



Rt Hon Alistair Burt MP
Minister of State for the Foreign and Commonwealth Office
London SW1A 2AH

07 June 2018

Dear Minister Burt,

Re: Clarifying the UK's position on the UN independent Commission of Inquiry

We write following our letters on the Gaza protests dated 3 April and 2 May 2018 to request clarity on the UK's position in regard to the establishment of a UN independent Commission of Inquiry. In particular we seek express and urgent clarification that the UK will in principle support the Commission of Inquiry should its work and report be impartial and thorough.

We note with deep concern that the UK's statement at the 28th Special Session of the Human Rights Council - following its abstention on the resolution creating the Commission of Inquiry - includes the position: "We cannot support an international investigation that refuses to explicitly call for an investigation into the action of non-state actors such as Hamas".

This disturbingly could be read to indicate that the UK has already decided not to support the Commission of Inquiry due to the text of the resolution that established it. It also appears to overlook the clear wording of the resolution that instructs the Commission on Inquiry to investigate "all violations of international humanitarian and human rights law".

The UK's position on the Commission of Inquiry is urgent because the protests and their attendant serious human rights violations are ongoing. Last Friday, Razan Al-Najjar, a 21 years old volunteer paramedic in the Palestinian Medical Relief Society, was fatally shot in the chest with live ammunition whilst wearing a visibility vest identifying her as medical personnel. The UN Commission of Inquiry requires support now in the interest of providing an effective deterrent against the commission of further grave human rights violations.

Finally, we note that the UK has a recent precedent for supporting a UN Commission of Inquiry's report following an abstention on the resolution that created the inquiry: you will recall this was the voting pattern of the UK at the Human Rights Council in regard to the UN Commission of Inquiry into the 2014 Gaza Conflict. The work of that Commission of Inquiry was impartial and thorough, and we would expect the pending Commission of Inquiry to adopt the same methodology in accordance with its mandate to investigate "all violations".

We would therefore be grateful for express and urgent clarification that the UK will in principle support the work and report of the UN independent Commission of Inquiry should it be impartial and thorough in its assessment of the circumstances of the Gaza protests.

Yours sincerely,

Tareq Shrourou,
Director, Lawyers for Palestinian Human Rights