

Open Letter on Gaza

18.10.2023

We, the signatories, represent a united voice of civil society, public figures, community and religious associations, academics, human rights advocates and legal professionals, and other stakeholders, who have come together to express our views on the current situation in Gaza.

We regret and condemn the killing of all Palestinian and Israeli civilians. **We denounce all war crimes**, regardless of the perpetrators, including the targeting of civilians and the taking of civilian hostages. We demand an immediate **ceasefire**, the end of the Israeli military **illegal occupation** of Palestinian territories and **reparations** for all victims and victims' families.

At the time of writing, the Israeli government is conducting human rights abuses and war crimes in the Gaza Strip, including: the current bombardment of Gaza, deliberate targeting of civilians, hospitals, and schools, as well as cutting off water and electricity, and preventing the entry of food and medicines. At least [3,000 deaths](#), including more than [1,000 children](#), [12,500 injuries](#), and [1,000,000 displacements](#) have been reported. The total blockade of the Gaza Strip [disallows humanitarian aid](#) for Gaza's more than 2.2 million residents. We consider this level of force to be **highly and unlawfully excessive** in relation to the concrete military targeting of Hamas.

Several documented **war crimes** have been conducted by the State of Israel in Gaza, including:

The use of [white phosphorus](#). The use of white phosphorus in Gaza, one of the most densely populated urban areas in the world, is a war crime¹.

Collective punishment. Israeli Defence Minister Yoav Gallant has stated on the siege of Gaza that “There will be no electricity, no food, no fuel, everything is closed.” Collective punishment is a [war crime](#),² as is the [starvation](#) of civilians. Lack of electricity compromises the ability of hospitals and medical facilities to provide treatment and care to injured civilians, including women and children.

Ethnic cleansing³. The Israeli government has ordered the mass displacement of 1.1 million Gazawi people from the north to the south of the Gaza Strip, and evacuating civilians have been targeted in areas [designated ‘safe’](#) by the Israeli army. [Israeli officials](#) have publicly called for a second ‘Nakba’, referring to the forced displacement of Palestinians during the Arab-Israeli war of 1948. Palestinians and [United Nations](#) human rights representatives have described this order as [ethnic cleansing](#).

Considering these elements, and the violent, inciting and dehumanising language being used publicly by prominent Israeli [officials](#), the current situation in Gaza has been described as a **genocide against the Palestinian people of Gaza** by [several publications](#) and, in particular, by **Jewish [advocacy groups](#)**⁴.

¹ It is prohibited in all circumstances under international humanitarian law (IHL) to use incendiary weapons against a civilian population, as per Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III to the 1980 Convention), https://casebook.icrc.org/a_to_z/glossary/incendiary-weapons.

² Under the 1949 Geneva Convention and subsequent Additional Protocols: GCIII Art. 87, API Art. 75.2.d, APII Art. 4.2.b.

³ Forceful population transfers constitute a crime against humanity under Article 7 of the Rome Statute of the International Criminal Court (ICC) of 1998. Israel has not signed nor ratified the Rome statute, however, the statute is considered to be binding as the ICC has opened an investigation into violations in Gaza, West Bank and Jerusalem in 2021.

⁴ Following the definition of genocide of the Convention on the Prevention and Punishment of the Crime of Genocide: “Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such (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.” Convention on the Prevention and Punishment of the Crime of Genocide, adopted 9 December 1948 by General

We call upon European and other authorities to demand an immediate ceasefire between Israel and the Gaza Strip. We further call upon all national and international authorities to **express their united support against the documented war crimes taking place in Gaza, in Israel and in the West Bank**, and their demand for a **just peace process**, including reparations for victims and victims' families, and **the end of illegal occupation**. No stable or peaceful society can be built without a foundation of justice, rights, and fair and equal treatment for all, and a ceasefire can only be the first step towards this goal.

We assert further that the current situation in Gaza, as well as escalating tensions and additional human rights abuses in East Jerusalem and the occupied West Bank, must be contextualised within the ongoing military occupation of the Palestinian territories by the state of Israel since 1967, the continuous violence and the human rights abuses against Palestinian communities, which are the root causes of the escalated violence and are described by international human rights organisations, including [Amnesty International](#) and [Human Rights Watch](#), as an **apartheid system**.

We expect that a process of investigation for all war crimes committed against *all* civilians will be concretely pursued by the UN and the International Criminal Court (ICC) with the active support of [third countries](#). We emphasise the conclusion of the International Court of Justice (ICJ) that the states have a duty to employ all means reasonably available to them to prevent genocide, including outside their own borders⁵. Further military support for the state of Israel is not coherent with the obligations of all the country signatories of the Rome Statute and the Geneva Conventions.

We beseech the international community to reflect on their commitment to the **responsibility to protect**. We, the signatories, stand in solidarity, **in utter and absolute condemnation** of the war crimes and crimes against humanity described above, as well as any further such acts, and genocide against **any community**. **We raise our voices** in line with our commitment to **the principle of “never again,”⁶ and in adherence to the rule of international law**.

Assembly resolution 260 A (III):

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-prevention-and-punishment-crime-genocide>

⁵ The International Court of Justice (ICJ) concluded that the obligation to prevent genocide contained in Article I of the Genocide Convention has an extraterritorial scope. As such, States that have the capacity to influence others have a duty to employ all means reasonably available to them to prevent genocide, including in relation to acts committed outside their own borders.

https://www.un.org/en/genocideprevention/documents/Genocide_Convention_FactSheet_ENG_2023.pdf

⁶ “Never again” is an expression used following the Holocaust against the Jewish and other minorities of Europe to describe global commitment to never again witness these horrors.

Signatories:

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