

Written evidence submitted anonymously (IPC0047)

Introduction

1. I am writing this as I have a sense of shame regarding the situation in Gaza and government action which has acted to worsen suffering. I have not specific expertise and this does not include any new information. This document highlights points there is an understandable desire to ignore.
2. There is a growing consensus that what is happening in Gaza amounts to genocide [1] this has long been indicated via the hundreds of potentially genocidal statements made by politicians and power holders in Israel [2], encouragement that Israeli politicians have given directly to Israeli soldiers [3], videos taken within Gaza [4] and the admissions of Israeli soldiers regarding what they did in Gaza [5][6][7][8]. Journalist and soldier Michael Starr notes:
3. "The young man I had killed couldn't have been much older than 18. He was in civilian clothes. He was unarmed. My heart sank when inspection of a bag dropped by one of the men revealed foodstuffs inside. Was he actually Hamas? What if he was just a civilian desperate for the food we had abandoned in our old complex? Did we really have enough intelligence to use deadly force?" [7]
4. I note that the official death toll is most likely an undercount [9] and indirect deaths caused by the conflict are likely to be multiples of the direct death toll [10]. I note that "By almost every metric, the harm to civilians from the first month of the Israeli campaign in Gaza is incomparable with any 21st century air campaign." [11]
5. Finally I note the impact on children with half of children in Gaza wishing for death [12] and children being targetting by quad-copter drones [13] and sniper fire, including the targetting of toddlers [14].

Context

6. Gaza has been described as a concentration camp [15] and a ghetto [16] for decades with the occupation managed by an apparent policy of breaking bones [17]. I note a recent Haaretz article describes war crimes committed during from 1987- 1993 [18] which includes testimonies by Israeli soldiers such as:
7. "I felt like, like, like a Nazi ... it looked exactly like we were actually the Nazis and they were the Jews." [18]
8. "A new commander came to us. We went out with him on the first patrol at six in the morning. He stops. There's not a soul in the streets, just a little 4-year-old boy playing in the sand in his yard. The commander suddenly starts running, grabs the boy, and breaks his arm at the elbow and his leg here. Stepped on his stomach three times and left. We all stood there with our mouths open. Looking at him in shock ... I asked the commander: "What's your story?" He told me: These kids need to be killed from the day they are born. When a commander does that, it becomes legit." [18]
9. In 2018 a UN Special Rapporteur described conditions in Gaza as "unliveable" [19]. In 2018 the mostly peaceful "Great March of Return" was responded to with "excessive force" leading to more than 150 dead and thousands of Palestinians being injured [20].
10. While war crimes on both sides should be prosecuted the root cause of a violent occupation should not be ignored.

Incitement

11. Incitement to commit genocide is covered by the Genocide Convention [21]. Statements made by politicians may fall under this.

12. Various statements have been made by politicians supporting the right of Israel to wage war on Gaza [22][23]. This has included Kier Starmer supporting withholding power and water from citizens in Gaza [22], later Emily Thornbury refused to say this was illegal [24]. I note on issuing arrest warrants regarding Gaza the ICC specifically comments on this, paraphrasing the wording of the Genocide Convention [21] [25]:
13. “The Chamber found that there are reasonable grounds to believe that the lack of food, water, electricity and fuel, and specific medical supplies, created conditions of life calculated to bring about the destruction of part of the civilian population in Gaza, which resulted in the death of civilians, including children due to malnutrition and dehydration. “ [25]
14. David Lammy made unsubstantiated claims that babies had been raped on October 7th [26] this may be considered spreading atrocity propaganda [27].
15. I note recently David Lammy and Pat McFadden have indicated any Israeli military action will be supported unconditionally on the grounds of security concerns [28] [29].
16. I make no comment on whether politicians may have breached the Genocide Convention but I do note that no action has been taken in any case while anti-terror laws have been used against pro-Palestine journalists and activists [30] highlighting a possible double standard.
17. It should be learned that encouraging actions potentially in breach of international law does not help secure peace.

Arms Trade

18. The UK supplies arms to Israel, with the main export being F-35 parts which have been directly sent from the UK to Israel over the last year [31]. While some exports have been halted the supply of F-35 parts remain, in court defending the supply of F-35 parts the government acknowledged that “Israel is not committed to complying with international humanitarian law” and that political factors have taken precedence over international law and harm to civilians [32].
19. Jonathan Reynolds, the business secretary, has encouraged investors to support the defence sector despite the potential harm to civilians this will leave them potentially complicit in [33].
20. Supplying weapons and weapon parts that may be used in breaches of international law leaves the UK complicit in these breaches and does not aid in the bring about a ceasefire.

Military Support

21. RAF Akrotiri has played a role in Gaza with Kier Starmer describing it as a “busy, busy, year” and what is going on “can’t be talked about all the time” [34] with flights being flown over Gaza by the RAF and U.S. Air Force [35].
22. While it is unclear the extent of military and logistical support carried out via RAF Akrotiri and action should be taken to rectify any breaches of international law.

International Law

23. With regards to the application of international law Rishi Sunak stated ICJ proceeding were “completely unjustified” and [36] ICC arrests warrants were “deeply unhelpful” [37] while Kier Starmer and David Lammy have both stated they do not consider what is happening in Gaza to be a genocide [38].
24. Recently Herzl Halevi, the Chief of the General Staff of the Israel Defense Forces, visited the UK. The government issued a special mission immunity certificate to prevent prosecution for war crimes [39]. It is speculated for instance the drone attack that killed seven aid workers of the World Central Kitchen [39] and the use of random Palestinians as human shields in Gaza [40] may constitute war crimes. Special mission immunity was introduced in 2011 to allow Israeli officials to travel to the UK without fear of arrest [41].

25. This highlights a double standard where potential violations of international law are met with condemnation and sanctions in the case of Russia [42] but are not viewed as applying to Britain or its allies. Historically the UK has used special forces to hunt suspected war criminals [43], it is inconceivable that a similar approach would be taken regarding suspected war criminals within Israel.

Conclusion

26. The above highlight action actions by the government and individuals in positions of power that may have exacerbated the situation in Gaza by providing allowing a country ,“not committed to complying with international humanitarian law”[32], to operate without restraint.
27. As highlighted the UK may be in breach of the Genocide Convention. The UK has a responsibility to comply with the Genocide Convention and punish those responsible for such acts.
28. The recent ICJ ruling on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory places further responsibilities on the UK such as an “obligation not to render aid or assistance in maintaining the situation created by Israel’s illegal presence in the Occupied Palestinian Territory” and an obligation to “to ensure compliance by Israel with international humanitarian law” [44].
29. This document does not touch on soldiers returning to the UK that may have committed war crimes [45] or the role of the media in how the situation in Gaza has been portrayed [46] but considers them issues that need addressed.

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