

The U.N. Genocide Report Against Israel Is an Assault on Critical Thinking



(Amr Abdallah Dalsh/Reuters)

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The United Nations Human Rights Council's [latest report on Gaza](#), which concludes Israel is committing a genocide, is a case study in how international bodies can dress propaganda in the language of law.

Presented as a "legal analysis" from a trio led by Navi Pillay, the former U.N. High Commissioner for Human Rights, anyone who reads the text with even a modest degree of critical thinking will see that it is not an impartial investigation. It is an advocacy document that begins with a verdict and works backward, collecting fragments of information that support its claim while excluding anything that would complicate or contradict it.

The most surprising aspect of the report is not what it claims, but what it omits.

First, the report never treats Hamas as a combatant force or acknowledges that Gaza contains legitimate military targets. It begins its summary of its findings with, "On 7 October 2023, Israel

launched its military offensive in Gaza, which included airstrikes and ground operations" but never mentions Hamas as the opposing force in the war. Instead, it vaguely references the "attacks in southern Israel on 7 October," which it says "did not pose an existential threat to the state of Israel." There is no recognition that Israel is engaged in a war against a heavily armed adversary, nor any attempt to identify Hamas's rocket launchers, command posts, or tunnel entrances. Hamas is described almost exclusively as a political entity or as part of Gaza's "civilian population," never as a fighting force. By implication, every Israeli strike is portrayed as criminal, even though Gaza is filled with clear military targets.

Second, there is no discussion of Hamas's military disposition, composition, or strength. The report makes no mention of Hamas's tens of thousands of fighters, its organized brigades and battalions, or its command and control systems. Readers are left with the impression that there is no military presence in Gaza at all, which of course makes any Israeli strike appear inherently illegitimate.

Third, the commission erases Hamas's four-hundred-mile tunnel network from the battlefield. In fact, the word "tunnel" appears only once in the report—to cast doubt on whether Mohammed Sinwar was killed inside one beneath the European Hospital complex (Israeli aerial footage "purportedly showed a tunnel underneath," but "the Commission's geolocation analysis of the aerial surveillance footage" suggests the Israelis were wrong, the report states). It's impossible to write about the war without writing about the tunnels that are central to Hamas's military strategy, enabling it to move fighters, store weapons, hide hostages, and launch attacks from beneath hospitals, schools, and neighborhoods.

Fourth, there is no acknowledgment of the harm and destruction caused by Hamas itself inside Gaza. Thousands of Hamas rockets have misfired or fallen short inside Gaza, killing Palestinian civilians. Hamas has turned homes and apartment buildings into booby traps, collapsed tunnels under neighborhoods, and carried out direct killings and torture of its own people. None of this appears in the report.

Fifth, the report ignores Hamas's well-documented practice of human shielding. The terrorist organization has embedded its command centers, weapons caches, and fighters in schools, mosques, hospitals, and private homes, a practice that human rights groups, [NATO](#), and even the [U.S. Department of War](#) have acknowledged. The commission makes no reference to it, because to do so would force an acknowledgment that many Israeli strikes on civilian sites are legally justified under the law of armed conflict.

Sixth, the report treats the issue of hostages as almost irrelevant. Hamas's kidnapping of more than 250 civilians on October 7, many of whom remain captive, is one of the clearest and most egregious war crimes of the conflict. Yet "hostages" are mentioned only four times in the 72-page document, and not as a central issue. Worse, the report goes so far as to question whether securing their release is a legitimate strategic objective for Israel. In doing so, the commission not only diminishes the gravity of hostage-taking but undermines one of the most basic rights of any state: the duty to protect its citizens and to recover them when they are held illegally by a terrorist organization. To cast doubt on Israel's right to pursue this objective is to excuse a war

crime and to suggest that the victims of October 7 are somehow outside the scope of international concern.

Finally, the report excludes any recognition of the unprecedented humanitarian measures Israel has taken while fighting Hamas. Israel has facilitated the delivery of over two million tons of aid into Gaza since October, provided more than two million vaccinations, supplied 14 million liters of water a day, kept electricity flowing to desalination plants, supported hospitals, and transferred patients for medical treatment. No other military in history has waged war while simultaneously providing this level of aid to the enemy's civilian population. The commission erases these facts because they undermine the claim of genocidal intent.

Taken together, these omissions create a distorted picture. By removing Hamas from the battlefield, the commission portrays Israel as waging a one-sided assault on civilians. By ignoring Hamas's crimes against its own population, it absolves Hamas of responsibility for civilian suffering. By erasing Israel's humanitarian efforts, it denies evidence that contradicts the accusation of genocidal intent. This is not an investigation. It is narrative construction.

The report does not stop at omission. It also builds its case on selective inclusions. Every casualty number provided by Hamas's Health Ministry is repeated uncritically. The report even cites a *Guardian* and *+972 Magazine* article claiming that 83 percent of those killed in Gaza are civilians, without mentioning that the article itself admits the figure rests on data that excludes many unnamed combatants. The commission also combs Israeli speeches for provocative lines it can present as evidence of intent, such as Netanyahu's reference to "Remember Amalek," a phrase engraved on Holocaust memorials. Statements by controversial ministers like Bezalel Smotrich and Itamar Ben-Gvir are highlighted as possible "incitement to genocide." Meanwhile, statements by Israel's prime minister, president, or minister of defense indicating that the war is against Hamas rather than Gaza's civilian population are ignored, as are Hamas's explicit calls to annihilate Israel.

What the report never demonstrates is the one thing the Genocide Convention requires: specific intent to destroy, in whole or in part, a national, ethnic, racial, or religious group. Israel's stated intent has been consistent and clear: to return its hostages, destroy Hamas's military capacity, remove Hamas from power, and defend its citizens. That is not genocide. That is war.

This war is brutal, tragic, and costly in lives. Israel's conduct, like any nation's, should be subject to scrutiny under the laws of armed conflict. But the Pillay Commission avoids that balanced legal analysis because it would complicate its conclusion. The result is not only a false indictment of Israel but a dangerous dilution of the term "genocide" itself.

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