Congress Must Defund the UN’s Poisoned Pillay Report

June 17, 2022

By Mark Goldfeder

Jewish Journal

<https://jewishjournal.com/commentary/opinion/349451/congress-must-defund-the-uns-poisoned-pillay-report/>

On Tuesday, a bipartisan group of Senators [introduced](https://www.rosen.senate.gov/rosen-scott-introduce-bill-halt-united-nations-commission-inquiry-israel) the Commission of Inquiry (COI) Elimination [Act](https://www.scott.senate.gov/imo/media/doc/Scott-Rosen_Commission%20of%20Inquiry%20Bill.pdf), seeking to abolish the United Nations Human Rights Council’s (UNHRC) latest commission “investigating” Israel (which just reported its findings for the first time this week) and to combat systemic anti-Israel bias at the UN.

The bill, a companion to the bipartisan COI Elimination Act in introduced in the House in March, comes just months after 68 [Senators](https://www.scott.senate.gov/imo/media/doc/2022-03-28%20Letter%20on%20UNHRC%20Commission%20of%20Inquiry%20on%20Israel%5b1%5d.pdf) and 48 House [Members](https://gottheimer.house.gov/uploadedfiles/gottheimer_un_coi_letter.pdf) sent separate letters to President Biden noting the Commission’s antisemitic bias and urging him to take action against it. Passing the bill would represent an important step in combatting antisemitism at the UN, a necessary move that both parties should immediately and enthusiastically endorse.

It is legitimate for the United Nations to criticize Israel, which should be held accountable like every other country. But it is also clear that Israel faces systemic bias at the UN: Not [one](https://www.independent.co.uk/news/world/middle-east/ban-kimoon-united-nations-disproportionate-israel-focus-resolutions-palestinians-human-rights-danny-danon-a7481961.html) but [two](https://www.timesofisrael.com/un-chief-vows-to-stand-up-against-anti-israel-bias-anti-semitism/) UN Secretary Generals have admitted it, and frankly [the numbers](https://unwatch.org/database/problems/unhrc/) don’t lie. At the UNHRC alone roughly half of *all* resolutions *for the entire globe* condemn the State of Israel. Israel has been the subject of more commissions of inquiry (9) than any other country (2); more special sessions (9) than any other country (5); and it is the *only*country in the world that has a permanent agenda item dedicated to focus on its alleged wrongdoings. This is so glaringly apparent that in 2018 the last administration voluntarily [terminated its membership](https://www.nytimes.com/2018/06/19/us/politics/trump-israel-palestinians-human-rights.html) in protest. Even when the Biden administration rejoined last year, Ambassador Linda Thomas-Greenfield promised that the U.S. “will oppose the Council’s disproportionate attention on Israel.”

It is time to pass the COI Elimination Act and do just that, because the impunity with which the UNHRC has operated until now has only emboldened it to keep pushing the envelope—and the Overton curve—when it comes to spreading lies and hate about the Jewish state. They no longer even care to pretend to be fair.

In this latest commission, the UNHRC ignored the basic rules of international investigations by appointing openly biased commissioners who announced their “conclusions” in advance of their appointment. International fact-finding is a quasi-judicial process, and international law requires fact-finders to be impartial. Each of the three commissioners has demonstrated extraordinary bias against Israel on dozens of occasions—including on issues specifically related to this very inquiry. The commission was formed to examine Israel’s action after Operation Guardian of the Walls, the May 2021 campaign to defend innocent Israelis and Palestinians against the thousands of deadly rockets indiscriminately launched at the civilian population by the U.S. designated terror organization Hamas. Just weeks after the conflict ended, lead Commissioner Navi Pillay publicly declared Israel guilty of war crimes in the matter, and “determined” that the conflict was Israel’s fault. The Council literally appointed a commissioner to head an inquiry *after* she had already shared her findings, but before she had done any research. The NGO UN Watch filed an official request for her recusal in February, but to date there has been no response.

In the past, the UN’s anti-Israel commissions have always lied about the big things, and in that regard the new report did not disappoint or deviate (see [here](https://unwatch.org/u-n-s-pillay-report-pillories-israel-ignores-iran/), and [here](https://unwatch.org/pillay-commission/side-event/) and [here](https://geneva.usmission.gov/2022/06/13/id-with-the-coi-on-the-occupied-palestinian-territory-hrc50/) for some responses to the usual false allegations and unimaginatively recycled one-sided accusations contained in the “findings”). But this time, the commissioners were apparently so unconcerned about the truth that they even lied about the (relatively) “small” things, including demonstrably false statements about procedural matters that did not fit their preferred narrative.

Pillay wrote that “the Commission has received several thousand written submissions,” which is categorically false. The Commission actually received at least 4,890,902 individual *pro-Israel* submissions, all which were carefully logged and time-stamped. These submissions came from a network of numerous NGOs, including the Touro Institute on Human Rights and the Holocaust, Human Rights Voices, and Palestinian Media Watch in an effort facilitated by the eminent international lawyer Anne Bayefsky. Not only did none of the information in any of those submissions make it into the report, but also Pillay denied receiving them in time to even examine. She told the Council that all such submissions came in “after our report was finalized.” That statement is unequivocally false from the verifiable records of the senders.

Pillay also claimed that “Since the finalisation of this report, we have sadly received reports of continued violations of individual and collective rights—including excessive use of force—sometimes lethal, by Israeli security forces against Palestinians, including women and children and journalists.” Maybe. But what Pillay chose not to mention was that since the finalization of the report she had also received from those same pro-Israel sources at least 28,313 separate reports of lethal force by Palestinians and other Arabs directed against Israelis.

In the report Pillay actually blamed Israel for causing the Palestinians to abuse human rights (including those of their own citizens). Perhaps, in some kind of twisted logic, she counted reports of Palestinian violence as more instances of Israeli violations. Regardless, Pillay’s presentation of the report to the Council this week did exactly what it was supposed to do: It gave UNHRC members another platform to accuse Israel of everything from apartheid to Zionistic genocide, with no evidence offered or requested.

Discriminatory commissions that blame Israel for all the world’s problems, or scapegoat the Jewish State the same way that antisemites have always scapegoated the Jewish people, are simply not acceptable. All the COI Elimination Act does is restrict U.S. taxpayer dollars from funding antisemitic activity, following a model used in existing U.S. law to oppose other U.N. bodies that engage in discriminatory disparate treatment. For lawmakers on both sides of the aisle, this should be an easy decision.