

# Opening Remarks

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## Dr. Lars Hänsel

*Dr. Lars Hänsel is Director of the Israel Office of the Konrad-Adenauer-Stiftung.*

I am very pleased to welcome you here on behalf of the Konrad Adenauer Stiftung to this joint conference together with the Jerusalem Center. The Konrad Adenauer Stiftung is a political organization which promotes democracy, rule of law, social market economy, and human rights in Germany, as well as in nearly one hundred countries all over the world.

Germany and other countries in the European Union have a privilege that Israel does not enjoy. The European Union and Germany have lived in peaceful times for more than sixty years. This is one of the reasons that there is a broad consensus in Europe that there is no military solution to political problems. I am also sure that this conviction is shared here in Israel, but with one major difference concerning the conclusion. In Germany and in European countries, the conclusion would be that if there is no military solution, then don't use military means. In Israel there is broad support for military action. Israelis know that even if there is no military solution, sometimes it is necessary to answer militarily, due to the hostile environment in which Israel lives. Sometimes you have to react militarily, even if this cannot produce long-term solutions. I am sure that also in Israel long-term solutions are seen only in a negotiated peace agreement with the Palestinians. Therefore, having sometimes to use military force puts Israel in a very difficult situation, including moral dilemmas which are even more complicated than using force against non-state actors like Hamas.

Since international law was mainly formulated for inter-state conflicts, the question is if and how international law applies for this specific situation. In these kinds of conflicts, the law and its interpretation, in particular, also becomes a means to further the interests of the parties. The law is often used to delegitimize Israel and its self-defense actions. Many support Israel's right

to self-defense until the moment when Israel exerts that right, as in the case of Gaza, after years of rocket attacks from the Gaza Strip.

During the Gaza operation, the pictures of suffering in Gaza made it difficult for many abroad to judge what the reason was for this suffering. In the war of pictures, Israel was always on the defensive, since there is a moral decision in Israel not to publish pictures or footage of dead people. However, compassion for those suffering should not hide the reason for the suffering. The reason was clearly because of Hamas and not Israel, because Hamas did not use its rule in the Gaza Strip for developing the economy and society, but used its power to build up its arsenal of weapons. Hamas did not take responsibility for the civilian population; on the contrary, Hamas made cynical use of civilians during the Gaza operation.

Angela Merkel took a key position when she commented, during the first stage of the operation, that nobody should mix up the cause and effect of the situation. Israel is facing major military, moral, and legal challenges. I hope that our conference will contribute to clarifying how Israel can better cope with the legal challenges in fighting terrorist organizations such as Hamas. I think that it is not only Israel's challenge to deal with non-state military actors. We will see more in Germany and Europe since Germany has troops fighting terror groups in Afghanistan and sometimes finds itself in a similar dilemma as Israel. This conference might also serve as a starting point for a dialogue between Israel and Germany about how to combat terror groups and to adhere to international standards.