



The National Interest Foundation Newsletter

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Welcome to our NIF Newsletter. In this week's newsletter: We recap our event "Decoding the War in Gaza."

"Decoding the War in Gaza"



Khaled Saffuri, President of the National Interest Foundation, gives his opening remarks.

["Decoding the War in Gaza" Event Summary](#)

By Jacob Van Veldhuizen

The National Interest Foundation (NIF) held an event titled "Decoding the War in Gaza" in Washington, DC's National Press Club on November 15th. The first of two panels, "Media Coverage and Editorial Accountability," covered the editorial approach to the crisis as well as allegations of bias in the news media. Experts subsequently discussed "International Law and the Case for War Crimes" during the second session. They analyzed actions that constitute legal violations of ratified

agreements designed to protect civilians and regulate conditions of conflict. The experts also delved into mechanisms that could be used to hold war criminals responsible.

Miko Peled, Ryan Grim, Hafez Al Mirazi, and Laila Al-Arian spoke during the first panel which Bruce DelValle moderated. Laila Al-Arian, executive producer at Fault Lines, spoke first. She described media in the United States

complicit in spreading a false narrative, using information primarily from Israeli sources and delegitimizing facts presented by organizations within Gaza such as the health ministry. Western media seem to parrot sensationalized and unproven claims reporting them as facts. One example provided was the report that Hamas had beheaded 40 babies during its October 7th attack. Editors reproduced this unsubstantiated claim without question, failing to adequately probe US officials like President Biden and Press Secretary of the National Security Council Karine Jean-Pierre on the veracity of the assertions. The Israeli military eventually admitted there was no evidence to the shocking allegations; however, no significant efforts ensued to highlight the falsification. Al-Arian noted similar conduct by the US media during the Iraq war where news organizations subsequently had to apologize for helping justify an unwarrantable war. She then listed other examples of disinformation that have been reported as fact; and she contrasted this with the raw coverage on social media platforms that has consistently contradicted the mainstream media's filter bubble. She ended by calling on her peers to denounce the targeted killing of journalists in Gaza, noting over 35 reporters have been killed. (Editor's note: As of November 17th following the NIF event 42 journalists and media workers were confirmed dead: 37 Palestinian, 4 Israeli, and 1 Lebanese).



Bruce DeValle, pictured here, moderated the first panel.

Ryan Grim, D.C. Bureau Chief at The Intercept, spoke next. He posited that news coverage of this conflict has been so skewed in favor of the Israeli narrative that mainstream news media seemingly frames objective coverage as radical. Israeli perspectives are primarily relayed while statements that may be perceived as criticism of Israel are censored or classified as antisemitic. Even passive calls for a ceasefire have frequently been met with objections, justifying Israeli Defense Forces claims that a pause benefits Hamas. Grim also pointed out that Western media does report on Palestinians who have been killed but fails to highlight the wounded or those left homeless by the conflict. He also noted that most major media outlets have chosen not to highlight the inconsistencies in Israeli armed forces reports about their responsibility for certain attacks as well as their dubious presentation of evidence used to substantiate their claims.



Panel I, pictured here, discussed the editorial approach to the crisis as well as allegations of bias in the news media.

Miko Peled, a human rights activist and published author born and raised in Jerusalem, spoke next. He began by dedicating the event to Shireen Abu-Akleh, a Palestinian journalist that the United Nation's Independent International Commission of Inquiry on the Occupied Palestinian Territory says the Israelis killed using "lethal force without justification." He went on to describe the Israeli military as a terrorist organization, explaining that Palestinians have lived in fear as refugees under constant threat of extra-judicial violence with no consequences to those who commit them. He challenged the narrative that there is a war between Israel and Hamas, describing the situation as a 75-year-long attempted genocide that Western media has failed to contextualize. Editors focus

on the October 7th attack which, he states, is dwarfed by the scale of conflict since the 1940s. Trivializing the past unreasonably creates the false narrative that Hamas began this conflict. Peled also pointed out the initial delay in an Israeli response as well as increasing evidence that many Israeli hostages are being killed in Israeli airstrikes, questionable tactics that the media ignores. He went on to examine the media's framing of the conflict, insisting that contrary to the claim that it is a war, it constitutes indiscriminate acts of revenge resulting in death and devastation simply as punishment.

Hafez Al Mirazi was the last to speak. A columnist, independent broadcaster, and professor of television journalism, he began by relaying the story of a reporter in Gaza who discovered the destruction of his home with his family inside it while covering the conflict. He expressed alarm at the increasingly targeted attacks on reporters in the past month, which the Committee to Protect Journalists has called the "deadliest conflict for journalists" since 1992. He went on to describe the odd phrasing and editorial structure in numerous reports. Typically, news articles begin with current events and conclude with background context; but this has not been the case. Coverage into the second month of events on the ground still begins by describing the attack on October 7th. He went on to describe how the Arab media is covering this war, relating three phenomena. The first one he described was "shock and awe," deconstructing perceptions of the undefeatable Israeli power that people in the Arab world were led to believe. The attack showed that even with rudimentary, homemade weaponry, crippling Israeli power was a real possibility. The second track of editorializing is criticism of Hamas and its tactics that have expedited concerns over the forced civilian expulsion out of Gaza that some Israelis have promised as a second Nakba. In Egypt's case, some commentators have said Sinai must be protected rather than Gaza. The final development is that other media outlets are beginning to report word for word what AlJazeera has been reporting given their journalists on the ground; and he noted this source has made it difficult for officials to control the narrative.



Miko Peled is seen here responding to a question from the audience.



Sam Hussein moderating the second panel.

Sam Hussein moderated the second session hosting Sarah Leah Whitson, Bruce Fein, and Emily Schaeffer Omer-Man. Sarah Leah Whitson, executive director of Democracy for the Arab World Now (DAWN), began by explaining the definition of proportional response and its role in international law. She went on to describe how Israel had failed to follow the rules of proportionality. She also addressed accusations of Hamas using citizens in Gaza as human shields stating this is an inaccurate interpretation of the law as it is impossible for Hamas or any other rebel group to fight in a place without civilians given Gaza's population density. In fact, she noted there has been more evidence of Israeli forces using

Palestinians as human shields throughout the occupied territories. She then described ways to combat the impunity that Israeli officials have enjoyed while perpetrating crimes. Her organization has been submitting names

of culprits to the International Criminal Court (ICC), urging them to pursue charges; and she emphasized that if the ICC does not act on the evidence, it will lose credibility. She ended her segment by talking about how human rights mechanisms have utterly failed the Palestinian people for decades with superficial actions that have reaped no results.

Bruce Fein, a world-renowned constitutional lawyer and author, spoke next. He explained that international law is not effective if it is neither enforced nor respected. This results in unjust circumstances where the strong do what they wish and the weak suffer what they must. He continued to describe the evidence of intent to commit war crimes by Israeli officials. Cabinet ministers consistently and publicly stated their intent to deny the entire Gaza Strip food, water, and utilities. This is a form of genocide that the 1948 Convention on the Prevention and Punishment of the Crime of Genocide not only prohibits but requires signatories to prevent. The United States, which signed the convention in 1948 and ratified it in 1988, is failing to uphold its obligations by not using its leverage to end the collective punishment. In fact, the US is complicit in the crimes as it provides intelligence to Israeli forces while they attack civilian targets. He concluded by describing how congressional declarations of American support for Israel are unconstitutional. We have become belligerents without declaring war by supporting Israel with military hardware, he said. He noted President Biden was in effect forcing America to wage war alongside the Israelis; and that Congress appears unwilling or unable to hold him accountable. He ended his segment by reminding the audience that the rule of law still reigns supreme in the United States.



Audience members listen intently to the speakers



The second panel analyzed actions that constitute legal violations of ratified agreements designed to protect civilians and regulate conditions of conflict.

Emily Schaeffer Omer-Man was the final panelist. A human rights litigator, specialist in international humanitarian law as well as international criminal law, and a lecturer at the American University, she began by describing alternatives to the ICC and how individual court systems in each country could hold Israeli war criminals accountable. She described how this strategy has worked in the past. A year after Israel's 2008 Operation Cast Lead, the Goldstone Report was released. It examined infractions by Palestinians and Israelis, including the accountability structures of the Israeli armed forces. The report stated the Israel's internal accountability mechanisms were ineffective with multiple examples of cases being closed because of a purported lack of evidence. The lack of effective accountability mechanisms affects the legitimacy of Israeli claims and

necessitates action by outside courts to ensure that those responsible are held accountable. Following the Goldstone Report, for example, a British court issued an arrest warrant for Israeli Kadima opposition leader Tzipi Livni due to her complicity in the crimes. Although the UK's top prosecutor ultimately blocked implementing the warrant, the fact that it was issued is an important precedent. Omer-Man ended her presentation by describing

multiple routes available for legal remedy, including prosecuting the Israeli government for their establishment of illegal settlements on expropriated land.

The National Interest Foundation concluded by thanking the panelists, moderators, and the audience for making the event possible. The insights shared were acknowledged for helping generate new ideas, conversations, and possible actions.

The full event is available to view on the NIF's YouTube channel linked [here](#).