

lawyers for palestinian  
human rights



Foreign and Commonwealth Office  
King Charles Street  
London  
SW1A 2AH

VERY URGENT

Tuesday 23 December 2008

Dear Mr Miliband MP,

We have recently learnt that Israel intends to begin a 'public relations campaign with the intention of widening a basis for international support of a military offensive on the Gaza Strip' (*"Israel kicks off global PR campaign to recruit support for Gaza raids"*, Haaretz<sup>1</sup>). According to the news reports, this 'diplomatic effort' would be focussed on members of the United Nations Security Council and European states, with Israel arguing that it needs to do "everything within its power to protect its citizens" and that the "level of violence" exhibited by Hamas in the Gaza Strip is "unacceptable". Presumably this will be in an attempt to seek approval for the use of armed force in the Gaza Strip.

We are writing to you at this point to ask HM Government to confirm that it will respond robustly to this diplomatic effort in accordance with international humanitarian law, taking into account the obligations of third parties and the fundamental requirements of proportionality and distinctions.

You will be aware of the background situation in the Gaza Strip, where the civilian population are currently suffering the utmost deprivations of basic human necessities caused by Israel's decision to impose sanctions on the population. This is of the utmost concern.

However, we are further extremely concerned about the additional proposal to launch a military attack in the Gaza Strip. Because of the situation that prevails in the Gaza strip including the very highest population density, any military attack carried out by Israel in the Gaza Strip would be neither proportional to the military objective, nor could it comply with the requirement to distinguish between combatants and civilians. We would urge that the government use all methods available to persuade Israel to desist and instead seek a peaceful solution such as a negotiated ceasefire.

While rockets fired from the Gaza Strip cause great distress to the Israeli civilian population and have the potential to cause loss of life or serious injury, a military incursion into the Gaza Strip could at most disrupt the firing of these rockets for a temporary period. Against this, the loss of life would be likely to be massive. A negotiated ceasefire would be a more effective and proportionate solution.

We have noted UNSC meeting SC/8865, where Karen Pierce of the United Kingdom stated that any exercise of the right of self-defence by Israel *must* be "proportional and mindful of civilian life." At that meeting more than forty speakers called for a halt to Israeli military operations in Gaza and "expressed grave concern at the mounting humanitarian toll". Many speakers also called for "an immediate ceasefire and the deployment of the United Nations observers." Again at the SC meeting SC/8865, the Assistant-General for Political Affairs Angela Kane noted, "men, women and children, who posed no threat, were killed as they slept in their home".

We are fearful that any incursion by Israel will result in the same suffering and loss of civilian life as occurred in Israel's 2006 attack on Gaza. This fear for future civilian casualties is underlined by Ms

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<sup>1</sup> <http://www.haaretz.com/hasen/spages/1048606.html>

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Kane's comments that "this is not the first time that an Israeli military operation had resulted in a high number of civilian casualties".

We would add finally that Israel's current policy regarding the Gaza Strip is – in the words of UN Special Rapporteur on human rights in the Palestinian Territories - to allow "only barely enough food and fuel to enter [Gaza] to stave off mass famine and disease".<sup>2</sup> Israel's oppressive control of the Gaza Strip has resulted in what international observers are called an unprecedented humanitarian disaster.

In light of these points, we respectfully ask HM Government to:

1. Inform us of its position and response to Israel's public relations campaign to recruit international support for a military attack on the Gaza Strip;
2. Fully consider the points raised in this letter when responding to Israel;
3. Take active steps to oppose Israel's attempt to recruit international support for raids on Gaza; and
4. Urge the Israeli government to cease the collective punishments against the civilian population in the Gaza Strip and to immediately comply with international human rights and humanitarian law.

We look forward to hearing from you as a matter of urgency.

Yours sincerely,

Daniel Machover  
**Lawyers for Palestinian Human Rights**

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<sup>2</sup> [http://news.bbc.co.uk/1/hi/world/middle\\_east/7774988.stm](http://news.bbc.co.uk/1/hi/world/middle_east/7774988.stm)