

ratitor's note: The following interview has been edited to remove the embolalia [**embolalia** (m-bo-la'li-ya) **n.** the use of virtually meaningless filler words, phrases, or stammerings in speech, whether as unconscious utterings while arranging one's thoughts or as a vacuous inexpressive mannerism] and minimally clean-up grammatical syntax to enhance readability.

----- Original Message -----

From: Francis A. Boyle

To: Killeacle (E-mail)

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Amnesty on Jenin

Dennis Bernstein and Dr. Francis Boyle Discuss the Politics of Human Rights

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Editor's Note

It has often been said that Amnesty International's agenda tends to fit nicely with the political needs of the United States and Great Britain. Around the world, supporters of the Nicaraguan people's struggle for self-determination were outraged by the timing of a 1986 Amnesty report critical of the Sandinista government, which helped Reagan push another Contra Aid appropriation through a reluctant congress, at exactly the moment when the anti-Contra movement was beginning to get serious political traction.

With regard to South Africa's apartheid regime, AI was critical of the human rights record of the South African government. However, as you will see below, AI never condemned apartheid *per se*. By the time Amnesty endorsed the Hill & Knowlton nursery tale concerning Kuwaiti infants pulled from incubators by Iraqi soldiers, many otherwise sympathetic observers of Amnesty's work became increasingly alarmed.

More than a decade of grassroots organization within Amnesty's membership base finally succeeded just two years ago in moving the organization to take a position critical of the genocidal sanctions against the people of Iraq, sanctions which have killed approximately a million and a half Iraqis, one third of them children. According to Dr. Boyle, this was political, and it clearly served the interests of the U.S. and Britain, the two governments on the Security Council preventing the lifting of the sanctions.

A recent search of internet shows that AI Venezuela very quickly took up the U.S. line by charging President Chavez with crimes against humanity for the bloodshed during the recent failed coup attempt against his administration. Amnesty's performance on the April massacre at Jenin is another blot on its frequently laudable record. As our readers are aware, the United Nations attempted to investigate the Jenin massacre, but was prevented from doing so by Sharon and Bush. The announcement on May 3[, 2002] by Human Rights Watch of "no massacre at Jenin" effectively killed the story, although there was a lot of argument about what constitutes a massacre. No such arguments were heard when a suicide bomber turned a Passover dinner into a tragedy.

This magazine will cover the topic of Human Rights Watch in a future issue. For this issue, we were fortunate to be forwarded the transcript of a June 13th [2002] interview with Dr. Francis A. Boyle, professor of International Law and former board member of AI. What follows is a shortened version of the transcript.

[Image published in *CovertAction Quarterly*]

Jenin, May 2002: View from the doorstep of a young Palestinian medical relief worker. Standing in her doorway looking in disbelief over the destruction, we asked if there had been a road there. "No," she replied, "just homes."

Dennis Bernstein preface to interview

There has been much criticism of late about the role of Western Non-Governmental Organizations (NGO's) in international politics. Following the massacre in Jenin, a less-than-vigorous response from Western NGOs helped make it possible for Sharon to delay and finally derail a UN investigation. One NGO which seems to enjoy a kind of teflon immunity to criticism, particularly regarding the illegal Israeli occupation of Palestine, is Amnesty International, a human rights organization so big and so influential that its reports and investigations are cited everywhere, including the halls of Congress.

Yet in Jenin, its lackluster investigation -- a few initial press releases, compared to a timely fifty page report by the much smaller Human Rights Watch -- only added to the suffering there. It is indeed troubling, that while respected forensic pathologist, Dr. Derrick Pounder, who works with AI, reported, after a visit to Jenin, that there was a "*prima facie* case for war crimes." Amnesty didn't follow up.

Without question, Amnesty does a great deal of crucial work, which is relied on by journalists and activists around the world. However, Amnesty has made huge mistakes in the Middle East and these cannot be overlooked in any fair and balanced assessment of Amnesty's role in international politics.

For instance, as you will see below, as the first Bush administration was maneuvering the nation toward war in Iraq, Amnesty played a crucial role in preparing U.S. and international public opinion by lending credence to the notorious Hill & Knowlton "Kuwati dead babies" scam.

To shed light on the question of why Amnesty's record seems to be so uneven, I interviewed longtime human rights activist and International Law scholar Francis Boyle. Boyle has a long and shaky relationship with Amnesty. While serving on the board of Amnesty USA in the late 1980s and early 1990s, Boyle repeatedly tried to get the group to investigate the brutal Israeli treatment of Palestinians with little success.

D Bernstein: We are going to be talking about the restrictions and hesitations that seem to be coming out of Amnesty International, and I think before we get into the substance of the questions, why don't you just talk a little bit about your own background and your experience with Amnesty International over the years.

F Boyle: I got very actively involved in 1982. At that time I was leading the legal charge against the Israeli invasion of Lebanon, and I tried very hard to get Amnesty International USA to do something.

You had massive death and destruction, carnage, ultimately 20,000 people in Lebanon were pretty much exterminated. And Amnesty International USA refused to do anything at all because of the pro-Israel bias that concerns that organization. And finally, I remember when having given up getting them to do anything, calling the late Irish Nobel Peace Prize winner Sean MacBride, a friend of mine, at his home in Dublin and explaining the situation and asking him to intervene with Amnesty International in London at the headquarters to get them to do something.

And it was curious of course -- they hadn't done anything either. But Sean did place a call to the Amnesty secretary-general. Sean was on their international board at the time. And I think they put a half-researcher on it, which was pretty pathetic between you and me. If you go back and read the Amnesty report for '82, it's pretty shameless given the death and destruction that was inflicted in Lebanon.

Amnesty was no worse than any other so-called human rights organization here in the United States at that time. None of them said or did absolutely anything at all about 20,000 dead Arabs in Lebanon except the American Friends Service Committee. They put together a working group on Lebanon, asked me to join, I was involved. And they did put out a very courageous, hard-hitting report, spent a lot of time on it. It's very objective, very thorough. They had people on the ground over there in some danger for their lives to get this information for us.

But Amnesty wouldn't do anything. Eventually what happened, members of Amnesty knew of my efforts and were very upset that they refused to do anything about 20,000 dead Arabs in Lebanon. So they ran me and a group of others for the board of directors by a petition process. We were all knocked off the ballot by pro-Israel members of the board. So everyone else asked me to represent them with Amnesty International. I threatened a lawsuit on behalf of my colleagues that, if we were not returned to this ballot, I would invalidate all their elections. Not only did I threaten a lawsuit. I had to go out to New York to file the lawsuit. Finally they settled on our terms on a Sunday afternoon before I was to file the lawsuit Monday morning.

I was elected to the board of directors in 1988. I spent four years on the Amnesty board for two terms and tried very hard to get them to do something on behalf of Lebanese and Palestinians as well as many other issues. Amnesty is bad not just on Israel. I tried to get them to do more on Northern Ireland, Puerto Rico, American Indians, a lot of other subjects that are not necessary to go into here. After four years on the board, I figured I had done enough and it was time to move on.

DB: Let's talk about Amnesty International and the carnage of Jenin. I'm thinking specifically of Jenin. But generally speaking, how does Amnesty International decide what to focus on and what to say and what not to say?

FB: Amnesty International is primarily motivated not by human rights but by publicity. Second comes money. Third comes getting more members. Fourth, internal turf battles. And then finally, human rights, genuine human rights concerns. To be sure, if you are dealing with a human rights situation in a country that is at odds with the United States or Britain, it gets an awful lot of attention, resources, man and womanpower, publicity, you name it. They can throw whatever they want at that.

But if it's dealing with violations of human rights by the United States, Britain, Israel, then it's like pulling teeth to get them to really do something on the situation. They might, very reluctantly and after an enormous amount of internal fightings and battles and pressures. But it's not like the official enemies list.

Amnesty International sent three people out there [to Jenin] and came back with nothing more than a news release dated April 22 [2002], saying, we received credible evidence of serious human rights violations. They came up with a list of eight. And that was it. It's pretty shameless that that's the best they could do. It

seemed to me, given the way Amnesty works, this was a typical "CYA" (cover your ass) operation, which is, they knew they were going to have to do something on Jenin, so they did the least amount possible in order to cover themselves.

DB: So they did a preliminary report and very little follow-up.

FB: This is not even a preliminary report, Dennis. This is nothing more than a news release. It's a press release. There is no preliminary report. As I said, I think more investigation must be done in Jenin. As you know, the United States government headed off the UN fact-finding commission.

Now we know in the massacre in Sabra and Shatila, certainly one of the best reports was by a very courageous Israeli journalist, Amnon Kapeliouk, and that was investigated ultimately by different organizations that got over there, one of whom was not Amnesty International. Eventually we did have a pretty good idea of exactly what happened at Sabra and Shatila.

Amnesty does not have any report [on Jenin]. This is a press release. That's all they have. There's absolutely nothing there that you know you can really get your hands on. Again, my conclusion on this was that this was a typical "CYA" operation; that they knew various people were going to say to them, 'What did you do on Jenin?' So they sent this team out. They came back with very little, put it on their web site and said, "There, that's what we did on Jenin."

DB: Of course it is troubling because their own people -- for instance Dr. Derrick Pounder a forensic pathologist whom I interviewed -- have said there was a *prima facie* case for war crimes. Yet Amnesty did not follow up.

FB: Let me say one thing. In fairness to Amnesty International, after twenty years of not dealing with Israel, they finally are prepared to use the word "war crimes." They've done the best they can for the last twenty years to avoid using the term "war crimes" when it comes to Israel. They'll use euphemisms like "human rights violations" or "violations of international humanitarian law." If you're an expert, you know a violation of international humanitarian law is a war crime. But only recently, and with respect to Jenin, did they finally come out and use the word "war crime." But it's taken them about twenty years to get to that point with respect to Israel.

I understand there is some conflict here as to exactly what happened and why and what were the circumstances, charges on both sides. I know that it is emotional for people on both sides with attachments to the different sides. But all I can say about Amnesty International is, after twenty years, at least they use the word war crimes. I guess that's progress. Maybe twenty years from now, they might do something more. I really don't know.

DB: i want to talk to you now a little about the connections between the British and U.S. foreign policy circles and Amnesty International. Again, I'm talking in the context of Jenin. We now know, according to the *Marine Corps Times* (May 31,

2002) that the U.S. military was with the Israeli military. They were there as the Israeli military went into Jenin and went door to door and attacked with helicopters. They say they were there to study the way in which Israelis do this kind of urban action.

Talk a little about Amnesty, its relationship to the U.S. and British government, and how perhaps the relationship between the U.S. military and the Israeli military (particularly in working with them in Jenin) might have something to do with Amnesty's reluctance to thoroughly investigate what happened.

FB: Of course we know the U.S. military is over there and has been over there, Special forces and whatever, working with the Israelis. We also know the whole place has been penetrated by the CIA. So clearly this raises the question of U.S. complicity in what happened at Jenin. Or it could be participation, I don't know. I'm a lawyer, I try to be cautious and careful in my characterization. But certainly it raises the question of complicity without any doubt at all.

This happened at, for example, Sabra and Shatila. Eventually, it did come out that the United States Embassy had been notified that a massacre was going on at Sabra and Shatila, and despite that, did nothing for 48 hours so that the massacre could be concluded before the U.S. embassy said anything at all about it to the Israelis. This despite the fact that Philip Habib (then U.S. Envoy to the Middle East himself, on behalf of the United States government) had personally promised Arafat that if the PLO fighters abandoned the camps where they were protecting the innocent civilians, from the Christian Phalange, from outright massacres that the Phalange had said they were going to perpetrate, as well as [from] the Israeli Army, that the U.S. would guarantee their protection. And yet we knew, the U.S. government knew for a fact, that the massacre was going on. Apparently they had an intelligence source there at the scene -- we're not sure who it was -- and they let it happen anyway.

So it would not surprise me if we were in a similar situation here. I'm not surprised at all that the United States government knew exactly what was going on. They very well might have coordinated, I don't know. But certainly that aspect needs to be investigated as well.

DB: Now, having said that about these connections between the U.S., British and Amnesty International foreign policy--

FB: Sure, you'll see a pretty good coincidence of the enemies that Amnesty International goes after and the interests of both the United States and British governments. Let's take an older example -- apartheid in South Africa under the former criminal regime in South Africa. Amnesty International refused adamantly to condemn apartheid in South Africa. Despite my best efforts while I was on the board, and other board members, they would not do it. They are the only human rights organization in the entire world to have refused to condemn apartheid in South Africa. Now they can give you some cock-and-bull theory about why they wouldn't do this. But the bottom line was that the biggest supporter, economic

and political supporter of the criminal apartheid regime in South Africa was the British government, followed by the United States government. And so no matter how hard we tried, no matter what we did, they would not condemn apartheid in South Africa. Now I mention that as one among many examples.

When I tried to work with the Amnesty International chapter down in Puerto Rico, they had invited me to go down there to speak (they're separate from AI USA). They invited me. I met them. They came to our convention. I worked with them. I helped get the AI USA general meeting to adopt two resolutions dealing with the human rights situation in Puerto Rico as well as the deplorable condition of Puerto Rican political prisoners in U.S. jails. They then asked me down there to give the keynote address on the right of Puerto Rican political prisoners to be treated as prisoners of war. Amnesty International London and New York did everything humanly possible to sabotage and prevent and interfere with my trip to Puerto Rico and my ability to get up there and give that keynote address.

On Israel, I could give you twenty years of what they've done to try to sabotage, interfere with, prevent, cover up on Israel. Of course the worst instance is well known and that's the Kuwaiti dead babies report. I was on the Amnesty International USA board at that time. It was the late Fall of 1990 and, as you know, we were on the verge of going to war. There was going to be a debate coming up in the United States Congress and a vote. At the end of November or so, mid-November, since I was a board member, I got a pre-publication copy of the Amnesty report on the Iraqi invasion of Kuwait. I immediately read through this report and it was sloppy. It was inaccurate. Even its statement of applicable law. It did not seem to me that it had gone through the normal quality control process.

As for the allegation about the Iraqi soldiers taking babies out of incubators and putting them on the floor of the hospital where they did, I didn't know if that was true or not, but it certainly sounded very sensationalist to me. As a result of that I made an effort to hold that report back for further review, on those grounds that I gave to you. I also enlisted a fellow board member for the same reason, and he and I both tried, and I made the point, even if this story about the dead babies is true, it's completely sensationalist, and it is simply going to be used in the United States to monger for war, and could turn the tide in favor of war. And so we really need to pull back on this, further review, more study.

They wouldn't do it. It was clear it was on the fast track there in London. This was not AI USA, this was in London. It had been put on the fast track. They were ramming it through. They didn't care. Finally I said look, let us at least put out an Errata report to accompany it on those aspects that are clearly wrong. They refused to do that either. They then put the report out and you know what a terrible impact that had in terms of war propaganda. Of the six votes in the United States Senate that passed the resolution to go to war, several of those senators said that they were influenced by the Amnesty report. Now I want to make it clear this was not a job by Amnesty International but by London. What

happened then, when the war started, at the next AI USA board meeting, I demanded an investigation. By then it had come out that this was Kuwaiti propaganda put together by the PR firm, Hill & Knowlton and I demanded an investigation.

Absolutely nothing happened. There was never an investigation. There was total stonewalling coming out of London. They refused ever to admit that they did anything wrong. There has never been an explanation. There has never been an apology. It's down the memory hole like *1984* and Orwell.

My conclusion was that a high-level official of Amnesty International at that time, whom I will not name, was a British intelligence agent. Moreover, my fellow board member, who also investigated this independently of me, reached the exact same conclusion. So certainly when I am dealing with people who want to work with Amnesty in London, I tell them, "Look, understand, they're penetrated by intelligence agents, U.K., maybe U.S., I don't know, but you certainly can't trust them."

DB: Is Amnesty International a democratic organization whose leadership is accountable to its members?

FB: I can only speak of AI USA. In theory it's supposed to be. In theory it's elected. But what you have is a board that is basically selected by a process of co-optation. That is, it's a small clique of people who have been in power for a good twenty years, or their friends and their buddies that they co-opt through a bogus nominating process to put on there. There is a kind of petition process from the grassroots to have other voices on there. That's how I got on that board. So many members were disgusted with the fact that Amnesty would not do anything on Israel that I was nominated by means of the petition process. It's not easy to do. You have to get at least a hundred signatures and they're all very carefully scrutinized and this, that, and the other thing. Even then, I and my colleagues were disqualified by the little clique who sits on this board. Then I had to threaten a lawsuit. As I said, not just threaten a lawsuit, but fly out to New York to file the lawsuit. Only then did my name appear on the ballot and then I was elected.

Moreover, another interesting point back in 1982, because of my efforts to try to raise what Israel was doing in Lebanon, I was asked to attend the first meeting of what later became the Amnesty International USA Middle East coordination group that's supposed to coordinate human rights work on the Middle East, which I did. In other words I was one of the founders of the Amnesty International Mideast coordination group. Shortly thereafter I gave a speech here in town condemning what Israel was doing in Lebanon that was reported in the local news media. I made it clear I wasn't speaking on behalf of Amnesty International or anyone else but myself. But it was an Amnesty meeting. Immediately thereafter, the chair of the board of directors of Amnesty International ordered no one to have anything more to do with me. And they didn't. It was a total cutoff.

DB: Was this order put in writing?

FB: It was verbal, for sure. Even though I was on their committee and even though I was one of the founders of their committee, thereafter they would have nothing at all to do with me, except that when I got elected to the board, then they had to deal with me. That's the way they certainly worked when it came to Israel. And that continued. As I said, in 1992 or so, I figured I had better things to do with my time.

I keep my membership and I do keep an eye on the reports that come out to see what they're saying, what position they're taking. Indeed, I've gone on the Internet [and read] dissections of some of their reports when it comes to Israel, and the people who do these reports over in London and here in the United States. They're very clever, sharp, and sophisticated people. They know exactly what they're doing. And if you go through it, you'll see it supports the Israeli party line on whatever the issue is. Or finally, after many years of outing them on this, now they're no longer supporting it but they're not doing much. At least the thing on Jenin here is not supporting any Israeli party line. But previous reports in the not too distant past, if you go through them carefully, you'll see that their legal characterizations of the nature of the conflict, the status of these territories, the status of Jerusalem, tracks the Israeli party line.

DB: How does the leadership reconcile its stated objectives with its actual practice? How do they go about rationalizing their actions?

FB: They don't care. They're completely and totally arrogant. "We are Amnesty International. We are the world's largest and most powerful human rights organization. We won the Nobel Peace Prize for our work. So we do whatever we want." And again, if you don't believe me, go search your Lexis-Nexis database and see if there has ever been an apology by Amnesty International for the Kuwaiti dead babies report. To the best of my knowledge, there was no official apology or investigation or explanation. They just toughed it out.

DB: Now we know that at the end of that war, the United States was responsible for killing perhaps as many as 100,000 people who were trying to flee at the end of the Gulf War. Did Amnesty ever do a report on that?

FB: I don't know. After a certain point, I realized that I was wasting my time worrying about what Amnesty International was doing on that.

DB: To be clear Professor Boyle, in terms of Jenin, are you suggesting that it is because of those close connections between Amnesty International, British-U.S. intelligence, the Israelis, the fact that the U.S. plays such a closer role with the Israelis, there's so much CIA and military intelligence on the ground, that that would be the reason that Amnesty International would step back and not touch it.

FB: That, and in addition, you have here in the United States the very powerful rule played by the Israel lobby on Amnesty International USA. They are very powerful; they apply enormous pressure on Amnesty International USA,

headquartered in New York. Amnesty International USA pretty much kowtows to them and they use contributions to make sure that Amnesty International USA tows the line on Israel and Amnesty International USA pays about 20% of the London budget. So that has an impact over in London too. I do not know about direct lobbying with the London Amnesty International office by the British equivalent of the Israel lobby here. I don't know personally about that. But I do know AI USA pays 20% of their budget.

I remember once -- this was when I was on the board -- the Amnesty International secretary general was coming over to the United States for a trip and I got his agenda. He was meeting with just about every pro-Israel group and leader you could possibly imagine on that list here in the United States. Undoubtedly, they were all going to claim that Amnesty was even doing too much with respect to Israel.

If I remember, on that list, they might have scheduled time to meet with one or two Arab American leaders. Internally, this is the way it's done. You have large numbers of people on that board of directors here in the United States who are pro-Israel and do everything possible to prevent, sabotage, obstruct effective work on Israel, up to and including getting rid of a former executive director here in the United States because, I hate to say this but, under my influence and one or two others, we did try to get him and some others to do more effective work on Israel. Finally, when I was off the board, there was a purge. So that's the way it works. It's highly political, highly coercive, and eventually if you get out of line, they'll get rid of you.

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Further Reading

1. For extensive discussion of the role of public relations in preparing public opinion for the Gulf War and other crimes against humanity, see: *CovertAction Quarterly*, Number 44, Spring 1993.
2. For full coverage of the Gulf War, see *CovertAction Information Bulletin*, Number 37, Summer 1991.
3. "Physicians for Human Rights Forensic Team Preliminary Assessment, Jenin", April 21-23, 2002.
4. "Jenin: IDF Military Operations," Human Rights Watch Report, Vol. 14, No. 3, May 2002.
5. Charmaine Seitz, "Excavating the Crimes of War; What really happened in Jenin?" *In These Times*, May 27, 2002.
6. For the forthright, uncensored views of Israeli peace activists living in Israel see: Gush Shalom.

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