



Israel and the Occupied Palestinian Territories – February 2024

Amnesty International urges all Parliamentarians to press the UK government to call for and do all in its power to secure:

- An immediate ceasefire by all parties to the conflict in Israel and Gaza.
- The end of Israel's 17-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.
- The release of all civilian hostages held in Gaza and Palestinians arbitrarily detained by Israel.

The UK government should also:

- Continue to call on Palestinian armed groups to immediately refrain from firing indiscriminate rockets into Israel.
- Suspend the supply of arms to the Israeli authorities given that serious violations amounting to crimes under international law are being committed.
- Commit support to international accountability measures, including financial and other resources to the International Criminal Court (ICC) investigation into the situation in Palestine, and call for the investigation to be expedited.
- Support accountability measures for potential war crimes, including by condemning and acting against Israeli state-forces responsible for unlawful killings in the West Bank.
- Ban the importation of goods from illegal Israeli settlements.
- Call on the Israeli authorities to dismantle the system of apartheid imposed on all Palestinians.

CEASEFIRE

As of 5 February 2024, [27,478](#) Palestinians have been killed in Gaza due to Israel's military actions, along with 66,835 injured. 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. **This staggering death toll and extreme devastation and destruction in Gaza underlines the urgent need for an immediate and enduring ceasefire by all parties.** A ceasefire is vital to enable aid agencies to get sufficient relief into the occupied Gaza Strip, and to distribute it safely and unconditionally. It would give hospitals and clinics an opportunity to receive life-saving medicines, collect the little fuel still available locally, and water and equipment they desperately need as well as to repair damaged wards and other critical infrastructure such as the water network.

An immediate and enduring ceasefire is also needed to secure the safe release and return of all civilian hostages who are at further risk. Civilians in Israel are also exposed to harm as a result of the firing of indiscriminate rockets from Gaza, and to enable independent investigations into war crimes and other human rights violations by the International Criminal Court and the UN Independent Commission of Inquiry.

- During the 2014 Israel/Gaza crisis the then Prime Minister, current Foreign Secretary, [called](#) for “**an immediate and unconditional humanitarian ceasefire**” recognising that the “**the situation in Gaza is intolerable**”. That conflict resulted in 2,251 Palestinian fatalities. With more than 27,000 Palestinians killed in a little over four months, two

thirds of them reportedly women and children, what will it take for the UK government to call for an immediate ceasefire now?

ILLEGAL BLOCKADE AND UNRWA FUNDING

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.

In this context, amidst an engineered famine and the desperate situation for two million Palestinians in Gaza, many of whom have now been displaced and who – as the International Court of Justice (ICJ) has recognised – are facing the risk of genocide, it is particularly shocking that several governments have stated they will pause funding to UNRWA, the UN Relief Agency for Palestinians, which provides a lifeline to Palestinians in Gaza and across the region. While allegations against any individuals who might have taken part in the October 7 attacks, which included war crimes, must be independently investigated and if appropriate prosecuted in fair trials, to cut off life-saving assistance to millions could amount to collective punishment.

The UK's position that it is merely "temporarily pausing future funding [of UNRWA]" until it can review the investigation of the allegations is **unnecessary and incredibly damaging** given the increase in aid that is desperately needed in Gaza. [According to UNRWA](#), the UN agency is now **due to run out of money by the end of February**. Countries such as France, Switzerland, Denmark, Poland and also the EU, have rightly stated that they should wait for the results of the UN investigation before taking any decision on any suspension of funding for UNRWA. **The UK should urgently clarify the path to restoring UNRWA's funding, including what criteria it has set for this to happen.**

As the occupying power, Israel has a clear obligation under international law to ensure the basic needs of Gaza's civilian population are met. **The collective punishment of civilians in Gaza and other war crimes will not bring justice to the victims of war crimes by Hamas and other armed groups, or security to civilians in Israel.** Indeed, the ICJ specifically directed Israel to "take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life."

The UK should recognise the Court's finding that the withholding of basic services and humanitarian assistance in Gaza could violate the Genocide Convention, **reverse its decision to pause future funding to UNRWA, and urgently call on the Israeli authorities to immediately suspend all increased restrictions** and to **lift its illegal 17-year blockade** on the occupied Gaza Strip.

INTERNATIONAL HUMANITARIAN LAW, WAR CRIMES AND ACCOUNTABILITY

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 16 October, at least 1,200 people were killed and 3,436 injured in Israel, according to Israel's Health Ministry.

As part of its ongoing investigation into violations of the laws of war, Amnesty International has documented evidence of **unlawful Israeli strikes**, including two illustrative cases in which Israeli strikes killed 46 civilians, including 20 children.

The attacks which occurred on 19 and 20 October, include (i) an Israeli air strike in the compound of the Saint Porphyrius Greek Orthodox Church where approximately 450 internally displaced members of Gaza's small Christian community were sheltering, and (ii) an Israeli strike against

houses in the al-Nuserirat refugee camp. The oldest victim was an 80-year-old woman and the youngest was a three-month-old baby.

Since 2007, Israel has imposed an air, land and sea blockade on the Gaza Strip collectively punishing its entire population, which is a war crime.

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 apartheid⁸ against Palestinians. In a [statement](#) dated 17 November, the Prosecutor of the International Court, Karim Khan KC stated that he stands ready to work with all parties and called for their “full cooperation with my office”; including to complement domestic accountability efforts, “to ensure that justice is delivered for those affected by Rome Statute crimes”. He also called on all State Parties to the Rome Statute to provide the ICC with the tools and resources needed to allow them to fulfil their mandate.

Amnesty calls on the ICC prosecutor to expedite the investigation and to include the recent crimes committed by all parties, in Israel and all of the occupied Palestinian territories. Given the UK government has now recognised the independence and jurisdiction of the International Criminal Court regarding its ongoing investigation into the situation in Palestine – it should ensure the ICC receives full and all necessary resources, including for its investigation into the situation in Palestine.

The UK must also recognise the jurisdiction and independence of the ICJ and publicly call on Israel to comply with its ruling, including the provisional measures issued on 26 January 2024. The UK should request to see a copy of Israel’s report to the court (due within one month of the order) laying out how it is complying with its orders. It is nonsensical to simultaneously state respect for the independence of the ICJ but also state that Israel’s “actions cannot be described as a genocide”, when the Court itself hasn’t made a final determination but has found a plausible risk. The UK’s [response](#) to the Court’s ruling was therefore wrong and undermined the international rule of law.

SHOCKING SPIKE IN UNLAWFUL FORCE IN WEST BANK

On 5 February 2024 Amnesty International published shocking [analysis](#) of a brutal wave of violence against Palestinians in the Occupied West Bank. Between 7 October and 31 December 2023, 299 Palestinians were killed, marking a 50% increase compared to the first nine months of the year. 2023 was already the deadliest year for Palestinians since the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) began recording casualties in 2005, with at least 507 Palestinians killed in the West Bank, including at least 81 children. At least 61 further Palestinians, including 13 children, have been killed so far in 2024 as of 29 January, according to [OCHA](#).

With the world’s eyes fixed on Gaza, since October 2023 Israeli forces have unleashed a brutal wave of violence against Palestinians in the occupied West Bank, carrying out unlawful killings, including by using lethal force without necessity or disproportionately during protests and arrest raids, and denying medical assistance to those injured.

Amnesty International has investigated four emblematic cases where Israeli forces used unlawful lethal force– three incidents in October and one in November – which resulted in the unlawful killing of 20 Palestinians, including seven children. Researchers remotely interviewed 12 people, 10 of them eyewitnesses, including first responders, and local residents. The organization’s Crisis Evidence Lab verified 19 videos and four photos in examining these four incidents.

These unlawful killings are in blatant violation of international human rights law and are committed with impunity in the context of maintaining Israel’s institutionalized regime of systematic oppression and domination over Palestinians, which amounts to the Crime Against Humanity of Apartheid.

In one illustrative case investigated by Amnesty International, Israeli military and border police forces used excessive force during a 30-hour-long raid on Nour Shams refugee camp in Tulkarem beginning on 19 October. During the operation Israeli forces killed 13 Palestinians, including six children, four of them under the age of 16, and arrested 15 people. Israeli military sources quoted in media reports said that one Israeli Border Police officer was [killed](#) and nine were injured after an improvised explosive device was thrown at them by Palestinians.

Residents told Amnesty International that, during the operation, Israeli soldiers stormed more than 40 residential homes, destroying personal belongings and drilling holes in the walls for sniper outposts. Water and electricity to the camp was cut off and soldiers used bulldozers to destroy public roads, electricity networks and water infrastructure.

Among those killed during the raid was 15-year-old Taha Mahamid, who Israeli forces shot dead in front of his house as he came out to check whether Israeli forces had left the area. Taha was unarmed and posed no threat to the soldiers at the time he was shot, based on witness testimony and videos reviewed by Amnesty International. A video filmed by one of his sisters and verified by Amnesty's Crisis Evidence Lab shows Taha walking on the street, peeking to check for the presence of soldiers and then collapsing on the street outside his house, after the sound of three gunshots.

- What steps has he taken to ensure Israeli forces are held accountable for and do not use unlawful force against Palestinians in the West Bank; and will he call for an investigation into the raid on Nour Shams refugee camp on 19 October during which 13 Palestinians, including six children, were killed?

EXPANSION OF SETTLEMENTS

Israel's policy and practice of settling its civilians in occupied Palestinian territory and displacing the local population violates the Fourth Geneva Convention, constitutes a war crime, and forms a key part of Israel's system of apartheid rule over Palestinians. It has also resulted in grave human rights violations against Palestinians: forcible displacement, land confiscation, demolition of homes and structures, and discrimination.

The UK government has called on Israel to stop its settlement expansion. It has also [condemned](#) the building of such settlements, in Gaza. However, the UK is indirectly supporting settlement maintenance and expansion by allowing goods produced there into the UK market and allowing UK firms to conduct business with settlements.

Amnesty International is calling for the UK government, and all UK political parties, to adopt a policy position of **stopping the importation of products arising from activities that are a grave breach of international human rights law and international humanitarian law, such as use of forced labour, or originating from territories that are occupied illegally under international humanitarian law.**

- Does he accept that settlement expansion is an Israeli State policy, as well as a war crime? What steps is he taking to hold the Israeli government accountable for settlement expansion?
- Why will the UK not ban the import of goods from illegal Israeli settlements, given they facilitate and legitimise a war crime?
- Why has the UK not introduced a geographically explicit territorial clause in its Free Trade Agreement (FTA) with Israel, to make unequivocally clear the agreement's inapplicability to the Occupied Palestinian Territories (OPT)?

UK ARMS

There is a clear risk that arms and military equipment transferred to Israel will be used to facilitate or commit serious violations of international law, including attacks that may amount to war crimes and

plausibly amount to genocide. The UK government should immediately suspend both extant licences for military equipment and technology and the issuing of new licences while Israel continues to carry out widespread serious violations including war crimes, with impunity. Failure to do so risks the UK government breaching its own laws and international obligations and being complicit in grave abuses.

As a party to the Genocide Convention, the UK is bound to ensure it helps prevent violations and ensure it is not complicit in violations of the Convention. Given the ICJ's finding that there is a plausible risk that Israel is committing genocide against Palestinians in Gaza, unless the UK immediately ceases transfer of any arms or military equipment, it risks becoming complicit in violations of the Genocide Convention.

The UK government exploits a loophole, set out in the 2002 "incorporation guidelines"¹, to arm Israel by supplying components for US-made F-16 and F-35 fighter aircraft, in the full knowledge they're being used in military action in Gaza where thousands of civilians have already been killed and are expected to continue to be killed, following relentless and indiscriminate Israeli attacks. As detailed in this briefing, Israel's military conduct in Gaza has repeatedly involved unlawful attacks.

In previous escalations of the conflict, the UK government has acknowledged that a number of UK arms export licences, specifically "incorporation licences" whereby UK components have been sent to third destinations for onward export to Israel, have been used by the Israeli defence and security forces in Gaza. For example, in 2009, the UK government acknowledged² that components for F-16 combat aircraft, Apache attack helicopters and a variety of naval systems, had likely been used in Gaza by the IDF. Similarly, in 2014, a UK government review concluded that export licence for military radar systems, combat aircraft and military vehicles had likely been used.

It is clear that the UK's arms licensing system is not fit for purpose in assessing risk, is riddled with loopholes and is in desperate need of root-and-branch reform. In the meantime, the UK should cease the licensing of arms and security equipment to Israel, including components supplied via third countries, immediately.

- During the 2014 Israel/Gaza crisis when the current Foreign Secretary was Prime Minister, the UK government announced that it would block arms exports to Israel if the terms of the then ceasefire were violated; [stating](#) "We welcome the current ceasefire... However, the UK government has **not been able to clarify if the export licence criteria are being met. In light of that uncertainty we have taken the decision to suspend these existing export licences** in the event of a resumption of significant hostilities."; what will it take to suspend licences now?
- Will he set out a comprehensive explanation of why the UK continues to consider transfers of arms to Israel should not be prohibited, given the clear risk that such items could be used in the commission of unlawful attacks, including war crimes and plausibly contraventions of the Genocide Convention?
- Will he confirm whether the 2002 "Incorporation Guidelines" are still being used and have been consulted in decision making regarding incorporation licences for third destinations for onward export to Israel since October 2023?

/Ends

¹ The guidelines allow the UK to supply components to an intermediate country if that country is an ally and has a recognised export control system, even if that country then exports that item to destinations the UK would not approve sales to directly.

² See Ministerial answer to question on export licences

https://publications.parliament.uk/pa/cm200102/cmhansrd/vo020708/text/20708w01.htm#20708w01.html_dpthd0.