

# افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نباشد تن من مباد بدین بوم و بر زنده یک تن مباد  
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

[www.afgazad.com](http://www.afgazad.com)

[afgazad@gmail.com](mailto:afgazad@gmail.com)

European Languages

زبانهای اروپایی

BY JEFFREY ST. CLAIR

20.05.2024

## Follow the Missiles



JDAM-guided missiles. Photo: Dept. of Defense.

The US has long been Israel's largest arms merchant. For the last four years, the US has supplied Israel with 69% of its imported weapons, from F-35s to chemical munitions (white phosphorous), tank shells to precision bombs. Despite this, the Biden administration claims not to know how these weapons are put to use, even when they maim and kil American citizens.

Since the start of the latest war on Gaza, the US has had both defense department and CIA officials in Israel helping the Israelis with intelligence, logistics, targeting and bomb damage assessment. Still, the Biden administration claims not to have any hard evidence that the

weapons it has transferred to Israel have been used to slaughter civilians, torture detainees or restrict the flow of humanitarian aid to starving, dehydrated and sick Palestinian civilians.

Under pressure from Bernie Sanders, Chris Van Hollen, Jeff Merkeley and other congressional Democrats, in February, President issued National Security Memorandum 20 (NSM-20, or “National Security Memorandum on Safeguards and Accountability With Respect to Transferred Defense Articles and Defense Services”), which directed the State Department to “obtain certain credible and reliable written assurances from foreign governments receiving [U.S.] defense articles and, as appropriate, defense services” that they will abide by U.S. and international law. NSM-20 also requires the Departments of State and Defense to report to Congress within 90 days on the extent to which such partners are abiding by their assurances. “assessment of any credible reports or allegations that defense articles and, as appropriate, defense services, have been used in a manner not consistent with international law, including international humanitarian law.” The NSM-20 report also required the Biden administration to assess whether Israel has fully cooperated with United States Government-supported and international efforts to provide humanitarian assistance in the area of conflict. They missed the 90-day mark by two days, likely to push the release of the report to late on a Friday afternoon, a traditional dead zone for news you’d like to bury.

Since October 7, the Biden administration has approved more than 100 Foreign Military Sales arms transfers to Israel. Two of the shipments used an emergency authority to circumvent Congressional review. The surge of weapons transfers to Israel began in early October and so much material was being shipped that the Pentagon had a difficult time finding enough cargo aircraft to deliver them. While the Pentagon regularly details weapons sent to Ukraine, it has only issued two updates on the kind and amount of weapons sent to Israel. But those two reports, both issued in December, suggest that the weapons included artillery shells, tank rounds, air defense systems, precision-guided munitions, small arms, Hellfire missiles used by drones, 30-mm cannon shells, PVS-14 night vision devices and disposable (though probably not biodegradable) shoulder-fired rockets. In late October, one sale to Israel including \$320 million worth of JDAM kits for converting unguided “dumb” bombs into GPS-guided munitions. This was in addition to a previous sales of \$403 million worth of the same guidance systems. From October 7 to Dec. 29 alone, US weapons shipments to Israel included 52,229 M795 155-millimeter artillery shells, 30,000 M4 propelling charges for howitzers, 4,792 M107 155-mm artillery shells and 13,981 M830A1 120-mm tank rounds.

For years, the US has maintained a covert military stockpile of weapons in Israel for use in US operations throughout the Middle East. In an extraordinary move, the Biden administration gave the IDF access to these munitions, including the 2,000-pound bombs that have been used to destroy Gaza's cities. The United States has reportedly transferred at least 5,000 2,000-pound "dumb bombs" to Israel since October 7.

These weapons transfers and sales are largely made under a 2016 deal made by the Obama administration which committed the United States to giving Israel at least \$38 billion in weapons over 10 years. In March, when the official death toll in Gaza had already topped 30,000, the State Department authorized the transfer of 25 F-35A fighter jets and engines worth roughly \$2.5 billion. This deal was quickly followed in April with Biden giving his assent for the sale of 50 F-15 fighters to Israel at a total retail price of \$18 billion. Later in April, In April, Biden signed an aid package that will send Israel an additional \$15 billion in military aid.

None of the transfers were accompanied by conditions on how the weapons could be used. Indeed, Biden's National Security Council spokesman John Kirby repeatedly said the White House had imposed "no red lines" for Israel's offensives in Gaza and southern Lebanon. According to an analysis by the Washington Post, the IDF dropped over 22,000 munitions on Gaza during the first 45 days of the war alone that were manufactured in the US.

The Biden administration had boxed itself in because the "red lines" were already on the books. And it wasn't just international law, which the Biden Administration routinely shows only contempt for when it applies to the US and its allies, that prohibits weapons sales to countries that violate humanitarian law but several US laws, as well as Biden's own internal executive policies.

U.S. law, regulations, and its Conventional Arms Transfer policy require withholding military assistance when our weapons transfers are used contrary to international humanitarian law, including:

- + The "Leahy law" (22 U.S. Code § 2378d) requires an automatic cutoff of U.S. security assistance to foreign military units credibly implicated in gross violations of human rights.
- + Section 502B of the Foreign Assistance Act bans the United States from providing security assistance to any government that engages in a consistent pattern of gross violations of human rights.
- + Section 620I of the Foreign Assistance Act "... prohibits the United States from providing security assistance or arms sales to any country when the President is made aware that the

government ‘prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.’”

+ The Biden administration’s Conventional Arms Transfer (CAT) policy, issued in 2023, stipulates that the United States will not transfer weapons when it is “more likely than not” that those weapons will be used to commit, facilitate the commission of, or aggravate the risk of serious violations of international human rights or humanitarian law, among other specified violations.

+ In 2022, the Biden Administration, along with more than 80 other nations, signed a joint statement on Explosive Weapons in Populated Areas (EWIPA), which declared the signatories “strongly condemn[s] any attacks directed against civilians, other protected persons and civilian objects, including civilian evacuation convoys, as well as indiscriminate shelling and the indiscriminate use of explosive weapons,” which are incompatible with international humanitarian law.

So how would Biden squirm out of this dilemma?

While the U.S. State Department cagily admitted that it was “reasonable to assess” that Israel used U.S.-supplied weapons in instances which it said might be “inconsistent” with international humanitarian law obligations and the February 2024 U.S. national security memorandum, which requires foreign governments to guarantee they will not violate human rights with weapons purchased from the U.S, it concluded that it didn’t have any hard evidence this was the case. More laughably, the State Department report said it accepted as “credible and reliable” Israel’s assurances that it would use U.S. weapons in accordance with the law given the lack of complete information to verify that U.S. weapons were definitely used in specific cases. The administration also did not find that Israel had intentionally obstructed humanitarian aid into Gaza, at least during not the week the report was being released, which seems to be pretty much all they considered.

While the NSM-20 directed the State Department to investigate “any credible reports or allegations” of the possible misuse of US weaponry by the Israeli government, Blinken’s team addressed only 10 incidents and those superficially. When it came to addressing whether Israel had implemented “best practices” to limit civilian harm during its military operations in densely populated urban areas, Blinken’s report failed to identify and examine any specific cases, simply citing the anodyne conclusion of the US Intelligence Community that Israel “could do more” to prevent civilian casualties.

According to the Huffington Post’s [Akbar Shahid Ahmed](#), two top Biden aides, Jack Loew (Ambassador to Israel) and David Satterfield (Humanitarian envoy to Gaza), play decisive

roles in watering down the report's criticisms of Israel, especially in restricting the flow of aid to Gaza. One State Department official told Amar: "It was Satterfield's job to cover for Israel."

The evidence for Israel's mass slaughter of civilians, bombing of non-military targets and civilian infrastructure, killing of aid workers and medical personnel, and the delay, obstruction and restriction on humanitarian aid is overwhelming and has been meticulously documented since October by the UN, as well as human rights and humanitarian organizations, including Amnesty International, Oxfam and Human Rights Watch. If the State Department couldn't get the CIA and Pentagon's own assessments, they could have consulted and evaluated the reports prepared by these organizations. But, as Chris Van Hollen noted, "these independent reports underscore a concerning trend: the Administration cites the important work of these organizations when it suits their purposes but ignores them when it does not."

So let's review the record by simply following the flight of the missiles, shall we?

On October 7, the day of the Hamas attacks, Israel cut off the electricity that it supplies to Gaza, the main source of power in the Strip. The power remained cut off until at least through March.

On October 7, 2023, Nidal al-Waheidi and Haitham Abdelwahed, Palestinian journalists from Gaza, were detained by the IDF while reporting on the Hamas-led attack in southern Israel. More than seven months later, Israeli authorities have still refused to disclose their whereabouts or the legal grounds and reasons for their arrest.

In October, Israel used U.S.-made Joint Direct Attack Munitions (JDAM) in two deadly strikes on Palestinian homes in the occupied Gaza Strip that killed 43 civilians—19 children, 14 women and 10 men.

On 9 October, an Israel Defense Forces air strike on Jabalia refugee camp destroyed several multi-story buildings, killing at least 39 people. The United Nations Office of the High Commissioner on Human Rights (UN OHCHR) found no specific military objective and no reports of warnings before the attack.

On 9 October 2023, Israeli Minister of Defense Yoav Gallant announced a "complete siege" of Gaza: "We are imposing a complete siege on [Gaza]. No electricity, no food, no water, no fuel – everything is closed. We are fighting human animals, and we act accordingly." The siege policy was reaffirmed on 18 October 2023 by Prime Minister Benjamin Netanyahu, who declared that "we will not allow humanitarian assistance in the form of food and medicines from our territory to the Gaza Strip." For the next 12 days, Israel closed all of

Gaza's access points and repeatedly bombed the Rafah border crossing with Egypt. The complete siege imposes collective punishment on all residents of Gaza and violates Section 620I of the Foreign Assistance Act.

On 10 October, an IDF airstrike demolished a building in the Sheikh Radwan district of Gaza City, killing at least 40 civilians. According to Amnesty International, a Hamas member had been living on one of the floors of the building, but he was not present at the time of the bombing. That same day, an IDF airstrike on a home in Deir al-Balah killed 21 members of the al-Najjar family as well as three neighbors. Amnesty International's investigation found evidence that a 2,000-pound bomb equipped with a Joint Direct Attack Munition (JDAM) with a guidance kit was used in the lethal strike. There was no evidence of any legitimate military targets in the area.

On October 11, the only power plant in Gaza ran out of fuel reserves, after Israel blocked the entry of fuel to the Strip.

On October 13 an Israeli tank attack in southern Lebanon, killed Reuters journalist Issam Abdallah, severely wounded AFP photographer Christina Assi, and injured five other reporters, including a US citizen. According to a Human Rights Watch investigation, the firing from the Israeli was "apparently a deliberate attack on civilians, which is a war crime."

On October 16 Israeli forces used US-made white phosphorus in an attack on Dhayra southern Lebanon by Israeli forces, in a manner inconsistent with international humanitarian law, that injured at least nine civilians and damaged civilian buildings. Lebanon's Ministry of Environment has said that at least 6.82 square kilometers of land were burned in attacks by Israeli forces, largely as a result of white phosphorus. An investigation by The Washington Post found that the Israeli military used US-supplied white phosphorus munitions in the attacks.

On October 19, an Israeli air strike destroyed a building in the compound of the Saint Porphyrius Greek Orthodox Church in the heart of Gaza's old city, where an estimated 450 internally displaced members of

Gaza's small Christian community was sheltering. The strike killed 18 civilians and injured at least 12 others.

On October 19, the IDF conducted two airstrikes on the home of the Saqallah family in Sheikh Ajleen near Tal-Hawa, west Gaza Strip, where the extended family had gathered to shelter from All the house's occupants were killed, including 4 children and 4 doctors.

On October 20 28 civilians, including 12 children, were killed by an Israeli strike, which destroyed the al-Aydi family home and severely damaged two nearby houses at the al-

Nuseirat refugee camp. The homes were in an area of the central Gaza Strip where the Israeli military had ordered residents of northern Gaza to move to.

On October 21, Israel permitted only 20 truckloads of humanitarian aid, containing supplies such as food, water, animal fodder, medical supplies, and fuel, to pass through the Rafah Crossing into Gaza. By contrast, before October 7 the population of Gaza relied on an average of 500 truckloads of food, water, medicine, and other essential items every single day. Months later when Israel eventually opened the Rafah and Kerem Shalom Crossings, the IDF imposed an arbitrary and restrictive inspection system that resulted in mass congestion and long queues as long as 2,000 trucks. Even now, it takes an average of 20 days for humanitarian trucks to travel from the Israeli inspection point at Al Arish to Gaza.

On 22 October 2023, an IDF airstrike on a home in Deir al-Balah killed 18 members of the Mu'ei-leq family—12 children and 6 women—as well as a neighbor. Amnesty International determined that the home was hit by a 1,000-pound bomb equipped with a Joint Direct Attack Munition (JDAM) with the guidance system.

Between October 7 and November 7, Israel forces targeted several hospitals and clinics for airstrikes, including the Turkish-Palestinian Friendship Hospital, the Indonesian Hospital, and the International Eye Care Center. Hospitals enjoy protected status under international humanitarian law, and only lose their protection from attack if used to commit “acts harmful to the enemy,” though warnings, proportionality, and distinction are still required.

On October 25, Israeli airstrikes decimated the neighborhood of Al Yarmouk, destroying seven residential towers. In just the Al Taj residential tower, the bombing killed 91 Palestinians, including 28 women and 39 children.

On October 31, IDF airstrike targeted a six-story apartment building near the Nuseirat refugee camp in central Gaza. At least 106 civilians, including 54 children, were killed in the bombing. The Israeli authorities provided no justification for the attack. Human Rights Watch found no evidence of a military target in the vicinity of the building at the time of the attack.

On November 5, an Israeli strike by Israeli forces on a family in a car in southern Lebanon on November 5 that killed three girls, ages 10, 12 and 14, and their grandmother.<sup>8</sup> Human Rights Watch found no evidence of a military target in the vicinity of the car that was struck, which only contained fleeing civilians. According to Human Rights Watch, the attack on the car showed “reckless disregard by the Israeli military for its obligation to distinguish between civilian and military objects and a significant failure to take adequate safeguards to prevent civilian deaths.”

On November 3, an Israeli airstrike on a marked ambulance outside al-Shifa Hospital killed 21 people, including 5 children, and injured 60. Ambulances are protected civilian objects under international humanitarian law and cannot be targeted when used to treat wounded and sick individuals, both civilian and combatant. An IDF spokesperson rationalized the attack in a TV interview saying: “Our forces saw terrorists using ambulances as a vehicle to move around. They perceived a threat and accordingly we struck that ambulance.” Human Rights Watch found no evidence that the ambulance struck was being used for military purposes, but instead verified video showing a woman on a stretcher in the ambulance.

On December 2024, IDF airstrikes destroyed several buildings in the Al Maghazi refugee camp, killing at least 68 people. An Israeli military official admitted to Israel’s Kan public broadcaster that “[t]he type of munition did not match the nature of the attack, causing extensive collateral damage which could have been avoided.”

Starting January 1 through February 12, more than half of the planned humanitarian aid missions to northern Gaza were obstructed by Israeli authorities. The restrictions included: failures to guarantee safe passage; failure to open additional routes to northern Gaza; excessive delays; and outright denial of access by the Israeli military.

On January 9, 2024, an Israeli airstrike hit a five-story apartment building belonging to the Nofal family in the Tal Al-Sultan neighborhood in Rafah. The attack killed 18 civilians, including 10 children, four men, and four women. At least eight others were wounded. An analysis of the bomb fragments by Amnesty International identified the weapon as a precision-guided GBU-39 Small Diameter Bomb, made in the US by Boeing.

On 29 January 2024, the IDF attacked a car carrying the family of 6-year-old Palestinian girl Hind Rajab in the area later identified as Tel Al-Hawa, Gaza City. Most of her family was killed in the initial attack, leaving Hind still alive among the bodies of her six relatives. Two medics from the Palestinian Red Crescent Society were dispatched to rescue Hind, who may have been killed by Israeli fire before they arrived. They were also attacked and killed. Their ambulance was run over by Israeli tanks. The Washington Post identified a fragment of a U.S.-made 120mm round at the scene.

On 2 February, an Israeli naval ship fired at a U.N. Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) convoy waiting to enter northern Gaza through Al Rashid Road.

On 13 February, it was revealed that Israeli Finance Minister Bezalel Smotrich had been blocking the delivery of a shipment of U.S.-funded flour at the port of Ashdod since at least



19 January 2024, even though Netanyahu had assured Biden that the shipment would be allowed to enter Gaza.

On February 16, water production in Gaza had fallen to only 5.7% of what it was before the war started, leading to cases of severe dehydration, as well as the outbreak of diseases, including Hepatitis A and diarrhea. Since November, people in northern Gaza have not had access to potable water, while since March people in southern Gaza, have only had an average of two liters of water per day.

On 24 March 2024, with northern Gaza on the brink of famine, Israeli authorities told the United Nations that it would no longer approve the passage of any UNRWA food convoys into northern Gaza. That same day, Israeli forces fired upon people waiting for the distribution of food at a site at Kuwait Roundabout.

On 1 April, an Israeli airstrike killed seven World Central Kitchen aid workers in three separate airstrikes on vehicles bearing the WCK logo on a street “designated for the passage of humanitarian aid.” The three cars were struck one by one and were found destroyed nearly a mile and a half apart. The strikes were authorized by a colonel and overseen by a major.

From the Independent Task Force on NSM-20 report, written by Noura Erakat and former State Department official Josh Paul: “Though Israel has attributed the 34,000 Palestinian casualties, 70 percent of whom are women and children, to alleged human shielding by Hamas, we found that in 11 out of the 16 incidents we analyzed, Israel did not even publicly identify a military target or attempt to justify the strike. Of the remaining five incidents, Israel publicly named targets with verification in two incidents, but no precautionary warning was given and we assess the anticipated civilian harm was known and excessive.”

Since Blinken released his report reaffirming his trust in Israel to use his American arsenal responsibly, Israel has closed the Rafah crossing, forced more than 500,000 people out of the city, began bombing the already shattered Jabalia refugee camp again, hit a UN aid truck with a drone strike, left 20 American doctors stranded in hospital without water, and stood down as 100s of Israeli settlers and paramilitaries destroyed the supplies of a humanitarian convoy and torched two of the trucks.

In response to these fresh atrocities, Biden approved a new \$1.2 billion transfer of mostly ground-based weapons (\$700 million in tank ammunition, \$500 million in tactical vehicles and \$60 million in mortar rounds) to Israel, which will surely come as a welcome reward as the IDF crosses another imaginary red line in its ground assault on Rafah.

Message sent, message received.

MAY 17, 2024

**Jeffrey St. Clair** is editor of CounterPunch. His most recent book is [An Orgy of Thieves: Neoliberalism and Its Discontents](#) (with Alexander Cockburn). He can be reached at: [sitka@comcast.net](mailto:sitka@comcast.net) or on Twitter [@JeffreyStClair3](#).