

Open Letter to the States Parties to the Arms Trade Treaty on the Need to Impose a Comprehensive Two-Way Arms Embargo on Israel

We, the undersigned global coalition of leaders –from civil society to academia, art, media, business, politics, indigenous and faith communities, and people of conscience around the world– call upon the States Parties to the Arms Trade Treaty (ATT) to act decisively to put an end to Israel’s notorious use of arms and military equipment for the commission of serious violations of international humanitarian law and human rights against Palestinian civilians by immediately imposing a comprehensive two-way arms embargo on Israel.

In the spring of 2021, the world once again watched in horror as Israeli occupying forces attacked defenceless Palestinian civilians in the Gaza Strip, in the West Bank, including East Jerusalem, and inside Israel. Palestinian civilians peacefully protesting against colonisation of their land were assaulted with live fire, rubber-coated steel bullets, sound bombs, tear gas and skunk water. Israel’s deadly military aggression against the Palestinian civilian population in the Gaza Strip was the fourth in a decade. Over 11 days, 248 Palestinians were killed, including 66 children. Thousands were wounded, and the reverberating effects of the use of explosive weapons on hospitals, schools, food security, water, electricity and shelter continue to affect millions.

This systematic brutality, perpetrated throughout the past seven decades of Israel’s colonialism, apartheid, pro-longed illegal belligerent occupation, persecution, and closure, is only possible because of the complicity of some governments and corporations around the world.

Symbolic statements of condemnation alone will not put an end to this suffering. In accordance with the relevant rules of the ATT, States Parties have legal obligations to put an end to irresponsible and often complicit trade of conventional arms that undermines international peace and security, facilitates commission of egregious crimes, and threatens the international legal order.

Under Article 6(3) of the ATT, States Parties undertook not to authorise any transfer of conventional arms if they have knowledge at the time of authorisation that arms or items would be used in the commission of genocide, crimes against humanity, grave breaches of the Geneva conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which they are a Party.

Under Articles 7 and 11, they undertook not to authorise any export of conventional arms, munitions, parts and components that would, *inter alia*, undermine peace and security or be used to commit serious violations of international humanitarian law and human rights law.

It is clear that arms exports to Israel are inconsistent with these obligations. Invariably, Israel has shown that it uses arms to commit war crimes and crimes against humanity, as documented by countless United Nations bodies and civil society organisations worldwide. Military exports to Israel also clearly enabled, facilitated and maintained Israel’s decades-long settler-colonial and apartheid regime imposed over the Palestinian people as a whole.

Similarly, arms imports from Israel are wholly inconsistent with obligations under the ATT. Israeli military and industry sources openly boast that their weapons and technologies are “combat proven” – in other words, field-tested on Palestinian civilians “human test subjects”. When States import Israeli arms, they are encouraging it to keep bombing Palestinian civilians and persist in its unlawful practices. No one –neither Israel, nor arms manufacturers in ATT States parties– should be allowed to profit from the killing or maiming of Palestinian civilians.

It is thus abundantly clear that imposing a two-way arms embargo on Israel is both a legal and a moral obligation. ATT States Parties must immediately terminate any current, and prohibit any future transfers of conventional arms, munitions, parts and components referred to in Article 2(1), Article 3 or Article 4 of the ATT to Israel, until it ends its illegal belligerent occupation of the occupied Palestinian territory and complies fully with its obligations under international law. Pending such an embargo, all States must immediately suspend all transfers of military equipment, assistance and munitions to Israel.

A failure to take these actions entails a heavy responsibility for the grave suffering of civilians – more deaths, more suffering, as thousands of Palestinian men, women and children continue to bear the brutality of a colonial belligerent occupying force– which would result in discrediting the ATT itself. It also renders States parties complicit in internationally wrongful acts through the aiding or abetting of international crimes. A failure in taking action could also result in invoking the individual criminal responsibility of individuals of these States for aiding and abetting the commission of war crimes and crimes against humanity in accordance with Article 25(3)(c) of the Rome Statute of the International Criminal Court.

Justice will remain elusive so long as Israel’s unlawful occupation, settler-colonialism, apartheid regime, and persecution and institutionalised oppression of the Palestinian people are allowed to continue, and so long as States continue to be complicit in the occupying Power’s crimes by trading weapons with it.

In conclusion, we believe that the ATT can make a difference in the Palestinian civilians’ lives. It has the potential, if implemented in good faith, to spare countless protected persons from suffering. If our call to stop leaving the Palestinian people behind when it comes to implementation of the ATT is ignored, the *raison d’être* of the ATT will be shattered.

Joining organisations:

1. Action Sécurité Ethique Républicaines
2. Adalah Justice Project
3. Addameer Prisoner Support and Human Rights Association
4. AFPS 63
5. Al Mezan Center for Human Rights
6. Aldameer Association for Human Rights
7. Al-Haq, Law in the Service of Man
8. Alrowwad Cultural and Arts Society
9. American Muslims for Palestine

10. Anglican Pacifist Fellowship
11. Applied Research Institute - Jerusalem (ARIJ)
12. Arab Canadian Lawyers Association
13. Arab Organization for Human Rights
14. Argenteuil Solidarité Palestine
15. Asociación Americana de Juristas
16. Association Belgo-Palestinienne WB
17. Association femmes plurielles
18. Association France Palestine Solidarité (AFPS)
19. AssoPacePalestina
20. Australia Palestine Advocacy Network
21. Australian Centre for International Justice
22. Australians For Palestine
23. Badayl
24. BDS Australia
25. Begian Campaign for Academic and Cultural Boycott of Israel
26. Campagne BDS France
27. Canadian BDS Coalition
28. Canadians for Justice and Peace in the Middle East (CJPME)
29. Center for Constitutional Rights
30. Center for International Policy
31. Centro Interdisciplinario de Estudios Estratégicos para la Seguridad y el Desarrollo Social CIESED A.C.
32. CNAPD - Coordination Nationale d'Action pour la Paix et la Démocratie
33. Coalition for Justice and Peace in Palestine
34. Collectif 69 de Soutien au Peuple Palestinien
35. Collectif BDS 57
36. Collectif Judéo Arabe et Citoyen pour la Palestine
37. Colombian Campaign to Ban Landmines
38. Columban missionaries Britain
39. Columbia Law Students for Palestine
40. Combatants for Peace
41. Comitato BDS Campania
42. Comité de Solidaridad con la Causa Árabe
43. Comité pour une Paix Juste au Proche-Orient asbl
44. Community Action Center - Al-Quds University
45. Confederación Intersindical Gallega (CIG)
46. Cultura è Libertà, una campagna per la Palestina
47. Dagropass
48. De Palestijnse gemeenschap in Nederland
49. Defense for Children -Palestine (DCI-Palestine)
50. Democracy for the Arab World Now (DAWN)
51. docP - BDS Netherlands
52. Egyptian Initiative for Personal Rights

53. European Coordination of Committees and Associations for Palestine (ECCP)
54. European Legal Support Center
55. Femmes Unies pour la Paix dans la région des Grands Lacs
56. FILEF Sydney Federation of Italian Migrant Workers
57. Finnish-Arab Friendship Society
58. Friends of Palestine Tasmania Inc
59. Gaza Action Ireland
60. Gesellschaft Schweiz Palästina GSP/ASP
61. Global Kairos Asia Pacific Solidarity For Palestine (GKAPS)
62. Good Shepherd Collective
63. Housing and Land Rights Network
64. Human Rights and Democratic Participation Center "SHAMS"
65. Human Rights Network Nigeria
66. ICAHD Finland
67. ICAHD UK
68. Independent Jewish Voices Canada
69. Indian Writers Forum
70. Indo Palestine Solidarity Forum
71. International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD)
72. International Women's Rights Action Watch Asia Pacific
73. Ireland-Palestine Solidarity Campaign
74. Jewish Voice For Peace
75. Jews for Palestinian Right of Return
76. Just Peace Advocates/Mouvement Pour Une Paix Juste
77. Karapatan
78. Kenya Human Rights Commission
79. Labor for Palestine
80. Manushya Foundation
81. National Association of Democratic Lawyers (South Africa)
82. National Justice & Peace Network (NJPN)
83. National Lawyers Guild, Palestine Subcommittee
84. Nederlands Palestina Komitee
85. Newweapons research group
86. Niagara Movement for Justice in Palestine-Israel (NMJPI)
87. North Notts Unite Community
88. NOVACT
89. Oakville Palestinian Rights Association
90. Palestine Solidarity Network - Edmonton
91. Palestinian and Jewish Unity
92. Palestinian Centre for Human Rights (PCHR)
93. Palestinian Grassroots Anti-Apartheid Wall Campaign (Stop the Wall)
94. Palestinian Non-Governmental Organizations Network (PNGO)
95. Pax Christi International

96. Pax Christi, England and Wales
97. Paz con Dignidad
98. Platform of French NGOs for Palestine
99. Salaam ragazzi dell'Olivo, comitato di Trieste
100. Samidoun Palestinian Prisoner Solidarity Network
101. SODEPAZ
102. Solutions Not Punishment Collaborative
103. The Civic Coalition for Palestinians Right in Jérusalem
104. The Israeli Committee Against House Demolitions (ICAHD)
105. The Jerusalem Legal Aid and Human Rights Center (JLAC)
106. The National Association of Human Rights Defenders
107. The Oakville Palestinian Rights Association
108. The Palestinian Human Rights Organizations Council (PHROC)
109. The Palestinian Initiative for the Promotion of Global Dialogue and Democracy-MIFTAH
110. UJFP French Jewish union for peace
111. Union syndicale Solidaires
112. US Campaign for Palestinian Rights
113. US Campaign for the Academic and Cultural Boycott of Israel
114. Visualizing Palestine
115. Vrede vzw
116. Vredesactie
117. War on Want
118. Women for Palestine
119. Women in Black Vienna
120. Women's Centre for Legal Aid and Counselling

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243. YVes Goer
244. Yves Jardin