

NPK-info

Nederlands Palestina Komitee www.palestina-komitee.nl

Inhoud

Rust

Ook net in "het nieuws" gehoord dat 6 weken rust is doorbroken?

Dit hoort kennelijk bij die rust:

* <http://www.ahram.org.eg/weekly/2002/602/re1.html>

Killing deliberately, 'by mistake', Al Ahram 5 - 11 September 2002

The world again stood silent this week as Israel's army killed 21 Palestinian civilians, including several children.

Khaled Amayreh reports from Jerusalem

Activiteiten, zie ook hierna

25-9 Wapendoorvoer via Nederland; Case study Isral2

8-9 Benefiet-evenement Oosterpark Amsterdam [*]

29-9 Cinema Discutabel

Zie hierbij <<http://www.dci-pal.org/english/index.htm>>

Terrorisme

Terrorism works, Noam Chomsky

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<http://www.ahram.org.eg/weekly/2001/558/1war.html>

"To say that terrorism is the weapon of the weak is a farce. It is the weapon of the strong, says Noam Chomsky, and for the world's superpower, it works."

Sabra en Shatila

Iets gemerkt van een herdenking van de plm. 20.000 doden van de Libanonoorlog 20 jaar geleden, ook slachtoffers van Sharon c.s.?

Hierna

* The Sabra and Shatila Massacre: 20 years later

Pagina 5

<http://electronicIntifada.net>

* A TRIBUTE, Omar I. Al Taher

Pagina 6

<http://www.MiddleEast.Org>

* Massacres Don't "Just Happen", Laurie King-Irani, 18 September 2002

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Hierbij te herlezen: The Fatefull Triangle, Noam Chomsky

Sites

* CHALLENGE/ POB 41199, Jaffa 61411/ TEL: 03-7394174

<http://www.hanitzotz.com/challenge/>

for Arabic readers: <http://www.odaction.org/alsabar/>

ONE-TIME FREE TRIAL? Mail name/address to <mailto:oda@netvision.net.il>

* <http://www.bitterlemons.org>

NPK/WL, 20-9-2002 ■

[*] Steungiften welkom op gironummer 5579294, t.n.v. Stichting Nederlands Palestina Komitee Amsterdam, o.v.v. 'Benefiet'
Opbrengst is voor Kifaia.

GroenLinks, Cordaid en Pax Christi nodigen u uit voor een debat:

Wapendoorvoer via Nederland; Case study Israel

Woensdag 25 september 20.00 uur
Nieuwspoor, Den Haag

In het voorjaar spande een groep van 21 maatschappelijke organisaties een kort geding aan tegen de Staat der Nederlanden, waarin geist werd dat alle uitvoer en doorvoer van wapens naar Israel werd stopgezet. Dit in het licht van het escalerend geweld en de ernstige mensenrechtenschendingen door het Israelische leger in de bezette gebieden. De EU heeft immers een gedragscode, die wapenleveranties verbiedt aan landen waar een conflict gaande is of waar de mensenrechten op grote schaal worden geschonden. Omdat de rechter naliet een duidelijke uitspraak te doen, zijn politieke en juridische vervolgstappen nodig. Groen Links heeft intussen onderzoek verricht naar de wapendoorvoer via Nederland. Tegen deze achtergrond organiseren Groen Links, Cordaid en Pax Christi een debat over het Nederlandse wapendoorvoerbeleid.

Programma:

Inleiding namens Cordaid en Pax Christi door Hans Kruijssen, directeur van Cordaid

Farah Karimi, lid van de Tweede Kamer voor Groen Links, licht de notitie van Groen Links toe over wapendoorvoer via Nederland, met als case study Israel

R eacties van Martin Broek (Campagne tegen Wapenhandel) en Phon van den Biesen (advocaat, vertegenwoordiger van 21 maatschappelijke organisaties in het kort geding tegen de Staat der Nederlanden)

Debat met de Tweede Kamerleden Eurlings (CDA, onder voorbehoud), Koenders (PvdA) en Van den Doel (VVD, onder voorbehoud)

Meer informatie:

Johan van Rixtel (Cordaid), Tel: 070-3136337

Marjolein Wijninckx (Pax Christi), Tel: 030-2428486

Yousef Rahman (Groen Links), Tel: 070-3182666 ■

Cinema Discutabel, 29 september 2002 15:00 uur <http://www.kriterion.nl>

ADFAL AL HIZJARA - "KINDEREN VAN DE STENEN"

"Terroristen", "Fundamentalisten", "Anti-semitisten", "Jihadstrijders"

Veel gehoorde termen, waarmee Palestijnen en hun kinderen al te vaak geassocieerd worden.

"Kinderen worden door hun ouders naar terroristenkampen gestuurd". "Ouders zijn blij en trots als hun kinderen de dood vinden in demonstraties tegen de Israelische bezetting".

Deze negatieve benadering schept alleen meer onduidelijkheid en meer onbegrip voor de levensomstandigheden waarmee deze kinderen te maken hebben.

In September 2000, bracht de huidige Israelische premier Ariel Sharon, zijn controversiele bezoek aan de omstrede oude stad van Jeruzalem [*]. Voor de Palestijnen was dat de druppel die de emmer deed overlopen, met als gevolg het uitbreken van de tweede Intifada (opstand). Tot nu toe zijn er zo'n 1.750 doden te betreuren, van wie een kwart kinderen onder de 18 jaar. Twee jaar later wil Kriterion stil staan bij deze gebeurtenis, en degenen die het meest slachtoffer zijn: de kinderen van Palestina, centraal stellen.

De werkelijke positie van de Kinderen van de Stenen blijft in de media maar al te vaak onbesproken. Wat beweegt een Palestijns kind met een steen de overmachtige militaire tegenstander te confronteren? Wat is het toekomstperspectief van een gemiddeld Palestijns kind? Hoe ziet hun dagelijkse leven eruit onder een bezetting? Wat is de rol van de media in dit conflict? Is het mogelijk een evenwichtig verslag te doen van het conflict?

Onder welke omstandigheden doet een journalist, een film of documentaire maker/maakster zijn/haar werk?

Dat zijn een aantal van de vragen die aan bod zullen komen tijdens de nieuwe editie van Kriterions Cinemadiscutabel.

Titel: Adfal Al Hizjara

Datum: Zondag, 29 September 2002

Aanvang: 15.00 uur

Films: Gaza Strip van James Longley (Nederlandse Premiere); Children of Fire van Mai Masri; Once Again - A boy van Najwa Najjar; Amani van Ismail Habbash.

Na afloop wordt er een discussie gevoerd onder leiding

van Hansje Kalt met onder anderen gasten als Anja Meulenbelt, oprichter van de stichting Kifaia welke als doel heeft gehandicapte kinderen in de bezette gebieden te helpen. nemandiscutabel is een maandelijks terugkerende activiteit die georganiseerd wordt door film-theater/cafe Kriterion waarbij aandacht besteed wordt aan een politiek onderwerp. Er worden films vertoond en een forumdiscussie gehouden, waaraan betrokkenen en deskundigen deelnemen.

Adres: Roetersstraat 170, 1018 WE, Amsterdam,
Tel. 020-6231708

[*] het bezette Oost-Jeruzalem; de positie van geheel Jeruzalem is "omstreden" gelet op VN-resolutie 181. Sharon bezocht een zeer specifieke plek, de Haram Al-Sharif in de oude stad. NPK/WL. ■

In Al Ahram weekly's 11/9 supplement Noam Chomsky, <http://www.ahram.org.eg/weekly/2001/558/1war.html>

Terrorism works

To say that terrorism is the weapon of the weak is a farce. It is the weapon of the strong, says Noam Chomsky, and for the world's superpower, it works

Starting with the common assumption that what happened on 11 September is a historic event -- one which will change history -- the question we should be asking is exactly why is this so? Another question has to do with the "War Against Terrorism". Exactly what is it? And there is a related question, namely, what is terrorism?

By far the most important question that we must ask ourselves after 11 September is what is happening right now? Implicit in this question is the question of what we can do about it. According to The New York Times there are seven to eight million people in Afghanistan on the verge of starvation. That was true actually before 11 September. They were surviving on international aid. On 16 September, the Times reported that "the US demanded from Pakistan the elimination of truck convoys that provide much of the food and other supplies to Afghanistan's civilian population." As far as I could determine, there was no reaction in the US to the demand to impose massive starvation on millions of people. The threat of military strikes right after 11 September forced the removal of international aid workers that crippled the assistance programmes. "The country was on a lifeline and we just cut the line," the New York Times Magazine quoted an aid worker as saying.

The UN World Food Programme (WFP), which is the main aid programme by far, was able to resume food shipments in early October -- at a much lower level. They do not have international aid workers inside Afghanistan, so the distribution system is hampered. Even this, however, was suspended as soon as the bombing began. The WFP then resumed, but at a slower pace, while aid agencies levelled scathing condemnations of US airdrops of food packets as "propaganda tools which are probably doing more harm than good,"

the London Financial Times reported.

After the first week of bombing, The New York Times reported on a back page, inside a column on something else, that by the arithmetic of the United Nations, there will soon be 7.5 million Afghans in acute need of even a loaf of bread and there are only a few weeks left before the harsh winter will make deliveries to many areas totally impossible. But with bombs falling, the article said, the current delivery rate is down to half of what is needed. A casual comment, which tells us that Western civilisation is anticipating the slaughter of -- well, do the arithmetic -- between three or four million people.

Meanwhile, the leader of Western civilisation dismissed with contempt, once again, offers of negotiation for delivery of the alleged target, prime suspect Osama Bin Laden, and a request for some evidence to substantiate the US's demand for total capitulation. On the same day as this offer was categorically rejected, the special rapporteur of the UN in charge of food distribution pleaded with the US to stop the bombing to try to save millions of victims. As far as I am aware, that plea went unreported by the media. A few days later the major aid agencies like OXFAM and Christian Aid joined in the plea. This too went unreported.

It looks like what is happening is some sort of silent genocide. It also gives a good deal of insight into the elite culture, the culture that we are part of. It indicates that whatever will happen, we do not know, but plans are being made and programmes implemented on the assumption that they may lead to the death of several million people in the next couple of weeks. Very casually, with no comment, no particular thought about it. That is just kind of normal, here and in a good part of Europe. Not in the rest of the world, though. In fact, not even in much of Europe.

Let us turn to a slightly more abstract question, forgetting for the moment that we are in the midst of apparently trying to murder between three or four million people. Not the Taliban, of course, but their victims.

Let us turn to the question of the historic event that took place on 11 September. I think it was a historic event -- not, unfortunately, because of its scale. Though unpleasant to think about, in terms of the scale, it's not that unusual. It is, however, probably the worst instant human toll of any crime.

Unfortunately, there are terrorist crimes with effects a bit more drawn out that are more extreme. Nevertheless, 11 September was a historic event because there was a change. The change was the direction in which the guns were pointed. That is new. Radically new.

The last time the national territory of the US was under attack, or for that matter, even threatened was when the British burned down Washington in 1814. In press reports following the attacks, it was common to bring up Pearl Harbour, but that is not a good analogy. Whatever you think about it, the Japanese bombed military bases in two US colonies -- not the national territory, which was never threatened. These colonies had been taken from their inhabitants in not a very pretty way. The US preferred to call Hawaii and the Philippines a "territory", but they were in effect colonies.

This time it is the national territory that's been attacked on a large scale, so you can find a few fringe examples, but this is unique.

During these close to 200 years, we, the United States, have expelled or mostly exterminated the country's indigenous population -- that's many millions of people. We have conquered half of Mexico, carried out depredations all over the region, Caribbean and Central America, and sometimes beyond. We conquered Hawaii and the Philippines, killing hundreds of thousands of Filipinos in the process. Since the Second World War, the US has extended its reach around the world in ways I don't have to describe. But it was always killing someone else, the fighting was somewhere else -- it was others who were getting slaughtered.

In the case of Europe, the change is even more dramatic because its history is even more horrendous than that of the US. The US is an offshoot of Europe, basically. For hundreds of years, Europe has been casually slaughtering people all over the world. That's how they conquered the world -- not by handing out candy to babies. During this period, Europe did suffer murderous wars, but that was European killers murdering one another.

The main sport of Europe for hundreds of years was slaughtering one another. The only reason that it came

to an end in 1945 had nothing to do with democracy or not making war with each other and other fashionable notions. It had to do with the fact that everyone understood that the next time they play the game it was going to be the end for the world. Because the Europeans, and the US as well, had developed such massive weapons of destruction that game just had to be over.

But during this whole bloody, murderous period, it was Europeans slaughtering each other, and Europeans slaughtering people elsewhere. There are again small exceptions, but pretty small in scale, certainly invisible in the scale of what Europe and the US were doing to the rest of the world. This is the first change. The first time that the guns have been pointed the other way.

The world looks very different depending on whether you are holding the lash, or whether you are being whipped by it for hundreds of years -- very different. So I think the shock and surprise is very understandable. That is the reason why most of the rest of the world looks at it quite differently. Not lacking sympathy for the victims of the atrocity or being horrified by them, that is almost uniform -- but viewing it from a different perspective. It is something we might want to understand.

Well, let us go to the question of terrorism. What is the "war against terrorism"? The war against terrorism has been described in high places as a struggle against a plague, a cancer which is spread by barbarians, by "depraved opponents of civilisation itself." That is a feeling that I share. The words I am quoting, however, happen to date back 20 years. I am quoting President Reagan and his secretary of state. The Reagan administration came into office 20 years ago declaring that the war against international terrorism would be the core of US foreign policy and describing it in terms of the kind I just mentioned.

And it was the core of US foreign policy. The Reagan administration responded to this "plague spread by depraved opponents of civilisation itself" by creating an extraordinary international terrorist network, totally unprecedented in scale, which carried out massive atrocities all over the world. I will not run through the whole gamut of it, but just mention one case which is totally uncontroversial: the Reagan-US War Against Nicaragua. It is uncontroversial because of the judgments of the highest international authorities: the International Court of Justice, the World Court and the UN Security Council. So this one is uncontroversial, at least among people who have some minimal concern for international law, human rights, justice and other things like that.

The case of Nicaragua is a particularly relevant one, not only because it is uncontroversial, but because it does

offer a precedent as to how a law-abiding state would respond -- did in fact respond -- to a case of international terrorism, which is uncontroversial. A case of terrorism that was even more extreme than the events of 11 September. The Reagan-US war against Nicaragua left tens of thousands of people dead, the country ruined, perhaps beyond recovery.

Nicaragua did respond. They did not respond by setting off bombs in Washington. They responded by taking the US to the World Court, presenting a case for which they had no problem putting together evidence. The World Court ruled in Nicaragua's favour, and condemned what they called the "unlawful use of force", which is another term for international terrorism. They ordered the US to terminate the crime and to pay massive reparations. The US, of course, dismissed the court judgment with total contempt and announced that it would not accept the jurisdiction of the court henceforth. Nicaragua then went to the UN Security Council, which considered a resolution calling on all states to observe international law. No one was mentioned but everyone understood. The US vetoed the resolution. It now stands as the only state on record which has been condemned both by the World Court for international terrorism and has vetoed a Security Council resolution calling on states to observe international law.

Nicaragua then went to the UN General Assembly, where there is technically no veto, but a negative US vote amounts to a veto. The General Assembly passed a similar resolution -- with only the US, Israel, and El Salvador opposed. The following year Nicaragua took its case again to the General Assembly. This time the US could only rally Israel to the cause, so two votes opposed observing international law. At that point, Nicaragua had exhausted all available legal measures, concluding that they do not work in a world that is ruled by force.

Terrorism, on the other hand does work, and is the weapon of the strong. It is a very serious analytic error to say, as is commonly done, that terrorism is the weapon of the weak. Like other means of violence, it is primarily a weapon of the strong -- overwhelmingly, in fact. It is held to be a weapon of the weak because the strong also control the doctrinal systems and their terror does not count as terror.

Excerpts taken from a lecture given by professor Chomsky on 18 October sponsored by the Technology and Culture Forum at the Massachusetts Institute of Technology. ■

18 SEPTEMBER 2002

THE SABRA AND SHATILA MASSACRE: 20 YEARS LATER

WRITING FROM TODAY

- * Massacres don't "just happen".
EI's Laurie King-Irani explains why.
<http://electronicIntifada.net/v2/article684.shtml>
- * How the US media forget and remember anniversaries.
EI's Ali Abunimah notes the disparities.
<http://electronicIntifada.net/v2/article686.shtml>

RECENT WRITING

- * Eyewitness: Sabra and Shatila 20 years on
http://news.bbc.co.uk/2/hi/middle_east/2255902.stm
Martin Asser, BBC News Online, 14 September 2002
- * Commentary: The other Sept. remembrance
<http://electronicIntifada.net/v2/article687.shtml> Claude Salhani,
United Press International, 12 September 2002

ARCHIVED WRITING

- * A Visit to Shatila, Ali Abunimah, July 2000.
<http://electronicIntifada.net/v2/article679.shtml>

- * Back to Shatila, Ali Abunimah, July 2001.
<http://electronicIntifada.net/v2/article486.shtml>
- * Prevent another Massacre:
End Ariel Sharon's Impunity for War Crimes Now
<http://electronicIntifada.net/v2/article417.shtml>
Laurie King-Irani, The Electronic Intifada, 12 March 2002

RELATED LINKS

- * <http://indictsharon.net>
- an excellent resource on the massacres.
- * Key Figures: Ariel Sharon - EI's footnotes to Sharon's official bio.
<http://electronicIntifada.net/v2/article679.shtml>
- * <http://crimesofwar.org>
- war crimes and international law resource. ■

THE HORRIBLE MASSACRES OF 20 YEARS AGO

Washington - 9/17/2002:

Twenty years ago this week thousands of mostly women, children, and old men, were literally slaughtered. The horrific deed was done by the forces of the Phalange. The responsibility for what happened is with Israel and the U.S.

Today's Israeli Prime Minister was held 'personally responsible' even by an Israeli Government Commission of Investigation. He, Ariel Sharon, was then forced to

resign as Defense Minister and the Commission strongly recommended he never again be allowed to serve in high office.

The origins and motivations for other terrible things that have happened in recent years can be traced back to terrible things that happened in past history, including what happened in the squalid defenseless Palestinian refugee camps near Beirut some twenty years ago this week. ■

A TRIBUTE

By Dr. Omar I. Al Taher*

THIS IS a tribute to forgotten victims. Forgotten, because they do not have friends and allies in high places; forgotten, because their supporters are not the movers and shakers of world events; forgotten, because they do not muster military power and a huge propaganda machine; forgotten, because no one ever recited their names and lit candles for them; forgotten, because they never received a proper burial and gun salutes. They are forgotten because twenty years on their bodies still lie in two unmarked mass graves; one is being used as a garbage dump and the other has been paved over for a golf course.

The massacre

This week marks the 20th anniversary of the Sabra and Shatilla massacres in which 3,500 Palestinians were brutally slaughtered in the two refugee camps in West Beirut at the hands of the "Lebanese Christian Phalangists - Lebanese Forces", a proxy militia, trained, armed and financed by Israel. This massacre was the culmination of Israel's bloody invasion of Lebanon in the summer of 1982, in which over 20,000 Palestinians and Lebanese, mainly civilians, were killed.

The orgy of killing at the camps commenced in the afternoon of Thursday, Sept. 16, and lasted until the morning of Saturday, Sept. 18, 1982. While the atrocities were committed by Lebanese, Israel's role and prints were everywhere to be seen. Apart from co-planning the operation, providing aerial photographs of the camps, and introducing the killers into the area - a fact attested to by then Israeli Chief-of-Staff Lt. Gen. Rafael Eitan - Israeli troops, whose forward command post was situated a mere 200 metres southwest of the Shatilla camp, looked on most of the time and prevented refugees from fleeing the camps all of the time.

Controlling the perimeters, Israeli troops prevented the Palestinians' escape through light shelling and sniping, as well as by blocking the main exits; they also used flares to light up the narrow alleys at night to provide the killers with a clear vision. And to top it all up, bulldozers, with clear Hebrew markings, were later brought in to "clean up"; they demolished houses over their inhabitants and dug mass graves, something reminiscent of what Israel did last April in the Jenin refugee camp. Furthermore, according to General Amir Drori, commander of the Israeli forces in Lebanon, Eitan, met the head of the Phalangist forces Friday afternoon and congratulated him on the "smooth military operation inside the camps". Hence, the evidence against Israel as an accomplice is more than mere circumstantial; it is cogent and compelling.

US responsibility

One could also venture to say confidently that the US is jointly responsible for the massacre. The Israeli occupation of west Beirut, which precipitated the massacre, was primarily made possible through the use of American weapons and an American green light. Moreover, the massacre followed written US assurances that Palestinians remaining in Beirut following the evacuation of PLO forces would be safe, an agreement brokered by US mediator Philip Habib. In fact, this responsibility was tacitly admitted by Morris Draper, the US special envoy to the Middle East, who stated in the course of a BBC documentary on the Sabra and Shatilla massacres, which was aired in the UK on June 17, 2001, that "US officials were horrified" when told Sharon had allowed Phalange militias into west Beirut and the camps "because it would be a massacre".

Well, a massacre did indeed take place, and it was the first televised one, so to speak. Since then, we have grown accustomed to seeing slaughtered and mutilated bodies of civilians, from Rwanda to Bosnia and from Afghanistan to Jenin. Now, 20 years and scores of mas-

sacres later, one still vividly recalls the horrific images of piles of swollen bodies or of the pigtailed 7-year-old girl with 5 gunshot wounds in her back lying in a pool of blood. But by far the most indelibly printed image is that of the frail old man in his white and blue striped pyjamas lying next to his walking cane with his jaw smashed.

One also remembers the eerie tone of masked foreign reporters and correspondents reporting on the massacre hours after the Israelis lifted their siege of the camps. The horror and disbelief at the magnitude of the massacre overwhelmed a number of reporters and their footage was disrupted. The massacre drew the media from all over the world, evoking reportage that won prizes for meticulous investigation.

The following excerpts would perhaps help give the reader an idea about the extent of butchery that took place. Loren Jenkins of the Washington Post described the ghastly sight in the camps in the aftermath of the massacre in the following telling terms: "The scene at the Shatilla camp was like a nightmare. Women wailed over the deaths of loved ones, bodies began to swell under the hot sun, and the streets were littered with thousands of spent cartridges. Houses had been dynamited and bulldozed, many with the inhabitants still inside. Groups of bodies lay before bullet-pocked walls where they appeared to have been executed. Others were strewn in alleys and streets, apparently shot as they tried to escape. Each little dirt alley through the deserted buildings, where Palestinians have lived since fleeing Palestine when Israel was created in 1948, told its own horror story".

Ralph Schoenman and Mya Shone, two American journalists, described the scene as they entered the camps. "When we entered Sabra and Shatilla on Saturday, Sept. 18, 1982, the final day of the killing, we saw bodies everywhere. We photographed victims that had been mutilated with axes and knives. Only a few of the people had been machinegunned. Others had their heads smashed, their eyes removed, their throats cut, skin was stripped from their bodies, limbs were severed, and some people were eviscerated."

Researcher Rosemary Sayigh, described the scene as the massacre unfolded: "The targeted area was crammed with people recently returned from the places they had taken refuge during the war, now supposedly over. Schools would soon open, everyone needed to repair their homes, clear the streets and get ready for the winter. People felt some security from the fact that they were unarmed, and that all who remained were legal residents. Many of the massacre victims were found clutching their identity cards, as if trying to prove their legitimacy."

Hollow appeals

In spite of calls from the UN to investigate the massacre, nothing of the sort has ever materialised. Both the Security Council and the General Assembly have expressed "their horror" at the "appalling massacre" and called for an "investigation into the circumstances and extent of the massacre" and to make public "the report on the findings as soon as possible". In December 1982, the General Assembly affirmed that "genocide is a crime under international law which the civilised world condemns, and for the commission of which principals and accomplices - whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds - are punishable". In its penultimate statement, the General Assembly classified the massacre at Sabra and Shatilla as an "act of genocide".

In fact, an Israeli Commission of Inquiry, in 1983, found that then defence minister Ariel Sharon, Israel's current prime minister - described lately by the US president as "a man of peace" - "bears personal responsibility"; it further recommended that he should be removed from office if he does not resign. However, most crucially, the Kahane Commission stopped short of accusing Sharon of intentionally introducing the Lebanese Forces into the camps to carry out the massacre. What makes the Kahane Commission's investigation into the massacre suspect and dubious is that twenty years on, certain evidence submitted to it is still classified as "secret".

Universal jurisdiction

It is now widely accepted under international law that certain crimes are of such an egregious nature that states are able to prosecute individuals charged with committing them regardless of the nationality of the perpetrator and regardless of the geographic location where, or the time in which, the crime was committed. Such principle is predicated on the conviction that perpetrators of such hideous acts should not enjoy the same rights customarily accorded by society to common criminals.

In June 2001, three lawyers representing 28 survivors of the massacre filed a lawsuit in Brussels against Sharon, holding him responsible for genocide, crimes against humanity and war crimes. However, due to a loophole in Belgium's law, the attempt was unsuccessful. Belgian law, under which the complaint was filed, is based on the legal concept of universal jurisdiction and states explicitly that immunity attached to a person's official status is no bar for him being charged. It sets aside limitation of time, citizenship and status. The loophole through which Sharon slipped was that the accused ought to be in Belgium for Belgian courts to exercise jurisdiction. Attempts by Belgian legislators to close this loop are already under way.

Ironically, Israel was amongst the first to invoke universal customary law. In 1960, it kidnapped Adolf

Eichmann from Latin America to stand trial for crimes against humanity committed 20 years earlier. He was found guilty by an Israeli court and was executed in 1961. Similarly, in 1985, Israel succeeded in having John Demjanjuk extradited from the US to stand trial for alleged crimes he had committed almost half a century earlier. On appeal from his death sentence, his conviction was quashed on grounds that the evidence was insufficient to prove his guilt.

Lest we should forget

What happened at Sabra and Shatilla was not an "act of God" but an "act of genocide". This means that someone, somewhere, is responsible for it and ought to be answerable. Unfortunately, twenty years on, not a single person has been convicted, let alone charged.

Paradoxically, the perpetrators of one of the most brutal and calculating massacres of the 20th century are neither on the run nor in hideouts. They continue to run the affairs of the Israeli state and continue to shuttle

freely between world capitals, taking advantage of the blanket immunity accorded them by the most powerful nation in the world.

As has been shown, war crimes and crimes against humanity are "perpetual crimes" in that they are triable any time. Cognisant of the fact that the hierarchy within the new international order is not conducive to the convening of war crimes tribunal ?uremberg, and until this moral and ethical aberration ameliorates, the task is to strive to keep the memory of the massacre alive in the hearts and minds of all honourable peace-loving people in the world. This is the least we owe to the mothers and fathers, sons and daughters, spouses and siblings of those who lost their lives.

* The writer, a holder of a PhD degree in international affairs and an LLB degree from the UK, is currently a legal trainee at a law firm in Amman - September 17, 2002 ■

Massacres Don't "Just Happen"

Laurie King-Irani for The Electronic Intifada, 18 September 2002

Twenty years ago today, on a hot and muggy Saturday morning, a shocking reality came to light in Lebanon. Some people approaching the contiguous refugee camps of Sabra and Shatila in the outskirts of Beirut already suspected that dark deeds had taken place in the alleyways, homes, and streets of the camps for a day or more. Since the previous Wednesday night, Israeli troops and tanks had surrounded the camps as the area came under constant artillery fire.

Israeli Defense Force (IDF) soldiers, commanded by General Ariel Sharon and assisted by Gens. Rafael Eitan and Amos Yaron, had prevented anyone from entering or leaving the camp -- anyone, that was, but Israeli-backed, -armed, and -supplied Phalangist militiamen, infamous for their murderous hatred of Palestinians. At night, IDF soldiers had launched illumination flares into the sky to assist these militiamen in their gruesome tasks, the results of which would shock the world by the evening of that September Saturday two decades ago.

Yet even before the journalists, diplomats, Red Cross personnel and others had entered the camps that morning, their worst fears were confirmed by the nauseating odor of putrefying flesh and the audible drone of feasting flies, the only sound that broke the stifling silence before anguished screams of survivors shattered the air. Hardened journalists vomited. Grown men fainted. Seasoned Red Cross representatives were dazed.

"I divide my life into before and after Sabra and Shatila," said Elias, a former Red Cross volunteer with whom I worked in Lebanon. "I was not the same person after I saw the severed bodies of babies and the corpses of women with their stomachs ripped open. For weeks, I imagined I could still smell all those bodies stinking in the heat of that morning. It completely altered my view of human nature."

Only seventeen at the time, Elias was among the youngest of those to discover one of the worst atrocities of the post-World War II era in the refugee camps on September 18, 1982. Now approaching his forties, he will never forget that date or its significance.

Unfortunately, many people do not know, let alone remember, that the Sabra and Shatila massacres occurred.

Some, upon learning that at least 1,500 innocent Lebanese and Palestinian civilians were tortured, raped, mutilated and then slaughtered in a two-day orgy of murder and mayhem, after a summer in which the invading Israeli army committed numerous war crimes resulting in the deaths of over 15,000 civilians, simply shrug, as if to say "Oh, well, what can one do? That's the Middle East, after all. Things like that happen over there all the time."

But massacres don't "just happen." They are not natural disasters, like earthquakes, tornadoes, or tidal waves.

Massacres require thought, planning, and coordination. Massacres arise from calculated strategies and the cunning manipulation of emotions, facts, and rationales. They require a particular set of interlocking social roles and a specific pattern of behaviors. Every massacre has its own political organization, propped up by a set of motivating beliefs and legitimating ideologies.

Massacres don't erupt spontaneously, like barroom brawls. When an army is involved--as was clearly the case 20 years ago in Beirut, a divided city under military occupation by the IDF--massacres also require a chain of command. Orders are given, tanks are emplaced, papers are checked and approved, passage is denied, roads are blocked, exits are sealed, flares are launched, soldiers are transported across demarcation lines, murderers are provisioned, mass graves are dug, corpses are concealed, people are disappeared, and then stories are spun, excuses are offered, and -- always -- facts are denied. The first casualty of every war and the last casualty of every massacre is the same: the truth.

Under international law, specifically the IV Geneva Conventions, command responsibility for war crimes ultimately rests upon the shoulders of the highest-ranking military officers present. In the case of the Sabra and Shatila massacres, that person was and remains General Ariel Sharon. The fact that, 20 years later, Sharon is a sitting head of state enjoying the perquisites of power and prestige while the dead of Sabra and Shatila lie forgotten in unmarked graves should be cause for widespread alarm and outrage. The absence of such is sinister; it comprises evidence of other, ongoing and metaphorical, murders.

Massacres have authors; they are crimes that must be investigated and prosecuted. For the bereaved, massacres never end until justice is done. Every day since that horrific Saturday in 1982 has been September 18th over and over again for the survivors of Sabra and Shatila. To forget a massacre is to kill the dead a second time; to forget the dead is to condone the crime and to excuse the killers. And the dead of Sabra and Shatila have been killed many, many times. Every time another anniversary passed and no one marked it, every time garbage desecrated the mass grave site, every time the Lebanese authorities refused to investigate or prosecute the crimes, not only the dead, but also the tormented survivors, were murdered again and again.

And every time Israeli Prime Minister Ariel Sharon, who according to an official Israeli commission of inquiry "bears personal responsibility" for the massacres, is heralded as a "man of peace" and an admirable leader, the truth is murdered once more. This is how impunity flourishes, how laws are rendered meaningless, and how the delicate fabric of human social and political affairs gradually erodes.

Impunity for the Sabra and Shatila massacres is not only morally reprehensible and psychologically unbearable, but also politically dangerous because of the precedent it sets and the hearts and minds it poisons. He who is denied justice will seek revenge. Thus, the evil of a crime condoned festers and spreads, eventually touching others, even miles away and decades later.

Today, the 20th anniversary of the Sabra and Shatila massacres, may well be the most painful to date for the bereaved. Last year, 23 courageous survivors lodged a case against Ariel Sharon, Amos Yaron, and other Israelis and Lebanese in a Belgian court under the principle of Universal Jurisdiction in the hopes of finally attaining justice for the dead and closure for the living. The principle of universal jurisdiction, encoded in the IV Geneva Conventions, international humanitarian law and the 1984 Convention on Torture, is based on customary law as well as a consensus, strengthened by the horrors of World War II, that some crimes are so heinous that they threaten the entire human race. The jurisdiction for prosecuting these crimes must be universal, not simply territorial.

The Geneva Conventions specifically state that all signatories to the convention have not only the right but indeed the duty to either prosecute or extradite individuals guilty of war crimes, crimes against humanity and genocide. In 1993, the Belgian Parliament formally incorporated the principle of Universal Jurisdiction into Belgium's criminal code, thereby enabling Belgian courts to hear war crimes cases having no connection to Belgium.

Despite careful documentation and extensive testimonies, despite the consistent support of the Brussels Attorney-General for the arguments presented by the massacre survivors, not those proffered by the lawyers representing the accused, during the pre-trial hearing; and despite new evidence further implicating IDF personnel in the massacres as well as in the disappearance of hundreds of men and boys in the immediate aftermath of the killings, a Belgian Appeals Court threw the case out last June on an absurd technicality: The case could not go forward to the trial stage because the accused were "not present on Belgian soil."

International legal specialists, no less than Amnesty International and Human Rights Watch, noted that this ruling made a mockery of the principle of universal jurisdiction for war crimes and crimes against humanity. Yet another murder emanated from the Sabra and Shatila massacres: the murder of popular faith in the principles, processes, and efficacy of international law. With this decision by a Belgian Appeals Court, the consequences of the crimes committed twenty years ago in Beirut took on new and disturbing international dimensions. The massacres at Sabra and Shatila are no longer simply a particularly bloody chapter in the Arab-Israeli-Palestinian conflict, but rather, a glaring reminder of the failure of the international

community to apply international law fairly and consistently.

Next month, the Belgian Parliament, at the urging of a broad-based coalition of NGOs and individuals representing diverse political viewpoints, is expected to pass a new item of interpretive legislation that will salvage the country's Universal Jurisdiction law and clarify that accused parties need not be present on Belgian soil for a case to proceed to trial. Should this proposed legislation pass, it will render the Sabra and Shatila massacre survivors' appeal to the Belgian Supreme Court redundant, enabling them to launch another attempt at justice in Belgium for the 1982 massacres in Beirut.

After twenty years of anguish, the survivors of Sabra and Shatila are still hoping to attain justice, to lay their dead to rest in peace, and to begin to live again. But justice, like a massacre, does not just happen. Considerable coordination, effort, patience, and skill will be required before the survivors can finally turn the page on the black date of September 18th.

Related links:

- * For more information about the massacres and the case lodged in Belgium please visit the website of the International Campaign for Justice for the Victims of Sabra and Shatila at indictsharon.net
- * How the US Media Forget and Remember an Anniversary, by Ali Abunimah, The Electronic Intifada, 18 September 2002.
- * Key Figures: Ariel Sharon - EI's footnotes to Sharon's official bio.
- * A Visit to Shatila, Ali Abunimah, The Electronic Intifada, (17 July 2000)
- * Back to Shatila, Ali Abunimah, The Electronic Intifada, (13 July 2001) ■