**Critic Of Israel Doesn’t Belong On Gaza Fact-Finding Panel**

September 19, 2014

By Editor

Chicago Sun Times

http://chicago.suntimes.com/?p=204659

As if there were no one else for the job.

The United Nations last week chose a law professor who has made inflammatory anti-Israel statements to head a commission charged with examining possible war crimes in Gaza.

It’s a mistake to include Canadian William Schabas, an expert in international criminal and human rights law, on the three-member panel. Schabas should recuse himself or the U.N. Human Rights Council should replace him.

The U.N. itself is increasingly irrelevant, but the Human Rights Council is quite the contrary. The fact-finding mission it oversaw on the 2008-09 Gaza conflict, known as the Goldstone Report, rocked the public’s perceptions of Israel, with some, including the Israeli government, rejecting the report as biased.

Schabas’ public comments exclude him from participating in this latest Gaza panel, even if he has stellar credentials and insists he can put aside his personal views. The stakes are too high, the risk of bias too great.

Professor Schabas said in a public forum on Palestine in 2012 that Israeli Prime Minister Benjamin Netanyahu was his “favorite” to be “in the dock at the International Criminal Court.” He also wrote in a law journal article that the prime minister could be regarded as “the single individual most likely to threaten the survival of Israel.”

Schabas may well be able to “leave his personal views at the door,” as he told several reporters, but the rest of us can’t. He even tried to make light of his views with the New York Times, saying not “everyone in Israel agrees. I would fit in well there.”

At worst, Schabas’ bias will color his research and conclusions. At best, the panel’s findings will be forever tainted by the appearance of bias. Several groups and individuals have called for Schabas to step down, including the Israeli government, human rights group U.N. Watch and Canadian Foreign Affairs Minister John Baird, who had this to say on Twitter: “It’s an utter shame, and will do nothing to promote peace and dignity in Gaza for the Palestinian people.”

Already, a powerful perception exists that the U.N. Human Rights Council has it out for Israel. Schabas’ appointment only reinforces and fuels that perception.

We’d say the same were Schabas vocally pro-Israel. That’s precisely why we support a recent decision by a federal judge with strong ties to Israel to recuse himself from the terrorism-related trial of a southwest suburban Palestinian immigrant. The judge might very well have presided over the trial without a hint of bias, just as Schabas potentially could, but why take such a risk?

There is real work to be done by the U.N. panel, but it is worth doing only if it is done with great care. The panel is charged with looking at possible human rights violations during the conflict in Gaza over the last two months.

Historically, Israel’s military gets high marks for its efforts to wage war humanely — higher than the vast majority of countries. The military must contend with a highly dense landscape in Gaza, where Hamas militants hide themselves and their weapons among civilians. Hamas regularly uses children and all Gaza civilians as human shields.

This conflict so far has claimed the lives of more than 1,900 Palestinians, most of them civilians. A fair assessment of Israel’s actions, particularly its bombing of family homes and U.N. schools, could be useful, but only if it’s fair.

The U.N. may never be able to pull that off. But if Schabas remains on the panel, it has failed already.