Head of UN Gaza Commission Rejects Claims of Bias

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<http://www.timesofisrael.com/head-of-un-gaza-commission-rejects-claims-of-bias/>

The head of the United Nations Human Rights Council commission on the Gaza war [rejected claims of bias by Prime Minister Benjamin Netanyahu Monday,](http://www.timesofisrael.com/israel-slams-politically-motivated-and-morally-flawed-un-gaza-report/) saying the investigation was “even-handed” and the premier had likely not studied the report on last summer’s conflict in full.

McGowan Davis also told Channel 2 the commission was correct in treating the Israel Defense Forces and Hamas as bound by “the same principles” of the laws of war.

Netanyahu on Monday dismissed the report — which suggested that both Hamas and Israel may have committed war crimes — as “flawed and biased.

“Israel is not perpetrating war crimes but rather protecting itself from an organization that carries out war crimes. We won’t sit back with our arms crossed as our citizens are attacked by thousands of missiles,” Netanyahu commented.

In response, McGowan Davis told Channel 2: “Well, I would say that he’s wrong, I doubt he had time to read all 183 pages” of the report. “He’s a busy man” after all, she said.

“I think we tried very hard to be even-handed, and there’s no bias at all in the report,” she added.

Earlier, the Foreign Ministry slammed the report for making a comparison between the IDF and Hamas.

“It is regrettable that the report fails to recognize the profound difference between Israel’s moral behavior during Operation Protective Edge and the terror organizations it confronted,” the Foreign Ministry stated.

The New York-based jurist maintained that “Israel and the armed groups operate under the same principles, the same international human rights principles,” and therefore it was correct to juxtapose their conduct during the conflict.

“You had the IDF on one side and armed groups on the other,” and they were measured by the same principles, she claimed.

Asked whether she sees the IDF and Hamas as “equivalent,” the head of the panel responded, “I didn’t say equivalence.”

McGowan Davis also dismissed a question about whether she considered Hamas a terror group. “I am not going to go into that,” she told Channel 2. “They obviously didn’t abide by the rules of international law. We use that label a lot in my country and I try to stay away from labels like ‘terrorists.’”

The [report](http://www.timesofisrael.com/un-gaza-report-says-israel-hamas-may-have-committed-war-crimes/), released in Geneva on Monday afternoon, said both Israel and Hamas may have committed war crimes during the 50-day war last summer. The UN Human Rights Council report (download) placed blame on both parties but focused more on Israel’s role.

It also accepted the Palestinian death count of 1,462 civilians killed out of a total of 2,251 Palestinian war dead — a 65-percent ratio. [Israeli figures indicated that hundreds fewer civilians were killed.](http://www.timesofisrael.com/israel-shifts-to-offense-ahead-of-un-report-on-gaza-war/)