



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/2003/NGO/41
21 July 2003

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-fifth session
Item 2 and 6 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND
SEGREGATION, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO
COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES:
REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN
RIGHTS RESOLUTION 8 (XXIII)

SPECIFIC HUMAN RIGHTS ISSUES

Written statement* submitted by World Union for Progressive Judaism,
a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[15 July 2003]

*This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

The 1988 Charter of HAMAS and its evil legacy of 'jihadist-martyrdom' bombings

1. Nearly two years after the 11 September 2001 climacteric inaugurated a new era of *jihadist*-wars, we wish to reiterate at this Sub-Commission and to the Special Rapporteur on terrorism, Mrs. Kalliopi Koufa, an inescapable fact that should no longer be obfuscated.
2. Once again we call on Muslim leaders, both spiritual and secular — particularly the Organization of the Islamic Conference (OIC), representing 56 Muslim States — to speak out unequivocally thus making it crystal clear to the world and to Muslims and non-Muslims alike that the traditional Islamist interpretation of the *jihad*-war ideology and 'jihadist-martyrdom' terror is in total contradiction today with the International Bill of Human Rights. This 'culture of hate and death' must be firmly outlawed by the international community and the OIC.
3. The current use of complacent opinions such as 'terrorism'/'fascism'/'suicide bomber' and 'kamikaze bomber' — resulting from 'frustration'/'poverty'/'education' — is misleading. These *jihadist*-bombers follow the strictest religious rulings, designating them as 'martyrs for Allah,' for whom a '*jihad* ideology' and a '*jihad* war' against 'infidels' is considered sacred — as stated by Osama bin Laden in 1998: "*Do Jihad against the Crusaders and Jews.*"
4. Already in 1968, Dr. Abdul-Haleem Mahmoud — later to become Grand Sheik of Cairo's Al-Azhar University — wrote: "*If Jihad leads to martyrdom, the destination is Heaven and approach to Allah. In the Holy Quran and the honourable tradition, there is a most magnificent and beautiful presentation of the martyr's status in the after-life.*" (1)
5. On 19 June 2001 the spiritual leader of the Muslim Brotherhood, Sheik Yussef al-Qaradawi, stated publicly on Al-Jazeera's weekly religious programme that — from a strictly religious viewpoint — the Palestinian attacks are considered as "self-sacrifice," a person who commits a carnage "*is not a suicide [bomber]. He kills the enemy while taking self-risk, similarly to what Muslims did in the past (...) He wants to scare his enemies and the religious authorities have permitted this.*" He added: "*He who got killed is a Shahid in heaven.*" (2)
6. On 4 April 2002 this opinion was reiterated from Cairo at a reception for Israeli Arab Democrat Party leader Abd Al-Wahhab Darawsheh by the highest spiritual Sunni leader, as reported on a website associated with Al-Azhar University: "*The great Imam of Al-Azhar, Sheik Muhammad Sayyed Tantawi, demanded that the Palestinian people of all factions intensify the martyrdom operations against the Zionist enemy, and described their martyrdom as the highest form of jihad operations. He says that the young people executing them have sold Allah the most precious thing of all (...) [Tantawi] emphasized that every martyrdom operation against any Israeli, including women, children, and teenagers, is a legitimate act according to religious law, and an Islamic commandment.*" At the same reception, Egypt's new mufti, Sheikh Dr. Ahmad Al-Tayyeb, agreed with his Al-Azhar colleague, adding that: "*The Islamic countries, peoples and rulers alike must support these martyrdom attacks.*" (3)
7. Only four days earlier on 31 March 2002 the UK Islamist website of Al-Muhajiroun, Islamic-State.Org, posted an article by its affiliate, Hizb ut-Tahrir, entitled: "And kill them wherever you find them (...)" [Koran 2:191]. It affirmed: "*The Jews are a people of slander. They are a treacherous people who violate oaths and covenants.*" In the tenth paragraph, enthusiastic approval is expressed: "*Today, the Mujahideen in Palestine provide us with the best of examples: The youth are competing in the martyrdom operations. Young girls have started to compete with the young men for martyrdom. Mothers are pushing their sons to become shaheed [martyrs], and*

they make Sujood in thanks to Allah when they hear the news of the martyrdom of their sons.” (4)

8. In June 2002 Dr. Iyad Sarraj, a Palestinian psychiatrist in Gaza, commented on this ‘culture of hate.’ *“They are creating a new culture (...) Once you create such a culture, you create something automatic; even he could not challenge the social acceptance of this ideal by directly criticizing the martyrs themselves. You can say, ‘I condemn terror, I condemn killing civilians,’ but you can’t say, ‘I condemn martyrs,’ because martyrs are prophets.”* (5)

9. As a confirmation of Dr. Sarraj’s statement, on 19 and 21 June 2002 the Palestinian daily Al-Quds published “A Palestinian Communiqué Against Martyrdom Attacks” that was signed by 315 prominent Palestinians, including Sari Nusseibeh and Hanan Ashrawi. But this communiqué — strongly criticized by HAMAS on its website — did not explicitly condemn the ‘martyrdom attacks’ on civilians, either on ethical or religious grounds. In this respect, its concluding paragraph merely makes a pragmatic, political point: *“Military operations can be judged to be positive or negative only by the extent to which they realize political goals.”* (6)

10. On 27 June 2002 the TV of the Palestinian Authority (PA) broadcast a documentary on “Child Martyrs and Lovers of their Homeland.” Dr. Fatal Abu Hin, a respected lecturer in psychology, explained that a survey carried out by the Islamic University of Gaza in April 2001 showed that 73% of youngsters between 9 and 16 wanted to become ‘martyrs.’ He noted that the word ‘Shahada’ (‘martyrdom’) has different meanings for people, and for Palestinian children, and the narrator of the film declared that *“martyrdom has become the noblest aim and most admirable deed of this generation (...) the way to win prestige (...)”* (7)

11. On 21 January 2003 the Palestinian daily, al-Hayat al-Jedida — official organ of the Palestinian Authority (PA), published under the authority of Yasser Arafat — reported on a soccer tournament held at a PA school in Tulkarm. The student teams participating in the tournament have all been named after *jihadi*st ‘martyrs.’ One of the teams was named after Abd al-Basset Oude who slaughtered over 30 Israelis at the Netanya *jihadi*st bombing on Passover eve 2002. This culture of racist-religious hate in education — and even in sports — had the blessing of the school principal and the PA’s regional superintendent of education.

12. This ‘culture of hate and death’ has been illustrated scores of times in broadcasts, TV and publications by the PA since Sept 2000. One example was published on 27 February 2003 in the literary section of the official PA daily Al Hayat Al Jadida. The poem by Abdul Badi Iraq: “A letter from a Shahid [Martyr] to his Mother,” glorifies the ‘*jihadi*st-martyrdom bomber’. The “Jews” who are to be slaughtered in this barbaric *jihadi*st bombing — for the Shahid’s heavenly “wedding”! — are described as “*packs of beasts...*” The opening and final lines read: “*...I wrapped my body ... with bombs. I asked [reaching] towards Allah (...) The wedding is the wedding of the land. Sound a cry of joy, oh mother, I am the groom.*” (8)

13. These few examples amply confirm the explanation provided by Franz Rosenthal — eminent scholar and translator of Ibn Khaldun’s *The Muqaddimah / An Introduction to History* (1958) — in his article “On Suicide in Islam” (1946). He explained the real difference between ‘suicide’ and ‘martyrdom’: *“The great authorities of the hadith leave no doubt as to the official attitude of Islam. In their opinion, suicide is an unlawful act (...) On the other hand, death as the result of ‘suicidal’ missions and of the desire of martyrdom occurs not infrequently, since death is considered highly commendable according to Muslim religious concepts. However, such cases are no[t] suicides in the proper sense of the term.”* (9)

The Charter of HAMAS is genocidal and its article 8 a jihadist blueprint for global terrorism

14. More than three years ago an alliance was forged between Arafat's Palestine Authority and HAMAS (the acronym in Arabic for "Islamic Resistance Movement") that resulted in the freeing of all their convicted terrorists. This tacit alliance has proved fatal for the future of the Palestinian Authority. It may well undermine the current Middle East 'roadmap' (10)

15. Article 2 of the HAMAS Charter affirms: "*The Islamic Resistance Movement is one of the wings of the Muslim Brotherhood in Palestine. The Muslim Brotherhood Movement is a universal organization which constitutes the largest Islamic movement in modern times.*" (11)

16. The indiscriminate HAMAS *jihadist* bombing on Passover eve 2002 at the Park Hotel in Netanya; in Tel Aviv on 19 September 2002 by its Ezzul Deen al-Qassam Brigades; in Haifa on 5 March 2003, and elsewhere by HAMAS and its allies should be understood in its clear *jihadist*-war context. A 'culture of hate' and an 'ideology of *jihad*' is part and parcel of every traditional Islamist doctrine, particularly the HAMAS Charter – inspired by Sheik Ahmed Yassin, its founder and spiritual leader. Soon after his return to Gaza City to a rapturous reception in October 1997, he declared that Israel must "*disappear from the map.*" He stated: "*We have an aim and an enemy, and we shall continue our jihad against the enemy. A nation without a jihad is a nation without a purpose.*" (12)

17. HAMAS is against any peace process: "*There is no solution to the Palestinian Question except by Jihad. All initiatives, proposals, and International Conferences are but a waste of time and futile.*" (art. 13). The HAMAS slogan has since inspired countless *jihadist* martyrs: "*Allah is its goal, The Prophet its model, the Qur'an its Constitution, Jihad its path, and death for the sake of Allah its most sublime belief.*" (art. 8). Its article 28 concludes with a strongly racist-religious menace, has never been condemned: "*Israel, by virtue of its being Jewish, and of having a Jewish population defies Islam and the Muslims. 'Let the cowards never sleep.'*"

18. HAMAS is committed to an eternal *jihad* against "*the Jews*" – until Allah's victory is implemented. The land of Palestine must be cleansed from their impurity and viciousness. Muslims are obligated to fight and kill the Jews wherever they find them. This global, genocidal call is justified by an oft-quoted *hadith* ('saying' attributed to Muhammad), that concludes article 7: "*HAMAS aspires to implement Allah's promise, whatever time it may take. The Prophet, prayer and peace be upon him, said: 'The Hour [Day of Judgment] will not come until Muslims will fight the Jews (and kill them); until the Jews hide behind rocks and trees, which will cry: Oh Muslim! Oh Abdallah [Slave of Allah!], there is a Jew behind me, come on and kill him. This will not apply to the Gharqad tree, which is a Jewish tree.'*" (13)

19. This controversial *hadith* — yet related by the authoritative 9th century compilers, al-Bukhari and Muslim — has since become a commonplace belief among Islamists. On 12 April 2002, the PA-nominated Sheikh Ibrahim Madhi delivered a Friday sermon at Gaza City's main Sheikh Ijlin Mosque, broadcast live on PA television. He quoted extensively from this *hadith* — including the odd reference to the "Jewish" Gharqad tree — in preaching genocide and a *jihad*-war: "*We believe in this hadith. We are convinced also that this hadith heralds the spread of Islam and its rule over all the lands (...) 'from the ocean to the ocean'.*" Sheikh Madhi concluded: "*Oh Allah, accept our martyrs in the highest heaven (...) Oh Allah, show the Jews a black day (...) Oh Allah, annihilate the Jews and their supporters (...) Oh Allah, raise the flag of Jihad across the land (...) Oh Allah, forgive our sins.*" (14)

20. Article 32 of the HAMAS Charter, like Nazi propaganda, refers to a crude forgery: “*Their scheme has been laid out in The Protocols of the Elders of Zion.*” (13) Article 22 affirms: “*The enemies have been scheming for a long time (...) taking over control of the world media, such as news agencies, the press, publishing houses, broadcasting, and the like. (...) With their money they created secret societies, such as the Freemasons, Rotary Clubs, the Lions, and others in different parts of the world, for the purpose of sabotaging societies and achieving Zionist interests. (...) They were behind the French [1789] and Communist [1917] Revolutions, and most of the revolutions we have heard about, and hear about here and there. (...) They were behind World War I so as to wipe out the Islamic Caliphate. (...) They obtained the Balfour Declaration and then established the League of Nations in order to rule the world by means of that organization. They were behind World War II (...) They inspired the founding of the League of Nations by the United Nations and the Security Council to order to rule the world through them. There is no war going on anywhere without their fingerprints on it.*”

Conclusion:

21. The HAMAS Charter of 18 August 1988 is racist, ‘politicidal’ and ‘genocidal’ The entire organization — both ‘political’ and ‘humanitarian’ — and its main leaders should be blacklisted by all Member States of the United Nation as an avowed criminal, terrorist group. Any State reluctant to do so should be reminded of the 1948 Genocide Convention, article III (c) which condemns: “direct and public incitement to commit genocide.” And article IV too.

22. The World Union for Progressive Judaism, which first raised this matter in 1989 at the Commission, appeals to this Sub-Commission — and the Special Rapporteur on terrorism — to adopt an appropriate resolution condemning ‘*jihadist-martyrdom bombings*’ (wrongly referred to as ‘suicide bombings’/ ‘suicide actions’) and also the 1988 HAMAS Charter, a racist, blueprint for genocide. This appeal is also made to the UN Secretary-General, the High Commissioner for Human Rights, the Commission on Human Rights, and all human rights bodies. The current attitude of obfuscating the true significance of *jihad-war* ‘martyrdom’ bombings implicitly condones a great evil of our time, and encourages the ‘*jihadist*’ bombers globally to kill and terrorize those designated by them as ‘infidels’ – to be slaughtered: men, woman and children without distinction. This ‘culture of hate and death’ must be totally condemned by Muslim leaders — and by the OIC group — and outlawed by the international community, otherwise the future promises to be very bleak for the whole of humanity. (15)

-
1. *The Fourth Conference of the Academy of Islamic Research* (1968), 3 vols. Arabic; 1 vol. English. The Egyptian General Organization for Government Printing Offices, Cairo, 1970, English edition, p. 909
 2. Al-Jazeera TV [Qatar], 19 June 2001, trans. in “The Prophet Muhammad as a Jihad Model,” Sheik Yusef al-Qaradawi, MEMRI, Special Dispatch Series – N° 246, 24 July 2001.
 3. www.lailatalqadr.com/stories/n040401.shtml (4 April 2002); English translation in MEMRI report of 8 April 2002. Special Dispatch-Egypt/Jihad & Terrorism Studies, N° 363, 7 April, (www.memri.org)
 4. www.islamic-state.org/leaflets/020331_AndKillThemWhereeverYouFindThem.ph (06.08.2002)
 5. James Bennett, “The New Suicide Bombers: Larger and More Varied Pool,” New York Times, 21 June 2002; abridged in the International Herald Tribune, 22-23 June 2000
 6. English translation in the Palestinian Authority’s The Jerusalem Times, 20 June 2002
 7. Letter (7 Feb. 2003) from Israel’s Ambassador Yaakov Levy to the Chairperson of the 59th UNCHR, Ambassador. Najjat Al-Hajjaji : <http://geneva.mfa.gov.il/mfmweb/main/missionhome.asp?MissionID=3&>
 8. English translation in Palestinian Media Watch (www.pmw.org.il), ‘A Suicide Bomber’s Imaginary Letter to his Mother,’ 2 March 2003. See also article recommending a more general use of *jihadist-martyrdom* bombers by HAMAS spokesman, Dr. Abd Al-Rantisi, “Iraq Will Triumph, by Allah’s Will” (e.g. “Iraq must train convoys of martyrs in belief...How great is the difference between those who see

martyrdom and those who seek [the life of] this world." Posted on the HAMAS website, 30 Dec. 2002, and elsewhere. (MEMRI, Special Dispatch-Jihad and Terrorism Studies/Iraq/Palestinian, N° 457, 9 Jan. 2003); and MEMRI, N° 459, 23 Jan. 2003

9. Journal of the American Oriental Society (1946) 66:243, 256
10. Jonathan Schanzer, "The Challenge of Hamas to Fatah," Middle East Quarterly, Spring 2003, pp. 29-38; Daniel Mandel, "Four-Part Disharmony: The Quartet Maps Peace," MEQ, Summer 2003, pp. 15-27.
11. For a website English translation of the Hamas Charter:
www.library.cornell.edu/colldev/mideast/hamas.htm
12. Associated Press, 22 October 1997
13. This hadith is often used by Hizb ut-Tahrir in the UK (see para. 7 and note 4 above), going back a decade. On 20 January 1994, on a poster at University College London Union Islamic Society (Chemistry Auditorium), for a lecture by Farid Kassim (Member of Hizb-ut-Tahrir) on: 'Peace with Israel. A Crime Against Islam'; and on 21 January 1994 at the Central Mosque, Birmingham by the same speaker on: 'Battlefield. The only place for Muslims and Jews' (showing a burial place with a Star of David). No reaction in the UK or at the UN.
14. Norman Cohn, Warrant for Genocide. The Myth of the Jewish World Conspiracy and the Protocols of the Elders of Zion. (London: Eyre and Spottiswoode, 1967); Pierre-André Taguieff, Les Protocoles des Sages de Sion. Faux et Usages d'un Faux. (Paris: Berg International, 2 vols., new edition 2003); Hadassa Ben-Itto, "The Lie that Wouldn't Die," *Justice* (Special Issue: Anti-Semitism: Then and Now) 34, Winter 2002, pp. 20-43
15. As recently as 13 July 2003, on the PA's official TV, a Palestinian academic, Dr. Hassan Khader, founder of the Al Quds Encyclopaedia, quoted this *hadith* during a lecture, see in Palestinian Media Watch. Multi-media Bulletin, 14 July 2003 (www.pmw.org.il)
16. A beacon of light was lit by an Egyptian attorney in an opposition newspaper, Ahmad Shawqi 'Iffat, in Al-Wafd, "A Look at Martyrdom Operations," 12 Feb. 2003. English trans. in MEMRI, Special Dispatch-Egypt/ Reform in the Arab and Muslim World, N° 474, 25 Feb. 2003; and very recently by Dr. Sayed G. Safavi of the Institute of Islamic Studies, London, in a letter to The Daily Telegraph, "United against terrorism," 30 June 2003

-
- With the author's permission this written statement —with modifications and enlargements by him — is

based on his two articles: "Jihad and Jihadist Bombers. What's in a Name?" by David G. Littman (a WUPJ representative to the UNO in Geneva), published in the National Review Online, New York, 9 September 2002 <http://www.nationalreview.com/script/printpage.asp?ref=/comment/comment-littman090902.asp>; and also his: "The Geonocidal Hamas Charter: Arafat & co" in National Review Online, New York, 26 September 2002:
<http://www.nationalreview.com/script/printpage.asp?ref=/comment/comment-littman092602.asp>.
