

Dear Prime Minister,

We are lawyers, legal academics and former judges who are UK-based or qualified. We write owing to our deep concern over the worsening catastrophe in the occupied Palestinian territory ('oPt', Gaza, the West Bank and East Jerusalem) and our commitment to upholding the rule of law.

Serious violations of international law are being committed and are further threatened by Israel in the oPt.

First, genocide is being perpetrated in Gaza or, at a minimum, there is a serious risk of genocide occurring. The limited aid now allowed into Gaza, after an 11-week blockade on food, medical supplies and the essentials of human existence, remains gravely insufficient to address the unfolding humanitarian catastrophe.¹ Israel continues simultaneously to escalate its military operations in Gaza, while senior Israeli Ministers have expressed their intention to "*take control of all the territory of the [Gaza] Strip*" and "*conquer, cleanse and stay – until Hamas is destroyed*", further stating "*what remains of the Strip is also being wiped out.*"²

Second, war crimes, crimes against humanity, and serious violations of international humanitarian law are being committed in the oPt.

Third, Israel has been found by the International Court of Justice in July 2024 to be violating peremptory norms of international law across the entire oPt in denying the Palestinian people their right to self-determination and unlawfully annexing territory acquired by force.

Israel's May 2025 plan – the implementation of which began on 16 May 2025³ – is to forcibly and permanently displace the population of Gaza to small areas of the Gaza Strip, and coerce their emigration to other countries, in grave violation of international humanitarian law, international criminal law and international human rights law. Israel has moreover decided in May 2025 to facilitate and accelerate settlement development in the West Bank (including the territory designated as Area C under the Oslo Accords). Both measures exacerbate Israel's ongoing and longstanding breach of the *jus cogens* (non-derogable) right of self-determination of the Palestinian people.

All States, including the UK, are legally obliged to take all reasonable steps within their power to prevent and punish genocide; to ensure respect for international humanitarian law; and to bring to an end violations of *jus cogens* norms of international law. The UK's actions to date have failed to meet those standards.

¹ UNOCHA, 19.05.25, *UN Chief welcomes renewed aid deliveries to Gaza, but stresses it's only a "drop in the ocean" of what is needed*, <https://www.ochaopt.org/content/un-relief-chief-welcomes-renewed-aid-deliveries-gaza-stresses-its-only-drop-ocean-what-needed>.

² The Guardian, 19.05.25, *Netanyahu vows to 'take control' of Gaza as UK, France and Canada threaten action against Israel*, <https://www.theguardian.com/world/2025/may/19/benjamin-netanyahu-israel-take-control-gaza-uk-france-canada-threaten-action>.

³ CNN, 17.05.25, *Israel launches major new offensive in Gaza as UN calls the situation for Palestinians 'beyond inhumane'*, <https://edition.cnn.com/2025/05/16/middleeast/gideons-chariots-israel-new-gaza-offensive-latam-intl>.

We welcome the indication that your Government is prepared to go further. A joint statement issued on 19 May 2025 by the leaders of the UK, France, and Canada rightly recognises that the level of human suffering in Gaza is “*intolerable*.”⁴ The statement warns of possible “*further concrete actions*” against Israel.⁵

We ask your Government to act in accordance with its fundamental international legal obligations, and with your Government’s stated central objective of upholding the rule of law,⁶ by taking, without delay, the following “*concrete actions*”:

- Use all available means to secure an immediate, unconditional and permanent ceasefire in Gaza and to ensure the urgent, unconditional and unimpeded resumption of aid, at scale, to the population of Gaza;
- Use all available means to secure the lifting of Israel’s ban upon the United Nations Relief and Works Agency throughout the entire oPt;
- Impose financial and immigration sanctions in relation to Israeli Ministers and other civil and military personnel reasonably suspected of involvement in unlawful conduct;
- Review existing trade ties with Israel; suspend the 2030 Roadmap for closer UK-Israel partnership; and impose trade sanctions upon Israel; and
- Confirm that the UK will adhere to its obligation to execute arrest warrants issued by the International Criminal Court in relation to the oPt.

Our detailed reasons are set out in the *Legal Memorandum on the UK’s Obligations under International Law in the Occupied Palestinian Territory* below.

Earlier letters from the UK legal community alerting the UK Government to its legal obligations in relation to Gaza dated 26 October 2023 and 3 April 2024 can be seen [here](#). Those letters addressed, among other points, the cessation of arms sales to Israel. As the legality of the UK’s decisions concerning arms sales is now under consideration by the High Court of England and Wales, we do not address that issue further here.

⁴ Prime Minister’s Office, 10 Downing Street and the Rt Hon Sir Keir Starmer KCB KC MP, 19.05.2025, *Joint statement from the leaders of the United Kingdom, France and Canada on the situation in Gaza and the West Bank*, <https://www.gov.uk/government/news/joint-statement-from-the-leaders-of-the-united-kingdom-france-and-canada-on-the-situation-in-gaza-and-the-west-bank>.

⁵ Prime Minister’s Office, 10 Downing Street and the Rt Hon Sir Keir Starmer KCB KC MP, 19.05.2025, *Joint statement from the leaders of the United Kingdom, France and Canada on the situation in Gaza and the West Bank*, <https://www.gov.uk/government/news/joint-statement-from-the-leaders-of-the-united-kingdom-france-and-canada-on-the-situation-in-gaza-and-the-west-bank>.

⁶ The Attorney General has emphasised your Government’s intention to uphold the rule of law including through the UK ‘*clearly, and without question, honouring our obligations under international law*’: *Attorney General’s 2024 Bingham Lecture on the rule of law*, published 15.10.24.

LEGAL MEMORANDUM ON THE UK'S OBLIGATIONS UNDER INTERNATIONAL LAW IN THE OCCUPIED PALESTINIAN TERRITORY

Section A: Recent factual context for the UK's obligations

1. This factual section of our letter focuses upon events in the oPt in the first half of 2025 and are up to date as of 23 May 2025. For the history of Israel and the oPt before 7 October 2023, we refer you to the summary provided by the ICJ in its Advisory Opinion of 19 July 2024 *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*.⁷ Concerning the atrocities committed in Hamas-led attacks in Israel on 7 October 2023 and the ensuing bombardment and siege of Gaza by the State of Israel as well as intensifying attacks by settlers and Israeli military in 2024 upon Palestinians in the West Bank, overviews are supplied in a number of the reports cited below. See, for example those published by the UN Office of the High Commissioner for Human Rights ('OHCHR').⁸

Gaza

Israel's resumption of hostilities

2. On 19 January 2025, a ceasefire came into effect in Gaza between Israel and Hamas which was due to take place in three stages, with each stage intended to last for 42 days.⁹ On 18 March 2025, Israel resumed its attacks on Gaza.¹⁰ Israel's Defence Minister, Israel Katz warned the residents of Gaza "*Unless all the Israeli hostages are released and Hamas is expelled from Gaza, Israel will act with forces never before seen. ... Return the hostages and eliminate Hamas and other options will be presented to you including relocating to other places in the world for those who wish. The alternative is utter destruction and devastation.*"¹¹
3. The UK Government noted that the Israeli Government's resumption of hostilities in Gaza began with airstrikes that appeared to be the "*deadliest single day for Palestinians since the war began.*"¹² On 2 April 2025, the UN Office for the Coordination of

⁷ <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>, paras 51-71.

⁸ In relation to attacks in Israel and Gaza: <https://www.un.org/unispal/document/update-report-08nov24/>. In relation to the West Bank: [A/HRC/58/73](https://www.un.org/unispal/document/update-report-08nov24/).

⁹ ABC News, 15.01.25, *Details of what's in the ceasefire deal between Israel and Hamas*, <https://abcnews.go.com/International/details-ceasefire-deal-israel-hamas/story?id=117694741>.

¹⁰ CNN, 19.03.25, *Israel has resumed the war in Gaza. Why now?*, <https://edition.cnn.com/2025/03/18/middleeast/israel-gaza-hamas-ceasefire-explainer-intl/index.html>

¹¹ Israel Katz, 19.03.25, Post on X, https://x.com/Israel_katz/status/1902388250053861589.

¹² Foreign, Commonwealth & Development Office and the Rt Hon David Lammy MP, 20.03.25, *Middle East: Foreign Secretary statement*, <https://www.gov.uk/government/speeches/middle-east-foreign-secretary-statement-20-march-2025>.

Humanitarian Affairs ('UNOCHA') described the situation in Gaza as "*a war without limits*" which defies decency, humanity and the law.¹³

Plans for the removal of Palestinians and settlement expansion before Operation Gideon's Chariots

4. In February 2025, US President Donald Trump announced a plan for the US to "*take over*" and "*own*" Gaza in the "*long-term*" after all Palestinians were moved elsewhere and its resettlement by "*the world's people*."¹⁴ The Israeli Prime Minister Benjamin Netanyahu has said he is working to make President Trump's plan to remove and resettle Gaza's population a reality.¹⁵ Israel Katz welcomed the plan as allowing the relocation of a "*large portion*" of Gaza's population and established a directorate tasked with enabling Palestinians to "*voluntarily*" leave Gaza.¹⁶
5. Senior Israeli cabinet ministers, including Finance Minister Bezalel Smotrich, National Security Minister Itamar Ben-Gvir, and Advancement of the Status of Women Minister May Golan, have previously called for the reestablishment of settlements in Gaza.¹⁷ In October 2024 the ruling Likud Party circulated invitations to a conference held near the border of Gaza which was "*a practical exercise and preparation for renewed settlement in Gaza*."¹⁸

Plan to "conquer" Gaza: Operation Gideon's Chariots

6. On 4 May 2025 the Israeli Security Cabinet approved a plan, since named Operation Gideon's Chariots, for expanded military operations if all hostages are not released. The plan entails "*the conquest of the Gaza Strip and the holding of the territories*" by the Israeli State and the forced displacement of Gaza's population to the South of Gaza.¹⁹ Israeli Defence Forces ('IDF') spokesperson, Brigadier General Defrin, has stated that the offensive "*will include a wide-scale attack and the movement of the majority of the*

¹³ UN News, 2.04.25, *UN condemns killing of 1,000 people in Gaza since ceasefire collapse*, HYPERLINK "<https://news.un.org/en/story/2025/04/1161816>"<https://news.un.org/en/story/2025/04/1161816> .

¹⁴ The Guardian, 5.02.25, *Donald Trump's Gaza plan: the key takeaways*, <https://www.theguardian.com/world/2025/feb/05/donald-trump-gaza-strip-plan-take-over-move-palestinians-ownership> .

¹⁵ BBC News, 17.02.25, *Netanyahu praises Trump's 'bold vision' for Gaza at Rubio meeting*, HYPERLINK "<https://www.bbc.co.uk/news/articles/cz9eddnq4go>"<https://www.bbc.co.uk/news/articles/cz9eddnq4go> .

¹⁶ The Times of Israel, 18.02.25, *Katz announces new panel tasked with advancing 'voluntary' emigration of Gazans*, <https://www.timesofisrael.com/katz-announces-new-panel-tasked-with-advancing-voluntary-emigration-of-gazans/> .

¹⁷ The Times of Israel, 21.10.24, *Senior ministers call for new settlements in Gaza at ultranationalist conference*, <https://www.timesofisrael.com/government-ministers-call-for-new-settlements-in-gaza-at-ultranationalist-conference/> ; The Guardian, 29.01.25, *Israeli ministers attend conference calling for 'voluntary migration' of Palestinians*, <https://www.theguardian.com/world/2024/jan/29/israeli-ministers-attend-conference-calling-for-voluntary-migration-of-palestinians> .

¹⁸ Haaretz, 16.10.24, *Netanyahu's Likud Party Issues Invitation to Event Titled 'Preparing to Settle Gaza'*, <https://www.haaretz.com/israel-news/2024-10-16/ty-article/.premium/netanyahus-likud-party-issues-invitation-to-event-titled-preparing-to-settle-gaza/00000192-95b6-d9c2-a7f3-9db676f40000> .

¹⁹ The Guardian, 6.05.25, *Gaza will be entirely destroyed, Israeli minister says*, <https://www.theguardian.com/world/2025/may/06/hamas-israel-hunger-war-in-gaza> .

Strip's population".²⁰ Israel's Defence Minister, Israel Katz has stated that "*the IDF is not evacuating areas that have been cleared and seized... The IDF will remain in the security zones as a buffer between the enemy and [Israeli] communities in any temporary or permanent situation in Gaza.*"²¹ The Israeli Finance Minister, Bezalel Smotrich, announced at a public conference on 6 May 2025 that "*Gaza will be entirely destroyed, civilians will be sent to... the south to a humanitarian zone without Hamas or terrorism, and from there they will start to leave in great numbers to third countries.*"²² In testimony before the Knesset's Foreign Affairs and Defence Committee on 12 May 2025, Prime Minister Benjamin Netanyahu reportedly stated that Israel is "*destroying more and more houses [in Gaza and Palestinians accordingly] have nowhere to return*" and that "*[t]he only obvious result will be Gazans choosing to emigrate outside of the Strip*" although "*we are not talking about Israeli settlements in the Gaza Strip right now.*"²³

7. On 16 May 2025 the Israeli military announced the implementation of Operation Gideon's Chariots.²⁴ On the same day the UN High Commissioner for Human Rights stated that "*there appears to be a push for a permanent demographic shift in Gaza that is in defiance of international law and is tantamount to ethnic cleansing.*"²⁵ In 24 hours, by 17 May 2025, at least 140 Palestinians had been killed.²⁶

Death and injury and the toll among women and children

8. UNOCHA reports that at least 53,655 Palestinians have been killed in Gaza and 121,950 injured since 7 October 2023.²⁷ The true death toll in Gaza is likely to exceed the UNOCHA totals.²⁸ The OHCHR stated in November 2024 that 70% of the fatalities it has verified in the Gaza war were women and children.²⁹ UNOCHA has reported that

²⁰ Times of Israel, 05.03.2025, *IDF spokesman says combined goal of intensified Gaza op is to free hostages, defeat Hamas*, https://www.timesofisrael.com/liveblog_entry/idf-spokesman-says-combined-goal-of-intensified-gaza-op-is-to-free-hostages-defeat-hamas/.

²¹ BBC News, 16.04.25, *Israeli troops will remain in Gaza 'security zones' after war, minister says*, <https://www.bbc.co.uk/news/articles/c4g2775v853o>.

²² The Guardian, 06.05.25, *Gaza will be entirely destroyed, Israeli minister says*, <https://www.theguardian.com/world/2025/may/06/hamas-israel-hunger-war-in-gaza>.

²³ The Times of Israel, 13.05.25, *PM said to tell MKs: Israel destroying homes in Gaza, so Palestinians have nowhere else to go but outside the Strip*, https://www.timesofisrael.com/liveblog_entry/pm-said-to-tell-mks-israel-destroying-homes-in-gaza-so-palestinians-have-nowhere-else-to-go-but-outside-the-strip/.

²⁴ Times of Israel, 17.05.25 *IDF says it is 'seizing strategic areas' as it launches first stages of major new Gaza offensive dubbed 'Gideon's Chariots'*, https://www.timesofisrael.com/liveblog_entry/idf-says-it-has-launched-first-stages-of-new-major-gaza-offensive-dubbed-gideons-chariots/.

²⁵ UN Office for the Commissioner for Human Rights, 16.05.25, *Türk deplores Gaza escalation, pleads for global action to stop more killings*, <https://www.ohchr.org/en/press-releases/2025/05/turk-deplores-gaza-escalation-pleads-global-action-stop-more-killings>.

²⁶ The Guardian, 17.05.24, *Israel accused of ethnic cleaning after more than 140 killed in Gaza in 24 hours*, <https://www.theguardian.com/world/2025/may/17/israel-gaza-ethnic-cleansing-palestinian-death-toll>.

²⁷ UNOCHA, 21.05.25, *Reported impact snapshot- Gaza Strip (21 May 2025)*, <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-21-may-2025>).

²⁸ AOA, Professor Mike Spagat, 24.09.24, *Tracking Gaza's war death toll: Ministry of Health improves accuracy in latest casualty report*, <https://aoav.org.uk/2024/tracking-gazas-war-death-toll-ministry-of-health-improves-accuracy-in-latest-casualty-report/>.

²⁹ OHCHR, 8.11.24, *Six-month update report on the human rights situation in Gaza*, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf>.

between 18 March and 17 April 2025, 1,691 Palestinians had been killed (of which 595 were children, 308 women, 105 elderly and 683 men) and 4,464 injured (of which 1,610 were children, 842 women, 225 elderly and 1,787 men).³⁰

9. UNICEF has described military operations in Gaza as “*a war on children*”, noting the brutal impact of “*killing, injury, abduction, displacement, disease, malnutrition, dehydration, constant fear and profound trauma.*”³¹ As Save the Children has noted, “[t]he use of explosive weapons in Gaza has inflicted grave and long-term disadvantage on children, severely impairing their ability to lead normal and constructive lives.”³² Gaza is currently witnessing the biggest cohort of paediatric amputees in history, with many of these traumatic amputations performed without anaesthesia.³³
10. The OHCHR has reported that of the fatalities it has verified in Gaza, the majority were killed in residential buildings or similar housing, with high numbers of babies and young children, women and older persons killed together. OHCHR’s monitoring indicates that the high number of fatalities per attack is due to the IDF’s use of weapons with wide area effects in densely-populated areas. The fatalities were spread across Gaza, highlighting that no area was safe.³⁴

Preventing supplies essential for survival from entering Gaza

11. UNOCHA’s Humanitarian Coordinator has explained that “[h]umanitarian aid in Gaza is a lifeline for over two million Palestinians who have endured unimaginable conditions for many months. A sustained supply of aid is indispensable to their survival.”³⁵
12. On 2 March 2025, Prime Minister Benjamin Netanyahu announced that “*as of this morning [2 March], all entry of goods and supplies into the Gaza Strip will cease.*”³⁶ Israel’s full blockade on Gaza brought to a near-standstill humanitarian efforts to protect and assist civilians, driving “*extreme levels of deprivation across Gaza*”.³⁷ By 10 March

³⁰ UNOCHA, 23.04.25, *Humanitarian Situation Update #282 | Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>.

³¹ UNICEF, 7.10.24, *A year of tears: 12 months of war on children – UNICEF Report*, <https://www.un.org/unispal/document/a-year-of-tears-12-months-of-war-on-children-unicef-report/>, p.1.

³² Save the Children, November 2024, *Missing Futures: The Urgent Need to Protect Gaza’s Children & Safeguard their Futures*, <https://resourcecentre.savethechildren.net/pdf/Missing-Futures-The-Urgent-Need-To-Protect-Gazas-Children-Safeguard-Their-Futures.pdf>, p.10.

³³ Ibid, p.11.

³⁴ OHCHR, 8.11.24, *Six-month update report on the Human Rights Situation in Gaza: 1 November 2023 to 30 April 2024*, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf> p.6-10, paras12-16.

³⁵ UNOCHA, 10.03.25, *Statement by the Humanitarian Coordinator, Mr. Muhannad Hadi, on the halt to the entry of humanitarian supplies into Gaza* <https://www.ochaopt.org/content/statement-humanitarian-coordinator-mr-muhannad-hadi-halt-entry-humanitarian-supplies-gaza>.

³⁶ The Guardian, 02.03.25, *Israel cuts off humanitarian supplies to Gaza as it seeks to change ceasefire deal*, <https://www.theguardian.com/world/2025/mar/02/israel-cuts-off-humanitarian-supplies-to-gaza-as-it-seeks-to-change-ceasefire-deal>.

³⁷ UNOCHA, 14.05.25, *Humanitarian Situation update #288, Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-288-gaza-strip>.

2025, UN agencies estimated that 1.8 million people – over half of them children – urgently needed water, sanitation and hygiene assistance.³⁸

13. Defence Minister Israel Katz confirmed in mid-April 2025 that there were no plans to allow aid into Gaza, stating *“Israel’s policy is clear: no humanitarian aid will enter Gaza, and blocking this aid is one of the main pressure levers preventing Hamas from using it as a tool with the population.”*³⁹
14. By 25 April 2025, the UN World Food Programme (‘WFP’) warned that *“the situation ... has once again reached a breaking point: people are running out of ways to cope, and the fragile gains made during the short ceasefire have unravelled.”*⁴⁰ Reporting on a four-day mission to the West Bank and the Gaza Strip in March 2025, Edouard Beigbeder, UNICEF’s Middle East and North Africa Director, said that 180,000 doses of essential, routine childhood vaccines – enough to vaccinate and protect 60,000 children – were *“stalled just a few dozen kilometres outside the Gaza Strip.”*⁴¹
15. UNICEF warned that the blockade of humanitarian aid had *“terrible consequences”* for one million children in Gaza.⁴² The Commissioner-General of the United Nations Relief and Works Agency (‘UNRWA’) called the blockade a *“manmade and politically motivated starvation.”*⁴³ The acting Head of UNOCHA, Jonathan Whittall, called the blockade *“deprivation by design”* and seemingly the *“deliberate dismantling of Palestinian life.”*⁴⁴
16. On 12 May 2025, an Integrated Food Security Phase Classification (IPC) report, found the entire Gaza population to be facing high levels of food insecurity, with half a million people (one in five) facing starvation.⁴⁵

³⁸ UN News, 10.03.25, *Gaza power cut impacts safe water access for hundreds of thousands*, <https://news.un.org/en/story/2025/03/1160961>.

³⁹ The Guardian, 17.04.25, *No plans to allow any aid into Gaza, says Israeli minister*, <https://www.theguardian.com/world/2025/apr/16/no-humanitarian-aid-gaza-israeli-minister-israel-katz-hamas>.

⁴⁰ WFP, 25.04.25, *WFP runs out of food stocks in Gaza as border crossings remain closed*, <https://www.wfp.org/news/wfp-runs-out-food-stocks-gaza-border-crossings-remain-closed>.

⁴¹ UNICEF, 16.03.25, *Palestinian children remain deprived of the most essential supplies and services*: Statement by Middle East and North Africa Regional Director Edouard Beigbeder, <https://www.unicef.org/press-releases/palestinian-children-remain-deprived-most-essential-supplies-and-services>.

⁴² UNICEF, 05.04.25, *More than a million children in the Gaza Strip deprived of lifesaving aid for over one month – UNICEF*, <https://www.unicef.org.uk/press-releases/more-than-a-million-children-in-the-gaza-strip-deprived-of-lifesaving-aid-for-over-one-month-unicef/>.

⁴³ UNRWA, 25.04.25, *UNRWA Commissioner-General on Gaza: children are starving*, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-children-are-starving>.

⁴⁴ UNOCHA, 23.04.25, *Humanitarian Situation Update #282 | Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>.

⁴⁵ IPC, 12.05.25, *GAZA STRIP: IPC Acute Food Insecurity and Acute Malnutrition Special Snapshot | April - September 2025*, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Malnutrition_Apr_Sept2025_Special_Snapshot.pdf.

Israeli plan for “aid hubs”; the resumption of “minimal” humanitarian aid into Gaza

17. On 4 May 2025, at the same time as approving the plan to expand the military offensive in Gaza, Israel’s top-tier security cabinet approved a plan to create ‘aid hubs’ exclusively in southern Gaza. Aid would be delivered, at least in part, by private “*security contractors*” which would vet recipients of aid.⁴⁶ The US Ambassador to Israel acknowledged that the plan would initially feed only approximately 60% of the population of Gaza.⁴⁷
18. The UK has rejected “*any aid mechanism that seeks to deliver political or military objectives or puts vulnerable civilians at risk.*”⁴⁸ Amongst others, the ‘aid hubs’ plan has been criticised by UNOCHA as “*appear[ing] to be a deliberate attempt to weaponize aid*”⁴⁹ and by UNICEF as creating for the Palestinian population of Gaza an “*impossible choice between displacement and death.*”⁵⁰ The 12 May 2025 IPC report noted that “[t]he plan announced on 5 May by Israeli authorities for delivering food and non-food items across the governorates is estimated to be highly insufficient to meet the population’s essential needs for food, water, shelter and medicine. Moreover, the proposed distribution mechanisms are likely to create significant access barriers for large segments of the population”. Further, there is a high risk of famine.⁵¹ On 13 May 2025 the UN Relief Chief, in his address to the UN Security Council, said Israel’s plan “*practically excludes many, including people with disabilities, women, children, the elderly, the wounded. It forces further displacement. It exposes thousands of people to harm. It sets an unacceptable precedent for aid delivery not just in the OPT, but around the world. It restricts aid to only one part of Gaza, while leaving other dire needs unmet.*

⁴⁶ The Times of Israel, 5.05.25, UN humanitarian agency rejects new Israeli plan for Gaza aid deliveries, <https://www.timesofisrael.com/un-humanitarian-agency-rejects-new-israeli-plan-for-gaza-aid-deliveries/>; The Guardian, 9.05.2025, *Aid groups voice alarm as US pushes Israeli plan for Gaza assistance*, <https://www.theguardian.com/us-news/2025/may/09/gaza-israeli-aid-plan>; BBC News, 9.05.25, *US confirms plan for private firms to deliver Gaza aid despite UN alarm*, <https://www.timesofisrael.com/un-humanitarian-agency-rejects-new-israeli-plan-for-gaza-aid-deliveries/>; UN News, 9.05.25, *Gaza: UN agencies reject Israeli plan to use aid as ‘bait’*, <https://news.un.org/en/story/2025/05/1163071>.

⁴⁷ CNN, 9.05.25, *US admits its new aid plan would initially only feed 60% of Gaza, as UN rejects proposal*, <https://edition.cnn.com/2025/05/09/middleeast/us-gaza-aid-plan-un-rejection-intl>.

⁴⁸ Foreign, Commonwealth & Development Office and Dame Barbara Woodward DCMG OBE, 13.05.25, *The UK calls on Israel to lift its block on aid: UK statement at the UN Security Council*, <https://www.gov.uk/government/speeches/the-uk-calls-on-israel-to-lift-its-block-on-aid-uk-statement-at-the-un-security-council>.

⁴⁹ UN News, 6.05.25, *Gaza: UN aid teams reject Israel’s ‘deliberate attempt to weaponize aid’*, <https://news.un.org/en/story/2025/05/1162946#:~:text=%E2%80%9CIt%20appears%20to%20be%20a,UN%20aid%20coordination%20office%2C%20OCHA>.

⁵⁰ UN News, 9.05.25, *Gaza: UN agencies reject Israeli plan to use aid as ‘bait’*, <https://news.un.org/en/story/2025/05/1163071>; see also statement of Jan Egeland, secretary general of the Norwegian Refugee Council “*This new Israeli plan is both totally insufficient to meet the needs in Gaza, and a complete breach of all humanitarian principles*” : Reuters, 07.05.25, *European leaders, aid groups criticise Israeli aid plans for Gaza*, <https://www.reuters.com/world/middle-east/aid-agencies-slam-israeli-plans-gaza-aid-distribution-2025-05-07/>.

⁵¹ IPC, 12.05.25, *GAZA STRIP: IPC Acute Food Insecurity and Acute Malnutrition Special Snapshot | April - September 2025*, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Malnutrition_Apr_Sept2025_Special_Snapshot.pdf.

It makes aid conditional on political and military aims. It makes starvation a bargaining chip."⁵² The aid hubs mechanism has likewise been rejected in a statement dated 19 May 2025 by the Foreign Ministers of 22 States including the UK and senior EU officials.⁵³

19. On 18 May 2025, the office of Prime Minister Benjamin Netanyahu stated that *"out of the operational need to enable the expansion of the intense fighting to defeat Hamas, Israel will introduce a basic amount of food to the population to ensure that a famine crisis does not develop... Such a crisis would jeopardize the continuation of the 'Gideon's Chariots' operation to defeat Hamas."*⁵⁴ Further *"Israel will work to deny Hamas the ability to take control of the distribution of humanitarian aid to ensure that the aid does not reach Hamas terrorists."*⁵⁵ A report by Refugees International has found *"little evidence to support the allegation that Hamas is diverting humanitarian aid at a large scale."*⁵⁶
20. Prime Minister Benjamin Netanyahu has indicated that deliveries of aid through existing mechanisms are intended to be temporary and will be replaced by Israel's planned aid hubs.⁵⁷
21. Prime Minister Benjamin Netanyahu has also stated that food deliveries would be *"minimal."*⁵⁸ On 19 May 2025 nine UN aid trucks entered Gaza via the Kerem Shalom crossing, as confirmed by the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, who described this quantity of aid as *"a drop in the ocean of what is urgently needed"* and called for *"significantly more aid"* to be allowed into Gaza, *"starting tomorrow morning."*⁵⁹ The WFP stated on 22 May 2025 that the amount of aid allowed was *"nowhere near enough ... We need more trucks, more food, in now."*⁶⁰
22. On 19 May 2025, the Foreign Ministers of 22 states, including the UK, called on the Government of Israel to *"allow a full resumption of aid into Gaza immediately and enable the UN and humanitarian organisations to work independently and impartially to save*

⁵² OCHA, 13.05.25, *UN Relief Chief calls on Security Council to act decisively to prevent genocide in Gaza*, <https://www.unocha.org/news/un-relief-chief-calls-security-council-act-decisively-prevent-genocide-gaza>.

⁵³ European External Action Services, 19.05.25, *Joint donor statement on humanitarian aid in Gaza*, https://www.eeas.europa.eu/eeas/joint-donor-statement-humanitarian-aid-gaza%C2%A0_en

⁵⁴ The Jerusalem Post, 18.05.25 (updated 19.05.25), *Cabinet approves immediate return of humanitarian aid in Gaza without release of hostages*, <https://www.jpost.com/breaking-news/article-854500>.

⁵⁵ Times of Israel, 19.05.25, *Netanyahu approves immediate resumption of humanitarian aid deliveries in Gaza*, https://www.timesofisrael.com/liveblog_entry/netanyahu-approves-immediate-resumption-of-humanitarian-aid-deliveries-to-gaza/.

⁵⁶ Refugees International, September 2024, *Untangling the reality of famine in Gaza*, <https://d3jwam0i5codb7.cloudfront.net/wp-content/uploads/2024/09/Gaza-Famine-Report-REVISED.pdf>.

⁵⁷ BBC, 19.05.25, *Gaza: Israel allows aid in after 11-week blockade but UN calls it 'drop in ocean'*, <https://www.bbc.co.uk/news/articles/c3d4kz8p00eo>.

⁵⁸ The Washington Post, 19.05.25, *Netanyahu says 'minimal' aid will go to Gaza to preserve U.S. support*, <https://www.washingtonpost.com/world/2025/05/19/israel-gaza-aid-netanyahu/>.

⁵⁹ OCHA, 19.05.25, *UN Relief Chief welcomes renewed aid deliveries to Gaza, but stresses it's only a "drop in the ocean" of what is needed* <https://www.ochaopt.org/content/un-relief-chief-welcomes-renewed-aid-deliveries-gaza-stresses-its-only-drop-ocean-what-needed>.

⁶⁰ UN News, 22.05.25, *All eyes on Gaza as aid teams retrieve first lifesaving relief in months*, <https://news.un.org/en/story/2025/05/1163571>.

*lives, reduce suffering and maintain dignity.”*⁶¹ The same day, the leaders of the UK, France and Canada issued a joint statement calling on Israel to “*stop its military operations in Gaza and immediately allow humanitarian aid to enter Gaza. This must include engaging with the UN to ensure a return to delivery of aid in line with humanitarian principles.*”⁶² The Israeli Prime Minister Benjamin Netanyahu rejected the latter statement as “*offering a huge prize for the genocidal attack in Israel on October 7 while inviting more such atrocities.*”⁶³

Attacks on medical and humanitarian personnel, infrastructure and premises

23. The Israeli military has repeatedly carried out attacks upon healthcare facilities and personnel and upon humanitarian personnel, infrastructure and premises in Gaza.
24. Patterns of such attacks by the Israeli military were noted by, among others, UN agencies and human rights organisations before the ceasefire.⁶⁴ These included patterns of attacks on hospitals in Gaza, pushing the healthcare system to the brink of collapse;⁶⁵ attacks on Palestinian health and medical personnel, with more than 1,057 Palestinian health and medical professionals killed so far and many more arbitrarily arrested;⁶⁶ attacks on ambulances and emergency medical staff;⁶⁷ attacks on known aid worker locations

⁶¹ European External Action Services, 19.05.25, *Joint donor statement on humanitarian aid in Gaza*, https://www.eeas.europa.eu/eeas/joint-donor-statement-humanitarian-aid-gaza%C2%A0_en.

⁶² Prime Minister’s Office, 10 Downing Street and The Rt Hon Sir Kier Starmer KCB KC MP, 19.05.25, <https://www.gov.uk/government/news/joint-statement-from-the-leaders-of-the-united-kingdom-france-and-canada-on-the-situation-in-gaza-and-the-west-bank>.

⁶³ BBC, 20.05.2025 UK, *France and Canada threaten action against Israel over Gaza*, <https://www.bbc.co.uk/news/articles/czxy19n4kpyo>.

⁶⁴ UN Meetings Coverage and Press Releases, 03.01.2025, *Security Council Debates Israeli Attacks on Hospitals Allegedly Misused by Hamas, as UN Rights Chief Urges Independent Probes*, <https://press.un.org/en/2025/sc15959.doc.htm>; <https://researchbriefings.files.parliament.uk/documents/CDP-2025-0086/CDP-2025-0086.pdf> p.3 noting that the highest recorded number of attacks on aid workers was in the oPt (84 out of total 402 recorded attacks); https://www.emro.who.int/images/stories/Sitrep_57.pdf?ua=1 <https://researchbriefings.files.parliament.uk/documents/CDP-2025-0086/CDP-2025-0086.pdf> p.3 noting that in 2024 the highest recorded number of attacks on aid workers was in the oPt (84 out of total 402 recorded attacks); WHO, 14.03.25, *oPt Emergency Situation Update, 7 Oct 2023 - 14 Mar 2025*, https://www.emro.who.int/images/stories/Sitrep_57.pdf?ua=1.

⁶⁵ OHCHR, 31.12.24, *Pattern of Israeli attacks on Gaza hospitals raises grave concerns - report* <https://www.ohchr.org/en/press-releases/2024/12/pattern-israeli-attacks-gaza-hospitals-raises-grave-concerns-report>; OHCHR, 31.12.14, *Thematic Report - Attacks on hospitals during the escalation of hostilities in Gaza (7 October 2023 - 30 June 2024)*, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241231-attacks-hospitals-gaza-en.pdf>.

⁶⁶ OHCHR, 2.01.25, *UN experts horrified at blatant disregard for health rights in Gaza following deadly raid on Kamal Adwan hospital*, <https://www.ohchr.org/en/press-releases/2025/01/un-experts-horrified-blatant-disregard-health-rights-gaza-following-deadly>.

⁶⁷ See e.g., IFRC, 2.02.24, *IFRC on three Palestine Red Crescent members killed: 'Unacceptable'*, : <https://www.ifrc.org/article/ifrc-three-palestine-red-crescent-members-killed-unacceptable>; Medical Aid for Palestinians, 26.06.24, *500 healthcare workers killed during Israel’s military assault on Gaza*, <https://www.map.org.uk/news/archive/post/1598-500-healthcare-workers-killed-during-israelas-military-assault-on-gaza>;

following the provision of coordinates to ensure their protection;⁶⁸ attacks on Palestinians trying to access food and medical aid;⁶⁹ attacks on persons facilitating the distribution of humanitarian assistance, including marked civilian police;⁷⁰ attacks on objects indispensable for survival, including water and sanitation infrastructure.⁷¹

25. Since resuming military operations in Gaza, Israeli forces have persisted in those patterns of attacks. The Foreign Ministers of the UK, Germany and France issued a joint statement on 23 April 2025 reiterating their “*outrage at recent strikes by Israeli forces on humanitarian personnel, infrastructure, premises and healthcare facilities.*”⁷² Examples of such attacks are provided here:
 - a. On 19 March 2025, the Israeli military attacked a UN Compound in an isolated area in Deir al Balah, central Gaza, killing a UNOPS employee and injuring at least 5 others. The attack followed earlier strikes on the deconflicted facility.⁷³
 - b. The bodies of fifteen paramedics and rescue workers were recovered from a mass grave next to their buried and destroyed vehicles after being shot dead by Israeli forces while attending a rescue mission in clearly marked vehicles on 21 March 2025. Five ambulances, a fire truck – and a UN vehicle which arrived following the initial assault – were all hit by Israeli fire.⁷⁴
 - c. On 26 March 2025, five Palestinians were killed when a food distribution point was hit in An Nuseirat refugee camp, in Deir al Balah.⁷⁵

Palestinian Red Crescent, 30.05.23, *Statement issued by the Palestine Red Crescent Society (PRCS) regarding the killing of two paramedics in Rafah*, [https://www.palestinercs.org/en/Article/11904/Statement-issued-by-the-Palestine-Red-Crescent-Society-\(PRCS\)-regarding-the-killing-of-two-paramedics-in-Rafah](https://www.palestinercs.org/en/Article/11904/Statement-issued-by-the-Palestine-Red-Crescent-Society-(PRCS)-regarding-the-killing-of-two-paramedics-in-Rafah).

⁶⁸ Human Rights Watch, 14.05.24, *Gaza: Israelis Attacking Known Aid Worker Locations*, <https://www.hrw.org/news/2024/05/14/gaza-israelis-attacking-known-aid-worker-locations>.

⁶⁹ OHCHR, 8.11.24, *Six-month update report on the Human Rights Situation in Gaza: 1 November 2023 to 30 April 2024*, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf>, p.14 para. 29.

⁷⁰ OHCHR, 8.11.24, *Six-month update report on the Human Rights Situation in Gaza: 1 November 2023 to 30 April 2024*, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf>, p.16 para. 30.

⁷¹ Human Rights Watch, 19.12.24, *Extermination and Acts of Genocide: Israel Deliberately Depriving Palestinians in Gaza of Water*, <https://www.hrw.org/report/2024/12/19/extermination-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza>; Food and Agriculture Organization of the United Nations, 12.11.24, *UN Security Council meeting: Protection of civilians in armed conflict - Rein Paulsen, Director of the Office of Emergencies and Resilience*, <https://www.fao.org/new-york/fao-statements/detail/un-security-council-meeting--protection-of-civilians-in-armed-conflict/en>.

⁷² UK Government Website, 23.04.25, *Aid to Gaza: E3 foreign ministers' statement*, <https://www.gov.uk/government/news/aid-to-gaza-e3-foreign-ministers-statement-23-april-2025>.

⁷³ UN News, 19.03.25, *UN staff member killed in central Gaza blast, five others injured*, <https://news.un.org/en/story/2025/03/1161261>; BBC News, 24.04.25, *Israeli military admits its troops killed UN worker in Gaza Strip*, <https://www.bbc.co.uk/news/articles/cp348npzy8xo..>

⁷⁴ Amnesty International, 1.04.25, *Israel/ OPT: Investigate killings of paramedics and rescue workers in Gaza*, <https://www.amnesty.org/en/latest/news/2025/04/israel-opt-investigate-killings-of-paramedics-and-rescue-workers-in-gaza/>; UN News, 1.04.25, *Gaza aid worker killings: One humanitarian still missing in mass grave*, <https://news.un.org/en/story/2025/04/1161736>.

⁷⁵ UNOCHA, 4.04.25, *Humanitarian Situation Update #277 | Gaza Strip*, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-277-gaza-strip#>.

- d. On 27 March 2025, a World Central Kitchen volunteer was killed and six others injured after Israeli strikes hit near a community kitchen just as meals were being distributed.⁷⁶
 - e. On 3 April 2025, an Israeli strike on the warehouse of the Saudi Center for Culture and Heritage, executive partner of the King Salman Humanitarian Aid and Relief Center, resulted in the destruction of the warehouse and the burning of 1,600 pallets of medical supplies.⁷⁷
 - f. On 13 April 2025, Israel conducted an airstrike on the last functioning hospital in North Gaza, Al Ahli Baptist Hospital, destroying the emergency department and causing the death of a child due to lack of access to appropriate care.⁷⁸ UK Foreign Secretary David Lammy described the strike as “*deplorable*,” commenting that “*Israel’s attacks on medical facilities have comprehensively degraded access to healthcare in Gaza.*”⁷⁹
 - g. On 21 and 22 April 2025, Israeli military strikes destroyed 30 heavy equipment vehicles, including critical equipment for search-and-rescue operations, waste removal, sewage maintenance, and water supply. Some of these had been donated during the ceasefire.⁸⁰
26. Since October 2023, at least 430 aid workers have been killed in Gaza.⁸¹ Following the resumption of deadly Israeli airstrikes, on 24 March 2025 the UN Secretary General took the “*difficult decision*” to reduce its aid operations in Gaza.⁸² On 31 March 2025, UNRWA Commissioner General Phillippe Lazzarini, confirmed the deaths of two UNRWA staff and stated “[t]argeting or endangering emergency responders, journalists or humanitarian workers is a flagrant and severe disregard of international law. In Gaza, these killings have become routine. This cannot become the new norm. There must be accountability.”⁸³

Forcible displacement and attacks on refugee camps and shelters in Gaza

27. Since the resumption of Israeli military operations in Gaza, at least 20 displacement orders have been issued, sometimes with only minutes’ notice, forcing residents to flee

⁷⁶ World Central Kitchen, 27.03.25, X post, <https://x.com/WCKitchen/status/1905357597462442479> .

⁷⁷ UNOCHA, 4.04.25, *Humanitarian Situation Update #277 | Gaza Strip*, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-277-gaza-strip#>.

⁷⁸ UN News, 17.04.25, *UN expert condemns attack on Al-Ahli hospital in Gaza*, <https://www.ohchr.org/en/press-releases/2025/04/un-expert-condemns-attack-al-ahli-hospital-gaza> .

⁷⁹ The Guardian, 13.04.25, *Airstrike destroys parts of Gaza City hospital as Israel intensifies offensive* <https://www.theguardian.com/world/2025/apr/13/gaza-city-hospital-hit-ahli-baptist-civil-defence-agency-israel-intensifies-military-operations-katz> .

⁸⁰ UNOCHA, 23.04.25, *Humanitarian Situation Update #282 | Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip> .

⁸¹ UNOCHA, 14.05.25, *Humanitarian Situation Update #288 | Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-288-gaza-strip> .

⁸² UN News, 24.03.25, *Guterres to reduce UN aid ‘footprint’ inside Gaza following ceasefire collapse*, <https://news.un.org/en/story/2025/03/1161461> .

⁸³ UNOCHA, 4.04.25, *Humanitarian Situation Update #277 | Gaza Strip*, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-277-gaza-strip#>.

under extreme pressure.⁸⁴ Around 500,000 Palestinians have been internally displaced since 18 March 2025.⁸⁵

28. Since its resumption of military operations, Israel is no longer designating safe zones. Further, between 15 March and 21 April 2025, Israel has struck tents sheltering displaced Palestinians in the Al Mawasi area - previously designated a safe zone - at least 23 times, resulting in the reported deaths of 78 Palestinians, including women and children, some of whom burned alive.⁸⁶ The Executive Director of UNICEF, Catherine Russell, stated that “[i]mages of children burning while sheltering in makeshift tents should shake us all to our core.”⁸⁷

West Bank

29. Between 7 October 2023 and 9 May 2025, 930 Palestinians were killed in the occupied West Bank, including East Jerusalem, with 124 (including at least 23 children) killed since the beginning of 2025.⁸⁸ In February 2025, Save the Children described an “*alarming trend*” with at least 224 children killed in the West Bank by Israeli forces or settlers since January 2023. Save the Children’s Middle East Regional Director stated that “[n]o child should ever have to face this unimaginable violence.”⁸⁹
30. From 21 January to 10 February 2025, over 40,000 Palestinians were forcibly displaced in the West Bank as a result of destructive Israeli military operations that rendered refugee camps uninhabitable.⁹⁰ Widespread damage to homes and infrastructure, including the destruction of water and sanitation systems in refugee camps, has led to the

⁸⁴ UNOCHA, 23.04.25, *Humanitarian Situation Update #282 | Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>.

⁸⁵ UNRWA, 24.04.25, *UNRWA Situation Report #168 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem*, <https://www.unrwa.org/resources/reports/unrwa-situation-report-168-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

⁸⁶ Haaretz, 21.04.25, *Israeli Army No Longer Designates Humanitarian Zones in Gaza Since Fighting Resumed*, <https://www.haaretz.com/israel-news/2025-04-21/ty-article/.premium/israeli-army-no-longer-designates-humanitarian-zones-in-gaza-since-fighting-resumed/00000196-5766-d9fc-adbf-5f6f355b0000>; UNOCHA, 23.04.25, *Humanitarian Situation Update #282 Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>.

⁸⁷ UNOCHA, 23.04.25, *Humanitarian Situation Update #282 Gaza Strip*, <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>.

⁸⁸ UNRWA, 16.05.2025, *UNRWA Situation Report #171 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem*, <https://www.unrwa.org/resources/reports/unrwa-situation-report-171-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

⁸⁹ Save the Children, 07.02.25, *West Bank: Nearly Half Of All Child Killings Since Records Began Happened In Last Two Years*, <https://www.savethechildren.net/news/west-bank-nearly-half-all-child-killings-records-began-happened-last-two-years>.

⁹⁰ UN High Commissioner for Human Rights, 3.04.25, *Türk warns UN Security Council of increasing risk of atrocity crimes being committed in the Occupied Palestinian Territory*, <https://www.ohchr.org/en/statements-and-speeches/2025/04/turk-warns-un-security-council-increasing-risk-atrocity-crimes-opt>; UN News, 10.02.25, *Israeli military operation displaces 40,000 in the West Bank*, <https://news.un.org/en/story/2025/02/1159971>.

contamination of clean water with sewage, posing a significant and immediate health risk.⁹¹

31. Between 1 January and 30 April 2025, the World Health Organisation (‘WHO’) documented 108 separate attacks on healthcare facilities in the West Bank, resulting in the death of 4 healthcare professionals and injury of 29 more. In the same report, the WHO documented 73 attacks affecting health transport, such as ambulances.⁹² The Palestinian Red Crescent Society (‘PCRS’) reported that since the start of the war in Gaza it had documented more than 750 violations against its medical missions, patients and injured individuals in PCRS ambulances in the West Bank.⁹³
32. According to Save the Children and Oxfam, among others, the Israeli Government has undermined humanitarian aid delivery in the West Bank through a combination of airstrikes, restrictive movement policies, escalating security threats, targeted demolitions, and expanding legal and bureaucratic constraints.⁹⁴ In a survey in February 2025 of 42 aid organisations operating in the West Bank, 93% reported roadblocks, permit denials and checkpoint delays hinder operations, and 60% reported staff experiencing violence or intimidation at checkpoints.⁹⁵ The United Nations Population Fund (‘UNFPA’) reports that many of the 73,000 pregnant women in the West Bank encounter critical health risks due to movement restrictions and checkpoint closures, severely limiting access to antenatal, postnatal and delivery care.⁹⁶
33. Settler violence and intimidation of Palestinians has been intensifying throughout the West Bank. Between 29 April and 5 May 2025, OCHA documented 13 settler-related incidents, with 12 involving damage to Palestinian-owned property, including burning residential tents, vandalising vehicles, and damaging water tanks.⁹⁷ There is “*near-total impunity*” for the violence and intimidation perpetrated by settlers. Amnesty International cites data from Israeli human rights organisation Yesh Din, which found that 94% of investigations into settler violence between 2005 and 2024 concluded with no indictment.⁹⁸ On 19 February 2025 Israeli forces “*physically assaulted and injured two Palestinians, while they accompanied Israeli settlers during a raid into East Tayba*

⁹¹ UNOCHA, 13.02.25, *Humanitarian Situation Update #264 | West Bank*, <https://www.ochaopt.org/content/humanitarian-situation-update-264-west-bank>.

⁹² WHO, *Attacks on health care in the Westbank: since 1 January 2025 - 30 April 2025*, https://www.emro.who.int/images/stories/attacks_on_health_care_WB_30APR25_copy.pdf.

⁹³ Palestinian Red Crescent Society, 09.10.24, *Palestine Red Crescent Society Condemns Occupation’s Assaults on Its Crews in Tulkarm*, <https://www.palestinercs.org/en/Article/11936/Palestine-Red-Crescent-Society-Condemns-Occupation's-Assaults-on-Its-Crews-in-Tulkarm>.

⁹⁴ Doctors of the World, 03.03.25, *From Gaza to the West Bank: The Systematic Undermining of Humanitarian Aid (West Bank Jan – Feb 2025)*, <https://www.doctorsoftheworld.org.uk/wp-content/uploads/2025/03/Humanitarian-Access-Snapshot-10-West-Bank-1.pdf>, p.3.

⁹⁵ *Ibid*, p.5.

⁹⁶ OHCHR, 20.03.25, *On the brink: Women in the Occupied Palestinian Territory*, <https://www.ohchr.org/en/stories/2025/03/brink-women-occupied-palestinian-territory>.

⁹⁷ OCHA, 7.05.25, *Humanitarian Situation update # 287 West Bank*, <https://www.ochaopt.org/content/humanitarian-situation-update-287-west-bank>.

⁹⁸ Amnesty International, 27.02.25, *Israel/OPT: Masafer Yatta community in occupied West Bank under imminent threat of forcible transfer*, <https://amnesty.ca/human-rights-news/israel-opt-masafer-yatta-occupied-west-bank-forcible-transfer/>.

Bedouin community, in Ramallah.” Three days later around 200 masked Israeli settlers attacked four Palestinian livestock farms and one poultry farm in Ramallah “*under the protection of Israeli forces,*” resulting in the forced displacement of 90 people, including 60 children.⁹⁹

34. The OHCHR has called for an end to “*extrajudicial executions and other unlawful use of force in the occupied West Bank*” noting, among other incidents, the “*planned summary executions*” of two Palestinian men in the West Bank by Israeli security forces in the first two weeks of May 2025.¹⁰⁰
35. On 13 May 2025, the Israeli Government approved a plan to register land ownership throughout Area C of the West Bank, which constitutes 60% of the West Bank. Israeli Finance Minister Bezalel Smotrich stated that this was designed to “*develop settlements*” and was part of measures for the “*de facto*” annexation of that territory.¹⁰¹ The OHCHR has stated that the registration “*appears to be the latest tool used by Israel to acquire Palestinian land and consolidate the unlawful annexation of the West Bank.*”¹⁰²

UNRWA

36. UNRWA is the primary service provider to Palestinian refugees in the West Bank, including East Jerusalem, and an integral part of the response to the humanitarian crisis in Gaza.¹⁰³ During the ceasefire, UNRWA was the backbone of humanitarian aid, supplying 60% of the food entering Gaza.¹⁰⁴
37. UNRWA personnel and facilities in Gaza have been the subject of military attacks by Israel. From 7 October 2023 to 21 April 2025 there had been 830 incidents impacting UNRWA premises, killing at least 742 people sheltering in UNRWA installations and

⁹⁹ OCHA, 27.02.25, *Humanitarian Situation Update #268 West Bank*, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-268-west-bank-enarhe>.

¹⁰⁰ OHCHR, 16.05.25, *Extrajudicial executions and other unlawful use of force in the occupied West Bank*, <https://www.un.org/unispal/document/ohchr-extrajudicial-executions-and-other-unlawful-use-of-force-in-the-occupied-west-bank/>.

¹⁰¹ The Times of Israel, 13.05.25, *Cabinet approves West Bank land registration process to 'strengthen Jewish settlement'*, <https://www.timesofisrael.com/cabinet-approves-west-bank-land-registration-process-to-strengthen-jewish-settlement/>.

¹⁰² OHCHR, 14.05.25, *Israeli security cabinet's decision to resume land registration in Area C of the occupied West Bank is deeply troubling*, <https://palestine.un.org/en/294287-israeli-security-cabinet%E2%80%99s-decision-resume-land-registration-area-c-occupied-west-bank> ..

¹⁰³ Foreign, Commonwealth & Development Office and The Rt Hon David Lammy MP, 31.01.25, *E3 Foreign Ministers' statement on the implementation of legislation against United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, <https://www.gov.uk/government/news/e3-foreign-ministers-statement-on-the-implementation-of-legislation-against-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near#>.

¹⁰⁴ Amnesty International, 30.01.25, *Israel's ban on UNRWA is an illegal attack on humanitarian aid*, <https://www.amnesty.org.au/israels-ban-on-unrwa-is-an-illegal-attack-on-humanitarian-aid/>.

damaging 311 such installations. Over 290 UNRWA staff had been killed.¹⁰⁵ UNRWA facilities have also been subjected to military operations in East Jerusalem: on 8 May 2025, heavily armed Israeli Forces entered three UNRWA schools in Shu'fat Camp to enforce illegal closure orders issued on 8 April 2025, forcing over 550 children out of their schools.¹⁰⁶

38. On 28 October 2024, the Knesset approved two laws which critically curtail UNRWA operations in Palestine. One law prevents UNRWA from operating in Israeli territory; the other bans Israeli state authorities from having any contact with UNRWA.¹⁰⁷ In January 2025, the UK government urged Israel not to implement these measures which would put the agency at a *"cliff edge in its ability to support Palestinian refugees across the West Bank and Gaza"*.¹⁰⁸ The two laws came into effect on 30 January 2025.¹⁰⁹
39. The UN General Assembly has referred the issue of Israel's obligations in relation to the presence and activities of the UN and other agencies to the ICJ for an advisory opinion.¹¹⁰ Public hearings in the matter began on 28 April 2025.

Arbitrary detention; torture, inhuman or degrading treatment

40. At the end of December 2024, the Israel Prison Service was holding 2,216 Palestinians from Gaza in detention or prison on what it termed *"security"* grounds, an increase from 176 in September 2023. Mass arrests by the Israeli authorities of Palestinians have also taken place in the West Bank and East Jerusalem since 7 October 2023.¹¹¹
41. International organisations, including the OHCHR have raised *"serious concerns regarding the arbitrariness and punitive nature of such arrests and detention."*¹¹² The International Committee of the Red Cross ('ICRC') has been denied access to Palestinian

¹⁰⁵ UNRWA, 24.04.25, *UNRWA Situation Report #168 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem*, <https://www.unrwa.org/resources/reports/unrwa-situation-report-168-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

¹⁰⁶ UNRWA, 9.05.25, *UNRWA Situation Report #170 on the Humanitarian Crisis in the Gaza Strip and the West Bank, Including East Jerusalem*, <https://www.unrwa.org/resources/reports/unrwa-situation-report-170-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

¹⁰⁷ The Times of Israel, 29.10.24, *Knesset approves laws barring UNRWA from Israel, limiting it in Gaza and West Bank*, <https://www.timesofisrael.com/knesset-approves-laws-barring-unrwa-from-israel-limiting-it-in-gaza-and-west-bank/>.

¹⁰⁸ Foreign, Commonwealth & Development Office and Hamish Falconer MP, 20.01.25, *We urge Israel not to endanger UNRWA's ability to operate: UK statement at the UN Security Council*, <https://www.gov.uk/government/speeches/we-urge-israel-not-to-endanger-unrwas-ability-to-operate-uk-statement-at-the-un-security-council>.

¹⁰⁹ The Guardian, 30.01.25, *International Unrwa staff leave as Israel's ban on activity takes effect*, <https://www.theguardian.com/world/2025/jan/30/unrwa-staff-forced-to-leave-israel-after-ban-comes-into-effect>

¹¹⁰ A/RES/79/232, 19.12.24, <https://www.icj-cij.org/sites/default/files/case-related/196/196-20241223-adv-01-00-en.pdf> pp.6-10.

¹¹¹ UNOCHCR, 31.07.24, *Thematic Report - Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024)*, <https://www.ohchr.org/en/documents/reports/thematic-report-detention-context-escalation-hostilities-gaza-october-2023-june>.

¹¹² Ibid, p. 3.

detainees since the start of the war in Gaza which the ICRC indicated was unprecedented conduct by the Israeli authorities.¹¹³

42. There are multiple reports of torture of Palestinians detained in Israeli facilities,¹¹⁴ including of detained healthcare workers.¹¹⁵ The UN Commission of Inquiry ('UNCOI') has documented cases of sexual and gender-based violence across more than 10 military and Israel Prison Service facilities, against both male and female detainees.¹¹⁶ In at least two cases documented by UNCOI, victims needed medical treatment and/or surgery due to the injuries caused by rape.¹¹⁷ Repeated testimonies report detainees in cage-like enclosures, tied to beds blindfolded and in diapers, stripped naked, deprived of adequate healthcare, food, water and sleep, electrocutions including on their genitals, blackmail and cigarette burns. Former detainees reported loud music played until their ears bled, attacks by dogs, waterboarding, suspension from ceilings and severe sexual and gender-based violence.¹¹⁸
43. At the end of December 2024, 206 Palestinian minors were detained by Israel on what it defined as "security" grounds or for being in Israel illegally.¹¹⁹ Save the Children has raised concerns about the markedly deteriorating conditions for Palestinian children in Israeli-run prisons since the start of the war in Gaza, with increasing hunger, abuse and contagious diseases such as scabies on the rise. Former child detainees supported by Save the Children showed clear signs of violence and ill-treatment, including bruises, shock, traumatic stress, and weight loss. Some children reported being sexually assaulted, harassed, strip searched, and violently beaten.¹²⁰

¹¹³ The Independent, 29.03.25, *Inside Israel's 'torture' jails where Palestinians held without charge tell of brutal treatment*, <https://www.independent.co.uk/news/world/middle-east/israel-gaza-palestine-prison-west-bank-palestinians-b2705046.html>; The Guardian, 1.05.25, *Israel must give access to jailed Palestinians, UK tells world court*, <https://www.theguardian.com/world/2025/may/01/israel-must-give-access-to-jailed-palestinians-uk-tells-world-court>.

¹¹⁴ Amnesty International, 8.11.23, *Israel/OPT: Horrifying c*Amnesty International, 18.07.24, *Israel must end mass incommunicado detention and torture of Palestinians from Gaza*, <https://www.amnesty.org/en/latest/news/2024/07/israel-must-end-mass-incommunicado-detention-and-torture-of-palestinians-from-gaza/>; OHCHR, 5.08.24, *Israel's escalating use of torture against Palestinians in custody a preventable crime against humanity: UN experts*, <https://www.ohchr.org/en/press-releases/2024/08/israels-escalating-use-torture-against-palestinians-custody-preventable>.

¹¹⁵ Human Rights Watch, 26.08.24, *Israel: Palestinian Healthcare Workers Tortured*, <https://www.hrw.org/news/2024/08/26/israel-palestinian-healthcare-workers-tortured>.

¹¹⁶ UNCOI, 13.03.24, "More than a human can bear": Israel's systematic use of sexual, reproductive and other forms of gender-based violence since 7 October 2023, A/HRC/58/CRP.6, <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session58/a-hrc-58-crp-6.pdf> p.27para. 116.

¹¹⁷ *Ibid*, p.27 para.120.

¹¹⁸ OHCHR, 5.08.24, *Israel's escalating use of torture against Palestinians in custody a preventable crime against humanity: UN experts*, <https://www.ohchr.org/en/press-releases/2024/08/israels-escalating-use-torture-against-palestinians-custody-preventable>.

¹¹⁹ B'Tselem, 3.03.15, *Statistics on Palestinian minors in Israeli custody*, https://www.btselem.org/statistics/minors_in_custody.

¹²⁰ Save the Children, 22.07.24, *Physical abuse, infectious disease spreading as conditions for Palestinian children in Israeli military detention deteriorate*, <https://www.savethechildren.org.uk/news/media-centre/press->

44. The UK government has stated that it is “*profoundly disturbed*” by reports of the mistreatment of Palestinian detainees held in Israeli detention facilities and has called on Israel to allow the ICRC immediate and unfettered access to detention facilities.¹²¹ Israel has not allowed that access.¹²²

Section B: Bases of the UK’s Legal Obligations

I. Serious Risk or Commission of Violations of the Genocide Convention and Implications for States Parties

45. The prohibition of genocide is recognised as a *jus cogens* (peremptory) norm of international law from which no derogation is permissible; and gives rise to obligations *erga omnes* (owed by all States to the entire international community). The Genocide Convention (Art I) imposes upon all States parties the obligation to take positive action to prevent and punish genocide.¹²³
46. The Genocide Convention (Art II) lists acts constitutive of genocide when committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such. Those acts include (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; or (d) imposing measures intended to prevent births within the group.¹²⁴
47. The requisite intent to commit genocide may be established either 1) by direct proof of a state policy or plan of genocide, for instance expressed through official statements and in the case of an armed conflict, its military conduct; or, 2) as the ICJ has held, by “*evidence of acts on a scale that establishes an intent not only to target certain individuals because of their membership to a particular group, but also to destroy the group itself in whole or in part.*”¹²⁵ For this second approach, genocidal intent will only be established if it arises from ‘the only reasonable inference’ on the facts.¹²⁶ In our view, the high number

[releases/2024/physical-abuse-infectious-disease-spreading-as-conditions-for-palestinian-children-in-israeli-military-detention-deteriorate](#). See also <https://www.theguardian.com/world/2025/apr/01/palestinian-teenager-walid-ahmad-dies-in-israeli-detention-in-west-bank>.

¹²¹ UK Parliament Website, 7.04.25, *Israel and the Occupied Palestinian Territory: Government Response to Third Special Report of Session 2024–25*, <https://publications.parliament.uk/pa/cm5901/cmselect/cmintdev/797/report.html> p.14 para. 45.

¹²² UK Parliament Website, International Development Committee, *Israel and The Occupied Palestinian Territory: Second Report of Session 2024-2025*, 17.01.2025 <https://committees.parliament.uk/publications/46289/documents/238401/default/> p.53 para 46.

¹²³ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)* (“*Bosnia v. Serbia*”), Judgment, I.C.J. Reports 2007, pp. 219-222, at paras. 426-427, 430-432; see also ILC, Draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*) 2 *YBILC* 2022, Pt 2, Annex, (b).

¹²⁴ Genocide Convention Article II.

¹²⁵ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia)*, Judgment, I.C.J. Reports 2015, p. 64, para. 139.

¹²⁶ *Croatia v. Serbia*, Judgment, p. 67, para. 148.

of Israeli official statements¹²⁷ coupled with extensive evidence of deliberate attacks which threaten the survival of the Palestinian civilian population in Gaza per se constitute evidence of special intent to commit genocide; and of the serious risk or commission of genocide.

Obligations of States parties to the Genocide Convention

48. Under the Genocide Convention, different forms of responsibility arise for states parties, including: 1) the positive obligation to prevent genocide; and 2) the obligation to punish genocide.¹²⁸ In *Bosnia v Serbia Genocide Case* (2007), the ICJ provided guidance on the "normative and compelling"¹²⁹ positive obligation to prevent genocide, namely:
- a. The obligation of States parties to employ all means reasonably available to them to prevent genocide. A state will incur responsibility if it manifestly failed to take all reasonable measures to prevent genocide which were within its power.
 - b. This is an obligation of "*due diligence*" that requires an assessment of the circumstances, including the state's capacity to influence effectively the action of persons committing or likely to commit genocide. Relevant factors include the geographical distance from the events in question; the strength of political and other links between the State authorities and the main actors in the events.
 - c. States may only act within the limits permitted by international law.
 - d. A State cannot avoid its obligation to prevent by arguing that it did not believe its actions would have prevented genocide – as the ICJ has explained, that is "*irrelevant*" because the obligation is one of conduct not result.¹³⁰
 - e. For the same reason, it is not necessary to prove that the State concerned had the power to prevent the genocide. It is sufficient that the State had the means to take measures to prevent genocide and refrained from doing so.
 - f. The State's duty to act arises at the instant that the State learns of, or should have learned of, the existence of a serious risk that genocide will be committed.
49. In the context of Israel's actions in Gaza since October 2023, the ICJ issued its first Order indicating provisional measures in January 2024 in response to an application by the South African Government. After considering the acts of the State of Israel in Gaza, and statements made by senior Israeli government and military officials, the ICJ held that South Africa's claims "*with respect to the right of the Palestinians in Gaza to be*

¹²⁷ See the ICJ's Order for Provisional Measures of 26 January 2024, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)* I.C.J. Reports 2024, Opp. 22-23, at paras. 51-52. See also the list of such statements supplied in South Africa's Public Dossier of openly available evidence on the State of Israel's acts of genocide against the Palestinians in Gaza, as of 4 February 2025 at <https://docs.un.org/n/S/2025/130>.

¹²⁸ Article I.

¹²⁹ *Bosnia v. Serbia*, Judgment, p. 220, at para. 427.

¹³⁰ *Bosnia v Serbia*, Judgment, p. 221, at para. 430: "it is irrelevant whether the State whose responsibility is in issue claims, or even proves, that even if it had employed all means reasonably at its disposal, they would not have sufficed to prevent the commission of genocide. As well as being generally difficult to prove, this is irrelevant to the breach of the obligation of conduct in question, the more so since the possibility remains that the combined efforts of several States, each complying with its obligation to prevent, might have achieved the result — averting the commission of genocide — which the efforts of only one State were insufficient to produce."

*protected from acts of genocide” were plausible and that there was “a real and imminent risk [of] irreparable prejudice” to those rights.*¹³¹

50. The Orders for provisional measures subsequently indicated by the ICJ in March and May 2024 went further. The ICJ now requires Israel to “*Take all necessary and effective measures to ensure, without delay, in full cooperation with the United Nations, the unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance, including food, water, electricity, fuel, shelter, clothing, hygiene and sanitation requirements, as well as medical supplies and medical care to Palestinians throughout Gaza, including by increasing the capacity and number of land crossing points and maintaining them open for as long as necessary*”.¹³² The Court also ordered the immediate halt of Israel’s Rafah offensive, “*which may inflict on the Palestinian group in Gaza conditions of life that could bring about its physical destruction in whole or in part.*”¹³³
51. The UK has known or should have known of the serious risk of genocide in Gaza since the ICJ’s first provisional measures Order on 26 January 2024. The ICJ’s further Orders of March and May 2024 have served to reinforce that knowledge, its continued applicability and urgency.
52. Since these Orders were issued further developments indicate the commission, or compound the serious risk, of genocide. The ban on all UNRWA activities across the oPt since January 2025, renewed widespread aerial bombardment and prohibition on the entry of all supplies to Gaza from the beginning of March, only minimally alleviated since 19 May 2025, make ever more urgent the need for the UK government to take action to prevent genocide.
53. By 7 May 2025, 38 UN experts warned of an “*unfolding genocide*” in Gaza.¹³⁴ Similar conclusions have been reached by prominent human rights organisations.¹³⁵
54. The UN Special Rapporteur on the situation of human rights in the oPt has moreover warned of “a genocidal campaign to erase Palestinians as a people.”¹³⁶ She made those

¹³¹ *South Africa v. Israel*, Order of 26 January 2024, pp. 23 and 28, at paras. 54 and 74.

¹³² *South Africa v Israel (Provisional Measures)*, Order of 28 March 2024, para. 51 (2) (a). This was reaffirmed in the Order of 24 May 2024, para 57 (1).

¹³³ *South Africa v Israel (Provisional Measures)*, 24 May 2024, para. 57 (2) (a).

¹³⁴ UN OHCHR, 7.5.2025, *End unfolding genocide or watch it end life in Gaza: UN experts say States face defining choice*,

<https://www.ohchr.org/en/press-releases/2025/05/end-unfolding-genocide-or-watch-it-end-life-gaza-un-experts-say-states-face>

¹³⁵ Including Human Rights Watch: <https://www.hrw.org/report/2024/12/19/extermination-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza>; Amnesty International: <https://www.amnesty.org/en/documents/mde15/8668/2024/en/>; MSF: <https://www.msf.org/msf-report-exposes-israel%E2%80%99s-campaign-total-destruction>.

¹³⁶ UN OHCHR, 18.03.2025, *‘Tragedy foretold and stain on our collective humanity’: Special Rapporteur warns of mass ethnic cleansing in the West Bank*, <https://www.ohchr.org/en/press-releases/2025/03/tragedy-foretold-and-stain-our-collective-humanity-special-rapporteur-warns>.

remarks in the context of IDF attacks in early 2025 upon refugee camps in the West Bank causing large scale displacement.

55. The volume of credible reports documenting the scale and range of Israel's actions against Palestinians both in Gaza and the West Bank, in conjunction with the ICJ's Orders for provisional measures and the International Criminal Court ('ICC') arrest warrants, mean that all other States, including the UK, cannot be unaware of the serious risk – if not the actual commission – of genocide at least in Gaza. Since at least the time of the first ICJ Order the UK government has been under a duty to take all necessary measures within its capacity to prevent a genocide taking place in Gaza, an obligation subsequently only heightened as the evidence of the serious risk or commission of genocide has mounted. As a party to the Genocide Convention, the UK must comply with its obligations and take all measures within its power immediately.

II. Israeli Violations of international humanitarian law and international criminal law and implications for Other States

56. International Humanitarian Law ('IHL') regulates the conduct of hostilities and the treatment of protected persons. Israel is a State Party to the Geneva Conventions (though not their Additional Protocols) and is bound by customary IHL.
57. War crimes are serious violations of IHL that also incur individual criminal responsibility. The Pre-Trial Chamber of the ICC has determined that Israeli nationals who allegedly commit, in the oPT, crimes of the most serious international concern, are subject to the ICC's jurisdiction.¹³⁷ On 21 November 2024, the ICC issued arrest warrants for Prime Minister Benjamin Netanyahu and the former Israeli Minister of Defence Yoav Gallant, having found reasonable grounds to believe that they bore criminal responsibility for the commission of war crimes and crimes against humanity in Gaza. On the same day, the ICC issued an arrest warrant for the Hamas Commander Mohammed Deif, having found reasonable grounds to believe that he bore criminal responsibility for war crimes and crimes against humanity committed on and following 7 October 2023; those proceedings were terminated after confirmation of his death.
58. As a State Party to the ICC Statute, the United Kingdom has a legal obligation to cooperate with the Court. It must execute requests to arrest individuals and surrender them to the Court, notwithstanding an individual's assertion of personal immunity.¹³⁸

Starvation and humanitarian access

59. The Fourth Geneva Convention provides that, "[t]o the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs,

¹³⁷ ICC, Pre-Trial Chamber I, Decision on the 'Prosecution request pursuant to article 19(3) for a ruling on the Court's territorial jurisdiction in Palestine', ICC-01/18-143, 5 February 2021.

¹³⁸ See, e.g., ICC, Pre-Trial Chamber II, Finding under article 87(7) of the Rome Statute on the non-compliance by Mongolia with the request by the Court to cooperate in the arrest and surrender of Vladimir Vladimirovich Putin and referral to the Assembly of States Parties, ICC-01/22-90, 24 October 2024, at para 37-38.

medical stores and other articles if the resources of the occupied territory are inadequate.”¹³⁹ Customary IHL requires States to allow and facilitate humanitarian relief and prohibits using starvation of civilians as a method of warfare.¹⁴⁰

60. Intentionally starving civilians during armed conflict by depriving them of food and other essential requirements for their survival, including by impeding relief supplies, is a war crime.¹⁴¹ Starvation that results in death or great suffering to a civilian population as part of a widespread or systematic attack directed against any civilian population may amount to the crimes against humanity of murder or inhumane acts.¹⁴²
61. The ICC Pre-Trial Chamber found reasonable grounds to believe that Israeli Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant committed in Gaza the war crime of starvation as a method of warfare, as well as the crimes against humanity of murder, and inhumane acts, jointly with others in the Israeli government and military.¹⁴³
62. In the context of Israel’s complete blockade on Gaza from 2 March until 19 May 2025, Amnesty International stated that “*starvation and denial of life-saving essentials are being used as weapons of war in flagrant violation of international law.*”¹⁴⁴ The UN Special Rapporteur on the Right to Food went further in July 2024, stating that Israel’s “*deliberate*” starvation of the Gazan population constitutes a crime against humanity and genocide.¹⁴⁵ On 12 May 2025, Save the Children’s Director of Campaigns described the blockade as “*a deliberate humanitarian catastrophe. Children are being starved by design, under Israeli authorities’ total siege.*”¹⁴⁶

¹³⁹ Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War (12 August 1949), art. 55.

¹⁴⁰ ICRC, Customary IHL Study, [Rules - Customary IHL - ICRC](#), Rules 53 and 55.

¹⁴¹ ICC Statute, art. 8(2)(b)(xxv)

¹⁴² ICC Statute, art. 7(a) & 7(k).

¹⁴³ ICC, Press Release: Situation in the State of Palestine: ICC Pre-Trial Chamber I rejects the State of Israel’s challenges to jurisdiction and issues warrants of arrest for Benjamin Netanyahu and Yoav Gallant, 21 November 2024, <https://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges>.

¹⁴⁴ Amnesty International, 02.05.25, *Israel/OPT: Two months of cruel and inhumane siege are further evidence of Israel’s genocidal intent in Gaza*, <https://www.amnesty.org/en/latest/news/2025/05/israel-opt-two-months-of-cruel-and-inhumane-siege-are-further-evidence-of-israels-genocidal-intent-in-gaza/>

¹⁴⁵ Report of the Special Rapporteur on the right to food, Michael Fakhri, *Starvation and the right to food, with an emphasis on the Palestinian people’s food sovereignty*, A/79/171, (17 July 2024), <https://documents.un.org/doc/undoc/gen/n24/212/30/pdf/n2421230.pdf>

¹⁴⁶ Save the Children, 12.05.2025, *Statement: In Gaza, Nearly Every Single Child is at Risk of Famine*, <https://www.savethechildren.org.uk/news/media-centre/press-releases/2025/statement-gaza-nearly-every-single-child-risk-famine>.

Collective Punishment

63. The Fourth Geneva Convention expressly prohibits collective punishment.¹⁴⁷ The UK has recognized that collective punishment extends beyond criminal punishment, to administrative measures or enforcement action taken to punish a group of people for activities for which they bear no personal responsibility¹⁴⁸ and that it can include “*depriving particular communities of food or curtailing their access to basic services.*”¹⁴⁹

Conduct of hostilities

64. Customary IHL prohibits attacks directed against civilians or civilian objects, as well as attacks which may be expected to cause incidental civilian harm which would be excessive in relation to the concrete and direct military advantage anticipated.¹⁵⁰ Customary IHL requires attacking forces to take precautions in attack whenever feasible, including by verifying that targets are not civilian but military prior to attack; by choosing means and methods of attack to avoid or at least minimize incidental civilian harm; and by giving civilians effective advance warning of attacks.¹⁵¹
65. Under the ICC Statute, it is a war crime to intentionally direct attacks against civilians or civilian objects, or to intentionally launch an attack in the knowledge that such an attack will cause incidental civilian harm which would be excessive in relation to the concrete and direct overall military advantage anticipated.¹⁵²
66. The ICC Pre-Trial Chamber found reasonable grounds to believe that Prime Minister Netanyahu and former Defence Minister Gallant bear criminal responsibility as civilian superiors for the war crime of intentionally directing attacks against civilians in Gaza in relation to two incidents it examined. The ICC also found that the alleged crimes against humanity were part of a widespread and systematic attack against the civilian population of Gaza.¹⁵³ The OHCHR, Amnesty International, and Human Rights Watch have each

¹⁴⁷ Geneva Convention (IV), Art 33: “No protected person may be punished for an offence he or she has not personally committed. Collective *penalties and likewise all measures of intimidation or of terrorism are prohibited.*” Collective punishment is also considered to be a war crime under customary international law: ICRC, Customary IHL Study, Rules - Customary IHL - ICRC, Rule 103.

¹⁴⁸ GC IV art. 33.

¹⁴⁹ UK FCDO and MoD, *Conflict, Hunger and International Humanitarian Law A Practitioner’s Legal Handbook* p.49.

https://assets.publishing.service.gov.uk/media/681386adb0ef2c985052544f/Conflict_Hunger_and_International_Humanitarian_Law_A_Practitioners_Legal_Handbook.pdf

¹⁵⁰ ICRC, Customary IHL Study, Rules 1, 7 & 14.

¹⁵¹ ICRC, Customary IHL Study, Rules 15, 16, 17 & 20.

¹⁵² ICC Statute arts. 8(2)(b)(i) & 8(2)(b)(iv).

¹⁵³ ICC, *Press Release: Situation in the State of Palestine: ICC Pre-Trial Chamber I rejects the State of Israel’s challenges to jurisdiction and issues warrants of arrest for Benjamin Netanyahu and Yoav Gallant*, 21 November 2024, <https://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges>.

found that Israeli forces intentionally attacked or indiscriminately killed civilians in a large number of cases.¹⁵⁴

Forcible transfer

67. The Fourth Geneva Convention prohibits deportation of civilians out of occupied territory and forcible transfer of civilians within occupied territory.¹⁵⁵ Temporary evacuations of a given area, even those undertaken to ensure the security of the population or for imperative military reasons, must ensure proper accommodations and satisfactory conditions of hygiene, health, safety and nutrition, and civilians must be allowed to return when hostilities in the area in question have ceased. Deportation and forcible transfer that do not comply with these limited exceptions are war crimes and crimes against humanity.¹⁵⁶
68. The ICJ found that Israeli policies and practices of forcible eviction in the West Bank violate the prohibition of forcible transfer of the protected population.¹⁵⁷ The OHCHR, Amnesty International, and Human Rights Watch have all found that Israel has engaged in forcible transfer of many thousands of civilians within Gaza.¹⁵⁸

¹⁵⁴ Report of the United Nations High Commissioner for Human Rights, 13 February 2025, <https://docs.un.org/en/A/HRC/58/28>. See also United Nations Office of the High Commissioner for Human Rights, Thematic Report: Attacks on hospitals during the escalation of hostilities in Gaza (7 October 2023 – 30 June 2024), 31 December 2024, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20241231-attacks-hospitals-gaza-en.pdf>; United Nations Office of the High Commissioner for Human Rights, Six-month update report on the human rights situation in Gaza: 1 November 2023 to 30 April 2024 (8 November 2024), <https://www.ohchr.org/en/documents/reports/six-month-update-report-human-rights-situation-gaza-1-november-2023-30-april-2024>; United Nations Office of the High Commissioner for Human Rights, Thematic Report: Indiscriminate and disproportionate attacks during the conflict in Gaza (October – December 2023), 19 June 2024, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240619-ohchr-thematic-report-indiscrim-disprop-attacks-gaza-oct-dec2023.pdf>; Amnesty International, ‘You Feel Like You Are Subhuman’: Israel’s Genocide Against Palestinians in Gaza, 5 December 2024, <https://www.amnesty.org/en/documents/mde15/8668/2024/en/>; Human Rights Watch, “Gaza: Israeli strike killing 106 civilians an apparent war crime”, 4 April 2024, <https://www.hrw.org/news/2024/04/04/gaza-israeli-strike-killing106-civilians-apparent-war-crime>.

¹⁵⁵ GC IV, art. 49.

¹⁵⁶ ICC Statute art. 7(d) & 8(2)(b)(viii).

¹⁵⁷ ICJ, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, para. 147.

¹⁵⁸ Report of the United Nations High Commissioner for Human Rights, 13 February 2025, <https://docs.un.org/en/A/HRC/58/28>; UN Human Rights Office, Gaza: Deep concerns about the forced displacement of Palestinians, 28 March 2025, <https://www.ohchr.org/en/press-releases/2025/03/gaza-deep-concerns-about-forced-displacement-palestinians>; Amnesty International, *Mass forced displacement in Gaza highlights urgent need for Israel to uphold Palestinians’ right to return* - Amnesty International; Human Rights Watch, *Hopeless, Starving and Besieged: Israel’s Forced Displacement of Palestinians in Gaza*, 14 November 2024, https://www.hrw.org/sites/default/files/media_2024/11/gaza_displacement1124web_0.pdf.

Torture and Cruel Treatment

69. The Geneva Conventions require humane treatment of all persons detained in armed conflict.¹⁵⁹ Cruel treatment and torture, as well as humiliating and degrading treatment, are prohibited by IHL and constitute war crimes.¹⁶⁰ In 2005, the House of Lords affirmed that the prohibition of torture is a peremptory norm of international law.¹⁶¹
70. The OHCHR, Amnesty International, and Human Rights Watch have each found that Israeli forces have subjected many civilians to torture as well as cruel, humiliating, and degrading treatment.¹⁶²
71. As a State Party to the Geneva Conventions the United Kingdom is required by Common Article 1 of the Geneva Conventions and by customary IHL to ensure that Israel respects IHL in all circumstances.¹⁶³ This entails a negative obligation not to encourage, aid, or assist in Israel's violations, as well as a positive obligation to do everything reasonably in its power to prevent violations when there is a foreseeable risk that they will be committed and to bring violations to an end.¹⁶⁴

¹⁵⁹ GC IV, arts. 3 & 27.

¹⁶⁰ GC IV, art. 3; ICC Statute, art. 8(2)(a)(ii).

¹⁶¹ A & Ors v. Secretary of State for the Home Department [2006] 1 All ER 575, para. 156.

¹⁶² United Nations Office of the High Commissioner for Human Rights, Thematic Report: Detention in the context of the escalation of hostilities in Gaza (October 2023-June 2024) 31 July 2024, <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>; Amnesty International, Israel must end mass incommunicado detention and torture of Palestinians from Gaza, 18 July 2024, <https://www.amnesty.org/en/latest/news/2024/07/israel-must-end-mass-incommunicado-detention-and-torture-of-palestinians-from-gaza/>; Human Rights Watch, "Israel: Palestinian healthcare workers tortured", 26 August 2024, <https://www.hrw.org/news/2024/08/26/israel-palestinian-healthcare-workers-tortured>.

¹⁶³ ICJ, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, para. 279 ("all the States parties to the Fourth Geneva Convention have the obligation... to ensure compliance by Israel with international humanitarian law as embodied in that Convention"); ICRC, Customary IHL Study, Rule 144, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule144>

¹⁶⁴ ICRC, Commentary on the Third Geneva Convention: Convention (III) relative to the Treatment of Prisoners of War, Art 1, Respect for the Convention, paras. 186-206, [IHL Treaties - Geneva Convention \(III\) on Prisoners of War, 1949 - Commentary of 2020 Article | Article 1 - Respect for the Convention | Article 1](#)

III. The Illegality of Israel's Presence in the oPt and Implications for all Other States

72. International law prohibits the acquisition of territory by force¹⁶⁵ and asserts the right of "all peoples" to self-determination,¹⁶⁶ including those subject to foreign occupation.¹⁶⁷ On 19 July 2024, at the request of the UNGA, the ICJ gave an Advisory Opinion in which it addressed these two norms as they apply to the Palestinian territory occupied by Israel since 1967 (oPt: the West Bank, the Gaza Strip and East Jerusalem). The ICJ held the right to self-determination to constitute¹⁶⁸ a peremptory norm of international law, that is, a rule which is non-derogable¹⁶⁹ and fundamental to the international legal order. These two norms give rise to obligations upon all States (*erga omnes* obligations).¹⁷⁰ The Palestinian people have explicitly been recognised to have a protected right to self-determination by the United Nations General Assembly ('UNGA') since 1974 and by the ICJ since 2004.¹⁷¹
73. In July 2024, the ICJ found that Israel's presence across the entirety of the oPt was illegal.¹⁷² In addition, it found that Israel's prolonged occupation, and its policies and practices – including land requisition, settlement construction, forcible evictions, house demolitions and deprivation of access to natural resources – amounted to annexation in

¹⁶⁵ Article 2(4), UN Charter prohibits the use or threat of force in international relations. UNGA Resolution 2625 (XXV) asserts the corollary that 'No territorial acquisition resulting from the threat or use of force shall be recognized as legal'. The ICJ has affirmed this as a principle of customary international law; Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, AO, ICJ Reports 19 July 2024, para 175.

¹⁶⁶ Article 1(2), UN Charter; UNGA Resolutions 2625 (XXV) and 1514 (XV) of 14 December 1960.

¹⁶⁷ Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, GA Res 2625 (XXXV), 24 October 1970, accepted as customary international law by the ICJ in its Advisory Opinion on the Accordance with International Law of the Unilateral Declaration of Independence in respect of Kosovo [2010] ICJ Rep 403, para.80

¹⁶⁸ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024, paras 95, 175-177, 231-232

¹⁶⁹ On the prohibition on the acquisition of territory by force as *jus cogens*, see Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion, I.C.J. Reports 2010 (II), p. 437, para. 81; and on the *jus cogens* status of the right to self-determination in cases of foreign occupation, see Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024, para.233. The International Law Commission produced a non-exhaustive list of peremptory norms in 2022, which includes the right of self-determination and the prohibition of aggression: https://legal.un.org/ilc/texts/instruments/english/commentaries/1_14_2022.pdf.

¹⁷⁰ On self-determination as *erga omnes*, see Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965, Advisory Opinion, I.C.J. Reports 2019, p. 95, para. 180. On the prohibition of the acquisition of territory by force (aggression) as *erga omnes*, see UNGA Resolution 3314 (XXIX) 1974. See also, Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024, para 274.

¹⁷¹ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004, p. 136., para. 118. Also see this reaffirmed in Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, Advisory Opinion of 19 July 2024.

¹⁷² Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, Advisory Opinion of 19 July 2024, para 262

violation of the prohibition against the acquisition of territory by force and a violation of the Palestinian right to self-determination.

74. The ICJ moreover held that the regime of comprehensive restrictions imposed on Palestinians in the oPt was racially discriminatory and, in instituting near-complete separation between settlers and Palestinian inhabitants, breached Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination (**'CERD'**). Under Article 3 CERD, States Parties undertake to prevent, prohibit and condemn practices of racial segregation and apartheid.¹⁷³ The prohibition of apartheid and racial discrimination is itself a peremptory norm of international law as recognised by the International Law Commission in 2019.¹⁷⁴
75. The ICJ concluded that Israel was under an obligation to withdraw from the oPt "as rapidly as possible."¹⁷⁵ Until Israel withdraws, it remains under a positive duty as the belligerent occupier to fulfil its obligations to the population of the oPt (including in Gaza) under IHL, notably the Fourth Geneva Convention, and human rights law.¹⁷⁶
76. The ICJ further affirmed that as a result of the breach of these peremptory norms, all States are under obligations: 1) not to recognise Israel's presence in the oPt; 2) not to aid or assist Israel's presence in the oPt; and 3) to work collectively to bring about the end of Israel's illegal presence in the oPt.¹⁷⁷
77. The obligations upon all States as they apply to the oPt have since been affirmed and elaborated upon by the UNGA, the UNCOI and the UN Secretary General. In particular, UNGA Resolution ES/10-24 called on Israel to end its presence in the oPt by 13 September 2025.¹⁷⁸ Pending Israel's full withdrawal, all States and UN bodies are under a positive obligation to work collectively towards this goal.
78. An ICJ Advisory Opinion places all States on notice about their existing obligations under both treaty and customary international law; and constitutes a subsidiary source for determining the rules of international law notwithstanding that it does not have binding force.¹⁷⁹

¹⁷³ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, Advisory Opinion of 19 July 2024, paras 197, 205, 213, 222, 223, 228- 229.

¹⁷⁴ Fourth report on peremptory norms of general international law (jus cogens) by Dire Tladi, Special Rapporteur, 31 January 2019, at para. 60: https://legal.un.org/ilc/documentation/english/a_cn4_727.pdf

¹⁷⁶ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024, para. 267.

¹⁷⁶ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, Advisory Opinion of 19 July 2024, para. 264 and 272.

¹⁷⁷ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, Advisory Opinion of 19 July 2024, para. 279

¹⁷⁸ <https://docs.un.org/en/A/RES/ES-10/24>. 124 States voted in favour, 12 against. The 43 abstaining States included the UK: <https://digitallibrary.un.org/record/4061432?ln=en>

¹⁷⁹ Article 38 (1)(d), Statute of the International Court of Justice.

79. This Advisory Opinion was requested before October 2023 and was concerned primarily with the legal effects of Israel's creeping annexation across the West Bank and East Jerusalem. Indeed, the ICJ explicitly stated in July 2024 that its remit was not to consider policies and practices in Gaza since October 2023.¹⁸⁰ However, the ICJ consistently underscored that "*the right to territorial integrity is recognized under customary international law as "a corollary of the right to self-determination"*" and that Israel's obligation not to impede the Palestinian people's exercise of their right to self-determination applies over the entirety of the oPt, including Gaza.¹⁸¹
80. Any lasting changes to the configuration of the oPt amount to a possible violation of the Palestinian right to self-determination. This was also specifically recognised by the UNGA in its September 2024 Resolution, when it rejected "*any attempt at demographic or territorial change in the Gaza Strip, including any actions that reduce the territory of the Gaza Strip, which constitutes an integral part of the Palestinian territory.*"¹⁸² Your Government has recently rightly stated that "*Palestinian territory must not be reduced or subjected to any demographic change.*"¹⁸³
81. Since October 2023, Israel's Gaza offensive has resulted in profound demographic and geographic changes to the entirety of the Gaza Strip. Such effective control, coupled with recent official statements in May 2025 expressing the aim of long-term occupation, forcible population displacement and settlement of Gaza, is suggestive of a renewed Israeli intention to occupy the territory and then to annex it.
82. All other states, including the UK, are under an obligation not to recognise or provide aid or assistance in perpetuating Israel's presence in Gaza; and they must take positive steps individually and collectively to bring about the end to Israel's occupation across the entirety of the oPt as soon as possible.
83. The UK has known of the violations of peremptory norms of international law by Israel in the oPt, and its own consequent obligations, since at least the date of the Advisory Opinion, in July 2024. It is of deep concern that your Government states that it is still "*considering*" the ICJ's Advisory Opinion.¹⁸⁴

¹⁸⁰ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024, para. 81.

¹⁸¹ ICJ Advisory Opinion of July 2024, para. 237.

¹⁸² UNGA, *Resolution adopted by the General Assembly: Advisory opinion of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the Occupied Palestinian Territory* (A/RES/ES-10/24), <https://docs.un.org/en/A/RES/ES-10/24>.

¹⁸³ UK Parliament, 6.05.25, *Middle East update* (Vol. 766). Hansard. <https://hansard.parliament.uk/commons/2025-05-06/debates/421CB823-07F7-4B25-B311-935622218237/MiddleEastUpdate>.

¹⁸⁴ House of Commons International Development Committee, 7.04.25, *Israel and the Occupied Palestinian Territory: Government response* (3rd Special Report of Session 2024–25, HC 797), para 23 <https://committees.parliament.uk/publications/797/documents/797/default/>.

Section C: “Concrete actions” the UK Government should urgently undertake

I. Use all available means to secure an immediate and permanent ceasefire, and the entry of aid to Gaza.

Rationale

84. In order to discharge its obligations to prevent genocide and to ensure respect for IHL, the UK Government should use all means at its disposal to bring about an immediate and permanent ceasefire in Gaza; and to ensure the urgent, significant and sustained provision of aid and essential supplies to the entire population of Gaza. These obligations are particularly urgent in light of Israel’s escalating military operations, - described by its own officials as “*massive fighting - intense and substantial*,”¹⁸⁵ and provision of only “*minimal*” aid.
85. As your Government has previously recognised in relation to calls for a ceasefire,¹⁸⁶ the ceasefire and entry of essential supplies cannot be conditional upon actions by Hamas or the elimination of Hamas. Notwithstanding the importance of securing the release of the remaining hostages in captivity and ending the commission of war crimes by all parties, such concerns cannot override the peremptory obligation on all states to take all measures necessary to avert the risk of genocide. Moreover, as an occupying power,¹⁸⁷ Israel’s obligations to ensure humanitarian aid are stringent, and cannot in any way be weaponized for the pursuance of military objectives such as the degradation of Hamas’s military capabilities or the creation of exclusion zones for the population. Israel’s unconditional duty as an occupying power faced with clear evidence that starvation is imminent, is to “*facilitate [relief schemes] by all means at its disposal*.”¹⁸⁸
86. The risk that another Security Council member may veto a Resolution is not an answer to the UK’s legal obligation to use all measures at its disposal: see paragraph 48(d) above.

¹⁸⁵ BBC News, 19.05.25, *Israel orders Khan Younis evacuation ahead of ‘unprecedented attack’*, <https://www.bbc.co.uk/news/articles/clyrqg6j4y8o>.

¹⁸⁶ Before the ceasefire, the UK voted on 12 December 2024 in favour of a General Assembly Resolution calling for an unconditional and immediate ceasefire in Gaza and the UK called for an unconditional ceasefire in the Security Council: UN General Assembly demands Gaza ceasefire and hostage release, affirms ‘full support’ for UNRWA | UN News; <https://www.gov.uk/government/speeches/an-immediate-ceasefire-and-the-immediate-release-of-hostages-is-the-best-way-to-achieve-peace-uk-statement-at-the-un-security-council>.

¹⁸⁷ Your Government recognises that Israel is an occupying power in Gaza and the West Bank, eg in the UK’s recent oral submissions to the ICJ in the Advisory Opinion proceedings concerning the Presence and Activities of the United Nation: Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory, Verbatim Record of Public Sitting of Thursday 1 May, 2025, statement of Mrs Sally Langrish, FCDO Legal Director, at pp.62-67.

¹⁸⁸ ICRC, Commentary on the Fourth Geneva Convention: Convention (IV) Relative to the Protection of Civilian Persons in Time of War (1958), 320.

Mechanism

87. The UK should call for an immediate, unconditional and permanent ceasefire in Gaza; and for the urgent, unconditional, significant and sustained provision of aid and essential supplies through UN agencies.
88. The UK's position as a permanent member on the UN Security Council,¹⁸⁹ its significant influence in other international fora and its strong bilateral ties with Israel should be used for this purpose.
89. The UK should also consider using its role in the United Nations Security Council to initiate proceedings under Article 6 of the UN Charter in response to Israel's persistent violations of the Charter. Article 6 provides for the suspension or expulsion of a Member State from the UN, by the General Assembly following a Security Council recommendation, where that State has persistently violated the Charter's principles. These principles include the obligation in Article 2(2) to perform Charter obligations in good faith and the obligation in Article 94(1) to comply with decisions of the ICJ.
90. In its binding Provisional Measures Orders of 28 March and 24 May 2024, the ICJ required Israel to enable the "*unhindered provision at scale*" of urgently needed humanitarian aid to Palestinians in Gaza.¹⁹⁰ Israel's continued obstruction of food, fuel, water, and medicine — including its closure of crossings, denial of fuel, and attacks on aid convoys and aid workers — violates those Orders. While Israel has announced it will resume "*basic*" levels of aid delivery,¹⁹¹ its plans fall far short of the "*unhindered provision at scale*" required by the ICJ. The severe restriction of aid, combined with ongoing escalating hostilities and attacks, continues to place Israel in breach of the Court's binding Orders.
91. The ICJ has determined that Israel's prolonged occupation is unlawful, that it breaches the peremptory norm of self-determination, and that Israel is under a binding obligation to bring its presence in the Occupied Palestinian Territory to an end "*as rapidly as possible*."¹⁹² The peremptory norm of self-determination is itself enshrined in Article 1(2) of the UN Charter.
92. These sustained violations — of binding Court orders, core Charter principles and obligations, foundational principles of international law, and the institutional functioning

¹⁸⁹ The UK's E3 statement with France and Germany of 23 April 2025 and the UK's statement in the Security Council of 29 April 2025, while welcome, did not address unconditionality: <https://www.gov.uk/government/news/aid-to-gaza-e3-foreign-ministers-statement-23-april-2025>; <https://www.gov.uk/government/speeches/we-must-reinvest-in-efforts-to-achieve-a-two-state-solution-uk-statement-at-the-un-security-council>.

¹⁹⁰ *South Africa v. Israel*, Order of 24 March 2024, p. 13, at para. 51(2)(a); *South Africa v. Israel*, Order of 24 March 2024, p. 15, at para. 57(2)(b).

¹⁹¹ UN News, 19.05.25, *Gaza: Israel 'approaches UN' to resume limited aid deliveries, says aid agency*, <https://news.un.org/en/story/2025/05/1163401>.

¹⁹² ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, p. 78, at para. 285(4).

of UN agencies — go beyond isolated breaches. They amount to a broader challenge to the UN Charter system itself. They warrant serious consideration of Article 6 measures.

II. Use all available means to secure the lifting of Israel's ban upon UNRWA

Rationale

93. Israel's ban on UNRWA from operating in the oPt constitutes a grave violation of its obligations as an occupying power under IHL. Under Article 59 of the Fourth Geneva Convention, where the population of an occupied territory is inadequately supplied, the occupying power is under a positive obligation to agree to and facilitate relief operations by impartial humanitarian organisations. It must, in particular, "*facilitate them by all the means at its disposal*". The United Kingdom has expressly affirmed that UNRWA qualifies as such an organisation for the purposes of Article 59 and has further acknowledged that the obligation to facilitate humanitarian assistance in these circumstances is "*unconditional*" and demands "*wholehearted co-operation*".¹⁹³ Israel's refusal to allow UNRWA's operations—together with its legislative and administrative efforts to dismantle the Agency—violates that obligation. It may also constitute a grave breach of the Convention under Article 147 by "*wilfully causing great suffering*" to the protected civilian population.
94. Israel's ban on and efforts to dismantle UNRWA have been described by senior UN officials as a form of collective punishment,¹⁹⁴ which is expressly prohibited under Article 33 of the Fourth Geneva Convention and may constitute a war crime.¹⁹⁵
95. Israel's conduct engages not only IHL, but also international criminal law. The Rome Statute recognises the intentional starvation of civilians as a method of warfare as a war crime. Where such deprivation forms part of a widespread or systematic attack on a civilian population, it may also amount to crimes against humanity. Moreover, where such deprivation is intended to destroy the group in whole or in part, it may meet the definition of genocide under Article II(c) of the Genocide Convention.
96. Israel's continued obstruction of UNRWA must therefore be recognised not only as an impediment to humanitarian aid, but as part of a broader pattern of conduct that violates core rules of international law and exacerbates the risk of the most serious international crime

¹⁹³ ICJ Oral Proceedings, United Kingdom, 1 May 2025, CR 2025/9, p. 63, at para. 7 and 9, <https://www.icj-cij.org/sites/default/files/case-related/196/196-20250501-ora-02-00-bi.pdf>.

¹⁹⁴ see e.g., UNRWA, 28.10.2024, *The vote by the Israeli Parliament (Knesset) against UNRWA this evening is unprecedented and sets a dangerous precedent* ("These bills increase the suffering of the Palestinians and are nothing less than collective punishment."), <https://www.unrwa.org/newsroom/official-statements/vote-israeli-parliament-knesset-against-unrwa-evening-unprecedented-and>; UN News, 29.10.2024, *UNRWA cannot be replaced, say UN top officials in response to Knesset ban* (OCHA Spokesperson stressed that if the bills became law, they would "add to the acts of collective punishment" by Israel on Gazans), <https://news.un.org/en/story/2024/10/1156236>.

¹⁹⁵ See fn.147 above.

Mechanism

97. The UK's position as a permanent member of the UN Security Council, its significant influence in other international fora and its strong bilateral ties with Israel should be used to end Israel's ban on UNRWA's activities across the oPt.
98. Your Government should also consider using its role in the UN Security Council to initiate proceedings under Article 6 of the UN Charter in response to Israel's sustained and systematic obstruction of UNRWA and wider attacks on the United Nations system. Israel's banning of UNRWA from operating in the oPt, coupled with legislative and administrative efforts to dismantle the Agency, and its attacks on UN premises, property, and personnel, amount to a grave and ongoing breach of core obligations under the Charter. These include Article 2(2), which requires all Member States to act in good faith in fulfilling Charter obligations, and Articles 104 and 105, which guarantee the legal capacity, privileges, and immunities necessary for the UN's independent and effective functioning. In its 1 May 2025 submissions to the ICJ, the UK rightly underscored "*the greatest importance*" of good faith compliance with Articles 104 and 105 "*for the effective functioning of the United Nations throughout the world.*"¹⁹⁶ As already noted above, where a Member State persistently violates Charter principles, Article 6 provides that it may be suspended or expelled from the Organisation by the General Assembly upon the recommendation of the Security Council. Israel's conduct meets the threshold for such consideration under Article 6, in light of its unparalleled assault on the United Nations as an institution and on its personnel.

III. Impose financial and immigration sanctions in relation to Israeli Ministers and officials reasonably suspected of involvement in unlawful conduct

Rationale

99. In order to discharge its obligation to prevent and punish genocide, the UK Government must take positive steps to identify and punish suspected violations of the Genocide Convention (including incitement to genocide).
100. Similarly, in order to discharge its obligation (under Common Article 1) to respect and ensure respect for the Geneva Conventions, the UK Government must take steps within its power to hold Israel accountable for its systematic breaches of IHL and international criminal law.
101. Further, the ICJ has held that the UK Government is obliged "*not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the [oPT]*" and "*to ensure that any impediment resulting from the illegal presence of Israel in the*

¹⁹⁶ ICJ, *on the Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory (Request for advisory opinion submitted by the General Assembly of the United Nations)* (Verbatim record No. 196-20250501-ORA-02-00-BI). <https://www.icj-cij.org/sites/default/files/case-related/196/196-20250501-ora-02-00-bi.pdf>, para. 6.

[oPT] to the exercise of the Palestinian people of its right of self-determination is brought to an end.”¹⁹⁷

Mechanism

102. The Government should exercise its powers under sections 1, 3, 4 and 9-11 of the Sanctions and Anti-Money Laundering Act 2018 (**‘SAML’**)¹⁹⁸ to introduce regulations imposing financial and immigration sanctions¹⁹⁹ on Israeli Ministers and officials in respect of whom there are reasonable grounds to suspect that:
- (a) They are or have been involved in violations of the Genocide Convention (including incitement to genocide), IHL and/or international criminal law; and/or
 - (b) They are or have been involved in the maintenance and entrenchment of Israel’s unlawful occupation of the oPT, including through the maintenance and expansion of illegal settlements, the *de facto* annexation of large swathes of the oPT, and the imposition of racially discriminatory policies and practices (including in relation to restrictions on movement and residence and the demolition of property).
103. Your Government imposed in October 2024 financial sanctions upon “3 *illegal settler outposts and 4 organisations that have supported and sponsored violence against communities in the West Bank.*”²⁰⁰ On 20 May 2025 your Government further imposed financial sanctions and travel bans upon “3 *individuals, 2 illegal settler outposts and 2 organisations supporting violence against Palestinian communities in the West Bank.*”²⁰¹ We welcome those measures.
104. However, your Government has not applied sanctions against individuals, including senior members of the Israeli Government and military, responsible for the incitement of genocide in Gaza. Nor has your Government applied sanctions to those members of the Israeli Government (including Ministers) responsible for the maintenance and entrenchment of Israel’s occupation of the oPt, nor (to use your Government’s terms) those members of the Government who “*support and sponsor*” illegal settlements. We note in this context that the preceding Government planned to impose sanctions on two Israeli ministers (Bezael Smotrich and Itamar Ben-Gvir) for their respective roles in

¹⁹⁷ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion of 19 July 2024, para. 279.

¹⁹⁸ Section 1 of SAML permits the Secretary of State to make sanctions regulations where he considers that it is appropriate to do so (*inter alia*): (i) for the purposes of compliance with an international obligation; (ii) in the interests of international peace and security; (iii) to further a foreign policy objective of the UK Government; (iv) to promote the resolution of armed conflicts; (v) to promote respect for human rights; or (vi) to promote compliance with IHL.

¹⁹⁹ Sections 1(5) (b) and 4 SAML enable the Secretary of State to make regulations to impose immigration sanctions, designating persons to be excluded persons for the purposes of s.8B Immigration Act 1971.

²⁰⁰ Foreign, Commonwealth & Development Office, 15.10.24, *New UK sanctions target illegal outposts and organisations supporting extremist Israeli settlers in the West Bank*, <https://www.gov.uk/government/news/new-uk-sanctions-target-illegal-outposts-and-organisations-supporting-extremist-israeli-settlers-in-the-west-bank> .

²⁰¹ Foreign, Commonwealth & Development Office, 20.05.25, *UK sanctions hit West Bank violence network*, <https://www.gov.uk/government/news/uk-sanctions-hit-west-bank-violence-network>.

Israel's violations of international law, before pausing those plans for the election purdah.²⁰² We invite your Government to revisit those plans.

IV. Review trade relations; suspend the 2030 Roadmap; and impose trade sanctions upon Israel

Rationale

105. The UK is required under the Genocide Convention to “*employ all means reasonably available*” to prevent genocide. The UK is moreover under an obligation to respect and ensure respect for the Geneva Conventions.²⁰³ A vital area of the UK's capacity to influence Israel is trade relations. The UK was in recent years noted to be Israel's second highest trade partner²⁰⁴ and Israel's most significant trading partner in Europe.²⁰⁵ The Department of International Trade has recognised the role that trade sanctions can have “*to fulfil a range of purposes, including supporting foreign policy and national security objectives, as well as maintaining international peace and security, and preventing terrorism.*”²⁰⁶
106. As set out above, the ICJ has held that the UK Government is obliged “*not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the [oPt]*”,²⁰⁷ which includes an obligation “*to abstain from entering into economic or trade dealings with Israel concerning the [oPt] or parts thereof which may entrench its unlawful presence in the territory.*”²⁰⁸ UN General Assembly resolution S-10/24 moreover requires all States to “*distinguish between Israel and the Palestinian territory occupied since 1967, including by...[t]aking steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the Occupied Palestinian Territory, including with regard to the settlements and their associated regime.*”²⁰⁹

²⁰² BBC, 15.10.24, *I had plans to sanction Israel*, <https://www.bbc.co.uk/news/articles/cy435dx0jpk0>.

²⁰³ Geneva Conventions Common Article 1.

²⁰⁴ See comments made by Anita Leviant, President of the Israel Britain Chamber of Commerce (IBCC), UK Press Release on 18.02.19, *UK and Israel Sign Trade Continuity Agreement*, <https://www.gov.uk/government/news/uk-and-israel-sign-trade-continuity-agreement>.

²⁰⁵ British Chambers of Commerce, 20.07.22, *BCC and IBCC welcome new UK-Israel trade negotiations*, <https://www.britishchambers.org.uk/news/2022/07/bcc-and-ibcc-welcome-new-uk-israel-trade-negotiations/>.

²⁰⁶ Department for Business and Trade & Export Control Joint Unit, 19.03.25, *Trade sanctions, arms embargoes, and other trade restrictions*, <https://www.gov.uk/guidance/current-arms-embargoes-and-other-restrictions>; BBC, 20.05.25, *UK suspends trade with Israel*, <https://www.bbc.co.uk/news/live/cq8037dd3p9t>.

²⁰⁷ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, *Advisory Opinion of 19 July 2024*, para. 279.

²⁰⁸ Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, *Advisory Opinion of 19 July 2024*, para. 278.

²⁰⁹ UNGA, *Resolution ES-10/24: Protection of civilians and upholding legal and humanitarian obligations*, <https://documents.un.org/doc/undoc/gen/n24/272/75/pdf/n2427275.pdf>, para 4 (d) (iv).

Mechanism

107. We welcome your suspension on 20 May 2025 of trade talks which had aimed at “*an enhanced, higher ambition free trade agreement*” with Israel.²¹⁰
108. The UK should also urgently review its existing trade relations with Israel including suspension of the UK’s 2019 Bilateral Trade and Partnership Agreement with Israel (CS Israel No1/2019). That Trade and Partnership Agreement incorporates the Euro-Mediterranean Association Agreement between the EU and Israel. The Euro-Mediterranean Association Agreement states in its preamble that “*the observance of human rights and democracy... form the very basis of the Association*” and, in Article 2, that “*Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles.*”²¹¹ As set out in the explanatory memorandum to the 2019 Bilateral Trade Agreement, these provisions are “*an essential element of the Agreement*” and are incorporated *mutatis mutandis*, without modification.²¹² Article 82 of the Euro-Mediterranean Association Agreement states that “*Each of the Parties may denounce the Agreement by notifying the other Party.*”²¹³
109. In March 2023, the British and Israeli Governments announced a 2030 Roadmap for UK-Israel bilateral relations, which set out plans to cohere, deepen and expand their collaboration.²¹⁴ The 2030 Roadmap should be suspended.
110. The Government should exercise its powers under sections 1 and 5 and Schedule 1 SAMLA to make regulations imposing trade sanctions in relation to goods or services the effect of which may be to facilitate (in whatever manner) suspected violations of the Genocide Convention, IHL and/or international criminal law.²¹⁵

²¹⁰ FCDO, 21.03.23, 2030 Roadmap for UK-Israel Bilateral Relations, <https://www.gov.uk/government/publications/2030-roadmap-for-uk-israel-bilateral-relations/2030-roadmap-for-uk-israel-bilateral-relations>.

²¹¹ Euro-Mediterranean Agreement, establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf.

²¹² Explanatory Memorandum on the Trade and Partnership Agreement between the Government of the United Kingdom and the Government of the State of Israel, https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fmedia%2F5c75289fed915d354bb0f98e%2FEM_CS_Israel_1.2019.odt&wdOrigin=BROWSELINK.

²¹³ Euro-Mediterranean Agreement, establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf.

²¹⁴ FCDO, 21.03.23, 2030 Roadmap for UK-Israel Bilateral Relations, <https://www.gov.uk/government/publications/2030-roadmap-for-uk-israel-bilateral-relations/2030-roadmap-for-uk-israel-bilateral-relations>.

²¹⁵ Section 1 of SAMLA permits the Secretary of State to make sanctions regulations where he considers that it is appropriate to do so (*inter alia*): (i) for the purposes of compliance with an international obligation; (ii) in the interests of international peace and security; (iii) to further a foreign policy objective of the UK Government; (iv)

111. The Government should moreover exercise its powers under sections 1 and 5 and Schedule 1 SAMLA to make regulations imposing trade sanctions in relation to goods and services which have the effect of aiding or assisting in the maintenance of Israel's unlawful occupation. The UK's guidance concerning trade with Israel presently fails to differentiate between goods and services emanating from illegal settlements in the oPt and those emanating from Israel.²¹⁶

V. Confirm commitment to give effect to arrest warrants issued by the International Criminal Court

Rationale

112. As a State Party to the Rome Statute, the UK Government is obliged under Article 86 of that Statute to cooperate with the ICC and to give effect to the arrest warrants in relation to Benjamin Netanyahu and Yoav Gallant. Yet a number of States, including UK allies, have expressed an intention to disregard and refuse to give effect to the arrest warrants issued by the ICC in relation to war crimes and crimes against humanity allegedly committed by Benjamin Netanyahu and Yoav Gallant.²¹⁷

Mechanism

113. In order to affirm its stated commitment to the international rule of law, and to encourage compliance by other State Parties, the UK Government should publicly confirm its intention to give effect to the arrest warrants issued by the ICC in the event that either individual enters the UK's jurisdiction. The Government should also cooperate with the ICC's investigation, including (where relevant) through the provision of intelligence or other evidence.

Conclusion

114. There is mounting evidence of acts of genocide, forced displacement and collective punishment against the Palestinian people as well as the further annexation of occupied territory by the State of Israel.
115. Urgent and decisive action is required to avert the destruction of the Palestinian population of Gaza. As the UN Relief Chief observed on 13 May 2025 in his address to

to promote the resolution of armed conflicts; (v) to promote respect for human rights; or (vi) to promote compliance with IHL.

²¹⁶ Department for Business and Trade, 30.04.24, *Trade with Israel*, <https://www.gov.uk/guidance/summary-of-the-uk-israel-trade-and-partnership-agreement#rules-of-origi>.

²¹⁷ BBC, 03.05.25, *Hungary withdraws from International Criminal Court during Netanyahu visit*, <https://www.bbc.co.uk/news/articles/c807lm2003zo>; The Jerusalem Post, 7.04.25, *Belgian PM says he would ignore Netanyahu ICC arrest warrant, cites 'realpolitik'*, <https://www.jpost.com/israel-news/article-849231>

the UN Security Council “*the degradation of international law is corrosive and infectious.*”²¹⁸

116. On 7 May 2025, a panel of 38 UN experts warned that “*States must act now to end the violence or bear witness to the annihilation of the Palestinian population in Gaza.*”²¹⁹ We echo that warning. The international community’s failure to uphold international law in relation to the oPt contributes to a deteriorating international climate of lawlessness and impunity and imperils the international legal system itself. Your Government must act now, before it is too late.

²¹⁸ UNOCHA, 13.05.25, *UN Relief Chief calls on Security Council to act decisively to prevent genocide in Gaza*, <https://www.unocha.org/news/un-relief-chief-calls-security-council-act-decisively-prevent-genocide-gaza>

²¹⁹ UNOHCHR, 7.05.25, *End unfolding genocide or watch it end life in Gaza: UN experts say States face defining choice*, <https://www.ohchr.org/en/press-releases/2025/05/end-unfolding-genocide-or-watch-it-end-life-gaza-un-experts-say-states-face>