

THE UN AND ISRAEL



The UN: Foundation and Composition



Edward Stettinius, US

representative during the Conference of San Francisco for the establishment of the UN

- After the Second World War, the UN was founded in 1945 with the following objectives (art. 1, UN Charter of the United Nations):
 - To maintain international peace and security;
 - To prevent and remove threats to the peace;
 - To develop friendly relations among nations based on the respect for the principle of equal rights and self-determination of peoples;
 - To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character;
 - To promote and encourage the respect for human rights and for fundamental freedoms.
- The UN substitutes the League of Nations, an international organization founded after the First World War by the Treaty of Versailles of 1919. The League of Nations, perceived as the League of the winners by the other nations, was characterized by structural weaknesses: a Council paralyzed by the exercise of veto power by its members and no military power to enforce its resolutions. These weaknesses impeded from stopping national conflicts and Hitler's rise to power.



- When founded in 1945, the UN had 52 member States, increased till the current 193. In addition, there are States the sovereignty of which is uncertain, entities, and international organizations or ONGs with observer status. Among non-member States with observer status, there are: the Holy Sea and the State of Palestine (joined in 29 November 2012).
- The main bodies of the United Nations are: General Assembly, the Security Council, the Secretariat, the Economic and Social Council, and the International Court of Justice—in the past, there was another body, the Trusteeship Council, tasked with monitoring protectorates and colonies).



The General Assembly

- The General Assembly is a deliberative body composed of all UN member States, which adopt resolutions by majority vote of 2/3 and tasked with: discussing, reporting on, and recommending on maintenance of peace and security. The 193 member States are organized in regional groups that are information sharing and representative bodies for the election of States in UN agencies. The General Assembly is organized in different Committees and Councils, created on specific mandates, among which the Council for Human Rights created in 2006.



The Security Council

- The Security Council is tasked with maintaining peace and security, through the adoption of binding resolutions for member States and even through the use of force. It is composed of 15 members, 5 of which are permanent members holding veto power (USA, Russia, China, United Kingdom, and France) and the other 10 elected by the General Assembly on a regional basis.



Ban-Ki Moon, UN Secretary General

- The Secretariat is the highest administrative body of the UN, which is tasked with providing information and facilitating the work of the organization, as well as accomplishing specific tasks devolved by the General Assembly or the Security Council. The Secretary General also has to draw the attention of the Security Council on any issue that poses a threat to international peace and security. The Secretary General acts through different bodies, including the High Commissioner for Human Rights and the High Commissioner for Refugees.
- The Economic and Social Council is composed of 54 members, elected by the General Assembly for three years and is tasked with promoting international cooperation among nations.
- The International Court of Justice is the judicial body of the UN, which is tasked with resolving disputes and giving legal opinion to UN bodies.
- The UN also acts through specialized agencies, including the following: UNESCO, for culture and education; FAO, for food and agriculture; WHO, for health; the World Bank for finance; and the IAEA for atomic energy.

The UN: Objectives and Criticism

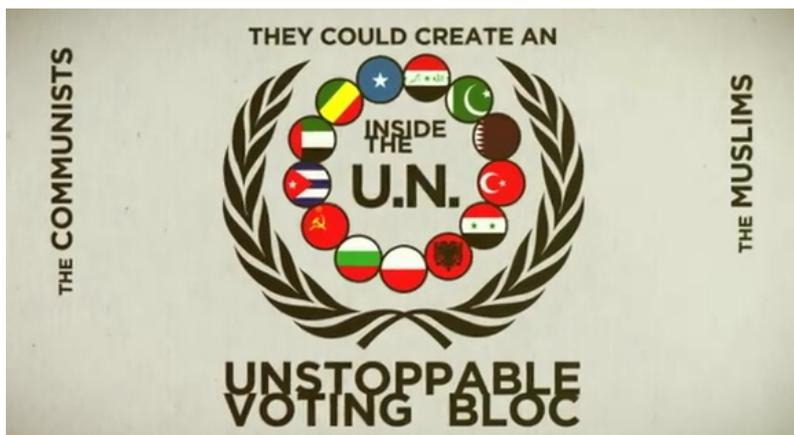


- The UN is the major organization tasked with maintaining peace and security in different domains, including international diplomacy, humanitarian aid, protection of human rights, fight against terrorism, and social and economic development of peoples and nations.
- In this respect, bodies and agencies of the United Nations cooperate with other international organizations, such as the Red Cross, NGOs, and national armies for peacekeeping and peace-enforcing missions.
- The first criticism toward the UN regards the representative structure and the decision-making process, whereby this organization, which should pursue

supranational interests, often replicates relations among great powers, by promoting national interests: examples are the veto power at the Security Council and the majority vote at the General Assembly.

- The second criticism against the UN regards the late or failed interventions, due to fights among great powers, in cases of emergency, including Bosnia, Rwanda, Timor, Sudan, Zimbabwe, the 2007 post-election crisis in Kenya, and the current crisis in Syria.
- The third criticism toward the UN regards the administrative and financial management, characterized by a low level of transparency, wastes, and low cooperation among agencies and bodies that work on similar or identical issues.
- The Security Council five permanent members' veto power and the General Assembly 2/3 majority-voting rule are the two main mechanisms that replicate power struggles within the UN.
- The equality principle among nations means that all member States have the same say in international affairs, which implies that many State not so familiar with democracy and human rights are elected in UN bodies tasked with democratization and human rights protection—for example, the Human Rights Council includes Indonesia, Libya, Mauritania, Uganda, United Arab Emirates, and Venezuela.

The Voting Blocs and Regional Groups



- At the UN, peace and security often depend on choices of great powers, while international interests of regional powers are pursued through voting alliances in UN bodies.
- The organizational management of the general Assembly in regional groups and voting blocs is an example: regional groups are dominated by regional powers, while voting blocs mirror global alliances.
- During the Cold War, there were three blocs: the Western, the Soviet, and the Non-Aligned Movement, which was constituted to promote the interest of developing countries, while they turned to pursue an anti-Western and anti-imperialist political agenda.
- The Movement of the Non-Aligned State still exists and is constituted by developing countries. The Arab-Islamic countries constitute the main unitary voting sub-bloc within the non-aligned, which is composed of Arab countries members of the Arab League and Islamic countries members of the Organization of Islamic Conference.
- Regional groups also serve as information cables and candidate promoters for different UN bodies, the composition of which then mirrors regional power relations.

Israel and the UN



- In light of the structural weaknesses, Israel's participation in the UN is prejudiced by voting blocs, which express anti-Israel animosity as defined in national policies, and by NGOs with observer status, promoting an anti-Zionist political agenda.
- After Resolution 181 of 29 November 1947, which adopted the Palestine Partition Plan for constituting a Jewish and an Arab State, and the 272 Resolution of 11 May 1949, which admitted Israel in the UN as a peace-loving country, the General Assembly has adopted a series of resolutions against Israel, starting with the recognition of a special status of refugees for Palestinians by creating the UNRWA (United Nations Relief and Work Agency per i rifugiati palestinesi).
- Since 1949, the Security Council has adopted 79 country-specific resolutions against Israel and so have the main UN bodies dealing with human rights.
- UN attitude toward Israel is perceived as hostile and biased, because of the UN attention toward Israel rather than toward other human rights situation in the world, which implies the application of a different standard for Israel than for the rest of the world. The former Secretary General Kofi Annan has admitted during the opening speech of the General Assembly 61st session in 2006, that the United Nations often applies a double standard, requiring from Israel what is not required from other nations.
- In 1961, regional groups were created. Arab States, constituting the majority of the Asian group, impede Israel from participating in their regional group. Israel has temporary and limited membership in the Western European and Others Groups. This affects Israel, which is prevented from:
 - Active participation in discussions and meetings on crucial topics such as human rights and racism taking place in UN offices;
 - Candidacy advancement for representation in Councils and Committees.
- Among the examples of anti-Israeli bias in the UN, there are:

ZIONISM
IS
RACISM

- The adoption of Resolution 3379 in 1975 equating Zionism to racism and later repealed by resolution 86 in 1991, as a precondition for the participation in the Madrid Conference for renovating the peace process. Haim Herzog, Israel ambassador to the UN, tore up the paper of the resolution declaring that “Hitler would have felt at home in this place”.



The Ma'ariv article with Herzog's words.

- In 1974, UNESCO votes for the exclusion of Israel from the organization, to which it is readmitted two years later.



Arafat at the UN

- In 22 November 1974, the General Assembly admits the Palestine Liberation Organization as an observer member.
- The first half of the 1980s, the Arab-Islamic and the Soviet blocs advance two requests to exclude Israeli representatives from the General Assembly.



- In 1998, the General Assembly upgrades the membership of the PLO to “Palestine”.
- In 2003, the UN condemns the decision to build the fence for preventing suicide terrorists from infiltrating into Israel, while not commenting on Palestinian terrorism consistently targeting Israel.
- In 2007, Israel proposes the adoption of a resolution for facilitating developing countries access to agriculture technology. Arab States propose a series of amendments regarding Palestinian territories, which are rejected, and then requests for the voting record, against the UN

voting custom regarding issues of general consensus—the 19 abstentions and the 9 noes all belong to the Arab-Islamic bloc.

- The practice of Fact-Finding Commissions, for the 2006 Lebanon War, for the 2008 Gaza War, for the 2012 flotilla aiming to violate Israel's blockade on Gaza, and for the building in Israel's settlement in the West Bank, has showed an obsessive attention toward Israel and often ended up in denouncing Israel for alleged war crimes.



David Ben-Gurion

- The negative perception of the UN as a substantially biased organization against Israel is articulated in a famous expression by David Ben-Gurion, “um shmum”, whereby “um” is the Hebrew acronym for UN (*ha-umot ha-meuhadot*) and “shmum” is a neologism constituted by “um” and the Yiddish prefix “shm”, expressing irony or contempt.

Israel and the General Assembly

- The General Assembly has over the years created a series of commissions for the formal resolution of the Palestinian question and the actual blemishing of Israel.
- These *ad hoc* commissions and events on Palestine and the Palestinians include:
 - The Committee on the Exercise of the Inalienable Rights of the Palestinian People;
 - The UN Division for the Rights of the Palestinians;
 - The Special Fact-Finding Commission on Israeli Practices Affecting Human Rights of the Palestinians;
 - The Informative System of the United Nations on the Palestinian Question;
 - The International Day of Solidarity with the Palestinian People.
- Since the 1970s, the General Assembly has adopted the practice of country-specific resolutions; the 79% of these resolutions were adopted against Israel.
- Beyond regular sessions, the General Assembly convenes extraordinary sessions for discussing issues regarding international peace and security. By now, 10 such sessions have been convened; 6 of them have regarded the Middle East: in 1956, for the Suez crisis; in 1958, for the Lebanese crisis; in 1967, for the Six Day War; in 1982, convened for 5 times, on Israel occupation in the Golan; and between 1997-2009, it convened 16 times on the situation in the Palestinian territories.
- Among the different issues that show anti-Israel bias, the most prominent is the lack of definition of terrorism: not only has the General Assembly never condemned suicide bombings, but also it does not distinguish between terrorism and military operations.

Israel and the Security Council

- The Security Council has dedicated to the condemnation of Israel the 7% of the resolutions it has adopted ever since its foundation.
- No resolution has ever been adopted to condemn anti-Israeli terrorism.

- Fact-Finding Commissions have been mandated to investigate Israel's crimes without allowing for a reconstruction of a clear picture.
- The USA has exercised veto power in defense of Israel at the Security Council, whereby they have been harshly criticized by other States and human rights organizations, while European States have adopted a neutral policy.
- Some commentators believe that the pro-Israeli politics of the Canadian government led by Harper is the reason why Portugal has been elected in place of Canada to the Security Council.
- Anti-Israeli bias makes Israeli perception of the UN particularly negative when it comes to self-defense, which the UN consistently limits if not condemns.

Israel and human rights



- Human rights are the domain where the promotion of anti-Israeli interests in the UN is more obvious.
- The Council for Human Rights, established in 2006 in substitution of the Human Rights Commission, has a particular anti-Israeli focus: Israel is a permanent issue in the annual sessions agenda, being the only State specifically reviewed by the Council.
- In the first four years of work, the Council adopted almost 40 resolutions, 35 of which against Israel, while Western States tried to draw the attention on what was happening in Darfur.



Richard Falk

- In 2008, Richard Falk was appointed Special Rapporteur for the Human Rights of the Palestinians, tasked with monitoring Israel's violations of human rights. Richard Falk, in his capacity as UN officer, made the following statements:
 - Equated Israel's practices to the Nazis' (2008);
 - Accused Israel of implementing apartheid policies in the West bank (2010);
 - Equated Israel's policies in East Jerusalem to ethnic cleansing (2011);

- Supported boycotts of Israeli products coming from the settlements and provided a list of them (2012).
- The Commission on the Status of Women has a working agenda that includes the question of Palestinian women, but focuses only on alleged violations by Israel.



Jean Ziegler

- The Special Rapporteur on the Right to Food has published in 2003 a report in which it accused Israel of causing Palestinian children to starve; in 2006, he suggested that Israel may be held criminally responsible for allegedly impeding Lebanese from access to water and food during the 2006 conflict. Finally, Ziegler commented the disengagement from Gaza as the “disengagement of the guards”, after having affirmed that Gaza equals a large concentration camp.
- UNESCO has repeatedly condemned Israel for archaeological excavations in proximity of the Mugrabi Gate in the Temple Mount as a challenge to direct UN authority on the city of Jerusalem, without however condemning the excavations of the Wakf, the Islamic organization that manages the Islamic part of the Temple Mount.



A march in Durban.



Durban T-Shirts.

- In 2001, the UN sponsored the World Conference on Racism and Xenophobia in Durban, South Africa, which turned into a series of anti-Israeli and anti-Semitic events, including the exclusion of Israeli NGOs and the expulsion of religious Jews from working tables, as well as the circulation of anti-Semitic cartoons.



- UNRWA is the only UN agency specifically designed for one people, namely the Palestinians. Over the years, it has elaborated a parallel definition of refugee applicable to Palestinians only and has perpetuated their refugee status in time. UNRWA is criticized for enhancing Palestinian precarious status in States where Palestinian refugees are discriminated against (Lebanon, Syria, Iraq), and consequently for exacerbating their animosity toward Israel and ultimately for exacerbating the conflict.



Justice Richard Goldstone

- The Fact-Finding Commission on Gaza, headed by Judge Goldstone, concluded that Israel's actions during the war violated international law and amounted to war crimes and crimes against humanity. The Report of the Commission has been used for accusing Israel of deliberately attacking civilians, whereby Goldstone declared: "If I had known then, what I know now, the Goldstone Report would have been a different document".
- The focus on Israel diverts the attention from other fundamental issues, including:
 - The spread of Islamic anti-Semitism building upon Nazi narrative;
 - Anti-Israeli violence expressed in terrorism as a result of an anti-Israeli political campaign advocating for ethnic cleansing;
 - Violations of human rights by Palestinians themselves and other Arab States;
 - Israel's commitment to the advancement of international law, international development, and international justice.

Interview with prof. Anne Bayefsky



Director of the Institute on Human Rights and the Holocaust, Touro University and Editor of Human Rights Voices (www.humanrightsvoices.org)

What is the present standing of Israel in the United Nations and does its exclusion from regional working groups affect its position in the international arena?

At the United Nations, there continues to be a gross double standard against the State of Israel, although the UN Charter calls for equality of nations large and small. All UN member states are divided and eligible for membership in so-called regional groups, and this includes the so-called Non-Member State of Palestine, as recently recognized by the General Assembly. These regional groups are negotiating and information-sharing entities, which are also entitled to be appointed to UN executive entities that help control the work of the organization. The only member state that is excluded from full membership of any regional group is the State of Israel. Israel has temporary, partial membership in the so-called Western and Eastern European regional group, but it is for very limited circumstances. In a UN context, that means that the very foundation of the UN Charter is violated at its most basic level, because there is not equality of nations large and small.

It then means that Israel is discriminated against?

What I mean by double standard is a gross inequality among nations large and small. Israel is subject to fundamental and substantial discrimination even in the very building blocks of the UN apparatus of the 21st century. The regional groups context is just one example. Regional groups function as key organizational structural mechanism for the day-to-day operation of the UN, and the exclusion of Israel from full membership of regional groups is not a minor issue by any means.

Secondly, there is other basic, unequivocal evidence of gross discrimination against Israel at the UN. In this respect, the primary example is the permanent agenda of the Human Rights Council. It has 10 permanent agenda items, which are covered in each regular session throughout the year: and one of such items is the condemnation of the State of Israel. Furthermore, there is a second agenda item, which regards how the Council addresses the treatment of individuals or the human rights situation in any of the other 192 countries that are members of the United Nations. There is one standard for Israel and one

standard for the 192 other countries. Israel is not handled in the same context or in the same way as any other country; in fact, the human rights body at the UN devotes almost as much time to the condemnation of Israel as certainly at least five times more resolutions to demean Israel than any other nation on Earth.

Human rights council, founded in 2006, has repeatedly condemned Israel. It has done so with country-specific resolutions, whereas the same states that promote these country-specific resolutions for condemning Israel are those States that oppose the practice of resolutions specifically focusing on single countries. What are the reasons of such a concern about Israel?

The theory that is involved at the Human Rights Council is that the concept of shaming is illegitimate and that the governing principles are: cooperation, collaboration, and collegiality. The only exception of this rule, for the majority of countries in the human rights world, is Israel.

It is worth observing that, despite the false statements done by Israel's enemies, no Israeli and no pro-Israel Jew or non-Jew believe that Israel is above reproach, or that Israel is a perfect country, one without human rights issues.

However, this has nothing to do with the fundamental discrimination in UN quarters against Israel, whereby focusing on Israel is acceptable, but focusing in a country-specific fashion on other states is somehow impolite and not conducive to peace in the long term.

The repercussion of this discriminatory application of alleged principles is that major human rights violators are left untouched: there has never been a Human Rights Council resolution on China, with more than a billion people without essential civil and political rights and freedoms; never has there been any resolution on countries like Saudi Arabia, which practices gender apartheid and where population are subservient.

Yet, 38% of resolutions ever adopted by the Human Rights Council, in its 7 yearlong history and criticizing specific countries, are dedicated to Israel alone.

The anti-Israeli agenda is a political agenda advanced by certain States. Why is it widespread opinion that UN resolutions are actually expression of international justice and international law, while they are based on mechanisms that promote particular national interests of member States?

To understand why the General Assembly has adopted 20 resolutions against Israel and nothing on another 189 approximately countries, which means 20 times more resolutions on Israel than any other State on the planet, one has to do the map. It is not complicated: there are 193 UN members; of those, 120 belong to the so-called "Non-Aligned Movement," gathering developing countries that during the Cold War did not side with the West or with the Soviets, but is in fact aligned against the West.

The Non-Aligned Movement shows Iran as spokesperson; last year, Iran was appointed as spokesperson for a three years term of office. Moreover, the majority of UN States, which belong to the largest single voting block in the Non-Aligned movement, are the 56 UN member States of the Organization of Islamic Cooperation. Consequently, the hard-core rejectionists, who do not even have diplomatic relations with Israel and reject Israel's very existence, represent the largest single voting block in the United Nations.

Therefore, the political campaign against Israel translates into a control of the United Nations General Assembly.

As for international law, it is not true that a resolution of the General Assembly equals law. In this regard, the UN Charter is quite clear: the only UN body capable of creating law is the Security Council. Indeed, some lawyers have tried to say that the continual repetition of a single resolution of the General Assembly, which was not law to begin with, somehow magically turns non-law into law. As anybody knows that water turns into wine by having a lot of it, so the legal argument is vicious; nevertheless, it is opinion promulgated by those who want the majority of the GA to become lawmakers.

In the General Assembly, Israel is very active in promoting, for example, the access of developing countries to technology; this activity is considered an attempt to divert world's attention from Israel's alleged violations of international law. Is this position another example of anti-Israeli political activism?

Every attempt by Israel to normalize its participation in the world's stage is continually subject to political attack and demonization by the enemies of the Jewish State that seek to destroy it. The examples of that are too many to give them to list.

Israel's efforts to contribute positively at the United Nations to technological advancement, for instance in the field of agriculture with desalinization, as well many other different contexts, such as health or women's rights, is constantly criticized. The fact that this is not genuine criticism to Israel is evidenced by the way Israel is single out.

Let's take the example of the Commission on the Status of Women. The Commission convened for the 57th session from March 4 to March 15, and adopted one resolution condemning one single State for violating women's rights. Of the entire world, the only resolution they can think of to criticize for harming women's rights is Israel, not even with respect to Israeli women's rights, but Palestinian women's rights. So, it is clear that criticism is political. If they were really concerned about women's rights they would be concerned about Palestinian women suffering from violations of their rights by Palestinian men, but that never comes up; nor does the situation of other millions of women who suffer worldwide at the hands of their own governments.

Most obviously, the attempt of Israel to exercise the right of any normal country, specifically, its right to self-defense, is also criticized. Israel is really the only country on earth whose self-defense is subject to hysterical and unjust discriminatory condemnation whether it is abusive of the killing of illegal combatants as militants of Hamas, or individual terrorists who speak of Jews as monkeys and pigs, or violent campaigners who promote suicide killings against Israelis.

There is one rule for Israel and another rule for Europeans operating in Afghanistan. The criticism that Turkey has alleged against Israel about the seizure of the Mavi Marmara, the Turkish vessel transporting a group of extremists who attempted to violate the blockade that Israel has on the Gaza Strip, is another example. The participants in the flotilla were portrayed as some kind of humanitarians, but the reality is that the lack of a blockade on Gaza would mean that Iran would still have a port on the Mediterranean. Therefore, since Iran is really engaged in massive efforts to inject weapons into Gaza and Palestinians terrorists hands and has committed itself to genocide, is it a humanitarian effort to facilitate Iranian ambitions? The answer is obviously no, but the criticism on Israel and the creation of a Fact-Finding Commission on this case show that there is one rule for Israel when it comes to self-defense and there is another rule for the rest of the world.

Given the ongoing delegitimization of Israel in the UN, to what extent can Israel rely on the UN, which is the main international organization tasked with maintaining peace and security?

Israel clearly, in terms of its self-defense, cannot rely on the good wishes of the United Nations. An example is that the General Assembly has ever had only 10 emergency sessions in its entire story. Emergency sessions deal with international peace and security when the Security Council does not act because of Russia, China, or US veto a resolution. In the case of Israel, for example, when the US backs Israel at the Security Council against the overwhelming anti-Israel majority, the General Assembly has moved to denounce Israel from the so-called emergency session platform.

Of ten emergency sessions in history, no emergency session was ever held on the genocide in Rwanda, the genocide in Sudan, but these ten emergency sessions have reconvened now 17 or 18 times in the last 15 years to focus only on Israel.

There was however no emergency special session when Russia and China have vetoed the resolution against Syria, for example. In the UN, the evidence is overwhelming that Israel is prevented from defending its citizens and every other country on earth has the moral, political, and legal obligation to defend its citizens.

Would you say that there is a clear delegitimization and demonization promoted within the UN?

The majority of UN member States use the United Nations to promote the delegitimization and demonization of the State of Israel. UN bodies have been hijacked by those who seek to destroy Israel.

Indeed, the UN in the 21st century represents the most significant global platform for anti-Semitism. It has allowed itself to be manipulated despite its attempts to somehow distinguish the Member States of the United Nations from the United Nations itself, but it is a distinction without a difference.

UN officers, such as the UN High Commissioner for Human Rights, which strictly speaking is a secretarial official, is in the center of this toxic mix of unrepentant anti-Semitism. One can say that the UN is the major global platform of anti-Semitism and anti-Zionism in the 21st century.