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VETO

By Phyllis Bennis

UNITED NATIONS, Dec. 20, 2002 — The United States today vetoed a Security Council resolution that condemned Israel for its recent killings of several United Nations employees and the destruction of a United Nations food warehouse. The count was 12 in favor, two — Bulgaria and Cameroon — abstained, the U.S. opposed.

At various points in its history the United Nations has been a major player in the Middle East. For good or bad, it was responsible for the partitioning of Palestine through General Assembly resolution 181, creating the state of Israel, while endorsing a Palestinian state and international status for Jerusalem, neither of which was ever allowed to come into existence. It passed resolution 194 guaranteeing the right of return for Palestinian refugees. After the 1967 war, the Security Council passed resolution 242, which first called for the exchange of (Israeli-occupied Palestinian) land for (presumably Palestinian-disrupting Israeli) peace. Then in the early 1970s the U.N. played a key role in establishing the legitimacy and recognition of the Palestine Liberation Organization, highlighted by Chairman Yasir Arafat's speech to the General Assembly in 1974.

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About This Issue

Page 9 of this issue lists the 34 times over the past 30 years that the United States has vetoed United Nations Security Council resolutions critical of Israel.

Efforts by the vast majority of the world's nations to halt Israel's occupation of Arab lands, expropriation of Palestinian property, and violation of the human rights of a civilian population under military rule have been repeatedly thwarted by Washington's intervention. While U.S. dollars fuel Israel's colonization, U.S. vetoes shield Israel from international censure.

The history behind these vetoes is the topic of this issue. Our author, Phyllis Bennis, has been a Middle East affairs analyst for over 20 years and is currently a fellow of the Institute for Policy Studies in Washington, DC, where she is responsible for U.N. and Middle East programs. She is the author of numerous books including "Calling the Shots: How Washington Dominates Today's U.N." and, most recently, "Before and After: U.S. Foreign Policy and the September 11 Crisis," both of which are available from our catalog on page 15.

We note with sadness the death of George Weller, 95, a Pulitzer Prize-winning journalist who covered the Middle East for over 40 years. George authored our June-July 1988 issue "Dateline: Palestine," which is available on our web site at www.ameu.org.

John F. Mahoney
Executive Director

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But since that time, the U.N. has been largely excluded, not allowed to function as a significant player in Middle East diplomacy as a whole, and especially not on the question of Palestine. It is not a coincidence that the end of U.N. activism around the Middle East after 1974 matched, more or less, the beginning of the period in which the U.S. wielded its veto much more often. Washington's vetoes exploded exponentially by the mid-1970s, and a very large percentage of them were used to block the Council from responding to Israel's occupation.

There is a particular irony to this reality. It was only after the 1967 war that support for Israel became an article of faith for a large portion of the U.S. population. There are a number of reasons for this phenomenal rise in Israel's fashionableness, mostly having to do with U.S. Cold War imperatives, but the significance to this study is the chronological correlation between Israel's increasing popularity in the United States and the growing mass opposition to Israel's occupation that emerged in most of the rest of the world -- and in the United Nations.

From the mid-1970s on, the U.N. saw overwhelming support for a U.N.-sponsored peace conference that would include Israel and the P.L.O. and end Israel's occupation of Palestinian land. But Israel, from 1967 on, absolutely rejected U.N. involvement. It viewed the U.N. as implacably antagonistic to Israeli interests, and approached the post-decolonization General Assembly, with its demographic dominance by the global South, as hostile territory. It was not forgotten in the Assembly that Israel's own colonial settlement project, once the theological justifications had been stripped away, had itself come to fruition and to U.N.-backed legality in 1948 -- just when decolonization was coming to the top of the agenda in the rest of Africa, Asia, and the Middle East.

The votes usually reflected a near-consensus in which the whole Assembly voted in favor, sometimes with some rather abashed abstentions, while only two coun-

tries voted against -- the U.S. and Israel.

Tel Aviv on its own would have been unable to stand against those initiatives. Alone, its refusal would have brought it universal opprobrium and the likelihood of serious sanctions. But U.S. interest in bolstering a reliable ally in the sometimes volatile and always (economically and geographically) strategic Middle East meant that Washington agreed to back Tel Aviv's rejectionism as far as it wished to go. Further, by the mid-1970s the U.S. was withdrawing from Security Council activism and marginalizing the U.N. as a whole. As a result, decolonization transformed the once-quiescent General Assembly into a more activist, critical voice of the global South. Soon the U.N.'s involvement with the Middle East shifted there.

In general the U.S. stood aside while the Assembly passed numerous resolutions condemning and demanding an end to Israel's occupation of the West Bank, the Gaza Strip, Arab East Jerusalem, and Syria's Golan Heights. There were serious exceptions, including Washington's refusal to grant Yasir Arafat a visa to address the Assembly in 1988, and its pressure campaign in post-Gulf War 1991 to force the Assembly to revoke its 1975 "Zionism is a form of racism" resolution.

But while their language was often tough, the resolutions lacked any means of exacting compliance; Assembly resolutions do not carry enforcement power like those of the Security Council. The pressure was limited to publicity and public opinion, neither of which was taken very seriously by Israel. Without access to any implementation mechanism, Assembly resolutions were routinely passed, routinely excoriated by Tel Aviv and Washington as evidence of U.N. "bias," and routinely ignored.

The U.S. strategy of excluding the issue of Palestine from U.N. consideration did not, of course, mean excluding the U.N. from playing other roles in the occupied territories. For decades the U.N. played the key international role in humanitarian and development work in the West Bank and Gaza. The U.N.'s Refugee Works Agency (UNRWA) was established in 1949 as one of the earliest large-scale humanitarian projects, and it helped assure basic survival of Palestinians living in refugee camps, especially in the impoverished Gaza Strip, and particularly in periods of long Israeli-imposed curfews and closures. The U.N. Development Program has been involved for many years, and was especially active in the early period of so-called "self-rule" mandated by the Washington-backed Oslo Accords between Israel and the P.L.O. Other U.N. humanitarian agencies, including the U.N. High Commissioner for Refugees (UNHCR), UNICEF, and others also continue their work.

But overall U.S. concern in the Middle East, and especially regarding the Israel-Palestine conflict, is strategic, not humanitarian. Washington has an interest in insuring that some modicum of social stability exists, and is per-

fectly willing for the U.N. to take the lead in providing basic survival support networks (thus substantially lowering what the U.S. alone might have to pay for). What it is not willing to do is have the U.N. -- and by extension the international community as a whole -- involved in the political decision-making of the Middle East.

One example of the significance of the Palestine issue in Washington's U.N. strategy came during intense U.S. efforts to undermine the U.N. in the 1970s, largely because the process of decolonization had led to the dominance of the global South in the General Assembly. A key target of the U.S. campaign was to intensify the attack on UNESCO.

The U.N. Educational, Scientific and Cultural Organization had become a key arena of South-South cooperation, and was especially active in coordinating scientific research and providing assistance to countries in the South that found this support invaluable in their challenge to the North's hold on intellectual resources. The U.S. attack on UNESCO included relentless criticism of the agency's finances, management, and leadership. Coming in for special condemnation was UNESCO's longstanding Senegalese director-general Amadou Mahtar M'Bow.

The U.S. critique was wide-ranging, but the essential accusation was that UNESCO had been "politicized," meaning it had begun to reflect more overtly the partisan nature of an agency whose work included efforts to democratize the world's distribution of resources. By the early 1980s the Reagan administration had almost ceased paying its dues to UNESCO. But then the agency committed the final sin. It invited the P.L.O., since 1974 an official observer organization of the U.N., to join UNESCO on a similar basis, to participate in its educational/cultural activities. For the U.S., and especially for President Reagan's U.N.-bashing Ambassador Jeane Kirkpatrick, such legitimization of the P.L.O. was too much.

In 1984 the U.S. withdrew from UNESCO and stopped payment on all its assessments. It would take almost two decades before Washington would rejoin the organization.

Pulling in the Welcome Mat

Ten years earlier, in 1974, the General Assembly had invited Yasir Arafat to visit the United Nations. As required by the Host Country Agreement signed between the U.S. and the U.N., a limited visa was issued to the P.L.O. chairman restricting his movements to a 25-mile radius from U.N. headquarters. The international attention generated by his famous "freedom fighter's gun and olive branch" speech played a key role in winning U.N. recognition of the P.L.O. as the "sole legitimate representative" of the Palestinian people, as well as observer status within the U.N. itself. It also helped gain broad international recognition for the organization, including full diplomatic relations with numerous countries. Since that time, the P.L.O. diplomatic team at the U.N. has partici-

pated as a full member of the Arab Group, and has actively participated in Council debates touching on the question of Israeli occupation or Palestinian rights.

Washington knew that much of the P.L.O.'s credibility, especially in the 1980s when its armed actions had significantly dwindled, could be traced to Arafat's U.N. appearance. As a result, when the Assembly again invited the P.L.O. leader to address the body, in December 1988, Washington was in a quandary. It was a delicate moment. Only a month earlier, the P.L.O.'s parliament-in-exile, the Palestine National Council, meeting in Algiers on November 15, had declared an independent Palestinian state in the West Bank, the Gaza Strip, and East Jerusalem. The intifada, the uprising characterized by mass popular resistance in the occupied territories and Palestinian children throwing stones at Israeli soldiers, was at its height.

What Washington and its Israeli junior partner didn't want just then was a new boost to the P.L.O.'s credibility. It was bad enough that leading Palestinian voices inside the occupied territories kept repeating that anyone wanting to negotiate an end to the intifada could find their representatives at P.L.O. headquarters in Tunis. A parallel international campaign further legitimating the P.L.O. at the U.N. and crediting it with the largely non-violent intifada would mean a disaster for Tel Aviv, and a public relations nightmare in Washington.

So the U.S. decided the best way out would be to use its power as Host Country simply to deny a visa to Arafat, barring him from the U.S., thus refusing outright to allow the U.N. to hear him speak. While the Host Country Agreement allows certain narrowly construed circumstances under which the U.S. might legally deny a visa to someone invited for an official U.N. function, nobody was fooled. The claim that Arafat's brief visit to New York somehow represented a "security threat" to the U.S. was nonsense; the State Department did little to try to justify it.

The result was almost comic. The entire General Assembly, including Secretariat bureaucrats, translators, clerks, security guards, public information officials, and more, packed up and decamped from New York to Switzerland. The cost, for a single two-hour meeting and a couple of press conferences was astronomical, at a time when Washington was already complaining about the U.N.'s profligate standards and inappropriate use of funds. The question of double standards re-emerged.

Desert Storm Clouds Over Palestine

Sometimes Washington pays a significant price for its protection of Israel in the U.N. Throughout the last weeks leading up to the November 29, 1990 vote authorizing war in the Gulf, for example, Israel's occupation and its anti-U.N. intransigence proved major stumbling blocks in Washington's effort to co-opt Arab partners to its anti-Iraq coalition. The U.S. and Israeli rejection of the longstanding

global consensus supporting an international peace conference under the auspices of the United Nations brought the issue of U.S. double standards to the front of the U.N. agenda. But the U.S. was willing to risk the double standard accusation rather than pressure Israel towards greater accommodation at that time.

During the run-up to passage of resolution 678 in the Security Council, authorizing the use of force against Iraq, the U.S. diplomatic team was diverted to focus on preventing the Council from passing a resolution aimed at protecting Palestinians living under occupation. The resolution had been proposed in response to the October killing of at least 22 Palestinians by Israeli military authorities on the steps of the Haram al-Sharif, or the Temple Mount, in occupied East Jerusalem. The attack, and the international outrage it generated, had called into question the smooth running of the U.N. as a key venue of Washington's Gulf build-up.

Within hours of the killings, the seven Non-Aligned members of the Security Council introduced a resolution backed by the P.L.O. It won immediate support, albeit with varying degrees of enthusiasm, from 14 of the 15 Council members, even including Britain, whose ambassador, Sir David Hannay, was that month's President of the Council. The U.S. was the only hold-out.

The resolution initially did not use the word "condemn" in reference to the attack. It "deplored" the killings, a lower level of criticism in diplomatic parlance. But far more significantly, it called on the Council to send its own mission to Jerusalem to investigate the killings and to return with recommendations for how Palestinians living under occupation could be protected.

The debate was sharp, with speakers expressing their nation's outrage at the carnage in Al-Aqsa Mosque. U.S. diplomats then forced a delay in the vote. By the next afternoon, Washington had submitted its own resolution, which became, for the U.S. press, the only one under discussion. The U.S. draft used the stronger word "condemn" for the first time. But P.L.O. diplomats, and the Non-Aligned Council members supporting them, made clear they were not concerned about issues of language. The real sticking point was the nature of the investigation team to be sent to Jerusalem. Washington's draft left the Security Council out of the picture, calling instead only for the secretary-general to send his own representative. While such missions had traveled to the occupied territories before, they had never had any impact on persistent Israeli violations of international law and human rights. The secretary-general's special representatives would go, look, and return, without the influence and enforcement power of the Security Council, the U.N.'s highest body.

Palestine's Permanent Observer to the U.N. at the

time, Ambassador Zehdi Labib Terzi, made clear his delegation's priorities. Outside the Council chamber, speaking at 1:00 a.m. on October 9, he said, "We are not interested in semantics; what we want is for the Council to take action. The U.S. draft does not call on the Council to do anything."

U.S. rejection of a Council role was rooted partly in U.S. support for Israel's long-standing rejection of any internationally-mandated monitoring of its violations of international human rights conventions. But it also reflected the U.S. recognition that such a resolution would finally place the Council in a position of assuming responsibility for the Palestinians living under Israeli occupation. That, for the U.S., represented the first step down the slippery slope towards a U.N.-sponsored international peace conference. U.S. backing for Israeli rejection of such a conference remained a cornerstone of the U.S.-Israeli alliance, and not even the new set of commitments to new Arab allies would change Washington's position.

What was different this time around was the potentially fateful consequences of a U.S. veto. In past incidents of Israeli atrocities, a routine U.S. veto on the grounds that a resolution was "one-sided," or that it "did not advance the peace process," would be roundly condemned, but then set aside. This time, Washington's carefully constructed Arab legitimacy for its military build-up in the Gulf could not afford the political fall-out that would follow a U.S. veto of a Council resolution condemning Israel's bloodbath at the doors of one of Islam's holiest shrines.

The governments of Saudi Arabia and Egypt, in particular, as well as Syria, were uneasy about the consequences of a U.S. veto. They stood to lose even more popular support if they continued backing U.S. troops against Saddam Hussein in the face of Washington's veto of Palestinian rights. Non-aligned diplomatic sources indicated that Saudi and Egyptian pressure on the P.L.O. to give the U.S. a compromise way out was "fierce."

A Soviet diplomat indicated in the early morning hours of October 10 that his government would not back down "unless the Palestinians agreed." Palestine's diplomats did not agree, however, hoping that the commitments of other Council members to support a Council mission would remain strong. By the night of October 10, the British had engineered a compromise, calling for a secretary-general's representative, but asking that he report back to the Council. The U.S. would not accept it.

Throughout the days and nights of October 11 and 12, the U.S. rope tightened. Washington cajoled its Western allies, alternately pressuring and threatening the Non-Aligned members of the Council. Late on the night of October 12 the vote was taken, and resolution 672, calling for

only a representative of the secretary-general to investigate, was unanimously accepted.

Unanimity had been preserved -- or imposed. But the U.S. refusal brought the question of Washington's double standards to center stage. U.S. credibility among the developing countries, and some of its Western allies, plummeted.

As it happened, the U.S. battle may have been unnecessary. Israel responded to the resolution by announcing its refusal to accept any U.N. mission, including that of the secretary-general. In response, the Council passed resolution 673 on October 24, reaffirming Israel's obligations as a member of the U.N. to accept Council resolutions and urging Tel Aviv to "reconsider its decision...and to permit the mission of the secretary-general to proceed."

The secretary-general's special representative ultimately made a brief trip and reported to the Council. A resolution was drafted in response to that report, aimed at broadening U.N. involvement in protecting Palestinians living under occupation. But over the next two months, from mid-October until December 17, while the military build-up in the Gulf continued at breakneck speed, the U.S. continued its efforts to delay the vote and to strip the proposed resolution of anything likely to offend Israel. Negotiations on the resolution completely absorbed the Council, helping to insure that no one noticed the Council had agreed not even to discuss solutions for the Iraq crisis until after the January 15, 1991 deadline for war.

The original language of the resolution called on the Security Council to deploy troops from UNTSO (the UN Treaty Supervision Organization, deployed on Israel's borders with Syria, Lebanon, Jordan, and Egypt since 1949) to monitor the treatment of Palestinians living under occupation. It condemned Israel's policy of expelling, or deporting, Palestinians, and demanded that the practice cease and that those expelled be allowed to return. And, for the first time, it stated Council support for an international peace conference long called for by the General Assembly, to solve the crises of the Middle East.

The next draft dropped the reference to UNTSO, and called for a commissioner representing only the secretary-general, not the Council, to be sent to the occupied territories. The third draft dismissed that idea, and simply called for the secretary-general to monitor the situation. U.S.-backed versions also replaced the earlier language that "condemned" Israel's expulsions of Palestinians with a softer criticism that "deplored" the practice. And Washington deleted calls for Israel to stop expelling people and to allow those already expelled to return.

Over the next weeks, the Council prepared to vote seven times. But seven times, U.S. diplomats managed to

orchestrate delay, each time draining more power from the proposed resolution.

The final drafts removed all references to an international peace conference from the operative paragraphs, thus acceding to the long-standing U.S.-Israeli rejection of it.

Some time after midnight on the night of December 17, the U.S. once again forced a delay, this time pressuring the Council to call a halt until the morning of December 19. By that time there were so many drafts circulating that neither the exhausted Council diplomats nor the punch-drunk U.N. press corps could keep track.

Forty-eight hours later, the Council voted unanimously to accept resolution 681 in a form that was virtually unrecognizable from the original version introduced seven weeks before. It had been stripped of the call for the Council to deploy U.N. troops to protect Palestinians, lost the condemnation of Israel's expelling Palestinians, and the demand that it stop the practice and allow those expelled to return home. It had even lost the renewed call for an international peace conference, a long-standing U.N. principle.

Remarkably, this breathtaking double standard of Washington's U.N. responses to Iraq's occupation of Kuwait and Israel's occupation of Palestine received little attention in the mainstream U.S. media.

Talks in the Hallways

U.S. reliance on the U.N. for credibility in the Gulf War did not extend to its subsequent political initiative. Once the military part of Desert Storm had ended and the U.S. had declared a yellow ribbon victory over the bodies of somewhere between one and three hundred thousand Iraqis, the political component of the Gulf War -- the Madrid process -- began. It was crafted to simultaneously implement and reflect the newly unchallenged political map of U.S. domination of the Middle East. With Arab unity shattered by the U.S. anti-Iraq coalition and the U.S. now an unchallenged superpower, Israel finally agreed to sit face to face, for the first time, with its Arab opponents. Those Arab regimes were themselves now uniformly dependent on, and to an unprecedented degree accountable to, Washington.

But despite Madrid's global news coverage, the multi-party participation, the presence of high-level diplomatic teams not only from the U.S. and Soviet co-sponsors but from the European Union and numerous countries in the region, there could be no illusion that this was the U.N.'s long-sought "international" peace conference on the Middle East. Israel had agreed to participate only if the high-profile opening formalities, in Madrid's glittering Crystal

Palace, were designed solely as the prelude to separate bilateral talks with each of the Arab parties. The terms of reference even specified that the multilateral conference would only be reconvened if all sides agreed -- giving Israel a veto over even the appearance of real international negotiations. As for the United Nations, its single representative was ordered humiliatingly silent by the joint agreement of Washington and Tel Aviv.

The Memorandum of Understanding, the basis on which parties agreed to come, signed between the U.S. and Israel, spelled out the U.N.'s explicit exclusion. In paragraph 7 the U.S. assured Israel that the "U.N. representative will have no authority. He [it was assumed to be a 'he'] may hold talks only in the hallways, note down the content of the talks, and report to the secretary general."

Instead of an international peace conference, Madrid set the terms for four separate sets of negotiations -- between Israel and Syria, Lebanon, Jordan, and the Palestinians. The talks would not, officially, be with the P.L.O., and Tel Aviv's U.S.-backed legal fiction insisted that the Palestinian diplomatic team, restricted to Palestinians from inside the occupied territories not including Jerusalem, be officially considered a sub-set of the Jordanian contingent.

The terms for an Israeli agreement with Syria were set, in fact if not on paper, when Damascus agreed to join Washington's anti-Iraq coalition. The payback would come after Desert Storm had functionally leveled Syrian president Hafez al-Assad's longstanding Ba'ath Party rival in Baghdad. What would comprise the final terms was clear long before the opening speeches, filled with vitriolic posturing on both the Israeli and Syrian sides, were made in Madrid.

Syria would get at least official, if not complete on the ground, Israeli withdrawal from the once-strategic (though questionably so in the era of advanced missile technology) Golan Heights, and Israeli acknowledgment of formal Syrian sovereignty. In return, it would provide Tel Aviv with continued guaranteed access to Golani water sources (a key reason for Israel's concern about giving up the Heights -- far more important than security); family reunification for the 15,000 Syrians living under Israeli occupation would be arranged; the demilitarization of not only the Heights, but a major chunk of Syrian territory below the Heights would be guaranteed by international (U.S.-led, and definitely not U.N.) troops; an arrangement would be finessed regarding Israeli settlements in the Heights; and Israel would get something called peace and relative normalization with its long-standing enemy. All would be arranged and imposed under stringent U.S. guarantees, with financial and political rewards for compliance (more cash for Israel, removal from the list of "terrorist states" for Syria); and threats of punishment for

Syrian resistance. After the bombast, what was left to negotiate were exact details, and a timetable. More than a decade later, that overall plan remains the likely scenario, and the details and timetable remain out of reach.

Once the Syrian-Israeli agreement was set, Israeli-Lebanese talks could be expected to fall into place. Israel was expected to withdraw from at least part of the Lebanese territory it had occupied since 1978, in return for Syrian guarantees that no Palestinian forces would be allowed to launch attacks from the area. In fact, Israel's sudden withdrawal from Lebanon in May 2000 led to continuing U.N. involvement to determine the border's location in the contested Sheba'a Farms area. As for Jordan, its real battle with Israel had been over for years, its official state of belligerence simply derivative of its unwitting geographical and historic involvement in the Israel-Palestine conflict; actual Jordanian-Israeli relations had been cordial and cooperative for a generation. The signing of the Israel-Jordan accord in the autumn of 1994 was clearly a reflection of the 1993 Oslo accords giving King Hussein the political cover to make official his ties with Israel.

In none of these negotiations was the U.N. called on -- or allowed-- to play a role beyond that of cheerleader.

Palestine and Oslo

But the Palestine issue at Madrid was more complicated.

The Memorandum of Understanding between Israel and the U.S., along with limiting U.N. participation at Madrid, went even further in marginalizing the global organization from Middle East developments. An addendum to paragraph ten asserted that the "United States is also required to make a commitment that the U.N. Security Council will not convene to discuss the [Middle East] conflict during negotiations..." And according to one leaked version of the final U.S.-Israel Letter of Assurance, Washington agreed to "take steps to ... have U.N. Resolution 3379 equating Zionism and racism annulled."

Indeed, within the next few weeks, the U.S. rammed through the General Assembly the revocation of the Zionism is racism resolution. It was engineered by the U.S. in such a way as to deny any discussion of whether the original assessment of Zionism had been wrong, or whether the practice of political Zionism had changed, or anything else. It was simply imposed, almost by fiat, on a compliant and beaten-down General Assembly.

But in the meantime diplomacy went on, not only through the faltering and, we now know, irrelevant Madrid talks, but through a back-door Israel-P.L.O. channel quietly sponsored by the Norwegians. That led to the signing of the Declaration of Principles in Washington in

Sept. 1993, set the stage for mutual recognition between Israel and the P.L.O., and for interim and then "final-status" issues to be resolved in negotiations between them. The United Nations had no place in the Oslo process.

Following the White House signing ceremony, Yasir Arafat returned to the U. N. After his meeting with then Secretary-General Boutros Boutros-Ghali, I asked Arafat if he had discussed with the secretary general any plans for an active U.N. role in guaranteeing or maintaining the future peace. All he could say was that they had discussed better and higher-level coordination of the U.N. institutions *already* working in the occupied territories. That meant the economic and humanitarian agencies alone -- once again the U.N. was out of the political loop.

As Oslo was taking shape on the ground, early in 1994, an Israeli settler-soldier murdered 29 and wounded scores of Palestinians inside the ancient Al-Ibrahimi Mosque in Hebron. Immediately a new effort ensued to get the Security Council on board, not only in condemning the massacre but in trying to do something to prevent such occurrences in the future.

Once again the resolution was delayed by the U.S., ostensibly because of its references to Jerusalem as part of the occupied territories, but also because it authorized a "temporary international presence" to be sent as observers in Hebron, something Israel had long opposed. But significantly, the resolution even specified they were not to be U.N. peacekeeping troops, but rather "international observers" *not* under U.N. Blue Helmet command. The secretary-general volunteered to send observers, but the U.S. condemned his offer as not being "particularly helpful or useful." The debate raged for over three weeks, and in the final agreement the U.S. demanded a separate vote on each paragraph of the resolution.

The U.S. objected to two paragraphs. One, in the preamble, described the Security Council as "gravely concerned by the consequent Palestinian casualties in the occupied Palestinian territory as a result of the massacre which underlines the need to provide protection and security for the Palestinian people." [Following the massacre, 43 more Palestinians were killed and nearly 500 wounded. - ed.] The other objection was to the Council "reaffirming its relevant resolutions, which affirmed the applicability of the Fourth Geneva Convention of 12 August 1949 to the territories occupied by Israel in June 1967, including Jerusalem, and the Israeli responsibilities thereunder..."

In the final vote, Washington abstained rather than vetoing the references to Jerusalem. U.S. Ambassador Madeleine Albright said she didn't veto the resolution because the offending references were "only" in the preambular paragraphs, not in the operative language; presumably, therefore, the U.S. could ignore them with impu-

nity. The final decision sent 160 observers, mostly Norwegian and a few Italian, as observers to Hebron, only 60 of them actually working in the field. They were not Blue Helmet soldiers or observers, and they had no means of insuring even their own protection. They were ordered only to observe the actions of Israeli soldiers and settlers. If abuses were seen, they had no authority to intervene, but could only report to U.N. officials who would relay the information to someone in New York.

Clinton & the Assembly

The most explicit articulation of President Clinton's Middle East goals for the U.N. emerged in the August 8, 1994 letter sent by Ambassador Madeleine Albright to the incoming president of the Assembly, outlining U.S. priorities for the coming term.

The Middle East section, first of the "Key Issues" identified in her letter, focused solely on developments in the Oslo peace process. Albright's clear, pro-Israeli goal was to completely remove the issues of Arab-Israeli relations, and especially the question of Palestine, from the U.N.'s political agenda. She claimed that the bilateral Israeli-Palestinian negotiations of the Madrid/Oslo processes had rendered "*caduc*" any role or responsibility for the U.N. beyond economic and development assistance. ("*Caduc*" is the French word for lapsed, or out of date; Arafat famously used it to describe the Palestinian Covenant's anti-Israel language.) And she concluded with the jaw-dropping demand that "resolution language referring to 'final status' issues should be dropped, *since these issues are now under negotiations by the parties themselves. These include refugees, settlements, territorial sovereignty and the status of Jerusalem.*" (Emphasis added.)

In response, Palestine's U.N. Ambassador Nasser al-Kidwa reminded the U.S. secretary of state that the final status issues to which she referred in fact "are not yet under negotiation," as the Oslo Agreement had deferred those key issues -- statehood and borders, Jerusalem, settlements and refugees -- for five years (later extended to seven years, and ultimately never implemented). In a separate assessment al-Kidwa predicted that such a "U.N.-hands off" policy would backfire because it "was hard to swallow by anybody at the U.N."

If analyzed only by looking separately at each specific demand, he was right. The Assembly did pass a resolution calling for the application of the Geneva Conventions to all occupied territories including Jerusalem; it was opposed only by the U.S., Israel, and Gambia. The vote on Israeli practices in the occupied territories was opposed only by the U.S. and Israel; even in the vote on the work of the Special Committee to Investigate Israeli Practices, targeted for dissolution by Washington, only the U.S. and

Israel voted against. And in a series of technical status changes, the emergence of "Palestine" at the U.N. as an official observer, with status parallel to other non-member states, rather than that of a non-member organization, took hold. These included enhanced levels of consultation in planning for the 1995 U.N. 50th anniversary celebrations, and the lifting of travel restrictions on the Palestinian diplomatic team. The secretary-general also appointed a special coordinator for the occupied territories. (It must be noted that his mandate was narrowly drawn to include only issues of economic and development aid to the new Palestinian Authority, not political questions.)

Re-Vetoing Palestine

The last pre-Gulf War veto was cast on May 31, 1990, to prevent the Security Council from passing a resolution condemning Israel's latest violation of Palestinian rights. After that, the "new" U.N. of the post-Cold War era was said to be the post-veto era as well, a period of growing mutuality of interests. For a while that more or less proved true, as Russia's desperation to maintain aid from the West, and China's trade-based policy of abstaining from or supporting U.S. initiatives in return for economic perks, led to a virtual abandonment of the veto as part of normal Security Council life.

Until Palestine. In May 1995, the Israeli government, in clear defiance of the Oslo Agreement's plan to defer discussion of the status of Jerusalem, and its commitment to do nothing that would preempt those negotiations, announced new plans to confiscate over 5,000 acres of Palestinian-owned land for massive settlement building in occupied East Jerusalem. The plan called for the creation of about 3,300 new apartment units, virtually all of them in Jews-only settlements in the Arab side of the city. There was immediate international outrage.

In the U.N., the Security Council began debating the issue on May 12. Palestine's Ambassador al-Kidwa warned that "Israel must also understand that it cannot achieve peace while continuing to hold the land, that it is not possible to maintain its grip on Jerusalem while demanding normal relations with its neighbors and their friends. Finally, Israel must choose: either there is agreement with the Palestinian side or there is no agreement, because the status of half-agreement is unacceptable and absolutely untenable."

The Israeli answer was simply to claim that "the issue has been taken out of context and blown out of proportion." From Israeli Ambassador Yaacobi's vantage point, the only problems were semantic. "The recent decision," he told the Council, "to expropriate, not to confiscate, land

(Continued on page 10)

U.S. Vetoes of U.N. Security Council Resolutions Condemning Israeli Actions

S/10784	9-10-72	Calls on all parties to cease military actions.	13 for; Panama abstains; U.S. vetoes
S/10974	7-24-73	Deplores Israel's continuing occupation of territories and requests the secretary-general and his special representative to pursue a solution to the Middle East problem.	13 for; 1 not participating; U.S. vetoes
S/11898	12-5-75	Condemns Israeli air raids on Lebanon and Palestinian refugee camps.	13 for; Costa Rica abstains; U.S. vetoes
S/11940	1-23-76	Affirms inalienable right of the Palestinian people to self-determination, an independent state, and return to homes.	9 for; 3 abstain; 2 not participating; U.S. vetoes
S/12022	3-24-76	Deplores Israel's failure to stop actions changing the status of Jerusalem and calls on it to desist from land expropriation and settlements.	14 for; U.S. vetoes
S/12119	6-29-76	Affirms inalienable right of the Palestinian people to self-determination, national independence, and right of return.	10 for; 4 abstain; U.S. vetoes
S/13911	4-28-80	Affirms inalienable right of Palestinian people to self-determination, an independent state, and return to homes.	10 for; 4 abstain; U.S. vetoes
S/14832/Rev.	1-19-82	Condemns Israel's failure to comply with SC Res. 497 concerning Israel's annexation of the Golan Heights.	9 for; 5 abstain; U.S. vetoes
S/14943	4-1-82	Denounces Israel's dismissal of elected Palestinian officials and other human rights violations in occupied territories.	13 for; Zaire abstains; U.S. vetoes
S/14985	4-20-82	Condemns attack at al-Haram al-Sharif in Jerusalem.	14 for; U.S. vetoes
S/15185	6-8-82	Condemns Israel's non-compliance with SC Res. 508 & 509 and demands all hostilities in Lebanon cease within six hours.	14 for; U.S. vetoes
S/15255 Rev.2	6-25-82	Demands all parties cease hostilities in Lebanon and withdrawal of Israeli and Palestinian armed forces from Beirut.	14 for; U.S. vetoes
S/15347/Rev.1	8-6-82	Condemns Israel for not implementing SC Res. 516 & 517 which call for a cease-fire in Lebanon.	11 for; 3 abstain; U.S. vetoes
S/15895	8-1-83	Calls Israeli settlements in the occupied territories illegal, deplores continued settlement building, and calls upon all states not to give Israel aid to be used for settlements.	13 for; Zaire abstains; U.S. vetoes
S/16732	9-6-84	Calls on Israel to respect rights of civilian population and demands that it lift restrictions in the areas it occupies in southern Lebanon, western Bekaa, and Rashaya District.	14 for; U.S. vetoes
S/17000	3-11-85	Condemns Israeli practices against civilian population in southern Lebanon, western Bekaa and Rashaya District.	11 for; 3 abstain; U.S. vetoes
S/17459	9-12-85	Deplores Israeli repressive measures against civilian population in the occupied territories and calls for them to stop.	10 for; 4 abstain; U.S. vetoes
S/17730	1-17-86	Deplores Israeli violence against civilians in southern Lebanon.	11 for; 3 abstain; U.S. vetoes
S/17769 Rev.1	1-30-86	Deplores provocative acts by Israelis which violate the sanctity of the Haram al-Sharif in Jerusalem.	13 for; Thailand abstains; U.S. vetoes
S/17796	2-6-86	Condemns Israel's interception of a Libyan civilian aircraft.	10 for; 4 abstain; U.S. vetoes
S/19434	1-15-88	Deplores Israeli attacks against Lebanese territory.	13 for; UK abstains; U.S. vetoes
S/19466	1-29-88	Calls on Israel to cease policies violating human rights of Palestinians in the occupied territories.	14 for; U.S. vetoes
S/19780	4-14-88	Urges Israel to rescind deportation of Palestinian civilians and condemns Israeli violations of human rights in occupied territories.	14 for; U.S. vetoes
S/19868	5-6-88	Condemns Israel's invasion of southern Lebanon.	14 for; U.S. vetoes
S/20322	12-14-88	Deplores Israeli military activities against Lebanon.	14 for; U.S. vetoes
S/20463	2-17-89	Deplores Israeli policies towards Palestinians in occupied territories.	14 for; U.S. vetoes
S/20677	6-8-89	Deplores Israeli human rights violations in occupied territories.	14 for; U.S. vetoes
S/20945	11-6-89	Deplores Israeli human rights violations in occupied territories., particularly the siege of Beit Sahur.	14 for; U.S. vetoes
S/21326	5-31-90	Establishes SC commission to examine situation in the territories.	14 for; U.S. vetoes
S/1997/199	3-7-97	Calls for Israel to reverse its decision to begin construction of the Jabal Abu Ghneim settlement.	14 for; U.S. vetoes
S/1997/241	3-21-97	Demands Israel cease construction of Jabal Abu Ghneim settlement.	13 for; 1 not participating; U.S. vetoes
S/2001/270	3-27-01	Calls for U.N. observer force, protection of Palestinian civilians, and end to the closures of the occupied territories.	9 for; 4 abstain; U.S. vetoes
S/2001/1199	12-14-01	Calls for withdrawal of Israeli forces from Palestinian-controlled territories, and condemns acts of terror against civilians.	12 for; 4 abstain; U.S. vetoes
S/2002	12-21-02	Condemns Israel for death of 3 U.N. staff and destruction of a U.N. warehouse in Gaza.	14 for; U.S. vetoes

(Continued from page 8)

for construction in Jerusalem -- not for settlements as was said here -- is based on our long-standing policy...."

In reply, U.S. diplomat Edward Gnehm told the Council: "It is difficult to see how such actions [as Israel's land seizures] promote the peace process." But, he went on, "having said that, we do not believe that this [the U.N.] is the appropriate forum for dealing with this issue."

Ambassador al-Kidwa reminded the Council of the special role of the U.S. "The American co-sponsors [of the peace process] carry a larger responsibility in this regard because of their special relationship with Israel and because of the letters of assurance they provided to the parties participating in the process, including the letter of assurance to the Palestinian side, which was an integral component of the basis for Palestinian participation in the whole process. The letter of assurance, dated 24 October 1991, states the following about the issue of Jerusalem:

The United States is opposed to the Israeli annexation of East Jerusalem and the extension of Israeli law on it and the extension of Jerusalem's municipal boundaries. We encourage all sides to avoid unilateral acts that would exacerbate local tensions or make negotiations more difficult or preempt their outcome.

"We are now witnessing precisely such actions, and we hope that the United States will take a clear position in keeping with its assurances in this regard."

The U.S. position was clear; its assurances to Israel to "show due consideration for Israel's positions in the peace process" (The Jerusalem Post, October 16, 1991) remained preeminent. After four days of debate, the Council voted on a resolution condemning Israel's land seizure and calling for it to be reversed. The vote was 14 to 1. The U.S. voted no. It was the first since the end of the Cold War.

It is likely not a coincidence that the 1994 edition of the U.N.'s annual report on "The United Nations and the Question of Palestine," unlike all earlier editions, left out the official maps featured before: the map of the U.N.'s 1947 Partition Plan and U.N. Armistice Lines of 1949, showing the large area designated for an internationally-supervised Jerusalem; the map of territories occupied by Israel since June 1967, showing half of Jerusalem as occupied; and the map showing the proliferation of Israeli settlements throughout the occupied territories.

The photographs in the slick, larger-sized 1994 edition are missing too; maybe it was financial considerations that led to the decision to drop the maps. Maybe not. With Palestine kept so starkly out of the political loop on the question of Palestine, in contrast to U.S.-orchestrated U.N. activism in so many other conflicts, and with charges of U.S. double standards hovering over the issue, the politi-

cal symbolism of missing maps was impossible to ignore.

Out of the U.N. Loop

By the middle of 1996, as President Clinton's second election campaign was in full partisan swing, the administration known for its domestic priorities suddenly turned on the United Nations. Its target, on the 38th floor, was U.N. Secretary General Boutros Boutros-Ghali, the pro-Western Egyptian whom even the staunchly reactionary *Washington Times* admitted "has done nearly all the U.S. wanted -- even if he squawked about it." Madeleine Albright, then ambassador to the U.N., announced that she intended to veto Boutros-Ghali's expected second term in office. And Israel would play a key role.

The campaign wasn't really about Boutros-Ghali, of course. Washington did not suddenly begin condemning the U.N. and halting U.N. dues payments in 1996 because they didn't like Boutros-Ghali. (It was during the Reagan administration, back in 1985, that Washington first refused to pay up.) Boutros-Ghali was merely a convenient scapegoat for an anti-U.N. crusade thoroughly driven by domestic politics. Three separate campaigns were involved: Bill Clinton's run for president against Bob Dole, Madeleine Albright's drive to become secretary of state in a second Clinton administration, and an administration effort to use Boutros-Ghali's ouster as a sweetener to convince Congress to pay at least part of Washington's back dues. The first two succeeded; the last was a dismal failure.

The main parameters of the administration's campaign were set quietly by State Department officials in early 1996. Public attacks on the secretary-general were already underway by the Dole campaign, whose candidate loved the cheap but consistent applause generated by his specious pledge that President Dole would never allow U.S. troops to serve under Boutros-Ghali -- when of course no U.S. troops had ever done so. It was exacerbated by the blatant appeal to anti-Arab racism behind the slogan, as Dole would make fun of the secretary-general's name, stretching out "Boooo-trous Boooo-trous" to the accompanying cheers of the crowd. Quickly the Democrats began to compete with the Republicans to see who could be more hostile to the U.N. The State Department team quietly offered Boutros-Ghali a "deal," a one-year extension of a single term; he turned it down, but counter-offered that he would accept a two-and-a-half year "half term." Washington refused, and the battle was joined.

Washington's support for Israel further shored up U.S. determination to get rid of the secretary-general. Israel's August 1996 air assault in south Lebanon had targeted, among other things, a U.N. peacekeeping center at Qana, a small Lebanese village. Hundreds of refugees had taken shelter there from the bombardment. The Israeli attack killed more than 100 Lebanese civilians, and wounded

several Fijian peacekeepers serving with the U.N. peacekeeping contingent in south Lebanon. The U.N.'s report, issued some months later, documented the presence of an Israeli drone surveillance plane in the immediate area during the air strikes, rebutting Israel's claim that the Qana attack was an unfortunate accident because they never knew about the civilians sheltering in Qana. U.S. diplomats worked hard to prevent the information from being released, but eventually Boutros-Ghali allowed the report to be made public. It was carefully edited, but unmistakably damning to Israeli claims. U.S. officials were furious, and their anger at the secretary-general consolidated Albright's already intense anti-Boutros-Ghali campaign.

Albright had also correctly recognized that no one ever lost points inside the Washington beltway by being too antagonistic towards the U.N. As ambassador to the institution Washington loved to hate she was best positioned to blame Boutros-Ghali for everything in the U.N. that Washington hated. She could orchestrate his downfall, claim credit for it, and reap her just reward -- appointment by a victorious Bill Clinton as secretary of state in his second administration. Her campaign was successful: Boutros-Ghali was forced out, Albright moved up the State Department ladder, and Kofi Annan was anointed U.N. secretary-general with Washington's blessing.

Palestine & the Geneva Conventions

The second half of the 1990s saw consistent motion, if not progress, in Israeli-Palestinian diplomacy. But the U.S. continued to impose on the Oslo peace process its own narrow redefinition of international law and exclusion of the United Nations. The U.S. proclaimed by fiat that the only relevant U.N. resolutions were 242 and 338, calling for the exchange of territory for peace. Thus erased with a wave of Washington's hand were U.N. resolutions codifying decades-old international understandings on issues such as the right of Palestinians to return (resolution 194) and even the original 1947 partition resolution (181) on which Israel's own international legitimacy rested. Only the U.S. claimed the power of empire -- to dictate to the rest of the world the relevance or irrelevance of existing international laws and U.N. resolutions.

In the context of Israel-Palestine, Washington's "law of empire" usually served to undermine the purpose, if not always the official letter, of international law. The U.S. was a signatory to the 1949 Geneva Conventions, but in the Middle East it played the role of spoiler, undermining the potential of the Conventions to do exactly what they were supposed to do: protect people. The Conventions were designed to shield unarmed civilians from the ravages of war, siege, or occupation. In the U.N., everybody -- except Israel itself -- agreed that the Conventions apply to Israel in the occupied Palestinian territories. That much wasn't controversial -- even the U.S. admitted that much,

and over the years the U.S. accepted 24 other Security Council resolutions saying so.

Those resolutions were supposed to be binding. But in April 1999 the U.S. vetoed two Council resolutions calling for an end to Israel's provocative settlement practices, long condemned by the U.N. as violating both Security Council and Assembly resolutions, as well as violating the Geneva Conventions. To override the U.S.-driven impasse, members of the European Union and other countries brought the question to the General Assembly where the U.S. had no veto. The Assembly voted overwhelmingly to convene a meeting of the 188 signatories to the Conventions and to discuss Israeli practices in the occupied territories. The U.S. voted against the resolution -- but more disturbing was the U.S. announcement that it was going to, in Vice-President Al Gore's words "work diligently to halt the meeting of the Fourth Geneva Convention.... America will boycott it, and we will urge others to do the same." Given the might of U.S. diplomatic, economic, and strategic power to coerce other nations, such a threat represented a grave assault on the legitimacy of international law.

The original goal for the conference was to go beyond the U.N.'s already on-the-record and uncontested (except by Israel itself) finding of applicability of the Geneva Conventions to the occupied territories, and investigate specific Israeli violations, particularly regarding issues of settlements. The possibility of enforcement was remote, but certainly under consideration: setting a timetable for the Israeli government to demonstrate compliance, or even imposing multilateral economic or diplomatic penalties against Israel for its violations. The decision to hold the meeting was shaped by the understanding that the obligations of international law and compliance with international agreements do not disappear when bilateral negotiations are underway. Specifically, the Palestinian position, backed by the Non-Aligned and somewhat more cautiously by the Europeans, was that international law provides the necessity for ending Israeli occupation of Palestinian land, regardless of what bilateral arrangements may be underway.

But when the meeting was finally held in Switzerland on July 15, 1999, everything had changed. The meeting did convene, officially, but accompanied by enormous U.S. pressure on the Palestinians not to antagonize Israel's new Labor government of Ehud Barak. As a result, the meeting was adjourned after only 10 minutes. The operative goal, it appeared, was not the reassertion of the primacy of international law and U.N. resolutions, but as *The New York Times* of March 19, 2002 described it, an "effort to avert friction with Israel's new government."

Two leading Palestinian human rights organizations, LAW and the Palestine Human Rights Center, issued an immediate response from Geneva: "We deeply regret that the High Contracting Parties meeting here have not ful-

filled and appeared to have repudiated the mandate they took upon themselves when they voted for the General Assembly resolution calling for this conference. By failing to hold a substantive conference to address pressing questions of enforcement of the Convention, the Parties have undermined and politicized the application of international humanitarian law, not only with regard to this conflict but other and future conflicts as well."

Given U.S. disdain for the U.N. and international law in Middle East diplomacy, such a failure was no surprise.

Camp David and Beyond

The Oslo process sputtered on, for a while changing, but never ending, Israel's occupation of Palestine. In fact, the word "occupation" never appeared in the voluminous Oslo texts; *ending* the occupation was never a goal. By 2000 conditions were severely deteriorating: settlement building escalated and the 18% of West Bank land ostensibly under "full Palestinian authority" was cut into tiny enclaves surrounded by Israeli occupation troops, settlements, and settler-only roads and bridges. The Palestinian economy went into free-fall, as jobs in Israel dried up and Oslo's promised economic miracle never materialized.

President Clinton's presidency was about to end, and he desperately wanted the follow-up photo-op, a permanent Israeli-Palestinian peace under his watch, to burnish his scandal-tinged legacy. That led to the Camp David II summit, in July 2000, where for the first time "final status" issues were put on the table. The summit failed, not surprisingly, because it ignored the requirements of U.N. resolutions and international law. Barak's "generous offer" was indeed, as claimed, the most generous of any Israeli government in history. The problem was that that claim was completely irrelevant; it was the wrong standard. The legitimacy (let alone "generosity") of a diplomatic offer to end an illegal occupation must be determined by whether it fulfills the requirements of international law -- not by comparison to earlier offers by the illegal occupier.

The Camp David agenda should have been based on international law and U.N.-enshrined rights. According to international law, Israeli withdrawal from occupied East Jerusalem and the right of Palestinian refugees to return home, are mandated by U.N. resolutions. But without U.S. insistence that those U.N. decisions be binding, Israel continues to ignore international law with impunity.

The collapse of Camp David increased Palestinian despair, and Palestinian anger was brought to new heights in September by the provocative march of General Ariel Sharon, accompanied by almost 1,000 Israeli military escorts, on the Haram al-Sharif, or Temple Mount, in occupied East Jerusalem. Israel's assault on protesters the next day gave rise to the second intifada, and a far deadlier round of violence.

Israel tightened its grip on Palestine, constructing more settlement, increasing land grabs, creating new tactics to suppress Palestinians including F-16 and helicopter gunship attacks on refugee camps and apartment buildings, targeted assassinations of scores of Palestinians with more, many of them children, killed in the attacks. In the aftermath of the terror attacks of September 11, 2001, the Bush Junior administration that had for a few short months indicated some willingness to distance itself from its key Middle East ally, fully re-embraced the Sharon government in Israel. By the spring of 2002, Israel simply reoccupied Palestinian cities that were ostensibly under Oslo's "full authority" of the Palestinians.

The crisis escalated, matched by growing international outrage. Within the first two weeks of March 2002, 160 Palestinians and 60 Israelis were killed. Israel besieged Bethlehem's Church of the Nativity, where Palestinian militants had taken refuge, soon joined by international solidarity activists. U.N. Secretary General Kofi Annan harshly criticized Israel's use of advanced military equipment, including U.S.-provided attack helicopters and F-16 fighter jets as well as tanks, against Palestinian neighborhoods and refugee camps. "You must end the illegal occupation," he said to Israel on March 12th. "You must stop the bombing of civilian areas, the assassinations, the unnecessary use of lethal force, the demolitions and the daily humiliation of ordinary Palestinians." The U.S. and British blocked the Security Council from endorsing Annan's statement on the grounds that Israel's invasion of Palestinian land during the 1967 war was not necessarily illegal.

The U.S. did allow passage of Security Council resolution 1397 on March 13, 2002, calling for a ceasefire between Israelis and Palestinians and including language Colin Powell had used to describe "a vision of a region where two states, Israel and Palestine, live side by side within secure and recognized borders." But again there was no evidence of U.S. willingness to acknowledge U.N. authority in brokering such a ceasefire or indeed in negotiating peace. Instead, U.S. officials, referring to the Middle East shuttle diplomacy then underway by Bush's special envoy General Anthony Zinni, said that "what [the resolution] does is give international support to Zinni's mission." Clearly, all other outside parties, including the U.N., would be relegated to ineffectual statements of support.

But the importance of the U.N.'s bully pulpit remained vital. Less than a week later Annan wrote to Israeli Prime Minister Ariel Sharon that, "Judging from the means and methods employed by the IDF -- F-16 fighter bombers, helicopter and naval gunships, missiles and bombs of heavy tonnage -- the fighting has come to resemble all-out conventional warfare."

Not surprisingly the increased repression led to a new round of Palestinian attacks, including two suicide bomb-

ings in late March which killed numerous civilians inside Israel. Israel ratcheted up the violence with a massive offensive that roared across the West Bank on March 29th, reoccupying Palestinian cities and towns. The Israeli offensive came to a head in the Jenin refugee camp, where in April occupying troops launched a full scale raid, leaving scores of Palestinians dead, many buried under the debris of bulldozed houses destroyed in the attack. According to international human rights organizers, 50-plus Palestinians were known to have been killed, 28 of whom were non-combatant civilians, including children. After the fighting, a strict curfew prevented aid agencies and ambulances from reaching the injured, the homeless, and the bodies of those buried in the rubble. The U.N. Special Coordinator in the occupied territories, Terje Roed-Larsen, called the destruction by the Israeli army "morally repugnant," and said that "combating terrorism does not give a blank check to kill civilians." On April 13, Kofi Annan called on the Security Council to send a "robust" international peacekeeping force to the region, based on Chapter VII of the U.N. Charter, meaning enforceable through military force.

Security Council discussions quickly rejected such a plan, but settled on sending a U.N. fact-finding mission to investigate. On April 19 Israeli foreign minister Shimon Peres agreed to accept such a team. But within days Israel reneged on Peres' commitment, first arguing over the composition of the team (which included the former president of Finland and a retired U.S. Army general) and other technicalities, and finally completely rejecting the U.N. team. According to *The New York Times* of March 4, 2002, "Israeli officials said they preferred the short-term cost in world opinion of resisting the U.N. to the long-term risk of possibly exposing the army to war-crimes trials." U.S. officials, claiming that the Jenin investigation issue had become a "distraction" from the peace process, refused to press Israel to abide by the U.N. decision. On May 1 Kofi Annan called off the investigation altogether.

The following day, a report by Human Rights Watch indicated that the IDF's abuses in the Jenin refugee camp constituted "grave breaches of the Geneva Conventions, or war crimes."

In response to the global outcry, the Bush administration announced plans for a new international "Quartet" in a Middle East conference in the summer. Led by the U.S., it would include the European Union, the United Nations, and Russia -- but there was not even the pretense that the U.N., as the multilateral institution charged with peace and security issues, would lead the process. The Quartet more closely resembled a solo act with three back-up singers, and the U.S. remained in charge.

As 2002 grew to a close, and the threat of a new U.S. assault against Iraq loomed, the U.N. remained largely excluded from the center of Middle East diplomacy. In-

creasingly the United Nations itself came under attack by Israel. A World Food Program warehouse was demolished by the Israeli military, and in mid-November the U.N. official overseeing the rebuilding of the destroyed Jenin refugee camp, Iain Hook, was shot and killed by IDF troops who said they thought his cell phone was a gun. A December 6th tank and helicopter assault in Gaza killed two United Nations employees, as well as eight other Palestinians. Peter Hansen, head of the UN Relief and Works Agency in Gaza, said, "This loss of civilian lives of people working for a humanitarian U.N. agency, is completely unacceptable. I must condemn what appears to be the indiscriminate use of heavy firepower in a densely populated area."

Looking Forward

There is clearly a need for the United Nations to function as the central actor in ending Israel's occupation and insuring Palestinian rights. Only the U.N. itself holds the legitimacy and legal authority to act in the name of the world's peoples to defend the requirements of international law. But despite important efforts, so far the global organization has failed. The Security Council remains largely paralyzed. Earlier this year the world watched with hope as the Council voted to send a fact-finding team to Jenin. It watched with anger as Israel reversed itself and rejected the team's arrival. It watched with outrage as Israel's patron in the Council did nothing to pressure Israel to accept the U.N.'s legitimacy; and it watched with dismay as the U.N. team was quickly withdrawn.

The world watched with hope when the U.N. secretary-general called for "robust international protection" under Chapter VII for Palestinians languishing under military occupation, and with dismay when that call was ignored. And the world watched with hope when the General Assembly took important steps in calling for a serious United Nations investigation of the events in Jenin despite Israel's recalcitrance. But the world needs and expects more. And international law and the legitimacy of the U.N. require more.

Ultimately, like the Camp David II summit, future talks will also fail if they do not address the enormous disparity of power that privileges Israel and keeps Palestinians disempowered. Washington refuses to balance that uneven playing field, and the United Nations must be pulled into the diplomatic center. Ultimately, any successful effort to end Israel's occupation and to craft a just and comprehensive peace between Israel and Palestine will have to be based on justice, not on might. That means relying on international law and the rights guaranteed by the United Nations as the basis for a peaceful settlement, not simply relying on U.S. might. □

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