**UN Goldstone Commission Member Equates Israel with Terrorists**

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By: Benjamin Weinthal

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The anti-Israel, UN sponsored Goldstone Report enters its second phase of its assault on Israel, aiming at stripping that nation of its right to self-defense and legitimacy. (Anne Bayefsky detailed this move [here](http://www.weeklystandard.com/blogs/un-moves-forward-implement-goldstone-report).)

The head of the commission, the German jurist Christian Tomuschat, has a personal background that offers a window into the UN's position toward Israel.

Consider these remarks he gave in a 2007 interview to a [German newspaper](http://www.ksta.de/html/artikel/1182933884470.shtml): "Israel killed the spiritual leader of Hamas in 2004, Sheikh Yassin with a missile, killing eight...Targeted killings are as ruthless as the attacks of terrorists."

When asked in the same interview if Israel's targeted killings constitute “state terrorism,” Tomuschat said: “It is very much in that direction.” Tomuschat also considers Israel's security fence to be unlawful in its efforts to stop Palestinian terror attacks against its population.

Bayefsky shared these thoughts with me on Tomuschat:

*Aside from the moral repugnancy of such an equivalence, such words twist international humanitarian law beyond recognition. His objection to the killing of Yassin - a vicious antisemite who was actively promoting the murder of Jews - on the grounds of simultaneous and unfortunate civilian deaths (four of the eight being Hamas terrorists), is unsustainable. The overriding legal limit on the conduct of war and the targeting of terrorists like Yassin is the rule of proportionality.*

Bayefsky added:

*In the words of the Geneva Conventions, an attack on a military target "which may be expected to cause incidental loss of civilian life' is prohibited if 'excessive." The likelihood of civilian casualties must be carefully considered prior to taking action, but it does not render the action illegal in itself. So what we know about Tomuschat is exactly why the UN system selected him - to render Israel defenseless against the realities of modern warfare and to delegitimize the Israeli judicial system despite its very high standing in democratic legal circles.*

Tomuschat also told the German media: "The terrorist is not a combatant, he is not participating in a military conflict. He is a serious criminal who should be brought to court."