



**UNITED NATIONS INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON  
THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM, AND ISRAEL**

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Your Excellency,

As a follow up to our discussion, I would like to respectfully draw your attention to public statements made by the Permanent Mission of Israel and others in response to Commissioner Miloon Kothari's media interview of 25 July 2022. Comments made by Commissioner Kothari seem to have deliberately been taken out of context, and the Commission of Inquiry feels it necessary to clarify certain issues given the seriousness of the accusations.

The Commission does not question the status or United Nations membership of either of the concerned states of its mandate. The foundations for the legality of the State of Israel, alongside that of the State of Palestine were laid out by General Assembly resolution 181 and are not and never will be in question by this Commission.

The Commission continues to highlight the refusal of Israel to cooperate with the Commission of Inquiry as well as abide by its international obligations to end the occupation and fulfil the right of Palestinians to self-determination. Commissioner Kothari's comments reflect the Commission's disappointment with the continued lack of cooperation and address the issue that as a member of the United Nations, Israel is under an obligation to abide by the international legal framework, as well as independent bodies set up by the United Nations.

The Commission also wishes to underline that Commissioner Kothari's comments on efforts by governments as well as specific NGOs to discredit individual members of the Commission were again deliberately misquoted to imply that "social media" was controlled by the Jewish lobby.

The Commission takes great exception to personal attacks against individual Commissioners appointed by the United Nations Human Rights Council. Such attacks have been continuously directed against all three Commissioners throughout our tenure, and it is to this that Commissioner Kothari was making reference.

The Commission also wishes to address the allegation in the statement of the Permanent Mission of Israel that Commissioner Christopher Sidoti stated publicly at the Human Rights Council that "Jews were throwing around accusations of antisemitism 'like rice at a wedding'", and claimed that "these Jews, who felt they experienced antisemitism, defiled the memory of the 6 million victims of the Shoah". This is in the view of the Commission a further example of attempts to discredit the work of this Commission. It is this very point that Commissioner Kothari was making.

The Commission wishes to highlight its position in the clearest terms on anti-Semitism, by quoting what Commissioner Sidoti actually said at the Human Rights Council:

*"It seems that accusations of anti-Semitism are thrown around like rice at a wedding. That legitimizes anti-Semitism. Trivialises anti-Semitism. Defiles the memory of the 6 million victims of the Shoah. Frankly, it is an outrage."*

I take this opportunity to recall that the Commission has repeatedly invited the Government of Israel to reconsider its position of non-cooperation, underlining that the importance of engagement, and the need for the Commission to hear from all concerned parties, duty bearers, victims and witnesses.

The Commission of Inquiry stands ready to discuss any concerns or issues directly with the Ambassador of the Permanent Mission of Israel, as well as with representatives of any other member state that wishes to engage with it.

I avail myself, on behalf of all three Commissioners, of this opportunity to renew to Your Excellency, the assurances of our highest consideration.

28 July 2022



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Navi Pillay  
Chair Commissioner