

Letter from the legal community on permanent ceasefire in Gaza

December 2023

We, the undersigned, are members of the legal community and include lawyers, King's Counsel, academics, legal advisors, and legal researchers. Among us are those with knowledge and experience in international humanitarian law, and/or international human rights law, and/or domestic human rights law.

We are profoundly concerned that Israel's bombardment on Gaza has involved, and continues to involve, breaches of international humanitarian law. We accept that care must be taken to verify reports and that caution needs to be exercised when drawing conclusions involving legal considerations as well as legal implications. However, there is little doubt now that there are breaches occurring on a daily basis. Credible organisations such as Human Rights Watch have [documented](#) the use of white phosphorus in a manner prohibited by international humanitarian law. [Reputable voices](#) have observed likely contraventions of international humanitarian principles of distinction, precaution, and proportionality. [Considered observers](#) have noted that acts of genocide may be unfolding, including collective punishment of the people of Gaza.

We urge New Zealand's political leaders to clearly and unequivocally speak out for an immediate and permanent ceasefire in Gaza and denounce the likely breaches of international humanitarian law, and international human rights law. A permanent ceasefire in Gaza is warranted, including to ensure that international law is upheld. To fail to do so is to degrade the body of international law itself.

The bombardments do not represent the first breach of international humanitarian law in the Israel-Palestine conflict, and nothing in what we have said should be taken to detract from that wider context – or to diminish the tragic loss of life in and following the Hamas attacks on 7 October, which represented a violation of international law.

As members of the international legal community, it is incumbent upon New Zealand and New Zealanders to uphold international law where violations occur or those violations are imminent.

We call for respect for international humanitarian law and international law, for leaders to do more to uphold that body of law, and for a permanent ceasefire to be implemented.

While this letter was being finalised the Government put forward a motion in Parliament on 7 December calling for steps towards a ceasefire; we remain of the view that a permanent immediate ceasefire is necessary and that the New Zealand government should call for such a ceasefire and take active steps in the international community, consistent with its tradition, to advocate for the upholding of international humanitarian law.