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Act of Vengeance: Israel's Bombing of the Gaza Power Plant and its Effects

In the early morning hours of 28 June 2006, following the abduction of Cpl. Gilad Shalit, the Israeli Air Force attacked the only electrical power plant operating in the Gaza Strip. Six missiles were fired at the power plant's six transformers. Two of the missiles missed their target, so two more missiles were fired a few minutes later, destroying the remaining transformers.

Three months have passed since the attack. Public and media attention has long since shifted elsewhere. Nevertheless, for the 1.4 million residents of the Gaza Strip, who have been forced to live without electricity for long parts of the day and night, the harsh effects of the attack continue to be felt.

These effects are apparent in all areas of life. As a result of the lack of electricity, the level of medical services provided by clinics and hospitals has declined significantly; most of the urban population receive only two or three hours of water a day; the sewage system is on the verge of collapse; many inhabitants' mobility has been severely restricted as a result of non-functioning elevators; and the lack of refrigeration has exposed many to the danger of food-poisoning. Small businesses reliant on a regular power supply have been badly affected. The hardship involved in living without a steady flow of electricity is exacerbated by the deep economic crisis afflicting the Gaza Strip.

Undoubtedly, the State of Israel has the right to protect the lives of its citizens from threat, including, the threat posed by Qassam rockets fired from the Gaza Strip. However, not all means of response and action are permissible. Aiming attacks at civilian objects is forbidden under International Humanitarian Law and is considered a war crime. The power plant bombed by Israel is a purely civilian object and bombing it did nothing to impede the ability of Palestinian organizations to fire rockets into Israeli territory.

Even if Israel reached the highly questionable conclusion that disrupting the supply of electricity in Gaza might provide the Israeli army with a "definite military advantage," under the principal of proportionality, Israel was legally required to choose the action that would prove least harmful to the population. Accordingly, Israel could have reduced the supply of electricity that the Israel Electric Corporation – which is the primary provider of electricity for the Gaza Strip – sells to the Palestinian Authority. However, in the wake of the company's objection to this alternative, which was likely to harm its commercial interests, the decision-makers within the Israeli government and army opted for the more harmful option.

In view of Israel's responsibility for the lives and welfare of the population of the Gaza Strip, and in light of Israel's obligation under international law to make reparation for the war crimes it committed, B'Tselem calls upon the government of Israel to:

- Cover the expenses needed to return the power plant to full capacity;
- Finance the upgrading of the infrastructure to transfer electricity from Israel to the Gaza Strip;
- Permit the entry of the equipment needed to rehabilitate the power plant, without delay;
- Repeal the amendment to the Civil Wrongs Law and enable persons and institutions from the Gaza Strip that suffered damage as a result of the bombing of the power plant to sue the state for compensation;
- Direct the judge advocate general to open a criminal investigation against the persons involved in the decision to bomb the power plant and against those who carried out the attack, with the intention of prosecuting them;
- Adopt a government resolution that in principle forbids the IDF to attack civilians and civilian objects.