

ABUSING THE LEGACY OF THE HOLOCAUST: THE ROLE OF NGOs IN EXPLOITING HUMAN RIGHTS TO DEMONIZE ISRAEL

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In the wake of the Holocaust, as human rights norms have come to the fore, NGOs have become major actors in international politics in general and in the Arab-Israeli conflict in particular. These organizations and their leaders form an extremely powerful “NGO community” that has propelled the anti-Israeli agenda in international frameworks such as the UN Human Rights Commission and the 2001 UN Conference against Racism in Durban. Through their reports, press releases, and influence among academics and diplomats, these NGOs propagated false charges of “massacre” during the Israeli army’s antiterror operation in Jenin (Defensive Shield) and misrepresent Israel’s separation barrier as an “apartheid wall.”

This community has exploited the “halo effect” of human rights rhetoric to promote highly particularistic goals. In most cases small groups of individuals, with substantial funds obtained from non-profit foundations and governments (particularly European), use the NGO frameworks to gain influence and pursue private political agendas, without being accountable to any system of checks and balances.

This process has been most salient in the framework of the Arab-Israeli conflict. The ideology of anticolonialism (the precursor to today's antiglobalization) and political correctness is dominant in the NGO community. This ideology accepted the post-1967 pro-Palestinian narrative and images of victimization, while labeling Israel as a neocolonialist aggressor. Thus, behind the human rights rhetoric, these NGOs are at the forefront of demonizing Israel and of the new anti-Semitism that seeks to deny the Jewish people sovereign equality.

In the past fifty years, NGOs (nongovernmental organizations) focusing on human rights issues have become influential actors in international politics in general, and in the Arab-Israeli conflict in particular. These organizations constitute an extremely wealthy and powerful "NGO community" that has propelled the anti-Israeli agenda in international frameworks such as the UN Human Rights Commission (UNHCHR) and the 2001 Durban UN Conference against Racism. In these and other examples, including the false charges of "massacre" during the Israeli military's antiterror operation in Jenin (Defensive Shield) in April 2002, and the portrayal of Israel's separation barrier as "the apartheid wall," these NGOs have played a central role. Their reports, press releases, and political lobbying campaigns have had a strong influence in the United Nations, the media, and academia.

Enjoying a "halo effect" resulting from their appropriating rhetoric of universal human rights to pursue highly particularistic, political and ideological goals, the NGO community has also largely avoided serious analysis and accountability for its actions.

The "halo effect" is based on the history of human rights norms, beginning with the post-Holocaust conventions and treaties that reflected the horrors of genocide and mass violations of basic human rights. This was the background for the Convention on the Prevention and Punishment of the Crime of Genocide, and the Universal Declaration of Human Rights, both of which were adopted in 1948.¹ The emphasis on these norms grew continuously, and, as Irwin Cotler has noted, human rights constitutes the new secular religion.² The quote is not exact, so no quotes, but I have included the source. In the early years, enforcing these norms was seen as the responsibility of the United Nations and individual governments. However, citizen organizations (now referred to as civil society) also formed to pursue postwar human rights and other agendas, leading to the creation of a network of NGOs. The most powerful of them—Amnesty International, Human Rights Watch (HRW), and the International Commission of Jurists (ICJ), along with others—exert immense influence in the United Nations, the European Union, and Western capitals. In 1948, sixty-nine NGOs had consultative status at the United Nations; by 2000 the number was over

two thousand, most of which emphasized “universal human rights” in their mission statements, as documented by the NGO Monitor.³

Much of the growth took place in the context of the Cold War, particularly during the 1970s. Groups such as Amnesty International and Helsinki Watch (which later became Human Rights Watch) were instrumental in the Helsinki process and the subsequent Conference on Security and Cooperation in Europe (CSCE). They actively protested the denial of human rights to Jews in the Soviet Union and the communist countries of Eastern Europe, including the denial of the right to emigrate.

By the mid-1980s these organizations were already very powerful international actors, but a few years later, with the coming of *glasnost*, *perestroika*, and the end of the Cold War, they needed to find new missions to justify their continued existence and importance. Many discovered the Middle East, and the Israeli-Arab conflict in particular, to be a good venue for maintaining and even increasing their influence. In this period, the ideology of anticolonialism (the precursor to today’s antiglobalization) became increasingly dominant in the NGO community, in parallel with the political correctness adopted in much of the media, academic, and diplomatic worlds (specifically in Europe). This ideology accepted the post-1967 pro-Palestinian narrative and images of victimization, while labeling Israel as a neocolonialist aggressor.

Many of the radical political leaders of the 1970s, at the forefront of this wave of anti-Israeli political radicalism, became central figures in the NGO community. Pierre Galand, a Socialist senator in Belgium and leading member of the NGO network that propels this agenda in Europe and the United Nations, gained public visibility while heading Oxfam Belgium for three decades.⁴ (Oxfam is a powerful NGO confederation of twelve branches based largely in Europe, providing humanitarian aid while also espousing a political agenda and ideology in which the Palestinians are consistently viewed as the victim and Israel as the aggressor. Oxfam Belgium became notorious in 2003 after producing an anti-Israeli poster based on the theme of the blood libel.)⁵ Galand is involved in many different political NGOs, and is the European chairman of the Coordinating Committee for NGOs on the Question of Palestine (ECCP), a Brussels-based association of NGOs cooperating with the UN Committee on the Inalienable Rights of the Palestinian People. He is also president of the Forum des Peuples NGO and the Belgo-Palestinian Association. Using these platforms to promote his political agenda, wrapped in the rhetoric of human rights, Galand continues to refer frequently to the Vietnam War, illustrating the political evolution of the NGO community.

Similarly, central to Human Rights Watch’s Middle East policies are four individuals with a strong anti-Israeli ideological agenda.

Kenneth Roth, who was a prosecutor in New York before being chosen to head Human Rights Watch, has a long history of focusing on alleged Israeli human rights violations, which he attempts to dismiss by claiming to have been “drawn to the human rights cause in part by his father’s experience fleeing Nazi Germany in 1938.”⁶

Roth, in turn, brought in Joe Stork, who served for many years as editor of the *Middle East Report*, which had (and still has) a very explicit political agenda strongly biased against Israeli (and U.S.) policies. Stork was a core member of the Middle East Research and Information Project (MERIP), described by B’nai B’rith as “a propaganda mill of the Far Left,” which openly called for Israel’s destruction. *MERIP Reports* carried laudatory interviews with terrorist leaders and other activists distributed literature (including PLO buttons, posters, and flags), and MERIP’s anti-Israeli assault reflected the standard Marxist anti-imperialist analysis. Stork wrote repeatedly on “the origins of the State of Israel and its war with the people of the Middle East.” After the murder of Israeli athletes at the 1972 Olympics in Munich, MERIP issued a flyer stating: “Munich and similar actions cannot create or substitute for a mass revolutionary movement, but we should comprehend the achievement of the Munich action.... It has provided an important boost in morale among Palestinians in the camps.”⁷

At Human Rights Watch, Stork works with Gary Sick, an Islamophile who served in the National Security Council during the Carter administration and was responsible for much of America’s disastrous Iran policy in this period. Sarah Leah Whitson, executive director of HRW’s Middle East and North Africa division, has a long history of political activity related to opposing Israel’s antiterror activities in Southern Lebanon and is on the board of the New York chapter of the American-Arab Anti-Discrimination Committee, an anti-Israeli organization.

These examples and many more illustrate the close links between the radical political agenda and the NGO community that developed over the past three decades. This process is most salient with respect to exploiting the language of universal human rights to promote the particular political and ideological agenda of demonizing Israel and the new anti-Semitism.

Political Agendas and the Structure of the NGO Network

The ability of such key individuals in the NGO network to use these organizations to promote personal political and ideological objectives reflects their access to resources, as well as the structure of the NGO

network, particularly in the framework of the Israeli-Palestinian conflict. This structure is threefold, consisting of the major international NGO powers, their local affiliates and allies, and the funding organizations that provide the glue and common interest in maintaining these links.

The *international NGOs*, such as Amnesty International, Human Rights Watch, the International Commission of Jurists, and Oxfam, are powerful global organizations with matching organizational interests and capabilities. Amnesty International, for example, claims a membership of one and a half million, and an annual operating budget of \$30 million with projects in 140 countries. Human Rights Watch boasts over \$22 million, and the annual income of Oxfam International (a loose confederation of national branches that also provide humanitarian relief) is \$300 million. These resources constitute a powerful foundation for maintaining access to the media (including a steady barrage of press releases, media appearances, and detailed reports) and to the diplomatic community.

The second element in this organizational structure consists of *local and region-specific NGOs* such as Miftah, Itajah, I'lam, Al Mazen, the Palestinian Center for Human Rights (PCHR), Physicians for Human Rights-Israel (PHR-I), Mossawa, LAW, and others. The exact number of such organizations is difficult to determine, but umbrella groups such as PNGO (Palestinian NGO Network) claim hundreds of institutional members. In the very limited political framework of the Palestinian Authority and within the Arab dimension of Israeli society, these NGOs are generally headed by individuals loyal to the PLO and Yasser Arafat, and follow their political agenda. While producing a steady stream of allegations about Israeli behavior, they almost never mention or discuss Palestinian terrorism, corruption, or human rights violations by the Palestinian Authority.

The third element is the framework that is responsible for collecting and *providing the funds and technical support* to the individual members. Prominent examples include the Ford Foundation, the International Commission of Jurists, the New Israel Fund, Christian Aid, the Advocacy Project, and the Euro-Mediterranean Human Rights Network. Government bodies including aid agencies, such as CIDA (Canadian International Development Agency), USAID, and the British and Scandinavian equivalents, as well as national Foreign Ministry allocations constitute important funding sources for the individual NGOs at both the international and local levels. (The top-heavy role of government funding and influence among NGOs has led to the use of terms such as "QUANGO" for "quasi-nongovernmental organizations" and "GNGOs" for "governmental nongovernmental organizations.") In addition, often through frameworks such as the European Initiative

for Democracy and Human Rights (EIDHR), the European Union is a major source of support for some of the most politicized NGOs, such as the Israeli B'tselem, as well as the Israel-based Adalah⁸ and I'lam (an NGO that claims to monitor the media in the name of civil society but is actually a major source of anti-Israeli demonization).⁹ In addition, EU funding for the United Nations Relief and Works Agency (UNRWA) is redirected to finance highly political NGOs such as Ard el Atfal and Ard Al Insan,¹⁰ while the EU Commission office in Tel Aviv, as well as individual embassies, fund groups such as Physicians for Human Rights-Israel and the Israeli Committee against Housing Demolitions.¹¹

Working as a closely linked structure, the resulting NGO network constitutes a very powerful force, as demonstrated in the cases of Durban, the condemnation of the Israeli operation in Jenin, and the campaign against the “apartheid wall” (including the exploitation of the International Court of Justice at The Hague). The “information chain” linking the local NGOs to the international giants is amplified by the public relations machines at the disposal of groups such as Amnesty International, Oxfam, Christian Aid, and Human Rights Watch, creating an overwhelming force that has captured and severely distorted the core human rights agenda and taken the lead in demonizing Israel.

Case Studies: The Local NGOs' Role in Providing “Content” for the Anti-Israeli Agenda

The period of the “Oslo process,” beginning in the early 1990s, and particularly the establishment of the Palestinian Authority in 1994, created political and financial conditions that fostered the growth of hundreds of Palestinian and Israeli Arab NGOs. These organizations fall into three main groups in terms of their official (as distinct from actual) focus: legally based NGOs, environmental groups, and those claiming to focus on media activities. (In reality, they all pursue similar political agendas.)

Of these, the legal group has developed the greatest impact, with the main organizations consisting of LAW, Al-Haq, Al Mazen, B'tselem, and Adalah (the first three are Palestinian, and the latter two are based in Israel). These organizations serve as vital “grassroots” information providers for the international NGOs, which then use this information in their reports, political campaigns, and fundraising activities. The connections between Palestinian “legally focused” NGOs and the powerful international NGOs, which have the capacities and lobbying facilities, create an efficient channel for anti-Israeli

propaganda to the media and to government officials. In addition to a steady stream of publicity-generating appeals to the Israeli Supreme Court, generally involving alleged human rights violations, these groups also issue regular reports and press releases.

In the context of the international NGO network, the reports from these local groups often constitute “eyewitness” accounts of Israeli behavior that allegedly violates human rights norms. The Palestinian NGOs often publish claims of Israeli “atrocities,” “aggressive actions,” and the resulting Palestinian suffering. Based on these claims, which are rarely supported by external and independent sources, the local NGOs, working with their international patrons, invoke the pseudo-rhetoric of international law, using terms such as *war crimes*, *crimes against humanity*, *disproportionate use of force*, *excessive response*, *indiscriminate killing*, *arbitrary use of force*. Indeed, at Durban, in the case of Jenin, and regarding the separation barrier, this has proved an effective weapon in the campaign to demonize and delegitimize Israel that is being led by some of the most powerful international human rights NGOs in cooperation with their Palestinian partners.

A recent example of how this information chain uses and distorts the language of international law for anti-Israeli political objectives is found in the Amnesty report entitled “Israel/Occupied Territories: Wanton Destruction Constitutes a War Crime,” issued 13 October 2003:¹²

Amnesty International calls on the Israeli authorities to put an immediate end to the practice of destroying Palestinian homes and other properties, and of using *excessive, disproportionate and reckless force* against unarmed Palestinians and in densely populated residential areas, which frequently result in the killing and injuring of *unarmed civilians*, including children.

This language is a very close echo of the terms used by the local NGOs. An Adalah Special Report, dated June 2002, on “Israeli Military Attacks on the Occupied Palestinian Territories”¹³ reads as follows:

the assault on the civilian population, infrastructure and property and against the lives and bodies of civilians is *unreasonable and disproportionate*, and was carried out with *excessive force*. The petitioners sought an immediate end to the shelling and striking of civilians and civilian targets, as the army is prohibited *from indiscriminately attacking against [sic] civilian targets*.

Another clear example of the flow of information from local to international NGOs is seen in the case of the International Commission of Jurists (ICJ). The ICJ claims it “is dedicated to the primacy,

coherence and implementation of international law and principles that advance human rights....What distinguishes the [ICJ]...is its impartial, objective and authoritative legal approach to the protection and promotion of human rights through the rule of law.”

The ICJ’s Middle East division works through three Palestinian NGOs, namely, Al-Haq, LAW, and the Palestinian Center for Human Rights. All three of these organizations claim to be apolitical, but in reality their activities reveal a clear ideological agenda to undermine Israel’s international legitimacy. All three were also very active in the Durban framework and continue to produce reports that repeat gross inaccuracies and distort human rights terms. By using and abusing terms from international law, these NGOs have also contributed to the simplistic maxim that Palestinian suffering begins and ends with Israel’s military actions in the West Bank and Gaza Strip.

A clear example is LAW’s “Israeli Forces Rampant in Nablus Old City,” dated 23 February 2003.¹⁴ This press release features a long list of Palestinian casualties with no explanation as to why the Israeli operation was undertaken. A LAW press release, “Updated Overview of Israeli War Crimes and Crimes against Humanity,” goes even further. This statement, like many others issued in the name of human rights by the NGO community, fails to consider or analyze the complex legal and political questions of what constitutes a “war criminal” and what the term “crime against humanity” means. There is also no attempt to establish criteria and analyze the facts and circumstances of events. Instead the report makes brash statements and unsupported political allegations, such as:¹⁵

[there is] evidence of a policy to *deliberately target civilians or indiscriminate attacks* launched knowing they will cause *excessive losses to civilians* in deaths, injuries and property.

In addition to constituting a clear contradiction of the ICJ’s mission statement, some of their affiliates, including the Palestinian Center for Human Rights, enjoy observer status at the United Nations and regularly submit reports to the UN Human Rights Commission. Such reports leave no doubt that the use of such terms is a deliberate ploy to shape the public discourse and achieve an ideological aim of undermining Israel. As Jeremy Rabkin, professor of law at Cornell University has noted, “To judge by international authorities... Israel...is the world’s most odious regime. Driven in large part by the NGO agenda, the UN Human Rights Commission issued six condemnations of Israel in 2001 and eight condemnations in 2002, while no other state has ever received more than one condemnation in the same year.”¹⁶

At the same time, the UNHCHR's consistent ignoring of Palestinian terrorism against Israeli civilians destroys the organization's credibility. Terror directed against Israelis is not on the agenda of these local NGOs, and because of this and other factors, the immorality and illegality of such terror receives very limited attention at the level of the international NGOs.

At a different level, the Euro-Mediterranean Human Rights Network (EMHRN) provides another instance of the information chain used to politicize human rights, and the abuse of the language and substance of international humanitarian law. EMHRN receives 80 percent of its funding from the European Union and has considerable influence on its foreign policy. It has also been at the forefront of the campaign for suspending trade agreements with Israel, as seen in its "NGO Open Letter for the EU Concerning the EU-Israel Association Council" (18 October 2002), addressed to the EU Foreign Affairs Ministers, the EU High Representative for CFSP (Common Foreign and Security Policy), Javier Solana, and the EU Commissioner, Chris Patten. The letter states:¹⁷

In view of the *large-scale human rights and humanitarian law violations* committed by Israel and due to the fact that in practice the [Association] Agreement continues to cover goods produced in the Occupied Territories (in the settlements), we call on the EU to take negative measures under the agreement, such as the suspension of trade benefits.

The rationale given in the press release is:

*Israel's indiscriminate, excessive and disproportionate use of force...
Willful killings, arbitrary executions and targeted assassinations.*

The report makes no mention of the Israeli army's efforts to limit civilian casualties in its fight against a sustained campaign of terror. Instead of describing how Israel chose to risk its own soldiers in a land attack on the Jenin refugee camp in lieu of an aerial bombardment that would have been far less risky to them, Israel is accused of "willful killings." Moreover, no mention is made of the willful killings, in the truest sense of the term, that Israelis have been exposed to by frequent Palestinian suicide bombings. The letter was signed by Abdelaziz Bennani, president of EMHRN, Sidiki Kaba, president of the International Federation for Human Rights (FIDH), and Eric Sottas, director of the World Organization against Torture (OMCT). A similar press release was issued just a few months earlier, on 11 April 2002, also calling for suspending the Association Agreement with Israel.

EMHRN's core political agenda also reflects its reliance on the Nazareth-based Arab Human Rights Network as its "official" news source about Israel. This group has been active in spreading publicity for the campaign against the "apartheid wall" and pressuring the European Union to encourage Israel to adopt a law of "right of return" for Palestinian refugees.¹⁸ Thus, via EMHRN, as well as similar arrangements with other major NGOs at the international level, the local NGOs are able to transmit their agendas around the world.

The Funders

As noted, much of the moral authority of NGOs, as well as their political strength, is provided by the support from funding and facilitator organizations. The huge budgets that NGOs have acquired make them major sources of political power, and often dwarf the resources available to the targets of their campaigns. Although the funding groups have a normative responsibility to ensure that their funds and support are not being covertly directed to promote terrorism or political campaigns, such as the demonization of Israel, this requirement is largely ignored. Although funding organizations have taken great care to establish financial-transparency mechanisms to make sure money is not misappropriated (one notable exception of such misappropriation is the Palestinian NGO LAW), the NGOs' substantive work has been subject to far less scrutiny. Funding institutions and individuals have granted significant political power to organizations that hide behind a veneer of "moral guardianship."

There are three types of funding bodies active in the areas of human rights and humanitarian issues. The first consists of governmental bodies and UN organizations, such as the European Union, UNICEF, USAID, CIDA, and other agencies for overseas assistance. The second type, identified above, is made up of other NGOs that style themselves as "facilitator organizations," providing invaluable logistical, technical, financial, and professional support, such as the ICJ. The third type includes foundations such as the Ford Foundation and the German Fund for Palestinian NGOs.

Following the exposure and analysis by www.ngo-monitor.org and in other sources, there is some evidence of a change in funding organizations' attitude toward the demonization and incitement campaign against Israel. Ford Foundation president Susan Berresford published a public letter acknowledging that the Ford Foundation has been funding NGOs that pursue an anti-Israeli or anti-Semitic agenda. By carefully selecting the organizations that are supported, the funding agencies can exert great influence in setting the NGO community's

political agenda and, consequently, the focus of diplomatic and media attention. Thus, large-scale funding from the Ford Foundation, the European Union, and the Canadian government created the basis for the 2001 Durban Conference that was exploited by the NGO network for demonizing Israel and anti-Semitism.

Following exposure and a U.S. congressional investigation,¹⁹ Berresford declared that: “the Foundation has not and would never knowingly support racial, religious, ethnic or other forms of bigotry. Nor have we or would we knowingly fund any group that advocates violence or denies the legitimacy of Israel’s existence.” She also pledged to change NGO funding criteria. After stopping support for LAW (whose leadership had been caught embezzling), however, broader implementation has been slow.²⁰

In addition, during off-the-record discussions of NGO-related issues, senior EU officials have mentioned privately that they are reviewing funding procedures for certain Palestinian NGOs in light of the information and analysis provided by the NGO Monitor. The steps taken by Berresford and perhaps under consideration by these officials, however, are minor compared to the extent of funding that ideological human rights NGOs are still receiving. Moreover, it is not clear to what extent the Ford Foundation and the European Union will actually effect a change. The Habitat International Coalition is a clear example of an NGO with a virulently anti-Israeli agenda that still enjoys Ford funding.

Removing the “Halo Effect”: Imposing Accountability on the NGO Network

The members of the NGO community have derived a great deal of international influence and power from the claim that they are “grassroots” organizations, representing individual interests often ignored by political parties, and are immune from short-term electoral requirements. They claim to represent global interests and norms, not restricted to the interests of one group or state. Together they form an integral part of “international civil society,” a concept that has won several NGOs, including a few virulently opposed to Israel’s existence such as the Palestinian Center for Human Rights, official status and access to the United Nations and other formal institutional frameworks.

This status and recognition derives its legitimacy from the universal norms and principles that are embodied in the post-Holocaust conventions and normative documents related to human rights. Over the years, as we have seen, the “halo effect” and the absence of any

system of democratic or other form of accountability have allowed and even encouraged the very powerful NGO network to violate these norms quite blatantly. Without any system of external accountability, the political agendas of NGO officials have been amplified through the media, academic institutions, UN diplomats, and policymakers in individual governments. These institutions and individuals depend heavily on NGO assessments and reports (and vice versa, so that the NGOs often quote diplomats, journalists, and academics). This closed circle allows the journalists, diplomats, and academics to make direct use of the accessible, simplistic, packaged information and political analyses that the NGOs supply and distribute with great efficiency. In this way, the NGO community has become a major factor in the highly political campaign to delegitimize and demonize Israel.

But this vacuum in accountability is beginning to be filled, belatedly, through increasing exposure of these relationships via the NGO Monitor project and growing academic examination in this area. Recognition of the damage caused by replacing universal human rights norms with private political agendas has led to the slow but gradual reduction of the NGO community's power. While Human Rights Watch, Amnesty International, Christian Aid, and the other NGOs were exploiting "human rights" to delegitimize Israel, they neglected mass killings and other real atrocities in Sudan and elsewhere, and this basic moral failure is slowly being recognized.²¹

The analyses of the biases and ideologies pursued by Pierre Galand, Joe Stork, Kenneth Roth, and others, and the absurd imbalance between the allegations against Israel and the lack of serious examination of Palestinian terrorism, have contributed to the demand for accountability in the "human rights industry." Major donors have begun to force changes in the agendas of some of the international NGO giants, such as Human Rights Watch, and also in their credibility as independent arbiters of moral conduct. Similarly, donors to the New Israel Fund who have belatedly discovered its contributions to the anti-Israeli NGO network have curtailed this support, and the exposure of the Ford Foundation's funding in Durban and elsewhere has led to at least a declaratory policy change. In Madison, Wisconsin, the NGO Monitor's profile of Al Mazen as a Palestinian NGO active in Durban (and funded by the European Union, the New Israel Fund, the Ford Foundation, and other major agencies) led to a decision by the city council against a proposal to adopt the city of Rafah in Gaza, which would have given this NGO a major role.

Thus, although the self-proclaimed "human rights" NGOs and the network they have created remain very powerful, and continue to

implement the campaign against Israel's political and moral legitimacy, their credibility and influence have begun to wane. Continued exposure of the huge gap between declarations and actions, particularly with respect to demonizing Israel in the name of human rights, as well as the disproportionate focus on Israel (at the expense of real human rights catastrophes in places such as Sudan or Zimbabwe), will further decrease their power and influence. As in the case of government activities, the NGO world is also being forced to accept the demand for accountability and transparency.

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