AJC Rejects UN Commission’s Blindness to Hamas’ Contempt for International Law and Civilian Lives

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American Jewish Committee

<https://www.ajc.org/news/ajc-rejects-un-commissions-blindness-to-hamas-contempt-for-international-law-and-civilian>

American Jewish Committee (AJC), the global advocacy organization for the Jewish people, today categorically rejected an appalling[**report**](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session56/a-hrc-56-26-auv.docx) by an independent UN panel that baselessly asserts Israel’s defensive military campaign in Gaza against the perpetrators of the October 7 terror attacks violates international law and turns a blind eye to Hamas’ continued flouting of that law and disregard for civilian lives.

The report, produced by the UN Commission of Inquiry (COI), which was established by the UN Human Rights Council in 2021, fails to engage with the voluminous publicly available evidence demonstrating that, for the past eight months, Hamas and other Palestinian actors in Gaza have been detaining hostages among Palestinian civilians, firing rockets at Israel from civilian areas, operating from tunnels deliberately located underneath civilian and nominally protected structures in Gaza, and seeking to block and manipulate humanitarian aid distribution efforts to serve their agenda, saying only that it “continues its investigation into this issue.”

The COI’s report goes so far as to claim that Hamas’ conduct in Gaza is irrelevant to the question of whether Israel’s response to it violates international law or whether the suffering of Palestinian civilians that has tragically resulted reveals that Israel’s true intention was actually to terrorize or punish them. The COI compounds its egregiously flawed legal analysis by casually dismissing senior Israeli political and military leaders’ assertions that their military campaign is aimed exclusively at Hamas, the terror group responsible for planning and carrying out the sickening campaign of murder, torture, sexual violence, and abduction that targeted Israeli civilians on October 7 and which its leaders have vowed to repeat.

Instead, the COI characterizes the many actions the IDF has taken to attempt to minimize the presence of civilians in areas of intense hostilities in Gaza as evidence of its intent to harm them, calling its evacuation of civilians from northern Gaza a war crime and crime against humanity and citing “Israel’s repeated assertion that militants are ‘embedded’ within the civilian population” as evidence for its spurious conclusion that “the Israeli Government has given [the IDF] blanket authorization to target civilian locations widely and indiscriminately in the Gaza Strip,” and its shocking claim that Israel is engaged in a deliberate attempt to “exterminate” Palestinians in Gaza.

Since the October 7 attacks, the COI has[**refused**](https://www.ajc.org/news/ajc-appalled-by-un-commissions-refusal-to-acknowledge-hamas-attack-as-terrorism) to acknowledge that Hamas committed terrorist acts and its stated intent to harm Israeli civilians – and indeed, to destroy the Jewish state entirely. In its report today, while the COI found that Hamas’ leaders bear responsibility for war crimes committed by “members of Hamas military wing” on October 7, it did not go so far as to find that the heinous acts Hamas committed constituted crimes against humanity. Such a finding was obviously justified and its omission is another indication of the COI’s anti-Israel bias.

Today, AJC reiterates its longstanding opposition to this deeply flawed UN mechanism and the conclusions of this report, which are not merely biased but utterly divorced from reality. Human Rights Council members should express disgust with this unserious analysis and refute its outrageous conclusions.