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Jay Alan Sekulow – Chief Counsel
European Centre for Law and Justice (ECLJ)



Dear Jay Alan Sekulow and Senior Counsels,

I refer to your letter of 5 February addressed to the Foreign Secretary about the situation in Israel and the Occupied Palestinian Territories, in particular about the recognition of a Palestinian State by the UK. The FCDO Correspondence Team has been asked to respond and we apologise for the delay in our reply.

The Government is clear that it wants to see the creation of a sovereign, independent and viable Palestine - living in peace and security, side by side with Israel. Gaza is Occupied Palestinian Territory and will be part of a future Palestine. We support a two-state solution that guarantees security and stability for both the Israeli and Palestinian people, based on the 1967 border, with mutually agreed land swaps. The Palestinian Authority has an important long-term role to play. We must work with our allies to provide serious, practical and enduring support needed to bolster the Palestinian Authority. We already provide technical and practical support and are ready to do more. But the Palestinian Authority also must take much needed steps on reform, including setting out a pathway to democratic progress.

As the Foreign Secretary has said, we must give the people of the West Bank and Gaza the political perspective of a credible and irreversible route to a sovereign Palestinian state and a new future. This is not entirely in our gift. But Britain and our partners can help by confirming our commitment to a sovereign, viable Palestinian state, and our vision for its composition. We must state our clear intention to grant it recognition, including at the United Nations; that cannot come at the start of the process, but not at the end of the process.

I feel it may also help if I set our policy towards Israel and the Occupied Palestinian Territories, which will give the above some context. Israel suffered the worst terror attack in its history at the hands of Hamas and Palestinian civilians are facing a devastating and growing humanitarian catastrophe in Gaza. We want to see an immediate end to the fighting in Gaza to get aid in and hostages out, then progress towards a sustainable, permanent ceasefire, without a return to destruction, fighting

and loss of life. On 25 March, the international community took a significant step towards achieving that. We welcome United Nations Security Council resolution 2728, which reflected widespread international support for Britain's position and considerable efforts by our diplomats to secure a consensus.

All parties must act within International Humanitarian Law (IHL), which is why we continue to call for IHL to be respected and civilians to be protected. A shocking number of civilians have been killed and we want to see Israel protecting civilians and their property. Israel is the occupying power in Gaza, it is responsible and that has consequences, including when we look at if Israel is compliant with IHL, which is why we keep advice on Israel's adherence to IHL under review. We continue to have grave concerns around humanitarian relief in Gaza but have also seen a welcome public commitment from Israel to 'flood' Gaza with aid – this must be turned into a reality. This is not happening. We need an immediate stop in fighting to allow humanitarian actors and Palestinians in Gaza to operate and move safely and enable all hostages to be released. We have set out very clearly five steps that Israel needs to take, including: An immediate stop in fighting to get more aid in and the hostages out; increased capacity inside Gaza to fully enable the UN's operating requirements; increased access for aid through land routes and to fully open Ashdod Port; an expansion of the types of aid allowed into Gaza; and, the provision of electricity, water and telecommunications, to both the north and the south of Gaza.

Palestinians are facing a devastating and growing humanitarian catastrophe. The UK is playing a key role in alleviating that suffering. For example, we trebled our aid commitment this financial year and we are doing everything we can to get more aid in as quickly as possible by land, sea and air. On 25 March, the Royal Air Force airdropped 10 tonnes of food aid – including water, rice and baby food – directly to civilians in Gaza. 150 further tonnes of UK aid arrived in Gaza on 13 March, including 840 family tents, 13,440 blankets, almost 3,000 shelter kits, and shelter-fixing kits, 6,000 sleeping mats and more than 3,000 dignity kits. A field hospital, provided by UK Aid funding to UK-Med, has arrived in Gaza. This facility, staffed by UK and local medics, is treating over 100 patients a day, ensuring those with health issues have access to vital aid. The Foreign Secretary's Representative for Humanitarian Affairs in the Occupied Palestinian Territories, Mark Bryson-Richardson, is also working intensively to address the blockages preventing more aid reaching Gaza.

The recent news that three British Nationals were amongst the aid workers killed in an airstrike on World Central Kitchen's humanitarian efforts in Gaza was shocking and unacceptable. We are providing support for their families and the Foreign Secretary has spoken with his Israeli counterpart to underline that the deaths of these aid workers is completely unacceptable. Israel must provide a full, transparent explanation of what happened and make major changes to ensure the safety of aid workers on the ground.

As the Prime Minister and the Foreign Secretary have both said, we have grave and serious concerns about the prospect of a military offensive in Rafah where over half

of Gaza's population are sheltering in the area, and the Rafah crossing is vital to ensure aid can reach the people who so desperately need it. We urge Israel to stop and think very seriously before it takes any further action, as it will have dire humanitarian consequences.

Five vital elements are required for a lasting peace: the release of all hostages; the formation of a new Palestinian Government for the West Bank and Gaza, accompanied by an international support package; removing Hamas's capacity to launch attacks against Israel; Hamas no longer being in charge of Gaza; and a political horizon which provides a credible and irreversible pathway towards a two-state solution, of Israel and Palestine living in peace and security.

The Prime Minister, Foreign Secretary and Lord Ahmad, Minister of State for the Middle East have reiterated these messages in contacts with Prime Minister Netanyahu and other senior Israeli political leaders, including during the Foreign Secretary's visit on 17 April, as well as leaders in Qatar, Jordan, Oman, Saudi Arabia, Lebanon, Egypt and UAE in recent weeks. Throughout these discussions, the immediate priority must be a stop in the fighting, which is the best route to secure the safe release of hostages and significantly step up the aid reaching Gaza. We want to see this cessation lead to a sustainable ceasefire without a return to further fighting and that remains the primary focus of all our diplomatic efforts.

Yours sincerely,

Foreign, Commonwealth and Development Office