

Amnesty International UK

BRIEFING



CRISIS IN ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES (IOPT)

CALLS TO THE UK GOVERNMENT

Amnesty International is urging the UK government to:

- Urgently and explicitly call on Israeli authorities and all Palestinian armed groups to uphold their obligations under international humanitarian law, foremost by taking all necessary precautions to protect civilians.
- Continue to call on Palestinian armed groups to immediately release all civilian hostages and refrain from firing indiscriminate rockets into Israel.
- Call on Israel to end its 16-year-long illegal blockade on Gaza, starting by immediately suspending its recent increased restrictions on food, fuel, electricity and water, which is collective punishment amounting to a war crime.
- Call on Israel to immediately rescind its evacuation order to people in northern Gaza, which amounts to forced displacement; and end unlawful attacks that kill or injure civilians and destroys civilian homes and infrastructure.
- Commit support to international accountability measures, including the International Criminal Court (ICC) investigation into the situation in Palestine.

PARLIAMENTARY QUESTIONS

- Will the UK government state unequivocally that under international law the horrific and brutal crimes of Hamas cannot justify an Israeli response that is not in line with international humanitarian law, such as collective punishment and forced displacement
- What steps will the UK government take to support international justice and accountability mechanisms, including the ICC investigation into the situation in Palestine, particularly since the ICC Prosecutor has [stated](#) that the Court's mandate applies to crimes committed in the current context?
- In his Saturday 14 October statement, the Prime Minister rightly expressed horror at the killing of Israeli civilians, but why did he not express similar horror at the killing of Palestinian civilians?
- What steps are the UK government taking to ensure that Israel is upholding their obligations under international humanitarian law to protect civilians?
- Given that collective punishment of Gaza's civilian population amounts to a war crime, will the UK government push for Israel to immediately restore Gaza's electricity supply and suspend all increased restrictions which have recently been imposed?

- Given that forced displacement of a civilian population is a violation of international humanitarian law, will the UK government call on the Israeli authorities to immediately rescind the order for people in northern Gaza to evacuate to the south of the Gaza strip?
- What is the UK government's assessment of Israel's use of white phosphorus, as documented by Amnesty International?
- Given evidence of war crimes and crimes against humanity committed by Israel, will the UK government cease the licensing of arms and security equipment to Israel?
- What longer term plans do the UK government have to deal with the root causes of this crisis, including the decades of impunity enjoyed by all sides and Israel's racist system of apartheid against Palestinians?

SUMMARY

On 7 October 2023, Hamas and other Palestinian armed groups launched an attack on Israel which violated international humanitarian law. The attacks displayed a chilling disregard for life by carrying out cruel and brutal crimes, including mass summary killings, hostage-taking, and launching indiscriminate rocket attacks into Israel.

By 17 October, at least 1,300 people were killed and 4,121 injured in Israel, according to Israel's health ministry. Since then, Israel's bombing campaign in Gaza has already killed at least 3,000 people and injured nearly 12,500, though the real number of fatalities is expected to be much higher, with families struggling to recover the bodies of their loved ones from under the rubble.

With evidence still emerging of the horrors that are unfolding since the attack, Amnesty will continue its investigations to determine the full range of crimes committed under international law.

WAR CRIMES BY HAMAS & PALESTINIAN ARMED GROUPS

Attacks against Israel began with a barrage of indiscriminate rocket fire from Gaza, followed by an incursion into Israel by Hamas and other Palestinian armed groups. Thousands of rockets landed in several areas across central and southern Israel, reaching as far as Tel Aviv. These unlawful attacks killed both Israelis and Palestinians. They also hit unrecognised Palestinian villages in the Negev/Naqab region, killing at least six civilians, five of them children. These neglected communities already live in a precarious situation with no access to shelters.

In addition to horrific summary killings of civilians in several locations across southern Israel, at least 150 hostages were taken into Gaza, including some children and foreign nationals, according to Israeli officials. **The abduction of civilians is prohibited by international law and hostage-taking is a war crime. All civilians held hostage must be released immediately, unconditionally, and unharmed.** All those held captive must be treated humanely, in accordance with international law and granted medical treatment.

WAR CRIMES BY ISRAEL

Following the attacks on civilians in Israel by Hamas and other armed groups on 07 October, the Israeli army has been bombarding Gaza at an unprecedented rate. Amnesty International's Crisis Response Programme gathered [compelling evidence](#) documenting the use of white phosphorus artillery shells by

the Israeli army in densely populated civilian areas in Gaza, many of which may be considered unlawful indiscriminate attacks.

White phosphorus is an incendiary substance mostly used to create a dense smoke screen or mark targets. It burns at extremely high temperatures when exposed to air and can continue to burn inside flesh. It causes horrific pain and life-changing injuries and cannot be put out with water.

ILLEGAL BLOCKADE

Since 2007, Israel has imposed an air, land and sea blockade on the Gaza Strip collectively punishing its entire population. On 9 October, Israel's minister of defence Yoav Gallant announced a "complete siege on Gaza ... No electricity, no food, no water, no gas - it's all closed", as part of Israel's response to attacks by Hamas and other Palestinian armed groups. **Amnesty International is calling on the Israeli authorities to immediately suspend all increased restrictions which have recently been imposed and to lift its illegal 16-year blockade on the occupied Gaza Strip.**

On 12 October, an Israeli minister said that the authorities will not restore power or allow water or fuel to enter Gaza until Hamas releases its hostages. This is explicit confirmation that Israel's response is designed to punish civilians in Gaza for the actions of Palestinian armed groups. Amnesty reiterates that Palestinian civilians are not responsible for the crimes of Hamas and other Palestinian armed groups, and according to international law Israel must not make them suffer for acts they have played no role in and cannot control. **The collective punishment of Gaza's civilian population amounts to a war crime - it is cruel and inhumane.**

Amnesty International is also concerned by the repeated attacks on the Rafah border crossing into Egypt and is calling on Israel to facilitate the establishment of humanitarian corridors for the delivery of humanitarian aid to Gaza, and to allow safe passage for injured people and civilians wishing to flee the conflict. **It urges the international community to work towards an agreement over humanitarian corridors.**

As the occupying power, Israel has a clear obligation under international law to ensure the basic needs of Gaza's civilian population are met. Palestinian armed groups' horrific mass killing of Israeli civilians and other serious violations do not absolve Israel from upholding its obligations to respect international humanitarian law and to protect civilians. **The collective punishment of civilians in Gaza will not bring justice to the victims of war crimes by Hamas and other armed groups, or security to civilians in Israel.**

FEAR OF "SECOND NAKBA"

The majority of Gaza's population are descendants of refugees who were displaced or forced to flee their homes during the 1947-49 conflict in which more than 750,000 Palestinians were forcibly displaced from their towns and villages - a conflict referred to by Palestinians as the Nakba.

The Israeli army's order to people in northern Gaza to "evacuate" to the south of the Gaza Strip cannot be considered an effective warning and amounts to **forced displacement of the civilian population - which is a violation of international humanitarian law.** While many Palestinians in northern Gaza are trying to flee, others have told Amnesty that they are choosing to stay for fear this could become a "second Nakba" as the generational trauma of displacement is etched in the collective memories of many Gazans.

Moreover, Amnesty International has verified 6 videos of an attack on 13 October 2023, resulting in civilian casualties along Salah-Al Deen street, a route the Israeli army had designated as safe for civilians to flee after an Israeli 'order' told them to leave northern Gaza. **Israel's order to 'evacuate' is not compliant with international humanitarian law. Amnesty International is calling for the order to be rescinded immediately.**

The initial announcement gave people 24 hours to leave northern Gaza "for their safety and protection" - an impossible demand that even an Israeli army spokesperson has admitted cannot be implemented in one day. Regardless of the timeframe, Israel cannot treat northern Gaza as an open-fire zone based on having issued this order. Their forces have an obligation to take all feasible precautions to minimise harm to civilians wherever they are in Gaza.

Moreover, since the start of the fighting, of Gaza's 2.2 million residents more than 532,000 have already been internally displaced, according to the UN's Office for the Coordination of Humanitarian Affairs, some of them twice. The roads in northern Gaza have been severely damaged by Israeli airstrikes, there is no public transport available, and fuel is scarce due to the tightening of the existing blockade.

The international community cannot stand by in silence as Israeli forces unlawfully drive more than a million Palestinians from their homes. Israel's forced displacement of Gazan civilians must be halted immediately. The international community must also refrain from further legitimising Israel's 16-year-long illegal blockade and immediately halt the transfer of arms that could be used to commit unlawful attacks.

ACCOUNTABILITY

War crimes have and continue to be committed on both sides, as outlined in this briefing. Israel's well-documented record of war crimes does not excuse Palestinian armed groups' horrendous actions, nor absolve them from upholding their obligations under international law to respect fundamental principles of humanity and protection of civilians. Massacring civilians is a war crime and there can be no justification for Hamas's reprehensible attacks. As Israeli forces' retaliatory attacks pummel Gaza, Amnesty insists that neither security nor justice will be achieved by a civilian bloodbath in Gaza and collective punishment.

In 2021, the International Criminal Court opened an investigation into the situation in the State of Palestine with a mandate covering crimes under international law committed by all parties in the current conflict, as well as the crime against humanity of apartheid¹ against Palestinians. **Amnesty calls on the ICC prosecutor to expedite progress in the investigation and to include the recent crimes committed by all parties. The international community – including the UK government – should urgently express support for the ICC investigation.**

¹ In 2021 Amnesty International concluded that Israel is committing the [crime against humanity of apartheid](#) against Palestinians, joining many other international Israeli and Palestinian human rights organisations and individuals who have drawn similar conclusions (including [Human Rights Watch](#), [B'Tselem](#), [Yesh Din](#), [Al Mezan](#), numerous former Israeli politicians, including most recently a [former Head of Mossad](#) and multiple [UN experts](#)).