

Obama v. Richard Falk on Israel and Occupied Palestine

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Theme: [Crimes against Humanity](#), [Law and Justice](#)

In-depth Report: [PALESTINE](#)

Obama leaves no ambiguity where he stands. From public statements, campaign pledges, policy advisors, and war cabinet selections, his positions affirm:

- one-sided pro-Israeli zealotry;
- continued Palestinian oppression;
- no end to the Iraq war and occupation;
- possibly attacking Iran and/or allying with Israel to do it;
- pursuing an imperial agenda; targeting Pakistan, Russia and other countries;
- expanding the size of the military; increasing expenditures for it; and
- providing Israel annually with billions of dollars; the latest weapons and technology; the same zero interest rate loans Wall Street gets; liberal debt forgiveness; virtually anything Israel requests on the pretext of security, to wage aggressive war, or expand its illegal settlements; and
- acquiescing and remaining silent after Israel insulted a high UN official by harassing and detaining him, then expelling him from the country.

Last March, Richard Falk replaced John Dugard as the UN Human Rights Council's (UNHRC) Special Rapporteur on Occupied Palestine. UNHRC is mandated:

- to promote and protect human rights globally;
- detect and speak out objectively against violations and violators;
- “provide a forum for identifying, highlighting and developing responses to today’s human rights challenges,
- act as the principal focal point of human rights research, education, public information, and advocacy activities in the United Nations system,” and
- respect the rights of everyone irrespective of nationality, ethnicity, race, gender, language, age, or religion “as stipulated in the United Nations Charter.”

Navanethem Pillay became Human Rights High Commissioner last July. Richard Falk has

regional responsibility for Occupied Palestine. On December 14, he arrived at Ben Gurion airport, Tel Aviv to perform his assigned duties. He led a three-person mission that intended to visit the West Bank and Gaza, assess conditions on the ground, then report on Israel's compliance with human rights standards and international humanitarian law.

Israel was informed of his trip, his itinerary, individuals he planned to meet with, and issued visas for himself, a staff security person, and an assistant. Falk had no reason to expect interference, and as he put it: "I would not have made the long journey from California, where I live, had I not been reasonably optimistic about my chances of getting in." Nonetheless, he was denied entry and harassed as follows:

- despite his UN status, he was put in a holding room with about 20 others experiencing entry problems;
- then "treated not as a UN representative, but as some sort of security threat, subjected to an inch-by-inch body search and the most meticulous luggage inspection I have ever witnessed;"
- separated from his two UN companions; they were allowed entry and taken to the airport facility about a mile away;
- required to put his luggage and cell phone in a room, then taken to a "locked tiny room that smelled of urine and filth;"
- five other detainees were with him in very cramped, uncomfortable quarters;
- he was confined there for the next 15 hours, "which amounted to a cram course on the miseries of prison life, including dirty sheets, inedible food and lights that were too bright or darkness controlled from the guard office;"
- Israel's "obvious intention (was) to teach me, and more significantly, the UN a lesson: there will be no cooperation with those who make strong criticisms of Israel's occupation policy."

Israel accuses Falk of bias for making inflammatory comments about its occupation of Palestine. He rejects the charge and asserts that, like his predecessor John Dugard (whom Israel earlier assailed) he assesses facts and relevant law truthfully. "It is the character of the occupation that gives rise to sharp criticism of Israel's approach," especially its collective punishment of 1.5 million Gazans under siege. Although denied entry and expelled, Falk insists that he'll continue "to use all available means to document the realities of the Israeli occupation" and report as fully and truthfully on them as possible.

He's mandated to assess conditions on the ground, prepare detailed reports on what he finds, keep the UN fully informed, the public worldwide as well, and recommend ways of remediating violations. As an international law expert, he's eminently qualified for the task.

Since assuming his post in May, he's been denied entry into Israel and Occupied Palestine. On August 25, he submitted his first report covering the first half of 2008. He criticized the deteriorating human rights conditions for Palestinians, called Israel's violations grave, singled out the Gaza siege and a crackdown on free expression and peaceful assembly.

Earlier this year, Israel denied a Bishop Desmond Tutu-headed UNHRC mission entry as well.

He was delegated to investigate the Israeli occupation force November 2006 Beit Hanoun massacre, an appalling act of mass murder killing 18 civilians (including seven children and six women) and wounding 53 others. The mission had to enter Gaza from the Egyptian side through the Rafah International Crossing Point, but even that way is rarely easy.

Other international delegations have been obstructed as well, including diplomats, humanitarian workers, and journalists. Last November, the IDF stopped an EU one and one other comprised of 20 representatives of international organizations seeking entry into Gaza. Israel is extremely brazen, so far with no world community condemnation of its practices.

As a UN member and signatory to various human rights conventions, it must honor their mandates. Nonetheless, it doesn't as well as much other international law and UN resolutions going back to the 1947 General Assembly Partition Plan (Resolution 181). It divided Palestine 56 - 44% for Israel.

When Arabs were nearly 70% of the population, Jews got most of the fertile land, nearly all urban and rural territory, 400 of over 1000 Palestinian villages, but it wasn't enough. After Israel's 1948 "War of Independence," it secured 78% of Mandatory Palestine, expelled or killed about 800,000 Palestinians, destroyed 531 of their villages, 11 urban neighborhoods, and committed grievous crimes of war and against humanity. They've been documented and included:

- cold-blooded massacres of civilian men, women, children, the elderly and infirm;
- destruction of homes, villages and crops;
- mass instances of rape; and
- other atrocities on a vast scale;

The State of Israel was born. The US was the first country to recognize it. Palestinians lost 78% of their land, and in 1967 the remainder. They now live under military occupation. It's harsh and cruel. Their rights are ruthlessly denied. They experience daily abuse and neglect. Their refugees aren't able to return. Conditions on the ground are intolerable, and UNHRC is mandated to assess and report on them. Richard Falk, like John Dugard before him, is dedicated to do it.

"Slouching toward a Palestinian Holocaust"

In July 2007, Falk's used this title for an article, and Israel noticed. He wrote: "it is especially painful for me, as an American Jew, to feel compelled to portray the ongoing and intensifying abuse of the Palestinian people by Israel through a reliance on such an inflammatory metaphor as 'holocaust'....Is it an irresponsible overstatement to associate the treatment of Palestinians (in such terms)? I think not."

He condemned Israel's actions in Gaza and referred to subjecting "an entire human community to life-endangering conditions of utmost cruelty." He called it "a holocaust-in-the-making" and appealed to world governments and international public opinion "to act urgently to prevent these current genocidal tendencies from culminating in a collective tragedy."

He urged concerted action to spare Gazans “from further pain and suffering.” He took umbrage with how America supports Israel and with European governments for having “lent their weight to recent illicit (and overt) efforts to crush Hamas as (the legitimate) Palestinian (government).” He referred to “Israel’s impunity under America’s geopolitical umbrella,” and the immorality of the international community watching Gaza’s “ugly spectacle unfold while some of its most influential members actively encourage and assist Israel” in its efforts.

He called Gaza “a cauldron of pain and suffering...with more than half (the population) living in miserable refugee camps,” dependent on humanitarian aid, and living under military occupation in spite of the sham 2005 “disengagement.” He condemned world leaders for not recognizing the legitimately elected Hamas government, calling it a “terrorist organization” when, in fact, it’s not, and failing to recognize how its leaders reached out to Israel in peace, declared a unilateral 18 month ceasefire, did it again for another six months, then ended it in self defense after repeated Israeli violations.

He condemned Israel for being “more determined than ever to foment civil war in Palestine,” arm and pit Fatah against Hamas, “make Gazans pay with their well being and lives,” crush their will, and maintain separate Gaza and West Bank “destinies.”

Israel intends to isolate Gaza, cantonize the West Bank, seize Palestinian land, expand its illegal settlements, and appropriate “the whole of Jerusalem” as its capital by grabbing all areas Palestinians have and expelling them. While talking peace, Israel wages war, won’t compromise, doesn’t respect international law, commits grievous crimes against humanity, denies “Palestinians their right of self-determination,” and treats the entire population as an “enemy” of the State.

“To persist with such an approach under present circumstances is indeed genocidal, and risks destroying an entire Palestinian community....” This prospect sends a “warning of a Palestinian holocaust in the making, and should remind the world of the famous post-Nazi pledge of ‘never again.’ “

On December 9, 2008 (five days before Falk arrived in Israel), he issued the following statement titled: “Gaza: Silence is not an option.” He highlighted the plight of the people, the unacceptable conditions and desperate urgency to act, the cruelty and lawlessness of the blockade, and yet Israel “maintains its Gaza siege in its full fury, allowing only barely enough food and fuel to enter to stave off mass famine and disease.”

He called this action “flagrant and (a) massive violation of international humanitarian law” under Geneva and other human rights conventions. He said it’s long past time for talk. “The UN is obligated to respond under these conditions.” World governments are complicit for going along or remaining silent. The “UN (and) international society (are obligated to discharge) their fundamental moral and legal duty to render protection to the Palestinian people.” Israel ruthlessly prevents them.

Little wonder Falk, or others with these views, are persona non grata at the least or targeted for something far worse, including assassination. Israel is unyielding in its position, yet officials like Falk and human rights activists speak out and act, even at the risk of their safety and well-being.

What to Expect From Obama

A new administration is taking shape. Nearly all of its top officials have been announced. In less than a month, it will assume office, so how will it address Occupied Palestine? Negligently and with disdain from the man James Petras calls “America’s First Jewish President,” Barack Obama, in quoting a prominent Chicago Jew, a former congressman, federal judge, Clinton White House Counsel, and early Obama supporter – Abner Mikvner.

Obama has been carefully groomed and vetted for his job, surrounded by pro-Israeli zealots, transformed into a committed “Israel-Firster,” well-indocrinated, funded and considered safe. As Petras states:

“By the end of the 1990s, Obama was firmly embedded in the liberal Zionist Democratic Party network and through it he teamed up with two key Zionist figures who were crucial to his presidential campaign: David Axelrod,” a long-time Chicago political strategist, and “Obama’s chief (one) since 2002 and the chief architect and tactician of his presidential campaign in 2008; Bettylu Salzman, daughter of Phillip Klutznick (now deceased), a billionaire real estate developer, slumlord, zealous Israel-Firster,” and Jimmy Carter’s Commerce Secretary from 1980 – 1981.

Chicagoan Penny Pritzker (of the wealthy Pritzker Hyatt Hotels family) was Obama’s main fund fundraiser. Called by some the most powerful woman in America, she’s certainly notable, one of the richest, an influential American Jew, and staunchly pro-Israel as is her family.

She had a sordid involvement in subprime mortgage lending, made millions by defrauding the poor, was one of Obama’s Transitional Economic Advisory Board members, and Warren Buffett calls her the person to call when you want something done. She’ll have a seat at the table in the new administration behind the scenes, her preferred role in business and politics.

Other figures will be active and prominent, Dennis Ross for one. He was Director of the State Department’s Policy Planning office under GHW Bush, after which he became Clinton’s Special Middle East Coordinator. He’s also a co-founder of the AIPAC-backed Washington Institute for Near East Policy (WINEP), an extremist pro-Israeli front group with prominent American Jews in it like Ross (on his mother’s side) who remains a consultant. WINIP’s Board of Advisors is a who’s who rogues gallery with names like Richard Pearle, Alexander Haig, George Shultz, James Woolsey, Lawrence Eagleburger, and others.

Petras calls Ross “a virulent Zionist advocate of Israel’s ultra-militaristic policies, including an armed preemptive attack on Iranian nuclear and military installations. Ross is an unconditional supporter of the Israeli starvation siege of the 1.5 million (Gazans) and fully backed Israel’s savage air attacks against civilian targets in Lebanon.” His closeness to Obama signals a continued pro-Israeli hardline agenda, no letup in the persecution of Palestinians, and the possibility of an even greater regional war. So far no official announcement of his role has been made, but he’ll be prominent either publicly or behind the scenes.

Various positions mentioned include Undersecretary of State for Political Affairs (number three behind Clinton), Deputy Secretary of State, Deputy National Security Advisor, or Special Middle East Envoy. In recent months, Ross has been affiliated with the Washington-based Bipartisan Policy Center that was founded in 2007 by former senators George Mitchell, Howard Baker, Tom Daschle and Bob Dole. It presents itself as centrist, but, in fact,

on key issues is militant and hard line, especially on the Middle East. It advocates coercing Iran to surrender its sovereignty, knuckle under to Washington, or be unilaterally attacked if it won't, and gets its advice from "two leading Iran experts:"

— Michael Rubin of the right wing American Enterprise Institute, a former Giuliani advisor, closely allied to Bush neocons; and

— Ken Katzman of the Congressional Research Service, a Middle East specialist who's ideologically allied with the right and no friend of Iran.

They, Ross and others produced the 2008 report: "Meeting the Challenge: US Policy Toward Iranian Nuclear Development." It argues that Iran's commercial program, contrary to available evidence, aims to develop nuclear weapons and threatens "US and global security, regional stability, and the international nonproliferation regime." In stark contrast, the November 2007 National Intelligence Estimate refuted this claim and stated that Iran has no current nuclear weapons program. Washington ideologues like Ross dismiss it, press their case for war, recommend a major military presence in the Gulf, and pressuring Russia to cease efforts to aid the Islamic Republic.

He's also current chairman of The Jewish People Policy Planning Institute (JPPPI), another pro-Israeli front group that includes past and present prominent Israeli government officials in its membership as well as influential American Jews. During his Clinton years, he was hostile to Iraq and Iran, advocated war, and subverted all efforts for an equitable resolution to the Israeli-Palestinian conflict.

A noted Arab said about him: "In the 1990s, the "perception always was that Dennis (Ross) started from the Israeli bottom line, that he listened to what Israel wanted, and then tried to sell it to the Arabs....He was never looked at....as a trusted world figure or honest broker." All along he flacked for Israel, and ideologically he's closely aligned with Republican neocons and their permanent war agenda.

According to the Jewish publication, Ynetnews.com, he may not become Middle East Envoy with Colin Powell now considered a "serious option" for the job. That is, if he wants it and if Hillary Clinton will accept a notable figure like him circumventing her and reporting directly to Obama. Another possible candidate, besides Ross, is Daniel Kurtzer, former US ambassador to Israel and Egypt, and in other Middle East posts, including as Deputy Assistant Secretary of State for Near Eastern Affairs. He now has a Woodrow Wilson School of Public and International Affairs chair in Middle East Studies.

On December 14, Barak Ravid wrote in Haaretz that "Obama (will) base his Middle East policy on (an) army of envoys," and he named four possibilities - Dennis Ross most prominently, Colin Powell, Dan Kurtzer, and Martin Indyk.

He suggested that besides a Middle East Envoy, others would be appointed to:

— Iraq to work with the government; the puppet one, that is, to assure America's permanent occupation, total control over state policy, and unchallenged regional influence;

— Iran to open dialogue and "participate in international discussions on an incentive package;" in fact, for the government to cease its legal commercial nuclear development, surrender to America's will, and become a vassal state or risk possible attack and mass destruction;

— Afghanistan and Pakistan “to stabilize the security situation;” in fact, a major effort may be undertaken to destabilize it as part of a broader agenda to stoke violence, increase Washington’s presence in the region, double US forces in Afghanistan to 60,000 or more according to recent reports, and “Balkanize” each country, Iraq and possibly Syria into separate autonomous states; and

— North Korea “to watch over denuclearization and the lifting of international sanctions;” in fact, plans for North Korea include ending its nuclear program, lessening the country’s ability to defend itself, bringing it into the US orbit, and making it subservient to America’s will.

Martin Indyk

He’s a lobbyist and very much a pro-Israeli zealot. He’s also a former US ambassador to Israel, the only foreign-born one (to a London Jewish family), an Assistant Secretary of State for Near East affairs in the Clinton administration, and currently a senior foreign policy fellow and head of the Washington-based Brookings Institution’s Saban Center for Middle East Policy.

In the early 1980s, he began his Washington career as deputy director of research for AIPAC. In 1985, he co-founded WINEP (described above). In the November-December 2000 issue of *New Left Review*, Edward Said said this about him:

“On the eve of Clinton’s inauguration in January 1993, it was announced that Indyk – an Australian national of Jewish origin, born in London – had been sworn in as an American citizen at the express command of the President-elect, overriding all normal procedures in an act of peremptory executive privilege, to allow him to be parachuted immediately into the National Security Council, with responsibility for the Middle East. What had Indyk been or done to merit such extraordinary favour? He had been head of (WINEP) that lobbies for Israel in tandem with AIPAC.”

Said added that the consensus in Washington that Israel is a model democracy “is virtually impregnable.” If there’s ever a sign of slippage, in pours a phalanx of Zionist lobbyists like Indyk. They constitute an ideological pro-Israeli trump card along with Congress, especially the Senate. Virtually “the entire (body) can be marshalled in a matter of hours into signing a letter to the President on Israel’s behalf.”

Regarding Hillary Clinton at the time, Said said that no one better “exemplifies the sway of AIPAC better.” She “outdoes even the most right-wing Zionists in fervour for Israel in her avid clawing for power in New York” and will stoop at nothing to get it. She’s Machiavellian and very dangerous.

So is Indyk (Dennis Ross and others) in service to Israel. At WINEP in 1993, he outlined his notion of dual Iran and Iraq containment, and it became policy under Clinton. It postulated that outlier Middle East states be “contained,” isolated, and threatened to weaken them politically, economically, and perhaps militarily.

For Iraq, it recommended continued sanctions, an economic embargo, and if “Saddam’s regime crosses clearly drawn lines of appropriate behavior, particularly with regard to its weapons of mass destruction programs and its threats to other countries, the United States should punish it severely.”

A more flexible approach was taken on Iran, saying that its “geopolitical importance is greater than Iraq’s and the challenge it represents is more complex. Given (America’s) military presence (in the region), Iran does not currently pose a threat of military aggression, but its long-term policies could destabilize the region.”

The report accused Iran of opposing the Israeli-Palestinian “peace process,” promoting Islamic militancy, supporting terrorism and subversion, and seeking nuclear weapons. Rather than war, it recommended “a more nuanced approach,” but if Iran initiated a “special provocation....clear retaliatory measures” would be called for.

Targeting Iraq and Iran benefits Israel by weakening or eliminating its two main regional rivals. Iraq is now neutralized, not Iran, but harsh sanctions against it are in place. Pro-Israeli zealots, like Indyk and Ross, want them tightened. They also support war to destroy the country’s nuclear infrastructure and much of its military capacity.

This is Obama’s team with others on it, like Hillary Clinton and Robert Gates, as belligerent. It suggests that peace in the Middle East is a nonstarter; the occupation of Iraq and Palestine will continue; Iran may be targeted; Pakistan as well; the war in Afghanistan will be expanded; imperial adventurism will be stressed; so will permanent war and homeland repression; and human rights advocates like Richard Falk will be sorely tested in their jobs.

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