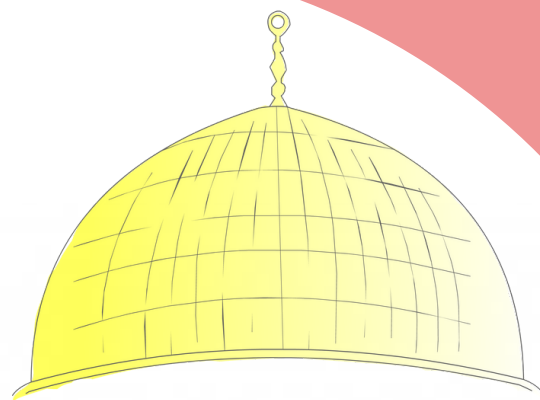
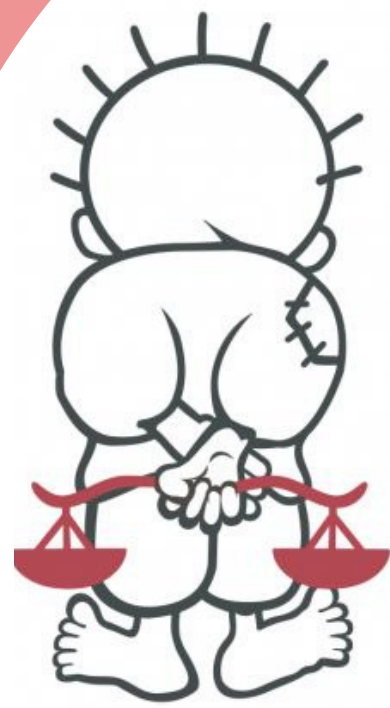


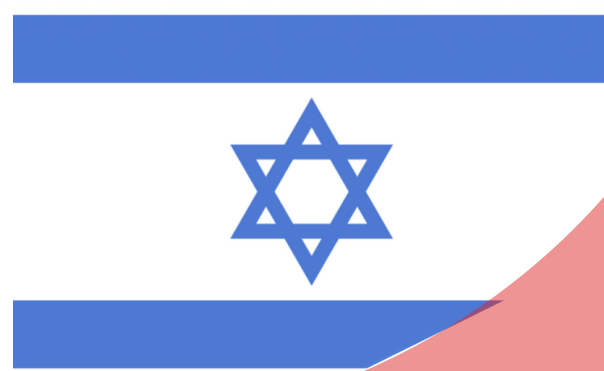
LET'S BE HONEST

BDS

- THE REAL STORY



FREEDOM
JUSTICE
EQUALITY

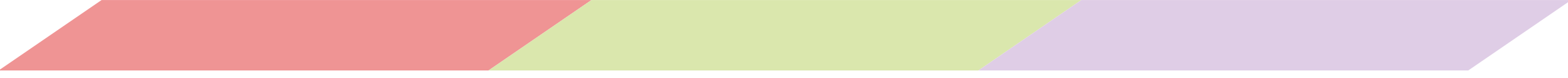


Boycott Backlash

BY THE JERUSALEM INSTITUTE OF JUSTICE



ABOUT



The Jerusalem Institute of Justice is a non-profit human rights organization that promotes and protects the rule of law, human dignity and democracy in Israel and the Middle East.

In the course of our investigation of the activities and intentions of the Boycott, Divestment, Sanctions (BDS) movement, we uncovered the true agenda of the its leaders - the destruction of the State of Israel and the undermining of peace efforts in the region.

This eBook contains five articles dealing with the effectiveness of BDS strategies and their implications.

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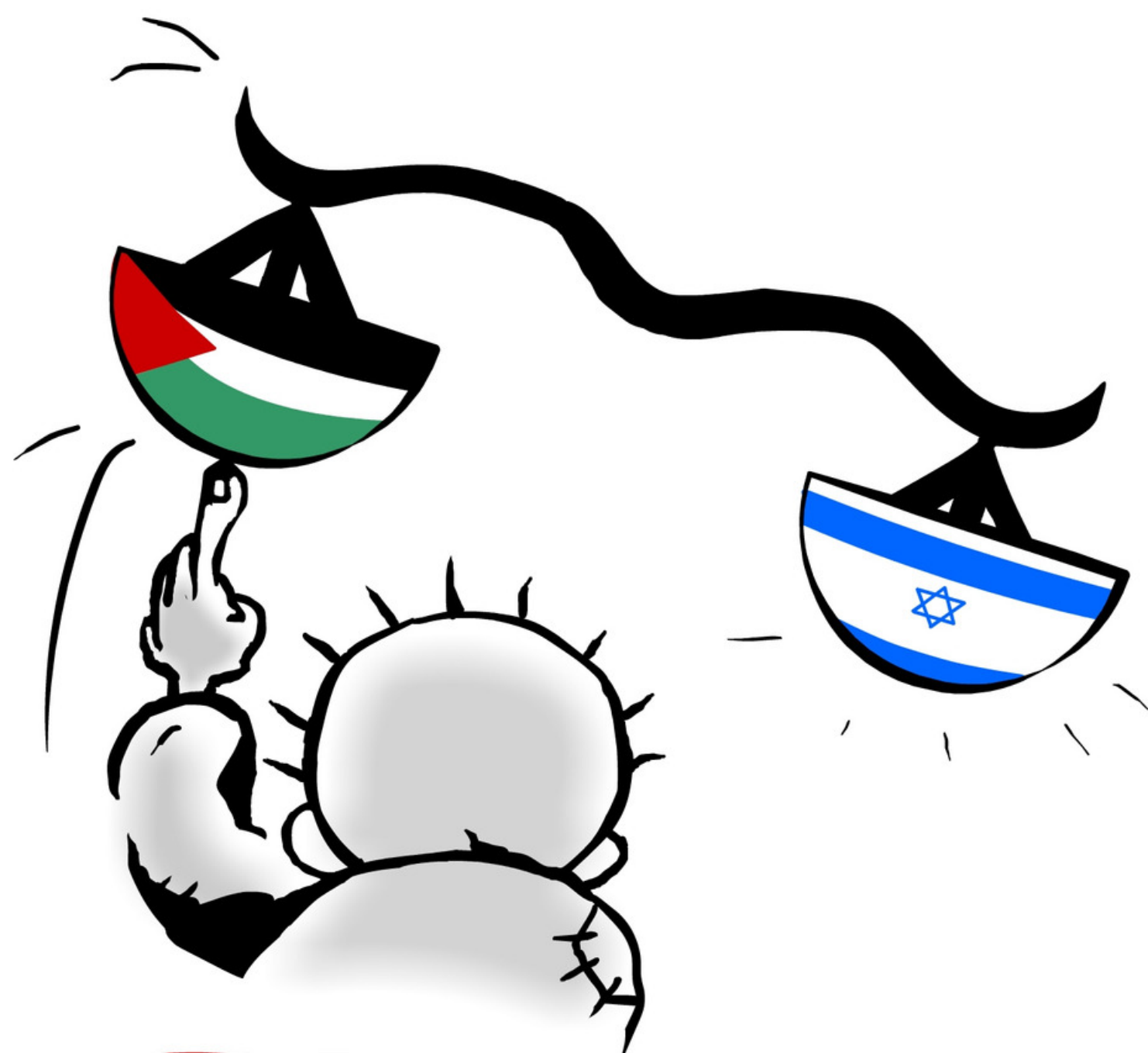
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BDS: Does It Really Work?



KOBICS

BDS FOR **EQUALITY?**



The BDS (boycott, divest, and sanction) movement is one that has permeated the liberal/progressive political sphere in Europe and North America. According to their website, the goal of the movement is to “end international support for Israel's oppression of Palestinians and pressure Israel to comply with international law.” However, for reasons I will expand upon in this article, BDS in reality causes unnecessary harm to Israeli citizens (both Jewish and Arab), the Jewish diaspora, and even the Palestinians they claim to be protecting. Through the nature of the movement, BDS delegitimizes Israel by directly impacting its economy and reputation in the international order. As well, it falsely views a very complex and nuanced issue in a very black-and-white perspective.

Supporters of BDS call for the boycott, divestment, and sanctioning of Israel and Israeli academia, innovations, companies, culture, and more. They argue that doing so will encourage Israel to change its policies towards Palestinians and the West Bank, when in reality it discourages open discourse from multiple perspectives. In universities where BDS bills have been passed, for instance, only the anti-Israel perspective can be shared because any other views are deemed “unacceptable.”

It falsely views a very complex and nuanced issue in a very black-and-white perspective.

This stifles conversation by presenting only one side of such a complex issue. As an American Jewish student, I

personally have been intentionally ignored by professors because I hold the belief that one can be both pro-Israel and pro-Palestinian. I have been interrupted and shouted at. I have friends who were physically attacked by those who claim to advocate for equality. Despite being a movement popular among political progressives, it encourages many decidedly unprogressive behaviors.

The very conception of BDS was born out of hypocrisy.

The very conception of BDS was born of hypocrisy. Omar Barghouti, the founder of the movement, is a graduate of Tel Aviv University. A significant part of the movement is boycotting Israeli academic institutions, despite the fact that Barghouti himself benefitted from Israeli higher

education. He additionally calls for equality, while simultaneously making false claims of apartheid and ethnic cleansing, and minimizing the violence of groups like Hamas by calling them “freedom fighters.” Furthermore, although BDS claims only to boycott Israeli institutions, many Israeli individual academics are excluded from events and conferences based on nothing more than their nationality and/or faith. This is discriminatory, and undermines the BDS movement’s own self-proclaimed values of equality and justice.

The majority of both Israelis and Palestinians are in favor of a two-state solution, but the ultimate goal of BDS is to wipe out the Jewish state. Because the movement calls for the boycott, divestment, and sanctioning of all of Israel, the whole country is

accountable for only a few controversial policies. By attempting to destroy Israel both economically and through its international legitimacy, the BDS movement aims to completely put an end to Israel as a Jewish democratic state.

Most importantly, the BDS movement hurts more than it helps – including, and especially, the Palestinians it claims to help. One strikingly clear example of this is SodaStream, a company that has been particularly impacted by BDS. The movement focused its efforts on encouraging the public to boycott SodaStream and, as a result, the company was forced to shut down a plant in the West Bank and move it to the town of Rahat in the Negev. Of the 1,300 workers employed by SodaStream in the West Bank, 450 were

The BDS movement aims to completely put an end to Israel as a Jewish democratic state.

Israeli Arabs and 500 were Palestinians. Many were not able to make the long commute to the Negev every day, and therefore they lost their jobs as a direct result of the BDS boycotts. However, the BDS movement still sees this as a success, ignoring the hardships brought to hundreds of Israelis and Palestinians alike.

BDS does not aim to educate, but rather to take control of the conversation surrounding the Israeli-Palestinian conflict. This movement hurts people directly and indirectly every day by encouraging separation over unity and by oversimplification of a complex issue. In order to

advocate for the rights of the Palestinian people, we must all be open-minded to hearing other perspectives. Everybody has different ideas of how to help the Palestinian population, but by suppressing dialogue the BDS movement refuses to acknowledge these opinions and thus limits the ways in which we are able to help.

Truly productive activism encourages open discussion because it allows us to come together despite our differences, and here at the JIJ that is exactly what we hope to accomplish.

Truly productive activism encourages open discussion because it allows us to come together despite our differences.



Chapter 2 |
The Witch Hunt Against Israeli
Corporations



In light of UN Human Rights Council (UNHRC) Resolution 31/36, the International Fact-Finding Mission on Israeli Settlements in the Occupied Palestinian Territory is establishing a database that lists a multitude of companies allegedly engaged in certain activities in relation to Israeli settlement activity, which will therefore be blacklisted on the market.

[The companies] do value and support human rights.

The fact is, these transnational companies engage in business activities in the whole West Bank; consequently, they do not exclusively extend to Israeli settlement areas but simply include them. They do value and support human rights, an essential

for companies with an international market presence and image. They do not operate with bias or discrimination when it comes to their choice of customers and do not systematically support any political agenda.

The allegations regarding settlement activity are part of a movement that focuses on anti-Israeli propaganda. Former UN Special Rapporteur on human rights in the Palestinian territories, Richard Falk, has allegedly initiated the list. Falk has repeatedly been affiliated with anti-Semitic and extremist comments, a background that resulted in various requests for his resignation from multiple sides. This implies that the blacklist's underlying motivation is more than questionable.

Between 2006 and 2016, approximately 50% (68 out of 135) of the UNHRC

resolutions have been angled against Israel, and solely Israel is being examined at each of the council's three sessions each year. Other regions that have been struggling with similar issues, such as Western Sahara or Northern Cyprus, have been comparatively addressed on much fewer occasions. This shows the highly selective working policy of the UNHRC, which completely contradicts its mission to strengthen and develop human rights in a global context. This disproportionate focus on Israel has even been criticised by former UN Secretary General Ban Ki Moon.

However, it is questionable whether this is even an issue that should be addressed by the UNHRC, as it is a mostly business-related topic. Perhaps an overly

In fact, business activities in occupied territories do not violate international law.

distinctive human rights approach might not pay enough attention to economic realities and the full context of the situation. Some argue that there is no relationship at all between human rights and business activities; business activities in occupied territories do not violate international law. In fact, preventing them would deny people self-determination. Various international legal experts and foreign ministries who have given their consent on business activities all over the world have supported this opinion. The law concerned, Article 49 of the 4th Geneva Convention, does not forbid all

**Not only Israelis,
but also
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economic activities per se, but only those that would directly aid or assist a population transfer, do not constitute routine government administration, or do not serve to benefit the local populations. The so-called Namibia exceptions are supposed to prevent the local population from being denied any advantages derived from international cooperation. Similarly, UN legal advisor Hans Corell argued in 2002 that economic activities could only be deemed illegal if “conducted in disregard of the needs and interests of the people of that territory”.

For instance, in the matter of Israeli Telecommunication

Corporation (Bezeq), both the Israeli and Palestinian populations inhabiting the Israeli-controlled areas of the West Bank are being provided with telecommunication networks. The corporation is an essential part of the infrastructure of this region, and one has to consider the significant numbers of Palestinians still inhabiting these areas. Therefore, if said territories were to be excluded from Bezeq’s domain of activity, not only Israelis but also Palestinians would be affected by these measures. Due to the lack of alternatives, these areas would become practically uninhabitable for anyone. This actually applies to quite a few products that simply wouldn’t be available in Palestinian territories without Israeli exports. Additionally, this restriction would result in a cut back of jobs, again,

affecting both Israelis and Palestinians. Considering that the unemployment rate is already exceptionally high among West Bank

Palestinians (more than 25%), this could lead to a severe deterioration of the local quality of life.

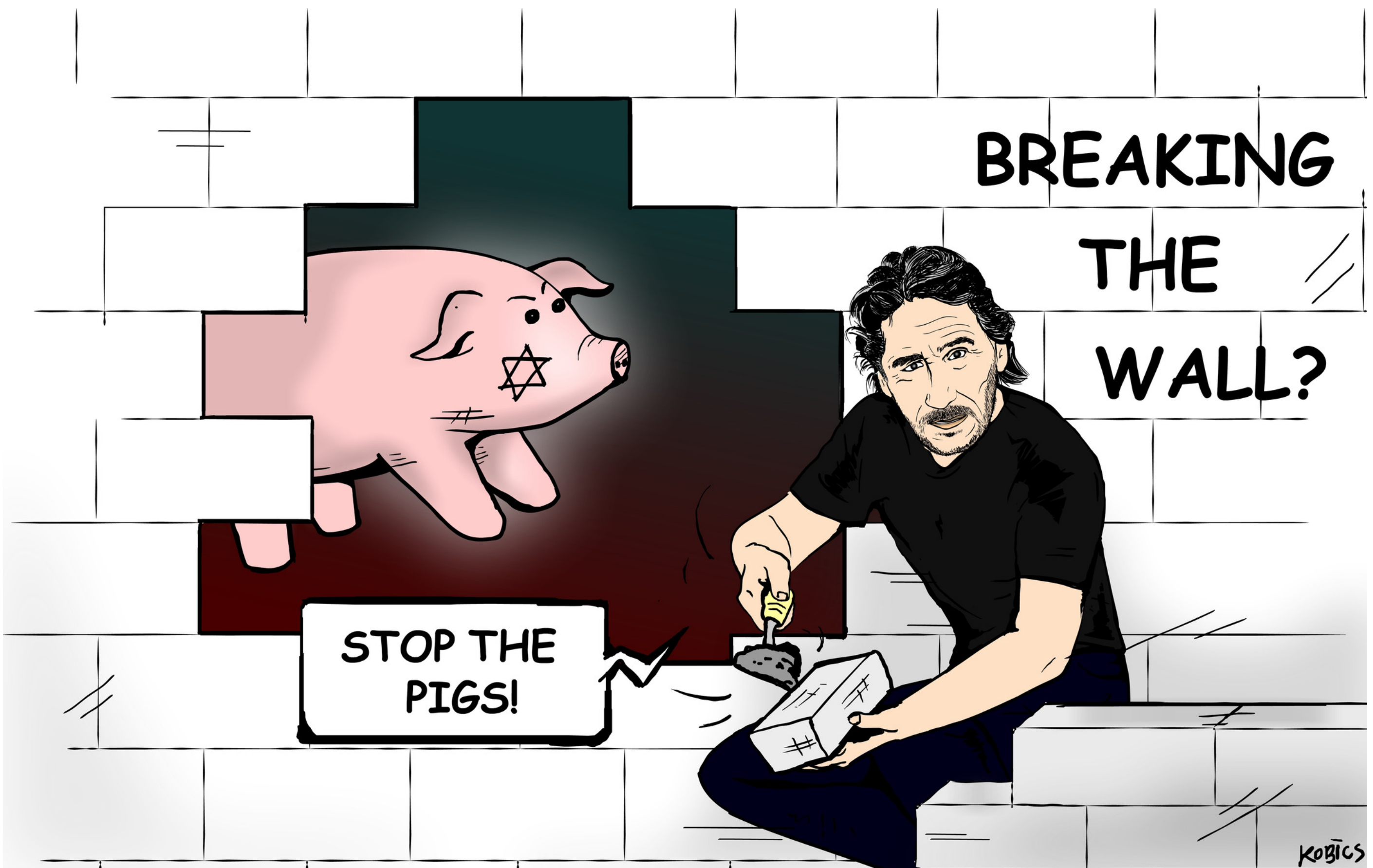
Furthermore, a lot of Israeli companies apply Israeli labour legislation, which offers a higher minimum wage than the Palestinian labour legislation. In addition, Palestinians themselves have shown a growing tendency to engage in business relationships with Israeli companies. In 2011 a sensational study conducted by the Al-Quds

Palestinians themselves have shown a growing tendency to engage in business relationships with Israeli companies.

University found that Palestinians invest twice as much in Israel than in the West Bank.

Finally, the aforementioned provisions are designed to invoke international responsibility. Accordingly, a private-sector entity cannot be held legally responsible for supporting the development of settlement areas, any restriction of the right to self-determination, or the Israeli responsibility to comply with international law. Hence, if there is no legal ground to hold companies responsible for business activities under international law, there is no need to establish an international blacklist, which most certainly will cause damage to the affected companies. This remains part of the national jurisdiction of a state.

Chapter 3 | Boycotting the Boycotters



Former Pink Floyd musician Roger Waters is facing severe backlash from the German Jewish community for his open support for the BDS (boycott, divest, and sanction) movement and for anti-Semitic accusations.

Sound familiar? It should. The same events transpired in 2013, when the Dusseldorf Jewish community advocated a boycott of Waters' concert following anti-Semitic incidents in his Brussels concert. Those included such things as floating a giant pig balloon with a Jewish star on it, accusing Israel of apartheid, and urging other artists to join him in his boycott until Israel complies with the double standards held against it by much of the international order.

Recently, Roger Waters released a recital of Mohammed Darwish's

poem, "The Penultimate Speech of the 'Red Indian' to the White Man," recited to the background of an oud playing traditional Palestinian music. The poem, and the timing of its release - soon after Trump's declaration of Jerusalem as the capital of Israel - was a deliberate attempt to equate Israel and the United States with white colonialists, and the Palestinians with the helpless Indians who are defenseless against the "erection of the 'white man's' world on their remains." The poem finishes with the question: "Where, oh white master, are you taking my people... and yours?" Waters' implication, that in recognizing Jewish history Trump was the white master forcing Palestinians out of Jerusalem, is a distortion. Firstly, it is implying American sovereignty over Jerusalem, which is not the case. Secondly, the

statement did nothing to diminish the rights of Palestinians in Jerusalem. Furthermore, equating the plight of Palestinians to that of the First Nations people in the Americas is a problematic analogy, particularly in light of the hundreds of years of difference between the cases.

The Anti-Defamation League (ADL), which previously supported Waters' seemingly innocent criticism of Israel, reexamined his words and actions in 2013. In an open letter to Waters they expressed the conclusion that his views "are in fact colored by offensive and dangerous undercurrents of anti-Jewish sentiment." The letter ended with the hope that he would use his fame and talent instead to promote peace in a constructive and positive way.

In the four years that have passed, however, not

much seems to have changed. Still a vocal supporter of BDS and still accused of public anti-Semitism, Waters is once again facing a boycott of his concert from Germany's Jewish community.

Equating the plight of Palestinians to that of the First Nations People in the Americas is a problematic analogy.

In addition to the boycott, Cologne citizen Malca Goldstein-Wolf wrote a petition – signed by over 1,300 people – requesting public broadcasting services to cancel their plans to air his concerts.

As a result of the petition and accusations of anti-Semitism against him, “five state television and radio affiliates of the national ARD network” have complied with the requests of the petition and will not be airing his concert.

German society and government are working together to fight against anti-Semitism in the country.

In an attempt to distance themselves from the horror of the Holocaust and the anti-Semitism preceding it, the German government implemented strict laws outlawing the spread of anti-Semitic ideologies. Various forms are illegal in Germany, including Holocaust denial, approval of Nazism, the use of Nazi symbols, and the sale of Hitler’s autobiography *Mein Kampf*.

Anti-Semitism, however, remains relatively high in the region. Twenty-seven percent of adults in Germany harbor anti-Semitic views, according to a variety of indicators related to the perception of Jewish national loyalty, control of the economy and media, etc. This dichotomy highlights the ideological distance between the government and the people with regard to their perception of Jews. The success of this boycott, however, marks an important change in which German society and government are working together to fight against anti-Semitism in the country.

But what is the integrity of responding to a boycott with a boycott? While it is important to stop hate speech before it happens, is it not a bit problematic to use their own tactics against them?

Marek Lieberberg is both Waters' tour director and the son of Holocaust survivors. While he rejects BDS, he also does not want to deny Waters his freedom of opinion. On the other hand, boycotting a BDS supporter sends a direct message to the movement regarding the meaning behind its actions. Organizing a boycott of Waters' show in Germany serves the dual purpose of rejecting anti-Semitism and anti-Zionism, while also encouraging BDS supporters to think about what exactly they are boycotting.

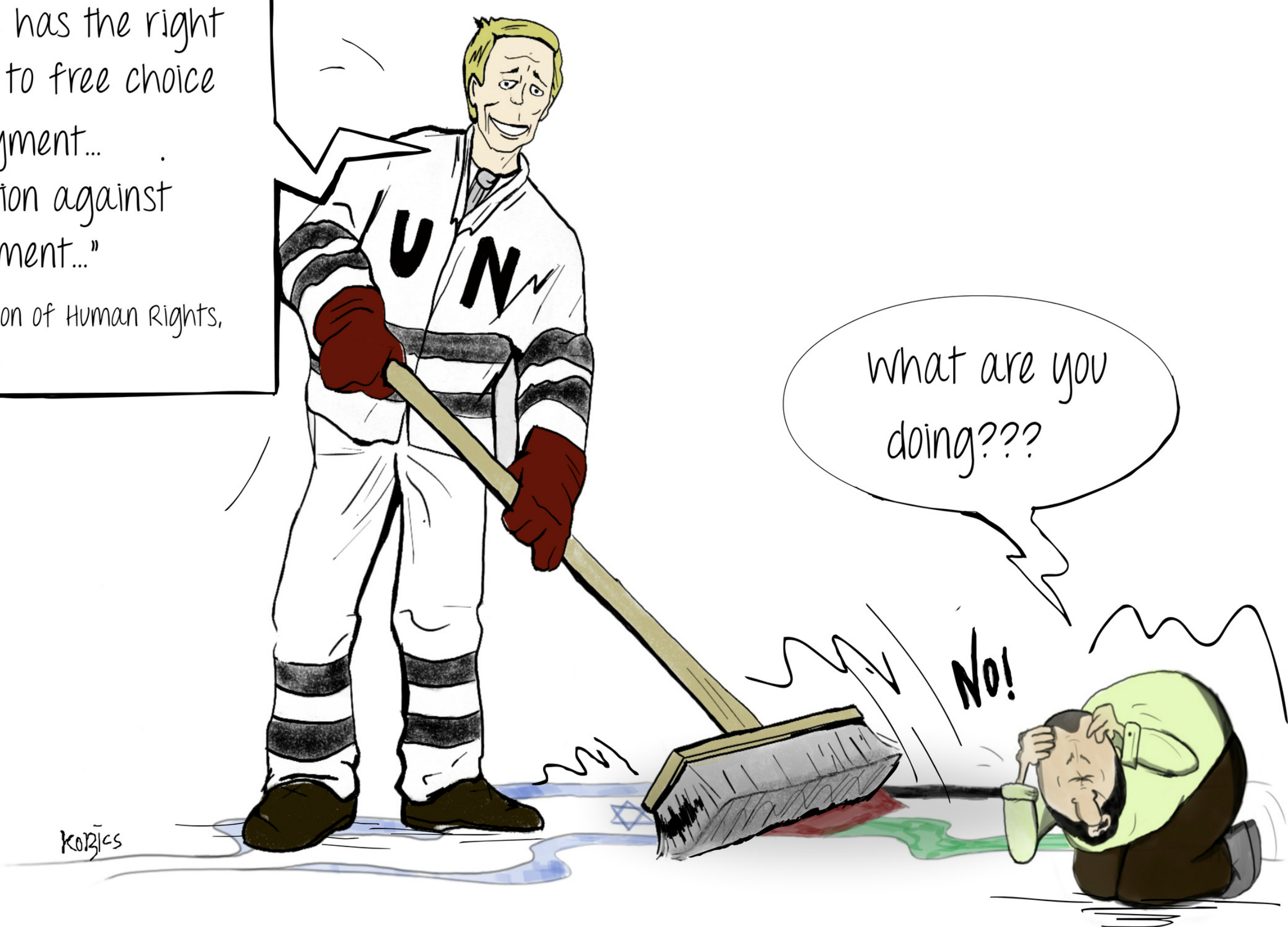
In an incident that reflects the flip side of the same coin, Australian rock star Nick Cave made the decision to perform in Israel because of BDS. After being presented with a petition calling for artists to boycott Israel and refusing to sign it, Cave stated,

"I like Israel and Israelis, and it's important for me to do something of substance about it." He booked a tour in Israel in direct response to the BDS movement gaining traction among artists, thus bringing light to the effects the movement has on many facets of society.

There is a very fine line between legitimate criticism of Israeli policies and anti-Semitism. However, Waters' support for BDS, while using anti-Semitic imagery in his concerts and publicly accusing Israel of apartheid, leaves no doubt that his actions are truly anti-Semitic. Staging a boycott of his tour in Germany sends the message to BDS supporters that anti-Semitism has no place in public art. Hopefully, awareness of the cause and the boycott itself will encourage others to question the purpose of the BDS movement and its effects on both Israel and the international order.

Chapter 4 | When Sanctions Fail

"Everyone has the right to work, to free choice of employment... to protection against unemployment..."
(UN Declaration of Human Rights, Article 23(1))



The United Nations Human Rights Council announced its intention to publish a blacklist of 150 private companies, including those who do business in the disputed territories beyond the Green Line in Israel. In doing so, the Council plans to condemn the companies for acting against international law. This condemnation is supposed to tarnish the companies' reputations politically in order to force them out of these territories. This move is said to help the Palestinians in the area; but according to numerous studies on the effects of sanctions, it is more likely to harm them economically.

A recent study of 68 cases where sanctions were imposed shows that in the end there is an expansion of inequality with a damaging impact on the sanctioned economies. For example,

Yemen, which was sanctioned for ten years, experienced an increase both in poverty and in polarization due to inequality. The results can still be seen today in the sewage that runs through its streets.

According to numerous studies on the effects of sanctions, it is more likely to harm [Palestinians] economically.

Another case study of sanctions, done between the years 1982-2011, also reveals their negative effects on poverty. The research shows that the poverty gap widened from 5.89% before sanctions to 13.26% afterwards – an increase of 7.37%!

Furthermore, there was a 22.39% increase in death rates. Poverty spreads as sanctions intensify.

This data clearly shows the potential for devastating economic damage to Palestinians as the result of applying sanctions to Israeli companies in the disputed territories, and the effects of sanctions are long-term.

Over the years, the economy of the Palestinian Authority (PA) has developed a high dependency on international aid. Prior to the first Intifada (1987) there was a level of only 5% unemployment, with many Palestinians able to find work. Today, that

The funding is given to leaders of the PA who use it for terrorism, anti-Zionist propaganda...

percentage has dramatically risen to approximately 43%, with 58% unemployment among the young people of Gaza. Even among the employed there is a high

percentage living under the poverty line. The political conflict has caused a worsening of economic conditions, which has led to increased dependency of the PA on foreign aid.

The World Bank recommends the development of the private sector in order to boost Palestinian economic growth. However, this strategy contradicts the interests of the PA, which receives most of its funding from international aid. The funding is given to the leaders of the PA, who use it for terrorism, anti-Zionist propaganda and for fattening the stomachs of the elite (there is a wide gap between rich and poor). In contrast, Palestinians who work for Israeli private-sector companies are able to make a comfortable living without dependency on foreign aid. Clearly, sanctions on Israeli companies prevent this by leading to an increase in Palestinian unemployment.

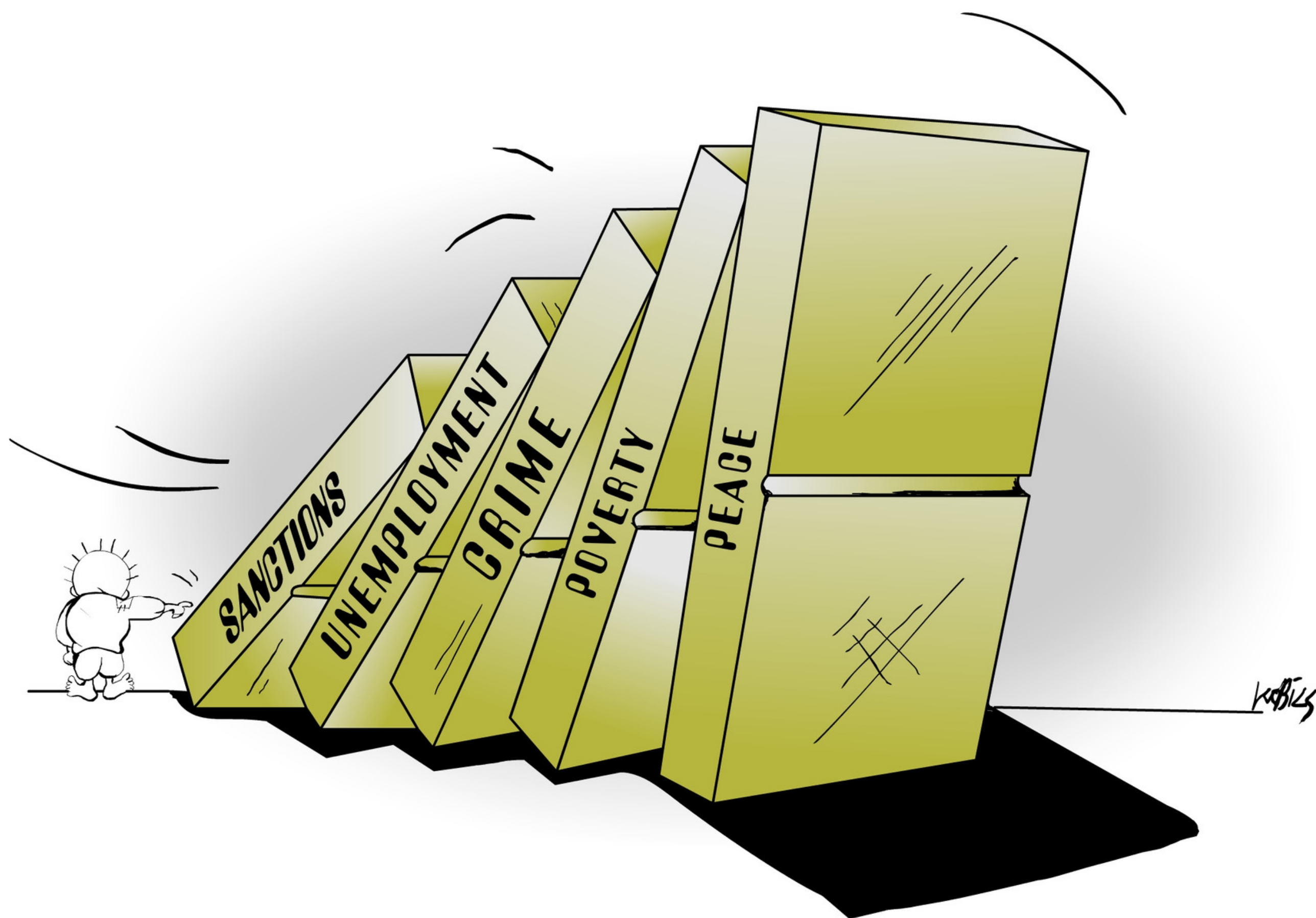
The consequence of all this is unnecessary human suffering. Sanctions cause a deepening of inequality, a widening of the poverty gap, an increase of social polarity, and more. Furthermore, these effects are long-term. Considering the political reality for individuals in these areas, it is reasonable to believe that massive harm has already been caused.

It may well be that the economic reality of poverty and unemployment in everyday life has been contributing to the worsening of the conflict. Considering this perspective, it becomes apparent that the sanctions are targeted not at stabilizing the area, but rather at delegitimizing Israel.

The consequence is unnecessary human suffering.



Chapter 5 | Unlikely End, Means Unjustified



There are those who say that the end justifies the means, and there are those who oppose that notion. But when the declared end is not even achieved, any justification of the means falls flat.

In the previous article we dealt with the outcomes of sanctions policy on poor areas in general, with particular attention to sanctions in the disputed territories in the Israeli-Palestinian conflict. We looked at the probable economic and social harm to the individuals affected by this policy as well as their society in general. In this article we show the impact of the sanctions on daily life, in both the short run and the long run.

It is well known that unemployment causes massive harm to affected populations. This damage begins with the individual but spreads to the surrounding society.

The individual experiences loss of his ability to pay for housing, food, bills, medical care, etc. as a result of lack of income. This situation has a variety of implications, even in developed countries. Tent cities in the USA are an example of this principle. Individuals who suffer unemployment also report feelings of stress, anxiety, and depression, made worse when the unemployed person is responsible for a family. This was shown by research done during the time of the US sub-prime breakdown, when banks offered easy access to money that later triggered the mortgage crises.

Unemployment causes massive harm to affected populations.

Unemployment also affects the afflicted society by preventing it from reaching its economic potential. In the short run, the workers are not creating economic gains that would fulfill their potential contribution to that society.

In search of income, people... fall into criminal activity to make a living.

In the long run, the unemployed look for any job that will feed themselves and their families, which makes them accept jobs not fitted to their skills and creates a loss of human capital in those skills. This problem intensifies during long terms of unemployment, as the quality of work within their original skills and abilities deteriorates.

In search of income, people in economic distress often fall into criminal activity in order to make a living.

This dependency has been encouraged and exploited by terrorist organizations in the West Bank and Gaza, who offer money to those in need, thereby recruiting them for the advancement of terrorism. Thus, in addition to unemployment, sanctions cause poverty, widen inequality, and increase crime in the affected societies; all of which causes more tension that can lead to more violence. A definite connection was found in research regarding these effects of sanctions imposed upon multi-ethnic societies.

This research should serve as an alarm bell concerning sanctions implemented against the disputed territories: it points to potentially catastrophic results that can easily lead to increased violence. It is important to note that the territories are already experiencing a complex reality of political tension

between ethnic groups, increasing the likelihood that sanctions would only make that tension worse.

There are two more reasons why these sanctions are not likely to achieve their declared goals. Firstly, 65-95% of the sanctions imposed worldwide to date have failed.

Secondly, the Israeli-Palestinian conflict is not primarily an economic dispute. It is based on many years of political, religious and historical disputes, which sanctions would not resolve.

In short, sanctions as a means will not only cause harm; they will also fail to achieve the end which supposedly justifies that means.

[The conflict] is not primarily an economic dispute.





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