

Quiet Arab with a brief for international peace

The lawyer who brought war crimes charges against Ariel Sharon has never learned to hate the Israelis, GARETH SMITH reports from Beirut

AS the Middle East staggers from crisis to crisis and the international community looks increasingly at a loss, there are few voices of hope.

Yet Chibli Mallat, a 41-year-old Lebanese Arab lawyer and author, arrives in Britain this week intent on restoring direction and consistency to proceedings.

Mallat is best known for launching war crimes charges in a Belgian court against Ariel Sharon, Israel's prime minister, over the 1982 massacres, carried out by militiamen allied to Israel, of about 2000 civilians in Sabra and Shatilla, the Palestinian refugee camps in Beirut.

But Mallat cannot be pigeonholed as a critic of Israel. He has also advised Indict, the international campaign for war crimes charges against Saddam Hussein, president of Iraq and Israel's arch-enemy.

Mallat has an old-fashioned belief in justice and on the relatively new practice of extending international law.

One of his favourite examples is the 1991 UN Security Council resolution 688, which condemned "the repression of the Iraqi civilian population" and laid the basis for the subsequent UN role in Iraq.

When Saddam's forces rolled back from northern Iraq as the allied forces established a "safe haven" for the Kurds under the UN resolution, Mallat helped persuade the Kurdish leaders to accept international monitors for elections in May 1992 in the "liberated" region.

"The Americans were dead set against the elections," Mallat recalled. "It was important to show that, if people in the Middle East were given the chance to practise the purest form of democracy, they would rise to the occasion. Old women who couldn't read or write were queuing up to vote at 4am."

Arabs have often played down Kurdish rights. Yet Mallat helped persuade Ahmad Chalabi, leader of Iraq's most representative opposition group, to promise the Kurds a strong degree of autonomy in any post-Saddam Iraq.

Going against the grain is nothing unusual for Mallat. Born into a leading Maronite Christian family in Lebanon - his grandfather was a poet and his father president of the constitutional court - he became a world authority on Shia Islam. Fluent in five languages, he is a scholar who moves quietly along the corridors of power.

Like the rest of his generation, Mallat was deeply shaken by the 1982 Israeli invasion of Lebanon, which brought heavy bombing of civilian areas in west Beirut and culminated in the Sabra and Shatilla massacres.

The Mallats' family home was destroyed, but Chibli later wrote in his book, *The Middle East into the Twenty-First Century*, that "some of us were luckier than others, whose whole families perished".

Mallat never learned to hate the Israelis, but insisted on dialogue with those Israelis prepared to discuss with Arabs a vision of a shared Middle East.

The basis of that vision, Mallat has argued for nearly 20 years, must be respect for human rights and the rule of law, even in matters that go beyond the scope of any one nation's courts. Hence the action against Sharon, which Mallat launched last year in Belgium under a 1993 law governing crimes against humanity.

In recent weeks, Mallat has argued that similar considerations may apply to Israel's destruction last month of the Jenin refugee camp. Typically, he is guarded about his UK visit and coy over any meeting with government officials, but he will use a series of radio and television interviews to focus on allegations that Israel's West Bank offensive has violated international law.

"There appears to be a case that Israel has violated the Geneva convention," he said, before leaving Beirut. "That the Red Cross was barred entry into Jenin for three days is a certain fact."

Like many Arabs, Mallat objects to the word "terrorism", but, as ever, his argument is unusual. Even before the dust had settled in Manhattan, he argued that the United States should pursue the perpetrators for a "crime against humanity", a category which, unlike terrorism, is well defined in international law.

"To declare war on terrorism," he wrote last November, "is to pursue an open-ended crusade against an indeterminate foe".

Arab anger is growing as Israel blocks access for the UN's Jenin inquiry and the US plans military action against Iraq. But Mallat will draw little comfort that his words appear so prophetic.

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