

## Israel's use of White Phosphorous

The Israeli Defence Forces (IDF) have reportedly deployed white phosphorous munitions across multiple dates since October 2023, against residential targets in Southern Lebanon and in densely populated parts of Northern Gaza. These acts amount to grave violations of international humanitarian law, including war crimes.

White phosphorous operates as an incendiary weapon, igniting upon contact with oxygen and burning at temperatures exceeding 800°C. When a person is exposed to it, white phosphorous inflicts excruciating burns, which often penetrate beyond the skin into muscle and bone, while also potentially leading to blindness, asphyxiation, and lasting respiratory harm.<sup>1</sup> Burns to less than ten percent of the body can prove fatal because of the damage caused to internal organs by the body's absorption of white phosphorous and the high risk of infection. White phosphorous is also highly likely to ignite fires, and generates deleterious effects on the environment, poisoning plants and animals, and disrupting soil composition.<sup>2</sup>

### Use by Israel since 7<sup>th</sup> October 2023

Since the start of Israeli operations in Gaza and South Lebanon in 2023, reports of the use of white phosphorous by the IDF have been widespread. Israeli forces have reportedly used the substance on at least four occasions in Lebanon, with recorded incidents against the Southern Border towns of Dharya, al-Mari and Aita al-Chaab between 10<sup>th</sup> and 16<sup>th</sup> October 2023. These incidents were verified by Amnesty International through reviews of video evidence, interviews with witnesses and medical officials, and through identification of munition evidence,<sup>3</sup> while Human Rights Watch has also verified reported white phosphorous artillery fire by the IDF in two Israel-Lebanon border locations on 10<sup>th</sup> October 2023.

Amnesty International has also verified reports of the use of white phosphorous by the IDF against targets in Northern Gaza on 9<sup>th</sup> October 2023.<sup>4</sup> Human Rights Watch has verified that it was fired over the Gaza City port on 11<sup>th</sup> October 2023.<sup>5</sup> The Euro-Med Human Rights Monitor has alleged that on Wednesday 15<sup>th</sup> November 2023, the IDF launched artillery strikes using shells containing white phosphorous against the northern Gaza town of Beit Lahia, Gaza City's Sheikh Radwan neighbourhood, and the Al-Shati and Jabalia refugee camps.<sup>6</sup> Additionally, media outlets have reported numerous further incidents of white phosphorous attacks on civilian objects, including UN Schools,<sup>7</sup> as-of-yet been verified by rights agencies.

Testimony of medical personnel confirms such reports. Dr Ghassan Abu-Sittah is a British-Palestinian plastic and reconstructive surgeon who operated from Gaza's Al-Shifa and Al Ahli hospitals from 9<sup>th</sup> October to 21<sup>st</sup> November 2023. During this time, he recognised the burns of patients he treated as white phosphorous injuries, having previously treated victims of white phosphorous burns in the 2009 Gaza War.<sup>8</sup> Staff at the Lebanese Italian Hospital also recognised the use of white phosphorous through patients' respiratory symptoms.<sup>9</sup>

### Legality

The use of white phosphorous is governed by the 1980 Convention on Certain Conventional Weapons (CCW). As a multi-purpose munition, the regulation of white phosphorous depends on its use. It is permitted

<sup>1</sup> Cinamon, J. (1<sup>st</sup> February 2024). [Behind the Smoke: The unlawful use of White Phosphorous](#). Corruption Tracker.

<sup>2</sup> DiEM25 (12<sup>th</sup> January 2024). [The Killing of Gaza's Environment](#).

<sup>3</sup> Amnesty International (31<sup>st</sup> October 2023). [Lebanon: Evidence of Israel's unlawful use of white phosphorous in southern Lebanon as cross-border hostilities escalate](#).

<sup>4</sup> Amnesty International (13<sup>th</sup> October 2023). [Israel/OPT: Identifying the Israeli army's use of white phosphorous in Gaza](#).

<sup>5</sup> Human Rights Watch (12<sup>th</sup> October 2023). [Questions and Answers on Israel's Use of White Phosphorous in Gaza and Lebanon](#).

<sup>6</sup> Euro-Med Human Rights Monitor (16<sup>th</sup> November 2023). [Israel carries out more than a thousand white phosphorous strikes in Gaza](#).

<sup>7</sup> Middle East Monitor (2<sup>nd</sup> November 2023). [Israel drops white phosphorous on UN school](#).

<sup>8</sup> Mathews, S., and Hashem, M. (28<sup>th</sup> December 2023). [War on Gaza: Palestinian surgeon says UK political parties defying the will of the people](#). Middle East Eye.

<sup>9</sup> Amnesty International (31<sup>st</sup> October 2023). [Lebanon: Evidence of Israel's unlawful use of white phosphorous in southern Lebanon as cross-border hostilities escalate](#).

for use as a tactical device – for instance as a smokescreen or illumination. White phosphorous can therefore be produced and procured legally by militaries. The sole manufacturing of white phosphorous in the Northern Hemisphere takes place in a United States Army facility in Pine Bluff, Arkansas.

The CCW is clear, however, in forbidding the intentional use of white phosphorous as an incendiary weapon directly against humans in a civilian setting. Protocol III of the CCW also prohibits the use of incendiary to set fire to objects, to cause burn injuries against civilians, and to use against military objectives located within a concentration of civilians.<sup>10</sup> The use of such munitions in densely populated areas therefore violates international humanitarian law. The IDF's reported use of white phosphorous fails in the requirement to take all feasible precautions to avoid civilian harm, thus falling foul of prohibitions against indiscriminate attacks,<sup>11</sup> The verified use of white phosphorous against areas populated by civilians in Gaza, Dharya, al-Mari and Aita al-Chaab therefore constitute war crimes.

The United States and United Kingdom have ratified the CCW,<sup>12</sup> while Israel itself has acceded to other provisions of the Convention but not Protocol III.<sup>13</sup> Regardless, Israel is subject to the stipulations of international humanitarian law, in particular provisions on minimisation of civilian harm contained within the Fourth Geneva Convention (GC IV), to which Israel is party. Under GC IV, Israel's use of white phosphorous and its failure to differentiate sufficiently between civilian and military targets constitute war crimes, while the Israeli military itself pledged in 2013 to no longer use white phosphorous.<sup>14</sup>

### **Historical context**

Israel has denied that its military has used white phosphorous in Gaza and Lebanon since 7<sup>th</sup> October 2023.<sup>15</sup> Israel also initially attempted to deny its use of white phosphorous during its 2009 War on Gaza,<sup>16</sup> or 'Operation Cast Lead'. Israel's use of the incendiary weapon against civilian or residential targets, including UN schools, was extensively documented and verified by international organisations and rights agencies.<sup>17</sup> The Israeli military later reversed its denial after an inquiry acknowledged the use of white phosphorous in built-up Gaza neighbourhoods.<sup>18</sup> Israel previously used white phosphorous in Lebanon, in 1982, 1993, and 2006.<sup>19</sup>

### **UK Government's position**

The United Kingdom's Foreign, Commonwealth and Development Office (FCDO) has been clear that it considers the use of incendiary weapons or those that have an incendiary effect, when used indiscriminately, disproportionately, or in targeting civilians and civilian objects, as a 'blatant violation of international law'.<sup>20</sup> When allegations of such a use of white phosphorous was raised in the context of Russia's invasion of Ukraine, the FCDO supported an International Criminal Court (ICC) investigation into Russian war crimes and 'for the world to stand together in defence of international law.'

The ICJP calls on the government to be uniform in its application of the principles of international humanitarian law, and to offer the same condemnation of alleged war crimes by the Israeli military. It should call for a similar ICC investigation as it did in the case of Russia's invasion of Ukraine.

---

<sup>10</sup> United Nations Office for Disarmament Affairs (10<sup>th</sup> October 1980). [The Convention on Certain Conventional Weapons, Protocol on Prohibitions or Restrictions on the use of Incendiary Weapons.](#)

<sup>11</sup> Human Rights Watch (25<sup>th</sup> March 2009). [Rain of Fire: Israel's Unlawful Use of White Phosphorous in Gaza.](#)

<sup>12</sup> United Nations Office for Disarmament Affairs Treaties Database. (1980) [The Convention on Certain Conventional Weapons.](#)

<sup>13</sup> United Nations Office for Disarmament Affairs. [CCW High Contracting Parties and Signatories: Israel.](#)

<sup>14</sup> BBC News. (26<sup>th</sup> April 2013). [Israel 'to stop using white phosphorus shells.'](#)

<sup>15</sup> Wintour, P. (13<sup>th</sup> October 2023). [Israel denies using white phosphorous munitions in Gaza.](#) The Guardian.

<sup>16</sup> Forensic Architecture. (12<sup>th</sup> November 2012). [The Use of White Phosphorous in Urban Environments.](#)

<sup>17</sup> Human Rights Watch. (25<sup>th</sup> March 2009). [Rain of Fire: Israel's Unlawful Use of White Phosphorous in Gaza.](#)

<sup>18</sup> Beaumont, P. (21<sup>st</sup> January 2012). [Israel admits troops may have used phosphorous shells in Gaza.](#) The Guardian.

<sup>19</sup> Wafa, A. (May 2010). [Manufacturer Responsibility for End Use Violations of Domestic and International Laws: U.S.-Made White Phosphorus in Gaza.](#) Michigan State University.

<sup>20</sup> Ahmad., Lord T. (28<sup>th</sup> March 2022), '[Ukraine: White Phosphorous](#)', Hansard: House of Lords.