The UN Descent to its Deepest Depths of Hostility against Israel

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The inherent, long-existing political hostility against the State of Israel within the UN, in general, and the UN’s Human Rights Council, in particular, comes as no surprise to anyone.

However, the recent unprecedented decision to establish and finance an “ongoing, independent, international commission of inquiry” to function as a permanent “inquisition” or “kangaroo court” aimed solely against one state – Israel – to the exception of all other countries in the world, raises the fearful specter, reminiscent of times gone-by, of unjustifiable persecution and discrimination.

This action is taken by the very UN body established as the one UN body intended to protect against such phenomena – the UN Human Rights Council – a body that, by definition, clearly should not allow itself to be tainted by such a negative and regrettable stain.

The establishment of this inquiry commission would appear to be driving the UN down to the deepest depths of hypocrisy and double standards, even to the point of undermining its own principles and purposes as well as its own financial and administrative mechanisms.

### Discredited Human Rights Council

The Human Rights Council, having been politicized, manipulated, and abused since its establishment by one group of irresponsible states with a single political agenda targeting Israel and bearing little relation to human rights, has acquired notoriety in its ongoing illogical and unbalanced fixation against Israel.

Even former UN Secretary-General Kofi Anan strongly criticized the bias of the UN Human Rights Council in November 2006, not long after its creation. He stressed its anti-Israel emphasis: “Since the beginning of their work, they have focused almost entirely on Israel, and there are other crisis situations, like Sudan, where they have not been able to say a word.”

When the UN Human Rights Council set up its 2009 “Fact Finding Mission” to investigate Israeli military operations in Gaza, its chairman, Justice Richard Goldstone, ultimately distanced himself from the biased and error-filled “Goldstone Report.” He wrote an op-ed, “Reconsidering the Goldstone Report on Israel and War Crimes,” in the Washington Post on April 1, 2011: “If I had known then what I know now, the Goldstone Report would have been a different document.”[1](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn1)

As such, the UN Human Rights Council is discredited and has lost any professional credibility as a genuine, bona fide human rights body capable and willing to substantively function in accordance with the principles and purposes for which it was established.

In establishing the “ongoing, independent inquiry commission,” the Council is abusing the bona fides of member states of the UN and misleading them by misusing their contributions to the UN’s budget by manipulating and abusing funds to finance what is an illegitimate body.

### Establishment of the Inquiry Commission

The Human Rights Council’s resolution of May 27, 2021, created the “ongoing, independent, international commission of inquiry” with the sweeping mandate:

to investigate in the Occupied Palestinian Territory, including East Jerusalem, and in Israel all alleged violations of international humanitarian law and all alleged violations and abuses of international human rights law leading up to and since April 13, 2021, and all underlying root causes of recurrent tensions, instability, and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity. [2](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn2)

As is evident from its title and mandate, the resolution chooses to single-out only Israel, alleging violations of human rights and international humanitarian law by Israel, as well as systematic discrimination and repression prior to and during the 2021 hostilities between Israel and Hamas.

The inquiry commission’s mandate ignores that it was the Hamas terror organization ruling the Gaza Strip that initiated the wave of hostilities for which the commission was established. Hamas launched thousands of rockets aimed at Israel’s civilian population and committed numerous war crimes including the abuse of its own Palestinian civilian population, their homes, hospitals, business premises, and schools by turning them into human and civilian shields.

The unique one-sidedness and permanence of this “independent” inquiry commission is inherent in the fact that it ignores the terror organization Hamas, whose basic and declared purpose is to destroy Israel and terrorize its population.

### Violation of Founding Ethics and Principles of the UN

The one-sidedness of the resolution is all the more evident since it undermines the universal responsibility of the UN Human Rights Council “for the promotion and protection of all human rights around the globe,” as stated on its own website. [3](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn3)

The UN Human Rights Council was established in March 2006 by its founding instrument, UN General Assembly Resolution 60/251, with the basic aim that “all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis.”[4](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn4)

The resolution stressed “the importance of ensuring universality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization.”

Similarly, it determined that:

the promotion and protection of human rights should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings.

In this founding resolution, the General Assembly established a work ethic for the Council:

…the work of the Council shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue, and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

and:

…members elected to the Council shall uphold the highest standards in the promotion and protection of human rights.

In view of the above founding principles and work ethics that were intended to guide the functioning of the Human Rights Council, the Council’s recent resolution establishing the “ongoing, independent, international commission of inquiry” with such a blatantly biased, politicized, and discriminatory mandate is clearly ultra vires both the founding purposes and principles of the Human Rights Council as well as those of the United Nations itself.

The financing of the permanent inquiry commission was approved by the UN General Assembly’s 5th (Budget and Administration) Committee on January 6, 2022, including the addition of 29 new posts required to enable those activities mandated by the Human Rights Council in its resolution.[5](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn5)

Interestingly, this financial approval appears to have been well- concealed as the tenth chapter of the 24-page, 24-chapter resolution submitted four months afterwards to the 5th Committee, entitled “Special subjects relating to the proposed programme budget for 2022.” This was subsequently approved en-bloc by the UN General Assembly.

It is therefore highly unlikely that states that voted to approve the report were aware of the well-concealed financial ramifications of this unprecedented “ongoing” inquiry commission and of the fact that they had been manipulated into approving it.[6](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn6)

Clearly, the UN General Assembly’s endorsement and financing of this one-sided and discriminatory inquiry commission further undermines and violates the UN’s own founding purposes and principles, including Art. 2(1) of the UN Charter which determines that “The Organization is based on the principle of the sovereign equality of all its members.”[7](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn7)

### Partisan Political Motivation

In addition to its inherent illegality by undermining the founding principles of both the UN itself and the UN’s Human Rights Council, the establishment of the “independent and ongoing” inquiry commission would also appear to be blatantly lacking in bona fides inasmuch as it emanates from a politically-generated resolution, sponsored by members of the Organization of the Islamic Conference (OIC) and led by paragons of humanitarian virtue such as Pakistan and the “State of Palestine,” as part of an ongoing campaign of delegitimization against one member state of the UN – Israel.

The motivation behind those states that sponsored and supported the resolution has absolutely nothing to do with advancing global human rights. The inherently partisan title and content of the resolution dictate in advance the expected outcome, since it alleges and assumes that Israel, and only Israel, violates international human rights law and international humanitarian law and indulges in “systematic discrimination and repression.”

### The Bias of Members of the Commission

In addition to the openly anti-Israel tenor of the resolution and the mandate and plan of action of what is intended to be an “independent” inquiry commission, the element of independence as such is, in and of itself, undermined from the start by the fact that the members of the commission appointed by the President of the Human Rights Council are known, from their own publications, pronouncements, and personal history, as possessing a clear anti-Israel bias. [8](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_edn8)

As such, any claim that the inquiry commission would function as a bona fide and “independent” commission cannot be maintained.

### Conclusion

With the establishment of this ongoing international commission of inquiry, both the UN Human Rights Council, as well as the UN organization itself, have permitted themselves to be abused and manipulated by states that have absolutely nothing to do with any genuine concern for promoting and protecting human rights. To the contrary, they are intent on nothing more than seeking the vilification and delegitimization of Israel.

Oft-quoted and internationally-sanctioned human rights buzzwords and related expressions used in the resolution establishing the commission are nothing more than a transparent and unsubtle cover intended to deceive states and to attract maximal support for the ultimate purpose of the commission to vilify the State of Israel.

Many of the states promoting and supporting the establishment of the commission are among the most ardent and prevailing human rights violators in the international community.

The sanction given by states in supporting the establishment of the commission, the wide-open budgetary carte-blanche to which they have subscribed, and the commission’s clearly one-sided nature undermine and violate the very purposes and principles of the United Nations, including the principle of sovereign equality.

The commission is nothing more than a cynical vehicle, using the pretext of respectability offered by the UN, for a number of states to manipulate member states, to abuse their bona fides, and to manipulate the administrative and financial mechanism of the UN in order to sanction and finance a harsh, wildly partisan agenda intent on seeking to harm one state member of the UN – the State of Israel.

Member states who will be called upon to support the continued functioning of this “ongoing independent, international commission of enquiry” and to approve budgetary allocations for this purpose should not allow themselves to be so manipulated, and are urged to act to prevent the UN from allowing itself to be harmed from within.

To this end, those states that provide the bulk (70 percent) of the UN’s budget (including the U.S., China, Japan, UK, France, Germany, Italy, the Republic of Korea, Australia, Canada, and others) are called upon to oppose the continued financing and functioning of this commission, and to quantitively and qualitatively withhold their individual state funding in the proportion of the UN budget devoted to the inquiry commission.

States are called upon to open their eyes to this abuse of their sincerity and act immediately and before the commission commences its work to prevent the misuse of their funding.

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Notes

[1](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref1) <https://www.washingtonpost.com/opinions/reconsidering-the-goldstone-report-on-israel-and-war-crimes/2011/04/01/AFg111JC_story.html>

[2](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref2) UN Human Rights Council Resolution A/HRC/Res/S-30/1 on “Ensuring respect for international human rights law and international humanitarian law in the Occupied Palestinian Territory, including East Jerusalem, and in Israel.” <https://www.ohchr.org/EN/HRBodies/HRC/CoIOPT-Israel/Pages/Index.aspx>

[3](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref3) <https://www.ohchr.org/en/hrbodies/hrc/pages/home.aspx>

[4](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref4) UN General Assembly Resolution 60/251 of 15 March 2006. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf?OpenElement>:

[5](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref5) UN General Assembly Fifth Committee – Proposed programme budget for 2022, Document A/C.5/76/L.17 dated 23 December 2021, Chapter IX, “Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its forty-sixth, forty-seventh and forty-eighth regular sessions and thirtieth, thirty-first and thirty-second special sessions.” <https://undocs.org/A/C.5/76/L.17>

[6](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref6) General Assembly Resolution A/RES/76/145 dated 6 January 2022, entitled “Report of the Human Rights Council.” <https://undocs.org/en/A/RES/76/145>. See also the reference to this by Prof. Anne Bayefsky, “The Newest Anti-Israel UN Action Must Be Challenged – Now” (December 2021). <https://jcpa.org/article/the-newest-anti-israel-un-action-must-be-challenged-now/>

[7](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref7) <https://legal.un.org/repertory/art2.shtml>

[8](https://jcpa.org/article/the-un-descent-to-its-deepest-depths-of-hostility-against-israel/" \l "_ednref8) For a detailed expose of the anti-Israel record of each of the members of the commission, see Prof. Anne Bayefsky, “The Newest Anti-Israel UN Action Must Be Challenged – Now” (December 2021). <https://jcpa.org/article/the-newest-anti-israel-un-action-must-be-challenged-now/>