



Etienne van Rattingen

The Goldstone REPORT

Documented Zionist war crimes and possible crimes against humanity

Michael Posner

This is the tenth anniversary of "Cast Lead," Israel's three-week-long onslaught on Gaza that took nearly 1,400 lives, 318 of them children, and that as much as anything helped shift the American view of the conflict, causing young progressives to side with Palestinians.

During those three weeks of horrifying images, President-elect Obama had nothing critical to say and Israel did him a favor in return: it ended the bombing/invasion two days before he was inaugurated.

Then in September the UN Human Rights Council issued a bombshell of its own, **the Goldstone Report**, which documented what it called **war crimes and possible crimes against humanity** during the onslaught, chiefly the Israeli pattern of deliberately striking civilian targets, including schools, mosques, homes, and a flour mill and a chicken farm.

The Obama administration worked to stymie the report at international bodies, and in the end the report went nowhere (defused by its author, Judge Richard Goldstone, who under huge pressure from his own community retracted the allegation that civilians were intentionally targeted).

Comment: See: [Why Did Richard Goldstone Throw the Goldstone Report Under the Bus?](#)

The greatest impact the Goldstone report had was on international opinion. Now a State Department [cable has been leaked in which US diplomatic officials are shown to have met with seven Israeli generals over two days in January 2010 to discuss ways to counter the "poisonous" Goldstone Report's influence over Israel's reputation.](#)

The cable is remarkable because it shows how closely Obama officials were working with alleged war criminals to counter Israel's bad press and help Israel "tell its story" and show the "lessons learned" from the massacre. Also because the cable reveals what a crisis the Goldstone Report was to Israel's reputation.

"It shows how vulnerable Israel can be to public opinion," Norman Finkelstein, the author of [Gaza: An Inquest into its Martyrdom](#), writes to me. "It's not been noticed that Israel ceased using white phosphorus after Cast Lead because of the bad p.r... They do worry about public opinion. That's why I'm skeptical when people say, 'Israel can do whatever it wants.' Not true."

De houding van de (EU) politiek, 'geheime' clubjes, denktanks en bank maffia naar mij toe is even beledigend als alle woorden die ik gebruik om hun houding te omschrijven



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Finkelstein also notes the role of an Obama aide as a general-whisperer: Michael Posner, then assistant secretary for democracy, human rights, and labor.

"[I]t's telling that instead of advocating the indictment of Israel for its war crimes, as one might expect of the founder and president of Lawyers Committee for Human Rights [later Human Rights First], Posner counsels Israel how to evade prosecution."

Indeed, throughout the cable, Israeli generals admit that mistakes were made and promise that there will be consequences. And the Israeli air force general even says bluntly that the artillery and tank units were careless when it came to hurting Palestinian civilians. The American officials urge the Israelis to do independent investigations so as to salvage the country's reputation. **But there is nothing to show for that. Israel indicted three soldiers in connection with the massacre. And the longest sentence was for a soldier who stole a Palestinian's credit card.**

The Goldstone Report was in the news for two full years. But apart from a storm of fury against the report, Israeli officials never had to account. The cable shows that this meeting was as much of a trial as the top Israeli brass ever got: discussions with a handful of American State Department officials who were concerned about the report's conclusions, including [Posner who had met with Goldstone](#). That was all. And they got off the hook!

Here are some excerpts from [the cable, which was leaked by Wikileaks](#)

It begins by saying that Posner and the US ambassador, James Cunningham, met with seven Israeli generals (Chief of staff Gabi Ashkenazi, Yoav Galant, Amir Eschel, Avishai Mandelblit, Yossi Heymann, Ido Yuval, and Yuval Halamish, a former general now heading the "Goldstone committee" for the army) and the Israelis promised there was going to be accountability!

Posner's interlocutors agreed that mistakes had been made at times by Israeli soldiers and reported that, although it was too early in the investigatory process to draw firm conclusions, that internal investigations would likely result in accountability for some soldiers involved - either criminal prosecutions or disciplinary action.

Posner was very sympathetic:

Posner stressed the purpose of his visit was to "listen and learn" from Israeli interlocutors, and to confer about how the Government of Israel could most effectively tell its "story" regarding Operation Cast Lead to the international community... [A]ddressing broader doctrinal issues and compilation of lessons learned could help change the debate internationally.

The Israeli generals insisted that they had not targeted civilians, but it was asymmetric warfare in which terrorists worked in civilian settings. One general gave Posner a lesson in terrorism.

Eshel noted that the IDF was "chasing the worst terrorists on the face of the earth," but in many cases could not act against them due to the presence of civilians.

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One of the headings in the cable is, "Getting the Israeli Story Out."

A/S [Assistant Secretary] Posner asked how the GOI planned to convey the investigation results to a larger audience.... [W]hile the Goldstone Report was a fundamentally flawed report, it had a certain credibility internationally. He asked ... about a broader review by a prominent Israeli group apart from the IDF to validate its investigations. Ambassador Cunningham said the objective was not to appease the international community, but to dilute the poisonous effects of the Goldstone Report. He noted a great deal of skepticism among many in the international community regarding the Goldstone Report, but with no credible alternative narrative, the Goldstone allegations would be the focus of deliberations. The Ambassador stressed the importance of getting the word out employing a variety of means - perhaps YouTube or other outlets afforded the opportunity to help re-tell the story.



James Cunningham, former ambassador to Israel. Now at the Atlantic Council.

But the world wasn't really listening.

Ashkenazi said the GOI [Gov't of Israel] was "under attack" by international media.

The officials discussed several atrocities, including the targeting of a house where a large number of members of the al-Samouni family had taken refuge. **Twenty-one were killed.** Mandelblit was the chief investigator for the Israeli army as head of the Military Advocate General (MAG) Corps.

Mandelblit said the case will be referred to LTG Ashkenazi following the investigation's completion, that the IDF would study this case carefully from an operational standpoint for "lessons learned" and that he had reached no conclusions as yet about individual accountability.

That investigation two years later concluded that the attack was an innocent mistake. B'Tselem, the human rights group, condemned the finding. saying **it was never a "serious" investigation** and it had been undertaken too late. "The investigations were all opened at a very late stage - the first, to B'Tselem knowledge, in October 2009, a full ten months after the operation had ended." I.e., after the Goldstone Report came out and embarrassed Israel.

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Israel Air Force Commander Major General Ido Nehushtan went further than the other generals in his meeting with Posner, saying that the air force took precautions not to hurt civilians that the army did not.

Nehushtan admitted, however, that IDF artillery and tank units did not follow the same procedures and caused most of the Palestinian civilian casualties in Cast Lead...

The Israeli generals also emphasized what was widely reported at the time: that the Israeli public was all for the Gaza massacre. Notice the generals don't say what the news reports do say (here [in 2012](#), and in [2014](#)) that it's Israeli *Jews* who are so overwhelmingly in support.

MG Eshel also was skeptical that the Israeli public would understand the purpose behind an outside review process. He noted that there was broad public acceptance in convening committees following controversial military operations such as the Yom Kippur War or the Second Lebanon War. But Operation Cast Lead enjoyed the overwhelming support of the Israeli public - "no one will understand" why an independent committee would be convened following Cast Lead, he said.

Here is the pressure that the U.S. applied:

A/S Posner accepted the argument that a military should be responsible for its own investigations and discipline. He reiterated, however, the utility of telling Israel's story from an outside point of view - independent voices to deliver the message in a way that is credible....

A/S Posner asked how the IDF would capture "lessons learned," in response to which most of his IDF interlocutors listed a number of operational decisions they would make differently in the next conflict...

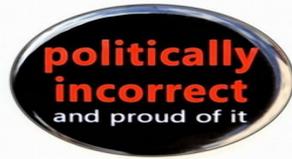
The Israelis do say that bad press about an illegal weapon, white phosphorus, burning civilians had hit home. Bad press caused "Strategic damage."

General Galant volunteered that use of white phosphorus was no longer politically tenable in Gaza for any purpose, even though it remained a legal munition, because of the strategic damage to Israel that would result from news footage showing civilian casualties or damage to civilian structures.



White phosphorous being dropped on the people of Gaza.

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Again, Norman Finkelstein states that the white phosphorus concession is an important point.

The white phosphorus point has been completely ignored. All the recovered white phosphorus shells from Cast Lead came from the US.... I am quite sure that after Cast Lead the US told Israel to cut the white phosphorus... and of course they did. It is my opinion that the various human rights reports (e.g., HRW's Rain of Fire) caused people like Posner to intervene and Israel obediently suspended use of it, permanently.



Finkelstein goes on:

Michael Posner was the US Ass't Secretary for Democracy in the Obama administration. He founded and was the first President of Lawyers Committee for Human Rights (Except in Palestine). In other words, your run-of-the-mill hack... He denounced the Goldstone report ("deeply flawed" see p. 98 of [my Gaza book](#)). The claim that the Israeli air force showed restraint during Cast Lead is laughable, as I'm sure you know.

In general it's telling that instead of advocating the indictment of Israel for its war crimes, as one might expect of the founder and president of Lawyers for Human Rights, Posner counsels Israel how to evade prosecution. He performs the same function vis-a-vis Israel as Alan Dershowitz, another famed human rights advocate, performs vis-a-vis Jeffrey Epstein...

They do worry about public opinion. That's why I'm skeptical when people say, "Israel can do whatever it wants." Not true. The trick is, to pinpoint its vulnerabilities; the chinks in its armor. My guess is, right now Israel doesn't want an ICC indictment. Like the Goldstone report, such an indictment would hamper its ability to unleash another massacre. That's why it's so important to lift the curtain shrouding the civil war that has engulfed the ICC over indicting Israel. It's really quite unprecedented. Chief Prosecutor Fatou Bensouda keeps declaring the first of two cases (on the Mavi Mari) a done deal, but other bodies in the ICC keep saying, "Oh no it's not."

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Let me emphasize that there was no accountability: the Israelis did nothing under Posner's gentle suasion. B'Tselem [reported five years on that](#) "Israeli authorities have proven they cannot investigate suspected violations of international humanitarian law by Israel in the Gaza Strip" and said there had been three indictments in all for Cast Lead.

[A]fter massive harm to the civilian population, more than 300 minors killed, tens of thousands of people left homeless - and grave suspicions that these actions were the result of unlawful orders approved by the MAG [Mandelblit's Military Advocate General] Corps and the attorney general - the military conducted hundreds of operational inquiries and launched dozens of MPIU [Military Police Investigation Unit] investigations, but the harshest sentence given was for credit card theft.

So in 2014 Israel undertook Operation Protective Edge, and killed 2200 in Gaza over 51 days - 500 of them children.

Posner is now a [professor of ethics and finance at NYU's Stern School of Business](#). **Cunningham is now a fellow at the Atlantic Council** with an expertise in Israel, democracy development, and terrorism. They are hardly alone as Obama officials who pooh-poohed the Goldstone Report. Hillary Clinton did so as secretary of state, Samantha Power as ambassador to the United Nations, and [Suzanne Nossel, a State Department human rights official](#). In fairness, this is a story about the power of the Israel lobby; and Power had [to get the absurd rabbi Shmuley Boteach](#) as her sherpa to the lobby in order to gain her U.N. job; and Nossel is now the head of PEN America and has [lately taken a worthy reaction](#) about Israeli human rights abuses.

https://youtu.be/_Pw8m4azLcg

<https://www.sott.net/article/403805-Palestines-Sharpeville-massacre-Cast-Lead-ten-years-on>

<https://www.sott.net/article/321393-Israeli-ex-foreign-minister-summoned-by-UK-police-over-alleged-war-crimes-during-operation-Cast-Lead>

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