**UN Moves Forward to Implement Goldstone Report**

The committee's members have a long anti-Israel history.

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Among the multitude of attacks on Israel that the United Nations has sponsored over the decades, last year’s Goldstone report on the 2009 Gaza war stands out for its dangerous distortions of fact and law. Now the UN Human Rights Council has sponsored a second-team of investigators to press forward with the report’s implementation. Just as with round one, the United Nations has guaranteed the result of round two by selecting individuals whose independence is compromised from the start.

This second rendition of Goldstone was crafted by a March 2010 resolution of the Human Rights Council. That resolution first declares that Israel – and only Israel – committed “unlawful acts” in the Gaza war. And then it establishes a committee of experts to monitor and assess all judicial and other proceedings taken by Israel to respond to the General Assembly’s endorsement of the Goldstone report and its long list of supposed Israeli crimes.

The mandate also asks the new committee to assess the proceedings of the enigmatic “Palestinian side.” In the many resolutions on the Gaza war from the General Assembly and the Human Rights Council no mention is ever made of “Hamas,” which keeps with the UN fiction that the war entailed wanton Israeli aggression in a vacuum. Instead of eight years of rocket attacks on Israel’s civilian population and an elected government that openly advocates genocide, the resolution creating the Goldstone inquiry describes the problem with the Palestinian side as “crude rockets…result[ing] in the loss of four civilian lives and some injuries.”

The fact that the mandate of the Goldstone inquiry was tainted from the outset, and that its successor is cut from the same cloth, did not deter three more lawyers from taking this latest UN job. They are German Christian Tomuschat (chair), Malaysian Param Cumaraswamy, and American Mary Davis. As it turns out, the takers and their UN associates have more in common than first meets the eye.

The members of the new committee were appointed on June 14 by the UN high commissioner for human rights, South African Navi Pillay. One of Pillay’s two legal advisers, and chief of her office’s “rule of law” branch, is Palestinian Mona Rishmawi, former executive director of the Palestinian NGO al-Haq and until 2000 a prominent director of a unit of the International Commission of Jurists (ICJ).

All three of the new committee members are affiliated with the ICJ. Committee members Christian Tomuschat and Param Cumaraswamy were members of the ICJ’s executive committee during Rishmawi’s term at the ICJ. Cumaraswamy was ICJ’s vice president until 2006. Currently both are honorary members. Mary Davis is currently on the board of the American Association for the ICJ.

The ICJ has been closely connected with the Human Rights Council’s campaign to vilify Israel over the Gaza war, and in particular, the Goldstone report and its follow-up. In January 2009 the Council held a special session to denounce Israeli actions and adopt the resolution that gave rise to the Goldstone inquiry. Of the thousands of UN-accredited NGOs, the ICJ was one of two-dozen that spoke. It claimed Israel had violated international law during the conflict and called for the inquiry’s creation. Then, on October 16, 2009, when the Council held a special session to endorse the Goldstone report, the ICJ was again one of the few NGO speakers. This time it specifically called the Israeli investigations into the Gaza conflict “ineffective as they lack safeguards of independence and impartiality…” On June 24, 2010, soon after the appointment of the three senior ICJ members to the Goldstone follow-up committee, the ICJ issued a public statement coming to the defense of Goldstone, his apartheid-era past, and his report.

The mandate establishing the committee that is now populated by ICJ members, however, demands the assessment of the “independence” and “effectiveness” of Israeli proceedings and their conformity with international standards. Not only has the ICJ already expressed an opinion on the subject to be assessed, in its statements it claims that the prosecution and punishment of Israeli “civilian leaders and military commanders” for Goldstone’s list of crimes is “essential” to conform to those standards.

The committee will be aided to coordinate and facilitate all its work by the UN secretariat official selected by High Commissioner Pillay, South African lawyer Ahmed Motala. No doubt, Mr. Motala was delighted to get the assignment. On January 5, 2009 in the middle of the Gaza war, he wrote on the South African website www.thoughtleader.co.za the following: “The war in Gaza and the killing of innocent Palestinians is not about Hamas, but entirely about the forthcoming elections in Israel…What better way to gain the support of the Israeli electorate than to…kill innocent civilians…The costs of victory in an election in Israel are being paid for by the blood of innocent Palestinians.”

Lawyers Motala, Tomuschat, Cumaraswamy, and Davis will now work together to implement the dangerous Goldstone report. In the report’s words: Israel “deliberately…terrorize[d] a civilian population,” and Israeli “violence against civilians w[as] part of a deliberate policy.” Rather than being motivated by self-defense, Israel’s political and military leadership allegedly set out to murder the people most deserving of protection, and this new UN cabal will pronounce on the willingness of Israel’s judiciary to respond accordingly.

The Organization of the Islamic Conference, the League of Arab States, and the United Nations apparatus are furiously pretending this is all about law – they call it “accountability” and an “end to impunity.” Not surprisingly, the loudest calls are coming from states that care nothing for either concept when it comes to their own citizens, or accountability for the many heinous acts Palestinians perpetrate on each other.

In reality, of course, from conception, the target of the Goldstone report and its follow-up has always been Israel. Though the battleground has been painted over to look like a courtroom, the battle is political. Today it happens to take the form of a partisan committee charged with investigating the independence of Israel’s own investigations, supported by pro-Palestinian advocates doubling as UN human rights officials.

The only way to respond is to challenge the legal bona fides of the report and its progeny and expose the venality of the political agenda inseparable from them. The case must begin by refusing to lend any credence to this UN committee.