

[Transcript] The News Agents / Is Israel about to commit war crimes?

This is a global player original podcast.

We're fighting Nazis. We don't target them. Now the world can come and bring them anything they want. If you want to bring them electricity, I'm not going to feed electricity or water to my enemies. If anyone else wants, that's fine. We're not responsible for them.

This is the point. We've already distinguished between Hamas and the Palestinians. I'm asking you very directly, very directly, what is going to be done to make sure that those innocent people don't get killed as innocent Jewish people were killed on Saturday?

Well, we're going to target Hamas and we're telling Hamas that if you use anyone as your human shield and you're going to shoot at us using human shields, that it's their responsibility. There has entirely understandably been a laser-like focus on the victims of the appalling acts of murder and barbarism committed by Hamas in southern Israel a week ago. Over 1400 Israelis are now believed to have been killed. More are hostages. The internet is awash with deeply disturbing images of, among other things, the burnt carcasses of Israeli infants and babies killed in the attacks. The sympathy of much of the West has been with the people of Israel. It will continue to be. But we are about to enter a very different stage of this young conflict, one where Israel is on the attack, not on the defensive, as Naftali Bennett, the former Israeli Prime Minister, alluded to in the clip we just played. Already, over the course of the week, the Israeli military has dropped over 6000 bombs on the Gaza Strip, a territory about as big as the city of Birmingham, with two and a half times the population. Imagine Birmingham with 6000 bombs in a week. Imagine the carnage. In the same period, the Israeli government has cut off the territory's water, its electricity, its food supply, its medicine. And now the biggest reserve force ever put together by the Israeli military is gathering at its gates. They're preparing for the biggest attack on Gaza in Israeli history. No more containment. Total destruction. Israel has told 1.1 million people on Friday morning that they had to leave. But where are they to go? Though Hamas fighters are buried in its many tunnels, its many hiding places, make no mistake, the vast majority of the population of Gaza are civilians, the majority under 18. Innocence will die on the Gaza Strip just as they did in Israel. The UN is warning of catastrophe, others warn of war crimes. So on today's news agents, as the shadows lengthen, are they right? Is Israel about to commit a war crime or a series of war crimes? Have they already done so? And if so, why are British politicians so reluctant to say it? Is self-defense an unqualified right for states? Can two wrongs really make a right? An eye for an eye. In the Holy Land, it's Lewis here. Welcome to the news agents.

The news agents.

Israel has the right, indeed the obligation, to defend itself and to ensure that this never happens again.

We're going to target Hamas and we're telling Hamas that if you use anyone as your human shield and you're going to shoot at us using human shields, that it's their responsibility.

We need to support Israel. No hands, no butts. This is an unprovoked attack by terrorist people willing to kill innocent people to achieve an objective. And don't be surprised if Israel takes whatever action is necessary to defend herself. And it's going to be ugly for a while.

We tell them get out and we fight against the launchers. We have to defend ourselves. We have the full right to do so.

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Of course Israel has a right to self-defense and of course Israel has a right to try and regain those people who have been kidnapped.

Cutting off power, cutting off water, I think that Israel does have that right. It is an ongoing situation.

Do you think cutting off food, water and electricity is within international law?

I think that Israel has an absolute right to defend itself against terrorism.

That's not the question I asked.

It is an answer to the question that you've asked and I think it's an appropriate one at this time.

The UK government supports Israel's right both to defend itself and that Israel is providing an advance warning.

Israel has every right to defend itself and take the action that is necessary to ensure protection and security of its citizens and that nothing like this can ever happen again.

Some context, because in this issue, of all issues, it can be hard to be as it were a new reader.

This is, after all, a conflict which in one way or another has been trundling on, sometimes galloping on, since 1948, since the foundation of the state of Israel itself, or as the Palestinian call it, the Nakba, or catastrophe, the forced relocation of hundreds of thousands of Palestinians, the loss of their historic homelands.

The Gaza Strip is one of the remnants of that process.

It is one of the two constituent parts of the Palestinian territories, the other being the West Bank bordering Jordan.

By any stretch of the imagination, it is one of the worst places on earth.

If you lose the lottery of life, you end up there.

Since 2007, after the takeover of the territory by Hamas, a group many governments, including the UK, call a terrorist organisation.

It has essentially been little more than an open-air prison.

Egress and ingress, almost impossible.

Israel won't allow it as a result of an iron-clad blockade.

Egypt, its only other narrow strip of border territory, won't either.

Unemployment is over 50%.

Israel has adopted a policy of containment since 2007.

Occasionally minor incursions, occasional retaliatory bombings, but concentrated, limited, relatively narrow.

That all ended on Saturday.

It began at dawn, thousands of rockets fired skyward from the Gaza Strip into Israel.

Good evening.

Today, Israel battled to repel a surprise invasion of its territory.

Another Palestinian militants launched highly coordinated attacks from Gaza.

Thousands of rockets were fired into Israel as gunmen infiltrated several border towns and bases, kidnapping civilians and soldiers.

Israel's Prime Minister Benjamin Netanyahu declared the country was quote, at war.

He said their enemy would pay an unprecedented price.

All the old surgenies now are gone.

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Containment is dead.

The Israeli public won't permit it.

An Israeli government caught off guard now has to correct that mistake.

The fear is that it is an over-correction.

This is the warning the Israeli Defense Minister Joav Galantz gave to Gazans on Friday afternoon.

We are asking all the civilians in Gaza City to go south of Gaza.

And the reason is that because we don't want to hurt them.

The camouflage of the terrorist is the civil population.

Therefore, we need to separate them.

So those who want to save their life, please go south.

We are going to destroy Hamas infrastructures, Hamas headquarters, Hamas military establishment and take this phenomena out of Gaza and out of the earth.

The Israeli Minister Israel Katz has written on social media that no electrical switch will be turned on, no water hydrant will be opened, no fuel truck will enter Gaza until the abductees are free.

Teffan Dujaric, the spokesman for the UN Secretary General, told news outlets that UN officials working in Gaza have been told by the Israeli Defense Force that the entire population of Gaza north of Wadi Gaza should relocate to southern Gaza within the next 24 hours, adding that this amounted to approximately 1.1 million people.

The UN considers it impossible for such a movement to occur and the situation is already dire with the few hospitals there are running out of power and medicine, according to Save the Children, 5,000 pregnant women are due to give birth there next month alone.

The United Nations experts have condemned the Israeli bombardment that has already taken place this week as a collective punishment or a war crime.

Is it?

Could this weekend's events be a further war crime?

To answer that, we turn to Fabrizio Guariglia, who has only just left his post as the Director of the Prosecutions Division at the International Criminal Court and is now Director of the Hague Office of the International Law Development Organization.

He spoke to us in a personal capacity.

Fabrizio, let's separate what some of the events that we've seen.

If we just take what's happened this week so far, both the initial bombardment, 6,000 bombs, but also the cutting off of water and electricity and food into the Gaza Strip and the civilian population there, is what we've seen so far from Israel, could it potentially constitute, under international law, a war crime?

The short answer is yes, it could.

If upon examination, a prosecutor concludes that there has been an infringement of the laws and customs of war, both in terms of targeting of civilian and civilian objects.

Now, there's a whole host of legal issues that I need not bother you with in terms of whether the conflict remains international in character or not, and depending on how you answer that question, there are different rules that apply, in particular in relation to the kind of starvation.

However, I think that delivering inflicting conditions of life on the civilian population such that they endanger the possibility of survival of the civilian population would

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be a war crime, even if not under the starvation provision and the some other provisions such as cruel treatment.

There's a level of suffering that is unavoidable, regrettably, and that basically is inherent to any armed conflict.

There's a certain degree of damage to civilian objects or civilian lives that are tolerated by international international law, as long as they stay within what is called the principle of proportionality.

So if you're targeting military objectives that are located close to a civilian facility and you cause some level of damage to their facility and to the civilians living in it, if that remains within the boundaries of the principle of proportionality, that is not a war crime.

Now, if you are targeting a school in full knowledge that it is a school and you take no precautions to minimize damage to civilian lives or property, then that is a war crime. And your motive is irrelevant.

It doesn't matter that you're doing it because you think that in the school maybe terrorists are hiding, it is a civilian object.

And it doesn't matter if it's self-defense.

Self-defense allows you to resort to the use of force under the UN Charter.

It doesn't allow you to violate the rules of international military law.

So here the question is, as soon for the argument's sake, that in Gaza there are combatants, and there is no doubt that there are Hamas combatants in Gaza, but that doesn't turn the whole of Gaza into a lawful military objective.

The principle of distinction still applies.

You still have to distinguish between combatants and civilians.

You cannot blanket bomb an area.

So you have to take precautions.

You have to exercise your strength.

You have to operate in a surgical manner.

That is what international law demands from any religion and party.

If we look ahead to what is going to happen, probably over the course of the weekend in the coming days, where it's clear there's going to be some form of ground invasion of Gaza, it's clear that there is going to be, that will inevitably involve an aerial bombardment, probably from land and sea.

Does it excuse or does it mitigate potentially in terms of there being an international war crime or violating international law that the Israeli government has warned about one million people that they need to get out?

I mean, the warning in and of itself, it operates as, you know, in a way a humanitarian act. But there is no duty of people under international law to vacate the area where they live. Assuming they even can.

Yeah.

Well, assuming they were coming.

Even if, assume for the argument's sake, that will happen in any armed conflict.

You have people that say, we're not moving.

We live here.

This is my home.

Even if I had somewhere to go, I don't want to live.

You know, we've seen that.

I mean, I've seen that in my career many, many times.

That doesn't change your nature as a civilian, right?

I mean, the fact that you don't live doesn't mean that all of a sudden you are for a game.

And of course, I mean, if on top of that, there is nowhere to go, then the warning becomes illusory in nature, right?

I mean, it can really produce any meaningful effects.

I think that there is one element that has to be considered, though, and that is a recurring problem, something that you see frequently in the context of conduct of hostilities cases.

And that is when basically the opposing religion party is, as I think it has been the case, with Hamas for quite some time, makes effective use and abuse of the predominant civilian environment in which they're operating.

And sometimes, I mean, with conduct that you could see as constituting another work, like using human shields, for instance, right?

So hiding yourself as a combatant behind the civilian population.

So it is a challenge for any army in the world to operate in an environment as operationally as complex as this one.

But you know, that is another reason to be extremely surgical and extremely careful in the way you operate.

The office of the prosecutor of the ICC has to basically do everything it can to conduct investigative steps.

You won't have access to the territory, but that is not necessarily fatal to an investigation.

You can today investigate from the outside and collect evidence and analyze that evidence.

So in any event, I mean, one thing is for sure, I mean, war crimes investigations are never simple.

One thing is to verify the existence of crimes.

A very different thing is to establish attribution and to establish linkage and to get the evidence that you need to substantiate that.

So it's never a short-term game, isn't it?

So someone very familiar with the ICC says that a war crime may have already been committed by Israel.

There is no surprise that the air is hot with vengeance in Israel.

The danger is that it turns to bloodlust, which begets more of the same.

When we come back, we'll be looking at what that ground invasion might look like.

Stay with us.

Now the vast majority of you will never have been to Gaza.

It is, as we've said, very difficult to do so.

We get a sense of what life is like there, what life is like there right now.

We ask Nathan Thrall, who has lived in Gaza and is the author of *A Day in the Life of Abed Salama*, a Palestine story, a powerful book illustrating daily life in Israel, Gaza and the West Bank, to give us a sense of what Gazans are dealing with now and before.

The situation in Gaza is unspeakably frightening.

The night sky is filled with fire bombs.

Shrapnel has entered the living rooms of civilian families.

The most central downtown neighborhoods have been razed to the ground.

Families are receiving calls from Israeli pranksters, impersonating the IDF and telling them that their home is targeted.

They take their elderly and their disabled and their young children and run down stairwells of apartment towers that have no functioning elevator because there is no electricity.

Others go out amid the rubble to wait in line for bread, stalks of food or dwindling.

Families are torn apart, unable to communicate with one another, unsure if they have spoken to their loved ones for the last time.

2.1 million innocent people.

Now Israel has told more than half of those people to flee to the South through a war zone where they have no place to stay, no assurance that they will be any safer in the new location.

The place they have been told to go has also been heavily bombed.

Everyone fears that this is the first phase in pushing them all the way out of Gaza and into Sinai and never allowing them to come back.

No one can sleep and those who do sleep don't dare to take off their clothes or shoes.

Everyone must be ready to run at a moment's notice.

Now, as we've been saying, a ground invasion would be like nothing we've seen in the Gaza Strip before, really.

We've not seen the sort of numbers that are being asked to move before.

We've not seen the sort of troop reservists being called up for decades.

So what is this conflict going to look like?

We spoke to Michael Clark, a military expert and analyst.

Michael, can you give us a sense of what a ground invasion of the Gaza Strip might look like, what sort of resources it might take, how difficult it might be for the IDF?

A ground invasion would look like, I'm fairly sure, a multi-pronged attack, both from the land side and from the seaward side.

It makes sense for the Israelis to move in very quickly.

They have their own victory doctrine, which is that they have to go fast and they do that both for operational reasons, in this case also because they might want to try to rescue some of the hostages if they're lucky, and also to deflect as much international criticism because obviously the longer this goes on, the more opinion will tend to turn against them in global terms.

So it'll be a multi-pronged attack, I think.

It'll also be a massive artillery bombardment and an air attack, and it'll be a high technology attack as well with a lot of precision systems to help the infantry on the ground.

Having said all of that, it will be very difficult because moving in on any urban area, normally in conventional military terms, would take something like a 10 to 1 superiority of personnel.

Usually in an open battle, you need a 2 or 3 to 1 superiority if you're attacking prepared defenses.

But attacking prepared defenses in a built-up area, you need something closer to 10 to 1.

Now that also assumes that Hamas will fight.

It's plausible to me that Hamas may not, that they may disappear down the tunnels into Sinai and try to sit this out and then filter back in in 3 or 4 months' time and make life very hard for the Israelis who will then be sitting in Gaza wondering what to do next.

But if Hamas decide that this is the apocalyptic battle to end all battles with Israel, because if they fight they're going to die, and that they're prepared to be martyrs in order to set up the most astonishing urban battle in the belief that it will bring in Hezbollah, inflame the West Bank, it might bring in Syria, might bring in groups from Iraq and even official help from Iran.

They may feel that this is the beginning of the end of Israel and that it is worth therefore fighting and dying in some sort of apocalyptic battle that will go on for several weeks.

I'm not sure if that will happen because the alternative to that is that they have to disappear, put up some token resistance, then disappear and live to fight another day on the basis that this guerrilla war with Israel will just continue for some time.

So it will be difficult.

The Israelis have got lots of advantages, but they need a big force.

If Hamas can turn out, let's say, 30,000, maybe more, maybe 40,000, many of them are part-timers of that sort of number, but if they can turn out 40,000, then all that the Israeli army can do will take as many as the Israeli armies can put into the fight.

And they still remember the Israelis have still got to look after the northern front with Lebanon and the possibility of another big upsurge on the West Bank.

But to be clear, if Hamas were to take option one, as you've outlined, which is to put up token resistance and disappear, then the only people over the next few weeks and days and weeks while this attack is going on, the main casualties in this are going to be guards and civilians.

Correct.

How does guards and infrastructure and how the Gaza Strip is set up?

How will that impact a potential land invasion and sea invasion?

The Israelis obviously regard the northern part of Gaza north of Wadi Gaza as the main operational area because they're telling civilians now in this 24-hour window they've granted civilians to withdraw south of Wadi Gaza, which is an impossibility.

But it indicates that I think the main focus of their attack will be in the north.

If they find that they can walk in more easily than they thought, then civilians might find that they're a bit safer than if the Israelis are fighting even token resistance, street by street.

And in that case, there may be an opportunity for guards to be moved out, perhaps with the Israeli corporation into the south.

And the Israelis would obviously, as the Russians say, they would send them for filtration.

So they would actually make sure that any mail under the age of about 40 was actually detained so that they can be checked out and so on and maybe detained permanently.

So it's plausible that that sort of scenario might develop.

But if there is anything other than merely token resistance, then the Israelis are not going to take any other chances.

The Prime Minister's office has already said in this rather Delphic comment a couple of days ago, they said, all restraints are off.

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Now, it's not clear what that means.

I hope that they have retracted that, at least in their own minds, because the rest of the world is being very clear that we understand that you're doing what you're doing and we are sympathetic to the idea that you've got to dismantle Hamas once and for all.

But you've also got to obey the rules of war as you do it.

And that's going to be a tough ask.

Do we know how many combatants, how many fighters are affiliated with Hamas, are part of Hamas, that the Israelis might like to try and destroy?

And then, of course, we can compare that to the overall population, which is about two and a half million.

Yeah.

Generally speaking, there are something like 15,000 Hamas fighters, terrorists, who you would say are committed, they're trained, they don't do anything else, they get paid by Hamas, they don't have other jobs as far as we know.

Some say, well, that could be 17, could be 19, 20,000.

That's plausible, but I think that the lower number is more likely.

But then always with these sort of groups, they can turn out other amateurs.

So somebody can be a motor mechanic, you know, Mondays to Saturdays, and then they're a Hamas fighter on a Sunday, or they can turn out for Hamas on the afternoons.

That's what happened with the Taliban in Afghanistan, lots of Afghan policemen were policemen half of the day and Taliban for the rest of the day.

And these people can operate weapons, they're amateurs, they're not particularly trained, but they get taken by the excitement of it all.

And so there is, I would say, a hardcore of maybe 15, perhaps 20,000 maximum Hamas people who will fight as well as you might expect them to fight if they choose to.

And then maybe double that number, possibly more depending on the mood in Gaza at the moment, but maybe double that number of amateurs who would come out and support Hamas.

So the majority I would guess, this is a guess on my part, but I'd say take 50,000.

Take 50,000 as the maximum that Hamas could turn out of whom maximum of 20,000 would really know what they were doing and have, you know, create booby traps and can operate the sort of more sophisticated systems that they have these days.

So is it given the asymmetry in terms of infantry and in terms of technology and all of the different things?

Is it a case?

It's not going to be easy for the Israelis and for the IDF, but the Hamas are completely outnumbered that they will be able to take the Gaza Strip if they want.

Yes.

And Israel will succeed.

I think there's no plausible scenario whereby they get sort of 10 kilometers in and then can't get any further.

They will succeed because they won't observe too many niceties about the buildings in the way or even civilians that might be in the way.

They are determined to succeed and their doctrine, as I mentioned earlier, is that they've got to do this quickly, both for operational reasons and for political reasons.

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And so I don't think there's any chance that the Israelis will not achieve whatever they set as their military objective, whether it's to clear out everything north of Wadi Haifa and push gardens into the southern part, or whether it's to occupy the whole of the Strip, which is what I suspect they will do, and compartmentalize it into a whole series of districts, military districts, that they can control.

They can stop movement in between the districts and they can work through each district, working out what they're going to do in each case.

Because although Gaza is a small place and it's very, very densely populated, 6,500 people per square kilometer, one of the most densely populated territories in the world, that is the case.

There are differences between the north of Gaza City and in the south, in those southern southern districts towards Rafa and the Egyptian border.

And so I think that the Israelis will definitely succeed.

They have an army of 167,000 normally, which is a fair number.

It's not a huge army, although it's twice as big as the British army, but they have now called up 360,000 recruits.

And so they've got an army now in the field of 500,000, half a million.

Bear in mind they won't be applying all of those to Gaza by any stretch.

They are worried about what's happening in Lebanon.

They're worried about the West Bank.

They need their army for what they think will be a pretty long campaign on a number of fronts.

But if they need to put 250,000, 300,000 into Gaza, then they will.

And it's plausible that if Hamas really want to make a fight to the finish out of this, that the Israelis may need a 10 to 1 superiority, which means they might need 300,000 going into Gaza over the next couple of months.

I mean, I'd like to be wrong about that.

But that's probably as bad as it could get for the Israelis or as demanding as it could get.

And then also, remember, they've got a big superiority in artillery, in rockets and in air power.

They control the air.

They control the airspace.

There's almost nothing that Hamas can do about that.

And that is, as we know from Ukraine's reverse experience, if you control the air over the battle space, you have a huge advantage.

And so the Israelis will have that advantage, which is not available, of course, to the Ukrainian forces.

Michael, that's really excellent.

Thank you so much.

Really comprehensive.

Thank you.

OK, no problem.

Thank you.

There is a wider question as well.

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As Michael said, an Israeli victory is all but certain.

But what does victory even mean in this context?

How does Israel govern Gaza itself?

It almost certainly can't.

What happens when its only government, however grim it is, Hamas, isn't there.

What happens to those millions of Gazans, however many, are left?

No one seems to have an answer.

We'll be back just after this.

Although the British Parliament has legislated and mapped as a prescribed organization and a terrorist, the BBC think it's not appropriate to call them terrorists.

Are you aware of the OFCOM code and the rules for all broadcasters?

Of course.

OK, so you'll know that the OFCOM Broadcasting Code requires that news in whatever form is reported with due accuracy and presented with due impartiality.

Broadcasters are not the same as newspapers, and indeed all UK broadcasters stick to the same language around terrorism and these groups that the BBC is.

We are not unique in this.

So I think you are suggesting that whatever group is on the UK's list of prescribed groups at any time, that broadcasters should mirror that language.

I think it's pretty clear.

I said, just being tonight and seeing the evidence, seeing the videos of the innocent people being beheaded, and the clinkers being nagged off and taken as hostages.

I think it's pretty clear that's terrorist activity, and I think it's pretty surprising not to hear it being called that.

Now, look, this is perhaps a subplot to the bigger issue of what's happening in relief, which is why we have provided, I've sent out to Royal Navy ships to provide that.

I hope to determine an external influence into the area to monitor, deter, prepare and provide potential humanitarian aid.

But I think when you return this to Britain and you look at, for example, Joe's schools unable to, feeling unable to open today, it would be helpful if the national broadcaster stuck by what parliament has legislated.

That exchange between Defence Secretary Grant Shapps and today's programme presenter, Israel Hussain captured much of the British debate in this last week, and altogether meaningless row pretty much about the BBC, but also a truth that politicians are calling for restraint, seem to know that some of the tactics Israel has deployed or might yet deploy cross the line but can't quite seem able to say it.

What we've heard is that Israel has a right to defend herself.

No one sensible doubts that.

Of course, in the face of this barbarism, she must.

The question, which politicians seem less willing to grapple with, at least publicly, is where the limits of that self-defence should come.

That it is, according to law, not an unqualified right.

That if what happened on Saturday was an act of terrorism, then we would expect a state like Israel, a democratic state or a terrorist cell not to behave as indifferently to life

as terrorists might.

These are difficult calibrations for our politicians in public and private.

To talk us through some of them, we turn to a friend of the show, Tory MP, Alyssa Kearns, chair of the Commons Foreign Affairs Select Committee.

Alyssa, can we just start?

Do you think that what we've seen in Israel over the course of the last week and Gaza in terms of denying the civilian population use of water, electricity and so on, and what potentially could come over the weekend amounts to a war crime or a series of war crimes?

I think it's really, really difficult because under international humanitarian law, you can argue that a force that has said they are going to march on a territory is already responsible for making sure that the population who will be occupied can access water, can access medical aid, can access basic services.

So therefore, under international law, there is that requirement for them to be able to do so, let alone the fact that within the current context, Gaza is blockaded, Israel has control of the airspace, it has control of their coast, it has control of who can come in and out apart from the one exit to Egypt.

So I think there are some really difficult questions here and it is a difficult conversation that what we have seen happen in Israel, I would say as a crime against humanity, it is absolutely vile and we are hurting the people of Israel, but at the same time, international law cannot be switched on and off and there are laws around proportionality and there are principles of distinction that hold in place.

So obviously we have heard in terms of the British political arena, politician after politician say correctly that Israel of course has a right to defend itself, which of course it does, but I suppose there is a follow up to that which is to say it has a right to defend itself, but does it have an unqualified right and that is where the conversation gets more complicated, doesn't it?

Absolutely and under international humanitarian law and under international law, Israel has a right to self-defense which is what it is carrying out, but as you say that is within the framework of international humanitarian law which has requirements and it is totally possible to support Israel's right to exist, Israel's right to self-defense, but also recognise that they do have to act as a rule of law nation within the framework of international humanitarian law because also we have a duty as rule of law nations to uphold international humanitarian law because otherwise we lose our voice when it comes to speaking out against Russia, speaking out against Syria, speaking out against Iran which is the country ultimately behind this.

One of the comparisons that has been made all week and invoked is the idea that this is Israel's 9-11 and that this is this terrorist act and Israel has to respond in kind, but I suppose in a way isn't the danger not learning in a sense from the lessons of 9-11 in terms of what the United States did next and is there a danger that Israel overreacts because it is a state in a way that what they're facing is not and the expectations on it are higher, there's a danger that Israel overreacts in the face of what nonetheless of course a terrible, terrible attack, but it overreacts.

So this is exactly what Ben Wallace, former Defense Secretary and William Hague, former Foreign Secretary, both of them have warned of this over the last few days. We have all

been talking about the fact that Iran may be trying to push Israel into a regional war. Iran may be trying to lose international support for Israel by pushing to go beyond that proportionality,

that principle of discrimination that exists within international humanitarian law. We all want to see Hamas neutered, we want to see this terrorist group destroyed, but we also recognise that the majority of people in Gaza are under 18, the last elections took place in 2006, Hamas is not the Palestinian people and there are duties under those who are having to carry out actions to defend themselves at the same time protect everyday Palestinians and those civilians and children who at the moment do not have access to medical care they need, do not have access to water and humanitarian aid can't get in because the Egyptians A, the convoy, the entrance route, the RAFA crossing point has been bombed, but B, they don't have the confidence that if they send in humanitarian convoys that those won't be targeted themselves.

Why do you think it is illicit that politicians, and we've seen it, it's not a party political thing, we saw it with Grant Shaps, we saw it with Keir Starmer, politicians in Britain seem so reluctant to urge Israel to behave proportionately but also to recognise that potentially what they might do could amount to a war crime because it seems that politicians, we heard it from Grant Shaps today, they'll be asked, do you think that all that they respond with is Israel has a right to defend itself, but as we've just been discussing it is not an unqualified right, so why is it that politicians seem reluctant to get into that?

If I'm honest, I think it's the horror of what we've seen, so look, since at least January, I have been warning that I thought we were headed towards the 3rd Intifada in June when the Prime Minister sat in front of the Liaison Select Committee, I raised Israel and Palestine, I said that I was really worried about what was coming. The horror, however, is so far beyond whatever I could even have imagined, and I've seen some pretty awful things in my previous career, the horror is so appalling that I think the world is genuinely in shock, and you do want to absolutely support Israel, these people are trying to wipe Israel off the map, they do not think that they should exist, Israel has to defeat Hamas, not just in the interest of the people of Israel but actually the wider region, but that is therefore difficult because what you don't want to be seen to be is somehow not supportive of Israel, particularly given all that they have been through, but I believe as a politician you also have a duty to give those difficult messages, to say that humanitarian law is not something you opt in and out of, and that we have a duty as Britain to be tough with our friends and put those messages across.

It is clear as you say, Hamas wants to wipe Israel off the map, but it cannot be right that in response to that Israel wipes Gaza off the map.

Yeah, and this is the problem, this is a counter-terrorist operation, I think it's really important that that's how we should be talking about it, this isn't a war on Palestine, this has to be a counter-terrorist operation which is difficult, you know Hamas is hiding out amongst civilians, but we've dealt with that in the past, Daesh did the same thing.

This is so difficult, but we have to be honest, we have to be open and politicians have a duty to explain to the public that it isn't black and white and we have a duty to be brave enough to say that we will hold our friends to account when it comes to international

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humanitarian law, but we will also support them at the same time as they face the most appalling atrocities and as they try to eradicate a terrorist group there's a threat to us all. Do you think the British government is doing that enough in public at the moment?

I hope so, I mean Rishi Sunak last night I think was the first time we saw him say that you do need to, I'm trying to remember his exact words, but he said you know there needs to be all possible measures to protect ordinary Palestinians, we're starting to see that language come through, no one's gone as far as the Irish Prime Minister who has been very clear in his views, I will continue to urge as I have since Saturday that you can support your friends in Israel, you can support their right to exist, you can support their right to self-defense, but you can also say that it is in the interest of everyone around the world that we have to be absolute on international humanitarian law.

We've heard it a lot this week, that thought I was talking about with Alicia I've been thinking about a lot and the thing that keeps running around my head is whether Israel is about to make the same mistake as America did all those years ago, where in the face of such horror, such bloodshed, it sets in train a course of action it comes to regret which might cause more harm to Israeli citizens over the long run, that this is all part of someone else's perhaps Iran's design, but the thing about politics sometimes is that the players usually aren't stupid, that they can see all of that as well as anybody, but because of politics, foreign and domestic, they do it anyway, they feel they have to do it anyway, even if some of the players within the Israeli government want to show restraint, are mindful of the humanitarian concerns, the calibration of how to respond, of balancing all of the forces you need to balance, political and military, is nightmarish, but if there isn't to be a bloodbath, they will have to be.

One way or the other, an old reality reasserts.

In this seemingly forever conflict, it's civilians, Palestinian and Israeli who lose another old reality too.

In 1974, during yet another conflagration over these old contested lands, Time magazine wrote that Palestine is the cement that holds the Arab world together, or it is the explosive that blows it apart, 50 years on, for the whole Middle East that has never felt truer.

That is it from all of us for this week, what an important few weeks in news it's been.

Remember you can catch up on all of our shows from this week and before on Global Player and send us story tips and feedback to [newsagents at Global.com](mailto:newsagents@Global.com).

Thanks to our production team on the news agents, Gabriel Radis, Laura Fitzpatrick, Georgia Foxwell, Charlie Clinton, Alex Barnett and Rory Simon, our editor is Tom Hughes. It's presented by Emily Maitlis, John Sopel and me, Lewis Goodall.

We'll see you on Monday.

Have a lovely weekend.