



Crisis in Middle East – 15 January 2024

The Prime Minister is likely to make a statement to Parliament on Monday 15 January regarding the UK's military strikes against what they say are Huthi military assets across northern Yemen, undertaken in conjunction with the US and with support from Australia, Bahrain, Canada and the Netherlands.

As a human rights organisation Amnesty International's primary focus is the violation of human rights and adherence to international laws. Amnesty International generally takes no position on the resort to military force or on military interventions, other than to demand that all parties respect international human rights law and, where applicable, international humanitarian law.

Many Parliamentarians and others will have serious concerns that the UK and US military actions could inflame the already catastrophic situation in the Middle East. Amnesty International has repeatedly called for the international community to push for an immediate ceasefire by all parties to the fighting in occupied Gaza and Israel. The UN Security Council's failure to agree a ceasefire risks further inflaming regional tensions posing a grave risk to the safety of civilians across the region.

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

- **An immediate ceasefire by all parties to the conflict in Israel and Gaza.**
- **The end of Israel's 16-year-long illegal blockade on Gaza, starting by immediately suspending its recent increased restrictions on food, fuel, electricity and water, which is collective punishment amounting to a war crime.**
- **The release of all civilian hostages held in Gaza and Palestinians arbitrarily detained by Israel.**

The UK government should also:

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

CEASEFIRE

As of 14 January 2024, [23,968](#) Palestinians have been killed in Gaza due to Israel's military actions, along with 60,582 injured. The real number of fatalities is expected to be much higher, with families struggling to recover the bodies of their loved ones from under the rubble. This staggering death toll and extreme devastation and destruction in Gaza underlines the urgent need for an immediate and enduring ceasefire by all parties. This is vital to enable aid agencies to get sufficient relief into the occupied Gaza Strip, and to distribute it safely and unconditionally. It would give hospitals and

clinics an opportunity to receive life-saving medicines, collect the little fuel still available locally, and water and equipment they desperately need as well as to repair damaged wards and other critical infrastructure such as the water network.

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

Suggested parliamentary questions:

- During the 2014 Israel/Gaza crisis the then Prime Minister, current Foreign Secretary, [called](#) for **“an immediate and unconditional humanitarian ceasefire”** recognising that the **“the situation in Gaza is intolerable”**. That conflict resulted in 2,251 Palestinian fatalities. With more than 23,000 Palestinians killed in a little over three months, two thirds of them reportedly women and children, what will it take for the UK government to call for an immediate ceasefire now?

ILLEGAL BLOCKADE

Since 2007, Israel has imposed an air, land and sea blockade on the Gaza Strip collectively punishing its entire population. On 9 October, Israel’s minister of defence Yoav Gallant announced a “complete siege on Gaza ... No electricity, no food, no water, no gas - it's all closed”, as part of Israel’s response to attacks by Hamas and other Palestinian armed groups.

On 12 October, an Israeli minister said that the authorities will not restore power or allow water or fuel to enter Gaza until Hamas releases its hostages. This is explicit confirmation that Israel’s response is designed to collectively punish civilians in Gaza for the actions of Palestinian armed groups.

As the occupying power, Israel has a clear obligation under international law to ensure the basic needs of Gaza’s civilian population are met¹. **The collective punishment of civilians in Gaza and other war crimes will not bring justice to the victims of war crimes by Hamas and other armed groups, or security to civilians in Israel.**

Amnesty International is calling on the Israeli authorities to immediately suspend all increased restrictions which have recently been imposed and to lift its illegal 16-year blockade on the occupied Gaza Strip.

INHUMANE TREATMENT, HOSTAGE TAKING AND ENFORCED DISAPPEARANCES

Amnesty International has repeatedly condemned the taking of hostages during the 7 October attack and has called on Hamas and other Palestinian groups to unconditionally and immediately release all civilian hostages. Amnesty International is also deeply concerned for the fate and whereabouts of Palestinians from the occupied Gaza Strip detained by Israeli forces amid reports of mass enforced disappearances.

¹ The UK government recognises that Gaza is occupied by Israel, see for example the 2022 Human Rights and Democracy [Report](#) in which it states “This section covers the Occupied Palestinian Territories (OPTs) of the West Bank, Gaza and East Jerusalem.”

On 16 December the United Nations Office of the High Commissioner for Human Rights (OHCHR) declared it had [received “numerous disturbing reports” from northern Gaza “of mass detentions, ill-treatment and enforced disappearances](#) of possibly thousands of Palestinians,” including children.

Nidal al-Waheidi and Haitham Abdelwahed, two journalists from the occupied Gaza Strip, were detained by Israeli forces on 7 October while they were reporting on the Hamas-led attacks in Israel by the perimeter of the Gaza Strip. They were last seen at the Erez crossing between the Gaza Strip and Israel. Since then, Israeli authorities, namely the Israeli army, police and Prison Services, have refused to disclose their whereabouts or the legal grounds for their arrest – conduct which amounts to enforced disappearance.

Concerns for the fate of detainees from Gaza are heightened by the sickening images and videos verified by Amnesty International’s Crisis Evidence Lab that have emerged in recent weeks showing Palestinian men stripped of their clothes and forced to kneel on the floor in their underwear with their hands tied, with Israeli soldiers standing over them.

Amnesty International’s Crisis Evidence Lab geolocated three [photos](#) and one [video](#) that were posted to social media on 7 December showing dozens of men being detained by Israeli forces in the streets of Beit Lahia, a city in northern Gaza. [Photos](#) show detainees stripped to their underwear, some with likely identification documents laid in front of them. One of these photos shows detainees being transported with their hands bound to another location without being provided clothing. These detainees appear to have been subject to dehumanising treatment, in violation of international law.

Amnesty International is calling on the Israeli military to urgently disclose the fate and whereabouts of everyone that it has detained since 7 October including Nidal al-Waheidi and Haitham Abdelwahed and specify the grounds of arrest for those detained. **Amnesty International also reiterates its call on Hamas and other armed groups in Gaza to immediately and unconditionally release all civilian hostages, treat all captives humanely and grant International Committee of the Red Cross access to hostages and captives.** Hostage-taking and the abduction of civilians are war crimes. Recording and publicly sharing testimonies from hostages, like the [video](#) released by the armed wing of Hamas on 18 December of three hostages – all older civilian men – amount to inhuman and degrading treatment.

INTERNATIONAL HUMANITARIAN LAW, GENOCIDE, JUSTICE AND ACCOUNTABILITY

On 7 October 2023, Hamas and other Palestinian armed groups launched an attack on Israel which violated international humanitarian law. The attacks displayed a chilling disregard for life by carrying out cruel and brutal crimes, including mass summary killings, hostage-taking, and launching indiscriminate rocket attacks into Israel. By 16 October, at least 1,200 people were killed and 3,436 injured in Israel, according to Israel’s Health Ministry.

As part of its ongoing investigation into violations of the laws of war, Amnesty International has documented evidence of [unlawful Israeli strikes](#), including two illustrative cases in which Israeli strikes killed 46 civilians, including 20 children. Based on its in-depth investigation of these events, Amnesty International has determined that the strikes were indiscriminate attacks or direct attacks on civilians or civilian objects, and must be **investigated as war crimes**.

As stated above, Israel’s 16-year long air, land and sea blockade of the Gaza Strip is collection punishment and a **war crime**.

Amnesty International’s investigations are ongoing and at present has not made a determination that the situation in Gaza amounts to **genocide**, though South Africa’s application to the International

Court of Justice (ICJ) alleging that Israel is breaching its obligations under the UN Genocide Convention, does cite evidence gathered by Amnesty International documenting damning evidence of war crimes and other violations of international law by Israeli forces, including direct attacks on civilians and civilian objects, indiscriminate and other unlawful attacks, forced displacement of civilians and collective punishment of the civilian population.

The provisional measures requested by South Africa include calls on Israel to desist from acts within Article II of the Genocide Convention including “killing members of a protected group” and “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part”. The staggering scale of death and destruction in Gaza, as well as an appalling spike in dehumanizing and racist rhetoric against Palestinians by certain Israeli government and military officials, coupled with Israel’s imposition of an illegal siege, is inflicting unfathomable levels of suffering and puts the survival of those within Gaza at risk. **There are therefore alarming warning signs regarding genocide**, as [warned](#) by a group of UN human rights experts in November 2023.

In 2021, the International Criminal Court opened an investigation into the situation in the State of Palestine with a mandate covering crimes under international law committed by all parties in the current conflict, as well as the crime against humanity of apartheid² against Palestinians. In a [statement](#) dated 17 November, the Prosecutor of the International Court, Karim Khan KC stated that he stands ready to work with all parties and called for their “full cooperation with my office”; including to complement domestic accountability efforts, “to ensure that justice is delivered for those affected by Rome Statute crimes”. He also called on all State Parties to the Rome Statute to provide the ICC with the tools and resources needed to allow them to fulfil their mandate.

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

Suggested Parliamentary questions:

- Has his Department conducted an assessment of whether Israel has breached international humanitarian law in its bombing of Gaza (which appears to be indiscriminate); restriction of food, water and power to civilians; and evacuation orders which could amount to forced displacement?
- Is it the Government’s view that war crimes have been committed by both Israel and Hamas?
- Given the UK government has now recognised the independence and jurisdiction of the International Criminal Court regarding its ongoing investigation into the situation in Palestine, what steps will the UK take as a State Party to the Rome Statute, to cooperate with and ensure the ICC is provided with the tools it needs to fulfil its mandate⁹?

WEST BANK

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

² In 2021 Amnesty International concluded that Israel is committing the [crime against humanity of apartheid](#) against Palestinians, joining many other international Israeli and Palestinian human rights organisations and individuals who have drawn similar conclusions (including [Human Rights Watch](#), [B’Tselem](#), [Yesh Din](#), [Al Mezan](#), numerous former Israeli politicians, including most recently a [former Head of Mossad](#) and multiple [UN experts](#)).

The UK government has called on Israel to stop its settlement expansion. However, the UK is indirectly supporting settlement maintenance and expansion by allowing goods produced there into the UK market and allowing UK firms to conduct business with settlements.

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

The Foreign Secretary's announcement that the UK will impose travel bans on settlers who commit acts of violence against Palestinians in the Occupied West Bank demonstrates belated recognition of the corrosive effect of Israeli state-backed settler violence in the occupied Palestinian Territories. However, by unilaterally targeting only a handful of violent settlers within the entire apparatus of state-backed repression in the Palestinian Territories, the UK is clearly failing to address the context.

The UK should not divorce acts of settler violence from the whole state system of Israel's illegal settlement expansion, its forcible transfers, its unlawful killings of Palestinians in the Occupied Territories, and its wider system of apartheid.

Suggested Parliamentary questions:

- Does he accept that settlement expansion is an Israeli State policy, as well as a war crime? Has he been provided with legal advice on this issue from his department? What steps is he considering to hold the Israeli government accountable for settlement expansion?
- Why will the UK not ban the import of goods from illegal Israeli settlements, given they facilitate and legitimise a war crime?
- What steps is he taking to ensure the *Israeli authorities* prevent settler violence in the West Bank, and what is their assessment of any incidences of settler violence facilitated or carried out with the support of the Israeli Defence Forces?

UK ARMS

There is a clear risk that arms and military equipment transferred to Israel will be used to facilitate or commit serious violations of international law, including attacks that may amount to war crimes. The UK government should immediately suspend both extant licences for military equipment and technology and the issuing of new licences while Israel continues to carry out widespread serious violations including war crimes, with impunity. Failure to do so risks the UK government breaching its own laws and international obligations and being complicit in grave abuses.

The UK government exploits a loophole, set out in the 2002 "incorporation guidelines"³, to arm Israel by supplying components for US-made F-16 and F-35 fighter aircraft, in the full knowledge they're being used in military action in Gaza where thousands of civilians have already been killed and are expected to continue to be killed, following relentless and indiscriminate Israeli attacks. As detailed in this briefing, Israel's military conduct in Gaza has repeatedly involved unlawful attacks.

In previous escalations of the conflict, the UK government has acknowledged that a number of UK arms export licences, specifically "incorporation licences" whereby UK components have been sent to third destinations for onward export to Israel, have been used by the Israeli defence and security

³ The guidelines allow the UK to supply components to an intermediate country if that country is an ally and has a recognised export control system, even if that country then exports that item to destinations the UK would not approve sales to directly.

forces in Gaza. For example, in 2009, the UK government acknowledged⁴ that components for F-16 combat aircraft, Apache attack helicopters and a variety of naval systems, had likely been used in Gaza by the IDF. Similarly, in 2014, a UK government [review](#) concluded that export licence for military radar systems, combat aircraft and military vehicles had likely been used.

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

Suggested Parliamentary questions:

- Given the abundant credible evidence of war crimes and crimes against humanity committed by Israel, what advice is his department providing to the Department for Trade regarding the licensing of arms and security equipment to Israel?
- Will he commit to conducting legal analysis in order to establish whether parties to the current conflict, including Israel who the UK has a defence export relationship with, have committed war crimes and other breaches of international humanitarian law and international law?
- Does he agree that effective parliamentary scrutiny is essential to hold the Government to account and protect the UK against breaching international obligations? As such will he support reconvening the Committee on Arms Export Controls as a matter of urgency and establishing a fully independent review of UK export policy and licensing decisions to Israel and other foreign states where there are clear risks arms sold may be used in violation of international law?

⁴ See Ministerial answer to question on export licences

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