

Written evidence submitted by The Council for Arab-British Understanding to the Foreign Affairs Select Committee inquiry on the Israeli-Palestinian conflict (IPC0066)

The Council for Arab-British Understanding (Caabu) is a not-for-profit cross-party organisation whose mission is to work for a British Middle East policy that promotes conflict resolution, human rights and civil society in the Arab world through informed debate and mutual understanding.

Key points

1. The UK's policy on Israel-Palestine has been controversial ever since the early part of the 20th century. It remains so till this day.
2. British government policies do not amount to a strategy or a serious attempt to address the long-term issues that underpin this long-running conflict.
3. It has consistently failed to uphold the national and international human rights of the Palestinian people including their right to self-determination. These include violations of U.N Security Council Resolutions and as the occupying power, the Fourth Geneva Convention.
4. British governments have consistently given greater precedence to Israeli rights and to Israeli security.
5. All too often references are made to Israeli security and Israel's right to defend itself. Barely ever does the government refer to the Palestinian need for security, despite Palestinians having lost many more lives over decades.
6. Not once can we find one reference to the Palestinian right to self-defence as opposed to considerable references to Israel's right. Yet, it is Palestine that is under an unlawful occupation.
7. The UK has also consistently failed to ensure that Israel upholds its obligations under international law. Issuing press releases expressing concern is no substitute for taking actual measures to ensure that the UK is not complicit in such violations and is doing all it can to end them.
8. The failure to condemn Israeli violations of international law, to take action to deter it, while continuing to arm Israel and refer to it as an ally when the major international judicial bodies are referring to war crimes, crimes against humanity and possible genocide, has seriously and dangerously undermined Britain's standing in the world.
9. Britain risks losing influence in global affairs because of a widespread perception of double standards and hypocrisy.

Recognition of State of Palestine

10. British governments continue to state their support for a two-state solution. However, this has the appearance of just a slogan. Government policy is not geared to bringing this about.
11. The Foreign Secretary has stated that “We want a credible and irreversible pathway towards a two-state solution,” but has given no indication about exactly what such a pathway constitutes.
12. Governments have refused to recognise an independent state of Palestine based on the 1967 lines, with Jerusalem as its capital. It is in its power to do so. It would underpin the government’s desire to have a two-state solution. Without recognition, the government’s position appears hollow.
13. The British government should work with European allies to announce joint recognition. It would be to recognise a state under occupation and would be symbolically and legally significant.
14. The Israeli government and its predecessor explicitly and publicly oppose a two-state solution and actively works against this possibility. It rejects any Palestinian state. The UK government has not condemned Israel for this but continues to treat that government as if it is a serious partner for peace. Conversely, if any Palestinian group rejects a two-state solution that does not address core concerns, it is condemned.

Israeli settlement programme

15. British governments have also consistently failed to address the Israeli settlement programme, the core of this settler-colonial conflict. All governments have acknowledged that settlements are illegal but have done nothing to try to compel Israel to abandon this enterprise. Issuing press releases citing grave concern has gone on for over forty years. In the West Bank including East Jerusalem, the number of settlers has risen from 250,000 at the time of the 1993 Oslo Accords, to over 750,000 today.
16. Human rights groups including Caabu have sought to push the government to impose a ban on all dealings with settlements. It is an extraordinary situation that the government states that settlements are illegal but permits commercial and other ties to flourish.
17. Caabu welcomed the limited sanctions imposed by the UK government on a limited number of extremist Israeli settlers and settler groups. Yet, this has been too little too late. The case for such action existed decades ago. More can still be done. Caabu notes that the Prime Minister did not rule out sanctioning extremist Israeli Ministers such as the Israeli Finance Minister, Bezalel Smotrich and the Minister for National Security, Itamar Ben Gvirⁱ.
18. Settler attacks and harassment have intensified further since 7 October 2023, with settlers feeling more brazen and enabled, backed by the Israeli state, including ministers within the Israeli government and the Israeli military.

19. Many settlers that intimidate and threaten communities in the occupied West Bank, especially shepherding and herding communities, are also serving in the Israeli military, blurring the boundaries between settler and soldier even further, all aspects of the coercive environment designed to forcibly remove Palestinians from their lands.
20. This is increasing across the occupied West Bank. Numerous communities have been forcibly dispossessed and disappeared. This is particularly acute in the South Hebron Hills, the Jordan Valley, and areas east of Ramallah.
21. One such example is Umm al-Kheir in Masafer Yatta in the South Hebron Hills, which has endured repeated attempts at forced displacement. Residents have faced dispossession, eviction from their land, demolition of their homes, and attacks on their livelihoods. The settlements built illegally on the lands of Umm al Kheir enjoy the privileges of water and electricity, denying the most basic of these to the Palestinians whose land the settlers have occupied. Shepherding and herding communities are decimated, with flocks dwindling, and surveillance and attacks increasing.

A regime of apartheid

22. Palestinian, Israeli, and international human rights groups have all to varying degrees accused Israel of being guilty of the crime of apartheid.
23. This is most blatant with the systematic discrimination in the West Bank.
24. Two peoples live in the same territory, where if you are Jewish, you have superior rights to Palestinian neighbours. People in the same territory live under different legal systems; Israeli settlers under civil law and Palestinians under Israeli military law.
25. The International Court of Justice in its 19 July advisory opinion stated that that Israel is in breach of Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination which states that “State parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.”
26. The UK has refused to condemn this systematic discrimination.

Israel-Gaza

27. The UK government has approached the situation in Gaza as if it all began on 7 October. This ignores 57 years of continuous Israel occupation including 16 years of Israeli Egyptian blockade. It also ignores the major Israel wars on Gaza in 2006, 2008-09, 2012, 2014, and 2021.
28. For Israel, war starts when groups in Gaza fire rockets or cross the lines to attack Israelis. For Palestinians in Gaza, war is a constant in the West Bank as well as Gaza, as they endure the daily deprivations of a military occupation and martial law. For Palestinians occupation is a daily aggression.
29. The Hamas atrocities perpetrated on 7 October were war crimes as are its indiscriminate rocket and mortar attacks across the 1967 lines.

30. The continued detention of hostages by Hamas is a war crime. The government rightly demands that they must be released immediately.
31. To acknowledge the pre-existing situation does not excuse the dreadful Hamas attacks but it does provide the vital context. All too often in recent years, conflicts have been left to stagnate. If they are not in the headlines, they get ignored. Gaza was one example. Lebanon and Syria are others, but the same can be said for Yemen, Libya, Sudan, and Afghanistan.
32. The then Prime Minister Rishi Sunak offered Israel unequivocal and unqualified support in the wake of the 7 October attacks. This was unwise. It is understandable to offer support but in a situation of a bitter, protracted conflict, that has involved decades of major violations of international law, no side should be offered unqualified support. It should always be tempered by the obligations of all parties to international law. By offering this, Prime Minister Sunak offered what was clear to all parties a green light to Israel to do whatever it wished in Gaza.
33. Going forward, the UK must keep its focus on the long-term resolution of this conflict even if it drops out of the news.

Israeli actions against Palestinians in Gaza

34. Israel has committed atrocities against the Palestinian population in Gaza. The extent of this has been outlined in numerous U.N and other reports. It is not the aim of this submission to detail every element of this.
35. Israeli actions have led to 90% of the population being displaced, some as many as 10 times.
36. In northern Gaza, Israel has attempted to empty the area, roughly a third of the Gaza Strip. Officials have stated that the population will not be permitted to return. This constitutes another example of ethnic cleansing, something the government should be condemning unreservedly.

Complacency

37. In interactions with the Foreign Office including with ministers, Caabu's experience is that there has been a complacency about how the Gaza crisis could affect the wider Middle East. This was never going to be a crisis that would be contained to southern Israel and Gaza.
38. Over the last 14 months, most states in the region have been either directly involved in the conflict or significantly impacted by it. Hizbollah and Israel engaged in a low-intensity conflict that broke out into full scale hostilities in September. Israel has invaded two sovereign states. Iran and Israel have exchanged major attacks. The Houthis in Yemen attacked civilian shipping in the Red Sea as well as launching missiles against Israel.

39. The regional tensions and crises were even a factor in the events in Syria as various factions believed that the timing was germane for an attack on Syrian regime positions, given the weakened positions of both Russia and Iran.
40. Another feature of the complacent approach was the belief that the Abraham Accords and normalisation with Israel was working. Many bought into the line that the Palestinian issue could be sidelined when, as the last year has shown, it is at the radioactive core of this conflict.
41. The Foreign Secretary also engaged in this in evidence to the committee regarding normalisation with Saudi Arabia. An Israeli deal with Saudi Arabia, whilst welcome in of itself, would not come close to resolving the underlying issues related to this conflict.
42. Never again should the British government seek to sideline the Palestinian issue. It lies at the core of many of the tensions in the region and cannot be bypassed. Other issues matter too but this cannot be ignored.

Ceasefire

43. The British government took too long to call for an immediate ceasefire. This was another example of complacency. In February 2024, Prime Minister Rishi Sunak declared that calling for a ceasefire was not in anyone's interestⁱⁱ, making such a statement even when the International Court of Justice had just imposed provisional measures based on the Genocide Convention.
44. For many months, it was also clear that the Israeli government had no intention of negotiating a ceasefire but saw the talks as hostage negotiations. British policy and approach failed to adapt. Netanyahu made it very clear that he would not agree to ending Israeli military operations as part of these talks.
45. Any ceasefire or cessation of hostilities must not be treated as an end goal. This was the case in previous Israeli wars on Gaza, when once a ceasefire was procured, the situation returned to the status quo ante, even though life in Gaza would be far tougher.
46. The UK and others must see the ceasefire as a stepping stone to resolving the underlying issues that fuel this conflict including the unlawful occupation.

Israel as occupying power in Gaza

47. The government's formal position has been that Israel has continually been the occupying power in Gaza as well as the West Bank since 1967. This is the clear position in international law as reinforced in the definitive advisory opinion of the International Court of Justice of 19 July 2024, that stipulated that the occupation was illegal both in conduct and in existence.
48. However, the government does not make public reminders of Israel's obligations as an occupying power under the Fourth Geneva Convention. Israel has breached this convention every single day since 1967 without exception. In Gaza, Israel has used collective punishment as a policy, another violation.

49. Not once has the government stated that Israel has the responsibility as the occupying power for the well-being of the Palestinian population of the Gaza Strip. The British taxpayer is being made to pay millions of pounds in aid because the UK will not insist that Israel abide by its legal obligations.

Human rights situation in the oPt

50. Israel has committed grave abuses of human rights throughout its 57-year-old occupation.
51. The British government addresses some but not all of these human rights abuses. The government has criticised Israel's use of home demolitions, land confiscation, and settlement expansion. It has also criticised the conduct of Israeli military courts and the use of administrative detention, which is detention without trial.
52. Israel has denied the International Committee of the Red Cross (ICRC) access to its prisons and detention centres since 7 October 2023. The UK government should do more to insist that full access is restored.
53. In contrast, successive governments have said little to nothing about Israel's systematic use of torture.
54. This torture has been more widespread since the 7th October. The Israeli human rights group, B'Tselem, released their report "Welcome to Hell"ⁱⁱⁱ. It highlights the torture taking place against Palestinians, including children, in Israeli prisons, where they are being held without charge. Approximately 70 Palestinians have died while held in these detention centres.
55. Evidence of rape of Palestinian detainees is considerable including video evidence. The British government has done little to nothing to condemn such grave violations.
56. The Palestinian Authority (PA) based in Ramallah has a poor human rights record. It has lost legitimacy amongst many Palestinians in the West Bank.
57. The UK has focussed over the years considerable efforts on the security capabilities of the PA. For many Palestinians, the PA has all too often acted as a security arm of the occupation.
58. The UK should concentrate on supporting the PA's ability to represent Palestinian aspirations and rights as opposed to its ability to police Palestinians. It should not be seen as the PA's role to provide security to the occupying power.

Humanitarian situation in Gaza

59. British governments have all too often treated what was happening in Gaza as a humanitarian situation. This is highly misleading.
60. Governments have, as Caabu and aid agencies have argued, too often used increasing humanitarian aid as a means to bypass the government's legal responsibilities.
61. What has happened in Gaza is not a natural disaster. It is man made, comprising a host of atrocities that include the bombing of civilian infrastructure such as hospitals, schools, universities, mosques, and churches.

62. The humanitarian situation in Gaza is the direct result of stated Israeli policies that started before 7 October. This escalated with the Israel imposition of the siege on 9 October 2023. The Israeli Defence Minister announced: “We are putting a complete siege on Gaza ... No electricity, no food, no water, no gas – it’s all closed.” This was collective punishment, the deliberate policy of depriving a civilian population of objects indispensable to their survival.
63. After the announcement of this siege, Israel cut all water supplies into Gaza and electricity as well. The latter was also vital to pump water. Israel airstrikes targeted water infrastructure making it even harder for Palestinians to access any water. Israel did resume restricted supplies of water by the end of October but only following significant US pressure.
64. The amount of aid Israel permits entry into Gaza is close to its lowest ever levels. According to the UN, in November, an average of just 65 humanitarian trucks per day were allowed entry into Gaza.
65. The British government should have condemned the imposition of that siege of Gaza on the very first day.
66. In October, the Prime Minister stated that "the world will not tolerate any more excuses on humanitarian assistance"^{iv} from Israel on the situation in Gaza. The situation has got worse, with the UN having made 140 attempts to get aid into northern Gaza with “almost zero access.”^v However, the Prime Minister has not changed UK policy.

UNRWA

67. The UK has been a long-term supporter of UNRWA and for sound reasons.
68. Israel has had the long-term goal of closing down UNRWA because its leaders hate UNRWA’s mandate helping Palestine refugees. It has exploited the last 15 months to try to bring about the long-term goal of ending UNRWA.
69. The UK decision in January 2024 to suspend funding to UNRWA was deeply flawed. Israel had made accusations about UNRWA staff involvement in the 7 October attacks but did not provide any evidence especially relating to the organisation itself. Rather than await such evidence, donor states, including the UK, decided to suspend funding.
70. Foreign officials admitted to Caabu that Israel had provided no evidence before or after the decision. The decision to restore funding demonstrates the error of the original decision.
71. The UK has now restored funding to UNRWA and increased it. It needs to give it greater support not least after the killing of 258 of its staff since October 2023^{vi}.
72. On 28 October 2024, the Israeli Knesset passed two laws - “the Cessation of UNRWA activities in the State of Israel” and “the Cessation of UNRWA Activities”.
73. The UK government needs to outline the severe consequences for Israel if it proceeds to ban UNRWA from operating in territories that Israel occupies.

74. Israel keeps reducing the issue to a humanitarian response. It would take an enormous effort by the World Food Programme to reach the level of UNRWA within Gaza.
75. Politically, UNRWA is under threat. But even if survives, it faces a financial struggle for survival.
76. That the Prime Minister Keir Starmer met with the UNRWA Commissioner-General Philippe Lazzarini in December 2024 was very welcome. The government must do more to champion the role of UNRWA, and to ensure that its operations can continue and will not be undermined by Israeli actions.

International Court of Justice (ICJ) advisory opinion

77. The ICJ issued its advisory opinion on the legality of the Israeli occupation on 19 July 2024. It stipulated that the occupation of the West Bank including East Jerusalem, and the Gaza Strip was illegal. It violates the right of self-determination of the Palestinian people and the prohibition on the use of force which amounts to aggression.
78. The ICJ stated that the occupation must end as rapidly as possible and that all Israeli actions in the oPt were invalid.
79. The British government has yet to issue its response to the ICJ advisory opinion of 19 July 2024. It has said that it does not reject the central findings.
80. The government should make clear that it accepts the opinion, in particular that the occupation is illegal, that settlements must be removed and reparations paid to Palestinians.
81. The government has a clear legal duty to distinguish between territory of the state of Israel and those that it occupies. It fails to do this at all times not least by permitting trade and business with settlements.

International Criminal Court (ICC)

82. The former government of Rishi Sunak was ill advised to describe the ICC arrest warrants against the Israel Prime Minister Netanyahu and former Defence minister Yoav Gallant as ‘deeply unhelpful.’^{vii} Arrest warrants are not meant to be helpful or unhelpful.
83. The UK application under the Conservative government to the ICC to submit an amicus brief was accepted. However, this was ill thought out and only served to delay the vital nature of the court’s work. The government had no grounds to object to the court’s determination on the issue of jurisdiction which it had already ruled upon.
84. The current government wisely reversed this decision and did not submit a brief. This was very welcome.
85. The current government failed to welcome the decision in November of the ICC pre-trial chamber to issue arrest warrants for Israel Prime Minister Netanyahu, former Defence minister Yoav Gallant, and Hamas commander, Muhammad Deif. All three were accused of extremely serious crimes but the government failed in its response to acknowledge this.

86. Netanyahu and Gallant were accused of “the war crime of starvation as a method of warfare; and the crimes against humanity of murder, persecution, and other inhumane acts”.
87. Deif was accused of the crimes against humanity and war crimes including murder, torture, rape and hostage taking in respect of the Hamas attack on Israel on 7 October 2023.
88. This government’s claims of supporting international law and the ICC was undermined.
89. The UK should demand that Israel and Hamas hand over those accused, for trial at the Hague with immediate effect.
90. The government should be asking questions as to why the ICC has not yet issued arrest warrants regarding the Israeli settlement programme which constitute an explicit violation of the Rome Statute, as a war crime.

Genocide

91. This government and the previous government have been dismissive of the use of the term Genocide to describe Israel’s actions in Gaza.
92. This is in despite of the fact that on 26 January the International Court of Justice (ICJ) ordered Israel to take provisional measures under the Genocide Convention^{viii}.
93. Anti-Palestinian groups have tried to argue that the court did not determine that there was a risk of genocide. The court does not order provisional measures unless it determines there is such a risk.
94. Many other distinguished genocide scholars have made the case that Israel is conducting genocide. Amnesty International has done so too^{ix}. Human Rights Watch have produced a report detailing how Israel’s cutting off water constitutes an act of genocide^x.
95. The British government may disagree but given the seriousness of the crimes Israel has committed, to disparage the use of the term genocide when the government will not even condemn Israel for war crimes, shows a total lack of consideration for the loss of Palestinian life.

ICJ orders provisional measures

96. The ICJ took the step of ordering Israel and Hamas to take provisional measures to ensure that the right of Palestinians not to suffer from genocide is not violated, whilst the court determines whether a genocide is being committed.
97. As a signatory to the genocide Convention, the UK should be supporting the ICJ by demanding that Israel and Hamas abide by all the provisional measures as ordered. As of yet, no British government has done so.
98. Included in the provisional measures is that Israel “must take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip.”

99. Not only has this not happened, but Israel also has, at times, imposed additional blocks to humanitarian assistance into Gaza.

Incitement to genocide

100. Israeli leaders, Ministers, and Members of the Knesset have made countless statements that constitute incitement to genocide, which is itself a violation of the genocide convention. Many of these were read out at the ICJ hearings on genocide in January. It included statements from Israel's President, Prime Minister, Defence Minister and Finance Minister. For example, Israeli Defense Minister Yoav Gallant

'We will eliminate everything - they will regret it'. An Israeli army spokesman stated: "our focus is on (creating) damage, not on precision." Israel's Jerusalem Affairs and Heritage Minister Amichai Eliyahu has even threatened the use of nuclear weapons on Gaza^{xi}.

101. The ICJ's provisional measures included the demand that Israel "take all measures within its power to prevent and punish the direct and public incitement to commit genocide in relation to members of the Palestinian group in the Gaza Strip". As of yet, Israel has not done so.

102. No UK government Minister has yet gone on record to condemn such genocidal comments or to demand that it adheres to the ICJ's provisional measures relating to punishing incitement.

103. The then Foreign Secretary Lord Cameron denied in an interview in January^{xii} that Israeli leaders had shown intent to commit genocide despite the many comments of Israeli leaders that demonstrate otherwise.

104. Also in January, the then Defence Secretary Grant Shapps, was confronted with such comments on BBC's Today programme. He did not take the opportunity to condemn them and said he was unaware that Israeli leaders had made such threats.

Arms sales

105. Given the scale of Israeli atrocities and the use of starvation as a weapon of war, the UK should have imposed a full arms ban on the state of Israel as part of a package of measures to deter further Israeli atrocities.

106.. It took until September 2024 for the UK government to announce the suspension of 30 out of 350 arms licences to Israel. This was a welcome step but too late and too little.

107. The export licensing criteria states that the government should "not issue export licences if there is a clear risk that the items might be used to commit or facilitate serious violations of international humanitarian law".

108. Such a determination could and should have been reached after previous Israeli wars on Gaza.

109. The decision to omit the UK components of the F-35 programme was a major error. The government has acknowledged that there is a “clear risk that F-35 components might be used to commit or facilitate a very serious violation of IHL.”

UK relations with Israel

110. The UK government still refers to Israel as a staunch ally.

111. This begs the question as to what Israel must do for British governments to state clearly that its behaviour is not compatible with a state that wishes to remain an ally.

112. It is time that the UK government announce that it will not be pursuing any free trade agreement with Israel until it brings its conduct in line with British and international law.

Planning for the future

113. It is unclear that the UK has a strategy to deal with Gaza in the event of a ceasefire or cessation of hostilities

114. It should back a full independent inquiry into the war supporting full accountability for all those who have committed crimes.

115. Israel must not be allowed to reintroduce illegal settlements into Gaza as many senior Israeli politicians plan. The UK must also outline severe consequences in the event this happens. It will not bring safety and security to Israel, in fact could lead to the opposite.

116. The blockade of Gaza must be lifted. The Gazan economy has to be allowed to flourish. This would provide a crucial horizon for a people who have suffered so much.

117. Support for UNRWA is crucial in a ceasefire scenario. School children need to return to a learning environment. UNRWA was the largest education provider in the Gaza Strip. If UNRWA is not operational, what would happen? There are no PA schools ready to take the load.

118. A Palestinian administration must be allowed to run Gaza’s affairs. This must have Palestinian legitimacy in Gaza rather than be imposed by an occupying power. The UK government must make this clear.

119. Elections in the oPt must be held at an appropriate juncture after this conflict. The UK must insist that include all areas of the oPt meaning occupied East Jerusalem. The results of any elections must be respected.

Damage to UK reputation

120. The UK government’s position in supporting Israel and continuing to arm it is in stark contrast to most states in the world.

121. According to polling, the UK is also out of step with British public opinion. In a YouGov poll commissioned in May by Caabu and Medical Aid for Palestinians, 55% of people support the UK ending the sale of arms to Israel for the duration of the conflict in Gaza. Only 13% want to see the continuation of arms sales^{xiii}.

122. Various opinion polls from the global south show a huge drop in Israel's favourability ratings.
123. Many perceive Britain's official positions as constituting a double standard. It has insisted on international law being applied in Syria and Ukraine with reason but fails to do so when it comes to Israel.
124. Britain risks being ignored in future when raising issues of human rights abuses and international law due to this inconsistent approach.

ⁱ <https://www.theguardian.com/politics/video/2024/oct/16/uk-sanctions-israeli-ministers-ben-gvir-smotrich-starmer-video>

ⁱⁱ <https://www.bbc.co.uk/news/av/uk-politics-68358529>

ⁱⁱⁱ https://www.btselem.org/publications/202408_welcome_to_hell

^{iv} <https://news.sky.com/story/world-will-not-tolerate-any-more-excuses-from-israel-on-gaza-aid-starmer-says-13235941>

^v <https://x.com/TFletcher/status/1874005289382584412>

^{vi} <https://x.com/UNLazarini/status/1874008188019732784>

^{vii} <https://www.theguardian.com/politics/video/2024/may/21/icc-arrest-warrant-request-deeply-unhelpful-says-rishi-sunak-video>

^{viii} <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-sum-01-00-en.pdf>

^{ix} <https://www.amnesty.org/en/latest/news/2024/12/amnesty-international-concludes-israel-is-committing-genocide-against-palestinians-in-gaza/>

^x <https://www.hrw.org/report/2024/12/19/extermination-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza>

^{xi} <https://x.com/Doylech/status/1746486192193917103>

^{xii} <https://x.com/SkyNews/status/1746460657464086562>

^{xiii} <https://www.caabu.org/news/press-release/caabu-press-release-new-poll-shows-sustained-british-public-support-immediate>

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