

AIPAC MEMO

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The U.N. Commission of Inquiry on Israel: Unprecedented, Unwarranted, Unjust, Unsurprising.

The diplomatic assault against the Jewish state at the U.N. has reached new heights in recent months.

Last May, the U.N. Human Rights Council (UNHRC) established an unprecedented, open-ended Commission of Inquiry (COI) intended to permanently target Israel. The new commission's broad mandate, biased leadership and substantial budget assures unremitting attacks on Israel, beginning with the COI's first report this June.

America has now resumed membership in the UNHRC. The administration must take the necessary steps to end the body's constant, unjust attacks on Israel—including the ultimate elimination of the COI.



Since it was founded in 2006, the UNHRC has passed more resolutions condemning Israel than against Iran, Syria, North Korea, China, Cuba and Venezuela combined. (*Magali Girardin/ Keystone via AP*)

Unprecedented: The COI sets a new low for U.N. assaults on Israel.

- Israel is the only country in the world that has a standing agenda item at the UNHRC dedicated to it, which ensures that Israel is singled out at every meeting. Now, the UNHRC has established a new permanent body to ensure ongoing reports that constantly investigate and denounce the Jewish state.
- The COI's scope is unprecedented. Its mandate is open-ended and perpetual and includes activities both within and beyond the pre-1967 borders of Israel. The mandate for the COI makes no mention of Hamas.
- The COI has a \$4 million budget and a permanent staff of 18, which represent considerable resources solely devoted to demonizing and singling out our ally Israel. By comparison, an investigation of human rights abuses in North Korea had half the staff and lasted for only a year.
- Of the 32 UNHRC mandated investigative probes, 9 have been against Israel. Meanwhile egregious human rights violations such as the treatment of the Uyghurs in China are ignored by the UNHRC.

Unwarranted: Israel has a moral army and is a nation of laws.

- The Israeli military operates under strict legal guidelines that meet and exceed all international laws of conflict. Israel's independent judiciary has proven itself willing and capable of investigating and prosecuting any alleged transgressions.
- After Hamas and other terror groups in Gaza launched more than 4,000 rockets at Israel in May 2021, necessitating a response by Israel, the U.N. minimized the terrorist attacks on Israel and voted instead to establish a permanent commission to condemn Israel.
- The UNHRC routinely fails to criticize the Palestinian Authority and Hamas for violating Palestinian rights and for exacerbating the Israeli-Palestinian conflict, assigning all of the blame to Israel. The Council largely ignores terror attacks on Israeli civilians and the use of civilians as human shields by Palestinian terrorists.

Unjust: The COI members have already concluded Israel's guilt.

- The COI chair, Navi Pillay, has a long-standing anti-Israel bias. She has repeatedly made outrageous accusations against Israel, falsely declared Israel an "apartheid" state, and promoted discriminatory boycotts against Israel. Pillay's appointment is a direct violation of the Council's requirement for "impartiality" of any COI member.
- Commission members Miloon Kothari and Chris Sidoti share Chairwoman Pillay's bias, both accusing Israel with the calumny of "apartheid." Kothari has gone so far as to rationalize terror attacks against Israeli civilians and to accuse Israel of "ethnic cleansing."
- Anti-democratic and notorious UNHRC member states like China, Russia, Cuba and Venezuela are pushing this unjust investigation of our democratic ally, Israel.

Unsurprising: The UNHRC has a long history of attacking Israel.

- The UNHRC has passed over 90 anti-Israel resolutions since its founding in 2006. The UNHRC has passed more resolutions condemning Israel than it has against Iran, Syria, North Korea, China, Russia, Cuba and Venezuela *combined*.
- In 2007, the UNHRC established Agenda Item VII, enshrining its discrimination against Israel by requiring that the Jewish state be singled out at every meeting, and creating the *only* country-specific permanent item on the Council's agenda.
- The UNHRC also established the position of "Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967." The position is charged solely with conducting a one-sided investigation of alleged Israeli violations of international law, while ignoring all Palestinian human rights violations.

The U.S. has pledged to address the Council's anti-Israel bias.

- The United States began a three-year term on the U.N. Human Rights Council this January, four years after withdrawing from the body.
- After being reelected to the Council, Secretary of State Antony Blinken firmly stated that the UNHRC “suffers from serious flaws, including disproportionate attention on Israel and the membership of several states with egregious human rights records,” and that the U.S. and others “must push back against attempts to subvert the ideals upon which the Human Rights Council was founded.”
- In a statement following the U.S. vote to oppose funding of the COI, U.S. Ambassador Patrick Kennedy asserted that “the U.S. stands with Israel in rejecting the unprecedented open-ended mandate of this Commission of Inquiry, which perpetuates a practice of unfairly singling out Israel in the U.N.”

THE WAY FORWARD

The U.S. must work to eliminate the COI.

America's reengagement with an unreformed UNHRC lends credibility to a body with a reprehensible history of discrimination against the Jewish state.

Having rejoined the Council, the United States must now do its utmost to reform it. The Biden administration must pursue a strategy that will end the COI, stop efforts to promote boycotts of Israel, and remove Israel as a permanent agenda item.

The administration must also work to change the voting practices of American allies, who far too often fail to oppose the Council's discriminatory anti-Israel agenda.