

## Antisemitism and Discrimination Against Israel at the United Nations

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Submitted to the Hearing on: Responding to Anti-Semitism and Anti-Israel Bias in the UN, Palestinian Authority, and NGO Community

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Chairman Smith, Ranking Member Wild, and members of the Committee, thank you for the opportunity to testify at this important hearing. My purpose today is to outline the widespread antisemitism and demonization of Israel at the United Nations. I would like to ask that my full statement be ordered part of the record.

### Introduction

If an alien from another planet visited the United Nations and listened to its debates, read its resolutions, and walked its halls, it could logically conclude that a principal purpose of the world body is to censure a tiny country called Israel.

The UN Charter guarantees "the equal rights of nations large and small." Yet beginning in the 1960s, the full weight of the world body was gradually but deliberately turned against the country it helped to conceive by General Assembly resolution a mere two decades earlier.

The campaign at the UN to demonize and delegitimize Israel at every opportunity, which spawned the infamous 1975 UNGA resolution declaring Zionism to be a form of racism, was initiated by the Arab and Islamic states in concert with the Soviet Union, and supported by an automatic majority of dictatorships. Too often, many European and other democracies also join the jackals.<sup>1</sup>

"If Algeria introduced a resolution declaring that the earth was flat and that Israel had flattened it," observed Abba Eban, "it would pass by a vote of 164 to 13 with 26 abstentions."

The result today is that many of the UN's political organs, specialized agencies, and bureaucratic divisions have been subverted by a relentless propaganda war targeting the Jewish state, causing them to stray from their founding purposes.

As shown below, UN bodies routinely apply double standards to Israel not expected of other democratic countries, singling out the world's only Jewish state for opprobrium in a way that is wholly disproportionate to its deficiencies. UN human rights officials such as Navi Pillay, Craig Mokhiber and Francesca Albanese have claimed that the State of Israel is a racist endeavor, drawn comparisons of current Israeli policy to that of the Nazis, or accused Israel of "genocide." Under the working definition of antisemitism of the International Holocaust Remembrance Alliance (IHRA), adopted by 39 UN member states, it is clear that the actions of numerous UN bodies and officials are antisemitic in effect if not intent.<sup>2</sup>

#### **General Assembly**

Although the "Zionism is Racism" resolution was repealed in 1991, thanks to US efforts and the fall of the Soviet Union, its spirit is sadly very much alive throughout many UN bodies. At the General Assembly, each year there are more condemnations against Israel than on the rest of the world combined. In 2022, for example, there was one resolution each to criticize Iran, Syria, North Korea, Myanmar, and the U.S., for its embargo on

<sup>&</sup>lt;sup>1</sup> See the UN Watch Database for updated resolution texts and country voting data concerning the UN's demonization of Israel: <u>https://unwatch.org/database/</u>.

<sup>&</sup>lt;sup>2</sup> <u>https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism</u>

Cuba. Exceptionally, because of the war in Ukraine, there were six resolutions last year on Russia. The total of all these is 13. Yet on Israel alone, the GA passed 15 condemnatory resolutions.<sup>3</sup> Not a single UNGA resolution was introduced on the human rights situation in China, Venezuela, Saudi Arabia, Cuba, Turkey, Egypt, Zimbabwe, Pakistan, Qatar, Vietnam, Algeria, or 175 other countries.

### World Health Organization

The purpose of the World Health Organization (WHO), a multi-billion dollar agency in Geneva, is "the attainment by all peoples of the highest possible level of health." Yet every year, the WHO's annual assembly deviates from its focus on global public health in order to hold a special debate singling out Israel. In May 2021, the WHO passed a resolution—co-sponsored by Cuba, Libya, Pakistan, Qatar, Syria, Turkey and Venezuela—which falsely implied that Israel had a "discriminatory" vaccine distribution plan.<sup>4</sup> In that year, out of 34 items on the assembly's agenda, only one focused on a specific country: Israel. There was no agenda item or resolution on any other country, conflict, civil war or political impasse—not on Syria, where hospitals and other medical infrastructure were repeatedly bombed by Syrian and Russian forces; not on war-torn Yemen, where millions are in dire need of health assistance; and not on Venezuela, where the health system is in a state of collapse and seven million people are in need of humanitarian assistance.

### **Dedicated Anti-Israel Entities**

The anti-Israel infrastructure at the UN includes three entities which exist solely to undermine Israel's security, economy and international standing, and to delegitimize the Jewish state.

*Committee on the Exercise of the Inalienable Rights of the Palestinian People:* The CEIRPP was established by the UNGA on November 10, 1975, the same day the resolution equating Zionism with racism was adopted. It is the only UNGA committee devoted to a single people. Its primary function is to promote the Palestinian narrative of victimhood and UN prejudice against Israel. Its 25 members include countries openly hostile to Israel, such as Pakistan and Venezuela. The Committee holds international conferences, seminars and workshops attended by NGOs, parliamentarians, academics, UN officials and media. The CEIRPP has also created a powerful network of more than 1,000 anti-Israeli NGOs from around the world.

*Division for Palestinian Rights:* The DPR is the UN's secretariat for the committee described above. It gives the Palestinians—in effect the PLO—an entire UN department that no other people has. Its staff of 15 employees is grossly disproportionate to the UN's other four divisions which cover far larger geographical regions. The DPR organizes an "International Day of Solidarity for the Palestinian People," and operates an online database devoted to the PLO narrative. The DPR's work is counter-productive to the peace process and, instead of building bridges for peace, seeks to organize boycotts against Israel. NGOs that refuse to pledge fealty to the DPR's agenda are denied accreditation to its events.

<sup>&</sup>lt;sup>3</sup> https://unwatch.org/2022-2023-unga-resolutions-on-israel-vs-rest-of-the-world

<sup>&</sup>lt;sup>4</sup> <u>https://unwatch.org/who-meeting-deviates-from-covid-19-to-single-out-israel-as-violator-of-health-rights-2/</u>

Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories: This is the only committee in the UN's human rights structure devoted to a single people. Established in 1968 and composed of Malaysia, Senegal and Sri Lanka, it holds annual hearings in the Middle East, and then presents reports to the General Assembly denouncing Israel for alleged human rights violations.

Israel is the only country that is the continuous target of three standing UN bodies. Mandated to promote a one-sided political agenda, their existence within the UN system is contrary to the purposes and principles of the world body.

### UNRWA

Teachers and schools at the United Nations Relief and Works Agency, which runs education and social services for Palestinians, regularly call to murder Jews, and create teaching materials that glorify terrorism, encourage martyrdom, demonize Israelis and incite antisemitism.<sup>5</sup> For example, UNRWA Lebanon teacher Elham Mansour, posted this on Facebook: *"By Allah, anyone who can kill and slaughter any Zionist and Israeli criminal, and doesn't do so, doesn't deserve to live. Kill them and pursue them everywhere, they are the greatest enemy. All Israel deserves is death."*<sup>6</sup>

In 2022 alone, UNRWA received \$344 million in U.S. funding. Yet a March 2023 report by UN Watch and Impact-SE identified 133 UNRWA educators and staff who were found to promote hate and violence on social media, and an additional 82 teachers and other staff affiliated with 30 UNRWA schools who were involved in drafting and distributing hateful content to students. The hatred is systemic at UNRWA, and its internal selfauditing mechanisms are not fit for purpose.<sup>7</sup> UNRWA's strategy is to smear groups such as UN Watch that hold them to account, and Western donor states have apparently made no objections.

### **Human Rights Council**

The UN's Human Rights Council was created in 2006 to replace its discredited predecessor, the 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. Contrary to its declared purposes, the Council has systematically turned a blind eye to most of the world's worst perpetrators of gross and systematic violations of human rights. Paradoxically, many of these violators sit on the Council, two-thirds of which is composed of non-democracies. Current members include China, Cuba, Qatar, Vietnam and Pakistan.

None of these regimes has ever been condemned in any council resolution, emergency session or fact-finding mission. The Council has failed to fulfil its core mission of addressing the world's most urgent violations, and it has failed to act, as mandated by its own founding text, Resolution 60/251, 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

<sup>&</sup>lt;sup>5</sup> <u>https://unwatch.org/wp-content/uploads/2023/03/2023-Report-UNRWA.pdf</u>

<sup>&</sup>lt;sup>6</sup> See UN Watch, UNRWA's Teachers of Hate, June 2022, at 17 <u>https://unwatch.org/wp-</u>

content/uploads/2022/06/2022-Report-UNRWAs-Teachers-of-Hate.pdf.

<sup>&</sup>lt;sup>7</sup> https://unwatch.org/un-teachers-call-to-murder-jews-reveals-new-report/

below, its selective treatment of Israel is a gross breach of its obligation to act "without distinction of any kind" and "in a fair and equal manner."

### Standing Agenda Item Targeting Israel

The only country in the world with a standing agenda item at the Human Rights Council is not North Korea, a totalitarian regime that holds 100,000 people in gulags, nor is it Syria which has gassed its own people. It is Israel. The day after it was instituted, then UN Secretary-General Ban Ki-moon criticized this act of selectivity. On 20 June 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."<sup>8</sup> To protest its bias, most Western democracies do not participate in the debates held under this agenda item.

#### Resolutions Targeting Israel

From its creation in June 2006 to June 2023, the Council has adopted zero resolutions on serial human rights abusers such China, Pakistan, Qatar, Saudi Arabia, Turkey, Zimbabwe and Cuba. It adopted 2 condemnatory resolutions on Sudan, 3 on Venezuela, 12 on Eritrea, 14 on Iran, 16 on North Korea, 42 on Syria — and 103 on Israel. Whatever its flaws, there is no rational explanation why the Jewish state should be the object of more condemnations than Iran, Syria and North Korea combined. The numbers alone reveal the UN's irrational obsession with one nation. Even those who consider Israel deserving of criticism cannot dispute that this amounts to an extreme case of selective prosecution.

Beyond the numbers, 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 the former Sudanese regime of Omar al-Bashir regularly included language praising, commending, and urging international aid funds for its government.<sup>9</sup> The practice of singling out Israel — not only with a disproportionate amount of resolutions, but with language that is uniquely condemnatory — constantly reinforces the impression that there is nothing whatsoever to be said in Israel's favor. The effect is to stigmatize the nation as evil.

#### Inquisition, Not Inquiry: The Pillay Commission

The Council has created nine fact-finding missions or inquiries targeting Israel, more than on any other country.<sup>10</sup> These have all come with predetermined verdicts that effectively deny Israel's right to self-defense. Their skewed reports grant propaganda victories to Hamas and Islamic Jihad, incentivizing the terrorists to continue launching wars.<sup>11</sup> In May 2021, after Palestinian terrorists from Hamas and Islamic Jihad fired 4,000 rockets at Israeli civilian centers, the Council created its first open-ended Commission of Inquiry targeting Israel. It is the first with no end date. Rather, it is mandated to report to the UN twice a year, in perpetuity. Its scope includes not only the

<sup>&</sup>lt;sup>8</sup> <u>https://news.un.org/en/story/2007/06/223082-secretary-general-welcomes-agreement-details-un-human-rights-review</u>

<sup>&</sup>lt;sup>9</sup> See examples at <u>https://unwatch.org/database/</u>.

<sup>&</sup>lt;sup>10</sup> <u>https://unwatch.org/un-rights-council-calls-9th-urgent-session-on-israel/</u>

<sup>&</sup>lt;sup>11</sup> https://unwatch.org/renowned-law-of-war-expert-geoffrey-corn-testifies-against-biased-un-report/

war of May 2021, but all events leading up to it, and since. They have the unprecedented mandate to examine "root causes" of the conflict, including alleged "systematic discrimination" based on race. The inquiry has a large staff of lawyers tasked with collecting evidence admissible in international tribunals, with a budget of millions of dollars a year.

The Council deliberately appointed three commissioners with records of extreme bias against Israel, in open violation of UN rules that they be impartial. For example, the Chair of the inquiry, Navi Pillay, has signed petitions lobbying governments to "Sanction Apartheid Israel." Weeks after the May 2021 Hamas-Israel war, Pillay signed a letter to President Biden calling to punish Israel as the culpable party. UN Watch documented her bias in a legal request that she recuse herself, but this was ignored.<sup>12</sup>

Last summer, in an interview with the anti-Israel publication *Mondoweiss*, commissioner Miloon Kothari ranted about "the Jewish lobby" and questioned Israel's right to be a member of the UN.<sup>13</sup> He was condemned by numerous countries and top UN officials for antisemitism,<sup>14</sup> yet he has remained in his post. In June 2023, Kothari complained that the Western media was "an obstacle" to his work, and of "biased reporting" by the BBC, New York Times, and Washington Post, "and there are many others, almost verging towards fake news," he said.<sup>15</sup>

### Officials of the Human Rights Council

The anti-Israel campaign described above is initiated by UN member states, namely, those belonging to the Arab, Islamic, and Non-Aligned blocs. Separately, however, several independent officials in the UN human rights system have demonstrated a similar prejudice.

### Francesca Albanese

In March 2022, the Council appointed Francesca Albanese, an Italian lawyer who worked for UNRWA, as its "Special Rapporteur on the situation of human rights in the Palestinian territories," whose mandate is actually to investigate solely "Israel's violations."

While UN experts are obliged to be objective and impartial, UN Watch revealed — prior to her appointment — that Albanese had repeatedly equated Palestinian suffering with the Nazi Holocaust, and accused Israel of apartheid, genocide, ethnic cleansing, and war crimes.<sup>16</sup> It was also later revealed that she fundraised for UNRWA in 2014 by writing that America is "subjugated by the Jewish lobby."<sup>17</sup>

On her application, Albanese was asked whether she holds "any views or opinions that could prejudice the manner in which the candidate discharges the mandate." She replied

<sup>&</sup>lt;sup>12</sup> <u>https://unwatch.org/wp-content/uploads/2022/02/Request-for-Navi-Pillay-to-Recuse-Herself-on-Grounds-of-Bias.pdf</u>

<sup>&</sup>lt;sup>13</sup> <u>https://unwatch.org/un-commissioner-miloon-kothari-denounced-for-antisemitic-remarks-full-transcript/</u>

<sup>&</sup>lt;sup>14</sup> <u>https://unwatch.org/the-compendium-of-world-condemnations-of-antisemitic-un-investigator-miloon-kothari</u>

<sup>&</sup>lt;sup>15</sup> https://twitter.com/HillelNeuer/status/1671162885178032131

<sup>&</sup>lt;sup>16</sup> <u>https://unwatch.org/report-un-to-name-investigator-on-israel-who-compares-it-to-nazi-germany/</u>

<sup>&</sup>lt;sup>17</sup> https://twitter.com/HillelNeuer/status/1602909007924035586

"No." Yet a year prior, Albanese had acknowledged the opposite, saying her "deeply held personal views" on the Palestinian issue "could compromise my objectivity."<sup>18</sup>

Since taking up her UN post, Albanese has legitimized terrorism<sup>19</sup>, encouraged Hamas "resistance" while addressing one of their conferences<sup>20</sup>, and praised antisemites like Roger Waters.<sup>21</sup>

## Craig Mokhiber

Craig Mokhiber is Director of the New York branch of the UN's Office of High Commissioner for Human Rights (OHCHR), and has served in various capacities at the United Nations since 1992. On his public Twitter and Facebook accounts, Mokhiber has repeatedly accused Israel of the worst possible crimes: "genocide," "ethnic cleansing," and "large-scale atrocities."<sup>22</sup> He accuses Israel of "racist domination," "racist violence," and "racist oppression," as well as of committing "right-wing white ethno-nationalist terrorism" that "is murdering people." In Mokhiber's view, Israel's policies toward the Middle East peace process, as expressed by the U.S. peace plan, amount to "the crimes of the 20th Century," including "ethno-nationalism," "apartheid," "colonialism," "racism," and "subjugation." Mokhiber is notably silent about any actions against Israelis, whether by Hamas, Hezbollah, Islamic Jihad, Iran or the Palestinian Authority.

## Eric Tistounet's Campaign Targeting UN Watch

For two decades, Mr. Eric Tistounet has been the top bureaucrat at the UN Human Rights Council, which he played a role in creating. He wields significant power over the ability of NGOs to participate at the Council.

UN Watch, the Swiss non-profit association that I direct, was founded in Geneva in 1993 by former US Ambassador and civil rights leader Morris Abram. We have never received funding from any government, and are supported entirely by charitable donations. UN Watch has played a leading role in the fight against antisemitism and anti-Israel bias at the UN, and particularly in exposing and combating such discrimination and double standards at the Human Rights Council.

In retaliation, Tistounet has used his power to orchestrate a campaign of smear attacks, restrictions, and harassment targeting me and our organization. This has included his manipulation of speakers lists to prevent UN Watch from speaking at the UNHRC. When his former employee Emma Reilly pointed out that it was against UN rules to discriminate against a particular NGO, Tistounet responded falsely that UN Watch was an "Israeli GONGO" (a fake, government-operated NGO), and "implied that such discrimination was therefore, in his eyes, legitimate."<sup>23</sup>

According to testimony provided by Ms. Reilly, "in his discussions of Mr. Neuer and UN Watch, Mr. Tistounet would frequently use anti-Semitic tropes that they were somehow

<sup>&</sup>lt;sup>18</sup> See UN Watch, *Mandate to Discriminate, Part II*, at 15-18, <u>https://unwatch.org/wp-content/uploads/2022/03/Mandate-to-Discriminate-Part-II.pdf</u>.

<sup>&</sup>lt;sup>19</sup> https://twitter.com/HillelNeuer/status/1556755829277310976

<sup>&</sup>lt;sup>20</sup> https://twitter.com/UNWatch/status/1598529068340690944

<sup>&</sup>lt;sup>21</sup> https://twitter.com/FranceskAlbs/status/1666907933039312896

<sup>&</sup>lt;sup>22</sup> <u>https://unwatch.org/exposed-top-human-rights-official-craig-mokhiber-deep-seated-anti-israel-bias/</u>

<sup>&</sup>lt;sup>23</sup> See Witness Statement by Emma Reilly, Sept. 19, 2022, at para. 7, <u>https://unintegrity.org/wp-</u> content/uploads/2022/10/Emma-Reilly-Witness-statement-for-UN-Watch.pdf.

manipulating and controlling certain member states or other NGOs behind the scenes."  $^{\prime\prime24}$ 

Tistounet would "actively seek to trace any problem in the Human Rights Council back to UN Watch's supposed machinations, at one point terming Mr. Neuer the 'puppet master' of the US delegation when they delivered a speech in which they opposed the existence of Item 7 on the agenda of the Human Rights Council."<sup>25</sup>

"Mr. Tistounet regularly expressed his personal support for Item 7 [which targets Israel]. This struck me as inappropriate, as the role of the Secretariat is to support the work of the Council and not to express personal views on issues that are known to be controversial to all staff under one's supervision."<sup>26</sup>

In October 2022, UN Watch filed a legal complaint with the United Nations, based on leaked internal emails and testimony by Ms. Reilly, documenting how Mr. Tistounet, in violation of UN rules:

- Orders his staff to manipulate speakers lists to prevent UN Watch from speaking at the United Nations. For example, in the June 2022 UNHRC session, UN Watch registered to speak for 36 interactive debates, yet received zero speaking slots. This result is impossible unless someone manipulated the computer-generated list of speakers.
- Routinely defames UN Watch among his staff.
- Concocted a fictitious rule, specially for UN Watch, demanding to see our UNHRC speeches in advance, enabling him to draft reprimands that he would hand the Chair to read out against UN Watch, without any basis.
- Sent out a celebratory email to his 50-member staff at the UNHRC when he learned in 2007 that I was the victim of a false arrest outside of Boston.
- Instructed his United Nations staff to secretly go to an internet café and anonymously post the pictures of me being arrested, in an attempt to humiliate me.
- Emailed his staff that if for some reason a country would ever file a frivolous Interpol arrest warrant against me (a Red Notice), they were to refrain from making their usual objections to such an arrest warrant, in order that UN security officers would physically block me from entering the premises of the Human Rights Council.
- Ordered his staff to hand advance copies of any speech we planned to deliver exposing the abuses of his personal friend Jean Ziegler, a former UNHRC official and notorious apologist for dictators, who co-founded the Qaddafi Prize, and who wrote the preface to one of Tistounet's books.

On October 11, 2022, UN Assistant Secretary-General Martha Lopez replied that our complaint would be considered "as per internal procedures." Eight months later,

<sup>&</sup>lt;sup>24</sup> Ibid. at para. 22.

<sup>&</sup>lt;sup>25</sup> Ibid. at para. 22.

<sup>&</sup>lt;sup>26</sup> Ibid. at para. 22.

nothing has happened. On the contrary, the speaking lists for the current June 2023 Session of the UNHRC were once again manipulated by Mr. Tistounet to prevent UN Watch from speaking more than once.

At the UN, there is no court to give justice. The only effective remedy will be for the United States Government to demand that this bigoted and corrupt official be suspended, and that the Secretary-General create an independent investigation as was requested in our complaint.<sup>27</sup>

#### Conclusion

Key bodies of the United Nations are being wilfully and systematically misused by an organized campaign to demonize and delegitimize Israel and the Jewish people. Noble principles such as human rights, equality, and peace are being subverted by gross discrimination, politicization, and prejudice. The United Nations will never live up to its founding promise so long as this pathology endures.

<sup>&</sup>lt;sup>27</sup> https://unwatch.org/wp-content/uploads/2022/10/UNW-Complaint-to-UNSG-against-Eric-Tistounet.pdf