Statement of the United States on the UN Human Rights Council Resolution on Gaza

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Thank you Mr. President

I have the honor to speak on behalf of the EU member states that are members of the Human Rights Council.

This explanation of vote has been agreed by the EU as a whole. The European Union’s position regarding the Israeli-Palestinian, conflict including last year’s escalation of violence in and around the Gaza Strip is set out in the foreign affairs council conclusions from 22 July, 15 August and 17 November 2014, as well as the EU statements to the UN Security Council and EU statements and interventions to this council.

Despite its reservations on the resolution S.21/1, the EU commended the UN independent Commission of Inquiry on the Gaza conflict for a clear interpretation of its mandate as including investigation of all alleged violations of international human rights law and international humanitarian law, including by Palestinian armed groups.

The European Union considers that nothing in this resolution shall be interpreted as going beyond these findings of the commission.

The European Union reiterates its principle position on item 7 and reiterates that any human rights situation could properly be addressed under item 4.

The EU has nevertheless engaged in negotiations of this draft resolution with a view to ensure that it does not go beyond the provisions of international humanitarian law and international human rights law.

With respect to the provision of effective remedy to all victims, a distinction should be made between international human rights law and international humanitarian law.

While appreciating that much has been done to improve the text, the European Union would like to recall that it sought changes to some language, particularly in OP1 and OP2. Regarding OP1, the EU believes that it is premature to make a final judgment on such a comprehensive and complex document. Furthermore, regarding OP2, it is our understanding that the recommendations of the Commission of Inquiry need first to be seriously examined before considering their implementation.

Despite this, the European Union supports Resolution L.35 and the EU member states who are members of the Human Rights Council will be voting in favor.