

# Cover Up of Israeli War Crimes in Gaza: Ban Ki-Moon's Moral Failure

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Late last week, according to the BBC Arabic news website, a report was submitted to the United Nations Secretary-General Ban Ki-moon about the scale of destruction Israel inflicted on UN installations in Gaza. This was also mentioned on a BBC news bulletin on 1 May, but I could find little trace of this story anywhere else.

The brief news item stated that the UN report contained secret information supplied by Israel about an incident in which more than 40 Palestinian civilians were massacred when Israeli shells fell “outside” a UN school where many Palestinians were taking shelter. The secretary-general is reportedly considering how much of the information he can release without revealing the information supplied by Israel, the news item said, adding that the UN report concluded that Hamas fighters were not inside UN buildings but close to them.

Commenting on the report, the BBC said that it was informed by a diplomatic source, that the United States has informed Ban’s office that the report should not be published in full due to the damage that that could cause to the Middle East peace talks; in other words (mine, in fact) to Israel.

The point here is neither to pass any premature judgment on an unpublished report — despite obvious inconsistencies regarding shelling “outside” a UN installation that was somehow severely damaged — nor to predict how much of the report the secretary-general will finally decide to publish.

(As this article was being prepared for publication, details about the UN inquiry team report were published. The inquiry, led by Ian Martin, former director of Amnesty International, accused Israel of failing to protect UN facilities and civilians, dismissed as “untrue” Israeli claims that Hamas fighters had been firing from UN facilities, held Israel responsible for all deaths and injuries in six out of nine incidents, and called for further investigation into possible war crimes. Ban has rejected calls to pursue the probe, but called on Israel to pay \$11 million in reparations for the damage it caused to the UN.)

But nor can we forget the dark days just past when Israel was slaughtering the innocent people of Gaza and the world stood by, even blaming Hamas — which had scrupulously observed a negotiated ceasefire until Israel broke it — for bringing on the apocalypse.

As the dust from the Israeli bombing began to settle, Ban decided to visit Gaza. That raised hopes that the UN was finally determined to act with courage and responsibility. Gaza had been off limits to international figures because supposedly a politically contagious terrorist organization had taken control of the place and no one was supposed to risk contact with it,

even if compelling humanitarian considerations required that.

Well, the secretary-general decided on 20 January to defy the norm and go to Gaza. But his courage only went so far. His highly-protected convoy took him straight to the still smoldering compound of the UN agency for Palestine refugees (UNRWA) whose warehouses of food and fuel were destroyed by Israeli attacks along with their contents. He must have noted that the massive destruction could not have resulted from “shelling outside” the installation. “I am just appalled,” he said, “Everyone is smelling this bombing still. It is still burning. It is an outrageous and totally unacceptable attack against the United Nations.” This flash of anger was limited however only to UN facilities. He spoke as if the rest of Gaza — where more than 7,000 people lay dead or injured, and thousands of homes, schools, mosques, universities, police stations and government buildings were destroyed — did not exist, or were not of UN concern.

Whisked around in his convoy, he did not bother to stop and talk to any of Israel’s victims — the families who had just dug the remains of their loved ones from the rubble or those with horrific injuries in Gaza’s overstretched hospitals. These are the very people, the Palestinian refugees, that the UN is in Gaza to help, but there was it seems no time for them.

Ban did say, however, that he had “condemned from the outbreak of this conflict the excessive use of force by the Israeli forces in Gaza,” and added “I view the rocket attacks into Israel as completely unacceptable.” He also said that he would dispatch a humanitarian needs assessment team led by the UN special coordinator.

What he was saying in effect is that he found Israel’s attack on Gaza perfectly acceptable, but he disagreed only with the tonnage of high explosives that should be dropped by Israeli planes. Indeed, he should specify exactly how many dead children, how many demolished houses, how many burn victims, how many destroyed mosques he would tolerate as not being “excessive.” Would half the number killed and half the damage inflicted be reasonably non-excessive, or perhaps one-third? It would be helpful for both sides to know so that the Israelis would limit their killing to the UN-specified quota, and the Gazans would know how many of their community to sacrifice for the sacred UN-sanctioned killing.

For Ban, then, Israeli bombing is good — although he would like perhaps to see a little bit less. But, in tune with his political masters, he considers Palestinians to have no right to any form of self-defense against the Israeli occupation, constant aggression and the Israeli, internationally-supported, deadly siege, with whatever means they have at their disposal.

In order to maintain the false sense of balance between aggressor and victim, Ban had to visit the Israeli settlement of Sderot. When he patiently inspected the scars left by Hamas rockets that killed a total of three Israelis, he stated, “the projectiles are indiscriminate weapons, and Hamas attacks are violations of basic humanitarian law.” This is the same Ban who did not once invoke the law with respect to Israel’s ongoing massive violations.

It’s also notable that the rockets fired by Palestinian resistance factions are not so much “indiscriminate” as unguided. There’s no reason to believe that if Palestinians had access to the American-supplied guidance systems Israel has that they would not target Israeli military bases (indeed they tried to do that although Israeli military censorship did not allow reporting of hits on its military installations). Israel’s bombing on the other hand, and as Ban did not note, is very discriminate — deliberately targeting civilian homes and facilities.

In Sderot, Ban also urged Israel to end its crippling blockade on Gaza, but not because the blockade is a flagrant violation of international law, the Geneva conventions, inhuman and wrong. He worried only that the blockade would strengthen Hamas; otherwise, like a measured dose of bombing, it would be perfectly fine.

Ban ought to have inspected the destruction in Gaza, and visited and spent time with Israel's Palestinian victims before setting foot in any UN installation. But it seems he actually avoided that on purpose to send a signal that he was not showing sympathy to "terrorists" or the people accused of harboring them, in order to inoculate himself from criticism by Israel and its chorus of apologists. He certainly saw the example of the UN special rapporteur for human rights, Princeton professor emeritus and international law expert Richard Falk, who was expelled and vilified by Israel and the US administration for faithfully and truthfully carrying out his mandate.

This is but one of the many sad stories of how the UN top leadership has betrayed and failed its mission. The UN does not exist only to protect its personnel and installations. The UN flag alone ought to provide that kind of real protection — immunity which no state dares to violate without fear of the consequences. But Israel has repeatedly attacked UN facilities, schools, peacekeeping forces and personnel in Palestine and Lebanon knowing full well that it, not the UN, enjoys immunity for its actions. The next time Israel attacks a UN facility, part of the responsibility will lie with those who failed to act correctly this time around.

***Hasan Abu Nimah** is the former permanent representative of Jordan at the United Nations. This essay first appeared in The Jordan Times and is republished with the author's permission.*

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