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October 17, 2023

VIA OVERNIGHT DELIVERY SERVICE

Honorable Antony J. Blinken
Secretary of State
2201 C Street NW
Washington, DC 20520

**RE: DOES ISRAEL USE DISPROPORTIONATE FORCE IN GAZA?: NO—
“PROPORTIONALITY” DOES NOT MEAN WHAT MOST PEOPLE
THINK IT MEANS**

Dear Mr. Secretary:

By way of introduction, the American Center for Law and Justice (ACLJ) is a non-profit organization dedicated, *inter alia*, to defending constitutional liberties secured by law and furthering respect for the rule of law internationally. We have a long-standing concern about Israel and how it has been treated by certain NGOs and international organizations. Hence, we submit this analysis to assist you and your staff in evaluating whether Israel violates the principle of proportionality required by the Law of Armed Conflict (LOAC).

SETTING THE STAGE

Sadly, we have all seen the shocking photos of what Hamas unleashed on innocent Israeli civilians on October 7th. And, sadly, we are already seeing what we always see after Israel responds in self-defense to unprovoked attacks from the Gaza Strip. What we encounter after every outrage visited upon Israel by Hamas and its terrorist allies is a short period of international finger-wagging at Hamas for being naughty, followed by an extended period of condemnation of Israel—the actual victim of the terrorist attacks—for its alleged “disproportionate” response in Gaza, a conclusion based primarily—*but wrongly*—on simply comparing numbers of casualties on both sides.

The international response is as dishonest as it is predictable. Nowhere in their analyses of numbers of casualties do Israel’s critics take into account the resources committed by Israel to *protect* its population (like the use of concrete for building safe rooms in homes, deploying the Iron Dome air defense system, etc.) versus Hamas’s use of similar resources (like concrete), not to better protect the population of Gaza, but to reinforce tunnels dug to better attack Israel. Nor do Israel’s critics note that Hamas and its allies intentionally locate their military sites (like headquarters, rocket storage sites, weapons caches, etc.) in

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civilian neighborhoods and protected structures (like schools, mosques, hospitals, etc.), thereby intentionally increasing the danger to their own people when Israel inevitably attacks those sites in self-defense. Nor do such critics ever consider the herculean efforts Israel takes to provide advanced warning of its attacks so Gazan civilians can vacate the area.

To Hamas, using Gazan civilians as human shields is a win-win situation. If the presence of civilians halts an Israeli attack, Hamas wins; and, if the presence of civilians does not halt the attack and there are civilian casualties, Hamas still wins by exploiting photos of dead and injured Palestinians for anti-Israel propaganda purposes. By their respective actions, it is clear that Israel cares more about the lives of the civilian population in Gaza than do Hamas and its terrorist allies.

Condemnation of Israel because of a disparity in the numbers of casualties is grossly misleading and has nothing to do with the concept of proportionality. Instead, the disparity in numbers of killed and injured reflects asymmetry: Israeli casualties are kept low due to Israel's focus on active and passive measures to protect its citizens. Gazan casualties are higher because Hamas and its allies invest minimal resources to protect Gazan civilians and because they intentionally place military sites in proximity to civilian areas, thereby endangering their own people by using them as human shields.

Despite the inevitable and ubiquitous howls of outrage over Palestinian casualties, the main responsibility for such casualties lies at the feet of Hamas and the other terrorist organizations because a *belligerent who deliberately locates military objectives in proximity to civilians or civilian objects bears responsibility for harm to those civilians resulting from a legitimate enemy attack on those military objectives.*

PERTINENT FACTS

On Saturday, October 7, 2023, the Jewish Sabbath, Hamas and its terrorist allies attacked the State of Israel by air, land, and sea. As hundreds of rockets were fired to overwhelm Israel's Iron Dome air defense system, Hamas militants breached the security fence separating Israel proper from the Gaza Strip and headed for designated Israeli towns, kibbutzim, and other settlements. Hundreds of Hamas terrorists flooded into Israel and savagely and intentionally gunned down innocent men, women, and children on the streets of their communities and in their homes. They murdered their victims at point blank range. They raped women and young girls. They desecrated the bodies of the dead. They beheaded babies in their cribs. They burned people in their homes. And they took scores of hostages—men, women, and children—back into Gaza. They gleefully and proudly filmed their atrocities and released the footage on social media for the world to see, and their Palestinian friends celebrated the carnage. Over 1,300 (and counting) Israelis lost their lives. Hundreds more were wounded. Hospitals were flooded. This was Israel's 9/11, its wake up call that one cannot coexist with evil; either you get the cancer, or the cancer gets you.

As the world looked on in horror at the unspeakable carnage, Israel began to respond. Nearby IDF forces were rushed to the affected towns and kibbutzim to rescue their fellow citizens and expel or kill any lingering Hamas forces still on Israeli soil. Prime Minister Netanyahu and his Government declared war on Hamas and began the immediate call-up of reservists. IDF units began deploying to the south. The IAF began to attack Hamas targets in Gaza. Within hours of the attack, Israel was gathering its forces for war. Given the seriousness of the attack, Israel formed a unity government that decided to take all measures necessary to destroy Hamas.

ISRAEL HAS AN INHERENT RIGHT TO SELF-DEFENSE¹

Although the UN Charter clearly forbids “aggressive war,”² Article 51 of the Charter explicitly recognizes a state’s inherent right of self-defense against another state: “Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations”³ Customary international law also recognizes the right of self-defense against non-State actors.⁴ Moreover, when acting in self-defense, international law “does not require a defender to limit itself to actions that merely repel an attack; *a state may use force in self-defense to remove a continuing threat to future security.*”⁵ In the current conflict, Prime Minister Netanyahu has called for the total destruction and removal of Hamas from the Gaza Strip.

It is essential to note that Article 51 *does not create* the right of self-defense; it is an inherent right of all states under customary international law.

Article 51 neither creates, nor abolishes, a right of self-defense. Nor, for that matter, does it purport to define one. In fact, by its own terms it appears to be nothing more than a rule of construction—making clear that

¹It must be clearly noted that Israel was already in an ongoing armed conflict with Hamas and other Palestinian terrorist groups in the Gaza Strip. As such, Israel required no specific *ius ad bellum* justification for her actions.

²See, e.g., U.N. Charter art. 2, ¶ 4 (“All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations”). In these circumstances, it is the Palestinians in the Gaza Strip who are engaging in aggressive war. As such, they are the ones to condemn and prosecute for war crimes.

³*Id.* art. 51 (noting that such self-defense is conditioned in the Charter as follows: self-defense is recognised as legitimate under the Charter “until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security”).

⁴See *Armed Activities on the Territory of the Congo (Dem. Rep. Congo v. Uganda)*, Judgment, 2005 I.C.J. 334, 337, ¶ 11 (Dec. 19) (separate opinion of Simma, J.), <https://www.icj-cij.org/sites/default/files/case-related/116/116-20051219-JUD-01-05-EN.pdf>.

⁵SEAN D. MURPHY, *PRINCIPLES OF INTERNATIONAL LAW* 447 (2006) (emphasis added).

nothing else in the Charter purports to eliminate the right of self-defense in the face of armed attack⁶

While the UN Charter and customary international law both recognize the inherent right of self-defense, the responsibility for determining when self-defense is appropriate lies, as it always has, with the government of each state. Under the Charter, however, the UN Security Council is charged with the responsibility to lift the burden of individual national self-defense and to take appropriate steps internationally to restore international peace and security.⁷ Having said that, it must be readily admitted that the muscular Security Council originally envisioned in the UN Charter has never materialized, and, hence, the Security Council has failed repeatedly in fulfilling its responsibilities in such circumstances. As such, threatened states are almost always required to make their own decisions and bear their own burdens when threatened. Such is the current case with Israel; it must defend itself against Palestinian attacks from the Gaza Strip with no expectation of support from the Security Council.

THE LAW OF ARMED CONFLICT (LOAC) GOVERNS THE CONDUCT OF COMBATANTS DURING ARMED HOSTILITIES

The Law of Armed Conflict (LOAC)—also known as the Law of War and International Humanitarian Law (IHL)—governs how combatants should conduct themselves during armed hostilities.⁸ LOAC is intended to bind both sides in an armed conflict,⁹ and failure to abide by the rules of LOAC in many cases will constitute a war crime.

One of the fundamental aims of LOAC is to prevent unnecessary casualties and destruction during an armed conflict.¹⁰ In pursuit of that goal, three fundamental principles govern: the principles of necessity, distinction, and proportionality.¹¹ Each will be briefly discussed in turn.

⁶David B. Rivkin et al., *Preemption and Law in the Twenty-First Century*, 5 CHI. J. INT'L L. 467, 476 (2005).

⁷Geoffrey Corn & Dennis Gyllensporre, *International Legality, the Use of Military Force, and Burdens of Persuasion: Self-Defense, the Initiation of Hostilities, and the Impact of the Choice Between Two Evils on the Perception of International Legitimacy*, 30 PACE L. REV. 484, 507 (2010) (noting that the Security Council maintains the authority to critique the state's judgment and to "take actions to reverse an unjustified assertion of the inherent right of self-defense").

⁸See, e.g., Geneva Convention Relative to the Treatment of Prisoners of War, Aug. 12 1949, 6 U.S.T. 3316, 75 U.N.T.S. 135.

⁹See, e.g., 1 JEAN-MARIE HENCKAERTS & LOUISE DOSWALD-BECK, CUSTOMARY INTERNATIONAL HUMANITARIAN LAW 139 (2005) [hereinafter ICRC Manual].

¹⁰*Id.* at 51, Rule 15.

¹¹Andrew Burt & Alex Wagner, *Blurred Lines: An Argument for a More Robust Legal Framework Governing the CIA Drone Program*, 38 YALE J. INT'L L. ONLINE 1, 13 n.57 (2012).

Principle of Necessity

In general, “necessity” requires that combatants only attack targets necessary to accomplish their military objectives.¹² Article 52(2) of Additional Protocol I notes that “military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, *in the circumstances ruling at the time*, offers a definite military advantage.”¹³ Thus, necessity can vary over time as circumstances change on the battlefield.

For example, the International Committee of the Red Cross (ICRC) Commentary aptly notes that, “[c]learly, there are objects which by their nature have no military function but which, by virtue of their location, make an effective contribution to military action.”¹⁴ This could be “a site which is of special importance for military operations in view of its location, either because it is a site that must be seized or because it is important to prevent the enemy from seizing it, or otherwise because it is a matter of forcing the enemy to retreat from it.”¹⁵ The Commentary further explains that “[m]ost civilian objects can become useful objects to the armed forces. Thus, for example, a school or a hotel is a civilian object, *but if they are used to accommodate troops or headquarters staff, they become military objectives.*”¹⁶ Objects that appear to be civilian in nature might actually be legitimate targets of military strikes. All that they have to do is provide a contribution to military action by virtue of their nature, location, purpose *or* use.

Principle of Distinction

“Distinction” requires that combatants not only distinguish between civilians and combatants, but that they also distinguish themselves from civilians (through the wearing of distinctive insignia, use of clearly identified military vehicles, etc.).¹⁷ By definition, the principle of distinction does not forbid the targeting of combatants, *nor the targeting of civilians who take a direct part in the hostilities.*¹⁸ Moreover, LOAC recognizes and excuses the possibility of civilian deaths or damage to civilian infrastructure in the course of an attack on a military objective so long as the expected resulting civilian casualties and damage are not “excessive in relation to the concrete and direct military advantage anticipated.”¹⁹

¹²Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) art. 52(2), June 8, 1977, 1125 U.N.T.S. 3 [hereinafter Additional Protocol I]

¹³*Id.* (emphasis added).

¹⁴INT’L COMM. OF THE RED CROSS, COMMENTARY ON THE ADDITIONAL PROTOCOLS OF 8 JUNE 1977 TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949 636, ¶ 2021 (1987) [hereinafter ICRC COMMENTARY ON ADDITIONAL PROTOCOL I], https://tile.loc.gov/storage-services/service/ll/llmlp/Commentary_GC_Protocols/Commentary_GC_Protocols.pdf.

¹⁵*Id.*

¹⁶*Id.* ¶ 2022 (emphasis added).

¹⁷Additional Protocol I, *supra* note 12, art. 51(2), (4).

¹⁸Rule 1, The Principle of Distinction Between Civilians and Combatants, Vol. II, Ch. I, Sec. A, ICRC, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule1>.

¹⁹Additional Protocol I, *supra* note 12, art. 51(5)(b).

Article 48 of Additional Protocol I sets forth the following basic rule of distinction: “In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.”²⁰

“Distinction” also forbids *indiscriminate attacks*. Indiscriminate attacks are those that are launched without consideration as to where harm will fall²¹—just like the ongoing *Palestinian rocket attacks into southern Israel*. Indiscriminate attacks are defined as

- (a) Those which are not directed at a specific military objective;
- (b) Those which employ a method or means of combat which cannot be directed at a specific military objective; or
- (c) Those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol; and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction²².

The fact that tragic accidents occur during military conflict that result in civilian deaths does not, in and of itself, establish a violation of law—or even wrongdoing for that matter. The Office of the Prosecutor at the International Tribunal for the former Yugoslavia reached the same conclusion, and the Committee Established to Review the 1999 NATO Bombing Campaign Against the Federal Republic of Yugoslavia reported to the Prosecutor “that where individual (and legitimate) attacks on military objectives are concerned, the mere cumulation of such instances, all of which are deemed to have been lawful, cannot ipso facto be said to amount to a crime.”²³ *While military forces are clearly prohibited from **deliberately** targeting those civilians who are not taking a direct part in hostilities, the principle of distinction relates to the process of distinguishing between lawful objects of attack (military objectives) and all other persons and things in the battle-space. It does not address incidental injury and collateral damage caused when **engaging a lawful military objective**. Only when such expected injury or damage is excessive in relation to the expected benefit of a lawful attack is the law violated.*²⁴

²⁰*Id.* art. 48.

²¹*See id.* art. 51(4).

²²*Id.*

²³INT’L CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA (ICTY), FINAL REPORT TO THE PROSECUTOR BY THE COMMITTEE ESTABLISHED TO REVIEW THE NATO BOMBING CAMPAIGN AGAINST THE FEDERAL REPUBLIC OF YUGOSLAVIA ¶ 52 (2000), <http://www.icty.org/x/file/Press/nato061300.pdf> (emphasis added).

²⁴Many countries, including Australia, Canada, France, Italy, New Zealand, and the United Kingdom, all stated upon ratification that article 52(2) of Additional Protocol I was neither intended to address, nor did it address, the question of incidental or collateral damage resulting from an attack directed at a military objective. *See Ratification of the Additional Protocols by the United Kingdom of Great Britain and Northern Ireland*, 38 INT’L REV. RED CROSS 186, 189 (1998), <https://international-review.icrc.org/sites/default/files/S0020860400090884a.pdf>; Australia, Reservation/Declaration Text, <http://www.icrc.org/ihl.nsf/NORM/10312B4E.9047086EC1256402003FB253?OpenDocument>; Canada, Reservation/Declaration Text, <http://www.icrc.org/ihl.nsf/NORM/172FFEC04ADC80F2C1256402003FB314?OpenDocument>; France,

Under the LOAC, not all civilian deaths are unlawful during war. “[I]t remains accepted that, in the harsh reality of war, civilian persons and objects may be incidentally affected by an attack directed at a legitimated military objective.”²⁵ In other words, “civilians may be victims of mistaken target identification or of unintended but inevitable side effects of an attack on a legitimate target in their vicinity.”²⁶

The ICRC Commentary to Additional Protocol I states that, “[i]n combat areas it often happens that purely civilian buildings or installations are occupied or used by the armed forces and such objectives may be attacked, provided that this does not result in excessive losses among the civilian population.”²⁷ The key factor is an anticipation of *excessiveness*.

Principle of Proportionality

Finally, “proportionality” requires that a combatant use only that amount of force necessary to achieve the military objective. The standard for self-defense, however, does *not* limit the victim of the attack to a totally like-kind response, but provides the necessary flexibility to *reduce or eliminate* the existing threat. As such, the degree of force employed in self-defense can be considerably greater than that used in the original armed attack.²⁸ In the context of a military operation, one must apply the international law standard which recognizes that the more important the destruction of a military target is, the more acceptable the higher risk of civilian casualties incidental to that target’s destruction is.²⁹

Proportionality has nothing to do with relative casualty counts on each side. When a commander identifies a lawful military objective commingled with civilians or civilian property, the commander is permitted to attack that objective even with knowledge that the attack will cause collateral damage or incidental injury to civilians or civilian property. The only limitation on this permission is that the commander must refrain from the attack if he assesses that the collateral damage or incidental injury will be excessive in relation to the concrete and direct advantage anticipated from the attack,³⁰ or, in other words, the force applied would be disproportionate to the anticipated advantage from the attack. *Thus, before anyone can legitimately accuse Israel of disproportionate use of force, he would have to evaluate what Israeli forces hoped to accomplish, i.e., what “concrete and direct military advantage” Israeli forces anticipated achieving by their*

Reservation/Declaration Text, <http://www.icrc.org/ihl.nsf/a/d8041036b40ebc44c1256a34004897b2?openDocument>; Italy, Reservation/Declaration Text, <http://www.icrc.org/ihl.nsf/NORM/E2F248CE54CF09B5C1256402003FB443?OpenDocument>; New Zealand, Reservation/Declaration Text, <http://www.icrc.org/ihl.nsf/NORM/8FEC3861203ABE21C1256402003FB53B?OpenDocument>.

²⁵JEAN-FRANÇOIS QUÉGUINER, PRECAUTIONS UNDER THE LAW GOVERNING THE CONDUCT OF HOSTILITIES, VOL. 88, NUM. 864 (Dec 2004), https://www.icrc.org/en/doc/assets/files/other/irrc_864_queguiner.pdf.

²⁶*Id.*

²⁷ICRC COMMENTARY ON ADDITIONAL PROTOCOL I, *supra* note 14, at 621, ¶ 1953.

²⁸ROSALYN HIGGINS, PROBLEMS AND PROCESS: INTERNATIONAL LAW AND HOW WE USE IT 232 (1995); *see also* CHRISTOPHER GREENWOOD, ESSAYS ON WAR IN INTERNATIONAL LAW 80 (2006).

²⁹This is a restatement of the principle of proportionality. *See* Additional Protocol I, *supra* note 12, art. 51(5)(b).

³⁰QUÉGUINER, *supra* note 25.

attack. And, in order to know that, one would have to be privy to the specifics of Israel's war plans for that specific objective. Frequently, what might appear to an outsider to be an illegitimate object of attack is, in fact, legitimate because it is a required intermediate objective to achieve an ultimate objective. For example, a commander may have X as his ultimate objective, but in order to achieve X, he must capture intermediate objectives A and B first. That requirement makes A and B legitimate objectives, too.

All civilized people agree that any civilian casualty is regrettable, no matter who the victim is; however, it is clear that the death or injury to civilians or civilian property in armed conflict is an unfortunate but legally accepted reality. In critiquing an attack that results in civilian casualties, it is first necessary to determine whether the attack was directed against a lawful military objective.³¹ If it was, the presence of civilians does not automatically render the attack unlawful.³² It must then be determined whether the attacking commander should have determined that the risk of incidental (knowing, but unintentional) injury to civilians would be excessive in relation to the advantage to be gained.³³ Thus, unless the attacking force deliberately targeted individuals they knew were civilians who were immune from attack, *or* engaged in a lawful attack with a reckless disregard for the excessive injury to civilians the attack would produce, the harm to civilians is unfortunate but lawful. Decisions on the battlefield often require balancing putative costs against anticipated benefits. And many of those decisions must be made in a split second as a situation presents itself that was wholly unexpected. But, such balancing may not be second-guessed in hindsight; it is a forward-looking test based on expectations and information **at the time the decision was made**. Hindsight is 20/20; in war, foresight seldom is.

Military decisions are not made in a vacuum. There is a critical intersection between the legal principles that apply to the application of combat power against a belligerent opponent and the operational and tactical situations that provide the context for the application of these principles.

War is inherently chaotic and uncertain due to the clash of wills and intense interaction of innumerable factors. Orders are misunderstood, enemy forces do the unexpected, units make wrong turns, unforeseen obstacles appear, the weather changes, and units consume supplies at unexpected rates. This friction affects all military operations, and it must be anticipated by leaders. The chaotic nature of war makes discerning the precise cause and effect of actions difficult, impossible, or delayed.³⁴

³¹ICRC Manual, *supra* note 9, at 25.

³²*See id.* at 31.

³³*Id.* at 47.

³⁴U.S. DEP'T OF THE ARMY, FIELD MANUAL NO. 3-0, OPERATIONS (2022), ¶ 1-32.

Accordingly, even with the best of intentions, civilian casualties are an inevitable result of combat operations. That Hamas uses civilians as human shields increases the probability of civilian casualties.

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Given the recent outrages visited upon Israel by Hamas and its allies in the Gaza Strip, Israeli Prime Minister Netanyahu has stated that Israel's goal is to destroy Hamas and its capabilities to attack Israel. Because Hamas has turned the Gaza Strip into a terrorist haven from which it and its terrorist allies have repeatedly attacked Israel, Israel's stated objective of destroying Hamas is a legitimate military objective in self-defense. Hamas's stated goal is the destruction of Israel, and Hamas's actions have demonstrated that its goal has not changed. Accordingly, Israel faces the following choices: it can either take limited action to reduce Hamas's capabilities for a brief period of relative peace until Hamas can sufficiently rearm to attack again or it can take action to eliminate the threat altogether by destroying Hamas. Temporarily degrading Hamas and its capabilities has not worked in the past. Destroying Hamas seems to be the preferred option, although it is likely to take considerable time, money, and effort to achieve, meaning there is an unfortunate likelihood of significant numbers of casualties on both sides.

One should take note, however, that, just hours after Israel had suffered the worst attack on Jews since the Holocaust, Israel continued to operate under a code of ethics that valued human life, including the lives of those out of whose midst came the perpetrators who had just committed unspeakable atrocities in southern Israel. Israel continued to provide Gazan civilians prior warning of its attacks in order to spare innocent civilians in the proximity of Hamas military targets. Israel made such warnings knowing full well that they were also alerting Hamas, to Israel's detriment. Moreover, whenever it can, Israel also uses precision munitions to minimize collateral damage. The contrast between what Israel does and what Hamas does could not be clearer. Israel values life and makes a huge effort to minimize civilian casualties, whereas Hamas specifically targets civilians of all ages to maximize casualties and spread terror. This is the contrast between good and evil. ***There is absolutely no moral or legal equivalence between what Israel does and what Hamas does.*** To assert there is equivalence is itself evil and borders on lunacy.

CONCLUSION

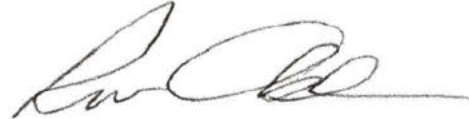
Israel is continually accused of using disproportionate force when defending itself from Hamas attacks. The normal measure cited to make that claim is a side-by-side comparison of casualty numbers. But, that is a false measure. ***Proportionality has nothing to do with relative numbers of casualties.*** It has to do with applying only the force necessary to achieve a military objective. Numbers of casualties is not, and never has been, the measure. Using it as such is either based on ignorance or is a deliberate choice to mislead. Why casualty rates differ often reflects the value each side places on life. Israel invests heavily in protecting the lives of its people by providing Israeli families with the materials to build bomb proof rooms in their homes and by stationing Iron Dome air defense systems in areas most vulnerable to indiscriminate rocket attacks. Hamas diverts material

which could be used to protect its people to build tunnels to attack Israel and places its military sites in close proximity to the civilian population as well as in otherwise protected civilian structures, like schools, mosques, and hospitals, thereby intentionally placing civilian lives at risk. Accordingly, *when claims are made—as they already are—that Israel is using disproportionate force against Palestinians because of the asymmetrical number of casualties on each side, do not believe it. Instead, stand up for truth and challenge such allegations and those who make them at every turn.*

Respectfully yours,



Jay Alan Sekulow
Chief Counsel



Robert Weston Ash
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