



His Excellency Federico Villegas,
President of the Human Rights Council
Palais de Nations - Geneva

Geneva, 28 July 2022

Dear Mr. President,

I am writing to you to demand the immediate resignation of Mr. Miloon Kothari, a Commissioner of the COI tasked with investigating Israel. In a recent interview released on 25 July, Mr. Kothari made a number of outrageous comments, including some that are evidently antisemitic.

During the interview, Mr. Kothari said, *"we are very disheartened by the social media that is controlled largely by – whether it is the Jewish lobby or specific NGOs, a lot of money is being thrown in to try to discredit us"*. He further questioned Israel's right to exist as an equal member of the community of nations, in an unacceptable and cynical attempt to discredit the very legitimacy of the only Jewish State. These antisemitic remarks are a disgrace and stain the credibility of the whole United Nations system and certainly are not befitting of someone in a position of responsibility or anyone representing the UN.

Sadly, these comments by Mr. Kothari are just the latest in a number of extremely concerning comments expressed by the members of this Commission. Just last month, another member, Mr. Chris Soditi, claimed that some Jews were throwing around accusations of antisemitism "like rice at a wedding" and in fact legitimizing antisemitism against themselves. He also claimed these Jews, who felt they experienced antisemitism, defiled the memory of 6 million victims of the Shoah. To trivialize

the Shoah in such a way is disgraceful and irresponsible. These comments completely undermine the experience of many Jewish people, and undermine the global struggle against antisemitism, which is on the rise throughout the world.

In a letter to the President of the Human Rights Council in October 2021¹, Israel openly questioned the appointment of all three of the Commissioners based on their previous comments and views. In the letter, we wrote, “it is telling that the appointment by the Council of Commission of Inquiry members with such obvious bias is not only flawed, it is unprecedented”.

Individuals holding such biased views should have never been appointed to positions requiring the highest standards of impartiality, objectivity and independence. As we said, it was clear from even a cursory survey of the public record of each of the appointed members, that they not only fail to meet the requirement of impartiality established by the OHCHR itself, but that this was not even a consideration in the appointment process.

It is also true that Israel has expressed its dismay and its utter rejection at the very formation of this Commission since it was created in May 2021. We feared that it was created at the behest of many countries, who like Mr. Kothari, reject Israel’s right to be member of the International Community. We also feared it would be used as tool by those countries to find that the very creation of Israel in 1948 is the root cause of this conflict. It is now more evident than ever, our fears were justified. With every report, the Commission will build towards this conclusion; with every report it will try to undermine the very foundations of the Jewish State. We therefore repeat our call for the COI to be disbanded immediately.

This Commission, and the comments by its Commissioners, are just another example of the bias against Israel at this Council from its creation; be it with Item 7, the only Item on the agenda attacking a country; be it numerous COIs, whose members are chosen *because* of their biased views; or be it

¹ Letter Addressed to H.E Ambassador Nazhat Shameen Khan, President of the Human Rights Council. 5th October 2021

with a never-ending Special Rapporteur, the only one of its kind and a relic of the disbanded Commission of Human Rights. It is time for those who care about the credibility of this Council to speak out about this evident bias and be an active party in ending it.

I look forward to hearing from you,

Sincerely,

A handwritten signature in blue ink, appearing to be 'Meirav Eilon Shaha', with a stylized, overlapping structure.

Meirav Eilon Shaha

Ambassador

Permanent Representative

Cc: H. E. Mr. António Guterres

Secretary-General of the United Nations