

Obama joins Netanyahu in shielding Israel from war crimes charges

By Jean Shaoul
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The United Nations Human Rights Council has endorsed a report into Israel's 22-day assault on Gaza in December and January, accusing Israel of war crimes.

Israel's premier, Binyamin Netanyahu, predictably denounced the report as biased against Israel and unjust and insisted that he would not allow any Israeli officials to face trial for war crimes. The Obama administration echoed Israel, calling the report unbalanced, and said that its adoption would damage the possibility of resuming talks between Israel and the Palestinians. The talks are a necessary fig leaf for bringing the Arab regimes on side against Iran.

The report by South African Judge Richard Goldstone said the war was "a deliberately disproportionate attack designed to punish, humiliate and terrorise a civilian population, radically diminish its local economic capacity both to work and to provide for itself and to force upon it an ever-increasing sense of dependency and vulnerability."

It recommended that the UN Security Council demand that Israel conduct an investigation into the military's conduct, and that it refer the findings to the International Criminal Court (ICC) if it fails to do so within six months. Some 1,400 Palestinians, the majority of them civilians, including 400 women and children were killed, at least 5,000 people injured, and 21,000 homes destroyed, as well as much of the vital infrastructure. On the Israeli side only 13 people died, several as a result of "friendly fire."

Goldstone also called on countries that are signatories to the 1949 Geneva Conventions to use their "universal jurisdiction" to search for and prosecute those responsible for war crimes.

With help from the White House, Netanyahu mounted an international campaign of bullying and intimidation to oppose the report, get the vote deferred until March and ensure that the Security Council—dominated by the US and the European powers that hold the power of veto—does not refer the case to the ICC.

Netanyahu demanded that Mahmoud Abbas, the nominal president of the Palestinian Authority (PA)—his term of office expired last January—oppose the report, with threats that he would call off talks with the Palestinians. In reality, Netanyahu has made it abundantly clear that his government is not interested in reaching any agreement with the Palestinians. He has refused to freeze settlement construction in the West Bank, and intends to continue building in East Jerusalem. Just two weeks ago, Foreign Secretary Avigdor Lieberman said in a radio interview that there was no chance of achieving a settlement with the Palestinians any time soon, and anyone who thought otherwise "doesn't understand the situation and is spreading delusions."

Israel also warned Abbas that it would refuse permission for a second cellular telephone company in the West Bank, a crucial issue to the PA and Palestinian commercial interests. Israel has held up the delivery of essential telecommunications equipment at their ports and failed to deliver the radio frequency as agreed last year. Without this, Wataniya Telecom, jointly funded by Qatari and Kuwaiti investment funds, which has already made a considerable investment in the project, has threatened to withdraw, forcing the PA to repay an estimated \$300 million invested in licensing and infrastructure fees and \$200 million in expenses.

This has precipitated a major crisis for Abbas. Under intense pressure from Tel Aviv, Washington and Arab governments, he called for a postponement of a vote on the report—weakening his already tenuous position resulting from his subservience to Israel and his support for the repeated assaults on Hamas and Gaza. According to Lieberman, the PA actually "pressured Israel to go all the way" in Operation Cast Lead last December.

Abbas's meeting a few weeks ago with President Barack Obama and Netanyahu, despite Israel's pointed refusal to halt settlement construction, discredited him even further. His decision to prostrate himself once again before Israel has set off a chain of events that he is powerless to control.

The Palestinians were furious and came out onto the streets in protest. Even elements within the PA and Fatah, Abbas's own party, spoke out against him in an effort to rescue their own abysmal reputations. Bassam Khoury, the PA's economy minister, resigned and Prime Minister Salam Fayyad felt obliged to say, "We mustn't give up the opportunity to go after those who committed war crimes during Israel's attack on the Gaza Strip."

Ahmed Jibril, head of the Popular Front for the Liberation of Palestine, told Abbas to "go home," and the council of Palestinian organisations in Europe called on him to resign.

Nabil Amr, a former Palestinian ambassador to Egypt and aide to Abbas, also criticised Abbas. In response, the PA immediately withdrew its security forces protecting his Ramallah home. A few years ago, Amr was seriously injured in an attempted assassination.

In Hamas-controlled Gaza, people threw shoes, a sign of profound contempt, at hundreds of posters branding Abbas a traitor. For the first time, an Israeli Arab party, Balad, intervened in internal Palestinian politics and called for Abbas to be sacked. Syria cancelled an official visit by Abbas to Damascus.

Abbas's attempt to backtrack on the vote was met with derision.

Netanyahu also demanded that Israel's allies fall in line. When Prime Minister Gordon Brown announced that Britain would abstain in Friday's vote, Netanyahu berated him on the telephone. In the event, both Britain and France did not abstain: they simply absented themselves from the vote.

In an interview with the BBC, British Foreign Secretary David Miliband justified their position by saying that the British and French governments had been "in the middle of detailed discussions with Prime Minister Netanyahu of Israel about three key issues—the establishment of an independent inquiry, humanitarian aid to Gaza and the restart of the peace process." "The vote was called in the middle of those discussions and we thought it right to continue with our work on the three fundamental issues so that could really contribute to a reversal of what is a dangerous spiral of trust and mistrust in the Middle East," he said.

The US led a block of just six nations voting against the report on the 47-member council. Three of these were east European states dependent upon on Washington's goodwill. Twenty-five voted in favour, 11 abstained.

After the vote, Brown and French President Nicolas Sarkozy wrote a joint letter to Netanyahu proclaiming their recognition of Israel's "right to self-defence," but urging Israel to take a more conciliatory stance towards the Palestinians and Gaza so as not to upset relations in the Middle East. They invited Netanyahu to come to Europe for talks.

They pleaded with Netanyahu to hold "an independent and transparent investigation of the events in Gaza, whose results were shared with us," to "facilitate increased access to Gaza," for a "halt to settlement activity in occupied territories" and "negotiations on the basis of parameters recalled by President Obama in his speech to the UN."

Israel's destabilising of the PA comes at a time when there are mounting tensions between the Palestinians and Israeli extremists in East Jerusalem. The PA has accused Israel of seeking to "Judaize" East Jerusalem, and of allowing right-wing zealots into the al-Aqsa mosque complex, known as Haram al-Sharif to Muslims and Temple Mount to Jews, while denying access to Muslims. This was the flashpoint that sparked the Intifada in September 2000.

Thirty people were injured in fighting between Palestinians and right-wing Israelis at the end of September. Since then, there have been sporadic clashes as Palestinians feared that Israeli extremists were seeking to enter the complex.

Last Friday, Hamas called for a "day of rage," while Fatah had called for a strike and peaceful protests in support of the mosque. The Islamic Movement, a political organisation based in Israel, had urged Muslim citizens of Israel to flock to Jerusalem to "defend al-Aqsa."

Israel deployed thousands of extra police and maintained their recent policy of allowing only female worshippers and men over the age of 50 into the mosque area. While the Old City remained calm with many shops closed, violent clashes broke out between masked Palestinian youths and police in full riot gear in Ras al-Amoud, in East Jerusalem, and at the Qalandia checkpoint near the West Bank city of Ramallah.