



Date: 27/11/2023

## **All states must not recognize or support illegality, and they are legally required to bring this illegality to an end**

Arab Organisation for Human Rights in the UK ([AOHR UK](#)) wrote to the heads of governments of several states, to remind them of the obligations these states have in international law arising out of Israel's violations of international law in its current use of force in the Gaza Strip.

The letters transmitted a detailed legal opinion commissioned by the international law expert Dr Ralph Wilde. The legal opinion, which can be found [here](#), explains what these legal obligations are. A summary of it is as follows:

Israel's current use of force in the Gaza Strip is part of a long-standing illegal use of force by that state in the territory which began in 1967. It is a violation of the use of force, an aggression, and the right of self-determination of the Palestinian people. In addition, the use of force in its current manifestation, supplementing the force-enabled siege with aerial bombardment and a land invasion, also involves breaches of the laws of war, a.k.a. international humanitarian law, including serious violations which constitute war crimes, and breaches of the prohibition of apartheid in particular and racial discrimination more generally. Some of these breaches are also a continuation, in more extreme form, of what happened prior to the current bombing and land incursion campaign. Also, a credible case is now being made by states, UN experts and human rights NGOs that crimes against humanity and genocide are being committed.

Israel is obliged to cease its illegal behaviour immediately: a ceasefire and withdrawal from, and complete termination of the force-enabled siege of, the Gaza Strip. Because fundamental international legal rules are being breached, third states (all other states apart from Israel and Palestine) have special legal obligations. They must not recognize as lawful, or provide any aid or assistance to, Israel's use of force in,



including its occupation of, the Gaza Strip. This means not affirming that Israel has a right to use this force, and ceasing support, including military support, to Israel for this purpose. They must also take positive steps to bring the illegal situation to an end, including calling for Israel to take the aforementioned actions.

The legal opinion explains how states can discharge their obligation to take these positive steps by bringing a case to the International Court of Justice under the Genocide Convention, and a communication to the UN Committee on the Elimination of Racial Discrimination; providing financial support to the International Criminal Court in its investigation of the situation in Palestine; and joining those states who have already supported the referral of that situation by the State of Palestine.

The letters have been sent to several states, including USA, UK, Germany, France, Belgium, Australia, Algeria, Egypt, Jordan, UAE, Canada, Spain, and Morocco. We call on these and all other states to comply with their obligations, and give serious consideration to taking the positive steps, outlined in the opinion. We call on everyone concerned about the current situation to send the [legal opinion](#) to their governments and press them to follow what is set out in it.

**Arab Organisation for Human Rights in the UK**