Zionism. The latter, neither Zionism nor of course Jewishness, is the taking from the Palestinians of at least their autonomy in the last one-fifth of their historic homeland. Terrorism, as in this case, can as exactly be self-defence, a freedom struggle, martyrdom, the conclusion of an argument based on true humanity, etc.” Ted Honderich, “Israel Critics Should Respect My Decision,” *The Guardian*, January 26, 2011, available at <http://www.guardian.co.uk/world/2011/jan/26/critics-should-respect-my-decision>.

143 Ted Honderich, “Oxfam GB, £5000, Neo-Zionism, After the Terror, and Medical Aid for Palestinians,” University College London, March 26, 2005, available at <http://www.ucl.ac.uk/~uctytho/ATTOxfam1.htm>

144 Owen Bowcott, “Morals Maze,” *The Guardian*, December 11, 2002, available at <http://www.guardian.co.uk/society/2002/dec/11/charityfinance.guardiansocietysupplement>.

145 Ibid.

146 Jonny Paul, “UK Jews Brand ‘Play for Gaza’ Libelous, anti-Semitic,” *The Jerusalem Post*, February 19, 2009, accessed on February 27, 2013, available at <http://www.jpost.com/International/Article.aspx?id=133494>.

147 Patrick Healy, “New York Theater Workshop May Present Pro-Palestinian Play by Sarah Churchill - NYTimes.com,” *The New York Times*, February 17, 2009, available at <http://theater.nytimes.com/2009/02/18/theater/18chur.html?ref=theater&r=0>.

148 Jeffrey Goldberg, “The Royal Court Theatre’s Blood Libel,” *The Atlantic*, February 9, 2009, available at <http://www.theatlantic.com/international/archive/2009/02/the-royal-court-theatre-apos-s-blood-libel/9521/>.

149 Bret Stephens, “The Stages of Anti-Semitism,” *Wall Street Journal*, March 31, 2009, sec. Global View, available at <http://online.wsj.com/article/SB123846281350272143.html>.

Palestine without being anti-Arab. Those who criticize Jews in the name of criticizing Israel, as Ms. Churchill seems to have done in her play, step over an unacceptable boundary and must be taken to task.<sup>150</sup>

Despite the controversy and a letter of protest from fifty-nine prominent British Jews<sup>151</sup> arguing that the play “demonises Israelis by reinforcing false stereotypes,” MAP accepted the proceeds.<sup>152</sup>

A similar incident occurred a year before on November 26, 2008, when MAP received the proceeds from an anti-Israel Christmas campaign organized by Jews for Boycotting Israeli Goods. “Bethlehem Now: Nine Alternative Lessons and Carols for Palestine,”<sup>153</sup> an event that offered an “alternative carol service,”<sup>154</sup> with “traditional carols with untraditional lyrics, interspersed with poetry and prose readings, to highlight current reality in the Holy Land,”<sup>155</sup> was held at Anglican St. James Church in Piccadilly, London. The alternative carols demonized Israel, including “Twelve Days of Christmas,”<sup>156</sup> which was sung as, “Twelve assassinations/Eleven homes demolished/Ten wells obstructed/Nine sniper towers/Eight gunships firing/Seven checkpoints blocking/Six tanks a-rolling/Five settlement rings. Four falling bombs/Three trench guns/

Two trampled doves/And an uprooted olive tree.”<sup>157</sup>

Lord Carey of Clifton, former Archbishop of Canterbury, spoke out against the event, arguing that it demonstrated that “anti-Semitism and hostility to Jews still lurked beneath the surface in Christian circles in Britain.” Referring to the carol service, he added:

Such actions strengthen an anti-Israeli agenda, trivialize the political issues and nourish an anti-Semitic culture. This is not because it is wrong to criticize Israeli policy but because such campaigns single out Israel alone for particular opprobrium and censure it above regimes elsewhere in the world which are genocidal in intent and oppressive to the extreme.<sup>158</sup>

Nevertheless, MAP’s founder Chai attended the carol service,<sup>159</sup> and MAP accepted the proceeds from the donations. Organizer of the event Deborah Fink, a representative of Jews for Boycotting Israeli Goods, responded to criticism of the event saying, “This was just stating what is going on in the West Bank. It is just typical that they are always seeing Israel as the victim. There are not many Israeli victims of terrorism. It is the Palestinians who are the victims. Israel has turned Gaza almost into a concentration camp.”<sup>160</sup>

150 Israel Horovitz, “Why I Wrote ‘What Strong Fences Make,’” *The Jerusalem Post*, April 19, 2009, available at <http://www.jpost.com/Opinion/Op-EdContributors/Article.aspx?id=139552>.

151 “The Law’s Duty Is to Protect the Innocent, Not to Make Them Prove Their Innocence,” *The Telegraph*, February 19, 2009, sec. letters, available at <http://www.telegraph.co.uk/comment/letters/4691028/The-laws-duty-is-to-protect-the-innocent-not-to-make-them-prove-their-innocence.html>.

152 “Seven Jewish Children - A Play for Gaza,” *Medical Aid for Palestinians*, March 10, 2009, available at <http://www.map-uk.org/regions/uk/projects/view/-/id/59/>.

153 Herb Keinon, “UK NGOs Use Christmas to Attack Israel,” *The Jerusalem Post*, December 23, 2008, accessed on February 27, 2013, available at <http://www.jpost.com/JewishWorld/JewishNews/Article.aspx?id=125922>.

154 “British NGOs Use Christmas for anti-Israel Attacks,” *Ynet*, December 26, 2008 accessed on February 27, 2013, available at <http://www.Ynetnews.com/articles/0,7340,L-3644656,00.html>.

155 Keinon, “UK NGOs Use Christmas to Attack Israel.”

156 “British NGOs Use Christmas for anti-Israel Attacks.”

157 “Report: Israeli Envoy to U.K. Accuses Church Service of Being anti-Semitic,” *Haaretz*, December 10, 2008 accessed on February 27, 2013, available at <http://www.haaretz.com/news/report-israeli-envoy-to-u-k-accuses-church-service-of-being-anti-semitic-1.259248>.

158 Ibid.

159 Ibid.

160 Ibid.

## PALESTINIAN MEDICAL RELIEF SOCIETY (PMRS)

### Organizational Structure

**P**alestinian Medical Relief Society (PMRS) was originally founded in 1979 as the “Union of Palestinian Medical Relief Committees,” by a group of doctors and health professionals as a “grassroots” and “community-based” health organization.<sup>161</sup> PMRS reports currently operating twenty-six clinics in the West Bank and Gaza that offer services in “general medicine, child health, management of chronic disease, emergency care, and provision of medications.”<sup>162</sup>

The PMRS mission statement reveals that the organization’s primary goal is advocacy and political change, for which “health” serves as a vehicle.

PMRS seeks to improve the overall physical, mental, and social well being of all Palestinians...PMRS works to contribute to the building of a viable Palestinian civil society...PMRS works for the attainment of physical, mental and social well being of Palestinians. **Health is viewed as an entry point for social change and community development.**<sup>163</sup> (emphasis added)

Dr. Mustafa Barghouti, president of the organization, is heavily involved with internal Palestinian politics. In 2005 he ran as an independent candidate in the Palestinian presidential race,<sup>164</sup> served as the Palestinian Minister of Information in 2006, and is currently

the Secretary-General of the Palestine National Initiative.

The “Advocacy and Public Awareness” section of the PMRS website describes an “organization dedicated to cooperation, coordinating, lobbying and advocacy with the aim to influence national policies.” This work includes involvement in political networks, such as being an “active member” and having “helped to found” the Palestinian NGO Network (PNGO). PMRS currently leads the PNGO in four areas, “Coordination and cooperation between NGOs, capacity building of NGOs, formulation of policies of different sectors (including health), and monitoring human rights violations through the Jerusalem Watch initiative.” Few of these initiatives can be seen to have anything to do with health or medicine. PMRS also pursues advocacy campaigns through its “advocacy letters,” which address what it calls a “responsibility...to inform the international community of the developments taking place in the Palestinian territories in order to garner international support for the Palestinian people living under occupation.”<sup>165</sup>

### Claims of Non-Conventional Weapons Use

PMRS has repeatedly claimed that Israel deployed non-conventional weapons against civilians. On November 5, 2006, PMRS published a press release titled “Urgent Appeal to End Gaza Carnage,” stating:

Dr. Mustafa Bargouthi MP, who is currently in Gaza, reports that health workers also have to cope with new kinds of injuries resulting from Israel’s use of lethal weapons against civilians, including chemical weapons which cause severe tissue damage, burning and

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161 “Palestinian Medical Relief Society - PMRS-About Us.”

162 “Palestinian Medical Relief Society - PMRS-PHC Center Clinics [sic],” *Palestinian Medical Relief Society (PMRS)*, accessed March 6, 2013, available at <http://www.pmr.ps/details.php?id=rhjid3a1437yeowi3pqdw>.

163 “Palestinian Medical Relief Society - PMRS-About Us.”

164 “Reform Candidate Enters PA Race,” BBC, November 29, 2004, sec. Middle East, available at [http://news.bbc.co.uk/2/hi/middle\\_east/4052091.stm](http://news.bbc.co.uk/2/hi/middle_east/4052091.stm).

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165 “Palestinian Medical Relief Society - PMRS-Advocacy & Networking,” *Palestinian Medical Relief Society (PMRS)*, accessed March 6, 2013, available at <http://pmrs.ps/details.php?id=mv88bva1528ynmo1401qf>.

tearing the victims body from the inside and leaving long term deformations.<sup>166</sup>

PMRS' language, "tearing the victims body from the inside," and "Israel's use of lethal weapons against civilians," for example, are used as a springboard to accuse Israel of possessing and deploying "chemical weapons." This outlandish accusation is intentionally pernicious and can be viewed as a form of incitement. Both Bargouthi and PMRS confidently exploit their "double halo" to make the accusation, offering no evidence except their own word.

PMRS again accused Israel of using chemical weapons in 2009, as part of a campaign with another group known as the New Weapons Committee. In January 2009, PMRS published a press release alleging "Israel's Use of Non-Conventional Weapons," in which it cited the findings of the New Weapons Committee: "There is growing evidence that the Israeli army is using non-conventional weapons...Although it is very difficult to verify this usage directly."<sup>167</sup> According to the New Weapons Committee, "Mounting evidence is emerging that Israel is experimenting new non-conventional weapons on civilian population in Gaza [sic]." Even though PMRS admits that confirmation is impossible "due to a lack of access to the area," PMRS relied on "the images of the dead and wounded" and "news from witnesses." One of the witnesses was Dr. Mads Gilbert, "working alongside the PMRS volunteer doctors at the Shifa hospital [in Gaza]." (See "Mads Gilbert and NORWAC", pp. 44–47)

The use of the term "non-conventional" in the title and body of PMRS' press release is also misleading. The only concrete example provided by PMRS is that of white phosphorous: "Human Rights Watch researchers reported on 9 and 10 January that they had 'observed multiple

166 "PMRS Urgent Appeal to End Gaza Carnage: 47 Gazans Killed, Including More Than 21 Civilians, in 5 Days of Israeli Bloodshed," *People's Health Movement*, November 5, 2006, available at <http://www.phmovement.org/en/node/290>.

167 "Israel's Use of Non-conventional Weapons in Gaza," *MADRE*, January 14, 2009, available at <http://www.madre.org/index/press-room-4/news/israels-use-of-non-conventional-weapons-in-gaza-134.html>.

air-bursts of artillery-fired white phosphorus over what appeared to be the Gaza City/Jabaliya area."<sup>168</sup> However, white phosphorus is not unconventional and was not used as a weapon.<sup>169</sup> As noted by PMRS, "its use is not banned under international law if used as a smoke screen,"<sup>170</sup> and Human Rights Watch admitted that "Israel appeared to be using white phosphorus as an 'obscurant' (a chemical used to hide military operations), a permissible use in principle under international humanitarian law (the laws of war)."<sup>171</sup>

### ***This outlandish accusation is intentionally pernicious and can be viewed as a form of incitement.***

168 The reliance on Human Rights Watch and the observations of its researchers is highly problematic. In general, Human Rights Watch's factual claims, analyses, and interpretations of international law lack credibility. In the specific instance of Israel's use of white phosphorus in Gaza, independent analysis has shown that Human Rights Watch's allegations reflect a manipulation of evidence and a lack of professionalism to support predetermined political and ideological positions. See NGO Monitor, "HRW's 'Rain of Fire': Neither Thorough nor Impartial," April 2, 2009, available at [http://www.ngo-monitor.org/article/hrw\\_s\\_rain\\_of\\_fire\\_neither\\_thorough\\_nor\\_impartial](http://www.ngo-monitor.org/article/hrw_s_rain_of_fire_neither_thorough_nor_impartial).

169 Asher Fredman, *Precision-Guided or Indiscriminate? NGO Reporting on Compliance with the Laws of Armed Conflict* (NGO Monitor), June 28, 2010, accessed on February 28, 2013, available at [http://www.ngo-monitor.org/article/precision-guided\\_or\\_indiscriminate\\_ngo\\_reporting\\_on\\_compliance\\_with\\_the\\_laws\\_of\\_armed\\_conflict](http://www.ngo-monitor.org/article/precision-guided_or_indiscriminate_ngo_reporting_on_compliance_with_the_laws_of_armed_conflict).

170 See also statement by spokesperson for Chemical Weapons Convention, "No it's not forbidden by the CWC if it is used within the context of a military application which does not require or does not intend to use the toxic properties of white phosphorus. White phosphorus is normally used to produce smoke, to camouflage movement. If that is the purpose for which the white phosphorus is used, then that is considered under the Convention legitimate use. If on the other hand the toxic properties of white phosphorus, the caustic properties, are specifically intended to be used as a weapon, that of course is prohibited, because the way the Convention is structured or the way it is in fact applied, any chemicals used against humans or animals that cause harm or death through the toxic properties of the chemical are considered chemical weapons." Quoted in Paul Reynolds, "White Phosphorus: Weapon on the Edge," BBC, November 16, 2005, sec. Americas, available at <http://news.bbc.co.uk/2/hi/americas/4442988.stm>.

171 PMRS based this assertion on an inaccurate Human Rights Watch press statement, "Israel: Stop Unlawful Use of White Phosphorus in Gaza," *Human Rights Watch*, January 10, 2009, available at <http://www.hrw.org/en/news/2009/01/10/israel-stop-unlawful-use-white-phosphorus-gaza?print>.

## Medical Claims

On June 30, 2010, PMRS completed the first phase of a project, in collaboration with the Italian political NGO Terre de Hommes, “meant to evaluate the physiological conditions of children in the Gaza Strip.”<sup>172</sup> According to a brief item about the study on a pro-Palestinian website, “52% of the children in Gaza suffer from anemia, and severe deficiency in phosphorus, calcium and zinc, while a significant number of children suffer from infections in their respiratory systems.”

In marketing this project, PMRS repeatedly emphasized the political angle, claiming that the medical problems in Gaza were a direct consequence of the fighting of January 2009 and the Israeli blockade of Gaza. Factors such as “sharp increase of unemployment in the Gaza Strip [that] led to an increase in the number of children who had to do different types of work in order to help their families” and “the ongoing Israeli invasions, bombardment and attacks, especially in border areas” were specifically mentioned. Adnan al-Waheedy, a Gaza representative of PMRS, was quoted as saying that “this project is meant to prevent and stop the deterioration of health and psychological conditions of the children in Gaza living in poverty, **under the ongoing Israeli siege and repeated attacks** by the Israeli military” (emphasis added).<sup>173</sup> Similarly, in a presentation of the project findings on June 29, 2010, PMRS and Terre de Hommes listed war, violence, security situation, prolonged crisis, economic condition, and social conditions as defining the “context of the Gaza Strip.”<sup>174</sup>

172 This project received financial support from the European Commission’s Humanitarian Aid and Civil Protection (ECHO) department, *Working with Preschool Children: e-Toolkit on Early Childhood* (Terre des hommes Italia Foundation and Palestinian Medical Relief Society, n.d.) available at <http://www.terredeshommes.it/download/booklet-0.pdf>.

173 Saed Bannoura, “PMRS: ‘52% of Gaza Children Suffer From Malnutrition,’” *International Middle East Media Center*, June 30, 2010, available at <http://www.imemc.org/article/59031>.

174 *Working with Preschool Children: e-Toolkit on Early Childhood*.

Despite concerted efforts to link Israeli policies to specific medical conditions in Gaza, the NGOs’ own project findings indicate that more immediate factors were nutritional habits, lifestyle, educational orientation, and familial interactions. One of the major components of the project was the implementation of “Integrated Psychosocial and Nutritional Awareness for mothers.” Likewise, the “Results achieved” during the course of the project include “Caregivers increased their knowledge about children needs and decreased violent and coercive attitudes and practices towards them” and “Families improved their nutritional habits and started adopting a healthier lifestyle.” Neither domestic abuse nor bad nutrition and a lack of exercise have any clear relationship to Israeli policies, although PMRS blames Israel for them. Similarly, while the political situation with Israel had not radically changed, the NGOs claim to have drastically reduce anemia and almost eliminate “severe and moderate” anemia among the children enrolled in the program.<sup>175</sup>

There is also statistical evidence that PMRS’ findings were not representative of wider trends in Gaza. The same year as the PMRS study, 2010, a comparable study compiled by the Palestinian Central Bureau of Statistics (PCBS) recorded anemia in 13.4 percent of Gazan children five years of age and younger.<sup>176</sup> The World Health Organization (WHO) report “The State of Nutrition: West Bank and Gaza” shows that in 2005 the rates in the Palestinian population were comparable to those of neighboring Jordan and Egypt, where Israel was not a factor.<sup>177</sup>

175 *Psychosocial and Nutritional Support to Pre-schoolage Children and Their Siblings in Gaza Strip* (Gaza: The Association of International Development Agencies (AIDA), June 29, 2010), 21, available at [http://aidajerusalem.org/uploads/30\\_06\\_10694625838.pdf](http://aidajerusalem.org/uploads/30_06_10694625838.pdf).

176 *Press Release: Child Statistics Report on the Eve of Palestinian Children’s Day April 5, 2011* (Palestinian Central Bureau of Statistics, April 5, 2010), 2, available at [http://www.pcbs.gov.ps/Portals/\\_pcbs/PressRelease/childDay\\_E2011.pdf](http://www.pcbs.gov.ps/Portals/_pcbs/PressRelease/childDay_E2011.pdf).

177 *The State of Nutrition: West Bank and Gaza Strip* (Directorate General of Primary Health Care and Public Health Ministry of Health, June 2005), available at [http://www.who.int/hac/crises/international/wbgs/oPt\\_Review\\_of\\_nutrition\\_situation\\_June2005.pdf](http://www.who.int/hac/crises/international/wbgs/oPt_Review_of_nutrition_situation_June2005.pdf).



As the anemia report aptly demonstrates, medical services, such as improving nutritional and developmental awareness, are being delivered to a population in need. PMRS has chosen, however, to ignore the reality in order to promote political advocacy and the demonization of Israel.

## PHYSICIANS FOR HUMAN RIGHTS-ISRAEL (PHR-I)

### Organizational Structure

**P**hysicians for Human Rights-Israel (PHR-I)<sup>178</sup> was founded in 1988 as an “Israeli human rights organization that advocates for the full and equal fulfillment of the right to health for all persons in Israel and the occupied Palestinian territory.”<sup>179</sup> PHR-I also runs medical clinics “as an act of solidarity with marginalized and oppressed populations and in protest against it”; represents “individual applicants vis-à-vis state authorities, with the objective of protecting their right to health and other human rights”; and leads “struggles on matters of principle vis-à-vis state authorities, in order to change policies that compromise the right to health of individuals and their communities.”

PHR-I receives substantial funding from a wide range of government agencies, private donors, and foundations (some of which receive large amounts of government funding). According to its financial reports, in 2011 PHR-I received NIS 5.4 million (approximately \$1.4m) in donations and had a total budget of NIS 8.7 million. Government donors included the European Union, Norway, Spain, and the Tel Aviv Municipality.<sup>180</sup> Foundational donors include Christian Aid (UK), Diakonia (Sweden), EED

(Germany), Ford Israel Fund,<sup>181</sup> and Medico International.<sup>182</sup>

Founder and President of PHR-I, psychiatrist Dr. Ruchama Marton,<sup>183</sup> is frequently interviewed for the international press and publishes in medical journals. Other staff include Ran Cohen, executive director since December 2010, and Hadas Ziv,<sup>184</sup> PHR-I’s previous executive director, who serves as the director of PHR-I’s Public Outreach Program.<sup>185</sup> This PHR-I advocacy branch was created in 2010 “to improve our connections and outreach with the Israeli public and the Israeli medical community as well as enhance our international advocacy.”<sup>186</sup>

### Political Advocacy

PHR-I’s mission statement clearly sets out its political agenda:

It is PHR-Israel’s view that Israel’s prolonged occupation over Palestinian territory is the basis of human rights violations. For this reason we oppose the occupation and endeavor to put an end to it.<sup>187</sup>

In light of this unambiguous political goal, PHR-I demands that its membership endorse this political agenda, and while using the name

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181 The Ford-Israel Fund is a “grant making partnership” of the New Israel Fund (NIF) and the Ford Foundation. According to the NIF, “Grant recommendations are considered and approved by the board of the New Israel Fund.” In 2006-2011, the NIF authorized grants worth \$1,145,530 for PHR-I.

182 “Physicians for Human Rights-Israel Financial Report, as of 31 December 2011.”

183 Marton, “Occupation’s 44th Year: PHR Israel Founder.” Marton has also served as a member of the Board of Advisors for Gaza Community Mental Health Programme, discussed below.

184 Hadas Ziv, “Hadas Ziv Concludes 6 Years as of PHR-Israel’s Executive Director,” *Physicians for Human Rights-Israel*, December 5, 2010, available at <http://www.phr.org.il/default.asp?PageID=222&ItemID=944>.

185 “Physicians for Human Rights-Israel | Who We Are | Mission & History,” *Physicians for Human Rights-Israel*, accessed March 6, 2013, available at <http://www.phr.org.il/default.asp?PageID=145>.

186 Ziv, “Hadas Ziv Concludes 6 Years as of PHR-Israel’s Executive Director.”

187 Ibid.

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178 Not affiliated with the Boston-based international organization, Physicians for Human Rights.

179 “About Physicians for Human Rights-Israel: Public Policy, Outreach, and Medical Services” (Physicians for Human Rights-Israel, undated), available at <http://www.phr.org.il/uploaded/Description-of-Departments-2011.pdf>.

180 “Physicians for Human Rights-Israel Financial Report, as of 31 December 2011,” at 13-16, available at <http://documents.guidestar.org.il/PDF/newfiles/fin/2011/117-99-2012-0111073.pdf>

“Physicians,” half of the 1,500 claimed members and a number of key staff are not medical professionals.<sup>188</sup> A PHR-I advertisement in the *Ha’aretz* newspaper in February 2003 declared that “The organization will only work with doctors who resist the occupation.”<sup>189</sup> Crucially, the “resistance” described is more than a figure of speech. In 2009, for example, PHR-I provided pro-Palestinian activists with first aid training in preparation for the violent protests against the security barrier at Bil’in.<sup>190</sup> Pamphlets were distributed stating that the course was given “in solidarity with their struggle against Israeli occupation.”<sup>191</sup>

Dr. Yoram Blachar, then president of the Israel Medical Association (IMA), criticized PHR-I for its first aid course, “Physicians for Human Rights have proved that they are a radical political group disguised as a medical organization.” In response, Dani Filc, then chair of PHR-I’s board of directors, dismissed the possibility of medical impartiality: “By not opposing the occupation, it is Blachar who is taking a political stand while claiming to be apolitical. Not resisting occupation is a political action since it supports the occupation’s existence.”<sup>192</sup>

On February 17, 2011, PHR-I staff returned to Bil’in to hold a “medical day” commemorating “Six years of resistance against the wall.”<sup>193</sup> PHR-I board members Rafi Walden, Hassan

188 “Physicians for Human Rights-Israel | Who We Are | Mission & History.”

189 “Israel Medical Association Accuses PHR-Israel of Politicization,” *NGO Monitor Digest* 1, no. 5 (March 11, 2003), available at <http://www.ngo-monitor.org/article.php?id=928>.

190 “2 Palestinians, 1 IDF Soldier Hurt in Anti-separation Fence Protest,” *Haaretz*, May 2009, available at <http://www.haaretz.com/news/2-palestinians-1-idf-soldier-hurt-in-anti-separation-fence-protest-1.276551>.

191 Cnaan Lipshitz, “Top Doctor Slams Group’s First Aid Course for West Bank Protestors,” *Haaretz*, July 2009, available at <http://www.haaretz.com/news/top-doctor-slams-group-s-first-aid-course-for-west-bank-protestors-1.279761>.

192 Ibid.

193 “To Commemorate 6 Years of Struggle, Physicians For Human Rights-Israel Mobile Clinic Will Visit Bil’in This Saturday,” *Physicians for Human Rights-Israel*, February 17, 2011, available at <http://www.phr.org.il/default.asp?PageID=155&ItemID=891>.

Mathani, and Ruchama Marton attended the event. Providing a highly distorted narrative of the protests, Marton remarked that PHR-I staff was there

to show the residents of Bil’in, to show ourselves, and the whole world that we support their non-violent struggle, a struggle characterized by consistent Army violence against civilians. The use of live ammunition, rubber bullets, the mass arrests of local leaders and minors in the middle of the night will not stop, the struggle for freedom or our call to return the confiscated land of Bil’in to their people.<sup>194</sup>

As this and other examples demonstrate, PHR-I’s medical expertise was specifically deployed to assist political actions, and not based on medical criteria alone.

### Medical Claims-Torture

Since the 1990s, PHR-I has repeatedly accused the IMA and its membership of either complicity or active participation in torture purportedly undertaken by Israeli security forces.<sup>195</sup> Most of PHR-I’s work on this topic has been done in collaboration with another Israeli political advocacy NGO, the Public Committee against Torture in Israel (PCATI). (PHR-I and PCATI have mutual donors, including the European Union, Spain, and New Israel Fund.)

***As this and other examples demonstrate, PHR-I’s medical expertise was specifically deployed to assist political actions, and not based on medical criteria alone.***

194 Ibid.

195 Antony Lerman, “Israel’s Doctors Must Allay Torture Fears,” *The Guardian*, December 22, 2009, available at <http://www.guardian.co.uk/commentisfree/2009/dec/22/israel-palestinian-doctors-torture-allegations>.

In 1993, PHR-I and PCATI organized a conference in Tel Aviv on the “International Struggle against Torture and the Case of Israel,” resulting in a 1995 book, *Torture: Human Rights, Medical Ethics and the Case of Israel*, edited by Marton and former executive director Neve Gordon.<sup>196</sup> The foreword to the book identifies it as “part of an ongoing campaign against the systematic practice of torture by Israeli security forces”; in her chapter, Marton alleges that “many Israeli doctors do not apparently meet the demands and duties of the Tokyo Declaration [against torture].”<sup>197</sup> Likewise, a 1999 report accused medical staff of “collaboration with torture,”<sup>198</sup> and a 2004 report accused doctors of “effectively participating in torture.”<sup>199</sup>

***The reports’ evidentiary basis primarily consists of claims made by the detainees themselves and not assessments conducted by medically trained observers.***

More recently, reports alleging medical staff participation in torture have served as the basis for expanding public advocacy by PHR-I and its partners. These include the 2009 PHR-I

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196 Neve Gordon and Ruchama Marton, eds., *Torture: Human Rights, Medical Ethics and the case of Israel: Conference on the international struggle against torture and the case of Israel: Papers*. (London: Zed Books, 1995). Gordon, like other leaders of PHR-I, is not a medical doctor and does not have a medical background. Since leaving PHR-I, Gordon has become a polarizing figure in Israeli academia. A professor of political science at Ben-Gurion University, he gained notoriety for an August 20, 2009 op-ed in the L.A. Times, “Boycott Israel,” arguing that “the only way to counter the apartheid trend in Israel is through massive international pressure.”

197 Ibid., 33.

198 Hadas Ziv, *Physicians and Torture-The Case of Israel, September 2000* (Physicians for Human Rights-Israel:), 17, accessed March 3, 2013, available at <http://www.scribd.com/doc/42632666/Physicians-for-Human-Rights-Israel-Physicians-and-Torture-The-Case-of-Israel-September-2000>.

199 Maher S. Talhami, “Breaking Body and Spirit: Palestinian Prisoners and Detainees Held by Israel” (Physicians for Human Rights –Israel, January 12, 2004), 7, available at <http://www.phr.org.il/default.asp?PageID=119&ItemID=214>.

position paper “Torture in Israel and Physicians’ Involvement in Torture”<sup>200</sup> and the October 2011 report, co-authored by PHR-I and PCATI, “Doctoring the Evidence, Abandoning the Victim.”<sup>201</sup>

The 2011 report again accuses Israeli doctors and institutions of involvement in the “torture and ill-treatment” of Palestinians.<sup>202</sup> PHR-I and PCATI condemn Israeli doctors for their “failure to document [torture],” “silence as consent” to torture, “refoulement” to a place of torture, having an overall preference to “serve the interrogation over medical confidentiality,” and “cooperation with the interrogators.”<sup>203</sup>

The sweeping claims that PHR-I and PCATI make are based on deeply flawed research. The reports’ evidentiary basis primarily consists of claims made by the detainees themselves and not assessments conducted by medically trained observers. Further, these claims themselves consist of those made by only eighteen individuals held on terror charges, some of whom were later convicted. The report’s authors are aware that most of its claims cannot be independently verified, due to legal exemptions from “audio and video documentation...during interrogations of those suspected of security violations.” Despite this problematic evidence, PHR-I and PCATI assert unequivocally that Israeli security officers “routinely employ interrogation methods which amount to torture and ill-treatment” and that “medical professionals are frequently involved either actively or passively in torture or ill-treatment.” Lexical or legal definitions for

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200 Hadas Ziv, “Torture in Israel and Physicians’ Involvement in Torture” (Physicians for Human Rights –Israel, July 2009), available at <http://www.phr.org.il/uploaded/PositionPaperTortue.pdf>.

201 Irit Ballas and Anat Litvin, “Doctoring the Evidence, Abandoning the Victim” (The Public Committee Against Torture in Israel Physicians for Human Rights – Israel, October 2011), available at [http://www.phr.org.il/uploaded/Doctoring%20the%20Evidence%20Abandoning%20the%20Victim\\_November2011.pdf](http://www.phr.org.il/uploaded/Doctoring%20the%20Evidence%20Abandoning%20the%20Victim_November2011.pdf).

202 These institutions include Israel’s General Security Service (GSS), the Israeli High Court of Justice (HCJ), the Israel Medical Association (IMA), and the Israel Prison Service (IPS).

203 Ballas and Litvin, “Doctoring the Evidence, Abandoning the Victim,” 9.

“torture” and “ill-treatment” are not provided, and these key terms are used inconsistently. Aside from the absence of any broader look at Israel’s legitimate security concerns, the report fails to consider how reliable the unsubstantiated claims of terror suspects might be, disregarding the possibility that they are fabrications.

For example, in the “Failure to Report” section, PHR-I and PCATI detail the case of a nineteen-year-old male referred to as “A.R.”

On 12.10.10, A.R. told a visiting PCATI attorney about the painful cuffing and the marks it had left. He tried to display them before the attorney through the visitation window, but due to the conditions they were unclear. A.R.’s medical file contains no documentation of these injuries, though marks apparently remained on his forearms for months after handcuffing in question [sic].<sup>204</sup>

As this description makes clear, PCATI officials possessed no firsthand knowledge of the alleged harm caused to A.R., nor did they seek to verify his claims. Rather, the attorney was “told” of the “painful cuffing,” and the marks “**apparently** remained” (emphasis added). In the continuation of this account, PHR-I and PCATI supply further medical evaluations based solely on the individual’s declarations, without any documentation or verification:

In his affidavit A.R. also reported that he “suffers from kidney pains,” which he says are a result of a previous illness seriously exacerbated by the beating he suffered. Though his medical record does mention the previous illness, it does not note its worsening which, according to the patient, resulted from torture or ill treatment.<sup>205</sup>

“The Case of T.S.,” a resident of Ramallah, is also instructive. According to the report, T.S. was “bitten by a dog who accompanied the soldiers” who were attempting to arrest him, “among

other brutal violence.” Although he was treated by numerous Israeli doctors and “the medical record further details the injury,” the NGOs assert that the incident should have been “reported to an external body” because of “suspicious injuries.”<sup>206</sup> Yet, as noted by the hospital where T.S. was treated, “the doctors have no way to determine the source of the bite.”<sup>207</sup> There was no reason, other than preexisting political agenda, to assume that the doctors should question the circumstances of the bite or think that it was not sustained when T.S. resisted arrest.

In addition to the “evidence” and “cases,” the report also presents inconsistent recommendations and erases the context of terrorism in the actions of security forces. PHR-I and PCATI recommend, disingenuously, that the IMA “resolutely and unequivocally announce to the public their opposition to torture” and that it also “provide maximum protection for medical personnel who would like to object to the demands of the security apparatus and/or report torture or ill-treatment of prisoners.”<sup>208</sup> However, as noted by the IMA in its response to the report, these steps had already been implemented by the IMA and the Israeli Ministry of Health prior to PHR-I and PCATI’s allegations. As a matter of policy, the Israeli Medical Association had specifically repudiated torture, in keeping with the relevant international treaties long before the PHR-I/PCATI report.<sup>209</sup>

Despite the report’s obvious flaws, the NGOs conclude by threatening the Israeli medical community with prosecution in international forums, warning that medical personnel “may

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206 Ibid., 34.

207 Dan Even, “Report: Israeli doctors failed to report abuse of prisoners and detainees,” *Haaretz*, November 4, 2011, available at <http://www.haaretz.com/print-edition/news/report-israeli-doctors-failed-to-report-abuse-of-prisoners-and-detainees-1.393609>

208 Ibid., 55.

209 “Prohibition of Physician Participation in Interrogations and Torture,” *IMA | Israel Medical Association*, December 2007, available at <http://www.ima.org.il/eng>.

204 Ibid., 31.

205 Ibid., 31.

find themselves responsible for aiding and abetting the crime of torture.”<sup>210</sup>

## The International Campaign Against Israeli Physicians

PHR-I has undertaken international campaigns on the basis of its allegation that the role of Israeli doctors in torture is widespread. In 2009, PHR-I participated in a campaign to remove Blachar from his position as president of the World Medical Association (WMA). Activists circulated a letter, quoting another unfounded report by PCATI:

A well-publicized report in 2007 by the Public Committee against Torture in Israel (PCATI), based on the detailed testimony of 9 Palestinian men tortured between 2004 and 2006, gives a graphic demonstration of the extent to which Israeli doctors continue to form an integral and everyday part of the running of interrogation suites whose output is torture. (5) The IMA have conceded that they were aware of this report, but did nothing. More recently, at a meeting on December 10 2008 in Tel Aviv, with Dr. Blachar presiding only weeks after his inauguration as WMA President, Physicians for Human Rights-Israel again sought (unsuccessfully) to get the IMA to face this report and all the other evidence in the public domain.

On the basis of this report’s unfounded claims, the letter’s authors argue that

under Dr Blachar’s leadership the IMA made a decision on political grounds years ago to turn a blind eye to torture in Israel and the institutionalized involvement of doctors. On an issue that goes to the heart of the moral authority of the profession, Dr Blachar has offered shameful ethical leadership to doctors in Israel and worldwide.<sup>211</sup>

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210 Ballas and Litvin, “Doctoring the Evidence, Abandoning the Victim,” 26.

211 Derek Summerfield, et al., “Letter to WMA Chair re Blachar as President,” February 2, 2009, available at <http://www.boycottima.org/>

This letter was signed by over “700 doctors from 43 countries,”<sup>212</sup> including Ruchama Marton of PHR-I, and was sent to the leadership of the WMA in May 2009. PHR-I also published a “position paper” in July, mentioned above, in which it once again claimed that “physicians in Israel participate in torture,” and dismissed IMA’s response that the physicians in question “vigorously deny any involvement in interrogations, torture or medical approval for the above” and that it was not provided with a “shred of evidence other than the word of the prisoners.”<sup>213</sup>

Although a PHR-I official later claimed that Marton signed as a private individual, the IMA cut all ties with PHR-I in August 2009.<sup>214</sup> In a letter to the NGO, Blachar wrote,

The damage caused by [your] organization is great. We have pleaded with the organization’s administration to refrain from using the international arena to besmirch and sling mud at Israel’s doctors, but to no avail. We have decided to cut off all contact with the organization, and I hope you deal with the matter as your conscience dictates.<sup>215</sup>

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212 Sarah Boseley, “Doctors Demand Yoram Blachar Resign as Ethics Chief over Israeli Torture,” *The Guardian*, June 21, 2009, available at <http://www.guardian.co.uk/world/2009/jun/21/doctors-israeli-torture-yoram-blachar-resign>.

213 Ziv, “Torture in Israel and Physicians’ Involvement in Torture,” pp. 7, 31-37. The Director General of Israel’s Ministry of Health also responded, stating that “It is not clear whether these claims are substantiated at all, and as my basic assumption is that if the claims are true, these are exceptional or extreme cases, not a pervasive phenomenon among Israel’s healthcare providers.” (Ibid., 44-46.)

214 Judy Siegel-Itzkovich, “IMA Threatens to Sue British Doctor for Torture Accusation,” *The Jerusalem Post*, August 10, 2009, available at <http://www.jpost.com/International/Article.aspx?id=151407>.

215 Dan Even, “IMA Cuts Ties with PHR over Call for Ouster of Israeli Head of World Medical Association,” *Haaretz*, August 10, 2009, available at <http://www.haaretz.com/print-edition/news/ima-cuts-ties-with-phr-over-call-for-ouster-of-israeli-head-of-world-medical-association-1.281698>.

## GAZA COMMUNITY MENTAL HEALTH PROGRAMME (GCMHP)

### Organizational Structure

The Gaza Community Mental Health Programme (GCMHP) was founded in 1990 by Dr. Eyad El-Sarraj. Its mission statement sets out its goals to “Develop GCMHP as [a] knowledge-based institution to enhance the capacity of the community in dealing with mental health problems based on the principles of justice, humanity, and respect for human rights... through working with three major [Palestinian] target groups: children, women, and victims of organized violence and torture.”<sup>216</sup>

Despite this formal commitment to public health and operating as a “knowledge based institution,” the group’s political goals are clear from other, similar documents. Elsewhere, GCMHP describes “the immediate needs of the population of Gaza Strip for mental health care during the upheaval of the Intifada and the **systematic state organized violence**” as the reason for its genesis (emphasis added).<sup>217</sup>

In parallel, GCMHP runs numerous non-medical programs, including the Rachel Corrie Women’s Empowerment Project<sup>218</sup> and a section of its website devoted to “Ancient Gaza.”<sup>219</sup>

According to its annual report, in 2009 GCMHP received \$3,514,761 in grants from a wide array of government agencies, foundations, and private donors. Government donors include

Switzerland, Sweden, the Netherlands, Norway, and the Palestinian National Authority; UN-affiliated donors include UNRWA, OCHA, UN Development Programme, and UN Voluntary Fund for Victims of Torture; foundational donors include ACSUR (Spain), Bread for the World (Germany), Grassroots (USA), Welfare Association, Arab Fund, Mercy Corps (Scotland).<sup>220</sup>

With these funds, GCMHP maintains a staff of over 135 employees and an extensive volunteer network.

### Psychological and Medical Claims

GCMHP’s political agenda benefits greatly from the funding and resources at its disposal and, like the other NGOs discussed in the monograph, often uses unsubstantiated medical claims as an avenue to criticize the Israeli government. One such attack focused on the alleged effects of the sonic boom caused by planes flying over Gaza. GCMHP joined with PHR-I in November 2005 to petition the High Court of Israel to stop this activity, which Sarraj characterized as a form of “collective punishment.”<sup>221</sup> This petition was filed in the immediate aftermath of the full Israeli withdrawal from Gaza in August 2005 (“Disengagement”). The sonic booms were introduced as an alternative to combat responses to terrorists firing missiles into Israel, in order to avoid escalation and reduce damage to civilian areas of Gaza. In petitioning the court, GCMHP and PHR-I were following a central part of the Durban Strategy: portraying non-lethal, harm-reducing measures by Israel as violations of international law.

Sarraj told journalists that sonic booms were affecting the wellbeing of pregnant women in Gaza. Speaking to *The Independent*, he referenced a study by the Palestinian Ministry

216 “ABOUT US,” accessed on March 7, 2013, available at [http://www.gcmhp.net/en/index.php?option=com\\_k2&view=item&id=190:about-us&Itemid=100](http://www.gcmhp.net/en/index.php?option=com_k2&view=item&id=190:about-us&Itemid=100).

217 GCMHP Website, “Philosophy and Strategy,” available at [http://www.gcmhp.net/about\\_gcmhp\\_phl.html](http://www.gcmhp.net/about_gcmhp_phl.html) (Link Expired)

218 Nancy Murray, “Fundraising Letter,” *The Gaza Mental Health Foundation*, November 24, 2007, available at <http://www.palestinejournal.net/gmh/donate.htm>.

219 GCMHP Website, “Great Omari Masque,” available at [http://www.gcmhp.net/en/index.php?option=com\\_content&view=article&id=123:great-omari-mosque&catid=64:ancient-gaza](http://www.gcmhp.net/en/index.php?option=com_content&view=article&id=123:great-omari-mosque&catid=64:ancient-gaza), accessed on April 7, 2013.

220 “Annual Report-2009,” pp. 8, 56–68, available at [http://www.gcmhp.net/en/index.php?option=com\\_phocadownload&view=category&id=4:annual-reports&Itemid=49](http://www.gcmhp.net/en/index.php?option=com_phocadownload&view=category&id=4:annual-reports&Itemid=49).

221 “Medics Condemn Gaza Sonic Booms,” BBC, November 3, 2005, sec. Middle East, available at [http://news.bbc.co.uk/2/hi/middle\\_east/4402326.stm](http://news.bbc.co.uk/2/hi/middle_east/4402326.stm).

of Health and argued that the sonic booms correlated with the “30-40 percent increase in the number of spontaneous abortions during the period 27-29 October, when the use of the sonic boom was at its peak.”<sup>222</sup> This issue received major coverage in the *BMJ* in November 2005,<sup>223</sup> *The Guardian*,<sup>224</sup> and ABC News,<sup>225</sup> all of which cited Dr. Sarraj and GCMHP’s allegations.

The campaign led by Sarraj and GCMHP continued with a 2009 article in *The Lancet* titled “Health as Human Security in the Occupied Palestinian Territories.” The article stated,

Israeli air force jets frequently made low-altitude flights over the Gaza Strip, setting off powerful sonic booms. The Gaza Community Mental Health Programme has noted that protracted exposure to these booms produces symptoms of fear in children, with long-term health implications such as headaches, stomach aches, shortness of breath, loss of concentration, loss of appetite, bedwetting, and other emotional disorders. The Israeli military attacks on the Gaza Strip in December, 2008, and January, 2009, exposed the entire population to bombardment from land, sea, and air, with yet unknown mental-health effects.<sup>226</sup>

While *The Lancet* article also referenced a publication by Israeli NGO B’Tselem attesting to the existence of the sonic booms, no verifiable medical analysis was provided to support Sarraj’s

claims of either the psychological or long term health risks he associated with them.<sup>227</sup>

In fact, other medical studies have challenged the accuracy of these claims. Dr. Daniel Ellis from St. Georges Hospital in London wrote a response in the *BMJ* on November 17, 2005. He noted that

A Medline literature search using the Dialog Datastar interface and using “sonic boom” as the search term revealed 71 papers and I reviewed the available abstracts/titles. Apparently, sonic booms cause no negative effects on the breeding of gray seals nor do they damage avian eggs nor do they have a hugely detrimental effect on sleep. There is no mention of miscarriages, heart problems or any other medical problems for that matter.<sup>228</sup>

One study was conducted in Nevada between 1969 and 1986 by the Department of Community and Environmental Medicine of the University of California, Irvine. The report stated, “From the data collected, no convincing evidence was found to prove or disprove the existence of adverse health effects due to exposure to sonic boom.”<sup>229</sup>

However, for Sarraj and GCMHP, the campaign was a political success, contributing to efforts to portray Israeli military responses to terror as responsible for Palestinian health problems.

222 Donald MacIntyre, “Palestinians ‘Terrorised’ by Sonic Boom Flights,” *The Independent*, November 3, 2005, available at <http://www.independent.co.uk/news/world/middle-east/palestinians-terrorised-by-sonic-boom-flights-513697.html>.

223 “In Brief,” *BMJ* 331, no. 7525 (November 12, 2005): 1100–1100, doi:10.1136/bmj.331.7525.1100.

224 Chris McGreal, “Palestinians Hit by Sonic Boom Air Raids,” *The Guardian*, November 4, 2005, available at <http://www.guardian.co.uk/world/2005/nov/03/israel>.

225 Wilf Dinnick, “Israel’s Sonic Booms Terrifies Gaza Children,” ABC News, December 30, 2005, available at <http://abcnews.go.com/WNT/story?id=1453692>.

226 Batniji et al., “Health as Human Security in the Occupied Palestinian Territory.”

227 B’tselem, “Supersonic Booms,” 2006, available at [http://www.btselem.org/english/Special/20060703\\_Supersonic\\_booms.asp](http://www.btselem.org/english/Special/20060703_Supersonic_booms.asp) accessed on April 14, 2011.

228 “In Brief,” *BMJ* 331, no. 7525 (November 12, 2005): 1100–1100, doi:10.1136/bmj.331.7525.1100.

229 Louis C. Sutherland and Kenneth J. Plotkin, “Exploratory Study of the Potential Effects of Exposure to Sonic Boom on Human Health,” *The Journal of the Acoustical Society of America* 80, no. S1 (1986): S9–S9, doi:10.1121/1.2024084; *The Effects of Sonic Boom and Similar Impulsive Noise on Structures* (United States Environmental Protection Agency, December 31, 1971) Which demonstrates that, after 1,253 sonic booms took place over Oklahoma City within a six month period in 1964, no doctors in Oklahoma City filed specific health complaints regarding the booms.



## GCMHP, The Gaza War, and the Goldstone Process

Like the other NGOs discussed in this study, Sarraj and GCMHP were very active in the political dimensions of the December 2008–January 2009 Gaza conflict, repeatedly condemning Israeli operations while denying or erasing large-scale Hamas rocket attacks from civilian centers. For example, on the second day of the fighting in Gaza, GCMHP issued a press statement referring to an Israeli air attack as

part of the vicious military attacks that the Israeli army launched over Gaza since December 27, 2008...Gaza Community Mental Health Programme denounces this brutal action and the attacks that target everything in Gaza. We call upon the international community to urgently intervene and make all their efforts to protect Palestinian civilians and institutions in Gaza, which are under real danger of death and destruction.<sup>230</sup>

Later, like many other NGO officials that had issued denunciations of Israel, the heads of GCHMP were invited to appear before the UN's Goldstone panel, a clearly biased exercise in the guise of an "investigation." (The resulting report was subsequently discredited due to the obvious bias and lack of credibility.) The nature of this process and GCMHP's role in it were highlighted by an exchange with Colonel Desmond Travers, a member of the Goldstone Committee.<sup>231</sup>

On June 29, 2009, Dr. Sarraj and Dr. Ahmed Abu-Tawahini, the General Director of the GCMHP headquarters in Gaza City appeared

230 "Press Release: The Israeli shelling caused massive damage in GCMHP Headquarter in Gaza," (GCMHP, December 30, 2008), available at [http://www.crin.org/docs/GCHMP\\_30\\_dec\\_ara\\_eng.pdf](http://www.crin.org/docs/GCHMP_30_dec_ara_eng.pdf)

231 See Dore Gold, "The Dangerous Bias of the United Nations Goldstone Report," in Gerald M. Steinberg and Anne Herzberg, eds., *The Goldstone Report "Reconsidered" – A Critical Analysis*, Jerusalem: NGO Monitor and Jerusalem Center for Public Affairs, 2011, pp. viii-ix; and Alan Dershowitz, "The Case Against the Goldstone Report – A Study in Evidentiary Bias," in *The Goldstone Report "Reconsidered,"* pp. 102-103, 143.

before the Goldstone Committee.<sup>232</sup> In a clearly inappropriate question posed by Travers, Abu-Tawahini was asked,

I would like to put a question to [you], it **may not be entirely within your field...** I would like to ask you if you have any professional insights as to what mindset or what conditioning or what training could bring around a state of behavior that would cause a soldier, a fellow human being to shoot children in front of their parents. Do you have any professional insights into that kind of behavior? (emphasis added)

Abu-Tawahini responded with a "psychological profile of the Israeli soldier."

...There is no doubt that any conflict, and especially the Arab-Israeli conflict, is a conflict that's built on hate. This hate increases with time...With time the Israeli soldier has the image of absolute superiority...In military, uh, notions, it is sufficient for one bullet to kill a man and your question with regards to what makes an Israeli soldier hit a missile just to kill a child, this very clearly shows that the instability, the psychological instability with the Israeli soldier has accumulated fear in him, has, deprived him of this halo feeling that he had over the years and now he wants to restore this lost image...

This answer, a combination of pseudo-psychology, crude stereotypes, and cultural guesswork, is the opposite of "professional insight." It is demonization and politics, far removed from professional diagnosis or practice.

Dr. Sarraj followed with his own testimony, also without any scientific rigor or firsthand professional interaction with Israeli soldiers,

The Palestinian in the eyes of the Israeli soldier is not an equal human being. Sometimes this Palestinian even becomes a demon in their

232 "Unofficial Transcript: Public Hearings – Gaza City, Morning Session of 29 June 2009" (United Nations Fact Finding Mission on the Gaza Conflict, June 29, 2009), 16–18, available at [http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/docs/2009.06.29AM\\_Session.doc](http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/docs/2009.06.29AM_Session.doc).

eyes. Therefore it is a state of demonization. This is unfortunately, uh, what can be seen in the behavior of the Israeli soldier not only killing children or fathers before...He is not dealt with as an equal human being. This is the base of everything and then there is the fact that there is no restraint, no discipline within the army and, uh, uh, even there's an encouragement...Many Israelis need this and also the Palestinians because inside Israel there is an identification with the aggressor, the Nazi.

***All of these caricatures were offered as the expert assessments of mental health professionals, presenting another clear example of NGO officials exploiting their status as health professionals for demonization and antisemitism.***

This is not the only example of Sarraj's prejudice, presented under the guise of psychology. In a 2003 interview with *Tikkun Magazine*, Sarraj commented:

Are they evil by nature, these Jews? Or are they stupid, born mentally subnormal? Why are they doing this? It's unbelievable. And I found after long, long thinking about it that they are not born evil. And they are not stupid. They are psycho-pathologically disturbed... They are disturbed. They are psychologically disturbed. They are frightened. And they project their fears in such an aggressive way. What we have now is a process of trying to repress their guilt. They dehumanize the Palestinians. They try to humiliate them.<sup>233</sup>

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233 Julie Oxenberg and Dan Burnstein, "An Interview with Eyad El-Sarraj | Tikkun Magazine," *Tikkun Magazine*, December 2003, available at <http://www.tikkun.org/article.php?story=Interview-with-eyad-el-sarraj>.

All of these caricatures were offered as the expert assessments of mental health professionals, presenting another clear example of NGO officials exploiting their status as health professionals for demonization and antisemitism.

## **BDS and the Free Gaza Movement**

Although GCMHP maintains that there is a clear difference between its mission to "enhance the capacity of the community in dealing with mental health problems"<sup>234</sup> and the demonization of Israel, the vast majority of GCMHP's political activism is consistent with the Durban Strategy. GCMHP has repeatedly endorsed, promoted, and received funding from BDS (boycott, divestment, and sanctions) campaigns.<sup>235</sup> As early as 2002, in response to Operation Defensive Shield and the fictitious claims of a "massacre" in Jenin, GCMHP released a statement saying,

It is essential to boycott Israeli products as an effective measure to hinder the economy feeding the war crime machinery behind the massacres. Please do not participate in the next Israeli massacre of innocent civilians. BOYCOTT ISRAEL NOW!<sup>236</sup>

GCMHP's BDS activities seek to demonize Israel and seldom purport to relate to the mental health of Gazans at all. For instance, in a December 2008 press release regarding "Israel's Denial of Entry to the UN Special Rapporteur on Human Rights is an Attempt to Conceal the Israeli Occupation Crimes," GCMHP calls for the "international community...and to stop dealing with it as a state above the law." The statement does not reference health issues in any respect. Rather, it appears to be an attempt to amplify the Durban Strategy narrative that Israel is guilty

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234 GCMHP Website, "What is GCMHP," available at <http://www.gcmhp.net/> date (Link Expired)

235 Boycott Israeli Apartheid, "Vancouver Event," 2007, available at <http://www.boycottisraeliapartheid.org/node/42> accessed on March 19, 2011 (Link Expired)

236 GCMHP Website, "Don't Take Part in War Crimes: Boycott Israel Now," April 22, 2002, available at [http://www.gcmhp.net/File\\_files/PressApr222k2.html](http://www.gcmhp.net/File_files/PressApr222k2.html). (Link Expired)

of “crime[s] against humanity” and must be sanctioned.<sup>237</sup>

GCMHP also participated in a joint March 2010 submission by 14 Palestinian and Israeli NGOs to the United Nations Human Rights Council (UNHRC), focusing almost entirely on Israel’s investigative methodology, legal parameters in Israel for property damage restitution, and Israel’s border policies – issues completely unrelated to mental health in Gaza. Titled “More than One year after ‘Operation Cast Lead’: Distressing Lack of Accountability and Justice for the Victims of the Conflict,” the submission devotes a single paragraph to criticizing the Palestinian authorities for failing to comply with “required international standards.” In contrast, the NGOs use ten paragraphs and much greater detail in an attempt to demonstrate that Israel’s investigations “suffer from lack of independence, impartiality, effectiveness and transparency.”<sup>238</sup> These claims, which GCMHP have no expertise to make, represent an attempt to build consensus for international legal challenges against Israel in the International Criminal Court and similar legal forums.

GCMHP has also signed the “Palestinian Civil Society Call for BDS,” which calls for the imposition of “broad boycotts and [] divestment initiatives against Israel similar to those applied to South Africa in the apartheid era.”<sup>239</sup> GCMHP has also advocated for more targeted BDS campaigns, such as a March 2010 press release supporting a boycott aimed at Swedish clothing

retailer H&M.<sup>240</sup> GCMHP’s has also financially benefitted from its ongoing support for BDS: BoycottIsraelApartheid.org donated over half the net proceeds from a 2007 conference in Vancouver to GCMHP.<sup>241</sup>

GCMHP’s political activism has included close cooperation with the “Free Gaza Movement,” a radical group of internationals who have organized flotillas to “directly challenge the Israeli siege” by initiating confrontations with the Israeli navy.<sup>242</sup> In 2007, GCMHP assisted the fledgling Free Gaza Movement by “forming a national committee of Civil Society Organizations to act as a local organizing committee...publicizing the campaign, participating in activities, and [providing] financial support.”<sup>243</sup> GCMHP also planned to host the international activists when they arrived in Gaza.<sup>244</sup> Dr. Sarraj joined Free Gaza Movement’s board of advisers in 2009.<sup>245</sup>

In May 2010, the Free Gaza Movement and the Turkish Foundation for Human Rights and Freedoms and Humanitarian Relief (IHH) organized a six-ship flotilla, which set out carrying more than 700 passengers to “challenge” Israel’s naval blockade of Gaza. In the early morning of May 31, 2010, as the flotilla approached Gaza, the Israeli Navy began an operation to take control of the ships. Israeli commandoes boarded the largest ship, the

240 GCMHP Website, “Please Support the Campaign Initiated by the Palestine Solidarity Association of Sweden Against a Company in Sweden H&M,” March 2010 *available at* [http://www.gcmhp.net/File\\_files/press10.html](http://www.gcmhp.net/File_files/press10.html) (Link Expired)

241 Boycott Israeli Apartheid, “Vancouver Event,” 2007, *available at* <http://www.boycottisraeliapartheid.org/node/42>, accessed on March 19, 2011 (Link Expired)

242 Free Gaza Movement, “A Simple Idea,” January 5, 2009 *available at* <http://www.freegaza.org/de/boat-trips> (Link Expired)

243 Eyad El-Sarraj, “GCMHP Help to host ‘Free Gaza Movement’ Campaign,” *Palestine Journal*, accessed on March 10, 2013, *available at* <http://www.palestinejournal.net/gmh/break-siege.htm>

244 GCMHP Website, “GCMHP Help to host ‘Free Gaza Movement’ Campaign,” September 2007 *available at* <http://www.gcmhp.org/NewsDet.aspx?id=312> (Link Expired)

245 Free Gaza Movement, “Board of Advisors,” October 8, 2009 *available at* <http://www.freegaza.org/en/about-us/who-we-are/1089-advisors> (Link Expired)

237 GCMHP, “Israel’s Denial of Entry to the UN Special Rapporteur on Human Rights is an Attempt to Conceal the Israeli Occupation Crimes,” December 16, 2008 *available at* <http://www.ffipp.org/node/149>

238 GCMHP et al, “Joint Submission to HRC: Distressing Lack of Accountability and Justice for the Victims of the Conflict,” 1 – 26 March 2010, accessed March 10, 2013, *available at* <http://www.badil.org/en/al-majdal/item/1414-joint-submission-to-hrc-distressing-lack-of-accountability-and-justice-for-the-victims-of-the-conflict>.

239 “Palestinian Civil Society Call for BDS | BDSmovement.net.”

“Mavi Marmara,” and were met with severe and extreme violence by forty IHH activists. The activists were “equipped with gas masks, night vision goggles, and life vests,” and the IDF said that “the passengers also seized a commando’s side arm.” The soldiers were attacked with chains, clubs, iron rods, “knives, broken glass bottles, and sling shots.” After this armed struggle, nine activists were dead and nine Israeli soldiers were injured, several critically. During searches of the ships following the operation, no humanitarian supplies were found aboard the Marmara and two other boats.

In the immediate aftermath of the violence, before a definitive picture of the incident materialized, GCMHP signed a joint statement by “Gaza based Palestinian Civil Society Organizations and International activists,” advancing the inflammatory narrative that “Israel [is] accountable for the murder of foreign civilians at sea and illegal piracy of civilian vessels carrying humanitarian aid for Gaza.” In this statement, GCMHP and the other groups reiterated their support for BDS and other political attacks against Israel:

We insist on severance of diplomatic ties with Israel, trials for war crimes and the International protection of the civilians of Gaza. We call on you to join the growing international boycott, divestment and sanction campaign of a country proving again to be so violent and yet so unchallenged.<sup>246</sup>

The next day, on June 1, GCMHP issued its own press release, titled “A massacre on the Gaza Freedom Flotilla” and expanding both the distortions and the demonization. GCMHP misidentified the number of dead as “16 or more” and falsely claimed that the boats were carrying “ten thousand tons of cement, prefab-housing materials, water purification systems, pasta, chocolate, and motorized wheelchairs.” The statement falsely accused Israel of “savagely

attack[ing] the Gaza Freedom Flotilla,” a “heinous crime,” and “an act of piracy and a serious violation of international law and human rights.”

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246 GCMHP Website, “Call From Gaza for Global Response to Killings on the Flotilla,” May 31, 2010, *available at* [http://www.gcmhp.net/File\\_files/Press08June2k10-e.htm](http://www.gcmhp.net/File_files/Press08June2k10-e.htm) (Link Expired)

## MADS GILBERT AND NORWAC

**D**uring the Gaza conflict of December 2008 and January 2009, Norwegian physician Mads Gilbert emerged in the media as one of the most visible Gaza-based commentators. Dr. Gilbert is an anesthesiologist, the Head of the Emergency Medicine department at the University Hospital of North Norway,<sup>247</sup> a Professor of Emergency Medicine at the University of Tromsø, and a member of the far-left Norwegian Red political party.<sup>248</sup> During the fighting, he and colleague Dr. Erik Fosse were sent to the Al-Shifa Hospital in Gaza as representatives of the Norwegian Aid Committee (NORWAC).<sup>249</sup> NORWAC, a Norwegian government funded “humanitarian organization that works mainly with health care issues”<sup>250</sup> that has reportedly worked with Hezbollah-affiliated groups in Lebanon,<sup>251</sup> claims that “Our work is based on the principle of solidarity and equality regardless of religion, race and ethnic belonging.”<sup>252</sup> Gilbert provides a valuable case study in how the “double-halo” of medical professionals and NGOs has become a central element in political warfare.

During the Gaza war, Gilbert was widely quoted by the international media, including in the

***The “footage in the hospital room was very likely staged for propaganda effect,” using the same techniques and tropes of similarly staged videos (“Pallywood”).***

*New York Times*<sup>253</sup> and CBS News,<sup>254</sup> alongside multiple interviews for the BBC.<sup>255</sup> After Gilbert returned, he and Fosse wrote *Eyes in Gaza*, a book that recounted their experiences, providing an inflammatory and emotive version of events and omitting necessary political context.

During the war, Gilbert was featured in an apparently staged video of the attempted resuscitation of a Palestinian youth. The widely-viewed video shows a medical staff member performing life-saving measures on the youth, with Gilbert assisting in the treatment. Then Gilbert pronounces the youth dead.<sup>256</sup>

However, independent analysts claimed that the chest compressions performed in the video involving Gilbert were obviously simulated. As such, the “footage in the hospital room was very likely staged for propaganda effect,”<sup>257</sup> using the same techniques and tropes of similarly staged videos (“Pallywood”).<sup>258</sup> Indeed, CNN originally posted the video to accompany a news

253 Taghreed El-khodary, “Gaza Hospital Fills Up, Mainly With Civilians,” *The New York Times*, January 5, 2009, sec. International / Middle East, available at <http://www.nytimes.com/2009/01/05/world/middleeast/05gaza.html>.

254 “In Gaza, A Race Between War And Diplomacy,” CBS News, November 4, 2009, available at [http://www.cbsnews.com/8301-202\\_162-4697948.html](http://www.cbsnews.com/8301-202_162-4697948.html).

255 “Casualties Rise in Gaza Offensive,” BBC, January 6, 2009, sec. Middle East, available at <http://news.bbc.co.uk/2/hi/7812286.stm>.

256 Alex Thomson, “Tale of a young Palestinian’s death,” Channel 4 News, January 4, 2009, available at [http://www.channel4.com/news/articles/politics/international\\_politics/tale-of-a-young-palestinians-death/2897187.html](http://www.channel4.com/news/articles/politics/international_politics/tale-of-a-young-palestinians-death/2897187.html).

257 Charles Johnson, “A Staged Scene in a Gaza Hospital? - Update: CNN Yanks Video,” *Little Green Footballs*, January 8, 2009, available at [http://littlegreenfootballs.com/article/32393\\_A\\_Staged\\_Scene\\_in\\_a\\_Gaza\\_Hospital\\_-\\_Update\\_-\\_CNN\\_Yanks\\_Video](http://littlegreenfootballs.com/article/32393_A_Staged_Scene_in_a_Gaza_Hospital_-_Update_-_CNN_Yanks_Video).

258 Richard Landes, “CNN Steps in the Pallywood Doodoo: Heartrending footage Staged by Norwegian Doctors,” *The Augean Stables*, January 9, 2009, available at <http://www.theaugenstables.com/2009/01/09/cnn-steps-in-the-pallywood-doodoo-heartrending-footage-staged-by-norwegian-doctors/>.

247 Mads Gilbert, “Bridging the Gap: Building Local Resilience and Competencies in Remote Communities,” *Prehospital and Disaster Medicine* 23, no. 04 (2008): 297–300, doi:10.1017/S1049023X00005902.

248 Available at <http://www.dagbladet.no/2009/01/06/nyheter/gaza/tromso/leger/politikk/4252092/>

249 Gwladys Fouche, “This Is What Hell Must Look Like,” *The Guardian*, January 16, 2009, available at <http://www.guardian.co.uk/society/2009/jan/16/gaza-norwegian-doctors>.

250 NORWAC Website, “NORWAC Objectives” available at <http://www.norwac.no/>

251 Fouche, “This Is What Hell Must Look Like.”

252 “NORWAC Objectives”

story about the incident, but removed it later that day.<sup>259</sup>

## Politicizing Aid

Gilbert has repeatedly politicized humanitarian work. Prior to his work in Gaza, Gilbert said “There is little in medicine that isn’t politics.”<sup>260</sup> After returning from Gaza on January 12, 2009, he made similar comments in a BBC interview.<sup>261</sup> When asked, “it has been said you turned political,” Gilbert responded,

You know I’m a whole person, I’m an emotional person, I’m a professional person, I’m a social person, and I’m a political person, and I think we all are, and I think we all have the right to be that, and if the doctor should not follow his Hippocratic Oath, I would be a traitor to my patients, if we didn’t speak up on these conditions that the Palestinians have today, we would have betrayed the Palestinian patients and the Palestinian population. They are voiceless.

Gilbert’s interpretation of the Oath is clearly partisan and biased, stating, “We are not neutral. We chose medical work in Gaza, not Sderot,”<sup>262</sup> and that he “stands in solidarity with the Palestinians.”<sup>263</sup>

Gilbert’s solidarity with Palestinian political goals includes endorsing Durban-based anti-Israel BDS (boycotts, divestment, and sanctions)

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259 “Toll of conflict strikes home as cameraman finds brother dead” CNN.com, January 8, 2009, *available at* [http://edition.cnn.com/2009/WORLD/asiapcf/01/08/hamas.boy/index.html?eref=rss\\_topstories#cnmSTCVideo](http://edition.cnn.com/2009/WORLD/asiapcf/01/08/hamas.boy/index.html?eref=rss_topstories#cnmSTCVideo).

260 Hege Duckert, Dagbladet.no (December 16, 2000), *Uværsdokteren*, *available at* <http://www.dagbladet.no/tekstarkiv/artikkel.php?id=5001000071520&tag=item&words=Lite%3Bmads%3Bgilbert>

261 “Gaza Facing ‘Medical Crisis,’” BBC, January 12, 2009, sec. Middle East, *available at* [http://news.bbc.co.uk/2/hi/middle\\_east/7823410.stm](http://news.bbc.co.uk/2/hi/middle_east/7823410.stm).

262 Cnaan Lipshitz, “Doctor: 90% of War Casualties at Gaza Hospital Were Civilians,” *Haaretz*, September 5, 2009, *available at* <http://www.haaretz.com/news/doctor-90-of-war-casualties-at-gaza-hospital-were-civilians-1.8430>.

263 Grit TV, “Dr. Mads Gilbert: A Physician in Gaza,” April 28, 2009, *available at* <http://grittv.org/2009/04/28/dr-mads-gilbert-a-physician-in-gaza/>

campaigns, arguing that “divestment and sanctions campaign is critically important and we have been pushing forward this campaign in Norway... Also we are working towards institutional boycott within major universities in Norway and this is moving in a positive direction.”<sup>264</sup> Gilbert is not on record supporting such a campaign against any other country.

Gilbert has also made controversial remarks regarding terrorism. In response to the attacks on September 11, 2001, Gilbert stated, “The attack on New York did not come as a surprise after the policy that the West has led during the last decades...The oppressed also have a moral right to attack the USA with any weapon they can come up with.”<sup>265</sup> When asked if he supported a terrorist attack on the U.S., Gilbert said, “Terror is a bad weapon, but the answer is yes within the context which I have mentioned.”<sup>266</sup>

***As an anesthesiologist, Gilbert is neither qualified to evaluate military matters nor to provide a record of what occurred; nonetheless, he continues to receive the status of an “expert,” particularly from journalists.***

## Gilbert’s “Double Halo”

Gilbert’s activism for the Palestinian solidarity movement provides insight into how the “double-halo” impacts individual NGO activists. Gilbert

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264 Stefan Christoff, “Medical Solidarity with Gaza: In Conversation with Mads Gilbert,” *Electronic Intifada*, April 19, 2010, accessed on March 10, 2013, *available at* <http://electronicintifada.net/content/medical-solidarity-gaza-conversation-mads-gilbert/8787>

265 High-Profile Doctor in Gaza Called an ‘Apologist for Hamas’ Fox News, January 8, 2009, *available at* <http://www.foxnews.com/story/0,2933,477881,00.html>.

266 Ibid.

has repeatedly publicized unsubstantiated accusations against Israel. These have included vastly inflated statistics for civilian casualties and unqualified opinions about the legality of Israeli tactics. As an anesthesiologist, Gilbert is neither qualified to evaluate military matters nor to provide a record of what occurred; nonetheless, he continues to receive the status of an “expert,” particularly from journalists.

Another example is Gilbert’s accusations that Israel deployed Dense Inert Metal Explosives (DIME) munitions during the fighting in Gaza. DIME are an experimental group of tungsten-based munitions, or Focused Lethality Munitions (FLM), intended for “low collateral” damage blasts. The powerful, focused blast radius provides “net results of higher dynamic energy impulse all within a small lethal footprint.”<sup>267</sup> While still in the research phase, some have speculated that these weapons are “highly carcinogenic and harmful to the environment.” Furthermore, DIME weaponry is known to have “roots” in depleted uranium and to operate using a fission process. The conception that these weapons are somehow nuclear has made allegations of their use highly controversial and politically damaging, although their deployment by any military, including Israel, has never been confirmed.

When Gilbert discussed these purported munitions with the media, he demonized Israel with hyperbole and emotive rhetoric. However, each time, the strength of his claims regressed.

On January 5, 2009, Gilbert was interviewed by a Press TV (Iran) correspondent. Gilbert stated, “We have **clear evidence** that the Israelis are using a new type of very high explosive weapons which are called Dense Inert Metal Explosives which is made out of a Tungsten alloy. These weapons have an enormous power to explode”

(emphasis added).<sup>268</sup> However, on January 14, 2009, in an interview on *Democracy Now*, Dr. Gilbert backed away from his earlier certainty: “I underline we **don’t have proof**, but we have **strong evidence** that these amputations we’ve been seeing in Gaza for the last eleven days must come from some type of weapon **that we don’t know of**” (emphasis added). Crucially, Gilbert simultaneously admitted that, because of how DIME weaponry is presumed to operate and the lack of forensic evidence, actual verification was impossible:

Well, the EU Commission on nuclear matters have stated clearly that these weapons, since they are based on a fission process, you need to investigate more the residuals, if that is radioactive. That has not been done. It was not done in Lebanon in 2006, when these weapons were first described. And it has not been done in Gaza in 2006 and now this.<sup>269</sup>

On another occasion, the “strong evidence” was only a “very strong suspicion.” Gilbert told *The Guardian*, “It was like a scene from Dante’s *Inferno*. I thought, ‘This is what hell must look like’... There’s a **very strong suspicion** that Gaza is now being used as a test laboratory for new weapons” (emphasis added).<sup>270</sup> However, in comments reported in *The Lancet*, Gilbert downgraded his claims further, “These are scenes out of Dante’s *Inferno*. Many arrive with extreme amputations, with both legs crushed, [and what] **I suspect** are wounds inflicted by very powerful explosives called Dime [Dense Inert Metal Explosive]”<sup>271</sup> (emphasis added).

268 *DIME Weapons - Stop Israel’s Massacre of Palestinians in Gaza*, 2009, [http://www.youtube.com/watch?v=ZVAVsvyrECs&feature=youtube\\_gdata\\_player](http://www.youtube.com/watch?v=ZVAVsvyrECs&feature=youtube_gdata_player).

269 “White Phosphorous and Dense Inert Metal Explosives: Is Israel Using Banned and Experimental Munitions in Gaza?,” *Democracy Now!*, January 14, 2009, accessed on March 4, 2013, available at [http://www.democracynow.org/2009/1/14/white\\_phosphorous\\_and\\_dense\\_inert\\_metal](http://www.democracynow.org/2009/1/14/white_phosphorous_and_dense_inert_metal).

270 Gwladys Fouche, “‘This Is What Hell Must Look Like,’” *The Guardian*, January 16, 2009, available at <http://www.guardian.co.uk/society/2009/jan/16/gaza-norwegian-doctors>.

271 J Mcgirk, “Medical Facilities Under Intense Pressure in Gaza,” *The Lancet* 373, no. 9659 (January 17, 2009): 199–199, doi:10.1016/S0140-6736(09)60056-8.

267 “Dense Inert Metal Explosive (DIME),” *Centre for Research on Globalization*, accessed March 10, 2013, available at <http://www.globalsecurity.org/military/systems/munitions/dime.htm>.

Gilbert's allegations were widely reproduced in news articles, medical journals,<sup>272</sup> and the Goldstone Report,<sup>273</sup> without reference to his fluctuating evidentiary basis.

At other times, Gilbert recognized that he was unable to comment on military matters at all, even if they occurred in his immediate surroundings. Answering a question as to whether or not the hospital in which he was working had served as a "human shield"<sup>274</sup> for Hamas members in bunkers beneath the building, Gilbert answered, "With our eyes we saw nothing to substantiate the claim, but we are not journalists or investigators."<sup>275</sup>

Gilbert also spoke widely on the ratio between civilian and combatant casualties during Cast Lead. On January 5, 2009, responding to a question by Press TV about whether Israel was targeting Hamas militants or civilians, Gilbert replied, "It's an absolutely stupid statement. We know among the hundreds [of patients] we have seen so far, we have only seen two fighters."<sup>276</sup> Later, in September 2009, Gilbert provided a broader assessment: "Among the patients killed and injured at Shifa Hospital, Gaza's largest

medical facility, 80 to 90 percent we saw were civilians."<sup>277</sup>

When these claims were challenged, Gilbert told *Haaretz*,

We are not naive, we asked the patients who could talk [through a translator] where they had been at the time of the injury and what they were doing. We know a fighter can also look like a civilian. I've been working there for past 20 years.<sup>278</sup>

This is the extent of Gilbert's expertise, and demonstrates the degree to which his predetermined ideological preferences informed his "findings" discussed in this study.

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272 Gwladys Fouche, "Norwegian Doctors Call for Investigation into Weapons Used on Gaza," *BMJ* 338:b170 (January 16, 2009) available at <http://www.bmj.com/content/331/7525/1100.1.full?sid=903eab91-c2ff-410d-b452-e8d92fe11e75>

273 "Report of the United Nations Fact-Finding Mission on the Gaza Conflict," para. 906 and 908.

274 Amos Harel, "Sources: Hamas Leaders Hiding in Basement of Israel-built Hospital in Gaza," *Haaretz*, January 12, 2009, available at <http://www.haaretz.com/print-edition/news/sources-hamas-leaders-hiding-in-basement-of-israel-built-hospital-in-gaza-1.267940>.

275 Lipshitz, "Doctor."

276 *Norway Dr Say Israel Is Killing Children in Gaza - BBC News*, 2009, available at [http://www.youtube.com/watch?v=ucASnDua9BE&feature=youtube\\_gdata\\_player](http://www.youtube.com/watch?v=ucASnDua9BE&feature=youtube_gdata_player).

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277 Lipshitz, "Doctor." Gilbert's statistics roughly correspond to the casualty figures publicized by Palestinian political advocacy groups Al Mezan and Palestinian Center for Human Rights (PCHR). These statistics, however, are contradicted by the findings of the Israeli military, which put the civilian death total at between 25 and 40 percent, and Hamas's acknowledgment in November 2010 that of the 1,500 killed, 600-700 were Hamas militants. See "NGO and Goldstone Casualty Claims Contradicted," December 29, 2010, available at <http://www.ngo-monitor.org/article.php?id=3220>. See also Elihu D. Richter and Yael Stein, "Comments on B'Tselem's Civilian Casualty Estimates in Operation Cast Lead," Center for Injury Prevention and Genocide Prevention Program (2009): 1-11 available at [http://www.ngo-monitor.org/data/images/File/btselem\\_castlead\\_richter\\_stein.pdf](http://www.ngo-monitor.org/data/images/File/btselem_castlead_richter_stein.pdf)

278 Lipshitz, "Doctor."



## CONCLUSIONS AND RECOMMENDATIONS

**A**s this report documents in detail, allegations of medical misconduct by Israel – of violations of moral principles, human rights standards, and international legal norms related to the provision of and access to medical care – are a major component of the political warfare in the Arab-Israeli conflict. The numerous incidents that are examined demonstrate that although many of these accusations originate with non-governmental organizations (NGOs) that claim medical expertise, their “reports” depart significantly from health issues, dealing with military knowledge and invoking the language of international law. The NGOs’ factual claims, which rely primarily on “eyewitness testimony,” are often not verifiable, without factual foundation, contradictory, or shown to be demonstrably false.

In these cases and many more, the activities and political campaigns of the NGOs are part of the Durban Strategy that explicitly targets Israel on the basis of alleged moral and legal violations. The organizations examined in this monograph are primary contributors to this strategy, focusing exclusively on allegations against Israel, while ignoring the context of terror and the impact on Israelis. Instead of providing medical care on the basis of universality and political neutrality, these groups and their representatives have become central players in the political conflict.

In this report, we have focused on five influential NGOs, Médecins Sans Frontières (MSF/Doctors without Borders), Medical Aid for the Palestinians (MAP), Physicians for Human

Rights-Israel (PHR-I), Palestinian Medical Relief Society (PMRS), and Gaza Community Mental Health Programme (GCMHP). The range of these organizations is wide, reflecting the different forms in which their “malpractice” takes place. MSF is one of the most powerful global NGOs, with a diverse agenda that occasionally includes anti-Israeli campaigns – in violation of its stated commitment to neutrality. GCMHP and PMRS are Palestinian groups that promote the Palestinian cause and narrative, as well as anti-Israel boycotts, through medical claims. PHR-I is an Israeli opposition group that seeks to change Israeli policy, not through the democratic process, but rather through foreign political campaigning for which medicine is the vehicle. MAP and NORWAC (which provided the framework for the staged anti-Israel campaigning of Dr. Mads Gilbert)

are European NGOs that also participate in and contribute to the global campaign to vilify Israel through their allegations of medical misconduct.

Beyond these five examples, the phenomena are much wider and the overall impact is even more consequential. In addition to MSF, other global NGOs wield a great deal of political power under the banner of humanitarian aid and human rights. International NGO “superpowers,” such as Oxfam International, Amnesty International, and Human Rights

Watch, routinely use unsupported health-related claims as part of their broader attempts to prompt international sanctions against Israel.

Similarly, smaller, more narrowly focused, local Israeli and Palestinian political advocacy NGOs often use the same tactics and to the overall impact. Organizations that claim the mantle of human rights, such as B’Tselem, Public Committee Against Torture in Israel (PCATI), Gisha, Adalah, and Mossawa, as well as Palestinian Center for Human Rights (PCHR),

***Instead of providing medical care on the basis of universality and political neutrality, these groups and their representatives have become central players in the political conflict.***

Al Mezan, and Al Haq, often use unverified or false medical allegations in this process.

The intensity of this activity is reflected in the frequency of media reports, often taken directly from NGO press statements or interviews with NGO officials, which include unsubstantiated or transparently false allegations of Israeli infringements on the medical and health rights of Palestinians. As demonstrated, professional publications such as *The Lancet* and *BMJ* (British Medical Journal) frequently disregard professional and scientific standards in repeating these unverified NGO allegations and maintaining close relationships with political advocacy NGOs, and this practice extends to general media platforms. However, because the speculation and false claims are made by doctors or organizations that proclaim their medical expertise, they are accepted and repeated without independent verification or question by journalists.

***The exploitation of human rights language and rhetoric in the context of the political dimensions of the Arab-Israeli conflict is a growing problem that undermines the universality of these important values.***

Likewise, medical organizations and personnel make authoritative statements about international law, military tactics, and regional political dynamics for which they have no expertise or unique insight – and which are also repeated uncritically by journalists.

In examining numerous instances of this process, this report has demonstrated the corrosive nature of the “double halo effect” granted to medical NGOs. The Goldstone Commission on the 2009 Gaza conflict heard antisemitic testimony, in

the guise of psychological observations, from two GCMHP officials. There have also been numerous instances of media websites deleting material or issues retractions regarding articles based on distorted NGO claims: CNN initially posted, and then removed, an apparently staged video involving NGO activist Dr. Mads Gilbert; *The Lancet* left a post by MAP founder Dr. Swee Ang Chai on its “Global Health Network” website for twenty-eight days, until it was taken down “because of factual inaccuracies”; PHR-I’s false claims of the death of a cancer patient in Gaza appeared in media outlets in Israel and Norway. As all these examples demonstrate, relying on allegations of political advocacy NGOs damages the credibility of the journalists and editors, as well as the diplomats, doctors, and other audiences of NGO statements.

The donors, funders, and supporters that enable the NGO political warfare against Israel bear significant responsibility for the activities of their grantees. Funders provide financial support under the rubric of humanitarian efforts and medical work, not for political attacks and demonization. Yet, funders, including government aid agencies and private foundations, too often ignore the damage and allow the abuse to continue.

The exploitation of human rights language and rhetoric in the context of the political dimensions of the Arab-Israeli conflict is a growing problem that undermines the universality of these important values. As seen throughout this monograph, the “right to health” specifically has become a weapon for particularistic goals. Contrary to the claims of NGOs such as PHR-I and radical activists such as Mads Gilbert, doctors are not inherently political actors who are obligated to choose sides. This is a weak justification for their own exploitation of medicine for narrow agendas, and an attempt to divert attention from their own violations of ethical norms. In fact, such political activity betrays the fundamental commitment of physicians and other health care

providers to humanitarian values and universal human rights.

In light of the problems discussed in this study, NGO Monitor makes the following recommendations:

#### **For medical and health based NGOs:**

- 1) Ethical guidelines for medical and humanitarian work should include a prohibition on exploiting allegations to justify political positions and agendas.
- 2) In making public statements, medical NGOs should be precise about the credibility of their evidence and should not engage in speculation.
- 3) NGOs should not make claims regarding issues beyond their expertise, including on legal, military, or political matters.
- 4) Known activists in the political dimensions of the Arab-Israeli conflict should not be involved in medical or humanitarian missions in this region.

#### **For NGO funders:**

- 5) The governments, foundations, and individuals that facilitate NGO campaigns must maintain ongoing oversight, at different levels, before, during, and after grant cycles. Oversight should be conducted in an independent and transparent manner.
- 6) Accountability measures should include clear ethical guidelines that deny funding for groups that abuse medical frameworks to engage in political warfare and propaganda.
- 7) Reviews of current funding are also necessary. Funding for grantees that make false or unverifiable claims and/or participate in anti-Israel campaigns (i.e., BDS) should immediately cease.

#### **For media and medical journals:**

- 8) All claims made by NGOs should be subject to careful scrutiny and independent verification before publication.

9) Medical journals should focus on medicine, and should not delve into political issues that fall outside their field of expertise nor participate in politicized campaigns.

10) Existing relationships with NGOs should be reexamined to ensure they adhere to professional standards.



# NGO Monitor Publications

Bad Investment: The Philanthropy of George Soros and the Arab-Israeli Conflict (May 2013)

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NGO Monitor's mission is to provide information and analysis, promote accountability, and support discussion on the reports and activities of NGOs claiming to advance human rights and humanitarian agendas.