
**FRIENDS
OF ISRAEL
INITIATIVE**

The United Nations and
the State of Israel

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Israel is ruining the United Nations. This is not through anything it does. Rather, it is through the obsession of other states with Israel and their apparent sense that the United Nations offers an especially accommodating venue in which to pursue this obsession.

The effect is to waste time and resources on endlessly repetitive and often non-germane denunciations of Israel. These cheapen the UN by showing its pronouncements to be inconsistent, illogical, and even hypocritical, which makes the organization less respected and less worthy of respect. And the relentless pursuit of this obsession eats away at the foundational idea of the UN as set forth in its Charter: “The Organization is based on the principle of the sovereign equality of all its Members.” This principle is made a mockery by the differential treatment accorded Israel. To paraphrase Orwell, in the UN all states are equal but one state is less equal than the rest.

A Special Relationship

Not only in terms of invidious treatment, but in other ways as well, the relationship of the UN to Israel has been more fraught than to other countries. To begin with, the UN helped to birth Israel. In 1947, after Britain turned its League of Nations Mandate for Palestine back to the United Nations, that body adopted a plan of partition to allow creation of a Jewish and an Arab state. The Jews proceeded to found Israel on the legal basis of this UN decision.

Soon, through no act of its own, Israel presented the UN with a fateful test. The Arabs, dissatisfied with the idea of partition, spurned creating a Palestinian Arab state. Instead, they took to arms to throttle the Jewish one. This constituted a life-and-death challenge to Israel in its infancy, but it also posed nearly as important a challenge to the young UN.

The world body had been created not as a mere feel-good gathering place where diplomats could meet and greet, but rather as the bulwark of world peace to assure that mankind would never again endure the horrors of the two world wars. The UN was to provide the mechanism by which an attack by one state against another would promptly be thwarted by the collective action of the whole international community. Even the most recalcitrant government would absorb the lesson that belligerent acts would be futile,

and thus war itself would become a thing of the past or at least grow increasingly rare.

The attack on the aborning state of Israel put this plan to its earliest test. As the Secretary General of that time, Norway's Trygve Lie, put it:

The invasion of Palestine by the Arab states was the first armed aggression which the world had seen since the world war. The United Nations could not permit such an aggression to succeed and at the same time survive as an influential force for peaceful settlement, collective security, and meaningful international law.”¹

Sadly, the UN did nothing to defeat this aggression or others that were to follow in other parts of the world. As a result, the world body grew up devoid of its intended purpose. In its place, member states have pursued a variety of other goals, chief of which have been decolonization, development, peacekeeping, and, remarkably, castigation of Israel.

One State Excluded

This latter was facilitated by the evolving composition of the organization. As more and more independent states emerged in the 1950s and 1960s from the territories that had once been colonial possessions, the membership of the UN grew several fold, and the Western dominance of its early years gave way to the weight of the developing world. In the 1960s, a system of regional representation was formalized with the recognition of five groupings--Africa, Asia, Latin America and the Caribbean, Western Europe, and Eastern Europe. Seats on almost all UN bodies were distributed by region, and high offices, including the post of Secretary General, were allocated or rotated among the regions.

A few geographic outliers were accommodated through special arrangements: the United States, Canada, Australia, and New Zealand were encompassed in what is called the Western Europe and Others Group (WEOG). But one state was excluded from all groups, Israel, whose membership in the Asia group was blocked by the Arab states. Since regional groupings had been unforeseen by the UN's founders, the Charter contained no rules governing their conduct which might have precluded such discrimination.

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In 2000, after nearly four decades of exclusion, and thanks to heavy lobbying by the United States, Israel was admitted to WEOG, but only for a limited time during which Israel agreed to foreswear seeking a seat on the Security Council or the Economic and Social Council. Its membership was limited to one venue, the main UN headquarters in New York; it did not extend to the other cities around the world where various UN bodies have their meetings. Eventually, Israel's membership in WEOG in New York was extended indefinitely. Thirteen years later, and again in exchange for certain concessions, Israel was admitted to the WEOG group in Geneva, but it continues to be excluded in other cities where some UN agencies are based, such as Vienna and Nairobi.

Despite the lifting of this formal method of exclusion, Israel has never to this day served on the Security Council. This is true for several dozen other states, too, but most of them are much smaller than Israel. In WEOG, for example, the seven others that have never held Security Council seats—Andorra, Estonia, Iceland, Latvia, Liechtenstein, Monaco, and San Marino—have a *combined* population only one-half that of Israel. Some smaller states that have missed out on a turn at Security Council membership have had an opportunity for leadership by being chosen to the Bureau that guides the work of the Economic and Social Council. The list includes Estonia and Iceland among WEOG members as well as such other small states as Bhutan, Lesotho, and Albania. But Israel has never been afforded this position either.

Israel has been excluded not only from elected positions in the UN but also appointed ones. According to the Charter, all UN officials and other employees are “international officials responsible only to the Organization,” ergo, they are in theory selected as individuals rather than representatives of countries. But practice has made a mockery of this since the early days of the organization. Posts are filled with a keen eye to politics among the countries.

There is no shortage of posts to go around. As of April 2017, the UN lists 80 “Under-Secretaries-General and Officers of equivalent rank” and 124 “Assistant Secretaries-General and Officers of equivalent rank.” The next rank down from Assistant Secretary-General is the “D-2” level. The number of such positions is naturally several times more than the number of Assistant or Under Secretaries-General. The Careers page on the UN's website opens with the slogan: “The strength of the UN system lies in the diversity of its staff.”² And years ago, the General Assembly directed the secretariat to give priority in hiring to the nationals of “underrepresented” countries. Yet of these hundreds of positions at the UN, not a single one is filled by an Israeli.

Embracing Palestine, Dumping Israel

This is not to say that Israel is ignored. On the contrary, it is the focus of more attention than any other state. Daniel Patrick Moynihan wrote that upon taking up his duties as chief U.S. ambassador to the UN in 1975, he was startled to discover that Israel was “the center of the political life”³ of the world body.

Moynihan arrived just months after the first UN appearance by Yassir Arafat, chief of the PLO. The event marked a turning point in the UN’s treatment of Israel that ramifies to this day. The General Assembly had voted to invite the PLO to participate in a session devoted to Palestine. No one who was not the representative of a government had ever before been allowed to participate in the General Assembly debate with the sole exception of the Pope, and even he is the representative of the Vatican, generally recognized as a state (although of course this is not the reason that the Pope was welcomed).

The PLO then was a long way from becoming the organization that signed the 1993 Oslo accords with Israel and joined long-term negotiations toward a peaceful settlement. Rather, it was riding the crest of a campaign of international terrorism carried out not only on Israeli soil but also in skies and airports and streets around Western Europe and the Middle East.

The dramatic highpoint of that campaign had come two years earlier in Munich when a team of PLO terrorists disrupted the Olympic games by massacring eleven Israeli athletes. This had constituted such an egregious violation of the idea of transcendent human brotherhood to which the Olympics are consecrated, that the PLO used a false front—calling itself Black September—in taking credit for the atrocity. The civilized world was repelled by this outrage but also intimidated. And the decision to invite Arafat to address the UN was in part a gesture of appeasement.

Arafat arrived at the UN with his own security detail, headed by Ali Hassan Salameh, the very man who had commanded the Olympic massacre. Arafat, himself, ostentatiously displayed a holster on his belt as he delivered his address. The peroration was its most widely-reported line: “I have come bearing an olive branch and a freedom-fighter’s gun. Do not let the olive branch fall from my hand.”

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To those who read only the news reports, Arafat's proffered alternatives may have been taken for an offer of peace. But none of the delegates who heard the whole speech could have taken that meaning. Arafat was emphatic that the conflict that began with the "Jewish invasion of Palestine" in 1881 required a "radical . . . antidote," to wit, the disappearance of Israel. The olive branch he extended was not to Israel but to the Jews residing there. If they would cooperate in dismantling their country, they would be allowed to stay on as residents of the new Arab state that would rise in Israel's place. If they did not cooperate, then he offered only the gun, in other words, the fate meted out to the Israeli athletes at Munich.

Stunningly, when he completed this pitiless tirade the assembly rose in the most raucous ovation that longtime observers had ever witnessed at the UN. By this response, the UN delegates signified that, whether motivated by ideology or fear, the UN delegates were prepared to back the cause of the PLO uncritically at whatever cost to Israel.

In the months that followed this new orientation was manifested in a series of concrete measures most of which are still operative. The most notorious was the resolution of the General Assembly declaring Zionism to be "a form of racism." The vote was overwhelming, 72 in favor to 35 opposed, with 32 abstentions.

In the same session, the General Assembly nearly voted to reject Israel's credentials as it had done with South Africa, which had meant, said Moynihan, that the latter "was effectively expelled."⁴ What thwarted the drive to do the same to Israel, surprisingly, was the stance taken by Egypt's President Anwar Sadat, who said: "Israel must be present at the United Nations if it is expected to comply with its resolutions."⁵

Sadat's true rationale may have been the embryonic intention to make peace with Israel that was to reach maturity and visibility in his historic 1977 visit to Jerusalem. The UN was to play no part in this journey or in the ensuing diplomacy that culminated in the peace treaty between Egypt and Israel. It is a painful commentary that the Arab state that sought peace had no recourse to the UN, but those adamant against peace (the Arab League expelled Egypt over the treaty) made abundant use of it.

Branding Zionism a species of racism was no less devastating a stroke than rejecting Israel's credentials would have been. The latter might have been tantamount to expulsion from the UN, but the former amounted to a

negation of Israel's legitimacy, its right to exist. If Zionism—the idea of a state for the Jews—is inherently racist, then Israel is a state that ought not to exist.

Three Special Bodies

In 1991, with the Cold War having ended and new comity between Israel and the states of the former Soviet bloc, the resolution on Zionism and racism was formally revoked by the General Assembly. But another resolution adopted in the atmosphere of animosity to Israel that prevailed in 1975 was never repealed and remains consequential.

That was a vote to create a special body, the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Such a formal ongoing body does not exist for any of the world's other conflicts or suffering peoples. And in fact another body dedicated to criticizing Israel already existed, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, which had been created in 1968. As was common with UN resolutions regarding Israel, this one prejudged the matter to be “investigated,” expressing “grave concern at the violation of human rights in Arab territories occupied by Israel.”

To investigate allegations of human rights violations is inherently a worthy endeavor wherever they may occur and whoever may be the victim or the perpetrator. But there were two peculiar aspects to the creation of this Special Committee. The territories in question had, until captured by Israel, been ruled respectively by the Baathist regime of Syria, President Gamal Abdel Nasser of Egypt, and King Hussein of Jordan. All three were autocratic, and the first two particularly repressive and brutal. Yet the UN evinced no interest in investigating the human rights of Arabs living in territories not occupied by Israel. If UN activity were more consequential, an Arab subject might reasonably wish for the place he lived to be overrun by Israel so that the UN would finally take an interest in his plight.

The second peculiarity was the identity of those charged with the investigation: a committee of three, Ceylon (today's Sri Lanka), Yugoslavia, and Somalia. Ceylon was a relatively democratic country, albeit unstable. Yugoslavia was a Communist state, a shade less repressive than some others but nonetheless a strict dictatorship without a trace of respect for the rights

of its citizens. Somalia was still in its infancy as an independent state but soon fell under the rule of one of Africa's most brutal military strongmen, Mohamed Siad Barre. The composition of this committee made clear that the goal was not truly to investigate anything but just to excoriate Israel. For this task, the body was amply qualified.

That Special Committee continued its "investigations" year after year, but after seven years, that is, in 1975, the General Assembly concluded that one special committee devoted to excoriating Israel was not enough. So it created the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Of the twenty original member states chosen for this committee, sixteen were such adamant partisans of the Arab cause that they had no diplomatic relations with Israel. Eighteen of the twenty had voted in favor of the resolution branding Zionism a form of racism, thereby judging the very existence of Israel to constitute a human rights violation. The PLO, which was not a UN member, not a state but rather a self-proclaimed revolutionary organization and was still steeped in terrorism, could not be a member of this committee. But, startlingly, it was nonetheless invited to participate formally in its work, serving on the drafting committee that wrote the larger committee's first report.

This report affirmed that all Palestinian refugees from 1948 and after had an "absolute" and "inalienable right to return to their homes."⁶ The importance of this right, it explained, was not humanitarian so much as political. "The exercise of the individual right of the Palestinian to return to his homeland was a *conditio sine qua non* for the exercise by this people of its rights to self-determination, national independence and sovereignty." In other words, what were at stake were not the rights of individuals but of the nation.⁷

A nation can exercise "self-determination" and "sovereignty" within a given territory only by ruling that territory. Thus the committee asserted that "[is] up to the Palestinian people, in the exercise of its right to self-determination, to decide . . . how its national independence should be expressed . . . in its territory, Palestine."⁸

Did this "territory, Palestine" include what was then Israel? What about the rights of Israelis or Jews? That apparently was not of concern to, or not within the mandate of, this committee and thus went entirely without mention.

The report was not a one-off event but rather just an opening salvo. Not only has the committee's mandate been renewed each year since, but also in 1979 it was armed with its own bureaucracy. A Division of Palestinian Rights was created within the Department of Political Affairs in the UN secretariat. Today it has fifteen full-time staff (down from a higher number a few years ago) and an annual budget of three million dollars.

There is no analogous division in the secretariat for the rights of any other people, not the Chechens or Tibetans or Uighurs or Rohingya or Kurds. Rather there is in the Political Department, a single division for Asia and the Pacific, another for the Americas and Europe, another for West Asia and the Middle East, plus the one for Palestinian Rights. That's it.

What does this division do? It runs a website called UNISPAL, the United Nations Information System on the Question of Palestine, boasting "over 30,000 text documents," which functions as a vast data base for pro-Palestinian/anti-Israel advocacy. The database includes large numbers of official documents such as reports and resolutions of various UN bodies as well as the division's own publications such as the book-length study, *The Origins and Evolution of the Palestine Problem 1917-1988*.⁹ According to this book, "the Balfour Declaration . . . can be considered the root of the problem of Palestine." The Balfour Declaration was, of course, the statement of the British government during World War One that endorsed a homeland for the Jews in Palestine. This was codified in the peace treaty placing Palestine under British trusteeship with a mandate from the League of Nations, which decades later and after many twists in the road made possible the birth of Israel, to the palpable regret of the authors of this volume.

The Division also sponsors four conferences a year, each in a different country to which the local diplomatic missions of all UN members are invited as well as non-governmental organizations. According to the committee's website, more than 1,000 NGOs are accredited to it. These run a spectrum from groups that are merely critical of Israeli policies to ones that are flagrantly hostile to Israel's very existence. The effect is to promote anti-Israel activism. This is reinforced by a second website called the UN Platform for Palestine which is designed:

to create a central location for CSOs [Civil Society Organizations] around the world to inform, share and mobilize among themselves regarding international, regional and local efforts in support of the Palestinian people and the just cause of Palestine.

Each year, one of the four conferences is devoted to mobilizing assistance for the Palestinians. In 2005, the year that Palestinian activists initiated the so-called BDS movement to promote boycotts, disinvestment and sanctions against Israel, they used this annual UN meeting as a launching pad. That gathering issued a ringing “Call to Action”:

we urge international, national and regional social movements, organizations and coalitions to support the unified call of Palestinian civil society for a global campaign of boycotts, divestment and sanctions (BDS) to pressure Israel to end the occupation and fully comply with international law and all relevant United Nations resolutions. We have identified the coming year to mobilize for and inaugurate this BDS campaign. We call on our partner organizations to intensify all our activities, focusing on the BDS campaign so that together we will end the Occupation.¹⁰

This appeal, reiterated in subsequent years, put the prestige of the UN as well as incalculable resources behind the global campaign to ostracize and materially damage Israel.

The division also sponsors an annual day of “solidarity with the Palestinian people,” observed at UN offices worldwide on the anniversary of the UN’s 1947 resolution proposing to partition Palestine into Jewish and Arab states. At these, too, the programming can run a gamut from merely pro-Palestinian to furiously anti-Israel. An example of the latter was vivid at the 2011 commemoration at the UN’s New York headquarters, which featured a film, *La Terre Parle Arabe*. According to its publicity materials, this documentary reveals that “well before the Balfour Declaration . . . Zionist leaders” plotted to “transfer . . . the Palestinians out of their land [by] all possible means.”¹¹ In addition to the annual day, 2014 was declared to be a whole year of solidarity with the Palestinians. And 2017 is being observed as marking fifty years of Israeli occupation of the territory captured in the 1967 war.

In sum, the UN has three special bodies—the Division of Palestinian Rights, the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories—dedicated to promoting the Palestinian cause and criticizing Israel. Not one such special body exists for any other people or conflict. As if this weren’t enough, the UN’s Department of Public Information has a

“special information program on the question of Palestine,” funded to about one-third million dollars a year. It aims at “worldwide dissemination of accurate and comprehensive information . . . heightening awareness of and support for the inalienable rights of the Palestinian people.”¹²

Special Treatment by the UN’s Main Organs

Not that the UN needs special bodies to treat Israel invidiously. All of the regular bodies do it as well. The most important of these, of course, is the Security Council, the only UN organ with the authority to make decisions that are considered binding on states under international law. The Security Council has the sole authority to apply sanctions and even to command the use of military force, and it is the sole body where the United States possesses a veto, as do the four other permanent members.

At its best, the council can make important contributions to global diplomacy. For example, its resolution 242, adopted in the aftermath of the 1967 war and reaffirmed in resolution 338 following the 1973 war, remains the cornerstone of efforts to bring an end to the Arab-Israel conflict. But sadly the council is rarely at its best. Over the decades, the U.S. has used its veto to defeat 42 resolutions that it regarded as one-sided in their criticism of Israel, and it has discouraged countless others by threatening to veto. Nonetheless some forty resolutions critical of Israel have passed, either because the U.S. agreed with them fully or agreed to them as compromise measures. There has never been a one aimed at Israel’s enemies even for their bloodiest acts with the small exception a 1951 resolution calling on Egypt to cease blockading the Suez Canal to shipping bound for Israel.

One of the most noteworthy of the resolutions critical of Israel was resolution 487 of June 1981 in response to Israel’s bombing of Iraq’s nuclear reactor at Osirak. With U.S. support, the council declared that it: “Strongly condemns the military attack by Israel in clear violation of the Charter of the United Nations and the norms of international conduct” and that it “fully recognizes the inalienable sovereign right of Iraq . . . to . . . nuclear development.” It called upon Israel to pay Iraq “appropriate redress for the destruction it has suffered.” Nine years later when the U.S.-led coalition, acting with Security Council authorization, overran part of Iraq in liberating Kuwait from Iraq’s clutches, it discovered that Saddam Hussein’s government was far advanced in developing nuclear weapons. Many were then grateful that Israel had done what it had done.

Even when there is no resolution on the table, the Security Council holds a monthly public session on the “The situation in the Middle East, including the Palestinian question.” This is apart from meetings on specific crises, and there are not analogous meetings devoted to any other region. And this session is not really about the Middle East, only about the Israel-Palestinian conflict. Every third month, the meeting is “open,” meaning that not only may the fifteen members of the council speak, but other member states may too. Thus, the representatives of numerous Muslim states take turns denouncing Israel. The former U.S. ambassador to the UN, John Bolton, recollected his view of the exercise: “It’s like going to the dentist. You just have to get through it.”¹³

Dental work, however, is essential, but these sessions yield no benefit, no action whatsoever. They serve only to set the tone, at the UN’s highest level, of obsession with Israel. In April 2017, the United States held the presidency of the Security Council, which revolves monthly. America’s outspoken ambassador, Nikki Haley, chose to break precedent by insisting that other issues be aired. She said:

Every month, the Security Council convenes a meeting on the Middle East. We have lots of meetings on specific countries and conflicts in the region but today’s debate is our opportunity to talk about the Middle East as a whole. It is our opportunity to look at the threats that go beyond one country’s borders, the threats that affect not just every country in the Middle East but all too often every single one of us.

Regrettably, these monthly meetings routinely turn into Israel-bashing sessions. That is the way the Security Council has operated for years. It is a formula that is absurdly biased against one country. It is a formula that is painfully narrow in its description of the conflicts in the region. And it is a formula that does nothing to help find solutions.¹⁴

The other principle UN body is the General Assembly. Under the Charter its powers are quite limited, but as the main forum to which all states belong its actions carry a certain moral authority. That authority, however, is squandered by the assembly’s obsession with Israel. Each year it adopts as many as three-hundred-odd resolutions. The majority of these are adopted by consensus on anodyne topics such as “revitalizing the work of the General Assembly” or “combatting sand and dust storms” or observing “International Day of the Tropics.” Only about one-quarter generate division and therefore a vote, and roughly one-third of these—in other words about two dozen

in all—hold a particular state up for criticism. (I generalize rather than give a precise number because resolutions are very similar, often identical, from year to year, so these approximate numbers would hold for each of the last several years.) Of those state-specific resolutions, the overwhelming majority—twenty or more out of roughly 25—are aimed at Israel.

Israel is lambasted over the refugees of 1948 and those of 1967 and over its occupation of the Golan Heights and the West Bank and Jerusalem, over its treatment of prisoners over the wars in Gaza, and on and on. Resolutions lament the loss of Palestinian lives in these conflicts but not the loss of Israeli lives. They decry the treatment of Palestinians in Israeli custody, but not the treatment of Palestinians in Palestinian custody although it is well known that a member of Fatah in a Hamas prison in Gaza or a member of Hamas in a Fatah prison is in danger of treatment more brutal than he is likely to endure in an Israeli prison.

A few other states endure censure by the General Assembly. In recent years Syria, North Korea, and Iran have been cited. In 2016 one vote criticized Russia over Crimea, and in 2015 a resolution about Myanmar (now Burma) comingled approval of progress with criticisms mild enough that it was passed without a vote, meaning even Myanmar itself did not wish to vote against it. As compared to the twenty-odd annual resolutions about Israel, each of these transgressors was the object of but a single resolution in any year, with the sole recent exception of Syria, on which two or even three different resolutions were passed in some years as its enormous civilian death toll has mounted.

Undergoing such criticism is not merely, perhaps not primarily, a function of misbehavior; it is more often a function of political isolation. Syria and North Korea both can be found on Freedom House’s annual list of the “worst of the worst” human rights abusers, but each also has few friends. Syria has been expelled from the Arab League, and North Korea is sometimes called “the hermit kingdom.” The nine other countries that made Freedom House’s list of reprobates in 2016, like their counterparts in earlier years, endured no rebuke.

The Abuse of “Human Rights”

Not quite as lopsided in numbers as the votes of the General Assembly, but in its own way equally hypocritical is the record of the UN Human Rights

Council. This is especially disappointing because the council was created only a decade ago at the initiative of then Secretary General Kofi Annan as a centerpiece of UN reform. His motive was to replace the Commission on Human Rights, which he said, “casts a shadow on the reputation of the United Nations system as a whole.”¹⁵

How had it done this? The world’s worst human rights violators had learned that the surest way to avoid any criticism from the commission was to become a member of it. So they would trade votes in on other matters to assure being elected to this body. In addition, bloc voting among Muslim states, Communist states, and various regional groups also distorted the commission’s deliberations. As a result, the world’s most brutal regimes—in Syria, Libya, China, Russia, Saudi Arabia, Sudan, Eritrea, and the like—usually escaped any censure. When any of their like was criticized it was usually in the form of gentle appeals to improve its record. The only moments at which the commission would pull itself to full height and deliver a scathing chastisement came when it dealt with Israel, which it did plentifully, with five to eight separate resolutions each year compared to zero or one for any other state.

With the support of Western states and the community of global human rights organizations, Annan devised a blueprint for the new body that was intended to assure that it would be composed heavily of states that themselves had positive human rights records and that its focus would not be so severely skewed. But in the dickering to secure agreement to the new body, and in its own very first deliberations, the mechanisms that Annan envisaged to assure that the new Council would be different from the old Commission were eviscerated. Most significantly, the Council as its start voted to make Israel a separate agenda item of its own at every meeting. There is, in other words, one item for Israel and one item for the world’s 194 other countries.

Thus, the Council has never fallen below the old Commission’s benchmark of issuing at least five denunciations of Israel each year, and some years it has exceeded the Commission by passing as many as nine or ten. According to the well-respected NGO, UN Watch, in its first decade of existence the Council has passed a total of 135 resolutions criticizing specific countries, and of these 68 have been directed against Israel, 67 against all of the world’s other states combined.¹⁶ The Council’s spokesman challenges the latter number, pointing out that there are many more than 67 resolutions addressing countries other than Israel. This is true, but from my own

examination of a representative sample, those additional resolutions are not critical of the countries mentioned. Some are congratulatory while others are neutral, often offering technical assistance of some kind. The ranks of extremely repressive states that the Council has never seen fit to criticize include China, Russia, Cuba, Vietnam, Laos, Saudi Arabia, Bahrain, the UAE, Ethiopia, Chad, Burundi and Angola, as well as such lesser stars of Freedom House's "worst of the worst" list as Turkmenistan, Uzbekistan, and Equatorial Guinea.¹⁷

It may be argued that the Council's *ad nauseam* blasts at Israel pertain to the territories that Israel has occupied since 1967 rather than to Israel itself, but there are other occupied territories that Freedom House rates worse than those of Palestine about which the Council has kept silent. For example, Freedom House judges no place on earth, except for Syria in its current ghastly broils, less free than Tibet. Crimea, South Ossetia, and Transnistria, all occupied by Russia, also rank less free than the West Bank. Yet the Council has never chastised China or Russia. And, too, some twenty independent states including the ones I have mentioned above, that have never come in for criticism from the Council rank lower on the freedom scale than the West Bank.¹⁸

The tenor of the Council is personified by two radical extremists who have made second careers of sorts as UN "experts" on human rights thanks to their violent antipathy to Israel. In 2008 the Council appointed one, the American, Richard Falk, a professor emeritus of international law, as its Special *Rapporteur* on "Israel's violations . . . in the Palestinian territories." Perhaps he was selected on the strength of an essay the year before in which he wrote that he felt "compelled to portray the ongoing and intensifying abuse of the Palestinian people" as akin to the Holocaust, insisting that it was "not" an "irresponsible overstatement to associate the treatment of Palestinians with this criminalized Nazi record of collective atrocity."¹⁹

Falk did not approach the Palestinian issue as merely a sympathizer but as someone who invested larger hopes in the Palestinian cause. In a sketch he wrote, "Toward a Manifesto for Revolutionary Emancipation," Falk placed "support for the Palestinian Solidarity Movement" even ahead of "the struggle against global capitalism" as a touchstone for rebuilding the Left.²⁰ Perhaps this impelled him to affinity with the more radical Palestinian faction. In 2010 he revealed that the Palestinian Authority had urged him to resign his UN post. "They say . . . that I'm a partisan of Hamas," he acknowledged, insisting that this was "essentially untrue."²¹

He did not resign then nor the next year when publicly rebuked by British Prime Minister David Cameron for publishing an anti-Semitic cartoon on his blog²² nor two years after that when reprimanded by Secretary General Ban Ki-Moon²³ for excusing the Boston Marathon bombing as “resistance” to “the American global domination project.”²⁴ His term ended in 2014, but the UN’s Economic and Social Commission for Western Asia then took him on, commissioning him to write a report claiming, “Israel has established an apartheid regime that dominates the Palestinian people as a whole.”²⁵ When it was released in 2017, Secretary General Antonio Guterres disowned it, and it was removed from the UN’s website.

The second such figure is the Swiss sociologist and politician, Jean Ziegler. In 2000, the Commission named him its Special *Rapporteur* on the right to food. He used this position to wage ideological crusades, accusing Israel of starving the population of Gaza and the United States, or as he calls it, the “imperialist dictatorship” of the United States, of “genocide” of Cubans through its embargo. He evinced little interest in countries with genuine food shortages, prompting the head of the World Food Program to write Secretary General Kofi Annan—a private letter later released by Wikileaks—complaining that Ziegler made it “harder rather than easier for the WFP to help hungry people fulfill their right to food in emergencies.”²⁶

In 1989 Ziegler had joined other self-described “intellectuals and progressive militants” in Tripoli to announce the creation of the Muammar Al-Qaddafi International Prize for Human Rights. Ziegler was quoted at the time explaining that the aim was to counterbalance the Nobel Prize, which, he called a “perpetual humiliation to the Third World.” In 2002, Tripoli named Ziegler and convicted French Holocaust-denier Roger Garaudy, along with several other writers, as co-recipients of that year’s prize. Ziegler later claimed to have declined the honor on the grounds of his “responsibilities at the United Nations.” But in 2013, UN Watch discovered video footage of the 2002 Tripoli ceremony showing Ziegler receiving the award.²⁷

Ziegler’s tenure as Special *Rapporteur* lasted six years until the Commission went out of existence in 2006. But soon into the life of the new Council, Ziegler was chosen to its Advisory Committee, a body of 18 “experts” established “to function as a think-tank to the Council.”²⁸ He will hold that post into 2019 unless chosen for an additional term.

Endorsing Terrorism

One of the most disturbing consequences of the UN's obsession with criticizing Israel and championing the Palestinians is that it has rendered the organization ambivalent and ambiguous about terrorism even as this global plague has spread, scarring one country after another. True, the Security Council has passed resolutions against terrorists and the UN has encouraged cooperation in fighting them or rather in fighting some of them. But at the same time, the General Assembly and the old human rights commission have issued a string of resolutions endorsing Palestinian terrorism.

The language of these endorsements was first used nearly fifty years ago to support the black liberation movements of southern Africa fighting the remnants of European colonialism or against domestic white rule. It affirmed "the legitimacy of the struggle of the colonial peoples and peoples under alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal."²⁹ Since the phrase "necessary means at their disposal" was slightly confusing, it was replaced in subsequent iterations by the phrase "all available means, including armed struggle."³⁰

This contradicted the Charter, which prohibits "the threat or use of force" except as authorized by the Security Council or in self-defense "if an armed attack occurs against a Member of the United Nations."

Beginning in 1974 "the Palestinian people" was included in the many subsequent iterations of this resolution along with the "peoples of Africa." In the 1970s the PLO, backed by the Arab states and the Islamic Conference, was to cite this phrase as sanctioning its deliberate attacks on civilians, which indeed the wording seemed to do since the phrase "all available means" was not qualified in any way. Unlike some of the Africans, the Palestinians were waging neither a conventional nor even, for the most part, a guerrilla war with Israel, but rather were engaged in a campaign of bombings and murders aimed at civilian targets. As applied to the Palestinians, this is precisely what the term "armed struggle," meant.

Secretary General U Thant demurred from this interpretation. In response to a Palestinian airline hijacking, he said: "A criminal act is judged by its criminal character and not for its political significance."³¹ Yasser Arafat, however, directly contradicted this in his 1974 speech to the General

Assembly. “The difference between the revolutionary and the terrorist lies in the reason for which each fights,” he said. “Whoever stands by a just cause . . . cannot possibly be called [a] terrorist.” In other words, terrorism in behalf of bad causes may be bad, but terrorism in behalf of good causes is good. Anyone who holds this is obviously no opponent of terrorism, just of bad causes.

In the decades since, the General Assembly never failed to uphold Arafat’s position over U Thant’s. Astonishingly, the UN Commission on Human Rights went even further, affirming that Palestinian terrorism (i.e., “resist[ing] Israeli occupation” by “all available means, including armed struggle”) was not only “legitimate” but even commendable: a means of “fulfilling . . . one of the goals and purposes of the United Nations.”³² In this Alice-in-Wonderland world, placing a bomb in a pizzeria was not a violation of human rights but a fulfillment of them.

The attacks on America of 9/11 brought new urgency to the issue of terrorism. Then-Secretary General Kofi Annan, using words that echoed U Thant’s, declared, “The right to resist occupation . . . cannot include the right to deliberately kill or maim civilians.”³³ He proposed a renewed effort to reach broad agreement on a general treaty against terrorism, but the Organization of the Islamic Conference torpedoed this. According to the *Washington Post*, negotiations foundered on the OIC’s adamancy “that anti-Israeli militants be exempted” from any prohibition on terrorism.³⁴ It quoted the Pakistani ambassador who explained the Islamic states’ position. “We ought not, in our desire to confront terrorism, erode the principle of the legitimacy of national resistance that we have upheld for 50 years.”³⁵ Thus Annan’s efforts were thwarted, and on the tenth anniversary of 9/11, his successor, Ban Ki-Moon, lamented that the UN still had not been able to adopt a treaty against terrorism.

Irrelevance and Obsession

As if the monthly sessions of the Security Council and the twenty-odd resolutions each year by the General Assembly as well as five or more by the Human Rights Council, all devoted to chastising Israel, were not already more than sufficient, the Palestinians, backed by the Arab and Muslim states, insist on introducing similar resolutions at the meetings of one after another agency of the UN no matter how irrelevant these may be to the purposes of the particular body. Other states, particularly the democra-

cies, often wish these resolutions would go away, but they rarely put up much resistance, often just abstaining to imply disapproval, and the motions invariably pass.

For example, at each of its semi-annual meetings, the Executive Board of UN Economic, Social And Cultural Organization, UNESCO, issues multiple criticisms of Israel that stretch beyond UNESCO's normal purview. These are usually grouped into two resolutions, each with multiple parts. One criticizes Israel for its archeological excavations in Jerusalem; for confrontations on the Temple Mount, notwithstanding that these are usually initiated by Palestinians; for its management of the Old City walls and the ascent to the Temple Mount; for its excavations within and works near the biblical sites called in English the Tomb of the Patriarchs and Rachel's Tomb, as well as for confrontations between Israelis and Palestinians that occur nearby; for Israel's blockade of Gaza; and, for good measure, for "planting Jewish fake graves in . . . Muslim cemeteries." The second resolution denounces Israel for its conflicts with Hamas in Gaza; for its construction of a separation barrier; for settlements in the West Bank; for "censorship of Palestinian curricula of schools," apparently meaning expurgating the glorification of terrorists; and for failing to "preserve the human, social and cultural fabric of the occupied Syrian Golan."

Ordinarily, no resolutions are adopted or even introduced criticizing any other country or authority, with rare exceptions such as one in 2015 criticizing ISIS for destroying archeological treasures in Palmyra, Syria. In April 2016, UNESCO compounded its campaign against Israel, adding insult to injury. Its resolution criticizing Israel over the Temple Mount, the site of the Dome of the Rock and of the ancient Hebrew temple, referred to the place only as *al-Haram ash-Sharif*, which is its Arabic and Muslim name. This defied the custom of using both the Arabic and the English name by which it is known to most Jews, for whom it is the holiest place on earth, and most Christians, for whom it is also laden with religious significance because of the role Jesus played there. The resolution also referred to the "Western Wall" only in quotation marks after calling it by its Muslim name, *al-Buraq*. Apart from the seemingly deliberate insensitivity, this nomenclature appeared to reinforce the assertions of Yasser Arafat and other Palestinian officials denying the historic connection of the Jewish people to Jerusalem.

Another UN body, the Commission on the Status of Women adopts a total of only two or three resolutions a year, one of which is about "the situation of

and assistance to Palestinian women.” Apart from this, it is not the practice of the commission to criticize individual states. Mostly its statements are broadly thematic, encouraging more egalitarian practices.

Were it to tackle problems in individual countries, the places where women suffer the most invidious treatment are usually developing countries, often, although it is awkward to say, Muslim ones. Somalia, Guinea, and Egypt lead the world in female genital mutilation; the Levant states, including the Palestinian Authority, prescribe lesser penalties for “honor killings” than other murders, and such killings are also sadly common in Pakistan and India; Iran punishes women for not covering their hair; and Saudi Arabia will not allow women to travel, work, or study without the written permission of a male “guardian” who, in the absence of a father or husband, may even be her own son.

Something of the reality of these situations was captured in an unintentionally funny headline on the Commission’s own website, “One-quarter of men in Middle East and North Africa support gender equality.”³⁶ This finding in a poll that the Commission helped to sponsor was heralded as a hopeful sign. In keeping with this upbeat spirit, none of the situations alluded to in the previous paragraph comes in for mention by the Commission. However representatives from these very countries join in voting to condemn Israel.

On the UN’s own Gender Inequality Index, Israel is ranked the 20th best country out of the 193 member states³⁷, better than 80 percent of the members of the commission including all the states that voted in favor of criticizing Israel. Of course the resolution does not criticize Israel for its internal practices but rather for the treatment of Palestinian women. However, it does not allege special mistreatment of Palestinian women because they are women. Rather it argues simply that Israel is doing harm to Palestinians, “including women.” Ergo, this is a necessary topic for the commission.

In a like vein, the World Health Organization at its 2016 World Assembly passed a resolution on “Health conditions in the occupied Palestinian territory, including east Jerusalem, and in the occupied Golan.” Among a litany of accusations it mandated a field assessment to determine “the impact of prolonged occupation and human rights violations on mental, physical and environmental health and on the development of a sustainable health system.”³⁸ Needless to say, the assembly passed no resolution criticizing any other country.

The focus on Israel was ironic because each year more than one hundred thousand Palestinian residents of the territories cross into Israel proper, including from Gaza despite arduous screening for suicide bombers, for the purpose of treatment in Israeli medical facilities, according to figures from the Israeli army, which also reports that more than 3,000 Syrians in that country's civil war have been treated in Israeli facilities, largely in the Golan.

Other UN agencies that have gratuitously attacked Israel in resolutions or reports include the International Labor Organization, the Office for the Coordination of Humanitarian Affairs, UN-Habitat, and perhaps more.

Who is a Refugee?

The UN body that is most directly involved with Israel is the UN Relief and Works Organization, or UNRWA. It was founded in 1949 to assist refugees in the immediate aftermath of Israel's war for independence. There were some Jewish refugees from areas in mandatory Palestine that ended in Arab hands. In theory they were eligible for aid (resolution 212 invoked in creating UNRWA spoke of "refugees of all communities"³⁹) along with the Arab refugees. The latter were far more numerous because Israel won the war and came out of it holding a greater amount of territory that would have been part of an Arab Palestinian state had the Arabs accepted partition. However, those Jews, along with a many more Jews fleeing the Arab countries in the face of the anti-Jewish sentiment that the war fueled, were quickly absorbed by Israel. On the other side, Jordan, which took over the West Bank, the largest chunk of territory designated by the UN for Arab Palestine, extended citizenship to Arab refugees. But no other Arab state followed suit.

A few months later, the UN created the High Commissioner for Refugees. Logically, UNRWA ought to have been folded into it. It made no sense to have two UN refugee agencies. But the Arab states objected. According to the UN's history of this issue,

Arab states insisted that Palestinian refugees receiving UNRWA assistance should be excluded from UNHCR's mandate and from the 1951 UN Refugee Convention. Arab states were concerned lest the individual refugee definition under discussion in the draft convention undermine the position of Palestinians, whose rights as a group to return has been recognized in general assembly resolutions.⁴⁰

This is not to say that the Arab states were primarily concerned with the welfare of the Arab refugees. On the contrary, according to the UN history, they initially balked at the creation of UNRWA, too: “The Arab states only accepted this proposal after they were assured that the establishment of UNRWA would not jeopardize the right of the refugees to return to their original homes as stipulated in General Assembly Resolution 194(III).”⁴¹

Resolution 194 said “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date.”⁴² The Arab states, however, made clear that *they* were not ready to live at peace by flatly refusing to make peace or even talk with Israel. Having been defeated in their effort to destroy it, they would agree to no more than armistices negotiated through intermediaries. This pushed the “earliest practicable date” for returning the refugees beyond the horizon because if the Arab states weren’t prepared to make peace, how could Israel trust that the refugees were?

In the view of the Arab states, indeed, the very point of resolution 194 was not the situation of individual refugees, but rather their rights “as a group.” But their rights “as a group” rather than as individuals were relevant only as part of a continuing effort to undermine the Jewish state. It was precisely as a group that Israel could not possibly accept their return.

It is more than sixty-five years since the creation of UNHCR and UNRWA. The former has worked to resettle one generation of refugees after another: initially

those displaced in World War Two, then Hungarians fleeing the Soviet invasion of 1956, next Algerians, then conflicts in Africa, Asia, Latin America, then the Balkans in the 1990s, and Syria today. Presently, UNHCR, with a staff of nearly 11,000, says it is giving assistance to some 10 -11 million refugees as well as millions of other stateless and internally displaced people. UNRWA, meanwhile, serves five million with a staff of some 30,000, making it the largest UN agency, funded through special contributions by the US, Japan, the EU, six individual European countries, and Saudi Arabia.

In contrast to UNHCR’s focus on the plight of individuals, UNRWA’s work has continued to be guided by the concern for Palestinian group rights. Thus, there are many peculiar features to this group of “refugees.” The first is their number. According to UNRWA there were 5,266,603 registered with it as of January 1, 2016, and that population was growing at 3 percent

annually,⁴³ meaning that today there must be around five and a half million. How did that happen?

The Convention Relating to the Status of Refugees defines “refugee” as “any person who,” for various specified reasons, “is . . . outside the country of his former habitual residence.” Yet, from the start, UNRWA included children born to its refugees. This was understandable since these youngsters could not readily have a legal status distinct from their parents. But then in 1965, UNRWA decided to consider the grandchildren of refugees as being refugees, too. The U.S., which has perhaps taken in more refugees over time than any other country, explicitly bars a claim of grandparental ties as a basis for refugee status. As if that weren’t enough of a stretch, in 1992 UNRWA declared that all descendants of male refugees in perpetuity were to be considered refugees. So today there are fourth and perhaps fifth generation progeny of the refugees of 1948 listed by UNRWA as refugees, while the number of actual “former habitual residen[ts]” of Palestine continues to diminish toward zero.

Nor is this the only peculiarity. While the original refugees were often sheltered in tents, and the image remains in the popular imagination, not only are the refugee camps made of permanent structures but also, most of the refugees no longer live in “camps” of any sort. According to UNRWA only 1.5 million of the 5-plus million live in “camps,” and a large number of these are located within the West Bank and Gaza, that is, within Palestine. Those individuals are, at most, internally displaced people, not refugees (or rather, they are the descendants of internally displaced people). Those living outside Palestine in “camps” number only about one million.

Moreover, about two million of the refugees are Jordanian citizens. Including those in camps as well as those living in various towns and cities, altogether 2.3 million live in the West Bank and Gaza, in other words in Palestine, the putative country of which they are or will be citizens under any imaginable future. So only a small share of the total of “refugees” are outside the state of which they are effectively citizens.

Finally, although the work of UNRWA is primarily humanitarian, furnishing medical care, education, and sustenance to its clients, the Arabs’ view that the refugee question is political rather than humanitarian has prevented UNRWA from targeting resources on those most in need. Palestinian and other Arab leaders have always insisted that the refugees were entitled to the benefits offered by UNRWA regardless of individual circumstance.

James G. Lindsay, the former General Counsel of UNRWA notes that “It was clear from the beginning that rations were not desperately needed by all UNRWA beneficiaries—some refugees, for example, sold or ‘rented’ their ration cards to merchants, who . . . resold them on the open market.” Yet when donors pressed for a more focused use of their largesse, “the refugees, including UNRWA local staff, insisted that general distribution of rations continue, viewing the program as a guarantor of recipients’ well being, as ‘an acquired right,’ and as a reflection of the international community’s political commitment to them.”⁴⁴

In sum, UNRWA is not in any meaningful sense a refugee program. Rather, it is an entitlement program for the descendants of Palestinian refugees and a vehicle for keeping alive the Arab claim to that part of mandatory Palestine that is today Israel.

Hope for the Future?

The extreme prejudice toward one member state detailed above is not lost on those responsible for administering the UN. Kofi Annan, who was no special friend of Israel’s, acknowledged in his valedictory address to the General Assembly, “supporters of Israel feel it is harshly judged, by standards that are not applied to its enemies – and too often this is true, particularly in some UN bodies.”⁴⁵ His successor, Ban Ki-Moon, at the end of his term, made the point at greater length:

Over the last decade I have argued that we cannot have a bias against Israel at the UN. Decades of political maneuvering have created a disproportionate number of resolutions, reports and committees against Israel. In many cases, instead of helping the Palestinian issue, this reality has foiled the ability of the UN to fulfill its role effectively.⁴⁶

Irina Bokova, Director-General of UNESCO felt compelled to repudiate the action of her own executive board in its resolution obscuring the Jewish connection to the Temple Mount, saying:

The heritage of Jerusalem is indivisible, and each of its communities has a right to the explicit recognition of their history and relationship with the city. To deny, conceal or erase any of the Jewish, Christian or Muslim traditions undermines the integrity of the site, and runs counter to the reasons that justified its inscription on the UNESCO World Heritage list.⁴⁷

The current Secretary General, Antonio Guterres, has reiterated Annan's and Ki-Moon's point still more forcefully and done it at the beginning rather than the end of his term. Addressing the World Jewish Congress, Guterres said, "As Secretary General of the United Nations, I can say that Israel needs to be treated like any other UN member state, with exactly the same rules." He affirmed the "absolutely undeniable right of Israel to exist and to live in peace and security with its neighbors" and punctuated this by adding: "The modern form of anti-Semitism is the denial of the existence of the State of Israel."⁴⁸

By being so clear in their statements Guterres and Bokova, who are presumably neutral servants of the political bodies of their organizations, invited and received criticism from Palestinian partisans. They said what they did at least in part because they know that the UN's obsessive and unfair treatment of Israel does great damage to the UN. It wastes time and resources. It sullies the organization's reputation. And it robs the UN of its moral stature, which at the end of the day is the only real power that it has—or might have. Further, while it may hurt Israel, it does no good for the Palestinians or other Arabs. It is a negative-sum game.

It is past time to fix this, and there is unlikely to come a better moment for doing so. It is evident that Guterres wishes it. And Nikki Haley, the new Permanent Representative of the United States, the UN's largest donor, has spoken with great force on this issue, clearly taking it to heart. The states of Western Europe have played an ambiguous role. Most have taken to absents themselves from the Human Rights Council's special agenda item on Israel and have voted no or abstained on UNESCO's Jerusalem resolution. Western Europe together with the United States does not make a majority at the UN, but were the Europeans and the U.S. together to forcefully oppose, not just by abstaining, the various invidious measures, it would be possible to bring pressure on many other states to reconsider.

The automatic majorities for anti-Israel measures at the UN come from a kind of telescoping leverage. The twenty-two members of the Arab League exercise a controlling voice within the 57-member Organization of Islamic Cooperation, which in turn can dominate the 120-member Non-Aligned Movement.

But the rote exercise of condemning Israel has grown stale. Many of the states in NAM have friendly and fruitful relations with Israel, as in fact do several of the Arab states, albeit quietly. That states like India, China, Egypt and Saudi Arabia feel free, or feel compelled, to vote for absurd numbers of absurd resolutions is less a sign of animus to Israel than of their disrespect

for the UN. Did the states that voted at UNESCO to condemn Israel for “planting fake Jewish graves in . . . Muslim cemeteries” seek any evidence that this outré accusation was true? Or did they just say to themselves, “it’s the UN, who cares?”

Nikki Haley said of her early days as ambassador, “listening to each member say the same thing over and over again, . . . until you hear it and you see it, you just can’t comprehend how ridiculous it is.” And she called for “changing the culture of the UN.” That is exactly what is needed and there is no reason why this should not be achievable.

The “great democracies,” as Churchill called them, brought forth the UN during World War Two in the hopes that it would ensure the peace after the war. That mission proved too ambitious. But the UN could be a more effective instrument for strengthening peace and human rights than it is today. The democracies could make it so if they decide the UN is worth the effort. The place to begin would be to put an end to the organization’s shameful discriminatory treatment of Israel.

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