

IN THE MATTER OF AN APPLICATION FOR DEPROSCRIPTION

BETWEEN:

حركة المقاومة الاسلامية

HARAKAT AL-MUQAWAMAH AL-ISLAMIYYAH

Applicant

-and-

SECRETARY OF STATE FOR THE HOME  
DEPARTMENT

Respondent

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WITNESS STATEMENT OF DR MOUSA ABU MARZOUK

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I, MOUSA ABU MARZOUK, resident in Doha, Qatar, and the Head of International Relations and Legal Office in the Political Bureau of the Islamic Resistance Movement - 'Hamas', MAKE THIS STATEMENT in support of the application by the organisation for its deproscription.

1. I am the Head of International Relations and Legal Office of the Political Bureau of the Islamic Resistance Movement - 'Hamas'. I was one of the founders of the movement in 1987 during the Intifada and have held various senior positions in the movement since then.
2. My parents were forced to flee from Yibna during the Nakba in 1948. Due to the severe violence perpetrated by the colonising Zionist soldiers, my hometown was transformed into a depopulated Palestinian town whose ruins are located southeast of the modern city of 'Yavne'.
3. I was born on February 9th, 1951 in a refugee camp in Rafah, Occupied Palestine. I have and will never relinquish my right to return to the town from which my parents were deliberately ethnically cleansed by Zionists, colonisers who viewed and still view me and my family as a racial threat because we are not Jewish.
4. I am an engineer by profession. I obtained a BSc from Helwan University before travelling to the United States where I obtained a MSc in construction management from Colorado State University, and then a PhD in Industrial Engineering.

5. I am submitting this application on behalf of Hamas for its deproscription from the British government's list of proscribed terrorist groups. Despite the British state being the architect of our suffering through its collaboration with the Zionist project for over a century, I am inviting you to reverse that policy today.
6. We furthermore intend that the application will damage the standing and credibility of Zionism as an ideology, and the Zionists who still somehow openly identify with it. We hope that the current crisis of Zionism, substantially precipitated by the actions of Hamas' military wing and other groups on 7th October 2023, can be transformed into a terminal crisis.

### Hamas and Britain

7. Hamas is not a terrorist group. It is a Palestinian Islamic liberation and resistance movement whose goal is to liberate Palestine and confront the Zionist project. Its frame of reference is Islam, which determines its principles, objectives and means. We also look outwards to draw inspiration from the glorious tradition of all those peoples and groups who have resisted colonialism, occupation and imperialism in the name of justice, dignity, and human equality. The British government's decision to proscribe Hamas is an unjust one that is symptomatic of its unwavering support for Zionism, apartheid, occupation and ethnic cleansing in Palestine for over a century.
8. Hamas does not and never has posed a threat to Britain, despite the latter's ongoing complicity in the genocide of our people. It is perhaps out of colonial guilt that Britain fears that one day, those it oppresses will strike back against the sponsors of the Zionist entity. Britain should have no such fear. Throughout its almost four decades of existence, Hamas has only ever carried out its operations within the territory of historic Palestine. It has never carried out an operation outside of Palestine even when other Palestinian resistance groups have done so. That is our policy, and you have no reason to doubt its centrality to our strategy. We are unlike the Zionists for whom the entire world is a battlefield as they carry out assassination attempts of Hamas leaders in Iran, Lebanon, and the UAE, even attempting an assassination in Jordan, a nation with whom the Zionist entity has signed a peace and security agreement. Hamas has never carried out an operation outside of the borders of Palestine.
9. Hamas does not target British citizens either in the UK or anywhere else. However, if a British citizen were to enter Palestine and join the armed forces of the Zionist entity or illegally occupy land stolen from the indigenous Palestinian population – a colonial settlement – they would put

themselves at risk of being targeted, not because of their British nationality, but because of their commission of war crimes and the crime against humanity of apartheid, and their participation in the ongoing genocide.

10. Hamas does not have a presence in Britain. It does not have an office in the country, any members resident there, or any publications. However, I have noticed from social media over the past 15 months that an increasing number of people living in Britain have become more sympathetic towards Hamas and our liberation struggle as a result of the brutal reality of Zionism being exposed through the first live-streamed genocide in history. This is reflective of the natural disposition of the British people towards justice: they are waking up to the myriad ways that they have been deliberately misled about Hamas for many years by politicians and the mainstream media. It is alarming that so many journalists, activists and students are being criminalised by the British state for simply expressing support for a movement that is protecting its people from genocide.
11. We are concerned at the lack of respect for freedom of speech in Britain as a result of its long standing policy of support for Zionism. It seems that Britain is so insecure about the Zionist account of reality that it is not willing to even allow opposing views to be ventilated lest the house of cards upon which it has rested its integrity comes crashing down at the first engagement with the truth. The truth is that the “land without a people” always had people: Palestinians exist, we are not inferior to other peoples, and like all humans, we cannot and will not live without dignity.

#### Impact of Proscription

12. Hamas is by far and away the most effective military force resisting – and seeking to end and prevent – the ongoing acts of genocide being committed by the Zionist State against the Palestinians in Gaza. We believe that by maintaining its ban on Hamas, the British state continues to be in breach of its obligations under international law to employ all means reasonably available to it to prevent – and end – the genocide of our people. Not content with supplying arms, military intelligence and diplomatic support to the Zionist soldiers murdering us, you tie our hands behind our back when we try to resist, and muffle and criminalise those who would cry out in solidarity with our struggle.

13. In fact, by continuing to proscribe Hamas, the British state is complicit in the ongoing acts of genocide by inhibiting the effort and effectiveness of the last line of defence between the Palestinians in Gaza and the genocidal war machine that is the Zionist entity.
14. Under international law, 'Israel', as an occupying power, does not have a right to self-defence. Hamas, on the other hand, as an organised resistance movement representing the Palestinian people, has the right to use armed resistance to repel belligerent occupation in its exercise of its right to self-determination. Britain, by maintaining its proscription of Hamas, continues to render aid and assistance to the Zionist entity in maintaining its unlawful occupation, with all of the racial segregation, apartheid and ethnic cleansing that this occupation entails. This is contrary to Britain's obligations as enumerated recently by the International Court of Justice.

### Antisemitism

15. We reject any allegations that we are antisemitic or that we target Jewish people. I appreciate that there is a level of controversy surrounding some of the wording of our founding Charter. This was drafted without consultation with the senior leadership who were either in prison or in exile at the time. Hamas has published a series of other documents since then, culminating in our Document of General Principles and Policies of 2017, all of which expressly distinguish between Jews and Zionists. I have incorporated parts of that policy within this witness statement as continuing to reflect the positions of the movement.
16. Our struggle is not against Jewish people because of their religion but against the Zionists who occupy Palestine. Yet, it is the Zionists who constantly identify Judaism and the Jewish people with their own colonial project and illegal entity. We acknowledge and appreciate the solidarity shown to our people and our struggle by many Jewish people around the world including within 'Israel', whose stance against Zionism exposes the dangerous lie that conflates Judaism with Zionism.
17. We are particularly appalled by the weaponisation of antisemitism to attempt to silence those standing against apartheid, occupation and genocide. The Zionist entity and its supporters have completely undermined the struggle against genuine antisemitism by manipulating the term to protect the Zionist entity from criticism and censure. Over the past year, Zionists have accused numerous officials and institutions of being antisemitic including the UN Special Rapporteur Francesca Albanese, the UN General Secretary Antonio Guterres, UNRWA, the ICJ, the ICC,

the government of South Africa, the Irish Taoiseach Simon Harris, and the President of Ireland Michael D. Higgins. In the process, Zionists have debased and degraded the important definition of 'antisemitism' until it means almost nothing. Zionists, many of them not Jewish, have deliberately fashioned an utterly warped definition of antisemitism, and they consciously wield it to shield Zionism and 'Israel' from entirely legitimate criticism. At a time when actual antisemitism is on the rise, this shameless 'crying wolf' is a staggeringly irresponsible and dangerous policy to pursue. It diminishes our ability to combat antisemitism when and where it does actually arise.

18. The Zionist project is a racist, aggressive, colonial and expansionist endeavour based on seizing the property of others; it is hostile to the Palestinian people and to their aspiration for freedom, liberation, return and self-determination. The 'Israeli' entity is the plaything of the Zionist project and its foremost base of aggression. 'Israel' is a military outpost, an "unsinkable aircraft carrier", maintained by the US and staffed by an army of conscripts. Zionism is an ideology that is the root of all violence in Palestine and that violence will continue until Zionism is systematically dismantled.
19. Hamas rejects the persecution of any human being or the undermining of his or her rights on national, religious or sectarian grounds. The Palestinian people have always stood against oppression, injustice, and the committing of massacres against civilians regardless of who commit them. Based on our religious and moral values, we clearly stated our rejection to what the Jews were exposed to by the Nazi Germany. Hamas is of the view that the 'Jewish problem', antisemitism and the persecution of the Jews are phenomena fundamentally linked to European history and not to the history of the Arabs and the Muslims or to their heritage. The Arab and Islamic environment was an example of co-existence, cultural interaction and religious freedoms. The current conflict is caused by the Zionist aggressive behaviour and its alliance with the western colonial powers; therefore, we reject the exploitation of the Jewish suffering in Europe to justify the oppression against our people in Palestine. The Zionist movement, which was able with the help of Western powers to occupy Palestine, is the most dangerous form of settler colonialism. That form has already been defeated and eradicated from much of the world, and must similarly be defeated and eradicated from Palestine.
20. The Zionist project does not target the Palestinian people alone; it is the enemy of the Arab and Islamic Ummah posing a grave threat to its security and interests. It is also hostile to the Ummah's aspirations for unity, renaissance and liberation and has been the major source of its troubles.

The Zionist project also poses a danger to international security and peace and to mankind and its interests and stability. For its entire existence, 'Israel' has been in a state of constant war with other countries in the region. Zionism is a savage, expansionist, racial supremacist project that should have never been supported. It is time for that project to be abandoned and replaced, ideally with a single, democratic state of Palestine in which people of all faiths are treated as equal in humanity, rights and dignity.

#### Jerusalem and the Al-Aqsa Mosque

21. Jerusalem is the capital of Palestine. Its religious, historic and civilisational status is fundamental to the Arabs, Muslims and the world at large. Its Islamic and Christian holy places belong exclusively to the Palestinian people and to the Arab and Islamic Ummah. Not one stone of Jerusalem can be surrendered or relinquished. The measures undertaken by the occupiers in Jerusalem, such as Judaization, settlement building, and establishing facts on the ground are fundamentally null and void.
22. The blessed Al-Aqsa Mosque belongs exclusively to our people and our Ummah, and the occupation has no right to it whatsoever. The occupation's plots, measures and attempts to Judaize Al-Aqsa and divide it are null, void and illegitimate. Hamas views itself as a protector of Al-Aqsa against the frequent violations of its sanctity by the Zionist entity.

#### Prisoners

23. It is a tragic reality that almost every Palestinian household has a family member being detained in an Israeli prison. Since 1967, over 800,000 Palestinians, including children, have been incarcerated by the Zionist military. The thousands of Palestinian political prisoners or hostages currently languishing in Zionist prisons where they are routinely tortured, raped and mistreated, include hundreds of women and children, many of whom are subject to administrative detention which can be renewed indefinitely.
24. The release of the Palestinian prisoners is a consensus position among Palestinians with strong support from all sectors of society. Where appeals to the international community to release our prisoners have fallen on deaf ears, our experience has demonstrated that the most effective method of liberating our prisoners is through the prisoner exchange process.

## Resistance and Liberation

25. The liberation of Palestine is the duty of the Palestinian people in particular and the duty of the Arab and Islamic Ummah in general. It is also a humanitarian obligation as necessitated by the dictates of truth and justice. The agencies working for Palestine, whether national, Arab, Islamic or humanitarian, complement each other and are harmonious and not in conflict with each other.
26. Resisting the occupation with all means and methods is a legitimate right guaranteed by divine laws and by international norms and laws. At the heart of these lies the norms regulating armed resistance, which Hamas regards as the most viable strategic choice for protecting the principles and the rights of the Palestinian people. Like all forms of settler colonialism, Zionism will concede nothing without a credible military threat.
27. Hamas has a history of both armed and unarmed resistance. The latter was manifested in its support and facilitation of initiatives like the Great March of Return and Hamas' involvement in parliamentary elections. Unfortunately, such initiatives were only met with further military assaults by the Zionist entity and genocidal sanctions imposed by the Western world to penalise the Palestinian people for exercising their democratic right to choose a government of their choice.
28. Hamas rejects any attempt to undermine the resistance and its armed struggle. It also affirms the right of our people to develop the means and mechanisms of resistance. Managing resistance, in terms of escalation or de-escalation, or in terms of diversifying the means and methods, is an integral part of the process of managing the conflict and should not be at the expense of the principle of resistance.
29. On the morning of October 7<sup>th</sup>, 2023, the Izz ad-Din al-Qassam Brigades executed a military manoeuvre targeting the Gaza Division of Israel's Southern Command. Much has been said and written about the operation, but there has been little coverage in the English-speaking world about the intended nature of the operation as articulated by the movement itself in its various written statements and interviews over the past 17 months. I have prepared a separate witness statement focussing on the operation. Suffice to say here that the instructions given to our elite forces – our Nukhba – were to kill and capture Zionist soldiers and not to target women, children and the elderly. To the extent that any individual crimes were allegedly committed by our soldiers, we

have internal mechanisms for investigating and disciplining them. Unlike the Zionist entity, we take justice and accountability very seriously, and to that extent, we remain, as always, prepared to cooperate with any international investigations and inquiries into the operation, even if 'Israel' refuses to do so.

### Hamas and Political Solutions

30. The Palestinian struggle is not just for land; it is for the dignity and freedom of our people. The dignity and rights of all people who live in Palestine must be the foundation for any just solution to the conflict
31. We consider the following to be null and void: the Balfour Declaration, the British Mandate for Palestine, the UN Palestine Partition Resolution, and whatever resolutions and measures that derive from them or are similar to them. The establishment of 'Israel' is a profound historical mistake, one that contravenes the inalienable rights of the Palestinian people and goes against their will and the will of the Ummah; it is also in violation of human rights that are guaranteed by international conventions, foremost among them is the right to self-determination.
32. Hamas affirms that the Oslo Accords and their addenda contravene the governing rules of international law in that they generate commitments that violate the inalienable rights of the Palestinian people. Therefore, the Movement rejects these agreements and all that flows from them, such as the obligations that are detrimental to the interests of our people, especially security coordination (which in effect is collaboration with the Zionist occupation).
33. Hamas rejects all the agreements, initiatives and settlement projects that are aimed at undermining the Palestinian cause and the rights of our Palestinian people. In this regard, any stance, initiative or political programme must not in any way violate these rights and should not contravene them or contradict them.
34. We will never recognise the legitimacy of the Zionist entity or its "right to exist", a concept that does not have any basis under international law. It is you and the Zionist entity that continue to deny our people's right to exist. Whatever has befallen the land of Palestine in terms of occupation, settlement building, Judaization or changes to its features or falsification of facts is illegitimate.



35. Hamas believes that no part of the land of Palestine shall be compromised or conceded, irrespective of the causes, the circumstances and the pressures and no matter how long the occupation lasts. Hamas rejects any alternative to the full and complete liberation of Palestine, from the river to the sea.
36. However, without compromising its rejection of the Zionist entity and without relinquishing any Palestinian rights, Hamas considers the establishment of a fully sovereign and independent Palestinian state, with Jerusalem as its capital along the ceasefire line of the 4th of June 1967, with the return of the refugees and the displaced to their homes from which they were expelled, to be a formula of national consensus. Hamas has on numerous occasions for over two decades proposed a *hudnah* or long-term truce on this basis. Its goodwill has been abused by the Zionists, who have assassinated members of its leadership to undermine such efforts.
37. Hamas stresses that transgression against the Palestinian people, usurping their land and banishing them from their homeland cannot be called 'peace'. Any so-called agreement reached on this basis will not lead to peace. Resistance and jihad for the liberation of Palestine will remain a legitimate right, a duty and an honour for all the sons and daughters of our people and our Ummah.
38. Following the humiliating Zionist military collapse on October 7<sup>th</sup>, 2023, and because its response has been an intensification of its incremental genocide, 'Israel' has clearly become a pariah state. What seemed solid and durable about the Zionist presence in Palestine has been fundamentally changed and rendered plastic. The entire political and institutional framework in Palestine and the wider region is in a state of flux, and Zionism is in a profound and deepening crisis, having experienced a sudden plummet in its reputation. Jewish people in the diaspora, young and old, are increasingly and loudly turning their back on Zionism. In that rapidly evolving situation, Hamas is committed to bold new solutions and resolutions to the struggle against Zionism, including options that seemed impossible prior to October 2023

### The Palestinian Political System

39. A real state of Palestine is a state that has been liberated. There is no alternative to a fully sovereign Palestinian State on the entire national Palestinian soil, with Jerusalem as its capital.

40. Hamas believes in, and adheres to, managing its Palestinian relations on the basis of pluralism, democracy, national partnership, acceptance of the other and the adoption of dialogue. The aim is to bolster the unity of ranks and joint action for the purpose of accomplishing national goals and fulfilling the aspirations of the Palestinian people.
41. The PLO is a national framework for the Palestinian people inside and outside of Palestine. It should therefore be preserved, developed and rebuilt on democratic foundations so as to secure the participation of all the constituents and forces of the Palestinian people, in a manner that safeguards Palestinian rights.
42. Hamas stresses the necessity of building Palestinian national institutions on sound democratic principles, foremost among them are free and fair elections. Such a process should be on the basis of national partnership and in accordance with a clear programme and strategy that adhere to the rights, including the right of resistance, and which fulfil the aspirations of the Palestinian people.

### Conclusion

43. It seems that the actions of the Palestinian resistance on October 7<sup>th</sup> have precipitated a profound crisis within Zionism. Inshallah, it proves to be a terminal crisis, one that leads to a process of dismantling Israeli apartheid and replacing it with a system based on the values of tolerance, mutual recognition, and love grounded in acknowledging and meeting human need.
44. Contrary to Israeli Defence Minister Yoav Gallant's explicitly genocidal contention, Hamas and the wider Palestinian resistance are not "human animals." We are full humans, whom Zionism has explicitly, repeatedly, and for more than a century, deliberately treated as sub-human. For almost two decades, 'Israel' has herded millions of Palestinians into a concentration camp called 'the Gaza strip' and told us we are worthless. For Hamas and other Palestinian resistance groups to have driven bulldozers through, flown paragliders over, dug tunnels under, and generally found ingenious ways to breach the frontiers of that prison is a testament to Palestinian dignity, and to human dignity more generally.
45. Unsurprisingly, the British state continues to side with the genocidal Zionist coloniser, while proscribing organisations like ours that strive to assert Palestinian dignity. Hamas is a resistance movement that – similar to every people who have fought to assert their dignity in the face of

European and north American colonial capitalism – will liberate our colonised Palestinian people despite, not because of, the British government.

46. I invite the British state to now depart from this oppressive policy and be on the right side of history by deproscribing our movement.

I believe that the facts stated in this witness statement are true.

SIGNED:



MOUSA ABU MARZOUK



DATE: 26-3-2025