

# **WOLAS Condemns the Israeli Attacks on Gaza, Emphasising Palestinian Right to Resist Against Israeli Colonial Practices**

As the Worldwide Lawyers Association (WOLAS), we are profoundly troubled by the ongoing severe military attacks on Gaza by the Israeli forces, which have resulted in hundreds of deaths and the displacement of hundreds<sup>1</sup> of thousands of Palestinians. We wish to emphasise that the Palestinian people, acknowledged as subjects of international law, hold an undeniable right to resist in their pursuit of self-determination within the specific context of the Palestinian cause.<sup>2</sup> Their resistance, especially when confronting overt illegal actions, is consistent with the principles laid out in the UN Charter, particularly Article 51. The present situation illustrates the imbalanced dynamics faced by subjugated peoples and the noticeable absence of political will to address their grievances. WOLAS wishes to highlight that: Palestinian resistance does not contradict the general prohibition on the use of force, as this prohibition is typically not applicable to 'people' in the same manner as states. Resistance is a form of collective self-defence and is not in conflict with International Humanitarian Law. WOLAS observes that, while Israel is duty-bound not to suppress, persecute or target such legitimate Palestinian resistance, it currently cites self-defence against legitimate Palestinian resistance to justify actions that stand in stark violation of International Law.

The grounds of the Palestinian people's legitimate right to resist is Israel's politics of settler-colonial apartheid conducted through regular killings, settlement expansion, home destruction, land expropriation, state-backed impunity, and mass detentions/arrestment. Since what entitles Palestinians to resist is these practices of Israel, using the argument of self-defence against Palestinians's acts of resistance is paradoxical and tautological. To resist Israeli domination and occupation is an undeniable right of Palestinian people that cannot be diminished nor negated by the resistance they undertake.

Palestinians in Gaza are living in a highly populated area under complete siege since 2005 and currently deprived of any fundamental human needs including electricity and water. In the name of self-defence Israel has been collectively punishing millions of Palestinian people in Gaza and Israeli attacks have, according to the latest UN figures (11.10.2023), killed over 830 Palestinians and injured 4,250, with more than 260,000 Palestinians displaced since the conflict began on 7 October 2023.<sup>3</sup> As stated by international media and confirmed by our monitoring team, the Israeli bombing of the Rafah land crossing led many humanitarian aid trucks to retreat from the Egyptian border with Gaza. By obstructing Palestinians' exit routes from Gaza, Israel is effectively ensuring those Palestinians must

remain in Gaza at high risk of being killed by Israel, amounting to a genocide against the Palestinian people of Gaza. Beyond the abdication of legal and humanitarian responsibilities, Israel acts in utter disregard for Palestinian people under siege.

In conclusion, Israeli attacks and the continued practice of Israeli apartheid flagrantly transgresses multiple international laws and UN resolutions. As WOLAS, we urge the international community to demand adherence to the fundamental principles of international law, protection of human rights, respect for civilian persons in conflict, and recognition of the right to self-determination<sup>4</sup> of Palestinian people under Israeli occupation. We are deeply distressed to see that instead of a discussion of ensuring humanitarian aid reaches people affected, the international community concerns itself with reviewing/suspending aid, thereby partaking in Israel's practice of collective punishment. In order to ensure that Palestinian people are able to live in freedom, peace and safety, we urge the international community to take necessary actions and support an independent investigation and legal accountability for serious violations of international law.

<sup>1</sup> Non-UN news reports declare the death toll to be over 1000 as of 11.10.2023.

<sup>2</sup> As per the UN Declaration on the Granting of Independence to Colonial Countries and People, the Declaration on the Principles of Friendly Relations, the First Protocol Additional to the Geneva Conventions (1977), etc. We seek to show an awareness of how the concept of self-determination can be exploited and has been by imperialist powers as we have seen in Crimea, Luhansk, and Donetsk.

<sup>3</sup> <https://news.un.org/en/story/2023/10/1142177>

<sup>4</sup> Refer to footnote 2.