Cardin and Hagerty Call for the Dissolution of the U.N. Commission of Inquiry on Palestine

December 8, 2022

The Office of Senator Ben Cardin

<https://www.cardin.senate.gov/press-releases/cardin-and-hagerty-call-for-the-dissolution-of-the-u-n-commission-of-inquiry-on-palestine/>

U.S. Senator Ben Cardin (D-Md.) introduced a [resolution](https://www.cardin.senate.gov/wp-content/uploads/2022/12/Call-for-the-Dissolution-of-the-UN-Commission-of-Inquiry.pdf) Wednesday, along with Senator Bill Hagerty (R-Tenn.), calling for the Biden administration “to continue to work robustly toward the dissolution of the biased United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (COI).” In May 2021, days after the conflict between the Gaza-based terrorist organization Hamas and Israel, the UN Human Rights Council approved an unprecedented open-ended investigation of Israel’s treatment of Palestinians, purported war crimes and human rights violations.

This Commission focuses on the actions Israel took in Gaza as it sought to defend its citizens, and also has a carte blanche mandate to examine any period in the Israeli-Palestinian conflict about violations not only in the West Bank and Gaza, but also within Israel’s pre-1967 borders. This one-sided approach is consistent with Council’s continuing bias against Israel and the disproportionate diversion of resources in an ongoing campaign to disparage, discredit and denounce Israel. The COI operates with an annual budget of over $4 million and a permanent staff of 18, which represents considerable resources devoted to maligning Israel.

By unfairly singling out Israel, the resolution declares, “the Council undermines its credibility to investigate human rights violations around the world.” Moreover, the resolution noted, this initiative to discredit the only Jewish state “is likely to further fuel antisemitism worldwide.”

“With the return of the United States to the UN Human Rights Council, we think it is time for the American presence to be used to address major human rights problems around the world,” said Senator Cardin. “An important step would be to redirect the wasteful use of funds and personnel being spent on excessive devotion to disparaging Israel to allow the UN Human Rights Council to fairly promote human rights around the world.”

“I’m pleased to support this bipartisan resolution demanding the dissolution of the U.N. Human Rights Council’s Commission of Inquiry that is targeting Israel in an unprecedented, wasteful, and completely biased manner,” said Senator Hagerty. “I urge the Executive Branch to do all it can to end the egregious anti-Israel commission at the United Nations.”

Full text of the resolution follows and can be [downloaded at this link.](https://www.cardin.senate.gov/wp-content/uploads/2022/12/Call-for-the-Dissolution-of-the-UN-Commission-of-Inquiry.pdf)

Calling for the dissolution of the biased United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel.

Whereas, shortly after the Israeli-Palestinian conflict in May 2021, the United Nations Human Rights Council (UNHRC) launched an open-ended investigation into the actions of Israel during the conflict;

Whereas the investigation, which serves to discredit the only Jewish state, is likely to further fuel anti-Semitism worldwide;

Whereas the mandate of the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (referred to in this preamble as the “Commission”) is to investigate in the West Bank, Gaza, East Jerusalem, and Israel all alleged violations of international humanitarian law and all alleged violations and abuses of international human rights law leading up to and since April 13, 2021;

Whereas the creation of the Commission is consistent with the continued bias of the UNHRC against Israel and the disproportionate use of resources in an ongoing campaign to disparage, discredit, and denounce Israel;

Whereas, on October 16, 2021, after the United States was reelected to the UNHRC, Secretary of State Antony Blinken stated that the UNHRC “suffers from serious flaws, including disproportionate attention on Israel” and that the United States and other countries “must push back against attempts to subvert the ideals upon which the Human Rights Council was founded”;

Whereas, on March 28, 2022, Senator Cardin and Senator Portman led a bipartisan group of 68 Senators in a letter urging the Biden administration to prioritize reversing the discriminatory and unwarranted treatment of Israel by the UNHRC by leading a multinational effort in the UNHRC and in the United Nations to end the Commission;

Whereas the Commission released a report on June 7, 2022, stating that “the continued occupation by Israel of Palestinian territory and discrimination against Palestinians are the key root causes of the recurrent tensions, instability and protraction of conflict in the region”;

Whereas the report was presented at the 50th session of the UNHRC on June 13, 2022, and concluded by stating that the Commission will conduct investigations and legal analysis into alleged violations and abuses by Israel and will work with judicial accountability mechanisms toward ensuring individual, state, and corporate accountability;

Whereas, on October 20, 2022, the Commission released a report to the United Nations General Assembly, stating that “Israeli occupation of Palestinian territory is now unlawful under international law due to its permanence and the Israeli Government’s de-facto annexation policies” and urged that the issue to be referred to the International Court of Justice;

Whereas, on November 11, 2022, the United Nations General Assembly Fourth Committee voted by a margin of 98 in favor, 17 opposed, and 52 abstentions to urgently seek an advisory opinion from the International Court of Justice on the “prolonged occupation, settlement and annexation of Palestinian territory” by Israel; and

Whereas one-sided reporting by the Commission continues to attack Israel, while ignoring the continued violence committed by Hamas and other Palestinian terrorist groups: Now, therefore, be it

Resolved, That the Senate—

(1) calls for the Secretary of State to continue to work robustly toward the dissolution of the biased United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (referred to in this resolution as the “Commission”) to allow the United Nations Human Rights Council to focus on the many situations around the world that warrant a thorough and even-handed examination;

(2) supports efforts by the Secretary of State to continue to reduce the budget of the Commission until it is eliminated;

(3) believes that eliminating the Commission is an opportunity to fulfill the pledge made at the 76th session of the United Nations General Assembly Fifth Committee by Ambassador Patrick F. Kennedy that “the U.S. stands with Israel in rejecting the unprecedented open-ended mandate of this Commission of Inquiry, which perpetuates a practice of unfairly singling out Israel in the U.N.”; and

(4) opposes the persistent anti-Israel bias of the United Nations Human Rights Council and other international organizations.