US slammed for building 22-member bloc against UNHRC probe on Israel

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<https://www.jpost.com/international/article-709403>

UN Human Rights Council investigators slammed the United States for [building a 22-member](https://www.jpost.com/israel-news/article-709318) bloc to reject their Commission of Inquiry (COI) against Israel over issues of bias.

"The US issuing a joint statement against a mechanism that has been adopted by the UNHRC shows great disrespect for the functioning of the HRC," said Miloon Kothari of India, who is one of the commission's three investigators.

"It does not bode well for the credibility of the United States," he told reporters in Geneva on Tuesday. "They are going ahead further and getting as many signatures as possible for their statement. We do not accept that. We hope that all HRC members respect the sanctity of the body and of the UN."

Navi Pillay, who heads the COI on Israel, echoed that same sentiment when she addressed the Human Rights Council on Tuesday.

When it comes to Israel, "some countries are not prepared to live up to their stated commitment to protect human rights," Pillay charged.

The Palestinians called for the United States to be ousted from the UNHRC when their envoy took the floor Monday at the opening of its 50th session during a debate on the commission that continued into Tuesday morning.

"THE US should not be a member of this council and we call on the UN General Assembly to suspend its membership: to upend its membership," Palestine Liberation Organization Ambassador Ibrahim Khraishi told the UNHRC.

Khraishi specifically attacked US Secretary of State Antony Blinken, who had worked together with Israel to secure the support of a 22-member bloc for a statement against the COI that US Ambassador Michele Taylor read out at the meeting.

Blinken believes the "the COI is shameful. But he has not said a word about the continued suffering of the Palestinian people over so many years," Khraishi said.

It was an unusually harsh statement for the PA to make against the US.

Lobbying for Israel

Among those who lobbied UN member states not to sign the US and Israeli-led statement was the left-wing NGO Human Rights Watch, which wrote a letter about the matter to all UN member states.

"The US-led joint statement seeks to undermine the COI through a number of exaggerated and inaccurate claims," Human Rights Watch said.

It noted that America's persistent history of voting against all resolutions against Israel places a question mark over its own biases with regard to the Jewish state.

"We note that the lead sponsors have opposed every mechanism – and every resolution - on the OPT [Occupied Palestinian Territories] and Israel, regardless of the scope or duration of the mandate, suggesting that the concern is less with the specific framing of the COI mandate, than maintaining a long-standing pattern of shielding Israel from scrutiny," the NGO said.

"We urge states not to support this ill-conceived joint statement, which contributes to the very 'polarization' it decries, and instead support the COI’s efforts to address these repeated cycles of violence, and the climate of impunity that fuels them," HRW said.

[THE COI, which the UNHRC approved last year](https://www.jpost.com/israel-news/article-689705#:~:text=the%20probe%2c%20called%20a%20commission%20of%20inquiry%20(coi)%2c%20had%20initially%20been%20approved%20in%20may%20by%20the%2047%2dmember%20un%20human%20rights%20council%20in%20the%20aftermath%20of%20the%2011%2dday%20gaza%20war%2c%20known%20as%20operation%20guardian%20of%20the%20walls.), is a standing mechanism that allows for a three-member panel to permanently investigate Israel for alleged human rights abuses against Palestinians and Israeli Arabs both within and without its sovereign territory that occurred at any time during the country's 74-year history.

The PLO and the Palestinian Authority are hoping that the commission will help ensure an Israeli withdrawal to the pre-1967 lines by holding the Jewish state accountable for human rights abuses the Palestinians have suffered. Its creation was sparked by last year's Gaza war and the ethnic riots in Israel between Jews and Arabs.

Israel and its supporters have argued that the COI's broad scope could undermine the existence of Israel as an ethnic national state for the Jewish people by eventually holding it guilty of the crime of apartheid and by delegitimizing its right to self-defense.

New reports will be issued annually by the commission, both at the UNHRC and at the UN General Assembly in New York, thereby adding to the scope of the many UN resolutions already leveled ever year against Israel by UN bodies.

Opponents of the COI have contended that its creation is part of a long-standing pattern of Human Rights Council bias against the Jewish state given that no other country has such a permanent probe levied against it.

HRW rejected this claim, explaining that a similar probe had been leveled against Myanmar in 2018, with a mandate to collect evidence, according to the council, to investigate "the most serious international crimes and violations of international law and prepare files for criminal prosecution."

The original resolution that created the probe against Israel, known as the Independent International Commission of Inquiry on the occupied Palestinian territory, including east Jerusalem and Israel" was approved with the support of only 24 of the UNRHC's 47 member states. Nine countries opposed it and 13 abstained.

But despite the slim margin of approval, garnering opposition to the COI is deemed to be more difficult because it could be seen as a larger statement against using such a mechanism as an investigatory tool against abuser countries.

The ability of the US and Israel to therefore garner another 20 nations to make a joint statement against the commission is seen as a significant achievement even if it's not a bloc big enough to rescind the COI.

THE 22 countries that signed the statement are Austria, Bulgaria, Brazil, Canada, Cameroon, Colombia, Croatia, Eswatini, Germany, Guatemala, Hungary, Israel, Liberia, Marshall Islands, Micronesia, Nauru, Netherlands, North Macedonia, Palau, Togo, UK and the US.

Out of that 22-member bloc only five countries – Germany, the Netherlands, the Marshall Islands, the United Kingdom and the United States – are currently UNHRC members.

For some countries in the 22-member bloc, the decision to sign onto the statement marked a change in their position on the commission. Three of the countries that signed the statement against the COI – Brazil, the Netherlands and Togo – had abstained when it came to the original vote last year.

In contrast, three countries who had opposed the COI last year – the Czech Republic, Malawi and Uruguay – have yet to sign the US-led statement against it.

Australia did not join the 22-member bloc but its ambassador to the UN in Geneva, Amanda Gorely, read out a statement against UNHRC bias on Israel and the COI.

"No country is above scrutiny. We agree we must work to counter impunity and promote accountability on the basis of consistent and universally applied standards," Gorely said.

But she explained Australia does agree that the UNHRC brings "a disproportionate scrutiny to Israel."

Australia, Gorely said, has "fundamental concerns about the nature of the COI," adding that "Australia's guiding principle will be advancing the cause for peace.

"Viewing any conflict from one perspective will not achieve this goal," Gorely concluded.

There have been at least nine Commissions of Inquiry on Israel, including this one, out of the 36 that have been formed since the UNHRC's inception in 2006. The past eight COIs on Israel were all situational, as opposed to this last broad-based, open-ended one led by Pillay.