

Today's Zaman  
Richard Falk  
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*Richard Falk is the UN Special Rapporteur on the Occupied Palestinian Territories and Professor Emeritus of International Law at Princeton University. Israel had strongly opposed his appointment as Special Rapporteur based on his previous writings on crimes against humanity occurring in Palestine. On 14 December 2008, he was denied entry into Gaza and the West Bank when he arrived to prepare a report within his UN capacity and mandate.*

() The Israeli blockade has kept supplies of food, fuel and medicines entering Gaza at bare survival levels. Recent studies report 46 percent of Gazan children suffer from acute anemia and 80 percent live in abject poverty, with less than \$1 a day of purchasing power. With the borders closed, Gaza is a prison, but in some respects worse. At least a normal prison includes an administrative apparatus that accepts responsibility for feeding the prisoners and providing for their health care. The situation is worse in other respects, as well. Israel feels itself free to use military force via air and helicopter attacks at times and places of its choosing within Gaza, keeping the entire population on edge and at risk, day and night. ()

The blockade serves no legitimate Israeli function. It is allegedly imposed in retaliation for Hamas and Islamic Jihad rockets that have been fired across the border aimed mainly at the town of Sderot, and occasionally at the bigger city of Ashkelon. These rockets are primitive and have done little damage, but they do target civilians and cause understandable fear for Israelis potentially subject to these attacks. The launching of these rockets on the Palestinian side of the Gaza border is unlawful and immoral as they are used as weapons of terror. Yet this in no way justifies Israeli indiscriminate and disproportionate measures being taken against the entire civilian society of Gaza. It also seems that the Israeli leadership feels that since the citizenry of Gaza voted for Hamas in free elections back in January 2006, it has been a reasonable reaction to blame and punish the whole population of Gaza to the extent of imposing this life-threatening and health-denying regime of occupation in the form of a siege. ()

The truce period has now expired and there are strong rumors that Israel is considering a major military incursion in Gaza, which could intensify greatly an already unfolding humanitarian catastrophe resulting from the blockade. Such a sequence of events if it causes major death and destruction will immediately challenge the new Barack Obama presidency to take a stand by demonstrating that it is prepared to stand up to Israel to protect the vulnerable civilian population of Gaza. At this point, there is little reason to be hopeful that the more basic United States policy toward the Israel/Palestine conflict will change considering that all of the major Obama appointments in the foreign policy area are strong Israeli supporters, but there is some chance that Washington will use its leverage, at least behind the scenes, to discourage any major escalation of violence in Gaza.

The United Nations, as well as the United States, is challenged by these deteriorating conditions to exhibit greater concern and responsibility for the protection of civilians in Gaza. Its own role as the major provider of food for the people of Gaza has been severely constrained by the stiffening of the blockade in recent weeks. Beyond this, the Palestinian territories as part of

historic Palestine were from the earliest days of the United Nations seen as a special responsibility of the world community. It was the UN that split the British controlled Palestinian mandate into two parts back in 1947, a "solution" tragically rejected at the time by the Arab world. In the last several years, the UN Security Council has endorsed the idea of humanitarian intervention under the rubric of "a **responsibility to protect**" (also known as **R2P**), and no world circumstance combines the misery and vulnerability of the people more urgently than does the situation of the people of Gaza living under occupation since 1967. Surely the present emergency circumstances present a compelling case for the application of this protective response under UN auspices. If this does not happen, it will again demonstrate to the people of the world, especially those in the Middle East, that geopolitics trumps international law and humanitarian concerns and leaves those victimized with few options. Under these conditions, it should not surprise us that extremist methods and reliance on violence wins many adherents.

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