



“My message to the international community is that our silence and complicity, especially on the situation in Gaza, shames us all. It is almost like the behavior of the military junta in Burma”

Desmond Tutu, 30
May
2008 http://news.bbc.co.uk/2/hi/middle_east/7425082.stm



12 October 2009

A SUBMISSION TO THE

**Parliamentary Joint Committee on
Intelligence and Security**

Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades (the Brigades), Kurdistan Workers Party (PKK), Lashkar-e-Tayyiba (LeT) and Palestinian Islamic Jihad (PIJ) as terrorist organisations under the *Criminal Code Act 1995*

BY

ASEM JUDEH

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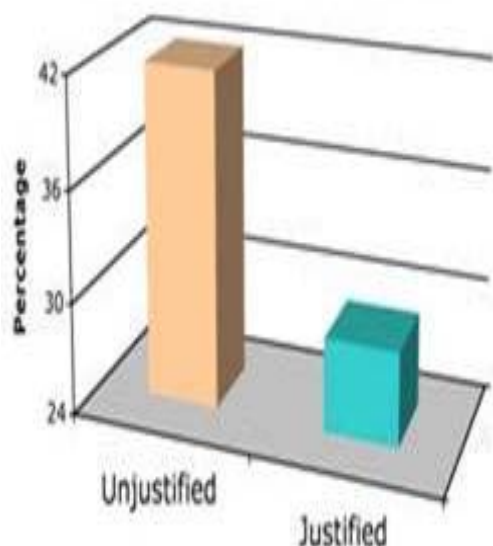
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War on Gaza: Israel's [and ASIO's] Lies

Australians say Israel's attack on Gaza was not justified



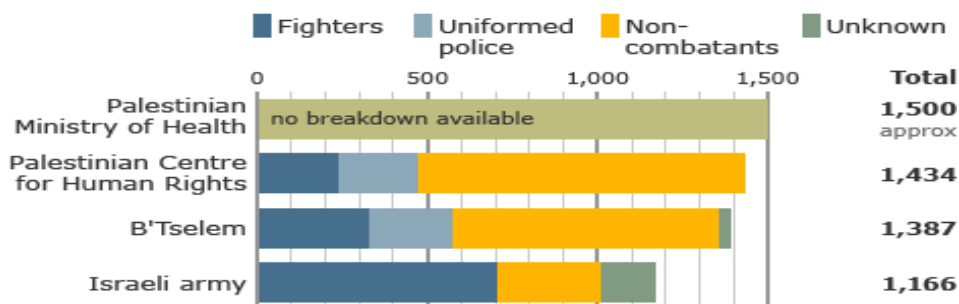
Henry Siegman, director of the US Middle East Project in New York, is a visiting research professor at SOAS, University of London. He is a former national director of the American Jewish Congress and of the Synagogue Council of America. He wrote that on Zionist state war on Gaza, 29 January 2009:

Western governments and most of the Western media have accepted a number of Israeli claims justifying the military assault on Gaza: that Hamas consistently violated the six-month truce that Israel observed and then refused to extend it; that Israel therefore had no choice but to destroy Hamas's capacity to launch missiles into Israeli towns; that Hamas is a terrorist organisation, part of a global jihadi network; and that Israel has acted not

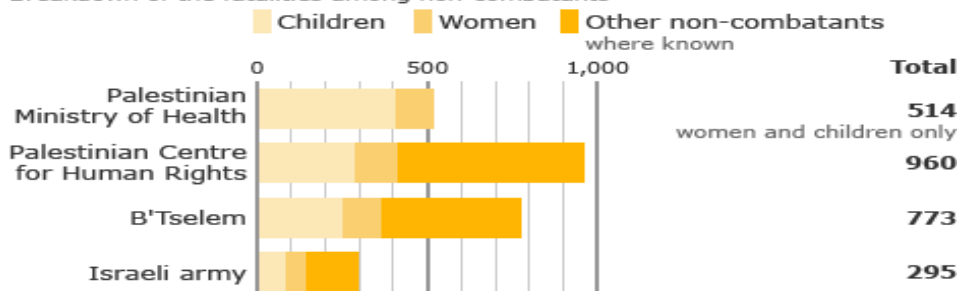
only in its own defence but on behalf of an international struggle by Western democracies against this network. Read Henry Siegman full report published **London Review of Books** http://www.lrb.co.uk/v31/n02/sieg01_.html

Dispute over Gaza death toll

Palestinian fatalities as reported by different groups in Israeli offensive in Gaza 27 Dec 2008–18 Jan 2009



Breakdown of the fatalities among non-combatants



Sources: Israeli army, B'Tselem, PCHR, PMOH

Source: BBC: Israel 'understated' Gaza deaths, 9 September 2009.

http://news.bbc.co.uk/2/hi/middle_east/8245433.stm

Labor and Liberal bipartisan blind support to Israel and pro-Israel lobby pressure, not only make the government of the day abuse their power and public trust. They are endangering all Australians safety, security and reputation, by politicising and corrupting our security and intelligence agencies.

Hamas and Palestinian Islamic Jihad are not terrorist organisations according to the Charter of the United Nations [Anti-terrorism Measures] Regulations 2001: report to the United Nations on Australian counter-terrorism action.

“Many Muslims ask, for example, why Kach (and the related Kahane Chai), a Jewish linked organisation considered by the United States [Canada and European Union] as a terrorist organisation that operates largely in Israel and Palestine, is not proscribed under Australian law. The Kahane Chai has targeted innocent civilians (most notably a massacre in a mosque in Hebron that led to the death of 29 Palestinians at the hands of Kach member Baruch Goldstein in 1994), is not listed as a terrorist organisation, while Palestinian Islamic Jihad [and Hamas] is proscribed as a terrorist organisation.”

Public Submission to Parliamentary Joint Committee on ASIO, ASIS and DSD, 24 January 2005, by Dr Waleed Kadous Co-convenor, AMCRAN. http://www.aph.gov.au/House/committee/pjcaad/terrorist_listingsa/subs/sub15.pdf

**National Security: Terrorism
(Question No. 2180)**

[Mrs Irwin](#) asked the Minister representing the Minister for Justice and Customs, upon notice, on 11 August 2003:

- (1) Are the organisations known as Kach and Kahane Chai regarded as derivative organisations of the listed terrorist organisation Hizballah External Security Organisation.
- (2) Are these organisations known to be active in Australia.

[Mr Ruddock](#) – The answer to the honourable member's question is as follows:

- (1) No
- (2) No. Kach and Kahane Chai operate primarily in Israel and the [occupied] West Bank.

**Source: House of Representatives Official Hansard
No. 1, 2004**

Labor and Liberal bipartisan blind support to Israel and ASIO's deliberate misleading reports gives Israel free license to kill, massacre and ethnic cleansing Palestinians. And encourages pro-Israel lobby to intimidate and attack Australians freedom and way of life.

On the same week of proscribing Hamas's Izz al-Din al-Qassam Brigades and Palestinian Islamic Jihad (PIJ) as a terrorist organisation in Australia, Israeli Occupation Army and tanks stormed Rafah-Gaza searching for tunnels used to smuggle weapons from Egypt. The United Nations says more than 100 houses were destroyed during the raid and more than 1,000 people left homeless.



Late Sheikh Ahmed Yassin and Al-Rantisi in a Hamas meeting at Yassins house in Gaza on 9 July 2003. Both leaders have been assassinated in Israeli missile strikes. In Brussels, the European Union condemned Israel's "extra-judicial killing" as illegal and likely to further inflame violence.



The remains of martyr Sheik Yassin wheelchair. <http://www.vaseendav.com/articles/sharoan.htm>

ABC AM Tuesday November 11, 2003:

'Hamas founder surprised by Australian ban'

Martyr Sheikh Ahmed Yassin speaking to ABC:

"We don't even know anyone from Australia," the Sheikh says, as his minders laugh.

"I'm really astonished. Is this so-called democracy?" asks Sheikh Yassin. "Why do they classify a movement which defends its people from occupiers as terrorists? The weak are being penalised here because they seek freedom and liberty. Australia is putting the Zionist and American interests before anything," he says.

Recently, Israeli troops and tanks stormed Rafah searching for tunnels used to smuggle weapons from Egypt. The United Nations says more than 100 houses were destroyed during the raid and more than 1,000 people left homeless.

Rafah Mayor, Said Zourob, says Israeli operations of this scale only serve to make Hamas even stronger.

SAID ZOUROB: When you lose your house and you lose your income and your job, and you become jobless and anybody invites you to come to work with them, you will apply and you have to listen to them. There is some people, they want to harm us because they not like Hamas, but they hurt the Israeli and the Palestinian authorities because they lost their election, because Israelis pushed them in the corner and it's done.

<http://www.abc.net.au/am/content/2003/s986516.htm>

Labor and Liberal bipartisan blind support to Israel and the rise of JIHADIST terrorist Zionist illegal settlers.



Royal commission is needed to investigate Labor, Liberal and ASIO contempt of Parliament and covering up Israelis crimes.

Mr Ruddock: Kach and Kahane Chai operate primarily in Israel and the [occupied] West Bank.

Australian Jewish News, 5 April 2002, reported the Australian Zionist Jews reactions to Israeli Occupation Army barbaric invasion to West Bank and Jenin massacre. Here is some of Australian Jews view:

*"Belatedly many Israelis are agreeing that the late **Rabbi Meir Kahane** was right and the only ablution is separating Jews from Arabs ... I am becoming less and less considerate of genteel western political manners"* **Rabbi Labib Wolf, is founder and director of the Human Development Institute.**

*"You may not like my answer, I believe in **Rabbi Meir Kahane** – get rid of all Arabs."* **George Pollak.**

"Drive the Palestinian out of Israel." **Solly Feldman**

"The Arab nations should take them if they feel any humanitarian calling at all." **Leah Lawrence**

"We should have a physical wall separating us." **Rosa Nathan**

Jewish Law: The following ad '**Rabbis say NO to [Gaza] Disengagement**' has been published in the *Australian Jewish News*, **5 August 2005**, signed by **33 Australian Orthodox Jewish Rabbis.**

*"A Definitive Halachic (**Jewish Law**) Ruling Forbidding the Surrender of Any Part of the Holy Land. Based on ruling recently issued by 300 prominent Israeli Rabbis, including former Justices of Israel's Supreme Rabbinical court, **Jewish Law** prescribes that if marauders approach a border town on the Sabbath, even if their ostensible aim straw and stubble, **we are commanded to desecrate the Sabbath, take up arms, and repel their attack.** for otherwise the entire land will conquer-therby endangering Jewish lives."*

Friday, August 5, 2005

ADVERTISEMENT

With G-d

RABBIS SAY **NO** TO DISENGAGEMENT

"The message of the Torah, Torat Chaim and Torat Emet, namely: that Eretz Yisrael is ours by Divine Covenant, recognized by all who believe in the sanctity of the Torah; and the "facts of life" and "truth" are that Jews are not "aggressors" in their homeland, but that what has passed into our hands is only a restitution of what is rightfully will and grace, not by the "false grace" of the United Nations. And we cannot afford to be magnanimous and part of our tiny land in response to the threat of force, since the retention of every last inch of it is a matter of the five million Jews as well as for our Jewish people as a whole."

Letter written by Lubavitcher Rebbe 1980 (The Letter)

A definitive Halachic (Jewish Law) Ruling Forbidding the Surrender of Any Part of the Holy Land

(Based on a Ruling Recently Issued by 300 Prominent Israeli Rabbis, Including Former Justices of Israel's Supreme Rabbinical Court)

The meticulous observance of the Sabbath as a Day of Rest is one of the most cherished of all Jewish religious obligations. Nevertheless Jewish Law prescribes (see Orach Chaim, 329:6) that if marauders approach a border town on the Sabbath, even if their ostensible aim is straw and stubble, we are commanded to desecrate the Sabbath, take up arms, and repel their attack, for otherwise the entire land will be conquered thereby endangering Jewish lives. The classical Rabbinic authority, "the Rema" adds that this applies "even if they have not yet only preparing to arrive."

The current situation is far more severe than that depicted in Shulchan Aruch making the above ruling all the more applicable:

1. The towns and settlements threatened to be expelled are not merely close to Israel's threatened borders-they themselves are on the borders.
2. Israel's enemies are not coveting mere straw and stubble; they shamelessly declare their desire to dispossess the Jews of all the land and "drive the Jews into the sea," G-d forbid.
3. Experience has taught that even mere negotiation of handing over settlements increases Israel's enemies' brazen desire to attack against us.

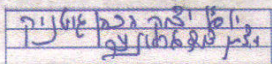
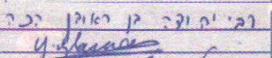
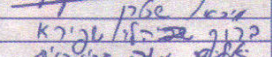
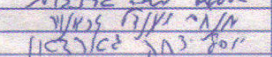
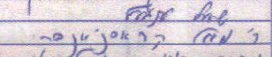
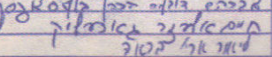
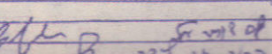


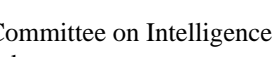



Hence since conceding any territory would surely severely jeopardize the safety of all the five million Jews living in the Holy Land, it is in all circumstances, to carry out the Israeli government's perilous "disengagement" plan, or to in any way participate in it or endorse it.

We call on all Rabbis and all Jews to join us in openly condemning this suicidal surrender.

We also call on all Jews to increase in Torah study, prayer, and good deeds to avert this terrible disengagement.

P'sak Din adapted by Rabbi Yeoshophot Oliver (Melbourne)

We, the undersigned:

- | | |
|---|--|
|  | Rabbi Yosif Y. Hacohen Gutnick (Chabad House of Caulfield 770) |
|  | Rabbi Yitzhak D. Groner (Director of The Yeshivah Centre) |
|  | Rabbi Y. L. Cohen (Sassoon Yehuda Sephardi Synagogue) |
|  | Rabbi Yaakov Glasman (North Eastern _ Yeshurun Congregation) |
|  | Rabbi Michael Stern (Emmy Monash Homes) |
|  | Rabbi B. Shapiro (FREE) |
|  | Rabbi Elisha Greenbaum (Moorabbin Hebrew Synagogue) |
|  | Rabbi M. M. Groner (Chabad House Glen Eira) |
|  | Rabbi Yossi Gordon (Chabad House of Tasmania) |
|  | Rabbi Shaul Engel (Chai Centre @ Bayside) |
|  | Rabbi Mottel Krasnjanski (Ohr Chadach) |
|  | Rabbi A. Blesofsky (Yeshivah College) |
|  | Rabbi C. E. Gorelik (FREE) |
| | Rabbi Leor Broh (Bet Haroeh) |
| | Rabbi Sholom Ber Engel (Montefiore Homes Caulfield) |
| | Rabbi Baruch David Lieder (Chabad House for Israeli Tourists) |

Melbourne 12 October 2009

The Hon Arch Bevis MP

Chair

Parliamentary Joint Committee

on Intelligence and Security

Parliament House

CANBERRA ACT 2600

Dear Mr Bevis

Submission on re-listing Hamas's Brigades and PIJ

I am pleased to write this submission to the Committee inquiry into [Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades \(the Brigades\), Kurdistan Workers Party \(PKK\), Lashkar-e-Tayyiba \(LeT\) and Palestinian Islamic Jihad \(PI\) as terrorist organisations under the Criminal Code Act 1995.](#)

At this submission I have included my well-documented internet research that proves ASIO's assessment report submitted to PJCIS as a basis to re-list Hamas'a Brigades and PIJ are misleading, biased and not accurate.

That explains why this submission is lengthy and very detailed.

At this submission I have raised serious allegations and must taken dealt with seriously by PJCIS.

We expect from ASIO as Australian top intelligence agency and ASIO's staff as public servants to act according fairly and accurately according to ASIO's values and code of conduct set out by the Parliament.

ASIO's assessment report did not include many important facts.

Finally, I would like to thank the Committee Secretaires for giving me extra time to prepare my submission.

I am more than happy to appear before the Committee to present more facts and answer all the Committee questions and clarification.

Sincerely yours,

Asem Judeh

0 Executive Summary

Introduction

I submit that the PJCIS should take seriously all the serious allegations raised in this submission. The Attorney-General submission and ASIO's 'intelligence' information to the Committee has no any accurate information, and lack proper analysis. We expect from Australia's top intelligence agency to present accurate and up-to-date facts and intelligence information.

In stead ASIO has presented exactly same 'intelligence' information that they submitted to PJCIS in 2007 and when Hamas' Brigades and PIJ first listed as terrorist organisations late 2003. See section [6.3 ASIO's 2007 Vs 2009 Report: A Comparison](#)

This submission proves that the Attorney-General and ASIO has ignored the 'guiding principle' of Sheller Inquiry in any critical assessment of security and counter terrorism legislation is that such legislation must be a **reasonably proportionate** means of achieving the intended object of protecting the security of Australians and Australian interests. Legislation must be well framed and kept within the boundaries imposed by human rights law. The language must be specific and unambiguous, to provide a level of certainty to the obligations such legislation places on members of the community.

Also, it is evident that ASIO has ignored the position taken by the Council of Australian Governments (COAG) in September 2005 following a special meeting on counter-terrorism, which is quoted by the Sheller Inquiry (see p. 34):

... any strengthened counter-terrorism laws must be **necessary, effective** against terrorism and contain **appropriate safeguards** against abuse ... and be exercised in a way that is **evidence-based, intelligence-led** and **proportionate** [emphases added].

If that the case, then Hamas' Brigades and PIJ will be on the government terrorist list forever because we are not addressing the root causes of violence and terrorism in Middle East.

If that the case, the Attorney-General and ASIO can list, whenever they want, any Palestinian organisation as a terrorist organisation under 'Jewish lobby in Australia' pressure to help Israel achieve their political goals by ethnic cleansing Palestinians using their stated position that Israel has the right to defend itself and they are fighting terrorism.

Main Recommendations:

- De-list Hamas' Brigades and PIJ from the government terrorist list;
- Deal with the root causes behind the violence and terrorism in Middle East in general and Palestine-Israel in particular. See section [4. Parliament Middle East Public Inquiry and definition of Violence and Terrorism, August 2001.](#)
- Investigate the serious allegations in relation ASIO's assessment report and if there doubt that ASIO has misled the Parliament then a proper and wider inquiry is needed to get to the bottom of this issue.
- If Australia is serious fighting terrorism in Palestine-Israel, then Australia should meets its obligations under International Law and ICC to play more balanced and even-handed role in advancing the peace process. It is evident now that Zionism colonialism & expansionism ideology is the main reason for peace process failure. It not Hamas, PIJ or Palestinians in general.
- In other words, supporting and financing land theft and illegal settlements in Palestinian occupied territories, East Jerusalem and West Bank, must treated seriously by the government, parliament, intelligence and security agencies.
- The Attorney-General must support UN investigator Justice Richard Goldstone 575-page report and conclusion that "a lack of accountability for war crimes committed in the Middle East had reached "crisis point", undermining any hope for peace in the region."
- Intelligence and Security Agencies must be above all politics, report fairly and accurately and deal with the root causes of terrorism. They must have a long term strategy.
- ASIO's allegation against Hamas' Brigades and PIJ that they 'coerce or influence by intimidation the governments of foreign countries, including Israel and/or intimidate the Israeli public'. This allegation not supported by any evidence. Where they are so many evidence that Zionism, Israel and 'Jewish lobby in Australia' intimidate, humiliate and threaten foreign countries and the public, including Australian citizens. ASIO must act fairly and equally to protect **all** Australians. When it comes to safety and security, there is no one above the law.

UN Human Rights Commission Goldstone's Report on Israel's Gaza Assault, 15 September 2009:

The just-released Goldstone report documenting war crimes committed during Israel's attack on Gaza over three weeks in December 08-January 09 reveals that the bombardments of infrastructure and appalling massacres inflicted on Palestinian civilians were deliberate and on a scale amounting to crimes against humanity. It concluded that they were grave violations of international law.

The report comes at a time when the Palestinians in Gaza are still suffering from the deprivations and humiliations of Israel's punitive sanctions imposed in June 2007. These sanctions have denied the Palestinians almost all basic household staples, construction materials to rebuild destroyed homes and medicines to relieve the pain and suffering of the thousands injured as well as the acutely and chronically ill. This, the report stated, was evidence of Israel's intent "to punish, humiliate and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever increasing sense of dependency and vulnerability."

While Palestinians were also found to have committed war crimes, the proportions in the report are revealing- nine-tenths of the report is devoted to Israeli war crimes and only one-tenth to Palestinian war crimes. The ratio of killings was about a hundred to one with more than 1400 Palestinians killed to 13 Israelis (4 by friendly fire). While several houses were damaged by Palestinian rocket fire, the Israelis reduced to smouldering rubble thousands of Palestinian homes, offices, factories and other infrastructure.

The report includes amongst the destruction of infrastructure, Gaza's last remaining flour mill, repeated strikes on a water well complex, bulldozers that buried 31,000 chickens in rubble in a chicken farm and the bombardment of a raw sewage lagoon causing spillage of 200,000 cubic metres of fetid sewage.

Furthermore, contrary to Israel's assertions, no evidence was found of Hamas using its own people as human shields, but there were numerous incidents cited of Palestinians being used as human shields by Israeli soldiers. By any measure, Israel should be held accountable under international law and humanitarian law for the atrocities committed in Gaza as well as the repeated violations against the Palestinians that have seen them dispossessed, displaced, occupied, oppressed, slaughtered, imprisoned and reduced to utter economic dependency and despair over the last sixty years.

After decades of trying to impose accountability on Israel under international law, the Goldstone report provides a legal basis for doing so. As a signatory to the Geneva Conventions, Australia has an obligation to demand that claims of war crimes against Israel be heard before the International Criminal Court of Justice if Israel fails, as proposed in the report, to conduct credible internal investigations over the next six months.

Goldstone's report should be a wake-up call for the Australian government to abandon its unequivocal support for Israel in light of the incriminating evidence lest it be seen to accept Israel's war crimes as normal and appropriate. The report's findings only confirm what has long been public knowledge about Israel's systematic violations against the Palestinians. Remaining silent now would make us all complicit.

Justice Richard Goldstone¹ report, 15th September 2009, call to end impunity given to Israel, should be awake up call for the Attorney-General, Government, Opposition, Security and Intelligence agencies.

Hamas immediate response to Goldstone's report: New development from Gaza

Israel denied the Mission access to both locations. Israel also failed to respond to a comprehensive list of questions posed to it by the Mission. Palestinian authorities in both Gaza and the West Bank cooperated with the Mission. Palestinian authorities in both Gaza and the West Bank cooperated with the Mission.

The democratically elected Palestinian government has strongly supported Goldstone's report, in spite of the accusations against Hamas of war crimes in the report.

As a result of Goldstones report, Haaretz, 6 October 2009, reported that:

The Hamas rulers of the Gaza Strip have arrested over the last two days a number of Palestinian militants planning to fire rockets at western Israel.

The report quoted group sources as saying Hamas leader Ismail Haniyeh has organized a crackdown against Palestinian factions to curb the attacks against Israel.

Hamas has warned the factions not to fire rockets under any circumstances, according to the report, even in response to Israeli measures at the Temple Mount in Jerusalem."²

That proves the point that occupation and Israeli apartheid policies are the root causes for violence and terrorism.

Most importantly, Hamas, and all other Palestinian resistance groups, are not al-Qaidaa.

That proves that Hamas is a moderate organisation, not as ASIO alleges wrongly an extremist organisation.

¹ Justice Richard Goldstone, who is Jewish and has strong ties to Israel, told reporters at UN headquarters that "to accuse me of being anti-Israel is ridiculous," anticipating such criticism. He said it was in the interest of both Israelis and Palestinians to establish the truth of what happened in the conflict. Source SBS '**War crimes in Gaza conflict: UN probe**', **16 September 2009** <http://www.sbs.com.au/news/article/1092077/War-crimes-in-Gaza-conflict:-UN-probe>

² Haaretz 6/10/09. 'Report: Hamas arrests militants planning to fire rockets at Israel' <http://www.haaretz.com/hasen/spages/1119165.html>

Main Structure of submission

Section one covers all recommendation.

Section two '[Important Facts: Why the Brigades and PIJ shouldn't be on the government terrorist list?](#)' covers:

- Hamas and PIJ are not al-Qaidaa;
- Listing the Brigades and PIJ will not advance the peace process and will not deal with the root causes of the violence and terrorism;
- Listing the Brigades and PIJ will give Israel impunity and free license to kill more Palestinians;
- At this section responded to some of ASIO's false allegations, ignorance and bias in relation to accusing Hamas and PIJ of not supporting peace process and gave clear evidence about the growing number of jihadist Zionist illegal settlements in occupied East Jerusalem and West Bank;
- Respond to jihadist Zionist propaganda repeated by ASIO that 'Israel has no partner for peace';
- Evidence about Arab world reaction and frustration to Israel's illegal activities in occupied East Jerusalem and West Bank;
- The world view of Hamas after Israel's assault on Gaza;
- Hamas and PIJ Charter in respond to ASIO's allegations and reasons to re-list them;
- Islamic Vs Jewish state in respond to ASIO's allegations and reasons to re-list the Brigades and PIJ; and
- Finally I have questioned ASIO's credibility.

Section three '[Israeli Vs Palestinian Terrorism. Why listing the Brigades and PIJ is politically motivated?](#)' covers:

- Australian government bias Middle East foreign policy will give Israel free hand to kill more Palestinians and false justification that they're fighting terrorism;
- Zionism and Israel past and current crimes against humanity;
- UN fact finding mission on Israel's assault on Gaza; and
- Israeli PM Netanyahu blasted United Nations probe into Israel's winter offensive against Hamas as nothing but a "kangaroo court," after the investigators accused Israel of committing war crimes in a report.

"The Goldstone report is a kangaroo court against Israel, whose consequences harm the struggle of democratic countries against terror," said Netanyahu during closed meetings, in his first response to

the report, which was released on Tuesday. “(Source: *Haaretz* 16/9/09 ‘Netanyahu calls UN Gaza probe a 'kangaroo court' against Israel’

Section four ‘[Parliament Middle East Public Inquiry and definition of Violence and Terrorism, August 2001](#)’ covers the parliamentary inquiry major recommendations to the Parliament and Government.

Late Liberal MP, Mr Peter Nugent said that:

“... that if you keep a people downrodden, effectively poor, with minimal political representation and little prospect of improving their lot, and then at the same time, gradually piece by piece take over their property ... you are going to give them no option. They (the Palestinian) are just going to give up in despair and the young hotheads are going to indulge in things you might call terrorism.”³

I have included some of my quotes to the Middle East Inquiry.

Most importantly, Recommendations 8 was the major recommendation in defining terrorism in Middle East:

Recommendation 8

The Committee recommends that all Australian political and official public statements condemning terrorism and violence in the context of the Middle East conflict continue to be framed in terms which clearly apply to all the parties in conflict.

This important recommendation has been ignored by the government and ASIO.

Section five ‘[Australian politics, silence, double standards and Jewish lobby](#)’ contains detailed response to ASIO’s bias and the government double standards.

According to ASIO’s assessment report Hamas’ Brigades and PIJ should be listed as terrorist organisations because they are against peace.

Are illegal settlements supporting peace or against peace?

Does Israelis want peace settlement or illegal settlement?

Does Australia support peace settlement or illegal settlement?

This section will answer the above question in details and covers:

³ Middle East MP’s concern over Palestinians, by Ross Dunn. The Age Monday 11 May 1998.
Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas’ Izz al-Din al-Qassam Brigades

- Parliament silence on Palestine question;
- Labor Attorney-General, Robert McClellan, ignores his own criticism, 2005, to his predecessor, Philip Ruddock;
- The effect of organised pro-Israel lobby on the Government;
- Government double standards will impact world peace and security badly;
- Why former Attorney-General did not list jihadist Zionist group, **Kach and Kahane Chai**, on the government terrorist list?;
- Four tips to ASIO that jihadist terrorist group has sympathisers in Australia and illegal settlements are the root causes for terrorism. This fact not only ignored by ASIO, but even ASIO did not bother to investigate if illegal settlements has financial base here in Australia;
- Some quotes from ASIO's 2007-08 Annual Report and recommendation for PJCIS to call for a **Royal Commission into ASIO assessment reports and ignorance.**

Section six '[ASIO's credibility and misleading assessment report](#)' analyse and respond in detail with supportive evidence ASIO's deliberate bias and misleading information submitted to PJCIS. This section covers:

- An overview from ASIO homepage regarding security definition;
- ASIO's double standards and ignoring 'Jewish lobby in Australia' consistent politically motivated attacks, intimidation and life threat to many Australian citizens;
- ASIO's silence on pro-Israel illegal activities means covering-up Israel's crime;
- How ASIO terrorised a member from Australian-Palestinian community in **1995**, inquiring on Hamas. Where ASIO is totally ignorant about pro-Israel public illegal activities.
- I have included some of my much information passed to ASIO since 2002. All these important information has not been investigated or actioned by ASIO.
- Section 6.2 analyse and respond in detail to all ASIO's allegations and reasons to re-list Hamas' Brigades and PIJ. Those allegations are:
 - **Wrong information about Dimona attack. The Brigades and PIJ did not commit this terrorist act. This prove that ASIO is fabricating the allegations and the Australian top intelligence agency couldn't get the facts right and misleading the Parliament.**
 - **In general, ASIO just listed the rockets fired into Israel, but they failed to mention that all rockets fired into Israel are reactions to Israeli barbaric military actions. Two examples are included in [sub-section 6.2.13](#). That is a very important point that proves that ASIO's report is politically motivated.**

- Analyse and respond to ASIO's understanding of occupation and resistance. ASIO acknowledge the fact of occupation but it considers Palestinian resistance against Israeli occupation military army terrorist activities!
- Analyse and respond to ASIO's false allegation that Hamas and PIJ threatening the peace process. They couldn't see the world reaction, including President Obama, to the Israeli illegal settlements as a major threat to peace process. They ignore the rise of jihadist rabbis within Israeli occupation military. Supported quotes from world leaders and Arab world are included to reject ASIO's false allegation. Also, covers with evidence how Hamas has changed its position from peace process since it came to power.
- Analyse and respond to ASIO's false allegation that Hamas more traditional way of life and how ASIO has ignored the jihadist right-wing Zionist was of life they introduced in occupied East Jerusalem.
- Analyse and respond to ASIO's wrong facts about the conflict between Hamas and Fateh and what exactly happened.
- Analyse and respond to ASIO's false allegation to Hamas threat on 14 November 2008.
- Analyse and respond to ASIO's false allegation and assumption about Hams will and capabilities.
- Analyse and respond to ASIO's false allegation that the Israeli captured soldier is a terrorist act. ASIO remembers the name of one Israeli occupation soldier and don't remember any name of the 10,000 Palestinian civilians prisoners in Israel!
- Analyse and respond to ASIO's false allegation and wrong assumption about Hamas and PIJ involvement in the fighting during Israel's assault on Gaza early this year.
- Analyse and respond to ASIO's false allegation that Hamas and PIJ want to destroy Israel. Where in fact, Israel through the illegal settlements activities that build in contrary to the international law is destroying the peace process and destroying any chance for an independent Palestinian state.
- Analyse and respond to ASIO's false allegation according to the Division 102 of the *Criminal Code*, that both that Hamas and PIJ intimidate foreign countries. ASIO failed to support this allegation with one fact. Where the other side, there are so many evidence on the public domain that Zionism, Israel and pro-Israel lobby are intimidating foreign countries and public, including President Obama.
- Finally, If we remove Dimona attack, and all attacks on Israeli occupation army. ASIO's report will be baseless and there is no any terrorist activities committed by the Brigades and PIJ.

- **Section 6.3 covers a comparison between AFP false allegation against Dr Haneef and ASIO false allegations against Hamas' Brigades and PIJ. Evidence included that shows clearly how ASIO's false and misleading allegations has had badly impacted Australia-Palestinian community and the wider Muslim community.**
- **Section 6.4 covers a comparison between ASIO 'intelligence' information with CIA intelligence information. It is clear that in spite of United States total support to Israel but they have included far more accurate and up-to-date information about Gaza and some facts regarding Israel's assault on Gaza. That's another evidence why PJCIS should consider seriously all the serious allegations against ASIO.**

Section seven '[Australia, UN and Israeli illegal settlements](#)' includes quote from Labor PM Mr. Kevin Rudd at his recent speech at United Nations General Assembly. Mr. Rudd confirmed to the world leaders Australia's commitment to the preamble of UN Charter as follow:

- to save succeeding generations from the scourge of war
- to advance economic growth and social progress for all
- to reaffirm faith in fundamental human rights
 - in the equal rights of men and women
 - and the rights of nations large and small
- and for all of these great undertakings to be reflected in a new body of international law

Also, it includes a quote for Liberal former foreign Minister, Alexander Downer, from the Parliament Hansard and he refused to take any action regarding Joseph Gutnick public support and financing activities to the Israeli illegal settlements.

Mr Downer said that:

Let me begin by saying that the House knows only too well that the Australian government has given very strong support to the Middle East peace process throughout. We have made consistent statements in support of that process on many occasions. As far as Mr Gutnick is concerned, I am aware of the interest that Mr Gutnick has in Israel and in particular in the issue, as I understand it, of settlements in Israel. But Mr Gutnick is a private Australian citizen and as an Australian citizen in a private capacity he is entitled to hold whatever view he likes and is entitled to spend his money however he likes as well. Mr Gutnick's activities are a matter for Mr Gutnick.

The Australian government's position is a position of very strong support for the Middle East peace process. Whenever we have seen any weakening of commitment by any of the parties to that peace

process, we have made it perfectly clear that we think the process should return to its track.

So, Israel illegal activities and their intention toward peace are well-known to the government, politicians and ASIO.

If Joseph Gutnick as a “private Australian citizen and as an Australian citizen in a private capacity he is entitled to hold whatever view he likes and is entitled to spend his money however he likes as well. Mr Gutnick's activities are a matter for Mr Gutnick.”, then why it is not OK for any Australian citizen in his or her private capacity finance any terrorist organisation?

According to ASIO’s assessment report Hamas’ Brigades and PIJ should be listed as terrorist organisations because they are against peace.

Are illegal settlements supporting peace or against peace?

Does Israelis want peace settlement or illegal settlement?

Does Australia support peace settlement or illegal settlement?

How Australia will be able to fight terrorism in Middle East, if they don’t deal with the root causes of terrorism, Israel occupation and apartheid policies including illegal settlements?

“... that if you keep a people downrodden, effectively poor, with minimal political representation and little prospect of improving their lot, and then at the same time, gradually piece by piece take over their property ... you are going to give them no option. They (the Palestinian) are just going to give up in despair and the young hotheads are going to indulge in things you might call terrorism.”⁴

Section eight ‘[Conclusion](#)’ Remind the Committee with the import ants of Sheller Inquiry ‘guiding principle’ and the position taken by the Council of Australian Governments (COAG) in September 2005 following a special meeting on counter-terrorism. **In short, there is no basis to re-list Hamas’ Brigades and PIJ as terrorist organisations.**

⁴ Middle East MP’s concern over Palestinians, by Ross Dunn. The Age Monday 11 May 1998. Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

1. Summary of Recommendations

1. The PJCIS to recommend to the Attorney-General to abide by Sheller Inquiry 'guiding principal' in any critical assessment of security and counter terrorism.
2. The PJCIS to recommend to the Attorney-General that ASIO adheres to the position taken by the Council of Australian Governments (COAG) in September 2005 following a special meeting on counter-terrorism, which is quoted by the Sheller Inquiry: "... any strengthened counter-terrorism laws must be **necessary, effective** against terrorism and contain **appropriate safeguards** against abuse ... and be exercised in a way that is **evidence-based, intelligence-led and proportionate**".
3. The PJCIS to recommend to the Attorney-General to support UN fact finding mission 575-page report on Gaza war;
4. The PJCIS to recommend to the Attorney-General to consider seriously Justice Richard Goldstone concern that "a lack of accountability for war crimes committed in the Middle East had reached **"crisis point"**, **undermining any hope for peace in the region.**
5. The PJCIS to investigate and examine the accuracy and credibility of ASIO's assessment report and to investigate if they mislead the Parliament.
6. The PJCIS to investigate and examine all the serious allegations against ASIO bias and double standards.
7. The PJCIS to invite Mr Paul McGeough to appear before the Committee to give his oral evidence based on his extensive experience on Hamas and Middle East, to:
 - Give his opinion about the internet 'information' presented at ASIO's assessment report; and
 - To respond to the Inquiry Terms of Reference and answer any related questions.
8. The PJCIS to advise the Attorney General that his Department and ASIO should investigate the root causes behind the violence and terrorism in Middle East and Palestine in particular.
9. If ASIO's assessment report is deliberately misleading the Parliament, PJCIS should investigate why ASIO misled the Parliament and ASIO's report should not be accepted.
10. **The PJCIS should advise the Attorney General that he remove the Brigades and PIJ from the government terrorist list.**
11. The PJCIS should advise to the Attorney General that first he needs to investigate the root causes for violence and terrorism in the Middle East, in particular in Palestine/Israel.
12. **The PJCIS should advise to the Attorney General to reconsider the executive power given to him as a result of the Criminal Code Amendment (Terrorist Organisations) Bill on 4 March 2004. As we can see this executive power has been abused by the previous and current Attorney-General.**

13. The PJCIS should advise to the Attorney General to list Kach and Kahane Chai as a terrorist organisation under Division 102 of the *Criminal Code*.
14. The PJCIS should advise the Attorney-General to list all Jihadist Zionist settlement movement as terrorist organisations.
15. The PJCIS to recommend to the Parliament and Attorney-General to list Israel as a terrorist state.
16. The PJCIS to recommend to the Parliament and Attorney-General to list Zionism as international jihadist terrorist organisation.
17. The PJCIS to recommend that ASIO to investigate and report on Israel and Zionism terrorist activities on regular basis.
18. The PJCIS should advise to the Attorney General to investigate the links between Australian Jewish Rabbis, Synagogues and Jewish day schools in relation to any education, religious and financing link with Israeli illegal settlements and apartheid.
19. The PJCIS should advise to the Attorney General that ASIO investigates the Jewish National Fund and United Israel Appeal Refugee Fund involvements in financing Israeli apartheid and illegal activities.
20. **The PJCIS should advise the Attorney General to call for a Royal Commission to investigate if the Attorney-General has abused the power and trust given to him by People's Parliament, if he politicised ASIO and if ASIO is corrupt and misleading the Parliament in proscribing terrorist organisations are not identified by UN as a terrorist organisations⁵.**
21. The PJCIS recommend strongly to the Attorney-General and related Parliament Committees' to open special inquiry into ASIO's adherence to its declared values.
22. The PJCIS recommend strongly that the Attorney-General in future do not accept that ASIO collect information from the internet.
23. The PJCIS recommend strongly to Attorney-General that ASIO get educated about Geneva Convention and International Humanitarian Law before they write their assessment report to proscribe terrorist organisation.
24. The PJCIS recommend strongly to Attorney-General that ASIO don't refer to any attack by Palestinians to the Israeli occupation forces as a terrorist act.
25. The PJCIS recommend strongly that Attorney-General to advance Middle East Peace Process, the government must outlaw and criminalise all support and finance activities from Australian public, Synagogues and organisations to Israel's apartheid, illegal settlements and occupation.
26. The PJCIS recommend strongly that Attorney-General to investigate Israel's apartheid and illegal activities and prepare a list of Israeli

⁵ UN's latest list of entities at <http://www.un.org/Docs/sc/committees/1267/pdflist.pdf> 926 April 2007)

Zionist individuals and organisations to be proscribed as terrorist individuals and organisations for the purpose of section 102.1 of Criminal Code.

27. The PJCIS recommend strongly that Attorney-General to receive a regular assessment report from ASIO regarding Israeli apartheid policies and illegal settlements and how these policies are impacted peace process and cycle of violence and terrorism.
28. Adopt parliament Foreign Affairs, Defence and Trade Committee recommendation#8 in relation to violence and terrorism in Middle East, **August 2001**: “The Committee recommends that all Australian political and official public statements condemning terrorism and violence in the context of the Middle East conflict continue to be framed in terms which clearly apply to **all** the parties in the conflict [i.e. including Israel]”. The Committee has been forced to change their view stated at the Middle East Inquiry terms of reference after the public view presented at the enormous public submissions. See [Appendix D](#) for more details or the Committee full report on this link <http://www.aph.gov.au/house/committee/jfadt/Mideast/MERptindx.htm>

2. Important Facts: Why the Brigades and PIJ shouldn't be on the government terrorist list?

2.1 Hamas is not al-Qaeda

The two are radically different – the position of the democratically elected Hamas is about land, not religion, creed or race.

In a world exclusive, **Ken Livingstone, former Mayor of London**, discusses religion, violence and the chances for peace with the Hamas leader Khaled Meshal

The New Statesman's [interview with Khaled Meshal](#)⁶, the Hamas leader, was one of the most significant interviews with the leading figure in a movement that has been demonised and excommunicated by most of the western world and its media. The fact that Meshal realises that his words will be scrutinised by his allies and supporters as closely as his adversaries confirms that he speaks of the official position of Hamas on a number of crucial issues which the pro-Israel propaganda apparatus has managed to manipulate for so long.

Arguably, the most important assertion made in the interview, conducted by Ken Livingstone, is that in which Meshal clearly stated that the Palestinian struggle was anything but a conflict between Muslims and the Jewish people. He insisted that the Palestinians were fighting against the occupier who had dispossessed them of their homes and lands, regardless of religion, creed or race. He also went on to confirm that the concept of coexistence was largely present in the Palestinian psyche, and that genocide, as suffered by Jews in Europe (and which he described as "horrible and criminal") was alien not only to the Palestinians but to the inhabitants of the region as a whole.

His statement that Jews, Muslims and Christians had for centuries lived side by side – implying there was nothing intrinsic to prevent this happening again in the future – is crucial. This mirrors [Ismail Haniyeh's response](#)⁷, after he became prime minister in 2006, to the question of whether the Palestinians wished to throw the Jews into the sea: "Does a besieged people that is waiting breathlessly for a ship to come from the sea want to throw the Jews into the ocean? Our conflict is not with the Jews, our problem is with the occupation." This unequivocal stand is one that ought to be welcomed by Jewish communities around the world. Rather than the fear-mongering tactics of the Israeli media machine, particularly during the Gaza attack earlier this year,

⁶ The New Statesman, 17/9/2009, 'Exclusive: Hamas Leader Interview'
<http://www.newstatesman.com/middle-east/2009/09/israel-palestinian-hamas>

⁷ Haaretz, 9/11/2008 'Haniyeh: Hamas willing to accept Palestinian state with 1967 borders'
<http://www.haaretz.com/hasen/spages/1035414.html>

warning Jews of imminent attacks against them and their facilities, Meshal was sending a clear message of assurance that the Palestinian struggle was political rather than religious and about real political grievances and not against the Jewish people *per se*. This comes after Meshal had himself [publicly rejected](#)⁸ any attack committed anywhere in the world which exploited the premise of the Palestinian struggle.

His comments on democracy were equally enlightening. He explained that since the Palestinian people included the entire political, religious and ideological spectrums, Hamas would abide by the outcome of their vote, respect the rights of different faiths and political views, and refrain from imposing Islamic law against the wishes of the people. This position has been [condemned by al-Qaida](#)⁹ and the leading Salafi-jihadi theologian Abu Muhammad al-Maqdisi [who stated](#)¹⁰ that they and Hamas shared "neither ideology nor doctrine".

Meshal's interview [was denounced](#)¹¹ by Foreign Office minister Ivan Lewis on grounds that would equally exclude the government from talking to Israel were it not for the double standards applied to Palestine and the Middle East. Indeed, the very fact that Ivan Lewis should be made a minister with responsibility for the Middle East, given his clear bias as a former deputy leader of the [Labour Friends of Israel](#)¹², is a sad indication of how little interest it displays in convincing people of any kind of fairness in its approach to this part of the world.

The British government led the way in proscribing Hamas when the Islamic movement won the majority of seats in the Palestinian parliament in January 2006. More recently it is reported that the British government has been heavily involved in [training and supporting](#)¹³ the security forces of the Palestinian Authority in the West Bank, which have been accused of imprisoning, torturing and physically abusing members of Hamas and other political factions. While finding time to condemn an interview in a weekly magazine, neither Ivan Lewis nor the British government as a whole has accepted the finding of the authoritative [UN report on Gaza](#)¹⁴ authored by a committee led

⁸ The Guardian, 5 July 2007, 'A time for joy and reflection'

<http://www.guardian.co.uk/commentisfree/2007/jul/05/israel.comment>

⁹ Reuters, 16/9/2009. 'Qaeda ally in Gaza defiant, seeing new recruits'

<http://www.reuters.com/article/newsMaps/idUSTRE58F2AN20090916?pageNumber=1&virtualBrandChannel=0>

¹⁰ <http://www.unitedjerusalem.org/index2.asp?id=1267383>

¹¹ **The New Statesman, 18/9/09, 'Foreign Office minister attacks Livingstone over Hamas interview'** <http://www.newstatesman.com/2009/09/hamas-interview-israel-lewis>

¹² <http://www.lfi.org.uk/>

¹³ <http://www.salaam.co.uk/themeofthemonth/MEMO%20July%202009.pdf>

¹⁴ The Guardian, 15/9/09, 'UN Gaza report accuses Israel and Hamas of war crimes'

<http://www.guardian.co.uk/world/2009/sep/15/un-gaza-war-israel-hamas>

by a South African judge well known for his [support for Israel](#)¹⁵, which condemned Israel for war crimes and possibly even crimes against humanity in Gaza.

A few weeks ago in Oxford, the foreign secretary, David Miliband, [spoke promisingly](#)¹⁶ on the Palestinian issue, making clear that al-Qaida and Hamas were quite different. On that he was right. When the Twin Towers were attacked in September 2001, the Palestinian intifada was at its peak and people around the world were gripped by the resolve and tenacity of the Palestinian people. Visiting South Africa at the time, I found most universities had unions supporting the Palestinian struggle and comparing it to their own successful struggle against apartheid.

However, one immediate reaction to the collapse of the towers and the death of almost 3,000 Americans was the mobilisation of the Israeli propaganda machine which claimed that the fight it was engaged in on the streets of Palestinian towns and villages was the same as that which the US and its people had horrifically come face to face with. The message was that Hamas, which was in the forefront of the Palestinian struggle, was one and the same as al-Qaida, and that their persecution of Hamas was simply part of the global war on terror. The radical different policies and methods of Hamas and al-Qaida, not least the refusal of Hamas to take up arms outside Palestine, were dismissed.

Even the most superficial examination exposes these lies. Al-Qaida has four main features: it has called for a "[global war on the Crusaders and Jews](#)"¹⁷; it sees any target anywhere around the world that serves its cause as legitimate; it dismisses democracy as an affront to Islam and a satanic system of rule; and it believes in enforcing Sharia law in all Muslim countries, if not beyond. As Gideon Levy, a columnist for the popular Israeli daily newspaper Haaretz, [explains in the New Statesman](#)¹⁸, Hamas is totally different. In fact, Hamas supports democracy, is the democratically elected majority representative of the Palestinian people and takes up arms solely within Palestine because there is no alternative against an illegal occupying power that confiscates its people's lands and destroys their livelihoods. In similar circumstances, as Israeli leaders [have themselves admitted](#)¹⁹, any people in the world would do the same.

¹⁵ Jerusalem Post, 16/9/2009, 'My father is a Zionist, loves Israel'
<http://www.jpost.com/servlet/Satellite?pagename=JPost%2FJPArticle%2FShowFull&cid=1251804583376>

¹⁶ The Guardian, 21/5/2009, 'West must show respect to gain trust of Muslims, admits David Miliband'
<http://www.guardian.co.uk/politics/2009/may/21/david-miliband-iraq-middle-east>

¹⁷
<http://www.guardian.co.uk/commentisfree/2009/sep/21/February%201998%20Bin%20Laden%20and%20Zawahiri%20declared%20war%20on%20the>

¹⁸ The New Statesman, 17/9/2009, 'You cannot make peace with half a people'
<http://www.newstatesman.com/human-rights/2009/09/hamas-chance-israel-peace>

¹⁹ Foreign Policy Watch, 25/7/2009, 'If I were a Palestinian (the two state solution reconsidered)'
<http://fpwatch.blogspot.com/2009/07/if-i-were-palestinian-two-state.html>

It is high time that we act assertively to resolve the 61-year Palestinian tragedy and end the ongoing crisis. It is time for the British government to stop discrediting itself by blatant double standards and to listen to many, including the [Commons Foreign Affairs Committee](#)²⁰, and to recognise and speak directly to those whom the Palestinian people have chosen to represent them: Hamas.

2.2 Listing the Brigades and PIJ Vs Peace Process and Security.

2.2.1 Judisation of Occupied East Jerusalem

As demonstrated, the Brigades are directly preparing, planning, assisting in or fostering the doing of terrorist acts. It is submitted the acts attributable to the Brigades are terrorist acts as they:

- (i) are done with the **intention of advancing a political cause, namely, destruction of the state of Israel, and establishment of an Islamic state** in the current Israel, Gaza Strip and West Bank;

Source: ASIO's assessment report to PJCIS

ASIO's assessment report is clearly biased and ignoring all facts about Zionism, state of Israel and occupation of Palestinian land.

ASIO assessment is ignoring Israel's 'Jewish State' apartheid and ethnic cleansing policies inside Israel toward 1.5 million Palestinians (Christians and Muslims) and in occupied Palestinian territories, East Jerusalem and West Bank.

Why ASIO and the government don't see Israel's illegal settlement in contrary to the international law as an act of terrorism? In fact, changing populations within occupied territories is a criminal act according to the international law and International Criminal court and Australia is founding member and signatory to ICC.

Since 1967, when Israel occupied the Gaza Strip and the West Bank including East Jerusalem, Palestinian Jerusalemites have faced a unique and sinister attempt by the Israeli Government to permanently alter the ethnic, religious and geographical reality of the city, thus negating Jerusalem's viability as the capital of a future Palestinian state. It is the stated aim of the Jerusalem Municipality to achieve a ratio of 72 Jews to 28 Arabs by the year 2020 despite

²⁰ Sky News, 26/7/2009, 'Government Urged to Talk To Hamas Moderates'

<http://news.sky.com/skynews/Home/UK-News/Talk-To-Hamas-Government-Urged-As-Commons-Foreign-Affairs-Committee-Finds-Peace-Process-Stalled/Article/200907415346314>

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

all demographic trends (birth rate, migration levels) indicating that the population should naturally comprise 60% Jews and 40% Arabs by that year²¹.

See [APENDIX F: The Judisation of Jerusalem – Fact sheet by Jerusalem Centre For Women](#)

October 2009: Ceremony held for expansion of east Jerusalem neighbourhood



Festive ceremony includes new Torah and Rabbi Lau, former chief Ashkenazi rabbi, celebrates building of east Jerusalem housing units.

A cornerstone ceremony was held Wednesday for the second part of east Jerusalem's Nof Zion neighbourhood. Construction plans for the area, located next to the Arab neighbourhood of Jabel Mukaber, include 105 housing units.

As part of the celebration a Torah was placed in the neighbourhood's temporary synagogue. "There is a victorious response here to [Raed Salah's gang](#)," said Knesset Member Michael Ben Ari ([National Union](#)), who took part in the festivities.

"They are not actually fighting for the Temple Mount; it is just their leverage for the release of all of Jerusalem from Jewish occupation."

Ben Ari added, "What's happening here is our actual response – boys and girls who will play in the parks. Not just words, like those of [Prime Minister Benjamin Netanyahu](#), but action."

MK Uri Ariel (National Union) was also present at the ceremony. "This is one tune you cannot stop – Zionism," he told Ynet. "It is joyous."

"Everything is positive here," he said. "The placing of a Torah is a positive thing, and there will be many families here in this neighbourhood. Jerusalem will only get stronger."

²¹ Coalition for Jerusalem: The Master Plan of "Jerusalem 2000", Analytic Study pg 5
Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

Jerusalem City Council member Elisha Peleg of the [Likud](#) said, "The extension of this neighbourhood is a direct continuation of the Jewish presence in the eastern city. Only by actively building can we strengthen our sovereignty in all of Jerusalem and guarantee that it will remain united and under Jewish rule."

On Tuesday night the Jerusalem Magistrate's Court [released](#) head of the Islamic Movement's northern branch Sheikh Raed Salah, just hours after his arrest for incitement, but issued an injunction prohibiting him from entering Jerusalem for 30 days.

The sheikh was arrested earlier Tuesday for incitement following statements made in recent days during the clashes at the Temple Mount in the capital. His arrest was decided on following consultations between Police Commissioner Dudi Cohen, the state prosecutor, and Jerusalem District Police Commander Aharon Franco.

Source: Ynet News 7 October 2009 <http://www.ynetnews.com/articles/0,7340,L-3786943,00.html>

2.2.2 Jihadist Zionist Israelis: 'Israel has no partner for peace'

For many years, before Hamas democratically elected, jihadist Zionist, left and right-wing government, kept telling the Western government that '**Israel has no partner for peace**'. Late Palestinian Authority President Yasser Arafat has been confined in alMoqata'a in Ramallah for nearly two years until he died.

Israeli butcher PM Ariel Sharon treated Yasser Arafat as a terrorist, because Israel want to continue building illegal settlements in occupied East Jerusalem and West Bank. Israel pressured and convinced the West, including Australia, that they, Israelis, are fighting terrorism so they turned blind eyes to Israel's barbaric occupation and continue their land theft policy and build more illegal settlements in contrary to the international law.

On October 7, 2009, some 3,000 members of Likud, as well as thousands of right-wing supporters gathered in the (Samaria) National Park in the northern West Bank, to voice their support for further construction in the settlements. (Samaria) Regional Council leader Gershon Mesika, sent a direct message to the U.S. President Barack Obama in his address to the demonstration:

"Keep your hands off of Israel," he said. "It is outside of your jurisdiction. Netanyahu should stand rock solid to protect his country." Meanwhile, right-wing MK Danny Danon also passed on a message to Obama in a live

interview on CNN and said Israel has no partner for peace, adding that U.S. pressure is causing problems for the Jewish people.

Danon also said, that despite Obama's charisma this is not "Hollywood."

More than 70 buses stood outside the park as thousands of settlement supporters congregated in the park's amphitheater to listen to the right-wing speeches in a demonstration headed by Danon.

"We need to remember that our hold on Jerusalem starts here," said Likud MK Tzipi Hatoveley, who came to the demonstration with her entire family.

"We will demand that the prime minister continue to build in the West Bank," she added.

Among the top Likud members in attendance were rightist Moshe Feiglin and Minister Yuli Edelstein, who both said that they hoped the talks on a settlement freeze would finally end.

Source: *Haaretz* 7 October 2009. 'Settler leader: Obama, keep your hands off Israel' <http://www.haaretz.com/hasen/spages/1119461.html>

2.2.3 Jihadist right-wing Israelis, illegal settlements and Israel's peace

A recent report, 7 October 2009, revealed the ugly face of Israel's 'peace', ethnic cleansing policies inside Israel and occupied Palestinian territories, East Jerusalem, Gaza and West Bank.

Israel's Foreign Ministry political staff has composed a document outlining Israel's future foreign policy, which states that the **government should not attempt to reach a permanent settlement with the Palestinians but rather focus on a temporary accord that would prevent US and European frustration. In other words, continue cheating the international community and blaming Palestinians.**

The document, handed to Foreign Minister Avigdor Lieberman on Wednesday, was drafted by Naor Gilon, Lieberman's former counselor for political affairs.

Gilon claims that "the attempt at imposing a settlement with the Palestinians has failed in the past", and that future attempts would lead to more disappointment and frustration on the part of the US and Europe as well as a violent Palestinian response.

"We need a realistic attitude – the arrival at a temporary accord without dealing with the core issues. This is the maximum that can be achieved, if we want to be realistic," the document states.

It also urges Lieberman to reestablish ties with countries Israel has abandoned for many years, among these African, Latin American, Balkan, Asian, and moderate Arab nations.

Lieberman is also advised to employ a zero tolerance policy for instances of anti-Semitism and international isolation. The document suggests that Israel focus on environmental and economic issues in order to bolster its image worldwide.

"The age in which Israel could allow itself to be isolated is over," says the document, which is scheduled to be brought before the ministry's directorate in order to be approved as Israel's official foreign policy within the coming days.

Source: *Ynet News* 7 October 2009. 'Future foreign policy may forgo permanent peace deal' <http://www.ynetnews.com/articles/0,7340,L-3787014,00.html>

2.2.4 Teenagers settlers on connection between Israeli army & God and Israeli general warns of dangers of turning war into 'jihad'

This video

URL <http://news.bbc.co.uk/1/hi/programmes/newsnight/8232694.stm> is about 'Teenagers at a Jewish seminary in the occupied West Bank talk about the connection between the Israeli army and God' and

This video

URL <http://news.bbc.co.uk/1/hi/programmes/newsnight/8232700.stm> where 'Israeli general warns of dangers of turning war into 'jihad'

2.2.5 Arab leaders: Occupied East Jerusalem and illegal settlements are the main obstacle to peace

Jordan's King Abdullah II has asked Haaretz, **8 October 2009**, to relay a message to the Israeli public that it disavow the illusion that the status quo can be perpetuated, because as a result of the diplomatic impasse, "We are sliding back into the darkness.

"Is Israel going to be fortress Israel or is it going to be part of the

neighborhood? Because if there is no two-state solution, what future do we all have together?" he asked in an exclusive interview on Tuesday at his palace in Amman at the height of the disturbances in East Jerusalem.

"Show me the future of Israel 10 years from now. Where do you want Israel to be vis-a-vis its relationship with Jordan and other Arab countries? I understand that you tend to live in the here and now. You are worried about the next threat. It is difficult for an Israeli to look into the future because of the security aspect. But if there is peace and stability, then people can look into the future."

Jerusalem is "a tinderbox that will have a major flashpoint throughout the Islamic world," he added.

The king said he had raised the sanctity and sensitivity of Jerusalem with every Israeli prime minister, including Benjamin Netanyahu. He said that it "is important to understand the need of ending all settlement activities and other unilateral actions that threaten the identity of the holy city."

Jerusalem should be a symbol of coexistence for the three monotheistic faiths, he added.

Source: Haaretz 8 October 2009. 'Jordan's king to Haaretz: Without two states, there is no future' <http://www.haaretz.com/hasen/spages/1119633.html>

2.2.6 Listing the Hamas' Brigades and PIJ will not advance Peace Process instead will advance violence and terrorism

According to my knowledge none of the Palestinian organisations are listed under UN Security Council resolution as a terrorist organisation, including Hamas and Palestinian Islamic Jihad.

But former Liberal John Howard government (and Labor opposition) under pro-Israel lobby pressure has listed [Hamas's Izz al-Din al-Qassam Brigades - Listed in Australia 9 November 2003, re-listed 5 June 2005, 7 October 2005 and 10 September 2007](#) and [Hizballah External Security Organisation - Listed 5 June 2003 and re-listed 5 June 2005 and 25 May 2007](#).

Interestingly, **Robert McClelland MP** when he was in the opposition has criticised then-Liberal Attorney-General Philip Ruddock when he gazetted a regulation listing the Palestinian Islamic Jihad (PIJ) as terrorist organisations under Australia's counter-terrorism laws!

The media quoted the then **Shadow Minister for Homeland Security Robert** saying that *“the intelligence quoted by the Government concerning the **Palestinian Islamic Jihad (PIJ)** was “alarmingly ... cut and pasted from various private sector internet sites. The sites plagiarised included a British publishing company (Jane’s Terrorism and Insurgency Centre Database) and Israeli (International Policy Institute for Counter Terrorism) and United States (Centre for Defence Information) academic think tanks. Significantly no sources were acknowledged.”* (**Source: UNITY the national publication of the United Nations Association of Australia May 6, 2004 , No 379**)²²

If that the case, we do expect that the Labor Attorney-General Robert McClelland MP to delist all Palestinian organizations and Hizbollah from the government terrorist list.

Listing the Brigades and PIJ as a terrorist organizations will have the following consequences:

1. Will give Israel free hand to kill more Palestinian civilians mostly women and children. As they did more than once since Hamas democratically elected, January 2006.
2. The barbaric Israeli war on Gaza early this year has proven that, 1400 Palestinian civilians has been killed and thousands seriously injured and hundreds of civilian houses, businesses, government buildings and infrastructures been deliberately destroyed.
3. Israel is imposing total siege on Gaza since June-July 2007, and 1.5 million civilian collectively punished by Israel.
4. Listing Hamas’s Izz al-Din al-Qassam Brigades and other Palestinian organisations will not bring any peace to Middle East long conflict. In fact will give Israel free license to kill more Palestinian children and women.
5. Israel will continue their land theft policy and building more illegal settlements.
6. Palestinian Authority who showed high level of commitment to the peace process, will become weak and will loose their credibility giving the fact of daily Israeli ritually humiliate Palestinians in occupied East Jerusalem and West Bank.
7. There are 600+ Israeli military checkpoints, around 13,000 Palestinian prisoners, more illegal settlements has been build, more house demolition in occupied East Jerusalem etc.
8. Australian government listing the Brigades and PIJ with full ignorance to Israel’s illegal military occupation and settlements will weaken Palestinian Authority and put an end to any peace deal. It will increase cycle of violence and terrorism.

²² See also ABC AM radio current affairs program, Tuesday, **4 May, 2004**
‘Government accused of plagiarising terrorism information’
<http://www.abc.net.au/am/content/2004/s1100891.htm>

Everyone I met said their world was dominated by Israel's occupation of the West Bank, in place since the 1967 war.

The people I spoke to seemed unimpressed by Palestinian leader Mahmoud Abbas's stance that peace talks cannot resume with Israel unless settlement construction ends.

"The papers are all talking about freezing settlements, but they've forgotten the occupation. If we got rid of that, the settlements would go," said a schoolteacher in Beit Duqqu.

Many see Mr Abbas as dancing to Israel's tune, while in their view settlements on 1967 land should not just stop growing, but should be removed completely.

"God help us if any settler gets hurt," says the schoolteacher, adding with a chuckle: "Maybe there will be an earthquake and we'll all be down in the valley."

Source: BBC recent report, 25 September 2009 'In the shadow of an Israeli settlement' http://news.bbc.co.uk/2/hi/middle_east/8273995.stm

9. Australia has responsibility and must meet its obligations under UN treaties such as International Humanitarian Law and International Criminal Court.
10. Australia biased foreign policy, including listing the Brigades and PIJ as a terrorist organisations, endangers Australian reputation and national security. **Australian government is not addressing the terrorism issue by dealing with the root cause.**

ADRIAN D'HAGE: Well, yes and I think that's very sensible, and I think it's right that the PM and the Government provided support to the Americans, but I don't think it's right to commit the country to something which is open-ended.

We have no real idea of what we're going to be asked to do, and we've got no idea of how long it will last.

But we have committed the country up to the hilt.

But the other point, Tony, is **with such unequivocal support for this, we have endorsed the US foreign policy in the Middle East.**

And that is behind a lot of this animosity and in some cases hatred that you see towards the United States and now potentially towards Australia.

And that makes us a much bigger target.

Source: ABC Lateline, 24/9/2001, Interview: Brigadier Adrian D'Hage on Australia's support for the US war. <http://www.abc.net.au/lateline/content/2001/s375228.htm>

Video evidence recovered from the laptop computer of the dead terrorist, Noordin Mohammad Top, has confirmed that Australians were a target of the suicide attacks on two Jakarta hotels in July.

Source: ABC AM, 30/9/2009. 'Computer video reveals terrorists discussing targets' <http://www.abc.net.au/am/content/2009/s2700246.htm>

2.3 World view on Hamas after War on Gaza

Listing only Palestinian organisation without taking the Israeli barbaric military into account by the Attorney-General and ASIO, will not advance the peace process, in fact will make Israel feels that their occupation military army and jihadist extremist right wing illegal settlers are above the law.

More official voices in EU and USA are calling for direct dialogue with Hamas and Hizbollah.

For example,

- **On 14 March 2009, Top US officials urge dialogue with Hamas.** "I see no reason not to talk to Hamas," said Scowcroft, who was national security adviser to President George H.W. Bush. Nine former senior US officials and one current adviser are urging the Obama administration to talk with leaders of Hamas to determine whether the militant group can be persuaded to disarm and join a peaceful Palestinian government, a major departure from current US policy. The bipartisan group, which includes economic recovery adviser Paul A. Volcker and former national security advisers Brent Scowcroft and Zbigniew Brzezinski, made the recommendation in a letter handed to Obama days before he took office, according to Scowcroft. **"The main gist is that you need to push hard on the Palestinian peace process," Scowcroft said in an interview. "Don't move it to end of your agenda and say you have too much to do. And the US needs to have a position, not just hold their coats while they sit down."**²³
- Former Israeli secret service chief Efraim Halevy has shocked the Israeli political establishment by arguing that Israel should enter talks with Hamas. Not because he likes the movement but because he thinks it is in Israel's strategic interest to recognize the 'reality on the ground'.

²³ **Boston.com 14/3/2009. 'Top officials urge dialogue with Hamas'** http://www.boston.com/news/nation/washington/articles/2009/03/14/top_officials_urge_dialogue_with_hamas/

Please note that Efraim Halevy is right-wing Zionist, as former director of Israel's intelligence service Mossad, Efraim Halevy (74) helped devise the campaign of targeted assassinations of Hamas leaders in recent years. One of them was the 68-year-old blind shaykh Ahmad Yassin, who was killed in 2004 by an Israeli missile. But now Halevy is part of a small group of right-wing critics of Israeli policy, who argue that the government should talk to Hamas.²⁴

- **Former US Secretary of State Colin Powell** said Thursday the international diplomatic Quartet on the Middle East should find some way to talk to Hamas. "I don't think you can just cast them into outer darkness and try to find a solution to the problems of the region without taking to account the standing that Hamas has in the Palestinian community," Powell said in a radio interview. He said Hamas, which controls Gaza, is not going away and enjoys considerable support among the Palestinian people. "They won an election that we insisted upon having," Powell said. "And so, as unpleasant a group they may be and as distasteful as I find some of their positions, I think through some means, the Middle East Quartet... or through some means Hamas has to be engaged."²⁵
- **Former US President Jimmy Carter national security advisor, Zbigniew Brzezinski**, said that On cutting off aid to the Palestinians for having elected Hamas, he said: **"I think the American foreign policy is mindless. When Likud came to power in 1977, it had a position on the Israeli-Palestinian conflict not fundamentally different from the position of Hamas; that is to say, all of the former Palestine should be part of Israel.** Some Likud officials even felt the Palestinians should be expelled physically across the Jordan River. But we did not isolate or embargo the Likud government. We kept talking to it and over a period of time, the position of Likud evolved to the point that Likud itself accepted a two-state solution. **"I think over time, if we are intelligent and patient, one cannot exclude the possibility of a similar evolution taking place with Hamas"**²⁶
- Zbigniew Brzezinski says that since we talked to Likud, we should talk to Hamas. And Kevin Spacey, who has trouble keeping his disputed primary states straight, suggests that his "Recount" plays it straight, despite evidence to the contrary. All that and more on today's Morning Joe. In reverse order, let's begin with Zbig's appearance, and consider this statement. ZBIGNIEW BRZEZINSKI: I have joined a bi-partisan group of some prominent Americans including Paul Volcker, Brent

²⁴ **Radio Nederland, 21/2/2008. 'Ex-Mossad chief wants Israel to talk to Hamas'**
<http://static.nrw.nl/migratie/www.radionetherlands.nl/currentaffairs/080221-israel-mossad-redirected>

²⁵ **AP and Jerusalem Post 19/7/2007. 'Colin Powell: Quartet should find way to talk to Hamas'**
<http://www.jpost.com/servlet/Satellite?pagename=JPost%2FJPArticle%2FShowFull&cid=1184766015860>

²⁶ Common Dreams.org, 14 May 2006, **Brzezinski Rips U.S. Policy on Iran, Hamas: Patience, diplomacy needed in region, Mideast.** <http://www.commondreams.org/views06/0514-25.htm>
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Scowcroft, Lee Hamilton, and some others, in saying that **talking to Hamas is a necessary course of action. You know, we talked to Likud when Likud was advocating the total incorporation of the West Bank into Israel.** And today Likud accepts a two-state solution. Hamas will evolve, but it will not evolve if it is continuously ostracized and threatened.²⁷ **View this**

video <http://newsbusters.org/static/2008/05/2008-05-22MSNBCMJZbig.wmv>

- “France signalled on Tuesday that it might be prepared to hold talks with Hamas even if the Palestinian Islamist group does not recognize Israel as Paris and other Western powers have demanded for years.” **(Source: Ha’aretz 20/01/2009 ‘France may talk to Hamas even if group doesn’t recognize Israel’)**²⁸
- British [Commons Foreign Affairs Committee](#)²⁹ requested that the British Government should urgently look at ways to communicate with the Palestinian Islamist movement Hamas. “We therefore reiterate our recommendation from 2007, that the government should urgently consider engaging with moderate elements within Hamas.” The report contrasted the government’s stance with its decision to open contacts with the political wing of Hezbollah in Lebanon. “We are concerned that the Quartet is continuing to fail to provide Hamas with greater incentives to change its position,” the report said.
- “If a Palestinian unity government is established, Europe would be willing to recognize the Palestinian leadership, and would consequently lift the sanctions it imposed on Hamas, sources in the entourage of French President Nicolas Sarkozy told France 2 television on Monday.” **(Source: Ha’aretz 19/01/2009 ‘Report: EU to lift sanctions on Hamas if Palestinian unity gov’t formed’)**³⁰
- “Former British PM Tony Blair demanded that **Hamas should be part of peace process** “Hamas should be part of the Middle East peace process, said Tony Blair, former British prime minister and envoy to the region of the international quartet of powers, in comments published on Friday. “I do think it is important that we find a way of bringing Hamas into this process, but it can only be done if Hamas are prepared to do it on the right terms,” Blair said in an interview with the Times of London newspaper, published on its Web site.” **(Source: Ha’aretz 30/01/2009 ‘Blair: Hamas should be part of peace process’)**³¹

²⁷ **Mark Finkelstein’s Blog, 22 May 2008, “Zbig’s Moral Relativism, Spacey’s Primary Confusion”** <http://newsbusters.org/blogs/mark-finkelstein/2008/05/22/zbig-equates-likud-hamas->

²⁸ *Ha’aretz* report link <http://www.haaretz.com/hasen/spages/1057116.html>

²⁹ **Sky News, 26/7/2009, ‘Government Urged to Talk To Hamas Moderates’** <http://news.sky.com/skynews/Home/UK-News/Talk-To-Hamas-Government-Urged-As-Commons-Foreign-Affairs-Committee-Finds-Peace-Process-Stalled/Article/200907415346314>

³⁰ *Ha’aretz* report link <http://www.haaretz.com/hasen/spages/1056821.html>

³¹ *Ha’aretz* report link <http://www.haaretz.com/hasen/spages/1060305.html>

- On **March 15, 2009**, *AlJazeera* Arabic satellite reported that EU Parliamentarians has met with Hamas political leaders in Damascus. EU delegations have acknowledged that Hamas has come to the office through democratic election and they have all rights to be respected.³²



EU Parliamentarians meeting with Hamas leader Khalid Mishaal.

- On **March 15, 2009**, four members of the British parliament have met Hamas leader Khaled Meshaal and **urged their government to end its boycott of the Palestinian group "to achieve just peace"**. Clare Short, an MP of the governing Labour Party, told reporters after the meeting in Damascus on Saturday: **"We need to talk to Hamas to make progress (toward peace) because they represent a big proportion of the Palestinians."** (Source: *AlJazeera English 'British MPs meet Hamas leader'*)³³
- **During 22-days war on Gaza, former Liberal PM Malcolm Fraser believes that 'Israel's actions foster extremism'**: "Far from destroying Hamas, Israel may well find that its actions strengthen resistance and earn it increased hatred and an increase in anti-Semitic activities around the world. It will make it even harder for a genuine peace process to be undertaken. The most grievous mistakes have been made by Israel and the US. When democratic elections were held in the Palestinian territories, Hamas won. There will be no peace and no settlement, no progress until Israel and the US are prepared to talk to Hamas. **It is indeed true that what Israel is now doing affects us all, because if we accept it we will all become increasingly at risk from**

³² AlJazeera report <http://www.aljazeera.net/NR/exeres/2ECA46ED-C774-4BA7-A783-6017796524F3.htm>

³³ AlJazeera report <http://english.aljazeera.net/news/middleeast/2009/03/200931423938145928.html>

those who hold extremist views.” (Source: *The Age* 16 January 2009 ‘Israel's actions foster extremism’ by Mr Malcolm Fraser)³⁴

- In another recent Op-Ed piece for Mr Fraser, *The Age* August 11, 2009, ‘The isolation of Hamas is impeding peace’ wrote just that: “**Australia must not be cowed into an uncritical view of Israel's actions.** BARACK Obama's election as US President was hailed around the world. He gave many people hope that the US would lead all of us to a new age of enlightenment. Those who believe Israel's policies are misguided should not remain silent and governments should not be locked into uncritical support of Israel. Let me give one example. **After Hamas won a legitimate democratic election in the West Bank and Gaza, Israel and the US led the international community to isolate Hamas** and diminish its ability to negotiate by requiring the organisation to forswear violence and recognise Israel's rights before any talks could begin. **Australia could urge, as others have done, that Hamas be brought in from the cold.** But do we have the courage? In doing so, we would be a real partner of the US contributing to peace in the Middle East and removing an important source and inspiration for fundamentalist terrorists. **Fear of criticism from the Jewish lobby in Australia has so far prevented Australian governments taking effective action. If we want to be a real ally to the US, if we want justice and peace, we have an opportunity.** (Source: *The Age* August 11, 2009, ‘The isolation of Hamas is impeding peace’)³⁵

Mr Fraser said it all. Does Australian government, opposition and policy makers, fearing of criticism from the ‘Jewish lobby in Australia’! Does Australian government listed the Brigades, PIJ and Hizbollah as terrorist organisation because of pro-Israel lobby, or because Hamas is imposing a threat to Australia?

What access ‘Jewish Lobby in Australia’ have to ministerial offices and government department, including intelligence and security agencies? If ‘Jewish lobby in Australia’ has access and influence to intelligence and security agencies, then ASIO’s assessment report credibility is questionable? I will present to the Committee some of the facts I have, that will help the Committee inquiry at ASIO section of this submission.

Recommendation:

- The PJCIS should advise to the Attorney General that he removes the Brigades, PIJ and Hezbollah from the government terrorist list.
- The PJCIS should advise to the Attorney General that he needs to

³⁴ *The Age* report link <http://www.theage.com.au/opinion/israels-actions-foster-extremism-20090115-7i5h.html?page=3>

³⁵ *The Age* report <http://www.theage.com.au/opinion/the-isolation-of-hamas-is-impeding-peace-20090810-efj0.html?page=-1>

investigates the root causes for violence and terrorism in the Middle East and in particular in Palestine/Israel.

2.4 Hamas Charter: Creation of an Islamic state

The highest Australian intelligence organisation, ASIO, rightly (2 per cent) and wrongly (98 per cent) reported this at ASIO's assessment report:

Hamas is an extremist Sunni organisation which in its 1988 founding charter called for the creation of an Islamic state in place of Israel and the Occupied Territories.

Source: ASIO assessment report.

I didn't read Hamas charter, but I will accept the fact that Hamas founding charter called for the creation of an Islamic state. Other sources have said the same.

However, ASIO are kidding themselves if they want us to believe that Hamas will be able to get rid of Israel, a country that has nuclear, chemical and the most high tech weaponry.

ASIO as a sophisticated, quipped, trained and skilled and resourced organisation to gather intelligence information, they should analyse these information accurately, fairly and get more facts from the grounds, not just repeating Israel and pro-Israel propaganda.

2.4.1 Hamas Vs Jund Ansar: ASIO got it wrong!

I couldn't believe that ASIO agents and staff could not get all the facts right with proper analysis. To respond to ASIO deliberate allegations and misleading, here are some of the facts that ASIO couldn't research the internet professionally:

ASIO has failed to report that Hamas on **August 2009**, just recently, has **clashed with a radical Islamist group, launching a raid on a mosque in which its spiritual leader of Jund Ansar died. Why?** The group let it be known that this Friday its spiritual leader, Abdul Latif Moussa, would declare an "Islamic emirate". Hamas told the group to cancel the prayers, something it refused to do. Attempts at negotiation failed and Hamas decided to end the rise of Jund Ansar Allah. This report for **BBC, 15/8/09**, has the full story http://news.bbc.co.uk/2/hi/middle_east/8203362.stm

If Hamas want to declare an Islamic state in Gaza and the rest of Palestine, as per ASIO's assessment report, then why Hamas did not declare an Islamic state in Gaza long time ago? And why Hamas did not allow Jund Ansar to declare an Islamic state?

2.4.2 Eye witness Paul McGeough Vs ASIO's Internet Information

Paul McGeough is a well know journalist, veteran Middle East reporter and Sydney Morning Herald foreign affairs correspondent, early this year he published his fourth book titled '**Kill Khalid**'.

The book is not about Hamas's leader Khalid Mishal, it is more about Hamas itself and Israeli barbaric occupation.

On that particular point about Hamas Charter, Mr McGeough said that to Katia Bachko who interviewed Mr McGeough for Colombia Journalism Review, 11 February 2009:

KB: Reading about the current conflict in Gaza, it's been difficult to understand the role of Hamas as an organization. Can you give us some sense of its role in Palestinian society?

PM: A hiatus in a crisis like this tends to get locked into broad scripts written by the various players. Now, if you take a helicopter view of the Middle East crisis, you see Hamas in a different light. **People keep repeating that Hamas's charter is opposed to the existence of Israel. Yes it is, but Hamas has not stood by its charter for the best part of the last ten years. Hamas has recognized the Oslo peace process, which it said it would oppose. It has taken part in democratic elections, which it has won. It has de facto recognized the two-state solution by seeking to be elected as the government of the Palestinian Authority. It has not struck outside historic Palestine; it never has. So to dismiss it as a terrorist group that has to be stamped out misses entirely the point of its position in Palestinian society.**

Again, take the helicopter view of what's happened in the Middle East since 1948, with the setting up of the state of Israel. In 1967, the Israelis could have negotiated with King Hussein of Jordan in the aftermath of the Six-Day War; they chose not to. Because they chose not to, Yasser Arafat and the Fatah movement and the PLO all got a huge head of steam [built] up. And because they weren't negotiated with in a way that gave Palestinians an identifiable outcome, they fell by the way.

And now you have Hamas. Hamas came into being and thrived because there was no breakthrough. There was nothing in the land-for-peace basis – a foundation of the Oslo process – there was nothing in that for the Palestinians. They were negotiating on the basis of land for peace when their land was being consumed by Israeli settlements. So now Hamas is there, and if you take Hamas out of the equation, God knows what you get in its place.

Source: [The Water Cooler](#) – February 11, 2009 [Columbia Journalism](#)

Review: [Q and A: Paul](#)

[McGeough](#) http://www.cjr.org/the_water_cooler/q_and_a_paul_mcgeough.php?page=1

If it is true that ASIO is reporting the truth and not reporting to the government what they would like to hear. Then I have the right to ask the following questions:

- Did ASIO read Paul McGeough new book 'Kill Khalid'? if not why?
- Did ASIO bother to get the right facts from Mr McGeough, or at least listen to his view and his own experience in writing this book. Mr. McGeough lived in Gaza for sometime, he read USA FBI material about one of Hamas's cases in USA and met Khalid Mishal many times.
- ABC *Fora*³⁶ program recorded and air Mr McGeough speech launching his book at Glebe book in Sydney, **11 March 2009**. Did ASIO went to that function [1] to listen and gather information about Hamas since Hamas is on the government terrorist list and [2] most importantly to learn about the public opinion on Hamas, Palestine and Israel. To listen the *Fora* program '**Paul McGeough on Hamas**' click this link for MP3 <http://mpegmedia.abc.net.au/tv/fora/paulmcgeoughweb.mp3> or this for MP4 <http://mpegmedia.abc.net.au/tv/fora/paulmcgeoughweb.mp4>

I doubt that ASIO bother to do any of the above. The 'intelligence' information of ASIO's **2007** assessment report is exactly same as **2009** 'intelligence', more details in section [6.3 ASIO's 2007 Vs 2009 Report: A Comparison](#).

For the Government to list any organisation as a terrorist organisation that means:

1. Either these organisations on the United Nations terrorist list; or
2. This organisations considered high risk on Australian citizens such as al-Qaeda or Jema'aa Islamiyah.

³⁶ <http://www.abc.net.au/tv/fora/stories/2009/03/11/2513565.htm>

Since Hamas and PIJ are not on the UN list, that means that Hamas & PIJ are operating in Australia and endangering Australian citizen's life and national interest.

So, how ASIO's 'intelligence' information did not change since Hamas and PIJ listed as terrorist organisations, 2001?

I wonder how ASIO will be able to protect **all** Australians, if they lose their credibility! ASIO should not rely **only** on the internet to gather 'intelligence' information especially for important matters that related to Australian public safety or where thousands of people can be killed in Gaza as a result of ASIO's inaccurate and misleading information. Just in 21-day during Israel's barbaric war on Gaza more than 1,400 civilians are killed, thousands are injured most of those who killed or injured are children and women, hundreds of civilian houses are destroyed, hundred government buildings destroyed, Civilian infrastructure and 500 private business are destroyed. For more than two years, 1.5 million Palestinian civilians collectively punished by Israel. **Israel justification for that is that Hamas is a terrorist organisation.**

ASIO should gather intelligence information from other sources, other than the internet. **ASIO should be concern about people's life and reputation.**

Recommendation:

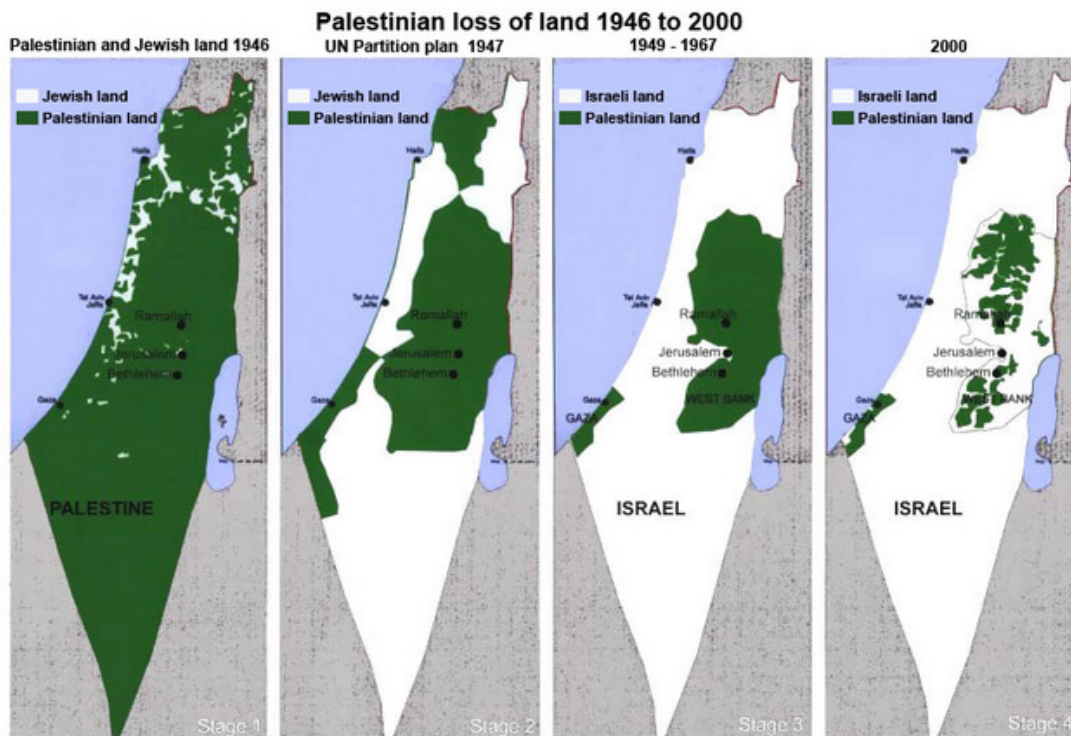
- I recommend to PJCIS to invite Mr Paul McGeough to appear before the Committee to give his oral evidence based on his extensive experience on Hamas and Middle East, to:
 1. Give his opinion about the internet 'facts' presented at ASIO's assessment report;
 2. To respond to the Inquiry Terms of Reference and answer any related questions.
- I recommend to PJCIS to investigate the accuracy and credibility of ASIO's report and to investigate if they mislead the Parliament.

2.4.3 ASIO Vs Grade-3 student information analysis: Destruction of Israel

My beloved youngest son in **grade-3 i.e. 8-year-old**, last term he had to prepare a presentation for an immigration project. Each student asked to prepare a presentation about their community immigration experience to Australia. I did help my son preparing for his project. We just used maps and photos for the project.

I told my 8-years-old son, just the basic information such as years and how his grandparents forced to leave their village in Palestine to Gaza, then to Kuwait, then to many countries.

This map of Palestine, past and present, was included:



I did ask my son to practice his presentation before me. Guess what?

At his fourth or fifth trial he said that about the above powerful map:

“You may ask what happen to the Palestinians ... Israel is trying to get rid of them and push them into the sea.”

If 8-years-old child and grade-3 student can come to this conclusion with very basic facts and ASIO want to convince us that Hamas & PIJ will destroy Israel! Does ASIO think that Australian public are stupid to believe ASIO assessment report that Hamas, even if it is in their charter, will get rid of Israel?

Let us not forget for once that Israel’s Prime Minister Golda Meir said that there was **“no such thing as a Palestinian people.”**

That’s why it is not fair to list Hamas’s Brigades and PIJ as a terrorist organisations and ignoring all the facts on the ground. More about this point in section [6.2.11 ASIO: Hamas Vs destroying Israel](#).

2.4.4 ASIO, Yes Zionist state Israel will disappear: more accurate facts

Jihadist Zionist will lead to Israel destruction. That’s what Zionist themselves said:

West Bank occupation poses the real threat to Israel

The Age and *Sydney Morning Herald* Middle East correspondent, Jason Koutsoukis, reported **23 September 2009**, 'West Bank occupation poses the real threat to Israel' quoting Israel's Defense Minister, Ehud Barak saying that:

Last Friday, according to Jewish New Year's tradition, Barak gave an interview to Israel's biggest selling newspaper Yedioth Ahronoth.

Instead of the usual palaver about the threats facing Israel, Barak surprised his questioners with this frank admission.

"Iran does not pose an existential threat to Israel," said Barak.

"Israel is strong," he said. "I do not envision anyone who can pose an existential threat to us. As of now Iran does not have a bomb. Even if it does, this does not mean that it becomes an existential threat to Israel."

Unusual for a politician in his position, Barak spoke honestly about what Israel could do to Iran if necessary.

"Israel can turn Iran into a pile of rubble," he said. "There is no change in my position: I have opposed and continue to oppose Iran. I do not believe that we are at the dawn of a new holocaust."

The more urgent threat to Israel's existence is its continued occupation of the West Bank. The most common reason given by Israeli leaders for denying Palestinians the right to build a sovereign state of their own is security. Give the Palestinians a state, many Israelis argue, and it won't be long before they conspire with the rest of the Arab world to push Israel into the Mediterranean Sea.

As long as Israel implements one set of laws for Israeli Jews who live in the West Bank, and another set of laws for the Palestinians who live alongside them, the country will continue to be condemned as an "apartheid state".

"I don't make light of that," Barak said last week when asked about the apartheid label and its potential consequences.

"Time is not necessarily on our side. Everyone realizes this, except those believers who are certain that the Messiah is about to come. We are liable to spill over into a bi national state." Such a situation would be a fundamental contradiction of the Zionist vision of a Jewish state, yet the mainstream Israeli right-wing continues to encourage the notion that the West Bank is the proper Land of Israel.

Source: *The Age* **23 September 2009**, 'West Bank occupation poses the real threat to Israel' report by Jason

Koutsoukis. <http://www.theage.com.au/opinion/west-bank-occupation-poses-the-real-threat-to-israel-20090923-g19s.html>

Olmert has explicitly called for return to '67 borders

Another important quote from the past Israeli PM Ehud Olmert. Since all ASIO's assessment report from the internet, I cannot understand how an intelligence organisation missed all these reports. However, Ehud Olmer has said what none of Israeli leaders before him dare to say. He said just that:

Prime Minister Ehud Olmert chose to strike on the most sensitive day of Israel's calendar, Yitzhak Rabin Memorial day. He did so both in the Knesset and on Mount Herzl, in order to lay out his vision - Israel must pull out of all the territories quickly, before it loses international support for a two-state solution. No Israeli leader before him has called explicitly for withdrawing from the territories and "returning to the area that was Israel until 1967." Olmert's criticism of the settlers' violence against the Palestinian olive pickers and his warning of the next political murder were also sharper than ever. **[Jihadist settlers violence doesn't concern ASIO]**

Source: Haaretz 11/11/2008. 'ANALYSIS / No leader before Olmert has explicitly called for return to '67 borders' <http://www.haaretz.com/hasen/spages/1036106.html>

Israel not only will loose international support for two-state solution, most importantly, they will loose Palestinian people demand for two-state solution. Palestinians will demand a one-state solution. There are a growing number of Palestinians and Jews who supports the one-state solution. This is Olmert's main message between the lines.

I will not surprise if ASIO considers calling for a one-state solution is a threat to Australia national interest and public safety, including the writer of this submission. Of course the government of the day will ask ASIO to gather enough 'intelligence' information from the internet to criminilise those who call for one-state solution.

Central Intelligence Agency (CIA) report: Israel will fall in 20 years

CIA report: Israel will fall in 20 years. A study conducted by the Central Intelligence Agency (CIA) has cast doubt over Israel's survival beyond the next 20 years.

ASIO 'intelligence' gathering are very low even comparing to CIA. Israel will not survive without USA support. USA support to Israel is far more than Australian support, but yet CIA did get the facts right and present this report and many other **accurate** reports to policy makers, where ASIO is presenting internet 'facts' without any context or proper convincing argument. CIA study concluded that:

The CIA report predicts "an inexorable movement away from a two-state to a one-state solution, as the most viable model based on democratic principles of full equality that sheds the looming specter of colonial Apartheid while allowing for the return of the 1947/1948 and 1967 refugees. The latter being the precondition for sustainable peace in the region."

The study, which has been made available only to a certain number of individuals, further forecasts the return of all Palestinian refugees to the occupied territories, and the exodus of two million Israeli - who would move to the US in the next fifteen years.

Source: Global Research – Centre for Research on Globalization, 13 March 2009. <http://www.globalresearch.ca/index.php?context=va&aid=12706>

2.4.5 Palestinian Islamic Vs Jewish State

“Over the long term, Hamas accepts the concept of two states in the Levant, which arguably puts Mr. Mishal’s terrorist movement closer to Washington than Mr. Netanyahu is – he now proposes only “economic peace” between Jews and Palestinians. “

Paul McGeough, 12 April

2009, <http://www.nytimes.com/2009/04/13/opinion/13mcgeough.html>

Parliamentary Inquiry into Freedom of Religion and Jewish State

I did discuss the ‘Jewish state’ in my first public submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade: Human Rights Sub-Committee inquiry into ‘Australia's efforts to promote and protect freedom of religion and belief’, 22 June 1999. I did submit that:

One of the Israel/Zionism propaganda after Israel establishment in May 1948 is Israel is a **Jewish State**. If we consider Israel is a Jewish state it will lead to ignorance to the other non-Jewish people live there. Also it will lead to Human Rights violation.

Human Rights violation increased dramatically after 1967 war. An article was published in The Australian Jewish News (July 10, 1998) for Isi Leibler, an Australian and chairman of the governing board of the World Jewish Congress. He stated in his article "Religious Zionism at the crossroads":

After the six days war, most religious Zionists believed they were not only

seeing a miracle, but actually witnessing the beginning of the redemption. The knitted skullcap was a proud symbol, admired and widely hailed throughout the Jewish world. Then came the Jewish "underground" and its program of terrorism, and a growing awareness that the lofty Messianic world of Rabbi Zvi Yehuda Kook, and Gush Emunim, had within it the seeds of potential disaster. Love of Eretz Yisrael mutated into a fanaticism about the "sanctity" of the land which brooked no compromise, not only in relation to issues connected with *pikuach nefesh* - life or death - but on the future survival of the state itself. One could also not ignore the fact that Yigal Amir was in every respect - until he murdered Rabin - a religious-Zionist role model.

Source: Asem Judeh's public submission to the parliamentary inquiry into 'Australia's efforts to promote and protect freedom of religion and belief', 22 June 1999.

The Parliamentary Committee tabled their report **Conviction with Compassion**³⁷: **A Report on Freedom of Religion and Belief, 27 November 2000.**

The Committee has acknowledged the facts presented in my submission and included this at the Committee report 'Conviction with Compassion':

5.160 In a private submission, **Mr Asem Judeh** supported many of these views.

He believed that, because Israel is a Jewish state, it did not give rights to other religions. In particular, because they are not Jews, there is discrimination against Palestinians in every facet of their lives.

5.161 In his submission, **Mr Judeh** asserted that according to UNHRC, Israel violated almost every article of the ICCPR. He also referred to:

- exclusion from full participation as Israeli citizens because Palestinians are not allowed to undertake military service;
- humiliating procedures, such as closed schools, curfews, ID cards, since the 1967 occupation of the Palestinian Territories;
- denial of free access to Jerusalem;
- difficulties for Christians and Muslims in gaining access to their Holy Places;
- deprivation of the right to learn for Palestinian children;
- restrictions on the amount of water supplied to Palestinians;
- demolition of homes and illegal settlements, and
- use of Australian tax payers' money in Israeli human rights violations.

Source: Joint Standing Committee on Foreign Affairs, Defence and Trade: Human Rights Sub-Committee inquiry into 'Australia's efforts to promote

³⁷ <http://www.aph.gov.au/house/committee/jfadt/Religion/Relindex.htm>

and protect freedom of religion and belief' report '**Conviction with Compassion**' - Chapter 5: Religious intolerance <http://www.aph.gov.au/house/committee/jfadt/Religion/relchap5.pdf>

Israeli jihadist right-wing PM Netanyahu and Jewish State

It seems to me that ASIO turned silent and blind eyes to the extreme right-wing Israeli government when jihadist Netanyahu insisted that Palestinians, Arabs and Muslims to recognise Israel as a 'Jewish state' if they want peace.

Israeli professor Yaron Ezrahi of political science at the Hebrew University in Jerusalem wrote the following comment about jihadist Netanyahu speech at United Nations when he demanded that Palestinians and Arabs recognise Israel as a Jewish state:

But even when he appealed to the Arab world with a call to recognize Israel as a Jewish state, Netanyahu erred, perhaps not by chance. As may be recalled, every time Yasser Arafat wanted to intensify the conflict and flee from negotiations, he wore a kaffiyeh and turned to religious symbols such as the Al-Aqsa Mosque.

Is it not obvious that the attempt to replace negotiations between the Israelis and the Palestinians with an interreligious conflict between Jews and Muslims is the cherished goal of the extremist enemies of peace on both sides?

Therefore it seems the demand for recognition of Israel as a Jewish state is an ostensibly sophisticated distraction on the part of a veteran peace rejectionist.

Furthermore, is there a single Muslim anymore who today could recognize a Jewish state that occupies a Muslim population? Recognize a Jewish state where a group of law-breaking Jewish extremists leads the elected government by the nose, in order to expand the borders of the country, against the wishes of most of the population in the country and the world?

Can the Palestinians be expected to recognize a country where the right-wing leaders in the government announce every morning that the battle of the settlements is the continuation of the War of Independence, that Israel is still a country in formation with no constitution and no borders?

In light of all this, Netanyahu's rhetoric victory on the world stage is a Pyrrhic victory that does not auger well for the Israeli public that he is supposed to represent. It was an emotional speech by a public relations minister that focused on Holocaust deniers, and not by an Israeli prime minister looking

out for Israelis yearning for quiet and stability.

Netanyahu, "at his best," missed the rare opportunity to promote the burning Israeli interest to reach an agreement that will prevent the next wave of violence.

Source: *Haaretz* 7 October 2009. 'COMMENT / Netanyahu's UN speech was that of a Jew, not an Israeli'. By Yaron

Ezrahi <http://www.haaretz.com/hasen/spages/1119389.html>

Recommendations: Zionism and Israel equal racism and terrorism

If the reasons for ASIO to list Hamas's Brigades and PIJ as a terrorist organisations under Division 102 of the *Criminal Code* because their charter calling for an Islamic state. **Then ASIO should be fair** and demand that (1) Zionism and (2) Israel listed as a terrorist organisation i.e. ideology and state, because both Zionism and Israel aiming to establish a Jewish state and ethnic cleansing Palestinian in occupied East Jerusalem and West Bank. Israel has committed so many massacres since 1948 until now just to establish a Jewish state, only for Jews. Hamas and PIJ may call to establish an Islamic state, but Jews will be live in Palestine equally to Palestinians Christians and Muslims. Jews never persecuted in Arab and Muslim worlds. Jews only persecuted in Europe.

As demonstrated in this submission Zionism and Israel are directly preparing, planning, assisting in or fostering the doing of terrorist acts. It is submitted the acts attributable to the Zionism and Israel are terrorist acts as they:

- (i) are done with the intention of advancing a political cause, namely, destruction and ethnic cleansing Palestinian people , and establishment of Jewish state in all historical Palestinian land;
- (ii) are intended to coerce or influence by intimidation the governments of foreign countries, including Palestinian Authority and/or intimidate the Palestinian, Australian public; and
- (iii) constitute acts which cause serious physical harm to persons, including death, as well as serious damage to property.

Recommendation:

- I recommend that PJCIS to recommend to the Parliament and Attorney-General to list Israel as a terrorist state.
- I recommend that PJCIS to recommend to the Parliament and Attorney-General to list Zionism as international jihadist terrorist organisation.

- I recommend that PJCIS to recommend to ASIO to investigate and report on Israel and Zionism terrorist activities on regular basis.

2.4.6 ASIO credibility is damaged

We can understand and accommodate ourselves with the government and politicians' bias, but ASIO as Australia's top intelligence agency they must be ethical, transparent, accurate and fairer. They must present only the accurate facts, not from the internet. They have responsibility to protect people lives not to help by giving outlaw state, Israel, a free license to kill others for whatsoever reason.

That proves that ASIO statement present without proper context, without facts and analysis, and missing day-to-day developments.

The following email message, **1st October 2009**, sent to me from an Australian citizen when I alerted people about ASIO's deliberate misleading assessment report:

Dear Asem

I commend your efforts and would extend you the help to prepare the submission.

The ASIO report is pathetic. It is lacking lots of objectivity and is worse than Israeli intelligence reports. It completely ignores the atrocities committed by Israel and the thousands of Palestinian victims. In fact American reports are better in this regard as they list some facts contrary to this one.

Regards

3. Israeli Vs Palestinian Terrorism. Why listing the Brigades and PIJ is politically motivated?

3.1 Australian government bias gives Israel free license to kill, massacre and ethnic cleansing Palestinians



Proscribing the Brigades and PIJ will give Israel free hand to kill more Palestinian civilians, mostly women and children. Will help Israel to commit more war crimes against humanity.

Will help Israel to steal more Palestinian land for illegal settlements and change populations in the occupied territories, in contrary to Geneva Convention.

Australia must meet its obligations to ICC and International Humanitarian Law.

According to Israel Prime Minister spokesperson, Mark Regev [he also an Australian Citizen], Israel war in Lebanon and Gaza is war against terrorism [sic]

"Well, I think you could only prosecute people who were directly involved in terrorism, or in this specific case, directly responsible, involved in the kidnapping of the corporal. I don't think you could adequately prosecute people if they were only bystanders or if they're part of the same organisation, but the legal situation is clear. **Under Israeli law**, Hamas is a terrorist organisation and it is possible to prosecute people just for being leaders and activists in a terrorist organisation. I'd also remind you that it's not only Israeli law. **Under Australian law, under Canadian law, under European Union guidelines, under American law**, in all those places and others, Hamas is officially defined as a terrorist organisation and so its leadership can be arrested in many countries, not just in Israel."


Source: Mark Regev speaking to Tony Jones ABC *Lateline* July 4, 2006, during Lebanon and Gaza

war: <http://www.abc.net.au/lateline/content/2006/s1677842.htm>

3.2 Zionism and Israel past terrorist and crimes against humanity

Israelis crimes against humanity are well-known and well-documented. The list of Israel terrorism and crimes (against Palestinians and non Palestinians, Arabs and non Arabs) are too long. In July 22, 1946, 92 Britons has been killed when jihadist Jewish terrorist group, the Irgun in agreement with the highest Jewish political authorities in Palestine-- the Jewish Agency and its head David-Ben-Gurion, bombed King David Hotel.

The head of the Irgun operation under Menachem Begin who later became Israel's prime minster and invaded Lebanon in 1982.

| | |
|--|---|
|  | <p>The head of the Irgun operation under Menachem Begin who later became Israel's prime minster and invaded Lebanon in 1982 and committed Sabra and Shatilla massacre.</p> <p>The photo on the left hand for Menachem Begin: Wanted for Murder. Published in the British newspaper <i>Daily Express</i> Friday August 1, 1947.</p> <p>A former member of British Palestine Police Force who currently resides in Australia and married to former Labor state MP, gave me copy of the <i>Daily Express</i> newspaper when I met him first in 1998 at their house. He is still has alive memory and remembered his colleges who killed by jihadist Zionist terrorist attack.</p> <p>Recently, Australian Federal Police has agreed to investigate 1975 killing of five Australian journalists in East Timor³⁸. Zionists crimes will never be forgotten.</p> |
|--|---|

I am not going to talk about every Israeli massacre or terrorist act. This website list most of Israeli-Zionist terrorist and massacre <http://www.soundofegypt.com/palestinian/adult/massacres.htm>

3.3 Zionism and Israel ongoing terrorist and crimes against humanity in Gaza

The ongoing Israel's crime(s) committed in Gaza. These crimes committed immediately after Palestinian people democratically elected Hamas in a strong protest to the peace process failure. Israel is not interested in true and permanent peace, they are only interested in Apartheid peace.

³⁸ See <http://www.guardian.co.uk/world/2009/sep/09/east-timor-journalists-australia-investigation>
Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

For more than two years, Israel collectively punishing 1.5 million civilians in Gaza and closing all borders.

For three years Israel has invaded and raided Gaza many times, terrorising and killing civilian population. Here are some of Israel Occupation Forces (IOF) crimes, (These facts are not mentioned at ASIO's deliberate misleading assessment report):

- **On 10 June 2006, IOF artillery shell resulted in 12 civilian deaths and left dozens wounded Friday evening. The shell hit a crowded Gaza beach in between Sudaniya and Beit Lahiya.**
- **On 8 November 2006, 18 killed as women and children blown to pieces in their homes in Beit Hanoun;**
- **On 15 January 2008, IOF killed at least 19 Palestinians in ground and air operations on the Gaza Strip.**
- **On 27 December 2008, IOF for three weeks attacked the heavily populated Gaza from ground, air and sea killing more than 1400 civilians and injuring thousands, most of them are children and women.**

And yet the Attorney-General and ASIO are blaming Palestinians for violence and terrorism [sic].

A report by **International Committee of the Red Cross** "Six months after Israel launched its three-week military operation in Gaza on 27 December 2008, Gazans still cannot rebuild their lives. Most people struggle to make ends meet. Seriously ill patients face difficulty obtaining the treatment they need. Many children suffer from deep psychological problems. Civilians whose homes and belongings were destroyed during the conflict are unable to recover.

During the 22 days of the Israeli military operation, nowhere in Gaza was safe for civilians. Hospitals were overwhelmed with casualties, including small children, women and elderly people. Medical personnel showed incredible courage and determination, working around the clock to save lives in extremely difficult circumstances. Meanwhile, daily rocket attacks launched from Gaza put thousands of residents at risk in southern Israel. Medical workers in Israel provided care for the traumatized population and treated and evacuated casualties."

The whole international community shocked from Israel's 21-days war on Gaza early this year.

Israel's crimes against humanity in Gaza have prompted United Nations to investigate these crimes, for the first time since the start of the Palestinian-Israeli conflict.

3.4 United Nations Fact Finding Mission on the Gaza Conflict

UN investigation committee led by Justice Richard Goldstone has released its report, **September 15**.

The just-released Goldstone report documenting war crimes committed during Israel's attack on Gaza over three weeks in December 08-January 09 reveals that the bombardments of infrastructure and appalling massacres inflicted on Palestinian civilians were deliberate and on a scale amounting to crimes against humanity. It concluded that they were grave violations of international law.

The report comes at a time when the Palestinians in Gaza are still suffering from the deprivations and humiliations of Israel's punitive sanctions imposed in June 2007. These sanctions have denied the Palestinians almost all basic household staples, construction materials to rebuild destroyed homes and medicines to relieve the pain and suffering of the thousands injured as well as the acutely and chronically ill. This, the report stated, was evidence of Israel's intent "to punish, humiliate and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever increasing sense of dependency and vulnerability."

While Palestinians were also found to have committed war crimes, **the proportions in the report are revealing- nine-tenths of the report is devoted to Israeli war crimes and only one-tenth to Palestinian war crimes**. The ratio of killings was about a hundred to one with more than 1400 Palestinians killed to 13 Israelis (4 by friendly fire). While several houses were damaged by Palestinian rocket fire, the Israelis reduced to smouldering rubble thousands of Palestinian homes, offices, factories and other infrastructure.

The report includes amongst the destruction of infrastructure, Gaza's last remaining flour mill, repeated strikes on a water well complex, bulldozers that buried 31,000 chickens in rubble in a chicken farm and the bombardment of a raw sewage lagoon causing spillage of 200,000 cubic metres of fetid sewage.

Furthermore, contrary to Israel's assertions, no evidence was found of Hamas using its own people as human shields, but there were numerous incidents cited of Palestinians being used as human shields by Israeli soldiers.

3.5 Israel PM Netanyahu: UN Report will tie our hands from killing women and children

Israeli extreme right wing PM, Netanyahu has criticised the UN report because this will prevent Israel from killing women and children in the name of war against terrorism [sic].

Israeli "Prime Minister Benjamin Netanyahu on Wednesday (16/9/09) blasted a United Nations probe into Israel's winter offensive against Hamas as nothing but a "kangaroo court," after the investigators accused Israel of committing war crimes in a report.

"The Goldstone report is a kangaroo court against Israel, whose consequences harm the struggle of democratic countries against terror," said Netanyahu during closed meetings, in his first response to the report, which was released on Tuesday. "(Source: *Haaretz* 16/9/09 'Netanyahu calls UN Gaza probe a 'kangaroo court' against Israel' <http://www.haaretz.com/hasen/spages/1115007.html>)

After decades of trying to impose accountability on Israel under international law, the Goldstone report provides a legal basis for doing so. As a signatory to the Geneva Conventions, Australia has an obligation to demand that claims of war crimes against Israel be heard before the International Criminal Court of Justice if Israel fails, as proposed in the report, to conduct credible internal investigations over the next six months.

3.6 Australian Government, Security and Intelligence agencies should meet their commitment to the International Law & ICC

By listing the Brigades and PIJ as a terrorist organisation Australia is giving Israel free license to kill, terrorise and massacre Palestinians.

Justice Richard Goldstone³⁹ report, 15th September 2009, call to end impunity given to Israel, should be awake up call for the Attorney-General, Government, Opposition, Security and Intelligence agencies.

The Australian government should end their double standards and show high level of commitment and obligations to International Humanitarian Law and International Criminal Court.

"More people will die, and the ultimate dignity that even in surrender you can have, by speaking the truth and letting it be heard, is forsaken. The Palestinians are on the other side of history and those of us who know,

³⁹ Justice Richard Goldstone, who is Jewish and has strong ties to Israel, told reporters at UN headquarters that "to accuse me of being anti-Israel is ridiculous," anticipating such criticism. He said it was in the interest of both Israelis and Palestinians to establish the truth of what happened in the conflict. Source SBS '**War crimes in Gaza conflict: UN probe**', 16 September 2009 <http://www.sbs.com.au/news/article/1092077/War-crimes-in-Gaza-conflict:-UN-probe>

especially in high places, who don't speak the truth now, it's a crime. What we owe each other now in these sorts of final days of the conflict, when anything can happen, when a million Palestinians could be driven out tomorrow, I'm not predicting, when a war could break out and under cover of that war we owe each other at least the truth. For God's sake, speak the truth before it's too late, otherwise we bequeath to our children as Jews, a lie, a hypocrisy."⁴⁰

The Attorney-General Department, if they are serious about fighting terrorism then they must act seriously and immediately and show no tolerance with those who commit act of terrorism or war crimes regardless of their ethnicity or religion. Otherwise, Australian people will not take the government position from war on terrorism seriously and the government will be seen as liars and hypocritical.

If South African Justice Goldstone, who is both Jewish and Zionist, and has strong connection with Israel can investigate Israel's crimes and produce professional report, then why Australian politicians, government, and opposition has failed to do so. Are their political seats more important than people lives?

Judge Richard Goldstone, the head of a United Nations commission that this week charged Israel with committing war crimes in the Gaza Strip during its offensive there last winter, **believes bringing war criminals to justice stems from the lessons of the Holocaust**, according to a lecture he delivered in Israel in 2000.

Goldstone spoke about the subject at Jerusalem's Yakar: Center for Tradition and Creativity, at a lecture attended by former Supreme Court president Aharon Barak. **The Israeli jurist introduced Goldstone as "a dear friend" with "very deep ties to Israel." Goldstone, in turn, said Barak was his hero and inspiration.**

In the lecture, concerning international efforts to bring war criminals to justice, Goldstone said the Holocaust has shaped legal protocol on war, adding that it was "the worst war crime in the world."

He also said the perception of war crimes against humanity should resonate differently to Jewish ears, in light of how the Holocaust shaped conventions relevant to the subject.

Source: Haaretz 18/9/09: 'Goldstone: Holocaust shaped view on war crimes'
<http://www.haaretz.com/hasen/spages/1115581.html>

⁴⁰ American-Jewish Professor Marc Ellis speaking to ABC Radio National, **8 August 2001. Asem Judeh has organised his visit to Australia.**

[APPENDIX B: Al-Qaeda Vs Israel Terrorism.](#)

[APPENDIX C: United Nations Fact Finding Mission on the Gaza Conflict](#)⁴¹

⁴¹<http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/FactFindingMission.htm>

4 Parliament Middle East Public Inquiry and definition of Violence and Terrorism, August 2001.

4.1 Australia's relations with the Middle East

Early 2000, the Joint Parliamentary Standing Committee on Foreign Affairs, Defence and Trade has launched the first inquiry 'Australia's relations with the Middle East' in the Parliament history.

The Inquiry Terms of Reference were biased, of course in Israel favour, especially in relation to violence and peace process.

Torture and ill-treatment of prisoners continued to be widespread in the region. In Israel and the Occupied Territories (Gaza, West Bank, Golan Heights and east Jerusalem) such methods are officially sanctioned and used systematically during interrogation of Palestinian security detainees, according to Amnesty International. Both Israel and the Palestinian Authority were responsible during 1998, according the US State Department's annual report, for serious human rights abuses, and **Palestinians in the West Bank and Gaza continued to harass, abuse and attack Israeli settlers. Extremist Palestinian organisations and individuals killed Israeli civilians in a number of attacks in the Occupied Territories and Israel.**⁴²

That was the official position on the Joint Parliamentary Committee position before the public submit their submissions to the Committee.

4.2 Australian unique public response to the Parliamentary Inquiry

What you will do if someone took your house by force and denied you access to any rights and resources? **What you will do** if this person's animals had access to the water more than your family? **What you and your generation will do** if their kids have swimming pool and water system for their gardens and you don't have enough water to wash your face or to cook? Keep in your mind this is your water and you have to buy just little amount, if you can afford it, with more than ten times what cost the settlers? **Most importantly, what you will do, if the Australian legal system and law, didn't give you what has had been taken from you by force?**

It will be very STRANGE if you don't HARRASS them? Is the aim of your committee to tell the Australian public that Israel occupation is LEGAL?

⁴² Page 31. The Terms of Reference of Context of parliament inquiry into Australia's relations with the Middle East.

Source: Asem Judeh's 252-Page public submission, 9 April 2000, to the Foreign Affairs Sub-Committee, Joint Standing Committee on Foreign Affairs, Defence and Trade: Australia's relations with the Middle East, Including the Gulf Region.

The Joint Parliamentary Standing Committee on Foreign Affairs, Defence and Trade inquiry into **Australia's relations with the Middle East, Including the Gulf Region**, has received large number of submissions from the public, individuals, and community organisations including pro-Israel lobby groups, academics, NGOs, politicians, government departments and business people.

The committee received 93-public submission and 32-supplementary submissions⁴³.

Large number of public submissions proves that Australian public has deep interest in Israel-Palestine issue.

I wrote **252-page** submission to the Committee to respond to the bias and misleading the Inquiry term of reference content.

I used the following quotes for late Liberal MP Peter Nugent, after his return from unofficial parliamentary delegation to Palestine and Israel, May 1998:

"... that if you keep a people downrodden, effectively poor, with minimal political representation and little prospect of improving their lot, and then at the same time, gradually piece by piece take over their property ... you are going to give them no option. They (the Palestinian) are just going to give up in despair and the young hotheads are going to indulge in things you might call terrorism."⁴⁴

Source: *The Age*. Monday 11 May 1998

ASIO and Attorney-General (current and past) should define Palestinian violence or terrorism as late Peter Nugent did.

In other words, the Attorney-General and ASIO can not accuse Palestinians of terrorism when they are daily been killed, massacred and ritually humiliated by Israeli barbaric Occupation Force and extremist right wing religious settlers.

⁴³ The list of submissions can be found

<http://www.aph.gov.au/house/committee/jfadt/Mideast/MESubs.htm>

⁴⁴ Middle East MP's concern over Palestinians, by Ross Dunn. *The Age* Monday 11 May 1998.

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

4.3 The Inquiry into Australia's Relations with the Middle East Report and Recommendations

The Committee travelled to all states and conducted public hearings. After **16+ months** of investigation and public hearings the Committee presented its report *Inquiry into Australia's Relations with the Middle East* to **Parliament on 19 September 2001** in **the Senate 20 September 2001** in the House of Representatives.

In other words, The Committee tabled its report after the events of September 11, 2001.

As a result of the public input to the Inquiry the Committee forced to change their view initially were at the Inquiry Terms of Reference especially in relation to 'violence', 'terrorism' and Middle East Peace Process.

The Committee recommendation about violence and terrorism was just that:

Recommendation 8

The Committee recommends that all Australian political and official public statements condemning terrorism and violence in the context of the Middle East conflict continue to be framed in terms which clearly apply to **all** the parties in conflict.

All in all, the Committee recommendations reflected professionally and ethically the public reaction and demands.

The Committee conclusions have angered extreme pro-Israel MPs and as a result of that the Committee allowed them to publish and attach the '**Minority Report**'⁴⁵ to the Committee Report.

Appendix D: Joint Standing Committee on Foreign Affairs, Defence and Trade: Inquiry into Australia's Relations with the Middle East Report

What that means in terms of listing the Brigades and PIJ as a terrorist organisation based on ASIO misleading allegations?

4.4 Attorney-General and ASIO Vs Contempt of Parliament

The Parliamentary Middle East Inquiry has found, after extensive investigations and public hearings, that:

⁴⁵ Minority Report can be found here

<http://www.aph.gov.au/house/committee/jfadt/Mideast/MEminority.pdf>

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

1. Pro-Israel lobby view is a minority within Australian public opinion;
2. The Committee Terms of Reference was wrong and the public has educated the Committee which led to present these good recommendations.

The Committee recommendations came in very critical time. It came immediately after the shocking events of September 11, which changed the world view on many things.

Most of the media commentators after September 11, has stressed the need to resolve the Palestinian question and not to treat Israel as a (country) above the law.

For example, Security expert and author Brigadier Adrian D'Hage on Monday, 24 September 2001, said that at ABC Jon Faine's Melbourne morning radio program he linked the September 11 events to Israel's occupation and Palestinian long history of suffering. The full interview can be found at <http://www.abc.net.au/local/melbourne/radio/recent/s374939.htm>

It is clear that:

1. The Middle East Inquiry recommendations has been ignored by the government (Liberal and Labor); and
2. Both Attorney-General current and past has politicised Australia Intelligence and Security Agencies;

That means, that Attorney-General and ASIO cannot condemn Palestinian violence and (terrorism) without the Middle East context i.e. Israeli military barbaric occupation.

ASIO main role is to gather, examine and analyse the information **including** Israeli illegal and criminal acts to give the government and Parliament the accurate advice.

ASIO cannot accuse Palestinian of terrorism without accurate information with proper context.

The government and its agencies have every right to not adopt the parliamentary committee recommendation. But, the government and ASIO must not present any inaccurate information to a parliament committee. They should not mislead the parliament.

Because of that I believe that **the Attorney-General submission to Parliamentary Joint Committee on Intelligence and Security and ASIO**

assessment report is not only deliberately misleading, it is in fact contempt of parliament.

Contempt of Parliament

From Wikipedia, the free encyclopedia

In many [jurisdictions](#) governed by a [parliament](#), **Contempt of Parliament** is the [crime](#) of obstructing the parliament in the carrying out of its functions, or of hindering any [Member of Parliament](#) in the performance of his or her duties.

Actions which can constitute contempt of Parliament may vary, but typically include such things as:

- Deliberately misleading a [House of Parliament](#) or a parliamentary [committee](#)
- Refusing to [testify](#) before, or to produce documents to, a House or committee
- Attempting to influence a [Member of Parliament](#), for example, by bribery or threats

In some jurisdictions, a House of Parliament may declare any act to constitute contempt, and this is not subject to judicial review. In others, contempt of Parliament is defined by [statute](#); while Parliament makes the initial decision of whether to punish for contempt, the person or organisation in contempt may appeal to the [courts](#).

Source: **Wikipedia, the free encyclopedia** http://en.wikipedia.org/wiki/Contempt_of_Parliament

When I exercised my citizenship rights through my various public submissions, I have appeared three times before three different parliamentary committees'. **I have learnt that the parliamentary committee proceedings are legal proceedings of the parliament.** That means that as an individual, I shouldn't mislead the parliamentary committee neither by my written submission, nor at the public hearing.

CHAIR – Welcome. The subcommittee prefers that all evidence be given in public, but should you at any stage wish to give any evidence in private, you may ask to do so and the subcommittee will give consideration to your request. Although the subcommittee does not require you to give evidence under oath, **I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as the proceedings of the House itself.** I will invite you to make a short opening statement if you wish and then we will proceed to questions.

Mr Judeh – Deir Yassin is an international organisation. It has branches in the USA, England, Jerusalem and Scotland. I am honoured to represent them in Australia. Deir Yassin is an organisation whose members include Jews and non-Jews calling for justice in the Middle East. We are strong believers that justice is due in the Middle East.

Source: Official Committee Hansard: Inquiry into Australia's relations with the Middle East Public Hearing. TUESDAY, 25 JULY 2000, Melbourne <http://www.aph.gov.au/hansard/joint/commttee/j4098.pdf>

In this submission I will examine ASIO's assessment report and clarify the misleading points included in ASIO's report.

5. Australian politics, silence, double standards and Jewish lobby

The author of this submission has written 14-public submissions to the federal, Victorian state parliament and two ministerial inquiries. I have given Oral Evidence and appeared 3 times before different federal parliamentary committees’.

I have been monitoring closely and carefully the government and parliament position and Middle East foreign policy since 1995.

I am reading and monitoring Zionist, Israeli and Jewish media on daily basis; witnessed and well-documented organised pro-Israel lobby influence on politicians, media and various Australian institutions. Organised pro-Israel lobby, do that for the following reasons:

- Ensure that there is a total silence on Israel crimes and barbaric occupation and no criticism for Israel;
- Ensure that Zionist illegal activities in Australia that related to financing Israel apartheid and illegal settlement are not criticised or mentioned by the government or parliament; and
- Use the government and politicians to attack Muslim, Islam and Arabic community. The anti-terror law legislations are very clear evidence.
- Use the government and politicians to promote and advocate for Israel political and propaganda agenda.

I have included so many evidences from various Zionist sources and Australian Jewish News in my previous public submissions.

No one can call me anti-Semite, because I am a Semite and like every Palestinian, strongly attached to my beloved parent’s homeland, Palestine.

5.1 Labor MP Julia Irwin Vs Parliament silence

Four weeks ago, I spoke in this House on my private member’s motion concerning peace in the Middle East. When I placed the motion on the *Notice Paper* in September, I could not have imagined the response to what most people would see as a reasonable proposal for a peaceful settlement. **My motion was an invitation to this House to debate an issue which has not been de-bated here in living memory. The events surrounding the selection of the motion and the attempts to have it withdrawn were fairly described in Alan Ramsey’s column in the *Sydney Morning Herald* on 26 October [2002]. I must admit that I was surprised that a private member’s motion from an opposition backbench member could attract so much interest, but I was soon to find out why there is a code of silence in this parliament which forbids the discussion of what is by any description a major issue in world affairs.** I would have thought an open discussion of this issue free from party pressure may have been a valuable exercise.

Labor MP Julia Irwin. House of Representatives Hansard, Monday, 9 December 2002.

Australian public can accept politicians to be silent on important issues, but for the government of the day to misled the parliament in important issues such as anti-terror law and rely on unreliable sources to appease organised pro-Israel lobby, which is not acceptable. It is simply contempt of parliament, the peoples' parliament.

5.2 Labor Attorney-General Robert McClelland ignores his own criticism to his predecessor

The current Labor Attorney-General Robert McClelland when he was in the opposition has criticised Liberal government anti-terror law. Mr MMcClelland MP has criticized his predecessor Philip Ruddock of plagiarising information from the internet in its justification for banning an organisation the Government says is a new terrorist group, Palestinian Islamic Jihad (PIJ).

The Federal Opposition is accusing the Government of plagiarising information from the internet in its justification for banning an organisation the Government says is a new terrorist group.

Labor's Homeland Security spokesman, Robert McClelland says he's concerned the Attorney-General seems to have copied information about the Palestinian Islamic Jihad group from a well known security and intelligence website.

The Attorney-General, Philip Ruddock, says the advice he released came from ASIO. But he says there's nothing wrong with using material from public sources to justify this latest counter-terrorism measure. It's a process Labor's Robert McClelland has branded "shabby and pedestrian".

MATT BROWN: The Attorney-General, Philip Ruddock, says the while the small Palestinian Islamic jihad group has not been active outside the Middle East, the security services have told him it should be banned in Australia

PHILIP RUDDOCK: The listing occurs after I receive advice from the Director-General of ASIO.

ROBERT MCCLELLAND: The Government's guilty of plagiarism. That source hasn't been acknowledged in the documents, and it's literally verbatim reports, extracts from the internet in terms of the assessment of this organisation.

They've literally done, effectively an internet Google search to produce this document, to advise the Australian people of the risks.

Source: ABC AM, Tuesday, 4 May, 2004. 'Govt accused of plagiarising terrorism information' <http://www.abc.net.au/am/content/2004/s1100891.htm>

That is very clear evidence that the government of the day is politicising Australian Security and Intelligence agencies to appease organised pro-Israel lobby.

When Labor Party came to power, November 2007, and Mr McClelland became the Attorney-General, he did exactly what his predecessor did.

The Labor Attorney-General, Mr McClelland, in his Submission to Parliamentary Joint Committee on Intelligence and Security already made a decision re-list the Brigades, PKK, LeT and PIJ *“following careful consideration of intelligence information provided by ASIO in consultation with the Department of Foreign Affairs and Trade, as well as legal advice provided to me by the Australian Government Solicitor.”*⁴⁶

I have read carefully ASIO’s assessment report in relation to Hamas and PIJ. ASIO’s report full of bias, factual inaccurate information and missing important facts. ASIO’s report written in a way to satisfy the government and to keep re-listing Hamas, PIJ and Hizbollah. So Israel can continue their daily killing, massacres and ethnic cleansing Palestinians. So Israel can continue their illegal military occupation to East Jerusalem, Gaza and West Bank and to go ahead with their ongoing land theft to build more illegal settlements.

Reading **both ASIO’s 2007 and 2009** reports there is no much difference between both reports except the dates! See section [6.3 ASIO’s 2007 Vs 2009 Report: A Comparison](#).

5.3 Politicians appeasing Pro-Israel lobby

So why Labor Attorney-General relied exactly on the same source of information used by his predecessor?

⁴⁶ [The Hon Robert McClelland MP, Attorney-General](#) submission to Parliamentary Joint Committee on Intelligence and Security, **27 August 2009**.
http://www.aph.gov.au/house/committee/pJICIS/hamas_pkk_let_pij/subs/sub1.pdf
Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades



Attorney-General Robert McClelland (right) with State Zionist Council of Victoria president Dr Danny Lamm at the organisation's AGM last week.

McClelland: Warning about home-grown terrorist attacks.⁴⁷

ATTORNEY-GENERAL Robert McClelland has warned the Jewish community that a terrorist attack in Australia is as likely to be committed by a home-grown cell as it is from an overseas group.

McClelland discussed Australia's national security and answered questions on a wide range of topics.

Covering other issues, McClelland said that while the Government had abandoned legal action against Iranian President Mahmoud Ahmadinejad in the short-term, countries should develop international law that made these types of prosecutions easier.

"The international community needs to do more to pursue international law," he said.

5.4 Australian Government must act honestly and fairly if they want global peace and security

How and why the Attorney-General Robert McClelland will convince countries to 'develop international law' to take legal action against Iranian President Mahmoud Ahmadinejad, where he ignores Australia's commitment to International Humanitarian Law and International Criminal Court in relation to Palestinian occupied territories (East Jerusalem, Gaza and West Bank)?

Will lies and appeasement make us achieve global peace and security?

Will Australian politicians stop their hypocrisy and appeasement to pro-Israel lobby and learn from Turkish Prime Minister Recep Tayyip Erdoğan?

"We are completely against nuclear weapons in the Middle East. There is a country in the Middle East that possesses nuclear weapon: Israel. There is a difference, though; Israel is not a member of the IAEA, while Iran is. Moreover, phosphorus bombs were used in Gaza. What is this? A weapon of mass destruction," Erdoğan said, referring to the Israeli army's deadly offensive in Gaza last December, leaving more than 1,300 people dead. "These issues are never brought to the table, and this personally annoys me as a person who is in an office [that carries with it] responsibility," Erdoğan said. "That is to say, we need to be fairer. We have to act honestly if we want global peace," he added.

⁴⁷ **Source:** *Australian Jewish News*, 3 November 2008.

<http://www.ajn.com.au/news/news.asp?pgID=6525>

“We are completely against nuclear weapons in the Middle East. There is a country in the Middle East that possesses nuclear weapon: Israel. There is a difference, though; **Israel is not a member of the IAEA, while Iran is. Moreover, phosphorus bombs were used in Gaza. What is this? A weapon of mass destruction,**” Erdoğan said, referring to the Israeli army's deadly offensive in Gaza last December, leaving more than 1,300 people dead. **“These issues are never brought to the table, and this personally annoys me as a person who is in an office [that carries with it] responsibility,”** Erdoğan said. **“That is to say, we need to be fairer. We have to act honestly if we want global peace,”** he added.

Today's Zaman 28/09/2009: 'Erdoğan: Iran should not be sole target in nuclear dispute'

5.5 Politicising Australia Intelligence and Security agencies

Isn't that hypocrisy! Especially, when Labor and Liberal Attorney-General list Hamas and PIJ as a terrorist organisations, which have every right under UN Charter to resist Israel's barbaric military occupation.

I have a strong believe that Australian government has politicised our security and intelligence agencies. As a result of that our security and intelligence agencies has culture of reporting to the government only what they would like to hear, that appeases organised pro-Israel lobby.

Even as a result of that, thousands of Palestinians children and women killed or massacred. Australia obligation to International Law and ICC means nothing when it comes to protect Palestinian civilian lives.

As a result from the lack of transparency involved in the proscribing of terrorist organisations has sever impact on the lives of Australian Muslim community. **I can support this conclusion by so many evidences.** As pointed out in a Research Note by the Parliamentary Library (*The Politics of Proscription in Australia*, Parliamentary Research Note 63, 2004)⁴⁸, the proscription of terrorist organisations would superficially appear to be both subjective and arbitrary. This leads to two impacts on the Muslim community.

LTTE (Liberation Tigers of Tamil Eelam) for many years “described as ‘one of the most effective and devastating insurgencies in the world’, the LTTE has fought an armed struggle for some 20 years against the Sri Lankan

⁴⁸ By [Nigel Brew](http://www.aph.gov.au/library/Pubs/RN/2003-04/04rn63.htm), Foreign Affairs, Defence and Trade Section, 21 June 2004. <http://www.aph.gov.au/library/Pubs/RN/2003-04/04rn63.htm>

Government with the aim of establishing an independent Tamil state. A well-armed and resourced group, the LTTE has earned a reputation for suicide bombings and assassinations." LTTE is listed by United States and United Kingdom as a terrorist organisation.

It is a well known fact to the government, security and intelligence agencies that LTTE has very strong financial base here in Australia and they receives large funds from Tamil community?

Why the then Attorney-General, Philip Ruddock, did not proscribe LTTE as a terrorist organisation? Isn't ASIO concern since there are strong and effective Tamil community in Australia?

In 2002, I have attended and participated on behalf of the Palestinian community, in a Tamil multicultural function. State Labor ministers and Liberal opposition were present at the Tamil's function. What I have learnt from that function that Tamil's community has maintained for many years a good relationship (i.e. lobbying) with both Labor and Liberal politicians, on the state and federal level.

That explains why none of Labor or Liberal was interested to list LTTE as a terrorist organisation. That's why ASIO were not interested reporting to the government, because the government is not interested to hear that.

That means if alQaeda and Osama Bin Laden has very strong, organised and effective lobbying group or community, then the government (Labor and Liberal) will not dare to proscribe alQaeda as a terrorist organisation!

At this submission I will analyse and respond to ASIO's misleading and biased assessment in relation to Hamas and PIJ.

I will prove to the Committee that ASIO's assessment is misleading and factual inaccurate.

ASIO biased and misleading assessment report is far worse than AFP's fabricated allegations against Dr. Haneef.

The Parliamentary Joint Committee on Intelligence and Security should demand a Royal Commission into politicising our security and intelligence agencies.

For Australian safety and security, Australian security and intelligence agencies must remain transparent and above all kind of politics.

There is a case of parliament contempt by Attorney-General and ASIO. This is a very serious issue and must be investigated thoroughly.

[APPENDIX A](#), my formal complaint to the Inspector-General of Intelligence and Security, Mr Ian Carnell, 22 September 2009, to investigate ASIO's assessment report.

5.6 Attorney-General double standards and Jihadist Zionist terrorist Kahane Chai (Kach)

It is a well-known fact that Hamas does not pose any threat to Australia and has no connection whatsoever in Australia. Hamas and all other Palestinian factions, including Fateh, main legitimate objective is to resist Israeli barbaric military occupation. Let us not forget that Hamas did not conduct any act outside historical Palestinian land.

For the Attorney-General based on ASIO's assessment to list only Palestinian resistance groups and ignoring Israeli military barbaric occupation and the growing number of Jihadist Zionist terrorist organisations, such as Kahane Chai, and extreme right-wing settlement movement.

That simply means that the government is not interested in fighting the root causes of terrorism, they are politicising the war against terrorism and **only** targeting Islam and Muslims. Most importantly, the government, intelligence and security agencies are giving Israel free license to continue their barbaric military occupation and killing Palestinian civilians [sic].

Dr Waleed Kadous the Co-convenor AMCRAN has submitted to PJCIS, 24 January 2005, that:

"Many Muslims ask, for example, why Kach (and the related Kahane Chai), a Jewish linked organisation considered by the United States [Canada and European Union] as a terrorist organisation that operates largely in Israel and Palestine, is not proscribed under Australian law. The Kahane Chai has targeted innocent civilians (most notably a massacre in a mosque in Hebron that led to the death of 29 Palestinians at the hands of Kach member Baruch Goldstein in 1994), is not listed as a terrorist organisation, while Palestinian Islamic Jihad [and Hamas] is proscribed as a terrorist organisation."

Why the Attorney-General did not ask ASIO to investigate this Jihadis Zionist terrorist organisation?

If ASIO as they claim at their assessment report that the information they supplied to the PJCIS **'is based on publicly available [internet] details about**

Hamas's Izz al-Din al-Qassam Brigades (the Brigades)”, so why they did not come across or search about the Jihadist Zionist organisations?

Why ASIO did not gather any intelligence information if these Jihadist Zionist terrorist organisations and extreme Jihadist right-wing settlers has strong sympathisers and network here Australia?

Here are some **free tips** for the Attorney-General and ASIO:

5.6.1 Kach and Kahane Chai are proscribed as a terrorist organisation in Israel.

The following letter from my emails library January 1st 2001 translated and distributed by IMRA (Independent Media Review & Analysis). The Document/Letter from Israeli MK Kleiner to Attorney General calling for re-examination of classification of Kach and Kahane Chai as terror organization:

31 December 2000

Mr. Elyakim Rubenstein
Attorney General

Re: Reexamination of classification of the organizations "Kach" and "Kahane Chai" as terrorist organizations.

In the past, the organizations "Kach" and "Kahane Chai" were classified terrorist organization, among other things, as an extension of the decision of the Supreme Court that confirmed the invalidation of the "Kach" list headed by the late Rabbi Meir Kahane.

At the same time, the Supreme Court decided with a majority of three against two not to invalidate the list of MK Mohammed Miari. An examination of the explanation of the majority finds that all the red lines set by the Supreme Court regarding what an Arab list may and may not do have been crossed by the parties and MK's who are now openly acting for the end of the Jewish character of the State of Israel.

One can no longer accept the fact that those who act for the destruction of the Jewish state are acceptable while someone acting for the strengthening of the Jewishness of the state is barred from participating in the political game.

There is no justification that the Fatah organization, that sends murderers to attack civilians, among them Rabbi Kahane and his son who fell as a victim of terrorists, should be off of the list of terrorist organizations while the comrades of Meir and Binyamin Ze'ev Kahane are classified as a terrorist

organization without having ever be caught organizing, instigating or carrying out a terror action.

Therefore, I would appreciate if you would reconsider the terror organization status attached to the "Kach" and "Kahane Chai" movements and cancel it.

Best regards,
MK Michael Kleiner

Israel has proscribed this organisation as a terrorist organisation and yet the Attorney-General (past and present) and ASIO they never thought to investigate this organisation. Please note that Israel as a Zionist state do agree with Rabbi Kahane ideology but not with his tactics. In fact Israeli leader are practicing Rabbi Kahane ideology, land theft and illegal settlements on daily basis. Rabbi Kahane tactics and terrorist activities are lifting the veil from Zionism.

5.6.2 First tip to ASIO – Australian facts

The following letters to the *Australian Jewish News* Editor has been published, **5 April 2002:**

*"Belatedly many Israelis are agreeing that the late **Rabbi Meir Kahane** was right and the only ablution is separating Jews from Arabs ... I am becoming less and less considerate of genteel western political manners"* **Rabbi Labib Wolf, is founder and director of the Human Development Institute.**

*"You may not like my answer, I believe in **Rabbi Meir Kahane** – get rid of all Arabs."* **George Pollak.**

"Drive the Palestinian out of Israel." **Solly Feldman**

"The Arab nations should take them if they feel any humanitarian calling at all." **Leah Lawrence**

"We should have a physical wall separating us." **Rosa Nathan**

Please note that these letters published during Israel's barbaric full incursion to Palestinian occupied West Bank, March-April 2002, where hundred of Palestinian civilian killed and where all Australian and EU taxpayers money for developments and aid projects deliberately destroyed by Israel.

Doesn't ASIO have responsibility to protect Australian national interest which includes taxpayer's overseas development projects?

5.6.3 Second tip to ASIO – Another Australian fact!

Again, the *Australian Jewish News*, **5 August 2005**, has published a full page ad signed by **33** Australian Orthodox Jewish Rabbis saying **NO to 2005 Gaza disengagement**.

This paragraph from the ad

*“A Definitive Halachic (**Jewish Law**) Ruling Forbidding the Surrender of Any Part of the Holy Land. Based on ruling recently issued by 300 prominent Israeli Rabbis, including former Justices of Israel’s Supreme Rabbinical court, **Jewish Law** prescribes that if marauders approach a border town on the Sabbath, even if their ostensible aim straw and stubble, **we are commanded to desecrate the Sabbath, take up arms, and repel their attack**, for otherwise the entire land will conquer-therby endangering Jewish lives.”*

33-Orthodox Jewish Rabbis endorsed and signed that ad. From intelligence point of view that simply means that there is at least **33-Orthodox Synagogues in Australia** are

- supporting illegal settlements under **Jewish Law**;
- are against Australia’s commitment to international law; and
- possibly financing illegal settlements and land theft;

Why current PJCIS Committee member and former Liberal Attorney-General, the Hon. Philip Ruddock, did not investigate this matter professionally when Labor MP Julia Irwin asked him?

Did he refer the matter to ASIO for further intelligence assessment?

If the government and ASIO are really interested in fighting terrorism, then they must fight the root causes. Israeli land theft and illegal settlements are the root causes for violence and terrorism in historical Palestine.

**National Security: Terrorism
(Question No. 2180)**

[Mrs Irwin](#) asked the Minister representing the Minister for Justice and Customs, upon notice, on 11 August 2003:

- (1) Are the organisations known as Kach and Kahane Chai regarded as derivative organisations of the listed terrorist organisation Hizballah External Security Organisation.
- (2) Are these organisations known to be active in Australia.

[Mr Ruddock](#) – The answer to the honourable member's question is as follows:

- (1) No

(2) No. Kach and Kahane Chai operate primarily in Israel and the [occupied East Jerusalem and] West Bank.

Source: House of Representatives Official Hansard

No. 1, 2004

Tuesday, 10 February 2004, Page: 24212

Here are some photos from jihadist extreme right-wing and settlers during Gaza disengagement, extreme illegal settlers burned Israeli flag and settler children use Nazi-era imagery to protest at their removal by Israeli troops. Those photos prove that those illegal settlers are: criminals and jihadist Zionist terrorist guided by Jewish Law:



Recommendation:

- The PJCIS should advise to the Attorney General to reconsider the executive power given to him as a result of the Criminal Code Amendment (Terrorist Organisations) Bill on 4 March 2004. As we

can see this executive power has been abused by the previous and current Attorney-General.

- The PJCIS should advise to the Attorney General that his Department and ASIO should investigate the root causes behind the violence and terrorism in Middle East and Palestine in particular.
- The PJCIS should advise to the Attorney General to list Kach and Kahane Chai as a terrorist organisation under Division 102 of the *Criminal Code*.
- The PJCIS should advise to the Attorney General to list all Jihadist Zionist settlement movement as a terrorist organisations.
- The PJCIS should advise to the Attorney General to investigate the links between Australian Jewish Rabbis, Synagogues and Jewish day schools in relation to any education, religious and financing link with Israeli illegal settlements and apartheid.
- The PJCIS should advise to the Attorney General that ASIO investigates the Jewish National Fund and United Israel Appeal Refugee Fund involvements in financing Israeli apartheid and illegal activities.

5.6.4 Third tip to ASIO – Australian media: Journalistic Investigation

Since ASIO radar only directed toward jihadist Muslims, I am sure that ASIO has missed this important journalistic investigative documentary for Nine Network's *60 minutes* by Liam Bartlett.

The segment titled "Hate Thy Neighbour", which was screened on September 20, 2009. This is part of what Liam Bartlett reported about jihadist Zionist settlers:

LIAM BARTLETT: This is a day in the life of the West Bank. Where neighbourhood disputes are settled at the point of a gun. An Israeli settler has come to confront a Palestinian family in the city of Hebron. So Hosni, when you were shot, you're standing here, the settler is, what? Standing here with the gun? And he shoots you here? Can I have a look? Will you show me? Palestinian Hosni Matric despises the Jewish settlers who have moved into his town - and the feeling is mutual. His house is a stone's throw from one of the Jewish settlements springing up all over the West Bank.

LIAM BARTLETT: The West Bank is most disputed piece of land on the planet. This is where Palestinians want to establish their new state.

NADIA MATAR: They have here eight couples and 15 singles.

LIAM BARTLETT: But Israelis, like the feisty Nadia Matar, are doing their level best to prevent that by building houses all over it and simply assuming ownership.

NADIA MATAR: Welcome. Shalom.

LIAM BARTLETT: Thank you. Their settlements are in breach of international law, but try telling Nadia that. This is unlawful, this is unlawful.

NADIA MATAR: No. What is unlawful is for you to come to my house and tell me I'm not allowed to build. How would you feel if I came to your back yard in Sydney and tell you your house there is illegal?

LIAM BARTLETT: The UN says this is disputed territory... ..that you captured.

NADIA MATAR: The UN is biased, uh uh uh, pro-Arab - we know that. Leave it and where should we go? Where should we go? Back to Auschwitz? Where do you want us to go? This is our homeland.
[.....]

ELYASHIV KELLER: I see him beating him up.

LIAM BARTLETT: He's seeing a gun and he's trying to defend himself. Settler Elyashiv Keller would have none of it. He said it had been made up, just to make settlers look bad.

ELYASHIV KELLER: You're showing me a fight, between people.

LIAM BARTLETT: No, I'm showing you a...

ELYASHIV KELLER: Listen!

LIAM BARTLETT: ..a settler, shooting at close range..

ELYASHIV KELLER: You are saying that he's a settler, I don't know those people. Listen! You can say, "OK, he's a settler, and he came to interview me from Australia," now, who's going to tell me in the middle of the shoot who's right?

LIAM BARTLETT: Oh, so you're saying...

I really hope that the Attorney-General stop politicising ASIO and keep our intelligence and security agencies above any politics, so they will be able to switch their radar into all type of jihadist including jihadist Zionist extremist, before it is too late.

Nine Network's *60 minutes* segment titled "Hate Thy Neighbour" can be found here <http://sixtyminutes.ninemsn.com.au/article.aspx?id=864899>

ASIO cannot claim that they did not read Australian newspapers and watching and listening to major TV and Radio current affairs programs.

From time to time clever and courageous find ways to send hidden messages to the public and ASIO about Middle East in spite of editorial control.

5.7 ASIO 2007-08 Annual Report⁴⁹ to the Parliament

According to ASIO's Annual Report 2007-2008, ASIO reported to the Parliament that:

Developments in Australia

Terrorism-related activity continues to take place in Australia. ASIO and its partners have previously disrupted significant terrorism planning and ASIO continues to assess that without preventative actions taken by Australian authorities, attacks would have occurred here.

ASIO is aware of a significant number of Australians who hold, or have held, extremist views. Some of these Australians have shown willingness to put these views into action – some have travelled overseas to train with terrorist groups or engage in jihad activities, and some have been charged or convicted of terrorist offences.

Source ASIO's Annual Report 2007-2008 [Part 1 - Threats to Australia in 2007-08](#)⁵⁰

ASIO meant only Muslims in this paragraph. What about pro-Israel extremist view and their jihadist activities?

What about Australian Jews involvement in military training in Israel?

Reading and analysing ASIO's [Part 1 - Threats to Australia in 2007-08](#)) I found this interesting statistics/analysis:

- The word 'jihad' or 'jihadist' mentioned 19 times;
- The word 'Islam' or 'Islamic' mentioned 19 times;
- The word 'militant' mentioned twice;
- The word 'Muslim/s' mentioned twice;
- The word 'Jew' or 'Jewish' is not mentioned at all;
- The word 'Israel' is mentioned once, in relation one of al-Qa'ida threat statements.

That means that ASIO is sponsoring Israel's propaganda and term 'jihadist'. That simply means that ASIO is only targeting Australian Muslims and they pay no attention whatsoever to the 'Jewish lobby in Australia' intimidation, harassment, threat and attack on free fellow women and men Australians.

⁴⁹ <http://www.asio.gov.au/Publications/content/CurrentAnnualReport/Content/Cover.aspx>

⁵⁰ <http://www.asio.gov.au/Publications/content/CurrentAnnualReport/pdf/part10708.pdf>

That means that Australia intelligence and security agencies do not care about pro-Israel illegal activities in relation to Israel Palestine such as financing and recruiting for Israel apartheid and illegal occupation. Aren't these activities are well known and documented in the public records?

I've passed much information to ASIO and AFP since 2002. I am sure that ASIO and AFP Middle East section has ignored all these information.

Who will protect us? Who will protect all Australians? Are 'Jewish lobby in Australia' above the law?

Later I will give evidence about people, Australian citizens, who received **politically motivated** life threats and ASIO and other security agencies did nothing about it!

If that the case, how ASIO's assessment report to the Parliamentary Joint Committee on Intelligence will be accurate, fair and even-handed?

Recommendations:

- **The PJCIS to investigate all the facts and allegations included in my submission professionally; thoroughly and ethically.**
- **The PJCIS should advise to the Attorney General to call for a Royal Commission to investigate if the Attorney-General has abused the power and trust given to him by People's Parliament, if he politicised ASIO and if ASIO is corrupt and misleading the Parliament in proscribing terrorist organisations are not identified by UN as a terrorist organisations⁵¹.**

⁵¹ UN's latest list of entities at

<http://www.un.org/Docs/sc/committees/1267/pdflist.pdf> 926 April 2007)

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

5.7.1 Why Royal Commission is needed?

The above two recommendations are important for the following reasons:

1. According to an international poll requested by European Commission, October 2003, **Israel and US biggest Threats to World Peace**⁵²;
2. Don't underestimate the war crimes committed by Israeli Occupation Army for 21 day in Gaza and the UN Report commissioned by Justice Richard Goldstone. This is the first report since the conflict started. This will bring more legal battles against Israel and will lift the veil from Israel ugly barbaric occupation;
3. US President Obama and EU are begging Israel to freeze all illegal settlements in occupied East Jerusalem and West Bank. This shy pressure will not last forever. They will force Israel to comply. Then the world will suffer from jihadist Zionist terrorism.
4. **Be assured that Palestinian people under Israeli barbaric occupation will remain resilient. They will never give up as the whole world witnessed during Israeli barbaric war on Gaza early this year.**

What that means?

Israeli extremist right-wing inside Israel and abroad will show their ugly face because Zionism and extreme Rabbis educated them for many generations that the land promised to you by God? Their sleeping cells will be activated and start their jihadist war for the God's promised land. We saw how those jihadist Zionist Jews burn the Israelis flags and labelled, the butcher, Ariel Sharon, as Nazist.

Let us not forget that Israel has nuclear capability and many jihadist Zionist are in the Israeli occupation army. See section '[The rise of Israel's military rabbis](#)'.

That's why ASIO and other agencies must be above all politics to protect all Australians for generations to come. **I am confident that ASIO have no whatsoever any long term strategy intelligence to protect Australians from the true jihadist Zionist.**

These quotes from Zionists will support my allegations/analysis:

- A state within a state has arisen in the territories; it is standing up to the country that created it and is overcoming it. "The state today is the enemy of the people of Israel," some people defiantly said Thursday in Hebron.
In London at the British Parliament, **President Shimon Peres also presented a harsh vision: Israel will find it difficult to evacuate the**

⁵² Source EUobserver 30 October 2003. Poll: Israel and US Biggest Threats to World Peace. <http://www.twf.org/News/Y2003/1031-Poll.html>

settlements without civil war, he said. What he meant was that those who want peace with our neighbors based upon the "Beirut Declaration" should get ready for war with our settlers based on a declaration of independence. But to judge from the experience of the past 41 years, including the personal and unfortunate experience of Peres himself, it is entirely unclear who will win this war - the State of Israel or the destroyers who come forth from it. **Source: Haaretz 21/11/2008: 'ANALYSIS / A state within a state has arisen in the territories'** <http://www.haaretz.com/hasen/spages/1039500.html>

- "Rabbi Shalom Dov Wolpe, a Chabad educator and author, launched into a tirade about Israel's negotiations with Palestinians at the conference of a right-wing organization he runs, S.O.S. Israel. "The terrible traitor, Ehud Olmert, who gives these **[Palestinian]** Nazis weapons, who gives money, who frees their murderous terrorists, this man, like Ariel Sharon, collaborates with the Nazis," Wolpe said on Wednesday, January 2, in remarks that were shown on Israeli television news." **Source: Haaretz 10/1/2008 'Rabbi's incitement against Olmert threatens to split Chabad'** <http://www.haaretz.com/hasen/spages/943684.html>
- "A government decision to evacuate more territory may lead to a large-scale violent conflict with settlers, complete with live fire, Shin Bet security service chief Yuval Diskin warned at yesterday's cabinet meeting. The meeting ended with the ministers voting to end all government support, both direct and indirect, for illegal outposts. "The scope of the conflict will be much larger than it is today and than it was during the disengagement," Diskin warned. "Our investigation found a very high willingness among this public to use violence - not just stones, but live weapons - in order to prevent or halt a diplomatic process." **Source: Haaretz 3/11/2008 'Settlers preparing for war, says Shin Bet chief'** <http://www.haaretz.com/hasen/spages/1033535.html>
- "A RETIRED Israeli general who served as Yitzhak Rabin's military secretary, has sounded a warning about **right-wing extremists who have threatened to assassinate United States presidential candidate Barack Obama**. Major-General Danny Yatom urged security personnel guarding leading political figures "to take very seriously those threats and to do their utmost in order to protect their leaders and in order to avoid any political assassination". **Source: Australian Jewish News 5/11/2008. 'Warning on right-wing extremists'**
- "I was astounded to read excerpts from a sermon in which you concluded that Hurricane Katrina was a punishment from God in

response to Israel's recent withdrawal from the Gaza strip. I am outraged that a rabbi – in fact a former chief rabbi of Israel, and a much-admired Shas Party leader -- would have the audacity and the lack of sensitivity to suggest that the terrible devastation inflicted by Hurricane Katrina was God's retribution for President Bush's support of the withdrawal." **Source:** **The United Synagogue of Conservative Judaism. 'An Open Letter to Rabbi Ovadia Yosef' by Rabbi Jerome M. Epstein.** http://www.uscj.org/Rabbi_Jerome_Epstein6842.html

Let us not forget for a moment that jihadist Zionist extremist assassinated Israel's Prime Minister Yitzhak Rabin because they believed that he was going to exchange Palestinian occupied land (God's promised land for jihadist Zionist) with peace.

Make no mistake that Jihadist Zionist will humiliate and kill any one who dares to force them to evacuate God's promised land.

The Australian government, Intelligence and Security agencies must act quickly before it is too late.

6. ASIO's credibility and misleading assessment report

I will try in this section to respond to ASIO's deliberate bias and inaccurate assessment regarding the Brigades and PIJ. I will try to put in the public record some of the communications I had with ASIO and Australian Federal Police that proves for me at least, that these important organisations are only reporting to the government of the day what they would like to hear.

This section will shed some light into the possibility of 'Jewish Lobby in Australia' access and influence of ASIO.

Please note that since 2001 I did pass some of what included in this submission and more to the Australian Federal Police (AFP). And Since 2002, I gave same information to ASIO. Also, I gave ASIO soft copy of my 52-page submission to the **Parliamentary Senate Legal and Constitutional Committee Anti-Terrorism Bill: Suppression of the Financing of Terrorism Bill 2002**.

I am sure that ASIO agent has sent this information to the relevant department at his organisation, but I have no any indication that ASIO treated this information seriously. I think ASIO's assessment report to list Hamas's Brigades and PIJ indicates clearly to me that they have ignored all these important information deliberately. Also, that's clear evidence that as a result of the government biased Middle East foreign policy, that led that ASIO only reports to the government what the government of the day would like to hear.

Every word sent to and every meeting with ASIO and AFP agents are well-documented.

ASIO cannot say that we didn't know.

6.1 Australian Security Intelligence Organisation (ASIO) - Overview

The following overview is from Australian Security Intelligence Organisation (ASIO) homepage⁵³

ASIO's role is to identify and investigate threats to security, wherever they arise, and to **provide advice to protect Australia, its people and its interests**. ASIO's functions are set out in the [Australian Security Intelligence Organisation Act 1979 \(the ASIO Act\)](#).

⁵³ <http://www.asio.gov.au/About/content/what.aspx>

Security is defined in the ASIO Act as espionage, sabotage, **politically motivated violence, the promotion of communal violence**, attacks on Australia's defence system, and **acts of foreign interference**. It also includes the carrying out of Australia's responsibilities to any foreign country in relation to threats to security with a particular focus on politically motivated violence.

ASIO collects information using the least intrusive means possible commensurate with the level and immediacy of the threat. **ASIO uses intelligence methods which can include human sources, special powers authorised by warrant and through its liaison relationships in addition to information that is available from published sources.**

ASIO is the only Australian intelligence agency which both collects and assesses security intelligence.

Did ASIO really collected and analysed any of extreme right-wing religious Australian Jews strong link to Jihadist religious Zionist Jews inside Israel and abroad?

6.1.1 ASIO Vs ignorant, double standards and corruption

Did ASIO aware of 'Jewish lobby in Australia' intimidation, ongoing bullying tactics and life threat to free Australian women and men (**including Jews**) way of life, freedom, opinion and choice?

"They'll destroy what you've worked for. They are determined to show we made a bad choice. I think it's Frank Lowy's money. You don't understand just how much opposition there is. We cannot go ahead. If only there was progress in the Middle East, this would not be such a bad time.

[Professor Reese] "We are being threatened by members of a powerful group who think they have an entitlement to tell others what to do. This opposition is orchestrated. The arguments are all the same - that Hanan Ashrawi has not condemned violence sufficiently, that she was highly critical of Israel in her address to the UN's Johannesburg Conference on racism, and wilder accusations that do not bear repetition. Kathryn, we need to avoid the trap of even using the language of 'one side'. That's not the issue. **We are being bullied and intimidated and you are asking that we give way to it.** The letter writers and the phone callers who **this group encourage have spent weeks bullying a 25-year-old colleague of mine who handles the foundation's administration. You are asking me to collude with bullying.** I've never given way to bullying. Public life is too much characterised by cowardice. If we give way I'd be so ashamed I couldn't face myself. The image

of the Peace Foundation would be shameful. Our reputation would count for nothing"

Source: Sydney Morning Herald, 25 October 2003. 'Here's Lucy, caving in, taking flight' <http://www.smh.com.au/articles/2003/10/24/1066974313719.html>

Hanan Ashrawi visit to Australia and Sydney Peace Foundation Prize has attracted huge media attention, locally and abroad. The **politically motivated** attack, intimidation and harassment on Hanan Ashrawi and Sydney Peace Foundation have backfired on 'Jewish lobby in Australia, and namely Australia Israel Jewish Affairs Council (AIJAC)⁵⁴.

I am sure that ASIO were aware of this public event and the controversy surrounded this event. In particular the **politically motivated bullying, intimidation and harassment** by powerful members of the 'Jewish lobby in Australia.

Did ASIO analysed and investigated this incident, to help them understand and track all extremists related to Israel and Palestine?

I doubt that ASIO did that. That means ASIO's activities has been politicised which means that it become more corrupt, ignorant and apply the same government double standards i.e. target only Muslims and cover up Israel's crimes and illegal activities in Australia.

ASIO and other security agencies, has responsibility to protect all Australians. They have failed to do so.

Sydney Peace Prize Controversy

Date posted: October 30, 2003

By Karen M. Donahue

Dear Premier Carr,

I was appalled to hear of the controversy surrounding the selection of Dr. Hanan Mikhail Ashrawi as the 2003 recipient of the Sydney Peace Prize. The campaign to revoke this choice is nothing short of a disgrace and reflects poorly on the integrity of Sydney's business and political communities. I have visited the West Bank and witnessed first hand, the brutality of Israel's illegal occupation of Palestinian lands. **Any attempt by the Palestinians to resist this oppression (which is now in its 37th year) is labeled "terrorism."** **On the other hand, Israel's willful destruction of Palestinian homes and infrastructure is looked upon as "self-defense."**

⁵⁴ <http://www.aijac.org.au/>

Judaism and Zionism are not synonymous. Many Jewish people oppose the occupation and wish to live in peace with their Palestinian sisters and brothers. By caving into Zionist pressures, the Sydney Peace Foundation is only contributing to the conflict in the Middle East. Thank you for your consideration.

Karen M. Donahue
Michigan
USA

Source: <http://www.miftah.org/display.cfm?DocId=2607&CategoryId=18>
more reports <http://www.miftah.org/display.cfm?DocId=2604&CategoryId=18>

6.1.2 ASIO's cover-up 'Jewish lobby in Australia' illegal activities and jihadist Zionist terrorising Australian citizens

It seems to me that ASIO's radar is focused only on Islam and Muslim community. It seems to me that ASIO don't collect any intelligence activities regarding the 'Jewish lobby in Australia' and their intimidation, silencing and sometime life threat to free fellow men and women Australians.

| | |
|--|---|
| | <p>Antony Loewenstein is an Australian Jewish journalist and author of 'My Israel Question' book. He lives in Australia not in another planet.</p> <p>Did ASIO bother to read Loewenstein's book?</p> <p>Did ASIO follow the debate generated in Australia about the book, here in Australia not in another planet?</p> <p>Did ASIO bother to educate themselves and collect information about from Loewenstein's blog?</p> <p>Loewenstein's blog is http://antonyloewenstein.com/</p> |
|--|---|

6.1.3 ASIO terrorising Australian-Palestinian community member – ASIO’s fairness & subjectivity!

As indicated before, ASIO and AFP refused to take any action regarding Australian Jews who supports and finance Israel’s apartheid and illegal settlements.

The following written statement from an Australian citizen of Palestinian origin. This person has been approached and terrorised by ASIO agent, 1995 :

Mr X⁵⁵ visited me at home on the night of the 17th Oct 1995 and asked politely if he can come in and ask a few questions. He introduced himself to be a government officer working for ASIO. I welcomed him not knowing why is this visit for.

Because I lived in Arabic countries as a Palestinian without any rights this developed a sense of insecurity and unsuitability through my whole life. Secret police in the Middle East control the lives of innocent people putting them through processes to make them continuously n and unwanted.

Mr X explained to me what ASIO do for Australia, and went in on to general discussion about the Israeli Palestinian conflict. During the discussion I didn’t know what his visit was about. I felt intimidated being visited by an ASIO officer, the reason being, would Mr X visit my next door neighbour who was born and lived all his life in Australia, Or it’s people like myself who migrated and come from overseas that he visits. I had very sad feeling inside, being discriminated against, specially from a member of ASIO, for a moment I thought that I was a threat to the Australian National Security.

Then Mr X asked the question he really came in for which is if I knew any members of Hamas (The Islamic resistant movement in west bank and Gaza), or knew any one who transfers funds to Hamas from Australia. I explained to Mr X that most of the people I knew where either middle income people or still actively trying to find a job in Australia, since they are all new immigrants. Most people are either have a mortgage or trying to build their life in Australia. And stressed to him that Palestinian people in Australia will not under mine the national security of Australia. Also, I told him that threats on Australia National Security comes from other countries not from Palestinians trying to live peacefully in their new home Australia.

The above written statement has been presented to the parliamentary inquiry into ‘Australia's efforts to promote and protect freedom of religion and belief’, 22 June 1999.

⁵⁵ I have the real name for ASIO agent

Please note that this incident happened in 1995. At that time Hamas were not popular and didn't hold any powerful position. If ASIO in 1995, before the existence of any anti-terror laws, were interested in Hamas that means:

- ASIO is corrupt long time ago;
- 'Jewish lobby in Australia' has had influence on ASIO long time ago or the government politicised ASIO long time ago.

That is clear evidence that ASIO is corrupt, biased and lack fairness and subjectivity.

6.1.4 Sample of the information passed to ASIO

ASIO silence on Australians financing illegal settlements and activities

This is part of a letter sent to ASIO and AFP, **2 March 2003** which proves ASIO and AFP double standards, bias and silence.

Dear Mr. X,

Attached is the recent report published in the Australian Jewish News, 28 February 2003, "Beyond the Green Line" by Peter Kohn.

The report indicated the following facts: "Of the 9000 Australian olim living in Israel, only 500 or so live beyond the Green Line. Jonathan Goldstein is one of them."

That means that 500 Australians choose to settle in Palestinian occupied land beyond the green line. They are deliberately terrorising and humiliating Palestinian civilians. The right wing settler, Jonathan Goldstein, "is back in [Australia] fundraising" mission.

Asem Judeh's fax letter to ASIO, March 2003.

ASIO silence on 'Jewish lobby intimidation tactics:

This letter faxed to ASIO in 3 December 2002:

Dear Mr. X,

Attached is a recent report in the *Australian Jewish News*, **29 November 2002**. In the report the **former** Israeli citizen xxx stated that she is "facing a storm of abuse and threats for suggesting that Australians should support threatened Muslim women by wearing headscarves this Friday (November 29), and for making controversial statements about Jewish festivals and the Israeli treatment of Palestinians."

This is the case also with every Australian dare to criticise Israel. Terry Lane a well-known commentator and journalist "After a series of broadcasts about Israel and the Middle East, Lane declared that he would "never again" discuss the Israel-Palestine conflict on his radio program. He had received "so many vicious and menacing letters". He had been subject to "Harassment, vilification, threats and abuse". He would later explain, "The Zionist lobby in this country is malicious, implacable, mendacious and dangerous....there is not one (radio station) manager or editor in this country who will defend an underling. We are thrown to the jackals. In the end the truly tolerant have no defence against intolerance. I surrender. To the Zionists I say you win. To the Palestinians forgive my cowardice" (Australian Jewish News, 4 December 1992)." (Source: Australia/Israel and Jewish Affairs Council publication the Review, February 2002 www.ajjac.org.au/review/2002/272/lane.html)

Asem Judeh's fax letter to ASIO, 3 December 2002.

6.2 ASIO's Report: Politically motivated, wrong information and misleading⁵⁶

At this section I will detail the specifics of ASIO's assessment report that proves that the report is politically motivated, contains wrong information and misleading.

6.2.1 ASIO's assessment fabricating the internet information:

The Federal Opposition is accusing the Government of plagiarising information from the internet in its justification for banning an organisation the Government says is a new terrorist group.

Labor's Homeland Security spokesman, Robert McClelland says he's concerned the Attorney-General seems to have copied information about the Palestinian Islamic Jihad group from a well known security and intelligence website.

Source: ABC AM, Tuesday, 4 May, 2004. 'Govt accused of plagiarising terrorism information' <http://www.abc.net.au/am/content/2004/s1100891.htm>

According to ASIO's 'intelligence' information collected from the internet alleged that Hamas and PIJ are responsible of a terrorist attack Dimona city:

- February 2008: a suicide attack in Dimona killed and injured a number of

⁵⁶ ASIO Report to the Parliament Committee

http://www.aph.gov.au/house/committee/pJCIS/hamas_pkk_let_pij/subs/sub1.pdf

People. **Page 5 (Brigades)**

- February 2008 - PIJ claims responsibility for a suicide bombing in the Israeli city of Dimona which killed one and injured eleven; **Page 18 (PIJ)**

I found the following facts from the internet, all of these facts contradict with ASIO allegations and suggests strongly that ASIO assessment report deliberately misleading the parliament. ASIO has responsibility to protect people lives and gather accurate intelligence to prevent terrorist attacks. Instead ASIO are in fact engaged in inciting hatred toward Australian Palestinian community in particular and the wider Muslim community. ASIO's deliberate lies are supporting killing innocent people.

None of these reports confirm that Hamas committed Dimona act. Interestingly, ASIO assessment reports alleged that both Hamas and PIJ committed attack on Dimona.

I wonder how ASIO will be able to eliminate hatred as away of fighting terrorism when the top Australian intelligence agency spreading hatred and lies deliberately?

VOA News Vs ASIO deliberate lies

Two Palestinian suicide bombers who crossed into Israel from Egypt struck the Israeli city of Dimona, killing one woman and injuring seven others. Jim Teeple has details from our Jerusalem bureau

A faction of the Al Aksa Martyrs Brigade group, which is affiliated with Palestinian President Mahmoud Abbas' Fatah movement claimed responsibility for the attack. Abu Walid is a spokesman for the group.

A statement issued by Palestinian President Mahmoud Abbas condemned the attack, but he also criticized Israel for a military operation early Monday in the West Bank that killed several militants. Israeli warplanes also struck the northern Gaza Strip, killing a senior Palestinian militant.

Source: VOA News 4 February 2008. 'Suicide Bomber Strikes in Dimona Near Israel's Nuclear Reactor' By Jim Teeple <http://www.voanews.com/english/archive/2008-02/2008-02-04-voa15.cfm?CFID=295408930&CFTOKEN=30306710&jsessionid=0030adf6a80a1c29462f2a2e26b542c60707>

Jerusalem Post Vs ASIO deliberate lies

The Aksa Martyrs Brigades claimed responsibility for planning the attack, saying it had been in the works for about a month. In a press conference convened by the terror group, the two bombers were named as Mussa Arafat, from Khan Yunis, a member of the Abu Ali Mustafa Brigades - the armed

wing of the Popular Front for the Liberation of Palestine, and Aksa operative Luwi Luwani from the Gaza Strip.

Aksa spokesman Abu Fouad said that the two bombers entered Israel from Egypt after Hamas blew up the Gaza-Egypt border wall. However, the claim was later denied by the group.

Source: *Jerusalem Post*, 4 February 2008. 'Woman killed, 38 wounded in Dimona suicide

bombing' <http://www.jpost.com/servlet/Satellite?pagename=JPost%2FJPostArticle%2FShowFull&cid=1202064575658>

Haaretz Vs ASIO deliberate lies

- **Abbas condemns attack; Hamas calls it justified**

Palestinian President Mahmoud Abbas condemned the Dimona bombing, but was also critical of an earlier military raid by IDF troops in the occupied West Bank, which killed two Palestinian militants.

In Gaza, Hamas spokesman Ayman Taha said he did not know whether his group was involved, but said the attack was justified.

Source: *Haaretz* 4 February 2008. 'U.S. condemns Dimona attack, PM vows 'relentless' war on terror'

<http://www.haaretz.com/hasen/spages/951034.html>

- Both the Al-Aqsa Martyrs' Brigade and the Popular Front for the Liberation of Palestine also claimed responsibility for the attack earlier in the day.

Abu Fouad, a spokesman for the Fatah-allied Al Aqsa Martyrs' Brigades - which claimed responsibility for the attack - said the operation had been planned for a month.

Source: *Haaretz* 5 February 2008. 'Day after Dimona bombing, Israel reverts to high security alert'

<http://www.haaretz.com/hasen/spages/951396.html>

GlobalSecurity.Org Vs ASIO deliberate lies

Suicide Bomber Strikes in Dimona Near Israel's Nuclear Reactor

By Jim Teeple

Jerusalem

04 February 2008

Two Palestinian suicide bombers who crossed into Israel from Egypt struck the Israeli city of Dimona, killing one woman and injuring seven others. Jim Teeple has details from our Jerusalem bureau.

A faction of the Al Aksa Martyrs Brigade group, which is affiliated with Palestinian President Mahmoud Abbas' Fatah movement claimed responsibility for the attack. Abu Walid is a spokesman for the group.

A statement issued by Palestinian President Mahmoud Abbas condemned the attack, but he also criticized Israel for a military operation early Monday in the West Bank that killed several militants. Israeli warplanes also struck the northern Gaza Strip, killing a senior Palestinian militant.

Source: <http://www.globalsecurity.org/military/library/news/2008/02/mil-080204-voa02.htm>

ASIO is not a political organisation

The Attorney-General, Robert McClelland, at his letter to the PJCIS Chair, The Hon Arch Bevis MP, wrote that:

My decision to re-list the Brigades, PKK, LeT and PIJ was made following careful consideration of intelligence information provided by ASIO in consultation with the Department of Foreign Affairs and Trade, as well as legal advice provided to me by the Australian Government Solicitor.

ASIO is not a political organisation to submit to the Attorney-General and PJCIS wrong facts or political view to influence the Committee decision or to report lies so the government has the grounds to re-list any organisation as a terrorist organisation.

The above shocking evidence proves that ASIO are not adhering to their stated values⁵⁷:

| Our [ASIO] Values We are committed to: | |
|--|--|
| Excellence <ul style="list-style-type: none">• producing high quality, relevant, timely advice• displaying strong leadership and professionalism• improving through innovation and learning | Integrity <ul style="list-style-type: none">• being ethical and working without bias• maintaining the confidentiality and security of our work• respecting others and valuing diversity |

⁵⁷ ASIO's mission, vision and values <http://www.asio.gov.au/About/Content/miss.aspx>

| Cooperation | Accountability |
|--|--|
| <ul style="list-style-type: none"> • building a common sense of purpose and mutual support • using appropriate communication in all our relationships • fostering and maintaining productive partnerships | <ul style="list-style-type: none"> • being responsible for what we do and for our outcomes • being accountable to the Australian community through the Government and the Parliament |

| Recommendations: |
|--|
| <ul style="list-style-type: none"> ▪ Since ASIO's assessment report is deliberately misleading the Parliament, it should not be accepted by PJCIS. ▪ The PJCIS should recommend strongly to the Attorney-General and related Parliament Committees' to open special inquiry and investigate if ASIO are adhere to its declared values. ▪ The PJCIS recommend strongly to the Attorney-General to establish a Royal Commission inquiry if ASIO adhere to its declared values and the well-researched evidence at this submission that ASIO deliberately misled the Parliament, endangering Australian people and Palestinians lives and damaging Palestinian people reputation, including Palestinian community in Australia. ▪ The PJCIS recommend strongly that the Attorney-General in future do not accept that ASIO collect information from the internet. |

6.2.2 ASIO: Occupation Vs terrorist activities

Hamas is an extremist Sunni organisation which in its 1988 founding charter called for the creation of an Islamic state in place of Israel and the Occupied Territories.

Source: Page 3 of ASIO's assessment report

Palestinian Extremism

In what basis ASIO asserts that Hamas is an extremist organisation! If Hamas an extremist organisation, they wouldn't not allow Christian Palestinian candidate themselves on Hamas's 2006 election ticket. If Hams an extremist organisation, so how come they participated in the last and most democratic election, 2006?

When former ABC Middle East correspondent, Mark Willacy, went to Gaza to get late sheik Ahmad Yaseen response, second day after listing Hamas's Brigade as terrorist organisation, he [Mr Willacy] is treated nicely by Hamas.

But when the current Middle East correspondent, Anne Barker, went to report ultra-Orthodox Jews violent protest in Jerusalem, July 2009, she is humiliated and degraded.

Anne Barker reported that, 6 July 2009: "I found myself herded against a brick wall as they kept on spitting - on my face, my hair, my clothes, my arms. It was like rain, coming at me from all directions - hitting my recorder, my bag, my shoes, even my glasses. Big gobs of spit landed on me like heavy raindrops. I could even smell it as it fell on my face."⁵⁸

It seems to me that ASIO don't care how Israel or jihadist ultra-Orthodox Jews treats Australian citizens!

The rise of Israel's military rabbis

During Israel's barbaric war on Gaza early this year, the Israeli and international media reported that an Israeli occupation officer handed out a booklet urging soldiers to show no mercy to their enemies. to troops during Israel's fierce three-week military incursion in the Gaza Strip.

The army says the booklet was based on the writings of an **ultranationalist rabbi identified with the Jewish settler movement in the West Bank**. It says the chief military rabbi, Brig. Gen. Avichay Rontzki, did not see or approve the booklet before publication.

Some passages compared Palestinians to the biblical Philistines and suggested they had no right to land claimed by Israel. An Israeli rights group has said the passages bordered on "incitement to racism."

Source: Haaretz 28 January 2009. 'IDF censures officer for distributing incendiary religious pamphlets to troops' <http://www.haaretz.com/hasen/spages/1059520.html>

According to Reserve Gen Nehemia Dagan, what is happening in the army is far more dangerous than most Israelis realise: "We (soldiers) used to be able to put aside our own ideas in order to do what we had to do. It didn't matter if we were religious or from a kibbutz. But that's not the case anymore.

"The morals of the battlefield cannot come from a religious authority. Once it does, it's Jihad. I know people will not like that word but that's what it is, Holy War. And once it's Holy War there are no limits."

⁵⁸ ABC Online News 6 July 2009. 'Reporter feels mob's hate in the Holy City' By Anne Barker. <http://www.abc.net.au/news/stories/2009/07/06/2617502.htm?section=world>

Many religious Jews object to the type of preaching heard during Israel's recent Gaza operation. They say it perverts the true teachings of Judaism as well as contradicts Israel's military code.

See [APPENDIX G: BBC documentary report, 7 September 2009, 'The rise of Israel's military rabbis'](#)

Watch this [video](#)

URL <http://news.bbc.co.uk/1/hi/programmes/newsnight/8232694.stm> is about 'Teenagers at a Jewish seminary in the occupied West Bank talk about the connection between the Israeli army and God' and

Watch this [video](#)

URL <http://news.bbc.co.uk/1/hi/programmes/newsnight/8232700.stm> where 'Israeli general warns of dangers of turning war into 'jihad'

Jihadist Chabad-Lubavitch movement

33-Australian Jewish Rabbis published a full-page ad at the Australian Jewish News stating just that:

'Rabbis say **NO to [Gaza] Disengagement'**

*"A Definitive Halachic (**Jewish Law**) Ruling Forbidding the Surrender of Any Part of the Holy Land. Based on ruling recently issued by 300 prominent Israeli Rabbis, including former Justices of Israel's Supreme Rabbinical court, **Jewish Law** prescribes that if marauders approach a border town on the Sabbath, even if their ostensible aim straw and stubble, **we are commanded to desecrate the Sabbath, take up arms, and repel their attack**, for otherwise the entire land will conquer-therby endangering Jewish lives."*

I wonder what ASIO reaction would be if 33-Muslim clerics made similar statement to the Jewish Rabbis!

I don't recall that the government or ASIO had any reaction to the above ad.

"The only way to fight a moral war is the Jewish way. Destroy their holy sites; kill their men, women and children and even cattle." These are not the words of a loony Jewish terrorist marauding through the hills of the West Bank in search of an elderly Arab peasant or shepherd to kill.

In fact, these words were uttered in June by Manis Friedman, a prominent and highly respected Chabad-Lubavitch rabbi who is widely admired among many Orthodox Jews, especially in the United States.

Writing in response to a question posed by *Moment Magazine* for its "Ask the Rabbis" feature, the Minnesota-based rabbi argued that "if we followed this wisdom (killing innocent Arab men, women and children), there would be no civilian casualties, no children in the line of fire, no false sense of righteousness, in fact, no war."

He went on: "I don't believe in Western morality. Living by the Torah values will make us a light unto the nations who suffer defeat because of a disastrous morality of human invention."

Defending his views, Friedman argued that he was only quoting from the Torah. He further argued that he was not actually urging Israel to kill *en masse* Palestinian men, women and children, saying that he only believed that Israel should publicly say that it is willing to "do these things in order to scare Palestinians."

Source: Palestine Times 2 July 2009. 'Chabad's genocidal morality'⁵⁹ By Khalid Amayreh.

Occupation

Interestingly, that ASIO has referred to Palestinian territories as occupied land without specifying the borders and areas of the Palestinian occupied territories. That is important and will help making ASIO's assessment more accurate with the right context without any confusion. But in spite of this fact reported at ASIO's report (i.e. occupation), it seems to me that the fact of Israel brutal occupation irrelevant for ASIO.

I wonder what ASIO definition to the jihadist Israeli Zionist right-wing settlers and their settlement movement foundation. Are they criminals, terrorist or innocent civilians?

That's why ASIO's assessment report wrongly denied Palestinian people the right to resist Israel military occupation and considered attacking Israeli occupation forces and facilities as terrorist act.

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<http://www.ptimes.org/main/default.aspx?xyz=BOgLkxIDHteZpYqykRIUuI1kx%2fVDUOFosWWzLRR80GkbEjzbz29H3Ku0qz4eLxIR6uJgmfPVzDKG79MI8Spwi9aH1z4Rt%2bur4vmh6z43llmHeSFE2deZDkqbnGJKurzHW6GNq1QsoJEO%3d>

Israel's military occupation in Palestinian occupied territories is different to the Australian and NATO forces to Afghanistan. Hamas, PIJ and all other Palestinian factions are not al-Qaidaa.

United Nations charter give the Palestinian and any occupied nation the right to resist the occupation. And Israel, as an occupier forces, has an obligation under international humanitarian law and Geneva Convention toward Palestinian people. It is a well know fact that Israel has had breached every article of Geneva Convention

Recommendations:

- The PJCIS recommend strongly to Attorney-General that ASIO get educated about Geneva Convention and International Humanitarian Law before they write their assessment report to advise the government to proscribe organisations that resist brutal military occupation.
- The PJCIS recommend strongly to Attorney-General that ASIO don't refer to any attack by Palestinians to the Israeli occupation forces as a terrorist act.

6.2.3 ASIO: Hamas and Peace Process

In 2006 Hamas won a decisive victory in the Palestinian elections which gave it a majority of seats - 76 out of 132. This allowed Hamas to oppose peace negotiations with Israel as the lead party in the Palestinian Authority (PA) and introduce a more traditional Islamic way of life.

Source: Page 3 of ASIO's assessment report

Israel does not want to deal with Hamas - it wants to annihilate the Islamist movement.

In propping up **Abbas**, Israel and Washington might have been expected to give him something that he could hold up to Palestinians as proof of his argument that they **can win independence only by negotiation. But after more than a year of meetings in what is called the "peace process", Abbas has nothing to show.** This treatment of Abbas destroys another element of Israeli thinking. If Abbas is to become popular, Hamas has to become unpopular - but Palestinians have shown that when the Israelis make their life a misery, they blame the Israelis.

Source: SMH 5 January 2009, 'Mission revealed: destroy Hamas'. By Paul McGeough, Chief Herald Correspondent <http://www.smh.com.au/news/world/bpaul-mcgeough/2009/01/04/1231003847088.html>

ASIO wrongly and deliberately assumes that Hamas is main obstacle to peace [sic]. What about Israel's illegal settlements that built in contrary to the international law? It seems to me that ASIO is not following the recent news at all, even on the internet.

Who said that Hamas opposing the peace process?

Hamas has recognized the Oslo peace process, which it said it would oppose. It has taken part in democratic elections, which it has won. It has de facto recognized the two-state solution by seeking to be elected as the government of the Palestinian Authority. It has not struck outside historic Palestine; it never has. So to dismiss it as a terrorist group that has to be stamped out misses entirely the point of its position in Palestinian society. Again, take the helicopter view of what's happened in the Middle East since 1948, with the setting up of the state of Israel. In 1967, the Israelis could have negotiated with King Hussein of Jordan in the aftermath of the Six-Day War; they chose not to. Because they chose not to, Yasser Arafat and the Fatah movement and the PLO all got a huge head of steam [built] up. And because they weren't negotiated with in a way that gave Palestinians an identifiable outcome, they fell by the way.

Source: [The Water Cooler](#) – February 11, 2009 **Columbia Journalism**

Review: [Q and A: Paul](#)

McGeough http://www.cjr.org/the_water_cooler/q_and_a_paul_mcgeough.php?page=1

Illegal Israeli settlements timeline – Foundation for Middle East Peace

July 20

The settlement division of the World Zionist Organization (WZO) announces plans to transfer approximately \$8 million to West Bank settlements. (Army Radio)

Israeli civil administration authorities and border police evacuate and demolish several buildings at the Adei Ad, Nofei Yarden, and Mitzpe Danny outposts. In response, settlers set fire to land belonging to Palestinians from Burin and Asira al-Kabaliya, in the Yitzhar area, destroying at least 1,500 olive trees. (Yediot Aharonot, Ha'aretz)

Settlers throw stones at Palestinians traveling near the Hawara checkpoint, near Nablus. (Yediot Aharonot)

July 23

Dozens of settlers fire tear-gas canisters into Palestinian homes in Asira al-Qibliya, south of Nablus. (Ma'an News)

July 27

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

Arutz 7 reports the construction of 11 new West Bank outposts by settler youth. Security forces tear down two of them.

In Jerusalem, a crowd of approximately 2,000 people gather in front of the U.S. consulate to protest pressure by the Obama administration to freeze settlement construction. (Ha'aretz)

Read more accurate updates on Israeli illegal settlements from Settlement Report | Vol. 19 No. 5 | September-October 2009 Monthly report by Foundation for Middle East Peace <http://fmep.org/reports/archive/vol.-19/no.-5/settlement-timeline>

Hamas, Israel and Peace Process

Pressed on policy changes that Hamas might make as a gesture to any new order, Mr. Mishal argued that the organization has already shifted on several key points: "Hamas has already changed – we accepted the national accords for a Palestinian state based on the 1967 borders, and we took part in the 2006 Palestinian elections."

Over the long term, Hamas accepts the concept of two states in the Levant, which arguably puts Mr. Mishal's terrorist movement closer to Washington than Mr. Netanyahu is – he now proposes only "economic peace" between Jews and Palestinians.

Source: *New York Times* Op-Ed, 12 April 2009, 'Hamas Comes Out of Hiding' Paul McGeough, a correspondent for The Sydney Morning Herald of Australia, is the author of "Kill Khalid: The Failed Mossad Assassination of Khalid Mishal and the Rise of Hamas <http://www.nytimes.com/2009/04/13/opinion/13mcgeough.html>

Mahmood Abbas on Israel and Peace Process

Mr Netanyahu has ruled out anything but a possible "scaling down" of settlement activity. Palestinian leader Mahmoud Abbas says substantive negotiations cannot resume without a complete freeze.

Source: BBC 22 September 2009, 'An Israeli settlement in close-up' http://news.bbc.co.uk/2/hi/middle_east/8268543.stm

Fatah to Abbas: no talks without settlement freeze

The Palestinian party Fatah has declared to Palestinian President Mahmoud Abbas, who heads the movement, that he must not resume peace talks unless Israel freezes its settlement construction, a senior Fatah member said

Wednesday.

Source: The Associated Press 30 September 2009 <http://www.haaretz.com/hasen/spages/1117897.html>

President Obama on Israel and Peace Process

"We continue to emphasise that America does not accept the legitimacy of continued Israeli settlements (in the West Bank)," he said in a maiden speech to the 192-member body.

The US leader made the remarks a day after holding inconclusive talks in New York with Israeli Prime Minister Benjamin Netanyahu and Palestinian leader Mahmud Abbas.

The Obama administration has demanded a **complete freeze to Jewish settlements in the West Bank and east Jerusalem**, land the Palestinians want to turn into a future state. But Israel has so far balked.

Source: SBS World News 24 September 2009 'West Bank settlements not legitimate: Obama' <http://www.sbs.com.au/news/article/1097727/West-Bank-settlements-not-legitimate--Obama>

EU on Israel and Peace Process

The [European Union](#) on Tuesday urged Israel to 'immediately end settlement activities' and dismantle all outposts erected since March 2001.

'Settlements are illegal under [international law](#) and constitute an obstacle to peace,' the Swedish presidency of the EU said in a statement.

'The European Union reiterates its call on Israel to immediately end settlement activities, including in East Jerusalem and including natural growth, and to dismantle all outposts erected since March 2001,' the EU presidency said.

Source: M& C Middle East 8 September 2009 http://www.monstersandcritics.com/news/middleeast/news/article_1499929.php/EU-urges-Israel-to-dismantle-illegal-settlements#

Middle East Quartet on Israel and Peace Process

A deal on a two-state solution in Palestine could be within reach if Israel compromises on issues such as halting settlement expansion, said envoy to the region and former British prime minister Tony Blair.

Blair -- regional mediator for the Middle East peace Quartet that groups the United Nations, the United States, Russia and the European Union -- said

hardline Israeli President Benjamin Netanyahu could be in a strong domestic position to deliver concessions, if he was willing to do so.

A statement from the Quartet, which met on the sidelines of a G8 foreign ministers' meeting in northern Italy, called for Israel to halt all settlement activities and for Palestinians to combat violent extremism.

Source: Reuters 26 June 2009, 'Blair sees Middle East deal if Israel acts' <http://www.reuters.com/article/topNews/idUSTRE55P5TI20090626>

Paul McGeough on Hamas, Israel and Peace process

And now you have Hamas. Hamas came into being and thrived because there was no breakthrough. There was nothing in the land-for-peace basis – a foundation of the Oslo process – there was nothing in that for the Palestinians. They were negotiating on the basis of land for peace when their land was being consumed by Israeli settlements. So now Hamas is there, and if you take Hamas out of the equation, God knows what you get in its place.

Source: [The Water Cooler](#) – February 11, 2009 [Columbia Journalism](#)

Review: Q and A: Paul

McGeough http://www.cjr.org/the_water_cooler/q_and_a_paul_mcgeough.php?page=1

Palestinian and Arab World reaction on Israel and Peace Process



Ahmad Tibi, a Palestinian citizen of Israel and member of the Israeli Knesset representing the United Arab List-Ta'al party, which was nearly barred from running in Israel's last election: Netanyahu's speech is a deceptive attempt to bypass Obama's call for a complete settlement freeze. He said nothing new, but instead reiterated the racist demand that Palestinians recognize Israel as a Jewish state. This is not only racist, but will give Israel the excuse to discriminate against more than 20 percent of its population. I hope the Americans see the speech for the deception that it is.

See [APPENDIX E](#) – More reaction from Palestine and the Arab world

Recommendations:

- The PJCIS recommend strongly that Attorney-General for the Australian government to advance Middle East Peace Process, the government must outlaw and criminalise all support and finance activities from Australian public, Synagogues and organisations to

Israel's apartheid, illegal settlements and occupation

- The PJCIS recommend strongly that the Attorney-General to investigate Israel's apartheid and illegal activities and prepare a list of Israeli Zionist individuals and organisations to be proscribed as terrorist individuals and organisations for the purpose of section 102.1 of Criminal Code.
- The PJCIS recommend strongly that the Attorney-General to receive a regular assessment report from ASIO regarding Israeli apartheid policies and illegal settlements and how this impacting peace process and cycle of violence and terrorism.

6.2.4 ASIO: Hamas introduce more traditional way of life

..... and [Hamas] introduce a more traditional Islamic way of life.

Source: Page 3 of ASIO's assessment report

In addition to what said in section [2.4.4 Palestinian Islamic Vs Jewish State](#)

ASIO are not only biased, they are telling **politically motivated** lies.

My parents originally from Isdud and forced to leave their village to Gaza in 1948. All my relatives are in Gaza and I've maintained regular contact with them including my wife's relatives who are in Gaza. I never heard of ASIO's lie that Hamas 'introduce a more traditional Islamic way of life'. That is a big lie from ASIO.

In fact the tension between jihadist Zionist extreme religious right wing and secular Jews is increasing. For example, The Observers, 17 July 2009, reported that 'Haredim, the ultra Ultra-Orthodox Jews fighting the state'

"Extremist Ultra-Orthodox Jews have been rioting for three days after social services took a woman's child away from her for alleged starvation.

Known as the Haredi community, the majority of Israel's extremist Ultra Orthodox Jews live in the Mea Shearim neighbourhood. It was here that a three-year-old, weighing seven kilos, was removed from his mother on Tuesday after social services were warned that she was starving him. The mother was detained.

Extremists from the community took to the streets in defence of the mother, burning litter bins, vandalising state property, and attacking civil servants, from policeman to cleaners. They initially claimed that the boy was not sick, and then insisted that he was ill because he suffered from cancer. The hospital he is being treated in, however, deny the claims, saying that his ill-health is a

result of malnutrition, and that his mother has a psychiatric disorder called Munchausen-by-proxy - which entails abusing someone in order to generate sympathy.

Source: The Observer <http://observers.france24.com/en/content/20090717-haredim-ultra-ultra-orthodox-jews-fighting-state-riots-jerusalem>



6.2.5 ASIO: Hamas Vs Fateh

Following the 2006 elections, long standing animosity between Hamas and Fatah rose in intensity until Hamas initiated a decisive crackdown in Gaza against Fatah which resulted in the death of hundreds of Fatah members and supporters. In June 2007 elected Hamas officials were ousted from their positions in the PA government in the West Bank and replaced by rival Fatah members and independents. Hamas retained control of the Gaza Strip and has engaged in another round of arrests and executions of Fatah members following the withdrawal of Israeli forces from Gaza in January 2009.

Source: Page 3 of ASIO's assessment report

I am sure that ASIO's by this paragraph that they are not sympathising with Palestinian loss of life. ASIO's accusations deliberately has missed many important facts which explains why this un-needed fight between Hamas and Fatah.

Washington marshalled the funds for training and weapons and Israel facilitated their movement as forces loyal to the Palestinian President, Mahmoud Abbas, and his secular Fatah movement were mobilised to challenge Hamas. But after just a week of fighting, Abbas's forces crumbled and Hamas was in control of Gaza.

The objective of a complete overthrow of Hamas explains the choice of targets in Operation Cast Lead. Instead of just smugglers' tunnels and weapons caches, buildings that might be described as symbols of Hamas power - universities, ministerial offices and police stations - have been taken out.

Source: SMH 5 January 2009, 'Mission revealed: destroy Hamas'. By Paul McGeough, Chief Herald

Correspondent <http://www.smh.com.au/news/world/bpaul-mcgeoughb/2009/01/04/1231003847088.html>

Here are the accurate facts, which are available in the internet, which ASIO deliberately ignored:

1. From day one of Hamas's victory at the democratic election, Fatah corrupt leadership made it very clear that they are not going to join Hamas's unity government.
2. From day one Israel put pressure on the West and Palestinian Authority to boycott the Palestinian government led by Hamas. USA, Canada EU and Australia has boycotted the democratically elected government and cut all the funds and financial assessment. Where these governments pressured Palestinians to hold an election and them themselves boycotted the democratically elected government.
3. That resulted in extreme deterioration of Palestinian economic and rise of unemployment figures in Occupied Gaza and West Bank.
4. The civilised West rejection to the results of the Palestinian democratic election helped to increase the tension between the democratically elected Hamas government and the most corrupt leadership and powerful Fatah key figures.
5. The West interference and namely USA, the not honest broker, try to implement Dayton Plan and secretly financing Fatah's strong and corrupt former security force commander Mohammed Dahlan to buy

weapons and to get rid of the democratically elected Hamas government.

6. The document obtained by Hamas forces from Mahmood Abbas security offices shows clearly that Fatah's corrupt leadership has planned with the help of USA and Israel to get rid of the democratically elected government. AlJazeera has broadcast and revealed the contents of these documents.
7. It seems to me that ASIO didn't know that PA in occupied West Bank has detained recently, after January 2009, more than 1000 Hamas's members and sympathisers, including academics. And there are well-documented and known death cases in PA's prisons as a result of torture.

Abbas is even less a likely hero, given the repeated efforts by his forces to crack down on Hamas and its supporters in the West Bank. Palestinians are used to Israeli crackdowns. But in the past week it has been Abbas's forces who have kept protesters away from Israeli forces and who have rounded up any who produced the green flag of Hamas.

Source: SMH 5 January 2009, 'Mission revealed: destroy Hamas'. By Paul McGeough, Chief Herald

Correspondent <http://www.smh.com.au/news/world/bpaul-mcgeough/2009/01/04/1231003847088.html>

ASIO politically motivated report and Zionist state experiment

Does ASIO involved in, financing or supporting Palestinian civil war to achieve Zionist state goal?

The experiment was a success: The Palestinians are killing each other. They are behaving as expected at the end of the extended experiment called "what happens when you imprison 1.3 million human beings in an enclosed space like battery hens."

These are the steps in the experiment: Imprison (since 1991); remove the prisoners' usual means of livelihood; seal off all outlets to the outside world, nearly hermetically; destroy existing means of livelihood by preventing the entry of raw materials and the marketing of goods and produce; prevent the regular entry of medicines and hospital supplies; do not bring in fresh food for weeks on end; prevent, for years, the entry of relatives, professionals, friends and others, and allow thousands of people - the sick, heads of families, professionals, children - to be stuck for weeks at the locked gates of the Gaza Strip's only entry/exit.

Source: *Haaretz* 4 October 2006. 'Not an internal Palestinian matter' By Amira Hass <http://www.haaretz.com/hasen/spages/770053.html>

6.2.6 ASIO: Hamas threat on 14 November 2008

On 14 November 2008 the Brigades used their website to threaten Israel of a "harsh and painful" response to any Israeli 'Calm' violations.¹ There was no indication of any consultation with Hamas political leadership before the announcement was made.

Source: Page 3-4 of ASIO's assessment report

Yes, I think Hamas said that during Israel's preparation to attack Gaza. Because Israel refused to commit to Calm period conditions sponsored by Egypt such as easing the siege and allow basic necessities to enter Gaza and movement of Gazans.

How Australian Prime Minister response will be if Israel threatens to attack our country? Will PM Kevin Rudd respond to Israel's threat by welcoming words or by 'harsh and painful' response?

Don't Palestinians who live under Israeli barbaric occupation have the right to defend themselves?

6.2.7 ASIO: Hamas will and capabilities

The Brigades have the will and capability to launch terrorist attacks inside Israel. They have a substantial weapons inventory of light automatic weapons and grenades, improvised rockets, mortars, bombs, suicide belts and explosives. The Brigades fire 'Qassam' rockets and mortar shells into Israel on a regular basis.

Source: Page 4 of ASIO's assessment report

The above paragraph is hypocrisy and **politically motivated** statement from ASIO. They want us to believe that Hamas's have strong and effective weapons.

The facts on the damage on the ground, in Gaza and Israel, speaks for itself and shows clearly that ASIO's assessment regarding Hamas's Brigades and PIJ are **politically motivated** and not true.

Tony Blair: 'Gaza Devastation Is Enormous'

Tony Blair has described destruction wreaked in Gaza by Israel's recent offensive as "very shocking" in his first visit to the territory as Middle East envoy. Palestinians stand on the rubble of their home that was destroyed by Israel's offensive

[Mr Blair](#), envoy of the international Quartet on the Middle East peace process, said there had been a "huge amount of damage" inflicted by the Israelis.

"I wasn't greatly surprised at what I saw, but obviously, it's very shocking because the devastation is enormous," he said.

He called on [Israel](#) to end what he called the blockade on the territory, which prevents fuel and construction materials from entering.

Source: Sky News March 1, 2009. 'Blair: 'Gaza Devastation is

Enormous'. <http://news.sky.com/skynews/Home/World-News/Tony-Blair-Gaza-Destruction-After-Israeli-Offensive-Is-Shocking--PM-In-Region-As-Envoy/Article/200903115231971>

Paul McGeogh on ASIO's politically motivated statement

Measure it by the number of rockets - 8000-plus over eight years - and indeed it sounds like a genuine existential threat. Consider the toll - 20 Israeli deaths spread over eight years, which is about half the number of deaths in just a month of Israeli traffic accidents - and it all loses its oomph as a *casus belli*.

Israel does not want to deal with Hamas - it wants to annihilate the Islamist movement.

Source: SMH 5 January 2009. 'Mission revealed: destroy Hamas' By Paul

McGeogh. <http://www.smh.com.au/news/world/bpaul-mcgeoughb/2009/01/04/1231003847088.html>

Israeli Human Rights group: Israel 'understated' Gaza deaths

An Israeli human rights group says many more Palestinian civilians were killed in the Israeli military's campaign in Gaza than the army admits.

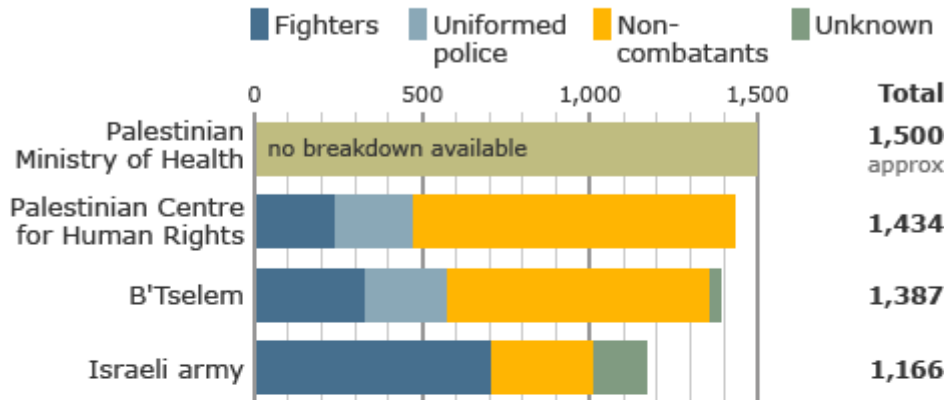
B'Tselem said detailed research with careful cross-checking showed 1,387 Palestinians died, over half of them civilians and 252 of them children.

This contradicts an Israeli army report stating fewer than 300 civilians died in fighting in December and January.

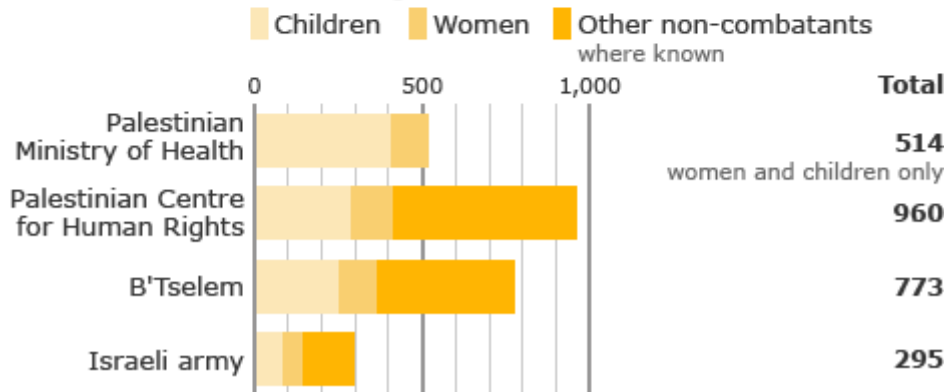
Israel launched the assault to halt rocket attacks from Hamas-run Gaza.

Dispute over Gaza death toll

Palestinian fatalities as reported by different groups in Israeli offensive in Gaza 27 Dec 2008–18 Jan 2009



Breakdown of the fatalities among non-combatants



Sources: Israeli army, B'Tselem, PCHR, PMOH

International Law & Gaza conflict: Who is a civilian?⁶⁰

The bloodied children are clearly civilians; men killed as they launch rockets are undisputedly not. But what about the 40 or so young Hamas police recruits on parade who died in the first wave of Israel's bombing campaign in Gaza? And weapons caches are clearly military sites – but what about the interior ministry, hit in a strike that killed two medical workers; or the money changer's office, destroyed last week injuring a boy living on the floor above?

International law

Israel says it is operating totally within humanitarian law, but human rights groups fear it is stretching the boundaries.

And as ground forces clash in the heavily-populated Gaza Strip, the questions will become more pressing.

⁶⁰ BBC 5 January 2009 'Gaza conflict: Who is a civilian?'
http://news.bbc.co.uk/2/hi/middle_east/7811386.stm

International law's rules on keeping civilian casualties to a minimum are based on the distinction between "combatants" and "non-combatants".

The International Committee of the Red Cross - guardian of the Geneva Conventions on which international humanitarian law is based - defines a combatant as a person "directly engaged in hostilities".

Hamas policemen

The first wave of bombings, which targeted police stations across Gaza, is a key case in question - particularly the strike that killed at least 40 trainees on parade.

Israeli human rights group B'Tselem, which has raised the issue in a letter to Israel's attorney general, says it appears those killed were being trained in first aid, human rights and maintaining public order.

Photos: Palestinian resistance Vs Zionist state destruction

| Gaza heavily populated destruction | Sderot destruction |
|---|---|
| <p data-bbox="236 1019 767 1093">Palestinian Parliament in Gaza-Palestine donated by EU taxpayers money</p>  <p data-bbox="236 1503 756 1576">The Interior Ministry was hit in the first strike targeting a government building.</p> <p data-bbox="236 1576 528 1608">EU taxpayers money</p>  |   |



6.2.8 ASIO: One captured Israeli soldier VS more than 10,000 Palestinians prisoners.

The Brigades, with two other groups, were responsible for the action which led to the death of two Israeli soldiers and the kidnapping of Corporal Gilat Shalit in June 2006. Shalit is still being held by Hamas but there are indications he may eventually be exchanged for Palestinian prisoners held by Israel.

Source: Page 4 of ASIO's assessment report

ASIO remembers only the name of one captured Israeli occupation soldier and they forget captured, not kidnapped, and forget the names of more than 10,000 Palestinian prisoners inside Israel. Half of Hamas's democratically elected Legislative Council are kidnapped and jailed by Israel. There are many women and children in Israeli jails.



The toddler appears in the photo was born in the Israeli prison. The mother criminal act was just resisting the Zionist occupation.

19 Palestinian women prisoners freed from Israeli jails, received by their relatives with tears, joy.

The Prime Minister of democratically elected Hamas movement in Gaza Ismail Haniyeh hailed success to have female Palestinian prisoners released from Israeli jail in exchange for a video of captive Israeli prisoner Gilad Shalit, which was widely seen as a small victory for the Palestinian resistance.

Source: Middle East

Online <http://www.middle-east-online.com/english/palestine/?id=34688>

Why ASIO believes that the Israel occupation soldier kidnapped not captured? Isn't Gaza under Israeli military occupation even after Israel demolished the illegal settlements and withdrew its occupation army in 2005?

Don't ASIO believe that according to the international law Gaza remains occupied territory?

Are ASIO influenced by pro-Israel lobby that Gaza is not occupied territories any more after August 2005?

MARK COLVIN: Doesn't occupation mean that the occupying troops are on the streets?

HINA JILANI: Not necessarily. Occupation means control. Israel has absolute control.

MARK COLVIN: But Hamas controls Gaza doesn't it?

HINA JILANI: Well everything that happens in Gaza is controlled, and is in the hands of Israel because there is, Israel can come in any time they like. They have had several incursions, they can control who comes in and comes out of Gaza and to that extent I think the occupation continues...

MARK COLVIN: That sounds like a siege rather than an occupation.

HINA JILANI: It's not just a siege, it's also occupation because what happens inside Gaza is to a great extent, controlled by the actions of the Israelis in terms of the economic development of Gaza, in terms of the everyday life of Gazans and the quality of life that they can pursue.

MARK COLVIN: So you argue that it's even handed what you've done?

HINA JILANI: Of course it is even handed. We had no interest in not being even handed.

The mandate of the mission was to investigate the commission of violations of international human rights and international humanitarian law during a particular period of time, and who were the people who were responsible for these violations was not just limited to the Israeli violations.

Source: ABC PM 'War crimes in Gaza', 16 September 2009 interviewing Hina Jilan, One of the four members of the investigating commission, led by the former South African judge Richard Goldstone, concluded that both Israel and Palestinian groups in Gaza had committed war crimes, and possibly crimes against humanity. <http://www.abc.net.au/pm/content/2009/s2688061.htm>

Egypt FM: If Israel wants Gilad Shalit it must pay

Hamas was ready long time ago to return the occupation army soldier, Shalit, to his family. But Israel refused to release 1000 Palestinian prisoners.

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Egypt's foreign minister urged Israel on Friday to release 1,000 Palestinian prisoners in exchange for an Israeli soldier captured in 2006.

Egypt has been mediating a prisoner swap and Foreign Minister Ahmed Aboul Gheit said Israel needs to show flexibility.

A year ago, Hamas leader Mahmoud Zahar accused Israel of going back on a promise to release 1,000 Palestinian prisoners in exchange for the release of Cpl. Gilad Shalit who was captured by Hamas-allied militants in a cross-border raid near the Gaza border in 2006.

"If you want a soldier, if you need a certain commodity and you are ready to pay in that commodity then pay for the sake of the soldier - give the Palestinians what they are after," Aboul Gheit said in an interview with the Associated Press on the sidelines of the United Nations General Assembly.

"I think what they are after (is) 1,000 prisoners that would be exchanged for the sake of the soldier Shalit," he said.

"I would encourage people to do [it]," Aboul Gheit said. "Why not? What is wrong? Give them the thousand and take your soldiers and give him back to his family and his people and let the family enjoy having him back."

Source: Haaretz 26 September

2009. <http://www.haaretz.com/hasen/spages/1117098.html>

When ASIO will know the names and their ages of the 10,000 Palestinian prisoners? Palestinian prisoners are human being too and they have mothers, husbands, wives, children.

6.2.9 ASIO: The end of the calm period November 2008

There had been a period of relative peace from June 2008 due to an Egyptian initiated ceasefire. However, violence escalated in November 2008 when rockets launched into Israel went from two per month in September and October to 190 in November. Hamas claimed the increased rocket attacks were in retaliation for Israeli forces crossing into Gaza and killing six Hamas fighters on 4 November 2008. Both sides accused each other of breaking the ceasefire although Israel was prepared to extend it beyond 19 December 2008 but Hamas refused.

Source: Page 4 of ASIO's assessment report

Australia's top intelligence Agency, ASIO, again couldn't present accurate supported facts because of their **politically motivated** bias! They could not gather any 'intelligence' information from the internet to inform us to the

conditions of the Calm or *hudna* period between Hamas and Israel that negotiated by Egypt! ASIO could work out who actually broke the *hudna*?

That's what the majority of the world believes what happen:

1. The *hudna* conditions that Hamas and Israel end the fighting for 6-months which includes that Israel ease its barbaric siege and open the borders for goods and people movement.
2. There was quiet period without any clashes, but Israel never eased the siege, in fact the Israeli barbaric siege get worse during the *hudna*.
3. Few weeks before the *hudna* expires Hamas made it clear to Egypt and the rest of the world that Israel did not comply with the Hudna conditions. For Hamas to renew the *hudna* more pressure is need on Israel to ease the siege.
4. Because that period Israel is preparing to go to an election and it is known that PM Olmert will not participate at the coming election due to the corruption charges against him. Israeli leadership found that it is the right time to fulfil their goals and get rid of Hamas. History tells us that All Israel's war and aggression has taken during election period.
5. For them to drag Hamas and convince the world that Israel is 'defending itself', they have to take action so Hamas react.
6. On November 2008 in another breach to the *hudna*, Israeli occupation army attacked Gaza and killed 6 people. And that was enough for Hamas to respond.

The above are the true events that our top intelligence agency, ASIO, couldn't get right. In fact they deliberately don't want to get it right because they want to mislead the parliament to re-list Hamas forever on the government terrorist list.

ASIO's politically motivated bias = lies

Middle East peacemaking has been smothered in deceptive euphemisms, so let me state bluntly that each of these claims is a lie. Israel, not Hamas, violated the truce: **Hamas undertook to stop firing rockets into Israel; in return, Israel was to ease its throttlehold on Gaza. In fact, during the truce, it tightened it further.** This was confirmed not only by every neutral international observer and NGO on the scene but by **Brigadier General (Res.) Shmuel Zakai, a former commander of the IDF's Gaza Division. In an interview in Ha'aretz on 22 December, he accused Israel's government of having made a 'central error' during the *tahdiyeh*, the six-month period of relative truce, by failing 'to take advantage of the calm to improve, rather than markedly worsen, the economic plight of the Palestinians of the**

Strip . . . When you create a *tahdiyeh*, and the economic pressure on the Strip continues,' General Zakai said, 'it is obvious that Hamas will try to reach an improved *tahdiyeh*, and that their way to achieve this is resumed Qassam fire . . . **You cannot just land blows, leave the Palestinians in Gaza in the economic distress they're in, and expect that Hamas will just sit around and do nothing.'**

Source: London Review of Books 29 January 2009. Israel's Lies. By Henry Siegman, director of the US Middle East Project in New York. http://www.lrb.co.uk/v31/n02/sieg01_.html

ASIO's politically motivated bias is reducing the Palestinians' lives to a near-animal level

Amira Hass wrote during the Calm period just that which proves that ASIO's report is misleading and politically motivated:

Let's leave aside the stories of darkness, of how children do (or don't do) their homework by the light of a candle or kerosene lantern. Let's even put off the discussion on the serious environmental hazards - pollution of the groundwater and sea - posed to the people of Gaza and Ashkelon alike as a direct consequence of the intentional fuel shortage, or of Israel's refusal to permit the entry of pipes to upgrade the water and sewage infrastructure. Let's not go now into descriptions of how the sewage flows directly into the sea because there's not enough electricity to operate the sewage treatment plant. Let's not talk about fears that sewers will back up in the winter and flood residential neighborhoods because parts needed to fix the treatment plant were not brought in.

Let's not get dragged into that number crunching, into reducing the Palestinians' lives to a near-animal level, to a humanitarian problem that is easy to prove is not as bad as it can be.

The deliberations over the Palestinians and the methods of coping with the blockade should be converted into a discussion about the Israelis - about those who make policy and the many diligent people who carry it out, about the many citizens who support and encourage it. Instead of discussing quantities of diesel fuel and flour, the talk should be of the logic behind the siege and those who impose it.

The public feels that the government is part of it. Like the public, the government is a target for the occupation's cruelty. The brutal siege also saves Hamas from having to cope with the contradiction between its platform (the

liberation of all of Palestine) and its integration, despite its denials, into the institutions created by the Oslo Accords. If Israel jeopardizes the lives of premature babies and causes business owners, including supporters of Oslo and Yasser Arafat, to go broke, the Hamas government can present itself as resisting the occupation by its very nature. **The extraordinary conditions of the extreme siege and the disconnection between Gaza and the West Bank (another intentional Israeli policy) have made the possibility of holding new Palestinian general elections a very distant one. Hamas can thus bolster its rule with coercion, wages, charity and the consoling power of religion.**

And perhaps that is exactly what the Shin Bet, Israel Defense Forces and government want?

Source: Haaretz 17 November 2008 'Is Israel deliberately strengthening Hamas? ' <http://www.haaretz.com/hasen/spages/1037879.html>

6.2.10 ASIO: Hamas involvement in the fighting

In the recent conflict between Israel and Hamas in Gaza, the Brigades were actively involved in the fighting. The Brigades claimed responsibility for many attacks, **including actions against Israeli Special Forces**, and firing numerous rockets into Israel. They also announced 48 of their fighters were killed.

Source: Page 4 of ASIO's assessment report

In addition to what mentioned in section [6.2.7 ASIO: Hamas will and capabilities](#), I will add this:

**Does ASIO consider attacking Israeli Special Forces a terrorist act?
Does Hamas attacking Israeli Special Forces who operates with NATO and Australian forces in Afghanistan or defending their people in Gaza?**

If Israel occupied and attacked Australia, don't Australian Defence Force and the public have every right to defend themselves and teach Israelis harsh and painful lesson?

Judge Goldstone war crimes investigation report should inform ASIO who is the victim and who is the aggressor.

Justice Richard Goldstone at his 575-page report, 15th September 2009, call to end impunity given to Israel, should be awake up call for the Attorney-General, Government, Opposition, Security and Intelligence agencies.

In the light of Goldstone's report don't we have the right to question ASIO's politically motivated assessment report and ask if ASIO harbouring jihadist Zionist terrorist?

Again, Hamas is not al-Qaeda and Israeli Special Forces are operating in occupied land not in Afghanistan.

ASIO's cover up of Israel's war crimes

ASIO's politically motivated, cover up, ignorant and biased statement will not prevent the free men and women and human rights groups around the world, including Australia, to bring justice to war criminal Israelis.

Israel Vice Premier and ex-IDF chief cancels U.K. visit over arrest fears

Will ASIO and the Attorney-General treat Australians free men and women as terrorists if they lodge official request to the appropriate authorities to arrest Israeli war criminal, including Israeli Special Forces?

Ya'alon was invited to London to attend a fund-raising dinner for Benji's Home, a group home for soldiers with no family in Israel. The project is the initiative of the parents of Maj. Benji Hillman, who was killed in the Second Lebanon War.

Ya'alon was asked to attend the dinner by the British branch of the Jewish National Fund, which is helping the Hillmans raise money for the project, and said he would if the Foreign Ministry's legal department okayed it.

As chief of staff of the Israel Defense Forces in 2002-5, Ya'alon is one of several current and former senior officers whom pro-Palestinian groups have sought to put on trial over the assassination of senior Hamas terrorist Salah Shehadeh in July 2002. The attack also killed 14 civilians.

When Ya'alon consulted the Foreign Ministry's legal team, they warned that the groups might ask a British court to order his arrest should he visit Britain. They also opined that despite being a minister, he would not enjoy diplomatic immunity, and therefore, the court might accede.

As a result, Ya'alon informed JNF Britain that he would not be able to attend the dinner.

Last week, when Defense Minister Ehud Barak visited London, pro-Palestinian groups sought his arrest for alleged war crimes during January's Operation Cast Lead in Gaza. However, the court ultimately decided not to hear the request immediately, enabling Barak to leave London in peace.

In 2004, when pro-Palestinian groups sought the arrest of then-defense minister Shaul Mofaz during a visit to London, a judge ultimately ruled that he did have diplomatic immunity, and could therefore not be arrested.

Source: Haaretz 6 October 2009 'Vice Premier and ex-IDF chief cancels U.K. visit over arrest

fears' <http://www.haaretz.com/hasen/spages/1118866.html>

6.2.11 ASIO: Hamas Vs destroying Israel

Terrorist activity of the organisation Hamas (through the Brigades) seeks to destroy the state of Israel and establish an Islamist Palestinian state in the existing Gaza Strip, West Bank and Israel. It will not enter into peace talks with Israel and its leaders have stated Hamas cannot live with an Israeli state.

Source: Page 4 of ASIO's assessment report

Again this is a **politically motivated** statement by ASIO. Please refer to sections:

[2.4.3 ASIO, Yes Zionist state Israel will disappear: more accurate facts](#)

[2.4.4 Palestinian Islamic Vs Jewish State](#)

[6.2.7 ASIO: Hamas will and capabilities](#)

GIDEON LEVY / The IAF, bullies of the clear blue skies

Our finest young men are attacking Gaza now. Good boys from good homes are doing bad things. Most of them are eloquent, impressive, self-confident, often even highly principled in their own eyes, and on Black Saturday dozens of them set out to bomb some of the targets in our "target bank" for the Gaza Strip.

They set out to bomb the graduation ceremony for young police officers who had found that rare Gaza commodity, a job, massacring them by the dozen. They bombed a mosque, killing five sisters of the Balousha family, the youngest of whom was 4. They bombed a police station, hitting a doctor nearby; she lies in a vegetative state in Shifa Hospital, which is bursting with wounded and dead. They bombed a university that we in Israel call the Palestinian Rafael, the equivalent of Israel's weapons developer, and destroyed student dormitories. They dropped hundreds of bombs out of blue skies free of all resistance

Do the pilots think about them, the children of refugees whose parents and grandparents have already been driven from their lives? Do they think about

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the thousands of people they have left permanently disabled in a place without a single hospital worthy of the name and no rehabilitation centers at all? Do they think about the burning hatred they are planting not only in Gaza but in other corners of the world amid the horrific images on television

But all of this is well hidden from the pilots' eyes. They are only doing their job, as the saying goes, only following orders like bombing machines. In the past few days they have excelled at this, and the results are there for the entire world to see. Gaza is licking its wounds, just like Lebanon before it, and almost no one pauses for a moment to ask whether all this is necessary, or unavoidable, or whether it contributes to Israel's security and moral image. Is it really the case that our pilots return safely to base, or are they in fact returning to them as callous, cruel and blind people?

Source: Haaretz 27 September 2009. 'The IAF, bullies of the clear blue skies' By Gideon Levy <http://www.haaretz.com/hasen/spages/1051317.html>

6.2.12 ASIO: Hamas' Brigades & PIJ intimidation foreign countries

ASIO's assessment report regarding Hamas's Brigades and PIJ reasons to list them as terrorist organisations because they 'intended to coerce or influence by intimidation the governments of foreign countries, including Israel and/or intimidate the Israeli public'.

As demonstrated, the Brigades are directly preparing, planning, assisting in or fostering the doing of terrorist acts. It is submitted the acts attributable to the Brigades are terrorist acts as they:

- (ii) are intended to coerce or influence by intimidation the governments of foreign countries, including Israel and/or intimidate the Israeli public

Source: ASIO's assessment report


ASIO has **failed** to give one intelligence example of how both Hamas' Brigades and PIJ are 'intended to coerce or influence by intimidation the governments of foreign countries, including Israel and/or intimidate the Israeli public'.

May be they meant that attacking Israeli occupation forces an example of intimidation.

Where there are millions of examples where Zionism, Israel and pro-Israel lobby are 'intended to coerce or influence by intimidation the governments of foreign countries, including Palestinian leadership, Palestinian and Australian public'!

There are shocking evidence in public domain that 'Jewish lobby in Australia' has intimidated and threaten Australian politicians, public and private institutions and the wider Australian community. If ASIO considering intimidation is a terrorist act, so why ASIO turned blind eyes about 'Jewish lobby in Australia' intimidation tactics?

Jihadist Zionism: ['If You Don't Agree With Us You're Antisemitic'](#)⁶¹

| | |
|--|--|
|  <p>A collage portraying U.S. President Obama wearing a kaffiyeh which is set to be posted across Israel by rightist group Hazit. (Hazit)</p> <p>Source: Haaretz 3 June 2009. "We're launching a campaign against anti-Semitic Obama" http://www.haaretz.com/hasen/spages/1090166.html.</p> | <p>Jihadist Zionist launching a campaign against anti-Semitic Obama'</p> <p>Some 130 protesters gathered in front of the American Consulate in Jerusalem Wednesday afternoon to rally against U.S. President Barack Obama, who had just launched his Middle East tour, during which he is expected to reach out in friendship to the Muslim world.</p> <p>"We are launching a campaign against Barack Hussein Obama. He is bad for the people of Israel and for the state of Israel and his policies could bring about disaster. We expect our prime minister to say 'no' to anyone who tries to harm us," Ben-Gvir added.</p> <p>National Union MKs Aryeh Eldad and Michael Ben Ari addressed the crowd, largely made up of native-English speaking Israelis.</p> |
|--|--|

'U.S. furious over Israeli incitement against Obama'⁶²

The U.S. administration is furious over Israeli incitement against President Barack Obama, Democratic congressmen close to Obama told an Israeli source who returned from a visit to Washington this week.

The congressmen even hinted that Prime Minister Benjamin Netanyahu has been personally involved.

⁶¹ 'If You Don't Agree With Us You're Antisemitic' is an article written by Australian Jewish journalist and author Antony Lowenstein, 7 July 2009. <http://newmatilda.com/2009/07/07/if-you-dont-agree-us-youre-antisemitic>

⁶² Source Haaretz 9 October 2009. 'U.S. furious over Israeli incitement against Obama' <http://www.haaretz.com/hasen/spages/1119819.html>

Israel considers recalling its ambassador to Sweden⁶³

Israel is considering recalling its ambassador to Stockholm in light of Swedish Foreign Minister Carl Bildt's remarks in support of a UN report claiming war crimes were committed by both sides during the Israel-Hamas Gaza conflict. Deputy Foreign Minister Ayalon says Jerusalem must reexamine relations with Stockholm

Bildt told reporters in Stockholm Thursday that South African jurist Richard Goldstone, who headed the investigation into the war, is a person with "high credibility" and "high integrity" and that his report carries weight.

Deputy Foreign Minister Danny Ayalon called to re-examine Israel's relations with Sweden.

Israel's US envoy compares Goldstone to Nazis⁶⁴

Israel's ambassador to the United States argues that a United Nations war crimes investigation poses a genocidal threat to Jews comparable to the Nazi Holocaust.

"Recognizing the murder of six million Jews more than six decades ago is, in fact, vital for understanding the supreme dangers posed to six million Jews in Israel today by a nuclear Iran and by the Goldstone Report," Ambassador Michael Oren wrote in the US political magazine *The New Republic* on Tuesday.

"The Goldstone Report goes further than [Iranian President Mahmoud Ahmadinejad and the Holocaust deniers by stripping the Jews not only of the ability and the need but of the right to defend themselves," he also wrote.

Australian Jewish News Front-Page: Goldstone **DISGRACE**

AJN Front-Page, 25 September 2009, had large photo for Justice Richard Goldstone and the following heading caption:

DISGRACE

Justice Richard Goldstone's UN report accusing Israel of war crimes has been received as nothing short of a mockery of international justice. What damage has it done to Israel's international credibility?

⁶³ Ynet New 8 October 2009. 'Israel considers recalling its ambassador to Sweden'
<http://www.ynetnews.com/articles/0,7340,L-3787355,00.html>

⁶⁴ Ma'an News 8 October 2009. 'Israel's US envoy compares Goldstone to Nazis'
<http://www.maannews.net/eng/ViewDetails.aspx?ID=230654>

6.2.13 ASIO: Hamas activities

Terrorist activity of the organisation

- June 2006: the death of two Israeli soldiers and the kidnapping of Corporal Gilat Shalit;
- February 2008: a suicide attack in Dimona killed and injured a number of people;
- November 2008: the Brigades announced on its website it had fired a total of 43 Qassam rockets and a number of mortar shells at several Israeli civilian and military targets;
- November 2008: five Grad rockets were fired from the Gaza Strip at the Israeli city of Ashqelon; and
- January 2009: numerous rockets fired into Israel.

Source: Page 4 of ASIO's assessment report

If we remove the **politically motivated** statements and misleading from ASIO report:

- Hamas Brigades and PIJ attack on the Israeli occupation forces;
- February 2008 attack in Dimona, because it is not done by neither Hamas's Brigades nor by PIJ

then the remaining activities are related to the rockets fired into Israel.

These rockets have been fired into Israel as a result of Israeli barbaric aggression and defending Palestinian civilian population.

It is well-know that Israel has broken the Calm period i.e. *Hudna*. Which means that Palestinians has all rights to defend themselves? In fact, Israel is the one who should be treated as a terrorist state.

ASIO's **politically motivated** bias report has failed to mention that all **Hamas's Brigades and PIJ fired rockets into Israel are reactions to Israeli aggression actions** as per the following two examples 'publicly available':

Hamas's Brigades and PIJ fired rockets into Israel are reactions to Israeli aggression actions

1. Dimona attack – Reaction to Israeli actions

As pointed out in section **6.2.1** [ASIO's assessment fabricating the internet information](#) that the suicide bombers attack on Dimona has been carried out by Al Aksa Martyrs Brigade group, which is affiliated with Palestinian President Mahmoud Abbas' Fatah movement.

A statement issued by Palestinian President Mahmoud Abbas condemned the attack, but he also criticized Israel for a military operation early Monday in the West Bank that killed several militants. Israeli warplanes also struck the northern Gaza Strip, killing a senior Palestinian militant.

2. Islamic Jihad vows to 'teach Israel a lesson' - Reaction to Israeli actions

This recent source of internet intelligence information is from Israeli newspaper, *Haaretz*, 26 September 2009.

This is clear evidence that all Palestinian act of terrorism are in response to Israeli aggression and crimes. This clear evidence that ASIO's assessment report is politically motivated and deliberately ignoring all the facts and realities on the ground that Israel barbaric occupation is the cause root for all act of violence and terrorism.

Hours after the Israel Defense Forces killed three members of the Islamic Jihad in Gaza on Friday, the militant Palestinian group vowed to exact revenge and "teach Israel a lesson," Army Radio reported Saturday morning.

An IDF military spokesman said Friday that the Israel Air Force "targeted and identified hitting three terrorists on their way to launch rockets into southern Israel."

The spokesperson said the three men were seen unloading a large number of rockets that they were preparing to launch into Israel. The IDF said the men were from the same rocket crew that fired the Qassams that struck Israel on Rosh Hashana.

The Palestinian news agency Ma'an reported that the three men were affiliated with Islamic Jihad's armed wing, the Al-Quds Brigades, and that one of the dead militants was the son of slain Al-Quds leader Khaled Dahduh.

Gaza militants fired a Qassam rocket and several mortar shells into Israel following the Israeli airstrike, but caused no injuries or damage.

Hamas spokesperson Fawzi Barhoum said Friday that "it isn't strange that Israel continues to attack, what is strange is that the Palestinian Authority

continues to attend summits in New York with the Israeli occupation."

The Al-Quds Brigade issued a statement warning of its imminent revenge, saying that the "Zionist enemy will suffer serious retaliation."

Source: Haaretz 26 September

2009. <http://www.haaretz.com/hasen/spages/1117096.html>

6.3 ASIO's 2007 Vs 2009 Report: A Comparison

I have read both ASIO's assessment report for 2007 and 2009 attached with the Attorney-General submission to PJCIS.

I couldn't find any major differences in ASIO intelligence information or reasons to relist Hamas' Brigades and PIJ. The only difference is the list of activities.

Both 2007 and 2009 ASIO's assessment reports starts with the following paragraphs:

2007 ASIO's assessment report⁶⁵:

The following information is based on publicly available details about Hamas' Izz al-Din al-Qassam Brigades. These details have been corroborated by material from intelligence investigations into the activities of the Brigades. ASIO assesses that the details set out below are accurate and reliable.

2009 ASIO's assessment report⁶⁶:

The following information is based on publicly available details about Hamas's Izz al-Din al-Qassam Brigades (the Brigades). These details are accurate and reliable and have been corroborated by classified information. Hamas' other branches, covering political, communal and welfare issues are not included in this proscription statement of reasons.

I have the following questions that raise **serious concern** about ASIO 'intelligence' information gathered from the internet.

- I couldn't find from both reports any accurate information or proper analysis.
- Where ASIO do get their information from?

⁶⁵ http://www.aph.gov.au/house/committee/pjcis/PIJ_LeT_Hamas/subs/sub1.pdf

⁶⁶ http://www.aph.gov.au/house/committee/pjcis/hamas_pkk_let_pij/subs/sub1.pdf

- I expect to see some balance from Australia's top intelligence agency, ASIO. I couldn't see any balance at both reports.
- It seems to me that ASIO, for whatever reason, attitude that they are targeting only the victims, Palestinians.
- **If ASIO continue relying on the same internet information without any new and up-to-date accurate intelligence information, that was not the case, that simply means that they will never produce and balance and accurate assessment report and most importantly Palestinian organisations will be listed as a terrorist organisations for ever.**

6.3.1 AFP allegations against Dr Haneef Vs ASIO consistent biased politically motivated reports against Palestinians

It seems to me that we have a similar, if not worse, case to the Indian doctor Mohammad Haneef, who was wrongly detained on terror charges based on AFP false allegations.

From my own experience as an active member within the Palestinian community who held an executive committee member for three years at the major Palestinian community organisation: Palestinian Community Association of Victoria (PCAV), I can confirm that ASIO's inaccurate, not balance and in the absence of any proper analysis, they [ASIO] not only damage the Palestinian cause and reputation. They are inciting hatred toward Palestinians and they make Palestinians live in fears and preventing them and others to donate to the Palestinians.

According to ASIO's submission, **28 February 2007**, to the Parliamentary Joint Committee on Intelligence and Security: Review of Administration and Expenditure No. 5; 2007. ASIO stated just that:

Development of Complex Analytical Capabilities

The volume, pace and diversity of information flowing to ASIO has continued to increase This has required ASIO to acquire and develop new capabilities and techniques to:

- better collate, search and sort data;
- access and analyse material in a variety of formats; and
- visualise complex information sets.

This work was undertaken by a number of parts of ASIO and involved a combination of innovative data-analysis methods and the use of advanced information technology.

Progress is being made on better ways of collating, searching and sorting data, as well as improving and extending these capabilities across ASIO's information holdings.

Source: Page 37 of ASIO Submission⁶⁷ to the Parliamentary Joint Committee on Intelligence and Security: Review of Administration and Expenditure No.5; 2007

I couldn't understand how Australian intelligence and security agencies will be able to eliminate hatred and hot headed people view, where ASIO is spreading hatred and inaccurate information toward Palestinians!

Australian Palestinian Community 2007 Gaza Humanitarian Appeal Campaign

As a result of Israeli barbaric siege and collectively punishing 1.5 million civilian in Gaza, PCAV took the initiative to help Palestinian children in Gaza and launched Gaza Humanitarian Appeal Campaign in coordination with Islamic representative bodies, state and national level. This humanitarian campaign was in partnership with Palestinian Red Crescent in Gaza.

You will surprise to know the number of questions and concern raised to me by the community and other organisations in relation to the anti-terror law, in particular listing Hamas' Brigades as a terrorist organisation.

I have to contact a member of Victorian Police Security and Intelligence Services and an Australian expert & regular commentator on terrorism to clarify the matter for the community.

This is because the community are ignorant about the act and the media is inciting more hatred i.e. playing scaremonger role.

ABC hatred and biased coverage on Hamas: An example

AUSTRALIAN Federal Police Commissioner Mick Keelty today warned the media against turning society so against Islam that it created a terrorist backlash.

"As I travel around the country and speak to different Islamic communities ... you hear more and more stories of treatment of the Islamic community that really is sub-standard by members of our own wider community.

⁶⁷ <http://www.aph.gov.au/house/committee/pjcis/adminexp5/subs/sub3.pdf>

"If we don't get a handle on this now, if we don't actually teach the values to future generations that we were brought up with, we do risk, I think, having a bigger problem in our own future than what we have in our past."

Source: AAP 26 October 2006. 'Media may incite terror - Keelty' <http://www.news.com.au/story/0,23599,20649332-1702,00.html>

In one of my recent formal complaint, 6 September 2009, to ABC biased coverage of the democratically elected Hamas government I submitted that:

The particulars of this official complaint regarding ABC current affairs biased, inaccurate and misleading words at both reports as follow:

1. Hamas is not a terrorist organisation and Gaza is ruled by the democratically elected Hamas not by 'militant Islamist group'. Both reports inaccurately reported and misled the audience by stating that: "TONY EASTLEY: **Hamas is a proscribed terrorist organisation** but the **militant** Islamist group which rules Gaza has taken on a new role - that of moviemaker." (ABC AM report). "**Hamas is a proscribed terrorist organisation**, but now the **militant** Islamists ruling Gaza have taken on a new role - producing their first feature film." (ABC Online News).

Hamas is not listed as a terrorist organisation in United Nations list. Also, and most importantly, Australian government **did not** proscribe Hamas as a terrorist organisation. According to the **Attorney-General website**, the Government only listed **Hamas's Izz al-Din al-Qassam Brigades**, 9 November 2003, i.e. **Hamas military wing**. **Hamas political and social infrastructure is not listed on the government terrorist list.**

This accurate fact can be found at Attorney-General official website: http://www.nationalsecurity.gov.au/agd/WWW/nationalsecurity.nsf/Page/What_Governments_are_doing_Listing_of_Terrorism_Organisations_Hamas

Hamas has large network of social welfare programs throughout the West Bank and Gaza.

This applicable to Hizbollah organisation too.

Source: Asem Judeh's formal complaint to ABC, 6 September 2009.

Of course the government and ASIO biased position will encourage the media to go further in their daily discrimination and hatred toward Palestinian community, Islam and Muslims.

Recommendation:

- For fairness and accuracy, the PJCIS should investigate thoroughly all ASIO's assessment reports since Hamas' Brigades and PIJ listed as terrorist organisations in November 2001;
- For fairness and accuracy, the PJCIS should examine thoroughly all ASIO's analysis and intelligence gathering regarding Hamas' Brigades, PIJ and all the serious concern mentioned in this submission.

6.4 ASIO's Vs CIA's Gaza Fact Sheet: A Comparison

As pointed out previously ASIO did not update their database with new and fresh intelligence information about Hamas, PIJ and Gaza since 2001.

The following up-to-date information about Gaza from CIA homepage:

Late November 2007 through June 2008 witnessed a substantial increase in Israeli-Palestinian violence. An Egyptian-brokered truce in June 2008 between Israel and HAMAS brought about a five-month pause in hostilities, but spiraling end-of-year violence culminated with massive Israeli air assaults on HAMAS installations in late December followed by Israeli ground attacks in early January 2009. Israel in mid January unilaterally stopped the attacks and HAMAS responded by suspending rocket and mortar fire. The fighting resulted in the deaths of an estimated 1,100 to 1,400 Palestinians and left tens of thousands of people homeless. International donors pledged \$4.5 billion in aid to rebuild the Gaza Strip, but by mid-May 2009 only a small fraction of the aid had been delivered.

Source: CIA website <https://www.cia.gov/library/publications/the-world-factbook/geos/gz.html>

You can see the difference of information at CIA online information and what ASIO included as per the Attorney-General letter to The Hon Arch Bevis MP 'following careful consideration of intelligence information provided by ASIO'.

Can we call the ASIO's internet information intelligence information?

I have no doubt that grade-10 student can provide more accurate than ASIO's report from the internet. **I am not trying to make fun of ASIO.** But this shocking fact for any one reads ASIO's 2007 and 2009 assessment reports.

The PJCIS has responsibility to investigate this serious matter and find out the truth.

7. Australia, UN and Israeli illegal settlements

7.1 Australia Vs UN, International Law, ICC

Labor Prime Minister, Mr Kevin Rudd, at his recent speech addressing the 64th session of the United Nations General Assembly in New York, 23 September 2009, said just that:

I come to this Assembly as Australia has each year since the first General Assembly in 1946, and I come in the same spirit: to seek solutions to the great challenges of our age, and together help give them effect.

These challenges are not new.

They are reflected in the preamble to the Charter which we as an international community crafted together:

- **to save succeeding generations from the scourge of war**
- **to advance economic growth and social progress for all**
- **to reaffirm faith in fundamental human rights**
 - **in the equal rights of men and women**
 - **and the rights of nations large and small**
- **and for all of these great undertakings to be reflected in a new body of international law**

Source: PM Kevin Rudd homepage <http://www.pm.gov.au/node/6226>

It is a well-documented and known fact that Israel has breached every Article of Geneva Convention. So, for the Attorney-General and ASIO's deliberate biased assessment report they are acting against Australia's commitment to UN and international law i.e. Australia's national interest and the world peace and security.

In fact, ASIO's assessment report is encouraging/harboursing Israel to steal more land for illegal settlements, ritually humiliate Palestinians, killing and massacre more Palestinians and denying Palestinians basic rights for an independent state according to UN charter.

7.2 Israeli illegal settlements and Australia double standards

Last year, **November 2008**, Labor Rudd government has supported United Nations resolutions calling for an end to further Israeli settlement in Palestinian areas and for acceptance by Israel that the Geneva Convention should apply in those areas.

Acceptance of the convention would oblige Israel to commit to the convention's standards for the treatment of Palestinian civilians.

But, The Australian delegation opposed a further motion calling for an investigation of Israel's civil rights record.⁶⁸

It is a good move Labor Rudd government comparing to badly defeated Liberal PM, John Howard, who openly and blindly supported and aided Israel.

Australia cannot support half of UN resolutions and international law and ignore the other half.

Israel will loose any legal battle at the Huge International Court of Justice.

For Example, In 9 July 2004 finding, the [International Court of Justice](#) declared that "Israel cannot rely on a right of self-defense or on a state of necessity in order to preclude the wrongfulness of the construction of the wall. Construction of the barrier is "contrary to international law."

If Australian Labor government against Israeli illegal settlements, so why they allow Australians to finance Israeli illegal settlements?

Why ASIO and other Security agencies such as Australian Federal Police, did nothing to prevent Australians from financing Israel apartheid and illegal activities?

Question without notice: Middle East Peace Process

[Mr BRERETON](#) – My question is to the Minister for Foreign Affairs. Does the Australian government consider the building activities in Hebron sponsored by Mr Joseph Gutnick to be consistent with the Oslo agreements and the Hebron protocol? Does the government concur with the view of Shimon Peres concerning the impact of Mr Gutnick's activities on the Middle East peace process? Given Mr Gutnick's reported statement that he would cease his

⁶⁸ *The Age*, 10 November 2008 'Rudd at risk on Israel proposal'

<http://www.theage.com.au/national/rudd-at-risk-on-israel-proposal-20081109-5kxe.html>

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

activities in Hebron if the Australian government asked him to do so, what, if any, representations is the government making to Mr Gutnick?

[Mr DOWNER](#) – Let me begin by saying that the House knows only too well that the Australian government has given very strong support to the Middle East peace process throughout. We have made consistent statements in support of that process on many occasions. As far as Mr Gutnick is concerned, I am aware of the interest that Mr Gutnick has in Israel and in particular in the issue, as I understand it, of settlements in Israel. But Mr Gutnick is a private Australian citizen and as an Australian citizen in a private capacity he is entitled to hold whatever view he likes and is entitled to spend his money however he likes as well. Mr Gutnick's activities are a matter for Mr Gutnick. The Australian government's position is a position of very strong support for the Middle East peace process. Whenever we have seen any weakening of commitment by any of the parties to that peace process, we have made it perfectly clear that we think the process should return to its track.

Source: House of Representatives Hansard, 4 March 1997

So, Israel illegal activities and their intention toward peace is well-known to the government, politicians and ASIO.

Why they didn't do anything about it?

If Joseph Gutnick as a "private Australian citizen and as an Australian citizen in a private capacity he is entitled to hold whatever view he likes and is entitled to spend his money however he likes as well. Mr Gutnick's activities are a matter for Mr Gutnick.", then why it is not OK for any Australian citizen in his or her private capacity finance any terrorist organisation?

According to ASIO's assessment report Hamas' Brigades and PIJ should be listed as terrorist organisations because they are against peace.

Are illegal settlements supporting peace or against peace?

Does Israelis want peace settlement or illegal settlement?

Does Australia support peace settlement or illegal settlement?

Isn't that hypocrisy?

"... that if you keep a people downrodden, effectively poor, with minimal political representation and little prospect of improving their lot, and then at the same time, gradually piece by piece take over their property ... you are going to give them no option. They (the Palestinian) are just going to give up in despair and the young hotheads are going to indulge in things you might call terrorism."⁶⁹

⁶⁹ Middle East MP's concern over Palestinians, by Ross Dunn. The Age Monday 11 May 1998. Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

Source: *The Age* Monday 11 May 1998. Statement by late Liberal MP, Peter Nugent.

Is this how Australian government and ASIO meets their obligations to international law and world peace and security? Or

Are Zionism and Australian Jewish community above the domestic and international law?

Recommendation:

The PJCIS should recommend to the Attorney-General all Zionist organisations and individuals who finance and support Israel's apartheid and illegal activities must be persecuted and treated as terrorist organisations and individuals.

8. Conclusion

As you can see this submission included serious allegations against ASIO's assessment report and must be taken seriously by people's representatives in the Parliament.

According to ASIO's 2007 and 2009 assessment report Palestinian organisations, not only Hamas' Brigades and PIJ can be listed as terrorist organisations for ever.

The public can accept the government bias, but for a government organisation and public servants, like intelligence and security agencies, they must act according to the specified mandate set to them by the Parliament. Accordingly, they must report accurate facts and submit accurate reports to the Parliament.

That was not the case with ASIO's assessment report submitted to PJCIS as part of the Attorney-General submission.

If the government wants to list Hamas' Brigades and PIJ as terrorist organisations forever, then the government should ask the Parliament to give more executive power to the Attorney-General to list any organisation without seeking any intelligence information from ASIO.

Today, October 10th, the media has leaked some information about the debate in the White House regarding sending more 40,000 American soldiers to Afghanistan. The media reported that one of the options inside the White House is to negotiate with moderate factions within Taleban and focus NATO effort to fight al-Qaida.

If the USA is willing to discuss this approach with those who planned, sponsored, harboured the organisers of September 11 terrorist attack. Then it is wiser for Australia to remove Hamas' Brigades and PIJ from the terrorist list. Simply because both Hamas' Brigades and PIJ are not al-Qaida. They do not impose any threat whatsoever to Australia.

Israel's attack on Gaza early this year and Justice Richard Goldstone report should wake up our consciousness and focus seriously on the root causes of terrorism, occupation, not blaming the victims, Palestinians.

Addressing the UN Human Rights Council in Geneva, Richard Goldstone said a lack of accountability for war crimes committed in the Middle East had reached "crisis point", undermining any hope for peace in the region.

The former South African judge rejected criticism by Israel that the 575-page report was politically motivated.

He said his team was led by a belief in the rule of law, human rights and the need to protect civilians during war.

If this report is to matter, it will be for a number of reasons. One is its length. There have been a slew of reports into the war in Gaza. This is the lengthiest, weighing in at 575 pages.

There is the man who wrote it: Richard Goldstone is a judge and judicial investigator with an impressive record. The UN Human Rights Council, for whom he wrote this, is also no longer a body which is quite as easy for Israel to dismiss as a congenitally biased. The US has recently run for, and been elected to a seat on its council.

Mr Goldstone has also shown a measure of political astuteness. This is not the first time that Israel, or Palestinian militants, has been accused of war crimes - and in Israel's case, crimes against humanity as well. But previous allegations have quickly begun to moulder on the shelf.

Mr Goldstone recommended that the Security Council require Israel, and the Gaza authorities, to report in six months about its own investigations into the alleged crimes. If they did not come up to scratch, then the International Criminal Court should become involved. Who, said Judge Goldstone, could object to that?

The democratically elected Palestinian government has strongly supported Goldstone's report, in spite of the accusations against Hamas of war crimes in the report.

As a result of Goldstone's report, Haaretz, 6 October 2009, reported that:

The Hamas rulers of the Gaza Strip have arrested over the last two days a number of Palestinian militants planning to fire rockets at western Israel.

The report quoted group sources as saying Hamas leader Ismail Haniyeh has organized a crackdown against Palestinian factions to curb the attacks against Israel.

Hamas has warned the factions not to fire rockets under any circumstances, according to the report, even in response to Israeli measures at the Temple Mount in Jerusalem.⁷⁰

⁷⁰ Haaretz 6/10/09. 'Report: Hamas arrests militants planning to fire rockets at Israel'

<http://www.haaretz.com/hasen/spages/1119165.html>

That proves the point that occupation and Israeli apartheid policies are the root causes for violence and terrorism.

Most importantly, Hamas, and all other Palestinian resistance groups, are not al-Qaidaa.

That proves that Hamas is a moderate organisation, not as ASIO alleges an extremist organisation.

Committee members,

Sheller Inquiry stated that the 'guiding principle' in any critical assessment of security and counter terrorism legislation is that such legislation must be a **reasonably proportionate** means of achieving the intended object of protecting the security of Australians and Australian interests. Legislation must be well framed and kept within the boundaries imposed by human rights law. The language must be specific and unambiguous, to provide a level of certainty to the obligations such legislation places on members of the community.

The position taken by the Council of Australian Governments (COAG) in September 2005 following a special meeting on counter-terrorism, which is quoted by the Sheller Inquiry (see p. 34):

... any strengthened counter-terrorism laws must be **necessary, effective** against terrorism and contain **appropriate safeguards** against abuse ... and be exercised in a way that is **evidence-based, intelligence-led** and **proportionate** [emphases added].

This submission proves neither Sheller Inquiry 'guiding principle' nor the position taken by COAG in September 2005, has been followed by the Attorney-General, past and present, and ASIO.

Because of that I strongly recommend and demand that PJCIS de-list Hamas' Brigades and PIJ from the terrorist list and focus more on the root causes behind violence and terrorism in Middle East in general and particular in Palestine-Israel.

As Richard Goldstone rightly said a lack of accountability for war crimes committed in the Middle East had reached "**crisis point**", **undermining any hope for peace in the region.**

The other option we have is what American Jewish professor Marc Ellis said here in Australia when I organised his visit July-August 2001. Theologian Professor Ellis and author of at least 15 books said just that:

More people will die, and the ultimate dignity that even in surrender you can have, by speaking the truth and letting it be heard, is forsaken.

The Palestinians are on the other side of history and those of us who know, especially in high places, who don't speak the truth now, it's a crime. What we owe each other now in these sorts of final days of the conflict, when anything can happen, when a million Palestinians could be driven out tomorrow, I'm not predicting, when a war could break out and under cover of that war we owe each other at least the truth. For God's sake, speak the truth before it's too late, otherwise we bequeath to our children as Jews, a lie, a hypocrisy.⁷¹

If the West continues their hypocrisy and double standards, be assured that Palestinians will be more resilient and will continue resisting Israeli barbaric occupation until the international community take Goldstone's words seriously and act.

Palestinians will never relinquish their basic rights.

⁷¹ American-Jewish Professor Marc Ellis speaking to ABC Radio National, **8 August 2001. Asem Judeh has organised his visit to Australia.**

APPENDIX A: Complaint letter to Inspector-General of Intelligence and Security

Asem Judeh
POBox 2080
Templestowe Heights 3107
Email: ajudeh@hotmail.net.au
Mobile: 0415 802 780

Melbourne 22 September, 2009

Mr. Ian Carnell
Inspector-General of Intelligence and Security
PO Box 6181
KINGSTON ACT 2604
AUSTRALIA

Dear Mr Carnell,

Subject: ASIO Intelligence information provided to Attorney-General RE Hamas' Izz al-Din al-Qassam Brigades

I am writing to you to officially complain to you regarding ASIO's assessment information RE Hamas' Izz al-Din al-Qassam Brigades.

The Attorney-General letter to the Parliamentary Joint Committee on Intelligence and Security to review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades (the Brigades), Kurdistan Workers Party (PKK), Lashkar-e-Tayyiba (LeT) and Palestinian Islamic Jihad (PIJ) as terrorist organisations under the Criminal Code Act 1995 (http://www.aph.gov.au/house/committee/pPJCIS/hamas_pkk_let_pij/index.htm).

ASIO assessment report lack credibility and deliberately ignoring the well known facts about Israel's military occupation and blames only Palestinians for the cycle of violence. ASIO assessment report mention the only Israeli soldier abducted in 2006 and ignores the 13,000 Palestinians prisoners, including women, children and democratically elected parliamentarians, inside Israeli jails, most of them are kidnapped.

ASIO assessment report ignores the daily Israeli military occupation ritual humiliation and killing of Palestinians.

ASIO assessment report ignores the daily land theft by Israeli settlers and their daily harassment to Palestinians and damage to their houses and farms.

In short, the Government and Parliament will rely on ASIO biased and unfair assessment report to re-list Hamas' Izz al-Din al-Qassam Brigades and Palestinian Islamic Jihad (PIJ) as a terrorist organisation.

In other words, ASIO assessment report gives the Israelis the licence to kill more Palestinians and to steal more land to build more illegal settlements in contrary to International Law, International Criminal Court and United Nations Security Council Resolutions.

The spokesperson for Israeli Prime Minister, Mark Regev [he also an Australian Citizen], said on ABC's *Lateline* **July 4, 2006, during Lebanon war**: <http://www.abc.net.au/lateline/content/2006/s1677842.htm>

"Well, I think you could only prosecute people who were directly involved in terrorism, or in this specific case, directly responsible, involved in the kidnapping of the corporal. I don't think you could adequately prosecute people if they were only bystanders or if they're part of the same organisation, but the legal situation is clear. **Under Israeli law**, Hamas is a terrorist organisation and it is possible to prosecute people just for being leaders and activists in a terrorist organisation. I'd also remind you that it's not only Israeli law. **Under Australian law, under Canadian law, under European Union guidelines, under American law**, in all those places and others, Hamas is officially defined as a terrorist organisation and so its leadership can be arrested in many countries, not just in Israel."

The whole international community shocked from Israel's 21-days war on Gaza early this year.

Israel's crimes against humanity in Gaza have prompted United Nations to investigate these crimes, for the first time since the start of the Palestinian-Israeli conflict.

UN investigation committee led by Justice Richard Goldstone has released his report, September 15.

The just-released Goldstone report documenting war crimes committed during Israel's attack on Gaza over three weeks in December 08-January 09 reveals that the bombardments of infrastructure and appalling massacres inflicted on Palestinian civilians were deliberate and on a scale amounting to crimes against humanity. It concluded that they were grave violations of international law.

The report comes at a time when the Palestinians in Gaza are still suffering from the deprivations and humiliations of Israel's punitive sanctions imposed in June 2007. These sanctions have denied the Palestinians almost all basic household staples, construction materials to rebuild destroyed homes and

medicines to relieve the pain and suffering of the thousands injured as well as the acutely and chronically ill. This, the report stated, was evidence of Israel's intent "to punish, humiliate and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever increasing sense of dependency and vulnerability."

While Palestinians were also found to have committed war crimes, the proportions in the report are revealing- nine-tenths of the report is devoted to Israeli war crimes and only one-tenth to Palestinian war crimes. The ratio of killings was about a hundred to one with more than 1400 Palestinians killed to 13 Israelis (4 by friendly fire). While several houses were damaged by Palestinian rocket fire, the Israelis reduced to smouldering rubble thousands of Palestinian homes, offices, factories and other infrastructure.

The report includes amongst the destruction of infrastructure, Gaza's last remaining flour mill, repeated strikes on a water well complex, bulldozers that buried 31,000 chickens in rubble in a chicken farm and the bombardment of a raw sewage lagoon causing spillage of 200,000 cubic metres of fetid sewage.

Furthermore, contrary to Israel's assertions, no evidence was found of Hamas using its own people as human shields, but there were numerous incidents cited of Palestinians being used as human shields by Israeli soldiers.

Israeli "Prime Minister Benjamin Netanyahu on Wednesday (16/9/09) blasted a United Nations probe into Israel's winter offensive against Hamas as nothing but a "kangaroo court," after the investigators accused Israel of committing war crimes in a report.

"The Goldstone report is a kangaroo court against Israel, whose consequences harm the struggle of democratic countries against terror," said Netanyahu during closed meetings, in his first response to the report, which was released on Tuesday. "(Source: *Haaretz* 16/9/09 'Netanyahu calls UN Gaza probe a 'kangaroo court' against Israel' <http://www.haaretz.com/hasen/spages/1115007.html>)

ASIO biased assessment information not only deliberately ignored the above facts, but most importantly rewards Israel for these crimes and make it very hard to held Israel accountable under international law and humanitarian law for the atrocities committed in Gaza as well as the repeated violations against the Palestinians that have seen them dispossessed, displaced, occupied, oppressed, slaughtered, imprisoned and reduced to utter economic dependency and despair over the last sixty years.

In words, ASIO biased assessment report allow Israel to use their military machine power to kill and massacre more Palestinian children and women.

After decades of trying to impose accountability on Israel under international law, the Goldstone report provides a legal basis for doing so. As a signatory to the Geneva Conventions, Australia has an obligation to demand that claims of war crimes against Israel be heard before the International Criminal Court of Justice if Israel fails, as proposed in the report, to conduct credible internal investigations over the next six months.

ASIO biased assessment information is against Australia obligation to Geneva Conventions and International Law.

Attached is my recent submission to the Attorney-General Department **Discussion Paper - National Security Legislation, September 21**.

The submission lists some of Israel's illegal, terrorist and criminal activities. These activities are completely ignored by ASIO.

Finally, it worth to know that most of what included in my submission has been communicated and passed to ASIO and AFP since 2001. In 2002, I gave ASIO softcopy of my52-page submission to Parliamentary Senate Legal and Constitutional Committee **Anti-Terrorism Bill: Suppression of the Financing of Terrorism Bill 2002**.

I have no evidence whatsoever, that these information seriously considered or examined by ASIO or AFP.

Based on my well-documented communication with ASIO and AFP, I can strongly argue and prove that ASIO (and AFP) reports what the government would like to hear.

Security and Intelligence agencies have responsibility to protect all Australians, regardless of their ethnicity and religion. For ASIO, to be able to gather accurate intelligence information from the public, they must be ethical have high level of credibility. ASIO must be above politics to gain the public support and respect.

In my next submission to the [Parliamentary Joint Committee on Intelligence and Security](#) I will respond in details to ASIO assessment report.

I will send you copy of my submission.

Don't hesitate contacting me if you need further information.

Sincerely yours,

Asem Judeh

**Encl. Asem Judeh submission to the Attorney-General Department:
Discussion Paper - National Security Legislation, September 21**

APPENDIX B: Al-Qaeda Vs Israel Terrorism

New York September 11, 2001
One-day terrorist act!

Gaza-Palestine December 27, 2008-January
22nd, 2009
60+ years terrorist acts by Zionist Israelis!









APPENDIX C: United Nations Fact Finding Mission on the Gaza Conflict

United Nations Fact Finding Mission on the Gaza Conflict

<http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/FactFindingMission.htm>



[Report of the United Nations Fact Finding Mission on the Gaza Conflict \(PDF\)](#)

UN Fact Finding Mission finds strong evidence of war crimes and crimes against humanity committed during the Gaza conflict; calls for end to impunity ([Press Release 15 September 2009](#))

[Media summary of Report - English](#)

[Press Release 15 September 2009 - Arabic](#)

[Media summary of Report - Arabic](#)

[Press Release 15 September 2009 - Hebrew](#)

[Media summary of Report - Hebrew](#)

Appointment of the United Nations Fact Finding Mission on the Gaza Conflict

On 3 April 2009, the President of the Human Rights Council established an international independent Fact Finding Mission with the mandate “to investigate all violations of international human rights law and international humanitarian law that might have been committed at any time in the context of the military operations that were conducted in Gaza during the period from 27 December 2008 and 18 January 2009, whether before, during or after.” [See [press release of 3 April 2009](#) and [transcript of press briefing](#)]

The appointment of the mission followed the adoption on 12 January 2009 of resolution S-9/1 by the United Nations Human Rights Council at the end of its 9th Special Session.

Resolution 9/1: [Arabic](#) | [Chinese](#) | [English](#) | [French](#) | [Russian](#) | [Spanish](#)
Mission Members

The Mission is headed by **Justice Richard Goldstone**, former member of the South African Constitutional Court and former Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda.

The three other mission members are:

Professor Christine Chinkin, Professor of International Law at the London School of Economics and Political Science, who was a member of the High Level Fact Finding Mission to Beit Hanoun (2008);

Ms. Hina Jilani, Advocate of the Supreme Court of Pakistan and former Special Representative of the Secretary General on Human Rights Defenders, who was a member of the International Commission of Inquiry on Darfur

(2004);

and **Colonel Desmond Travers**, a former officer in the Irish Armed Forces and member of the Board of Directors of the Institute for International Criminal Investigations (IICI).

As is usual practice, the Mission is supported by a Secretariat provided by the Office of the High Commissioner for Human Rights (OHCHR).

[Bios for mission members](#)

Mission Commences Work

The Mission convened for the first time on 4 May in Geneva. During the course of that week, the four Members of the Mission held meetings with a broad cross-section of stakeholders, including UN Member States, non-governmental organizations and United Nations agencies and bodies. The Mission also agreed on its methodology and established its programme of work. The Mission is required to submit its report within three months. [See [press release of 8 May 2009](#)]

Call for Submissions

The United Nations Fact Finding Mission on the Gaza Conflict is pleased to invite all interested persons and organizations to submit relevant information and documentation that will assist in the implementation of the Mission's mandate. Submissions should focus on events and conduct that occurred in the context of the armed conflict that took place between 27 December 2008 and 19 January 2009. The Mission considers that, for the purposes of its mandate, events since June 2008 are particularly relevant to the conflict. More details are available in the [Mission's Call for Submissions](#).

Field Visits

In the course of its work, the Mission Members have conducted two visits to Gaza. Despite requests for the cooperation of the Government of Israel, the Mission has been refused access to Israel and the West Bank. The Mission has entered Gaza through the Rafah crossing.

The first field visit by the Mission Members was conducted to the Gaza Strip from 1-5 June 2009, during which they held meetings, conducted interviews with victims and witnesses and visited the sites of incidents. [See [press release, summary of press conference in Gaza City](#) and [statement by the President of the Human Rights Council](#)]. The Members of the Mission were in Gaza again from 26 June to 1 July, during which time they continued their investigations and held the Mission's [public hearings](#). Mission staff maintained a presence in Gaza until early July.

Members of the Mission also traveled to Amman, Jordan, from 1 to 4 July to interview witnesses and meet with people and organizations from Israel and the West Bank.

More details are available in the [Mission's Public Advance Notice](#).

Public Hearings

As part of its investigation process, the Mission held two sets of public hearings, in Gaza City and in Geneva, during which nearly 40 witnesses, victims and experts gave testimony. The aim of holding the hearings publicly

was to give a voice to those who had direct experiences and expertise related to the mandate of the Mission.

The public hearings in Gaza included victims and experts from Gaza and took place on Sunday 28 and Monday 29 June 2009. [See press releases of [25 June](#) and [29 June](#) 2009.]

Those in Geneva included victims and experts from Israel and the West Bank, as well as military and legal experts, and were held on Monday 6 and Tuesday 7 July, 2009. [See press release of [7 July](#) and [summary of 7 July press conference](#) 2009]

The public hearings are webcast by the United Nations and can be viewed by visiting the [webcast archive](#).

High-resolution photographs of the hearings can be viewed and downloaded from the Mission's FTP Server:

<ftp://ftp.ohchr.org>

username: FFMG2009

password: P433FF

(It is necessary to use UPPER CASE characters in the username and password)

Transcripts of the Public Hearings

[28 June 2009](#), Gaza City Morning Session

[28 June 2009](#), Gaza City Afternoon Session

[29 June 2009](#), Gaza City Morning Session

[29 June 2009](#), Gaza City Afternoon Session

[6 July 2009](#), Geneva Morning Session

[6 July 2009](#), Geneva Afternoon Session

[7 July 2009](#), Geneva Morning Session

[7 July 2009](#), Geneva Afternoon Session

Methodology

The Mission worked on the basis of international human rights and humanitarian law and international investigative standards developed by the United Nations.

The Mission reviewed reports produced by various organizations and institutions as well as submissions on matters of fact and law relevant to its inquiry. A notice has been issued to call for submissions (see above). The Mission consulted with a wide range of interlocutors including victims and witnesses, Palestinian, Israeli and international NGOs, United Nations and other international organizations, community organizations, human rights defenders, medical and other professionals, legal and military experts, authorities and other sources of reliable information relevant to its mandate, within and outside Israel and the occupied Palestinian territory. The Mission also held [public hearings](#) on particular issues of concern related to its mandate.

Submission of Report

The Report of the Mission will be submitted to the Human Rights Council during its 12th Session in September 2009 and presented to the Council on 29

September.

APPENDIX D: Joint Standing Committee on Foreign Affairs, Defence and Trade: Inquiry into Australia's Relations with the Middle East Report

[Joint Standing Committee on Foreign Affairs, Defence and Trade Committee activities \(inquiries and reports\)](#)

Completed Inquiry: Australia's Relations with the Middle East

Report

The Committee presented its report *Inquiry into Australia's Relations with the Middle East* to Parliament on 19 September 2001 in the Senate and 20 September 2001 in the House of Representatives. Copies of the individual chapters or the full report are available in PDF format. The report is also available from the [Committee Secretariat](#).

Contents, Foreword and Recommendations (PDF Format) <http://www.aph.gov.au/house/committee/jfadt/Mideast/MErecs.pdf>

Chapter 1: Introduction (PDF Format 73KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_1.pdf

Chapter 2: The Middle East Conflict in Outline (PDF Format 27KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_2.pdf

Chapter 3: Australia's Contributions to the Middle East Peace Process (PDF Format 81KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_3.pdf

Chapter 4: Regional Stability and Strategic Issues (PDF Format 80KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_4.pdf

Chapter 5: The United Nations and the Sanctions Against Iraq (PDF Format 60KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_5.pdf

Chapter 6: Australia's Trade Relationship with the Region (PDF Format 215KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_6.pdf

Chapter 7: Promotion and Protection of Human Rights in the Middle East (PDF Format 73KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_7.pdf

Chapter 8: Social and Cultural Links Between Australia and the Middle East (PDF Format 77KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_8.pdf

Chapter 9: Australia's Response to Asylum Seekers from the Middle East (PDF Format 69KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_9.pdf

Chapter 10: Australian Overseas Aid for the Middle East (PDF Format 98KB) http://www.aph.gov.au/house/committee/jfadt/Mideast/MEchapter_10.pdf

List of Submissions <http://www.aph.gov.au/house/committee/jfadt/Mideast/MESubs.htm>

Public Hearings <http://www.aph.gov.au/house/committee/jfadt/Mideast/MERptindx.htm>

Minority Report (PDF Format 123KB) <http://www.aph.gov.au/house/committee/jfadt/Mideast/MEminority.pdf>

Full Report (PDF Format 3412KB) <http://www.aph.gov.au/house/committee/jfadt/Mideast/MEreport.pdf>

APPENDIX E: More reaction from Palestine and Arab world to Israel & Peace Process

Netanyahu Speech: Palestinian Reaction 15 June 2006

Source: <http://sabbah.biz/mt/archives/2009/06/15/netanyahu-speech-palestinian-reaction/>

Ahmad Tibi, a Palestinian citizen of Israel and member of the Israeli Knesset representing the United Arab List-Ta'al party, which was nearly barred from running in Israel's last election: Netanyahu's speech is a deceptive attempt to bypass Obama's call for a complete settlement freeze. He said nothing new, but instead reiterated the racist demand that Palestinians recognize Israel as a Jewish state. This is not only racist, but will give Israel the excuse to discriminate against more than 20 percent of its population. I hope the Americans see the speech for the deception that it is.

Mustafa Barghouthi, a member of the Palestinian Legislative Council, Secretary General of the Palestinian National Initiative and former candidate for Palestinian president: Netanyahu is attempting to mislead the world community by substituting a ghetto for a Palestinian state. He is no partner for peace. His whole speech was nothing but the consolidation of apartheid, not only in the territories but within Israel. Also, he preempted any possibility for negotiations because while he's calling for no preconditions he is simultaneously saying all of Jerusalem is Israel's capital, there will be no freeze of settlements, and the refugees cannot come home. He's clearly deciding the most important issues while claiming he's open to negotiations.

Hassan Jabareen, founder and general director of Adalah, The Legal Center for Arab Minority Rights in Israel: "In his speech, Netanyahu put forth all the obstacles for reaching any reconciliation. First, when he spoke of recognizing Israel as a Jewish state he neglected the status of Arab Palestinian citizens of Israel as equal citizens of the state, and therefore, he relegated them to second-class citizenship status. Second, while he mentioned the term "Palestinian state," in fact, he spoke about Palestinian autonomy and not an independent state as it would not control its borders or skies, similar to the status quo. Third, East Jerusalem and the Palestinian refugees, in his vision, are excluded from any negotiation. Clearly, Netanyahu failed to recognize the Palestinians' right to self-determination.

Diana Buttu, a Palestinian citizen of Israel living in Ramallah, attorney and former advisor to Palestinian negotiators: Netanyahu offered a litany of demands that the Arabs and Palestinians must adhere to, but he failed to mention even a single statement about what Israel is going to do in order to effect peace. Even something as basic as a settlement freeze, Netanyahu refused to accept. He made it clear that what he wants to see in the future is a Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

repackaging of the occupation in which Israel continues to control the Palestinians rather than complete Palestinian freedom. Netanyahu is trying to replace real peace with the fig leaf of an improved economic situation. His approach fails to recognize that this is a political problem requiring a political solution and not an economic problem with economic solutions."

Sam Bahour, a Palestinian-American businessman living in Ramallah: In a brief and shallow policy address at one of the most right-wing Israeli universities, Israeli Prime Minister Benjamin Netanyahu was visibly nervous and edgy as he reverted to sloganeering instead of accepting Israel's historic responsibility toward regional peace. Clearly aiming to appease President Obama's new thrust to end the Israeli-Palestinian conflict, Netanyahu uttered some of the words that all were seeking like peace and statehood but stripped them of substance. Netanyahu and his coalition still refuse to acknowledge that Israel is an occupying power responsible for daily war crimes and the bearer of a sophisticated ethnic cleansing campaign against Palestinians. The speech clearly slapped President Obama and the international community in the face and should motivate the US to finally act to bring Israel in line with international law; otherwise, the future will offer only more of the past.

Source: [IMEU](#)

APPENDIX F: The Judisation of Jerusalem – Fact Sheet Prepared Jerusalem Centre for Women

Source: <http://www.j-c-w.org/factsheets/Judaization%20of%20J'lem.doc>

Since 1967, when Israel occupied the Gaza Strip and the West Bank including East Jerusalem following its victory in the Arab-Israeli War, Palestinian Jerusalemites have faced a unique and sinister attempt by the Israeli Government to permanently alter the ethnic, religious and geographical reality of the city, thus negating Jerusalem's viability as the capital of a future Palestinian state. It is the stated aim of the Jerusalem Municipality to achieve a ratio of 72 Jews to 28 Arabs by the year 2020 despite all demographic trends (birth rate, migration levels) indicating that the population should naturally comprise 60% Jews and 40% Arabs by that year⁷². In order to counter this natural progression, the Jerusalem Municipality unveiled Town Planning Scheme 2000 in September 2004, which is essentially a racist and politically motivated document that outlines the intended methods to ensure outright Jewish demographic domination of Jerusalem by the year 2020. The goal of the plan, as outlined in the executive summary is "to create a framework to proceed with the development of the city of Jerusalem as a capital for the state of Israel and a seat for its government" and "to achieve a long term goal which reflects the future vision for the city as conceived by the City's fathers".⁷³

In order to achieve this goal, the Jerusalem Municipality is pursuing the following devastating measures:

- Prohibition on expansion of Palestinian living space and destruction and confiscation of existing homes and land. To date since 1967, over 18,000 Palestinian homes have been demolished by the Israeli forces. Despite the fact that 84% of building violations take place in West Jerusalem, virtually all home demolitions are carried out on Palestinian homes, leaving the owners homeless, destitute and traumatized. To date (October) in 2007, 86 homes have been demolished in Jerusalem, all of them belonging to Palestinians,⁷⁴ with many more existing under the grave threat of demolition orders.
- Permitting and assisting Jewish settlers to occupy and damage Palestinian homes and harass and attack Palestinian residents. The Israeli forces afford absolutely no protection to Palestinian families in East Jerusalem and often participate in illegally evicting them from

⁷² Coalition for Jerusalem: The Master Plan of "Jerusalem 2000", Analytic Study pg 5

⁷³ Local Outline Plan Jerusalem 2000: The Proposed Plan and the Main Planning Policies Prepared for Jerusalem Municipality pg 8, 10

http://www.pccjer.org/arabic/Publication/jerusalem_master_plan/engchapt/Intro.pdf

⁷⁴ www.lrcj.org – Periodical Reports – Israeli Violations in Jerusalem

Parliamentary Joint Committee on Intelligence and Security Review of the re-listing of Hamas' Izz al-Din al-Qassam Brigades

their homes so that settlers can take up residency. According to the Land Research Centre, on 5 June 2007, Jewish settlers attempted to seize the home of the Faraj family in the Silwan neighborhood. The family resisted, but was then served with an eviction notice by the Israeli police ordering them to vacate the home within 24 hours on the false premise that it had been purchased by the settlers.⁷⁵

- Alteration of the geographical reality of the City in order to confine Palestinian residents to underdeveloped ghettos surrounded by Jewish residential areas and amenities and highways for exclusive Jewish use.
- Wholesale neglect of essential services for the Palestinian population including educational and healthcare facilities and refuse and sewerage services, while developing a high standard of services for Jewish residents in order to attract Jewish immigrants to and curb Jewish migration from Jerusalem. According to Btselem, Palestinians comprise one third of the population of Jerusalem but in no municipal budget item do they receive a third of the allocations made. The Health Department allocates 20% of its budget to Palestinians while the Culture and Neighborhood Renewal departments allocate only 2% to Palestinian areas.⁷⁶
- Confinement of up to 230,000⁷⁷ Palestinian residents to living to the east of the Annexation wall, thus retracting their Jerusalem residency and isolating them from services, their places of worship and family members in the city.
- Severe restriction on passage by Palestinians into the city, thus damaging the social, religious and economic fabric of Palestinian society.
- Imposition of the “centre of life” policy since 1995 which forces Palestinians to prove that Jerusalem has been their centre of life for the previous seven years in order to retain their residency status. The standard of proof demanded is so rigorous that even persons who have never left Jerusalem have difficulties in meeting it.
- Arbitrary confiscation of residency ID over the years, with incidents of confiscation rising by 600% since the introduction of the “centre of life” policy⁷⁸ in 1995, thus depriving thousands of Jerusalemites of social benefits and the right to work, and keeping them in fear of arrest and deportation. In contrast, members of the Jewish community from all over the world are encouraged to live in Jerusalem, granted instant citizenship and benefits and may leave the city for any length of time without fear of losing residency.
- Disruption of family life by preventing family reunification and child registration. For a non-Jerusalemite spouse of a Jerusalem ID holder to

⁷⁵ www.lrcj.org – Periodical Reports – Israeli Violations in Jerusalem – June 2007

⁷⁶ Btselem: *A Wall in Jerusalem: Obstacles to Human Rights in the Holy City*, summer 2006, pg 21

⁷⁷ Alternative Information Centre, *Economy of the Occupation* no. 11-12 January-February 2007: The Separation Wall in East Jerusalem, Economic Consequences, pg 14

⁷⁸ See fact sheet on Residency Rights: ID Confiscation at <http://www.jcser.org/english/>

live legally in the city, he/she must undergo a lengthy and complicated process to obtain residency. This process takes upwards of five years to complete, thus denying many thousands of Palestinians the right to normal family life. Similarly, when a child is born to parents of whom only one holds Jerusalemite ID, the parents must undergo a similar process to have the child registered, during which time they receive no social benefits for the child, including education. It is estimated by the Jerusalem Centre for Social and Economic Rights that as many as 10,000 non-registered children reside in Jerusalem. From May 2002, Israel refused to accept applications for family unification and refused to register the children of permanent residents who were born in the OPT.

Impact on women

Violation of Personal Space:

House demolition, invasion, damage and land confiscation all severely violate the private space of a woman and ensure that not even her traditional domain can be considered a safe haven. The mere threat or fear of such violence politicizes and militarizes the home, rendering it invalid as a neutral and safe place. As noted by Dr Nadera Shalhoub-Kevorkian, *"...the home is where women most acutely invest their time, build their safety nets, advance their talents and hobbies, carry on their work of looking after the family, and carrying on with their life responsibilities."*⁷⁹ When this space is violated, destroyed or threatened, a woman's identity and sense of security is equally damaged. [Short testimony from woman whose home was demolished/damaged/is under threat – possibly from Burj al-Laqlaq].

Destruction of the family unit:

Current Israeli policy violates many Jerusalemite women's right to family life by preventing her from living securely with her spouse and children. The destruction of this most fundamental societal unit has severe knock on effects for society as a whole as it may lead to a woman raising her children alone, being separated from some or all of her loved ones, or living in fear of her own or her spouse's removal from the city or imprisonment. Furthermore, the oppressive and discriminatory measures that Palestinians face in Jerusalem have essentially forced many young Palestinians to go abroad or elsewhere in the Palestinian Territory in the hope of an easier existence, thus fragmenting their families further. [Short testimony on this – sidebar regarding a family that has been separated or whose unity is threatened by the centre of life /family reunification policy].

⁷⁹ Dr Nadera Shalhoub-Kevorkian, Ph.D. House Demolition: A Palestinian Feminist Perspective. March 2006

Destruction of social life:

In reshaping Jerusalem's boundaries, imposing restrictions on movement and transferring large portions of the Palestinian population to the east side of the Annexation wall, Israeli policy disrupts social relationships between a woman and her family and friends, who traditionally would provide her with a strong support network. In many cases, close neighbors were overnight separated by the Annexation wall. Such a strategy is doubly devastating in a time of conflict and resulting impoverishment, when women need more extended support than ever.

Poverty:

The policies currently pursued by Israel to cleanse Jerusalem of its Palestinian population are pushing women into deep, real and dangerous poverty. All of the elements required for a society to rise above the poverty line – employment opportunities, pro-poor economic growth, security, quality education and healthcare, and participation in civil society – are increasingly being severely curbed, thus running a high risk that the cycle of poverty will continue and intensify significantly for future generations. In such circumstances, women bear the brunt of the burden of poverty, as they try to cope with the frustration of their husbands, the hunger and anger of their children, and to make impossibly small amounts of money and food stretch to meet the needs of their family. Inevitably, it is the impoverished wife and mother who eats last, is clothed last and cared for last.

Threat of violence:

East Jerusalemite women live with a constant and real threat of both physical and sexual violence at the hands of the Israeli forces and settlers. On 8 May 2007, the Israeli forces demolished the home of Daoud Ali Musa Naser, in the village of Al-Essawiya, leaving him, his wife and eight children homeless. In the course of the demolition, Mr. Naser's wife was beaten by the Israeli forces and had to be brought to hospital for treatment.

Although sexual harassment by Israeli forces is an extremely delicate subject for Palestinians, there has been some documentation of incidents occurring.⁸⁰ Families particularly fear for the wellbeing of their daughters in this context, and as a result, often consider it safer for a girl to marry young so that she has the protection of a husband, or prevent her from traveling to school or university out of fear for her safety.

Furthermore, domestic violence has increased in tandem with the oppressive policies of the Israeli government, so that many women live under a double threat of violence. Domestic violence is, of course, a societal ill that has always existed in Palestine, as in every society. However, it is widely considered that

⁸⁰ <http://www.youtube.com/watch?v=14snnd-omag&feature=related> ; Women's Studies Center: Palestinian Ordeals in East Jerusalem, 2006 pg. 59.

the feelings of ineptitude and frustration felt by Palestinian men due to the occupation have led to a sharp increase in domestic violence in recent years.

Reduction of educational opportunities:

Israel's deliberate neglect of essential services for Palestinian Jerusalemites means that there are not nearly enough places for all Jerusalemite children in state school and within those schools, facilities are poor, classes are overcrowded, teachers are underpaid and under-qualified. As noted by UNICEF, *"School enrolment is high, but it is starting to decline. The quality of education is also suffering because schools lack textbooks and other materials. Nearly half of all students have seen their school besieged by troops, and more than 10 per cent have witnessed the killing of a teacher in school."*⁸¹ These figures cover the West Bank, including East Jerusalem, and Gaza, and demonstrate that for young Palestinians, the classroom or lecture theater, as with the home, has become a militarized and unsafe zone.

While the Annexation wall and Israeli educational policy curb access by both girls and boys to educational facilities, they particularly impact on girls and young women as their families fear for their safety when traveling long or dangerous routes to reach their place of education. Thus, many young women are kept from school and college by their parents rather than running the risk of their being attacked or harassed on their journey.

Health:

Specific women's healthcare facilities are deliberately neglected in East Jerusalem. There are no qualified female Arab gynecologists and screening programs for breast cancer and other services that are vital to women's health are completely underdeveloped. TPS 2000 makes a vague reference to the provision of a new hospital to serve the Palestinian enclaves it is creating but much more investment is required to bring healthcare to an acceptable level, not to mention the levels enjoyed Israelis in Jerusalem who pay exactly the same taxes as their Palestinian counterparts.

Expectant mothers have expressed deep anxiety at the prospect of having to travel once in labor to deliver their babies, for fear that they will be delayed or turned back at checkpoints. Furthermore, transportation to hospital now takes up to five times as long as it did prior to the restrictions on movement throughout the West Bank. For example, the hospitals of East Jerusalem used to be walking distance for the residents of the recently isolated community of Abu Dis to the east of the city; now women in labor must take a two hour car journey to Jericho, and it is never guaranteed that they will be allowed to pass at checkpoints. This places the lives of both mother and child at enormous risk. According to the Palestinian Ministry of Health, 69 women have given birth at checkpoints since 2000 - 35 of those babies died as did five mothers.

⁸¹ <http://www.unicef.org/infobycountry/oPt.html>

Furthermore, many of the babies who survived suffered brain damage due to the adverse conditions under which they were born. The anxiety suffered by pregnant women as a result of this callous practice has caused the number of home births in occupied Palestine to increase by 8.2% since 2000, putting both mother and child at further risk. This is a clear example of reversal of important development as a direct result of the occupation.

Civil Society and Activism:

Living in isolation, without safe access to education, and fearful of arrest and violence, it is increasingly difficult for Palestinian women in Jerusalem to form a united and coherent movement towards seeking a just solution to the current crisis. The Israeli forces regularly prevent meetings of activists from going ahead and used violence to break up peaceful protest. Rumors have circulated amongst Jerusalemite women that they risk arrest, the arrest of their children, sexual abuse or damage to their homes if they take part in demonstrations. Instilling such fear among Palestinian women is a classic tool of civil oppression and serves to distance women, who are utterly essential to peace building, from civil society.

APPENDIX G: The rise of Israel's military rabbis

Source: BBC 7 September

2009 <http://news.bbc.co.uk/2/hi/programmes/newsnight/8232340.stm>

Katya Adler

BBC Newsnight, Israel

Israel's army is changing. Once proudly secular, its combat units are now filling with those who believe Israel's wars are "God's wars".

Military rabbis are becoming more powerful. Trained in warfare as well as religion, new army regulations mean they are now part of a military elite.

They graduate from officer's school and operate closely with military commanders. One of their main duties is to boost soldiers' morale and drive, even on the front line.

This has caused quite some controversy in Israel. Should military motivation come from men of God, or from a belief in the state of Israel and keeping it safe?

The military rabbis rose to prominence during Israel's invasion of Gaza earlier this year.

Some of their activities raised troubling questions about political-religious influence in the military.

Gal Einav, a non-religious soldier, said there was wall-to-wall religious rhetoric in the base, the barracks and on the battlefield.

As soon as soldiers signed for their rifles, he said, they were given a book of psalms.

And, as his company headed into Gaza, he told me, they were flanked by a civilian rabbi on one side and a military rabbi on the other.

"It felt like a religious war, like a crusade. It disturbed me. Religion and the army should be completely separate," he said.

'Sons of light'

But military rabbis, like Lieutenant Shmuel Kaufman, welcome the changes.

In previous wars rabbis had to stay far from the front, he says. In Gaza, they were ordered to accompany the fighters.

"Our job was to boost the fighting spirit of the soldiers. The eternal Jewish spirit from Bible times to the coming of the Messiah."

Before his unit went into Gaza, Rabbi Kaufman said their commander told him to blow the ram's horn: "Like (biblical) Joshua when he conquered the land of Israel. It makes the war holier."

Rabbis handed out hundreds of religious pamphlets during the Gaza war.

When this came to light, it caused huge controversy in Israel. Some leaflets called Israeli soldiers the "sons of light" and Palestinians the "sons of darkness".

Others compared the Palestinians to the Philistines, the bitter biblical enemy of the Jewish people.

Israel's military has distanced itself from the publications, but they carried the army's official stamp.

Still, army leaders insist their rabbis respect military ethics and put their private convictions aside. They say the same about the new wave of nationalist religious soldiers joining Israel's fighting forces.

'Religious duty'

I visited an orthodox Jewish seminary near Hebron in the West Bank. It is one of an increasing number of religious schools that encourage taking the Jewish Bible to the battlefield.

All students at the seminary choose to serve in Israel's combat units while statistics suggest less ideologically driven Israelis are avoiding them. This has made headline news in Israel.

The 19-year-olds I spoke to at the seminary told me religious soldiers like them can make the army behave better and become "more moral".

They believe it is their religious duty to protect the citizens of Israel, the Jewish state. The Lord commands it, they said.

The students' seminary is built in a Jewish settlement in the occupied West Bank.

If President Barack Obama gets his way, Israel will eventually evacuate most



“ Our job was to boost the fighting spirit of the soldiers. The eternal Jewish spirit from Bible times to the coming of the Messiah ”

Rabbi Kaufman



The seminary is in a Jewish settlement in the occupied West Bank

settlements.

They are illegal under international law and Palestinians claim the territory as part of their future state. But for the religious soldiers the West Bank is part of land given to the Jews by God.

Gal Einav thinks many soldiers will refuse to close settlements down.

The settlement issue could well tear the army apart, he told me, adding that most of his officers were settlers these days.

"If it comes to a clash between political orders from Israel's government and a contradictory message from the rabbis, settlers and religious right-wing soldiers will follow the rabbis," he said.

Threat of 'Jihad'

Israel's military leaders strongly disagree.

Brig Gen Eli Shermeister is the army's chief education officer.

He admits some mistakes were made in the past but says the right balance has now been found with the military rabbis.

He insists Israel's military commanders are the only ones in charge of the soldiers' spirit.

"The moral code of Israel's army is clear. We judge soldiers in the light of this code. Nobody can create another moral code. [Certainly] not a religious one."

But Brig Gen Shermeister's predecessor describes what he sees as clear and worrying changes within the military.

According to Reserve Gen Nehemia Dagan, what is happening in the army is far more dangerous than most Israelis realise: "We (soldiers) used to be able to put aside our own ideas in order to do what we had to do. It didn't matter if we were religious or from a kibbutz. But that's not the case anymore.

"The morals of the battlefield cannot come from a religious authority. Once it does, it's Jihad. I know people will not like that word but that's what it is, Holy War. And once it's Holy War there are no limits."

Many religious Jews object to the type of preaching heard during Israel's recent Gaza operation.

They say it perverts the true teachings of Judaism as well as contradicts Israel's military code.

Day to day, Israel's army mainly operates in civilian areas - in Gaza, the West Bank and in East Jerusalem.

The influences that Israeli soldiers are exposed to are extremely significant.

How they view the Palestinians who live here is likely to affect the way they use their power and their weapons.



Pamphlets were handed out comparing Palestinians to the Philistines

Watch Katya Adler's film on rabbis in the Israeli army on Newsnight on Monday 7 September 2009 at 10.30pm on BBC Two, then afterwards on the Newsnight website.