

NGO warns of legal action if UK embassy moved to Jerusalem

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British Prime Minister Liz Truss and Israeli counterpart Yair Lapid held a bilateral meeting as they attended the 77th UN General Assembly in New York on September 21 [File: Toby Melville/Reuters]

London, October 20 (RHC)-- Weeks after UK Prime Minister Liz Truss said she was reviewing the location of the British embassy in Israel, a rights group has warned that moving the mission from Tel Aviv to Jerusalem would constitute a violation of Britain's obligations under international law and be met with legal action.

“Any attempt to do so could result in the group issuing Judicial Review proceedings,” the United Kingdom-based International Centre of Justice for Palestinians (ICPJ) said in a statement on Wednesday.

The group, which on Tuesday delivered a letter to Truss enclosing a detailed legal opinion, said Britain would violate its obligation under the Geneva Conventions “not to encourage, aid or assist violations of the Conventions by another State.” It came as Australia’s government said it would no longer recognise West Jerusalem as the capital of Israel, reversing a decision taken by the previous administration in 2018.

Truss told her Israeli counterpart Yair Lapid that she was considering shifting the location of the embassy during a September 21 meeting, some two weeks after taking office, according to news reports. Israeli Prime Minister Yair Lapid, in a Twitter post, said he was grateful to her for weighing a move to Jerusalem.

In August, when she was still the UK’s foreign minister, Truss had first floated the possibility of a relocation during a meeting of the Conservative Friends of Israel organisation, in which she said she was a “huge Zionist” and a “huge supporter of Israel”.

A decision by former President Donald Trump to move the United States embassy from Tel Aviv to Jerusalem in 2018 sparked worldwide demonstrations and drew condemnation by global heads of state, leaders in the Middle East and the Palestinians, who see East Jerusalem as the capital of their future state.

Tayab Ali, ICJP director and partner at Bindmans LLP, said in a statement the UK could not “as a country champion the Ukrainian fight for freedom” – the UK has been a staunch supporter of Ukraine since Russia’s invasion in late February – while at the same time supporting Israel’s claim to Jerusalem, “which so badly undermines the British assertion of the primacy of international law and the UN charter.” The consequences of “carelessness at this level would be unthinkable,” he added.

Also on Tuesday, a report by Francesca Albanese, the United Nations special rapporteur for the occupied Palestinian territories, said the Israeli occupation “bypass[ed] the critical issue of the recognition of the Palestinian people’s right to self-determination, namely Palestinians’ right to freely determine their political, social and economic status and develop as a people”.

Pro-Israel groups in the UK are lobbying in favour of a relocation, with the endorsement of the president of the Board of Deputies of British Jews. Land in West Jerusalem is also rumoured to have already been earmarked for this purpose.

The archbishop of Canterbury expressed his concern earlier this month that such a move could be “seriously damaging to any possibility of lasting peace in the region and to the international reputation of the United Kingdom”.

A decision in this direction would also likely further erode the legitimacy of the Palestinian Authority, which was set up to oversee a two-state solution as envisioned under the Oslo Accords and has limited control in Palestinian city centres in the occupied West Bank.

East Jerusalem, along with the West Bank and Gaza Strip, has been illegally occupied by Israel since the 1967 war. The international community’s position has been that the divided city should host consulates, rather than embassies, until a final peace agreement is reached.

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