

The UN Security Council Regime of Tribunals and Sanctions: A Smokescreen for Military Seizure of Regions and Resources

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The government of Israel orchestrated after 'Operation Cast Lead' the brutal military attack and bombing of Gaza with prohibited weaponry, the pre-meditated racist killings of Turkish citizens and a US citizen of Turkish origin on the Mavi Marmara. Confused about the next move contemplated by the Freedom Flotilla for Gaza and disconcerted at the dialogues between different political formations in Lebanon, the government and the opposition, including the Hezbollah-led 'National Resistance', instructed Lt.General Gabi Ashkenazi to position a 'cat among the pigeons', by informing the Knesset Foreign Relations Committee on 8th July 2010 that "with lots of wishes and a little bit of information the situation in Lebanon will deteriorate following the issuance of an indictment by the UN Special Tribunal for Lebanon over the assassination of former Prime Minister martyr Rafiq Hariri".

General Ashkenazi's official statement before the Israeli Parliament, even before any indictment was officially issued, that the Hariri Tribunal would implicate members of the Hezbollah and destabilize Lebanon to the advantage of Israel, by sowing internal discord between different religious denominations, indicated insider knowledge of the functioning and objectives of the Hariri Tribunal for reasons now disclosed by Sayyed Hassan Nasrullah, the Secretary General of the Hezbollah, at his press conference held on August 9th. The aforesaid facts publicly expose the design for the geopolitical and strategic use of the Hariri Tribunal and its investigative machinery for subverting justice. An earlier investigation by the Chief Investigator, Detlev Mehlis of Germany, had successively pointed its needle of suspicion first at Syria and thereafter at four Lebanese Senior Police Officials falsely implicated, jailed for four years, released after being found innocent, as false witnesses were encouraged by the investigators and never proceeded against. In recent weeks it was hinted that members of the Hezbollah were to be indicted by the Tribunal, which coincided with the preparations of the US-Israeli axis to unleash a nuclear war in the region, even as an economic and financial collapse looms over the United States which will adversely impact Zionism and Zionist controlled Banks and financial institutions, among others, even in Europe.

The government of Lebanon alarmed at the disclosures supported by evidence at the 9th of August 2010 by the Secretary General of the Hezbollah, revealing that the government of Israel had actually stalked the late Prime Minister Rafiq Hariri's convoy with MK Spy Drones and through intelligence agents on the ground and the earlier revelations on Israeli infiltration of the State Telecom Company, with documentation produced at the press conference of the footage of Israeli drone transmissions[1], has now officially sought an investigation of the complicity of the Israeli government into the assassination, an angle

which was never investigated by the Hariri Tribunal, despite the fact that the government of Israel had the most to gain from assassinations in Lebanon of leaders of different political formations, as a powder keg for religious and sectarian strife, to destabilize Lebanon to pursue its strategic aims of further colonization and restructuring of the entire region, in collaboration with the United States and its allies.

It is not surprising that the Security Council-appointed Hariri Tribunal continues the murky traditions of all hitherto Security Council-appointed special international tribunals, including for Rwanda and Yugoslavia, among others. They were uncovered by leading jurists and Defense Counsel for what they really are: geopolitical instruments to camouflage dark deeds in various regions, committed by the Anglo-American-Israeli governments axis with the acquiescence of other permanent members of the Security Council, in collaboration with governments who are their military proxies. They carried out military aggression, merciless bombings of the civilian population, sectarian killings by more than one group to fracture existing societies and regime change and pre-planned assassinations to replace governments. They also pillaged hydrocarbons and minerals, among other financial and economic objectives, including the lethal trade in drugs for money laundering into Banks and financial institutions of the coalition of the willing. Further acts include stationing military troops to re-colonize countries, a joint enterprise of major banking, financial and corporate entities of more than one country recently facing a financial denouement in their own heartlands, bailed out by massive subsidies from the public exchequer at the cost of citizens everywhere.

In this context, Professor Michael Mandel, an eminent Professor of Law, Co-Chair of Lawyers Against the War (Canada) described appropriately what happened in Rwanda:

“...It was another case of Western greed (again mostly US) and IMF-imposed austerity throwing a match into an ancient and highly volatile inter-communal conflict left over from colonial times.”

In a recent memorandum dated 25th July 2010[2] addressed to the International Criminal Tribunal For Rwanda and to the Security Council and Secretary General of the United Nations, detainees who are accused persons before the Rwandan Tribunal invited urgent attention to the fact that Defense Counsel were being terrorized by the government of Rwanda, headed by President Paul Kagame. It is well known that President Kagame's special relations with the United States and the UK protected members of the Rwandan Patriotic Front, led by President Kagame, from being indicted for genocide by the International Criminal Tribunal for Rwanda. This Memorandum refers to threats, arbitrary arrests and assassinations of Defense Counsels, including the recent assassination of Professor Jwani Timothy Mwaikissa one of the Defense Counsel before the ICTR from Tanzania. It was accompanied by thefts of his documents, the deaths of other Defense Counsel in suspicious circumstances and the illegal arrest and detention of lead ICTR Counsel Professor Peter Erlinder by the government of Rwanda for alleged “genocide denial”. This was carried out under a statute enacted specially for that purpose to deter the truth from emerging about the role of the Rwandan government's Patriotic Front in the genocide, in violation of the impunity conferred on Professor Erlinder from prosecution, as Defense Counsel before the ICTR. Professor Erlinder was granted bail only on medical grounds, after Bar Associations and Jurists and Heads of Law Schools all over the world protested. Several Defense lawyers have earned the wrath of the regime and of the Permanent Members of the Security Council who are prime movers of the ICTR, in view of their carefully researched facts, exposing that

collective killings amounting to genocide was resorted to by both a section of the Hutus and Tutsis, following the entry into Rwanda of the military forces of the Rwandan Patriotic Front of then General Kagame (now President of Rwanda), former head of the military intelligence in the Ugandan government of President Museveni, supported by the military forces of Uganda and that the genocide was triggered by the assassination of the head of the previous government of President Habariyama, in circumstances indicating conspiracy with powers external to the region. Articles written by Professor Erlinder based on his work before the ICTR exposing the role of the governments of Rwanda and Uganda in the pillaging of the mineral resources of the Congo, as the avant guard for some members of the Security Council and their allies, devouring resources in colonial style, leaving 5 million dead in the region, incensed those involved in the pillage of the Congo.

The US-UK governments and the government of Rwanda closely monitor the International Criminal Tribunal for Rwanda, move for the removal of inconvenient prosecutors and the harassment and elimination of Defense Counsel. The former Chief Prosecutor of the International Criminal Tribunal for Rwanda Carla Del Ponte has written her own account, exposing her removal, when the Chief Prosecutor attempted to investigate charges against the Rwandan Patriotic Front government headed by President Kagame, for the collective killings of Hutus, she was replaced.[3]

The Tribunals for the former Yugoslavia were similarly influenced. When NATO commenced the bombing of Yugoslavia with the civilian population and the entire infrastructure was deliberately targeted, the Chief Prosecutor of the International Criminal Tribunal on Yugoslavia, hand-picked for the assignment by the same culprits of the Security Council, was served with a complaint by the entire faculty of Belgrade University that Solana be indicted for war crimes and crimes against humanity in violation of all norms of International Law, as NATO was responsible for civilian deaths. This was followed by a several complaints against NATO bombings from all over the world including from Canada, demanding that the Chief Prosecutor charge NATO leaders with war crimes, the only steps taken by the Chief Prosecutor against the merciless bombing of Belgrade was to state that:

“...I accept the assurances given by NATO leaders that they intend to conduct the campaign in the Federal Republic of Yugoslavia in full compliance with International Humanitarian Law.”[4]

This illegal position was taken by the Chief Prosecutor of the ICTY, despite the fact that the General Treaty for the Renunciation of War of 1928 signed by the USA, France and 13 other States including Germany and Great Britain which was ratified by 62 nations; the Nuremberg Principles and the UN Charter have declared that the use of war is illegal for the solution of international controversies or as an instrument of national policy.

In contrast a few weeks later, after the intensive bombing campaigns by NATO commenced, on 22nd May President Milosevic among other four top officials were indicted and all except one crime in the indictment, were alleged to have occurred on dates after the bombing started and President Milosevic was handed over to the International Criminal Tribunal on Yugoslavia by his government, when an economic boycott was imposed on Serbia. To perpetuate the myth of a one-sided alleged ethnic cleansing by the Serbs, as Yugoslavia had to be balkanized to seize its economic space in the financial interests of Western Corporations and Banks, despite the fact that there was evidence that UN troops were positioned at the relevant places where Bosnians among others had been killed and did

nothing to prevent it. The earlier ethnic cleansing of the Serbs by the Croats and others in Krajina, among many other places including in Kosovo, where the Kosovo Liberation Army of criminals pillaged, killed and drove out 100,000 Serbs and 100,000-150,000 Romas has never been the subject matter of any serious indictment against leaders of the Republics, who were used by NATO as an instrument of the balkanization of former Yugoslavia. The Chief Prosecutor of the ICTY had been handpicked and closely monitored by the US, UK and other NATO powers, with Russia and China then frozen into inaction by deals struck with those Permanent members from the NATO dominating decision making in the Security Council, even though thousands of lives could have been saved and later hundreds of thousands in Iraq during the 13 year regime of sanctions imposed by the Security Council, including the half a million children who died, with the total toll from sanctions on Iraq between 12 May 1996 to 22 May 2003 estimated at 1.5 million, that is even before the military aggression of the US-UK led coalition of the willing in 2003. As a consequence monstrous sacrilege of justice and collective killings have been permitted by the Security Council on defenseless civilian populations, in absolute violation of its role to ensure security to the people of the world.

These are only very few examples of how countries have been devastated and destroyed, exposing without a shadow of doubt that the security system of the United Nations, with the Security Council as the pivot, no longer protects member states of the United Nations. It is controlled on behalf of the dominant financial and commercial oligarchy astride the world acting through the Permanent Members, incorporating other governments into their strategy in different regions to wage war or acquiesce to the waging of war for a quid pro quo, as a “continuation of policy by other means”. Military power has been used to enforce a military and economic order to seize resources, national budgets and to control trade in vital commodities, including hydrocarbon resources, to provide immediate liquidity to US, UK and NATO Banks and Financial institutions or those of its alliance partners, including arrangements with other Permanent members and with members of the G8 countries and others, including Banks and Corporations under Zionist control, to establish a so called “International Security Assistance Force” as in Afghanistan of almost 50 countries and earlier the coalition of the “willing” for Iraq and Yugoslavia. It is in this context, that the case studies on behemoth corporations including financial institutions taking decisions for war through their governments, have to be understood by those who claim to be serious members of the Anti-War movement.

Dr. Frederic F. Clairmont, writing on “British Petroleum: The Unfinished Crisis and Plunder of Anglo-American Imperialism” perceptively observes:

“The Anglo-Persian Oil Company’s ascendancy owed nothing to free play of markets idealized by myth makers of economic liberalism but to the marriage of big capital and thrust of imperial financial power for the enhanced control of world markets. As with earlier conquests and brutal territorial annexation of Cecil Rhodes... it signaled the marriage of Big Capital and the Imperial Political Military Complex.”[5]

The case of British Petroleum is only a case study of one company, which is present through military forces of its government in those hydrocarbon regions of the world presently occupied.

When Tribunals cannot be appointed by the Security Council or when regime change and

the forced restructuring of governments is difficult in view of internal cohesion, sanctions are resorted to by the US led Security Council, to weaken countries before imposing the “killing fields” of war on an already weakened and demoralized population, as happened in Iraq. The sanctions imposed on Iran by the permanent members of the Security Council, all heavily armed “Nuclear Weapons States” with nuclear arsenals capable of destroying the entire world, in order to implement so called Chapter VII procedures in the face of the alleged threat to peace by Iran (as in the earlier onslaught on Iraq with the fictional weapons of mass destruction theory advanced) conclusively establishes that there is presently no international security system protecting countries who are member states of the United Nations. It also shows that the Security Council and its Permanent Members are initiating or acquiescing in a brutal ‘Military Order’, for the seizure of markets and resources imposed on one country after another, evidenced by successive occupations of former Yugoslavia, followed by Afghanistan still ongoing and Iraq. This comes among many other brutal military interventions in the Congo, in Haiti in the Horn of Africa, in Lebanon, in Gaza and in Palestine, apart from other countries and regions where covert intervention or open warfare is being waged.

Scientific opinion has recently become more vocal, claiming that Bunker Busters and small nukes (micro-nukes), with depleted uranium weaponry termed as the “Trojan Horse” of nuclear weapons[6], have been used in Afghanistan, Iraq and former Yugoslavia among other regions. The infamy of what was visited on Iraq, though it was known that there were no weapons of mass destruction, has been confirmed by a Commission constituted by the Netherlands Parliament [7]. The Davids Committee, with a former Chief Justice of the Netherlands Supreme Court as the President of the Committee of jurists, historians and diplomats among its members, opined that the Iraq war was illegal in international law and there were commercial reasons for the UK influencing the decision of the government of the Netherlands to join the alliance for aggression against Iraq. These commercial reasons in the report clearly point to the interests of the Oil majors among other UK companies.

To further understand the diverse commercial and trade interests behind these wars, it is necessary to refer to the 100 orders of Paul Bremer, derogatively referred to as the US Pro-Consul for Iraq. These 100 orders constitute another case study of “war as policy by other means”, the military seizure of the resources of Iraq and the corporate interests involved. One of these illegal orders which have no sanctity under International Law as it is imposed by an occupying power which is not authorized to alter or pillage the economy of countries occupied, prohibited Iraqi farmers from using their seeds, mandating that hereinafter the Iraqi farmers were to buy their seeds from the US or Australian agribusiness companies. The 100 orders of Paul Bremer reveal the reasons for sanctions on Iraq followed by the brutal war, just as the increase in the cultivation of opium and the manufacture of heroin and its sale for laundering into Banks and Financial Institutions, with the drug trade providing the third largest returns among international commodities, is evidence of one of the major objectives of the occupation of Afghanistan. And this occupation is still ongoing, whatever the camouflages of the internecine international alliances and their interests in Afghanistan.

To date, billions have disappeared from the account of the ‘Iraqi Oil for Food Fund’ and the national treasury of Iraq, not accounted for by the Permanent members of the Security Council or the alliance for the occupation of Iraq, as these sums were to be seized and never to be accounted for. Billions were quickly swallowed up by those on whose behalf the war was waged. Some of the “Best and Brightest Companies” and Security Agencies of the United States and UK (among other companies of the US-led military alliance) were awarded

one contract after another, including to advise municipalities in Iraq, the cradle of one of the world's oldest civilizations. Whereas the UN Security Council was quick to appoint an investigating committee for those who had allegedly violated the sanctions on Iraq and were allegedly favoured by special contracts from the Saddam Hussein government, in what was alleged to be an attempt to defeat sanctions. There is significantly no Security Council-appointed Commission to investigate and recover the 'Oil for Food' funds of Iraq and the money siphoned off from the national treasury of Iraq. Significantly, the Bush government passed a special Executive order that Courts in the United States would have no jurisdiction in respect of disputes related to agreements and contracts in respect of Iraqi Oil.

Even apart from the fact that after the 'Tehran Declaration' by Brazil and Turkey, with Iran agreeing to exchange 1,200 Kg of its 3.5 % enriched uranium with Turkey in exchange for 20% uranium to be used in its Medical Research Reactor, there is no case whatsoever for imposition of sanctions on Iran. Even apart from the Tehran declaration there is *prima facie* no case for sanctions and the Resolution of the Security Council imposing a fourth round of sanctions is a blatant violation of the UN Charter with all earlier Resolutions imposing sanctions against Iran similarly tainted. Chapter VII of the UN Charter can only be resorted to if there is in existence "any threat to the peace or breach of the peace, or act of aggression". However, the only threat to peace, breach of the peace or acts of aggression to-day in the region, is from the United States and Israel supported by NATO and by other Permanent Members of the Security Council and some of the G8, horse trading their veto powers or votes in the Security Council.

Even *prima facie*, the Nuclear Non-Proliferation Treaty calls for the reduction of the nuclear weapons arsenal of the nuclear weapon powers, with the objective of complete and not selective nuclear disarmament. A Security Council which has not imposed sanctions on Nuclear Weapon States with formidable nuclear weapons arsenal and on Israel, despite the whistleblower Mordechai Vanunu exposing in 1986 that Israel was a clandestine nuclear weapons State, can hardly claim that the imposition of sanctions through the Security Council and separately by the US, the European Union and Japan taking unilateral measures is justified, when the evidence against Iran continues to be fictitious and hypothetical. Beyond this, it is outrageous to focus on countries with limited nuclear know-how and weaponry that is purely defensive in nature and with limited delivery systems, such as that of North Korea (excluding the Nuclear Weapons Club, which is the main threat to peace from any sanctions or any action by the international community). These powers admittedly and openly have weaponry to destroy the world several times over, and with the scientific evidence to which the international community is now privy, we know that the government of the United States has used small nukes in the form of Bunker Busters and Depleted Uranium weaponry in Iraq and Afghanistan and earlier in Yugoslavia, with the acquiescence of the "coalition of the willing" which includes NATO. It has also used conventional weapons and drawn up a military plan for the pre-emptive use of small nukes and followed it up with the declaration that the USA will use them if necessary against Iran and North Korea, among other governments found violating the Nuclear Non-Proliferation Treaty. Any such violation is, of course, to be interpreted by the United States.

The recent resolution introduced by one-third of the members of the Republican party in the House of Representatives is ominous, as it categorically asserts that the United States will support Israel's right to militarily attack Iran. This resolution, along with acts of aggression which have taken place, the use of 'Bunker Busters' and DU weaponry and threats to use nuclear weapons, openly flouts the UN Charter and the Nuremberg Principles which

emerged from the Nuremberg and Tokyo trials. They were termed as “Victor’s Justice” by the eminent Indian Judge on the Tribunal for the Far East, Justice Radha Gobind Pal, in a dissenting judgment given in the aftermath of the Second World War. Significantly no one was indicted for the atomic bombing of Hiroshima and Nagasaki by the United States of America, the first country to have used nuclear weapons and which has in the last decade formulated a doctrine for the first use and joint use of nuclear with conventional weapons with others like France following. And this without a murmur of protest by the so-called international community in the Security Council or General Assembly despite the Advisory Opinion of the ICJ on the illegality of the use of nuclear weapons being prohibited by International Humanitarian Law.[8]

Recalling the tragic day the atomic bomb was used on Nagasaki at the recent Nagasaki Peace Declaration[9] on 9th August 2010, the Mayor of Nagasaki, Tomihisa Taue, criticized the nuclear weapons states for their “lack of sincere commitment to nuclear disarmament”. Despite the statement’s characteristic understatement, this focus on the major nuclear weapons states and even on the secret nuclear pact of the earlier governments of Japan must be widely welcomed and deserves international focus. It is a correct and open moral and legal indictment of Nuclear Weapons States imposing selective sanctions on Iran and earlier on Iraq and North Korea by the Mayor of Nagasaki, a city which was mercilessly bombed. The government of Japan, on the other hand, has fallen in line with the Permanent Members of the Security Council and the G8 and ignored the voices of the people of Japan, declaring that Japan will also impose separate sanctions on Iran. It will be following the USA and the European Union, in addition to the sanctions imposed by the Security Council. And this despite the fact that Japan supported and welcomed the ‘Tehran Declaration’, influenced in all probability by interlocking corporate and financial interests and the continuing presence of US bases in Japan 65 years after the Second World War

In the face of another cataclysmic threat of war with nuclear weapons, the Shanghai Cooperation Organization has withered away for some special consideration, trade related, financial or political, and its two powerful members are not to be heard. It is possibly influenced by ‘Oligarchs’ in Russia with interlocking interests and Zionist links. In the case of China, it may be influenced by banks and companies with similar interlocking interests with Western corporations and oil majors who have targeted Iran and probably influenced by those who use China as a cheap labour platform for export markets among other countries. In this context it is necessary to reflect on what an outstanding political theorist of the 20th Century wrote “...let us assume that all the imperialist countries conclude an alliance for the peaceful division of these parts of Asia; this alliance would be an alliance of ‘internationally united finance capital’”.[10]

It is significant that the non-aligned group of nations has collectively supported Iran’s access to nuclear energy. India is among one of the major countries to finally stand up against cooperating with the regime of sanctions on Iran, as the regime of sanctions is antagonistic to the interests of Indian companies trading with Iran and the energy security of the people of India, with the government’s priority in that order. This will result in renewed pressures on India, already destabilized by the fraudulent “War on Terror” which had become a part of its official discourse to camouflage economic and financial policy dictated by Transnational Companies. These include multinational companies from India, which has distorted Indian democracy and its constitutional goal of equitable economic growth and balanced development.

It is in the context of this ‘Military Order’ imposed by the US-led NATO alliance in several

regions of the world, acquiesced to by Russia, China and Japan and other G8 countries, that the whole objective and purpose of the Nuclear Non-Proliferation Treaty has to be understood, amongst other disarmament measures imposed by the Security Council selectively. A military order imposing colonial regimes by companies and governments for the seizure of whole continents and colonial control of resources by military means was historically possible only because of military superiority and fostering of internal divisions in the society sought to be colonized. More recently by encouraging fractious infighting between neighbouring states, such as the Iraq-Iran war.

Iran is not the first country to be targeted in quick succession, nor will it be the last. Increasingly events indicate that some governments and their ruling elites may not be in a position to stand up and be counted. This reflects the harsh facts that those governments which are not equitable to their own citizens and allow the seizure of savings, resources or land within their own countries of working people, cannot always be relied upon internationally to protect international security based on a just world order and equitable terms of trade. Yet all strategies to militarily seize regions, including sanctions and blockades, have to be defeated and exposed. Militaries and military alliances which are the instruments of aggression have to be disrupted and defeated and the dominant economic and political order in the world today controlling international finance, trade and manufacture in the interests of a few financial centres and behemoth banks and corporations, pauperizing many societies, including people from within the country in which these entities are based, has to be overturned in the interest of civilization itself. It is these same entities are destroying the fragile ecosystem of our entire planet with impunity ravaging the environment on a colossal scale. These large financial and corporate entities are controlling their governments, have bankrupted their own and other societies and have a history of using the imperial and colonial system and with superiority of weaponry. They must be refrained from seizing the resources of whole countries by war or sectarian strife, including the resources of people in their own societies. To trust them would be an exercise in extreme naiveté, if not outright collaboration.

Notes

1. Press Conference held at Beirut of the Secretary General of the Hezbollah, Sayyed Hassan Nasrullah, 9th August 2010.
2. Memorandum of detainees of the International Criminal Tribunal for Rwanda addressed to the ICTR, to the Security Council, to the Secretary General of the United Nations, 25th July 2010.
3. Carlo Del Ponte and Sudetic, ' Madame Prosecutor: Confrontations with Humanity's Worst Criminals and the Culture of Impunity '(The Other Press NY,2009)
4. Michael Mandel ' How America Gets Away With Murder ',2004 Pluto Press.
5. Dr. Frederic F. Clairmont,' British Petroleum : The Unfinished Crisis and Plunder of Anglo-American Imperialism',9.8.2010 Globalresearch.ca.
6. Leuren Moret, Depleted Uranium : The Trojan Horse of Nuclear War, presentation in proceedings before the International Criminal Tribunal for Afghanistan, at Tokyo, a civil society initiative of Jurists and Law Professors of Japan 2003.

7. Davids Committee on the Iraq War, constituted by the Netherlands Parliament, Report submitted to Parliament on 12th January 2010.
8. International Court of Justice, ' The Legality of the Threat or Use of Nuclear Weapons' Advisory Opinion of 8 July,1996, I.C.J. Reports 226.
9. Tomihisa Taue, Mayor of Nagasaki, Nagasaki Peace Declaration, 9th August 2010.
10. Vladimir Ilyich Lenin, ' Imperialism, the Highest stage of Capitalism', 1917, Zizn i.Znaniye Publishers, Petrograd, Russia.

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