

**ISRAEL, THE PALESTINIANS, AND THE UNITED
NATIONS: CHALLENGES FOR THE
NEW ADMINISTRATION**

JOINT HEARING
BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND NORTH AFRICA
AND THE
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

FEBRUARY 2, 2017

Serial No. 115-19

Printed for the use of the Committee on Foreign Affairs



Available via the World Wide Web: <http://www.foreignaffairs.house.gov/> or
<http://www.gpo.gov/fdsys/>

U.S. GOVERNMENT PUBLISHING OFFICE

23-886PDF

WASHINGTON : 2017

For sale by the Superintendent of Documents, U.S. Government Publishing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

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THURSDAY, FEBRUARY 2, 2017

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA AND
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittees met, pursuant to notice, at 10:00 a.m., in room 2172 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the Subcommittee on the Middle East and North Africa) presiding.

Ms. ROS-LEHTINEN. This joint subcommittee will come to order.

Members may be coming in and out due to a Judiciary Committee markup.

I would like to begin by welcoming our subcommittee members to this first session of the 115th Congress. Welcome to each and every one of you. I know that Ranking Member Deutch and I are looking forward to continuing the bipartisan work of the last Congress to further advance our foreign policy objectives in the Middle East and North Africa and to carry out our important oversight rule.

We are eager to get back to work and pleased to welcome back our returning members and we are excited to work closely with our new members.

After recognizing myself, Chairman Smith, Ranking Member Deutch, and Ranking Member Bass for 5 minutes each for our opening statements, I will then recognize other members seeking recognition for 1 minute.

We will then hear from our witnesses. Thank you for being here. Without objection, the witnesses' prepared statements will be made a part of the record and members may have 5 days to insert statements and questions for the record, subject to the length limitation in the rules.

The Chair now recognizes herself for 5 minutes.

Two months ago, the U.N. Security Council passed Resolution 2334 by a vote of 14 to zero with the United States abstaining. It was a departure in policy by the Obama administration and it was a move that was opposed by many of us in Congress. Some argue incorrectly that Resolution 2334 has no real practical impact; but

those who make this argument fail to see 2334 as part of a larger agenda—one piece of a larger plan by the Palestinians to undermine, isolate, and delegitimize Israel. The real practical impact of 2334 is that it leaves the possibility of peace even more remote. But that is by design: Abu Mazen and the current Palestinian Authority leadership have abandoned any pretense that they are interested in making peace with Israel.

Instead, for years, they have been orchestrating a push at the United Nations to achieve unilateral statehood outside of direct negotiations with the Jewish state. And last year, this push reached new heights.

UNESCO's Executive Board and the World Heritage Committee both passed similar resolutions rewriting history and distancing Jewish and Christian ties to Jerusalem. The Human Rights Council (UNHRC) approved a blacklist that can be used by those who support the Boycott, Divestment, and Sanctions (BDS) movement to further undermine Israel and these efforts culminated with the passage of Resolution 2334.

After years of failed attempts at peace and years of false moral equivalence between Israelis and the Palestinians, we have an opportunity to reassess our relationship and our objectives. The push at the U.N. by the Palestinians has created an atmosphere of complete mistrust for the Israelis, almost to the point of no return. We now have an opportunity to grow and strengthen our alliance with Israel and show the world that we support our friends, we don't leave them out to dry.

At the same time, we cannot continue to pursue a failed policy with the Palestinian Authority. We must reconsider our current assistance programs for the PA and our relationship with Abu Mazen. It is past time for the United States to hold Abu Mazen and the Palestinian leadership accountable for its actions at the U.N., for its incitement of violence, and for its unwillingness to curb the violence and work with Israel to achieve a lasting peace.

Continuing to provide assistance to the Palestinian Authority has proven that it does nothing to further the prospects for peace, as long as Abu Mazen has no interest in working with the Israelis. We must also take a long hard look at what our role at the United Nations is. This is why I intend on reintroducing legislation that would address the need for reforms at the United Nations because it is clear that engagement with the U.N. over the past several years has only served to legitimize its anti-Israel agenda. This is common sense legislation that is intended on forcing some of the much needed reforms to get the U.N. and its specialized agencies back to doing what they were mandated to do.

I think many of us could agree that it makes sense to have a uniform definition of refugee, and that all refugees should be under the auspices of a single agency. We could all be in agreement that the body meant to promote and defend human rights worldwide should not be controlled by nations that have some of the worst human rights records. And it makes sense that the body tasked with ensuring the protection of cultural and historic heritage should not be used as a political tool to deny or erase the cultural and historic ties of a people to their homeland.

Too many countries see the United Nations for what it is supposed to be—not for what it truly is—unwilling to come to the hard realization that we need to take a drastic new approach if we are to salvage the mission of the United Nations. It has become a politicized tool used more to block action or maintain the status quo and it has become the place where the world’s dictators come together to demonize Israel because it is so easy to do.

I have known the new Secretary-General for quite some time now and I know that he would agree that we can and must do better. I hope to work with him in the future as we tackle this difficult but necessary task and I hope that the Trump administration will work to bring reform to the U.N. so that it can work as it was intended to do.

And with that, I am pleased to yield to my good friend, the ranking member, Mr. Deutch.

Mr. DEUTCH. Thank you, Madam Chairman, Chairman Smith. Thank you for calling today’s meeting. I am pleased to join Ranking Member Bass in welcoming the new members of our subcommittees to the first hearing of this new Congress. I look forward to continuing to work with the chairman to advance our shared foreign policy priorities and would be happy to revisit her comments from last Congress, in which she refers to me as her co-chairman.

Today, we have the opportunity to look at the challenges for the new administration in advancing the interest of the United States and our allies in the United Nations, while continuing to advance the prospects for a two-state solution for Israel and the Palestinians. I am pleased to welcome our witnesses to what will, no doubt, be a spirited and thought-provoking discussion.

Like many of my colleagues, I have long spoken out in no uncertain terms against the pervasive anti-Israel bias of the United Nations. In 2015, I was invited to speak at the U.N. General Assembly special session on anti-Semitism, where I raised the very issue of the anti-Israel nature of the U.N. bodies. It is simply fact that no other country has been subject to as many country-specific resolutions at the United Nations as Israel. It is simply fact that there are states who seek to use the United Nations to delegitimize Israel’s very right to exist. And at every opportunity, the United States, as Israel’s friend and ally, must push back against those efforts.

The U.N. Security Council has proven it is not the forum for a balanced discussion on issues pertaining to Israel. Efforts to use the United Nations to bypass direct negotiations between Israel and the Palestinians must be rejected and this Congress must affirm regularly that direct negotiations between the parties themselves is the only path to two states for two peoples living side-by-side in peace and security.

Last year, the four chairs and ranking members of these subcommittees joined our colleagues Kay Granger and Nita Lowey in authoring a letter signed by 394 Members of Congress that reaffirm that very principle. In that letter, we also expressed concern that one-sided initiatives may arise at the U.N. and that such initiatives would hinder the prospects for peace. I was among the Members of Congress that was troubled by the U.S. decision to allow U.N. Security Council Resolution 2334 to pass in December.

Many of my colleagues shared the belief that the Security Council was the wrong venue for this resolution. Dozens of clauses on Israel settlement activity, followed by one vague reference to all sides condemning violence didn't make it balanced. Moreover, even for those who believe it is necessary to make a statement on settlement activity, the resolution did not even distinguish between Jewish prayer at the Western Wall and illegal outposts.

I am concerned about the prospects for a two-state solution. I am also concerned that Palestinian incitement and terror attacks and rockets aimed at Israel civilians harm these prospects, but I didn't see that in the resolution. But I want to be clear. U.S. disengagement from the United Nations does nothing to help our friend and ally Israel. It does nothing to bring Israel and the Palestinians closer to negotiations and disengagement at the United Nations will almost certainly lead to the passage of resolutions that are significantly harmful to Israel's interests.

I agree with my colleagues that the U.N. system needs real reform and I look forward to having a discussion today on how we can alter the current assessment rate for our dues, or remove the outrageous standing agenda item on Israel from the U.N. Human Rights Council's agenda, or create criteria for membership standards on the council so that the world's worst human rights abusers don't have a seat at the table. But I also know that cutting off funding or full disengagement from the U.N. will significantly harm the interests of this country and our allies. The U.N. is instrumental in preventing disease pandemics, maternal and child health, refugee issues and I know that Ranking Member Bass will speak in more detail about the benefits of U.N. engagement.

I would like to simply point out that despite the way it is treated in the U.N. system, Israel does not disengage from it. In fact, it is the opposite. Israel works harder to strengthen its diplomatic relations. Israel is seeking a seat on the Security Council in 2019. Israel was granted unprecedented membership in the Western European and Others Group. In a first, Israel was elected to chair the U.N. Legal Committee last year. Israel has no greater advocate at the U.N. than the United States. It is when we do not have a seat at the table, it is when we are not paying our dues, that we lose our ability to help our ally. Despite my deep disdain for the way the Human Rights Council is run, in the years from 2006 to 2009 that the United States was not on the council, there were six special sessions on Israel. Since 2009, with our engagement, there has been one.

Madam Chairman, if we want to see Israel thrive as the vibrant innovative democracy it is, we will stand up for it at the United Nations. We will be the ones to make the world see Israel for what it really is, a country that values equality and education, a world leader in tech and biomedical research and agriculture, and provides life-saving humanitarian aid all as a thriving democracy. If we want to foster an environment for a return to direct negotiations in hopes of reaching a two-state solution, we will be there at the U.N. to ensure that it is not used as a venue to bypass negotiations and we will help engage other member states to understand why supporting boycotts against Israel does nothing to advance peace.

As we look to the challenges facing this new administration, we have got to consider what actions and what policies strengthen Israel's security and bring Israel and the Palestinians closer to direct negotiations that will lead to two states. One thing is certain. Should the Palestinians choose to pursue the reckless action of bypassing direct negotiations through U.N. action, the United States must be engaged and involved and at the table to prevent it.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Deutch, my co-chair.

And I now I would like to yield, for his opening statement, to Chairman Smith, a chairman of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations.

Mr. SMITH. Thank you very much, Chairman Ros-Lehtinen. I want to thank you for your leadership and for inviting my subcommittee to join yours. I think it adds additional focus and hopefully firepower to this extremely important hearing.

Madam Chair, the United Nations is an organization, as we all know, founded on the loftiest of principles out of the ashes of World War II. Indeed, if we look at the context of the founding of the U.N. and the great document that is the Universal Declaration of Human Rights of 1948, which sets forth its animating aspirational principles, we understand how the world came together to say never again. Never again would a people be subject to genocide. Never again would military aggression destroy the peace of smaller nations. Rather, a forum would be created for these nations, big and small, old and new, to come together to settle their difference in a peaceful way. Yet despite these lofty principles, the State of Israel finds itself in the crosshairs of a delegitimization campaign mounted by a growing number of nations in the United Nations and especially in U.N. institutions.

Back in 2004 I chaired and I have chaired more than 20 hearings on combating anti-Semitism, twice, Natan Sharansky testified at those hearings and he pointed out, and it bears quoting, that "[C]lassical anti-Semitism is aimed at the Jewish people or the Jewish religion, 'new anti-Semitism' is aimed at the Jewish State. Since this anti-Semitism can hide behind the veneer of legitimate criticism of Israel, it is more difficult to expose." He pointed out: "Making the task even harder is that this hatred is advanced in the name of values most of us would consider unimpeachable, such as human rights." He calls it the three Ds: Demonization, double standards, and the idea of delegitimization.

And without objection, I would like his full statement at that hearing included in the record.

Ms. ROS-LEHTINEN. Without objection.

Mr. SMITH. Today, this offensive against Israel is unparalleled in its intensity and absurdity on the international stage. No other nation on earth faces such a concerted effort to rewrite its history, erase millennia cultural heritage, and violate its sovereignty.

Indeed, among the foundational documents of the U.N. is the Charter which, at its very beginning, sets forth in the basis of the U.N. the idea of sovereign equality of all of its members, yet this principle is violated when the U.N. singles out and punishes Israel absolutely disproportionately to all other nations on earth.

U.S. policy has long maintained that direct bilateral negotiations are the only path to peace in the Arab-Israeli conflict. When we consider that this is our Government's official policy, we are forced to recognize the U.N. as its primary opponent. Because of the reckless agenda of the Palestinian Authority and the misguided policies of global elites in New York and Geneva, the U.N. increasingly serves as a platform for efforts to circumvent negotiations, impose conditions, and isolate Israel.

Palestinian officials manipulate U.N. institutions to create a parallel reality in which Palestine is a recognized state. The Green Line is the international border and Jewish and Christian heritage in the Holy Land does not exist.

The Palestinian Authority has proven to be more interested in scoring symbolic victories at the U.N., whether through having its flag in front of the U.N. headquarters or getting full UNESCO membership than in putting the hard work to achieve true statehood with its Israeli negotiation partner.

It is clear from many U.N. decisions that a growing number of states and institutions prefer to construct an alternative universe, rather than build sustainable peace. In one especially unconscionable example, UNESCO, in October, voted to approve two resolutions that erased every single reference to Judaism and Christianity from the ancient holy sites of Jerusalem's Old City. And as we are all aware, the U.N. Security Council passed Resolution 2334, papering over decades of agreements concerning the 1949 Armistice Line and essentially the clearing of Israel's established border with the Palestinian territories.

The ever-growing list of anti-Israel resolutions, reports, and screeds at the U.N. are not only wrong and counterproductive, they are also absurd in a world of oppressive dictators, international menaces, and systemic human rights abuses. The U.N. institutions repeatedly cast Israel, the Middle East's only liberal democracy, as a pariah state.

The U.N. General Assembly in September issued 20 anti-Israel resolutions, more than the total number of resolutions on Syria, Iran, and North Korea combined. Equally astonishing, the General Assembly did not pass a single resolution addressing human rights abuses in China. And I chaired the Congressional-Executive Commission on China and I can tell you, we put out our report last year, Xi Jinping, the dictator in China, is in a race to the bottom with North Korea and nary a word, not a word against China for its egregious violations of human rights. The same goes for Turkey, Saudi Arabia, and Venezuela. Again, where is the General Assembly when it comes to those nations?

Clearly the U.N. is an institution that is in need of reform and now. This subcommittee, in conjunction with our good friend, Ileana Ros-Lehtinen, in the last Congress held hearings on corruption at the World Intellectual Property Organization, where its director-general retaliated against whistleblowers who uncovered illicit transactions with the rogue states of North Korea and Iran. We have also examined, and I have had five hearings on this, the U.N. peacekeepers being part of trafficking and raping little girls. They talk about zero tolerance and at one of the hearings we called

it zero compliance with the order telling them to cease and desist such egregious behavior.

Sadly, we even have indications that the FAO has sought to silence truth-tellers within that organization, while offering a plush diplomatic post to shield a former First Lady who is under investigation in her own country for receiving bribes and corruption in a corruption scandal that touched certain Latin American countries.

And UNRWA, both Ileana Ros-Lehtinen and I have held hearings about how UNRWA systematically promotes anti-Semitism. We are the leading donor to the U.N. Relief and Works Agency for Palestinian Refugees. I am glad we are but the textbooks and all of the other anti-Semitic activity that occurs there has to stop; \$359 million is just far too much without getting a commensurate tolerance policy out of that organization.

Again, thank you Madam Chair and I look forward to our testimony.

Ms. ROS-LEHTINEN. Thank you very much. Thank you, Mr. Smith.

I am so pleased to recognize the ranking member of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, Karen Bass of California.

Ms. BASS. Well let me thank our Chairs Ros-Lehtinen and Smith and also our Ranking Member Deutch of the Middle East and North Africa Subcommittee for this extremely important hearing.

I would also like to welcome the witnesses for joining us this morning and note that I look forward to hearing each of their testimonies regarding these important issues that touch on not only the role of the U.N. and the importance of the U.S. continuing its leadership role but also issues of import to the Africa, Global Health, Global Human Rights, and International Organizations Subcommittee.

The role of the U.S. at the U.N. is a critical leadership role, just as the role of the U.S. on the global stage, it is one based on a strong legacy of leadership. In a world that has had increasingly to deal with non-state actors, terrorism and asymmetrical warfare, the role of the U.N. is even more important. For example, the U.N. currently provides food to some 80 million people in 80 countries throughout the world. The United Nations vaccinates 40 percent of the world's children. The U.N. assists over 65 million refugees and people fleeing war, famine, or persecution. The United Nations keeps peace through 120,000 peacekeepers, the largest deployed military in the world. And the U.N. promotes maternal health, saving lives of 30 million women. And throughout this process, the role of the U.S. is invaluable.

Are there issues of reform that must and should continue to take place? The answer is yes and our voice, the voice of the U.S., has been foremost in this regard. One shining example of such reform can be found at one of the most important U.N. agencies, the United Nations High Commission on Refugees is currently facing one of the largest human displacement crises on record. Primarily, the agency promotes lifesaving assistance and protection, including shelter, food, clean water, education, and medical care to nearly 47 million worldwide who have been forced to flee their homes.

UNHCR also works to prevent gender-based violence and works to build self-sufficiency in the refugee and displaced persons' population by way of capacity training and helps these populations rebuild their lives with the goal of enabling them to resettle.

In 2006, under the able leadership of the then U.N. Commission of Refugees, Antonio Guterres, the former Prime Minister of Portugal, UNHCR addressed hard questions regarding its cost and its efficiencies. Many of these questions were posed by the U.S. reports state that at the outset of the reform process, the total volume of UNHCR's activities was in, U.S. currency, \$1.1 billion and by the end of 2015, total savings was effectively tripled reaching \$3.3 billion, thanks to cost-saving reforms.

The reforms implemented by then U.N. High Commission for Refugees enabled the agency to reduce considerably costs pertaining to its headquarters and staff by partnering with non-governmental organizations. Also by reducing staff, UNHCR was able to expand its operations in the field, improve delivery and respond more effectively to unprecedented demands for its assistance worldwide, including Syria, Iraq, Yemen, South Sudan, Ukraine, Central African Republic, and several other countries.

Antonio Guterres is now the Secretary-General of the U.N. and a proven leader regarding reform. The new Secretary-General expressed his commitment to working with the administration and Congress to ensure continued engagement by the U.S. Despite this, there remain many in Congress seeking to withhold our U.N. assessment, our extracting U.S. from the international body altogether, which would devastate many priorities.

Defunding the U.N. could have significant implications for the safety of Americans and U.S. interests worldwide. I would like to hear from the witnesses on these implications and, for example, what this means regarding U.S.-led multilateral sanctions against terrorists and what the impact would be for Israel if the U.S. were to reduce its participation or to leave the U.N.

Let me close by noting that the U.S. has an ongoing leadership role to play at the U.N. We have the proverbial seat at the table as a permanent member of the U.N. Security Council. The United Nations is better because of our presence, our participation, and our leadership. Friends of the U.S. on every continent know that they can count on this country's role in the U.N. Do we always agree with our friends? No. Do our friends always agree with us? No. But the fact that the United States participates actively and calls robustly for reform is pertinent. It is a clarion call that must continue and a role we must play and continue to encourage other U.N. members to address. It would be unwise and, frankly, dangerous to consider doing otherwise.

Thank you.

Ms. ROS-LEHTINEN. Thank you very much, Ms. Bass. Now we will turn to our members for their opening statements. This is the list that I have. If anyone would like to be added, please let us know. Mr. DeSantis, followed by Cicilline, Kinzinger, Zeldin, Wagner, and Chabot.

Mr. DeSantis of Florida.

Mr. DESANTIS. Thank you.

The U.N. has really become a forum for anti-Israel activism and ganging up, in effect, on the world's only Jewish State. Now, we did a resolution here in Congress to disapprove of the deplorable U.N. Resolution 2334, but that didn't really do anything. There was no teeth to the resolution. So I do think we need to respond herein the Congress by removing funding for the U.N., unless and until they get right with this and repeal the resolution.

I have a lot of problems with how U.N. has treated Israel but we also need to work with our allies and let our allies know that joining these anti-Israel efforts in the U.N. or other international organizations, that is just going to harm their relationship with us here in the United States and so we need some of our close allies to get better on this issue. I think this rewarded Palestinian-Arab bad behavior we, in the Congress, absolutely need to look at removing funding going over to the Palestinian Authority, given that it frees up money for them, even to this day, pay pensions for the families of suicide bombers and terrorists.

I yield back.

Ms. ROS-LEHTINEN. Thank you so much, Mr. DeSantis.

Mr. Cicilline.

Mr. CICILLINE. Thank you, Madam Chairman, Chairman Smith, and Ranking Members Deutch and Bass for calling this hearing today.

There is no question that the United Nations has continually placed an unfair and biased lens on Israel. I believe the U.S. has been a vital stabilizing force at the various bodies of the U.N., including the Security Council, the General Assembly, and the Human Rights Council. The U.S. role in each of those bodies is critical.

The U.N. is an imperfect body made up of imperfect nation state members, governed by imperfect people but I implore my colleagues to remember why the U.N. was created. Born out of the ashes of the greatest conflict this world has ever known, the U.N. is designed to temper tensions and provide an avenue for conflict resolution among many other things. To threaten to pull out or severely limit U.S. participation in the U.N., as President Trump has suggested, is extremely reckless. A thoughtful discussion on ways to improve the U.N. and make U.S. participation even more impactful would be very welcome, but a knee-jerk reaction that takes us out of the game entirely would be extremely harmful to U.S. national interests and to American leadership in the world.

I look forward to hearing the testimony of our witnesses and welcome you to today's hearing. And with that, I yield back.

Ms. ROS-LEHTINEN. Thank you Mr. Cicilline.

Mr. Kinzinger.

Mr. KINZINGER. Thank you, Madam Chair and it is good to be back on your committee.

We all know how dismayed we were at the abstention. I think that is not going to happen again in this new administration.

But I support the U.N. I think for instance I have seen their actions in Liberia. That is a mission that you would not see U.S. troops doing and it is a very good force multiplier. And I agree with my friends on the other side of the aisle. We can't leave. We need

a seat at the table but I think it is time that the table gets turned over a little bit.

You know Russians are bombing U.N. aid convoys. You have a genocide in Syria with 50,000 dead children and a butcher, Assad, existing. And this is the type of stuff the U.N. spends its time on.

So I think it is obvious that there needs to be some serious reform. I think the only way to reform that is with the U.S. at the table but I think it is time for the U.S. to exert that strong leadership and I am excited to be here and part of that conversation.

I yield back.

Ms. ROS-LEHTINEN. So are we. Thank you so much.

Mr. Zeldin.

Mr. ZELDIN. Thank you, Madam Chairman.

And I wanted to just weigh in in support of a few positions that I feel very strongly about. One, that the United States should have never let that U.N. Security Council Resolution to pass. The irony that it was passed the day before Hanukkah and yet, just before that, there was a White House menorah-lighting ceremony to celebrate the Maccabees fight for freedom on the land that they lived, fought, prayed for, Judea and Samaria, land that this resolution says is an illegal occupation.

I agree with Mr. DeSantis that our funding should be removed from the United Nations until this U.N. Security Council resolution is reversed. The United Nations is becoming a force for exactly what it was created to fight against. We should not be providing aid to the Palestinian Authority while they are funding terror, rewarding people, murdering innocent Israelis and Americans in the case, for example, like Taylor Force. We need to have both sides recognizing each other's right to exist, tackle the BDS movement, move the Embassy from Tel Aviv to Jerusalem, stand with our nation's greatest ally.

I yield back.

Ms. ROS-LEHTINEN. Thank you very much, sir.

Ms. Wagner is recognized.

Ms. WAGNER. Thank you, Madam Chairman. And I must first just say I am thrilled to be a new member of the Foreign Affairs Committee and certainly on this subcommittee. And I thank the chairman for organizing an excellent hearing, and thank our witnesses for being here today.

Given the Obama administration's secret support for Security Council Resolution 2334 and silent release of \$221 million to the Palestinian Authority, not to mention the administration's horrific \$400 million ransom payment to Iran last year, it is nice to be able to, once again, discuss U.S. relations with Israel, I will say, in the light of day, instead of in the shadows and after the fact.

As a former United States Ambassador, I believe deeply in the power of the American leadership at the international bargaining table. And I am excited to learn today how, under a new administration, our country can start acting like a leader by confronting, instead of acquiescing to the U.N.'s radical bias against Israel.

I thank you and I yield back.

Ms. ROS-LEHTINEN. I thank you, Ms. Wagner.

Mr. Chabot.

Mr. CHABOT. Thank you, Madam Chair. Thank you for calling this very important hearing. And I want to apologize ahead of time, we have a markup in Judiciary that I am going to have to run to.

But I just wanted to say quickly, even though he is the minority witness, I wanted to welcome and thank Congressman Wexler for being here today. We happen to serve on both the Judiciary and the Foreign Affairs Committee together. In Judiciary, we got to be on opposite sides of William Jefferson Clinton's impeachment. But on this committee we generally agreed and we went all the way to the Hague together, two Members of Congress, bipartisan to defend the hostile actions from much of the world against Israel when they were building the wall or the barrier, fencing, whatever you want to call it, to protect Israel's citizens from an onslaught. I believe it was during the Second Intifada, if I am not mistaken.

And we made the point there that it was not Israel that should be condemned by the U.N. or the world or anybody else. It is those people who raise their children to aspire to be suicide bombers. Those are the people that should be condemned by the world and not Israel, who is simply trying to defend itself.

So even though I will not be here to hear your testimony or the other gentlemen here today, I can assure you that I will read the transcript. And thank you all four for being here.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chabot.

Those are the members who had indicated that they wanted to speak. And seeing no other calls for that time, we are pleased to introduce our witness.

First, we are delighted to welcome Mr. Hillel Neuer. He is the executive director of U.N. Watch, a Geneva-based NGO that monitors the U.N. and promotes human rights. Mr. Neuer is an expert on the U.N. Human Rights Council, has addressed every single one of its 33 regular sessions. We look forward to your testimony, Hillel, and we thank you for traveling so far to be with us this morning.

In the interest of full transparency, I will tell you that he presented me with a coffee mug, well within the ethics rules, Mr. Deutch. And I like it that you put the criticism of your organization from UNRWA. Yes, we are known by our enemies. Congrats.

And next we would like to welcome Mr. Brian Hook, who is the founder of Latitude, LLC. Prior to this, he served as Assistant Secretary of State for International Organizations and as Senior Advisor to the U.S. Ambassador to the United Nations. Welcome, Mr. Hook.

I would also like to welcome back to our subcommittee Dr. Jonathan Schanzer, who is the senior vice president of research for the Foundation for Defense of Democracies. Dr. Schanzer served as a counterterrorism analyst at the Department of Treasury and prior to that worked as a research fellow at the Washington Institute for Near East Policy. Welcome back, Jonathan.

And last but not least, as Mr. Chabot pointed out, we are so pleased to welcome back Mr. Robert Wexler, who formerly was a member of the Florida Delegation to Congress is now president of the S. Daniel Abraham Center for Middle East Peace. During his time in Congress, Mr. Wexler was the chair of the Subcommittee

on Europe of the House Foreign Affairs Committee, served on the Middle East Subcommittee.

And we miss you here in Congress so much, Mr. Wexler, we don't get to see you enough. So thank you very much for joining us.

And he more or less had your seat or Lois Frankel, yours? Okay. All right, wonderful. Welcome back.

And Mr. Neuer, we will begin with you. Thank you so much. And as I said, all of your statements will be made a part of the record.

**STATEMENT OF MR. HILLEL NEUER, EXECUTIVE DIRECTOR,
UN WATCH**

Mr. NEUER. Chairman Ros-Lehtinen, Chairman Smith, Ranking Member Deutch, Ranking Member Bass, distinguished members of the subcommittee, thank you for providing me with this opportunity to testify on the important matter of the United Nations, Israel and the Palestinians.

Alarming actions by the U.N. have drawn renewed attention to the world body's patterns and practice of scapegoating Israel and to the vast infrastructure that the U.N. has constructed to demonize the Jewish State.

Now normally, the one U.N. body that is protected from the campaign to single out Israel for discriminatory treatment is the Security Council. Normally, the United States uses its veto power in that body to deter or defeat unbalanced, unfair, and unhelpful initiatives. That is why all of us were astonished to see the Obama administration, in its last days, break with tradition and allow the enactment of Resolution 2334. It sent the message to the Palestinians that they have no need to negotiate but can wait for the U.N. to give them everything they demand.

It encourages efforts to prosecute Israeli leaders and officers at the International Criminal Court and boycott campaigns. Former Secretary of State Kerry said that the resolution condemned Palestinian terrorism and incitement. In fact, the text nowhere attributes these crimes to Palestinians. Absurdly, Jerusalem's Temple Mount and Western Wall, those holiest sites in Judaism, together with the Jewish Quarter of the Old City, are all defined by 2334 as "Occupied Palestinian Territory."

Now Congress should make clear that accusing the Jewish State of illegally occupying its holiest sites and historic capital is as absurd as saying that the Vatican is illegally occupied by the Catholic Church, that Mecca is illegally occupied by Muslims, or that London, Paris, and Washington are illegally occupied by the British, French, and Americans.

If the Security Council is normally the exception, what preceded that decision in 2016 is the rule. In March, the Commission on the Status of Women condemned Israel as the world's only violator of women's rights, ignoring real abusers, such as Iran and Saudi Arabia. At the same time, the Human Rights Council celebrated its 10th anniversary, a decade in which it adopted 68 resolutions against Israel and 67 on the rest of the world combined.

The Council also appointed Canadian Law Professor Michael Lynk as the "Special Rapporteur on Palestine," whose mandate actually is to investigate Israel only. While all U.N. monitors are obliged to be impartial and though Mr. Lynk was expressly asked

in his application about his objectivity, he failed to disclose his long record of anti-Israel lobbying, or his board membership on three pro-Palestinian organizations, including Friends of Sabeel. He now has that post for the next 6 years.

In May, the U.N.'s World Health Organization singled out Israel as the only violator in the world of "mental, physical, and environmental health." In September, U.N. expert Dubravka Simonovic, summing up her visit to the Palestinian territories, concluded that when Palestinian men beat their wives, it is Israel's fault.

In October UNESCO negated its mandate to protect world heritage by adopting the resolution which used Islamic-only terms for Jerusalem's Temple Mount, denying thousands of years of Jewish and Christian heritage, religion, and culture. In December, the General Assembly adopted 20 one-sided resolutions against Israel and only six on the rest of the world combined. There was not one resolution on Saudi Arabia, China, Cuba, Venezuela, Turkey, and many other serial human rights abusers.

Now, as the chairman indicated, one of the worst offenders is UNRWA. This morning, U.N. Watch published a 130-page exposé entitled "Poisoning Palestinian Children: A Report on UNRWA Teachers' Incitement to Jihadist Terrorism and Antisemitism." This reports documents 40 cases and is now online at unwatch.org. With your permission, I will submit the report to enter it into the record.

One can see Facebook pages of UNRWA teachers celebrating the kidnapping of Israeli teenagers, cheering rockets fired at Israeli civilians, erasing Israel from the map and posting overtly anti-Semitic videos, caricatures and statements. Last year we exposed 30 cases. UNRWA's response, as you read from the mug, was to attack U.N. Watch and to deny the problem. We know of not one racist teacher who was fired.

In October 2015, the U.K. banned a teacher for life from the classroom for a Facebook post praising Hitler. In our report, there are two staffers who published the identical Hitler photo and comment and I want to know why are U.K. children protected from racist teachers, while Palestinian children are left exposed to this poison.

There is a new U.N. Secretary-General and there is a new concern about funding. He said he would be on the front line in the battle against anti-Semitism. We have just sent him the report and we hope that, indeed, he will be on the front lines.

The U.S. Congress is the one reliable force that can hold the U.N. to account. I thank you for your continued noble efforts. There is more in my written remarks about which I would be happy to elaborate.

[The prepared statement of Mr. Neuer follows:]

**ISRAEL, THE PALESTINIANS, AND THE UNITED NATIONS:
CHALLENGES FOR THE NEW ADMINISTRATION**

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON MIDDLE EAST AND NORTH AFRICA

AND THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL
HUMAN RIGHTS, AND INTERNATIONAL ORGANIZATIONS

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

**TESTIMONY OF
HILLEL C. NEUER
EXECUTIVE DIRECTOR
UNITED NATIONS WATCH**

ONE HUNDRED FIFTEENTH CONGRESS
FIRST SESSION

FEBRUARY 2, 2017

HOUSE COMMITTEE ON FOREIGN AFFAIRS
TESTIMONY OF HILLEL C. NEUER, UNITED NATIONS WATCH

Dismantling the U.N. Infrastructure of Anti-Israeli Demonization

Chairman Ros-Lehtinen, Chairman Smith, Ranking Member Deutch, Ranking Member Bass, distinguished Members of the Subcommittees:

Thank you for providing me with this opportunity to testify on the important matter of the challenges for the new administration concerning the United Nations, Israel, and the Palestinians.

Your decision to hold this hearing today could not be more timely. Alarming actions by the United Nations in recent months have **drawn renewed attention to the world body's** vast infrastructure of anti-Israeli demonization. Let there be no doubt: the UN Charter's founding purposes of guaranteeing human rights, equality, peace and security for all can never be achieved so long as the organization remains infected by this virus of hatred.

U.N. Security Council Resolution 2334

Few U.N. actions in this generation have outraged the American people more than Security Council Resolution 2334, adopted on Dec. 23, 2016, with the quiet support and astonishing abstention of the Obama Administration. For the reasons outlined below, I salute the House of Representatives for voting overwhelmingly to reject this text.

By adopting Resolution 2334, the U.N. sent a message to the Palestinians that they need not negotiate, but can instead wait for the U.N. to give them everything they demand. Notably, paragraph 9 of the resolution refers to all kinds of international peace conferences, yet makes no mention whatsoever of direct, bilateral negotiations between Palestinians and Israelis.

The resolution endorses the scandalous 2004 Advisory Opinion of the World Court, which **denied Israel's right to defend itself from Gaza rockets**. It implicitly encourages efforts to prosecute Israeli leaders and officers before the International Criminal Court (ICC), or other domestic courts. The text calls on states to take action, implicitly encouraging campaigns to boycott Israeli products, companies and citizens. The resolution gives currency and urgency to the ICC preliminary examination into alleged Israeli war crimes, and **will encourage the UN Human Rights Council's preparation of a** blacklist of companies doing business with Israeli Jews living over the green line.

While former Secretary of State John Kerry and others insisted that the resolution condemned Palestinian terrorism and incitement, in fact the actual text, in paragraphs 6 and 7, nowhere attributes these crimes to Palestinians.

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Paragraph 1 blames Israel as a “major obstacle” to peace, yet says nothing about the Palestinian refusal to negotiate directly with Israel, and its rejection of countless peace offers.

Significantly, Israel’s leading center-left figures and proponents of a two-state solution—including Isaac Herzog and Tzipi Livni—have unanimously condemned this resolution as dangerous and harmful to peace.

By contrast, 2334 was cheered by not only Palestinian President Mahmoud Abbas and his Fatah movement, but also by Hamas and Islamic Jihad.

The Security Council action has ramifications. Its longstanding cornerstone resolution 242 from 1967, which deliberately refrained from defining the 1949 Armistice Lines as final borders, is now contradicted by the language in paragraph 3 of resolution 2334, which enshrines the “4 June 1967 lines.”

Meanwhile, Jerusalem’s Temple Mount and Western Wall, the holiest sites in Judaism, together with the Jewish Quarter of the Old City, are all defined by this resolution as “Occupied Palestinian Territory.”

Congress should make it clear that accusing the Jewish state of illegally occupying its holiest sites and historic capital is as absurd as saying that the Vatican is illegally occupied by the Catholic Church, that Mecca is illegally occupied by Muslims, or that London, Paris and Washington are illegally occupied by the British, French and Americans.

Congress should make it clear that, whatever the U.N. resolution may say, there cannot be any city, town or village in the world in which Jews are denied the right to live—and least of all in their ancient homeland.

Resolution 2334 was an anomaly. Usually the Security Council stands out in being free of egregiously anti-Israel measures due to the U.S. veto power. In a great many other U.N. bodies, however, the campaign to demonize Israel is deeply rooted. To be dismantled, it must first be identified.

The Infrastructure of Anti-Israel Demonization

An alien observing U.N. debates, reading its resolutions, and walking its halls could well conclude that a principal purpose of the world body is to censure a tiny country called Israel. Beginning in the late 1960s, the full weight of the U.N. was gradually but deliberately turned against the country whose creation it had endorsed by General Assembly resolution a mere two decades earlier. The campaign to demonize and delegitimize Israel in every U.N. and international forum was initiated by the Arab states

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together with the Soviet Union, and supported by what has become known as an “automatic majority” of U.N. member states, many of them dictatorships.

U.N. General Assembly

In this year’s session, the U.N. General Assembly adopted 20 politically motivated resolutions targeting Israel—and only six resolutions criticizing the rest of the world combined. There were three on Syria, one on Iran, one on North Korea, and one on Crimea. Not a single resolution was introduced to address the victims of gross human rights abuse in, for example, Saudi Arabia, Turkey, Venezuela, China, Cuba, the Philippines, Pakistan, Vietnam or Zimbabwe.

The General Assembly’s latest annual assault on Israel with a torrent of one-sided resolutions was surreal. Even as Syrian president Bashar Assad was preparing for the final massacre of his own people in Aleppo, the U.N. adopted two redundant resolutions—drafted and co-sponsored by Syria—which falsely condemned Israel for “repressive measures” against Syrian citizens on the Golan Heights, and demanded that the area and its people be given over to Syria, which would mean to put them under either the genocidal rule of Assad, or of the Islamic State.

UN Watch has compiled a chart detailing the one-sided and redundant nature of the 20 anti-Israel resolutions.¹

U.N.’s Palestinian Committees & Division

The anti-Israel campaign at the U.N. took off in the late 1960s and reached new strength in wake of the Arab oil embargo of 1973, when many African states were pressured into severing relations with Israel.

In 1975, following a steady drumbeat of anti-Israel declarations pushed through the International Women’s Year Conference in Mexico, and then at the Organization of African Unity, the General Assembly adopted the “Zionism is Racism” resolution.

In parallel, the UNGA instituted a series of related measures that together installed an infrastructure of anti-Israel propaganda throughout the U.N. It was not until 1991, after strenuous efforts by democratic forces—led in part by John Bolton, who was then at the U.S. State Department—that the infamous resolution was repealed.

¹ UN Watch, “2016 UNGA Resolutions Singling Out Israel (71st Session),” at <http://www.unwatch.org/unga-israel-resolutions-2016/>.

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However, in many ways the legacy of 1975 remains fully intact in a plethora of U.N. committees, annual resolutions, bureaucratic divisions, and permanent exhibits in New York and Geneva headquarters, that are dedicated to a relentless and virulent propaganda war against the Jewish state.

There are several special U.N. entities ostensibly dedicated to the Palestinian cause. The **oldest is the “Special Committee to investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,” created in 1968.** It is comprised of three states: Sri Lanka, Malaysia and Senegal.

In 1975, the General Assembly **added the “Committee on the Exercise of the Inalienable Rights of the Palestinian People.”** Its 25 members are: Afghanistan, Belarus, Bolivia, Cuba, Cyprus, Ecuador, Guinea, Guyana, India, Indonesia, Laos, Madagascar, Malaysia, Mali, Malta, Namibia, Nicaragua, Nigeria, Pakistan, Senegal, Sierra Leone, South Africa, Tunisia, Turkey, Ukraine and Venezuela. The membership speaks volumes.

Likewise, its 24 observers are: Algeria, Bangladesh, Bulgaria, China, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Niger, Qatar, Saudi Arabia, Sri Lanka, Syria, United Arab Emirates, Vietnam, Yemen, **the “State of Palestine,” the African Union, the League of Arab States, and the Organization of Islamic Cooperation.**

Supporting the committee’s work is the Division for Palestinian Rights, which boasts a 16-member staff and a budget of millions, which it devotes to the constant promotion of anti-Israel propaganda throughout the world. No other cause receives such treatment or funding from the U.N.

UNRWA Incitement: Symptoms of A Core Problem

The Committee asked me to address the specific problem of incitement by the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), and I will do so. However, it must be first emphasized that, as the expert Dr. Einat Wilf has articulated, this is merely a symptom of the deeper, underlying problem, which is the very existence of UNRWA, its structure and operations, and core political mission. In its essence, Dr. Wilf has noted, UNRWA is a political Palestinian organization committed to the **political program of “return,” which means sending five million descendants of 1948** Palestinian refugees into Israel—effectively ending Israel as we know it. Rather than nurturing the possibility of peace, UNRWA is currently the greatest obstacle to peace, “institutionalizing, perpetuating, and inflating the Palestinian refugee issue and the dream of Palestinian ‘return’ to what is the State of Israel.”

Having said that, the U.S. Congress—whose government gave more than \$380 million to UNRWA in 2015—is entitled to demand an end to online incitement to Jihadist terrorism

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and antisemitism by UNRWA teachers and other employees. In 2015, UN Watch revealed 30 names of UNRWA employees whose Facebook pages contained incitement. UNRWA responded with denials and stonewalling, and with virulent attacks on UN Watch by their spokesman, Chris Gunness. Only under continued media pressure did the U.N. spokesman in New York reveal that UNRWA had taken some disciplinary action by suspending some employees. UNRWA itself never issued any statement.

UNRWA's furtive, temporary suspension of a few unnamed employees demonstrates the agency's lack of seriousness. Congress should insist on a zero tolerance policy for those who incite racism or murder, and should demand that UNRWA immediately terminate these employees and prominently post on its website the actions it is taking to root out this insidious conduct by UN staff.

UNRWA is in gross breach of its funding agreement with the U.S. Department of State, the Framework for Cooperation Between the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the United States of America for 2017.

The agreement with the U.S. obligates UNRWA to act in accordance with "UN humanitarian principles of neutrality and impartiality." UNRWA's own International Staff Regulations state in Regulation 1.4 that staff must "avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status or integrity, independence or impartiality which are required by that status."

Accordingly, Facebook posts by UNRWA personnel supporting, glorifying and legitimizing murderous anti-Israel terrorism is a gross violation of this duty of neutrality and impartiality. The agreement obligates UNRWA to reject "racism in all forms," yet it tolerates antisemitism.

In addition to those UNRWA employees exposed last year, UN Watch has found many more examples, including:

- ¹⁰₂₉ One UNRWA teacher posted a photo of a Jew with three guns and a knife trained on his head, with the caption reading "Blood = Blood. #KillThem."
- ¹⁰₃₁ An Assistant Head Teacher at UNRWA praised the "awesome kidnapping" of three Israeli teenagers in June 2014, and posted a photo of himself presenting an award to a student— including a banner that erases Israel from the map.
- ¹⁰₃₇ An UNRWA school principal published numerous photos and videos on Facebook glorifying Hamas fighters and celebrating terror attacks in Israel.
- ¹⁰₄₁ An UNRWA teacher has two photos on his Facebook page of Adolph Hitler, whom he calls "our beloved," and "Hitler the great."
- ¹⁶₂₃ Another UNRWA teacher published a post featuring a picture of Adolf Hitler and his "top ten quotes."

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Congress should demand that UNRWA employ a zero tolerance policy for this type of incendiary Facebook activity by its employees, just like that applied to teachers in the United States and the United Kingdom. In November 2016, the Oberlin College Board of Trustees dismissed an assistant professor for antisemitic Facebook posts. Similarly, in October 2015, the UK government banned a teacher from the classroom for life over an antisemitic Facebook post. It is time for the United States to demand the same from UNRWA, and that it be put in full compliance with its obligations.

UNESCO

History & Background

The Nazi genocide against the Jewish people was very much on the minds of the founders of the United Nations Educational, Scientific and Cultural Organization (UNESCO). The preamble of its November 1945 constitution identifies the “doctrine of the inequality of men and races” as a cause of “the great and terrible war which has now ended,” along with “the denial of the democratic principles of the dignity, equality and mutual respect of men.”

In reaction to this, Article 1 affirms that the purposes of UNESCO shall be to “contribute to peace and security” by promoting “collaboration among the nations through education, science and culture” in order to further “universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.”

It is especially tragic, then, that seven decades later, UNESCO systematically condemns only one country: Israel.

Founded to combat the doctrine of the inequality of men and races, UNESCO today has sadly become a serial perpetrator of inequality:

²⁰₈₃ In 2009, for example, UNESCO’s Executive Board adopted eight resolutions against the Jewish state, while its General Conference adopted another two, for a total of 10 resolutions against Israel.

²¹₉ In 2010, the UNESCO Executive Board adopted 10 resolutions against Israel.

²²₁₇ In 2011, the UNESCO Executive Board again adopted 10 resolutions against Israel, and its General Conference adopted another two.

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²⁰ [21] During this same period, an examination of all UNESCO Executive Board decisions and UNESCO General Conference resolutions shows that *not a single other country was censured even once*.

Exceptionally, in 2012 UNESCO condemned Syria for its bloody crackdown in one resolution. This took place only after UN Watch pressured Western countries into protesting UNESCO's shameful election of Bashar al-Assad's Syrian regime to two of its human rights committees. Regrettably, the condemnation of Syria failed to reappear in 2013. Instead, Israel returned once again to being the only country singled out by UNESCO. Last year, in 2016, there was one resolution which called for a UNESCO report on Crimea, but the 58-word text was strictly technical, and omitted any mention of Russia, or violations of any kind.

Latest UNESCO Resolutions on Jerusalem

In April 2016, UNESCO's Executive Board adopted a resolution on Jerusalem, drafted by Jordan and the Palestinians, which used exclusively Islamic terms to describe Judaism's holiest site, the Temple Mount, and accused Israel of "planting fake Jewish graves" in the holy city. Outrage from the Israeli government and Jewish communities worldwide caused French leaders to express regret for their affirmative vote. On a similar resolution in October 2016, France, India and several others shifted their yes votes to abstain.

To her credit, UNESCO chief Irina Bokova has spoken out against the counter-productive resolutions on several occasions.

Congress should ensure that the U.S. government, in its dealings with the Secretariat and with member states who vote for the resolutions, forcefully opposes UNESCO bias.

The Human Rights Council

The UN Human Rights Council was created in 2006 to replace its discredited predecessor, the UN Commission on Human Rights. Comprised of a rotating membership of 47 member states, the council is the highest body in the UN human rights system.

UNGA Resolution 60/251 (2006) provides, in Article 2, that the council is responsible for "protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner." Article 3 provides that the council should address "situations of violations of human rights," including "gross and systematic violations," and make recommendations thereon. Article 4 provides that the work of the

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council shall be guided, *inter alia*, by the principles of “universality, impartiality, objectivity and non-selectivity.”

Contrary to its declared purposes, however, the council has systematically turned a blind eye to the world’s worst perpetrators of gross and systematic violations of human rights. Paradoxically, many of these violators are themselves council members.

Last year, for example, despite an opposition campaign by UN Watch and a coalition of parliamentarians, NGOs, and dissidents, the dictatorships of China, Cuba, and Saudi Arabia were elected by the UN as HRC members for the 2017-2019 term. None of these tyrannies has ever been condemned in any council resolution, emergency session or fact-finding mission. Despite a small number of positive actions, the council has failed to address its core mission of addressing the world’s most urgent violations—and it has failed to act with “universality, impartiality, objectivity and non-selectivity.”

Nowhere is this chasm between promise and performance more pronounced than in the council’s pathological obsession with Israel. As described below, the council’s selective treatment of Israel is a standing, gross breach of its obligation to act “without distinction of any kind” and “in a fair and equal manner.”

Agenda Item 7: Institutionalized Bigotry Against Israelis

Perhaps the most striking example of the council’s predetermination that Israel must be condemned is the presence of an item on its standing agenda dedicated solely to the Jewish state.

When the council’s creation was debated in 2006, the UN’s Department of Public Information distributed a chart promising that, in its words, the “agenda item targeting Israel” (Item 8) of the old commission would be replaced at the new council by a “clean slate.” Although this course correction never came to fruition, it is important to note that a key UN document acknowledged the true nature of the agenda item: to target Israel.

Despite the promise of reform, the new council revived the infamous agenda item, now as **Item 7**, and with the following title: “Human rights situation in Palestine and other occupied Arab territories,” with the sub-title of “Human rights violations and implications of the Israeli occupation of Palestine and other occupied Arab territories; Right to self-determination of the Palestinian people.”

No other country in the world is subjected to stand-alone focus, **engraved on the body’s** permanent agenda, ensuring its prominence, and the notoriety of its target, at every council meeting.

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The council's credibility and legitimacy remain compromised if one country is singled out while serial human rights abusers escape scrutiny. Item 7 is a standing breach of the council's own declared principles of non-selectivity and impartiality.





Indeed, UN Secretary-General Ban Ki-moon criticized this act of selectivity a day after it was instituted. On June 20, 2007, Mr. Ban "voiced disappointment at the Council decision to single out Israel as the only specific regional item on its agenda, given the range and scope of allegations of human rights violations throughout the world."

Beginning around 2014, EU and other Western countries, with only few exceptions, ceased to take the floor under regular debates of Item 7 at upcoming sessions. Rather, EU members voiced any of their criticisms of Israel during the general debate on all country human rights situations, which is Item 4. Arab states responded by vociferously condemning what they rightly regard as a Western boycott of Item 7. When the only ones in the room during the Item 7 debate have been the Arab states and fellow dictatorships who attack Israel, the hypocrisy is exposed. Nevertheless, EU states have often made a point of expressing support for biased commissions of inquiry emerging out of Item 7, and have also lent support, albeit with some criticisms, to the mechanism of the special rapporteur on the Palestinian territories.

Resolutions on Israel: Unique Quantity & Content

In the first 10 years of its existence, from 2006 to 2016, the council adopted 68 resolutions against Israel, and 67 on the rest of the world combined. The resolutions on Israel have all been one-sided condemnations that grant impunity to Hamas and Hezbollah terrorists, and to their state sponsor, the Islamic Republic of Iran. The resolutions completely disregarded Palestinian violations of human rights. Therefore, it can be said that at least half of the HRC's moral force has been deployed to demonize and delegitimize the only democracy in the Middle East.

There are four resolutions that the HRC adopts every year which single out Israel for criticism:

-  "Human rights in the occupied Syrian Golan"
-  "Right of the Palestinian people to self-determination"
-  "Human rights situation in the Occupied Palestinian Territory, including East Jerusalem"
-  "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan"

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In addition, there are often special resolutions introduced in connection with special sessions, fact-finding missions, and follow-up thereto. These resolutions are similarly one-sided, selective, and politicized.

What makes the resolutions on Israel different from virtually every other country-specific resolution is that they are suffused with political hyperbole, selective reporting, and the systematic suppression of any countervailing facts that might provide balance in background information or context.

By contrast, even the council's resolutions on a perpetrator of atrocities such as Sudan—whose president, Omar al-Bashir, is wanted for genocide by the International Criminal Court—regularly included language praising, commending, and urging international aid funds for its government.²

The practice of singling out Israel—not only with a disproportionate amount of resolutions, but with language that is uniquely condemnatory—reinforces the impression **that there is nothing whatsoever to be said in Israel's favor. The effect** is to stigmatize Israel as evil.

Special Sessions

A feature of the council is that emergency sessions can be triggered by only 16 members. Proponents said this low bar would allow the council to respond often and in real time to grave violations. Instead, out of the 20 special sessions that have criticized countries, six have been on Israel—being 30 percent on one country alone.

In 2006, former UN Secretary-General Kofi Annan criticized this bias:

I believe the actions of some UN bodies may themselves be counterproductive. The Human Rights Council, for example, has already held three special sessions focused on the Arab-Israeli conflict. I hope the Council will take care to handle the issue in an impartial way, and not allow it to monopolize attention at the expense of other situations where there are no less grave violations, or even worse.

² A 2008 resolution on Sudan, for example, even as it expressed concern at violations in Darfur, failed to condemn the Sudanese government, and instead falsely praised the regime for its “collaboration” and “engagement” with the international community, for “measures taken to address the human rights situation,” and for “cooperating fully with the Special Rapporteur.” It suggested the regime was engaged in the “progressive realization of economic, social and cultural rights in the Sudan,” and failed to reflect the true gravity of the human rights and humanitarian situation. The text called for support and assistance to the Sudanese government. A resolution adopted in 2010 was similar. None of this positive language, by contrast, appears in any of the resolutions on Israel. **Indeed, on one occasion, the council's praise of the al-Bashir regime was so excessive that the EU actually voted in opposition to a resolution on Darfur.**

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Kofi Annan was right: victims of human rights crises around the globe have been ignored.

Urgent Debate Mechanism Created to Target Israel

In the early morning hours of May 31, 2010, a flotilla of six vessels sought to run the naval blockade of Gaza, claiming to bring humanitarian aid. The activists on board were intercepted by the Israel Defense Forces. Violence on one of the ships, the Mavi Marmara, resulted in nine killed, and many others wounded.

While the UNHRC is typically lethargic regarding human rights violations small and large, in this case it suddenly decided to interrupt its three-week regular session to urgently address the incident. To do so, it **created a new procedure: the “Urgent Debate.”** This was despite the fact that Israel, being the object of a permanent agenda item, was in any case due to come up shortly thereafter in the regularly scheduled debate.

The result of this first-ever urgent debate **was a council resolution that “condemn[ed] in the strongest terms” the “outrageous attack by the Israeli forces” against the “humanitarian flotilla of ships.”**

Having declared its verdict, the council **proceeded to create an “independent international fact finding mission” to investigate. Three months later, the mission presented a 56-page report, finding that Israel’s actions demonstrated “totally unnecessary and incredible violence.” The conduct of Israel’s military “betrayed an unacceptable level of brutality.” It constituted “grave violations of human rights law and international humanitarian law.”**

However, a separate, independent panel of the UN Secretary-General, led by law professor and former New Zealand prime minister Geoffrey Palmer, found the opposite. While the activists aboard the Turkish ship “were entitled to their political views” in protesting Israel’s Gaza policy, found the Palmer Report, the flotilla had “acted recklessly in attempting to breach the naval blockade.” Noting that “Israel faces a real threat to its security from militant groups in Gaza,” the Secretary-General’s panel held the naval blockade was “a legitimate security measure in order to prevent weapons from entering Gaza by sea” and its implementation “complied with the requirements of international law.”

The urgent debate mechanism has since been used only twice for another country—**against the Assad regime’s actions in Syria, in February 2012 and May 2013.** However, when the council met for a regular session in September 2013, shortly after a massive Syrian chemical weapons attack against hundreds of civilians in Damascus, it failed to interrupt its regular schedule for any urgent debate for the victims.

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Fact-Finding Missions Focus on Israel

The council has created seven fact-finding missions or inquiries on Israel. These have investigated: (1) Israel's July 2006 military response to the kidnapping of Gilad Shalit; (2) Israel's actions during the Lebanon war in August 2006; (3) Israel's November 2006 errant shells that responded to rockets from Beit Hanoun; (4) the Israel-Hamas war that began in late 2008, which led to the Goldstone Report; (5) the 2010 flotilla incident described above; (6) a 2012 inquiry on settlements, which is what finally prompted Israel to boycott the HRC for 18 months; and (7) a 2014 inquiry into the war of that summer between Hamas and Israel. The Goldstone Report and all of these other inquiries have proven to be travesties of justice, each with predetermined verdicts.

Special Rapporteur on the Palestinian Territories

The council's lead expert on Israel has the title of "Special Rapporteur on the situation of human rights on Palestinian territories occupied since 1967." The position is currently held by Canadian law professor Michael Lynk, who failed to disclose on his application last year that he was a long-time pro-Palestinian activist. Canada rightly called for a review of his appointment, and the U.S. should follow suit.

The title of this U.N. post is deliberately misleading—designed to mask the one-sided nature of the HRC's permanent investigative mandate on Israel—and is of a piece with the U.N.'s routine misrepresentation of this mandate. In April 2010, for example, the U.N.'s Office of the High Commissioner for Human Rights (OHCHR) sent out a press release stating that its Special Rapporteur was "mandated by the UN Human Rights Council to monitor the situation of human rights and international humanitarian law on Palestinian territories occupied since 1967." That is false and misleading.

The actual, unchanged mandate since 1993, as spelled out in Article 4 of Commission on Human Rights resolution 1993/2, is as follows:

To investigate Israel's violations of the principles and bases of international law, international humanitarian law and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, in the Palestinian territories occupied by Israel since 1967. (Emphasis added.)

The mandate as the U.N. described it would be of universal application to all actors, be they Israeli or Palestinian. The mandate as it actually is, however, applies only to Israeli actions—and with its violations presumed in advance. There is a substantial difference between the two.

Former Special Rapporteur John Dugard noted in an August 2005 report that the mandate "does not extend to human rights violations committed by the Palestinian Authority."

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Human rights abuses by Hamas, Islamic Jihad, and the Palestinian Authority enjoy impunity.

On June 16, 2008, then-Special Rapporteur Richard Falk—a notorious supporter of 9/11 Truthers—himself acknowledged the one-sided nature of the mandate, saying it was open to challenge regarding “the bias and one-sidedness of the approach taken.” He added: “With all due respect, I believe that such complaints have considerable merit.” However, the council made no changes.

Human rights groups have also criticized the one-sided nature of the mandate. On July 11, 2008, **Amnesty International** said that the mandate’s “limitation to Israeli violations of international human rights and humanitarian law in the Occupied Palestinian Territories undercuts both the effectiveness and the **credibility of the mandate.**” Amnesty noted that the mandate “fails to take account of the human rights of victims of violations of international human rights and humanitarian law committed by parties other than the **State of Israel.**”

Amnesty also called for the mandate to be subjected to the “**Review, Rationalization, and Improvement**” (RRI) process that was applied to all other mandates in the transition from the commission to the council. During this period, the outgoing president of the council, Ambassador Doru Costea of Romania, also called for the mandate to be subject to the RRI process. However, this never took place, and the mandate on Israel was the only one not to be reviewed.

Recommendations

Congress ought to ensure that U.S. delegates continue to vigorously oppose the special agenda item targeting Israel; the one-sided resolutions; the council experts who subject Israel to irrational degrees of scrutiny and criticism; and the disproportionate amount of emergency special sessions that target Israel.

The U.S. just won a council seat in November, for a three-year term that began in January. The U.S. would be unwise to forfeit this coveted position of world influence; it should send an ambassador to Geneva to fight vigorously for freedom and human rights, and against anti-Israeli bigotry, as did former U.N. ambassadors like Daniel Patrick Moynihan, Jeane J. Kirkpatrick, and Morris Abram. The U.S. tried boycotting the entire council between 2006 to 2009, however its absence did nothing to prevent the council from continuing to cause damage. Given that it has become the go-to U.N. agency for creating new and increasingly elaborate mechanisms to target Israel, a firm U.S. presence would be a force for good.

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Conclusion

The highest human rights and legislative bodies of the United Nations, along with several of its specialized agencies that are supposed to advance humanitarian, cultural and social causes, are being systematically misused by an organized campaign to assault the Jewish state. Noble purposes such as human rights, equality, and peace, are being subverted by selectivity, politicization, and prejudice. The United Nations will never live up to its founding promise so long as this pathology endures. Congress should continue to do its part to guide the U.N. toward the path of upholding its founding Charter principles.

Ms. ROS-LEHTINEN. Thank you very much, sir.
Mr. Hook is recognized.

**STATEMENT OF THE HONORABLE BRIAN HOOK, FOUNDER,
LATITUDE, LLC**

Mr. HOOK. Madam Chairman Ros-Lehtinen, Chairman Smith, Ranking Member Deutch, I thank the committee for giving its attention to reforming the United Nations and ensuring the fair treatment of Israel at the U.N. My testimony will draw from personal experience serving as a senior advisor to the U.S. Ambassador to the U.N. for 2 years and also serving as Assistant Secretary of State for International Organizations.

I think that my working in mutually supportive roles, the Congress and the Trump administration have a very good opportunity to foster a more accountable and transparent United Nations to advance American interests. But the U.S.-U.N. relationship will never be fully successful, so long as one of our closest allies is singled out unfairly at the U.N.

I think this committee knows very well that Israel an almost robotic hostility at the United Nations over many decades. And last year was particularly disappointing, when we look at actions taken by the Human Rights Council on blacklists, the UNESCO Resolution on the Temple Mount, 2334, and then the U.N. General Assembly resolutions.

I want to just share my general approach on how to work effectively with the United Nations and also highlight some reforms. I think taken together they can help advance the interests of the United States, as well as Israel, because our interests so often overlap at the U.N.

I believe as a first principle that the United States needs to maintain diplomatic flexibility, working with the U.N. when it advances our interests and promotes the cause of peace and looking elsewhere when success is unlikely and would lead to failures in multilateralism. This requires making prudential judgments on a case-by-case basis.

The U.N. Security Council can often advance our interests because it is a force multiplier. It helps our allies take action because it gives them political and legal cover back home and it can also help us diplomatically isolate our opponents. But we can never allow the U.N. Security Council to hold our security concerns hostage, nor should we encourage or allow the council to opine or vote on matters that are properly between Israel and the Palestinians.

The U.N. Security Council remains the single worst forum in the world to facilitate peace in the Middle East. I think, instead, the council should shift action. We should be always working to shift action away from the council and toward direct negotiations. And I do believe that we should put serious diplomatic support behind Israel's candidacy for a nonpermanent seat and we should ask the Europeans to support it, as part of our bilateral agenda with our European allies.

With regard to the U.N. Human Rights Council, my own view is that formal participation by the United States in this body legitimizes it without sufficiently advancing human rights. A top item on the Bush administration list when I served at the U.N. was

abolishing the U.N. Human Rights Commission and we fought for the necessary reforms but pressure within the U.N. system to reach multilateral consensus caused our proposals to get watered down repeatedly and we ended up voting no against the resolution. The very advocates for the reform in the first place decided to vote against it.

Our dissent at the time was joined by only three countries and Israel was one of them. At the time, we were attacked for standing in the way of reform and we were mocked during the vote for being so isolated but time has vindicated our decision. The council has behaved entirely as we predicted it would in 2006 when we were in the General Assembly. It remains biased against Israel. It includes repressive governments among its members and it fails to condemn many of the world's worst human rights abusers.

And so I favor withdrawing from the Human Rights Council until it adopts the reforms necessary to be a body worthy of its name. But I think that any decision should be taken in consultation with our allies, especially Israel, who would face an even more hostile body without the United States as a formal member.

UNESCO's approval on Palestine as a member, I think I agree with earlier statements. I think that we should maintain a clear policy of refusing to pay dues to any institution that accepts Palestine as a state before an Israeli-Palestinian peace deal is reached.

In closing, President Truman saw the United Nations as part of "a chain of defense to protect this beloved country of ours." And in 1952 he said that if we keep working at it, the U.N. will become what it was intended to be.

Almost 70 years later, people are understandably questioning whether the U.N. will ever live up to the intentions of its founding nations. But I know from personal experience that international organizations can concretely advance American interests when used rightly. When multilateralism is understood as a means to an end and not an end in itself. I am happy to take questions after our statements and I, again, thank the committee for inviting me.

[The prepared statement of Mr. Hook follows:]

TESTIMONY OF BRIAN H. HOOK
 FOUNDER, LATITUDE, LLC
 HOUSE COMMITTEE ON FOREIGN AFFAIRS
 “ISRAEL, THE PALESTINIANS, AND THE UNITED NATIONS:
 CHALLENGES FOR THE NEW ADMINISTRATION”
 FEBRUARY 2, 2017

Mr. Chairman, I thank the committee for giving its attention to reforming the United Nations and ensuring the fair treatment of Israel at the UN. My testimony will draw from personal experience serving for two years as a senior advisor to the US Ambassador, and as Assistant Secretary of State for International Organizations.

I believe that by working in mutually supportive roles the Congress and the Trump Administration have an excellent opportunity to foster a more accountable and transparent UN to advance American interests. But the US-UN relationship will never be fully successful so long as one of our closest allies is singled out unfairly at the UN.

Israel has faced an almost robotic hostility across the UN system for decades. Since Israel is an important American ally, we have traditionally shielded both Israel and the UN itself from some of the UN's worst impulses. The Obama Administration broke from this tradition at critical times, which weakened our alliance with Israel.

Last year was particularly disappointing for some of the UN's principal political bodies. It began in March when the Human Rights Council passed a resolution to create a blacklist database of Israeli companies operating in the West Bank, East Jerusalem, and the Golan Heights. In November, UNESCO passed a resolution declaring that Israel has no connection to the Temple Mount and the Western Wall and believes the site is sacred only to Muslims. And in late December, the UN Security Council passed Resolution 2334, which condemned Israeli settlements. By the end of 2016, the UN General Assembly adopted over 20 resolutions against Israel and four against all other countries combined.

The Obama Administration bears some of the responsibility for this because it either created a permissive environment at the UN for such bad behavior or abetted it through its abstention on 2334. This resolution would not have gone forward if the United States did not want it to go forward. I concluded from experience at the UN that this kind of back foot diplomacy is bad for America's interests, leaves our allies at the mercy of the UN, and undermines the UN itself. At the end of the day if America doesn't hold the UN to the ideals of its charter, almost no nation will.

I want to share my recommendations on how to work effectively with the United Nations and also highlight some positive reforms. Taken together they can advance the interests of the United States as well as Israel because our interests so often overlap at the UN.

I believe, as a first principle, that the US needs to maintain diplomatic flexibility, working with the UN when it advances our interests and promotes the cause of peace—and looking elsewhere when success is unlikely and would lead to failures in multilateralism. This requires making prudential judgments on a case by case basis.

The UN Security Council can often advance our national security interests because it is a force multiplier. It facilitates participation by allies by giving them legal and political cover, and it can help diplomatically isolate our opponents. But we can never allow it to hold U.S. security concerns hostage. Nor should we encourage or allow the Council to opine or vote on matters between Israel and the Palestinians. The Council remains the worst forum in the world to facilitate peace in the Middle East. Instead, the US should shift action away from the Security Council and toward negotiations between Israel and the Palestinian Authority.

In addition to preserving the ability of the Council to act when needed to address threats to peace and security, we should pay careful attention to proposals for Security Council expansion. There are still significant substantive disagreements in the General Assembly on the terms of any expansion. Regional politics preventing agreement on the issue are unlikely to be resolved anytime soon. This inaction benefits the United States because adding more permanent members to the Council will make it harder to reach consensus on any issue and increase gridlock.

The United States should also make clear that any expansion will have to be small to avoid undermining the ability of the Council to act and that new permanent members should not have the veto. With respect to potential new permanent members, the U.S. has endorsed both Japan and India. The U.S. might also want to say that any additional candidates for permanent membership will be considered on the basis of specific criteria (rather than on any notions of regional distribution) and principles should include commitments to the rule of law and human rights, a demonstrated commitment to abide by international obligations, and willingness to shoulder responsibility for international peace and security, including through UN contributions and peacekeeping. In particular, any permanent members (including existing members) should be prepared to pay a substantial share of the UN peacekeeping budget.

As part of signaling its intention to adopt a different approach than the Obama Administration, **the US should put serious diplomatic support behind, and ask the Europeans to support, Israel's** candidacy for a 2018 non-permanent Security Council seat.

With regard to the UN Human Rights Council, formal participation by the US in this body legitimizes it without sufficient benefit to the cause of advancing human rights. A top item on the Bush Administration's reform list when I served at the UN was abolishing the discredited Human Rights Commission. This body spent most of its time criticizing the United States and Israel. Ambassador Bolton fought for the necessary reforms (especially criteria for membership), but pressure within the UN system to reach multilateral consensus caused our proposals to get watered down repeatedly. This only perpetuated the status quo and the US was right to vote against the resolution that created the Human Rights Council. Our dissent was joined by only three other countries—and Israel was one of them.

At the time we were attacked for standing in the way and mocked during the vote for being so isolated. But time has vindicated our decision. The Council has behaved entirely as we predicted it would: it remains biased against Israel, includes repressive governments among its membership, **and fails to condemn many of the world's worst human rights abusers.** In fact, the Council has passed 67 resolutions against Israel since it was formed in 2006, compared to 61 against the rest of the world.

I therefore favor withdrawing from the Human Rights Council until it adopts the necessary reforms to be a body worthy of its name. Any decision should be taken in consultation with close allies including the Israelis, who would face an even more hostile body without the U.S. But I think we should show thought leadership and call on the UN General Assembly to adopt stronger criteria for membership; take credible action on pressing human rights issues, and show even-handedness on Israel.

According to press accounts, the Trump Administration is considering a data-driven effort to better align our interests and financial support for the UN and other international organizations. This effort has the promising potential to reinforce congressional demands for more transparency and accountability, sends the message that taxpayer dollars will be spent wisely, and encourages other governments to increase their contributions to the UN. These are all important concepts. The UN certainly needs a more equitable allocation of operating costs. It is not healthy for the US or for the UN to be so dependent on one donor.

In closing, President Truman saw the United Nations as part of “a chain of defense to protect this beloved country of ours.” In 1952, he said that if we keep working at it, the UN will become what it was intended to be. Almost 70 years later, people are understandably questioning whether the UN will ever live up to the intentions of its founding nations.

But I know from experience that international organizations can concretely advance American interests when used rightly, when multilateralism is understood as a means to an end—and not an end in itself. While the U.S. government should preserve diplomatic flexibility by working outside the UN when necessary, U.S. leadership at the UN can generate support for security, open markets, humanitarian relief, and the rule of law.

The Trump Administration today faces a climate in New York that is even more hostile to Israel, in part at the invitation of President Obama, who broke from tradition and did not shield Israel in the Security Council or fora such as UNESCO, which elected to give membership to the Palestinian Territories. The US should maintain a clear policy of refusing to pay dues to any institution that accepts Palestinian membership.

As Kim Holmes from the Heritage Foundation has said, **“Multilateralism in liberty’s best interests will always face uphill battles.”** Smart multilateralism requires standing firmly on principle, knowing when and when not to rely on the UN, and knowing the strengths and weaknesses of the UN funds and programs. By applying a policy of selective and pragmatic engagement we make success much more likely, both for the United States and for the United Nations.

Ms. ROS-LEHTINEN. Thank you, Mr. Hook.
Dr. Schanzer.

STATEMENT OF JONATHAN SCHANZER, PH.D., VICE PRESIDENT FOR RESEARCH, FOUNDATION FOR DEFENSE OF DEMOCRACIES

Mr. SCHANZER. Chairman Ros-Lehtinen, Chairman Smith, Ranking Member Deutch, Ranking Member Bass, and distinguished members, thank you for the opportunity to testify.

While U.S.-Israel ties remain strong, thanks to the role of Congress, recent years have witnessed some low points in the bilateral relationship from tensions over the deeply flawed Iran deal to the shameful abstention on U.N. Security Council Resolution 2334. The Obama White House broke dramatically from long-standing policies.

The new administration has indicated that it wants to restore ties to previously warm levels and, among other things, it seeks to address the anti-Israel bias at the U.N.

Here are four of my recommendations to get things started. First, we need to reform the U.N. 1267 Committee; this is the U.N.'s terrorism sanctions list. Currently, it only includes al-Qaeda, the Taliban, and the Islamic State. Hamas, Hezbollah, and other terrorist groups are not included. This list needs to reflect the full range of threats to the U.S. and its allies.

Second, we must reform and ultimately phase out UNRWA, which is the U.N.'s agency that support Palestinian refugees. Today there are 30,000 to 50,000 surviving members from the original wars of 1948 and 1967 but because UNRWA counts the offspring of the original refugees, the children, grandchildren, and great grandchildren, that number is now counted as 5 million. In other words, UNRWA is making more refugees, rather than settling them. Meanwhile, the agency stands accused of cooperating with Hamas. UNRWA must be brought to account.

Third, we should eradicate the U.N. Human Rights Council. It is simply Orwellian. Iran, Cuba, Venezuela, Syria, and other states that engage in war crimes and massive human rights violations lambaste Israel while failing to be held to account. In March, as noted, the council voted to create a blacklist of companies that work in the West Bank, Jerusalem, and the Golan Heights. These are companies that foster cooperation between Palestinians and Israelis. Congress and the administration should spike the blacklist and work to end the tenure of this grotesque body.

Fourth, it is time to examine the U.N.'s Interim Force in Lebanon. Under Security Council Resolution 1701, UNIFIL was tasked to ensure that Hezbollah did not rearm but Hezbollah has some 150,000 rockets furnished by Iran. The administration and Congress should determine whether UNIFIL is worthy of reauthorization. I suspect it is not.

But reforming the U.N. alone is insufficient. Congress and the administration should review U.S. ties with the PLO. Congress has long expressed concern that the PLO pays the salaries of terrorists in Israeli jails and fans the flames of incitement. And there are other issues, too. For example FDD received unconfirmed reports in November from the West Bank that the U.S. and the PLO pos-

sibly coordinated ahead of Palestinian President Mahmoud Abbas' September 22nd speech at the United Nations. Indeed, the United States may have even helped transfer funds to the PLO institutions to help Abbas promote his policies. I think Congress might want to investigate this.

Congress may also wish to investigate the PLO's possible role in the boycott campaign against Israel, which runs counter to U.S. policy. We received reports that the PNF, the Palestine National Fund, the PLO's treasury may be active in this area. We also received reports that the PLO mission in Belgium may be running an "operations room" for European BDS activities. The PLO Embassy in Washington may also be involved in coordinating U.S.-based BDS activities as well.

Then there is the PLO leadership crisis. While Abbas is rightly touted as being committed to nonviolence, this is not the same as being a proponent of peace. As PLO Chief he has, for years, refused to negotiate in good faith. Twelve years into Abbas' 4-year term with no successor in sight, time is running out to identify new leadership committed to good governance and peaceful coexistence with Israel.

Before I conclude, I want to suggest three other steps that Congress might consider to strengthen U.S.-Israel ties.

For one, the Trump administration reportedly seeks to negotiate several new trade agreements. This presents new opportunities to include clauses that discourage boycotts against U.S. allies, including Israel. Congress can also consider changing the anti-boycott provisions of the Export Administration Act. These provisions were originally designed to combat the Arab League boycott. They can now be updated to target broader boycott activity. The Commerce Department could then be empowered to fend off economic warfare campaigns against the U.S., Israel and other allies.

Finally, Congress might consider updating the Export Administration regulations and to upgrade Israel to tier 1, rather than tier 2 as part of the Strategic Trade Authorization. This would allow Israel to quickly procure key military components during periods of conflict. It would enhance Israel's qualitative military edge and our strategic cooperation at the same time.

Madam Chairman, Mr. Chairman, I cover more in my written testimony but, in the interest of time, I will end here.

On behalf of FDD, thank you for inviting me today. I look forward to your questions.

[The prepared statement of Mr. Schanzer follows:]

CONGRESSIONAL TESTIMONY: FOUNDATION FOR DEFENSE OF DEMOCRACIES

House Foreign Affairs Committee

*Subcommittees on Middle East and North Africa and Africa, Global Health,
Global Human Rights, and International Organizations*

Israel, the Palestinians,
and the United Nations:

Challenges for the New Administration

DR. JONATHAN SCHANZER

Senior Vice President for Research
Foundation for Defense of Democracies

Washington, DC
February 2, 2017



www.defenddemocracy.org

Chairman Ros-Lehtinen, Chairman Smith, Ranking Member Deutch, Ranking Member Bass, and distinguished members of these subcommittees, on behalf of the Foundation for Defense of Democracies, thank you for the opportunity to testify. My testimony will address the policy options for the Palestinian-Israeli conflict that former president Barack Obama was considering at the end of his term. From there, I will discuss the deleterious impact of United Nations Security Council Resolution 2334. I will also present new FDD research that raises troubling questions about the role of the Palestine Liberation Organization (PLO) and the Palestinian Authority (PA) in the ongoing campaign to delegitimize Israel. Finally, I present a number of recommendations for Congress and the new administration to consider.

Obama's Policy Options on the Palestinian-Israeli Conflict

In the months leading up to his departure, outgoing president Barack Obama tasked various officials within the U.S. bureaucracy to prepare policy options for ways he could, as one U.S. official put it to me, "level the playing field" between the Palestinians and Israelis, with the assumption that US policy was too supportive of Israel. This official noted, "all options [were] on the table" for the President to either punish Israel for its policies in the disputed territories or to increase Palestinian leverage in its effort to gain international recognition.¹

Of course, it is not unheard of for a president to engage in last minute maneuvers to further the cause of Palestinian-Israeli peace. President Ronald Reagan initiated a dialogue with the PLO in the waning days of his Administration in an effort to give the Bush Administration cover to launch a process that brought both sides to the table.² The Clinton Administration fought until its last days to bring both sides together. What is notable about both of these examples is that these were efforts to cajole both sides to engage in diplomacy. Neither was designed to be a punitive measure against Israel. By contrast, Obama's menu of options appeared to be largely punitive in nature, and seemed to be designed to influence the next president's relationship with Israel.

Below are the major options that were under consideration:

1. *A U.N. Security Council Resolution to guide the final outcome of negotiations.* The Administration was considering a binding measure before the UN Security Council. The resolution, as envisioned, would lay out new parameters for diplomacy and replace UNSCR 242 in future negotiations. FDD assessed that this was not likely because the administration had promised publicly that it would not do this. Second, the White House understood that a process of this magnitude at the United Nations might begin with one set of parameters, but could become very unwieldy and ultimately yield a very different resolution than the U.S. had in mind. Third, the President had already stated in 2011, "it is up to Israelis and Palestinians to take action. No peace can be imposed upon them."³ Finally, in handing this

¹ Interview with U.S. officials, September 14, 2016.

² Robert Pear, "U.S. Agrees to Talks with PLO, Saying Arafat Accepts Israel and Renounces All Terrorism," *The New York Times*, December 15, 1988. (<http://www.nytimes.com/1988/12/15/world/us-agrees-talks-with-plo-saying-arafat-accepts-israel-renounces-all-terrorism.html?pagewanted=all>)

³ "Remarks of President Barack Obama – As Prepared for Delivery – 'A Moment of Opportunity'," *The White House*, May 19, 2011. (<https://www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-barack-obama-prepared-delivery-moment-opportunity>)

file to the U.N., the White House would effectively be ceding its role as primary mediator in the Israeli-Palestinian conflict to the international community.

2. *Abstaining or Voting for Recognition of a Palestinian State at the U.N.* In 2011, the Palestinian Authority sought to declare statehood at the UN Security Council.⁴ The United States declared its intention to veto the move, and the Palestinian Authority ultimately took the vote the following year to the General Assembly where the vote, even while overwhelmingly approved, was nonbinding.⁵ The Palestinians continued to voice their intention to declare statehood again at the UN Security Council.⁶ And while Obama might have been inclined to pave the way for this, he understood that Congress had leverage. If the U.N. recognized a Palestinian state, certain members of Congress warned they would cut U.S. aid to the United Nations. That is more than 22% of the U.N.'s total budget.⁷ This is pursuant to the prohibition on U.S. funding of U.N. agencies that recognize a Palestinian state as stipulated in two pieces of legislation that were signed into law by President George H.W. Bush in 1990 and President Bill Clinton in 1994.⁸
3. *Executive Order Against Settlement Activity.* The Administration was apparently briefed on a possible executive order sanctioning Israeli officials or entities for engaging in further settlement activity, even natural growth within existing communities in the West Bank. The executive order could extend to other foreign nationals or even American citizens. One official ceded to me that such an effort would raise "legal issues."⁹ With no similar executive order against countries involved in similar territorial disputes in Turkey, Morocco, or China, for example, the door would be open for legal challenges from Congress. A measure of this severity this late in a presidential term would have elicited a severe backlash at home.
4. *Internal Revenue Service Regulations on Settlement Supporters.* Obama reportedly weighed the idea of revoking the tax-exempt status of U.S. nonprofits that provide material support to organizations facilitating settlements in the West Bank. With his measure, the White House could have also instructed the IRS to begin investigations into nonprofit activities.¹⁰ This could have disrupted as many as 50 known U.S.-based organizations supporting communities

⁴ Mahmoud Abbas, "The Long Overdue Palestinian State," *The New York Times*, May 16, 2011. (<http://www.nytimes.com/2011/05/17/opinion/17abbas.html>)

⁵ Ethan Bronner & Christine Hauser, "U.N. Assembly, in Blow to U.S., Elevates Status of Palestine," *The New York Times*, November 29, 2012. (<http://www.nytimes.com/2012/11/30/world/middleeast/Palestinian-Authority-United-Nations-Israel.html>)

⁶ "Abbas Seeks to Re-Submit Statehood Bid to U.N. Security Council," *Reuters*, January 4, 2015.

(<http://www.reuters.com/article/us-mideast-palestinians-idUSKBN0KD0K120150104>)

⁷ "Assessment of Member States' Contributions to the United Nations Regular Budget for the Year 2015," *United Nations Secretariat*, December 29, 2014.

(http://www.un.org/ga/search/view_doc.asp?symbol=ST/ADM/SER.B/910)

⁸ Limitation on Contributions to the United Nations and Affiliated Organizations, Pub. L. 103-236, 108 Stat. 454, codified as amended at 103 U.S.C. §410. (<http://graphics8.nytimes.com/packages/pdf/world/PLQ-UN-legislation.pdf>) & Membership of the Palestine Liberation Organization in United Nations Agencies, Pub. L. 101-246, 104 Stat. 70, codified as amended at 101 U.S.C. §414. (<http://graphics8.nytimes.com/packages/pdf/world/PLQ-UN-legislation.pdf>)

⁹ Interview with U.S. officials, September 14, 2016.

¹⁰ Eugene Kontorovich, "The Problem with Using the Tax Code to Punish Israeli Settlements," *Tablet*, October 6, 2016. (<http://www.tabletmag.com/scroll/215286/the-problem-with-using-the-tax-code-to-punish-israeli-settlements>)

in Israel.¹¹ One alternative, according to a Congressional tax expert, was to encourage the IRS to issue informal guidance. One official noted in September that this approach would have been “legally challenging.” In addition to creating an unprecedented backlash from Congress and the pro-Israel community in America, it would likely have prompted dozens of lawsuits.

5. *A Statement of “Obama Parameters.”* Obama was contemplating a public speech outlining his vision for a peace agreement to form the basis of United States policy, and perhaps inform new multilateral initiatives.¹² The move would be nonbinding, but perhaps influence the next round of diplomacy between the Palestinians and Israelis. Of course, it was ultimately former Secretary of State John Kerry who issued his parameters on December 28, 2016, in a 70-minute speech that placed the blame for the lack of diplomatic progress at the feet of the Israelis.¹³
6. *A U.N. Security Council Resolution on Settlements.* Finally, Obama was mulling a UN resolution against settlement activity by Israel. Such a measure would not be described as a new initiative designed to isolate Israel, but rather as an extension of UNSCR 446 from March 1979, with updates.¹⁴ The goal was not to initiate the resolution, but rather abstain or even vote for a measure that another country introduced. And while it was never articulated, it was widely understood that the move would energize the Boycott, Divestment and Sanctions (BDS) campaign against Israel. Obama understood the damage that such a resolution could cause. This is why the Administration used its veto power in 2011 when a resolution on settlements was brought to the Security Council.¹⁵ But as we now know, Obama instructed his UN ambassador, Samantha Power, to abstain on the measure followed by a speech in which she, rather remarkably, excoriated the UN for singling out Israel.¹⁶

As we all know, Obama chose two of the six options noted above. He also made a surprising and unforeseen move in the waning hours of his presidency when he attempted to send \$221 million to the Palestinian Authority. The money was held up by legislators on both sides of the aisle.¹⁷

Assessing the Damage from UNSCR 2334

¹¹ Uri Blau, “U.S. Donors Gave Settlements More Than \$220 Million in Tax-Exempt Funds Over Five Years,” *Haaretz*, December 7, 2015. (<http://www.haaretz.com/settlementdollars/1.689683>)

¹² Mark Landler, “Obama Seeks to Pave Way to Mideast Deal After He Leaves Office,” *The New York Times*, March 8, 2016. (<http://www.nytimes.com/2016/03/09/world/middleeast/obama-seeks-a-way-to-save-israeli-palestinian-gains.html>)

¹³ “Kerry Blasts Israeli Government, Presents Six Points of Future Peace Deal,” *Haaretz*, December 28, 2016, <http://www.haaretz.com/israel-news/1.761881>

¹⁴ “Resolution 446 (1979),” *U.N. Security Council*, March 22, 1979. (<https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/370/60/IMG/NR037060.pdf?OpenElement>)

¹⁵ Ed Pilkington, “U.S. Vetoes UN Condemnation of Israeli Settlements,” *The Guardian*, February 18, 2011. (<https://www.theguardian.com/world/2011/feb/19/us-veto-israel-settlements>)

¹⁶ “U.S. Ambassador to the UN Samantha Power’s Full Speech at the Security Council,” *Haaretz*, December 24, 2016. <http://www.haaretz.com/israel-news/1.761017>

¹⁷ Alexander Lockie, “Why Obama sent the Palestinians \$221 million during his last hours in office,” *Business Insider*, January 24, 2017. <http://www.businessinsider.com/obama-quietly-sends-221-million-to-palestine-2017-1>

In the end, Kerry's parameter's speech had little legal impact. And the Trump Administration blocked Obama's furtive transfer of funds to the Palestinians shortly after the news broke.¹⁸ But UNSCR 2334 is likely to leave a mark.

First, Resolution 2334 was a dramatic break in U.S. policy. Previous presidents have protected Israel against a UN system that they all recognized as biased, primarily because it singles out the Jewish state at every possible opportunity. Obama in 2011 instructed his first US ambassador to the UN, Susan Rice, to reject a similar resolution because it would not help advance the cause of peace. Yet he instructed Samantha Power to abstain, implying this time that the measure would somehow advance diplomacy.

As former Bush administration officials Elliott Abrams and Michael Singh have noted, Resolution 2334 did little to advance diplomacy. In one important way, it was a setback. It ignored the outcome of previous negotiations, which assumed that the major settlement blocs along the 1967 lines would become part of Israel, not a part of a future Palestinian state. Specifically, it contradicted the Bush-Sharon letter of 2004, which sought to find reasonable new borders for Israel in light of its departure from Gaza, new facts on the ground in the West Bank, and Israel's evolving security needs. Instead, the resolution seeks to enshrine 1949 lines as the basis for future negotiations, which is a nonstarter for Israel's defense establishment.¹⁹

Moreover, Resolution 2334 characterizes Israelis that build in neighborhoods and territory that have been long administered by Israel as in violation of international law. According to the resolution, Israel cannot build or grow the area around the plaza at the Western Wall. This was shocking to Israelis, as the Western Wall is the holiest site in the world for Jews.²⁰ As one Israeli official recently lamented, "the Palestinians now get a veto over the Western Wall. And Jerusalem is no longer disputed but occupied."²¹ Indeed, the resolution equates buildings in the Jewish Quarter of the Old City with settlement outposts deep in the West Bank.

The language in Resolution 2334 also implicitly encourages the International Criminal Court (ICC) to open a formal investigation of individuals linked to building homes in the West Bank and Jerusalem. The Security Council did not formally refer an investigation to the ICC, but the language used in the resolution mirrors that of the Rome Statute, which lays out criteria for charging individuals with war crimes.²² Indeed, while the ICC cannot charge a country with war crimes, it can charge political leaders who have implemented state policy.

¹⁸ Avi Issacharoff, "Palestinians say Obama's last-minute \$221 million payout frozen by Trump," *Times of Israel*, January 25, 2017. <http://www.timesofisrael.com/palestinians-say-trump-freezes-obamas-last-minute-221-million-payout/>

¹⁹ Elliott Abrams & Michael Singh, "The United States Just Made Middle East Peace Harder," *Washington Post*, December 23, 2016. (https://www.washingtonpost.com/opinions/the-united-states-just-made-middle-east-peace-harder/2016/12/23/g0ecc3ea-c923-11e6-bf4b-2c064d32a4bf_story.html?utm_term=.af7e412405af)

²⁰ Michael Koplow, "UNSC 2334," *Matzav Blog*, December 27, 2016. (<http://www.matzavblog.com/2016/12/unsc-2334/>)

²¹ Interview with senior Israel official in Jerusalem, January 23, 2017.

²² Orde F. Kittrie, "What UNSCR 2334 Could Mean Beyond the United Nations, and How the Trump Administration Can Respond," *Lawfare Blog*, December 27, 2017. <https://www.lawfareblog.com/what-unscr-2334-could-mean-beyond-united-nations-and-how-trump-administration-can-respond>

Finally, the resolution provided momentum to the international movements that seek to delegitimize Israel, including the global BDS campaign. While Resolution 2334 itself was brought under Chapter VI at the UN, which does not formally call for sanctions against Israel,²³ the BDS movement has been invigorated on the international scale and the resolution may provide the impetus for countries, sovereign wealth funds, financial institutions, NGOs, and businesses to boycott or divest their assets from Israel. In other words, the resolution helped spur on an anti-Israel economic warfare campaign, an extension of the Arab League boycott. The goal of this extended campaign is not only Israel's ouster from the disputed territories, but every square inch of Israel.

PLO and US involvement in 2334

The PLO appears to have been intimately involved in the crafting and roll out of Resolution 2334. In the months leading up to the drama in December, reports suggested that the PLO was working in coordination with the French.²⁴ Then, in early December 2016, Israeli reports suggested that the Palestinian delegation to the United Nations was disseminating a draft resolution condemning Israeli settlements.²⁵

Surprisingly, after the resolution was ratified at the UN, Israeli Prime Minister Benjamin Netanyahu accused the Obama administration of secretly colluding with the Palestinians on the text.²⁶ The Israelis pointed to leaked transcripts from an Egyptian newspaper claiming there was a meeting between senior American and Palestinian officials with the purpose of coordinating the UN action.²⁷ The document suggests that there may have been more than one meeting.²⁸ News reports also indicated that the U.S. pressured the Ukraine to support the resolution.²⁹

The State Department denied these reports vociferously.³⁰ Some officials pointed to an item in the British press suggesting that it was the UK that helped Palestinians to smooth out the language of the draft resolution, which ultimately passed with 14 votes in favor and one abstention.³¹ But as one senior Israeli official separately told me late last month, "we are very confident of our evidence of the [Obama administration] arranging the language of 2334. They coordinated and guided the text."³²

²³ <http://www.un.org/en/sections/un-charter/chapter-vii/>

²⁴ http://news.xinhuanet.com/english/2016-01/24/c_135039075.htm

²⁵ "Palestinians Preparing New Security Council Draft – Report," *The Times of Israel*, December 14, 2016.

(<http://www.timesofisrael.com/palestinians-preparing-new-security-council-draft-report/>)

²⁶ "Israeli PM Netanyahu Accuses Obama of Orchestrating U.N. Vote," *NBC News*, December 25, 2016.

(<http://www.nbcnews.com/nightly-news/video/israeli-pm-netanyahu-accuses-obama-of-orchestrating-u-n-vote-841401411626>)

²⁷ "Transcript Claims to Show U.S. Worked with Palestinians on U.N. Resolution," *The Times of Israel*, December 27, 2016. (<http://www.timesofisrael.com/transcript-claims-to-show-us-worked-with-palestinians-on-un-resolution/>)

²⁸ <https://twitter.com/omnicoren/status/814316579970289665>

²⁹ "Israel: US pressured Ukraine to support anti-settlement resolution," *Times of Israel*, December 28, 2016.

(<http://www.timesofisrael.com/israel-us-pressured-ukraine-to-support-anti-settlement-resolution/>)

³⁰ <https://twitter.com/statedeptspox/status/813879765681709057>

³¹ Patrick Wintour, "U.K.'s Key Role in Brokering UN Resolution on Israeli Settlements Confirmed," *The Guardian*, December 28, 2016. (<https://www.theguardian.com/world/2016/dec/28/uks-key-role-in-brokering-un-resolution-on-israeli-settlements-confirmed>)

³² Interview with senior Israel official in Jerusalem, January 23, 2017.

The possible involvement of the Obama administration in coordinating and guiding the text of Resolution 2334 is troubling on several levels. For one, the White House insisted that it would not do so. But it also would seem to echo reports that FDD received in November from sources in the West Bank that the US and the Palestinian UN delegation coordinated their messages ahead of Palestinian President Mahmoud Abbas' September 22 speech at Turtle Bay.³³ In that speech, Abbas slammed Israeli settlement construction and called for international action.³⁴ Indeed, that speech could be seen as the predicate for Resolution 2334 only three months later.

According to sources in the West Bank, the US may have transferred funds to the PLO embassy in Washington and the UN delegation in New York to help the Palestinians lobby other delegations to either protest or boycott Israeli Prime Minister Benjamin Netanyahu speech at Turtle Bay.³⁵ A Congressional inquiry into possible State Department money transfers to the Palestinians in August or September might be logical now, given that we know President Obama already transferred funds to the Palestinians on at least one other occasion without telling Congress until just hours before he left office.³⁶

The PLO and BDS

Whether or not the Obama administration colluded with the PLO over Resolution 2334, it is clear that the PLO was a driving force. The PLO's goal was to delegitimize Israel, not merely for building in the West Bank, but as a nation-state with a right to exist. As I noted above, Resolution 2334 will almost certainly supercharge the economic warfare campaign known as BDS.

FDD recently concluded research revealing the extensive efforts of the PLO in the Boycott, Divestment and Sanctions (BDS) campaign against Israel.³⁷ Through an Arabic-speaking team that conducted a number of interviews throughout the West Bank, we learned the following

1. *The Palestinian National Fund (PNF) is likely a key source of funding for the BDS movement.* The PNF is the PLO's powerful treasury.³⁸ Headquartered in Amman, it manages the majority of the organization's assets worldwide. It reportedly pays the salaries of the group's members, as well as students, who received tens of millions of dollars in support of BDS activities each year. The PLO has an obvious interest in strengthening the BDS movement, given that the target is Israel.

³³ Conveyed by two Palestinian officials in the West Bank, November 2016.

³⁴ "Full text of PA President Mahmoud Abbas's speech at the UN," Times of Israel, September 22, 2016, <http://www.timesofisrael.com/full-text-of-pa-president-mahmoud-abbas-speech-at-the-un/>

³⁵ Conveyed by Palestinian official in the West Bank, November 2016.

³⁶ https://www.washingtonpost.com/politics/congress/us-sent-221-million-to-palestinians-in-obamas-last-hours/2017/01/23/a8e2cace-e1af-11e6-a419-ee08ef0835_story.html?utm_term=.f40002ca782a

³⁷ This research included dozens of interviews with Palestinian officials and activists in the West Bank, Europe, and the United States between June and December 2016.

³⁸ Doron Peskin, "Abbas and the Mysterious Multi-Billion Dollar Fund," Ynet News, October 19, 2015, <http://www.ynetnews.com/articles/0,7340,L-4713280,00.html>

2. *The PLO mission in Belgium appears to be sponsoring an "operations room" to coordinate the activities of BDS activists in Europe.* The operatives involved in this effort, almost entirely embassy personnel, reportedly receive directives from Ramallah. The "operations room" is believed to be funded through an account at Allied Irish Bank, and could cost the PLO mission as much as one million euro per month to run. FDD is currently working to confirm the names of the individuals reportedly involved in the activities of the "operation room."
3. *The PLO embassy in Washington is said to be actively promoting campus BDS activity in the US.* PLO operatives in Washington, DC are reportedly involved in coordinating the activities of Palestinian students in the U.S. who receive funds from the PLO to engage in BDS activism. This, of course, suggests that the BDS movement is not a grassroots activist movement, but rather one that is heavily influenced by PLO-sponsored persons.

We have received other reports about the PLO's direct involvement in the BDS movement, and they will take some time to assess. I hope to be able to return to share that information.

Recommendations

The Trump Administration recently indicated that it was prepared to significantly reduce US contributions to the United Nations.³⁹ It appears that the UN, in its support of Resolution 2334, has backfired. It has only served to sharpen the focus of Congress and the Administration on the need for UN reform. I fully support that initiative and I provide specific suggestions on the UN below.

There have also been calls from Congress to cut funding to the Palestinian Authority. I support targeted line item cuts, but remain concerned about a full cessation of funds. Indeed, Israeli officials continue to point to security coordination and other activities that make the PA a valuable partner in the region. But I do believe that it is time for Congress to take action against the PLO and its leaders. I provide some suggestions on that, as well.

Finally, I provide a few legislative and bureaucratic suggestions that Congress and the executive branch might consider. I believe these steps could help strengthen the relationship between Israel and the United States after eight years of strain.

Recommendations Regarding the UN

1. Reform the UN 1267 Committee. The UN since 1999 has maintained a terrorism sanctions list. Designations are coordinated on a multilateral basis through the State and Treasury Departments. Currently, the groups designated by the UN 1267 Committee include only al-Qaeda, the Taliban, and the Islamic State.⁴⁰ The Palestinian terrorist faction Hamas and the Lebanese terrorist group Hezbollah are not included. Congress, in coordination with the Trump administration, should initiate the process of adding

³⁹ Max Fisher, "Aiming at Global Funding and Treaties," New York Times, January 25, 2017.

⁴⁰ https://www.nytimes.com/2017/01/25/us/politics/united-nations-trump-administration.html?_r=0

⁴⁰ <https://www.un.org/sc/suborg/en/sanctions/1267>

Hezbollah, Hamas, and other US-designated terror groups to the UN terrorist list. This would ensure the isolation of these groups globally.

2. Reform and Phase Out UNRWA. Founded in December 1949, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (*UNRWA*) is a dedicated UN agency that, instead of resettling Palestinian refugees from the 1948 and 1967 wars, has only served to grow and exacerbate the Palestinian refugee issue. As it stands now, there are likely somewhere between 30,000 to 50,000 original refugees still alive.⁴¹ But UNRWA recognizes the children, grandchildren and great grandchildren of the original estimated 800,000 refugees. The number officially cited by UNRWA now exceeds 5 million.⁴² Meanwhile, as David Horvitz of the *Times of Israel* notes, Jerusalem “has charged that UNRWA employed Hamas members on its vast, 30,000-strong payroll...an allegation that one previous UNRWA commissioner-general seemed to acknowledge.”⁴³ Hamas was also believed to be storing some of its weapons in UNRWA facilities during the 2014 Gaza war.⁴⁴ UNRWA needs to be reformed and ultimately phased out, with the goal of transferring its vital services to the Palestinian Authority. Congress began in this effort during the Obama administration.⁴⁵ It should now work with the Trump administration to this end. The goal should be to address the refugee question in a realistic way.
3. Eradicate the UN Human Rights Council. Formed in 2006, the HRC is perhaps the most Orwellian of all the UN’s component parts. I had an opportunity to attend a session in Geneva in 2015, where I witnessed Iran, Cuba, Venezuela, Syria, Saudi Arabia and other rogue states lambast Israel for alleged human rights violations, while failing to hold one another to account for actual crimes. In March the UNHRC voted in favor of creating a blacklist of companies that do business in the West Bank, Jerusalem, and the Golan Heights.⁴⁶ Congress and the Administration should work together to ensure that this blacklist is scuttled. It should further work together to end the tenure of this grotesque body that undermines US human rights policies and detracts from the overall credibility of the UN.
4. Conduct a review of UNIFIL. The United Nations Interim Force in Lebanon, under the terms of U.N. Security Council Resolution 1701, prompted by the 2006 war, was to be part of the U.N. effort to ensure that Hezbollah did not rearm.⁴⁷ By all accounts,

⁴¹ Arthur Hughes, “Israeli-Palestinian Peace: The Palestinian Refugee Challenge,” *Middle East Institute*, September 5, 2012. (<http://www.mei.edu/content/israeli-palestinian-peace-palestinian-refugee-challenge>)

⁴² <https://www.unrwa.org/palestine-refugees>

⁴³ David Horvitz, “The Trouble With UNRWA,” *Times of Israel*, July 31, 2014, <http://www.timesofisrael.com/the-trouble-with-unrwa/>

⁴⁴ Ilan Ben Zion, “Rockets found in UNRWA school, for third time,” *Times of Israel*, July 30, 2014

<http://www.timesofisrael.com/rockets-found-in-unrwa-school-for-third-time/>

⁴⁵ Jonathan Schanzer, “Status Update,” *Foreign Policy*, May 21, 2012, <http://foreignpolicy.com/2012/05/21/status-update/>

⁴⁶ Peter Beaumont, “UN rights council to vote on list of firms that trade in occupied territories,” *The Guardian*, March 24, 2016, <https://www.theguardian.com/world/2016/mar/24/occupied-territories-un-vote-list-firms-trade-palestinian-israel>

⁴⁷ Claudia Rosett, “Failure of U.N. Peacekeeping in Lebanon,” FDD Policy Brief, January 6, 2014,

<http://www.defenddemocracy.org/media-hit/failure-of-un-peacekeeping-in-lebanon/#shash.JT.RjvoGB.dpuf>

Hezbollah has grown more lethal thanks to an arsenal of some 150,000 rockets furnished by Iran,⁴⁸ and UNIFIL has done nothing to stop it. The administration and Congress should work together to determine whether UNIFIL is worthy of reauthorization. I suspect it is not, unless Washington demands real reform.

Recommendations Regarding the PLO

1. *Investigate the PLO.* Congress has long expressed concern that the PLO is involved in paying the salaries of terrorists in Israeli jails. It has also expressed concern over PLO-sponsored incitement. The PLO is technically the peace negotiating body for the Palestinians, but it has become an impediment to peace. It is a bloated organization that lacks transparency and has consistently stymied diplomacy with Israel rather than accepting compromise. It now appears to be directing BDS activities in Europe and the United States, as well. Congress should investigate the activities of the PLO and might also rethink its diplomatic recognition in Washington, particularly in light of recent direct diplomatic confrontations with the new administration.⁴⁹
2. *Investigate the PNF.* The Palestine National Fund is the main financial body of the PLO.⁵⁰ The PNF receives funding from the Palestinian Authority budget, to which America contributes some 20 percent annually.⁵¹ The PNF has in the past used its funds to “to help families of ‘martyrs,’ and to educate refugees, as well as funding Palestinian media organs.”⁵² Congress should determine whether the U.S. directly or indirectly funds the PNF, and take action accordingly.
3. *Plan for the Departure of Mahmoud Abbas.* While Mahmoud Abbas is often rightly touted as a Palestinian leader committed to nonviolence, this is not the same as being a proponent of peace. As head of the PLO, he has for more than eight years refused to negotiate for peace, and appears to be a proponent of BDS. Now 12 years into a four-year term with no successor in sight, Abbas lacks the legitimacy to lead. As my FDD colleague Grant Rumley notes, now is the time to help Palestinians plan for an orderly transition.⁵³ We need to find new leaders committed to good governance and peaceful coexistence with the Jewish state.

Recommendations for Congress and the Executive Branch

⁴⁸ Avi Issacharoff, “Israel Raises Hezbollah Rocket Estimate to 150,000,” *Times of Israel*, November 12, 2015, <http://www.timesofisrael.com/israel-raises-hezbollah-rocket-estimate-to-150000/>

⁴⁹ Adam Rasgon, “Fatah Official: Palestinian Leadership Should Downgrade US Ties if Embassy is Moved,” *Jerusalem Post*, January 23, 2017. <http://www.jpost.com/Arab-Israeli-Conflict/Fatah-official-to-Pal-leadership-Downgrade-US-ties-if-embassy-is-moved-479352>

⁵⁰ “Palestine Liberation Organization (PLO),” Embassy of the State of Palestine in Malaysia, (www.palestineembassy.org/plo.html)

⁵¹ “PA 2013 Draft Budget Excludes Fuel Revenues,” Ma’an News Agency, April 6, 2013. (www.maannews.net/eng/ViewDetails.aspx?ID=576647)

⁵² “Jaweed al-Ghussein: PLO Treasurer Kidnapped by Arafat,” *The Independent*, August 27, 2008. (www.independent.co.uk/news/obituaries/jaweed-alghussein-plo-treasurer-kidnapped-by-arafat-909610.html)

⁵³ Grant Rumley, *The Race to Replace Mahmoud Abbas: Understanding and Shaping Palestinian Succession*, FDD Press, September 2015.

(http://www.defenddemocracy.org/content/uploads/publications/Rumley_Understanding_Palestinian_Succession.pdf)

1. *Include Israel in new U.S. trade deals.* The Trump administration is walking away from trade agreements negotiated under the Obama administration. This provides a new opportunity to engage foreign governments to influence their positions on trade with Israel. The BDS campaign has influenced foreign governments to boycott companies that do business with Israel or sell Israeli products.⁵⁴ Some European governments bankroll NGOs engaged in BDS activities.⁵⁵ The U.S. can convince these countries to cease this behavior as part of a renegotiated deal. Indeed, the 114th Congress already passed legislation that would make combating BDS a major trade negotiation objective.⁵⁶ This policy should be extended to future trade deals negotiated by the U.S. Trade Representative
2. *Update the Export Administration Act.* Congress should consider changes to the anti-boycott provisions of the Export Administration Act to stymie BDS. The anti-boycott provisions of the EAA, as written, were designed to combat the Arab League boycott and impose penalties on countries that engage in the practice.⁵⁷ U.S. law should be updated to target non-governmental entities that engage in BDS. From there, the Office of Anti-boycott Compliance (OAC) at the U.S. Department of Commerce should be empowered to not only deter boycotts against Israel, but also to fend off economic warfare campaigns against the United States and any of its allies. Congress should ensure that the OAC has the staffing and resources to meet these challenges head-on.
3. *Update the Export Administration Regulations.* Despite our flourishing bilateral ties, Israel is still restricted from purchasing defense products and working with U.S. defense contractors in many areas that could be mutually beneficial. Congress should promote Israel, through the Strategic Trade Authorization, from tier 2 to tier 1, which would put Israel on par with other tier 1 countries such as Canada, the UK, Japan, and France, as opposed to tier 2 countries like Albania and South Africa.⁵⁸ Updating the Export Administration Regulations would ensure that Israel is able to procure key military components in a timely manner during periods of conflict. In other words, Israel's Qualitative Military Edge and strategic cooperation with the US would be enhanced.

Madam Chairman, Mr. Chairman, there are many issues that I did not address in this testimony. If I have missed anything you wish to discuss, I am happy to answer your questions.

On behalf of the Foundation for Defense of Democracies, I thank you again for inviting me to testify.

⁵⁴ <http://www.ngo-monitor.org/nna/wp-content/uploads/2016/04/BDS-English.pdf>

⁵⁵ <http://www.ngo-monitor.org/reports/eu-funding-ngos-active-anti-israel-bds-campaigns/>

⁵⁶ https://www.washingtonpost.com/news/voikoh-conspiracy/wp/2016/02/25/obama-signs-israel-anti-boycott-provisions-into-law-settlements-and-all/?utm_term=.9f221e5f731a

⁵⁷ <https://www.bis.doc.gov/index.php/enforcement/oac>

⁵⁸ <https://www.bis.doc.gov/index.php/forms-documents/compliance-training/export-administration-regulations-training/596-license-exception-sla/file>

Ms. ROS-LEHTINEN. Thank you, sir.
And now Mr. Wexler.

STATEMENT OF THE HONORABLE ROBERT WEXLER, PRESIDENT, S. DANIEL ABRAHAM CENTER FOR MIDDLE EAST PEACE

Mr. WEXLER. Thank you Madam Chairman for your 27 years of service to Florida and to the nation. Thank you, Chairman Smith, Ranking Members Deutch and Bass, members of the subcommittee.

It is undeniable that the United Nations has demonstrated a systematic obsession with unjust criticism of Israel and an institutional anti-Israel bias for decades. During its 2015-16 session, the U.N. General Assembly passed 20 resolutions targeting Israel, more than all other countries combined.

The damaging legacy of GA Resolution 3379, Zionism is Racism, passed in 1975 and rescinded in 1991, is a network of well-funded U.N. structures committed to the delegitimization of Israel and boycott, divestment and sanction efforts.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People is the U.N. structure most responsible for the political, economic and diplomatic assault against Israel. Also, standing Item 7 of the Human Rights Council irrationally discriminates against Israel and is a poorly disguised mechanism to discredit the Jewish State. The historically unfounded collective efforts of UNRWA and UNESCO denying the Jewish character of Israel, contribute to Palestinian obstinance and encourage their unrealistic demand for a full right of return.

Congress and the administration should work with Secretary General Guterres, who just this week clearly documented the Jewish connection to the land of Israel, to dismantle the anti-Israel U.N. infrastructure and repeal Item 7 or lead boycotts against it. Defunding UNRWA would be counterproductive because Israel and Jordan would bear the additional burden.

For the benefit of Israel, Palestinians and U.N. credibility, Congress should exercise its leverage to reform the problematic U.N. infrastructure, reflecting a renewed international commitment to a negotiated two-state outcome focused on building Palestinian institutions and economic growth.

Any successful strategy must take into account promising regional developments. Prime Minister Netanyahu has long maintained that the Israeli-Palestinian conflict results from competing historical narratives. Israeli Defense Minister Lieberman advocates for a regional approach to peace making. Both men are correct and the positive responses of the Sunni-Arab States to former Secretary of State Kerry's final address on Middle East peace demonstrate the new regional dynamic. Paramount among Kerry's six principles was the vision of GA Resolution 181 calling for the establishment of two states for two peoples, one Jewish, one Arab, with mutual recognition and equal rights for all citizens.

The positive reaction to the principle of two states for two peoples by Saudi Arabia, the United Arab Emirates, Bahrain, Egypt, Jordan, Qatar and Turkey, among others, opens the door to the reconciliation of the competing historical narratives that Prime Minister Netanyahu speaks of.

I just visited Russian Deputy Foreign Minister Mikhail Bogdanov and others in Moscow. We share certain common objectives with Russia on the Israeli-Palestinian issue, as we do our European allies. In fact, if reformed, the U.N. committees and Middle East Quartet can be instrumental in helping the Israelis and Palestinians forge an international consensus based on a regional strategy that ends the conflict; guarantees a Jewish majority, democratic State of Israel that is secure; and implements the right of self-determination of the Palestinian people in their own state. By genuinely promoting a negotiated two-state outcome, the U.N. would further isolate Iran and Israel's enemies that reject Israel's right to exist.

The Obama administration's recent abstention on Resolution 2334 was, in my view, a clumsy attempt to restate America's long-standing bipartisan policy of opposing unilateral steps by any party, including settlement building east of the 1967 lines. Please, though, we should not practice selective memory. Every U.S. administration since 1967 has, at times, abstained from or cast votes critical of Israeli policy at the U.N.: President Johnson 7 votes; Nixon 15; Ford 2; Carter 14; Reagan 21; H. W. Bush 9; Clinton 3; W. Bush 6; Obama 1.

The biggest problem with the resolution is that it failed to distinguish between those settlements that are adjacent to the 1967 lines and are consistent with the negotiated two-state outcome and those settlements that are outlying and, therefore, undermine a two-state solution.

President Trump recently referred to the Israeli-Palestinian conflict as the ultimate deal. His characterization is correct. Without a resolution, however, the Zionist dream is endangered and Israel will likely end up a binational state, half Jewish, half Arab. Don't let that happen on our watch.

One final thought, Madam Chairman. As President Trump rightfully formulates a tough response to Iran's latest provocation, he is likely to implement his strategy through the U.N. Security Council. Now is not the time to undermine President Trump's legitimate efforts at the U.N.

Thank you.

[The prepared statement of Mr. Wexler follows:]

Testimony
The Honorable Robert Wexler
President, S. Daniel Abraham Center for Middle East Peace

U.S. House Committee on Foreign Affairs
Subcommittee on Middle East and North Africa
Subcommittee on Africa, Global Health, Global Human Rights, and
International Organizations

Israel, the Palestinians, and the United Nations: Challenges for the
New Administration

February 2, 2017

Chairs Ros-Lehtinen and Smith, Ranking Members Deutch and Bass, Members of the
Subcommittees.

It is undeniable that the United Nations has demonstrated a systematic obsession with
unjust criticism of Israel and an institutional anti-Israel bias for decades.

During its 2015-16 session, the UN General Assembly passed 20 resolutions targeting
Israel—more than all other countries combined.

The damaging legacy of GA Resolution 3379, Zionism is Racism—passed in 1975 and
rescinded in 1991—is a network of well-funded UN structures committed to the
delegitimization of Israel and boycott, divestment and sanction efforts.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People is the UN
structure most responsible for the political, economic and diplomatic assault against Israel.
Also, standing Item 7 of the Human Rights Council irrationally discriminates against Israel
and is a poorly disguised mechanism to discredit the Jewish state. The historically
unfounded collective efforts of UNRWA and UNESCO denying the Jewish character of Israel
contribute to Palestinian obstinance and encourage their unrealistic demand for a full right
of return.

Congress and the administration should work with Secretary General Guterres—who is
sensitive to our concerns—to dismantle the anti-Israel UN infrastructure and repeal Item 7
or lead boycotts against it. Defunding UNRWA would be counterproductive because Israel
and Jordan would bear the additional burden.

For the benefit of Israel, Palestinians and credibility of the UN, Congress should exercise its
leverage to reform the problematic UN infrastructure reflecting a renewed international
commitment to a negotiated two-state outcome focused on building Palestinian institutions
and economic growth.

Any successful strategy must take into account promising regional developments. Prime Minister Netanyahu has long maintained that the Israeli-Palestinian conflict results from competing historical narratives. Israeli Defense Minister Liberman advocates for a regional approach to peace making. Both men are correct and the positive responses of the Sunni-Arab states to former Secretary of State Kerry's final address on Middle East peace demonstrate the new regional dynamic. Paramount among Kerry's six principles was the vision of GA Resolution 181 calling for the establishment of two states for two peoples—one Jewish, one Arab—with mutual recognition and equal rights for all citizens.

The positive reaction to the principle of "two states for two peoples" by Saudi Arabia, the United Arab Emirates, Bahrain, Egypt, Jordan, Qatar and Turkey, among others, opens the door to reconciliation of the competing historical narratives that Prime Minister Netanyahu speaks of.

I just visited Russian Deputy Foreign Minister Mikhail Bogdanov and others in Moscow. We share certain common objectives with Russia on the Israeli-Palestinian issue, as we do our European allies. In fact, if reformed, the UN committees and Middle East Quartet can be instrumental in helping the Israelis and Palestinians forge an international consensus based on a regional strategy that ends the conflict; guarantees a Jewish majority, democratic State of Israel that is secure; and implements the right of self-determination of the Palestinian people in their own state. By genuinely promoting a negotiated two-state outcome, the UN would isolate Iran and Israel's enemies that reject Israel's right to exist.

The Obama administration's recent abstention on Resolution 2334 was, in my view, a clumsy attempt to restate America's long standing bipartisan policy of opposing unilateral steps by any party, including settlement building east of the 1967 lines. Please, though, we should not practice selective memory. Every US administration since 1967 has, at times, abstained from or cast votes critical of Israeli policy at the UN: President Johnson 7 votes; Nixon 15; Ford 2; Carter 14; Reagan 21; H. W. Bush 9; Clinton 3; W. Bush 6; Obama 1.

President Trump recently referred to the Israeli-Palestinian conflict as the "ultimate deal". His characterization is correct. Without a resolution, however, the Zionist dream is endangered and Israel will likely end up a binational state—half Jewish, half Arab. Don't let that happen on our watch.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Wexler. And as I said, I am just so thrilled with all of our new members. So I will switch times and spots on the speaking and question and answer period with Ms. Wagner. So, I will turn to her first.

Ms. WAGNER. Thank you, Madam Chairman for the indulgence. And I thank you all for joining us today.

As a representative of the Second District of Missouri, I am proud of the many refugees we have welcomed in from across our world. One example in my district are the many wonderful Bosnian refugees who have learned English, started small businesses and integrated into the St. Louis region. Many of these men and women and their children and grandchildren have become true leaders in our community. However, it is well understood that the descendants of these refugees, albeit having unique experiences and histories, are American citizens, not refugees. The U.N. would agree. The United Nations Relief and Works Agency for Palestine Refugees in the Near East would inexplicably not agree.

Moreover, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, UNRWA, has exacerbated extremism in the region by conducting parliamentary training in UNRWA schools, hiring employees affiliated with Hamas in defiance of U.N. and U.S. rule, and enabling weapons to be stored in UNRWA facilities.

Mr. Schanzer, in your opinion, does United Nations Relief and Work Agency for Palestine Refugees in the Near East serve purposes that the Palestinian Authority, the U.N. High Commissioner for Refugees, and other U.N. offices could not serve?

Mr. SCHANZER. Thank you, Congresswoman Wagner. Look, it is a terrific question and I think one that we have been struggling with for quite some time. UNRWA is the only agency that is dedicated to a specific refugee population. Every other one is handled through the High Commission on Refugees. And so it makes very little sense that UNRWA would continue to exist with this one purpose.

I see no reason why the High Commission couldn't handle the same refugee problem. And this is, in effect, what I would recommend, that over time we want to phase this out.

There is, I think, one caveat and that is that there are destitute Palestinians that rely on this assistance and then if you took that assistance away, then you could see pandemonium break loose within the West Bank, the Gaza Strip, and perhaps other Palestinian refugee camps. So you want to make sure that the services continue but that the political aspects of UNRWA are removed and that ultimately the treatment of refugees themselves, currently numbered somewhere between \$30,000 to \$50,000 by best estimates—

Ms. WAGNER. The political aspects, along with a number of these conducts.

Mr. SCHANZER. Oh, absolutely. I mean obviously, in terms of its working with Hamas. Now, of course if you are going to work in the Gaza Strip, you probably can't help but to work with Hamas. But storing weapons underneath facilities is something that cannot go unaddressed.

Ms. WAGNER. Thank you.

Mr. Neuer, can you please discuss how the United States should condition its funding to ensure that U.S. dollars are not contributing to an agency that is exacerbating tensions in the region and undermining Israel-Palestine prospects for peace?

Mr. NEUER. I think you are touching on a very important point. There is no question that the United Nations, at this moment, is deeply concerned about its funding and is very attentive to the concerns of its donor states, the foremost for UNRWA, which is the United States.

I think the first thing that the United States needs to do is to demand accountability in a serious way and I am not sure in the past 2 years when we issued comparable reports to the one that we released today, I am not sure that we saw the U.S. demanding real accountability. We did not see any public statements from Ambassador Samantha Power, regrettably, criticizing UNRWA. On the contrary, there were public statements that always praised UNRWA.

So I think the first thing we need to see is to test accountability by making serious demands. That is why this morning we have written to Secretary of State Rex Tillerson and to Ambassador Nikki Haley to urge them to demand from the U.N. Secretary-General and from UNRWA that they clearly condemn incitement to terrorism and anti-Semitism, which is rampant in the organization.

Ms. WAGNER. Thank you, Mr. Neuer. And also if you could briefly here in my limited time discuss options for institutional reform that would ensure the UNRWA is not a vehicle for Palestinian resentment and actions against Israel.

Mr. NEUER. Well, I think one of the problems—

Ms. WAGNER. And perhaps you are on the road to that right now with the letters that you have currently.

Mr. NEUER. Thank you, yes. Well, I think one of the problems is that when one releases information like this, the response of some UNRWA donors is to say well, we have deleted the Facebook page and the problem is solved.

Well the core problem of UNRWA, as I mention in my written remarks, is the narrative of UNRWA, which really undermines the existence of the State of Israel with the 5 million so-called refugees.

But beyond that, the fact that there are teachers, at least 20 teachers today who post pictures of Hitler and celebrate terrorist attacks, the problem isn't that they have a Facebook post. The problem is why are pro-Hitler teachers—

Ms. WAGNER. Allowed.

Mr. NEUER [continuing]. Standing before students.

Ms. WAGNER. Absolutely.

Mr. NEUER. That is what we need to see.

Ms. WAGNER. Thank you. I appreciate the indulgence of your time.

I yield back.

Ms. ROS-LEHTINEN. Thank you very much, Ms. Wagner. Excellent questions.

And now I will turn to my co-chair, Mr. Deutch.

Mr. DEUTCH. All right. Thank you, Madam Chairman.

Congressman Wexler, let me just start by saying that you served your constituents well. I do not wish that you were here, at least

not serving in the seat that you held so admirably for so many years, but I do want to ask you a couple of questions.

I guess the first question is what should the United States do to ensure that the two-state solution, which is, ultimately, the goal, certainly the stated goal of the Israeli Prime Minister—what should the U.S. to ensure that a two-state solution remains viable?

Mr. WEXLER. Thank you. There are a number of things that we can do and there a number of things we should not do. First off, we should not impose solutions. That is not the role of the United States in terms of a friend and an ally. Israel is a democratic state and it should protect her own interests. But what we can do, number one, is recognize that there are two sides to this equation or even more than that. There are Israeli responsibilities, there are Palestinian responsibilities and there are responsibilities of the larger Arab world. We need to encourage a dynamic that promotes a legitimate discussion, negotiation between the Israelis and the Palestinians. To the point of this hearing, specifically, and the criticism that has been voiced of the resolution before the United Nations, much of which I agree with.

But let's be candid about it. Yes, the terminology of the resolution has its tremendous flaws, as was pointed out, but there were certain actions taken by both the Palestinians, which should be condemned, but also the most recent Israeli Government, which set in motion a set of circumstances that were far more dire than an Israeli Government had done before.

For instance, just this week the Israeli Knesset is considering a legalization bill that will set in process a troubling trend of outlying settlements being legalized, contrary to Israeli law and international law.

Ironically, compared to our own situation this week, the Attorney General of Israel appointed by Prime Minister Netanyahu has concluded that he will not enforce the legalization bill that is likely to be passed by the Knesset because it violates Israeli law and international law. This was the dynamic in which President Obama made the decision that he made. Now, I am not justifying the decision but if we want to at least analyze it from a full perspective, understand there are two sides.

But to the question of settlements, if I may, what we should encourage the Israeli Government to do. Congressman Chabot referenced that he and I went to the Hague to argue on behalf of Israel's right to build the security fence and, thankfully they did, in response to the Intifada, the last terrible Intifada that occurred.

Well, now you have an Israeli-created border in effect. Inside that border, in my humble opinion, President Trump should say to Israel go ahead, build what you want because those settlements, by and large, are consistent with a negotiated two-state outcome. But outside of that wall Israel created, don't build. The announcements this week that Israel created, most of it was within the wall but a lot of it was outside of it. Don't do that.

And what Israel should also say to the world, not withdraw its forces from the West Bank and create a security vacuum but what it should announce to the world and its people is that they don't have any sovereignty claims beyond the security fence that they built for their own defense. If they do that, their degree of moral

credibility and the degree of credibility they would have in terms of the totality of their policies would enhance their friends here in Washington. And the last thing that we should do is get out of the U.N. or reduce our role or reduce our funding because that will dramatically impact Israel in a negative way.

Mr. DEUTCH. Thank you.

Dr. Schanzer, I don't have a lot of time left but you had suggested that the United States helped the PLO transfer funds to promote Abbas' policies to help him lobby. I am not sure that I understand what that means.

Were these taxpayer dollars? What are you suggesting happened here?

Mr. SCHANZER. Congressman Deutch, thank you for the question. We received two reports from the West Bank earlier this year, right around Abbas' speech on September 22nd, that funds may have been transferred to PLO Institutions ahead of this. What they were used for is entirely unclear. The implication was is that it somehow served to benefit the PLO.

I have these two reports. I have got nothing that I have seen beyond that. It hasn't appeared in Arabic, Hebrew, or English, other than these two reports coming from the West Bank.

I raise it because of course we now know of the transfer of funds that happened at the 11th hour of the Obama administration, as the President was on his way out. It certainly struck me as curious, to say the least.

Mr. DEUTCH. Well, I am out of time. But just on that one, there is some—I hope that others will ask because I am still not sure. There were two reports that were some transfers of some money. It is a rather explosive charge you are making and so I hope we will have a chance to talk more about that.

And with respect to the \$220 million, I hope we can benefit from the insight of our witnesses but it is my understanding that it was the result of a 2014 policy change that those dollars don't go to the PA, that they go toward paying Israeli creditors for electricity and medical services and humanitarian programs. And there has been a lot of focus on that \$220 million and I hope over the balance of this hearing we will have the chance to understand whether that was a payment that went in the dark of night into a PA slush fund, which some have suggested, or whether it was money that pursuant policy changes during the last administration went to Israeli creditors and humanitarian organizations. I just hope we will be able to get into that.

Thank you, ma'am.

Ms. ROS-LEHTINEN. Thank you, Mr. Deutch.

And now we will turn to the chairman of the Africa Subcommittee and all of those other titles, Mr. Smith.

Mr. SMITH. Thank you so much, Madam Chair.

Thank you all for your great testimonies. It was very enlightening and very powerful.

On the Human Rights Council, in the 1980s I joined Armando Valladares, who spent 14 years in Castro's gulags, was tortured—I have read his book twice, "Against All Hope." It was an amazing chronicling of what Cuban gulags were all about.

Well, Reagan named him, as you will recall, our Ambassador to the Human Rights Commission. He did a magnificent job. I was with him for the better part of a week in Geneva. And he, alone, persuaded people with a lot of backing of the Reagan administration to do a resolution on Cuba. U.N. investigators went to the prisons, interviewed, with an ironclad promise that nobody would be retaliated against, including their family members. When they left, everybody was retaliated against: Longer prison sentences, more torture, and their family members were harassed and worse.

The Commission backed off, defaulted right back to agenda item number 8 and continued its singular focus on Israel. A decade ago, we were all hopeful that U.N. reform council standing up. And I was in Geneva and in New York on many occasions arguing for a credible U.N. Human Rights Council. And unfortunately, that has evaporated and we now have agenda item 7, which is a distinction with very little difference to agenda item 8.

And as you pointed out Mr. Neuer, and I joined you, and I was working hard, got nowhere—the fact that China, Cuba, and Saudi Arabia are back on as members in good standing on what should be an organization walking point on human rights, absolutely undermines the credibility of the Council.

And again, when they, as Sharansky said, apply the double standards the demonization, and delegitimization of Israel so systematically, it is time for real reform. And my hope is that that will be something that is forthcoming.

Because right now the U.N. Human Rights Council lacks credibility. Everyone should know it. As I said before, I chaired the Congressional-Executive Commission on China. I was in China last year, raising human rights. Xi Jinping, like Hu Jintao before him, is in a race to the bottom with North Korea on human rights and nary an ill word is said against China.

Secondly, Resolution 2334 calls upon states to distinguish between the territory of the State of Israel and occupied territories. To me, this is ripped directly from the playbook of the boycott, divestment, and sanctions movement that seeks to isolate Israel and undermine the vitality of its economy. This hateful campaign has a common cause with anti-Semitism forces and seeks to delegitimize Israel. It is focused in particular on undercutting the legitimacy of all Israeli settlements, including the vast majority salvaged by private initiatives and in compliance with Israeli law.

My question to the panel—Mr. Neuer, you might want to start. We may run out of time. What are the ideological underpinnings of the BDS movement and has this new resolution further harmed efforts to combat that anti-Semitism movement?

Mr. NEUER. Thank you, Chairman Smith. I just do need to note that you mentioned Cuba, which has been ignored by the council and, instead is now one of its judges. I am happy to announce that the Cuban Human Rights hero, Danilo Maldonado, the artist El Sexto, who has just been released from prison thanks to your efforts, will be coming in a few weeks to our Geneva Summit for Human Rights and Democracy. We are thrilled about that, as will another dozen human rights heroes from China, Russia, Iran, Turkey, North Korea, Venezuela. Many of the countries that sit on the

Human Rights Council that have immunity there, we will be bringing their victims to testify inside the U.N.

In regard to your question about the boycott efforts, I fear that Resolution 2334 gives currency and urgency to existing efforts at the International Criminal Court to continue with its preliminary examination of so-called Israeli war crimes and that will also encourage the so-called blacklist, the database that the Human Rights Council has ordered against companies doing business with Israeli Jewish communities over the green line. I think there is reason to believe that the resolution encourages all of those dangerous efforts.

Thank you.

Mr. WEXLER. If this new administration and this Congress were to identify one red line so it is clear to the U.N. in terms of where America will not go beyond, I would make it any policy that the U.N. advances that encourages and assists BDS movements will jeopardize its standing with the United States. Make it as clear as day.

And with that, I think you will find you will get not just Republican support, quite frankly, you will get bipartisan support because the BDS movement, at its core, is anti-Semitic, as you rightfully point out. But it should be coupled respectfully with efforts that are not just punitive but positive, that are aiming toward a negotiated two-state outcome.

For instance, on refugees and UNRWA. Don't just cancel UNRWA's money. Don't just threaten UNRWA, even though they deserve it. Why don't we try a strategy that transfers, particularly in Area A, where the Palestinians control everything, in theory, except for the ultimate security, where the Palestinians control the area, where there are refugee camps that are controlled and implemented by UNRWA, begin to transfer them over to the Palestinian Authority not as a penalty. Transfer the money to the Palestinian Authority but for the purpose of building Palestinian institutions so that Palestinian institutions learn to take care of their own people and, at the same time, it begins to end this disastrous ideology that the Palestinians have that they are all going to return to the State of Israel some day and have the whole lot of the land. That is not going to happen.

So I would argue put out the red lines but also, consistent with American policy, provide the incentive for behavior that advances a negotiated two-state outcome and responsible Palestinian Authority behavior governing its own people.

Mr. SMITH. I would ask you to consent to two submissions be made a part of the record.

Ms. ROS-LEHTINEN. Without objection, we shall. Thank you.

And now I will turn to Ms. Bass, the ranking member.

Ms. BASS. Thank you. I wanted to ask a question related to the U.S. engagement at the U.N. to Representative Wexler.

The New York Times reported last week that the Trump administration was preparing an executive order to condition U.S. funding to multilateral organizations and for treaty implementation if it didn't meet certain criteria. So this would include those organizations that give full membership to the PA or the PLO or any activity that circumvents sanctions against Iran and North Korea. Since

then, the administration seems to have walked back the executive order. So I wanted to ask you what you think the risk and opportunities to conditioning funding like this. And can you provide examples of ways that conditions on funding might have worked in the past?

Mr. WEXLER. I can provide examples where we had unintended consequences where we withdrawal or limited funding, particularly on the context of the Israeli-Palestinian situation. It wasn't too long ago that the Palestinian Prime Minister, Prime Minister Fayyad, who I think all of us would agree, in the context of Palestinian politics, was the most pro-American, most transparent, most pro-peace Palestinian official that we have had. And what happened was there was a whole host of problems in the Palestinian sector and we withdrew and limited funding to the Palestinian Authority at a certain section of time.

And what was the result? The result wasn't that Hamas was curtailed in its activity. The result wasn't that the violent ones within the PA were somehow marginalized. The result was there was an economic crisis in the West Bank and Fayyad paid the price. And Fayyad, the one guy who we really could count on for being transparent and playing by Western rules was marginalized and thrown out.

The Trump administration was wise to bring back its language but that doesn't mean that it shouldn't employ very surgical, tactical maneuvers that condition our participation. That is fine but threatening over and over and away without providing a positive incentive has shown, in the past, not to work.

Ms. BASS. As part of the assessed contributions to the U.N. regular budget, the U.S. contributes up to 22 percent. And kind of going along the same vein, do you think it is feasible for the U.S. to lower the requirement without compromising the U.N.'s ability to execute operations that are of paramount interest to U.S. security?

Mr. WEXLER. I think we should work with the new Secretary-General to make the overall U.N. budgets far more efficient, which he has already done in his previous role, where my understanding is U.N. peacekeeping operations have become significantly more efficient in terms of the costs that are expended per peacekeeper. He has diminished costs of employment. He has even, my understanding is, moved big sectors of employment from high rent districts to lesser rent districts in different countries to reduce the overall costs. There are salary measures that can be taken. But I think this broad brush, America is going to reduce its percentage, is an excuse for some of our allies but even more importantly, those that don't necessarily see the world as America does to reduce their expenditures. The great secret about the U.N. is, yes, we pay a disproportionate share—

Ms. BASS. Actually, before my time runs out I wanted to ask you a question. You ended by putting our abstention in its historical context with other administrations that have abstained before, so I wanted to know your opinion of what was so different about this time. Because it was really built as though it was almost the first time the U.S. had ever even done that.

Mr. WEXLER. Well, what was different, in fact, was that President Obama, for 7 years and 10 months, had stood by Israel in a way that no other President ever had. Great Presidents, in terms of Israel, that are absolutely pro-Israel Presidents, President Reagan, President George W. Bush, pro-Israel Presidents, didn't vote with Israel on several occasions. President Reagan condemned Israel's attack on the Iraqi nuclear facility. Thank goodness the Israelis did that. But was there an effort in this Congress, respectfully at the time, to defund the U.N. because President Reagan condemned the Israeli attack on the Iraqi nuclear facility? No. So, this does need to be put in a historical context but, more importantly, in terms of the immediate context.

And again, I don't agree with the resolution and its language. It is counterproductive. And the Palestinians should be condemned and cajoled for using an international approach that won't get them the Palestinian State they deserve.

But there is also behavior on the Israel side that is not helpful. And the Israeli behavior with respect to settlements now, and the Israeli Government's Labor Likud, they have done settlements. But in the last several weeks, they have done it with an aggressiveness that we have not seen before and that is not in their interests or ours.

Ms. ROS-LEHTINEN. Thank you, Ms. Bass.

Mr. Kinzinger of Illinois.

Mr. KINZINGER. Thank you Madam Chair.

Just generally, again, I touched on it in the opening statement, but to talk about the broader U.N. issue. I think it is important to note that money can and should be used as leverage to reform, when it is necessary. We talk a lot about our involvement and I think that is important to note and we obviously have a disproportionate amount of money. And I think in that process, by the way, in having a disproportionate amount we put in, we also do have a disproportionate amount of influence in the organization, too, which I think is something to keep in mind.

But I think when there is this talk—and we have heard this in different circles for as long as I have paid attention to politics about leaving the United Nations or shutting it down or kicking it out of New York City or whatever—I think it makes good domestic politics in some areas but I think it is very bad international politics.

So domestically, sometimes, it may be tough to go home and defend why the United Nations can play an important role, when it comes to international politics I think it is important to defend that.

Now as I mentioned earlier, when you have a genocide in Syria, when you have Russian behavior reigniting a war, in essence, in Eastern Ukraine, annexing Crimea, you have China, you have terrorism, and this is the effort that the U.N. spends their time on, you can see why people get very upset.

So now is the time where the United States can use its leverage to enact change and enact reform. It is not going to look exactly like we want it to because this is a world organization, not an American organization, but I think it is important to understand

the good things that the U.N. can do and not throw the baby out with the bath water.

So I think we have an amazing opportunity in this process and I hope we seize it.

Mr. Hook, I have a question for you. This year the U.N. Human Rights Council used one of its sessions to condemn Israel five times for human rights violations but only condemned countries like Syria once. President Obama and Ambassador Rice mistakenly believed our involvement in the council would make it a more effective forum to promote and protect human rights. Given that nothing has changed since then, how can the United States effectively cut its ties from this biased one-sided forum or how can we work from within the U.N. to ensure that any human rights forum actually does what it is supposed to do and condemns human rights violations instead of democracies?

Mr. HOOK. Thanks, Congressman, for your question.

I think it is much better to exercise thought leadership and present a vision of what a functioning human rights body looks like and to hold the U.N. to that until it meets it. And when we participate as a formal member in the Human Rights Council, I understand that it can, at the margins, make a difference. But when this council passes 67 resolutions against Israel since 2006, and we are a member of it, we are part of it. Even when we vote against it, we are still part of it. We own some of that outcome.

I think it would be much better for us to present a resolution in the General Assembly and to just set forth the reforms on membership criteria and other structural and membership criteria that are going to lead to a body that is worthy of its name. I think that is just the general approach.

I think we should withdraw from the council. I think we should define what we think success looks like and work toward it until we have enough people supporting us.

Mr. KINZINGER. Mr. Schanzer, I hope I said your name right. Close enough. President Abbas is in his 12th year of his term, obviously, not getting any younger. I believe he is better than the alternative, but I remain troubled by some of the doublespeak statements and incitement of violence. I think he has significantly hurt his credibility to make peace with Israel. Nevertheless, we don't seem to have an idea of what comes after. What do you think we can expect after Abbas?

Mr. SCHANZER. Thank you for the question. One of my colleagues, Grant Rumley at FDD recently concluded a report on succession and we have a real crisis brewing. Mahmoud Abbas, again, he has been nonviolent. He stopped the Intifada back in 2005 and brought a certain amount of order to the streets of the West Bank but, at the same time, he has ensured that the younger next generation leadership has not been able to challenge him in any way. There are no elections to take place in the West Bank, at least at that level. Municipal elections can be held. But we have a real problem. There is a crisis brewing.

Now, he has some challengers from the outside, Mohammad Dahlan, for example, who is in exile right now, has been trying to challenge his rule. My sense is that we are likely to see kind of a conclave of the PLO when it is time for Mahmoud Abbas to go and

they will select someone from amidst that very small inner circle. The problem is that this will likely not reflect the popular sentiment. The people will want to be able to weigh in on their leadership. And the fact that we don't have a robust debate, or robust political system, I think it foretells a conflict that could be coming, a domestic conflict sort of like what we have seen with the Arab Spring.

So one of the things that I have been saying before this committee for several years now and I continue to write about it is that we need to begin to have an earnest discussion about setting up next level leadership within the PLO if we want to have someone who continues to work with the Israelis who can ensure a certain amount of dialogue.

Mr. KINZINGER. Okay. And I thank you all for being here.

Just to wrap up, I will quickly say I would encourage everybody—in my prior life on Foreign Affairs I remember I visited Liberia. And you see the role that the U.N. can play in an area like that. Again, nobody else really has the capacity to do it in leveraging countries that don't have the capacity to do it on their own, I think that is important to note, too.

With that, I will yield back.

Mr. SMITH [presiding]. Thank you, Mr. Kinzinger.

I would like to recognize the gentleman from Rhode Island, Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chairman. I thank you again to our witnesses.

I am wondering whether the panel has an assessment of what you think the likely leadership of the new U.N. Secretary-General Guterres will be. He has made some comments regarding the Jewish connection to Jerusalem and the need for the U.N. to stay out of Israeli-Palestinian negotiations. And I am wondering whether you believe the Secretary-General will help remove some of the anti-Israeli bias at the U.N. Some of his language seems to suggest that.

Mr. SCHANZER. I think it is obviously early on in the tenure to make that determination. I think that certainly some of the comments that we have heard from the United States about willing to cut funds to the U.N. or to reform the U.N. I think they are being heard.

And so while I think some of domestic discussion might seem a bit bombastic, it is resonating in Turtle Bay. it is resonating in Geneva. And I think that is important.

And I think this gets to the broader point that right now we have a certain amount of leverage. We contribute roughly a quarter of or a fifth of the U.N. budget. They know that we are not happy. They know there is an administration who is looking at this right now. This is the opportunity from my perspective to put the U.N. on a performance enhancement plan. In other words, to lay out over the course of 1 year or 2 years what sorts of reforms we would like to see and what the consequences might be if those reforms are not met.

And so this, I think, is the goal. I think we have actually started it without even having done it formally.

Mr. CICILLINE. Mr. Wexler?

Mr. WEXLER. This is an incredibly important point and I thank you for raising it. We have a new Secretary-General who yes, it is early, but he has got a record and his record is of a reformer, a structural reformer. That is why we supported him to be Secretary-General. He reduced costs, he did the kinds of things with salaries, he did the kinds of things with peacekeeping missions that we wanted him to do, that the Western Nations wanted him to do to make the place run more efficiently. Now it is time to take it to the next step, implement some of the reforms that have been identified today.

But the worst thing we could do is handcuff a new Secretary-General by threatening to reduce our funding and, quite frankly, completely handcuff our new Ambassador to the U.N. Let her make a determination on the best way to maneuver through these problems to adopt the reforms we want.

Mr. CICILLINE. And actually with respect to that one, when the Palestinians were granted membership to UNESCO, Congress responded by cutting off U.S. funding to UNESCO.

Mr. Wexler, does this kind of response discourage the Palestinians from seeking memberships in international organizations? And on the other hand, is there any evidence that it has encouraged any U.N. bodies or members to alter their positions or behave differently vis-a-vis Israel?

Mr. WEXLER. Correct me if I am wrong. My understanding is that it is American law that if these agencies admit the Palestinian Authority before the Palestinians received the State, that funding will be—American funding is taken away.

Mr. CICILLINE. Yes, my question is is that useful? Does it change behavior?

Mr. WEXLER. I think it is a close call. It is a justified American position in my humble opinion, a justified law but as it plays out, at times, it is a bit insane.

I actually was on Jon Stewart's show about this issue some time ago and they did a whole skit on how American money was taken away from these organizations. And the bottom line was we were taking money away from books, from second grade students. Now certainly that is not the intent of the law and that doesn't help us but that oftentimes is the unintended consequence. So I think there is a balancing act.

Mr. CICILLINE. And with respect to U.S. participation on the U.N.'s Council, has the number of resolutions against Israel since our arrival on that council increased over time or decreased over time? And can we draw some conclusions about the presence of the U.S. on the council?

Mr. WEXLER. It has dramatically decreased and the most important point, which is a corollary to that was when we weren't on the commission. That is when Item 7 was adopted, which made the focus on Israel irrationally intense.

But there is a counterpoint I think that is fair, too. And that is, even with our participation, the discrimination against Israel is way too much.

Mr. CICILLINE. And my final question, Dr. Schanzer, you spoke about succession as it relates to kind of what happens after Abbas. And this is actually for any members of the panel. Are there things

that we can do or the U.S. can do to encourage a Palestinian plan for succession that we should be doing?

Mr. SCHANZER. Yes, we can ask for it. One of the things that we haven't done is actually engaged the Palestinians on what happens after Abbas. Quite frankly, I think U.S. policy for the last 10 years or so has been just simply to keep him in place because the alternative is Hamas. And we shouldn't forget that, of course, that Hamas can pose a significant danger to the stability of the West Bank but, at the same time, having a power vacuum can probably bring Hamas to power.

Don't forget that, according to basic law, Palestinian basic law, the successor to Abbas for 2 months after his death is supposed to be the Speaker of Parliament. The Speaker of Parliament is a guy by the name of Aziz Duwaik and he is a member of Hamas.

So there is going to be a battle that takes place whenever this happens. And as we have noted, Abbas is now 12 years into a 4-year term. He is getting up there, a pack a day smoker. From what we hear, he has had a couple of serious health issues. This is really rolling the dice at this point. So I think the moment is now to engage with the Palestinians and to start to talk about who might come after and how to ensure that it is done in an orderly way.

Mr. WEXLER. May I quickly? This, too, is an incredibly important point. What we need to do, in my humble view, in terms of succession of President Abbas, is make sure that those Palestinian leaders who adhere to a policy of nonviolence, that adhere to a belief in a negotiated two-state outcome, we need to give them victories. Because when that backdoor negotiation occurs and you have those Palestinian leaders that are not necessarily adhering to a non-violent strategy versus the ones that do, well when the ones that adhere to the more practical pragmatic view have nothing to show for their policy, the more extreme view tends to win out.

So we need to be proactive and make certain that over the next months and whatever the period of time is that the pragmatic politicians on the Palestinian side get a victory or two. They need to run their 30-second commercials that say a nonviolent policy gained something.

Mr. CICILLINE. Thank you. I yield back.

Mr. SMITH. The Chair recognizes the gentleman from Pennsylvania, Brian Fitzpatrick.

Mr. FITZPATRICK. Thank you, Mr. Chairman, gentlemen.

The PLO mission in Belgium and in Washington, DC, first if you could describe for us how that plays into the Palestinian's strategy for diplomatic engagement.

Second, if you could talk to us about any risks that may be associated with a potential move of the Embassy to Jerusalem.

Mr. SCHANZER. Sure. Thank you, Congressman Fitzpatrick.

As you probably know, the PLO has missions around the world. They are not Palestinian Authority. They are PLO. And the distinction is often very difficult for people to understand that you actually have the PA, which is a government structure that has been set up to run the daily operations of the West Bank and previously the Gaza Strip before it fell to Hamas.

Then you have the PLO, which is supposed to be the sole representative of the Palestinian people in negotiations. They have

also been recognized by the U.N. General Assembly as what is now known as the Palestine. And so they have this quasi diplomatic representation around the world and that is how they effective lobby for their quest for statehood. The campaign is known as Palestine 194, the quest to become the 194th country at the U.N.

And so the PLO in Brussels, the PLO in Washington, this is what they do every day. They also happen to try to change public opinion on Israel. They try to influence public opinion on the status of possible peace talks. But really the ultimate goal is to try to get this elevated at the Security Council to a full state and that is what we see going on right now in Belgium and in Washington. And the assumption right now is that they are also engaging on some level in some of the pro-BDS activity, which I think is troubling.

As for the move to Jerusalem, I was actually just in Israel last week, speaking to some officials in Israel. I found it actually very striking that they said that a lot of the news that was circulating was not coming through Jerusalem but it was really originating from people not close to Netanyahu's office or to the foreign ministry so that it is either coming from people here or people who say that they know what is going on in Israel. So there has been a lot of misinformation.

My personal perspective on this is that the move would be welcomed by Israel and I think it should be welcomed by the United States. I think it is a question of sequencing. It is a question of engaging with our allies, speaking to the Jordanians, as we just did, working with some of the Arab states, making sure that they understand exactly what is going to go on and what they might be able to get as part of a package. It is important to work with the Israelis on security to make sure that they understand what could possibly happen as a result of this move.

And then there was a terrific piece by former Ambassador Shapiro in Foreign Affairs just the other day that talks about a lot of logistics that I think we need to think about as well, in terms of building the Embassy, the cost, the security. There is a lot that needs to go into this and I would, personally, just like to see maybe a couple of weeks, maybe a couple of months of planning for this before announcements are made.

Mr. FITZPATRICK. And is it your position that Jerusalem will be safer than Tel Aviv, as far as locations go?

Mr. SCHANZER. I think that, obviously, it will be deemed as controversial by the Palestinians but I think that our diplomatic security at the State Department, they know what they are doing. I am sure at the end of the day if they do build a new Embassy, it would have to be one of the safer installations in the world and I am sure that it would meet the specs that the diplomatic security would require.

Mr. FITZPATRICK. Thank you. I yield back.

Mr. SMITH. Thank you very much.

I would like to yield to Bradley Schneider, the gentleman from Illinois.

Mr. SCHNEIDER. Thank you, Mr. Chairman. And I want to thank the witnesses, first and foremost, for the work you all do across the

years every single day but, in particular, today, for your insightful and informative testimony.

I want to focus mostly on UNRWA but I also want to make a quick remark or comment on the remarks you have all made about Resolution 2334 and thank you for those remarks. I think I recall my first time in Israel at the Western Wall in 1983, the holiest site to all Jews, and thinking that 17 years earlier I would not have been able to stand in that place. To see the United Nations say that this holy site to Jews everywhere around the world is illegally occupied territory, again, just thank you for your remarks.

In Mr. Hook's remarks, you made an interesting comment that I want to expand, as you talk about UNRWA, is the need to maintain flexibility. And as I think about that, there is a need or opportunities, often, to create flexibility.

And I will turn to you, Dr. Schanzer, first. Are there ways to create flexibility? I think your remarks about UNRWA and the need to phase it out but the need to also make sure that you are taking care of on the ground requirements. How do we go to a place where we aren't maintaining and creating refugees so many years after UNRWA was established?

Mr. SCHANZER. Thank you, Congressman Schneider.

It is a complicated issue. And I can tell you that the Israeli perspective is don't do anything too rash. They actually appreciate some of what UNRWA does because it takes some of the burden off of them in dealing, for example, in making sure that people are taken care of in the West Bank.

I think first of all looking at the numbers, looking at the actual figures cited by the U.N., I think it is incredibly important when you recognize the grandchildren, great grandchildren, et cetera of existing refugees, it becomes a political issue and a hot button issue. The idea that somehow Israel is saddled with the responsibility of 5 million refugees as opposed to 50,000 makes the refugee problem unsolvable. That is a first principle that I think must be addressed; and the fact that UNRWA was able to engage in this sort of fishy accounting in the first place is shocking to me, and the fact that we have kicked the can down the road for so many years on this is shocking to me.

Mr. SCHNEIDER. If I can just add, if you think about the historical creation, or what moment in history established these refugees, they weren't the only refugees at the time. There were Jewish refugees at the same time and of comparable numbers. It is time, I think, to address the issue and move forward.

Mr. SCHANZER. That is right. And I think on top of that I think the idea that you have a dedicated agency only to this population of refugees is also very surprising.

In today's day and age there are all these huge refugee problems. We see the one in Syria, for example. Actually UNRWA, I mean this is a little-discussed topic, but the fact that UNRWA has designated some of these Palestinians in Syria as refugees, makes their treatment more difficult as they leave Syria, as they look for help in other places. Because they can only be treated officially through UNRWA, it makes the challenges that much greater.

So I think we need to address some of the political challenges associated with this but most importantly, I think that if you are

going to phase out UNRWA, and I certainly recommend over time that this be done that way, that we continue to make sure that destitute Palestinians, Palestinians who are in need, are still getting the services that they require. So maybe that is through the U.N. itself through the official refugee channels, maybe it is done through the Palestinian Authority. This might be an excellent way of empowering the PA in a way that might be consistent with what the Israelis are looking at. Ultimately, the perpetuation of the refugee problem is my major concern with UNRWA.

Mr. SCHNEIDER. Mr. Neuer—I will come to you in a second, Mr. Wexler—from your perspective at U.N. Watch in Geneva, do you see any specific pathway to addressing the issue of UNRWA and finding something to move us forward on this issue?

Mr. NEUER. I think we need to see something that we haven't seen before, which is serious demands from the major donors. The U.K. is giving \$100 million to UNRWA. The European Union is giving \$130 million to UNRWA. The United States, over \$350 million to UNRWA. And in recent years, we have not seen minimal demands for accountability, as I said, to demand that racist teachers who post pictures of Hitler should not be standing in front of a classroom. As I mentioned, it is not something we would tolerate in our own school systems and there is no reason that we deny Palestinian children the right to have racist-free educations.

So we need to begin by demanding accountability. I think we could achieve reform, they are dependent on your money.

Mr. SCHNEIDER. Mr. Wexler or Mr. Hook.

Mr. HOOK. Do you mind if I just mention one thing on UNRWA? When it was created in 1949, it was designed to address short-term needs and it is now 67 years later and the United States has spent over \$5 billion on this.

One of the things which I think, and Brett Schaefer has talked about this at Heritage, is the need to look at this much greater competency and efficiencies in the U.N. High Commission for Refugees Office.

So if you look at the breakdown, the ratio for UNHCR is one staffer per 5,000 refugees. For UNRWA, it is one staffer for 182 refugees. Apart from whether UNRWA is perpetuating a status quo that does more harm than good, I think we need to look at the efficiencies of starting to, over time, requiring UNRWA to complete its mission, but then also to figure out how we can transition some of these things over to UNHCR.

Mr. SCHNEIDER. If I may request time for Mr. Wexler to answer.

Mr. SMITH. Thank you very much.

Mr. SCHNEIDER. May I request time for Mr. Wexler to answer the question?

Mr. SMITH. Oh, sure. Absolutely.

Mr. SCHNEIDER. Thank you.

Mr. WEXLER. Thank you. We need to assist the Palestinians and the Arab world with respect to their stubborn view of the right of return to move to a more helpful position. And in this regard, President Abbas deserves some credit. Not too long ago, President Abbas was born in the Israeli city of Safed, which is one of the four most important Jewish cities in history. President Abbas was asked publicly if he intends to return to his place of birth, Safed, in

Israel. He said yes, but then he said, as a visitor. That was an incredible, incredible sign to his people that the Palestinian people will enjoy a right of return but they will enjoy it to the new state of Palestine.

The deal is, of course, a two-state outcome, one Jewish, one Arab. The deal isn't one and a half Arab States and half a Jewish State. But we have got to do things that allow the Palestinians with face-saving measure to move away from this decades, generations-long stubborn position.

Mr. SCHNEIDER. Thank you and I yield my time.

Mr. SMITH. Thank you very much.

I would like to yield to the gentleman from Florida, Brian Mast and before doing so, again, thank him for his distinguished service in Afghanistan in Kandahar. As I think my colleagues already know, he was seriously wounded. He was an explosive ordnance disposal expert, lost both of his legs and a finger, and obviously knows the price of freedom and is a true hero and it is an honor to yield to him.

Mr. MAST. Thank you, sir, I appreciate that. Don't forget that finger, it is an important part of it.

I appreciate you all giving us your time today.

I wanted to start with you, Mr. Wexler. Every time you turn on your microphone, you speak with passion about the issue and I absolutely appreciate that. You asked that we put these conversations about defunding the U.N. in historical context of the Presidents of past. In that same breath, you also mentioned that Israeli behavior has not been helpful. And just now you made the comment about allowing Palestinians to save face. I was just looking for a short answer. Can you tell me has there been any not helpful behavior that has warranted the behavior seen, rocket attacks, stabbings, vehicular manslaughter, anything?

Mr. WEXLER. All of it, atrocious, horrible. Palestinians and their leadership have defrauded their own people for decades, for generations. The flip side, there is Israeli behavior that is quite favorable. People forget that Prime Minister Netanyahu made a speech at Bar-Ilan University and advanced the cause of a two-state solution. He then implemented a settlement freeze under the watch of Senator Mitchell and his effort, the first time an Israeli Prime Minister adopted a settlement freeze to that degree.

This is a mixed bag. There are good and very positive actions by the Israeli Government and most of all, Israel is a miracle state. It is an extraordinary achievement of democracy, human rights, respect for minorities. They have a Supreme Court where there are Arab members on the Supreme Court. The Israeli forces do what few forces in the world do, Americans do, they go and help the enemy obtain healthcare coverage. I believe Israel just allowed in as refugees, Syrian children that are the victims of what is happening in Syria.

Israel is a miracle country. They have everything to be proud of.

All I am suggesting is in the context of analyzing this resolution, we recognize both the pros and the cons. In the case of Israel, it is 100 to one, 1,000 to one, the pros versus the cons.

Mr. MAST. Very good. I am glad you answered that with passion again.

You know I open this up really to anybody that wants to take the time to answer it. I can say I have learned personally in my life leadership absolutely matters. You know when I had leaders in the military that displayed courage, valor, selflessness, moral resolve. They drew the exact same thing out of me, out of every person to our left and right. Most of us can certainly probably agree, in this day and age, that that is something that matters.

You mentioned, Dr. Schanzer, that the leader of the PA is in their 12th year of a 4-year term. It is a regime that really has presided year over year over terror. Could you point to any specific leaders that you would want to see line up to be the next leader, people that we should be looking at to line up there? Do you see a vessel to move there more quickly or is this simply wait out? As you talked about, a two pack a day smoker, do we just wait this out? What is your take on that?

Mr. SCHANZER. Unfortunately, it is a bit of a waiting game. Abbas has really purged a lot of that next level leadership.

There are people that I think we can still look to. Salam Fayyad, for example, the former Prime Minister who Mr. Wexler mentioned is an excellent leader, someone who is really committed to transparency, fighting corruption against terrorism. He is still around, he has been marginalized but he is still around.

I have concerns about some of the other PLO leadership that I think are lining up and they believe that they may be able to succeed Abbas. Thinking about Saeb Erekat, the very vitriolic spokesperson for the PLO, that would be, I think, the exact wrong person to see step into that role.

I think we need to be trying to shape this right now and perhaps through our diplomatic presence in the Middle East try to identify perhaps some of the leaders who may come up and at least ensure that there is a debate going on properly within the Palestinian political spectrum.

Mr. MAST. Very good. Is there anybody else that would like to offer up any—please, by all means.

Mr. WEXLER. I will be quick. Ideally, the answer to your question would be the Palestinian people should decide in a free and democratically held election. Ideally, that is what should happen. Of course, the last time that happened, one of the few times it has happened in the context of the Palestinians, Hamas prevailed.

So if we are going to advance democratic reform and hope for it, genuinely, as we should, we have also got to empower those that advance a more moderate agenda to be victorious at the ballot box. Now, that is not our obligation. That is not our responsibility but we need to be smart enough to understand that in the current environment, it is the extremists that tend to take advantage of the situation when there is no diplomatic horizon that seems realistic to them, to the Palestinian people that is.

Mr. MAST. Very good. Thank you again for your comments.

Mr. HOOK. Could I just make one, on your point about leadership at the U.N., if I may, Mr. Chairman?

I think that American leadership or—your options are kind of American leadership or back foot diplomacy. And I think that when you work from your back foot, you create this permissive environment that causes some of the U.N. funds and programs to behave

badly. When we are always leading in these various bodies, especially in the U.N. Security Council where we set the agenda and we make very clear that there will be consequences in the bilateral relationship for people who try to hijack the agenda. That is how you prevent a lot of things coming into the Security Council that have no business being there. But that requires a perm rep, and a team, and an administration that fully supports that and a President that believes in it.

Mr. SMITH. Thank you very much.

I would like to now yield to the gentleman from New York, Mr. Suozzi.

Mr. SUOZZI. I want to thank the witnesses. They are really brilliant people and really great insights you have given today.

The two-state solution was first explained to me by Shimon Peres when I visited Israel back in 2002, during the Second Intifada after the massacre in Hebron. And I am a very strong supporter of the two-state solution.

In my maiden speech on the House floor, I supported Resolution 11 and was one of the original co-sponsors of this bipartisan objection to the U.S. abstention from U.N. Security Resolution 2334 because I believe that the abstention pushes us further away from a two-state solution.

So today is really about the U.N. and I am going to just take some of your—and I came in late so I don't have quotes from each of you—but I have a very strong agreement that the U.N. as a systemic unjust bias against Israel, as was stated by one of you earlier. I believe, however, that the U.N. would be much more—and these committees would be much more hostile bodies without our presence on them and I have the hope that the U.N. will live up to its intentions of its founding nations.

I don't like the idea of conditioning money. I don't like the idea of withdrawing money from the U.N. So I want to ask each of you, I am just going to ask you in no more than 45 seconds apiece to give me what you think the one best way to reform the U.N., which we all agree has some serious problems as far as efficiency, as far as its bias against Israel, all these different areas. If you had one thing that you could pick as a reform, other than withdrawing money or conditioning money, what would be the one thing that you would suggest that we could do to try and reform the U.N.?

So, Mr. Neuer.

Mr. NEUER. I think some things are beyond our capacity. There are U.N. entities that are controlled by member states and we have no leverage over some of those member states when they act in unison.

But it was mentioned before the role of the Secretary-General. When the U.N. Human Rights Council had Richard Falk as its Special Rapporteur in Palestine, a notorious 9/11 conspiracy theory supporter, and when he supported the 9/11 conspiracy theory, Ban Ki-moon condemned him openly. That completely discredited him.

So the U.S. was not able to remove Richard Falk but by getting Ban Ki-moon to condemn him and Ban Ki-moon's office acknowledged that it was because he was coming to Congress that week that he felt compelled to make that statement. And Richard Falk, who retired a couple of years ago, continues to lament the fact that

his own boss condemned him. So I think it is an example of how there are some things that the U.S. cannot stop but they can remedy, they can limit, by getting the Secretary-General, we have a new one, to speak out. I think that is something that the U.S. should insist that the new Secretary-General does on a regular basis.

Mr. SUOZZI. So keeping that relationship and enhancing that relationship could actually be effective in helping to get him to do what we want.

So Mr. Hook, what are you thinking?

Mr. HOOK. Well, I would say two things. The U.N. needs a more equitable allocation of operating costs. It is unhealthy for the U.N. to rely on one donor to the extent that it does.

I think we need to be, as part of our bilateral agenda with our allies, and even with China and Russia, they have to pay more. There needs to be a better allocation of costs and we can encourage that. The U.N. is never going to require them. We are not going to be able to change the funding formula in the General Assembly. So that is going to require us to be making it a priority with other nations to voluntarily spend more money at the U.N. so that we are not spending so much of it.

The other thing that I think—

Mr. SUOZZI. You are not giving me my answer, though. So you are saying you want to reduce the money that we spend?

Mr. HOOK. No, no, no. What I am saying is other people need to pay more of the fair share.

Mr. SUOZZI. Oh, so your concern is the percentage?

Mr. HOOK. Yes.

Mr. SUOZZI. Okay.

Mr. HOOK. And then the other thing I think we can look at is, you know we spend \$2.5 billion on the peacekeeping missions and we have supported Japan and India as permanent members non-veto for the council. I think we should require that any new permanent member should be required to pay a substantial share of the U.N. peacekeeping budget as a condition to become permanent members.

Mr. SUOZZI. So you would be supportive of the idea of the U.S. keeping its contributions the way it is but increasing others so that our percentage was less and encouraging any new members to put up money, thereby also helping us with our percentage.

Mr. HOOK. I like a good calibration of like cost-benefit generally. I don't like kind of a one size fits all. If there is a program that—the U.N., 70 percent of its budget is personnel. That seems to be an area where we can reduce U.N. costs. And by doing that, we get to reduce U.S. costs because we are the biggest funder.

Mr. SUOZZI. Okay. I appreciate that. I am a CPA, just so you know. And I was a mayor and a county executive.

Go ahead.

Mr. SCHANZER. With respect to Mr. Hook, I actually think that right now the fact that we contribute the amount of money that we do, gives us leverage and actually gives us more of a say in how the U.N. should reform. And so I think we ought to take advantage of that while it is going on.

Mr. SUOZZI. Yes.

Mr. SCHANZER. I think that I mentioned a few things in my testimony—

Mr. SUOZZI. I saw those four things. You only get to pick one for now.

Mr. SCHANZER. Right. So well those four are great. But look, I think big picture you need like a consulting firm to get in there and you need to get in there and root out corruption. You need to see where waste is. You need to see where redundancy is. You want to see where they are effective and where they are not. And I think if you do that, you would probably cut out 30-40 percent of the U.N.'s budget. You would probably make a lot of people very unhappy but if you ran the U.N. like a business—

Mr. SUOZZI. We have never run it like a business. It seems you won't run the U.S. Government like a business because there is no profit motive and a whole lot of other things but you are suggesting if we could get some smart people to actually come from the outside and—

Mr. SCHANZER. From the outside.

Mr. SUOZZI [continuing]. Be more efficient.

Mr. SCHANZER. Insiders are deeply corrupt and I am very skeptical. From the outside, you might be able to make some change.

Mr. SUOZZI. How would we go about getting that done?

Mr. SCHANZER. Well, that is the problem. I mean the U.N. would have to agree to that.

Mr. SUOZZI. Yes, but—okay.

Mr. Wexler?

Mr. WEXLER. There is a new sheriff in town, President Trump, and we have Republican leadership of the House and the Senate that is critical, to say the least, of the United Nations. I would make it clear that America essentially has two red lines in terms particularly as it relates to this issue, the Palestinian-Israeli conflict. Number one, that the United States will not tolerate any U.N. action behavior that advances BDS because at its core, it is anti-Semitic.

Also, I would make it clear that rather than a negative perspective that the U.N. often has had in terms of its dealings with Israel that we incorporate, in effect, what Prime Minister Netanyahu has argued, that the Israeli-Palestinian conflict is a conflict about historical narratives. He is right, and the U.N. needs to reflect the fact that countries in the world need to stop delegitimizing Israel and they need to recognize Israel's right to exist.

If I were President Trump, I would speak with the new Secretary-General and basically tell him I am all with you, I am with you 110 percent. I give you 2 years, 2 years to change the mentality of the U.N. and if you can do it in a demonstrated way, I am your best friend forever and I will be behind you in that manner. But if you can't, then there will be consequences and I don't think you need to lay out those consequences and I don't think we need to get that far. And I think we should give the new Secretary-General, who is in fact very sensitive to these issues, and give our new U.N. Ambassador, who also needs time to maneuver the scenario, to improve things.

Mr. SUOZZI. Okay, thank you very much. I appreciate that. Thank you.

Mr. SMITH. The Chair recognizes the gentleman from North Carolina, Mark Meadows.

Mr. MEADOWS. Thank you, Mr. Chairman. Thank each of you for—some of you for being back with us. It is good to see you again. We will disagree sometimes on the strategy and tactic, Mr. Wexler, but I certainly appreciate your candor and your willingness not only to have served in this body but certainly to continue to serve as an expert witness here today.

I am not as optimistic as the gentleman from New York in terms of reform ever happening in the U.N. without a leverage point. Having been a delegate to the U.N., having seen up close and personal, having also seen that in the previous administration, which had a reformer in there who truly wanted reform, there is no way that you are going to reform something where you have the very member states themselves participating in a jobs program that actually gives jobs to those who are well-connected by the very member states. They are just not going to do it. They have control over the 70 percent of the budget that actually employs many of the people that are associated with the very people making the decision. Would you agree with that? Softball.

Mr. WEXLER. Yes. Yes, I would agree with that.

Mr. MEADOWS. So if, indeed, we can't reform from within because there is an incentive among the member states, the pressure that you just talked about coming from President Trump about really needing reform actually has to take on some kind of conduit for that reform, other than a resolution from Congress that has no real effect.

Now do you think that the resolution that we passed is setting all kinds of people at the U.N.? Are they running around saying oh, my gosh, we had better change it because Members of Congress put forth a resolution?

Maybe just answer yes or no. Are they running around based on that resolution?

Mr. WEXLER. I apparently have more confidence in President Trump than you may have.

Mr. MEADOWS. Oh, no, no, no, no. I can assure you that that's probably not the case. But in doing that, having someone that is here—we have got to do more than resolutions.

I am tired of every single time we have an anti-U.S., anti-Israel U.N. consistently voting against us when we are the main funder, percentage-wise, of any country. So the message for the U.N., if they are looking in on this hearing today, is that you suggest 2 years, I suggest 12 months, the time is now for reform. We have introduced a Bill 802 that actually looks at taking some of the U.S. foreign aid dollars away from Senegal because they were a sponsor of the most recent resolution. If they are going to attack our friend and ally Israel, this bill actually takes the money and just moves it over to two pro-Israel African countries. It doesn't even cut money. It just says we are going to move it over.

It is time that our friends are recognized as our friends and our enemies are recognized as our enemies. Wouldn't you agree with that?

Mr. WEXLER. Sure.

Mr. MEADOWS. All right. So, if that is the case—

Mr. WEXLER. May I add something, though?

Mr. MEADOWS. Yes, you may. Since I was doing more of the talking, you go ahead.

Mr. WEXLER. I have been talking all morning.

Mr. MEADOWS. I know. And I like it. That is all right. Go ahead.

Mr. WEXLER. You brought out, I think, an important point in the first part of your remark, which is this is about the member states.

Mr. MEADOWS. Right.

Mr. WEXLER. The truth is the U.N. is just a venue.

Mr. MEADOWS. Right.

Mr. WEXLER. It is the actions of the member states that need to be changed. And you are right, a resolution by this committee or this Congress, as well-intentioned, as important as it is, is not going to change, most likely, the actions of the member states. But a President of the United States who is engaged on these issues and an effective U.N. Ambassador who pursues this line of engagement on a continual basis can make a big difference and it needs to be tied into the overall strategy of the country on foreign policy.

But may I offer one word of caution? And I hesitate to say this. I am a Zionist to the core. One of the reasons I am so patriotic about this country is because I am a Jewish American.

Mr. MEADOWS. Right.

Mr. WEXLER. At no time in history of Jewish Americans or Jews had the opportunity to live as well as we have as we have in this country. It gives me pause when an institution as important as the U.N. and a country as immensely important as the United States begins to offer as an absolute condition our relations, examples regarding only Israel. This world is huge. There are so many interests. The worst thing for the Jewish people—

Mr. MEADOWS. I have got you. Now, we could get into a very wide and expansive list of areas for reform that have nothing to do with Israel and I will be glad to have another hearing on that when we look at. You mentioned peacekeeping, I mean once we have a peacekeeper in place, they never go away. You know when we really look at the U.N., we put up peacekeeping missions all over and we have got peacekeepers in places that are not appropriated properly. And I support that.

And I guess what you are saying is you have got a fiscal conservative Member of Congress who loves foreign policy, who understands it, who is willing to invest in it and yet, at the same time, I am tired of allocating funds and getting the same results over, and over, and over again. Does that make sense?

So your point is well taken. We won't be myopic in our focus here.

Mr. WEXLER. Thank you.

Mr. MEADOWS. The chairman is being generous with his time. So let me come back the other way.

There have been credible reports that the U.S. participated in this particular resolution in the vote. And by credible I mean some unimpeachable in terms of our willingness to allow this particular U.N. resolution to happen.

Doctor, are you aware of those and what kind of message does that send if, indeed, the very ally of Israel is allowing that and participating in that?

Mr. SCHANZER. I am obviously aware there was quite a bit of controversy about that at the time. The reports were several. There was a report that came out in an Egyptian newspaper alleging that the Palestinians were sitting down with the United States under Egyptian auspices. And there may have been actually even more than one meeting where this took place where they were guiding the language, guiding the process from the White House. There were indications that there could have been pressure on Ukraine to vote in favor of this.

And the Israelis have indicated that they are certain that there was U.S. involvement. And I think at this point there is probably not a whole lot of debate over whether the White House was involved. I think the inclination of the White House was to, as they say, lead from behind to let other people take charge of the process and that they could inform it from the sidelines.

I think regardless of exactly how it played out, the end result was the same. The abstention did the damage. They could have voted for it. They could have abstained, it doesn't matter. The United States lowered the shield, as we would say. They lowered the shield at the U.N. and allowed for this resolution to go through. The resolution, I think was very harmful and it will take some time to undo that damage.

Mr. MEADOWS. Well, thank you, Doctor. We are going raise back that shield and I appreciate the chairman's indulgence.

Mr. SMITH. Thank you very, very much for your participation.

Mr. Deutch and I are just going to ask a few follow-up questions and then we will conclude the hearing.

Let me just first ask on UNESCO, the arrearage now is approximately \$500 million and, obviously, UNESCO is unhinged. It is moving even more aggressively in promoting anti-Semitic policies. And I am wondering if you could tell us what your recommendation would be to the Congress and to the President on what we do next with UNESCO.

Secondly, Dr. Schanzer, you mentioned a performance enhancement plan in answer to a question earlier. I have been in Congress 37 years and we have talked about U.N. reform going back to Nancy Kassebaum. Attorney General Dick Thornburgh sat right where you are sitting right now in 1993 when Tom Lantos, and I, and Doug Bereuter and others asked a series of important questions. The former U.S. Attorney General at the time was the Under-Secretary for Management at the U.N. made sweeping reforms in realm of Inspectors General that would be independent and whistleblower protections. As I said in my opening remarks, we continue to labor against whistleblowers being retaliated against at the U.N. and IGs are far from a standard that any democracy worth its salt would say is an IG. So the U.N. has failed miserably, in my opinion, in that regard.

So your thoughts on, as Mr. Meadows said, patience has run out. We need to get this right. And the Human Rights Council, as I said in my earlier questioning, what a missed opportunity to have an organization to speak truth to power, especially to dictatorships and it just fumbles the ball and goes after Israel with agenda item 7.

So, those couple of questions and then I will yield to my friend, Mr. Deutch.

Mr. NEUER. Thank you, Chairman Smith. With UNESCO I think it is undeniable that the leverage which the U.S. Government gained by cutting funds to UNESCO in regard to other U.N. bodies that the Palestinian would have joined, were it not for the fear of triggering those kinds of dramatic consequences in Paris where one-fifth of the staff had to be cut, many nations were angry at the Palestinians for triggering that, I think that played a singular role in blocking Palestinian efforts to politicize the World—

Mr. SMITH. Will the gentleman yield just briefly and then continue? I get what Mr. Wexler said about member states but many of the specialized agencies, and that is an assessment contribution once you are a part of it, but so many of the other agencies are voluntary contributions and I think your point is a very important one to underscore that when we send a message and we mean it with our funding and our actions, it does have a laudatory impact perhaps on others. But we have got to work on member states, no doubt, Mr. Wexler, but these specialized agencies can't be moonlighting as they do so often, against Israel.

So please continue.

Mr. NEUER. Thank you. I believe the U.S. should consult with its allies, including Israel and other close allies about the value of its continued membership in UNESCO. The United States was not a member for some 25 years. I am not aware of any significant loss to humanity as a result of that absence. Actually a senior official of the Obama administration told me that an agency like the World Health Organization, which actually does important work, would matter to have the U.S. there and if it cut its funds; whereas, UNESCO, she did not think that that was actually a consequential body.

I do want to make one point about the Human Rights Council. We, U.N. Watch, are the strongest critic of the Human Rights Council. I have readily spent 13 years there. I work across the street. And so I know its dangers very well. I would say that in this instance the Human Rights Council is not going away. And from 2006 to 2009, the U.S. left, although it did signal its displeasure with the body and denied it a certain form of legitimacy, it continued to do its negative work. It created the Goldstone Report. It feeds into the ICC. I actually believe that we should have a Moynihan. I would like to have Patrick Moynihan type of figure who would come, not like Ambassador Power cited Moynihan when she came before the Congress but didn't always act like him, but to have someone who would come to the Human Rights Council, pick up the phone to the High Commissioner and say if you do X, Y or Z, you are in a lot of trouble, someone who would speak out for human rights. I don't think that kind of presence would give one iota of legitimacy. And the Obama administration did become a cheerleader of the council. That was wrong but someone who would come to the council and take the floor as Moynihan did in the Zionism is racism debate would actually be a contribution to human rights and to combating anti-Israel bias.

So I would like to see the new administration send an Ambassador of that nature.

Thank you.

Mr. SMITH. Anybody else?

Mr. SCHANZER. I am going to leave UNESCO to my colleagues. I don't want to call myself an expert on that, although I would say that UNESCO knew exactly what was going to happen once it allowed itself to become politicized through the so-called Palestine 194 campaign. I think it is a cautionary tale that as soon as these agencies become part of this broader campaign, they are used for purposes that I think extend well beyond what they are designed to do. That is exactly what happened with UNESCO. I am fearful that it could happen with others as well. I think we should be mindful for that. We should be watching out for that to the extent that that is possible.

As for the performance enhancement plan that you mentioned, I don't have specifics. I mean I probably should sit down for a few weeks and come up with a study on it. I think that, as I mentioned before, the fact that we have already put the U.N. on notice, I think you are already seeing a shift in tone. I think we ought to double down on that. I think we ought to continue to press the U.N., letting them know that funding is not guaranteed, letting them know that reform is necessary and start to really lay out specifics where we want to see some of that reform.

I mentioned four areas where I think we could probably enact reform. I am sure my colleagues here can probably come up with another dozen but this ought to be part of the plan. And so it is not just cutting. Right? When you say look, we need you to do the following things and, if you don't within a certain amount of time, then we are going to start to talk about cutting. In other words, you sequence this. You can message it a little bit in a way that lets the U.N. know that this is not a free ride. I think that is incredibly important. You know that and I think getting in there and actually rooting out corruption because I think there is a huge amount of waste that happens year after year.

I remember the oil for food scandal. I think that was probably just the tip of the iceberg.

Mr. WEXLER. I would associate myself with these remarks. I think they are excellent. I think it is incredibly important, it is worth repeating, what the new Secretary-General did this week, which is for the world to hear he said that the Jewish connection to the temple in Jerusalem is undeniable. That is a complete condemnation of the completely irrational, bigoted, discriminatory hatred that has come from certain parts of the U.N. system.

So in an overall sense now, you all have a choice. You can empower that man who seems instinctively and substantively to share most if not all of your concerns or you can take the knees out from underneath him. That is your choice as policymakers. I would say empower him and also what was suggested before, President Trump has got to incorporate this strategy into his trade deals when he is negotiating. When the Palestinians, after the U.N. Secretary-General said what he said and they criticized the U.N. Secretary-General, there needs to be a strong shot back that the new sheriff in town is not going to take that irrational type of responses anymore. Don't expect to get money if you are going to deny the Jewish connection to Jerusalem because it doesn't serve your cause.

There also has to be positive reinforcement as well. If you are going to do some good things, there has got to be some reward for it as well. And we have got to stand for those positive rewarding things, which means stand strongly for a two-state outcome, a two-state negotiated outcome.

We can't be seen as being allied with the unfortunate statements most recently by Prime Minister Netanyahu when he talked about a Palestinian State minus. Well if you are talking about a Palestinian State minus, how are you going to encourage the Palestinians to do the right thing? That is tough.

Mr. NEUER. Yes, we transcribed the interview that Mr. Wexler just referred to, where the Secretary-General did make positive statements about fighting anti-Semitism and about the temple. We can all agree that there was a Jewish temple that Romans destroyed. I would not overstate, however, what he said. It was a passing reference in response to a question by Israel radio's Benny Avni. In that same interview, he was asked specifically on the point that you, Chairman Smith, mentioned about the 3D test. Mr. Avni asked the Secretary-General would you acknowledge, as many Jews do, that anti-Semitism today often adopts the cloak of singling out Israel for differential and discriminatory treatment, demonizing Israel. And he refused to accept any notion that anti-Semitism has any connection with a double standard with Israel.

So, I do agree with Mr. Wexler that we should encourage positive statements. I would not agree that it was a complete condemnation of the UNESCO statement. Actually, Irina Bokova, the director of UNESCO, did make very positive statements that were overt and direct and were, I would say a complete condemnation. His were not. And there were some statements he made about the discriminatory treatment of Israel where he didn't acknowledge the nature of the bias. So yes, reinforce but don't give a free pass. Continue to hold him and other U.N. officials accountable.

What Mr. Guterres and what Ms. Bokova will say can be very significant in defanging resolutions that we can't otherwise stop.

Mr. SMITH. Mr. Deutch.

Mr. DEUTCH. Thank you. And thanks again to the witnesses. This is a really helpful discussion.

Representative Wexler, I just want to go back to something you say in your prepared comments. We didn't really get a chance to talk about the rest of the hearing and that is the positive reaction from the Arab States to the principles of two states for two peoples.

Israel obviously finds itself sharing many of the same security concerns as its Arab neighbors and there is an opportunity for greater involvement by the Arab States in helping move the peace process forward and I would like to hear your thoughts on what those opportunities are. But I would also like to hear your thoughts on the difficulties in continuing those discussions with those Arab States, if I could turn—there has been a lot of discussion about the prior administration. If I could turn to the current administration for a second. In light of an executive order that slams the door on all refugees and that bans every person from seven Muslim countries from coming into the United States, and then as Senator McCain and Senator Graham have said, helps terrorist recruitment, how do we do both of these things? How do we continue to

work to develop what might be a positive contribution from these Arab States at the same time that we are working an world where we have made a very powerful and dramatic statement about how we may view that part of the world, certainly those seven Muslim countries?

Mr. WEXLER. That is a huge question. It is undeniable that the dynamic in the region has changed for the better in the sense that the Sunni Arab States find themselves with a confluence of interest with Israel that didn't exist even a few years ago. And that is played out with intensely close security relations, informal economic relations, and just generally a whole sense of collaboration and cooperation.

But there is a glass ceiling here. Prime Minister Netanyahu and the Israelis rightfully point out that if one thing the Arab Spring should have taught us is that the Israeli-Palestinian conflict is not central to the problems in the Arab world. We could resolve the Israeli-Palestinian conflict tomorrow, Syria will still be in the mess that it is in. Yemen will have its problems. Iran will still be pursuing a nuclear weapon. All the problems of the Muslim and Arab world will exist.

However, there is a converse to this. We, and Israel, and our Arab allies will not be able to collaborate and coordinate in the way in which we could in a positive way, unless the Israeli-Palestinian conflict is in fact established.

We should have our Embassy in Jerusalem. We should. But you know what? It should get there when we have a resolution of the Israeli-Palestinian conflict so that not only our Embassy goes there but that 100-plus more go there and that we lead an extraordinary effort.

My point is this: We can cherry pick out certain aspects to support our closest ally, Israel, but I would respectfully suggest that the best way to support Israel is to build the dynamic in which they can in fact engage in the way a normal nation engages with its neighbors. We are ready for that. We are ripe for that. And so what we need to do is be sensitive to the interests of, for instance, the King of Jordan who was here this week, who I think in private told President Trump the problems he would have if we moved our Embassy to Jerusalem. Now we can weigh that. We can say it is not important enough but the King of Jordan is a huge ally to us. Why make his life difficult in a way that doesn't achieve the type of result that ultimately we and Israel are looking for, which is a negotiated two-state outcome?

Mr. DEUTCH. Thank you, Mr. Wexler. I am sorry, I need to go but I will yield the balance of my time to Mr. Connolly.

Mr. SMITH. The gentleman from Virginia—thank you—Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you. Thank you so much, Mr. Chairman. Thank you, Mr. Deutch.

When I was here a little earlier, Mr. Neuer, forgive me I had to go back and forth to hearings, I thought I heard you refer to 5 million so-called refugees. Were you questioning the refugee status of individuals in the region?

Mr. NEUER. Yes, it was in reference to the so-called Palestinian refugees.

Mr. CONNOLLY. So-called?

Mr. NEUER. Yes, I work across the street from the UNHCR, the U.N. High Commission for Refugees, the UNHCR. They have definitions for refugees. It does not continue for generations. And only UNRWA gives that status.

Mr. CONNOLLY. Right. So I just wanted to make sure I understood you. Got it.

Mr. WEXLER, are they so-called refugees?

Mr. WEXLER. No, they are refugees but it is true that only in the case of Palestinian refugees are second, third, and fourth generation members considered refugees. In other refugee situations, the refugee status stops at the actual refugee itself. And this is a complicated question with many factors, not the least of which are how are those refugees, however you define them, treated in the Arab countries? Pretty poorly for the most part, except for Jordan. They don't get citizenship. They don't have the ability to entertain their lives in an economically feasible way. So what we have talked about in part today are some measures in which the United Nations can encourage the refugees that are in the West Bank to begin to be handled by the Palestinian Authority so as to change the stubborn ideology, which is a thorn in the side of a negotiated two-state outcome. But it is only one of several issues.

Mr. CONNOLLY. I hate to put you on the spot, Mr. Wexler, but I am going to, since you were a Member of this body. The U.S. Ambassador to Israel Designate, Mr. Friedman, has referred to critics of Israel, Jewish critics of Israel and organizations like J Street as kapos or worse than kapos. What is your comment about that kind of statement?

Mr. WEXLER. Any reference by anyone in that regard would be terribly unfortunate. With respect to the position of the American Ambassador to Israel, and particularly in the case of the Designee, who is a Jewish American, he has an opportunity to unite the Jewish American community and the whole pro-Israel American community, which is very large, thank goodness. Very large. Here is an opportunity to put us all in the same tent and I would beg him, beg him to consider using language and actions that allow more people to root for him, as oppose to wonder the type of things that you are legitimately wondering now.

Mr. CONNOLLY. He is also not a fan, and that is being charitable, of a two-state solution and has aligned himself with the settler movement and with specific settlements in Israel well beyond the environs of Jerusalem. Is the two-state solution dead, given the fact that we have a Prime Minister who off and on has said various things about a two-state solution and now we have a U.S. Ambassador Designate who is no fan of the two-state solution? Is it a fiction that we are pursuing and what does that mean if we are going to give up on a two-state solution?

Mr. WEXLER. I hope it is not dead but anybody with any sense about them understands the dire scenario that we are in. We are in a scenario where, for a whole host of reasons, both on the Palestinian side and the Israeli side, the realization of a negotiated two-state outcome is further way today than ever before.

The consequences are dire. For those of us who are Zionists, for those of us who believe in a Jewish democratic State of Israel, the

creation of a demilitarized Palestinian State is not a gift to the Palestinians. It is a life preserver for a Jewish democratic State of Israel that is secure. So that is why I am so passionate about the creation of a demilitarized Palestinian State within the context of a negotiated two-state outcome. Because if we don't have it, over time, Israel will become likely a binational state. And when it becomes a binational state, it will either lose its Jewish majority or its democratic nature.

I want the State of Israel to be able to go forward and continue its miraculous growth from a position of strength. And obviously, it doesn't matter what I want. The Israeli people, hopefully, will choose that direction. They need a partner.

And for those Americans, at this point, that are ascending to important positions, I think that the notion that they would somehow discount a negotiated two-state outcome is very, very dangerous to the Zionist dream. And I hope, as they learn more and more, they will moderate their tone and work toward a negotiated two-state outcome because to do otherwise will doom the Zionist enterprise.

Mr. CONNOLLY. I completely share your point of view. As somebody who is strong supporter of Israel, I worry about the future. I think we need vigorous debate about the future and I don't think any purpose is served by calling people kapos who dare to criticize the current Government of the State of Israel.

With that, I yield back.

Mr. SMITH. Thank you very much, Mr. Connolly.

Mr. Hook, I think you wanted to make a comment.

Mr. HOOK. Congressman Connolly brought up the definition of refugee.

Mr. CONNOLLY. I am so sorry. I didn't mean to cut you off. Thank you, Chris.

Mr. HOOK. I think part of the confusion is that when UNRWA was set up in 1949 it created a definition of refugee, which was a person whose normal place of residence between '46 and '48 and who lost his home and his livelihood as a result of the conflict, that was the definition.

UNRWA later expanded and redefined the definition of refugee to include descendants. And so most of the people on the original definition, many of them are deceased but then they changed the definition of refugee. And that is why we have got this confusion.

Mr. CONNOLLY. Yes and I wasn't putting anybody—I was simply—I heard it and then I had to run. And I wanted to make sure I heard it correctly and what you meant. And I think you clarified that.

Mr. NEUER. And if I could clarify that it is not my position that these individuals don't need help and that the U.S. and other countries should not provide the aid. The question is how.

The problem with UNRWA is not only our 130-page report about incitement to terrorism and anti-Semitism. The problem with UNRWA is a core problem with its underlying message.

The question is how are 2 million Palestinian refugees in Gaza and West Bank, how are they refugees if they come from mandatory Palestine? If they are in Gaza on the West Bank today, where are they refugees from? They are in mandatory Palestine. They are in what the U.N. calls the State of Palestine. Where are they refu-

gees from? It relates to what Mr. Wexler had said, the PA could address them. We could give the funds to the PA and let them be handled.

The problem is that UNRWA's narrative is that their home is not in Gaza, their home is in Israel and so we should not be surprised that when we give cement, when the international community gives cement to Palestinians in Gaza, rather than use it to build homes, hospitals, and schools, they have been taught by UNRWA that their home is in Israel. So we shouldn't be surprised that they take that cement and build terror tunnels to attack Israel.

Mr. CONNOLLY. And I take your point, Mr. Neuer but I would go back to what Mr. Wexler said. Not that you did, but abandoning a two-state solution I guarantee you will not make that better. If we have any hope at all of ultimately dealing with status of those folks who are called refugees by UNRWA, I think you have got to continue to put some capital into the two-state solution or risk perpetual conflict and personal animus that will just never go away.

Mr. NEUER. I take your point and I think on the issue of settlements, for example, we have said and Resolution 2334 says that settlements are an obstacle to peace. The fact is that Israel, as it did this week and as it has done numerous times with the Camp David Accords and then with the disengagement from Gaza, Israel has uprooted thousands of its own citizens from their homes and uprooted and dismantled settlements. What no one talks about, Dr. Einat Wilf is writing a book on UNRWA, one of the world's experts, says that dismantling settlements has happened, Israel has done it. How do you dismantle an idea; the idea that Israel has no right to exist, the idea in every UNRWA school that Israel is erased from the map? In our report, there are pictures of UNRWA schools in Syria and all over where Israel is erased from the map. To uproot an idea that Israel has no right to exist is much harder and that idea is the obstacle to peace.

Mr. CONNOLLY. I couldn't agree with you more. I think that is a terrible dilemma and has to be overcome. And sooner or later, the Palestinian community has to come to grips with the existence of Israel as a number of Israel's neighbors have.

But aggressive expansion of settlements way beyond the environments of suburban Jerusalem is not only a provocative act, it is, potentially, a destabilizing act. And to Mr. Wexler's point, it could backfire. It could actually damage Israel's stability on its borders and destabilize nations that have recognized Israel's right to exist, such as Jordan. And that is in no one's interest.

I am sorry, Mr. Smith. One final thing. Mr. Wexler, wanted to comment on that and then I am done. I thank you.

Mr. WEXLER. With respect to settlements, Mr. Neuer is factually correct. Israel has, in fact, removed settlements at least two points in history. Prime Minister Sharon from Gaza, which was 8,000 or 9,000 Israelis and the Israelis, as a condition of the Israeli-Egyptian Peace Treaty, removed Jewish settlements from the Sinai, effectively. Those were relatively small numbers of people.

We now have, if you add up East Jerusalem and the West Bank, close to 600,000 Jewish residents. Now, I think the most—

Mr. CONNOLLY. Excuse me but like when President Bill Clinton was in office in 1993, I believe the number was a little over 100,000.

Mr. WEXLER. I think it was more than that but growth has been substantial. And in fairness, let's not just pin it on Prime Minister Netanyahu. The growth was substantial in Labor Governments. The growth has been substantial in all Israeli-led governments.

The key is is that we begin to distinguish between settlements. It is true, settlements are not a block to a negotiated two-state outcome. Those settlements that are adjacent to the '67 lines are certainly not a block. They can be incorporated into Israel with land swaps rather easily. But settlements that are way out in fact do impair the realization of a negotiated two-state outcome. If it is only 6,000 people or 8,000 people, you can deal with it but when it gets into 50,000, 60,000, it becomes a logistical nightmare and a political nightmare for any Israeli Government.

Mr. CONNOLLY. Thank you, Chris.

Mr. SMITH. Mr. Connolly.

Before we close, I would like to offer an opportunity if there was a question that went unasked or some concluding you might want to make. If not, that is fine.

But Mr. Wexler, you made a very good point about demilitarized and I think that word needs to be underscored. That is the biggest worry.

I remember being on the White House lawn, and I am sure you were and so many of my colleagues were, when Rabin, Arafat, and President Clinton looked like it was truly an historic accord, the Oslo Accord. But I remember riding back from that very important ceremony thinking but what about the terrorism and people with AK-47s and then some.

And we know that Hamas has only gotten more dominant, rather than less. So that remains, obviously, a deep, deep concern. And I get your point. It was very well-spoken and articulated as to why you think that is the way to go but it has to be demilitarized.

But anybody who would like to make some final comment before we close? Or we will just end.

Yes, Mr. Neuer?

Mr. NEUER. Just one comment. There was a question about some systemic reforms we could make and I think one of the most important ones would be transparency and supporting whistle blowers.

We just had this week, another U.N. human rights official who said that she was punished for revealing that a senior supervisor in her officer gave China information about Cao Shunli, the dissident who was about to come to Geneva and who, as you know, was detained and died in prison. And it seems that a senior U.N. human rights official gave the information to China and was doing that on a regular basis.

So the whistle blowers need to be protected and the Congress is playing an important role on that.

I think the new U.N. Ambassador should try to create a system, a Freedom of Information. It is almost impossible to get basic information, things like who are the staffers who wrote the Goldstone Report. By accident, we found out that one of the key authors was a woman named Dr. Grietje Baars, who is a Marxist radical pro-

fessor in London, who was spokeswoman for the European flotilla, Gaza flotilla movement. She was actually one of these so-called impartial civil servants who were writing the Goldstone Report.

All of that information is hidden by the U.N. We need to create a system where that kind of information gets disclosed as it would be in any other government.

Thank you, Chairman Smith.

Mr. SMITH. Thank you, Mr. Neuer.

Mr. Wexler.

Mr. WEXLER. I just want to thank you and Chairperson Lehtinen and the ranking members for an especially thoughtful and well-run hearing. Thank you very much.

Mr. SMITH. Doctor?

Mr. SCHANZER. I also want to thank you for this hearing. I think it has been terrific.

You know we have obviously been focusing today on the U.N.'s treatment of Israel and the corruption within and perhaps prospects for peace. But I think I should also point out here that the U.N. has other jobs to do. For example, the recent missile test by Iran, we are deeply concerned about that. We hope that the U.N. will address this. I know the administration just recently raised this in an emergency session. It is going to be crucial, I think, for Congress and the administration to ensure that the U.N. and the P5+1 holds Iran to account when we talk about Israel's security, when we talk about the security of the United States, global security. Iran has got to be job one.

Thank you.

Mr. SMITH. Thank you. I would like to, again, thank you for your incisive commentary and testimony.

The two subcommittees, we will be holding a hearing soon on UNRWA and I think that will, hopefully, provide some good insights as to policy and next steps.

And again, I want to thank you so much for your excellent testimonies.

The hearing is adjourned.

[Whereupon, at 12:44 p.m., the subcommittees were adjourned.]

A P P E N D I X

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WASHINGTON, DC 20515-6128

Subcommittee on the Middle East and North Africa
Ileana Ros-Lehtinen (R-FL), Chairman

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
Christopher Smith (R-NJ), Chairman

January 30, 2017

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held jointly by the Subcommittee on the Middle East and North Africa and the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Thursday, February 2, 2017

TIME: 10:00 a.m.

SUBJECT: Israel, the Palestinians, and the United Nations: Challenges for the New Administration

WITNESSES: Mr. Hillel Neuer
Executive Director
UN Watch

The Honorable Brian Hook
Founder
Latitude, LLC

Jonathan Schanzer, Ph.D.
Vice President for Research
Foundation for Defense of Democracies

The Honorable Robert Wexler
President
S. Daniel Abraham Center for Middle East Peace

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Middle East and North Africa/ Africa, Global Health, Global Human Rights, and International Organizations HEARING

Day Thursday Date 2/2/2017 Room 2172 Rayburn

Starting Time 10:02 a.m. Ending Time 12:44 p.m.

Recesses ☐ (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Chairman Heana Ros-Lehtinen and Christopher Smith

Check all of the following that apply:

Open Session ☒

Executive (closed) Session ☐

Televised ☒

Electronically Recorded (taped) ☒

Stenographic Record ☒

TITLE OF HEARING:

Israel, the Palestinians, and the United Nations: Challenges for the New Administration

SUBCOMMITTEE MEMBERS PRESENT:

MEU GOP Members in attendance: Chairman Heana Ros-Lehtinen, Reps. Darrell Issa, Ben Rayburn, Mark Meadows, Paul Cook, Allen Ryskind, Lee Zeldin, David Bonior, Ann Wagner, Brian Mast

MEU Dem Members in attendance: Ranking Member Ted Cruz, Reps. Gerald Connolly, David C. Bonior, Lyle Frazier, John Garamendi, David Bonior, Thomas V. Ichniowski, Ted Cruz

AGU GOP Members in attendance: Chairman Christopher Smith, Reps. Mark Meadows, David Bonior, Tim Crotter

AGU Dem Members in attendance: Ranking Member Kevin McCarthy, Reps. Thomas Suozzi, Joel Hefner, Joseph Castro

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

HEARING WITNESSES: Same as meeting notice attached? Yes ☒ No ☐

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

Heana Ros-Lehtinen Questions for the Record for Dr. Schanzer and Mr. Neuer

Statement for the Record by Hugh Dugan

Statement for the Record by Deborah Singer Soffen

Testimony by His Excellency Nathan Sharansky

Statement for the Record by Mr. Connolly

Tulsi Gabbard Questions for the Record for the Panel

UN Watch Report "Poisoning Palestinian Children: A Report on UNRWA Teachers' Incitement to Jihadist Terrorism and Antisemitism"

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED _____

Antonella Danaluz
Subcommittee Staff Associate

Statement for the Record
Submitted by Mr. Connolly of Virginia

On December 23, 2016, the United Nations Security Council adopted Resolution 2334, a non-binding resolution that condemns the ongoing establishment of Israeli settlements within Palestinian borders, as drawn in 1967. The resolution stresses the illegality of these settlements, and decries them as insurmountable barriers to achieving a permanent two-state solution that reaffirms Israel's right to exist as a democratic, Jewish state.

The U.S. abstention from this vote cleared the way for Resolution 2334's passage. In the wake of this decision, many have been quick to criticize the Obama Administration's policy toward Israel and threaten broad reprisal toward the United Nations. Some have even advocated that the United States cease all funding to and withdraw from the United Nations. That would be a grave mistake.

The United Nations is far from an unbiased institution, especially when it comes to Israel. While the U.S. has previously abstained from more than 50 U.N. resolutions critical of Israeli actions, I did not support the U.S. abstention from Resolution 2334 because I do not think it advanced the cause of peace in the Israeli-Palestinian conflict. Nevertheless, the United States plays an essential leadership role in U.N. affairs and abrogating our responsibilities at the U.N. would cause lasting harm to U.S. and Israeli interests. Since its founding, the U.N. has been a vital part of implementing U.S. foreign policy interests around the world. The U.N. has served as a valuable platform for collective action on some of the world's most intractable conflicts, and it is essential that the U.S. continue to be a leading voice in the institution.

In the past, I have opposed several amendments to cut or eliminate U.S. funding for the U.N. A more thoughtful approach to improving the U.N. would be for the U.S. to advocate reforms that further our strategic interests. A wholesale retreat would neither improve the U.N. nor make our nation more secure. Our departure could also increase the influence of anti-Israel sentiment at the U.N.

With that said, the United Nations is not the venue to reach a lasting solution to the Israeli-Palestinian conflict. There can be no substitute for direct, bilateral negotiations between the two parties to achieve a sustainable two-state solution. And let's be clear, a two-state solution is the only option that would allow Israel to maintain its identity as a Jewish and democratic state.

On January 3, Chairman Ed Royce and Ranking Member Eliot Engel introduced H. Res. 11 objecting to the passage of UNSCR 2334. Unfortunately, H. Res. 11 was an unbalanced resolution that mischaracterized the history of U.S. policy on the Israeli-Palestinian conflict and attacked the Obama Administration's record on the peace process.

In response to the U.S. abstention to Resolution 2334, I introduced H. Res. 23 with Ranking Member Engel and Representative David Price. Our resolution, which has secured more than 100 cosponsors, offers a balanced approach that reaffirms longstanding, bipartisan principles that undergird U.S. policy

on the Israeli-Palestinian conflict. H. Res. 23 condemns boycott and divestment campaigns and sanctions that target Israel. It supports the U.S. veto of any one-sided or anti-Israel U.N. Security Council resolutions or any resolution that seeks to impose a solution to the conflict. It also reiterates support for a negotiated settlement leading to a sustainable two-state solution that reaffirms Israel's right to exist as a democratic, Jewish state.

The United States and Israel have a special bond rooted in shared values and national security interests. The continuation of this relationship and the prospect of a sustainable end to the conflict require firm, yet balanced, leadership from the United States. The U.S. has pursued peace negotiations, blocked one-sided United Nations Security Council Resolutions, condemned Israeli settlements in the West Bank, conditioned aid to the Palestinian authority in order to combat violence, and helped build institutions within Palestinian society that facilitate progress towards a negotiated, two-state solution. We must continue to do everything in our power to foster peace and prosperity for our greatest friend and ally in the Middle East.

The Israeli-Palestinian conflict remains unresolved more than 20 years after the signing of the Oslo Accords. The Trump Administration presents a new set of challenges to the pursuit of peace in the Middle East. Throughout the presidential campaign and transition period, Mr. Trump vowed to move the U.S. embassy to Jerusalem without any consideration of how this might influence tensions on the ground, failed to condemn Israeli settlement expansion, and announced a highly controversial nominee for U.S. Ambassador to Israel who has rejected a two-state solution as an "illusion," and referred to fellow Jews who do not share his distorted worldview as "kapos."

The extent to which the Trump Administration will follow through on these promises remains to be seen, but both Israelis and Palestinians are drifting further away from the negotiating table. In the 14 days since President Trump took office, Israel has made three separate declarations for more than 6,000 settlement homes in the West Bank and East Jerusalem. Last month, a Palestinian terrorist attack in Jerusalem killed four Israeli soldiers and wounded 15 others, in one of the deadliest attacks of a more than yearlong campaign of violence. The most recent surge in violence has claimed the lives of more than 200 Palestinians, 40 Israelis, and two Americans, and both Israeli and Palestinian youth are increasingly disillusioned with the diplomatic path.

Maintenance of the status quo is one of the greatest threats facing Israel today. Besieged on all sides and locked in conflict in perpetuity is not a future we should accept for the United States' closest ally in the Middle East. Despite the lack of recent progress, the U.S. must continue to be seen as a supporter and honest broker of a lasting peace. The U.S. must demonstrate that the peace process is in the interest of Israel's security by rejecting the imposition of a solution on Israel and bolstering the institutions within Palestinian society that facilitate peace negotiations.

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH,
A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND CHAIRMAN,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL HUMAN RIGHTS, AND INTER-
NATIONAL ORGANIZATIONS

House Foreign Affairs Subcommittee Joint Hearings

2 February 2017

on UN Security Council Resolution 2334 regarding Israeli Settlements (23 December 2016)

Statement for the record

by Hugh Dugan

Visiting Distinguished Scholar and Adjunct Professor, The School of Diplomacy and International Relations, Seton Hall University, and member of the United States Delegation to the United Nations as senior adviser to eleven United States Permanent Representatives and as US Delegate accredited to the United Nations (1989-2015)

In the wake of the Security Council's condemnation of Israeli settlements, efforts underway to reform the Organization through possible defunding triggers are under discussion. The objective is to ensure that US participation in the multilateral UN Organization promotes US interests, goals and objectives mutually shared with its allies for the maintenance of international peace and security, economic and social prosperity, and respect for human rights. Without collaboration in New York to ensure the United States' purposeful participation and championing of the UN Charter, the Organization would move closer to the brink of irrelevance.

Reasserting US Interests

Each UN member state protects its foreign affairs interests throughout the United Nations Organization and the United States is no different. US interests include having the means to participate effectively with others through reliable intergovernmental mechanisms. Such institutions must be responsibly managed for readiness capacity in order to facilitate dialogue, decisions, and program delivery all in the interest of a stable, liberal international order. These interests are those of taxpayers not only at home, but worldwide. The United States has the weight and leadership necessary with others to steward the United Nations Organization to meet these national interests, to the benefit of the US taxpayer and to

those of its allies. On the heels of the UN's recent controversial resolution condemning Israeli settlements, the Trump Administration and the 115th Session of Congress must take the opportunity to script and staff the United States accordingly for its ongoing role as best critic and best friend of the United Nations Organization.

Indeed, the United Nations in the throes of WWII agreed to create the United Nations Organization to service a conference of states, not a typical conference, but a permanent conference with no end date. An international treaty signed in 1945 adopted the UN Charter creating a purpose-built organization to surpass the failed League of Nations as a convening forum to consider and resolve diplomatically international tensions so as to prevent the scourge of world war from occurring yet again in our lifetime.

Due in great part to the genius design of the Security Council veto keeping the major powers at the table instead of at war, for over 71 years the Organization has served as a forum in which countries represent their interests in the context of international cooperation, report back to their capitals on the progress of such multilateral efforts to advocate the principles and purposes of the UN Charter; and enter into negotiations to forge norms of behavior, provide capacity for technical cooperation among states, request discussion papers, authorize operations; and share in the day-to-day stewardship of the Organization itself to provide the capacity and resources to pursue these functions.

Against this, Representative Iliana Ros-Lehtinen stated succinctly in November 2015, "As the UN General Assembly continues its 70th session, we are reminded again that this broken institution is in dire need of reform. Repressive and corrupt regimes like Cuba, Iran, Russia, China, Syria, and North Korea have effectively taken the United Nations hostage, shielding each other from accountability and justice while doing serious harm to the UN's stated objectives. The Palestinian Authority continues to exploit the UN system to pursue unilateral statehood outside of direct negotiations with Israel, an effort that not only circumvents the rule of law and the Palestinians' international agreements and obligations but is counterproductive to the peace process itself. Some of the world's most authoritarian states have commandeered the Human Rights Council in order to deflect attention away from their human rights violations and have done lasting damage to the cause of human rights in the process. With over 250,000 dead in Syria and Assad continuing to use barrel bombs and chemical warfare against his own people, the Human Rights Council has maintained its anti-Israel bias, passing almost twice as many resolutions against the democratic Jewish State as it has against Assad in recent years."

In that vein, there has been a disturbing momentum in the United Nations toward providing an imprimatur of legality, a “soft-law” identity, to issues and outputs on its agenda. The Obama Administration opted for its phone and its pen over the heads of the US Senate by taking the Iran Deal to the United Nations Security Council for adoption as if it were properly ratified. Such “executive order” type actions cannot bind as if law, and they leave vulnerable whatever agreement was struck in good faith with other member states. The Paris Climate Change accord and other such developments may be easily vulnerable to reinterpretation by subsequent Administrations. Any reform of the UN Organization would include an acknowledgement of its possibilities and a strong reminder of its limits.

The Security Council’s anti-Israel resolution #2334 of 23 December 2016 drew criticism from many corners feeling betrayal on this issue. There was also a betrayal of sorts within the club-like bargaining den of the Security Council. There has evolved the political dynamic among UN member states that from time to time a topic such as this can dependably expect that the US will veto, thereby enabling others to take that cover and thereby position themselves among each other for their secondary political purposes. This is the drill, in full expectation that at the end of the day the right thing will have been done by an isolated US potentially scorned by them in public but appreciated by them away from the cameras. France and UK could not have been too happy, as this unexpected turn of events means that they might have to crawl from their safe spaces to fight future fights, take some arrows, and perhaps carry the burden of leadership to act bravely to the public hissing and booing of those who nonetheless quietly depend upon that leadership for a predictable outcome.

Others testifying today are better placed to analyze the substance of resolution 2334. Here it is useful to point out that it re-awoke attention to the UN as a place in need of reform. Certainly, the frustration felt in many corners was that a highly politicized topic was given the appearance of international legitimacy. Disgust was registered across the political aisle that the Security Council, apparently prey to such political manipulation, must be broken and in need of reform – the first step of which would be repudiation of Security Council Resolution 2334. While this frustration is understandable, it is worsened by the competing frustration that the lame duck Obama Administration was the source of this, yet another, self-inflicted wound. It may be worth remembering the quote of former US Ambassador Richard Holbrooke that blaming the UN Organization for such a failing would be similar to criticizing Madison Square Garden when the Knicks lose a basketball game there.

Resolution 2334 indeed did spark the attention of both the president-elect and Congress on the eve of its 115th session to the UN as a target for ongoing reform. So, what might the US do in New York to

recruit others to the task of improving the strategic management of the UN Organization, a routinely underserved priority?

First and foremost, key Congressional figures are already raising attention through statements and draft legislation indicating possible withholding on US payments to the Organization. This maneuver, having been used in previous years at the UN, focuses the attention in way that subtleties, cajoling and earnest advocacy never could. Most recently it delivered successful Helms-Biden legislation in 2001 for various UN reform measures.

Next what is needed in short order is a plan of action for the US Delegation to bring to the UN chessboard. Meanwhile the US Delegation must up its game to play smarter, not only harder, something which newly arrived US Ambassador Nikki Haley is already addressing. And yes, the chessboard itself requires improvements and modernization, going far beyond any single political issue or episode. Today's hearings can direct the firestorm of attention fueled by Res #2334 toward a UN reform program of action for an effective and efficient Organization in our interests and those of our allies. The world is moving more quickly and unpredictably than ever, and the Organization must prioritize and bring its best efforts to bear on the key purposes of the UN.

"Reform is a process, not an event" was the oft-heard view of UN Secretary-General Kofi Annan in the last major era of UN reform around 2000. Indeed, reform is best stated as the ongoing strategic assessment and responsible management of resources. The problem soon arises as to when is reform showing results?

The United Nations Organization, as a going concern, does not have the benefit of competitor UN Organizations, so it is in a market of one. Therefore, there is no bevy of Wall Street analysts assessing its valuation, strengths, weaknesses, potential, "stock price", or buy/sell indicators as would exist for major competitive industries. How does one then fairly assess the Organization's performance? How much peace did we buy today?

As this is indeed a riddle of sorts, the elementary answer would be in assessing the Organization's power to convene participants to its purposes. If it did not serve their interests, it would see no business. Its power to convene remains strong, in parallel with its power to keep participants at the table once they come together. The League of Nations failed in both respects. At stake is whether the Organization's power to convene can be maintained as divisiveness is on the rise in the world. For this, real reform is needed.

Real reform of the UN Organization means a dedicated lifestyle-change within the UN Secretariat, not merely a crash diet before a beach vacation. While respecting good works and intentions, real reform would focus on the Organization's deeper, longer-term inefficiencies, ineptitudes, and wrong approaches. "We the peoples" and their 193 governments deserve from the Organization results-based budgeting, crisp program planning, managerial efficiency and effectiveness, clear monitoring, and evaluations that are thorough and constructive for the peoples' further considerations.

Real reform also entails, dare we say, a reform of the expectations so easily inflated by those drawn to the high principles and purposes of the UN Charter. The public and their governments must reform their perceptions of the UN to align more closely to the original intent of the UN Charter – most importantly the maintenance of international peace and security which drove the creation of the Organization. The increasing mandating of UN peace operations to theaters that are not strictly "international", rather local, domestic, or perhaps regional, has resulted most often in frustrating and at times worsened situations. The expectation that what works between countries can work in less defined theaters of conflict may need revising.

US action toward reforming the UN Organization takes time and effort by both Congress and the White House, and the US Mission to the UN will surely encounter resistance and inertia as was the case in past reform efforts. However, as we know the sunlight needed by the important is always overshadowed by the urgent, and this is very much the case at UN Headquarters in New York. Instead of a daily focus on ensuring an Organization fit for purpose, high-profile votes in its Security Council, landmark efforts on development issues, and controversy in its General Assembly always shake and bake the headlines. Proposing UN departmental reorganizations, calculating dues receivable, and untangling personnel practices are the tedious chores often bypassed. They are readily relegated to mid-career experts by their diplomatic superiors who prefer to be spectacted in political optics, not encased in watch repair work.

Back home, the required depth of knowledge, skill, and ability to undertake a determined program for dedicated, ongoing reform-minded stewardship by the United States is usually in short supply, given competing demands and priorities. The needed investment of political capital for this historically has rendered a small political return on investment on the Hill or with constituents. So, pushing for better US participation multilaterally through reforming the UN Organization is clearly a labor of love by those in Washington willing to become slightly less-politician and slightly more-statesman.

We have witnessed a cycle every fifteen years or so bringing forth such leadership. Senator Nancy Kassebaum lead this effort in the mid-1980s and Senators Biden and Helms did so in 2000. Today this House Foreign Affairs Subcommittee - strengthened by the tireless, year-on-year advocacy of Chairman Chris Smith - Representative Iliana Ros-Lehtinen, and Senate colleagues Ted Cruz and Lindsay Graham among others, are poised to provide leadership to review the UN Charter and assess its current machinery headquartered in New York for relevance and capacity. When keen attention has been focused on these questions, good resources have been developed, and they usually stand the test of time. Former Congressman James Leach headed up a Commission on the UN and its report, although thirty years old, is a fine example which merits a close read.

Representative Ros-Lehtinen has long argued for, among other things, gradually shifting the funding mechanism for the United Nations from assessed to voluntary contributions in order to make the organization more effective and accountable to its objectives. Former Ambassador to the UN John Bolton has put forward similar proposals. The rationale for defunding -- or partial defunding -- are part and parcel of such "smart withholding". The effort is to incentivize transparency, accountability, and reform within the UN Organization; we can stop rewarding the bad behavior that has led to the UN's current state of dysfunction and ensure it gets back to working on its Charter goals.

Proposed legislation in this vein would usefully target the particular areas for reform and identify within each specific measures toward full US participation in mutually resourcing the Organization. Such an inventory of measures would be the subject of a much more detailed, considered report than this.

Generally speaking, however, particular areas would include the following:

- Reforms that can be undertaken immediately within the UN Secretary General's existing authorities as chief administrative officer, such as spending measures and personnel patterns;
- Reforms to be decided by the membership, such as setting the agenda, budgeting, setting the Organization's strategic map, selection process of the Secretary-General; membership criteria, elections to UN subsidiary membership bodies, and working methods of the Security Council and other bodies;
- Reform on the institutional design and UN bureaucracy, which is a shared responsibility of the membership and the Secretary-General.

Several specific reforms were proposed in a recent paper “Eleven Priorities on International Organizations for the Trump Administration” (Heritage Foundation Issue brief #4628 of 17 November 2016). Among its points, it calls on continuing recent initiatives to

- Rein in excessive salaries for UN employees that were 29.9 percent higher than equivalent US civil servant salaries in Washington in 2016,
- Oppose increases in the UN regular budget,
- Revive a mandatory review of all UN mandates,
- Promote changes to address excessive US assessments,
- Condemn and create consequences for cases of sexual exploitation and abuse by UN peacekeepers;
- Secure commitments from existing and new troop-contributing countries to meet existing and future demands.

Adding to these are more proposals for reform:

- Promote higher standards for conduct by UN peacekeepers,
- Improve the Security Council’s methods of work for more rigorous programing and evaluation of peacekeeping operations before mandating or renewing a mandate so as to keep the operations as time-focused as possible,
- Negotiate the UN’s assessment to the US for peacekeeping operations down to the 25 percent cap that is in US law,
- Remind the UN Organization that US law now includes a whistleblower protection withholding of 15% of US contributions,
- Make fully independent the UN Office of Internal Oversight Services,
- Request an audit of the methods, performance, and outputs of the UN Human Rights Council against the criteria establishing it as the replacement to the UN Human Rights Commission,

- Mandate an inventory of the UN's implementation and ongoing relevance of previously agreed UN reform agreements, particularly those wrought by the Helms-Biden legislation in 2000 that lead to the release of nearly \$1 billion in US withholdings,
- Institute sunset clauses on all resolutions, particularly those which authorize extra-budgetary resources,
- Reform the methodology of dues payments from each country to the Organization. This would require negotiations in 2018 to adjust the UN Organization's scales of assessments (the percentage amount it charges each member state) from the US dollar market exchange rate methodology to a purchasing power parity methodology, the same as used by the World Bank in comparing economies, resulting in a lowering of US dues and a raising of that paid by others.

As a closing thought, the fact that the UN Organization can provide the world with immediate "readiness" in a breaking crisis alone could justify our investment and stewardship attention in driving reform. It is in the US interest that there be a forum where we can help forge, within hours, internationally legitimate agreements and authoritative actions over threats to international peace and security – as was the case in the fast-breaking Iraqi invasion of Kuwait. The Organization's response was a shining moment in its history. It may be that such an investment blooms very rarely, or so it seems. Some of the best and most expensive investments made are in things we may never "use" but whose mere existence identifies our capacity and changes the equation internationally in our favor.

Finally, each UN member state protects its foreign affairs interests throughout the United Nations Organization, and the United States is no different. US interests include having the means to participate effectively with others through reliable intergovernmental mechanisms. Such institutions must be responsibly managed for readiness capacity in order to facilitate dialogue, decisions, and program delivery all in the interest of a stable, liberal international order. These interests are those of taxpayers not only at home, but worldwide. The US has the weight and leadership necessary with others to steward the United Nations Organization to meet these national interests, to the benefit of the US taxpayer and to those of its allies. On the heels of the UN's recent controversial resolution condemning Israeli settlements, the Trump Administration and the 115th Session of Congress must take the opportunity to script and staff the United States accordingly for its ongoing role as best critic and best friend of the United Nations Organization.

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH,
A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND CHAIRMAN,
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NATIONAL ORGANIZATIONS

February 2, 2017

Dear Members of the Committee on Foreign Affairs,

Thank you for affording me this opportunity to share my thoughts with this esteemed committee.

This past year I was invited to meet with Congressman Chris Smith. During that meeting, I mentioned to the Congressman that it was my professional opinion as a Board Certified Pediatrician from the State of New Jersey that the hate and incitement to violence being taught to children in UNRWA schools should be considered a form of Societal Child Abuse and as Child Advocates we should do what we can to change the status quo so that another generation of children do not succumb to the same fate. I was so pleased that Congressman Smith expressed interest in my perspective on this issue and pledged to form a committee to investigate this further.

In order to illustrate my point that such teachings are a form of child abuse and avoid any bias that might result from a matter fraught with layers of politics, I have put together a video using footage I obtained from the Center for Near East Policy Research, editing out any mention of "Jews", "Israel", or "The Right of Return". (See video here: <https://youtu.be/PirxpxDIAks>). I was granted permission to use this footage and share this video from its Director, David Bedein. The video highlights what I believe is often overlooked because of "politics"- that the status quo of glorifying violence and martyrdom to impressionable children in the UNRWA schools is exploitation and violates these children's rights. Examples of this have been well documented by a number of organizations, including The Center for Near East Policy Research, UN Watch, and Palestinian Media Watch. I will defer to their expertise to prove that this is indeed the case. For purposes of my submission, I will discuss this as it relates to my field of expertise.

Children everywhere deserve to be educated in a system free of violence and hate, to grow up and reach their full potential as productive members of society, to dream of someday becoming a doctor, lawyer, teacher, engineer, artist, journalist, etc. Instead, these children are apparently fed a steady diet of hate and incitement to commit acts of violence, and sadly (as is illustrated in the video) dream of things we would never imagine for our own children.

What strikes me as a pediatrician, child advocate, and parent, is that based on standard norms and values, the systematic teaching of children to hate and commit acts of violence would without a doubt be considered unacceptable in our country. If it is wrong for our children, it should be wrong for all children. As citizens of one of the principle donor nations to UNRWA, we should use our influence to affect a positive change to the curriculum and hold UNRWA accountable for implementing an appropriate education for these impressionable

young students. As professional child advocates, we are obligated to ensure that children are not exploited. My hope is that international child advocacy organizations will also use their influence and call for an end to this violation of children's rights. If the committee so chooses to hold a future hearing focusing on UNRWA, I would welcome the opportunity to help connect the committee to individuals who might testify as experts in the field of Children's Rights.

I've recently returned from a trip to South Africa. Nelson Mandela was an inspiration to so many. I'd like to share two quotes of his:
 "Education is the most powerful weapon we can use to change the world."
 "There can be no keener revelation of a society's soul than the way in which it treats its children."

Resources and materials in support of my report:

I. Definitions:

Child abuse or Child Maltreatment:

The intentional harm or threat of harm to a child by a person who is acting in the role of caretaker.

Health care providers who care for children have a professional, and often legal, obligation to identify and protect children who may be victims of abuse and neglect. (Wissow LS. Reporting suspected child maltreatment. In: Child Advocacy for the Clinician: An Approach to Child Abuse and Neglect, Wissow LS. (Ed), Williams & Wilkins, Baltimore 1990. p.209.)

UNRWA:

United Nations Relief and Works Agency, charged with providing healthcare, social services, and education to Palestinian "refugees" living in Jordan, Lebanon, Syria, the Gaza Strip, the West Bank, and East Jerusalem.

II. The American Academy of Pediatrics:

AAP Section on Child Abuse and Neglect (SOCAN):

(<http://www2.aap.org/sections/childabuseneglect/>)

AAP policy statement on "The Pediatricians role in Child Maltreatment Prevention" (9/10, reaffirmed 10/14):

"It is the pediatrician's role to promote the child's well-being and to help parents raise healthy, well-adjusted children".

AAP policy statement on "Psychological Maltreatment, Clinical Report" (7/12, reaffirmed 4/16):

"Psychological or emotional maltreatment of children may be the most challenging and prevalent form of child abuse and neglect. Caregiver behaviors include acts of omission (ignoring need for social interactions) or commission (spurning, terrorizing); may be verbal or nonverbal, active or passive, and with or without intent to harm; and negatively affect the child's cognitive, social, emotional, and/or physical development. Psychological maltreatment has been linked with disorders

of attachment, developmental and educational problems, socialization problems, disruptive behavior, and later psychopathology.”

AAP statement on “Understanding the Behavioral and Emotional Consequences of Child Abuse”, *Pediatrics*, September 2008, Volume 122/Issue 3:
Children who have suffered early abuse or neglect may later present with significant behavior problems including emotional instability, depression, and a tendency to be aggressive or violent with others. Troublesome behaviors may persist long after the abusive or neglectful environment has changed ...An increasing body of evidence documents the robust relationship between adverse experiences in early childhood and a host of complications, both medical and psychological, that manifest throughout childhood and later in adult life...many of the dysfunctional behaviors have their origins not in some random organic dysfunction but, rather, in the otherwise healthy brain's physiological adaptations to the abnormal world in which the developing child finds himself or herself...In cases of child abuse or neglect or other exposure to violence, in which the stresses are often prolonged and unavoidable, long-term stress reactions are common and can be especially devastating...early maltreatment (physical or sexual abuse, neglect, or exposure to violence and fear) can deprive the child of the tools needed to adapt to a larger social environment. In addition to denying the developing child necessary social interactions, early maltreatment can alter the normal child's neural physiology, significantly changing the expected responses to stress and affecting the child's ability to learn from experience...Unfortunately for the child, a brain specifically adapted for one type of extreme environment is seldom optimized to perform in another.

AAP Committee on Public Education:

AAP Policy statement on Children, Adolescents and Television (*Pediatrics*, February 2001, Volume 107/Issue 2) describes the possible negative health effects of television viewing on children and adolescents, including “violent or aggressive behavior” amongst other things. “In the scientific literature on media violence, the connection of media violence to real-life aggressive behavior and violence has been substantiated”. (Therefore I would conclude one can extrapolate that there would be a connection of teaching violence to real-life aggressive behavior and violence)

III. The United Nation’s Office of the Special Representative of the Secretary-General for Children and Armed Conflict:

The International Criminal Court (ICC) in 2002, recognized “conscripting or enlisting children under the age of 15 and using them to participate actively in hostilities” *as a war crime*.”

IV. The World Health Organization:

[Preventing child maltreatment: A guide to taking action and generating evidence](#) is a tool developed jointly by the **World Health Organization and the International Society for Prevention of Child Abuse** to assist national governments in

establishing programs to prevent, detect and respond to child abuse [28].
http://www.who.int/violence_injury_prevention/violence/activities/child_maltreatment/en/

“Violence against children is highlighted in the World report on violence and health (see chapters 2 and 3 on youth violence and child abuse and neglect) and as such is an integral part of **WHO's** Global Campaign for Violence Prevention and its objectives to promote uptake of the **WHO** prevention recommendations and support countries in their implementation of WHA Resolution 56.24 Implementing the recommendations of the World report on violence and health.”

“To help meet these prevention challenges, **WHO** has collaborated with the **International Society for Prevention of Child Abuse and Neglect (ISPCAN)** in the development of *Preventing child maltreatment: a guide for taking action and generating evidence* to assist countries to design and deliver programs for the prevention of child maltreatment by parents and caregivers.”

V. Convention on the Rights of the Child: From the World Report on Violence and Health, p. 77, 78:

“In November 1989, the United Nations General Assembly adapted the **Convention on the Rights of the Child**. A guiding principle of the Convention is that children are individuals with equal rights to those of adults. Since children are dependent on adults, though, their views are rarely taken into account when governments set out policies. At the same time, children are often the most vulnerable group as regards government-sponsored activities relating to the environment, living conditions, health care and nutrition. **The Convention on the Rights of the Child** provides clear standards and obligations for all signatory nations for the protection of children.

The Convention on the Rights of the Child is one of the most widely ratified of all the international treaties and conventions. Its impact, though, in protecting children from abuse and neglect has yet to be fully realized.

The Convention on the Rights of the Child recognizes and urges respect for the human rights of children. In particular, Article 19 calls for legislative, administrative, social and educational actions to protect children from all forms of violence, including abuse and neglect.

Respectfully submitted,

Deborah Singer Soffen, MD FAAP
 Princeton, NJ



MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH,
A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND CHAIRMAN,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, GLOBAL HUMAN RIGHTS, AND INTER-
NATIONAL ORGANIZATIONS



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: His Excellency Natan Sharansky

Israeli Minister for Diaspora Affairs - Head of the Israeli Delegation to the Berlin OSCE

Conference on Anti-Semitism

Mr. Chairman,

Thank you for the opportunity to appear before you and the committee today.

When I was a dissident in the former Soviet Union, one of my regular activities was monitoring antisemitism, and smuggling out evidence and records of such activity to the West. Back then, I believed that the free world, particularly after the Holocaust, would always be a staunch ally in the struggle against antisemitism.

Unfortunately, I was wrong.

Today, as the Minister in the Israeli Government in charge of monitoring antisemitism, I find myself summoning on a regular basis the Ambassadors of Western European states to protest antisemitic attacks on Jews in their countries and the often meek response of their governments.

Over the past four years, we have witnessed a resurgence of antisemitic activity in the democratic world. In Europe, synagogues have been burned, rabbis have been abused in the streets, Jewish children on their way to school have been physically attacked, and Jewish cemeteries have been desecrated.

This so-called "new antisemitism" poses a unique challenge. Let me explain why. My experience has convinced me that fighting evil demands moral clarity. Evil cannot be defeated if we are unable to draw clear moral lines. Indeed, when good and evil become merely a matter of opinion, evil thrives.

That is what makes the battle against the new anti-Semitism so difficult. To modern eyes, classical anti-Semitism is easily discernable. If we watch films that show Jews draining the blood of non-Jewish children or plotting to take over the world, most of us would immediately recognize it as anti-Semitism.

But the new anti-Semitism is far more subtle. Whereas classical anti-Semitism is aimed at the Jewish people or the Jewish religion, the new antisemitism is aimed at the Jewish State. Since this anti-Semitism can hide behind the veneer of legitimate criticism of Israel, it is much more difficult to expose. Making the task even harder is that this hatred is advanced in the name of values most of us would consider unimpeachable, such as human rights. If it is true that one cannot fight evil without moral clarity, it will be especially difficult to fight the new anti-Semitism, which is an evil that masquerades as good.

Let me be clear that I believe that the Jewish state should not be above criticism. Indeed, a democratic state like Israel can appreciate that criticism is not only legitimate but an essential means to effect positive change. But I would like to propose a test that will allow us to separate legitimate criticism of Israel from anti-Semitism.

I call it the 3D test, but I can assure you that only the name is original. The test itself merely applies the same criteria that were traditionally used to identify anti-Semitism to the new anti-Semitism.

The first D is the test of demonization. Demonization has always been a primary expression of anti-Semitism. Jews were portrayed for centuries as the embodiment of evil, and accused among other things of deicide, drinking the blood of children, poisoning wells, and controlling the world's banks and governments.

Today, we must ask ourselves whether the Jewish State is being demonized. Are the actions of Israel blown out of all sensible proportion? For example, the comparisons between Israelis and Nazis and between Palestinian refugee camps and Auschwitz – comparisons which are heard practically everyday within “enlightened” quarters of Europe – can only be considered anti-Semitic.

Those who live in refugee camps clearly live in miserable conditions. But even those who would wrongly blame Israel for the fact that four generations of Palestinians have lived in these camps cannot legitimately compare these camps to Auschwitz. Those who draw such analogies either do not know anything about the Holocaust or, more plausibly, are deliberately trying to paint modern day Israel as the embodiment of evil. This criticism is clearly beyond the pale.

The second D is the test of Double Standards. For thousands of years, a clear sign of anti-Semitism was treating Jews differently than other peoples, from the discriminatory laws that many nations enacted against them to the tendency to judge their behavior by a different yardstick. Similarly, today we must ask whether criticism of Israel is being applied selectively. It is anti-Semitism, for instance, when Israel is singled out by the United Nations for human rights abuses while the behavior of tried and true abusers, like China, Iran, Cuba, and Syria are ignored. Likewise, it is anti-Semitism when Israel's Magen David Adom, alone among the world's ambulance services, is denied admission to the International Red Cross.

The third D is the test of Delegitimization. In the past, anti-Semites tried to deny the legitimacy of the Jewish religion, the Jewish people or both. Today, they are trying to deny the legitimacy of the Jewish State. While criticism of an Israeli policy may not be anti-Semitic, the denial of Israel's right to exist is always anti-Semitic. If other peoples have a right to live securely in their homelands, then the Jewish people have a right to live securely in their homeland as well.

If we are to fight the new anti-Semitism, we must make sure that we do not blur the line between legitimate criticism of Israel and antisemitism. Like a pair of glasses in a 3D movie that allows us to see everything with perfect clarity, the 3D test I have proposed will ensure that those lines remain clear. Only then can the new anti-Semitism be effectively addressed.

But to see the rabid antisemitism that exists today in the Muslim world, we need no special glasses. We only have to open our eyes.

The Berlin Conference, which was important in putting anti-Semitism on the international community's radar screen, unfortunately ignored the most vicious, persistent, and genocidal forms of anti-Semitism emanating today from radical elements in the Arab and Moslem worlds.

You have just seen with your own eyes a film, produced by Syria's state-run media, that was broadcast to tens of millions of Muslims around the world, including million in Western Europe. A similar film was produced in Egypt two years ago and shown throughout Ramadan when the viewing audience would be as large as possible.

I have also brought with me today a one hundred and fifty page study entitled "Anti-Semitism in the Contemporary Middle East." The study, prepared by our office, surveys anti-Semitic reporting, editorials and editorial caricatures in the government-controlled press of Egypt, Iran,

Jordan, Lebanon, the Palestinian Authority, Syria, Saudi Arabia and the Gulf states. In the more than 100 editorial cartoons that are included in this report, Jews and Israelis are invariably represented as poisonous snakes, murderous Nazis and bloodthirsty Crusaders. Please take a look at it. I am sure that even a cursory glance will prove quite shocking.

We found that vicious anti-Semitism that expressly calls for massive terrorism and genocide against Jews, Zionists and the State of Israel is becoming more and more commonplace across the Arab Middle East. And please note: the overwhelming majority of this propaganda is issued from the government-controlled media and from supposedly respectable publishing houses closely tied to the Arab regimes.

Here is a brief review of the main findings of the report:

- Classic European anti-Semitic imagery is widespread in the Middle East, as is Holocaust denial and the identification of Israel as a Nazi state.
- The borders between anti-Semitism, anti-Americanism and anti-Westernism have become almost completely blurred.
- Islamic religious themes, quotations and sayings are being widely mobilized to demonize Jews and Israelis and to justify the outright annihilation of the State of Israel and all its Jewish and non-Jewish supporters.
- The Arab-Israeli conflict is increasingly portrayed as part of an eternal confrontation between the pan-Islamic nation and the infidels (Jews and Christians alike), who embody all primeval evil.
- All Israelis – men, women and children – and Jews around the world, as well as their "Crusader allies" are held responsible for the crimes of the Jews and Zionists and considered legitimate targets.
- Finally, the children's books in some Arab countries -- including Egypt, which has signed a peace treaty with Israel – regularly portray Jews and murderers and thieves.

Mr. Chairman,

I recognize that there have been positive developments in the fight against anti-Semitism over the last year or so. The OSCE has held several good meetings on this issue – and I applaud Secretary Powell's leadership in this regard. And last month the UN Commission on Human Rights condemned anti-Semitism in three separate resolutions which were adopted by consensus.

But these important initiatives unfortunately are not sufficient to combat state-sponsored anti-Semitism, especially the Arab and Islamic state sponsored anti-Semitism of which I have spoken today. For real progress to be made, the free world must be willing to not only publicly and forcefully condemn this antisemitism, but also to pursue a policy of linkage against states that support anti-Semitism.

The effectiveness of a policy based on linkage was powerfully demonstrated a generation ago after a group of dissidents inside the Soviet Union, including myself, decided to form the Helsinki Group in the wake of the Helsinki accords – the very agreement which led to the establishment of the OSCE.

With the help of courageous leaders in the West who were willing to link their relations with the Soviets to their treatment of their own people, the Helsinki Group helped ensure that the Soviets could not take one step in the international arena without their human rights policies becoming an issue. As a result, real progress was made.

The massive flow of anti-Semitic propaganda from the Arab and Moslem world can no longer be ignored or tolerated. I believe that combating anti-Semitism ought to become a much more prominent issue in the bilateral relations between America and the Arab and Moslem worlds. Linkage can be used to marginalize the extremists and to encourage and support those who reject this virulent hatred.

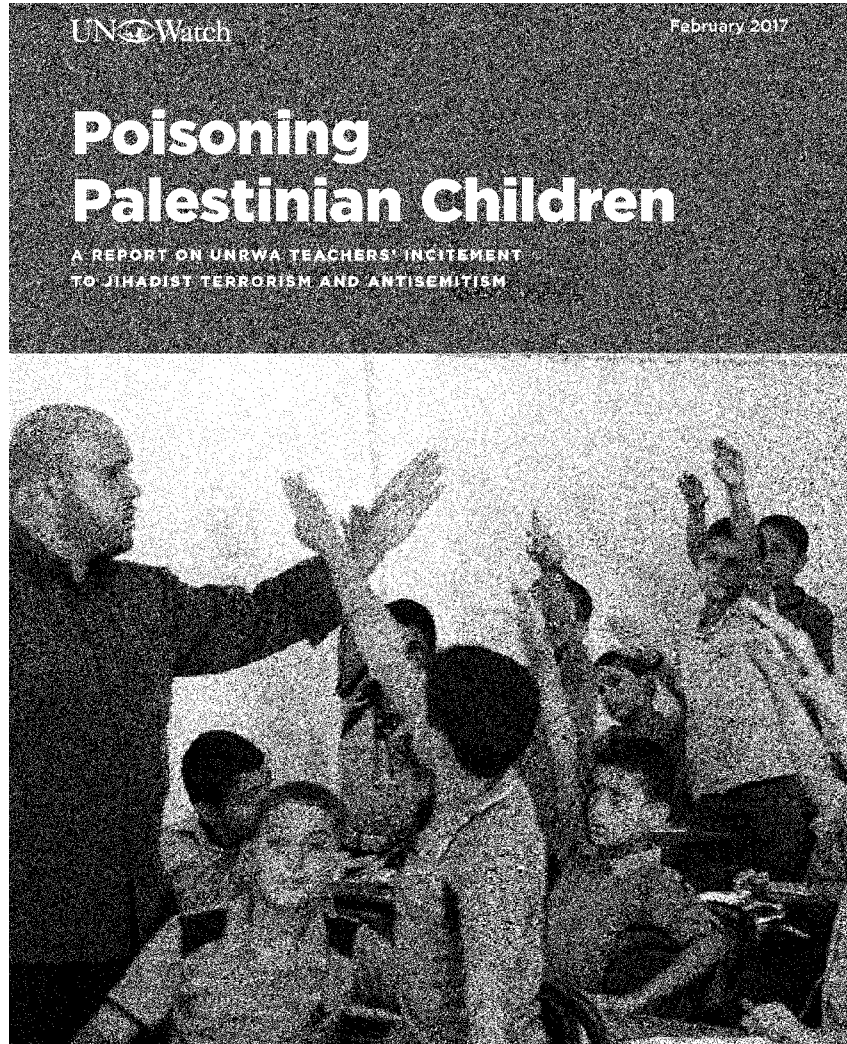
Antisemitism is not a threat only to Jews. History has shown us that left unchecked, the forces behind anti-Semitism will imperil all the values and freedoms that our civilization holds dear.

We must not let this happen. We must do everything in our power to fight antisemitism. Armed with moral clarity, determination, and a common purpose, I know that this is a fight that we can and will win.

Thank you Mister Chairman.



MATERIAL SUBMITTED FOR THE RECORD BY MR. HILLEL NEUER, EXECUTIVE DIRECTOR,
UN WATCH



Poisoning Palestinian Children

A REPORT ON UNRWA TEACHERS' INCITEMENT TO JIHADIST TERRORISM AND ANTISEMITISM

Presented by UN Watch before the United States Congress
House Foreign Affairs Committee

Joint Hearing of the
Subcommittee on Middle East and North Africa and the
Subcommittee on Africa, Global Health, Global Human Rights,
and International Organization

UN Watch
February 2, 2017

EXECUTIVE SUMMARY

This report exposes more than 40 Facebook pages operated by school teachers, principals, and other employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which incite to terrorism or antisemitism. The report is divided by region, and includes UNRWA staffers in Lebanon, Jordan, Gaza and Syria. These cases are additional to the 30 cases of incitement revealed at the end of 2015 by UN Watch.

The examples of incitement in this report include UNRWA teachers and staffers celebrating the terrorist kidnapping of Israeli teenagers, cheering rockets being fired at Israeli civilian centers, endorsing various forms of violence, erasing Israel from the map, praising Hitler and posting his photo, and posting overtly antisemitic videos, caricatures, and statements.

Incitement as Symptom of Core Problem

It is essential to understand that the hatred on display within UNRWA is a symptom of a deeper, underlying problem: the very existence of the organization, its structure and operations, and core political mission. As noted by Dr. Einat Wilf, the world's leading expert on UNRWA, the agency functions as a political Palestinian organization committed to the political program of "return," which means sending five million descendants of 1948 Palestinian refugees into Israel, effectively ending the Jewish state as we know it. Rather than nurturing the possibility of peace, Dr. Wilf has shown, UNRWA is currently the greatest obstacle to peace, as it institutionalizes, perpetuates, and inflates the Palestinian refugee issue and the dream of Palestinian "return" to what is the State of Israel.

U.S., UK, EU and Other Top Donors Must Act

UNRWA's major donors include the U.S., which gave \$380 million in 2015, the EU (\$136 million), and the UK (\$100 million). These and other donor states, including Canada which recently announced a new \$25 million grant, bear a responsibility to ensure that UNRWA lives up to its obligations as a UN humanitarian organization.

Regrettably, when we exposed 30 similar cases of online incitement last year, the response of UNRWA spokesman Chris Gunness was to lash out at UN Watch, and to deny or downplay the problem. Only after months of sustained media attention did the UN spokesman in New York announce quietly that a few employees had been suspended. The identities of the perpetrators, or the duration of their suspensions, were never disclosed. UNRWA itself has never issued any statement on the matter, neither on its website or elsewhere.

That so many UNRWA employees continue to publicly display Facebook posts which celebrate radical Islamic terrorism and incite antisemitism demonstrates that UNRWA—despite its claims to have established disciplinary systems—is failing to take the issue seriously, and that its employees know that.

Likewise, the senior UNRWA echelon's daily political advocacy targeting Israel—an anomalous practice and breach of neutrality among humanitarian agencies worldwide—creates an overall atmosphere in the organization where teachers clearly feel comfortable erasing the Jewish state from the map.

Legal Violations

The incitement by UNRWA employees constitutes a violation of their legal obligations:

1. Breach of Neutrality Duty

UNRWA's 2017 funding agreement with the U.S. State Department obliges it to act in accordance with "UN humanitarian principles of neutrality and impartiality." Under general UN principles, UN humanitarian actors have a duty not to take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature.

The incendiary Facebook posts by UNRWA personnel supporting, glorifying and legitimizing murderous anti-Israel terrorism is a gross violation of this duty of neutrality. These UN employees are openly taking sides in the Israeli-Palestinian conflict and engaging in political, racial, religious or ideological controversies.

2. Breach of UNRWA's Undertaking to Reject Racism

UNRWA's agreement with the U.S. obliges it to reject "racism in all forms." Yet UNRWA teachers and principals are in gross violation of this obligation by posting classically antisemitic posts on Facebook.

3. Failure to Implement "Social Media Training"

Under its agreement with the U.S., and in pledges made to Canada that were announced in November, UNRWA must implement e-training on UNRWA's policy on social media use by UNRWA personnel. UNRWA is in glaring breach of this provision. Based on today's UN Watch report, it is clear that if UNRWA has taken any actions in this regard, they have been an utter failure.

Furthermore, UNRWA's e-training obligation is supposed to be implemented in connection with its broader obligation to comply with Section 301(c) of the U.S. Foreign Assistance Act of 1961 (see, Section III, p. 2), pursuant to which UNRWA must ensure

the United States that its contributions are not going to assist persons who are involved in terrorism. The fact that UNRWA personnel are actively inciting, glorifying and honoring terrorists on their Facebook profiles calls into question whether UNRWA is in fact in compliance with FAA Section 301(c).

4. Failure to Discipline Teachers Who Incite Terrorism and Antisemitism

Under its agreement with the U.S., UNRWA must take “clear and consistent . . . disciplinary action” against its personnel who violate UNRWA’s regulatory framework. (See, Section III, p. 3).

In response to UN Watch’s reports from last year, UNRWA claimed that it took disciplinary action against some of its personnel in the form of suspensions and loss of pay. However, UNRWA did not identify the employees subjected to disciplinary proceedings or state the length of the suspensions. In any event, whatever disciplinary action UNRWA took plainly was not effective—today’s UN Watch report shows that the conduct is continuing unabated throughout UNRWA’s facilities across the Middle East.

The U.S., the EU, the UK and Canada must demand that UNRWA employ a zero tolerance policy for this type of incendiary Facebook activity by its employees, just like that applied to teachers in the U.S. and the UK. In November 2016, the Oberlin College Board of Trustees dismissed an assistant professor for anti-Semitic Facebook posts. Similarly, in October 2015, the UK government banned a teacher from the classroom for life over an anti-Semitic Facebook post. Palestinian students deserve the same rights that UNRWA’s donors grant their own.

5. Violation of Internal UN Policies on Impartiality

In addition to these flagrant breaches of the 2017 funding agreement, UNRWA is also in violation of UN and UNRWA internal policies concerning staff neutrality and impartiality.

Article 101(3) of the UN Charter states that the “paramount consideration” in employing staff is “securing the highest standards of efficiency, competence and integrity.” The quality of “integrity” is central to the UN Staff Rules and Staff Regulations, which require staff members to “uphold the highest standards of . . . integrity.” This includes, but is not limited to, “probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status.” See Regulation 1.2(b). This value is again reflected in Rule 1.2(f) requiring staff to remain neutral and impartial, especially with respect to public pronouncements.

Moreover, UNRWA’s own International Staff Regulations expressly incorporate this UN “neutrality rule” for its staff, stating in Regulation 1.4 that staff must “avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status or integrity, independence or impartiality which are required by that status.”

The UNRWA staff Facebook posts exposed by UN Watch today and last year reflect a brazen flouting of these UN and UNRWA regulations.

Recommendations and Call to Action

In light of the foregoing, UN Watch urges all donor states—and in particular the U.S., the EU, the UK and Canada—to:

- (a) Demand that UNRWA be in full compliance with its obligations, including each of the provisions outlined above, prior to donor states releasing any further funds to UNRWA;
- (b) Demand that UN Secretary-General António Guterres and UNRWA Commissioner-General Pierre Krähenbühl immediately condemn their employees' incitement to terrorism and antisemitism; and
- (c) Demand that UNRWA adopt a zero tolerance policy for employees who incite racism or murder by immediately terminating them, and prominently post on its website these and other actions it is taking to root out this insidious conduct by UN staff.

I. Incitement by UNRWA in Lebanon

- L1** – Ghanem Naim Ghoneim, Teacher at UNRWA
- L2** – Omar Asaad, Employee at UNRWA
- L3** – Khader Awad, Teacher at UNRWA
- L4** – Hatem Asaad, Employee at UNRWA
- L5** – Mohammad Alsayyed, Assistant Head Teacher at UNRWA
- L6** – Maha Hamid, Teacher at UNRWA
- L7** – Lotfi Ghuneim, Employee at UNRWA
- L8** – Tarek Agha, Human Resources Assistant at UNRWA
- L9** – Ghassan Fathi, Technical Instructor at UNRWA's Siblin Training Center
- L10** – Ahmad Hasan, Outreach and Placement Officer at UNRWA
- L11** – Mustafa Zaid, Teacher at UNRWA
- L12** – Hussein Asaad, Technical Instructor at UNRWA's Siblin Training Center
- L13** – Ibrahim Tafesh, Employee at UNRWA's Siblin Training Center
- L14** – Khaled A Aziz (Abu Musab), Employee at UNRWA's Siblin Training Center
- L15** – Mohamad Fahed, Instructor at UNRWA's Siblin Training Center
- L16** – Tarek Abu Ghazelah, Employee at UNRWA
- L17** – Ahmad Nasser, Principal of UNRWA's NTC

**L1: GHANEM NAIM GHONEIM, TEACHER AT UNRWA, VENERATES
“WONDERFUL” HITLER**



Ghanem Naim Ghoneim, who identifies himself on his Facebook profile as a teacher at UNRWA, has two photos posted in his public Facebook page of Adolf Hitler, whom he calls “our beloved,” and “Hitler the great.”

The UNRWA teacher notes that Hitler was close with Palestinian Arab leader Amin al-Husseini, and then adds, “God bless Hitler.”

Commenting on one of his Hitler photos, two of Mr. Ghoneim’s apparent UNRWA students praise the post, with one saying “God bless you, teacher!” and the other saying “Nice one, teacher.”

The UNRWA teacher also celebrates Hamas rocket fire on Tel Aviv, to hit “the Jews.”

The pro-Hamas post grossly violates UNRWA employees’ duty of neutrality, and the antisemitic posts violate their duty to reject racism in all its forms.

Mr. Ghoneim’s Facebook page: <https://www.facebook.com/ghanemghoneim>

Congresswoman Tulsi Gabbard: Questions for the record

**HFAC Joint Subcommittee Hearing on Israel, the Palestinians, and the United Nations:
Challenges for the New Administration**

February 2, 2017

Questions for all witnesses:

- Thank you for being here.
- As I'm sure you are aware, yesterday the Israeli government approved more than 3,000 new settlements in the West Bank. The announcement came as the government decided to demolish another settlement, which was met with anger and violence from settlers.
- This is just the latest example of many over the past year where the actions of both the Israeli and Palestinian governments – and sometimes the people – have moved us further away from peace and the possibility of a two-state solution.
- **Given this current environment, can you tell us what actions the U.S. government or the international community can take to help move the Israeli and Palestinian people, and governments, closer to peace? Furthermore, what will the consequences be for the Israeli and Palestinian people, and the prospects for peace, if Israel continues down its current path?**

[**Note:** Responses to the above questions were not received prior to printing.]

