

Asem Judeh

Melbourne 20 October 2009

The Hon Arch Bevis MP
Chair
Parliamentary Joint Committee
on Intelligence and Security
Parliament House
CANBERRA ACT 2600

Dear Mr Bevis

Supplementary Submission on re-listing Hamas's Brigades and PIJ

**Gaza family who lost 29 members in Gaza war demands that
PJCIS to give the victims a voice**

Tomorrow, Thursday October 21st, PJCIS will have the public hearings to oral evidence. As I understand that representatives from ASIO and possibly the Attorney-General will appear before the Committee.

Unfortunately, I will not have the chance to appear before the Committee. But I am sure the Committee will raise with ASIO representative the serious concerns and allegations made in my submission against ASIO.

In addition to what raised in previous submission to PJCIS, I would like that PJCIS to ask this question to ASIO and Attorney-General Department.

This Question on behalf of Gazans Samouni family who lost 29-civilian members of their family during Israelis barbaric war on Gaza December 2008 – January 2009.

As Australian citizen and from my previous experience with different Parliamentary committees', I am confident that PJCIS chaired by you, will deal with all the allegations against ASIO's assessment misleading report. I am confident that you will ask them the hard questions and get to the bottom of it.

Intelligence and security agencies must remain above all politics.

However, in future PJCIS should conduct more inquiries to investigate the existing process to list organisations to ensure that the Attorney-General don't abuse his power and politicise Australia's intelligence and security agencies.

**Samouni family who lost 29 members
in Gaza war demands that PJCIS to give
the victims a voice. Family who lost 29**

Palestinians carry three toddlers from the Samouni family, who lost 29 family members, in Gaza December 2008 (AP)

members in Gaza war: We envy the dead.

First, please take few minutes to watch [THIS](#)¹ video of Gaza war victim Wael Samouni testifies before UN panel - 28 June 2009.

Israeli-Jewish courageous journalist Amira Hass reported about Samouni family in Haaretz, 18 October 2009, that:

Salah Samouni, during the telephone conversation, said: "I asked [Richard] Goldstone to find out just one thing: **Why did the army do this to us? Why did they take us out of the house one at a time, and the officer who spoke Hebrew with my father verified that we were all civilians - [so] why did they then shell us, kill us? This is what we want to know.**"

He feels that Goldstone, in his report, lent the victims a voice. "We feel [we are] in an exile, even though we are in our homeland, on our land. We sit and envy the dead. They are the ones who are at rest."

PJCIS should take Samouni's questions seriously and examine if ASIO's politically motivated reports to re-list Hamas and PIJ forever as a terrorist organisations has helped and encouraged Israeli occupation army to kill 29-civilians from one family or not! Ignoring the root causes for violence and terrorism in Palestine/Israel, and blaming only the victim, the Palestinians, will give Israeli Zionist free license to keep killing Palestinian civilians ... Will give Israelis the impunity and to escape punishment under the international law.

**Zionist occupation is violence and terrorism.
Zionist colonization is violence and terrorism.**



Arafat Samouni talks about his killed relatives during a wake in Gaza City in January.(AP)



Yusuf Abu Hajaj holds the white flag that his sister Majida was holding when Israeli forces fatally shot her and his mother Rayya in Juhra al-Dik on January 4, 2009. © 2009 Bill van Esveld/Human Rights Watch

[Israel killed white flag Gazans:](#)

[HRW](#)²

¹ AlJazeera report http://www.youtube.com/watch?v=r4PBwcads4w&feature=player_embedded#

² The Palestine Times 14 September 2009. 'Israel killed white flag Gazans: HRW' <http://www.ptimes.org/main/default.aspx?xyz=BOgLkxIDHteZpYqykRIUuI1kx%2fvDU> Supplementary [2] Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades and PIJ. Samouni family appeal to PJCIS. Page: 2 of 6

<http://www.haaretz.com/hasen/spages/1121720.html>

Family who lost 29 members in Gaza war: We envy the dead

By [Amira Hass](#)

18 October 2009

Richard Goldstone visited the Gaza City neighborhood of Zaytoun in late June to tour the compound of the extended Samouni family, the subject of coverage here in recent weeks ("I fed him like a baby bird," September 17; "Death in the Samouni compound," September 25). Twenty-nine members of the family, all of them civilians, were killed in the Israel Defense Force's winter assault - 21 during the shelling of a house where IDF soldiers had gathered some 100 members of the family a day earlier.

Salah Samouni and the owner of the house that was shelled - Wael Samouni - took Goldstone around the farming neighborhood, showing him its devastated homes and uprooted orchards. In a telephone conversation this week, Salah described how he had shown Goldstone a picture of his father, Talal, among the 21 killed in the house. He told the Jewish South African judge and head of the United Nations inquiry team into Operation Cast Lead, that his father "had been employed by Jews" for nearly 40 years and that whenever he was sick, "the employer would call, ask after his health, and forbid him to come to work before he had recovered."

The Samounis were always confident that, in the event of any military invasions into Gaza, they could always manage to get along with the Israeli army. Until 2005, before Israel's disengagement from the Strip, the Jewish settlement of Netzarim was located right next door, and several family members worked there from time to time. When the joint Israeli-Palestinian patrols were active, Israeli soldiers and Palestinian security officials sometimes asked the Samounis to "lend" them a tractor to flatten a patch of land or repair the Salah al-Din Road (for example, when a diplomatic convoy needed to pass through). While Samouni family members worked on their tractors, gathering sand, the soldiers would watch them.

"When the soldiers wanted us to leave, they would fire above our heads. That's what experience taught me," recalls Salah Samouni, who lost a 2-year-old daughter in the IDF attack, along with uncles and both of his parents. The older men of the family, among them his father and two uncles who were killed by IDF soldiers on January 4 and 5, worked in Israel until the 1990s in different localities, including Bat Yam, Moshav Asseret (near Gedera) and the

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"Glicksman Plant." They all believed that the Hebrew they had learned would assist and if necessary save them during encounters with soldiers.

As was reported here last month - on January 4, under orders from the army, Salah Samouni and the rest of the family left their home, which had been turned into a military position, and moved to the other, the home of Wael, located on the southern side of the street. The fact that it was the soldiers who had relocated them, had seen the faces of the children and the older women, and the fact that the soldiers were positioned in locations surrounding the house just tens of meters away, instilled in the family a certain amount of confidence - despite the IDF fire from the air, from the sea and from the land, despite the hunger and the thirst.

On the morning of Monday, January 5, Salah Samouni walked out of the house and shouted in the direction of another house in the compound that he thought other family members were still in. He wanted them to join him, to be in a safer place, closer to the soldiers. Nothing prepared him for the three shells and the rockets the IDF fired a short time later.

"My daughter Azza, my only daughter, two and a half years old, was injured in the first hit on the house," Salah told Haaretz. "She managed to say, 'Daddy, it hurts.' And then, in the second hit, she died. And I'm praying. Everything is dust and I can't see anything. I thought I was dead. I found myself getting up, all bloody, and I found my mother sitting by the hall with her head tilted downward. I moved her face a little, and I found that the right half of her face was gone. I looked at my father, whose eye was gone. He was still breathing a little, and then he stopped."

When they exited the house - injured, confused, dazed, fearing the fourth shell or rocket would soon land - determined to get themselves to Gaza despite the soldiers' shouts from nearby positions to go back, they believed only corpses remained in the house. They did not know that under the dust and rubble in one large room, nine family members remained alive: the elderly matriarch and five of her grandchildren and great-grandchildren - the youngest of whom was three years old, the eldest 16 - along with another kinsman and his son. They had passed out, some of them beneath corpses.

When they regained consciousness, 16-year-old Ahmad Ibrahim and his 10-year-old brother Yakub saw the corpses of their mother, four of their brothers and their nephew. Mahmoud Tallal, 16, had lost his toes; bleeding, he saw that his parents - Tallal and Rahma - had been killed. Three-year-old Omar, Salah's son, was buried unconscious under 24-year-old Saffa's dead body, explaining why they hadn't found him during the terrible moment of panic as they left the house. Ahmad Nafez, 15, recalled how when little Omar woke up and pulled himself out from under the corpse, he spotted his grandfather Tallal and started shaking him, crying: "Grandpa, Grandpa, wake up."

The previous day Amal, a nine-year-old girl, had witnessed soldiers bursting into her home and killing her father, Atiyeh. She had taken shelter in her Uncle Tallal's home and together with other family members was moved to Wael's house. She did not know that her brother Ahmad was bleeding to death in his mother's arms, in another house in the neighborhood.

The children found some scraps of food in the kitchen and ate. Later, Ahmad Nafez told his relatives how Ahmad Ibrahim had gone from corpse to corpse - his mother, his four brothers and his nephew among them - shaking them, hitting them, telling them to get up. Perhaps from the blows, Amal regained consciousness, her head bloody and her eyes rolling in their sockets. She kept crying out "water, water," said she wanted her mother and father, and beat her head on the floor, her eyes rolling the whole time.

It is too dangerous to remove the shrapnel embedded in her head - that is even what the doctors at a Tel Aviv hospital say. Now everything hurts her and will continue to hurt her: when it's cold, when it's hot, when she's in the sun. She will not be able to concentrate on her studies.

No one can reconstruct how the hours passed for them in Wael's bombarded house; some remained in a state of exhaustion and apathy. The first to recover was actually Shiffa, the 71-year-old grandmother. On the morning of Tuesday, January 6, she realized that no one was coming to rescue them anytime soon. Not the soldiers positioned just meters away, not the Red Cross nor the Red Crescent nor other relatives. Perhaps they didn't even know they were alive, she concluded. Her walker had been bent and buried in the house, but she managed to leave with two of her grandchildren - Mahmoud (his legs bleeding) and little Omar.

They hobbled out and started walking - along the silent street, among the vacated houses, realizing some were occupied by soldiers. "The Jews saw us from above and shouted to us to go into the house," related Shiffa. That was when they were walking down the street and passed by her sister's home. They went inside, but didn't find a living soul. The soldiers - firing into the air - came in after them. "We begged them to let us go home. 'Where is your home?'" they asked. She told them "over there" and pointed east, toward the home of one of her sons, Arafat, located closer to Salah al-Din Road. The soldiers let them continue on. "We saw people coming out of Arafat's house and Hijeh's house. Everyone was a bit injured and the soldiers were shooting overhead."

At Hijeh's house she found everyone crying, each with his own story of those dead or wounded. "I told them what had happened to us, how everyone had fallen on everyone else, in heaps, the dead and the wounded." She remained there with the rest of the injured for another night. Omar remembers this

house fondly: He was given chocolate there.

Only on Wednesday, January 7, did the IDF allow Red Cross and Red Crescent crews to enter the neighborhood. They attest that they'd been asking to enter since January 4, but the IDF would not let them - whether by shooting in the direction of the ambulances that tried to get closer or by refusing to approve coordination. The medical teams, which were allowed to go in on foot and had to leave the ambulances a kilometer or a kilometer and a half away, thought they were going to rescue the injured from Hijeh's house. But then the grandmother told them about the wounded children who remained behind, among the dead, in Wael's house. The medical team set out to rescue them, totally unprepared for the sight they found.

On January 18, after the IDF left the Gaza Strip, the rescue teams returned to the neighborhood. Wael's house was found in ruins: IDF bulldozers had demolished it entirely - with the corpses inside.

In a general reply to questions from Haaretz regarding the behavior of the military forces in the Samouni family's neighborhood, the IDF Spokesman said that all of the claims have been examined. "Upon completion of the examination, the findings will be taken to the military advocate general, who will decide about the need to take additional steps," the spokesman said.

Salah Samouni, during the telephone conversation, said: "I asked [Richard] Goldstone to find out just one thing: Why did the army do this to us? Why did they take us out of the house one at a time, and the officer who spoke Hebrew with my father verified that we were all civilians - [so] why did they then shell us, kill us? This is what we want to know."

He feels that Goldstone, in his report, lent the victims a voice. He did not expound on his frustration upon learning that the debate on the report had been postponed, but sought a way to describe how he feels nine months after the fact. "We feel [we are] in an exile, even though we are in our homeland, on our land. We sit and envy the dead. They are the ones who are at rest."

Related articles by Amira Hass:

- Death in the Samouni compound **October 01, 2009** <http://www.haaretz.com/hasen/spages/1116912.html>
- 'I fed him like a baby bird' **September 17, 2009** <http://www.haaretz.com/hasen/spages/1113810.html>
- Gaza family that lost 29 relatives drops lawsuit against Israel **October 18, 2009** <http://www.haaretz.com/hasen/spages/1070054.html>