

17/01/2022

To: *Nazhat Shameem Khan*

President of the UN Human Rights Council

**Re: Candidates for the Position of Special Rapporteur
on the situation of human rights in the Palestinian
territories occupied since 1967**

Dear President Khan,

In the coming months, the UN Human Rights Council will select a new Special Rapporteur on the “situation of human rights in the Palestinian Territory occupied since 1967.” According to the selection criteria for Special Rapporteur, under [Human Rights Council resolution 5/1](#), Special Rapporteurs are required to exhibit personal integrity, expertise, independence, impartiality, and objectivity.

Unfortunately, at least five of the six eligible candidates (as appear on the OHCHR website) have records of substantial anti-Israel partisanship (see attached report). They cannot be said to fulfill the requirements of impartiality and objectivity as required by HRC resolution 5/1.

The list of candidates reflects and is consistent with the extreme bias, selectivity, and partiality that have undermined the credibility of the Special Rapporteur mechanism and the Council itself for over a decade. In contrast to every other country-specific mandate that must be renewed by the Human Rights Council on an annual basis, the Rapporteur is the only indefinite mandate, and as noted on OHCHR’s webpage, will endure “[until the end of the Israeli occupation](#).” In addition, it is the only mandate that is manifestly selective and partial, aimed at examining alleged violations by Israel alone. Palestinian violations and systematic atrocities committed by the PA and Palestinian terror groups are expressly excluded.

Moreover, in contrast to the stipulations of HRC resolution 5/1, the position of Special Rapporteur has been filled with one exception by individuals with extensive histories of anti-Israel animus. They have used the platform granted by the UN for activism and to promote extreme hostility towards Israel, including boycott campaigns, and antisemitism. Former Rapporteurs John Dugard and

Richard Falk, and outgoing Rapporteur Michael Lynk, are responsible for promoting the apartheid slander and BDS, downplaying or erasing Palestinian terrorism, and misrepresenting terror-linked NGO officials as “human rights defenders.”

This dismal record and the obviously biased agendas of many of the candidates under consideration indicates the need to suspend this prejudicial special procedures mandate. At the very least, we urge you to extend the application and appointment process until a suitable candidate can be identified.

Sincerely,

Anne Herzberg

NGO Monitor Legal Advisor
Institute for NGO Research UN Representative

Cc:

Ambassador Gilad Erdan, Israel Mission to the United Nations, New York

Ambassador Meirav Eilon Shahr, Israel Mission to the United Nations, Geneva

Minister Yair Lapid, Foreign Minister of the State of Israel

Ambassador Linda Thomas-Greenfield, United States Mission to the United Nations

Ambassador Bathsheba Nell Crocker, United States Mission to the United Nations, Geneva

Secretary General Antonio Guterres, United Nations, New York

H.E. Mr. Miguel Ángel Moratinos, UN Focal Point to monitor Anti-Semitism

Ms. Kristen Elizabeth Erlasser, Office of the President of the Human Rights Council