

29 November 2023

Dear Professor Dame Sally Mapstone,

Principal and Vice-Chancellor

We write as a global group of genocide experts to express our profound concern with your [public statement](#) criticising Rector Stella Maris for her [message](#) to St Andrew's students in which she calls for a ceasefire in Gaza.

We understand that your response was prompted by an open ['Letter to Rector Maris'](#), from a number of St. Andrews' students and alumni (names publicly withheld) who took offence at Rector Stella Maris's email. Most troubling is that your response appears to accept without question a number of claims made in the open letter- significantly that Rector Maris' use of the words occupation, apartheid and genocide in relation to Israel's actions in Gaza are 'inflammatory and unfounded'. In supporting the comments expressed in the open letter you do not use these words explicitly but write that you 'regret' the 'language used' and 'some of the sources' cited by Stella Maris. As scholars of genocide, many of us with specific expertise on Palestine/Israel, we will feel compelled to respond to this by drawing attention to the following:

Israel's status as an occupying power has been recognised under international law since 1967. A territory is occupied when it comes under the authority of a hostile army. The Israeli Occupying forces exercise ultimate authority over East Jerusalem, the West Bank and Gaza. Israel's own Supreme Court relies largely on the law of belligerent occupation in its jurisprudence. As to the State of Israel, it accepts the *de jure* applicability of the Hague Regulations and the *de facto* applicability of the Fourth Geneva Convention, which constitute the main instruments of the law of occupation.

Under the occupation Israel's Occupying Forces control and disrupt every aspect of daily life in the Occupied Palestinian Territories (the West Bank, Gaza and East Jerusalem). As [Amnesty International](#) has reported, since the occupation first began in June 1967, Israel's policies of land confiscation, illegal settlement and dispossession, coupled with widespread discrimination and violence, have inflicted immense suffering on Palestinians, depriving them of their most basic rights. The occupation impacts on the ability of Palestinians to travel to work and school, to travel abroad, to visit relatives, to earn a living, to attend a protest, or to access their farmland, electricity or clean water supplies.

The evidence that Israel is an apartheid state is similarly overwhelming. The International Convention on the Suppression and Punishment of the [Crime of Apartheid](#) defines apartheid as "inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically

oppressing them.” Successive UN Special Rapporteurs for the Occupied Palestinian Territories have agreed that the prevailing evidentiary standard for the existence of apartheid has been met with respect to Israel’s occupation of the OPT.

Leading human rights organisations, [Amnesty International](#), [Human Rights Watch](#) and [B’Tselem](#) have all described Israel’s oppression and domination of Palestinians under its control as the crime of apartheid, a system benefiting Jewish Israelis at the expense of Palestinian human rights.

With respect to the charge of genocide, Israel’s actions in Gaza and historic actions against the Palestinian people fit both legal and criminological definitions of the crime. Genocide requires both intention and action. Raphael Lemkin, the author of the term, wrote that genocide is not limited to acts of mass killing but includes ‘a coordinated plan aimed at the destruction of the essential foundations of the life of national groups’.

Genocide is a *process* designed to erase a people ‘in whole or part’ based on their racial, ethnic or religious identity. Israel’s announcement of a state of ‘total siege’ of Gaza, cutting off water, food, electricity, fuel and medical supplies, amounted to a clear statement of intent to commit genocide against the Palestinian people by ‘deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part’ (Genocide Convention 1948, Article 2). It has been followed by a relentless campaign of civilian bombardment replete with the targeting of hospitals, medics, journalists and their families.

The genocidal intention of the Israeli state is also embodied in successive statements by its leaders: IDF spokesperson Daniel Hagari declared that [‘The emphasis is on damage, not accuracy’](#) when referring to Israeli aerial bombardments, while Israel’s Prime Minister Benjamin Netanyahu threatened to ‘flatten’ Gaza reducing it ‘to an island of ruins’. Knesset member, Ariel Kallner, revealed ‘there is only one goal “Nakba” [catastrophe], a Nakba that would dwarf the Nakba of 1948’. Former Interior Minister Aylet Shaked ‘After we turn Khan Younis into a soccer field ... We need all 2 million to leave. That’s the solution for Gaza’. When Defence Minister Yoav Gallant ordered a complete siege on Gaza he described Palestinians as ‘human animals’, and Israel’s President Isaac Herzog declared that ‘there are no innocent civilians in Gaza’, Israel’s declared intentions were again clear and explicitly genocidal. In Nazi Germany, Rwanda, Cambodia and Burma/Myanmar the ‘non-human’ epithet underpinned and made easier the mass extermination of the ‘other’.

As a leader of a UK university we would expect you to respect reputable and scientifically reliable research led findings. Almost 800 scholars of international law, conflict and genocide studies [warned](#) of potential genocide, while fifty Internationally leading global experts on State Crime issued a [statement](#) declaring that Israel has entered the ‘annihilation phase of

genocide' against the Palestinian people. In addition 36 UN Special Rapporteurs and other officials warned of the imminent risk of [genocide](#) in Gaza.

In summary, it is true that "words matter" as you say - but the words "occupation", apartheid" and "genocide" have been used by Rector Stella Maris with justification. Finally, your public statement also directly links legitimate criticism of the actions of the state of Israel with anti-semitism, implying without evidence that the words used by the Rector "may be seen to enable or embolden those who engage in such abhorrent behaviour". You completely fail to clarify how this fits with your stated commitment to freedom of speech and expression.

The Senior Executive of St Andrews, in its uncritical acceptance of the false claims made against her, has failed in its duty of care to Stella Maris. The Rector has, as a consequence of your statement, faced a barrage of abuse, most apparently from outside the university.

We call on you to rescind your statement and issue an apology to Stella Maris alongside a clearer commitment to academic freedom and freedom of expression that will be circulated to St Andrews University staff. We further ask that you offer her your support in the face of the harassment she is currently experiencing.

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