
False Claims, Discredited Sources: The Initial Report from the UN's Permanent COI Targeting Israel

June 12, 2022

Executive Summary

On June 7, 2022, the UN Human Rights Council (HRC)'s "Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel" (COI) published its first report. As expected, this initial report perpetuates outright falsehoods, and relies on information provided by terror-linked and anti-Israel NGOs to previous UN bodies. This is consistent with the COI's prejudicial mandate and the bias of commission members.

The COI's Fundamental Bias

- Unlike other commissions of inquiry that present a single report to the HRC, the COI will report twice a year in perpetuity, making it yet another permanent anti-Israel UN institution.
- The COI seeks to collect evidence that will be provided to the International Criminal Court (ICC), affording NGOs another vehicle to lobby for prosecutions of Israeli officials.
- The COI's mandate includes an obligation to investigate "root causes" of the Israeli-Palestinian conflict. In this regard, it will likely become a platform for NGO claims that the Jewish state is illegitimate and guilty of the crime of "apartheid."
- The selection process for commissioners was non-transparent, and there is secrecy regarding the identity of the "experts" upon whom the COI is relying.
- [All three COI commissioners have long-documented anti-Israel biases](#) or have worked for a Palestinian Authority-linked institution. For example, regarding COI head Navi Pillay, in 2012, US House Foreign Affairs Chair Rep. Ileana Ros-Lehtinen and Rep. Elliot Engel [opposed](#) the extension of her tenure as UN High Commissioner for Human Rights, due to her "repeatedly demonstrated bias against the state of Israel."
- In March 2022, the COI met with NGOs responsible for promoting the "apartheid" campaign against Israel, including B'Tselem, Adalah, Addameer, and Human Rights Watch (HRW). There is no indication that the COI made efforts to engage with or meet with Jewish groups or those providing a mainstream Israeli perspective.

Failures of the June 2022 report

- The report makes demonstrably false claims, such as asserting – incorrectly – that Palestinian residents of Jerusalem cannot apply for Israeli citizenship and that non-Jewish Israeli citizens have a separate legal status than Jewish Israelis.
- The most-cited source in the COI is the discredited 2009 Goldstone Report on the 2008-2009 conflict between Israel and Palestinian terror organizations in Gaza. That report's biases and flaws were so severe that its own author, Judge Richard Goldstone, disavowed it in an [April 2011 op-ed in the *Washington Post*](#), writing, "If I had known then what I know now, the Goldstone Report would have been a different document."
- The report cites to non-binding and political UN resolutions, reports, statements, and advisory opinions as representing binding law.
- It attacks Israel's Law of Return – streamlining immigration and naturalization for Jews around the world – while erasing its consistency with international law and practice.
- The COI seeks to discredit Israel's designation of terror-linked Palestinian NGOs. In contrast, the EU, the Netherlands, and financial institutions such as Visa, MasterCard, American Express, Citibank, and Arab Bank, have frozen funds, ended contracts, closed accounts, and denied services to these groups over terror-financing concerns.
- The report cites to UN documents that are themselves based on data provided by these terror-linked NGOs.
- The COI does not mention Palestinian incitement and other crucial factors necessary for understanding Israeli security policy.
- The COI parrots earlier NGO and UN documents blaming Israel for "the destruction of Palestinian water infrastructure" and limited "access to water," ignoring increased Israeli supply of water to the West Bank. Moreover, the Palestinian Authority boycotted the Israeli-Palestinian Joint Water Committee (JWC) – a decision-making body tasked with managing and improving infrastructure in the West Bank – for years, severely hindering the development of additional water infrastructure for Palestinians.

Introduction

On 7 June 2022, the UN's "Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel" [issued its first report](#). Unsurprisingly, much like every other Israel-focused document produced by the Human Rights Council (UNHRC)

and the Office of the High Commissioner for Human Rights (OHCHR), the report concludes that the “occupation of lands by Israel” is the “underlying root cause of recurrent tensions, instability and protraction of conflict” (para 69).

This Commission of Inquiry (COI) was [established in May 2021](#) (Resolution S-30/1) by the UNHRC and, reflecting an agenda driven by the network of non-governmental organizations (NGOs) leading the delegitimization campaign against Israel, was created as a permanent mechanism. The Council has a long history of [institutional and systemic bias towards Israel](#), and this is its fourth permanent mechanism targeting Israel.¹

In advance of the June session of the Council, a group of countries, spearheaded by the US, circulated a joint statement to member states opposing the COI and criticizing its report. (The creation of the COI passed by a narrow margin with many of the countries in favor or abstaining expressing concern regarding the permanence of the COI and its excessive costs.) The Statement notes:

Resolution S-30/1 established, for the first time in the Council's history, a COI of unlimited mandate, with no sunset clause or end date. The Commission is similarly unrestrained in its substantive and temporal scope, applying to a host of actions and “all root causes” “leading up to and since 13 April 2021” – in effect to all potential issues at all times. These were among the fundamental concerns that led to half the Council's membership withholding their support from resolution S-30/1 when it came up for adoption last May.

Human Rights Watch (HRW) lobbied member states in an attempt to sway them not to co-sponsor the joint statement. On June 3, 2022, HRW sent an email to all UN delegations urging them to refuse to sign the statement, misrepresenting the unprecedented nature of the COI and misleading on the documented institutional bias against Israel at the Council.

[Background on the COI](#)

Predetermined Attack against Israel

Biased Approach

Accusations of Apartheid

Lack of Transparency

Unreliable Sources

Falsehoods in the Report

Re-writing History

Equal Legal Status of Israeli Citizens

Law of Return

Terror-linked NGOs

Controversial Legal Positions

Violence Perpetrated by Civilians

Footnotes

1. Data published by the UN Office for the Coordination of Humanitarian Affairs (OCHA) includes Palestinians killed while carrying out terrorist attacks as “settler-related incidents.”

According to OCHA, three Palestinians have been killed in 2022 in “incidents involving Israeli settlers.” One was shot after [stabbing an Israeli civilian on a bus on March 31](#), another appears to have been [shot by the IDF in clashes in Nablus on April 13](#), and lastly, a Hamas member was shot after [scaling the perimeter fence of the Israeli West Bank town of Tekoa with a knife](#) on May 8.

Topics in this Report

- 2021 Commission of Inquiry
- Apartheid Rhetoric
- Commission of Inquiry
- Popular Front for the Liberation of Palestine (PFLP)
- UN Human Rights Council (HRC)
- UNHRC
- United Nations
- Water

Source: <https://www.ngo-monitor.org/reports/initial-report-uns-permanent-coi-targeting-israel/>