

The Quartet's Hypocrisy and Failure in Occupied Palestine

Middle East Quartet includes the US, EU, Russia and the UN

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Global Research, January 07, 2009

7 January 2009

Theme: [United Nations](#)
In-depth Report: [PALESTINE](#)

The Middle East Quartet includes the US, EU, Russia and the UN. It was formed in 2002 to seek “comprehensive security reform,” mediate the Israeli-Palestinian “peace process,” address Occupied Palestine’s deepening humanitarian crisis, among other stated objectives.

On September 25, 21 aid and human rights organizations (called The Group below) issued a damning report on the Quartet’s performance. Well before the current Gaza slaughter but with the Territory under siege, it cited:

- a continuing humanitarian crisis among people struggling to meet their basic needs;
- increasingly dependent on aid as their livelihoods are destroyed; and stressed that
- the “only sustainable solution to the crisis is a comprehensive peace settlement between Israelis and Palestinians based on international law.”

It urged immediate steps be taken to relieve suffering; resolve intractable issues; achieve an equitable peace agreement; improve Palestinians’ lives; and ensure they’re treated equitably and justly.

It cited “the lack of progress on key (Quartet) goals,” and the hypocrisy of its June 24, 2008 Berlin statement on the “urgent need for more visible progress on the ground in order to build confidence and support progress in the negotiations launched in Annapolis.” It said no “visible progress” materialized and, in fact, things have deteriorated: the Gaza siege; settlement expansions; free movement and access restrictions; an an absence of meaningful peace efforts - and now genocidal slaughter in Gaza.

The Quartet identified 2008 as a crucial year to meet specific goals and obligations. So far they’re unfulfilled with no prospect they will be in the new year. It prompted The Group’s critical report with recommendations going forward for “swift” and “dramatic” action so far not undertaken. Otherwise “it will be necessary to question what the future is for the Middle East Quartet.”

Middle East Online contributor Rami Khouri said “Let the Quartet Die (for) provid(ing) cover for Israeli colonialism and its American guardians.” Instead of being an “impartial and decisive instrument of peace-making,” it served as a “fig leaf designed to hide American dominance of a diplomatic process” primarily to serve Israeli interests. It’s been a talking shop with no teeth and acted against, not for, Palestinian rights. It was highlighted by its

failure:

- to recognize Hamas' democratic election;
- not demand that Israel respect international law;
- halt its illegal settlement expansions;
- refrain from using excessive force;
- allow free movement and access; and
- end its illegal occupation.

Khouri called the Quartet "a dishonest institution" and its special envoy Tony Blair "the Diplomatic Olympics Gold Medal Winner for Political Fraudulence." It should announce that it "failed (and must) withdraw immediately," end its charade, and prevent any more damage than it's already done.

Other Quartet critics voice similar sentiments. Among them John Dugard, the UN Human Rights Council's Special Rapporteur on Palestine. He accused the Quartet of being "heavily influenced" by the US. It "does itself little good by remaining" one of its members. America has done nothing to protect Palestinian civilians. It fails to address Israel's violations of international human rights law, and it "should be playing the role of the mediator," not siding with Fatah over Hamas.

Former UN Special Coordinator for the Middle East Peace Process and Quartet envoy Alvaro de Soto was even harsher in his End of Mission Report, shortly before he stepped down. At first it was confidential, but it's now available online, and it's damning.

He said he was "encouraged to be candid" and he was. That Quartet (and UN) policy failed because it one-sidedly supports US and Israeli interests. It undermines a legitimate peace process and any hope for an independent Palestinian state. He urged the Secretary-General to leave it and said history will hold him accountable.

He condemned the Quartet for not recognizing the Hamas government and said it was "transformed from a negotiation-promoting foursome guided by a common document (the Road Map) into a body that was all-but imposing sanctions on a freely elected government of a people under occupation as well as setting unattainable preconditions for dialogue."

He called the consequences of the Quartet position "devastating:"

- creating intolerable conditions on the ground;
- achieving "precisely the opposite effect" of its mandate by allowing Israel's oppressive occupation;
- letting hundreds of civilians (to be killed) in sustained heavy incursions and (destroyed) infrastructure, some of it wanton such as the surgical strikes on (Gaza's) only power plant."

America dominates the Quartet. It, in turn, "take(s) all pressure off Israel (and) focus(es) only) on the failings of Hamas." After two years as Quartet envoy, De Soto concluded that it failed as a diplomatic instrument. "As a practical matter, the Quartet is pretty much a group

of friends of the US - and the US doesn't feel the need to consult closely with (it) except when it suits it."

The Group's Assessment of Quartet Progress

The Group includes organizations like Save the Children, Care, Oxfam International, Euro-Mediterranean Human Rights Network, United Civilians for Peace, Christian Aid, World Vision and Catholic Agency for Overseas Development (CAFAD). It structured its report by issues.

Settlements

The Quartet failed to halt settlement expansions. Instead, Israel accelerated construction, including on supportive infrastructure. They're illegal under international law and devastate the Palestinian economy and daily life of the people. Quartet efforts showed "a marked failure to hold the Israeli authorities to their obligations....This highlights the urgent need (to) adopt concrete measures" and hold Israel accountable. So far no efforts have been made to do it.

Immediately after it's Berlin statement, Israel announced new settlement building or tendering in Neve Yaacov, Beitar Illit, Har Homa, Pisgat Ze'ev, Ariel and Maskiot. It's for 2550 homes on the eve of Secretary Rice's regional visit at the time. The Quartet reacted tepidly despite Israel's multiple and repeated international law violations:

— of Article 49, paragraph 6 of the Fourth Geneva Convention stating: "the occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies."

— of Fourth Geneva's Article 27, paragraph 1, part 3 stating: "protected persons (under occupation) are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs."

— of Article 27, paragraph 3, part 3 stating: "without prejudice to the provisions relating to their state of health, age and sex, all protected persons shall be treated with the same consideration by the Party to the conflict in whose power they are, without any adverse distinctions based in particular, on race, religion or political opinion."

— of the International Court of Justice's Advisory Opinion stating: "all States are under an obligation not to recognize the illegal situation resulting from the construction of the (separation) wall and not to render aid or assistance in maintaining the situation created by such construction." All state parties to Fourth Geneva and the UN Charter are so obligated as well as "required....to end the illegal (settlement) situation resulting from the (wall's) construction...."

They also must enforce UN Security Council Resolution 446 (March 22, 1979) stating: "Israel(i)....settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East."

UN Security Council Resolution 242 as well (November 22, 1967) called for "the establishment of a just and lasting peace in the Middle East (by the) Withdrawal of Israeli armed forces from territories occupied in the recent (Six Day War) conflict, termination of all claims or states of belligerency," and respect for the rights of all regional states to live in

peace within secure and recognized boundaries.

Since its inception, the Quartet issued “at least 18 statements expressing its collective opposition to settlements, and has warned repeatedly of the dangers posed to the peace process by continued expansion.” But it failed to act and rendered its “statements” toothless and disingenuous. It also hasn’t addressed how adversely settlements affect Palestinians’ daily lives – in the West Bank, East Jerusalem, Gaza siege, and now under a genocidal assault.

As a consequence, Israel feels no need to respect international law or seek an equitable and lasting peace. It can continue to deny Palestinians access to 40% of the West Bank as well as maintain road blocks, barriers, fences, ditches, restricted roads, and the Separation Wall in violation of international law.

It can also:

- continue land seizures;
- deny farmers access to their fields and wells;
- children to schools;
- people to clinics, hospitals, shops, jobs, worship, social and family interaction, recreation, and all elements of normal life.

It can:

- impoverish them with impunity;
- render them dependent on outside aid;
- expose them to violence and destruction of their property, crops, water sources, and infrastructure;
- deny them equity and justice; and
- highlight where the Quartet stands: one-sidedly for Israel with no concern whatever for Palestinian interests and welfare.

The Group recommended “urgent” measures be adopted to reverse this deplorable situation. In addition, demand that Israel observe its obligations and assure that “grave violations of international humanitarian law are brought to an end;” adopt a Security Council resolution with these provisions and enforce it; and if America vetoes it then the General Assembly should do it instead.

West Bank Access and Movement

The Quartet failed to alleviate movement and access restrictions or secure “tangible improvements” in Palestinians’ daily lives. This lack of progress “may constitute a fatal threat to the broader peace process.”

Last November’s Annapolis conference was a travesty. It excluded the legitimate government of one side and doomed discussions from the start. Here’s what followed.

Through July 2008, Israel added 48 more obstacles, increasing their numbers from 561 to 609. Moreover, in the three years since the November 2005 Agreement on Movement and Access (AMA), 233 new obstructions were added or a 62% increase. In addition to laying siege to Gaza and now slaughtering its population.

The Quartet failed “to engender any significant progress in easing (Israel’s) policy of closure.” This and other measures deny Palestinians their human rights, devastate their lives, create soaring poverty and high unemployment:

- for Gaza, poverty at 79.4% according to a September World Bank report; unemployment the highest in the world at 45% according to a July 2008 UN Relief and Rehabilitation Administration (UNRWA) report; 80% of Gazans need food aid from donor agencies straining to provide it; now under attack nearly everyone needs everything;

- for the West Bank, the World Bank reported poverty at 45.7%; the UNWRA report put unemployment at 25% or double the average for the Middle East and North Africa; the Palestinian Central Bureau of Statistics has it at 29%;

- the World Bank placed real per capita GDP for both Territories 30% lower than its 1999 peak as the population grows and economy sinks;

- in Gaza, only 23 of 3900 industries still operated prior to December 27; a decline of 98%; in addition, its municipal sector collapsed and “fac(es) a deep financial crisis.” Currently everything is in a state of collapse.

Foreign aid goes almost entirely to the West Bank – to the Abbas Palestinian Authority (PA) with demands that it “crack down on the ‘terrorist’ infrastructure,” meaning the legitimate Hamas government in Gaza.

The Group wants the Quartet to take concrete measures (diplomatic and legal) “to address the overall closure policy, including the removal of all physical barriers (and their link to the) illegal settlements and the Wall.”

Gaza

The Group, of course, reported on the Strip prior to December 27.

For the past 16 months, Gaza has been under siege and experienced a growing humanitarian crisis: isolated; squeezed by sanctions; and denied essentials short of what little donor agencies provide. The Group called the situation “dire.” It’s now catastrophic.

Despite its August 2005 disengagement, Israel maintains effective control and now again is an occupier:

- it reenters the Territory at will as it’s done;

- controls all entry and exit;

- its coast and airspace;

- its population registry and collection of taxes;

- its water, fuel, electricity, sanitation, public health, all other essential goods and services,

and what little outside aid gets in.

Israel violates Fourth Geneva's Article 33 that states: "No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Pillage is prohibited. Reprisals against protected persons and their property are prohibited."

So is aggression and state-sponsored violence. Yet Israel willfully and repeatedly attacks Palestinian civilians from the air and on the ground, continues its oppressive occupation, and now (despite mass world outrage) is willfully slaughtering Gazans.

Prior to December, The Group did cite improvements if only marginal ones. Since June 2008, no Israeli deaths or injuries were reported (through late December) and Palestinian ones declined to single figures according to a recent UN Office for the Coordination of Humanitarian Affairs (OCHA) report. Yet normality remains elusive. Conditions on the ground are dire. Israeli security forces conduct incursions into Palestinian communities repeatedly. Thirty alone from September 18 - 24 according to the Palestinian Centre for Human Rights (PCHR). Forty-seven others the previous week. Violence is committed willfully. Deaths and injuries result. Dozens are arrested including children. Property is destroyed. International laws and norms are disdained, now more egregiously than ever.

Before December 27, Gaza remained under siege. "Neither the quantity nor the flow of humanitarian and commercial goods, into and out of (the Territory), (was) achieved....goods entering remain limited in quantity and diversity, and are failing to meet" basic needs. Exports are totally banned, without which no economic regeneration or reduction in poverty is possible. Now everything is in a state of shutdown and collapse.

Overall, Gazans get no relief. Conditions are intolerable. Much more needs to be done. Humanitarian and commercial flows must increase and should include more than commodities. Many sick and injured needing medical treatment are denied exit permits. Between October 2007 - July 2008, the World Health Organization (WHO) reported 51 deaths as a result, including 11 children.

Students are also affected. Dozens allowed to study abroad and others wishing to cannot. Fuel and electricity earlier increased but insufficiently. In August, 25% of required petrol was imported, 55% of cooking gas, 75% of diesel, and 78% of industrial diesel. Overall, Israel continued to limit fuel supplies. As a result, Gaza's only power plant operated at about two-thirds of capacity, and currently it's near inoperative.

The consequences are considerable and serious. Once again, prior to December 27:

- hundreds of tons of rubbish went uncollected because trucks hadn't enough fuel to operate;
- daily, 77,000 cubic meters of raw and partially treated sewage have been dumped into the sea;
- farmers earlier couldn't operate 70% of their agricultural wells for irrigation so fewer crops were grown.

With insufficient fuel, power cuts continued, and they affect hospitals, water pumps, sewage treatment plants, bakeries, homes, buildings, and other facilities dependent on back-up

diesel generators, but fuel for them is limited and now near-unavailable.

The Quartet failed to address this as well as a prompt and immediate resumption of stalled UN and other donor projects. Essential needs went unfulfilled, and vital infrastructure projects stalled, including emergency ones for shelters, water and sewage construction, and more.

Nor were there development measures to regenerate the economy, create jobs, reduce poverty and improve the lives of desperately needy people. The starting point is ending the Gaza siege, holding Israel accountable, stopping the current slaughter, and undertaking a sustainable effort to rebuild, regenerate, and improve Palestinians' daily lives.

Comprehensive Palestinian Security Strategy

This effort is fraudulent on its face. According to the Quartet: it's "to fight terrorism" or, in other words, to use Palestinian police for Israeli security - not for Palestinians or their human rights concerns. Abuses are thus commonplace, including politically motivated arrests, torture, various other forms of ill-treatment, and dozens of deaths, injuries and incarcerations - some by Palestinian security forces; most by the Israeli army, compounded by settler violence.

The Palestinian human rights organization, Al Haq, reported widespread human rights abuses and their "horrific physical and psychological effect on hundreds of Palestinian citizens and the society at large." It shows Palestinian security is a non-starter. Only securing Israelis matter. It's another Quartet failure for not addressing Palestinian suffering and human needs.

Donor Pledges

More hypocrisy relating to Quartet-secured pledges at Paris, Bethlehem, Berlin and other conferences. It failed, however, to convert them into "a consistent disbursement of funds," and it hasn't succeeded "in driving the prompt delivery of projects (or) improv(ing) the lives of Palestinian women, children, and men."

In December 2007, international donors pledged \$7.7 billion to fund the PA's proposed Palestinian Reform and Development Plan (PRDP) for 2008 - 2010. It was to build the Palestinian economy and infrastructure through private investment and security but it fell short. It paid lip service to human needs in education, health care, women's and youth programs and more, yet ignored crucial issues of free movement and access, settlement expansions, and (US - Israeli-driven) divisions between Hamas and Fatah.

A small portion of pledges has been donated, not all of which is being spent, and most so far is for public sector salaries. Little goes for productive investments. And (before December 27) the Gaza - West Bank divide complicated matters. It forced many international donors to focus on humanitarian aid and not to growing the economy. The Quartet failed to help beyond emergency measures, and even those were grossly inadequate.

Private Sector Progress

Beyond small and isolated successes, the Quartet did little to "boost the private sector," invigorate the Palestinian economy, or improve Palestinians' daily lives. They continue deteriorating in the West Bank and are in crisis in Gaza.

In May 2008, measures were proposed, mostly for the West Bank in areas of security and economic development:

- to revive the Palestinian economy and make it attractive for investment;
- it paid lip service only to people needs; so
- little or no progress has been made in implementing proposed projects.

Lack of free movement and access as well as harsh conditions on the ground are major contributing factors. Also expanding settlements, the Gaza - West Bank divide, and focusing on short-term measures, not permanent solutions to intractable problems like equitably resolving the ongoing conflict and establishing a meaningful lasting peace.

Conclusion and Recommendations

The Group's report addressed 10 Quartet objectives - all key to a viable peace process:

- ending settlement expansion;
- providing free access and movement;
- five objectives related to a new Gaza;
- Palestinian security;
- fulfilling donor pledges; and
- reviving private sector activity as well as resolving the ongoing humanitarian crisis.

Today, global human rights groups demand action to end the slaughter in Gaza and hold Israel responsible for its crimes of war and against humanity. Nothing less is acceptable.

Earlier, the Group concluded, based on facts on the ground that:

- the Quartet "is failing to successfully execute its role;"
- in five of the 10 areas, there's either been no significant progress or deterioration; relieving the humanitarian crisis most notably; also in aiding access and free movement, halting settlement expansion, and ending the Gaza siege;
- in the other five - reducing Gaza violence, reinvigorating the private sector, fulfilling donor pledges, Palestinian security, and more fuel for Gaza - achievements at best were meager; currently there are none.

The Quartet's Berlin statement was disingenuous on its face. It "reaffirmed its commitment to a just, lasting, and comprehensive peace in the Middle East based on UNSCRs 242, 338, 1397 and 1515." It failed to follow through with actions. Today it's complicit with Israeli crimes by failing to decisively act to stop them and hold Israel accountable.

Earlier The Group concluded that "without real improvement on the ground, it will become necessary to consider what the future is for the Middle East Quartet."

Rami Khouri's solution makes most sense: "Let the Quartet Die for provid(ing) cover for Israeli colonialism and its American guardians." Condemn it as well for partnering in mass slaughter.

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