

THE MIDDLE EAST NETWORK

STATEMENT ON DENMARK'S POLICY POSITIONS TOWARDS THE ONGOING WAR IN GAZA AND THE OCCUPATION OF THE WEST BANK

WE ARE A GROUP OF DANISH NATIONALS WHO HAVE IN COMMON THAT WE HAVE ALL TRAVELLED, LIVED AND/OR WORKED IN THE MIDDLE EAST FOR A NUMBER OF YEARS, AND WHO ARE THEREFORE DEEPLY AFFECTED BY THE CURRENT SITUATION IN THE REGION. BASED ON OUR DIVERSE PROFESSIONAL AND INSTITUTIONAL EXPERIENCES FROM THE REGION, WE HEREBY SUBMIT TO THE DANISH MINISTER FOR FOREIGN AFFAIRS AND PARLIAMENT'S FOREIGN AFFAIRS COMMITTEE OUR SUGGESTIONS AS TO HOW DENMARK'S POLICY TOWARDS THE ONGOING WAR IN GAZA AND THE OCCUPATION OF THE WEST BANK CAN BE BROUGHT TO ALIGN MORE CLEARLY WITH OUR OBLIGATIONS UNDER INTERNATIONAL LAW AS A UN MEMBER STATE AND AS A SOON-TO-BE MEMBER OF THE UN SECURITY COUNCIL (2025-2026).

CONTEXT

THE ONGOING ISRAELI OFFENSIVE IN GAZA HAS POLARIZED THE DEBATE MORE THAN ANY OTHER FOREIGN POLICY ISSUE IN RECENT TIMES. THE LINES HAVE BEEN DRAWN HARD BETWEEN THOSE WHO, BASED ON ISRAEL'S 'RIGHT TO EXIST', SYMPATHISE WITH ISRAEL AND CONSIDER THE GAZA WAR TO BE JUSTIFIED AS 'SELF-DEFENCE', AND THOSE WHO, BASED ON THE PALESTINIANS' "RIGHT TO A HOMELAND", ARE CRITICAL OF ISRAEL'S NEGLECT OF ITS INTERNATIONAL OBLIGATIONS AS AN OCCUPYING POWER AND THE BRUTAL WARFARE IN GAZA SINCE OCTOBER 2023.

THIS POLARIZATION HAS OFTEN GONE SO FAR AS TO MAKE PEOPLE FORGET OR IGNORE THE HISTORICAL CONTEXT, NOT LEAST THAT THE WARRING PARTIES HAVE EACH LIVED THROUGH THEIR OWN CATASTROPHIC COLLECTIVE TRAUMA - THE HOLOCAUST FOR THE JEWS AND THE NAKBA FOR THE PALESTINIANS - WHICH SHOULD BE UNEQUIVOCALLY ACKNOWLEDGED, RESPECTED AND COMMEMORATED, BUT WHICH DOES NOT IN ANY WAY EXEMPT THEM IN THE PRESENT FROM THE INTERNATIONAL COMMUNITY'S WELL-ESTABLISHED LEGAL ORDER AND GROUND RULES. HAMAS' MONSTROUS ATTACK ON 7 OCTOBER MUST ALSO NECESSARILY BE SEEN IN A HISTORICAL CONTEXT - AS THE LATEST CHAPTER IN A 75-YEAR NIGHTMARE OF DISPLACEMENT, OCCUPATION AND FRUSTRATED EFFORTS TO FIND AN ACCEPTABLE PEACE SOLUTION THAT ALLOWS BOTH PALESTINIANS AND ISRAELIS TO - FINALLY - LIVE SIDE BY SIDE IN SAFETY AND SECURITY.

AT THE SAME TIME, BOTH HAMAS' ATTACK AND ISRAEL'S OFFENSIVE ARE MANIFESTATIONS OF THE HORRENDOUS PRICE WHICH BOTH PALESTINIANS AND ISRAELIS END UP PAYING WHEN BASIC HUMAN RIGHTS AND RULES OF WARFARE ARE DISREGARDED, WHILE THE INTERNATIONAL COMMUNITY, INCL. DENMARK, IS DEEPLY DIVIDED.

HOWEVER, THE ISRAEL/PALESTINE CONFLICT ALSO HAS A GLOBAL SECURITY PERSPECTIVE FOR A SMALL STATE LIKE DENMARK WHICH, IF WE IGNORE IT, WILL EXPOSE US TO SERIOUS RISKS IN THE LONGER TERM.

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FOR DECADES, IT HAS BEEN A CORNERSTONE OF DANISH FOREIGN POLICY THAT SMALL STATES ACHIEVE THE GREATEST DEGREE OF PROTECTION IN A WELL-DEFINED INTERNATIONAL LEGAL ORDER. THE BETTER SUCH A LEGAL ORDER FUNCTIONS, THE SAFER THE WORLD'S SMALL STATES, INCL. DENMARK, WILL BE. THE SAME BASIC PRINCIPLE APPLIES TO THE CURRENT CONFLICT IN THE MIDDLE EAST - A JUST AND LASTING SOLUTION CAN ONLY BE FOUND WITHIN THE FRAMEWORK OF EXISTING INTERNATIONAL LEGAL PRINCIPLES AND CONVENTIONS. THERE ARE NO VIABLE AND REALISTIC ALTERNATIVES OUTSIDE THE FRAMEWORK OF THE UNITED NATIONS AND THE INTERNATIONAL COMMUNITY'S EXISTING LEGAL INSTITUTIONS.

AGAINST THIS BACKGROUND, WE FEEL OBLIGED TO STATE THE FOLLOWING:

WE WATCH WITH SADNESS

- THAT ON 7 OCTOBER 2023, MORE THAN 1,000 ISRAELI CIVILIANS WERE KILLED WHILE SEVERAL HUNDREDS OF ISRAELIS WERE TAKEN HOSTAGE IN GAZA IN THE LARGEST SINGLE ATTACK ON JEWS SINCE WORLD WAR II. AN ATTACK CARRIED OUT BY HAMAS AND OTHER ARMED PALESTINIAN MILITIAS THAT WAS A FLAGRANT VIOLATION OF INTERNATIONAL LAW.
- THAT ISRAEL'S INEVITABLE RESPONSE TO THE ATTACK HAS BEEN ENTIRELY DISPROPORTIONATE AND OF SUCH CHARACTER AND SEVERITY THAT IT HAS GIVEN RISE TO CREDIBLE ALLEGATIONS AGAINST ISRAEL AT THE UN INTERNATIONAL COURT OF JUSTICE FOR WAR CRIMES AND POSSIBLY GENOCIDE.
- THAT HAMAS' ATTACK TOOK PLACE AGAINST THE BACKDROP OF ISRAEL'S 15-YEAR BLOCKADE OF THE GAZA STRIP THAT HAS SEVERELY HAMPERED THE TERRITORY'S ECONOMIC DEVELOPMENT AND MADE MORE THAN 80% OF GAZA'S POPULATION WHOLLY OR PARTIALLY DEPENDENT ON HUMANITARIAN AID.
- THAT THE ATTACK ALSO TOOK PLACE AGAINST A BACKDROP OF CONTINUOUS EXPANSIONS OF ILLEGAL ISRAELI SETTLEMENTS IN THE WEST BANK, CONFISCATION OF PALESTINIAN AGRICULTURAL LAND, DESTRUCTION OF OLIVE TREES, RESTRICTIONS ON PALESTINIANS' ACCESS TO WATER AND LIMITATIONS ON THEIR FREEDOM OF MOVEMENT BETWEEN PALESTINIAN CITIES IN THE WEST BANK. ALL THESE ACTIONS COMBINED UNDERMINE THE PREREQUISITES FOR THE ESTABLISHMENT OF A PALESTINIAN STATE AND HAVE LED TO A SITUATION WHERE, ACCORDING TO SEVERAL OFFICIAL UN REPORTS, ISRAEL OBJECTIVELY MEETS THE CONDITIONS FOR BEING CHARACTERISED AS AN APARTHEID STATE.
- THAT THESE ACTIONS ALSO CONSTITUTE SYSTEMATIC VIOLATIONS OF HUMAN RIGHTS AND ARE BEING CARRIED OUT IN VIOLATION OF UN CONVENTIONS AND RESOLUTIONS - WITHOUT THE INTERNATIONAL COMMUNITY BEING ABLE TO INTERVENE EFFECTIVELY.

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WE WANT TO REMIND

- THAT THE UN HUMAN RIGHTS CONVENTIONS AND THE GENEVA CONVENTION'S INTERNATIONAL HUMANITARIAN LAW WERE DEVELOPED AFTER WORLD WAR II, NOT LEAST IN RESPONSE TO THAT WAR'S SYSTEMATIC PERSECUTION AND EXTERMINATION OF RELIGIOUS (INCL. JEWISH) MINORITIES.

WE DEEPLY REGRET

THE ALL TOO OBVIOUS CONSEQUENCES OF THE RECURRING DISREGARD OF THESE CONVENTIONS BY THE ISRAELI GOVERNMENT AND PALESTINIAN ARMED GROUPS – NOT LEAST:

- THAT ISRAELI CIVILIANS HAVE BEEN KILLED OR MAIMED BY HAMAS AND OTHER ARMED GROUPS IN THE 7 OCTOBER ATTACK AND THROUGH REPEATED BOMBARDMENTS FROM GAZA OF NUMEROUS CIVILIAN TARGETS IN ISRAEL.
- THAT CIVILIANS IN GAZA ARE SUBJECTED TO MASSIVE AERIAL BOMBARDMENTS, MILITARY ATTACKS ON HOSPITALS, SCHOOLS AND OTHER CIVILIAN INSTITUTIONS, EXTRAJUDICIAL EXECUTIONS AND STARVATION, SO FAR RESULTING IN MORE THAN 40,000 KILLED AND MANY MORE MAIMED IN BODY AND SOUL.
- THAT PALESTINIANS IN THE WEST BANK ARE SUBJECTED TO DAILY ATTACKS BY ARMED SETTLERS (OFTEN ASSISTED BY ISRAELI SOLDIERS) WHO ARE RARELY PROSECUTED BY THE ISRAELI AUTHORITIES.
- THAT ARTICLE 51 OF THE UN CHARTER ON THE 'RIGHT TO SELF-DEFENCE' IS PERSISTENTLY AND CONSISTENTLY MISINTERPRETED IN THE CURRENT DEBATE. ARTICLE 51 REFERS TO THE RIGHT OF UN MEMBER STATES TO DEFEND THEMSELVES AGAINST EXTERNAL AGGRESSION BUT IS NOT RELEVANT TO THE RELATIONSHIP BETWEEN AN OCCUPYING POWER AND THE POPULATION IN THE OCCUPIED TERRITORIES - ESPECIALLY IF THE OCCUPYING POWER DISREGARDS ITS OBLIGATIONS UNDER THE GENEVA CONVENTION.
- THAT MODERATE ISRAELI VOICES ARE FINDING IT INCREASINGLY DIFFICULT TO EXPRESS THEMSELVES IN AN ISRAELI SOCIETY THAT IS DISPLAYING CLEAR UNDEMOCRATIC AND REPRESSIVE TENDENCIES.

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MOREOVER, WE VIEW WITH GREAT CONCERN

THE NEGATIVE CONSEQUENCES THAT LARGE PARTS OF THE WESTERN WORLD, INCL. DENMARK, EXPOSE THEMSELVES TO IF THEY CONTINUE TO DEFEND OR MAKE EXCUSES FOR ISRAEL'S DISREGARD FOR BASIC RULES OF WARFARE AND TERRITORIAL EXPANSION - FOR EXAMPLE:

- THE WEAKENING IN THE EYES OF THE GLOBAL SOUTH OF DENMARK'S CREDIBILITY AS A COUNTRY THAT FOR DECADES HAS CONSISTENTLY DEFENDED AND WORKED TO STRENGTHEN THE UN AND INTERNATIONAL CONVENTIONS.
- THE RESULTING WEAKENING OF DENMARK'S ABILITY TO INFLUENCE THE INTERNATIONAL POLITICAL AGENDA AND TO PROMOTE DENMARK'S DEVELOPMENT AND FOREIGN POLICY INTERESTS GLOBALLY.
- THE SECURITY VULNERABILITY THAT DENMARK AS A SMALL STATE IS EXPOSED TO WHENEVER UN DECISIONS AND INTERNATIONAL CONVENTIONS THAT PROTECT THE RIGHTS OF THE LESS POWERFUL ARE DISREGARDED AND UNDERMINED.
- THE CYNICISM THAT ARISES, WHENEVER THE PUBLIC DEBATE IS ROOTED IN EMOTIONS AND PREJUDICES RATHER THAN IN FACTS AND IN THE MUTUAL RECOGNITION OF INTERNATIONAL LAW AS A COMMON FOUNDATION FOR PROBLEM SOLVING.
- THE DEMONISATION AND THREATS THAT DANES WITH MUSLIM AND JEWISH BACKGROUNDS ARE EXPOSED TO WHEN RESPECT FOR EQUAL RIGHTS TO FREEDOM AND SELF-DETERMINATION IS WEAKENED.

AGAINST THIS BACKGROUND, **WE CALL ON THE DANISH GOVERNMENT** TO STRENGTHEN ITS EFFORTS TO PROMOTE RESPECT FOR THE UNITED NATIONS AND COMPLIANCE WITH INTERNATIONAL CONVENTIONS.

WE REFER TO THE INTERNATIONAL COURT OF JUSTICE'S ADVISORY OPINION OF 19 JULY 2024, INCLUDING THAT:

- ISRAEL'S OCCUPATION OF GAZA, THE WEST BANK AND EAST JERUSALEM IS ILLEGAL, AND THAT ISRAEL IS OBLIGATED TO PUT AN END TO THE OCCUPATION AS SOON AS POSSIBLE.
- ALL COUNTRIES ARE OBLIGATED TO AVOID ACTIONS THAT CONTRIBUTE TO THE CONTINUATION OF ISRAEL'S ILLEGAL OCCUPATION AND THE ADVERSE CONSEQUENCES IT HAS CAUSED.
- ISRAEL IS OBLIGATED TO CEASE IMMEDIATELY ALL SETTLEMENT ACTIVITY AND EVACUATE ALL SETTLERS FROM THE OCCUPIED PALESTINIAN TERRITORIES.

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MOREOVER, **WE CALL ON DENMARK**, AS A SOON-TO-BE MEMBER OF THE UN SECURITY COUNCIL (2025-2026) TO WORK ACTIVELY TO ENSURE.

- THAT A LASTING CEASEFIRE IS ESTABLISHED IN GAZA.
- THAT ALL HOSTAGES IN GAZA AND ALL PALESTINIANS DETAINED IN ISRAEL WITHOUT TRIAL ARE RELEASED.
- THAT NO MORE AID WORKERS AND JOURNALISTS WORKING IN GAZA ARE KILLED.
- THAT DANISH SUPPORT FOR THE UN'S INDISPENSABLE AID ORGANISATION FOR PALESTINIAN REFUGEES (UNRWA) IS INCREASED.
- THAT EFFORTS ARE MADE TO SECURE UNHINDERED HUMANITARIAN ACCESS TO GAZA - IN ACCORDANCE WITH THE 4TH GENEVA CONVENTION.

IN ADDITION, **WE URGE DENMARK** AS A MEMBER OF THE EUROPEAN UNION TO:

- ACTIVELY ENDEAVOUR TO PREVENT THAT THE EUROPEAN NEIGHBOURHOOD POLICY AND THE EU/ISRAEL PARTNERSHIP BE MISUSED IN WAYS THAT SUPPORT ECONOMIC ACTIVITY AND PRODUCTION IN ISRAELI SETTLEMENTS.

BESIDES, **WE URGE THAT DENMARK**, AS A SIGNATORY TO THE HUMAN RIGHTS CONVENTION, THE GENOCIDE CONVENTION AND THE GENEVA CONVENTIONS, REFRAIN FROM ALL ACTIONS THAT:

- DIRECTLY OR INDIRECTLY FACILITATE, THROUGH THE SALE OF WEAPONS, THE KILLING OF PALESTINIAN OR ISRAELI CIVILIANS.
- MAINTAIN AND LEGITIMISE THE OCCUPATION AND THE CONTINUED EXPANSION OF ILLEGAL SETTLEMENTS, E.G. THROUGH INVESTMENTS IN AND COOPERATION WITH INSTITUTIONS ON OCCUPIED LAND.

FINALLY, **WE CALL ON THE DANISH GOVERNMENT** TO:

- RECOGNISE A PALESTINIAN STATE BASED ON ALREADY ADOPTED UN GENERAL ASSEMBLY RESOLUTIONS, NOT LEAST RESOLUTION 181 (NOVEMBER 1947) AND RESOLUTION 194 (DECEMBER 1948), WHICH ARE GROUNDED IN THE PRINCIPLE OF THE PARTITION OF PALESTINE INTO TWO SEPARATE, CLEARLY DEFINED STATES.
- TO WORK TOWARDS A NEGOTIATED PEACE INVOLVING ALL KEY ACTORS AND REPRESENTATIVES OF BOTH THE PALESTINIAN AND ISRAELI PEOPLE.

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THE STATEMENT HAS BEEN FORMULATED AND SIGNED BY THE FOLLOWING GROUP OF INDIVIDUALS WHO HAVE JOINED HANDS IN CREATING THE 'THE MIDDLE EAST NETWORK' IN DENMARK:

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