



March 27, 2014

**The Anti-Israeli BDS campaign: an argument in the New York Times following an article by Omar Barghouti, a Palestinian activist, one of the leading personalities of the BDS campaign. The argument exposes the BDS' genuine objectives, as well as the limitations of its real influence.**



Omar Barghouti, Palestinian activist from Ramallah, one of the BDS founders and a leading campaign personality (YouTube.com)

## Overview

1. The New York Times recently provided a platform for an international discourse on the BDS. The **BDS (boycott, divestment [of investments] and sanctions against the State of Israel)** is a campaign currently being waged to boycott the State of Israel, its institutions, universities, leadership, economy and culture, to withdraw investments and impose sanctions. The BDS campaign was initiated at the First Durban Conference (the so-called "World Conference against Racism"), held in Durban, South Africa, in 2001.
2. **The BDS' ultimate goal is to cause the collapse of the State of Israel** through branding it an "apartheid state" and calling for public opinion and governments to boycott Israel and impose sanctions on it. **The BDS is an integral part of the global**

**campaign to delegitimize Israel currently being waged (mainly in the West) led by networks and activists affiliated with the far left and radical Islam. The networks collaborate closely with Palestinian activists and NGOs in Ramallah and act within the BNC, the "BDS National Committee," which plays a main role in the BDS campaign** (For information about the BDS and BNC, see **Appendix C**).

3. The New York Times provided a platform for Omar Barghouti following the BDS campaign's recent pinpoint achievements, especially in Europe, which brought the issue to public attention. The debate in the New York Times began on January 31, 2014, with an op-ed article by Omar Barghouti, one of the leading personalities of the BDS and delegitimization campaigns being waged against Israel. His world view is based on striving for the collapse of the State of Israel, returning the Palestinian refugees and establishing a Palestinian Arab state to replace Israel. He tries to inculcate that worldview, which is at the root of the BDS campaign, into Western public opinion, especially in the United States, with articles, a book about the BDS and lectures, **repeatedly branding Israel an "apartheid state."** To that end he **uses Western human rights terminology** and makes extensive use of the terms "freedom," "justice," and "human rights" for the Palestinians (For a profile of Omar Barghouti, see **Appendix B**).

4. The op-ed article by Omar Barghouti made vague references to the genuine objectives of the BDS campaign, while emphasizing slogans familiar from human rights discourse. The article led to a strong response from **Roger Cohen**, an American Jew and a columnist for the New York Times who has been severely critical of Israeli government policies regarding the Palestinians. Cohen wrote that he did not trust the BDS campaign, which, he said, had a "hidden agenda" which was the destruction of the State of Israel through the campaign's "unacceptable subterfuge: beguile, disguise and suffocate." He also wrote that "anti-Zionism can easily be a cover for anti-Semitism." Cohen's strong reply to Barghouti ignited a fierce argument between supporters and opponents of the BDS campaign in the pages of the New York Times.

5. Roger Cohen's uncompromising objection to the BDS campaign is **consistent with the broad objections voiced by governments, groups and public figures in the Western countries.** Well-known American Jews join in opposing the BDS campaign, including those who strongly object to Israeli policies regarding the Palestinians (Thomas Friedman, Norman Finkelstein), as well as those who defend Israel (Alan

Dershowitz). In fact, most Western politicians, administration members, media personnel and academics **support the concept of two states for two peoples**. However, they make a **clear distinction between strong criticism of Israel's policies regarding the Palestinians and joining a campaign which seeks to subvert Israel as a Jewish state by using slogans and tactics taken from human rights discourse**.

6. **During the past year the BDS campaign had limited pinpoint achievements in imposing economic, cultural and academic boycotts**, which its activists are trying to use as leverage to glorify and extend the campaign. BDS activists expressed their satisfaction in a report issued in January 2014 summing up the results of the campaign in 2013 and looking forward to the achievements of 2014. They claimed that in 2014 the BDS campaign would **"step further into the political mainstream and see major institutions join the boycott"**. However, examination of the long-term results of the campaign on Israel's economic, political and cultural development clearly indicate that **its efforts to isolate the State of Israel and boycott its institutions, economy, culture and leaders have so far been unsuccessful**. Quite the opposite, Israel's trade with Western Europe, including Britain, increased over the past ten years despite the BDS campaign. In addition, likening Israel to the apartheid regime in South Africa has been unacceptable to the international community and **for the most part it has remained the province only of fringe groups of extremists hostile to Israel**.

7. According to the available data, **the BDS campaign has not harmed Israel's economy, politics or culture, but rather has smeared its image**. That is, the delegitimization discourse and branding Israel as an "apartheid state" have begun to infiltrate from extremist anti-Israeli leftist and Islamist fringe groups into the leading international media and social and political centrist strata in the West. **The very fact that a public discussion about the BDS campaign was held on the pages of the New York Times, and the remarks made by the prime minister of Israel and senior figures in the United States about the BDS, are themselves an achievement for the campaign,**<sup>1</sup> which its organizers are trying to exploit. However, Roger Cohen's strong response illustrates the limitations of the BDS's power in the

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<sup>1</sup> One example was the statement of Ms. Rafif Zyada, a BNC spokesman, who said that the Israeli Prime Minister Benjamin Netanyahu made a "desperate attack" on the BDS when European pension funds put Israeli companies and banks on their black lists, Israeli concert organizers are finding it increasingly hard to convince performers to appear in Israel and governments are beginning to represent it as violating international law.

United States, and in other Western countries. Those limitations are the result of its **genuine objective, which is the destruction of the State of Israel**, which Omar Barghouti glosses over and tries to hide. To overcome their limitations, BDS activists may try to **exploit political opportunities** with the cooperation of Western NGOs, for example, **in a scenario in which Israel will be accused of the failure of the Israeli-Palestinian negotiations.**<sup>2</sup>

8. This study contains four appendices:

- 1) **Appendix A** – Argument over the BDS campaign waged on the pages of the New York Times
- 2) **Appendix B** – Profile of Omar Barghouti, a cofounder and a leading personality the BDS campaign
- 3) **Appendix C** – The BDS campaign and its results to date
- 4) **Appendix D** – "Ten Reasons Why the BDS Movement Is Immoral and Hinders Peace," by Alan Dershowitz.

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<sup>2</sup> The London-based Arabic paper **Al-Sharq Al-Awsat** published a study of the BDS which ended by saying that "considerable time will have to pass before it is clear whether the BDS was only background noise or if it can push Israel into a bottleneck and increase its isolation. **That will depend on the success or failure of the Israeli-Palestinian negotiations, whose details can be expected to be made public by Kerry in the coming weeks**" (El-Hasad, a weekly supplement of Al-Sharq Al-Awsat, February 26, 2014) (ITIC emphasis).

## Appendix A

### Argument over the BDS Campaign Waged on the Pages of the New York Times

#### The Op-Ed Article by Omar Barghouti

1. Omar Barghouti is an anti-Israeli Palestinian activist in Ramallah, a cofounder and one of the prominent leaders of the BDS campaign (A profile of Omar Barghouti appears in Appendix B). **The BDS is an international campaign waged mainly in West countries whose overt objective is to brand Israel as an "apartheid state" and to promote an international boycott of its institutions, leaders, economy and culture.** Its genuine objective is to create a dynamic that will lead to the withering and eventual collapse of Israel, falsely comparing Israel to the apartheid regime in South Africa which collapsed (For an analysis of the nature of the BDS, see Appendix C). Omar Barghouti often visits the United States, is in contact with anti-Israeli activists and networks and seeks to exploit the American media to promote the BDS' objectives.

2. Two months ago **the New York Times served as a respectable platform for airing an international argument regarding the BDS campaign.** It began with an article by Omar Barghouti published on January 31, 2014, called "**Why Israel Fears the Boycott.**"<sup>3</sup> Its main points were the following;

1) The article quoted American Secretary of State John Kerry who warned in August 2013 that "if attempts to revive talks between Israel and the Palestinian Authority fail because of Israel's continuing construction of illegal settlements, the Israeli government is likely to face an international boycott 'on steroids.'" It then gave a short description of the declared aims of the BDS campaign: the end of Israel's 1967 "occupation,"<sup>4</sup> the end of Israel's 1967 occupation, "recognizing the fundamental rights of the Arab-Palestinian citizens of Israel to full equality," and the right of Palestinian refugees to return to the homes and lands from which they

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<sup>3</sup> [http://www.nytimes.com/2014/02/01/opinion/sunday/why-the-boycott-movement-scares-israel.html?\\_r=0](http://www.nytimes.com/2014/02/01/opinion/sunday/why-the-boycott-movement-scares-israel.html?_r=0)

<sup>4</sup> The mention of 1967, in our assessment, was intended to **mislead the American reader** to hide the BDS campaign's genuine objectives. In other statements Omar Barghouti does not mention the "1967 occupation." However, he rejects the two-state concept, seeks to establish one Arab-Palestinian state and does not mention exactly when the so-called Israeli occupation began. The tactic, which is characteristic of the BDS, in our assessment indicates its fundamental lack of credibility, which is noted by Roger Cohen in his response (See below).

were "forcibly displaced and dispossessed" in 1948. Omar Barghouti strongly rejected the suggestion that the BDS movement was anti-Semitic in nature.

2) According to the article, Israel's government is "terrified" and has shown "anxiety" at the spread of the BDS campaign. He finds justification for his opinion in a remark made by Israeli Prime Minister Benyamin Netanyahu in June 2013, who called it the "delegitimization" movement and assigned responsibility for countering to the Strategic Affairs Ministry – for Omar Barghouti, that was tantamount to Netanyahu's calling the BDS a strategic threat. However, he claimed, the BDS did not pose an existential threat to Israel, rather, it posed a challenge to what he called "Israel's system of oppression of the Palestinian people, which is the root cause of its growing worldwide isolation."

3) He claimed that Israel feared the BDS for several reasons: the increasing number of American Jews who oppose its policies, reject its tendency to speak on their behalf and have joined the BDS campaign; the negative impact the BDS has had on Israel's standing in world public opinion; the endorsement American academic institutions' joining an academic boycott of Israel; and the campaign's impact on Israel's economy. He also claimed that the BDS movement's call for full equality in law and policies for the "Palestinian citizens of Israel" was particularly troubling for Israel because, he said, it questioned Israel's self-definition as a Jewish state.

4) He ends the article by saying that, Israel is the only country in the world which "does not recognize its own nationality [Israeli, not Jewish], which would give equal rights to all its citizens. Thus he rejects the claim that the BDS, which he claims is anchored in "universal principles of human rights," aims to destroy Israel. He ends by asking if justice and equal right would destroy Israel, and if equality destroyed the American South or South Africa. All they destroyed, he claimed, was "the discriminatory racial order." Thus his conclusion is that **"...only Israel's unjust order is threatened by boycotts, divestment and sanctions."**

## Roger Cohen's Response to Omar Barghouti<sup>5</sup>

3. On February 10, 2014, **Roger Cohen** wrote a response to Omar Barghouti's article, entitled "**The BDS Threat.**"<sup>6</sup> **It openly attacked Omar Barghouti's positions and completely rejected the objectives of the BDS campaign**, from the point of view of someone who called himself "a strong supporter of a two-state peace." Cohen, usually highly critical of Israel's policies in the Palestinian issue, made the following points (ITIC emphases):

1) Cohen asserts that he is " a strong supporter of a two-state peace." He calls for an end of the Israel's occupying all the land from the Jordan River to the Mediterranean Sea and the "withering" of the idea of a Greater Israel.

2) In view of the above, he openly states, "**I do not trust the BDS movement.**" He is particularly critical of Omar Barghouti's demand to return the hundreds of thousands of Palestinians driven out in the 1948 war (whose descendants now number in the millions) which "cannot be exercised..." The "right," he says, is in fact a claim," **and if implemented would mean the end of the State of Israel as a Jewish state. That, he says, is the BDS's hidden agenda, "its unacceptable subterfuge: [to] beguile, disguise and suffocate," and thereby destroy Israel.**

3) According to Cohen, the anti-apartheid movement in South Africa was unambiguous. "People affiliated with divestment in South Africa had no agenda other than the liberation and enfranchisement of an oppressed majority." This is not the case in Israel, where the triple objective of B.D.S. would..."**doom Israel as a national home for the Jews.**" "**Mellifluous talk of democracy and rights and justice,**" he says, "**masks the B.D.S. objective that is nothing other than the end of the Jewish state** for which the United Nations gave an unambiguous

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<sup>5</sup> **Roger Cohen's** family is originally from London, where he was born in 1955. His father emigrated from South Africa to London in the 1950s. Roger Cohen went to Oxford and has an Masters Degree in history. He began writing for a local newspaper in Paris and for Reuters, and from there moved to Brussels. In 1983 he joined the staff of the Wall Street Journal in Rome and covered the Italian economy. Later on he went to Beirut. In 1990 he joined the staff of the New York Times and covered European economics, and from there he went to Paris. He was appointed head of the Balkan desk and covered the war in Bosnia. He returned to Paris, and from there moved to Berlin. He was appointed New York Times editor of foreign news and today has his own op-ed column. **He has been highly critical of the policies of Israel governments.** He has often called for the dismantling of the Jewish settlements in Judea and Samaria and the lifting of the so-called "siege" of the Gaza Strip. He supports the internal Palestinian reconciliation between Hamas and Fatah. He was criticized by the Obama administration because of his positions. He also opposed Operation Cast Lead and accused Israel of killing hundreds of Palestinian children. On March 8, 2009, he wrote that Israel's actions had made him more ashamed than he had ever been in his life.

<sup>6</sup> [http://www.nytimes.com/2014/02/11/opinion/cohen-the-bds-threat.html?\\_r=0](http://www.nytimes.com/2014/02/11/opinion/cohen-the-bds-threat.html?_r=0)

mandate in 1947. **The movement's anti-Zionism can easily be a cover for anti-Semitism."**

4) Cohen also said that to think that "a binational and democratic secular state [could resolve Israeli-Palestinian] differences" was an "illusion," a "one-state pipe dream." The fault lines, he said, "are too deep. A single state cannot mark its Day of Independence and Day of Catastrophe on the same date." **"One state," he said, "however conceived, equals the end of Israel as a Jewish state, the core of the Zionist idea. Jews must not allow this to happen."** "There cannot," he continued, "be a reversal of history... **A Jewish national home is needed. History demonstrated that.**" However, he added that Israel had to withdraw to the 1967 Green Line. "West of that line," he said, "Israel is a democracy affording greater minority rights than other regional states."

## Omar Barghouti's Response to Roger Cohen<sup>7</sup>

4. **On February 11, 2014, Ali Abu Nimah,<sup>8</sup> who runs the Electronic Intifada** website, posted Omar Barghouti's response to Roger Cohen's article. Omar Barghouti attacked Cohen, calling him **"a bigot, not a liberal."**

5. Barghouti claimed that Cohen's support for the "racial and exclusionist" regime [i.e., Israel] is based on a racist ideology "categorically incompatible with liberalism, which at the very least assumes equal rights for all humans irrespective of identity. Anyone who argues that Palestinians must continue to be denied their basic rights under international law, including...the inalienable right of refugees to return to their homes, in order to preserve Israel's right to exist as a racist state,...**is a bigot, not a liberal**" (ITIC emphasis). According to Abu Nimah, "Cohen's column comes amid a sudden spate of high-level panic about the BDS movement." He also claims that Roger

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<sup>7</sup> <http://electronicintifada.net/blogs/ali-abunimah/ny-times-roger-cohen-bigot-not-liberal-says-omar-barghouti>

<sup>8</sup> **Ali Hassan Abu Nimah** was born in Washington in 1971. His childhood was spent in Britain and Belgium. His mother was a Palestinian from the village of Lifta (near Jerusalem) and she became a refugee in 1948. His father is from the village of Battir (west of Bethlehem) and he served as a Jordanian diplomat to the UN. Abu Nimah went to Princeton and Chicago Universities and has been a social activists since his studies. He is one of the founders of the **Electronic Intifada** (2001). The site deals with the Palestinian issue, human rights and political activism with an approach hostile to Israel. Abu Nimah wrote a book called *One Country* and an article in 2009 called "Israeli Jews and the One-State Solution" in which he rejected the two-state solution. He supports the establishment of one democratic Palestinian state instead of the State of Israel, which will "take into account" the interests of the Israel's Jewish population. He objects to Zionism, which he calls a dying project.

Cohen rejects equal rights for the Palestinian to preserve Jewish supremacy in the State of Israel.

## Other Responses in the New York Times

6. Omar Barghouti's article and Roger Cohen's response led to an exchange of opinion in the New York Times, with letters written by readers from the United States, Israel and the PA (February 18, 2014).

7. In our assessment the responses can be divided into **three categories**: **support for the BDS** in letters written by people who denied that the campaign was anti-Semitic, but rather targeted Israel's policies of "discrimination" and claimed to be in favor of the "right" of the Palestinians refugees to return to their "homeland." Another was **opposition to the BDS** in letters written by people who, like Cohen, felt the campaign was not only aimed at ending the occupation of the West Bank, but that **its objective was to destroy Israel as a Jewish state**. Third fell between the two, written by people whose position was more complex. They were in favor of the State of Israel as the Jewish national homeland but viewed the BDS campaign as an effective way to force Israel to withdraw from the territories it occupied in 1967.

## Other Examples of American Jewish Criticism of the BDS Campaign

8. Roger Cohen's harsh criticism of the BDS campaign has also been expressed by American Jewish public figures, both supporters and opponents of Israeli government policies, who refuse to support a campaign which seeks to destroy the State of Israel, and are not tempted by the slogans taken from human rights discourse. For example:

1) **Norman Finkelstein**, an academic who is strongly critical of Israeli policy towards the Arabs, fiercely attacked the BDS campaign, calling it a "cult of dishonest gurus." He made the statement during an interview with an anti-Israeli activist named Frank Barat conducted at Imperial College, London, in February 2012. Finkelstein attacked the hypocrisy of the BDS organizers, saying that their slogans about the "right of return" of the Palestinian refugees and the equal rights of Israeli Arabs were only **a cover for subversive activities to destroy the State of Israel**. In response to the BDS claim of many victories he held up both hands and said, "BDS makes all these claims about their victories. You see these ten

fingers? These more than suffice to count all their victories... **It's just a cult where the guru says 'we have these victories' and everybody nods their head.** I see Veolia<sup>9</sup> mentioned 20 times a year. They keep repeating it as if it's a new victory. Yes, BDS has had some victories, but the way people promote it as if it's proven itself – **it's just sheer nonsense**" (ITIC emphasis).<sup>10</sup>

**2)** On February 18, 2014, **Thomas Friedman**, who also writes for the New York Times, wrote an op-ed column entitled "Breakfast Before the MOOC."<sup>11</sup> It is about Hossam Haick, an Israeli-Arab professor at the Technion, Israel's institute of technology, who is about to give an open online course for students throughout the Arab-Muslim world in nanotechnology and nanosensors. In the column Friedman, an unrelenting critic of Israeli policy, **criticizes the BDS** (ITIC emphases) as follows: " I know what some readers are thinking: nice bit of Israeli propaganda, now could you please go back to writing about Israel's ugly West Bank occupation. No. **This story is a useful reminder that Israel is a country, not just a conflict,** and, as a country, it's still a work in progress. It has its lows, like the occupation and economic discrimination against Israeli Arabs, and its highs, like the collaboration between Haick and the Technion, which is providing a tool for those in the Arabic-speaking world eager to grasp the new technologies reshaping the global economy. **Those, like members of the B.D.S. — boycott, divestiture, sanctions — movement who treat Israel as if it is only the sum of how it deals with the West Bank and therefore deserves to be delegitimized as a state, would do well to reflect on some of these complexities.**"

9. **Alan Dershowitz**, one of Israel's most dedicated defenders but a severe critic of Israel's policies regarding the Jewish settlements in Judea and Samaria, wrote an article entitled "**Ten Reasons Why the BDS Movement Is Immoral and Hinders Peace**" (See Appendix D for the full text of the article.)

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<sup>9</sup> Veolia is a global French company that participated in building the light railway in Jerusalem, and is in the crosshairs of the BDS campaign (See below).

<sup>10</sup> <http://www.thejc.com/news/uk-news/63662/finkelstein-disowns-silly-israel-boycott>

<sup>11</sup> [http://www.nytimes.com/2014/02/19/opinion/friedman-breakfast-before-the-mooc.html?\\_r=0](http://www.nytimes.com/2014/02/19/opinion/friedman-breakfast-before-the-mooc.html?_r=0)

## Appendix B

### Profile of Omar Barghouti, a cofounder and a leading personality the BDS campaign



Omar Barghouti (Al-Talea, Kuwait, October 30, 2013).

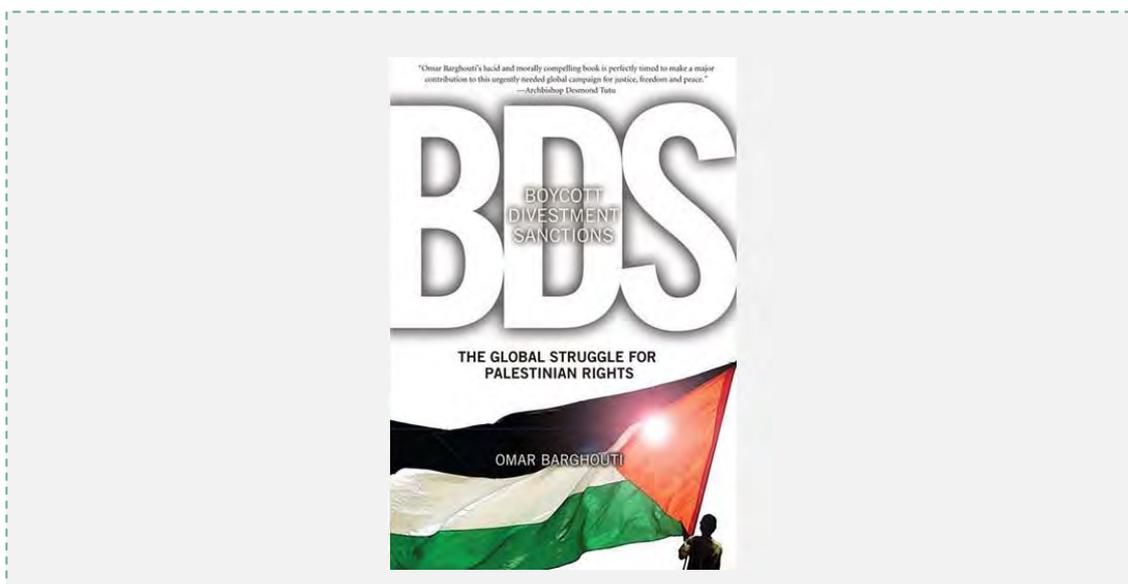
1. **Omar Barghouti** is an anti-Israeli Palestinian activist from Ramallah and a cofounder and leader of the BDS campaign, **an international campaign to boycott the State of Israel**. He is also **one of the leading personalities of the international campaign to delegitimize Israel, into which the BDS is integrated**.
2. Omar Barghouti was born in Qatar in 1964. As a child he lived in Egypt and moved to the United States where he lived for eleven years. After graduating from Columbia University he moved to Ramallah, **from where he works intensively to promote the BDS campaign in the West and the Arab world**. He is related to Fatah's **Marwan Barghouti** (who is currently serving a term of life imprisonment in Israel for his involvement in terrorist attacks during the second intifada) and **Mustafa Barghouti** (a leftist Palestinian activist also involved in the BDS campaign and a central figure in the "popular resistance" in Judea and Samaria). Omar Barghouti's brother, **Dr. Nasser Barghouti**, lives in San Diego, California.

3. Omar Barghouti has two degrees in electrical engineering from Columbia University, New York. He is deeply involved in the American academic scene, participating in human rights activities and social networks. **His determined and aggressive activities to boycott Israel, including the campaign to boycott Israeli academic institutions, did not keep him from studying at Tel Aviv University.** According to the biography which appears in his book, **he has an MA in philosophy from Tel Aviv University.** He began studying for a doctorate in 2009, but did not finish. He has published articles and a book and collaborated in many dealing with the BDS campaign and what he calls "Israeli apartheid."

4. **Omar Barghouti is important in directing the Palestinian campaign to boycott Israel.** He is a key figure in a group of academics and intellectuals in Ramallah, the "Palestinian Campaign for the Academic and Cultural Boycott of Israel" (PACBI), founded in 2004 to attract international attention and activity for the economic, cultural and academic boycott of Israel. PACBI joined the BDS campaign in 2005. In November 2007 Omar Barghouti was the moving spirit behind the founding of the **BNC, the BDS Campaign National Committee** based in Ramallah.

5. **Omar Barghouti often visits Arab and Western countries** (especially the United States) to promote BDS activities. He makes extensive use of the Internet (YouTube) and the media in general to disseminate vicious anti-Israeli hate propaganda, hiding behind the cloak of activities for the sake of equality and human rights.

## Omar Barghouti's World View



The BDS promotes a boycott of Israel (Omar Barghouti's Facebook page)

6. **Omar Barghouti is in favor of a democratic Palestinian state to replace the State of Israel. He strongly opposes solving the Israeli-Palestinian problem based on the concept two states for two peoples and rejects the existence of the State of Israel as the national homeland of the Jews.** The Palestinian state should give, in his opinion, the "right of return" to the Palestinian refugees who fled in 1948 and restore their lands and homes to them. **He regards the "right of return" and giving the returning Palestinians political rights as the core of the "solution" to the "Palestinian problem" and achieving "Palestinian rights."**

7. Omar Barghouti is one of the leaders of the campaign to delegitimize Israel and **often brands Israel as an "apartheid state," accusing it of the "ethnic cleansing" of the Palestinian population.** Speaking before Western audiences he extensively uses slogans acceptable to the Western worldview, such as "democracy," "justice" and "restoring the rights of the Palestinians." On the other hand, he hides the BDS campaign's true objective, which is the destruction of the State of Israel as a Jewish state (as Roger Cohen correctly defined it, as "the hidden agenda of the BDS campaign" in his article in the New York Times).

8. **Omar Barghouti supports the armed terrorist campaign against Israel,** although he does not often publicly admit it. Interviewed by Al-Adab (a Palestinian literary magazine, November-December 2010 issue), he was asked if he supported the

ending of the Palestinians armed resistance. He answered, "**No, we most definitely have a moral and legal right to an armed resistance against the military occupation of our land, even according to international law, as long as we attack legitimate targets, that is, the occupation, settlers [i.e., Israeli civilians] and people who are armed. We don't attack anyone who doesn't fight indiscriminately...the resistance is not an ideology or dogma. We cannot be neutral, but have to think about ways to resist that are suitable for our situation and goals, at every stage [of the struggle against Israel]...**"

## **Examples of Activities Undertaken by Omar Barghouti to Promote the BDS Campaign**

9. Omar Barghouti is active in promoting the BDS campaign in the West, especially the **United States and Britain**. Some examples are the following:

1) In **March 2009** he gave a lecture at the **University of Ottawa, Canada, during "Israeli apartheid week."** He represented is as an "**apartheid country, " racist and colonialist, and as killing Palestinian children and "guilty of war crimes."**

2) In **November 2009** he gave a lecture the **University of Minnesota, USA**, at the invitation of an American anti-Israeli organization called "Teachers against the Occupation."



Omar Barghouti at the University of Minnesota (Vodpod.com).

3) On **December 7, 2009**, he participated in a **conference in London** and **advocated an academic boycott of Israel**.



Omar Barghouti (far right) at the conference in London, December 7, 2009. Standing (far left) is Tom Hickey, a British activist in the academic campaign to boycott Israel (YouTube.com).

4) In **March 2010**, during a visit to the United States, he was interviewed by a leftist American Internet site called **Democracy Now**. He claimed that **many Jews around the globe, including in the United States, supported the BDS campaign against Israeli "apartheid" and "colonialism"** (Democracynow.org, March 4, 2010).

5) In **May 2010** he **visited Rome** and participated in an event calling for an **academic and cultural boycott of Israel**. It was organized by a group called "The Roman Network for Solidarity with the Palestinian People," and attended by 80 people (Mondoweiss.net).

6) In **January 2012** he held a book tour on the West Coast to promote his book about the BDS. During a lecture in Oakland, California, he spoke about the link between the United States and Israeli arms manufacturers, claiming that Israel's conduct as a military state enabled the increase in clients for American arms manufacturers. He said Israel used American weapons against Palestinians and that the United States should stop selling weapons to Israel (Mondoweiss.net, January 10, 2010).

7) On **February 7, 2013**, he appeared at Brooklyn College, invited by the Department of Political Science. He called for a **one-state solution to the Palestinian problem, involving the return of all the refugees to Israel**.

8) On **January 15, 2014**, he visited UCLA, the guest of a group called "Students for Justice in Palestine." He said that the BDS had been inspired by the heroic legacy of Martin Luther King and Nelson Mandela, and that he opposed apartheid. He claimed that his call for a boycott of Israel was based on the boycott of the apartheid regime of South Africa. A compromise that would lead to a peace agreement was, he said, unacceptable **because it would not include the return of the eight million Palestinian refugees living in the Middle East** (Jewishjournal.com, January 15 2014).

## Omar Barghouti's Book about BDS

10. In 2011 Omar Barghouti published a book called ***Boycott, Divestment, Sanctions: The Global Struggle for Palestinian Rights***. It was published by Haymarket Books and became available in the United States in April 2011. To promote sales and disseminate the idea of the BDS he held book tours in Europe, particularly Britain, and the United States.

11. In **Britain** he held a book launch at a London bookstore where he accused Israel of "war crimes" and called for it to be treated like any other country that had committed war crimes. He represented the regional upheaval (which at the time was just beginning) as the common denominator for the Arab world and the Palestinians in their struggle for self determination and liberty (From a video produced by INMINDS, an Islamic network in London that promotes BDS activities).



From Omar Barghouti's book tour in Britain (INMINDS.com)

12. In the **United States** his public relations tour to promote the book included visits to **leading American universities**. In Washington, DC, he went to the Busboys and Poets coffee shop on Fifth Street, a favorite haunt of leftist activists. On April 15, 2011, 250 activists gathered at the coffee shop and collected letters for residents of the Gaza Strip which were to be delivered by the flotilla being organized at the time.

## Statements by Omar Barghouti in Arab Forums

13. **Omar Barghouti regularly promotes the BDS campaign and denounces Israel in the Palestinian, Arab, and even Israeli-Arab media. He usually expresses himself more clearly than when addressing Western audiences, for whom he glosses over the true objectives of the BDS campaign. He also customarily exaggerates the extent and achievements of the BDS campaign.** For example:

1) **At a press conference held in Ramallah** he claimed that at its last meeting the government of Israel allotted \$3 million to counteract the campaign. He claimed that Israel persecuted BDS activists, and that the campaign, which was launched in 2005, had 170 Palestinian institutions as members in addition to supporters and activists affiliated with it (Al-Safir, February 18, 2014).

2) Interviewed by **the Arab-Israeli Internet site Bokra**, he claimed that international companies were not boycotting Israel but rather Israeli projects. Therefore, he claimed, **it was time to concentrate on boycotting Israel itself**. He claimed Israel would lose enormous amounts of money from boycotts after the negotiations (Bokra.net, February 4, 2014).



Omar Barghouti (Bokra.net, February 4, 2014)

3) Interviewed by Fasel Mackal, **a newspaper published in Shefa-'Amr** (a large town in northern Israel), Omar Barghouti claimed that during the past two years the BDS movement had had several successes in the spheres of Israel's economy, culture and initiatives. He said that "it is a popular, civilian, Arab and global resistance movement based on international law." He claimed Israel felt threatened by the BDS and therefore in 2013 Israeli Prime Minister Benjamin Netanyahu had transferred the "war" on the campaign from the ministry of foreign affairs to the ministry of strategic affairs. He claimed that the objective of the BDS movement was the right of self-determination for the Palestinian people by **"ending the Israeli occupation which began in 1967, ending the apartheid regime in the territories of 1948, and making it possible for the Palestinian refugees to return to the property they abandoned in 1948"** (Arabs48.com, February 1, 2014).

4) Interviewed by **the Kuwaiti newspaper Al-Ra'i**, Omar Barghouti claimed that the goal of the campaign, with its allies in Kuwait, was to influence Kuwaiti civilians and companies to boycott Israel and not invest in various international companies owned by Israel. He claimed that Israel marketed its manufactured goods to Kuwait under false names. In addition, **he accused the Palestinian Authority (PA) and its senior figures of making it possible for Israel to exploit them as a bridge to normalize relations with the Arab world** (Al-Ra'i, Kuwait, November 7, 2013).

5) Interviewed by the **Kuwaiti TV station Al-Adala**, he said he had come to Kuwait to disseminate the BDS campaign's idea to boycott Israel. He noted that Kuwait was one of the Arab countries implementing the boycott. He also called for **the punishment of international companies that supported Israel** by maintaining commercial relations with it (Al-Adala TV, Kuwait, October 29, 2013).



Omar Barghouti interviewed on Kuwaiti TV (Al-Adala TV, Kuwait, October 29, 2013)

6) Interviewed by the **Palestinian TV channel Watan in Ramallah**, he attacked Israel, calling it "a racist country promoting racist laws" (Watan TV, March 9, 2013).



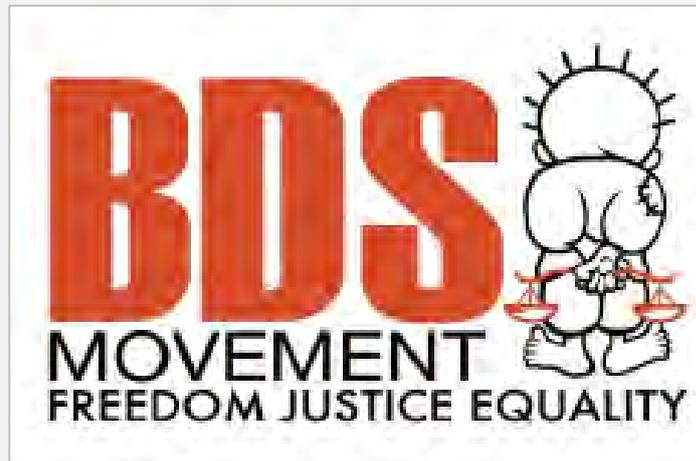
Omar Barghouti interviewed by the Palestinian TV channel Watan (Watan TV, March 9, 2013)

14. The **Palestinian news agency Wafa**, subordinate to the office of the PA chairman, broadcast a long investigative report about Omar Barghouti. It included a video about the third national BDS conference, held on December 17, 2011 in Hebron. It was called "**The boycott, more successful than the most optimistic expectations.**" According to the newspaper report, the conference was attended by many anti-Israeli activists, among them Omar Barghouti, pro-Palestinian activists and

senior PA figures. Also present was **Kamel Hamid**, the governor of Hebron, who sat on the stage with other honored guests.

## Appendix C

### Overview of the BDS Campaign and Its Results To Date



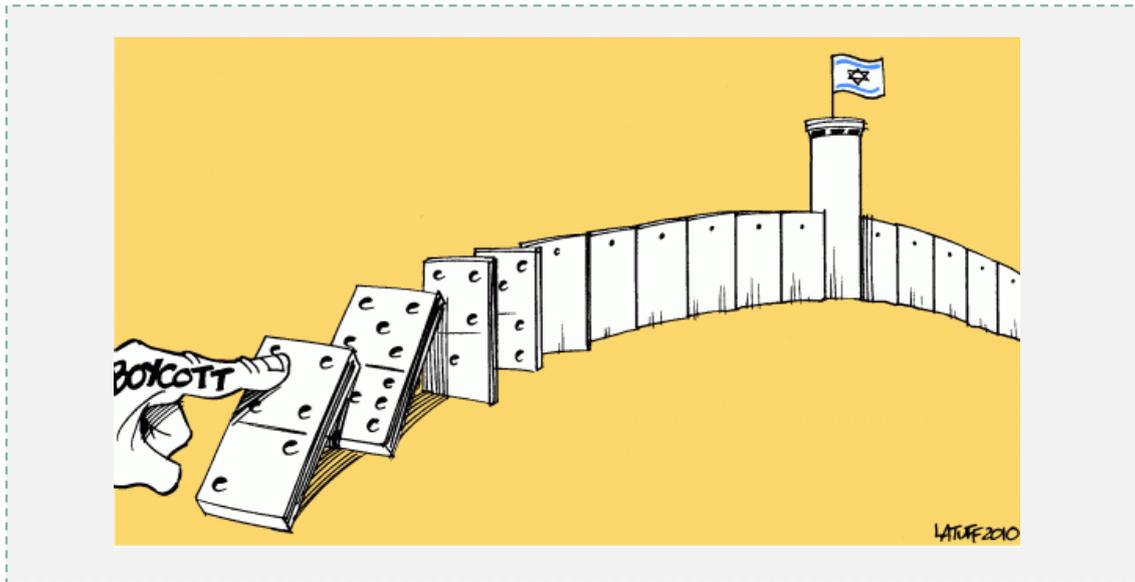
The BDS logo<sup>12</sup>

1. **The BDS is an anti-Israeli campaign calling for a boycott of Israel and is an integral part of the campaign being waged to delegitimize Israel, especially in the West.** It is waged by anti-Israeli activists and networks mostly (but not entirely) mostly affiliated with the far left. BDS is an acronym for **boycott, divestment and sanctions, i.e., boycotting Israel, withdrawing investments from it and imposing sanctions on it.**

2. **The BDS campaign's objectives are to brand Israel an "apartheid state" and promote an international boycott of its institutions, leadership, economy and culture. The campaign's hidden but fundamental objective is to cause Israel to wither and collapse, as the South African apartheid regime collapsed. An important factor in the campaign are Palestinian NGOs and activists in Ramallah. The most prominent activist is Omar Barghouti, who works strenuously to promote the BDS campaign around the globe. BDS activists lobby and disseminate anti-Israeli**

<sup>12</sup> This is the innocent-looking logo aimed at Western public opinion, using term of "freedom, justice, equality," that resonate with Western liberals. The figure is the child **Handala**, invented by the cartoonist **Naji Ali**, who was assassinated in London in 1987. Handala is a Palestinian refugee child who watches from the side as his people suffer injustice, and he became a symbol of the Palestinian struggle.

propaganda to figures in European administrations and the UN, **collaborating with Palestinian networks specializing in waging lawfare against Israel.**



Great expectations for the success of the BDS campaign (Bdsmovement.net, January 21, 2014).

3. **The contemporary campaign to delegitimize Israel, which includes anti-Israeli lawfare and the BDS campaign, began at the first Durban Conference.** The conference was sponsored by the UN and held in Durban, South Africa, from August 31 to September 8, 2001. During the conference there was a parallel NGO forum against racism, racial discrimination, xenophobia and intolerance. In summation it called for "a policy of complete and total isolation of Israel as an apartheid state...the imposition of mandatory and comprehensive sanctions and embargoes, the full cessation of all links (diplomatic, economic, social, aid, military cooperation and training) between all states and Israel."<sup>13</sup> Since then, activists and NGOs around the globe, led by far left networks and radical Islamists have operated in concert as a unified network to promote the campaign to boycott Israel.

4. **Inspired and encouraged by the first Durban Conference, in July 2005 a Palestinian campaign was begun in Ramallah and joined the global campaign.** The call for the BDS campaign, according to claims, **was initiated by 170 Palestinian NGOs** in Judea and Samaria, the Gaza Strip and by Israeli Arabs. In **November 2007** the **BNC, that is, the BDS National Committee**, was founded in Ramallah. It has

<sup>13</sup> [http://www.ngo-monitor.org/article/ngo\\_forum\\_at\\_durban\\_conference\\_](http://www.ngo-monitor.org/article/ngo_forum_at_durban_conference_)

since formed ties with anti-Israeli BDS activists and networks around the globe. Activity in the West is emphasized, especially **Britain, which serves as a global focal point for the campaign to delegitimize Israel and the BDS campaign** (See below).

5. To inculcate the false image of Israel as an "apartheid state" in global consciousness **every year delegitimization and BDS activists hold an "Israeli apartheid week."** Propaganda activities are held in large cities and on campuses, especially in the West. At the end of February and the beginning of March 2014 "Israeli apartheid week" was again held. As in previous years, it did not receive much media coverage or public attention. In preparation for the event **Omar Barghouti** issued a call to the entire civilian populace, social movements and the entire world, to end all contact with Israel "because it is an occupier and apartheid state" (Name, the Al-Sharq Al-Awsat supplement, February 26, 2014). "Apartheid week" officially began, and Omar Barghouti proposed five ways to participate. **One was "practical BDS activity," because "apartheid week" was an excellent opportunity for a campaign and for disseminating it to the world at large.**



**BDS notice to brand Israel an "apartheid state" (Wafa News Agency, January 9, 2012)**

6. Like the various organizations, networks and campaigns participating in the campaign to delegitimize Israel, **the BDS campaign has also adopted human rights and international law terminology.** It represents itself as seeking "freedom, justice and equality" and the restoration of the "Palestinians' rights." However, **it hides or distorts its true political objectives, which are the destruction of the State of Israel through its isolation, boycott and eventual collapse. Using human rights**

slogans is intended to influence mainstream public opinion, which does not support the destruction of Israel, especially designated target audiences such as human rights organizations, labor unions, students, minority groups and even Jews.

7. However, as opposed to the vague official tone of the BDS campaign, declarations made by its senior activists prove that **they do not accept the legitimacy of the State of Israel and Zionism. They perceive the BDS campaign as a tool to subvert and overthrow Israel as a Jewish state and democracy.** For example, the campaign explicitly promotes the "right of return" of the 1948 refugees to the territory of the State of Israel and justifies its position by calling Israel a "racist, colonialist country" whose establishment was sinfully accomplished by the ethnic cleansing of its Palestinian residents. To reinforce its anti-Israeli propaganda BDS activists falsely link South Africa and Israel under the heading "apartheid," and make the incorrect analogy between the minority apartheid rule in South Africa to the majority democracy of Israel. **The BDS campaign uses all the above means to promote its strategy of ostracism and boycott, wishfully thinking it will bring about the end of the State of Israel, as the apartheid rule in South Africa ended.**



BDS posters calling for a boycott of Israel (Wafa News Agency, January 9, 2012)

## Overview of BDS tactics

8. BDS activists, prominent among whom is Omar Barghouti, attach importance to the development of creative boycotting tactics **in an attempt to recruit local partners in various countries and to learn from successes and failures.** To that end they participate in workshops and panels where they attempt to implement the tactics among anti-Israel networks and social activists in various countries. The methods detailed below indicate a great degree of **tactical flexibility** which **conceals the genuine purposes of the campaign.** Examples are statements made by two key BDS activists at a conference in the US and a workshop in Germany.

9. **On February 8, 2014,** an International Education Conference was held in **San Francisco, USA.** It was part of a campaign against the French company Veolia conducted by American activists (for reasons of their own) and BDS activists who joined forces to unite local NGOs and activists sharing common goals. Veolia is a French multinational company involved in the construction of the Jerusalem Light Rail, an ongoing BDS target. It is also the subject of attacks by American social activists who claim it was involved in the privatization of water sources (in California), public transport (in Boston) and other public services in the United States.



**Boston activists protesting against Veolia while branding Israel as an “apartheid state” (Mondoweiss.net November 14, 2012)**



Omar Barghouti broadcast on a video screen at the conference in San Francisco, February 8, 2014 (YouTube, February 10, 2014)

10. At the conference's Q&A session Omar Barghouti presented **three operative criteria** which he claimed could be used to determine **whether a given company was a good target for the BDS campaign** (YouTube, February 10, 2014):

- 1) **Chances of success:** Barghouti believes that it is pointless to boycott a company if the chances for success were slim. For example example, he cited Intel, which he believes is too powerful to be included in the campaign (although he claims it has considerable involvement in human rights violations against the Palestinians). Conversely, companies such as HP, Veolia, G4S and Caterpillar should be boycotted **not only because of their involvement but also because there is a chance to succeed** (here, too, Barghouti only refers to “human rights violations in the Occupied [Palestinian] Territories” but not in many other countries with dictatorial regimes around the world).
- 2) **Level of involvement in human rights abuses:** A company that is highly involved in human rights abuses is a better target for BDS than a company that is less involved.
- 3) **The possibility of creating a broad local coalition of organizations that oppose the company against which the boycott is directed** (Note: BDS activists are trying to cooperate with local networks around the world, including those which do not share the genuine goals of the BDS campaign, in order to move from the radical fringe to mainstream society and politics).

11. Another senior figure in the BDS campaign, **Michael Deas, the European coordinator for the BNC**, also referred to the tactics used by BDS to create

successful anti-Israel campaigns. At a workshop held in Germany on October 22, 2011 by KoPI<sup>14</sup> (a network of 30 groups whose self-defined purpose is to inform the public and government in Germany of the Palestinians' need for self-determination<sup>15</sup>), **Michael Deas listed some of the tactics used by BDS:** BDS campaigns should include local civilian society activists, display flexibility, use clear language and set requirements that the local public understands (“think globally and act locally.”) The campaigns should also be planned thoroughly (as an example, Michael Deas cited the campaigns against Agrexco, Dexia and Veolia, which he said were successful because of thorough planning).



**Michael Deas, European coordinator for the BNC, participated (on October 22, 2011) in a workshop held in Germany by KoPI on the subject of BDS (YouTube, October 27, 2011)**

12. Michael Deas gave several examples of the tactical and verbal flexibility of the BDS campaign: in the Netherlands, the campaign is not called BDS Netherlands, but rather Together for Palestine. That is because the Dutch word for boycott is too blunt, making it difficult for BDS to penetrate the Dutch mainstream; **in the US**, where there is a clear pro-Israel tendency, the focus should be on military aid to Israel because that is more palatable to the local public. However, Michael Deas claimed that in Ireland there was no problem standing outside a supermarket and shouting “Boycott Israeli apartheid” and getting very positive reactions.

<sup>14</sup> KoPI: Deutscher Koordinationskreis Palästina Israel.

<sup>15</sup> BDS does not seek self-determination of the Palestinians but rather for the destruction of the State of Israel and the establishment of a Palestinian state in its place. BDS activists try to link up with organizations that are critical of Israel, but do not necessarily seek its elimination. To that end, BDS activists use various tactics to conceal their true goals.

13. An important point, according to Michael Deas, **is to display flexibility in defining the goals of the campaigns**. If it is impossible to reach agreement on a sweeping boycott of Israeli products in some countries, then an attempt should be made to reach agreement regarding companies that import products from the settlements (although BDS is engaged in boycotting Israel and its economy, and not necessarily the products of the settlements). He said that adopting versions and requirements which are highly effective both tactically and strategically, did not contradict insistence on principles. On the contrary, it reflected genuine determination to achieve solid results (A video of Michael Deas at the workshop in Germany is on YouTube).

## **Are there elements of anti-Semitism in the BDS campaign?**

14. **The BDS campaign is directed solely against Israel**. NGOs and activists involved in the campaign are not calling for a boycott of rogue countries (North Korea, Syria) or repressive dictatorial regimes (Iran, for example). **The BDS campaign's double standard has prompted its opponents (including harsh critics of Israel) to accuse it of anti-Semitism**.

15. **Eli Avraham, professor at the Department of Communication at the University of Haifa and head of the university's Elizabeth and Tony Comper Interdisciplinary Center for the Study of Anti-Semitism and Racism**, wrote an article about the connection between BDS and anti-Semitism, entitled **"The Boycott as Anti-Semitism"** (Haaretz, Hebrew, March 9, 2013). The following is an excerpt from the article (ITIC translation and emphasis):

"In any case, there is still no satisfactory answer to the key question, i.e. **why are the proponents of the boycott adopting a double standard toward Israel?** Why has a boycott not been initiated against rogue countries? Why don't they boycott China, Morocco, Russia or Turkey, which control controversial areas? Do leftists in Europe boycott Saudi Arabia, where women are forbidden to drive, ride a bike and practice certain professions? Do they boycott Pakistan, Afghanistan, Syria, Iran and other countries that persecute their citizens or accuse women of "wanton behavior" after being raped? Do they boycott African countries that send homosexuals to prison for life?

**"We have not yet received a convincing answer as to why the blood of Palestinians is redder than the blood of Muslim women, homosexuals in Africa or other oppressed minorities around the world. Why does the pursuit of justice, equality and brotherhood of nations stop when the Jewish state is not involved? That is precisely classical anti-Semitism, which has returned in a new version, and in**

essence **treats Jews differently from other peoples**. It would be foolish to claim that Israel is a perfect country devoid of mistakes, **but while similar behavior by other countries is not being addressed, that of Israel is a reason to turn it into the world's most terrible demon.**"

## **BDS and Lawfare**

16. **Along with the delegitimization attack and BDS, legal warfare (lawfare) against Israel is also employed around the world.** The lawfare campaign attacks Israel in the international arena **through legal means**, tying Israel's hands in its fight against terrorism and making it difficult for it to defend itself. It blackens its image in international, especially Western, public opinion by calling Israel an "apartheid state" that commits "war crimes." It erodes the credibility of Israel's institutions, primarily the IDF and the Israeli legal system, and damages Israel's foreign relations and international economic ties, especially with Western countries. Some of those goals are identical to the goals of the BDS campaign, although the methods of operation and the organizations "specializing" in lawfare are different from those of the BDS.

17. Lawfare against Israel is carried out in various ways, including **civil suits or criminal complaints against prominent Israelis** (politicians, military officers) in various countries, including in reliance on universal jurisdiction; **application to international courts such as the International Criminal Court in The Hague (ICC) or the International Court of Justice (ICJ) in The Hague** and **encouraging the establishment of international commissions of inquiry** to investigate Israel's activities against the Palestinians (the most outstanding example of an international commission of inquiry was the Goldstone Commission).

18. Prominent in lawfare against Israel are **three Palestinian organizations: the Palestinian Center for Human Rights (PCHR) in the Gaza Strip; Al-Haq in Ramallah, and the Al-Mezan Center in the Gaza Strip.** These organizations are in contact with **countries, UN agencies, government institutions, NGOs and law firms** around the world (especially Western countries) and it is against them that they conduct their lawfare, accompanied by a political and propaganda campaign against Israel.

19. Among the various organizations and networks participating in the political, economic, legal and propaganda battle against Israel **there is often a division of**

**labor** according to various areas of specialization. **Organizations engaged in lawfare tend to differentiate themselves from BDS organizations**, although in many cases they are working to promote a common final goal, namely isolating Israel and seeking its destruction through the extensive use of slogans of human rights and international law. The logic behind the division of labor was made evident in an interview with **Shawan Jabarin**, jurist and director of **Al-Haq**, who is one of the lawfare leaders (**and a former PFLP member**).

20. One of the questions Shawan Jabarin was asked was **whether BDS might prove effective in the fight to end the “occupation.”** He replied (972mag.com, August 6, 2013):

“Legally, professionally and formally, I do believe this, but at Al-Haq, we don't use the term 'boycott.' Not because we don't believe in it, **but because there is no legal basis or obligation for it.** Our points of reference are human rights, international humanitarian law and public law. **There is** legal basis for 'sanctions' and 'divestment' under international law, but **there is no legal basis for boycott.** With a boycott, the public is responsible.”

## **Whether and to what extent the BDS campaign has succeeded**

21. To date, the BDS campaign **has failed to bring about a boycott of Israel as a country, and its false comparison with South Africa has not been accepted by the international community.** It has also had only limited material success **in its economic, cultural and academic boycotts, although its activists attempt to glorify and magnify their tactical achievements.** In our assessment its main achievement is in the media and political fields, i.e., the spread of the campaign to some government officials and agencies and sometimes even to the leading media of the Western countries.

22. Thus, as far as its image goes, the campaign enjoyed a few successes in late 2013 and early 2014. That was largely because officials in Israel and the US publicly referred to the BDS, and because it generated an international discourse about boycotting Israel (given a respectable platform by The New York Times). At the same time, Roger Cohen's sharp criticism in his The New York Times op-ed piece and the

anti-BDS criticism from other American Jews indicate **that even severe critics of Israeli government policies do not accept the BDS's human rights slogans. The vast majority of critics of Israel's policies towards the Palestinians – politicians, government officials, journalists and intellectuals – strongly support the concept of two states for two peoples and make a clear distinction between harsh criticism of Israeli government policy and supporting or joining a campaign that seeks the destruction of Israel as a Jewish state.**

## **The Palestinian BDS National Committee (BNC)**

23. **The global BDS carries works in close cooperation with BNC, the Palestinian National Committee in Ramallah.** The BNC was established in November 2007 at the first BDS conference, which was held in Ramallah, as the entity that would coordinate the activities of all Palestinian networks participating in the BDS campaign. According to the BDS website, **BNC comprises over 20 Palestinian NGOs.** In our assessment, some of those networks are local, while others are ephemeral or virtual.

24. **The goals of BNC** (according to the BDS website) are **reinforcing and disseminating a boycott culture against “the occupation” and “Israeli apartheid;”** holding conferences for coordinating campaigns to boycott Israel around the world; **coordinating campaigns opposed to normalization** with the “Israeli apartheid regime;” **coordinating efforts to boycott Israel in various places around the world;** **training local activists and organizations around the world to boycott Israel;** activating the media to disseminate awareness about boycotting Israel. In addition, the BDS campaign and the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) **reject any Palestinian expressions of normalization with Israel.**

25. The most prominent figure in the ongoing activity of BNC and PACBI is **Omar Barghouti.** Another prominent figure is **Michael Deas, the European coordinator for the BNC.** In that capacity he visits European countries and organizes conferences, workshops and various BDS activities (for example, the workshop in Germany mentioned above).



Michael Deas (Vimeo.com, November 8, 2013)

26. **Does the BNC in Ramallah coordinate global activities of BDS as it claims?** On the one hand, there is no doubt that the BNC is a **key participant in the BDS campaign**. It plays an important role in initiating campaigns, promoting the BDS in the media, **maintaining joint ventures with members of civilian society in the West and lobbying activities vis-à-vis Western government officials (especially in Europe) and UN officials**. On the other hand, it is doubtful whether the BNC really coordinates and controls the widespread network activities of the various NGOs and activists around the world. The main importance of the BNC is that it **ostensibly constitutes the “authentic Palestinian face” of the campaign and grants Palestinian legitimization to the global BDS campaign, which centers on striving to weaken and eliminate the State of Israel.**

### **The role of the PA**

27. **The PA is not directly involved in the BDS campaign and is not a direct partner in its global activities.** However, it **allows the extensive activity of the BNC in Ramallah**. In addition, the PA encourages a boycott of products manufactured in the Jewish settlements **but, at the same time, it does not join the campaign for an overall boycott of Israel** (the BDS campaign calls for a total boycott of Israel but is prepared to maintain tactical collaboration with those calling for a boycott of products from the settlements).

28. **The fundamental difference** between the position of the PA and the BDS campaign was shown **during Mahmoud Abbas's visit to South Africa** for the funeral of Nelson Mandela (December 2013). At a press conference Mahmoud Abbas held during the visit, he called for a boycott of products from the settlements "because the settlements are in our territories." However, he added, "**But we do not ask anyone to boycott Israel itself. We have relations with Israel. We have mutual recognition of Israel**" (The Star, South Africa, December 11, 2013).

29. Mahmoud Abbas' statements **enraged BDS leader Omar Barghouti**. In response, he strongly attacked Mahmoud Abbas, claiming that his statements were contrary to the Palestinian national consensus, which had firmly supported BDS against Israel since 2005. Omar Barghouti added (The Electronic Intifada):

"There is no Palestinian political party, trade union, NGO, network or mass organization that does not strongly support BDS. Any Palestinian official who lacks a democratic mandate and any real public support, therefore, **cannot claim to speak on behalf of the Palestinian people when it comes to deciding our strategies of resistance to Israel's regime of occupation, colonization and apartheid.**

"Any Palestinian official who today explicitly speaks against boycotting Israel – particularly in a country like South Africa, where the ruling party, leading trade unions, churches and other civil society groups have warmly endorsed BDS – **only shows how aloof he is from his own people's aspirations for freedom, justice and equality, and how oblivious he is to our struggle for their inalienable rights**" (emphasis added).

## Types of boycotts and sanctions against Israel

### Economic boycott

30. The BDS economic campaign **focuses on Western countries, especially Britain, Northern Europe and the United States**. It involves a **comprehensive boycott** of Israeli companies, Israeli goods and companies that cooperate with Israel and invest money in it. The BDS also attempts to direct its activities at countries with which Israel has strong economic ties (especially European countries) and international political economic forums of which Israel is a member or with which it maintains trade agreements (for example, calling on institutions of the European Union or calling on the

OECD to boycott Israel, October 20, 2010).<sup>16</sup> **The BDS also targets pension funds, banks, financial institutions and consulting firms to motivate them to withdraw their investments in Israel and to ban investments in Israeli companies and entities.**

31. A recent example is the campaign run by **BDS India** against the Israeli water company Mekorot, although Israel and the Palestinians share a common interest in regulating the water supply to Judea and Samaria.<sup>17</sup> The campaign in India was supposed to begin on March 24, 2014, World Water Day. According to BDS India, a similar campaign was conducted in Argentina, Italy, Greece and Portugal (BDS website, March 7, 2014). In addition, In December 2013, Vitens, the largest drinking water company in the Netherlands, announced that after consultation with the Ministry of Foreign Affairs in The Hague, it decided to terminate its cooperation with Mekorot due to its activity in Judea and Samaria. The BDS campaign presented Vitens as one of its achievements in the list of its 2013 achievements (BDS website).



**Smear tactics against Mekorot, characteristic of the BDS campaign (BDS website, March 7, 2014)**

<sup>16</sup> On September 11, 2013, **Omar Barghouti** was interviewed by the Voice of Palestine radio station, where he claimed that the BDS campaign had made excellent progress. He mentioned achievements such as directives published by the EU regarding the boycott of the settlements and decisions by Norwegian and Dutch investment funds to divest their investments from Israeli banks and companies. He added that cooperation with pro-Palestine solidarity movements and popular committees had changed the positions of parliaments and governments.

<sup>17</sup> An article in the Hebrew-language daily Haaretz ("Hold Water," March 13, 2014) quotes Professor Eilon Adar, a researcher at the Zuckerberg Institute for Water Research at Midreshet Sde Boker, which operates under the auspices of Ben Gurion University. He said that the Palestinians estimate that they will need an additional 300 million cubic meters of water in the years ahead for their annual consumption, at a cost of \$160 million a year. **He said that economic arrangements could be formulated to enable Israelis and Palestinians to utilize the meager water resources jointly and responsibly.** However, the BDS campaign, which objects to any expression of cooperation and normalization, attempts to prevent joint utilization of water resources, even if that means a water shortage for the Palestinian population.

32. Israel and the Palestinians have a **common interest** in regulating the water supply to Judea and Samaria. **Israel supplies water to the Palestinians** on the basis of Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, which was signed in Washington on September 28, 1995. Since the signing of the agreement, more and more Palestinian communities in Judea and Samaria have been connected to the water supply by means of **Mekorot Ltd**, which lays pipes and carries out water drillings in Judea and Samaria (Water.org.il; NRG, December 30, 2008). BDS's systematic defamation and boycott of Mekorot, and the Dutch company Vitens' termination of its cooperation with Mekorot, **turn the discourse of cooperation in a crucial area into a discourse of hatred, and could ultimately harm the Palestinians themselves.**

33. **As part of its campaign to impose an economic boycott on Israel, the BDS joins forces with social networks in Western countries, some of which are not delegitimizers, to create a platform for joint activity against Israel. For tactical reasons, BDS activists sometimes express readiness to agree to a selective boycott against Israel,** namely a boycott directed against companies operating in the territories and against products from the settlements, with the aim (from the perspective of critics of Israel's policy) of pressuring Israel to withdraw from the territories that it occupied in 1967.

34. BDS believes **that a selective boycott contributes to the condemnation of Israel and could be a step towards a comprehensive boycott of Israel, which would accelerate its collapse the way the apartheid regime in South Africa collapsed.** That was expressed by Omar Barghouti, who claimed he was flexible and understood "the tactical needs of our partners to carry out a selective boycott of settlement products, say, or military suppliers of the Israeli occupation army as the easiest way to rally support (of BDS)..."<sup>18</sup>

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<sup>18</sup>The Reut Institute, Mirrors, No. 16: "Palestinian-Led Movement To Boycott Israel Is Gaining Support." From The Jewish Daily Forward, September 16, 2009.



From the journal of PSC, the organization heading the campaign to boycott Israel in Britain: the call for a boycott of Israel, which also included Israeli products that are not produced in the territories, such as avocados grown in northern Israel (Israeli Channel 10 TV program The Source , August 25, 2010).

## Political and legal barriers

35. In Europe and the US there are legal and political barriers that impede BDS activities due to local legislation and opposition to the boycott of Israel from local leaders and governments. For example, in the political sphere:

1) In his speech at the Knesset (the Israeli parliament) on March 12, 2014, during his visit to Israel, **British Prime Minister David Cameron expressed Britain's strong opposition to the boycott of Israel, saying "Britain opposes boycotts. Whether it's trade unions campaigning for the exclusion of Israelis or universities trying to stifle academic exchange, Israel's place as a homeland for the Jewish people will never rest on hollow resolutions passed by amateur politicians;" "Delegitimizing the State of Israel is wrong. It's abhorrent. And together we will defeat it."** (Knesset.org.il, March 12, 2014).

2) **Catherine Ashton**, Commissioner for External Relations of the European Union, expressed the EU's opposition to the boycott of Israel. At a press conference following a meeting of European foreign ministers in Brussels, she declared (I24NEWS.tv, March 17, 2014) **"The EU is opposed to the boycott against Israeli companies. We don't want to see Israel isolated."**<sup>19</sup>

<sup>19</sup> While the European Union and European countries oppose the boycott of Israel, the European Court of Justice (ECJ) in Luxembourg ruled that Israeli goods manufactured in "the occupied Palestinian territories" could be discriminated against. The court ruled (February 25,

3) **The foreign minister of Australia**, responding to a campaign against Israeli chocolate products, said he didn't think there should be a boycott of Jewish businesses in 21st century Australia. The Australian prime minister said that the **campaign did not serve the purpose of peace and the two-state solution and that Australia had always been strongly opposed to BDS's sanctions** (Haaretz, February 15, 2014).

4) **Canada's Prime Minister Stephen Harper**, speaking in the Knesset, denounced **any economic, cultural and academic boycott of Israel**. He described the boycott as the "face of the new anti-Semitism" (BBC, January 20, 2014).

36. **In the legal sphere:**

1) On May 22, 2012, after a long legal battle, the **French Supreme Court** ruled that publicly calling for a boycott of Israeli products constituted incitement and discrimination based on nationality. Under this ruling, by the beginning of 2014 **over twenty French BDS activists had been convicted of hate crimes** (Haaretz, February 15, 2014).

2) In **the US** there are laws, enacted in 1977 in response to the Arab boycott of Israel, limiting the possibility of a state boycott of Israel. However, it has not yet been proven that the laws could be used against non-state entities such as the NGOs operating in the BDS campaign.

37. **There is a fundamental difference** between the BDS campaign and the European Union's directives calling for discrimination against products originating in the Palestinian territories. The BDS campaign seeks to destroy the State of Israel, while European countries want to apply (unilateral) pressure on Israel to change its policies towards the Palestinians. However, they do not seek to isolate Israel or undermine its economy. At the same time, **the day-to-day tactics of the BDS campaign seek to blur this distinction** and present steps taken by the Europeans as the "success" of the campaign.<sup>20</sup>

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2010) that Israeli goods manufactured in the Palestinian territories could not enjoy rights of trade of the European Union, and that products originating in the West Bank would not be part of the agreements between the European Union and Israel. The BDS campaign seeks to obscure the essential difference between a boycott of products from the settlements and an overall boycott of Israel.

<sup>20</sup> For further information see the article by Eran Shayshon from the Reut Institute, "Distinguishing between one Boycott and Another" (the Hebrew-language daily Haaretz, March 17, 2014).

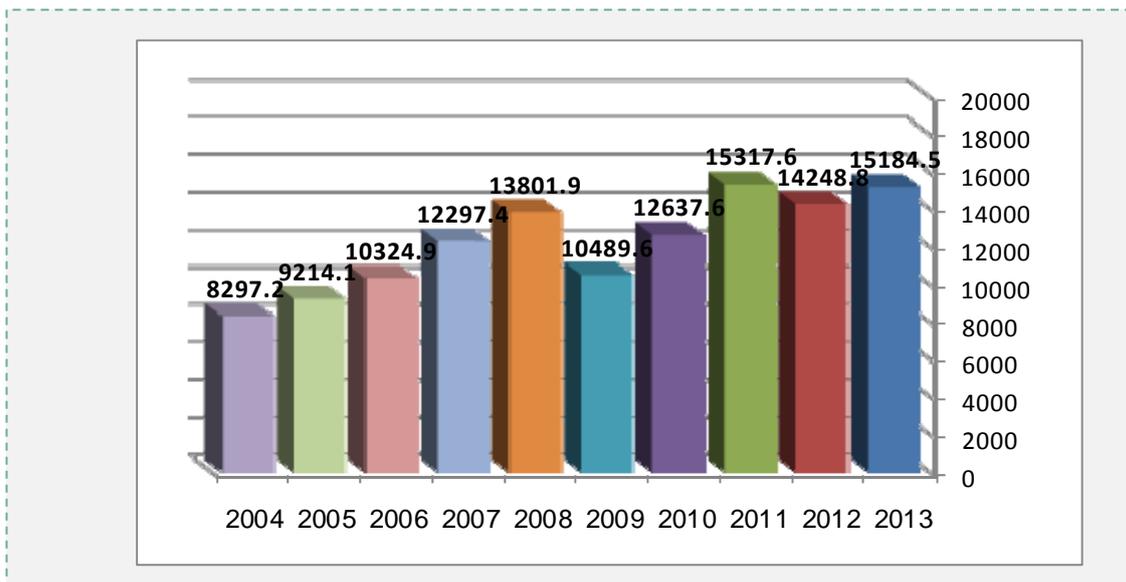
## The economic results of the BDS campaign so far

38. According to some reports, the BDS campaign has managed to cause economic damage to several companies and institutions operating in Judea and Samaria and to impact on exports of agricultural and industrial goods from Judea and Samaria (although it is not clear whether the overall damage caused has been significant). Beyond that, **apparently the BDS campaign has not had a significant impact on the economy of the State of Israel or on Israel's trade relations with the United States and Western European countries.**

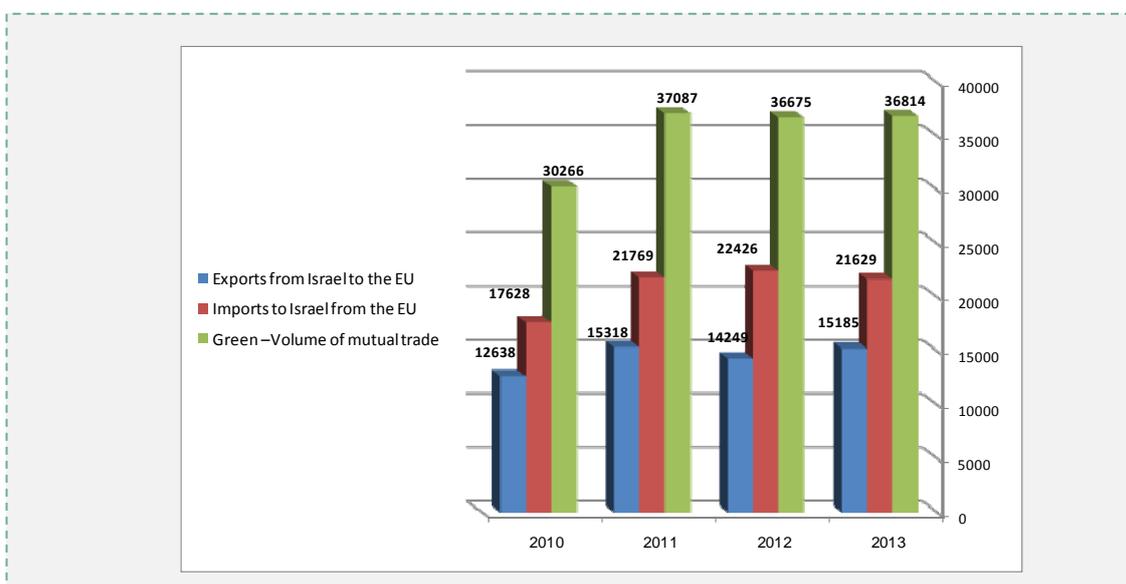
39. **Despite the BDS campaign, commercial relations between Israel and the European Union have expanded significantly over the last decade. Israel has experienced relatively strong economic growth, creating more commercial and business opportunities for Israeli and European companies.** The years 2010-2011 were difficult for the Israeli economy and particularly for the European economy, but nevertheless, in 2011, increases were recorded in exports and imports with the European Union (BGEU.org\article. **There was an increase in the volume of trade between Israel and Britain, an important center for BDS activities** (See below).

40. The increase can be seen in the statistics of Israeli exports to EU countries (according to the Manufacturers Association of Israel, based on the Israeli Central Bureau of Statistics). In the past decade, there has been an almost consistent uptrend in the volume of Israeli exports to Europe (except a decrease during 2009-2010 due to the global economic crisis in 2008). During the past three years, the volume of mutual trade between Israel and the EU countries has been relatively stable. The two following graphs illustrate the trend:

## Israeli Exports to the EU countries (in millions of dollars)



## Volume of mutual trade with the EU countries (in millions of dollars)



41. The Wall Street Journal (February 27, 2014) published an article by **economic editor and columnist David Rosenberg** for the English-language edition of the Israeli daily Haaretz, analyzing the impact of the BDS on Israel's economy. In the article, Rosenberg claimed that a detailed examination of recent successes attributed to the BDS campaign showed that they were not motivated by the

**campaign and that their economic significance was limited. In addition, the BDS campaign had no economic successes in the past decade:**

"The true story is that after nearly 10 years of campaigning, **the global BDS (boycott, divestment and sanctions) movement has not had the slightest economic impact.** Its victories have consisted of coaxing a handful of pop stars and academics to cancel appearances in Israel, and winning empty, sanctimonious declarations of support from the likes of student governments, cooperative grocery stores and leftish church groups.

**"Far from being isolated, Israel's exports are reaching record highs and it attracts billions of dollars in foreign investment.** In the weeks that Israel was supposedly under a boycott siege, Japan's Rakuten agreed to buy the start-up Viber for \$900 million and Ireland's Covidien sealed a deal to buy Given Imaging for \$860 million. China's Bright Food was in talks to buy control of Israel's biggest food maker Tnuva, and IBM, Lockheed-Martin and ERM all announced plans to open research and development centers in Israel. The Jewish state became the first non-European member of the nuclear research consortium CERN and was admitted as an observer to the Pacific Alliance, a free-trade bloc of five Latin American countries."

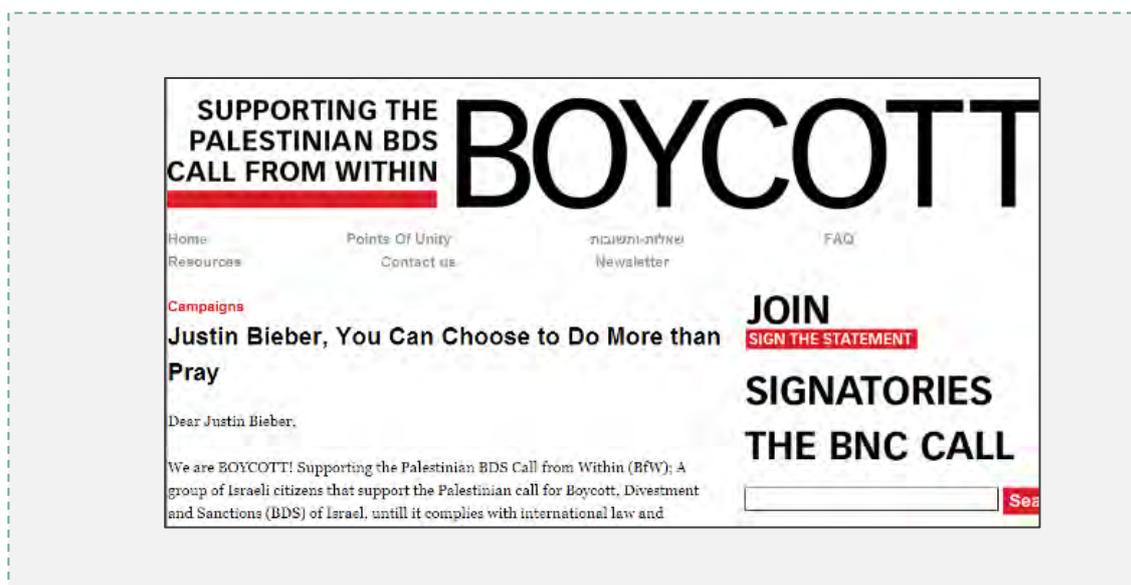
## **Cultural boycott and opposition to normalization with Israel**

42. **The BDS campaign also seeks to promote a cultural boycott of Israel in Western countries.** It focuses mainly on appealing to artists with an international reputation to cancel planned performances in Israel. Sometimes that is done by exploiting the artists' ignorance of the Israeli-Palestinian conflict, sometimes artists who identify with the Palestinian side are recruited, and sometimes **pressure is brought to bear** on the artists, **accompanied by hidden threats and slander.** The campaign also works to cancel events and performances abroad by Israeli artists and attempts to prevent the screening of Israeli films and the staging of Israeli plays at international festivals. Attempts are being made to bring about a **literary** boycott of Israel as well. For example, writer Alice Walker refused to authorize the translation of her book into Hebrew. In addition, in one of Scotland's district councils, it was decided to boycott books by Israeli authors in protest against the events of the *Mavi Marmara* (Ynet News, May 26, 2011).

43. The BDS and the campaign of the Palestinian Academic and Cultural Boycott against Israel (PACBI) **reject any cultural normalization between the Palestinians**

**and Israel.** For example, on February 23, 2014, PACBI said in a statement that the joint Israeli-Palestinian project, **Heartbeat**, in its current form, constituted a “normalization project” and **contradicted the BDS guidelines on the cultural boycott of Israel** (Note: Heartbeat is a community that brings together young Israelis and Palestinians to foster trust and resolve the conflict through the power of music. The Heartbeat Community was founded in 2007 under the auspices of the Fulbright Foundation and currently includes over 100 young musicians from Haifa, Jerusalem, Tel Aviv, Bethlehem, Hebron and Ramallah).

44. **The success of the BDS cultural campaign has so far been limited, and in recent years has experienced many failures.** Many artists, including famous artists, have performed in Israel despite political pressure and even hidden threats made by anti-Israel activists and networks. Famous artists who have performed include Paul McCartney, Leonard Cohen, Madonna (who draped herself with an Israeli flag during her performance, in defiance of the BDS), Lady Gaga, Bob Dylan, Justin Bieber and others.



**An unsuccessful appeal to Justin Bieber from a number of Israeli members of the BDS campaign to cancel his performance in Israel (Boycottisrael.info). In response, BDS activists produced a video describing him as “collaborating” with the “Zionist lobby” and with the Netanyahu government.**

45. At the same time, a few prominent artists canceled their performances in Israel for various reasons, some personal and some political, although they are a relatively small minority. For example, **Roger Waters**, who performed in Israel in the past, canceled his performance in Israel. In an interview with Al-Jazeera he stated that he had **acceded to Omar Barghouti’s** request to join the BDS campaign

(English.aljazeera.net, March 3, 2011). The **Pixies**, an American rock band and one of the most influential bands of the 1980s and 1990s, canceled its performance in early 2010 following requests (due to what it referred to as events beyond the control of the band), but will reportedly perform in Israel this summer. **Elvis Costello**, British singer, musician and artist of Irish descent, who was supposed to perform in Israel in June-July, 2010, posted a letter on his website (in May) explaining that the cancellation reflected a political position, due to the suffering Israel was inflicting on innocent Palestinians. **Carlos Santana**, Mexican musician and guitarist and leader of the band Santana, was scheduled to perform in Israel in June 2010, but postponed his performance indefinitely. The official reason was scheduling constraints, but it can be assumed that he had been pressured by anti-Israel elements.

46. We have no concrete information regarding what caused various artists to cancel their performances in Israel. However, **in many cases, BDS activists tend to claim that they have achieved a “victory” when an artist cancels a planned performance in Israel because of reasons unrelated to BDS** (economic, business-related, scheduling constraints, etc).

### Academic boycott

47. **Over the years**, the BDS campaign (as well as independent initiatives) has called for a **boycott of Israeli academic institutions**, claiming that they cooperate with the Israeli government and help continue the occupation in the Palestinian territories. In most cases the academic campaign has failed, and universities and lecturers in Western countries continued their ties with Israel's academia. **Oxford University**, for example, rejected pressure by pro-Palestinian organizations and cast a majority vote against the resolution to boycott Israel (NRG, February 27, 2013).

48. Another recent example of a failure by the BDS campaign was the debate held at **UCLA** on February 25-26, 2014. It revolved around a draft resolution calling on American companies doing business with Israel to divest their investments. Students who support the BDS claimed that the aim of the resolution was aimed to promote justice and human rights for Palestinians while using fraudulent propaganda against Israel (Israel was falsely accused of deliberately shooting Palestinian children, sterilizing black women and carrying out genocide against the Palestinians). The

debate ended with a victory for the opponents of BDS and the draft resolution was rejected (for further details see Standwithus.com).



(Honestreporting.com)

49. However, there have been **specific** cases, limited in scope and significance, of universities and academics who joined the boycott (although the decisions made were not always implemented). For example:

- 1) **The Irish National Teachers Organization**, which represents over 14,000 schoolteachers and lecturers at universities and colleges, announced that it unanimously supported the boycott of Israel. It also called on the Irish parliament to expand the academic boycott until Israel lifted the so-called illegal siege of Gaza and the occupation of the West Bank (Channel 2 News, April 6, 2013).
- 2) **The British Association of University Teachers (AUT)**, with about 50,000 members, decided on April 22, 2005 to boycott the University of Haifa and Bar Ilan University, and to consider boycotting Hebrew University of Jerusalem as well (Wsws.org, May 2, 2005).
- 3) On June 1, 2006, it was decided to merge the AUT with the National Association of Teachers in Further and Higher Education. The merger went into effect in 2007 and the new union was called the **UCU (University and College Union)**. The Union was involved in a campaign to boycott Israeli academic institutions with the result that some of its Jewish members resigned, accusing the Union of anti-Semitism. The issue of boycotting Israeli universities arises at the UCU every year, but resolutions are probably not adopted due to the lack of a majority. However, a request to boycott Ariel College was made in 2009 and

approved in 2010 (Smpe.org, June 5, 2010). At its annual conference in Manchester in May 2010, the UCU (in its capacity as a trade union) also decided to sever its ties with the Histadrut (Israel's largest association of trade unions) and to call on other trade unions to do the same as part of a total boycott of Israel (and not just an academic boycott).

4) **The American Studies Association (ASA)**, in an online poll conducted by approximately 5,000 professors, two thirds of the voters voted to support the academic boycott of Israeli colleagues from universities in Israel. It was the largest academic body in the US to support a move of this type (Walla.co.il, December 16, 2013).

5) **The University of Johannesburg** decided to stop all research or academic cooperation with Ben Gurion University in the Negev and to sever all contacts with an academic body if it turned out that the body was associated with any violation of human rights. It is unclear whether and to what extent the decision was implemented.

6) **Academic organizations in the US** (AAAS, ASA) voted in favor of an academic boycott of Israel (Haaretz, December 16, 2013). The vote demonstrated that academic boycotts did exist in the US, but not on a wide scale.

7) **Stephen Hawking**, senior professor of physics at the University of Cambridge, announced that he would heed the advice of his Palestinian colleagues and cancel his visit to Israel. That came after pressure was exerted on him by anti-Israel activists and organizations in Britain and elsewhere (Haaretz, May 9, 2013).

50. The case of **Ariel University** is unique. Because of its location over the Green Line, there were calls for boycotting it even before it became a university. However, from the perspective of the BDS campaign, the call to boycott Israeli companies and academic institutions does not pertain only to those located in Judea and Samaria but also to all Israeli academic institutions.

## Britain as an international center of the BDS campaign Trade relations between Britain and Israel

51. **The British government opposes the BDS campaign**, as was reflected in a speech by British Prime Minister David Cameron in the Knesset on March 12, 2014. In recent years, the **volume of trade between Britain and Israel has increased** with the encouragement of the government of Britain, despite the BDS campaign. Britain is currently Israel's **second largest trading partner** after the US, **and Israel's second export destination**. The volume of trade between the two countries is growing and has already **exceeded \$3 billion** (Israel Britain Chamber of Commerce website, UK-ISRAEL.com; Ynet, April 18, 2013, Hebrew article by Ram Hadar, "London is waiting for me: this is the way to make business connections in Britain").

52. **The British embassy in Israel** issued an announcement about the **British government's global priority of increasing trade and business ties with Israel**. It said that "the British Embassy in Israel works to boost the UK's reputation as a place to do business, to broker commercial partnerships and to increase Israeli inward investment in UK companies and projects" (Gov.uk, April 2013):

- 1) "We are building Britain's prosperity by increasing exports and investment, opening markets, ensuring access to resources and backing sustainable global growth. **Our goal is for trade to reach £4bn a year, and the UK established as the dominant destination for Israeli investment.**"
- 2) "We are working to establish the UK **as the European partner of choice for Israel's high-tech economy, with Israeli research and development contributing to UK economic growth.**"
- 3) "The UK Israel Tech Hub at the British Embassy in Tel Aviv is working to **increase opportunities, collaborations and partnerships in the High Tech sector.**"

## The BDS Campaign in Britain

53. **In Britain, blatantly anti-Israel organizations and networks, including the Palestinian Solidarity Campaign (PSC), have joined forces with British groups that do not necessarily deny the legitimacy of Israel.** Manifestations include BDS-affiliated networks' calls to boycott Israeli goods *per se* ("fruits of the apartheid"), while some British groups limit their activities to boycotting goods from the Jewish settlements. **From the perspective of the BDS campaign, such cooperation is worthwhile when it contributes to the defamation of Israel and motivates additional circles within British society to join the campaign.** Particularly noteworthy is the **success of BDS activists in mobilizing trade unions, which are widely deployed and enjoy considerable influence in British society.**

54. The concept of a selective boycott of Israel gathered momentum following the recommendation of the British government in December 2009 to use special markings on products made in Judea and Samaria. **The TUC**, which is the trade union umbrella organization, decided to boycott Israeli products (September 2010). Previously, **the TSSA** (the Transport Salaried Staffs' Association) decided to boycott Israeli products, although it limited its call to products originating in settlements.

55. **However, in many cases the boundaries between a selective boycott against products from the settlements and a complete boycott of Israeli products is vague.** The PSC, a network that clearly wants to delegitimize Israel, calls for a boycott of the "fruits of apartheid" **and issued a call in its journal to boycott Israeli agricultural products that are not necessarily from the Palestinian territories, such as avocados.** The definition given by Andy Bain, president of the TUC, for the purposes of the boycott (2010) was also sufficiently broad (it included companies that profit from "the occupation"). The TSSA, however, stressed that products of Israeli settlements should be specifically boycotted and that a general boycott on Israeli goods and services should not be imposed (TSSA Journal, May 2010).

## The PSC: the leading network in the BDS campaign in Britain

56. **The PSC is an anti-Israel, delegitimizing network that leads the campaign to boycott Israel in Britain.** The network was founded in 1982 and was recognized in 2004 as Palestine Solidarity Campaign Ltd. Its members are Britons and Muslims/Palestinians living in Britain. The network is also active in anti-Israel propaganda. Some of the network's activists participated in the *Mavi Marmara* flotilla. Its head office is in central London. It also has offices in Scotland and Wales and maintains close ties with the Ireland Palestine Solidarity Campaign. Most of its activity is based on volunteers (of which it claims to have several thousand).

57. According to the network, **its target audience is mainly college students, religious groups, trade unions, cultural and political organizations in Britain, Europe and worldwide.** As part of the boycott campaign PSC activists hold demonstrations against companies importing goods from Israel and against supermarkets selling Israeli products. For example, the network held a demonstration in Russell Square in London against Britain's largest food chain, Tesco, which imports products from Israel (Israel Channel 10 TV program *The Source*, August 25, 2010).

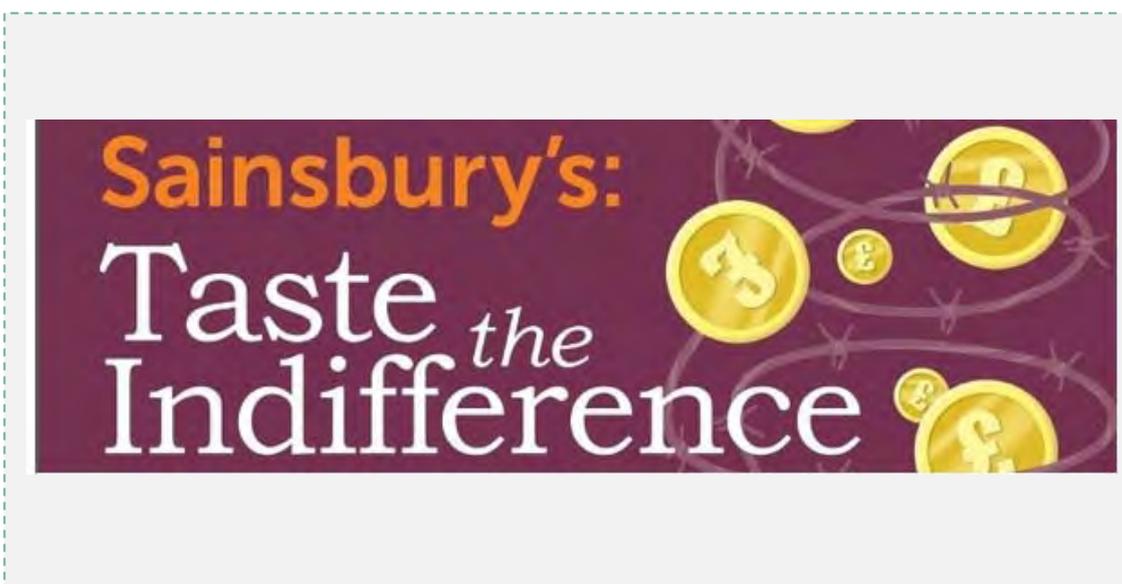


The PSC demonstration in Russell Square in London against Britain's largest food chain, Tesco, which imports products from Israel (Israeli Channel 10 TV show *The Source*, August 25, 2010).  
Demonstration by PSC activists at the entrance to a Tesco supermarket



Poster distributed as part of the campaign against Israeli SodaStream company (PSC website, February 22, 2014)

58. At present, the PSC campaign focuses on a number of companies, including the security firm **G4S**; **Ahava**, which manufactures cosmetics from the Dead Sea (forced by the demonstrations to close its shop in London); the French company **Veolia**, which was involved in constructing the Jerusalem Light Rail; and the Israeli **SodaStream** company. It also conducts “persuasion activity” to convince the Sainsbury’s supermarket chain not to market products from the territories (PSC website, February 26, 2014).



Campaign against marketing products from the Palestinian territories at the supermarket chain (PSC website, February 22, 2014)

## Attempt to disrupt a performance of the Israel Philharmonic Orchestra in London: An example of the attempt to boycott Israeli culture



The Royal Albert Hall in London, where several dozen PSC activists attempted to disrupt a performance of the Israel Philharmonic Orchestra (YouTube)

59. **On September 1, 2011**, the Israel Philharmonic Orchestra performed the first of a series of BBC concerts. The performance took place at the Royal Albert Hall in London. **Several dozen protesters in the hall raised a “Free Palestine” sign and disrupted the performance by shouting at conductor Zubin Mehta** (and were booed by the audience). BBC Radio 3, which broadcast the concert live, had to stop the broadcast twice due to the disruptions. Security guards removed the demonstrators without using force. No arrests were made (BBC spokeswoman, BBC.co.uk). Outside the hall there were demonstrations by a group of around 20 anti-Israel activists and a number of pro-Israel groups.

60. **The disruptions of the Israel Philharmonic Orchestra’s performances were very well orchestrated.** The network behind the disruptions was the PSC. Before the performance, the PSC used social networking sites to call on the British public to boycott the concert. The call was joined by several Palestinian entities, including PACBI.<sup>21</sup> The PSC urged the BBC to cancel the concert due to what it called "violations of the law and of human rights by Israel" and because, according to the PSC, the Israel

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<sup>21</sup> PACBI – Palestinian network in Ramallah that plays a central role in the BDS campaign, headed by Omar Barghouti.

Philharmonic Orchestra “serves the Israeli army.” **When its requests were not acceded to, the PSC attempted to disrupt the performance of the Israel Philharmonic Orchestra by means of its activists who were in the hall.**

61. Four musicians from the London Philharmonic Orchestra joined in the attempts to cancel the Israel Philharmonic Orchestra concert. The four added their names to a letter sent to the organizers of the concert series and published in The Independent on August 30, 2011. The signatories, led by Irish composer Raymond Deane, a founder of the Irish PSC (IPSC), called for the cancellation of the concert. The management of the concert series denied the request and suspended the four musicians for nine months. It also stated unequivocally that at the London Philharmonic Orchestra, music and politics did not mix (Haaretz, September 18-19, 2011).

## Appendix D

### Ten Reasons Why the BDS Movement is Immoral and Hinders Peace

by Alan M. Dershowitz

February 12, 2014 at 12:00 pm

[www.gatestoneinstitute.org](http://www.gatestoneinstitute.org)

As a strong supporter of the two state solution and a critic of Israel's settlement policies, I am particularly appalled at efforts to impose divestment, boycotts and sanctions against Israel, and Israel alone, because BDS makes it *more difficult* to achieve a peaceful resolution of the Mid-East conflict that requires compromise on all sides.

The BDS movement is highly immoral, threatens the peace process and discourages the Palestinians from agreeing to any reasonable peace offer. Here are ten compelling reasons why the BDS movement is immoral and incompatible with current efforts to arrive at a compromise peace.

1. The BDS movement immorally imposes the entire blame for the continuing Israeli occupation and settlement policy on the Israelis. It refuses to acknowledge the historical reality that on at least three occasions, Israel offered to end the occupation and on all three occasions, the Palestinian leadership, supported by its people, refused to accept these offers. In 1967, I played a small role in drafting UN Security Council Resolution 242 that set out the formula for ending the occupation in exchange for recognition of Israel's right to exist in peace. Israel accepted that Resolution, while the Palestinians, along with all the Arab nations, gathered in Khartoum and issued their three famous "nos:" No peace, no negotiation, no recognition. There were no efforts to boycott, sanction or divest from these Arab naysayers. In 2000-2001, Israel's liberal Prime Minister Ehud Barak, along with American President Bill Clinton, offered the Palestinians statehood, and the end of the occupation. Yasser Arafat rejected this offer—a rejection that many Arab leaders considered a crime against the Palestinian people. In 2007, Israel's Prime Minister Ehud Olmert offered the Palestinians an even better deal, an offer to which they failed to respond. There were no BDS threats against those who rejected Israel's peace offers. Now there are ongoing peace negotiations in which both parties are making offers and imposing conditions. Under these circumstances, it is immoral to impose blame only on Israel and to direct a BDS movement only against the nation state of the Jewish people, that has thrice offered to end the occupation in exchange for peace.

2. The current BDS movement, especially in Europe and on some American university campuses, emboldens the Palestinians to reject compromise solutions to the conflict. Some within the Palestinian leadership have told me that the longer they hold out

against making peace, the more powerful will be the BDS movement against Israel. Why not wait until the BDS strengthens their bargaining position so that they won't have to compromise by giving up the right of return, by agreeing to a demilitarized state and by making other concessions that are necessary to peace but difficult for some Palestinians to accept? The BDS movement is making a peaceful resolution harder.

3. The BDS movement is immoral because its leaders will never be satisfied with the kind of two state solution that is acceptable to Israel. Many of its leaders do not believe in the concept of Israel as the nation state of the Jewish people. (The major leader of the BDS movement, Marwan Barghouti, has repeatedly expressed his opposition to Israel's right to exist as the nation state of the Jewish people even within the 1967 borders.) At bottom, therefore, the leadership of the BDS movement is opposed not only to Israel's occupation and settlement policy but to its very existence.

4. The BDS movement is immoral because it violates the core principle of human rights: namely, "the worst first." Israel is among the freest and most democratic nations in the world. It is certainly the freest and most democratic nation in the Middle East. Its Arab citizens enjoy more rights than Arabs anywhere else in the world. They serve in the Knesset, in the Judiciary, in the Foreign Service, in the academy and in business. They are free to criticize Israel and to support its enemies. Israeli universities are hot beds of anti-Israel rhetoric, advocacy and even teaching. Israel has a superb record on women's rights, gay rights, environmental rights and other rights that barely exist in most parts of the world. Moreover, Israel's record of avoiding civilian casualties, while fighting enemies who hide their soldiers among civilians, is unparalleled in the world today. The situation on the West Bank is obviously different because of the occupation, but even the Arabs of Ramallah, Bethlehem and Tulkarim have more human and political rights than the vast majority of Arabs in the world today. Moreover, anyone—Jew, Muslim or Christian—dissatisfied with Israeli actions can express that dissatisfaction in the courts, and in the media, both at home and abroad. That freedom does not exist in any Arab country, nor in many non-Arab countries. Yet Israel is the only country in the world today being threatened with BDS. When a sanction is directed against only a state with one of the best records of human rights, and that nation happens to be the state of the Jewish people, the suspicion of bigotry must be considered.

5. The BDS movement is immoral because it would hurt the wrong people: it would hurt Palestinian workers who will lose their jobs if economic sanctions are directed against firms that employ them. It would hurt artists and academics, many of whom are the strongest voices for peace and an end to the occupation. It would hurt those suffering from illnesses all around the world who would be helped by Israeli medicine and the collaboration between Israeli scientists and other scientists. It would hurt the high tech industry around the world because Israel contributes disproportionately to the development of such life enhancing technology.

6. The BDS movement is immoral because it would encourage Iran—the world's leading facilitator of international terrorism—to unleash its surrogates, such as

Hezbollah and Hamas, against Israel, in the expectation that if Israel were to respond to rocket attacks, the pressure for BDS against Israel would increase, as it did when Israel responded to thousands of rockets from Gaza in 2008-2009.

7. The BDS movement is immoral because it focuses the world's attention away from far greater injustices, including genocide. By focusing disproportionately on Israel, the human rights community pays disproportionately less attention to the other occupations, such as those by China, Russia and Turkey, and to other humanitarian disasters such as that occurring in Syria.

8. The BDS movement is immoral because it promotes false views regarding the nation state of the Jewish people, exaggerates its flaws and thereby promotes a new variation on the world's oldest prejudice, namely anti-Semitism. It is not surprising therefore that the BDS movement is featured on neo-Nazi, Holocaust denial and other overtly anti-Semitic websites and is promoted by some of the world's most notorious haters such as David Duke.

9. The BDS movement is immoral because it reflects and encourages a double standard of judgment and response regarding human rights violations. By demanding more of Israel, the nation state of the Jewish people, it expects *less* of other states, people, cultures and religions, thereby reifying a form of colonial racism and reverse bigotry that hurts the victims of human rights violations inflicted by others.

10. The BDS movement will never achieve its goals. Neither the Israeli government nor the Israeli people will ever capitulate to the extortionate means implicit in BDS. They will not and should not make important decisions regarding national security and the safety of their citizens on the basis of immoral threats. Moreover, were Israel to compromise its security in the face of such threats, the result would be more wars, more death and more suffering.

All decent people who seek peace in the Middle East should join together in opposing the immoral BDS movement. Use your moral voices to demand that both the Israeli government and the Palestinian Authority accept a compromise peace that assures the security of Israel and the viability of a peaceful and democratic Palestinian state. The way forward is not by immoral extortionate threats that do more harm than good, but rather by negotiations, compromise and good will.