



The Federation of
Islamic Associations
of New Zealand (Inc.)

اتحاد الجمعيات الإسلامية النيوزيلندية

SINCE 1979



FIANZ ADVISORY: THE CURRENT UNFOLDING HUMANITARIAN CRISIS

WWW.FIANZ.COM



1. OUR APPROACH

FIANZ, the umbrella national Muslim organisation of Aotearoa New Zealand, has pursued sabr (patience) in arriving at an informed response to the current escalating crisis in Gaza.

Over the last few days, we have consulted widely and have had direct discussions with appropriate stakeholders. We recognise that the gravity of the current crisis will be long-lasting and will also have an impact on the diaspora community. As such, and as a priority, we have had in-depth consultations with the Palestinian diaspora (Christian and Muslim) including their national organisations. Our focus is to ensure their wellbeing and welfare throughout this traumatic period.

Our engagement with the machinery of government has included the Ministry of Foreign Affairs, Department of Prime Minister and Cabinet, NZ Police, MBIE, Ministry for Ethnic Communities and other relevant agencies. The purpose is to ensure that there is on-going engagement to strengthen social cohesion in the post- March 15 era.

Internationally, we have contacted aid agencies to try and establish a pathway for donations which can be provided directly to the innocent civilians. In this respect we have started a nationwide donation appeal.

This advisory is a considered approach that we are proffering as a tangible way forward for our government to respond to the unfolding humanitarian crisis.

At the outset, we are also imploring the fourth estate to learn from the lessons of the past and ensure a balanced approach to reporting the crisis. We respect the independence of our NZ media and their commitment to fair, contextually relevant and accurate reporting, unlike many of the foreign media who have vested editorial interests. Having differing opinions is valid and encouraged in any democracy, however deliberate dis- and misinformation to provoke violence should be discouraged.

Finally, we are acutely aware of the impact of this crisis on the diaspora communities in NZ and we pray for their relatives and friends who are suffering through no fault of their own.

We do not condone civilian deaths and emphatically state that any civilian deaths should be subject to international war crimes.



FIANZ discussing humanitarian aid for Gaza with OIC Heads of Mission"

2. OUR REQUEST: IMMEDIATE MEASURES

The current escalating crisis in Gaza and Israel was completely avoidable if the international community, including New Zealand, had been strident in their pursuit to ensure the implementation of the Oslo Peace Process -Two State Solution. The 1993 Oslo Accords, signed between the Palestinian Authority and Israel, envisaged that within 5 years of signing, there would be two states (one Palestinian and one Israeli) living side by side and subject to land swaps. It would include implementation of UNSC 242 - which covers such issues as a just solution to the Palestinian refugee issue.

Instead we now have an unfolding humanitarian crisis, in proportions we have hitherto not seen before in the region. In such a context, we respectfully request the incoming government for the following urgent priorities:

- a) **Immediate Consultation with Diaspora Communities in Aotearoa NZ:** Convene an urgent meeting with the diaspora communities, to hear their views and suggestions for the way forward. This social cohesion engagement approach would be a first step towards an Aotearoa New Zealand-centric and community-aligned government response rather than simply following the Five Eyes foreign policy.

Precedence: There is ample evidence of this in our recent history, such as the non-intervention by NZ in the 2003 Iraq war, despite being pressed by others.

Source : NZ Govt Press Release ¹

- b) **Immediate Humanitarian Aid Supply Passage:** Provide urgently needed humanitarian aid, particularly the basics of water, food and medicine for the civilians suffering as a result of the Gaza siege through the International Red Cross/Crescent or similar international aid agencies.

Precedence: We have found no parallel of such type of genocidal siege this century which prevents essential life-provisions such as food, water, medicine as well as electricity and which is designed to target everyone, particularly the elderly, the women and children. The most recent was in Sarajevo in 1992, with the loss of 10,000 Muslim lives, when NZ gave humanitarian aid to the Bosnians.

Source : U.N Peacekeeping - Security Council ²

- c) **Urgent Cessation of Hostilities for Humanitarian Aid:** Raise an urgent request at the UN for the immediate cessation of hostilities in Gaza and the resumption of food, water, electricity, medicine and other essential supplies.

Precedence: In 2006, NZ raised the matter of immediate cessation of Israeli bombing which killed women and children in Qana, South Lebanon. This was a timely humanitarian gesture which saved many lives.

Source : NZ Govt Press Release ³

¹ <https://www.beehive.govt.nz/speech/iraq-crisis-nzs-position>

² <https://www.beehive.govt.nz/release/nz-calls-complete-cessation-hostilities>

³ https://peacekeeping.un.org/sites/default/files/past/unprof_b.htm

d) Independent Fact Finding on Civilian Deaths and Pursue Justice at

the International Criminal Court: NZ requests the UN (Security Council) and the International Criminal Court for a fact-finding mission to Israel and Gaza to gather first hand and independent information on the civilian deaths and then raise the matter of war crime breaches of the 1949 Geneva Conventions and of Protocol 1 (1977 amendment protocol) and serious violations of the laws and customs of war. An independent inquiry is essential to clear the fog of mis and disinformation and propaganda. The international community needs to hold to account those responsible for the civilian deaths.

Precedence: With respect to Bosnia , the Security Council's fact-finding mission, composed of representatives of France, Hungary, New Zealand, and other countries visited the region. After their report , the Security Council adopted resolution 824 (1993) of 6 May, in which it declared that, in addition to Srebrenica, Sarajevo and other such threatened areas, should be treated as safe areas by all the parties concerned. The Council further declared that in those areas armed attacks must cease, all Bosnian Serb military or paramilitary units must withdraw and all parties must allow UNPROFOR and the international humanitarian agencies free and unimpeded access to all safe areas.

Evidence: U.N Peacekeeping - Security Council ⁴

Source: New Zealand government press release

"The international community needs to hold to account those responsible for the civilian deaths."

⁴ https://peacekeeping.un.org/sites/default/files/past/unprof_b.htm

3. OUR UNDERSTANDING OF THE CONTEXT

FIANZ does not condone violence against civilians in any circumstances and is appalled and saddened by the significant loss of life.

The crisis which unfolded did not happen in a vacuum. It is important to understand the context.

Sources

Information presented in this section is from the following sources

- Official UN Reports
- Official Government of Israel Reports
- Jerusalem

ILLEGAL OCCUPATION

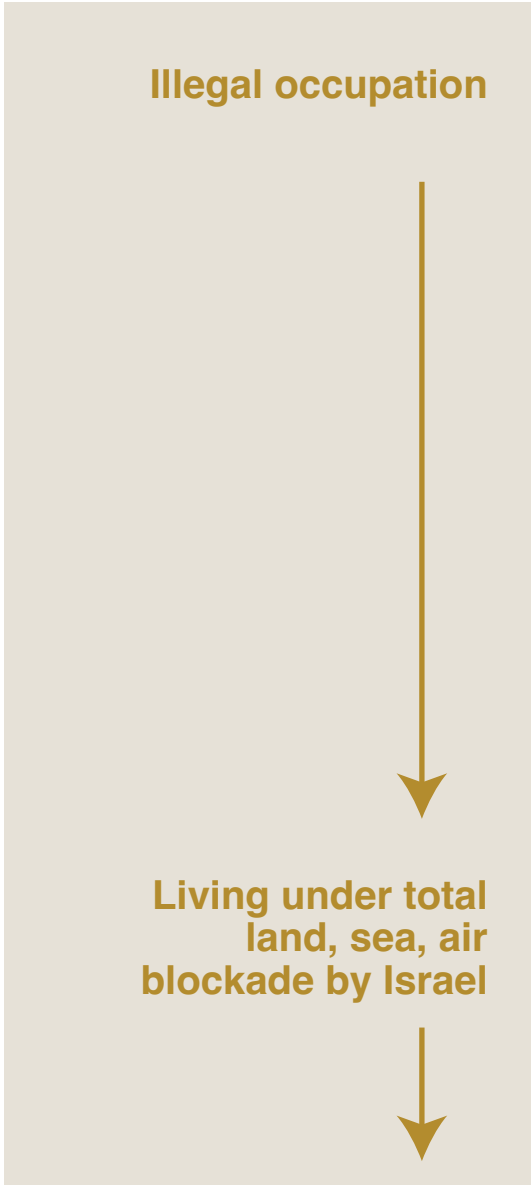
Israel occupied Gaza, East Jerusalem and the West Bank in 1967, in violation of international law. The evidence may be found here

https://www.ohchr.org/sites/default/files/documents/hrbodies/hr_council/coiopt/2022-10-19/Report-COI-OPT-14Sept2022-EN.pdf

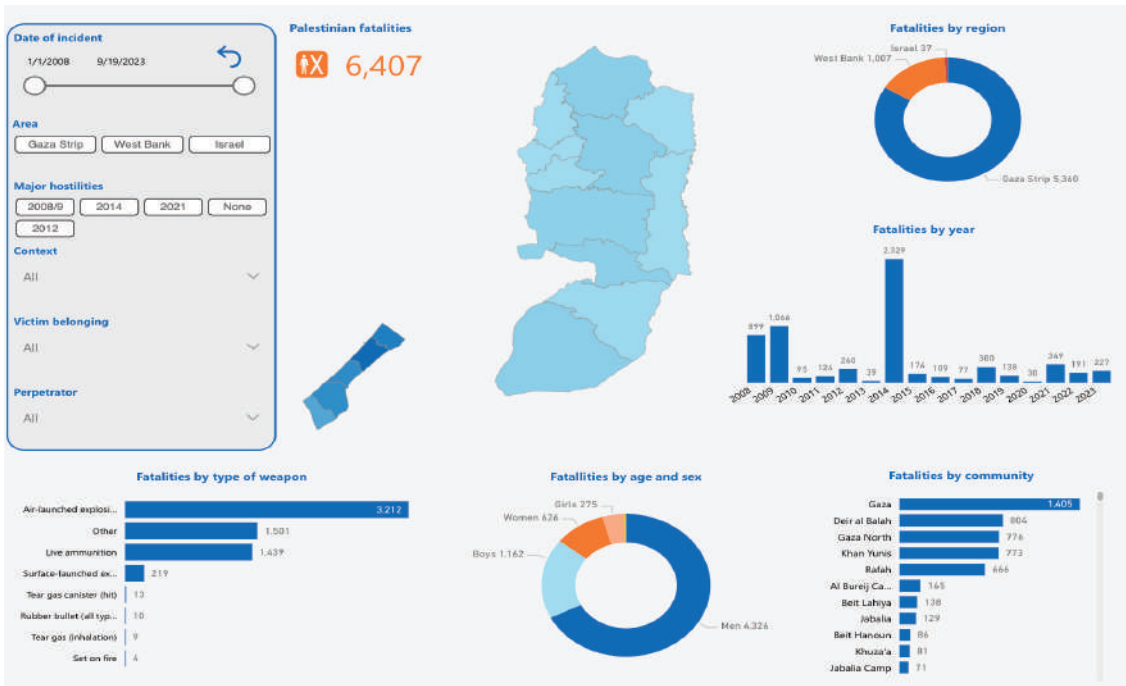


OPEN AIR PRISON

While Israel moved its army and its settlements out of Gaza in 2005, the people of Gaza have remained under siege in what has been described as the world’s largest open air prison. Israel maintains control of the borders (land and sea), and severely restricts all movement of goods and people in and out of Gaza.⁵



⁵ <https://www.ochaopt.org/data/casualties>



AERIAL BOMBING

Gaza has been bombed on multiple occasions and with the on-going siege there has been significant loss of Palestinian civilian lives. According to the UN, there was proven evidence of 5365 Palestinian fatalities from 2008 and 2023.³

HOLY AL AQSA MOSQUE BRUTAL ATTACKS

The ongoing and increasing violent attacks on Palestinians by the Israeli military and illegal Israeli settlers over recent months and the actions by settlers around the Al Aqsa mosque in Jerusalem has been highly provocative and devastating for the Palestinian people.



PRESS RELEASES | SPECIAL PROCEDURES

Israel: UN expert condemns brutal attacks on Palestinians at Al-Aqsa Mosque

06 April 2023

GENEVA (6 April 2023) – A UN expert today condemned the violent incursions by Israeli forces into the Haram Al-Sharif compound and the attacks on Palestinian worshippers at Al-Aqsa Mosque on Wednesday.

"As Palestinian Muslims gathered for Ramadan prayers exercising their right to worship in Al-Aqsa Mosque, Israeli authorities used blatantly excessive and unjustified force against them," said Francesca Albanese, the UN Special Rapporteur on the human rights situation in the Occupied Palestinian Territory.



Israeli forces attack Palestinian worshippers at Al-Aqsa Mosque during...

Watch >

Indiscriminate aerial bombings of Palestinian Civilians



Holy Al Aqsa Mosque attacks by Israeli military and Settlers



See here <https://www.youtube.com/watch?v=5DCW0ieiq54>

DENIED IDENTITY AS PALESTINIAN

The killing and bombing has significantly increased after the election of an extreme far-right Israeli government. To the extent that a prominent Minister of the far right coalition stated “there is no such thing as a Palestinian people”. The Jerusalem Post headlined the Finance Minister Bezalel Smotrich dismissing the existence of a Palestinian people. This can be found here. <https://www.jpost.com/israel-news/article-734835>



THE ISRAELI PM SHOWS MAP WITH NO PALESTINE

Then at the UN, the Israeli Prime Minister showed map of the Greater Land of Israel completely disregarding the Gaza and West Bank. There is no land for Palestinians in Netanyahu's map. Many countries, such as Germany criticised the Israeli Prime Minister⁶, but NZ remained silent on this matter.

Germany criticises Netanyahu over 'New Middle East' map without Palestine



Denied basic Human Rights and their Identity as Palestinians



Map with no Palestine



⁶ <https://www.middleeastmonitor.com/20230925-germany-criticises-netanyahu-over-new-middle-east-map-without-palestine/>

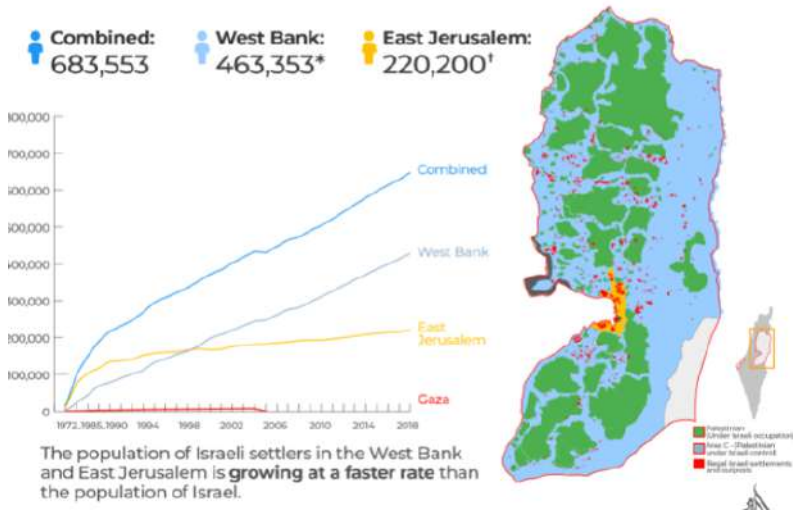
ISRAELI SETTLERS CONFISCATE PALESTINIAN LAND

ISRAEL/PALESTINE

Illegal Israeli settlements

Settlements are Jewish communities built on Palestinian land.

There are between 600,000 - 750,000 Israeli settlers living in at least 250 settlements in the occupied West Bank and East Jerusalem. **Israeli settlements are illegal under international law.**



OPPRESSION OF PALESTINIANS



In February, Amnesty International released a 280-page report showing how Israel was imposing institutionalised regime of oppression and domination against the Palestinian people wherever it exercised control over their rights, fragmenting and segregating Palestinian citizens of Israel, residents of the OPT and Palestinian refugees denied the right of return. Through massive seizures of land and property, and denial of nationality, among other inhuman or inhumane acts, Israel officials would be responsible for the crime against humanity which falls under the jurisdiction of the ICC.

In March, Israeli authorities re-enacted the Citizenship and Entry into Israel Law (temporary order) that imposes sweeping restrictions on Palestinian family unification between Israeli citizens or residents and their spouses from the OPT to maintain a Jewish demographic majority.

In July, the Israeli Supreme Court upheld a law authorising the interior minister to strip citizens of their citizenship if convicted of acts that amount to “breach of allegiances to the state”. Since its enactment in 2008, application of the law has only been considered against Palestinian citizens.

CHOOSING TO PROTEST AND RESIST THE INHUMANE CONDITIONS

It is the continued siege on Gaza for so many years and the control over every aspect of their daily lives and the sheer hopelessness of any freedom that has led to the resistance.

Increasing number of Israeli settlers taking over Palestinian land and evicting Palestinians with the help of the Israeli Defence Force.



Living an oppressed life with no hope



Inhumane conditions leads to resistance

THE HUMAN COST

The human cost of the conflict, according to the UN is as follows:

ISRAEL/PALESTINE

The human cost

Between 2008 and 2021, the conflict has killed **23 Palestinians for each Israeli** according to the UN.



At least **121,438 Palestinians** and **5,682 Israelis** have also been injured.

The human cost that the Palestinians have paid to be under Israeli occupation.

Palestinians have been let down by the international community.

This has led to the situation which continues to unfold daily.

4. NEW ZEALAND'S ROLE: A SUMMARY

Background

- New Zealand has a long standing interest in the conflict between Palestine and Israel and it has participated at key points in its history.
- NZ supported the partition of British Mandatory Palestine into two states (Palestine and Israel) in 1947 (UNGA 181). This was at a time when the Palestinian people accounted for 70 % of the population and owned 95% of the land. Partition was against the will of the Palestinian people living in Palestine.
- NZ supported membership of Israel to the UN, together with recognition of Israeli statehood, in 1949.
- NZ supported the UNGA invitation to the PLO to participate in matters relating to Palestine in 1974, it supported Palestine's 'non-member observer status' at the UN and finally it co-sponsored UNSC Resolution 2334 in 2016 – this Resolution specifically sought to halt Israeli settlement expansion in the West Bank and East Jerusalem.

The Oslo Peace Process (Two State Solution)

- NZ's foreign policy approach to the Conflict is centred on the 1993 Oslo Accords, signed between the Palestinian Authority and Israel. The Peace Process envisaged, within 5 years of signing, two states (one Palestinian and one Israeli) living side by side (including implementation of UNSC 242 - which covers such issues as a just solution to the Palestinian refugee issue) and subject to land swaps.
- Successive New Zealand governments and Foreign Ministers have spoken of supporting the Peace Process and the two state solution.
- Over the course of the Peace Process the ability to deliver a two state solution has been severely compromised by: the brutality of the military Occupation (1948 and again in 1967) in terms of - land confiscations, home demolitions, invasive search procedures, occupation walls and fences, military assaults, restrictions on movement, and almost daily killings by Israeli settlers and the Israeli Defence Force of Palestinian civilians. And in particular the rapid Israeli colonial settlement expansion in the occupied West Bank and East Jerusalem.
- UNSC 2334 (Clause 1):
'Reaffirms that the establishment by Israel of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace.'

5. MEDIA (MIS) PERSPECTIVE

AN IMPORTANT MATTER OF MEDIA PERSPECTIVE

At a time when social media is replete with mis and disinformation, we had hoped that the formal media in New Zealand would be balanced and accurate.

It saddens our community that the lessons of 15 March have not yet been learned. Whilst we have no control over the foreign media and their biased editorial policies, it is important that our own local media critically reviews overseas media before relating them locally.

1. Example of Inaccuracy : International News

NZ Herald on 12 October had a major headline of President Joe Biden “appeared to confirm” reports of beheading children.



Israel-Hamas war: Joe Biden calls reports of Hamas beheading children ‘campaign of pure cruelty’

It was later reported by the Washington Post, NBC and others that this claim by Biden was based on information from Israeli government and not independent reports. Even the Times of Israel stated that Biden had not confirmed this independently.

THE TIMES OF ISRAEL

White House: Biden has not seen or independently confirmed Hamas beheaded Israeli children

By TOI STAFF

12 October 2023, 3:39 am | 12



The White House clarifies that President Joe Biden and other US officials have not seen or independently confirmed that Hamas terrorists beheaded Israeli children.

"Unfortunately , NZ Herald never clarified this initial misreporting"

2 Example Unfair and Imbalance – New Zealand News

Even in the context of NZ news, we find that the media has been grossly unfair in its coverage.

On 13 October Radio New Zealand ran a very large and prominent newsreport over the closing of Jewish school and synagogues in NZ.

This is legitimate news and covered by other media including NZHerald.



NEW ZEALAND / POLICE

Jewish school, synagogues in NZ closed over Hamas statement

7:05 pm on 13 October 2023

Share this     

All synagogues and the one Jewish school have been closed over security concerns, the Jewish Council says.

The only Jewish primary school in the country and all synagogues are closed due to fears of anti-Israel protests.

Jewish Council spokesperson Juliet Moses said it was not aware of any specific threats.

She said the decision was made in consultation with the police and the community.

"There are no specific threats that I am aware of in New Zealand.

"It was a community decision, but it's based on the fact that the former leader of Hamas put out a statement declaring today 13 October, the 'day of jihad' or 'day of rage' around the world. So based on that and our concerns and I guess a 'better safe than sorry' approach, the decision was made.

"The only other time that that has happened was directly after the [Christchurch] mosque attacks."

Earlier this week RNZ reported that police were patrolling mosques and synagogues as they monitored the ongoing conflict in Gaza.

Police said they had not asked the Jewish community to close centres or cancel events. They have however been in talks with community leaders.

On the same day all, the Muslim community received the following threat to all its mosques with the image of the 15 March terrorist.



No journalist bothered to check with the Muslim community. We were subject to threats - "Grab a gun.. make a visit to ur local mosque"

CREDIT TO NZSIS, Police and DIA

Within 24 hours of reporting this threat, which was sent widely to Muslim community leaders, our above security agencies were able to suspend the account which was located overseas and are now trying to identify the source of the threat.

The NZ media was absolutely silent to our knowledge .

6. NZ'S MISSING DIPLOMATIC MESSAGE

Switzerland: Israel's response should be proportionate and abide international humanitarian law.⁷



Swiss foreign minister says Israel's reaction should be 'proportionate'

Reuters
October 14, 2023 2:27 AM GMT+13 · Updated 16 hours ago



Switzerland's Foreign Minister Ignazio Cassis addresses the closing session on the second day of the Ukraine Recovery Conference in London, Britain on June 22, 2023. Helen Nicholson/Pool via REUTERS/PA Photo Agency/Agence France Press

GENEVA, Oct 13 (Reuters) - Switzerland's foreign minister said on Friday that Israel had the right to defend itself following a deadly attack by Hamas but said its response should be "proportionate", at a briefing where he also confirmed the death of a Swiss-Israeli national.

"What we are doing is calling for international humanitarian law to be respected while recognising Israel's legitimate right to defence," Ignazio Cassis told a news briefing in response to a question about a possible ground invasion of the Gaza strip.

NATO – Secretary General Israel's response should be proportionate and prevent the loss of innocent civilian lives⁸



NATO's Stoltenberg says he expects Israel to respond proportionately to Hamas attack

Reuters
October 12, 2023 5:46 AM GMT+13 · Updated 3 days ago



NATO Secretary General Jens Stoltenberg speaks during a press conference on the third day of the International Advisory Panel and World Bank annual meeting, at Maracah, Morocco, October 11, 2023. REUTERS/Thomas Uebe/Agence France Press

BRUSSELS, Oct 11 (Reuters) - NATO's Secretary General Jens Stoltenberg said on Wednesday that while Israel has the right to defend itself against attacks, he expects the response to Hamas' weekend assault to be proportionate.

"I expect that of course when we see Israel responses it will be proportionate and it is important as this conflict continues to do whatever is possible to prevent the loss of innocent civilian lives", he told reporters.

7 <https://www.nzherald.co.nz/nz/election-2023-winston-peters-claims-maori-are-not-indigenous-during-nelson-meeting-with-nz-first-supporters/ZCEBFEUDZJGHXA2SY4KGFETIQ/>

8 <https://www.middleeastmonitor.com/20230925-germany-criticises-netanyahu-over-new-middle-east-map-without-palestine/>

Ireland: Israel should have proportionate response⁹



Minister urges 'proportionate' response from Israel to 'outrageous' Hamas attack

IRELAND



New Zealand



MISSING MESSAGE

New Zealand seems to have forgotten its international humanitarian and Rule of Law stance by not urging proportionate response by the Israelis... like many other western governments.



⁹ <https://www.breakingnews.ie/ireland/minister-urges-proportionate-response-from-israel-to-outrageous-hamas-attack-1536457.html>

7. OUR FINAL PLEA

While the international community says it supports the peace process and a two-state solution, the reality is that the Palestinian right to self-determination has not been backed up by action, including by successive New Zealand governments. The Palestinian situation has been made intolerable by the rapidly expanding illegal settlements in the Occupied Territories

In relation to the present crisis, the NZ government should advocate for and facilitate humanitarian relief. The focus should be on the creation of humanitarian corridors for the provision of basic necessities (food, water, medicine, electricity).

We also ask for the urgent appointment of teams of independent observers to provide real time information on what is occurring on the ground - as well as the collation of evidence for later ICC judicial process.

We ask that the New Zealand government also look to the issuance of humanitarian visas for evacuees from the conflict zone, similar to those issued during the war in the Ukraine.

We implore that our government call for an urgent refocus on the two-state solution at the UN General Assembly. FIANZ calls for urgent action from the international community, including the New Zealand government, in support of the peace process and the realisation of Palestinian self-determination, within its own state. This is the only long-term solution to resolving this conflict.



SINCE 1979