

My name is Dr. Shahed Hammouri and I am a lecturer in international law at the University of Kent. I am an expert in international law and war economies as well as a non-resident fellow at Al-Haq for applied international law and the coordinator of the informal working group on arms accountability in the context of Palestine and Israel. Before I start, I have to stress the heaviness of the context of which we speak as we oversee at the moment an unprecedented number of death and suffering in the Gaza Strip. This is an overwhelming situation where it's hard to discuss and talk in abstract terms and it is important to remind ourselves of the heavy human toll of the words of which we utter today and in general.

The context of the current assault on Gaza is quite obvious, as has been described by different state members at the International Court of Justice in this past week. The context of the Israeli occupation of Palestine constitutes a marinade of a series of grave illegalities, which include a violation of the prohibition against aggression, a violation of the prohibition against apartheid, and a violation of the Palestinian people's right of self-determination alongside systematic violations of international humanitarian law as well as human rights law. It can be safely said that the context of the Israeli occupation of Palestine is that of a systematic illegality that stretches far. More so, we are currently overlooking an ongoing genocide against the people in Gaza and the International Court of Justice has already sounded the red alarm for the enactment of the Genocide Convention.

Evidence of the gravity of the situation can be exemplified in what happened last week where evidence that the US made M380AI high-explosive anti-tank shells and fragments of which were used to bomb an ambulance that had requested permission to enter a safe area. Inside the ambulance was the six-year-old Hind and her family. As we can see, states have not stopped their trade with Israel despite the very obvious evidence of ongoing grave illegalities and violations that fall under Article 7 and 6 of the Arms Trade Treaty and ought to be taken into consideration with the licensing of weapons. Furthermore, these illegalities at hand are so grave that they can be said to be a threat to international peace and security. The eruptions of other conflicts in the area that were triggered by grievance that was facilitated by the ongoing assault on Gaza include eruptions of violence in Lebanon, Yemen and Jordan.

It can be safely said that the grave illegalities by Israel constitute a grave threat to international peace and security against the basic tenets of the UN Charter. And if I may remind you of a very similar case where the status quo of the international order had created a state of exceptionalism that accepted illegalities, distorted the truth and sought to accept or negotiate the subhuman condition of some people was the case of apartheid South Africa. And if I may remind the room that at that time the UN Security Council in resolution 418 of 1977 stressed the deterring effect of an arms embargo,

stating, and I quote, the acquisition by South Africa of arms and related materials constitutes a threat to the maintenance of international peace and security.

In our decision making in relation to trade of arms with Israel, this needs to be clear. The stopping arms with Israel, arm trade with Israel now is a very important tenant of ensuring the protection of a subjugated population that has lived under systematic forms of domination and subjugation for the past 75 years and is currently subjugated to one of the cruelest forms of human suffering. So the state of Israeli exceptionalism that has been carved into international law is facilitated by the interests of states that are currently present in this room that I address. It is important to also note that one of the biggest problems that we are currently facing is the lack of transparency by state members in violation of Article 7.

We have noted this in relation to state party members of Spain, Australia, Italy, Canada, the US and France. We have evidence that the states of Belgium, Canada, Australia and the US have [2.3s] allowed licenses of their transport of weapons even in the current escalation of hostilities. We also have suspicions in relation to the states of Italy, Spain and Norway. And I forgot to mention as well as the state of India that has also supplied weapons to the state of Israel. The supply of weapons to the state of Israel is in violation of the state's duties of non-recognition cooperation and could constitute complicity in genocide as well as the failure of the duty to prevent. The illegalities here are quite strong and they speak for themselves.

Upholding a state of Israeli exceptionalism only puts the legitimacy of the system as a whole into question. If the system is incapable of seeing atrocity in the eye, there's a question of why the system is in place anyway. The Global South now is looking closely to ask this question of legitimacy. The political order that has facilitated this exceptionalism is now changing. And the status quo needs to change not just because of a change in politics, but because of the overwhelming need for justice, reparations and the recognition of the humanity of the people in Palestine. Thank you for listening.