

# BRIEFING FOR LOBBYISTS

November 2009



## 1. End the siege on Gaza

- Since June 2007, Israel has imposed a brutal and illegal siege on Gaza. Israel's bombardment and invasion of Gaza in December and January has served to make the situation even more desperate for the 1.5 million Palestinians living in the Gaza Strip.
- The UN and EU have repeatedly stated that the blockade of Gaza, including restricting supply of electricity and fuel, constitutes collective punishment of a civilian population, prohibited in international humanitarian law under [Article 33](#) of the Fourth Geneva Convention.
- According to [OCHA](#), September 2009 saw the lowest number of truckloads entering since December 2008, with 2,173 truckloads of goods including 321 truckloads (15 percent) designated for humanitarian aid agencies allowed entry. The amount which entered was 78 percent below the monthly average of truckloads that entered Gaza in the first five months of 2007 (12,350).
- According to [Palestine Monitor](#), in December 2008, 79.4% of the population of Gaza lived in poverty, with over half a million living in extreme poverty. As a result the daily lives of most Palestinians living in Gaza are consumed by completing the most basic tasks, such as collecting and storing clean water and searching for food, fuel and other essential supplies.
- Early in January 2009, Israel's former Mossad chief and former national security adviser, Efraim Halevy, said: "If Israel's goal were to remove the threat of rockets from the residents of southern Israel, opening the border crossings would have ensured such quiet for a generation."
- Unconditional aid for construction is essential. The priority for aid is to deliver it in the most effective way, without making political and financial gains out of the victims of war.
- Palestinians in Gaza are experiencing a horrific and illegal collective punishment for exercising their right to democratically elect Hamas MPs to represent them. MPs from all parties have called for negotiation and dialogue with Hamas, and for Israel to release the elected Palestinian parliamentarians that it has imprisoned. In sharp contrast, despite Israeli far right party Yisrael Beitenu becoming the third party in Israel, with its leader Avigdor Lieberman as Israel's Foreign Minister, there are no proposals to restrict international engagement with this party.
- The Goldstone Report says: 'the blockade policies implemented by Israel against the Gaza Strip, in particular the closure or restrictions imposed on border crossings in the immediate period before the military operations, subjected the local population to extreme hardship and deprivations that amounted to a violation of Israel's obligations as an Occupying Power under the Fourth Geneva Convention.' Goldstone further went on to say that 'Israel has essentially violated its obligation to allow free passage of all consignments of medical and hospital objects, food and clothing that were needed to meet the urgent humanitarian needs of the civilian population in the context of the military operations, which is in violation of article 23 of the Fourth Geneva Convention.'

**Ask your MP to demand that the UK government steps up the pressure on Israel to end the siege of Gaza and allow unconditional aid and supplies into the territory.**

## 2. Implement Goldstone Report recommendations

- September 2009 has actually seen an increase in Palestinians killed and injured by Israeli forces. According to the latest [OCHA report](#): 'On 4 September, Israeli forces shot and killed a 14-year-old Palestinian boy walking, along with his family, towards his land in an agricultural area more than 600 metres away from the border fence. Investigations by two human rights groups in Gaza found that Israeli forces reportedly opened fire in the direction of the family without any prior warning.'

***Bringing those responsible for war crimes to justice is essential to end the culture of impunity that Justice Richard Goldstone refers to, and end Israel's continued military assaults.***

- The UN Fact Finding Mission on the Gaza Conflict was led by Justice Richard Goldstone.
- The Fact Finding Mission considered 'that accountability for victims and the interests of peace and justice in the region require that the legal determination should be made by the Prosecutor [of the International Criminal Court] as expeditiously as possible.'

***Casualties from Operation Cast Lead in December and January***

- The Palestinian Centre for Human Rights recorded 1,417 Palestinians killed, including 313 children and 116 women. 34,000 Palestinian homes partially or completely destroyed.
- 14 Israelis were killed, of whom 11 were soldiers, and 183 were injured by rockets fired from Gaza in the same period.
- As Israel is preventing building materials from entering Gaza, the repair of hospitals, schools and sewage systems has been impossible.

***Gaza was an easy target for the Israeli military:***

- The Palestinians living in Gaza could not escape the bombing and land invasion with Israel sealing the borders. Within the Gaza Strip itself, movement from north to south was impossible as Israeli tanks cut the northern half of Gaza from the south.
- Gaza is very densely populated, and Israeli bombs hit buildings that people sheltered in – schools, UN compounds, mosques, houses and hospitals, destroying key infrastructure.
- Israel used massive amounts of very powerful weaponry, with Gaza having little defence against them. They have no tanks or anti-aircraft missiles.
- Gaza has no well-constructed bomb shelters for civilians.

***From the Goldstone Report:***

- 'From the facts gathered, the Mission found that the following grave breaches of the Fourth Geneva Convention were committed by Israeli forces in Gaza: wilful killing, torture or inhuman treatment, wilfully causing great suffering or serious injury to body or health, and extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly. As grave breaches these acts give rise to individual criminal responsibility. The Mission notes that the use of human shields also constitutes a war crime under the Rome Statute of the International Criminal Court.' (para 1732)
- The Mission further considers that the series of acts that deprive Palestinians in the Gaza Strip of their means of subsistence, employment, housing and water, that deny their freedom of movement and their right to leave and enter their own country, that limit their rights to access a court of law and an effective remedy, could lead a competent court to find that the crime of persecution, a crime against humanity, has been committed.' (para 1733)
- 'The Mission was struck by the repeated comment of Palestinian victims, human rights defenders, civil society interlocutors and officials that they hoped that this would be the last investigative mission of its kind, because action for justice would follow from it. It was struck, as well, by the comment that every time a report is published and no action follows, this emboldens Israel and her conviction of being untouchable". To deny modes of accountability reinforces impunity and

impacts negatively on the credibility of the United Nations, and of the international community. The Mission believes these comments ought to be at the forefront in the consideration by Members States and United Nations bodies of its findings and recommendations and action consequent upon them.’ (para 1754)

- ‘The Mission is of the view that longstanding impunity has been a key factor in the perpetuation of violence in the region and in the reoccurrence of violations, as well as in the erosion of confidence among Palestinians and many Israelis concerning prospects for justice and a peaceful solution to the conflict. The Mission considers that several of the violations referred to in this report amount to grave breaches of the Fourth Geneva Convention. It notes that there is a duty imposed by the Geneva Conventions on all High Contracting Parties to search for and bring before their courts those responsible for the alleged violations’. (1761-2)

**Ask your MP to urge the government to implement recommendations of the Goldstone report.**

### 3. Suspend the EU-Israel trade agreement

**Our government should push for the suspension of the EU-Israel Association Agreement until Israel meets its obligations under international law.**

- Since 2000, the [EU Israel Association Agreement](#) (EUIAA) has promoted strong trade, business and cultural ties between Israel and the EU. Today, 30% of Israel’s exports go to the EU under a preferential trade tariff, paid for by the EU taxpayer.

**Ask your MP to write to the Foreign Office demanding suspension of the Agreement until Israel complies with the human rights provisions in Article 2 of the Agreement.**

### 4. End the arms trade with Israel

- Under [Article 16](#) of the International Law Commission’s Articles on Responsibility of States for Internationally Wrongful Acts, the Government is obliged to stop assisting any state that is undertaking serious violations of humanitarian and human rights law. By continuing the arms trade the government risks being complicit in Israeli war crimes.
- Licenses for British arms sales to Israel in 2008 amounted to nearly £25m, almost double the previous year. The licenses covered the export of armoured vehicles and missile components. The sales cleared for Israel are the highest since 1999.
- In a [Ministerial Statement](#) on 21 April 2009, Foreign and Commonwealth Secretary David Miliband admitted that Israeli equipment used in Gaza "almost certainly" contained UK-supplied components. He cited F16 combat aircraft, Apache attack helicopters, Saar-Class corvettes and armoured personnel carriers.
- It was reported in July 2009 that the UK had revoked [5 export licenses](#) to Israel – this is a welcome step, but insufficient – all arms sales should end.
- A [report by Amnesty International](#) called for all arms sales to Israel to be frozen until "there is no longer a substantial risk that such equipment will be used for serious violations of international humanitarian law and human rights abuses."
- Nine EU governments, including Sweden and Belgium have, as a result of political pressure, ended their arms trade with Israel.
- Israel’s military occupation and invasions have an enduring impact on the entire Palestinian population. Lancet’s report, [Health in the Occupied Palestinian Territory](#), said that ‘according to the UN, studies done in the Gaza Strip in 2008 also showed high distress and fears, especially in children. Children were highly exposed to traumatic events, such as witnessing a relative being killed, seeing mutilated bodies, and having homes damaged.’

**Ask your MP to write to the Foreign Office demanding that they end the trade of arms with Israel.**

## **5. End the import of settlement goods to Britain**

- In a [debate on 21 July 2009](#) in Westminster Hall on Israeli settlements, Rob Marris MP pointed out that ‘public authorities are under an obligation not to take any action that would imply recognition for the consequences of an internationally criminal act. For example, collecting customs duties for goods from settlements could imply recognition. There is a strong argument that the United Kingdom Government is in breach of that and have, de facto, recognised those settlements and the produce that comes from them.’
- Between 1 February 2005 and 31 January 2008, HM Revenue and Customs issued demands for approximately £338,000 customs duty on products imported into the UK from Israeli settlements in the occupied Palestinian territory under the provisions of the EC-Israel Association agreement. [Official Report, 22 July 2008; Vol. 479, c. 1393W.]
- In the 12 months ending 31 March 2009, HM Revenue and Customs have issued demands for £21,494 customs duty on products imported into the UK from Israeli settlements in the occupied Palestinian territory under the provisions of the EC-Israel Association Agreement. [Official Report, 16 July 2009; Vol. 496, c. 689W.]
- Palestinian workers are entitled to be paid the Israeli minimum wage, 154 shekels a day. The Israeli department of Trade and Industry website states that “The Minimum Wage Law applies to Palestinians employed in Israeli communities in Judea & Samaria” (the West Bank). However the [daily wage](#) for Palestinian workers on Israeli settlement farms in the Jordan Valley is between 20 and 60 shekels a day.
- On 20 July, Jim Fitzpatrick MP said that DEFRA will issue a public consultation on the labelling of produce from the Occupied Palestinian Territories shortly. The draft voluntary guidance will be available on DEFRA's website.’

**Ask your MP to press the government on when this DEFRA consultation will take place? Ask your MP to urge the government to end the import of settlement goods**

## **6. Act to end Israel’s violations of international law**

- Settlements and outposts, built illegally in the West Bank including East Jerusalem, are inhabited by around 480,000 Israeli settlers. Construction of settlements has almost doubled since the Annapolis summit in November 2007.
- The [EU Heads of Mission](#) report in Dec 2008 said Israel is annexing East Jerusalem.
- The Israeli government has rejected calls for even a freeze on settlement construction, let alone their removal.
- The [Middle East Quartet – A Progress Report](#), by Oxfam, Christian Aid, Save the Children and CAFOD, said, “The continued expansion of illegal settlements in the West Bank, including East Jerusalem... breaks both Israel’s roadmap obligations and international law and defies UN Security Council Resolution 242. Palestinian and international confidence in the Government of Israel’s commitment to peace or the peace process is significantly undermined by this approach.”

**Ask your MP to write to the Foreign Office demanding they apply maximum pressure on the Israeli government to dismantle all settlements on occupied Palestinian land and ensure Israel’s violations of the Fourth Geneva Convention are brought to an end.**

Palestine Solidarity Campaign – [www.palestinecampaign.org](http://www.palestinecampaign.org)

Jews for Justice for Palestinians – [www.jfjfp.org](http://www.jfjfp.org)

Council for Arab-British Understanding - CAABU