

# Resignation of Gaza investigator is big blow to Palestinian lawfare campaign

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By Gerald Steinberg, February 5, 2015

The sudden resignation of William Schabas, the anti-Israel professor of law who headed the UN investigation into alleged Israeli "war crimes" in the recent Gaza war, has further highlighted the farcical attempts to indict Israel taking place under the façade of international law.

Mr Schabas was forced to quit after Israel informed the UN Human Rights Council (UNHRC) that he had omitted to mention a consulting contract he had with the PLO - a blatant ethical violation that led a number of governmental delegates to request an investigation.

The UNHRC, Mr Schabas and their allies, such as Amnesty International, tried to spin this embarrassment into Israeli wrongdoing, and claimed that resignation would make no difference, as the report was already largely written. But, like the belated retraction by Judge Richard Goldstone of the 2009 UNHRC report attacking Israel that bore his name, the naming and shaming of Mr Schabas is a major blow to the Palestinian "lawfare" campaign which exploits false allegations and twisted versions of international law for political warfare.

Furthermore, if, as claimed, the Schabas investigation is almost complete, the professor would have started compiling his report long before the January 31 deadline for the submission of evidence.

Schabas omitted to say he had consulting contract with the PLO - a clear violation

This suggests that he could have prepared the report without considering much of the evidence submitted to the committee.

Indeed, there is good reason to expect that the evidence will follow the standard pattern, based entirely on unverifiable accusations from Amnesty and the other radical political NGOs claiming human rights motives.

As a result, Judge Mary McGowen Davis, Mr Schabas's deputy in this kangaroo court who was immediately promoted to replace him, must contend with a flawed and permanently stained document. If she follows the path created by the bloc of 55 Islamic states that control the agenda of the UNHRC, she will press on and publish the report, no matter how ludicrous and unsupported.

But this is not a forgone conclusion. Ms Davis, unlike Mr Schabas, is not a pathological Israel-hater. While Mr Schabas campaigned for this position, and worked closely with Palestinian officials and their NGO allies, Ms Davis does not have a reputation for unprofessional behaviour. She inherits a process - which would have been unacceptable in any credible court - that included a mandate to find Israel guilty before any evidence was provided.

Ms Davis has the option of bringing the curtain down on this farce, and avoid further destruction of the moral principles of human rights and international law.

*Gerald Steinberg is president of NGO Monitor*

