
THE BERTRAND RUSSELL PEACE FOUNDATION**DOSSIER**

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RUSSELL TRIBUNAL ON PALESTINE

The organizers of the Tribunal have issued this appeal for support, which has already met with a positive response. The Tribunal was initiated by Pierre Galand in Brussels and Robert Kissous in Paris.

The Russell Tribunal on Palestine will work rigorously and in the same spirit as the Tribunal on Vietnam that sat in 1967, under the presidency of Jean-Paul Sartre. The Tribunal will have to judge breaches of international law, of which the Palestinians are victims, and which deprive the Palestinian people of a sovereign State.

The Advisory Opinion that was given by the International Court of Justice at The Hague on 9 July 2004 sums up those violations and concludes, in particular, with the obligation for Israel to dismantle the Wall and to compensate the Palestinians for all the damage suffered from this construction. This Opinion recalls, at §163D, that

‘All States are under an obligation not to recognize the illegal situation resulting from the construction of the wall, and not to render aid or assistance in maintaining the situation created by such construction; all State parties to the Fourth Geneva Convention relative to the Protection of Civilians Persons in Time of War of 12 August 1949 have, in addition, the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international law as embodied in that Convention.’

This Opinion was confirmed on 24 July 2004 by resolution ES-10/15 of the General Assembly of the United Nations, which was adopted by 150 States Members. The General Assembly ‘demands that Israel, the occupying Power, comply with its legal obligations as mentioned in the advisory opinion’ and ‘calls upon all States Members of the United Nations to comply with their legal obligations as mentioned in the advisory opinion’.

Drawing in particular on the Advisory Opinion and the UN resolution, the Russell Tribunal on Palestine will reaffirm the primacy/supremacy of international law as the basis for the settlement of the Israeli-Palestinian conflict. It will identify breaches to the application of the law and will condemn all the perpetrators before international public opinion.

Your support to this Tribunal will give it the moral weight necessary to advance the cause of justice and law in this part of the world.

Ken Coates
Chairman of the Bertrand Russell Peace Foundation
Nurit Peled
Sakharov Prize 2001
Leila Shahid
General Delegate of Palestine to the European Union,
Belgium, Luxembourg

An initial list of members of the Support Committee of the Russell Tribunal includes:

Andreas Van Agt – Prime Minister of the Netherlands from 1977 to 1982
Henri Alleg – Journalist – France
Martin Almada – Lawyer, Writer, Right Livelihood Award 2002 – Paraguay
Kader Asmal – Professor, Former Minister, MP – South Africa
Raymond and Lucie Aubrac – Former Members of the French Resistance
Etienne Balibar – Professor Emeritus – France
Russell Banks – Writer, President of the International Parliament of Writers – USA
Mohammed Bedjaoui – Former President of the International Court of Justice (The Hague), Former Minister of Foreign Affairs of Algeria
Ahmed Ben Bella – First President of the Republic of Algeria
Amar Bentoumi – President Emeritus of the International Association of Democratic Lawyers – Algeria
John Berger – Writer – UK
Howard Brenton – Writer – UK
Carmel Budiardjo – Right Livelihood Award 1995 – UK
Judith Butler – Professor of Rhetoric and Comparative Literature – USA
Monique Chemillier-Gendreau – Professor Emeritus – France
Noam Chomsky – Professor, Massachusetts Institute of Technology – USA
Vicenzo Consolo – Writer – Italy
Mairead Corrigan Maguire – Nobel Peace Prize 1976 – UK
Miguel Angel Estrella – Pianist, Former Argentinean Ambassador to UNESCO
Irene Fernandez – Right Livelihood Award 2005 – Malaysia
Cees Flinterman – Director of the Netherlands Institute of Human Rights
Eduardo Galeano – Writer – Uruguay
Johan Galtung – Founder of Transcend, Right Livelihood Award 1987 – Norway
Geraud de Geouffre de la Pradelle – Professor Emeritus – France
Juan Goytisolo – Writer – Spain
Trevor Griffiths – Writer – UK
Gisele Halimi – Lawyer, Former French Ambassador to UNESCO
Jeff Halper – Coordinator of Israeli Committee against House Demolitions

Mohammed Harbi – Historian – France/Algeria
Eric Hazan – Writer – France
Stephane Hessel – Ambassador of France
François Houtart – Professor Emeritus – Belgium
Albert Jacquard – University Professor – France
Alain Joxe – Director of Studies at the School of Advanced Studies in Social Sciences – France
Milan Kucan – Former President of the Republic of Slovenia
Felicia Langer – Lawyer, Writer, Right Livelihood Award 1990 – Germany
Paul Laverty – Writer – UK
Ken Loach – Filmmaker – UK
François Maspero – Writer – France
Gustave Massiah – Chairman, Centre of Research for Development – France
Avi Mograbi – Filmmaker – Israel
Radhia Nasraoui – Human Rights Lawyer – Tunisia
Simone Paris de Bollardi re – Movement for Non-violence Alternative – France
Tamar Pelleg-Sryck – Human Rights Lawyer – Israel
Harold Pinter – Writer, Nobel Prize for Literature 2005 – UK
Fran ois Rigaux – Professor Emeritus – Belgium
Fran ois Roux – Lawyer – France
Elias Sanbar – Writer – Palestine
Jos  Saramago – Nobel Prize for Literature 1998 – Portugal
Vandana Shiva – Director of the Research Foundation for Science, Technology and Ecology, Right Livelihood Award 1993 – India
Sulak Sivaraksa – Professor, Right Livelihood Award 1995 – Thailand
Philippe Texier – Magistrate and Member of the UN Human Rights Committee – France
Gerard Toulouse – Physician – France
Brian Urquhart – Former Undersecretary-General of the United Nations – UK
Michel Warschawski – Activist – Israel
Francisco Whitaker – Right Livelihood Award 2006 – Brazil
Betty Williams – Nobel Peace Prize 1976 – UK
Jody Williams – Nobel Peace Prize 1997 – USA

PALESTINE: UN SHOULD LEAVE QUARTET

The UN human rights envoy for the Palestinian territories, Professor John Dugard, was interviewed by Jon Snow on Channel 4 News on 15 July 2007.

Snow: Professor Dugard, surely in a sense you are calling for the UN to disengage from the Quartet just at the moment when the Americans have finally said its time for a Palestinian State?

Dugard: My complaint about the Quartet is that for years it has ignored the human rights aspect of the dispute. I am delighted that there is now serious talk of a conference which it is hoped will bring about the real solution to the question, but I do think that in this conference full attention should be given to human rights issues.

For instance, there are issues such as the wall that Israel is building in the Palestinian territory. They've increased the number of settlements. They've increased the number of checkpoints. There is the whole question of military incursions and arrests of Palestinians.

Snow: It's an interesting thing that you should raise that because quoted in the British newspapers over this last weekend Tony Blair, the envoy for the Quartet, has expressed shock and surprise at some of the damage that has been done to the Palestinian territories by the wall. Do you think that perhaps the West is, at last, waking up to what is going on there?

Dugard: I'm surprised that Mr Blair was not aware of this when he was Prime Minister because I'm quite sure that his Foreign Office was informing him about what had happened. After all there was a 2004 decision, advisory opinion, of the International Court of Justice holding that the construction of the wall is illegal and Mr Blair distanced himself from that finding.

Snow: Can I just ask you then, how would the UN's hand be strengthened if it was disengaged from the Quartet?

Dugard: My complaint is that the United Nations is no longer seen as an impartial and evenhanded mediator in the dispute between Palestinians and Israelis. I believe its absolutely essential that the United Nations should be seen to be objective and impartial but, by siding too much with Israel and by failing to take account of the violation of Palestinian human rights, the United Nations has lost that image of impartiality. There is no doubt that the United Nations is being used to legitimise the Quartet and if that is its sole purpose I believe the United Nations should reconsider its position.

BUSH & AZNAR TALK WAR

On 22 February 2003, a few weeks before the invasion of Iraq, President Bush spoke with then Prime Minister Aznar of Spain, at his ranch in Crawford, Texas. Condoleezza Rice, National Security Advisor, was also present. A transcript of their conversation was published in El Pais, the Spanish newspaper, in September 2007. It gives a sharp insight into the President's preparations for war. This translation was prepared by Juan Cole (www.juancole.com), to whom we are grateful for permission to use it.

President Bush: We are in favour of getting a second resolution in the Security Council and would want to do it quickly. We would want to announce it Monday or Tuesday [24 or 25 February 2003].

Prime Minister Aznar: Better Tuesday, after the meeting of the Council of General Affairs of the European Union. It is important to maintain the momentum gained by the resolution at the summit of the European Union [which had taken place in Brussels on Monday 17 February]. We would prefer to wait until Tuesday.

Bush: It could be in the evening Monday, considering the time difference. In any case, the next week. We will see that the resolution is written so that it does not contain obligatory steps [for Iraq], that it does not mention the use of force, and that it states that Saddam Hussein has been unable to fulfil his obligations. That type of resolution can be voted for by many people. It would be something similar to the one passed regarding Kosovo [10 June 1999].

Aznar: Would it be presented to the Security Council before, and independently of, a parallel declaration?

Condoleezza Rice: In fact there would not be a parallel declaration. We are thinking about as simple a resolution as possible, without many details regarding [Iraq's] obligations — such that Saddam Hussein could use them as stages and consequently could neglect to fulfil them. We are speaking with Blix [head of the inspectors of the United Nations] and others of his team to get ideas that can serve to introduce the resolution.

Bush: Saddam Hussein will not change and will continue playing games. The moment has come to be rid of him. That's the way it is. As for me, from now on I will try to tone down the rhetoric as much as possible, while we seek approval of the resolution. If somebody uses a veto, we will go. [Russia, China and France have, along with the United States and the United Kingdom, the right to a veto in the Security Council by virtue of being permanent members.]

Saddam Hussein is not disarming. We have to take him right now. We have shown an incredible degree of patience so far. There are two weeks left. In two weeks we will be militarily ready. I believe that we will get the second resolution. In the Security Council we have the three African members [Cameroon, Angola and Guinea], the Chileans, and the Mexicans. I will speak with all of them, also with Putin, naturally. We will be in Baghdad at the end of March. There is a 15 per cent possibility that Saddam Hussein will die or flee. But that possibility will not exist until we have demonstrated our resolve. The Egyptians are talking to Saddam Hussein. It seems that he has indicated that he is willing to go into exile if he can take a billion dollars with him and all the information that he wants on weapons of mass destruction. [Muammar] Gaddafi told Berlusconi that Saddam Hussein wants to go away. Mubarak tells us that in these circumstances it is entirely possible that he will be assassinated.

We would like to act with the mandate of the United Nations. If we act militarily we will do it with great precision, tightly focusing on our objectives. We will decimate the troops loyal to him, and the regular army quickly will recognize what is going on. We have sent a very clear message to Saddam's generals: we will treat them like war criminals. We know that they have accumulated an enormous amount of dynamite to demolish bridges and other infrastructure and to blow up the oil wells. We foresee occupying those wells very quickly. Also, the Saudis will help us by putting on the market all the petroleum that is necessary. We are developing a package of very extensive humanitarian aid. We can win without destruction. We are already planning for a post-Saddam Iraq, and I believe that there are good bases for a better future. Iraq has a relatively good bureaucracy and a civil society. It can be organized as a federal system. Meanwhile, we are doing everything possible to take care of the political needs of our friends and allies.

Aznar: It is very important to have a resolution. It is not the same to act with it as without it. It would be very advisable to have a majority in the Security Council that supported that resolution. In fact, it is important to have it passed by a majority, even if someone exercises a veto. Let us consider that the text of the resolution would have, among other things, to state that Saddam Hussein has lost his opportunity.

Bush: Yes, by all means. It would be better to have a reference to 'necessary means' [a reference to the type of UN resolution that authorizes the use of 'all necessary means'].

Aznar: Saddam Hussein has not co-operated, has not been disarmed; we would have to summarize his breaches and to send a more detailed message. That would allow, for example, Mexico to move [a reference to a change in its negative position on the second resolution, the extent of which Aznar could have known about from the lips of President Vicente Fox on Friday 21 February, in Mexico City].

Bush: The resolution will be custom-made in such a way that it will help you. I don't care much about the content.

Aznar: We will send you some sample texts.

Bush: We do not have any text. Only a criterion: that Saddam Hussein disarm. We cannot allow Saddam Hussein to drag things out until the summer. After all, this last stage has already lasted four months, and this is more than enough time to disarm.

Aznar: Having a text would allow us to sponsor it and to be its co-authors, and to arrange for many others to sponsor it.

Bush: Perfect.

Aznar: Next Wednesday [26 February] I will meet with Chirac. The resolution will already have begun to circulate.

Bush: It seems to me all very good. Chirac knows the reality perfectly. Their intelligence services have explained it to him. The Arabs are transmitting a very clear message to Chirac: Saddam Hussein must go. The problem is that Chirac thinks he is Mister Arab, but in fact he is making their lives impossible. But I do not want to have any rivalry with Chirac. We have different points of view, but I would like that to be all. Give him my best regards. Really! The less rivalry he feels exists between us, the better it will be for everyone.

Aznar: How to combine the resolution with the report of the inspectors?

Condoleezza Rice: Actually there will not be a report on 28 February, but the inspectors will present a report written on 1 March. We don't have high hopes for that report. As with the previous ones, it will be a mixed picture. I have the impression that Blix will now be more negative than he was before, with regard to the Iraqis' intentions. After the appearance of the inspectors before the Council, we must anticipate a vote on the resolution one week later. The Iraqis, meanwhile, will try to explain that they are fulfilling their obligations. It isn't true, and it won't be sufficient, though they may announce the destruction of some missiles.

Bush: This is like Chinese water torture. We must put an end to it.

Aznar: I agree, but it would be good to have the maximum possible number of people. Have a little patience.

Bush: My patience is exhausted. I don't intend to wait longer than the middle of March.

Aznar: I do not request that you have infinite patience. Simply that you do everything possible so that it all works out.

Bush: Countries like Mexico, Chile, Angola, and Cameroon must realize that what's at stake is the security of the United States, and they should act with a sense of friendship toward us. [Chilean President Ricardo] Lagos should know that the Free Trade Accord with Chile is awaiting Senate confirmation and a negative attitude about this could put ratification in danger. Angola is receiving Millennium Account funds [to help alleviate poverty] and that could be jeopardized also if he's not supportive. And Putin must know that his attitude is putting in danger the relations of Russia with the United States.

Aznar: Tony [Blair] would like to wait until the 14th of March.

Bush: I prefer the 10th. This is like a game of bad cop, good cop. I don't mind

being the bad cop, and Blair can be the good one.

Aznar: Is it certain that any possibility exists that Saddam Hussein will go into exile?

Bush: The possibility exists, including that he will be assassinated.

Aznar: Exile with a guarantee?

Bush: No guarantee. He is a thief, a terrorist, a war criminal. Compared with Saddam, Milosevic would be a Mother Teresa. When we go in, we are going to discover many more crimes and we will take him to the Court of International Justice. Saddam Hussein thinks that he has already escaped. He thinks that France and Germany have ceased fulfilling their responsibilities. He also thinks that the demonstrations of the last week [Saturday 15 February] will protect him. And he thinks that I am very weak. But the people around him know that things are otherwise. They know that his future is in exile or a coffin. For that reason it is very important to maintain the pressure on him. Gaddafi tells us through back channels that that is the only thing that can finish him off. Saddam Hussein's only strategy is to delay, to delay and to delay.

Aznar: In fact the biggest success would be to win the game without firing a single shot and entering Baghdad.

Bush: For me it would be the perfect solution. I do not want war. I know what wars are. I know the destruction and the death that they bring with them. I am the one who has to console the mothers and the widows of the dead. By all means, for us that would be the best solution. In addition, it would save \$50 billion.

Aznar: We need you to help us with our public opinion.

Bush: We will do everything we can. Wednesday I am going to speak on the situation in the Middle East, proposing the new peace plan with which you are familiar, and on weapons of mass destruction, on the benefits of a free society, and I will locate the history of Iraq in a wider context. Perhaps it will serve you.

Aznar: What we are doing is a very deep change for Spain and the Spaniards. We are changing the policy that the country has followed for the past two hundred years.

Bush: A historical sense of responsibility guides me just as it does you. When within a few years history judges us, I do not want people to ask themselves why Bush, or Aznar, or Blair did not face their responsibilities. In the end, what people want is to enjoy freedom. Recently, in Romania, they reminded me of the example of Ceaușescu: it was enough for a woman to call him a liar, for the entire

repressive edifice to come down. It is the uncontrollable power of freedom. I am convinced that I will get the resolution.

Aznar: All to the good.

Bush: I made the decision to go to the Security Council. In spite of the disagreements in my Administration, I said to my people that we had to work with our friends. It will be wonderful to get a second resolution.

Aznar: The only thing that worries me about you is your optimism.

Bush: I am optimistic because I believe that I am in the right. I am at peace with myself. It has been up to us to face a serious threat to the peace. It irritates me a great deal to consider the indifference of the Europeans to the sufferings that Saddam Hussein inflicts on Iraqis. Perhaps because he is brown-skinned, far away, and Muslim, many Europeans think that everything is all right in his regard. I will not forget what Solana once said to me: why do we Americans think that the Europeans are anti-Semitic and unable to confront their responsibilities? That defensive attitude is terrible. I have to acknowledge I have just great relations with Kofi Annan.

Aznar: He shares your ethical preoccupations.

Bush: The more the Europeans attack me, the stronger I am in the United States.

Aznar: We would like to make your strength compatible with the esteem of the Europeans.

WHAT OSAMA BIN LADEN SAID

When Osama Bin Laden's first video tape in three years was reported in September 2007, enormous press coverage was devoted to how his beard had changed colour, but it was almost impossible to find what he actually said. Eventually, al Jazeera published excerpts, some of which are reproduced here.

‘At first, I say that despite the fact America possesses the greatest economic power and the most powerful and modern military arsenal, despite spending on this war much more than what the entire world spends on its armies, and despite it being the superpower influencing world policies – as if it has a monopoly on the unjust veto right – despite all of this, and with God’s help, nineteen young men were able to change the direction of its compass ...

Bush mentions his co-operation with Maliki and his government to spread freedom in Iraq but, in fact, he is co-operating with the leaders of one sect against another sect, believing that this will lead him to a quick victory. Thus, he spread the so-called civil war, and things worsened in his hands and got out of his control ...

These are some facts pertaining to the freedom he says he is spreading. Bush's insistence not to give the United Nations an expanded mandate in Iraq is an implicit admission of his loss and defeat over there.

Amongst the most important items in Bush's speeches since September 11 is his statement that the Americans have no options but to continue the war. Such statements are in fact a repetition of the words of the neo-conservatives, such as Cheney, Rumsfeld and Richard Perle, who said earlier that the Americans have no option but to continue war, or to face a holocaust ... However, we are a people who do not tolerate oppression, we reject humiliation and disgrace, and we take revenge on the people of tyranny and aggression. The blood of the Muslims will not be spilled in vain, and the morrow is nigh for he who awaits ... The genocide of peoples and their holocaust was perpetrated on your hands. All that is left from the Red Indians is a few specimens. A short while ago, the Japanese observed the 62nd anniversary of the annihilation of Nagasaki and Hiroshima with your nuclear bombs ...

Yet, in spite of that, you [American citizens] allowed Bush to complete his first term. And what is even stranger is that you still chose him for a second term. This was a clear and explicit mandate you gave him, with your full knowledge and consent, to continue killing our people in Iraq and Afghanistan. Then you claim to be innocent. This innocence of yours is similar to my innocence of the blood of your sons on the 11th, were I to claim such a thing. But it is impossible to humour many of you in the arrogance and indifference you show for the lives of humans outside America, or to humour your leaders in lying. The whole world knows that they have the lion's share of that ...

In answer to the questions about the reasons for the Democrats' failure to stop the war, I say that these are the same reasons of the failure of former President [John] Kennedy to stop the Vietnam war. Those who possess real power and influence are the ones who have the biggest capital. And since the Democratic regime allows the major corporations to support candidates, be they presidential or congressional, then there should be no need for astonishment at the Democrats' failure to stop the war. You are the ones who say 'money talks'.

I also want to bring to your attention that among the greatest reasons for the collapse of the Soviet Union was their being afflicted with their leader [Leonid] Brezhnev, who was dominated by pride and arrogance and refused to recognise the facts on the ground. Since the first year of Afghanistan's invasion, reports indicated that the Russians were losing the war. However, he refused to admit this so that it would not be added as a defeat in his personal history – even though refusing to acknowledge defeat not only fails to change the truth for the wise ones, but also exacerbates the problem and increases the losses.

How similar is your situation today to their situation about two decades ago? The mistakes of Brezhnev are being committed by Bush. When asked about the date of withdrawing his troops from Iraq, he said that the withdrawal will not take place during his term, but during the term of his successor. The significance of these words is not hidden.'