



Medical  
Association for  
Prevention of War  
(Australia)

PO Box 1379, Carlton VIC 3053  
03 9023 1958  
eo@mapw.org.au  
www.mapw.org.au  
ABN 157 79 883 661



Senator the Hon Penny Wong  
Minister for Foreign Affairs  
Parliament House, Canberra

10 May, 2024

Dear Minister Wong

MAPW has written to you previously about Australia's response to the unprecedented humanitarian crisis in Gaza. The plight of civilians there - particularly the children - has deteriorated day by day, and is documented consistently in multiple credible reports by the world's leading health and humanitarian agencies; you will of course be very familiar with them.

Israel has repeatedly violated its legal obligations towards Palestinian civilians. This letter addresses some of those violations, and strongly urges decisive Australian government actions to help restore the primacy of international humanitarian law.

As an [occupying power](#) which exercises control over Gaza, Israel has legal obligations towards the Palestinian people. One of those [obligations](#) is the provision of food and medical care to the population under occupation.

The same obligation flows from Israel's responsibility to comply with the orders issued by the International Court of Justice (ICJ) earlier this year. On 26 January the ICJ ordered Israel to "take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian aid". Israel failed to comply, and on 28 March the ICJ repeated the order for the unhindered provision of all necessary aid, including "by increasing the capacity and number of land crossing points".

Israel has not only totally ignored these obligations but has done the exact opposite.

Food is being withheld, those delivering it (including the World Food Kitchen) are targeted, and Palestinians waiting for food have come under fire. Hunger and severe malnutrition are widespread. [Michael Fakhri](#), the UN Special Rapporteur on the right to food [states](#) that "We've never seen children pushed into malnutrition so quickly".

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Far from providing additional land entry points for food, this week Israel sealed the Rafah crossing into Egypt which was the primary entry point for aid into Gaza. Long lines of aid trucks are stuck on the Egyptian side of the border, while a very short distance away starvation, disease, and tens of thousand of injuries take an increasing and unconscionable toll.

In relation to the obligation to provide medical care to those whose land is under occupation, again Israel is doing the direct opposite. Its attacks on healthcare personnel and facilities have been relentless. There are no fully functional hospitals left in Gaza, and only a third of its 36 hospitals are partially functional. The World Health Organisation has [described](#) Israel's "systematic dismantling of the healthcare" in Gaza. In April, mass graves with hundreds of bodies were found in the grounds of Khan Younis hospital.

In the face of such a dire situation, and with Israel showing total disregard for its legal obligations, MAPW is deeply alarmed by your government's lack of meaningful and decisive action. It is imperative that political and military pressure be applied on Israel to comply with its legal obligations, and that consequences follow for failure to do so.

Therefore we call on you to take the following measures as a matter of urgency:

- Publicly insist that Israel fulfil its obligations as an occupying power by restoring medical care to Palestinian civilians
- Publicly insist that Israel fulfil its obligations under the Genocide Convention by re-opening all land crossings into Gaza for food and aid deliveries, and expanding the capacity for such deliveries
- Publicly declare that Australia will impose consequences - in addition to the overdue steps set out below - on Israel for any invasion of Rafah

We repeat our earlier call that Australia cease all aspects of our military relationship with Israel, including

- the export of all weapons and weapons parts and components to Israel
- the \$917m contract announced in late February this year for Elbit Systems Australia
- the Australian Trade and Defence Office in Jerusalem

We request a response to these specific matters.

Yours sincerely



Dr Sue Wareham OAM  
President, Medical Association for Prevention of War (Australia)  
[sue.wareham@mapw.org.au](mailto:sue.wareham@mapw.org.au)