

**ISRAEL, THE PALESTINIANS, AND THE UNITED NATIONS:  
CHALLENGES FOR THE NEW ADMINISTRATION**

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**JOINT HEARING**

BEFORE THE

SUBCOMMITTEE ON MIDDLE EAST AND NORTH AFRICA

AND THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL  
HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES

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**TESTIMONY OF  
HILLEL C. NEUER  
EXECUTIVE DIRECTOR  
UNITED NATIONS WATCH**

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ONE HUNDRED FIFTEENTH CONGRESS  
FIRST SESSION

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## **Dismantling the U.N. Infrastructure of Anti-Israeli Demonization**

Chairman Ros-Lehtinen, Chairman Smith, Ranking Member Deutch, Ranking Member Bass, distinguished Members of the Subcommittees:

Thank you for providing me with this opportunity to testify on the important matter of the challenges for the new administration concerning the United Nations, Israel, and the Palestinians.

Your decision to hold this hearing today could not be more timely. Alarming actions by the United Nations in recent months have drawn renewed attention to the world body's vast infrastructure of anti-Israeli demonization. Let there be no doubt: the UN Charter's founding purposes of guaranteeing human rights, equality, peace and security for all can never be achieved so long as the organization remains infected by this virus of hatred.

### **U.N. Security Council Resolution 2334**

Few U.N. actions in this generation have outraged the American people more than Security Council Resolution 2334, adopted on Dec. 23, 2016, with the quiet support and astonishing abstention of the Obama Administration. For the reasons outlined below, I salute the House of Representatives for voting overwhelmingly to reject this text.

By adopting Resolution 2334, the U.N. sent a message to the Palestinians that they need not negotiate, but can instead wait for the U.N. to give them everything they demand. Notably, paragraph 9 of the resolution refers to all kinds of international peace conferences, yet makes no mention whatsoever of direct, bilateral negotiations between Palestinians and Israelis.

The resolution endorses the scandalous 2004 Advisory Opinion of the World Court, which denied Israel's right to defend itself from Gaza rockets. It implicitly encourages efforts to prosecute Israeli leaders and officers before the International Criminal Court (ICC), or other domestic courts. The text calls on states to take action, implicitly encouraging campaigns to boycott Israeli products, companies and citizens. The resolution gives currency and urgency to the ICC preliminary examination into alleged Israeli war crimes, and will encourage the UN Human Rights Council's preparation of a blacklist of companies doing business with Israeli Jews living over the green line.

While former Secretary of State John Kerry and others insisted that the resolution condemned Palestinian terrorism and incitement, in fact the actual text, in paragraphs 6 and 7, nowhere attributes these crimes to Palestinians.

Paragraph 1 blames Israel as a “major obstacle” to peace, yet says nothing about the Palestinian refusal to negotiate directly with Israel, and its rejection of countless peace offers.

Significantly, Israel’s leading center-left figures and proponents of a two-state solution—including Isaac Herzog and Tzipi Livni—have unanimously condemned this resolution as dangerous and harmful to peace.

By contrast, 2334 was cheered by not only Palestinian President Mahmoud Abbas and his Fatah movement, but also by Hamas and Islamic Jihad.

The Security Council action has ramifications. Its longstanding cornerstone resolution 242 from 1967, which deliberately refrained from defining the 1949 Armistice Lines as final borders, is now contradicted by the language in paragraph 3 of resolution 2334, which enshrines the “4 June 1967 lines.”

Meanwhile, Jerusalem’s Temple Mount and Western Wall, the holiest sites in Judaism, together with the Jewish Quarter of the Old City, are all defined by this resolution as “Occupied Palestinian Territory.”

Congress should make it clear that accusing the Jewish state of illegally occupying its holiest sites and historic capital is as absurd as saying that the Vatican is illegally occupied by the Catholic Church, that Mecca is illegally occupied by Muslims, or that London, Paris and Washington are illegally occupied by the British, French and Americans.

Congress should make it clear that, whatever the U.N. resolution may say, there cannot be any city, town or village in the world in which Jews are denied the right to live—and least of all in their ancient homeland.

Resolution 2334 was an anomaly. Usually the Security Council stands out in being free of egregiously anti-Israel measures due to the U.S. veto power. In a great many other U.N. bodies, however, the campaign to demonize Israel is deeply rooted. To be dismantled, it must first be identified.

### **The Infrastructure of Anti-Israel Demonization**

An alien observing U.N. debates, reading its resolutions, and walking its halls could well conclude that a principal purpose of the world body is to censure a tiny country called Israel. Beginning in the late 1960s, the full weight of the U.N. was gradually but deliberately turned against the country whose creation it had endorsed by General Assembly resolution a mere two decades earlier. The campaign to demonize and delegitimize Israel in every U.N. and international forum was initiated by the Arab states

together with the Soviet Union, and supported by what has become known as an “automatic majority” of U.N. member states, many of them dictatorships.

### **U.N. General Assembly**

In this year’s session, the U.N. General Assembly adopted 20 politically motivated resolutions targeting Israel—and only six resolutions criticizing the rest of the world combined. There were three on Syria, one on Iran, one on North Korea, and one on Crimea. Not a single resolution was introduced to address the victims of gross human rights abuse in, for example, Saudi Arabia, Turkey, Venezuela, China, Cuba, the Philippines, Pakistan, Vietnam or Zimbabwe.

The General Assembly’s latest annual assault on Israel with a torrent of one-sided resolutions was surreal. Even as Syrian president Bashar Assad was preparing for the final massacre of his own people in Aleppo, the U.N. adopted two redundant resolutions—drafted and co-sponsored by Syria—which falsely condemned Israel for “repressive measures” against Syrian citizens on the Golan Heights, and demanded that the area and its people be given over to Syria, which would mean to put them under either the genocidal rule of Assad, or of the Islamic State.

UN Watch has compiled a chart detailing the one-sided and redundant nature of the 20 anti-Israel resolutions.<sup>1</sup>

### **U.N.’s Palestinian Committees & Division**

The anti-Israel campaign at the U.N. took off in the late 1960s and reached new strength in wake of the Arab oil embargo of 1973, when many African states were pressured into severing relations with Israel.

In 1975, following a steady drumbeat of anti-Israel declarations pushed through the International Women’s Year Conference in Mexico, and then at the Organization of African Unity, the General Assembly adopted the “Zionism is Racism” resolution.

In parallel, the UNGA instituted a series of related measures that together installed an infrastructure of anti-Israel propaganda throughout the U.N. It was not until 1991, after strenuous efforts by democratic forces—led in part by John Bolton, who was then at the U.S. State Department—that the infamous resolution was repealed.

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<sup>1</sup> UN Watch, “2016 UNGA Resolutions Singling Out Israel (71st Session),” at <http://www.unwatch.org/unga-israel-resolutions-2016/>.

However, in many ways the legacy of 1975 remains fully intact in a plethora of U.N. committees, annual resolutions, bureaucratic divisions, and permanent exhibits in New York and Geneva headquarters, that are dedicated to a relentless and virulent propaganda war against the Jewish state.

There are several special U.N. entities ostensibly dedicated to the Palestinian cause. The oldest is the “Special Committee to investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,” created in 1968. It is comprised of three states: Sri Lanka, Malaysia and Senegal.

In 1975, the General Assembly added the “Committee on the Exercise of the Inalienable Rights of the Palestinian People.” Its 25 members are: Afghanistan, Belarus, Bolivia, Cuba, Cyprus, Ecuador, Guinea, Guyana, India, Indonesia, Laos, Madagascar, Malaysia, Mali, Malta, Namibia, Nicaragua, Nigeria, Pakistan, Senegal, Sierra Leone, South Africa, Tunisia, Turkey, Ukraine and Venezuela. The membership speaks volumes.

Likewise, its 24 observers are: Algeria, Bangladesh, Bulgaria, China, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Niger, Qatar, Saudi Arabia, Sri Lanka, Syria, United Arab Emirates, Vietnam, Yemen, the “State of Palestine,” the African Union, the League of Arab States, and the Organization of Islamic Cooperation.

Supporting the committee’s work is the Division for Palestinian Rights, which boasts a 16-member staff and a budget of millions, which it devotes to the constant promotion of anti-Israel propaganda throughout the world. No other cause receives such treatment or funding from the U.N.

### **UNRWA Incitement: Symptoms of A Core Problem**

The Committee asked me to address the specific problem of incitement by the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), and I will do so. However, it must be first emphasized that, as the expert Dr. Einat Wilf has articulated, this is merely a symptom of the deeper, underlying problem, which is the very existence of UNRWA, its structure and operations, and core political mission. In its essence, Dr. Wilf has noted, UNRWA is a political Palestinian organization committed to the political program of “return,” which means sending five million descendants of 1948 Palestinian refugees into Israel—effectively ending Israel as we know it. Rather than nurturing the possibility of peace, UNRWA is currently the greatest obstacle to peace, “institutionalizing, perpetuating, and inflating the Palestinian refugee issue and the dream of Palestinian ‘return’ to what is the State of Israel.”

Having said that, the U.S. Congress—whose government gave more than \$380 million to UNRWA in 2015—is entitled to demand an end to online incitement to Jihadist terrorism

and antisemitism by UNRWA teachers and other employees. In 2015, UN Watch revealed 30 names of UNRWA employees whose Facebook pages contained incitement. UNRWA responded with denials and stonewalling, and with virulent attacks on UN Watch by their spokesman, Chris Gunness. Only under continued media pressure did the U.N. spokesman in New York reveal that UNRWA had taken some disciplinary action by suspending some employees. UNRWA itself never issued any statement.

UNRWA's furtive, temporary suspension of a few unnamed employees demonstrates the agency's lack of seriousness. Congress should insist on a zero tolerance policy for those who incite racism or murder, and should demand that UNRWA immediately terminate these employees and prominently post on its website the actions it is taking to root out this insidious conduct by UN staff.

UNRWA is in gross breach of its funding agreement with the U.S. Department of State, the [Framework for Cooperation Between the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United States of America for 2017](#).

The agreement with the U.S. obligates UNRWA to act in accordance with "UN humanitarian principles of neutrality and impartiality." UNRWA's own [International Staff Regulations](#) state in Regulation 1.4 that staff must "avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status or integrity, independence or impartiality which are required by that status."

Accordingly, Facebook posts by UNRWA personnel supporting, glorifying and legitimizing murderous anti-Israel terrorism is a gross violation of this duty of neutrality and impartiality. The agreement obligates UNRWA to reject "racism in all forms," yet it tolerates antisemitism.

In addition to those UNRWA employees exposed last year, UN Watch has found many more examples, including:

- One UNRWA teacher posted a photo of a Jew with three guns and a knife trained on his head, with the caption reading "Blood = Blood. #KillThem."
- An Assistant Head Teacher at UNRWA praised the "awesome kidnapping" of three Israeli teenagers in June 2014, and posted a photo of himself presenting an award to a student—including a banner that erases Israel from the map.
- An UNRWA school principal published numerous photos and videos on Facebook glorifying Hamas fighters and celebrating terror attacks in Israel.
- An UNRWA teacher has two photos on his Facebook page of Adolph Hitler, whom he calls "our beloved," and "Hitler the great."
- Another UNRWA teacher published a post featuring a picture of Adolf Hitler and his "top ten quotes."

Congress should demand that UNRWA employ a zero tolerance policy for this type of incendiary Facebook activity by its employees, just like that applied to teachers in the United States and the United Kingdom. In November 2016, the Oberlin College Board of Trustees [dismissed an assistant professor](#) for antisemitic Facebook posts. Similarly, in October 2015, the UK government [banned a teacher](#) from the classroom for life over an antisemitic Facebook post. It is time for the United States to demand the same from UNRWA, and that it be put in full compliance with its obligations.

## UNESCO

### *History & Background*

The Nazi genocide against the Jewish people was very much on the minds of the founders of the United Nations Educational, Scientific and Cultural Organization (UNESCO). The preamble of its November 1945 constitution identifies the “doctrine of the inequality of men and races” as a cause of “the great and terrible war which has now ended,” along with “the denial of the democratic principles of the dignity, equality and mutual respect of men.”

In reaction to this, Article 1 affirms that the purposes of UNESCO shall be to “contribute to peace and security” by promoting “collaboration among the nations through education, science and culture” in order to further “universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.”

It is especially tragic, then, that seven decades later, UNESCO systematically condemns only one country: Israel.

Founded to combat the doctrine of the inequality of men and races, UNESCO today has sadly become a serial perpetrator of inequality:

- In 2009, for example, UNESCO’s Executive Board adopted eight resolutions against the Jewish state, while its General Conference adopted another two, for a total of 10 resolutions against Israel.
- In 2010, the UNESCO Executive Board adopted 10 resolutions against Israel.
- In 2011, the UNESCO Executive Board again adopted 10 resolutions against Israel, and its General Conference adopted another two.

- During this same period, an examination of all UNESCO Executive Board decisions and UNESCO General Conference resolutions shows that *not a single other country was censured even once.*

Exceptionally, in 2012 UNESCO condemned Syria for its bloody crackdown in one resolution. This took place only after UN Watch pressured Western countries into protesting UNESCO's shameful election of Bashar al-Assad's Syrian regime to two of its human rights committees. Regrettably, the condemnation of Syria failed to reappear in 2013. Instead, Israel returned once again to being the only country singled out by UNESCO. Last year, in 2016, there was one resolution which called for a UNESCO report on Crimea, but the 58-word text was strictly technical, and omitted any mention of Russia, or violations of any kind.

#### *Latest UNESCO Resolutions on Jerusalem*

In April 2016, UNESCO's Executive Board adopted a resolution on Jerusalem, drafted by Jordan and the Palestinians, which used exclusively Islamic terms to describe Judaism's holiest site, the Temple Mount, and accused Israel of "planting fake Jewish graves" in the holy city. Outrage from the Israeli government and Jewish communities worldwide caused French leaders to express regret for their affirmative vote. On a similar resolution in October 2016, France, India and several others shifted their yes votes to abstain.

To her credit, UNESCO chief Irina Bokova has spoken out against the counter-productive resolutions on several occasions.

Congress should ensure that the U.S. government, in its dealings with the Secretariat and with member states who vote for the resolutions, forcefully opposes UNESCO bias.

#### **The Human Rights Council**

The UN Human Rights Council was created in 2006 to replace its discredited predecessor, the UN Commission on Human Rights. Comprised of a rotating membership of 47 member states, the council is the highest body in the UN human rights system.

UNGA Resolution 60/251 (2006) provides, in Article 2, that the council is responsible for "protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner." Article 3 provides that the council should address "situations of violations of human rights," including "gross and systematic violations," and make recommendations thereon. Article 4 provides that the work of the

council shall be guided, inter alia, by the principles of “universality, impartiality, objectivity and non-selectivity.”

Contrary to its declared purposes, however, the council has systematically turned a blind eye to the world’s worst perpetrators of gross and systematic violations of human rights. Paradoxically, many of these violators are themselves council members.

Last year, for example, despite an opposition campaign by UN Watch and a coalition of parliamentarians, NGOs, and dissidents, the dictatorships of China, Cuba, and Saudi Arabia were elected by the UN as HRC members for the 2017-2019 term. None of these tyrannies has ever been condemned in any council resolution, emergency session or fact-finding mission. Despite a small number of positive actions, the council has failed to address its core mission of addressing the world’s most urgent violations—and it has failed to act with “universality, impartiality, objectivity and non-selectivity.”

Nowhere is this chasm between promise and performance more pronounced than in the council’s pathological obsession with Israel. As described below, the council’s selective treatment of Israel is a standing, gross breach of its obligation to act “without distinction of any kind” and “in a fair and equal manner.”

#### ***Agenda Item 7: Institutionalized Bigotry Against Israelis***

Perhaps the most striking example of the council’s predetermination that Israel must be condemned is the presence of an item on its standing agenda dedicated solely to the Jewish state.

When the council’s creation was debated in 2006, the UN’s Department of Public Information distributed a chart promising that, in its words, the “agenda item targeting Israel” (Item 8) of the old commission would be replaced at the new council by a “clean slate.” Although this course correction never came to fruition, it is important to note that a key UN document acknowledged the true nature of the agenda item: to target Israel.

Despite the promise of reform, the new council revived the infamous agenda item, now as Item 7, and with the following title: “Human rights situation in Palestine and other occupied Arab territories,” with the sub-title of “Human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories; Right to self-determination of the Palestinian people.”

No other country in the world is subjected to stand-alone focus, engraved on the body’s permanent agenda, ensuring its prominence, and the notoriety of its target, at every council meeting.

The council's credibility and legitimacy remain compromised if one country is singled out while serial human rights abusers escape scrutiny. Item 7 is a standing breach of the council's own declared principles of non-selectivity and impartiality.

Indeed, UN Secretary-General Ban Ki-moon criticized this act of selectivity a day after it was instituted. On June 20, 2007, Mr. Ban "voiced disappointment at the Council decision to single out Israel as the only specific regional item on its agenda, given the range and scope of allegations of human rights violations throughout the world."

Beginning around 2014, EU and other Western countries, with only few exceptions, ceased to take the floor under regular debates of Item 7 at upcoming sessions. Rather, EU members voiced any of their criticisms of Israel during the general debate on all country human rights situations, which is Item 4. Arab states responded by vociferously condemning what they rightly regard as a Western boycott of Item 7. When the only ones in the room during the Item 7 debate have been the Arab states and fellow dictatorships who attack Israel, the hypocrisy is exposed. Nevertheless, EU states have often made a point of expressing support for biased commissions of inquiry emerging out of Item 7, and have also lent support, albeit with some criticisms, to the mechanism of the special rapporteur on the Palestinian territories.

#### *Resolutions on Israel: Unique Quantity & Content*

In the first 10 years of its existence, from 2006 to 2016, the council adopted 68 resolutions against Israel, and 67 on the rest of the world combined. The resolutions on Israel have all been one-sided condemnations that grant impunity to Hamas and Hezbollah terrorists, and to their state sponsor, the Islamic Republic of Iran. The resolutions completely disregarded Palestinian violations of human rights. Therefore, it can be said that at least half of the HRC's moral force has been deployed to demonize and delegitimize the only democracy in the Middle East.

There are four resolutions that the HRC adopts every year which single out Israel for criticism:

- "Human rights in the occupied Syrian Golan"
- "Right of the Palestinian people to self-determination"
- "Human rights situation in the Occupied Palestinian Territory, including East Jerusalem"
- "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan"

In addition, there are often special resolutions introduced in connection with special sessions, fact-finding missions, and follow-up thereto. These resolutions are similarly one-sided, selective, and politicized.

What makes the resolutions on Israel different from virtually every other country-specific resolution is that they are suffused with political hyperbole, selective reporting, and the systematic suppression of any countervailing facts that might provide balance in background information or context.

By contrast, even the council's resolutions on a perpetrator of atrocities such as Sudan—whose president, Omar al-Bashir, is wanted for genocide by the International Criminal Court—regularly included language praising, commending, and urging international aid funds for its government.<sup>2</sup>

The practice of singling out Israel—not only with a disproportionate amount of resolutions, but with language that is uniquely condemnatory—reinforces the impression that there is nothing whatsoever to be said in Israel's favor. The effect is to stigmatize Israel as evil.

### *Special Sessions*

A feature of the council is that emergency sessions can be triggered by only 16 members. Proponents said this low bar would allow the council to respond often and in real time to grave violations. Instead, out of the 20 special sessions that have criticized countries, six have been on Israel—being 30 percent on one country alone.

In 2006, former UN Secretary-General Kofi Annan criticized this bias:

I believe the actions of some UN bodies may themselves be counterproductive. The Human Rights Council, for example, has already held three special sessions focused on the Arab-Israeli conflict. I hope the Council will take care to handle the issue in an impartial way, and not allow it to monopolize attention at the expense of other situations where there are no less grave violations, or even worse.

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<sup>2</sup> A 2008 resolution on Sudan, for example, even as it expressed concern at violations in Darfur, failed to condemn the Sudanese government, and instead falsely praised the regime for its “collaboration” and “engagement” with the international community, for “measures taken to address the human rights situation,” and for “cooperating fully with the Special Rapporteur.” It suggested the regime was engaged in the “progressive realization of economic, social and cultural rights in the Sudan,” and failed to reflect the true gravity of the human rights and humanitarian situation. The text called for support and assistance to the Sudanese government. A resolution adopted in 2010 was similar. None of this positive language, by contrast, appears in any of the resolutions on Israel. Indeed, on one occasion, the council's praise of the al-Bashir regime was so excessive that the EU actually voted in opposition to a resolution on Darfur.

Kofi Annan was right: victims of human rights crises around the globe have been ignored.

*Urgent Debate Mechanism Created to Target Israel*

In the early morning hours of May 31, 2010, a flotilla of six vessels sought to run the naval blockade of Gaza, claiming to bring humanitarian aid. The activists on board were intercepted by the Israel Defense Forces. Violence on one of the ships, the Mavi Marmara, resulted in nine killed, and many others wounded.

While the UNHRC is typically lethargic regarding human rights violations small and large, in this case it suddenly decided to interrupt its three-week regular session to urgently address the incident. To do so, it created a new procedure: the “Urgent Debate.” This was despite the fact that Israel, being the object of a permanent agenda item, was in any case due to come up shortly thereafter in the regularly scheduled debate.

The result of this first-ever urgent debate was a council resolution that “condemn[ed] in the strongest terms” the “outrageous attack by the Israeli forces” against the “humanitarian flotilla of ships.”

Having declared its verdict, the council proceeded to create an “independent international fact finding mission” to investigate. Three months later, the mission presented a 56-page report, finding that Israel’s actions demonstrated “totally unnecessary and incredible violence.” The conduct of Israel’s military “betrayed an unacceptable level of brutality.” It constituted “grave violations of human rights law and international humanitarian law.”

However, a separate, independent panel of the UN Secretary-General, led by law professor and former New Zealand prime minister Geoffrey Palmer, found the opposite. While the activists aboard the Turkish ship “were entitled to their political views” in protesting Israel’s Gaza policy, found the Palmer Report, the flotilla had “acted recklessly in attempting to breach the naval blockade.” Noting that “Israel faces a real threat to its security from militant groups in Gaza,” the Secretary-General’s panel held the naval blockade was “a legitimate security measure in order to prevent weapons from entering Gaza by sea” and its implementation “complied with the requirements of international law.”

The urgent debate mechanism has since been used only twice for another country—against the Assad regime’s actions in Syria, in February 2012 and May 2013. However, when the council met for a regular session in September 2013, shortly after a massive Syrian chemical weapons attack against hundreds of civilians in Damascus, it failed to interrupt its regular schedule for any urgent debate for the victims.

*Fact-Finding Missions Focus on Israel*

The council has created seven fact-finding missions or inquiries on Israel. These have investigated: (1) Israel's July 2006 military response to the kidnapping of Gilad Shalit; (2) Israel's actions during the Lebanon war in August 2006; (3) Israel's November 2006 errant shells that responded to rockets from Beit Hanoun; (4) the Israel-Hamas war that began in late 2008, which led to the Goldstone Report; (5) the 2010 flotilla incident described above; (6) a 2012 inquiry on settlements, which is what finally prompted Israel to boycott the HRC for 18 months; and (7) a 2014 inquiry into the war of that summer between Hamas and Israel. The Goldstone Report and all of these other inquiries have proven to be travesties of justice, each with predetermined verdicts.

*Special Rapporteur on the Palestinian Territories*

The council's lead expert on Israel has the title of "Special Rapporteur on the situation of human rights on Palestinian territories occupied since 1967." The position is currently held by Canadian law professor Michael Lynk, who failed to disclose on his application last year that he was a long-time pro-Palestinian activist. Canada rightly called for a review of his appointment, and the U.S. should follow suit.

The title of this U.N. post is deliberately misleading—designed to mask the one-sided nature of the HRC's permanent investigative mandate on Israel—and is of a piece with the U.N.'s routine misrepresentation of this mandate. In April 2010, for example, the U.N.'s Office of the High Commissioner for Human Rights (OHCHR) sent out a press release stating that its Special Rapporteur was "mandated by the UN Human Rights Council to monitor the situation of human rights and international humanitarian law on Palestinian territories occupied since 1967." That is false and misleading.

The actual, unchanged mandate since 1993, as spelled out in Article 4 of Commission on Human Rights resolution 1993/2, is as follows:

To investigate *Israel's* violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territories occupied by Israel since 1967. (Emphasis added.)

The mandate as the U.N. described it would be of universal application to all actors, be they Israeli or Palestinian. The mandate as it actually is, however, applies only to Israeli actions—and with its violations presumed in advance. There is a substantial difference between the two.

Former Special Rapporteur John Dugard noted in an August 2005 report that the mandate "does not extend to human rights violations committed by the Palestinian Authority."

Human rights abuses by Hamas, Islamic Jihad, and the Palestinian Authority enjoy impunity.

On June 16, 2008, then-Special Rapporteur Richard Falk—a notorious supporter of 9/11 Truthers—himself acknowledged the one-sided nature of the mandate, saying it was open to challenge regarding “the bias and one-sidedness of the approach taken.” He added: “With all due respect, I believe that such complaints have considerable merit.” However, the council made no changes.

Human rights groups have also criticized the one-sided nature of the mandate. On July 11, 2008, Amnesty International said that the mandate’s “limitation to Israeli violations of international human rights and humanitarian law in the Occupied Palestinian Territories undercuts both the effectiveness and the credibility of the mandate.” Amnesty noted that the mandate “fails to take account of the human rights of victims of violations of international human rights and humanitarian law committed by parties other than the State of Israel.”

Amnesty also called for the mandate to be subjected to the “Review, Rationalization, and Improvement” (RRI) process that was applied to all other mandates in the transition from the commission to the council. During this period, the outgoing president of the council, Ambassador Doru Costea of Romania, also called for the mandate to be subject to the RRI process. However, this never took place, and the mandate on Israel was the only one not to be reviewed.

### *Recommendations*

Congress ought to ensure that U.S. delegates continue to vigorously oppose the special agenda item targeting Israel; the one-sided resolutions; the council experts who subject Israel to irrational degrees of scrutiny and criticism; and the disproportionate amount of emergency special sessions that target Israel.

The U.S. just won a council seat in November, for a three-year term that began in January. The U.S. would be unwise to forfeit this coveted position of world influence; it should send an ambassador to Geneva to fight vigorously for freedom and human rights, and against anti-Israeli bigotry, as did former U.N. ambassadors like Daniel Patrick Moynihan, Jeane J. Kirkpatrick, and Morris Abram. The U.S. tried boycotting the entire council between 2006 to 2009, however its absence did nothing to prevent the council from continuing to cause damage. Given that it has become the go-to U.N. agency for creating new and increasingly elaborate mechanisms to target Israel, a firm U.S. presence would be a force for good.

*Conclusion*

The highest human rights and legislative bodies of the United Nations, along with several of its specialized agencies that are supposed to advance humanitarian, cultural and social causes, are being systematically misused by an organized campaign to assault the Jewish state. Noble purposes such as human rights, equality, and peace, are being subverted by selectivity, politicization, and prejudice. The United Nations will never live up to its founding promise so long as this pathology endures. Congress should continue to do its part to guide the U.N. toward the path of upholding its founding Charter principles.