

“SHOOTING SPARROWS WITH CANNONS”: THE AL-AQSA INTIFDAH

Zeenat Adam (Master of Arts, International Relations, University of Witwatersrand)

Since its illegal establishment, Israel has been violating international law and human rights. Its atrocities go unchecked and unsanctioned. In its expropriation of Palestinian land and its acts of aggression on the people of Palestine, Israel has contravened several United Nations General Assembly and Security Council Resolutions. Israel has breached the Fourth Geneva Convention of 12th August 1949, of which it is a party to. Furthermore, Israel has violated the rights Palestinians have in terms of the Charter of the United Nations; the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993; the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, which affirm the rights to self-determination of all peoples and especially of those subject to foreign occupation. Israeli settlement activities, the expropriation of land, the demolition of houses, the confiscation of property, the expulsion of local residents and the changes made to the physical character and demographic composition of the occupied territories, including East Jerusalem are illegal and constitute a violation of the Geneva Convention relative to the Protection of Civilian Persons in Times of War.

The United Nations High Commissioner for Human Rights affirms that foreign occupation by the armed forces of a State of the territory of another State constitutes an obstacle to and a grave violation of human rights according to the Vienna Declaration. It is an act of aggression and crime against the peace and security of mankind according to General Assembly resolutions.

Despite the obvious illegalities of Israel's actions, the United States continues to shield Israel from any and all accountability to the international community at large as well as to the peoples who have been its victims. It has allowed Israel to continue with its own tyrannous program undeterred, leaving it unscathed by an international community that would have, in other circumstances, used its influence, its standing, and its leverage to constrain excesses and violations of international law.

America's current foreign policy in the region is ambiguous. While the fundamental right of peoples to self-determination is increasingly recognised by the US in framing policy toward other parts of the world, policy in, and relating to the Middle East is still conducted according to a Cold War mentality in which Israel is the primary beneficiary. Such international tactics and dual standards serve only to engender deep hostility among the populations at whom these blunt instruments are directed.

It comes as no surprise that the Palestinians have chosen to engage in an active struggle to claim what is rightfully theirs. The Palestinian people have the inalienable right to self-determination without external interference and the right to the establishment of their Independent State on their national soil. The people of Palestine have a legal and legitimate right of return to their birth right and are not bound by the Balfour Declaration of 1917, the UN Partition Plan of 1947, nor the Armistice Agreements of 1949, as they were not party to them. These acts imposed on the Palestinians by the United Nations and

the United Kingdom of Britain are deemed illegal and in violation of the Charter of the United Nations. Palestinians who choose to return to their home are entitled to compensation for loss of and damage to their property. Those who do not wish to return are entitled to compensation for their land and other property. The compensation should cover the exploitation of their property for 52 years and the anguish they have suffered at the hands of the Israelis for the same period in accordance with the procedures adopted in the case of Nazi victims.

With regards to the Israeli-Palestinian peace process, the South African government had initially adopted a policy of even-handedness, and indicated strong support for the Palestinian struggle for self-determination, by acknowledging that there are similarities between Palestine and Apartheid South Africa. The South African government should be commended for its willingness to recognise the State of Palestine, which, in itself, had a symbolic effect on the peace process at the time. It was a wise decision that dignified the Palestinian people and their claim for sovereignty. South Africa has consistently supported the various resolutions passed by the General Assembly and the Security Council on the Middle East, in order to bring about a just, humane and comprehensive peace in the region. However, with its policy of even-handedness and universality, the South African government has stressed that any voice expressed will be in support of international initiatives. This policy is indicative of the unwillingness of South Africa to adopt a stance in full support of Palestine, which is not surprising considering the important trade links South Africa has with Israel. The majority of South Africa's non-oil imports from the Middle East are from Israel, and of all the South African exports to the region, 50% of the products are received by Israel. The South African government was met with great criticism from human rights organisations and pro-Palestinian organisations recently when details of an arms deal with Israel were revealed. Previous arms sales to other Middle Eastern countries (for example, Syria) were aborted as a result of mounting pressure from the United States who argued that any sale of weapons to region would create further instability. The United States, once again showed its ambiguity in foreign policy by allowing the deal with Israel. The South African government now finds itself in a compromising position; having to justify its economic actions as opposed to its humanitarian actions. Deputy Foreign Minister, Aziz Pahad had, in the past, pointed out the irrationality of having a foreign policy based solely on human rights considerations. However, in the case of Palestine, it may be argued that South Africa is party to the violations effected by the Israeli military against the Palestinians. This is in contradiction to recent statements made by the Department of Foreign Affairs condemning the excessive use of force by the Israeli government.

South Africa now needs to engage in the Middle East at a greater level to ensure its vital interests in global human security and in its representation of the developing world at the United Nations. As the chair of the Non-Aligned Movement, South Africa was represented by President Thabo Mbeki at the Organisation of the Islamic Conference (OIC) summit in Qatar, where he expressed his outrage at the ineffectiveness of the United Nations in resolving the crisis in Palestine. South Africa is urged to adopt a similar stance at an international level at the United Nations by overtly supporting the proposed resolution brought to the United Nations by a fellow NAM state, i.e. Malaysia.

President Mbeki used the opportunity at the OIC summit to emphasise that there is a need for the restructuring of the United Nations in order for this international body to be effective and stressed that all UN resolutions pertaining to the Palestinian issue should be implemented with immediate effect. At this critical stage, as Palestine slides into a state of war, South Africa needs to assert its role as mediator and express its outrage at the human rights violations perpetrated by Israel.

In response to the violence in Palestine, concerned South Africans from various organisations and backgrounds met to form the Free Palestine Campaign in order to create an awareness in South Africa of the atrocities committed against Palestinians and to highlight similarities between Apartheid and Zionism. The initial response was to invite as many activist groups as possible ranging from COSATU to SASCO, including various Islamic and socio-political organisations. The impetus and the momentum of the fighting in Palestine demanded immediate responses that did not allow for too much delay and consensus. The protests and the presenting of a memorandum to the American embassy had to be expedited immediately. This did not deter spontaneity by thousands who attended rallies and protest meetings throughout the country in every major city and town. Though allowed by the South African government, the show of solidarity with the Palestinians was monitored by the State with a wary eye and fear that the violence in Palestine would spill over into South Africa, prompted by the urban terror in the Western Cape. The Free Palestine Campaign continues to invigilate the developments in Palestine and is in a continuous process of developing links with organisations, both locally and globally with the objective of rendering aid and influencing South Africa's foreign policy towards Palestine.

As the Al-Aqsa *Intifada* intensifies, faith in a negotiated settlement becomes more elusive. Israelis become more intransigent and the Palestinians, more desperate. How close to the brink of another full-scale Middle East war are we? How many more children will be sacrificed before a Palestinian State is realised?

