

Israel's Sharon Accused As War Criminal

by Dean Andromidas

Europe was publicly and harshly reminded on June 17, of how Israeli Prime Minister Ariel Sharon earned the name “the Butcher of Lebanon.” BBC television’s “Panorama” program aired a devastating documentary, “The Accused,” detailing Sharon’s central role in the infamous massacre of Palestinians in the Sabra and Shatila refugee camps in Lebanon, during the 1982 Israeli-Lebanese war. The program made clear that Sharon could be brought before a international tribunal to be tried as a “Class A” war criminal.

On June 18, twenty-three Palestinian survivors of that massacre presented an investigative judge in Belgium with charges against Sharon for war crimes. Under Belgian law, which allows for plaintiffs of any nation to present such cases in a Belgian court, the judge will now open his own official investigation, which could end with a war crimes indictment of Sharon.

These events are part of a growing uproar internationally, particularly in Europe, against the policies of Sharon’s government. The countries of the European Union (EU) and Russia are convinced that if Sharon is not stopped, he will force the Middle East into a war, with catastrophic consequences for the entire world. The “Panorama” program and the Belgian investigation in themselves will not stop Sharon, but they will, nonetheless, seriously hinder his hopes to win the propaganda war to convince the world that his government is only defending itself against Palestinian Authority President Yasser Arafat, the “terrorist.”

The BBC Accuses

“Panorama” vividly recounts the bloody events of early Autumn 1982, when then-Defense Minister Sharon authorized his allies, the Lebanese Phalangist militias, to enter the Sabra and Shatila refugee camps, which culminated in the slaughter of 800 men, women, and children. The United Nations put the figure at 1,500, and a later investigation by the International Red Cross put the death toll at 2,750. These victims were civilians, noncombatants in the civil war that had raged in Lebanon, or against the invading Israeli forces. Most of the victims — old men, women, and children — were not shot, but were tortured to death, the bodies mutilated in one of the worst massacres since World War II.

“Panorama” also demonstrated that Sharon has broken signed agreements, promises made to the President of the United States, and is a prolific liar — a fact that Washington

policy circles should take careful note of, if they still entertain any illusions that Sharon is a “partner for peace.”

The BBC account falls short in one important respect, failing to identify Sharon’s intention in invading Lebanon. It was not simply to force the Palestine Liberation Organization (PLO) out of Lebanon, but to establish a puppet regime in Beirut and to proceed to attack Damascus, Syria; if that were not stopped, to march on Baghdad, Iraq; and, at the same time, to implement his “Jordan is Palestine policy,” to push all the Palestinians of the West Bank into the Kingdom of Jordan. Despite the fact that there was a political consensus in Israel and within the Reagan Administration for such a policy, Sharon used all his powers of deceit and manipulation to implement his grand scheme. In fact, such an operational military plan had existed within Israeli military doctrine since the end of the 1948 Arab-Israeli war.

In recounting the events of 1982, the “Panorama” moderator, Fergal Keane, stated, “In June 1982, Israel’s army stormed across an international border and invaded Lebanon. The Israelis said they wanted to protect their borders from Palestinian guerrilla attack, and Ariel Sharon’s army was soon laying siege to . . . Beirut.”

In September 1982, the United States brokered a cease-fire that included the Israelis, Syrians, and various Lebanese factions, aimed at ending the Israeli intervention and the civil war that had been raging in Lebanon since the 1970s. That agreement was favorable to the Israelis and led to the PLO’s evacuation to Tunisia. It also led to the withdrawal of a multinational peacekeeping force, while naming Bashir Gemayel, leader of the Phalange and Israel’s main ally, as President of Lebanon. The United States promised to back a program of reconstruction. In return, Israel was to begin withdrawing its forces over a 12-week period, and not to enter West Beirut, the stronghold of the Lebanese Muslim factions and the site of Sabra and Shatila.

On Sept. 14, within days of this agreement, Sharon broke Israel’s promise, sending Israeli forces to occupy West Beirut. Their attack began hours before its stated pretext — the assassination of Bashir Gemayel in a bomb attack — had occurred! That same day, Israeli armored forces surrounded Sabra and Shatila. All these operations were coordinated with the Phalangists, who were “allowed” by Sharon — in Beirut at the time — to enter the Palestinian camps. The unarmed Palestinians had been the Phalangists’ most bitter enemies, a fact which formed the basis for the Phalange alliance with Israel. The Phalangists, like Sharon, had as their goal the expulsion of the 500,000 Palestinian refugees from Lebanon. The next 48 hours witnessed horrible carnage.

‘You Must Stop, They Are Killing Children!’

“Panorama” interviewed eyewitnesses, including Israelis, Palestinians, foreign journalists, and aid workers, on the horrors of those events. “Panorama” also interviewed senior diplomats and legal experts who had been intimately in-



Israeli Prime Minister Ariel Sharon, and a schematic of a more recent incident in which Palestinians were killed. Sharon may face charges as a “Class A” war criminal.

involved in the events of 1982, who gave precise testimony to the fact that Sharon can be classified as a “Class A” war criminal.

Judge Richard Goldstone, former Chief Prosecutor for the United Nations War Crime Tribunals (1994-96), gave “Panorama” a precise definition of the war crime Sharon stands accused of: “A military commander and a political leader who was involved in giving instructions would clearly have an obligation under the law of war, and under the Geneva Convention, to ensure that innocent civilians were not murdered or raped or injured in any way. Command responsibility goes fairly far. It requires, obviously, knowledge of the danger to innocent civilians; if there’s that knowledge, then there’s an obligation to take reasonable steps to protect them.”

When Israel occupied West Beirut, it became responsible for the safety of all civilians, as Goldstone defined it. But in 1982, the Israeli government hid behind the legalistic fraud that Israel was not responsible for killings by the Phalange. Sharon claimed, “Not for a moment did we imagine that they would do what they did.” But “Panorama” interviewed Morris Draper, who, in 1982, was President Ronald Reagan’s special envoy for the Lebanese war, asking him to comment on Sharon’s “innocence through ignorance.” He replied: “Complete and utter nonsense. . . . You’d have to be appallingly ignorant. I mean, I suppose if you came down from the Moon that day you might not have predicted it.” When asked whether he had any doubts of Sharon’s responsibility, Draper said, “No doubt whatsoever.”

Draper was the author of the cease-fire agreement, and had promised the safety of the Palestinians. “Panorama” quotes his message to Sharon when the first reports of the massacres reached him: “You must stop the acts of slaughter,

they are horrifying. I have a representative in the camp counting the bodies. You should be ashamed. The situation is absolutely appalling. They’re killing children! You have the field completely under your control and are therefore responsible for that area.”

Richard Falk, Professor of International Law at Princeton University and a member of the United Nations commission that investigated the events, told “Panorama”: “Sharon’s specific command responsibility arises from the fact that he was minister of defense in touch with the field commanders, that he actually was present there in Beirut, that he met with the Phalange leadership, and it was he that gave the directions and order that resulted in the Phalange entering the camps in September. . . . There is no question in my mind that he is indictable for the kind of knowledge that he either had or should have had.”

Sharon’s defenders, including his spokesman Ranaan Gissen, use the report of the Kahane Commission, which was established by the Israeli government to investigate the massacre. The commission found that there was “no conspiracy” by the Israelis to perpetrate the massacre. Nonetheless, the commission found that Sharon “disregarded the danger of acts of vengeance and bloodshed by the Phalangists against the population of the refugee camps. He failed to take this danger into account when he decided to have the Phalangists enter the camps.” He failed to order “appropriate measures for preventing or reducing the danger of massacre as a condition for the Phalangist entry into the camps.”

Even this, under international law, is grounds for a war crimes indictment. Judge Goldstone, commenting on the Kahane Commission report, said, “Well, clearly, justice requires that criminals should be brought to book, and if people, re-

ardless of who they are, are shown by an investigation to have been in breach of the law, then clearly criminal prosecution should follow; and in the case of Sabra and Shatila, clearly the Kahane Commission found that very serious crimes had been committed, and I have no doubt any decent person would regret the fact that not a single criminal prosecution followed.”

In 1982, the affair led to the removal of Sharon as defense minister and a ruling that he was unfit to ever hold that post. That has not barred him from becoming prime minister.

The massacre led to the collapse of the cease-fire and the total discrediting of American Middle East policy. U.S. troops and citizens became open targets for terrorist attacks. Lebanon's civil war lasted another seven bloody years.

Will Sharon Be Thrown in the Dock?

The case filed against Sharon in a Belgian court promises to be every bit as dramatic as “The Accused,” but unlike the “Panorama” moderator, the Belgian judge will have the powers of the state supporting him. He has the power, in the form of subpoenas and indictments, to conduct interviews and interrogations. Although it is unlikely that Sharon will end up in a Belgian dock, this case promises to keep the Israeli Foreign Ministry and Sharon's spin-doctors very busy.

The Belgian government, particularly its Foreign Minister, Louis Marcel, has been very critical of Sharon's government, and supports fully the recommendations of the Mitchell Commission report, particularly its call for a freeze on Jewish settlements. Belgium will soon take on the EU presidency, from which position it will be able to make these concerns known. As the case proceeds, it will be followed closely throughout Europe.

Because Belgium has incorporated the Geneva Convention within its legal system, the 23 Palestinian survivors were able to present their case before its courts. They were represented by three lawyers, Luc Walley and Michael Verhaeghe of Belgium and Chibi Mallat of Lebanon, who told Reuters on June 18, “We hope that Mr. Sharon will be brought to justice, will be tried, and will defend himself.”

Both Walley and Verhaeghe are highly professional human rights lawyers. Walley is a member of *Avocats Sans Frontières*, and has prosecuted Belgian soldiers accused of human rights violations while serving as UN peacekeepers in Somalia; but, he has also handled the legal defense of a high Rwandan official accused of participating in the Rwanda genocide. Verhaeghe represented the International Confederation of Free Trade Unions in their case against former Chilean dictator Augusto Pinochet.

Walley told *EIR* he is confident that Judge Collignon, the investigative judge, will pursue a vigorous inquiry. The judge will no doubt receive assistance from other states such as Denmark or France, thus broadening his reach. The case can, and hopefully will, constrain Sharon's freedom of action in carrying out a Bush-backed war policy.

Khatami's Second Landslide Means Greater Role for Iran

by Muriel Mirak-Weissbach

The re-election on June 8, of Seyyed Mohammed Khatami, as President of the Islamic Republic of Iran, marked the consolidation of a revolutionary process begun with Khatami's overwhelming 69% mandate in 1997. The date of that event, has become the name of the movement, *Dovvom i-Khordad*, May 23, which has been fighting for reforms in Iranian society.

This time, Khatami received a thundering 77.88% of the vote—21,656,476 million voted—and in some cities, won even 95%. The turnout for the vote was estimated at 67%, down from the 83% in his first election, but still high by any standard.

Some commentators, and would-be expert think-tankers in the West, have seized on Khatami's landslide victory, to assert that Iran is about to abandon Islam, in favor of a secular society and culture, characterized by McDonalds hamburgers and designer dungarees. Nothing could be further from the truth.

The Economy Is the First Issue

Although there are groups inside Iran, heavily influenced by the worst and most degenerate aspects of Western culture, the broad masses who have rallied behind Khatami are citizens seeking a higher standard of living, through meaningful, productive, well-remunerated employment, and greater freedom of expression, especially through a free press. These, in fact, were the leading issues debated in the campaign. None of the major candidates challenging Khatami dared to call into question his reform course, which has such overwhelming support. It is significant, that the candidates fielded to oppose Khatami were not arch-conservatives (with few exceptions), but rather moderates, as it was clear that the far right conservative faction would have no following whatsoever among the people.

The issues dominating the campaign were the economy and social reforms. Opponent Shamkhani, in kicking off his campaign, said that he was running because he was “worried about Iranians getting poor, worried about the decline of living standards,” and cited the problem of unemployment, especially among youth, as central. Significantly, Shamkhani hailed the 1997 election of Khatami as “a great epic,” and