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Een greep uit het nieuws

- * <http://www.pmwatch.org/pmw/index.asp>
- * <http://www.pmwatch.org/pmw/cast/retaliationwp.asp>
In Washington Post, Palestinians Attack, Israel Retaliates
- * Via <http://www.miftah.org>
A Humanitarian Disaster in the Occupied Territories, 10-8-2002
- * Via <http://www.tikkun.org/index.cfm/action/current/article/110.html>
The Meaning of the Gaza Bombing, 24-7-2002

Hierna

- * Via <http://electronicintifada.net/features/articles/020724laurie.shtml>
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NPK/WL, 11-8-2002 ■

P.S.

Partition

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United Nations "Partition Plan" to the Palestinians:

You are going to have 47% of the 100% which was originally yours.

"Oslo Agreement" to the Palestinians:

You are going to have 22% of the 100% which was originally yours.

Barak's "Generous Offer" to the Palestinians:

We are going to give you 80% of 22% of 100% of the land which was originally yours.

Sharon's "Peace Plan" to the Palestinians:

We are going to give you 42% of 80% of 22% of 100% of the land which was originally yours, and this 42% will remain under continuous curfew.

"American Zionists" to the Palestinians:

We asked Sharon to give you 0% of 42% of 80% of 22% of 100% of the land which was originally yours.

Bush's "Peace Plan" to the Palestinians:

Sharon is a 'Man of Peace', I trust his judgment, but where the hell is Palestine?

Blair's "Peace Plan" to the Palestinians:

We started this whole mess. But right now I go along with Bush's "Extraordinary vision".

Getting Away with Murder: Will Israeli Impunity Triumph Again?

Laurie King-Irani, Ph.D.

Victoria, BC (24 July 2002)--Throughout the world, Israel's extrajudicial killing of Hamas leader Saleh Shehadeh, which "accidentally" resulted in the deaths of 15 others, many of them children, has elicited official expressions of shock and outrage. Even Israel's bankrollers and diplomatic guardians in Washington, DC had to admit that this act was wrong --"heavy-handed," in the words of President Bush. A visitor from another planet, watching the downward spiral of politics in Israel and Palestine over the last two years, might imagine that Monday's carnage in Gaza shall galvanize the world, mark a turning point, and shock all parties into the long overdue realization that violence is not the answer.

Our extraterrestrial guest would, alas, be wrong.

Israel's long history of getting away with murder suggests that it will probably get away with the brutal attack on an apartment building in Gaza--the most crowded residential area on the face of this planet--just as it got away with the murders of nearly 16,000 civilians in Lebanon in the summer of 1982

<http://www.theage.com.au/articles/2002/05/01/1019441390497.html> , the murder of over 100 civilians (most of them children), sheltering in a UNIFIL base in Qana in 1996 <http://www.merip.org/pins/pin11.html> , the more recent carnage in Jenin, Nablus, Ramallah and Hebron, not to mention the many Palestinians massacred in 1948 at Israel's birth.

Continuing impunity for these and other crimes against humanity enables Ariel Sharon to crow triumphantly that the murderous act of 22 July was "a great success," without any noticeable shame or fear of censure. Impunity also allows the supposedly liberal and peace-loving Shimon Peres, who bears ultimate responsibility for the murders at Qana

<http://www.web.amnesty.org/ai.nsf/index/MDE150421996> , to intone, in a strangely hollow moral commentary, that the deaths of innocents in Gaza constitute "a tragedy."

In actual fact, these deaths--along with all the others referenced above--constitute war crimes

<http://www.crimesofwar.org/thebook/book.html> . As such, they must be investigated and prosecuted by the international community.

By the same logic and according to the same principles, killings of Israeli civilians orchestrated by Hamas and Islamic Jihad must also be investigated and prosecuted <http://web.amnesty.org/ai.nsf/Index/MDE020032002?OpenDocument&of=COUNTRIES\ISRAEL/OCCUPIED+TERRITORIES> But we must be clear that these killings are a direct result

of the impunity Israel has enjoyed for its killings for the last 54 years. In the absence of justice, the effective application of international humanitarian law, the Geneva Conventions <http://www.ict.org/instruments/intlhumanlaw.htm> , and a host of UN resolutions, Israelis and Palestinians have slid down into the dark, malodorous depths of vengeance. The usual exit from this bloody cycle is death.

Happily, there is another way, and some are beginning to pursue it, such as the Gush Shalom initiative launched by Israeli citizens to compile war crimes charges against their own government

http://www.gush-shalom.org/archives/forum_eng.html ; such as the judicial attempt, still ongoing, to bring Ariel Sharon, Amos Yaron and others to justice for their significant role in the 1982 Sabra and Shatila massacres

<http://www.indictsharon.net> ; such as last week's announcement of a civil suit brought against the Israeli Defense Forces by Palestinian-Americans

<http://www.paknews.com/main.php?id=9&date1=2002-07-20> .

As both the Qur'an and the Torah emphasize, to save a single life is to save the entire world. To take a single life is thus to destroy the entire world. The only way to short-circuit the vicious cycle of revenge and counter-revenge that is destroying worlds day by day in Israel and Palestine is to reach for the "circuit-breaker" of International Humanitarian Law

<http://www.icrc.org/Web/eng/siteeng0.nsf/iwpList104/54CE5D4D0C244095C1256B66005BAA99> right now, before Hamas makes good on its promises to exact revenge and Sharon realizes his ultimate goal--one he has been hoping to achieve since taking his provocative walk-about on the grounds of the Haram Ash-Sharif/Temple Mount in September 2000: To goad Palestinians into doing something so dramatic that Israel will be excused for its subsequent large-scale massacre and population transfer of tens of thousands of Palestinians.

It does not require a degree in rocket science to see where Sharon wants to go, and where, with the compliance of the intellectually challenged George W. Bush, he may be allowed to go, taking the entire region to the very edge of hell.

Who has to reach for that circuit breaker? All of us. Governments won't do it, and as the UN showed with its shocking cave-in to Israel's limitation of its role in investigating the IDF's destruction of part of the Jenin refugee camp last April, Kofi Annan won't do it. This is a job for global citizen. That's you and me. International Humanitarian Law is our law <http://indictsharon.net/warcrimes-landscapes.shtml> . Let's use it now. It is still not too late. ■

WHY ISRAEL OUGHT TO BE TREATED LIKE APARTHEID SOUTH AFRICA

Ian Buruma claims that he can think of one or two reasons for the double standard underpinning the action of the singling out of Israel as the litmus test of one's progressive credentials but, he further claims, whatever they are, moral outrage against Israeli apartheid would probably not be one of them. He also alleges that the comparison of Israel with South Africa is intellectually lazy, morally questionable, and possibly even mendacious, and that the call to boycott Israeli academic institutions tell us more about the boycotters than the subject of their rage.

I am afraid, however, that the facts of the case do not corroborate Ian Buruma's misguided argument. It is exactly the case that inside the State of Israel there IS apartheid.

I hope Ian Buruma can accept the distinction between racism and racial discrimination versus apartheid. I refer here to the term "racial discrimination" (or "racism") as defined in Article 1(1) of the UN Convention on the Elimination of All Forms of Racial Discrimination of 1966 (any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms on the political, economic, social, cultural or any other field of public life.)

Apartheid, however, is not racism. Apartheid is an exceptional form of racial discrimination predicated upon the enforcement of racism in law through Acts of Parliament.

There is indeed no justification for singling out Israel as a state where racism is rife. Racism is rife in most or in all member states of the United Nations Organization, including the UK, let alone the US. There is, however, every reason to single out the Jewish state, not because it is a Jewish state, but because it is an apartheid state, namely a state that legislates racism through Acts of Parliament and enforces racist behaviour upon its citizens by exercising the might of the law. In apartheid South Africa the apartheid divide was between people classified as 'whites' versus people classified as 'non-whites'. In apartheid Israel the apartheid divide is between people classified as 'Jews' versus people classified as 'non-Jews', first and foremost the indigenous people of the country of Palestine, the Palestinian Arab people.

The Israeli Supreme Court ruling of March 2000 in the case of Adil and Iman Qaadan versus the cooperative settlement of Qatzir notwithstanding, it remains the case to date that some 93 per cent of the entire territory of the State of Israel are earmarked IN LAW for cultivation, development and settlement for 'Jews only' and only some 7 per cent are accessible to 'non-Jews', first and foremost Palestinian Arab citizens of the State of Israel and the 1948 Palestine refugees. By comparison, in apartheid South Africa some 87 per cent of the territory of the Republic of apartheid South Africa was designated in law for 'whites' only and some 13 per cent was accessible to 'non-whites'. In other words, the terms of apartheid legislation with regard to land tenure in apartheid Israel are not only comparable to, but are WORSE in this regard than the terms of South African apartheid, now happily dismantled since 1994.

Ian Buruma refers to the indigenous Palestinian Arab citizens of Israel, a national minority representing some 20 per cent of the total population of the State of Israel, and alleges that 'they enjoy full citizen's rights'.

I am afraid, however that this argument, like his argument above, is not borne by the facts of the case and is equally misguided.

Citizenship is a certificate representing a legal relationship between the individual and the state. Democratic citizenship is a certificate representing the recognition by the state of the right of every citizen to equal access to the political process of the state (e.g., to elect and be elected to all of the offices of the state); to the civil process (e.g., to equal standing before the courts of law); to social and welfare services (e.g., religious services including child welfare allowances); and to the material resources of the state (e.g., land and water).

Like all rights, democratic citizenship as we know it today is a right won by the struggle of the people vis-a-vis the state.

Article 15 of the Universal Declaration of Human Rights stipulates that (1) Everyone has the right to a nationality and (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Unlike the US legislature, which recognizes, under a democratic Constitution, one universal citizenship for all US citizens without distinction of nationality, religion, language, tribe, sex, sexual orientation or any other social status - the State of Israel does not have one

single universal citizenship for all of its citizens, Jews and non-Jews alike. Rather, informed by the dominant ideology of political Zionism, the Israeli legislator (the Knesset) legislated a schedule of FOUR classes of citizenship based on racial discrimination and representing blatant inequality in law, in other words, representing a new form of Apartheid.

In the State of Israel the right of a citizen classified in law as a "non-Jew" (namely, an "Arab") to partake in the political process is formally equal to the right of a citizen classified in law as a "Jew". Likewise the standing of a citizen classified in law as a "non-Jew" before the courts of law is formally equal to the standing of citizen classified in law as a "Jew".

On the other hand the right of a citizen classified in law as a "non-Jew" to the social and welfare services and the material resources of the State are NOT equal to those of a citizen classified in law as a "Jew". The ruling by the Israeli Supreme Court sitting as High Court of Justice on the case of Adil and Iman Qaadani versus Qatzir in March 2000 notwithstanding, such citizens of the state of Israel as are classified in law as "non-Jews" (namely, "Arabs") are denied to date access to some 93 per cent of the territory of pre-1967 Israel administered by the Israel Lands Administration (ILA). In other words, the Israeli legal system is based fundamentally on the determination of at least two classes of citizenship: Class "A" citizenship for such citizens as are classified in law as "Jews", and, as such are allocated in law a privileged access to the material resources of the State as well as the welfare services of the State only because they are classified in law as "Jews" versus Class "B" citizenship for such citizens as are classified in law as "non-Jews", namely, as "Arabs", and, as such, are discriminated against in law with regard to their right to equal access to the material resources of the State as well as the social and welfare services of the State, first and foremost their right to equal access to land and water only because they are classified in law as "non-Jews".

But subject to Class "B" citizenship above, there exists in the State of Israel by force of the Absentees Property Law of 1950 also Class "C" citizenship for such Arab citizens of the State of Israel as are present inside the state, yet classified in law as "absent". These Arab citizens are indeed present inside Israel as taxpayers and voters who cast (or refrain from casting) their vote in the election ballot - but, being classified under the said obscene law as "absentees" - they have been denied all their rights to their properties (e.g., lands, houses, corporations, shares, bank accounts, bank safes, etc.) such as were valid until 1948. Some 20 per cent of the constituency of the Palestinian Arab citizens of Israel, approximately 200,000 persons, are classified in Israeli law as Class "C" citizens, namely, as "present-absentees".

Also, subject to the said Absentees Property law of 1950, the Israeli legislator (the Knesset) determined in law a Class "D" citizenship, namely, the denied citizenship of some 750,000 1948 Palestine refugees and their descendants currently numbering according to UNRWA figures approximately 4 million persons. Under the terms of UN Resolutions 181(ii) (Plan for Partition with Economic Union) of November 1947, the constitutive document of the State of Israel and the State of Palestine recommending the partition of the territory of British Mandate Palestine into a "Jewish State" and an "Arab State", with the City of Jerusalem as a CORPUS SEPARATUM under a special international regime to be administered by the United Nations - the currently approximately 4 million 1948 Palestine refugees are entitled to the citizenship of the "Jewish State". Yet, the Israeli legislator (the Knesset), by force of the said Absentees Property Law of 1950, and in violation of the norms of the Universal Declaration of Human Rights and the standards of international law, denationalized the mass of the 1948 Palestine refugees, denying their right to Israeli citizenship, thereby rendering them stateless.

Under the terms of the said constitutive document of the State of Israel and the State of Palestine (UN Resolutions 181ii, above) all Jews ordinarily resident in the territories allocated by the UN for the "Arab State" and their descendants are entitled to "Arab State" citizenship and all Arabs ordinarily resident in the territories allocated by the UN for the "Jewish State" (including, of course, all 1948 Palestine refugees and their descendants) are entitled to "Jewish State" citizenship, let alone to the title to their properties inside Israel and to return.

It had taken the UN by far too long to realize that political Zionism is a form of racism and racial discrimination representing a blatant violation of the norms of the Universal Declaration of Human Rights and the standards of international law. It was only in the wake of the 1967 war and the consequent war crimes perpetrated by the Israeli occupation forces on the one part, challenged by the renewed resistance of the Palestinian Arab people led by the PLO on the second part, that the UN corrected its record and passed General Assembly Resolution 3379 of November 1975 determining that "Zionism is a form of racism and racial discrimination". And it is indeed most regrettable that on the wake of the Middle East Peace Conference convened in Madrid in October-November 1991, co-sponsored by the US and the former USSR, the General Assembly muddied its record again by passing Resolution 46/86 of December 1991, deciding to revoke the said determination of political Zionism as a form of racism and racial discrimination.

Let us all hope that following the convening of the UN World Conference Against Racism in Durban South Africa, in August-September 2001, and predicated on the clear and firm distinction between Judaism as a confessional statement that strictly belongs to the private realm of the individuals concerned versus Zionism as a political programme that like all political programmes ought to be critically attended to and judged by the extent that they are compatible with the values of the Universal Declaration of Human Rights and the standards of international law - all those committed to the values of the Universal Declaration of Human Rights and to the consistent application of the standards of international law worldwide will coordinate their efforts with the view to motivate the UN to recognize that Zionism is a new form of apartheid.

There is little doubt that, as in the case of the dismantlement of Apartheid in South Africa, the UN is able to play a critical role, mutually beneficial to all parties concerned, by applying to the State of Israel suitably corresponding sanctions with the view to suggest to the Government of the State of Israel that just as the international community would not tolerate apartheid in South Africa it could and it would not tolerate apartheid in Israel. Boycott by civil society worldwide of Israeli produce, leisure tourism to Israel and cultural exchanges (including funding of and cooperation with Israeli academic institutions) would assist the UN in motivating sanctions against Israeli apartheid and thereby significantly reduce the capacity of the rogue Government of the State of Israel to inflict cruelty and suffering against the Palestinian Arab people and by the same token significantly improve the international defence of the rights of the Palestinian people.

Let all those committed to the values of the Universal Declaration of Human Rights and to the consistent application of the standards of international law worldwide coordinate their efforts with the view to motivate the UN to insist that the State of Israel comply with the terms of all UN resolutions relevant to the question of Palestine, including UN Resolution 181 of November

1947, determining that the State of Israel establish itself as a "Jewish State" - NOT as a "Jewish State" in the political Zionist sense of the term, namely, an apartheid state; NOT as a "Jewish state" with war criminal Governments guilty of the mass "ethnic cleansing" of the 1948 Palestine refugees from their now mostly destroyed hundreds of villages and many towns - but a "Jewish State" that is essentially democratic (with some "Jewish" trappings), namely, a democratic state for all of its citizens and 1948 Palestine refugee.

And finally, let all parties involved with the Israeli-Palestinian conflict, first and foremost the State of Israel, the colonial occupation party as well as the PLO, the anti-colonial resistance party could do worse than remember that the Universal Declaration of Human Rights and international law frame universal norms for the removal of injustice in such terms as secure the human rights and fundamental freedoms of everyone, including those of the former colonized and those of the former colonizers; those of the former occupier and those of the former occupied; both the Arab and the Hebrew peoples of Palestine as equal future Palestinian Arab and Palestinian Hebrew citizens of a democratic state.

In sum, Ian Buruma's article tells us more about Ian Buruma than about Israel, let alone the democratic future of Israel.

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Ha'aretz Israel's Leading Newspaper

The last recourse

Gideon Levy

<http://www.haaretzdaily.com/hasen/pages/ShArt.jhtml?itemNo=196160&contrassID=2&subContrassID=4&sbSubContrassID=0&listSrc=Y>

To what was Prime Minister Ariel Sharon referring when he stated at last week's cabinet meeting, "It is inconceivable for such phenomena to occur here in Israel"?

Was it the situation in which, according to the U.S. Agency for International Development, 13.2 percent of Palestinian children are suffering from prolonged malnutrition and 9.3 percent from temporary malnutrition? The dropping of a one-ton bomb on a residential neighborhood, killing 15 people? The withholding of medical aid? The daily liquidations of "wanted" Palestinians? The jailing of hundreds of thousands of people for two years within the framework of collective punishment? The deportation and demolition of the homes of the families of terrorists? The culture of racist manifestations with regard to the Arabs who are Israeli citizens?

We haven't heard an expression of shock from Sharon or his cabinet ministers about any of these phenomena. But the prime minister, and, in his wake, a uniform chorus of spokespersons - from Reuven Rivlin to Yossi Beilin - were shocked by the initiative of the Gush Shalom peace activists who wrote letters to 15 Israel Defense Forces officers, warning them that material evidence was being collected against them relating to their activity in the territories, with the intention of submitting it to the International Criminal Court in The Hague on suspicion that the officers are guilty of war crimes. "That is worse than a refusal [to serve in the territories]," the prime minister asserted.

Indeed, for a political movement to collect incriminating material about army personnel, with the goal of submitting the material to international courts, is problematic: Are there not enough authorities in Israel that have the task of collecting material if the suspicion of war crimes arises, and then placing those responsible on trial? Why the need for actions of a kind usually attributed to informers?

But before we rush to attack Gush Shalom, we would do well to consider a few questions. First: Are the soldiers and officers of the IDF in fact carrying out operations that could be suspected of constituting war crimes? If so, they should be stopped, even if doing so entails controversial means. The very fact of the outcry raised by the IDF and the government is cause for suspecting that we do have something to hide. Lately the IDF Spokesman's apparatus has made several moves that are intended to persuade the media and the officer corps from making public the names and photographs of soldiers and commanding officers who are serving in the territories, for fear of the court at The Hague. The need to conceal the faces of the soldiers, as though they were criminals hiding their faces from the cameras in a court of law, raises the question of whether the IDF is convinced that it is acting with what was once known as "purity of arms."

Beyond this, some of the actions undertaken by Israel in the past few months as part of its war on terrorism need to be subjected to a moral and judicial test; but there is no chance of that being done here. These actions include depriving hundreds of thousands of people of normal supplies and of the possibility of making a living, to the point where malnutrition has been caused; dozens of liquidations of people and not only of "ticking bombs;" the demolition of the homes of people who have done no wrong; blocking medical treatment; and deportation. Is there no suspicion here of war crimes for which someone should perhaps be accountable?

But who is going to place anyone on trial? Unfortunately, in the past two years it has become clear, even more so than in the past, that there is no one to turn to in Israel in

connection with these subjects. The IDF has almost completely ceased to investigate instances of killing in the territories, in contrast to its policy in the first intifada. If someone suspects that IDF soldiers killed someone with no justification and in violation of the law, what recourse does he have? Who will investigate the death of newborn infants and sick people caused by the refusal of soldiers to allow ambulances or people in distress to pass by checkpoints, if the IDF does not do so seriously? Can we entrust this task to the High Court of Justice? After all, its voice, too, has become almost mute in connection with security issues. The High Court justices have declared in the past that it is not within their purview to apply the rules of war to the liquidation policy; and last week, they ruled that the IDF no longer had the duty to warn Palestinians that their homes were going to be demolished. So another vital force for restraint in Israeli society has been eroded.

If people believe that the liquidations are causing Israeli serious damage and are contrary to international law, to whom will they appeal? If the IDF were to order proper investigations of suspected violations of human rights and were to place proven violators on trial, and if the High Court were ready to fulfill its duty and intervene in cases of the infraction of the law in the territories, no Israeli organization would consider turning to international bodies. In the present situation, though, there are political movements, human rights groups and individuals for whom Israel's moral image is precious enough that they are willing to take exceptional steps to preserve it. They are no less patriotic than anyone else.

Nor should we condemn those who think that sanctions should be imposed on Israel. The apartheid regime in South Africa came to an end, in part, because of the sanctions that were imposed on the country. Unlike South Africa, Israel does not have to replace its regime, only to put an end to the occupation - and for that, it needs the world's help. The caution that soldiers must now employ could turn out to be beneficial: Perhaps the IDF will henceforth consider matters a little more deeply before dropping another mega-bomb in the heart of a residential neighborhood.

In a situation in which the legislative branch, the Supreme Court, the attorney general, parts of the media and the majority of the public are being derelict in their duty, turning away from what is going on and refusing to see what we are perpetrating on others and on ourselves, too, the appeal to the world is the last recourse. Those who are making use of it want only the good of an Israel that has right on its side.

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