# Anti-Israel Bias and NGO Links of UNHRC’s Gaza Committee of Inquiry Members

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<https://www.ngo-monitor.org/reports/anti-israel-bias-and-ngo-links-of-unhrcs-gaza-committee-of-inquiry-members/>

On July 22, 2021, the United Nations Human Rights Council [appointed the members](https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27331&LangID=E) of a “Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel,” including “all underlying root causes…systematic discrimination and repression based on national, ethnic, racial or religious identity.”

The process for selecting members of the COI is entirely secret. It is unknown how COI members are nominated, how many candidates were considered, what selection criteria is applied, and who has ultimate authority to appoint these individuals.  This secrecy is a blatant violation of UN rules and international fact-finding standards.

This review highlights the chosen panel members’ conflicts of interest and prejudicial backgrounds, including long histories of anti-Israel activism and highly inflammatory rhetoric. Many of their statements and associations directly relate to topics under the COI mandate, suggesting that the Commission members have already formed their conclusions, prior to any investigation.  These appointments demonstrate that the goal of the COI is not to conduct an impartial and objective investigation, but rather, to manufacture evidence, recycle allegations of apartheid, and demonize Zionism and Jewish self-determination. In fact, it appears these individuals were chosen specifically for their prejudicial stances. Such extreme bias, a violation of [international](https://www.bookdepository.com/Best-Practices-for-Human-Rights-Humanitarian-NGO-Fact-Finding-Gerald-Steinberg/9789004218116) and [UN fact-finding requirements](https://www.ohchr.org/documents/publications/coi_guidance_and_practice.pdf) (p. 19), is typical of UN inquiries into Israel, and countries should refuse to cooperate with this panel and to provide it funding.

**Navi Pillay**, appointed to head the COI, is well known for her bias towards Israel while UN High Commissioner of Human Rights in 2008-2014. In this position, she empaneled four fact-finding missions targeting Israel, more than any other country; oversaw the discredited Goldstone Report, which was later rejected by its primary author; permitted the appointment of the notoriously antisemitic Richard Falk as the Special Rapporteur for the Palestinians; and convened the 2009 Durban II conference, which was boycotted by most democracies, and provided Iranian President Mahmud Ahmedinejad a prominent platform to disseminate antisemitic vitriol.  Because of this record, on February 14, 2022, UN Watch [filed a brief](https://unwatch.org/wp-content/uploads/2022/02/Request-for-Navi-Pillay-to-Recuse-Herself-on-Grounds-of-Bias.pdf) calling for her recusal from the COI.

**Chris Sidoti** has been described as a “[close friend and ally](https://ichr.ps/en/1/14/510/THE-IMPORTANCE-OF-A-NATIONAL-HUMAN-RIGHTS-INSTITUTION-FOR-PALESTINE-By-Chris-Sidoti.htm)” to the PA framework known as the Independent Commission for Human Rights and sits on the advisory council of AJIC, an Australian NGO that calls Israel a “settler colonial apartheid regime” and has accused Israel of committing crimes during the May 2021 conflict.  His position with AJIC, a group that has taken extreme positions on matters directly under investigation by the COI, and his role with a PA entity, present clear conflicts of interest disqualifying him under UN rules and international fact-finding standards.

Nearly 20 years ago, **Miloon Kothari** [entered Israel under false pretenses](https://www.un.org/unispal/document/auto-insert-188268/) in order to prepare a UN report (also in cooperation with radical NGOs). That publication erases the context of mass Palestinian suicide bombings that killed and wounded thousands of civilians, whitewashing terrorism and other war crimes as “Palestinian resistance.” It also employs highly inflammatory rhetoric, accusing Israel of “massacring” and “ethnically cleansing” Palestinians and falsely asserting that “the basic theocratic character of the Israeli legal system establishes ethnic criteria as the grounds for the enjoyment of full rights” (report available here: <https://digitallibrary.un.org/record/473611?ln=zh_CN>). Kothari’s troubling statements relating to Palestinian terrorism and his reliance on false NGO claims suggest he is unable to fulfill the COI mandate in accordance with UN standards.

## **Navi Pillay**

Navi Pillay served as the United Nations High Commissioner for Human Rights from 2008-2014. Her tenure was characterized by a litany of anti-Israel actions, including numerous fact-finding missions targeting Israel and the commission of the widely discredited Goldstone Report. Pillay has also expressed vocally anti-Israel views and support for BDS campaigns on numerous occasions.

In 2009, Pillay [criticized](https://www.nytimes.com/2009/04/20/world/20nations.html) several countries for boycotting the racist and antisemitic Durban conference, saying, “A handful of states have permitted one or two issues to dominate their approach to this issue, allowing them to outweigh the concerns of numerous groups of people that suffer racism and similar forms of intolerance.”

In 2010, Pillay [stated](https://newsarchive.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10079&LangID=E) that the Israeli Government treats international law with perpetual disdain.”

In 2012, then-House Foreign Affairs Chair Rep. Ileana Ros-Lehtinen and Rep. Elliot Engel [called on](https://foreignpolicy.com/2012/05/24/u-s-reps-snub-navi-pillay/) the Obama administration to “publicly and strongly” oppose the extension of Pillay’s mandate, due to her “repeatedly demonstrated bias against the state of Israel.”

During the 2014 Gaza War, Pillay [claimed](https://www.reuters.com/article/us-mideast-gaza-un-pillay-idUSKBN0G01E420140731) that Israel was acting in “deliberate defiance of obligations that international law imposes,” and criticized the US for not providing defense systems as the Iron Dome system for Hamas-run Gaza. In response, 100 members of the United States Congress[signed a letter to Pillay](https://web.archive.org/web/20140802125231/http%3A/israel.house.gov/sites/israel.house.gov/files/wysiwyg_uploaded/UN%20HRC%20Letter%20on%20Hamas%20Human%20Shields%20-%20FINAL%20SIGNATURES.pdf) stating that the Human Rights Council “cannot be taken seriously as a human rights organization.”

On the November 29, 2017 UN International Day of Solidarity with Palestine, Pillay [falsely claimed](https://www.youtube.com/watch?v=6sIEfCf1Dhs) that apartheid “means the enforced segregation of people on racial lines and that is happening in Israel.” Moreover, Pillay stated her support for BDS against Israel and the blacklisting of companies operating in the West Bank. Pillay said, “on the BDS campaign, I’m very pleased to hear that there is so much activity and support from South Africans civil societies as well.” Discussing boycotts of the apartheid regime in South Africa, Pillay said, “…I hope that the Palestinian struggle to end colonization gains this kind of momentum, especially in the civilian campaign of BDS.”

In 2020, Pillay was signatory to the South African Boycott Divestment and Sanctions (SA BDS) Coalition Statement, calling on the South African government to “spearhead a campaign in the United Nations (UN) to impose countermeasures and sanctions against Israel for its violations of fundamental principles of international law, its denial of the Palestinians rights to self-determination and its forceful and violent annexation of Palestinian territory.” The statement refers to Israel as an “apartheid regime” and calls for the cancellation of security cooperation and free trade agreements with Israel.

In a May 2021 lecture, Pillay [described](https://www.youtube.com/watch?v=z__R2VoGWwM&t=5111s) Israel’s treatment of the Palestinians as “inhuman,” comparing Israel to apartheid South Africa.

Pillay was a signatory to a June 2021 [joint letter](https://nowisthetimecoalition.com/) to US President Joe Biden which condemned Israel’s “domination and oppression of the Palestinian people,” calling on the U.S. to “address the root causes of the violence” by ending Israel’s “ever-expanding discrimination and systemic oppression.”

## **Chris Sidoti**

Sidoti holds a seat on the [advisory council](https://acij.org.au/about-us/advisory-council/) of the Australian Centre for International Justice (ACIJ). ACIJ holds virulently [anti-Israel positions](https://acij.org.au/our-work/international-accountability/palestine/accountability-for-crimes-in-palestine/), supports BDS, including “calling on the Australian Government to undertake an urgent review of all [trade](https://acij.org.au/media-release-israel-committing-apartheid-and-persecution-as-crimes-against-humanity-the-australian-government-must-change-track-on-palestine/)cooperation with Israel,” accuses Israel of committing international crimes including during the conflict in May 2021, and accuses Israel of being a “[settler-colonial apartheid regime](https://acij.org.au/media-release-israel-committing-apartheid-and-persecution-as-crimes-against-humanity-the-australian-government-must-change-track-on-palestine/)”. The center also [cooperates closely with](https://acij.org.au/joint-media-release-palestinian-and-australian-human-rights-organisations-call-on-australian-government-to-condemn-israels-crimes-in-gaza-and-east-jerusalem-and-reject-strengthening-trade-wi/)[Palestinian Human Rights Organizational Council](https://acij.org.au/wp-content/uploads/2021/05/ACIJ-and-PHROC-Submission-DFAT-Trade-with-Israel-FINAL_Fix1.pdf), an umbrella organization of eleven highly politicized Palestinian NGOs and a platform for NGO members to lobby international forums and disseminate statements demonizing Israel. PHROC consists of several PFLP-affiliated members, including Al Haq, Al Mezan, Addameer, and DCI-P.

Sidoti is a “close friend and ally” of the so-called Palestine Independent Commission for Human Rights, a quasi-governmental entity of the Palestinian Authority styled as a “National Human Rights Institution.” ICHR was established by former PLO Chairman Yasser Arafat and while purporting to be an NHRI that monitors PA compliance with human rights standards, and at times does so, the ICHR also serves as a vehicle to produce and promote PLO political propaganda. In 2018, Sidoti [published a report](https://www.ichr.ps/en/media-center/1366.html), appearing on ICHR’s website, praising the group. Sidoti also worked as a [consultant](https://www.sourcewatch.org/index.php/International_Service_for_Human_Rights) for ICHR in 2016.

Sidoti’s associations with ACIJ and the ICHR, represent clear conflicts of interest to carry out his work with the COI in accordance with UN regulations and international fact-finding requirements.

In addition to the political nature of the ICHR, many ICHR staffers disseminate content supporting the use of violence, support for BDS, and rejecting normalization with Israel. These factors call into question ICHR’s functioning as a legitimate NHRI promoting universal human rights principles. For example, in August 2019 ICHR deputy director Jamil Sarhan [wrote](https://www.facebook.com/permalink.php?story_fbid=2380062785408185&id=100002134599572) on an August 15 stabbing attack in Jerusalem: “Palestinian children’s stabbing operations against Israeli occupation soldiers are not considered in any way using children as soldiers…but they are an instinctive and improvised action, as a reaction to the presence of the occupation and robbing of the land. Congratulations to the Palestinian child who does not accept humiliation and fights with stones, Molotov [cocktails] and knifes [sic] to defend his right of self-determination.” In May 2019, a member of ICHR’s board of directors, Hama Zeidan, [posted](https://www.facebook.com/z.ghonaimy/posts/2172535662770000) an official BDS poster on Facebook with the caption: “Boycott your occupation. Don’t let your Iftar be made in the occupation…Boycott Israeli products.” Another board member [described](https://www.facebook.com/z.ghonaimy/posts/2172535662770000) normalization with Israel as a “betrayal.”

Notably, members of the ICHR board and employees hold senior positions in multiple Palestinian terror-linked NGOs, including Al-Haq.[1](https://www.ngo-monitor.org/reports/anti-israel-bias-and-ngo-links-of-unhrcs-gaza-committee-of-inquiry-members/#easy-footnote-bottom-1)

## **Miloon Kothari**

Kothari served as the UN Special Rapporteur on adequate housing in 2000-2008. As Special Rapporteur, he [entered Israel under the](https://www.un.org/unispal/document/auto-insert-188268/) false pretext of attending a conference at Ben Gurion University in 2002, when in fact the objective of his visit was to prepare a report on housing conditions in the Palestinian territories. Notably, Kothari did not meet with any Israeli officials during the preparation of the report, [choosing instead](https://www.refworld.org/docid/3dec86dd4.html) to meet with “a group of non-governmental organizations, United Nations and intergovernmental agencies, and Palestinian authorities.” The resulting document, full of inaccuracies and falsehoods, contains highly inflammatory language, accusing Israel of “massacre” and “ethnic cleansing,” while dismissing the mass wave of Palestinian suicide bombing and other terror attacks against civilians that characterized the Second Intifada as “resistance.” When discussing Israel’s practice of home demolitions, Kothari claimed in the report that the “demolitions ordered either for lack of permit or another pretext have a military dimension and a gratuitously cruel nature.” The same report also made use of the oft-repeated water libel narrative, accusing Israel of “destruction…of Palestinian water sources, pumps, wells, and distribution infrastructure,” and “pollution and contamination of Palestinian aquifiers…” Such claims have been debunked numerous times by NGO Monitor. (For more information, read our reports [Analysis of Palestinian Water Issues and Israel’s Role](https://www.ngo-monitor.org/reports/analysis-of-palestinian-water-issues-and-israels-role/)and [UN Recycled Palestinian Water Report.](https://www.ngo-monitor.org/reports/un-recycled-palestinian-water-report/))

In 2004, Kothari signed [a statement](https://www.un.org/unispal/document/auto-insert-213410/) issued by several UN officials condemning Israel’s “continued violations of human rights and freedoms in the occupied Palestinian territories.” The statement includes two paragraphs where it “deplores” and repeatedly highlights the “grave concern” regarding supposedly illegal activities conducted by Israel.  The statement concludes with one line: “We also denounce the practice of ‘suicide bombings’ carried out against the Israeli population.” The lesser charged language of “denouncing” of suicide bombs as opposed to “grave concern” and “deploring” of Israeli action, while the passively worded “practice of ‘suicide bombings’” (with suicide bombings in scare quotes) and no responsibility attributed to any Palestinian actor, highlights the bias and prejudicial attitudes of the signatories towards terrorism. Kothari [later referred publicly](https://www.abc.net.au/news/2004-06-26/un-denounces-israeli-palestinian-violence/1999478) to the statement, praising its unprecedented nature and referring to Israel’s West Bank security barrier as an “annexation wall.”

In September 2006, Kothari participated in [a joint visit by four UN Rapporteurs to Lebanon and Israel](https://digitallibrary.un.org/record/584441?ln=en) following the 2006 Second Lebanon War. Their report falsely concluded “that serious violations of both human rights and humanitarian law have been committed by Israel. Available information strongly indicates that, in many instances, Israel violated its legal obligations to distinguish between military and civilian objectives; to fully apply the principle of proportionality; and to take all feasible precautions to minimize injury to civilians and damage to civilian objects.” The report cites discredited reports of NGOs such as Human Rights Watch and Amnesty International. Kothari was also[quoted in Arabic-language media](https://al-akhbar.com/Archive_Local_News/206258) accusing Israel of “purposefully targeting and killing” Lebanese civilians.

In contrast, independent military expert William Arkin, [found](https://www.nytimes.com/2007/10/14/world/middleeast/14airwar.html) in his investigation of the conflict that “[Two pernicious myths have emerged](https://www.ngo-monitor.org/reports/_ngo_campaigns_in_the_lebanon_war_/) from Israel’s campaign against Hezbollah in southern Lebanon in the summer of 2006. The first is that Israel indiscriminately bombed civilian population and infrastructure. The second is that Israel failed to defeat Hezbollah because it chose airpower as its principal military instrument.”[2](https://www.ngo-monitor.org/reports/anti-israel-bias-and-ngo-links-of-unhrcs-gaza-committee-of-inquiry-members/#easy-footnote-bottom-2)

[In an October 2007 interview](https://www.worldpress.org/Americas/2979.cfm), Kothari said: “Inside the Green Line, in many ways, is not much better amongst the Arab citizens. There is heavy repression and segregation of the Bedouin, and the unrecognized villages in Galilee…There are thousands and thousands living without electricity or water; it is a reckless policy in the Negev. The Bedouin are concentrated in seven new communities…It is difficult to imagine a Palestinian state that would be viable beyond this type of**banstustan-type** situation…” (emphasis added). This narrative is based on the maximalist claims of a radical sector of activists, rather than a complete description of the complex Bedouin situation. (For more information, see our report, [“NGOs and the Negev Bedouin Issue in the Context of the Political Warfare](https://www.ngo-monitor.org/reports/ngos_and_the_negev_bedouin_issue_in_the_context_of_political_warfare/).”)

In December 2011, Kothari was quoted in an[Al Jazeera op-ed](https://www.aljazeera.com/opinions/2011/12/27/palestinians-in-a-jewish-state) falsely claiming that “the basic theocratic character of the Israeli legal system establishes**ethnic criteria as the grounds for the enjoyment of full rights**…” (emphasis added).

## Footnotes

1. For example, Asem Khalil, an ICHR board member since [2016](https://web.archive.org/web/20180115094127/https%3A/ichr.ps/attachment/751/Annual%20Report%2022%20%282016%29.pdf?g_download=1), and is a member of the executive committee of Al-Haq; Issam Younis, ICHR Commissioner General from April 2018 to July 2021, is also general director of Al-Mezan; Raji Sourani is listed as an [“honorary” member of ICHR’s board of director,](https://www.ichr.ps/en/BOD)and the founder and general director of the[PFLP-linked Palestinian Center for Human Rights](https://www.ngo-monitor.org/ngos/palestinian_center_for_human_rights_pchr_/) (PCHR).
2. Arkin discusses the problems stemming from the excessive reliance of HRW, Amnesty, and other NGOs on Lebanese witnesses: “The prominent international human rights organizations which investigated damage to the civilian infrastructure in Lebanon further reported that they found little or no evidence of previous Hezbollah presence where attacks took place, suggesting Israeli intent to destroy Lebanon’s infrastructure and economy as well as gross neglect and lack of discrimination in attacks, even against legitimate targets. The problem with this dominant and conventional accounting of damage is that most of it is grossly exaggerated, misleading, or patently false. Based upon on-the-ground inspections, discussions with Israeli and Lebanese officials, imagery analysis, and a close reading of government and international organization materials, a good majority of the reports of damage in Lebanon are incorrect or downright fraudulent.” William M. Arkin, “Divining Victory – Airpower in the 2006 Israel-Hezbollah War,” Air University Press 76 (2007), available at http://www.4shared.com/document/NRfziHeq/Divining\_Victory\_-\_Airpower\_in.html. Arkin further states that “[t]here is no evidence that Israel intentionally attacked any proscribed medical facilities, no real proof that it “targeted” ambulances (and certainly not because they were ambulances engaged in protected activity), no evidence that it targeted mosques or other religious structures, and there were no intentional attacks on schools. The Qreitem “Old Lighthouse” in Beirut was attacked because it housed radar and observation posts used to target Israeli ships. Grain silos were hit incidental to attacking a naval base exclusively used by Hezbollah.” Id. at 76-7.