

Defending Richard Falk
NGOs Joint Letter to U.S. Ambassador Susan Rice

The United Nations Human Rights Council chooses Special Rapporteurs based on their knowledge, commitment to human rights, and crucially, their independence. A Special Rapporteur must be prepared to stand up to government attacks, at times including insult, abuse, even arrest and expulsion, particularly from the government under investigation, and too often from that government's most powerful allies.

Professor Richard Falk, Special Rapporteur for Human Rights in the Palestinian Territory Occupied since 1967, was chosen because he meets all of those requirements – including the willingness to stand firm in the face of pressure.

Your statement dismissing the Special Rapporteur's most recent report to the General Assembly as "irresponsible and unacceptable" is itself irresponsible and unacceptable. Your additional ad hominem attacks and your claim that Professor Falk's "recommendations do nothing to further a peaceful settlement to the Israeli-Palestinian conflict and indeed poison the environment for peace" reflect only the narrowness of the U.S. position that has long held that the only acceptable "peace" is one in which Israeli occupation, apartheid and violations of international law and United Nations resolutions continue. Your insults are particularly egregious given your refusal even to attend the General Assembly committee meeting at which Professor Falk presented his latest findings – and in which every Representative, including the only one indicating a disagreement with one point of the SR's report, expressed gratitude for his work and recognition of the importance of the report.

Professor Falk has carried out his mandate – despite insult, abuse, arrest, expulsion and exclusion from the government he is mandated to investigate. He has shown enormous integrity and courage in continuing to carry out his work despite being continually denied access by Israel, the Occupying Power, to the West Bank, Gaza and East Jerusalem. His most recent report focused on the role of corporations that profit from and support Israel's violations of international law and calling for boycotts of those corporations until the relevant violations have ended. In so doing, his report is already of enormous value to civil society organizations committed to the non-violent global movement for boycott, divestment and sanctions, a movement called for by Palestinian civil society specifically because of the historic failure of the United Nations and its Member States, particularly the United States, to bring an end to Israel's violations.

It is not Professor Falk's admirable efforts, but rather the role of the United States in protecting Israeli violations thus ensuring that Tel Aviv is never held accountable for those violations, that, in your words, "do nothing to further a peaceful settlement to the Israeli-Palestinian conflict and indeed poison the environment for peace." It is your position, and that of the government which you serve, that is "deeply regrettable" and "only damages the credibility of the UN."

As organizations committed to human rights, international law, and equality for all, we call on you to repudiate your deeply regrettable comments, to recognize the legitimacy of Professor Falk's position as Special Rapporteur, and to demand that Israel, recipient of \$4.1 billion of U.S. military aid this year, adhere to its obligations as a Member State of the United Nations and fully cooperate with the Special Rapporteur's work in carrying out his mandate.

November 2012
Phyllis Bennis
Director, New Internationalism Project
Institute for Policy Studies