**William Schabas’ Casual Anti-Israeli Bias Makes Him A Perfect Fit For A UN ‘Fact-Finding’ Inquiry**

August 18, 2014

By Jonathan Key

National Post

http://www.defenddemocracy.org/media-hit/jonathan-kay-william-schabas-casual-anti-israeli-bias-makes-him-a-perfect-fit-for-a-un-f/

Not too long ago, Canadians would have been beaming with pride at the news that one of their own — renowned international human-rights law expert William Schabas — had been appointed to head up a UN commission that will investigate possible war crimes committed by Israel and the Gaza-based terrorist group Hamas during their recent military conflict.

But times change: Our government now maintains a consistent, pro-Israel stance. And the mere fact that Mr. Schabas happens to be Canadian does nothing to change the fact that he seems to embrace the casual anti-Israel bias that permeates the left-wing NGO and academic circles in which he circulates. Foreign Minister John Baird responded negatively to the news, correctly criticizing the UN Human Rights Council (under whose auspices Mr. Schabas will operate) as “a sham,” and denouncing the investigation as “an utter shame [that] will do nothing to promote peace and dignity in Gaza for the Palestinian people.” As for Mr. Schabas himself, a Canadian Foreign Ministry statement declared: “His opinions against Israel are known to all, and prove without a doubt that Israel cannot expect justice from this body … The report has already been written and the only question is who signs it.”

To be fair to Mr. Schabas, he certainly is not a raving anti-Israel fanatic on par with other United Nations luminaries — such as 9/11 conspiracy theorist Richard Falk, a UN-appointed “human rights” expert who blamed the 2013 Boston Marathon bombings on America’s support for Israel. Mr. Schabas’ views are more nuanced than that, even if they are, on balance, objectionable.

“I think that when we look at all the crimes committed in Gaza during the conflict at the end of 2008-2009 we find that they are probably not, on a Richter scale of atrocity, at the top [of the scale of human-rights abuses], and there are many places in the world where worse crimes have been committed,” he [told](http://www.intellectum.org/articles/issues/intellectum7/en/Int%27l%20Protection%20of%20Human%20Rights%20and%20Politics_English%20co-edited%20WS%20&%20VT3.pdf) an interviewer in 2009. “Sri Lanka, for example, in March or April of 2009 was much more serious in terms of the atrocities and loss of life that was committed … I think the reason why many people in the world are so upset about the atrocities in Gaza is not because of the bombardment of facilities in Gaza in January and in December of the last year but because of our unhappiness about the general political situation there. It is because the people of Palestine are still being denied their right of self-determination. And so, we mix our dissatisfaction with the situation of the Palestinian people in Gaza and the West Bank where we have this terrible wall that has been built and the settlements which continue being built even if [Barack] Obama has told [Benjamin] Netanyahu to stop. And certainly all these are a violation of international law and absolutely unacceptable.”

In the same breath, he told his interviewer “I believe that pretending the prosecution of Sudan [at the International Criminal Court (ICC)] is not political is a mistake, too. Of course it is political. Why are we going after the president of Sudan for Darfur and not the president of Israel for Gaza? Because of politics.” On another occasion, when talking about potential ICC defendants, he [declared](http://www.jpost.com/Israel-News/Politics-And-Diplomacy/Head-of-UNHRCs-Gaza-probe-disputes-claims-hes-anti-Israeli-370850), “My favorite would be Netanyahu in the dock.”

Putting aside Mr. Schabas’ evident desire to see Israeli politicians prosecuted before the ICC, is it really intellectually defensible to compare the situation in Sudan to Gaza? In Sudan, government-allied militias slaughtered hundreds of thousands of people in senseless, vicious pogroms. In Gaza, on the other hand, the death toll was three orders of magnitude less — and those civilians who died typically were unintended victims who lost their lives when Israel exercised its right of self-defence against a terrorist group that knowingly lodges its missiles and gunmen among women and children. Does Mr. Schabas really not see a distinction here?

Also objectionable is Mr. Schabas’ apparent embrace of the received left-wing wisdom that the whole root of the current conflict is Palestinians’ lack of “self-determination.” In fact, Gazans were given the opportunity to go down that road in 2005. And they used their freedom to turn Gaza into what is effectively one big suicide bomb. That, in a sentence, is the reason Israel and Hamas have gone to war three times.

Mr. Baird is correct that Israel probably won’t get a fair shake no matter who heads up this commission of inquiry. The UN (and especially its Human Rights Council) have always been systematically biased against Israel. And there is little reason to believe that this latest exercise in “fact finding” will be much different.