

## **The call**

*We are calling for the creation of a RUSSELL TRIBUNAL ON PALESTINE. This Tribunal 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 the breaches of international law, of which the Palestinians are victims, and which deprive the Palestinian people of a sovereign State.*

*The Advisory Opinion given by the International Court of Justice of The Hague on the 9th of July 2004 sums up those violations, and concludes, in particular, that Israel must dismantle the Wall and compensate the Palestinians for all the damage resulting from its construction.*

*This Opinion reiterates, in §163,D, that “All States are under an obligation not to recognise 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 the 12th of 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 the 24th of July 2004, by resolution ES-10/15 of the General Assembly of the United Nations, adopted by 150 Member States. 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 of international law as the basis for the settlement of the Israeli Palestinian conflict. It will identify breaches in the application of the law and will bring all the perpetrators to the attention of international public opinion.*

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

*Thanking you for your attention and your response to this appeal, and with cordial greetings.*

*Yours sincerely,*

**Ken Coates**

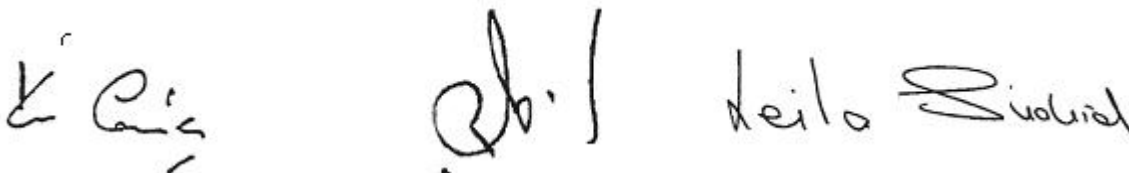
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**Nurit Peled**

Sakharov Prize 2001

**Leila Shahid**

General Delegate of Palestine to the  
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[http://www.russelltribunalonpalestine.net/pages/The\\_call-1153313.html](http://www.russelltribunalonpalestine.net/pages/The_call-1153313.html)

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- | [Nurit Peled](#) Sakharov Prize for Freedom of Thought 2001, Israel
- | [Leila Shahid](#) General Delegate of Palestine to the European Union, Belgium and Luxembourg, Palestine

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**Elias Sanbar** Writer, Palestine  
**José Saramago** Nobel Prize Literature 1998, Portugal  
**Jitendra Sharma** Lawyer, President of International Association of Democratic Lawyers, India

- | **Cindy Sheehan** Peace activist and author, USA
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- | **Sulak Sivaraksa** Professor, Right Livelihood Award 1995, Thailand
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- | **Puthan Veetil** Rajagopal President of Ekta parishad, India
- | **Itala Vivan** Professor, Italy
- | **Naomi Wallace** Playwright/Screenwriter, USA
- | **Michel Warschawski** Activist, Israel
- | **Francisco Whitaker** Right Livelihood Award 2006, Brazil
- | **Betty Williams** Nobel Peace Prize 1976, Northern Ireland
- | **Jody Williams** Nobel Peace Prize 1997, USA
- | **Jean Ziegler** sociologist, Switzerland
- | **Howard Zinn** Author, USA

[http://www.russelltribunalonpalestine.net/pages/The\\_Support\\_Committee-1143887.html](http://www.russelltribunalonpalestine.net/pages/The_Support_Committee-1143887.html)

### **National Support Committees**

National Support Committees (NSC) are created in any country where such an initiative is proposed and agreed upon by the IOC. National Support Committees contribute to fundraising; ensure popular mobilisation and media coverage. They can also be in charge of preparing one of the expert's reports on specific legal issues raised by the Tribunal. , which will then be handed in to the Expert and witnesses committee. In some cases, NSC can also be involved in the organisation of sessions of the Tribunal, when they take place in their country.

#### **Creation**

- | NSC are ad hoc structures, created with the sole objective to support the holding of a Russell Tribunal on Palestine.
- | NSC are made up of organisations with a national dimension and/or of individuals whose specific contribution justifies being affiliated.
- | NSC are pluralistic groups. They are open to all, except for those who promote racist or anti-Semite ideologies
- | In case regional initiatives are taken in a country, a national coordination will be organised.

#### **Role**

Knowing that International Organising Committee (IOC) is in charge of strategic decisions, NSCs have, from the start, the following attributions:

- | Contribute to fundraising for the RTP.
- | Seek for the support of people, organisations and associations (trade unions, NGOs, Human rights organisations, women's leagues, youth organisations...) to create a national support list
- | Upon agreement with IOC, seek for the support of people with an international stature and no current political mandate, for the international support Committee (presented in the brochure).
- | According to their interest and expertise, and with agreement by the IOC, NSC may be responsible for developing the arguments concerning specific legal issues raised by the Tribunal. For this, working sessions may be organised, with the participation of legal experts mandated by the IOC. This will ensure proper follow up when dealing with such issues at further stages of the Tribunal.
- | Ensure popular mobilisation in their country
- | Make interventions in the media or make sure that the RTP is covered by the media
- | Be in charge of the organisation of one of the sessions of the Tribunal, if it takes place in their country.

#### **Relationship NSC/ IOC**

- | The NSC will be acknowledged by the IOC.
- | The NSC mandates a member to participate in the IOC meetings, and to contribute to the coordination of the RTP.
- | The NSC informs regularly the IOC of its main activities
- | The IOC informs NSCs of its main activities and of those of other NSCs.
- | Fundraising activities with « classical » donors (Nqos, trade unions, foundations...) are coordinated with the IOC (share information, avoid contacting twice the same donor...)

#### **Interne rules**

- | Within the limits of the above elements, NSCs take their own decisions as for their functioning modalities.

[http://www.russelltribunalonpalestine.net/pages/National\\_Support\\_Committees-1143797.html](http://www.russelltribunalonpalestine.net/pages/National_Support_Committees-1143797.html)

### **Videos über die Konferenz am 4.3.2009:**

<http://www.dailymotion.com/RussellTribunalPalestine>

## Statement by Stéphane Hessel, 4 March 2009

*"(There is) a growing gap between the principles of international law and their application. If the great powers were not willing to rescue the principles they themselves had declared, the law itself would cease to exist"*

Géraud de la Pradelle

The Russell Tribunal on Palestine seeks to reaffirm the primacy of international law as the basis for the settlement of the Israeli-Palestinian conflict. It will build its work around the enunciation of law by authoritative bodies. The International Court of Justice, in its Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, has analysed the relevant provisions of International Humanitarian Law and International Human Rights Law, as well as dozens of international resolutions concerning Palestine. It is for this Tribunal to address the failure of application of law even though it has been so clearly identified. Our work starts where the opinion of the International Court of Justice stopped: highlighting the responsibilities arising from the enunciation of law, including those of the international community, which cannot continue to shirk its obligations.

The recent attack against the Gaza Strip, and massive violations of international law by Israel, make our initiative even more necessary and urgent. During this attack, the civilian population has been exposed to all the atrocities of war: they had nowhere to hide or flee, no international organisation able to provide protection, and no one respected their right to a bulwark against war crimes and crimes against humanity.

This Tribunal is, therefore, a contribution to the long struggle to build and consolidate international law. We are the custodians of this right that generations have helped to shape so that it is the expression of human and universal values. Future generations will judge us on the condition in which we bequeath this right. International law cannot be an instrument of the policy of double standards. Its credibility rests on the fact that compliance is required regardless of the identity of the one violating it, and the victims of these violations. We, civil society, aware that the weakening of law implies the reign of violence, have decided to be its staunch defenders.

The Russell Tribunal on Palestine, as once was the Russell Tribunal on War Crimes in Vietnam, which we are using as a reference, is therefore a citizens' action. This Tribunal of opinion has as its main goal to raise awareness of the responsibility of the international community in perpetuating the conflict. Intellectuals, peace activists, lawyers, politicians, members of organizations and charities have responded to this call to highlight the responsibilities of our governments. It is not enough to denounce the violation of law: we must work to stop it. But our governments have failed, not only through their inaction, but sometimes also by contributing directly or indirectly to the perpetuation of illegality. Our mobilisation is therefore essential to force these governments to finally take the necessary measures. Such mobilisation may be a saviour for the peoples of the region and for ourselves.

Thus, the Russell Tribunal on Palestine is also an important contribution made by people around the world in building peace, in accordance with the purposes and principles of the UN Charter. The occupation of their land is the main obstacle to the recognition of the legitimate rights of the Palestinian people, and consequently to a just and lasting peace in the Middle East. Impunity allows the perpetuation of the occupation, ruins the prospect of a viable Palestinian state, prolongs injustice, and leads inexorably to violence. By pitting ourselves against impunity, we are working to end an injustice that has lasted 60 years so that this region can look forward to a different and brighter future. Palestinians and Israelis, some of whom have contributed fully to our initiative, as well as all the peoples of the region, could enjoy a future of peace, coexistence and security.

[http://www.russelltribunalonpalestine.net/pages/Statement\\_Stephane\\_Hessel-1181185.html](http://www.russelltribunalonpalestine.net/pages/Statement_Stephane_Hessel-1181185.html)

## Statement by Nurit Peled Elhanan, 4 March 2009

These words are dedicated to the heroes of Gaza, the mothers and fathers and children, the teachers and doctors and nurses who are proving every day and every hour that no fortified wall can imprison the free spirit of men, women and children and no form of violence can subdue life.

I was asked to speak here as an Israeli. As an Israeli I live in the same country the Palestinians live in only on the other side of the wall. It is a very small country where Death has absolute dominion; Where Death has had dominion for too long. And yet, the world, the whole wide world is impotent against it. In the Jewish Democratic state of Israel all human values have been long wiped off by the blood of innocent babes. Racist discourse is legitimate and racist education is the only education allowed. Israeli children are raised on slogans such as love thy neighbour while being trained to kill their neighbours and their neighbours' children, demolish their houses, torture their elders and deprive their ill and their dying from medical help and care. Jewish mothers raise their children with all the love and attention Jewish mothers have and then rejoice when their children turn into murderers, and are proud when their children turn into corpses in uniform. In the Jewish democracy of Israel 324 children, most of them kidnapped from their beds in the middle of the night by fully armed soldiers, are held in the inhuman conditions of the Israeli prisons. In the Jewish democracy of Israel no-one is ever punished for killing Palestinian children; Israeli governments trade in human life and in human blood, in a market where non-Jewish blood and bones are worth much more than Jewish ones; Israeli candidates who wish to be elected to the office of PM have to outscore their rivals in the killing of Palestinians, and make grand promises to kill and expel more and more and more; In the Jewish democracy of Israel 20% of the citizens of the state are labeled in schoolbooks a demographic problem, threat and even a demographic nightmare; their language, their culture, their rights and their hopes are erased from the face of the earth both physically and symbolically.

Israeli attitude towards its Palestinian non-citizens has found its most horrifying expression in the ongoing pogrom that is still being carried out by the thugs of the Occupation army against the residents of the Gaza Strip. This is known to everyone and yet the world is powerless against it. The people of Gaza are still locked up in this immense prison, hungry, unemployed, ill and poor, with no means to escape or to better their lives in any way.

As an Israeli it is very painful to me to realize the word Israel has become the synonym of Oppression, tyranny, ruthless Apartheid and Racism, and that the star of David is equated in rallies all over the world to the swastika.

I wish this tribunal will encourage people to arise and go to Gaza – the city of slaughter - or to any other city of oppression in Palestine to see with their own eyes the horrifying ghettos in which these people are incarcerated, get married, have families, educate their children and lead an impossible day to day life.; I hope the free people of the world can have the courage to come to my country and defy all blockades and high walls and not give up until all barriers are broken and human dignity is restored. But the siege of Gaza is only one of many sieges imposed today in the world by democratic powers as well as by non-democratic ones. All those sieges are meant for one purpose: to silence the voice of freedom and justice.

My co-laureate of the Sakharov Prize, Prof. Izzat Gazzawi, a man of peace in spite the inhuman blows he suffered, who died of humiliation less than two years after receiving this prestigious award, wrote to me just before his heart surrendered, that he believed the Israeli soldiers who came to his house every night to break furniture and frighten the children wanted in fact to silence his voice. I have vowed then as I believe we all should vow every day, to do everything within our power so that his and other such brave voices will not be silenced.

When Jewish poet Bialik wrote after the Pogrom against the Jews in Kishiniev, "Satan has not yet created Vengeance for the blood of a small child," It did not occur to him that the child might be a Palestinian child from The holy land and his slaughterers - Jewish soldiers. And when he wrote:

*Let the blood pierce  
through the abyss! Let the blood seep  
down into the depths of darkness, and*

*eat away there, in the dark, and breach  
all the rotting foundations of the earth.*

He could not imagine that those foundations would be the foundations of the state of Israel, that a Jewish state would immerse all of us in the blood of little girls and boys up to our necks. Today, when the most enlightened civilizations commit the most heinous crimes out of greed, megalomania and pure racism Bialik's cry from hundred years ago resonates once again:

*"And I, my heart is dead, no longer is there prayer  
on my lips;  
All strength is gone, and  
hope is no more.  
Until when,  
How much longer,  
Until when?"*

[http://www.russelltribunalonpalestine.net/pages/Statement\\_Nurit\\_Peled-1177027.html](http://www.russelltribunalonpalestine.net/pages/Statement_Nurit_Peled-1177027.html)

### **Statement by Ken Coates, 4 March 2009**

The Russell Tribunal on War Crimes in Vietnam was constituted on November 13th 1966 at a meeting in London. Russell was joined there by Jean Paul Sartre, Vladimir Dedijer, Isaac Deutscher, and Lelio Basso, the distinguished Italian jurist, with a score of other notable men and women. At this meeting Russell said:

*"The Tribunal has no clear historical precedent. The Nuremberg Tribunal, although concerned with designated war crimes, was possible because the victorious allied powers compelled the vanquished to present their leaders for trial. Inevitably the Nuremberg trials, supported as they were by State power, contained a strong element of realpolitik ... our own task is more difficult ... we do not represent any State power, nor can we compel the policy makers responsible for crimes against the people of Vietnam to stand accused before us. We lack force majeure. The procedures of a trial are impossible to implement.*

*I believe that these apparent limitations are, in fact, virtues. We are free to conduct a solemn and historic investigation, uncompelled by reasons of State or other such obligations."*

It was difficult for the Tribunal to commence its work. Jean Paul Sartre had wanted it to sit in Paris, and had asked President de Gaulle to agree to such a meeting. The request was denied. At first it seemed that the Tribunal would have nowhere to convene, but then the Swedish authorities gave their consent to an opening session in Stockholm. This was followed by another session in Copenhagen. The findings of the Tribunal were published right across the world, and made a notable contribution to the development of public opposition to the war. It became impossible to ignore the atrocities which marked that conflict, and it can be said that the Tribunal made an important contribution to allowing the plight of the Vietnamese people to be, in Russell's words, "presented to the conscience of mankind".

Subsequently, a second Tribunal was constituted to examine repressions in Latin America. This was initiated by Lelio Basso, and Edith Russell extended the initial invitations to those who agreed to serve in the investigations. After three sessions, a Permanent People's Tribunal was established, and this continued its work in response to popular requests from many countries. Russell had died in 1970, so that all this work had to be carried through without him.

But now there were many others who sought to emulate the Vietnam enquiries, some of them in concert with participants in the original tribunals, and some of them spontaneously. Those of us who had been involved in the first phases of the Russell Tribunal could not of course direct the spontaneous initiatives which grew up in different countries of the world. Some of them concerned matters of which we strongly approved, and some of them we found slightly strange, such as the enquiry announced in Yugoslavia into the regulation of international football tournaments.

But the intensification of conflict around the world, and particularly in the Middle East, gave rise to acute international disquiet. In February 2003, all this culminated in demonstrations in which millions of people opposed the planned invasion of Iraq. This overrode the opposition, unleashing "shock and awe" against Iraqi cities and killing an estimated million people. Out of this came a World Tribunal on Iraq, with our explicit blessing, and a truly global range of participants. The final session of this Tribunal met

in Istanbul at the end of June 2005. It, too, could not reach judgements that were binding in international law. But, in the words of Arundhati Roy:

“Our ambitions far surpassed that. The World Tribunal on Iraq places its faith in the consciences of millions of people across the world who do not wish to stand by while the people of Iraq are being slaughtered, subjugated and humiliated.”

A key participant in this enquiry was Professor Richard Falk, who has subsequently been appointed as the United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967. Professor Falk set out to visit Gaza and the West Bank in connection with his new duties, when, last December 14th, he was arrested and detained at Ben-Gurion airport by the Israeli authorities, following which he was summarily deported.

At the time, we were actively involved in the preparation of a new Tribunal on Palestine, being convened on the initiative of Pierre Galand and his colleagues. I wrote to Professor Falk about this, seeking his advice. Of course, he could not commit the UN to our support, but he did say:

“Given the manner in which the UN operates, I will have to keep my Special Rapporteur role separate from the great work you have presided over for so long at the Russell Peace Foundation. This whole direction of civil society vigilance with respect to state crimes that are exempted from accountability due to power politics has had a great influence on my work for many years.

In the present situation, there is an unprecedented willingness of the UN System to acknowledge the importance of investigating whether war crimes have been committed in Gaza, and even the SG has indicated that if the evidence supports the allegations, as it surely does, then accountability should follow. At the same time I anticipate that political forces will sustain the impunity of Israeli leaders, and that no mechanism of accountability will be established.

In the light of this institutional vacuum, the role of civil society is crucial in establishing the grounds for the imposition of accountability in symbolic form. Such a proceeding, if well arranged, will also give additional support to the many initiatives now underway around the world involving boycotts, divestment, and the like, moves that were so effective in the anti-apartheid campaign. So I would encourage you to move ahead with your plans, perhaps placing emphasis on the plight of Gaza. Certainly any documentary record that emerges will be useful to me in preparing reports for the UN.”

[http://www.russelltribunalonpalestine.net/pages/Statement\\_Ken\\_Coates-1181192.html](http://www.russelltribunalonpalestine.net/pages/Statement_Ken_Coates-1181192.html)

[http://www.russelltribunalonpalestine.net/pages/Statement\\_Leila\\_Shahid-1200342.html](http://www.russelltribunalonpalestine.net/pages/Statement_Leila_Shahid-1200342.html)  
(nur video)

### Présentation de Pierre Galand 4 Mars 2009

Au départ de cette initiative, Nurit Peled, Leila Shahid et Ken Coates appellent à la création d'un **Tribunal Russell sur la Palestine** qui « réaffirmera la primauté du droit international comme base de règlement du conflit israélo-palestinien, (...) se chargera d'identifier les manquements à l'application de ce droit et d'en condamner tous les auteurs devant l'opinion publique internationale »

Avec l'aide de ces trois personnalités, le **Comité Organisateur** - qui, comme son nom l'indique, a la responsabilité de coordonner et de mener à terme cette initiative internationale - a eu pour première tâche de constituer un **Comité de parrainage**. Celui-ci comprend actuellement une centaine de personnalités des lettres, de la culture et du monde académique, scientifique et politique. Il s'agit de personnes d'envergure internationale, sans mandat politique en cours, qui procurent leur soutien politique et sont la caution éthique et morale du Tribunal.

Cette conférence de presse internationale a clairement pour but de lancer une nouvelle étape, en donnant le départ des travaux du Tribunal Russell sur la Palestine. Il s'agira en première instance, avec l'appui de **Comité d'Experts et de Témoins** et de **Comités nationaux d'appui**, d'analyser et d'établir les responsabilités de la communauté internationale dans la non application du droit international, qui aboutit à ce que Israël puisse poursuivre impunément l'occupation militaire des territoires palestiniens, coloniser, emprisonner, s'approprier les ressources naturelles Palestiniennes, et commettre des crimes de guerre et des crimes contre l'humanité comme dernièrement dans la bande de Gaza. Tout cela conduit à la désagrégation de la société palestinienne.

**Les comités d'experts et de témoins**, composés de juristes ainsi que des personnes qui ont une connaissance particulière sur un sujet à traiter par le Tribunal, sont chargés d'établir les faits et

l'argumentaire juridique qui sera soumis au Tribunal. Dans leur travail, les experts et les témoins aborderont des situations collectives, mais n'auront pas pour tâche de traiter des cas individuels.

**Les Comités Nationaux d'appui** sont constitués d'individus et/ou d'organisations qui se regroupent par pays pour contribuer à la réalisation des objectifs du Tribunal Russell sur la Palestine. Ces groupes peuvent ainsi prendre en charge la préparation d'un rapport d'expertise sur les manquements d'un pays ou d'un groupe de pays eu égard aux violations du droit international commises par Israël.

Les comités nationaux d'appui contribueront aussi à la recherche de financements, et s'assureront d'une bonne mobilisation populaire et médiatique autour du projet.

On peut déjà tabler sur de forts appuis provenant de l'Angleterre, la France, la Belgique, l'Espagne, la Suisse, l'Autriche, les Pays-bas, le Portugal, l'Irlande, le Liban, l'Algérie, l'Australie, l'Italie, l'Afrique du Sud, l'Egypte et, bien sûr, de la Palestine et d'Israël. D'autres contacts sont en cours pour que la constitution de comités soit étendue à d'autres pays et continents.

Enfin **Le tribunal** sera la phase ultime du processus, avec un jury chargé de prendre connaissance de l'ensemble des rapports, d'entendre les témoins à charge et à décharge, et d'énoncer les conclusions qui, nous pouvons l'espérer, entraîneront la plus large adhésion des opinions publiques internationales, et par delà, des décideurs politiques, en vue de contribuer à une paix juste et durable au Proche Orient. Le tribunal sera organisé en plusieurs sessions, dans différentes grandes capitales, et le jury sera composé de personnes connues et reconnues pour leurs hautes qualités morales, à l'exemple de Monsieur Stéphane Hessel qui préside aujourd'hui cette conférence.

En comptant que le travail de constitution des dossiers d'accusation et l'audition des témoins prendra 8 à 10 mois, les sessions du Tribunal se tiendront donc au début de l'année 2010.

[http://www.russelltribunalonpalestine.net/pages/Statement\\_Pierre\\_Galand-1200352.html](http://www.russelltribunalonpalestine.net/pages/Statement_Pierre_Galand-1200352.html)

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