Rebuttal of Pillay Commission’s Report to UNGA

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UN Watch

<https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/>

In response to the October 2022 report to the UN General Assembly by the Pillay Commission of Inquiry on Israel, UN Watch published the following rebuttal,  prepared by UN Watch Legal Advisor Dina Rovner.

The fundamental failure of the report is that, contrary to its mandate to examine all sides in the conflict, the report examines and condemns only Israel. This follows the same completely one-sided format of the Pillay Commission’s June report to the Human Rights Council. The report is not the product of an objective and impartial examination of all sides, but an adversarial charge sheet where Israel is painted as the only actor and the only guilty party. This latest report underscores how the Pillay Commission of Inquiry (COI) is a travesty of justice. Accordingly, UN Watch calls for the termination of the COI, and has drafted [this resolution](https://unwatch.org/wp-content/uploads/2022/08/Draft-UN-Resolution-Terminating-the-COI-on-Israel.pdf) and [petition](https://unwatch.org/end-the-coi/) to commence the process.

**Key Points**

1. The Commission blames only Israel for the impasse in peace negotiations between Israel and the Palestinians and the lack of implementation of the two-state solution, pointing exclusively to the “occupation” and “settlements,” ignoring the Palestinian’ rejection of Israeli peace offers, including the 2000 proposal by Prime Minister Ehud Barak and the 2008 offer by Prime Minister Ehud Olmert. The report ignores Palestinian terrorism and incitement. It completely disregards Israel’s willingness to dismantle settlements for the sake of peace, as it did in 2005 in Gaza and in 1979 in Sinai. For example:
   * In paragraph 19, the report disregards Israel’s 2005 disengagement from Gaza in which it unilaterally withdrew 8,500 Israelis from that territory, claiming “that Israel continues to occupy the territory…”
   * In paragraph 51, the report expressly states that the “expansion of the settlements and related infrastructure actively contributes to the entrenchment of the occupation and makes the ‘two-state solution’ an increasingly unviable option.” This disregards Israel’s proven willingness to dismantle settlements for the sake of peace.
   * Paragraph 54 blames “The extensive human rights violations and abuses, along with violations of international humanitarian law noted in these reports” directly on the “Israeli occupation,” but fails to mention murderous Palestinian incitement and terrorist attacks against Israelis.
   * In the recommendations section, the report makes demands only of Israel. In paragraph 91, it calls only on Israel to “comply fully with international law and end without delay its 55 years of occupation of the Palestinian and Syrian territories,” directly implying that Israeli settlements are the only obstacle to peace, absolving the Palestinians of any responsibility.
   * Likewise in paragraph 93, the report recommends to the General Assembly to request an advisory opinion from the International Court of Justice “on the legal consequences of Israel’s continued refusal to end its occupation of the Occupied Palestinian Territory… and “ to respect the right of the Palestinian people to self-determination” indicating the Commission’s view that Israel is legally obliged to unilaterally end the occupation, while the Palestinians bear no responsibility whatsoever to cease incitement and terrorism or to participate in negotiations to end the conflict.

1. The Commission repeatedly minimizes Israel’s security concerns, claiming that Israel’s policies in the West Bank are driven by unlawful racial discrimination and a desire for territorial expansion rather than legitimate security considerations. For example:
   * In paragraph 52, while the Commission “acknowledges the significant detrimental impact of armed attacks and security incidents on Israeli and Palestinian citizens and residents,” it concludes that Israel’s actions are “based on the premise that Palestinians are a security risk,” and that “while Israel has a duty to ensure the safety and well-being of its own citizens, its duty in the occupied territory is also to ensure the overall protection, security and welfare of people under occupation…”
   * In paragraph 79 the Commission again acknowledges that “Israel has some legitimate security concerns,” but “finds that a significant number of policies and actions implemented by Israel in the West Bank are not intended to address these concerns, but rather that security is often used to justify the territorial expansion of Israel.”
   * In paragraph 80, the Commission diminishes Israel’s “‘security’ policies” by placing quotation marks around the word ‘security,’ expressly alleging that such policies “are based on discriminatory and otherwise unlawful measures and appear to constitute collective punishment against an entire population.”

The Commission does not take into account the proven fact that Israel’s security measures save lives. During the Second Intifada from 2000 to 2005, more than 1,000 Israelis were killed and thousands more severely injured by Palestinian terrorists, most of whom had infiltrated Israel from the West Bank.

The construction of Israel’s security barrier significantly reduced Israeli fatalities. Before construction on the barrier began, in 2002, 457 Israelis were killed. After the barrier was erected, in 2009, eight Israelis were killed.[[1]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn1) In the Samaria region of the West Bank, according to MK Avi Dichter, the former head of the Israel Security Agency, the security barrier successfully reduced terrorist attacks by 90%.[[2]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn2)

Similarly, checkpoints have proven to be an effective tool in thwarting terrorist attacks.[[3]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn3) Unfortunately, Palestinian terrorism has never stopped, as evidenced by a spate of terrorist attacks in March through May 2022 carried out by Palestinians from the West Bank city of Jenin. Accordingly, the checkpoints and other restrictions are still necessary to protect Israelis.

While the measures do inconvenience many innocent Palestinians passing through, they save lives. Israel’s Shin Bet security agency thwarted hundreds of attacks in the first eight months of 2022, an astonishing figure that illustrates the threat.[[4]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn4)

1. The Commission minimizes or ignores any positive action by Israel to benefit Palestinians. For example:
   * In paragraph 19, the Commission dismisses Israel’s 2005 unilateral disengagement from Gaza, stating that “Israel continues to occupy the territory…”
   * In paragraph 51, the Commission finds that “occasional” Israeli policies for Palestinians “such as allowing them access to work in Israel” and “approving extremely limited construction,” are not praiseworthy because they “do little to improve the overall lives of Palestinians or to advance an end to the occupation and a real, and just solution.”

Furthermore, the Commission completely ignores the many benefits Israel provides to Palestinian residents of East Jerusalem and Syrian residents on the Golan, including in infrastructures, health care and education.

4.  In a lead-up to its ultimate purpose, which has been building up through reports by Human Rights Watch and Amnesty International, as well as the former Special Rapporteur on Palestine Michael Lynk, and which is expressly referenced in the resolution S-30/1 which created the Commission, the Commission lays the groundwork for a later report that will accuse Israel of apartheid against the Palestinians. Here, the Commission accuses Israel of discrimination against its Palestinian citizens dating back to 1948. The Commission stated in paragraph 21 that it “found several similarities between the treatment of Palestinians by Israel inside Israel in the period since 1948, and its policies in the Occupied Palestinian Territory.”

Again, in paragraph 83, the Commission concluded that “In relation to the situation in Israel itself, the Commission reviewed the treatment of Palestinian citizens of Israel and notes that they are still subjected to discriminatory laws and public policies, including in the areas of education, housing and construction, and employment, a matter that the Commission intends to examine in a future report.”

Regrettably, given public comments by COI members downplaying antisemitism and questioning Israel’s right to exist, these accusations are not surprising. However, this is nothing more than an attempt to delegitimize Israel as an inherently racist endeavor which—just like the apartheid regime in South Africa—must be dismantled and to categorically reject the right of the Jewish people to self-determination in Israel under any circumstances.

The accusation is patently false. Like in many other countries, discrimination against minorities, including Arabs, Ethiopians and others, exists in Israel. However, there is no institutionalized racism in Israel. Israel’s approximately two million Arabs (20% of the population) have full citizenship and voting rights. Fifteen Israeli Arabs from multiple parties were elected to the 24th Knesset in March 2021.[[6]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn6) The Muslim Arab Ra’am party led by Mansour Abbas is part of the current unity government, which also includes left-wing and right-wing political parties. Arab Israelis serve in high level government and military positions as well as in senior roles in the private sector. Public facilities in Israel, including buses, malls, restaurants and beaches are open to all without discrimination. Simply put, there is no comparison between Israel and apartheid South Africa.

**Responses to Specific Statements in the Report**

**Statement 1: Israel obstructs Palestinian infrastructure and livelihoods in East Jerusalem**

**Quote:***“Restrictive planning and zoning regimes in East Jerusalem, which have obstructed adequate housing, infrastructure and livelihoods for Palestinians, have contributed to shrinking space for Palestinians.”* (Paragraph 15).

**Response:** This misrepresents the true situation in East Jerusalem by completely ignoring the complicated political reality there and the resources being invested by the Israeli government and the Jerusalem municipality to improve infrastructure and employment opportunities for Palestinians in East Jerusalem. East Jerusalem falls within the jurisdiction of the municipality of Jerusalem. However, due to the history of the area which had been under the control of different rulers over the last 100 plus years – the Ottoman Empire, the British Mandate, the Jordanian occupation and now Israel – there was very little proper land registration. This results in difficulties for residents to prove ownership and for the municipality to grant planning rights and building permits. This situation is now changing with heavy investment by the government of Israel and the Jerusalem municipality to address these challenges in East Jerusalem. Recently, a law was passed allocating 2.1 billion NIS for development in East Jerusalem in the areas of infrastructure, employment, and education.[[7]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn7) The Jerusalem municipality has been working with local Arab leaders known as Mukhtars to prove local land ownership and to create master plans for the different neighborhoods to include green zones for parks, brown zones for public buildings like schools and mosques, commercial zones, hotel zones, and residential zones. These master plans necessarily involve demolitions of illegal structures, but this has been implemented in consultation with the local leaders which has led to plans being changed in some cases to accommodate the local population. The new master plans include also a high-tech park as part of the initiative to create high quality jobs for young Arab engineers.[[8]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn8)

In Paragraph 18, the report also cites two UN Security Council resolutions from the 1980s (478 and 497) rejecting Israel’s annexation of Jerusalem but ignores the Oslo Accords of the 1990s in which the parties themselves had agreed to leave the issue of Jerusalem for final status negotiations. Accordingly, the Oslo Accords in effect left the status quo as it was, pending final negotiations. The Commission’s report fails to take this into account.

**Statement 2: Israel occupies Gaza**

**Quote:** *“*Although Israel disengaged from Gaza in 2005, the Commission notes that Israel continues to occupy the territory*…” (Paragraph 19).*

**Response:**The report gives no credit to Israel for voluntarily disengaging from Gaza in 2005, including dismantling 21 Jewish settlements and withdrawing 8,500 Israelis from the territory. Moreover, it gives a free pass to Hamas which instead of taking the opportunity to turn Gaza into the Singapore of the Middle East, has transformed Gaza into a terror base, indiscriminately launching thousands of rockets at Israeli civilians while endangering its own citizens and depriving them of opportunities for economic advancement. Moreover, while Israel subjects Gaza to a lawful military blockade, it does not occupy Gaza and has no control over what happens inside Gaza, which is ruled by Hamas. Like every other sovereign state, Israel has no legal obligation to allow Palestinians, who are non-citizens, to freely enter its territory. Israel has the right to control who enters its territory and under what conditions, *e.g.*, the length of the stay, activities permitted during the stay, or whether to require a permit. Notably, while it is not mentioned by the Commission, Israel is not the only country to control the entry of Palestinians into its territory. Egypt operates the Rafah crossing from the Gaza Strip to the Sinai, which is heavily restricted and often closed.

**Statement 3: Israel should give Golan Heights to Syria’s Assad regime**

**Quote:***The Commission calls on Israel to “end without delay its 55 years of occupation of the Palestinian and Syrian territories.” (Paragraph 91).*

**Response:**The Commission calls on Israel to return the Golan Heights to the murderous regime of Bashar al-Assad, who has massacred hundreds of thousands of his own people, including 3,000 Palestinians.[[9]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn9) While the Syrian regime has been massacring its people, causing over 5.6 million to flee and internally displacing another 6.6 million (according to the UNHCR), Israel has provided life-saving medical treatment to Syrians injured in the conflict. From 2013 to 2018, Israel facilitated provision of humanitarian assistance to Syrians on the other side of the border and allowed sick and injured Syrians into Israel to receive free medical treatment.[[10]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn10) As reported in the *Times of Israel*, during this time, the IDF treated 4,900 Syrians at Israeli hospitals and another 7,000 at its day clinic on the border.[[11]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn11) In addition, Israel transported into Syria 1,700 tons of food, 1.1 million liters of fuel, and 26,000 cases of medical supplies. From 2016 to 2018, Israel also operated a day clinic on the border. Israel ended the program when Assad’s regime took back control of the border area.

Although the Syrian residents of the Golan continue to identify as Syrian and generally do not speak publicly on these issues, statistics show that the number of Golan Syrians applying for Israeli citizenship has more than doubled in the last five years.[[12]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn12) Given that the 23,000 Druze people on the Golan are in no way victims of repression or other forms of gross human rights violations and the Syrian civil war rages on with massive rights violations, it is absurd to suggest returning the Golan Heights to Bashar al-Assad’s Syria.

**Statement 4: Israeli laws discriminate against Israeli Arabs**

**Quote:***“Several Israeli laws discriminate against Palestinian citizens of Israel. For example, the Nation State Law of 2018 gives only Jews the right to self-determination in Israel and removes the status of Arabic as an official language alongside Hebrew. In addition, the Citizenship and Entry into Israel Law (Temporary Order) restricts further family reunification and hinders the right to marry the person of one’s choice.” (Paragraph 23).*

**Response:**The Commission mischaracterizes certain Israeli laws as discriminatory, specifically the Nation-State Law and the Citizenship and Entry into Israel Law. While one can certainly debate the phrasing of the Nation-State law, it is not discriminatory. Regarding the issue of self-determination, law professor and constitutional law expert Eugene Kontorovich explains that these types of provisions are not unusual. He writes that “many, if not most, Western democracies are nation-states that embody the majority people’s collective particularistic aspirations” and such provisions have never “been thought to conflict with equal rights for members of minority groups.”[[13]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn13) Regarding the Arabic language, the law accords it a special status and provides for its use in state institutions. Professor Kontorovich further writes that “this is both a fair reflection of the status quo ante and more generous than the language policies of many Western democracies, most of which have only one national language—the primary one spoken in the country—even when there are substantial minorities with different native languages.”[[14]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn14)

The Citizenship and Entry into Israel Law likewise is not discriminatory. Israel, like any other sovereign state, has the right to control its borders and set laws for residency and citizenship. No country is obliged to grant automatic residency or citizenship to a non-citizen merely because they chose to marry one of that country’s citizens. Indeed, other democracies have similar laws concerning marriages between citizens and non-citizens, which do not grant automatic citizenship to the non-citizen spouse.[[15]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn15) Such laws do not violate rights to family reunification or to choose one’s spouse.

Moreover, the law is based on valid security considerations and rightly prioritizes the right to life of Israelis. It was adopted in response to the deadly terror attacks in the Second Intifada, a number of which were carried out with involvement of individuals who received legal status in Israel through marriage to an Israeli citizen. This gave them an Israeli ID which facilitated their passage through checkpoints and enabled them to bring suicide bombers or explosives into Israel.

In 2018, Israeli MK Avi Dichter, then-Chair of the Knesset Foreign Affairs and Defense Committee, explained “that 13 of the 29 terror attacks which took place between 2001 and 2014 were committed by Palestinians who are originally residents of Judea, Samaria or Gaza, and hold an Israeli identification card due to family reunification. Twice as many terror attacks, 26, were committed by Palestinians with a similar status over the past three years.”[[16]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn16)

**Statement 5: Israel pillages Palestinian quarries**

***Quote:****“West Bank quarries generate growing revenue for Israel and form an important component of the Israeli raw materials market.” (Paragraph 37).*

*“The Commission also finds that the looting, plundering and exploitation of natural resources by both private persons and commercial entities for private or personal use, as highlighted in paragraph 37 of this report, may amount to the war crime of pillage under the Rome Statute Article 8(2)(b)(xvi).” (Paragraph 87).*

**Response:**Since the mid-1970s, Israel has been operating stone quarries in what the Oslo Accords defines as Area C of the West Bank, which is subject to Israeli administrative and security control. It is false to accuse Israel of stealing from the quarries because the Israeli rights to the quarries were obtained following examination of land ownership, adherence to statutory planning procedures and through a licensing process pursuant to the applicable Jordanian law.

Moreover, the Oslo II Accord, under Article 31 of Appendix 1 to Annex III, recognizes Israel’s rights in the quarries, and expressly authorized Israel’s continued operation of them. Article 31 provides that during the interim period, until overall control of the area is transferred to the Palestinians, the quarries would continue to operate as before, and any issue that arose would be addressed by a joint Israeli-Palestinian committee. Notably, until the decision of that committee, “the Palestinian side shall not take any measures which may adversely affect these quarries.”

This is also consistent with international law. Regulation 55 of the 1907 Hague Regulations, as well as military manuals from the U.S., the UK, Canada and other countries, recognize the right of an occupying power to administer mines and even benefit from the profits, provided that it does not damage or destroy the quarries.[[17]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn17) As pointed out by the Supreme Court of Israel, even if Israel would continue to mine the quarries for the next 30 years, it would only use up about half a percent of the total mining potential in the area.[[18]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn18) Therefore, the accusation that Israel is “pillaging” the mines is false and inflammatory. Moreover, in this case, cessation of mining activities could damage the existing infrastructure and endanger the ability of the Palestinians to work the quarries in the future. Hague Regulation 55 requires Israel to “safeguard the capital.” To do so, until overall control of the area is transferred to the Palestinians, it would seem that Israel must continue to operate the quarries.

Furthermore, a significant number of West Bank Palestinians benefit from the quarries either because they are directly employed by the quarries or their work is dependent on the quarries. Significantly, Palestinians also operate their own quarries in Areas A, B and C of the West Bank.

When Israel’s quarrying activities in Area C of the West Bank were challenged before the Israeli Supreme Court,[[19]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn19) the Israeli government committed not to establish new stone quarries in the West Bank and to focus on restoring abandoned quarries to their natural state. It also committed to use the proceeds of the quarrying for projects in the West Bank for the benefit of both the Israeli and Palestinian populations to be overseen by the Israeli army’s civil administration in the area. The Supreme Court found that this was a political issue already addressed by the Oslo Accords, and that it could only be resolved through further negotiations.[[20]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn20)

**Claim 6: Israel deprives Palestinians of water**

**Quote:** *“The complete control exerted by Israel over water resources is a key factor preventing Palestinians from accessing affordable and adequate water…” (Paragraph 70, see also paragraphs 35).*

**Response:**The claim that Israel deprives Palestinians of water is false. The Oslo II Accord addressed the issue of water and allocated certain water resources to the Palestinians. In recent years, Israel has substantially increased the water supply to West Bank Palestinians. Although Israel undertook in the Oslo Accords to increase their water supply by 20%, in practice, it increased the water supply by 50%.[[21]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn21) According to the former CEO of Mekorot, Shimon Ben-Hamo, Israel aims to triple the amount of water it supplies to the Palestinians from 50 million to 170 million cubic meters so that the Palestinians and Jews living in the West Bank will receive equal amounts of water. This is separate and apart from any water resources developed and produced by the Palestinians themselves.[[22]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn22) Contrary to what the Commission claims, Mekorot has sold water to the Palestinians at a loss, significantly less than what it charges Israeli consumers.[[23]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn23)

Finally, the accusation also ignores the fact that Israel and the Palestinians have been working together to resolve water issues. For example, in June 2020, the cornerstone was laid for the Kidron Joint Israel-Palestinian Wastewater Treatment Facility to purify wastewater flowing from Palestinian and Israeli neighborhoods in Jerusalem—a major source of pollution—through the Kidron River to the Judean desert. The purified water is to be used for Israeli and Palestinian agriculture. At the time, Minister of Water Resources Ze’ev Elkin commented on the project that “About half of Jerusalem’s sewage is polluting the Kidron River—which is one of the most serious environmental hazards untreated so far. A lot of hard work was done here, which included a lot of coordination with government, military, municipal and the Palestinian Authority.”[[24]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn24)

Additionally, in July 2017, Israel and the Palestinian Authority signed a U.S.-brokered water-sharing deal pursuant to which Israel agreed to sell to the Palestinians 32 million cubic meters of water annually at a reduced price. Palestinian Water Authority head Mazen Ghuneim welcomed the deal.[[25]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn25) This was part of a larger trilateral agreement between Israel, the Palestinian Authority and Jordan for construction of a pipeline to transfer water from the Red Sea to the Dead Sea.

Regrettably, despite this cooperation, the issue of water has been politicized by certain groups, leading to the false narrative put forward by the UN and its officials.[[26]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftn26)

**Claim 7: Israel is the violator when Palestinian children participating in hostilities are harmed**

**Quote:***“Boys also face specific human rights violations, including an increased risk of death and injury inflicted by Israeli security forces during clashes, incidents of stone-throwing and protests*,*as well as incarceration.” (Paragraph 58).*

**Response:** The Palestinian Authority acceded to the Convention on the Rights of the Child in 2014. Accordingly, both the PA and Hamas have an obligation under international law to keep children away from hostilities, as set forth in Article 38 and the Optional Protocol on the involvement of children in armed conflict. Yet, both routinely incite children to violence and martyrdom and Hamas actively trains children for combat. Thus, to the extent that Palestinian children—boys or girls—participate in clashes with the Israeli army, and are killed, injured, or incarcerated as a result, it is the Palestinian Authority and/or Hamas that bears responsibility, not Israel.

**Claim 8: Israel discriminates against the Palestinians by building “settler-only roads”**

**Quote: “***Moreover, certain ‘security’ policies, including settler-only roads…are based on discriminatory and otherwise unlawful measures and appear to constitute collective punishment against an entire population.” (Paragraph 80).*

**Response:**There is no such thing as settler only roads. The Commission uses language to imply some kind of apartheid-style racial segregation. However, that is completely false. Many of the roads in Area C of the West Bank are open to both Israelis and Palestinians. For security reasons, specifically in response to terror attacks on Israeli vehicles (shootings, IEDs, Molotov Cocktails, rock-throwing) which have resulted in death and serious injury to Israelis, Israel has constructed certain bypass roads for use by Israelis, both Jewish and Arab, settlers and non-settlers. At the same time, Israelis are completely prohibited from entering Areas A and B of the West Bank and from traveling on the roads there and are denied free access to Jewish holy sites in those areas.

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NOTES

[[1]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref1) Mitchell Bard, *West Bank, Gaza and Lebanon Security Barriers: Background and Overview*, **Jewish Virtual Library** (last visited Dec. 24, 2020), <https://www.jewishvirtuallibrary.org/background-and-overview-of-israel-s-security-fence>.

[[2]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref2) Avi Dicter and Daniel L. Byman, *Israel’s Lessons For Fighting Terrorists And Their Implications For The United States*, **Brookings Institution** (March 8, 2006), <https://www.brookings.edu/wp-content/uploads/2016/06/byman20060324.pdf>.

[[3]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref3) *Id*.

[[4]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref4) Emanuel Fabian, *Lapid: Shin Bet thwarted hundreds of terrorist attacks this year, including suicide bombings*, **Times of Israel** (September 8, 2022), <https://www.timesofisrael.com/lapid-shin-bet-thwarted-hundreds-of-attacks-this-year-including-suicide-bombings/>.

[[5]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref5) <https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>.

[[6]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref6) *Current Knesset Members of the Twenty-Fourth Knesset*, The Knesset (last visited April 28, 2021), <https://knesset.gov.il/mk/eng/mkindex_current_eng.asp?view=1>.

[[7]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref7) <https://en.globes.co.il/en/article-program-for-employing-jerusalem-arabs-in-public-sector-underway-1001422079>.

[[8]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref8) <https://www.timesofisrael.com/as-mammoth-high-tech-hub-is-eyed-for-east-jerusalem-will-it-benefit-locals/>.

[[9]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref9) *More than 3,000 Palestinians killed in Syria since 2011*, The New Arab (May 3, 2016), <https://english.alaraby.co.uk/english/news/2016/5/3/more-than-3-000-palestinians-killed-in-syria-since-2011>.

[[10]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref10) Judah Ari Gross, *As war nears end, IDF shutters ‘Good Neighbor’ Syrian aid program*, Times of Israel (Sep. 13, 2018), <https://www.timesofisrael.com/as-war-nears-end-idf-shutters-good-neighbor-syrian-aid-program/#gs.gdai46>; Rami Amichay, *In the dead of night, Syrians cross frontier for doctor’s appointment in Israel*, Reuters (July 11, 2018), <https://www.reuters.com/article/us-mideast-crisis-syria-israel-aid/in-the-dead-of-night-syrians-cross-frontier-for-doctors-appointment-in-israel-idUSKBN1K12BA>.

[[11]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref11) Judah Ari Gross, *As war nears end, IDF shutters ‘Good Neighbor’ Syrian aid program*, Times of Israel (Sep. 13, 2018), <https://www.timesofisrael.com/as-war-nears-end-idf-shutters-good-neighbor-syrian-aid-program/#gs.gdai46>; *see also Operation Good Neighbor: Inside the IDF’s Effort to Provide Aid to Syria*, IDF (July 19, 2017), <https://www.idf.il/en/minisites/operation-good-neighbor/operation-good-neighbor-inside-the-idf-s-effort-to-provide-aid-to-syria/>.

[[12]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref12) <https://www.timesofisrael.com/as-ties-to-syria-fade-golan-druze-increasingly-turning-to-israel-for-citizenship/>.

[[13]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref13) <https://mosaicmagazine.com/essay/israel-zionism/2018/10/why-all-the-outrage-over-israels-nation-state-law/>.

[[14]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref14) <https://mosaicmagazine.com/essay/israel-zionism/2018/10/why-all-the-outrage-over-israels-nation-state-law/>.

[[15]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref15) <https://www.ngo-monitor.org/nm/wp-content/uploads/2019/11/NGO-Monitor-CERD-Israel-Submission-FINAL.pdf>.

[[16]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref16) <https://m.knesset.gov.il/EN/News/PressReleases/pages/Pr13905_pg.aspx>.

[[17]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref17) Hague Convention IV Respecting the Laws and Customs of War on Land and its Annex: Regulations Concerning the Laws and Customs of War on Land, Article 55 (Oct. 18, 1907), <https://ihl-databases.icrc.org/ihl/WebART/195-200065>.

[[18]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref18) *Yesh Din v. Commander of IDF forces in the West Bank*, Case No. 2164/09 (Israeli Supreme Court, Dec. 26, 2011).

[[19]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref19) *Id.*

[[20]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref20) *Id.*

[[21]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref21)7 Amb. Alan Baker, *Debunking 11 More False Assumptions Regarding Israel*, Jerusalem Center for Public Affairs (Jan. 2017), <https://jcpa.org/article/debunking-more-false-assumptions-regarding-israel/#_ednref13>; see also Amiram Barkat, *Mekorot CEO: We could earn billions abroad*, GLOBES (Feb. 19, 2017), <https://en.globes.co.il/en/article-mekorot-ceo-we-could-earn-billions-abroad-1001177666>.

[[22]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref22)8 *Id*.

[[23]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref23)9 *Fact Sheet: Water in the West Bank*, supra note 6.

[[24]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref24)13 *60 m deep tunnel and a joint wastewater treatment facility: This is how the Kidron River will be restored*, Jerusalem Institute Milken Innovation Center (June 28, 2020), <https://milkeninnovationcenter.org/news/60-m-deep-tunnel-and-a-joint-wastewater-treatment-facility-this-is-how-the-kidron-river-will-be-restored/>; *see also* Sarah Vorsanger, *Solving a Long Standing Sewage Problem*, ZAVIT (Aug. 18, 2019), <https://www.zavit.org.il/intl/en/energy_infrastructure/israeli-and-palestinian-cooperation-to-solve-a-long-standing-sewage-problem/>.

[[25]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref25)14 Jeffrey Heller, *Trump envoy announces Israeli-Palestinian water deal, silent on peace prospects*, Reuters (July 13, 2017), <https://www.reuters.com/article/us-israel-palestinians-usa-water-idUSKBN19Y1EZ>; Raphael Ahren and Melanie Lidman, *Israel, Palestinians reach landmark water deal for West Bank, Gaza*, Times of Israel (July 13, 2017), <https://www.timesofisrael.com/israel-palestinians-reach-landmark-water-deal-for-west-bank-gaza-strip/>.

[[26]](https://unwatch.org/rebuttal-of-pillay-commissions-report-to-unga/" \l "_ftnref26)15 *Myths vs. Facts: NGOs and the Destructive Water Campaign Against Israel*, supra note 5.