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Craig Mokhiber

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Letter of resignation from Craig Mokhiber, Director of the Office of the United Nations High Commissioner for Human Rights in New York

As OHCHR, let us courageously and proudly join the growing anti-apartheid movement around the world by adding our logo to the flag of equality and human rights of the Palestinian people. The world is watching. We will all be held accountable for our position at this crucial moment in history. Let's stand on the side of justice.



Letter addressed to Mr. Volker Türk, High Commissioner for Human Rights:

Mr. High Commissioner,

This will be my last official communication as Director of the New York Office of the Office of the United Nations High Commissioner for Human Rights (OHCHR).

I am writing to you at a time of great distress for the world, including many of our colleagues. Once again, we are witnessing a genocide unfolding before our eyes, and the Organization we serve seems powerless to stop it.

As someone who has researched human rights in Palestine since the 1980s, lived in Gaza as a UN human rights adviser in the 1990s, and carried out several human rights missions in the country before and after those periods, this situation affects me personally.

It was also in these UN offices that I worked during the genocides against the Tutsis, Bosnian Muslims, Yazidis and Rohingya. In each case, as the dust settled over the horrors perpetrated against defenceless civilian populations, it became painfully evident that we had failed in our duty to meet the imperatives of preventing mass atrocities, protecting the vulnerable, and holding perpetrators accountable.

The same has been true of the successive waves of assassinations and persecution of Palestinians throughout the existence of the United Nations.

High Commissioner, we are failing once again.

As a human rights lawyer with more than thirty years of experience in this field, I am well aware that the concept of genocide has often been the subject of political abuse. But the current slaughter of the Palestinian people, rooted in an ethno-nationalist colonial ideology, a continuation of decades of systematic persecution and cleansing, based entirely on their Arab status, and coupled with explicit declarations of intent by the leaders of the Israeli government and army, leaves no room for doubt or debate.

In Gaza, homes, schools, churches, mosques and medical facilities are being attacked for no reason and thousands of civilians are being massacred. In the West Bank, including occupied Jerusalem, homes are confiscated and reallocated solely on the basis of race. In addition, violent pogroms perpetrated by settlers are accompanied by Israeli military units. Apartheid reigns throughout the country.

This is a textbook case of genocide. The European colonial and ethno-nationalist project of colonization in Palestine has entered its final phase, towards the accelerated destruction of the last vestiges of indigenous Palestinian life in Palestine. What's more, the governments of the United States, the United Kingdom, and much of Europe are fully complicit in this horrific assault. Not only do these governments refuse to live up to their obligations to "ensure compliance" with the Geneva Conventions, but they actively mount the offensive, provide economic support, intelligence, and politically and diplomatically cover up Israel's atrocities.

In line with all this, the Western corporate media, increasingly at the behest of governments, is in complete violation of Article 20 of the International Covenant on Civil and Political Rights, incessantly dehumanizing Palestinians to justify genocide, and

spreading war propaganda and appeals to national hatred. Racial or religious statements that constitute incitement to discrimination, hostility and violence.

U.S.-based social media companies drown out the voices of human rights activists while amplifying pro-Israel propaganda. Internet policemen from the Israel lobby and *GONGOS* [*government-organized "NGOs"*] harass and smear human rights defenders, and Western universities and employers collaborate with them to punish those who dare to denounce atrocities. In the wake of this genocide, these actors will also be held accountable, as was the case with Radio des Mille Collines in Rwanda.

In such circumstances, our organization is more called than ever to act in an effective and principled manner. But we didn't rise to that challenge. The protective power of the Security Council has been blocked once again by the intransigence of the United States, the Secretary-General is under attack for his petty protests, and our human rights mechanisms are being subjected to slanderous attacks supported by an organized online network that defends impunity.

Decades of distraction by the illusory and largely disappointing promises of Oslo have distracted the Organization from its essential duty to protect international law, human rights and the Charter itself. The mantra of the "two-State solution" has become an open joke in the corridors of the United Nations, both because of its utter impossibility in practice and because of its utter failure to take into account the inalienable human rights of the Palestinian people.

The so-called "Quartet" is nothing more than a fig leaf for inaction and submission to a brutal status quo. The reference (written by the United States) to "agreements between the parties themselves" (rather than international law) has always been an obvious sleight of hand, aimed at strengthening Israel's power against the rights of occupied and dispossessed Palestinians.

Mr. High Commissioner, I joined this Organization in the 1980s because I found an institution based on principles and norms that were decidedly on the side of human rights, even in cases where the powerful United States, the United Kingdom and Europe were not on our side.

While my own government, its subsidiary institutions, and much of the U.S. media continued to support or justify apartheid South Africa, Israeli oppression, and Central American death squads, the United Nations stood up for the oppressed peoples of those countries. We had international law on our side. We had human rights on our side. We had

principles on our side. Our authority was rooted in our integrity. But that's no longer the case.

In recent decades, important members of the United Nations have caved in to U.S. power and fear of the Israel lobby, abandoning these principles and renouncing international law itself. We have lost a lot in this neglect, including our own global credibility.

But it is the Palestinian people who have suffered the greatest losses because of our failures. Ironically, the Universal Declaration of Human Rights (UDHR) was adopted the same year that the Nakba was perpetrated against the Palestinian people.

As we commemorate the 75th anniversary of the Universal Declaration of Human Rights, we would do well to abandon the hackneyed myth that the UDHR was born out of the atrocities that preceded it, and admit that it was born at the same time as one of the most heinous genocides of the twentieth century, that of the destruction of Palestine. In a way, the authors of the Declaration promised human rights to all but the Palestinian people. Let us also not forget that the United Nations committed the original sin of facilitating the dispossession of the Palestinian people by ratifying the European colonial project that seized Palestinian land and handed it over to settlers. We have a lot to apologize for.

But the path of atonement is clear. We have much to learn from the principled stance taken in recent days in cities around the world, where millions of people are demonstrating against genocide, even at the risk of being beaten and arrested. Palestinians and their allies, human rights activists of all stripes, Christian and Muslim organizations, and progressive Jewish voices saying "not in our name," are leading the way. All we have to do is follow them.

Yesterday, a few blocks from here, New York's Grand Central Station was completely overrun by thousands of Jewish human rights defenders, who stood in solidarity with the Palestinian people and demanded an end to Israeli tyranny (many of whom are at risk of arrest). In doing so, they swept away in an instant the propagandistic argument of Israeli hasbara (and the old cliché of anti-Semitism) that Israel somehow represents the Jewish people. This is not the case. And, as such, Israel is solely responsible for its crimes.

In this regard, it bears repeating, despite the slanders of the Israel lobby, that criticism of Israel's human rights violations is not anti-Semitic, any more than criticism of Saudi violations is Islamophobic, criticism of Myanmar's violations is anti-Buddhist, or criticism of Indian violations is anti-Hindu. When they seek to silence us by slandering us, instead of silencing us, we should raise our voices. I hope you will agree, Mr. High Commissioner, that this is the essence of speaking truth to power.

But I also find hope in all the members of the United Nations who, despite enormous pressures, have refused to compromise the Organization's human rights principles. Our independent special rapporteurs, commissions of inquiry and treaty body experts, as well as most of our staff, have continued to defend the human rights of the Palestinian people, even as other members of the United Nations (including at the highest level) have shamefully bowed to the powerful.

As the guardian of human rights standards, OHCHR has a special duty to ensure them. Our task, I believe, is to make our voices heard, from the Secretary-General to the last UN recruit and horizontally, throughout the UN system, insisting that the human rights of the Palestinian people are not debated, negotiated or compromised anywhere under the blue flag.

So what would a position based on UN standards look like? What would we be working on if we were true to our rhetorical exhortations on human rights and equality for all, accountability for offenders, reparations for victims, protection of the vulnerable and empowerment of rights-holders, all within the framework of the rule of law?

The answer, I believe, is simple: if we have the lucidity to see beyond the propaganda smokescreens that distort the vision of justice to which we have sworn, the courage to abandon fear and deference to powerful states, and the will to raise the banner of human rights and peace. Admittedly, this is a long-term project and a steep road.

But we must begin now, unless we surrender to unspeakable horror. I see ten key points:

1. Legitimate action: First, we at the United Nations must abandon the failed (and largely fallacious) Oslo paradigm, its illusory two-state solution, its impotent and complicit Quartet, and the subversion of international law to the dictates of its supposed political merits. Our positions must be unequivocally based on human rights and international law.
2. A clear vision: We must stop pretending that it is simply a territorial or religious conflict between two warring parties and admit the reality of the situation, which is that a state with disproportionate power is colonizing, persecuting, and dispossessing an indigenous population because of their ethnicity.
3. A single state based on human rights: We must support the establishment of a single, democratic and secular state throughout historic Palestine, with equal rights for Christians, Muslims and Jews, and, consequently, the dismantling of the deeply racist colonialist project and the end of apartheid throughout the territory.
4. Anti-apartheid struggle: We must redirect all UN efforts and resources to the fight against apartheid, as we did with South Africa in the 1970s, 1980s and early 1990s.

5. Return and compensation: We must reaffirm and insist on the right of return and full compensation for all Palestinians and their families currently living in the occupied territories, Lebanon, Jordan, Syria and the diaspora around the world.
6. Truth and Justice: We must demand a transitional justice process, which makes the most of the decades of investigations, investigations, and reports accumulated by the UN, in order to document the truth and ensure accountability for all criminals, compensation for all victims, and reparation for documented injustices.
7. Protection: We must insist on the deployment of a UN protection force with sufficient resources and a strong mandate to protect civilians from the river to the sea.
8. Disarmament: We must advocate for the withdrawal and destruction of Israel's massive stockpiles of nuclear, chemical and biological weapons, thus preventing the conflict from leading to the total destruction of the region and, who knows, beyond.
9. Mediation: We must recognize that the United States and other Western powers are not credible mediators, but parties to the conflict, who are complicit with Israel in violating Palestinian rights, and we must confront them as such.
10. Solidarity: we must open our doors (and those of the General Secretariat) to the legions of Palestinian, Israeli, Jewish, Muslim and Christian human rights defenders who stand in solidarity with the people of Palestine and their rights, and end the uncontrolled flow of Israeli lobbyists into the offices of UN leaders, where they advocate the continuation of the war. persecution, apartheid and impunity, while denigrating our human rights defenders for their principled stance on Palestinian rights.

It will take years to get there, and the Western powers will fight us every step of the way, so we have to be firm. We must work for an immediate ceasefire and an end to the siege of Gaza, oppose the ethnic cleansing of Gaza, Jerusalem, the West Bank (and elsewhere), document the genocidal attack on Gaza, help provide Palestinians with massive humanitarian aid and reconstruction, care for our traumatized colleagues and their families, and fight with all our might to ensure that the approach of the United Nations political offices is principled.

The failure of the United Nations in Palestine so far is no reason for us to give up. On the contrary, it should encourage us to abandon the paradigm of the past that has failed and to fully embrace a more principled course of action.

As OHCHR, let us courageously and proudly join the growing anti-apartheid movement around the world by adding our logo to the flag of equality and human rights of the

Palestinian people. The world is watching. We will all be held accountable for our position at this crucial moment in history. Let's stand on the side of justice.

Thank you, High Commissioner Volker, for listening to this latest appeal from my office. In a few days I will be leaving the Office for the last time, after more than three decades of service. But feel free to contact me if I can be helpful in the future.

I beg you, Mr President, to accept the expression of my distinguished greetings,

Craig Mokhiber, October 28, 2023

Cover photo: Craig Mokhiber, Director of the Office of the United Nations High Commissioner for Human Rights in New York – Credit: United Nations Audiovisual Library

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