

April __, 2013

His Excellency Ban Ki-moon
United Nations Secretary-General
United Nations Secretariat
New York, NY 10017

Dear Secretary-General Ban:

We, the undersigned members of Congress, write to express appreciation for your recent and past condemnation of Richard Falk, the United Nations Special Rapporteur on “the situation of human rights in the Palestinian territories occupied since 1967” and further urge you to call upon the UN Human Rights Council to remove Falk on account of his long record of offensive statements, conduct, and poor judgment falling short of the standards established by the Council for mandate holders, culminating in his despicable comments blaming the U.S. and Israel for the horrific Boston Marathon terrorist bombings.

We condemn Falk for his offensive belief that the Boston attack was justified because “[t]he American global domination project is bound to generate all kinds of resistance in the post-colonial world” and his suggestion that the U.S. may “experience worse blowbacks” if it does not “rethink [its] relations to others in the world, starting with the Middle East.” We reject Falk’s outrageous characterization of the U.S. as seeking “global domination” and emphatically state that the liability and the guilt for this deadly act of terrorism rests squarely on the shoulders of the attackers and those who provided any support or guidance for them.

Furthermore, we condemn Falk for blaming Israel and the close relationship between the U.S. and our ally and friend Israel for the Boston attack, particularly his offensive assertion that “as long as Tel Aviv has the compliant ear of the American political establishment, those who wish for peace and justice in the world should not rest easy.” On the contrary, as proud supporters of Israel, we affirm that Israel is a beacon of freedom and democracy and that promoting Israel’s legitimacy and security is a key to seeking peace and justice in this world. Thus, we also oppose Falk’s offensive past attempts to economically isolate Israel by demanding boycotts on “businesses that are profiting from the Israeli settlement enterprise” until they conform to “international human rights and humanitarian law and standards.”

Falk has embarrassed and discredited his office and the UN Human Rights Council through his shocking anti-Semitic tendencies, such as posting a cartoon on his website with a dog wearing a “USA” t-shirt and a Jewish religious head-covering. His history of anti-Semitism calls into question his suitability to fulfill his mandate with the impartiality necessary to maintain the trust of Israel, which is obviously a key stakeholder in the “situation of human rights on Palestinian territories.”

Moreover, we condemn Falk's repeated endorsement of conspiracy theorists who allege that the September 11th attacks were both perpetrated and covered up by the U.S. government and media. In particular, we condemn his odious claim that President George W. Bush was "openly seeking a pretext to launch a regime-changing war against Saddam Hussein's Iraq, and the 9/11 events, as interpreted and spun, provided just the supportive domestic climate needed" for the war.

Falk's established record of offensive statements, irresponsible conduct, and poor judgment fall short of the standards that the UN Human Rights Council has established for mandate holders, specifically requirements of "impartiality" in the fulfillment of his mandate and "personal integrity" that are of "paramount importance." Further, Falk has violated the UN Human Rights Council's Code of Conduct for Special Procedures Mandate-holders, specifically the requirements to "[u]phold the highest standards of ... integrity," including "probity, impartiality, equity, honesty, and good faith" as well as to "[a]dopt a conduct that is consistent with their status at all times" and to "behav[e] in such a way as to maintain and reinforce the trust they enjoy of all stakeholders."

For the above reasons, we urge you to call upon the UN Human Rights Council to remove Falk from his position as the United Nations Special Rapporteur on "the situation of human rights in the Palestinian territories occupied since 1967".

Sincerely,

Members of Congress

cc: Navi Pillay, United Nations High Commissioner for Human Rights; and Remigiusz Achilles Henczel, President of the United Nations Human Rights Council.