

117TH CONGRESS
2D SESSION

S. RES. 862

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

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2022

Mr. CARDIN (for himself and Mr. HAGERTY) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

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

1 *Resolved*, That the Senate—

2 (1) calls for the Secretary of State to continue
3 to work robustly toward the dissolution of the biased
4 United Nations Independent International Commis-
5 sion of Inquiry on the Occupied Palestinian Terri-
6 tory, including East Jerusalem, and Israel (referred
7 to in this resolution as the “Commission”) to allow
8 the United Nations Human Rights Council to focus

1 on the many situations around the world that war-
2 rant a thorough and even-handed examination;

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

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

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

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