

Former UK Supreme Court judge condemns Israel's Gaza assaults as grossly disproportionate



File photo of an Israeli attack against the Gaza Strip (Photo by AFP)

London, February 11 (RHC)-- Former UK Supreme Court judge Jonathan Sumption has condemned the Israeli regime's ferocious and deadly military strikes against the Gaza Strip, describing them as "grossly disproportionate" and warning that there was "at least an arguable case" that it constituted genocide.

Speaking ahead of the release of his new book, *The Challenges of Democracy: And The Rule of Law*, Sumption explained to *The Guardian* why he co-signed a letter last year denouncing the UK government for violating the international law by continuing to arm the regime, despite mounting civilian casualties.

"I thought -- and I still think -- that the conduct of Israel in Gaza is grossly disproportionate, and there's at least an arguable case that it's genocidal," he stated.

"One can't put it higher than that because genocide depends on intent. That's quite a difficult thing to establish, but I read the provisional decision of the International Court (of Justice) (ICJ) and it seemed to me that they were saying that that was an arguable proposition."

His remarks came as international scrutiny intensifies over the regime's atrocities in Gaza and elsewhere across the West Asia region, which have resulted in the deaths of tens of thousands and widespread destruction of infrastructure.

The ICJ has acknowledged the possibility of genocidal intent, placing Tel Aviv under legal obligation to prevent further civilian harm.

UK's complicity in war crimes

Sumption's comments echoed the concerns raised by former UK diplomat Mark Smith, who resigned in August 2024 over, what he condemned as, British "complicity" in war crimes. Smith, who worked in Britain's Foreign, Commonwealth, and Development Office (FCDO)'s regional directorate, had been responsible for assessing the legality of UK arms exports.

Mark Smith resigned last year after the British government refused to stop selling arms to Israel. He rapped the UK government for manipulating legal frameworks to continue selling arms to the regime, despite mounting evidence of war crimes.

"What I witnessed was not just moral failure, but conduct that I believe crossed the threshold into complicity with war crimes," Smith wrote in an article published on Monday.

During his tenure, he had said he observed ministers and senior officials pressuring legal teams to downplay evidence of civilian harm, delaying decisions to halt arms sales, and employing tactics designed to shield "friendly" regimes from accountability. He recalled being urged to revise reports to create a more favorable narrative for government policy.

Smith's resignation, which made headlines in 2024, was followed by the Labor government's eventual decision to suspend arms sales to the regime. However, he argued that the move was too late, as Tel Aviv continued its military operations unchecked.

Crackdown on free speech and pro-Palestinian advocacy

Sumption also expressed concern about growing suppression of pro-Palestinian voices in Western countries. He specifically criticized Germany for its strict crackdown on expressions of solidarity with Palestinians.

"I think that supporters of the Palestinian cause have had a rough time in a number of European jurisdictions, notably Germany, where there's been direct—and government—moves to suppress that strand of thought altogether," he said.

He also pointed to rising hostility towards pro-Palestinian demonstrations in the UK. “There’s certainly been a lot of calls for toughness on pro-Palestine demonstrations, which assume, without actually saying, that it’s perfectly obvious that support for Palestine is wrong. I don’t think it’s wrong.”

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