Congress Should Help End UN’s Latest Anti-Israel Waste of Funds

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By [Orde Kittrie](https://nationalinterest.org/profile/orde-kittrie)

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U.S. ambassador Michele Taylor led twenty-two United Nations (UN) member nations Monday in [blasting](https://geneva.usmission.gov/2022/06/13/id-with-the-coi-on-the-occupied-palestinian-territory-hrc50/) the recently established UN Commission of Inquiry into the Israeli-Palestinian conflict (COI). The COI last week issued a first [report](https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index) which was biased, inaccurate, and designed to delegitimize Israel’s right to exist and to defend its citizens against terrorism.

In a stark signal that key allies are tired of the UN expending scarce resources on unjustified Israel-bashing, the twenty-two countries—including Canada, France, Germany, and the United Kingdom—denounced the COI as exemplifying “the long-standing, disproportionate attention given to Israel” by the UN Human Rights Council (UNHRC), which [created](https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index) the COI. The joint statement said this disproportionate focus on Israel “must stop.”

The Biden administration [criticized](https://www.state.gov/the-un-human-rights-councils-commission-of-inquiry-on-the-situation-in-israel-the-west-bank-and-gaza/) the COI and its report for “a one-sided, biased approach that does nothing to advance the prospects for peace.” In March, a [bipartisan letter](https://www.portman.senate.gov/newsroom/press-releases/portman-and-cardin-lead-68-senators-letter-secretary-blinken-prioritize) from sixty-eight U.S. senators slammed the COI as “wasteful” and “likely to further fuel antisemitism worldwide,” and urged the administration to spearhead ending it.

Congress should now help the administration and these allies to stop the COI before it causes further harm to the peace process, Israel, and UN institutions whose credibility and resources are needed to address Russia’s invasion of Ukraine, China’s grave abuses of the international system, and other top global priorities.

The COI’s chair is Navi Pillay, whose prior record on Israel was so one-sided that the Obama administration had [blocked](https://www.reuters.com/article/us-rights-un/u-n-rights-chief-to-stay-two-more-years-u-s-syria-arent-fans-idUSBRE84N1O720120524) her from being renewed for another UN post. Pillay has wrongly [accused](https://unwatch.org/wp-content/uploads/2022/02/Request-for-Navi-Pillay-to-Recuse-Herself-on-Grounds-of-Bias.pdf) Israel of committing the crime of apartheid and [called](https://www.jpost.com/israel-news/article-709318) for imposing an arms embargo and other sanctions on it. The two other commissioners have [similarly](https://www.jpost.com/arab-israeli-conflict/navi-pillay-to-head-unhrcs-permanent-war-crimes-probe-against-israel-674632) egregious records of anti-Israel bias.

Unlike prior UNHRC commissions of inquiry, which examined specific Israeli-Palestinian clashes in the West Bank and Gaza, [this](https://nationalinterest.org/feature/biden-can-reset-un%E2%80%99s-discriminatory-approach-israel-200629) COI was [created](https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index) to exist in perpetuity; is mandated to search for violations in pre-1967 Israel as well as the West Bank, Gaza, and East Jerusalem; and appears designed to falsely conclude that Israel is committing the crime of apartheid.

**COI Report Unfairly Blames Israel for the Conflict**

This first COI report recaps the UN’s myriad past Israel-focused resolutions and analyses. It is a sad reminder of how much UN time and money has been wasted on obsessively and unfairly bashing Israel.

The UNHRC is a particularly egregious Israel-basher. Since its creation, the UNHRC has adopted [more](https://twitter.com/hillelneuer/status/1397979421395636224?lang=en) resolutions condemning Israel—a robust democracy rated “Free” by Freedom House—than every other country in the world combined. The many UNHRC [members](https://www.ohchr.org/en/hr-bodies/hrc/current-members) with far [worse](https://freedomhouse.org/countries/freedom-world/scores) human rights records spotlight Israel because it distracts attention from their own abuses. For example, the UNHRC has [adopted](https://unwatch.org/database/problems/unhrc/) zero resolutions on the gross human rights abuses in China, a perennial council member.

The COI report blames the Israeli-Palestinian conflict entirely on Israel. It whitewashes Palestinian terrorism, disregards Israel’s need and right to protect its citizens, omits Israel’s [diligent](https://global.oup.com/academic/product/lawfare-9780190263577?cc=us&lang=en&) compliance with the law of armed conflict, and ignores Hamas and Iran’s continued genocidal threats.

The report also ignores that Israel [has](https://www.nytimes.com/2001/03/25/magazine/dennis-ross-s-exit-interview.html) repeatedly [offered](https://www.voanews.com/a/former-israeli-pm-details-failed-peace-deal-with-palestinians-114803389/172651.html)—in exchange for peace—a Palestinian state in [up](https://www.ejiltalk.org/uncomfortable-truths-how-hrw-errs-in-its-definition-of-israeli-apartheid-what-is-missing-and-what-are-the-implications/) to 94 percent of the West Bank. Contrary to the COI report, it is Palestinian rejectionism and terrorism, not Israel’s exercise of its right of self-defense, that is the root cause of the conflict.

**Report Lays Groundwork for Apartheid Accusation**

The report surprised some analysts by not explicitly making the newly-in-vogue false accusation that Israel is committing the crime of apartheid. This accusation seemed likely because the COI’s mandate [includes](https://nationalinterest.org/feature/biden-can-reset-un%E2%80%99s-discriminatory-approach-israel-200629) language spuriously redefining that crime to include Israel, and Pillay made that accusation herself prior to becoming COI chair.

The facts in Israel and the territories [don’t fit](https://nationalinterest.org/feature/biden-can-reset-un%E2%80%99s-discriminatory-approach-israel-200629) either the actual international law [definitions](https://www.ngo-monitor.org/reports/apartheid-report/) of apartheid or even the COI mandate’s false definition of it. Accusing Israel of apartheid would be tantamount to resurrecting the infamous UN General Assembly resolution—passed in 1975 and rescinded in 1991—that falsely asserted that “Zionism is a form of racism and racial discrimination.”

The COI report repeatedly references its mandate’s spurious definition of apartheid and features false “evidence” of Israeli violations. It simply refrains for now from connecting its own dishonest dots. Given the COI’s mandate, its commissioners’ past statements, and this first report’s groundwork, the COI seems likely to make the apartheid charge in a future report, perhaps as soon as October.

**What the United States Should Do**

The Biden administration has repeatedly opposed the COI. At the UN in December, the United States [voted](https://www.jpost.com/israel-news/article-689705) for an Israeli motion to entirely defund the COI. The United States and its allies succeeded in cutting the COI’s budget by 25 percent. U.S. ambassador Patrick Kennedy [said](https://www.unmultimedia.org/avlibrary/asset/2700/2700135/) the “United States will continue to oppose this COI and look for opportunities” to “revisit its mandate” and “persuade more Member States that it is inherently biased and an obstacle to the cause of peace.”

The March 2022 bipartisan [letter](https://www.portman.senate.gov/newsroom/press-releases/portman-and-cardin-lead-68-senators-letter-secretary-blinken-prioritize) from sixty-eight senators urged Secretary of State Antony Blinken to prioritize “leading a multinational effort” to “end” the COI. The letter noted that “[b]y unfairly singling out Israel, the UNHRC undermines its credibility to investigate human rights violations around the world.”

Congress should put teeth in the senators’ request. UNHRC activities are funded by the UN regular budget, 22 percent of which is [contributed](https://sgp.fas.org/crs/row/IF10354.pdf) by the United States.

U.S. law already [reduces](https://uscode.house.gov/view.xhtml?req=(title:22%20section:287e%20edition:prelim)) America’s contribution to the UN by the U.S. share of the budget of other anti-Israel UN bodies. Congress should amend U.S. law to similarly reduce the American contribution by the amount of the U.S. share of the COI budget.

With the UN budget in crisis, stretched by coronavirus and by Russia’s invasion of Ukraine, it is even more irresponsible than usual to waste precious UN resources on the COI or any other Israel bashing exercise. The COI’s unbalanced first report discredited the UN and contributed nothing to the cause of peace. Congress and the Biden administration should work together with U.S. allies to end the COI before it causes even greater harm.