

Gaza Crisis

The Israeli state's military response to the attack on 7th October has seen the deaths of tens of thousands of innocent civilians in Gaza and the displacement of over 1.7 million. Restricted access for life-giving aid and suspension of funds by the UK and other governments to UNRWA, has cut off the only remaining lifeline for millions of Palestinians, and creating the conditions for famine and the spread of disease. We are losing confidence in the UK government as it appears utterly incapable and unwilling to restrain the actions of the Israeli government in its current attempts.

What has happened so far?

It has been over 100 days since Hamas launched a massive wave of rocket attacks and attacked Israel on the 7th October, killing 1,200 Israelis and injuring 5,400. 240 Israeli civilians, including women and children, were forcibly taken into Gaza and held hostage¹.

In Gaza, it has been more than 100 days of death, destruction, and displacement. As of 16th February, over 28,000 Palestinians have been killed, equating to 1 in 100 people killed since the 7th October. Women and children are bearing the brunt of the conflict, accounting for 70% of those killed². Almost 700,000³ women and girls lack access to basic hygiene products and reproductive care, and the latest food security report details that 'over 90% of the population are estimated to face high levels of acute food insecurity'⁴.

Out of 2.3 million people in Gaza, over 85% have been displaced, many multiple times. Fuel for generators all but depleted, hospitals are ceasing to function- as of 30 January only 13 out of 36 hospitals are partially functional and virtually all water and sanitation services have collapsed – as only one of the water pipelines from Israel into Gaza is functioning⁵.

The UK Government must:

1. Support an immediate, unconditional, and permanent ceasefire.
2. Call out all contraventions of international humanitarian law by all parties and support international mechanisms for accountability, such as the existing ICC investigation in the Occupied Palestinian Territory.
3. Call out any actions and words that incite violence and forcible transfer/ethnic cleansing, collective punishment and civilian suffering.
4. Review and suspend arms sold to Israel pending review, so that no UK sold arms are used in violations of International Humanitarian Law
5. Support a sustainable peace process that ends occupation and treats Palestinians and Israelis as equals and protects the rights, including the right to self-determination and security for all.
6. Ensure unfettered humanitarian access and the delivery of critical aid, and reverse UNRWA funding suspension.

The need for a permanent ceasefire and the path to peace

We are calling for an immediate and permanent ceasefire. Without it, we don't believe a safe and effective humanitarian response, or a sustainable, just peace is possible - prolonging immense human suffering.

Currently the calls by the UK government for a humanitarian pause fall well short of a ceasefire and will not achieve sustainable peace. The humanitarian pauses have seen short breaks in violence and allowed for negotiated releases of hostages and Palestinian prisoners and detainees. However, the pauses bring little relief and have not delivered the full-scale aid so desperately needed.

Following Israel's 'evacuation' orders for areas in northern and central Gaza, many Palestinians fled to the south, to Rafah, a designated 'safe zone' by Israel. Now 1.3 million people are currently trapped in Rafah, one of the very few places where limited humanitarian aid can enter the Gaza Strip, and under intensified bombardment following the Israeli announcement of a military offensive.

¹ <https://press.un.org/en/2023/db231018.doc.htm#:~:text=He%20said%20that%20in%20Israel,unaccounted%20for%20under%20the%20rubble>

² Data taken from UNOCHA. Latest data available at: <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-110-enarhe>

³ <https://www.ohchr.org/en/press-releases/2023/11/women-bearing-brunt-israel-gaza-conflict-un-expert-between-24-november-and-7-december-2023>

⁵ <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-94>

As hostilities continue, humanitarian access worsens, and food aid fails to reach people, the risk of famine is imminent. Failure to secure a permanent ceasefire is therefore prolonging and deepening civilian suffering and is likely to make a sustainable peace process harder to achieve. The UK must come to grips with the catastrophe and the consequences of the current approach towards Israel and act now to urge Israel to stop this war.

The UK's stated approach to the crisis includes working diplomatically⁶ to support a two-state solution, and the government has been clear that, "Settlements are illegal under international law and constitute an obstacle to peace and threaten the two-state solution"⁷.

Yet, settler numbers have almost tripled since the Oslo Peace Accord and in the West Bank, over 2,000 Palestinians have witnessed increased violence, with 389 Palestinians killed, and forcibly displaced from their homes since 7th October.

If the UK is pursuing efforts towards a two-state solution the process must begin with a clear acknowledgement that the current status quo, and the continued rejection of the two-state solution by the Israeli PM⁸, is actively working against it.

Upholding International Humanitarian Law and mechanisms for accountability

We call on the UK to unreservedly recognise the findings and orders of the Court, the legitimacy of South Africa bringing the case, and do all they can, as signatories to the Genocide Convention and the UN Charter, to ensure that the Court's decisions are respected and abided by way of public statements and concrete policy actions. The UK must ensure that it is in no way enabling or otherwise complicit in the commission of acts that the Court has found could plausibly be in violation of the Convention.

From a colleague in Gaza, when asked what UK parliamentarians should hear:
"Please remind them that we are humans too."

Hamas's indiscriminate killings in Israel, targeting of civilians, and hostage taking are widely recognised as grave violations of international humanitarian law (IHL). Whilst the UK Government has rightly condemned the actions of Hamas, it has failed to condemn the ways in which the Israeli state's bombardment and blockade of Gaza has contravened human rights and IHL, despite the UK Foreign Secretary expressing 'worry' that IHL is being breached by Israel.

Israel is subject to necessity and proportionality under IHL⁹, yet the scale of the death toll, civilian injuries, displacement, blockade of Gaza, the targeting of civil infrastructure including education and medical facilities with 76% of schools damaged or destroyed¹⁰ is excessive in relation to the military advantage of Israel's operations.

Statements by senior Israeli officials include calling for Israeli resettlement of Gaza and "voluntary migration"¹¹ and an IDF spokesperson has called for "the emphasis is on damage and not on accuracy"¹². According to the UN High Commissioner for Human Rights, "the collective punishment by Israel of Palestinian civilians amounts also to a war crime, as does the unlawful forcible evacuation of civilians".

Before the appalling attacks by Hamas on 7th October, the civilian population of Gaza was already subjected to a blockade that breached their basic rights, leaving 80% of the population dependent on aid. The International Committee of the Red Cross believes the blockade constitutes a violation of IHL embodied in the Geneva Conventions.

South Africa brought a case to the ICJ, which stated the Israeli military campaign may

⁶ <https://www.gov.uk/government/speeches/the-uk-will-work-with-our-partners-towards-a-two-state-solution-uk-statement-at-the-un-fourth-committee#:~:text=Israeli%20Palestinian%20conflict,The%20UK%20will%20work%20with%20our%20partners%20towards%20a%20two,for%20both%20Israelis%20and%20Palestinians>.

⁷ <https://www.gov.uk/government/publications/overseas-business-risk-palestinian-territories/overseas-business-risk-the-occupied-palestinian-territories#:~:text=Settlements%20are%20illegal%20under%20international,those%20agreed%20by%20the%20parties>.

⁸ <https://edition.cnn.com/2024/01/21/middleeast/netanyahu-palestinian-sovereignty-two-state-solution-intl/index.html>

⁹ <https://lawyersletter.uk/>

¹⁰ <https://reliefweb.int/report/occupied-palestinian-territory/urgent-appeal-protect-palestinian-childrens-future-israelis-at-resettle-gaza-conference/000018d512fd4fc45ad-d87f95e10000>

¹² www.theguardian.com/world/2023/oct/10/right-now-it-is-one-day-at-a-time-life-on-israels-frontline-with-gaza

constitute the incitement to commit genocide and the failure to punish those responsible and requested the Court to order a ceasefire.

On 26 January 2024, the ICJ called for immediate release of hostages and for greater aid to Gaza. Furthermore, the ICJ's interim ruling found there was "plausibility" that acts by Israel constitutes genocide and Israel must take all measures to stop genocidal and prohibited acts under the Geneva Convention in Gaza¹³ and act against those who issue genocidal statements. However, the ICJ stopped short of calling for an immediate ceasefire.

The UK should unreservedly recognise the findings and orders of the Court, the legitimacy of South Africa bringing the case, and do all they can, as signatories to the Genocide Convention and the UN Charter, to ensure that the Court's decisions are respected and abided by way of public statements and concrete policy actions. Furthermore, the UK must ensure that it is in no way enabling or otherwise complicit in the commission of acts that the Court has found could plausibly be in violation of the Convention. The application of justice and accountability for international crimes can never be selective, inconsistency is the enabler of impunity everywhere.

Ensuring the delivery of aid

The UK must do more to ensure unfettered humanitarian access, the distribution of critical aid, and be consistent in holding all parties to account in upholding IHL and protecting innocent civilians.

Following the allegations that a minority of UNWRA's 13,000 staff may have been involved in the attacks on October 7th, several major donors including the UK immediately withdrew support - despite little suggestion or evidence that UNWRA facilitated this involvement. UNWRA is the UN relief agency providing humanitarian assistance and critical services, including health and education, to Palestinian refugees.

UNWRA was already experiencing chronic underfunding. To those 15 states which have suspended funding the UN Secretary General has urged them to reconsider, stating that "the dire needs of the desperate populations they serve must be met" and that they now could be facing closure by the end of February if funding does not resume urgently.

Review UK arms sales to Israel

We call on the UK to ensure it meets its legal obligation to ensure transfers of UK weapons and military equipment to Israel are not aiding violations of international human rights. By not suspending arms licences to Israel or calling for an immediate ceasefire, the UK is in danger of being complicit and aiding any violations.

Despite ongoing human rights concerns, the UK Government has continued to approve arms export licenses to Israel. Since 2015, under UK export licenses, UK companies have sold approximately £450 million worth of arms and military equipment either directly to Israel or to states manufacturing arms for Israel. Sales include aircraft, tanks, small arms, ammunition, and military technology including a large proportion to components for the F35 aircraft, manufactured in the US and currently used by the Israeli military in the aerial bombing of Gaza.¹⁴

Christian Aid is deeply concerned that UK-manufactured arms are likely being used in the Israeli military's current operations and therefore potentially used to commit or facilitate violations of IHL. Under the Arms Trade Treaty, the UK Government is required to prevent the transfer of conventional weapons and their parts where there is substantial risk that such items will be used to commit or facilitate grave violations of international human rights and humanitarian law.

How is Christian Aid responding?

Christian Aid has been working with the poorest and most vulnerable people in the Middle East since the early 1950s.

¹³ [https://opiniojuris.org/2024/02/05/the-icjs-provisional-orders-measures-and-the-responsibility-of-third-states/#:~:text=The%20Court%20found%20that%2C%20in,\(para.%2054\)%2C%20and](https://opiniojuris.org/2024/02/05/the-icjs-provisional-orders-measures-and-the-responsibility-of-third-states/#:~:text=The%20Court%20found%20that%2C%20in,(para.%2054)%2C%20and)

¹⁴ <https://caat.org.uk/news/statement-on-uk-arms-exports-to-israel/>

Our established partners in Gaza are responding, under intense pressure, with medical relief and community-led initiatives such as food, shelter, sanitation, and cash. However, it is extremely dangerous to move around, and supplies of essentials are running perilously low.

Christian Aid partnered with Zochrot, an Israeli civil society organisation based in Tel Aviv, to provide trauma based psychological assistance to Israelis who have been affected by the escalation of violent conflict.

We urge MPs to submit the following questions:

- To deliver sufficient life-giving humanitarian aid to Palestinians in Gaza and to help secure the release of all the hostages an immediate ceasefire is required. Will the Government call for an immediate ceasefire now and save lives?
- Will the UK Government use its political leverage to promote justice and accountability including contributing funds to the ICC investigation as a key part of securing a viable and just peace?
- What steps is the UK Government taking to ensure that civilians are protected, as required by international humanitarian law?
- Does the UK Government believe that Israel is acting in accordance with International Humanitarian Law (IHL)? If it isn't, doesn't the apparent impunity make it only harder for the UK to pursue those who abuse IHL elsewhere, for example, in Ukraine?
- What steps is the UK Government taking to ensure that UK-manufactured weapons, sold under export licences, are not being used to commit or facilitate violations of international humanitarian law, as required by the Arms Treaty?
- Given the lack of progress with the Oslo Peace Process, what will the UK do differently to give their policy of a two-state solution a chance of success?