

Dani Dayan Banned in Brasilia: The Discriminatory Attitude of Labeling People



On August 5, the Israeli government appointed Dani Dayan as its ambassador to Brazil. Later on, in September, Jerusalem asked Brasilia for the *agrément* —a routine procedure in such diplomatic matters, which requires that before a State appoints a new chief for its diplomatic mission to represent it in another State, it must be first ascertained whether the proposed appointee is acceptable to the receiving State. Israel has received no response so far.

Brazilian president Dilma Rousseff has publicly announced her disagreement with the appointment of Dayan. In this regard, on December 20 Brazilian MP Carlos Marun compared Dayan with a guard of a Nazi concentration camp. Dayan, who lives in the West Bank beyond the Green Line, as many Israeli diplomats serving around the world do and who do not face such problems in other countries, was until 2013 the president of the Yesha Council, an organization that gathers and represents the interests of Israeli settlers both at home and abroad. For Brazilian MP Carlos Marun and many others worldwide this fact is synonymous with absolute evil; nonetheless Dayan defended the claims of a large group of people who have the right to do so under the international covenants on political and civil rights. That is the reason why Brazil does not want Dayan as ambassador of Israel; and this attitude against the Israeli diplomat is biased and undiplomatic, to say the least. Mainly because the settlements and the Israeli presence in the West Bank are not precisely straight black-and-white issues.

As the Oslo Accords established, the borders between Israelis and Palestinians will be defined in bilateral negotiations. The Palestinian leadership, unlike Israel's, has refused to advance peacefully and create its own State. In this sense, in August 2000, at the Camp David Peace Summit II, Ehud Barak, aided by Bill Clinton, offered Arafat 90% of the territory claimed by the Palestinians (the settlements that Israel would retain would be exchanged for Israeli land: the land swaps) and the division of Jerusalem would split the Old City. Arafat said no. Eight years later in Geneva, Ehud Olmert expanded the offer to 100% of the territory claimed, plus a corridor between Gaza and the West Bank; but then Mahmoud Abbas said no. The Palestinian leaders have been those who have rejected to solve the territorial dispute with Israel, which include the settlements.

Moreover, why can all of these settlers not live in a future State of Palestine? Except Hebron, all settlements are autonomous cities, not mixed with the Palestinians. If in Israel there are about a million and a half Arabs who are Israeli citizens with all their rights, why should the settlers leave and not live under Palestinian rule?

In spite of all that, to reject Dayan as Israeli ambassador supposes as well a discriminatory and undemocratic trend against Israel: labeling people. Putting pressure on Israel while not demanding any effort or concession to the Palestinians, banning an Israeli diplomat just due to the place where he lives and not asking for the records of Palestinian diplomats, represent a double-standard policy towards Israel. This step took by Brasilia is sadly the following one after the European Commission guidelines on labeling of the products manufactured in the West Bank: First banning products, and now banning persons.

Israel and its leaders are under a constant isolation strategy backed by many international organizations that have applied an irresponsible approach regarding what the Israel's situation is and what the Jewish State means to the Western World —allowed by nations which are suppose to be friends and allies of Israel. This isolation has thus reached a dangerous stage on Dayan's appointment. Labeling and lately banning Israelis promotes the agenda of radical groups that seek the end of Israel by non-military means.

Brazil should get back on its intransigent position and realize that labeling people is not a proper policy from a democratic country.

Spotlight

The Lawfare Military Project: Impact and Success



After Operation Protective Edge, which was carried out by the Israeli Defense Forces (IDF) in the summer of 2014 in order to stop Hamas's the massive and indiscriminate launch of rockets against Israel cities, the Palestinian Authority and some international NGOs initiated a campaign to charge Israeli officials and political leaders for war crimes and crimes against humanity. This lawfare strategy currently aims to assault Israel's legitimacy to defend itself and to isolate Israelis with false and serious accusations. For this purpose, such strategy has been focused on two major international bodies: the International Criminal Court, (ICC), which Palestine joined as a member on April 1, and the United Nations Human Right Council (UNHRC) which concluded an inquiry on the Gaza conflict on June 24.

The problem this lawfare offensive raises is not only the international delegitimization of Israel's right to protect its citizens—by extension, its right to exist—, but also to make all the countries in the West and beyond prohibitive for Israelis. As a worrying example, an Israeli citizen was arrested in the UK for fighting in Operation Protective Edge this month. If Israeli officials, political leaders and ordinary citizens are not able to travel to other countries, the Jewish State would eventually become totally isolated, unable to thrive and flourish—Israel's prosperity depends mainly on relations with foreign counties, especially the U.S. and the European Union. These initiatives, besides being a distortion of international law, have as a final goal to ban Israelis worldwide.

Therefore, one of the FOII's major undertakings launched in 2015 has been the Lawfare Military Project, which is achieving relevant success and impact.

During 2015 we have accomplished the first stage of the project. Thus, FOII created the High Level Military Group (HLMG), formed by high-ranking retired military officers (former Chief of Staff level), and carried out two fact-findings missions in Israel, both granted with an unprecedented level of access – from the Prime Minister, the Minister of Defense and the Chief of Staff to ground officers, among others. Once the HLMG concluded the key preliminary findings gathered in the fact-findings missions, the group sent a letter to Judge McGowan, who was the UNHRC's head of the special inquiry commission on the Gaza conflict in 2014, highlighting that the IDF went beyond the required legal standards and also pointed out Hamas's use of human shields. The fact-finding missions and the HLMG preliminary findings were globally echoed in the media.

After the fact-finding missions, the HLMG elaborated an Assessment of the 2014 Gaza Conflict, where proof can be found about how the Israeli Defense Forces exceeded international legal standards of armed conflicts during Operation Protective Edge. FOII has started the release of the Assessment, which is also freely available in the HLMG's new website (<http://www.high-level-military-group.org/>).

As an essential part of the second stage of the project, concurrently, a group of military analysts have produced 9 different case studies about the use of military forces in similar scenarios.

In the third stage of the project, to be developed in 2016, the Assessment of the 2014 Gaza Conflict and the Case Studies will be merged in a Global Comparison Report where the standards and procedures used by the IDF in Operation Protective Edge could be accurately measured against what other military forces actually do in analogous situations. Therefore, the Global Comparison Report will be an invaluable tool in confronting potential actions against Israeli officials and political leaders and will be submitted as a testimony before the ICC. It will also be presented to other international bodies

In addition, this project represents a novel venture based on a unique methodology. It is the first time that the procedures used by the IDF and Western forces in conflicts against non-State actors, such as Hamas or the Islamic State, are compared and evaluated. The outcomes of this approach shall bring light about the measures to take and the mistakes to avoid in this sort of complex conflicts.

“I am tired of the constant demonizing of people
via political label”

Mark Skousen

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