

Amit Chakma
President & Vice-Chancellor
Stevenson Hall, Suite 2107
London, Ontario N6A 5B8
Canada

July 20, 2017

Re: Cease and Desist Support for Discriminatory UN Mandate

Dear President Chakma,

We are shocked to discover that the University of Western Ontario, for the past 14 months, has been providing assets in kind to support the UN Human Rights Council's permanent, politicized, and prejudicial investigation into "Israel's violations" of "the principles and bases of international law"—a notoriously discriminatory mandate that [turns a blind eye](#) to both Palestinians and Israelis victimized by human rights violations committed by the Palestinian Authority, Hamas, and Islamic Jihad.

Your university's inexplicable support for this anti-human rights mandate is revealed in a UN report citing a disclosure by Western law professor Michael Lynk, who in 2016 was named "UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967." Western provided Mr. Lynk with "support in kind" in the form of "research assistants, office space and admin assistance" to support his prejudicial mandate. Please note: other than Western, no other entity in the world is listed as providing assets of any kind for this bigoted mandate. *See* [A/HRC/34/34/Add.1](#) at 39.

Western's support for this discriminatory and anti-human rights mandate constitutes a violation of the university's [Institutional Principles and Values](#)—including those of "integrity", "fairness" and the "commitment to serve the public good"—as well as its non-discrimination policy.

Western's actions violate these principles, first and foremost, because the UNHRC mandate constitutes a fundamental breach of the rule of law principle upon which Canada is founded. *See* Preamble, *Canadian Charter of Rights and Freedom*, 1982.

- The rule of law provides that all people are equal under the law; [Mr. Lynk's mandate](#) deliberately and unequally ignores all Palestinian and Israeli victims of human rights violations when Israelis cannot be blamed as perpetrators. Contrary to his misleading UN title, Mr. Lynk's work in no way examines or protects all human rights on a given territory; the target is Israel only.
- The rule of law provides that no one is above the law, and ensures institutions by which everyone is accountable to the law; Mr. Lynk's mandate [grants](#)

[impunity to the Palestinian Authority, Hamas, and Islamic Jihad](#), whose violations of human rights are automatically excluded from his purview.

- The rule of law guarantees impartiality and the presumption of innocence; Mr. Lynk’s position is the only UNHRC country mandate that examines the actions of one side exclusively—and which presumes them to be “violations.”

For the reasons stated above, Mr. Lynk’s mandate breaches the [UN Charter](#) guarantee of equal rights for all nations, and violates the UNHRC’s own founding principles, including: universality, objectivity, non-selectivity, the elimination of double standards and politicization, and the commitment to the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner. See [A/RES/60/251 of 15 March 2006](#).

Western’s actions are extraordinary—and opposed by, among many others, [Canada](#) and the [European Union](#), who have both condemned the mandate for being “unbalanced,” noting that it “focused exclusively on Israeli practices rather than the human rights situation in the West Bank and Gaza as a whole.” The [United States](#) said that supporters of the mandate want it to be nothing more than “a cudgel with which they can batter the Israeli government.” [Amnesty International](#) said the mandate’s “limitation to Israeli violations” serves to “undercut both the effectiveness and the credibility of the mandate,” and “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.”

Even those holding the mandate have acknowledged its bias; in 2008, one of them formally requested to rectify the imbalance, yet this was summarily rejected by the Arab states. See “[Mandate to Discriminate](#),” *UN Watch*, March 10, 2016. Mr. Lynk himself acknowledged the bias of the mandate when he was appointed, saying he was “open to looking at expanding the job.” See “[UN appointment of Canadian professor creates controversy](#),” *The Globe and Mail*, March 30, 2016. Regrettably, however, Mr. Lynk has taken no action to end the injustice. “I have not been asked,” he recently [explained](#).

Second, and even worse, Western is supporting not only a biased mandate, but a biased mandate-holder. UNHRC rules, as defined in resolutions 5/1 and 16/21, require that Special Rapporteurs be impartial and objective. By contrast, Mr. Lynk is the furthest thing from impartial when it comes to the Arab-Israel conflict. Though he failed to disclose it on his UN application, Mr. Lynk has held key roles in several Arab and Palestinian advocacy groups; lobbied against Canada’s free trade agreement with Israel; supported “Israel Apartheid Week”; and has a [lengthy record](#) of making prejudicial statements against Israel. Indeed, Mr. Lynk’s record was found to be so egregious that the government of Prime Minister Justin Trudeau took the unprecedented step of calling on the UN to reconsider his appointment. Former Foreign Minister Stéphane Dion’s office expressed concerns about Lynk’s “suitability and impartiality,” adding that Lynk “does not represent the views of [the Canadian] government.” See [A/HRC/33/NGO/82](#), “[Support of Request by Government of Canada for Review of Appointment of the Special Rapporteur](#),” *UN Watch*, Sept. 6, 2016.

President Chakma, I have lectured at Western and have great respect for your university. I urge you not to compromise its integrity by aiding and abetting the pathological bias of a political body that has been condemned by secretaries-general Kofi Annan, Ban Ki-moon, and Antonio Guterres.

As it stands now, Western is the only entity in the world listed as providing financial support or assets in kind to this bigoted mandate.

We therefore request the University of Western Ontario to cease and desist providing (i) research assistants; (ii) office space, (iii) administrative assistance, and (iv) any other form of support, for Mr. Lynk's discriminatory mandate.

Finally, we urge you to reaffirm the university's Institutional Principles and Values by clarifying that Western opposes all forms of bigotry and discrimination, and is committed to the protection of human rights and fundamental freedoms for all, without distinction of any kind, and in a fair and equal manner.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hillel C. Neuer', with a stylized flourish extending to the right.

Hillel C. Neuer
Executive Director