

## Jurists For Palestine Forum (Season 2)

### Summary of Webinar\*

# Gaza on the Brink: Israeli Genocidal Intent

Prepared by: Huda Abudagga and Hadeel Mubarak || Reviewed by: Iman Zueiter

#### Main Information:

- **Date of the Webinar:** 17 October 2023
- **Duration:** 1 hr 30 min
- **Place:** Via Zoom
- **Speakers:**
  - Basil Suorani:** A witness from Gaza - PCHR
  - Rez Segal:** Associate Professor of Holocaust and genocide studies at Stockton University and the endowed professor in the study of modern genocide.
  - Arnesa Buljusmié-Kustura:** Genocide Researcher & Survivor, Author of "Letters from Diaspora".
  - Maha Abdallah:** Researcher at the Law and Development Research group, University of Antwerp
  - Huda Abudagga:** Legal Researcher from Gaza, her family live in Gaza
- **Moderator: Noura Erakat:** Human rights attorney, Associate Professor of Africana Studies and the Program of Criminal Justice at Rutgers University
- **Organized in partnership with:** Al-Haq, Al Mezan Center for Human Rights, and Palestinian Centre for Human Rights, and Arab Renaissance for Democracy and Development
- **Attendees (Zoom and live – YouTube):** 1500
- **Recording link:** [Here](#)

\*Disclaimer: This document provides a condensed summary of the key viewpoints, stances, and analyses articulated during the discussion. These perspectives do not inherently represent the stance of Law for Palestine or its partners. Our aim is to faithfully transcribe the speakers' words precisely as spoken. Nevertheless, for accurate quotations of any statements cited here, it is essential to refer back to the event recording and directly listen to their words.

## Moderator's Introduction:

### Noura Erekat:

Over the last few days, we have witnessed Israel undertaking the crime of genocide against the Palestinian people in the besieged Gaza strip. Senior Israeli officials have made statements with genocidal intent and followed them up with actions that deliberately inflict on the Palestinian people conditions of life calculated to bring about their physical destruction, amounting to the crime of genocide as defined in international law. This is not an isolated situation but is an extension of systematic grave injustices the Palestinian people have been subjected to for over a century.

UN agencies working on ground, Palestinian civil society organisations, other international organisations, and experts are documenting the unfolding humanitarian catastrophe including the indiscriminate bombing of civilians and civilian infrastructure, the cutting off of water and electricity, the denial of entry of humanitarian convoys of food, medicine, fuel, and other supplies necessary for the survival of the population and forced displacement of Palestinians in Gaza.

The UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, has warned that we may be witnessing a repeat of the 1948 Nakba and 1967 Naksa. As Israel continues its genocidal campaign on the Palestinian people, this webinar aims to bring together scholars and other legal experts in the crime of genocide to discuss the current situation in Gaza while situating it in the wider settler colonial context in Palestine.

This webinar, organized by Law For Palestine, AlHaq, Almezan Centre for Human Rights, Palestinian Centre for Human Rights, and Arab Renaissance for Democracy and Development, aims to address the legal substance of the Convention on the Prevention and Punishment of the Crime of Genocide / Rome Statute of the ICC Art 6, the application of the Genocide Convention/Rome Statute in the current Israeli assault on Gaza and the wider Palestinian context, and the obligations incumbent on Third States and the international community at large to protect the Palestinian population against genocide.

## Speakers' Interventions

### Basel Sourani (Voice record):

- The situation in Gaza is extremely difficult. Three days ago I evacuated to the South of the Gaza Strip to the city of Khan Younis, along with my family members as the Israeli army instructed the residents of Gaza city and the Northern Gaza to evacuate to the South. I went to PCHR'S office over there.
- Unfortunately, there is no place safe. The targeting of civilians and civilian buildings is the same in the North and in the South. It's just a lie. It was heartbreaking to see the scenes of destruction on my way to Khan Younis.
- Tens of thousands of Palestinians whose houses and dreams got destroyed by the Israeli occupation forces fleeing for their lives and their cars in big trucks and on donkey cars. Some of the people were even evacuating and walking all this distance on foot.
- I've seen hundreds of people lining up before bakery shops since 6:00 AM waiting to get some bread. There's a water and wheat crisis.
- Many people have not been showering, drinking water or having access to water due to the decision of the Israeli Minister of Defence.
- People are even eating and drinking as less as they can in order not to go to the toilet and use it because water is very limited.
- There's no electricity. We're completely kind of disconnected from the whole world. We don't get any news.
- Israel continues to bomb residential buildings and civilians are in the eye of the storm.
- No one is safe, journalists, health staff, health workers and ambulances have been targeted and killed.
- UNRWA Schools have been targeted while people thought that these are the safest place to be in.
- UNRWA storage stores were bombed by the Israeli occupation forces in Northern Gaza. This is a pure collective punishment, and a war that is launched against the Palestinian people.

- I decided to come back after I evacuated because I don't want to live through a second NAKBA. We want to stay in our homes, resist this unlawful occupation and not to allow a second NAKBA to happen again.
- It was very heartbreaking to see the tens of thousands fleeing in front of my eyes and we hope that there is an immediate ceasefire and that humanitarian aid is allowed to go in. If no humanitarian aid is allowed in, at least water, we are risking the spread of several diseases among people.
- Not everyone evacuated to the South, there are hundreds of thousands of Palestinians who are still in Gaza city and Northern Gaza, and they refuse to move out from their lands.
- We risk that more and more crimes will happen against the Palestinian people.
- An immediate ceasefire is needed and we want the international community to immediately intervene to put an end to this.
- It's also important to stress that due to the high number of casualties and the security situation on the ground and the continuous Israeli bombardment of all areas across the Gaza Strip, people are not managing to bury their loved ones, and the mortuary are full. Dead bodies are either left on the ground or ice cream trucks.

### **Raz Segal:**

- As a Holocaust and Genocide Studies Scholar and as a Scholar of the Jewish World, the lessons of the Holocaust, if to use this language, were obviously never meant to provide cover for state violence and for genocide.
- The lessons of the Holocaust were meant to provide protection to groups from state violence and genocide and especially defenceless groups like Palestinians, living for decades under settler colonial rule, under military occupation, and under siege.
- The lessons of the Holocaust were meant to humanize those facing state violence and what we're seeing today, what we just heard now, the violence and the testimonies that are coming out of Gaza, are horrendous.
- We're seeing a dehumanisation campaign of unprecedented proportions against Palestinians around the world where Palestinians feel that their lives do not matter, and their deaths have

no meaning. They have no attention to their histories, and there is no place for their voices and perspectives.

- In the last few years, we're seeing a shift in the field of Holocaust and genocide studies with regard to the issue of Israeli mass violence against Palestinians and what we're now seeing in front of our eyes is unfolding genocidal violence against the Palestinians and Gaza.
- There are a number of statements in the last couple of days where we've seen a significant number of Holocaust and Genocide Studies Scholars, including Jewish Holocaust and Genocide Studies Scholars, signing their names on statements talking about unfolding genocide now in Gaza.
- I think that this is very significant because the issue of the de-humanization that we're facing now is based in large part on Israeli statements:
  - Israeli former Prime Minister Naftali Bennett in this tantrum in an interview described what Israel is now doing as fighting Nazis.
  - There is a long history to the use of Holocaust memory by Israel to rationalise and to justify and to distort and to deny and to disavow Israeli mass violence against Palestinians.
  - In 1982 Israeli Prime Minister described the fights in Beirut during Israel's attack in Lebanon as of Hitler and his bunker in Berlin.
  - In 2015, Israeli Prime Minister Netanyahu engaged in a clear distortion of Holocaust's history saying that the Palestinians were actually a driving force behind the Hitler's war against the Jews, which of course is a complete historical distortion.
  - And now, all over Israeli politics, they proclaim this idea that we're fighting Nazis and if we're fighting Nazis and everything is permissible, there is no law and you can do anything that you want and anything that is needed in order to defeat Nazis.
  - On 9<sup>th</sup> of October, Israeli Defence Minister declared a complete siege on Gaza, and he further declared that "Gaza won't return to what it was before, we will eliminate everything".
  - Israeli Army Spokesperson said particularly that "the emphasis is on damage and not on accuracy". This is because of this idea that we are fighting Nazis.

- That's why I think, by the way, that we're seeing such unashamed and explicit genocidal intent. In the vast majority of cases, perpetrators of genocide don't express themselves in these ways.
- Now, you see people who you would not have imagined 10 years ago signing their names to such statements (talking about unfolding genocide now in Gaza).
- This shift is significant because academics and significantly academics of Holocaust and Genocide studies provide legitimacy to the discourse about the Holocaust around the world.
- There's also a lot of overlap between academics of scholars in Holocaust and Genocide Studies and Institutes of Global Holocaust Memory that are state institutes. So, there's this dimension that is very important.
- The only other case that comes to my mind where there is such a discourse, is the recent Russian attack against Ukraine, where Ukrainians as well were portrayed by Putin in the Russian media as Nazis, as explicitly Nazis actually in the frame of what in this sort of Russian imagination is actually a continuation of World War II and the war against the Nazis.
- The images coming out of Gaza are very similar to the images that we saw in Ukrainian cities in the Russian attack on Ukraine.
- I can tell you that I've received many, many emails of support to what I wrote and have said in the last couple of days from Jews, including invoking their parents and grandparents survivors of the Holocaust, because people are seeing this crude dehumanising discourse that turns the people who face mass violence into perpetrators and Nazis.
- And something is breaking in this framework, by this framework, I mean in this framework that's based on holocaust's memory in which Israel seems like an exceptional state because of its self-proclaimed identity as a Jewish state, which is of course an exclusionary framework to begin with, but this framework based on the Holocaust is a big element of it.
- It's definitely discursively, but with political implications of providing Israel impunity, and something is starting to shift and break clearly in this framework I think, and I think it's significant and it is tight.
- In this framework, I think of the Russian war in Ukraine because that's also a case where discursively, we've seen an unprecedented willingness on the part of Western powers and

Western commentators and scholars in the field again to talk about genocide in Russian's war on Ukraine.

- Because of this clear connection between what Russia is continuing to do in Ukraine and between Israel's war on Gaza, I think an opportunity for this sort of shift in the field that again, we're seeing with more and more people signing their name to the statements.
- This shift among Holocaust scholars is based on the dehumanising discourse that everyone is seeing because scholars in Holocaust and genocide studies consider the perspectives of those facing genocide. This is rooted of course in Holocaust fellowship and Jews who study the Holocaust like me and especially Jews who study the Holocaust centre the perspectives of Holocaust victims and Holocaust survivors.
- The situation that we're seeing now unfolding in front of our eyes is unbearable and business as usual and Holocaust and genocide studies as a field I think is not something that's possible anymore. That is because of the overlap with institutes of Holocaust memory, and the legitimacy that the field and scholars provide to these institutes and to the idea of Israel as an exceptional state and the impunity that it has, and that's also in relation to how the Holocaust figures as an issue of politics and identity in the US and Britain and the EU.
- In many ways I see my role as pushing this change forward, first and foremost to humanise Palestinians, to centre their voices, their perspective, their experiences, their histories to do everything possible to stop the unfolding genocide in front of our eyes.
- I think key way to stop this is to centre the genocide perspectives now exactly because of everything that I said, but then also to push this shift in Holocaust and genocide studies moving forward.

### **Arnessa Buljusic-Kustura:**

- I am a genocide survivor myself, and I'm somebody who has spent the vast majority of my life talking about not just the Bosnian genocide, but obviously about other genocides and ethnic cleansing campaigns both past and current.

- The situation in Gaza is horrifying in every way, and I think for me, those images were horrifically reminiscent of my own experience of living under siege and seeing your home bombed to pieces.
- The difficulty I think that many are having is in accepting the word genocide when it comes to what is happening in Gaza right now.
- Just like Gaza, currently, Bosnia was under siege for four years. We were cut off from the rest of the world, from water, from aid, food, electricity, and everything. We were indiscriminately bombed on a daily basis.
- Some days, I think as many as 2000 shells would be thrown from the Serbian side. Snipers were set up those directly targeted civilians.
- At the same time, outside in certain places of Serbia, there were massive campaigns of ethnic cleansing and genocide, as well as massive relocations and expulsions. Just as we're seeing is happening in Gaza.
- There were concentration camps and there were massacres. The Srebrenica Genocide was declared an act of genocide under the ICTY (International Criminal Tribunal for the former Yugoslavia) and was convicted as such not only as a war crime.
- However, several other municipalities and places were not convicted as genocides; they were convicted just as crimes against humanity or as war crimes.
- The reason why I mentioned this is it's incredibly important for us to contextualise the sociological aspect of genocide and that really when we're looking at the definition of genocide:

“It is the intent to destroy in whole or in part a group based on their ethnicity, religious identity, nationality or other identity markers.”

- What is happening in Gaza currently, both as somebody who survived the genocide and both as somebody who has spent so much of my life talking about debasing and genocide as well as the Holocaust and making these connections, is really a textbook case of genocide.
- When you open your social media and you see the heads of governments calling for full extermination saying that they're going to wipe Gaza off the planet, calling them human



animals as well as other horrible things, I think it's very clear that there is certainly an aspect of genocidal intent.

- Prior to the war in Bosnia even starting, they were discussing the siege of Sarajevo. Radovan Karadžić<sup>2</sup> was saying: “there's 300,000 Muslims in Sarajevo, all of them will be dead”, and the other leaders said: “Good, kill all the Muslims.”
- That was an intentional expression of genocide. Their goal was to exterminate the Bosniac or the Bosnian Muslim population instead, and they did that, again, by cutting off the water, the electricity, the food, and the indiscriminate bombing. All of those things just as is currently happening in Gaza.
- I also want to point out, I mentioned a dehumanising language and I know that what's happening in Gaza currently is horrific, but it's worth reminding everyone that this didn't just start last week. This has been going on for over 70 years of occupation.
- But particularly I would say in the past decade or two, there has been such a use of openly dehumanising language and openly dehumanising language is ultimately what does lead to genocide.
- We've seen that in the Holocaust. We've seen it in the case of the Bosnian genocide, we weren't bombed out of nowhere.
- Genocide did not happen out of nowhere, it took years of planning, and most importantly, they took a lot of devotion from particularly senior ethnonationalist leaders to convince people that we should be dehumanised, that we were animals, that we were just Islamists, that if they didn't get rid of us, we would kill them, that we are going to force all their daughters to wear hijabs because we're a Muslim and they're not.
- That sort of rhetoric is not uncommon when it comes to cases of genocide. It's obviously one of the most important stages when you really consider it, and to hear the openly dehumanising language spoken with so much fervour in the media from government leaders, and from regular people too, is horrifying and it all leads us to where we're at right now, which is the fact that what is happening in Gaza is a genocide.

---

<sup>2</sup> President of Republika Srpska (1996)

- I was only a child when the Bosnian war and genocide started, but I remember enough of the bombs, of the hunger, of the snipers and the attacks and the terrors. It's really worth remembering that at least half of the population in Gaza is children.
- Children just like me who are just trying to live their lives and instead are being met with violence, bombings, horrors at such a horrific scale, and that to me is terrifying.
- We are actively watching as genocide plays out on our phones and our TV screens. We are watching as people cheer on the genocide of a group of people.
- I know that the excuse from some is going to be that this is all the fault of Hamas and that they're not targeting Palestinian people, they're actually targeting Hamas, but that couldn't be further from the truth.
- This is just a classic case of an escape boat that is easily used in order for them to commit the levels of crimes that they're committing right now.
- They're targeting innocent people, they're targeting civilians, and they're enacting collective punishment against people.
- I want to make it clear that Bosnia and Palestine are not identical cases because there is no such a thing as an identical case of genocide or war, no matter who it is, but there are enough similarities.
- For me, the alarming similarities are really the dehumanising language and the almost proud proclamations of genocidal intent.
- I think people really need to take a moment and pause and try to remember that just 30 years ago, the Bosnia genocide was happening, which means just 30 years ago on our TV screens or on the TV screens at least of those in the West, there was similar rhetoric being spread.
- There were similar people who blamed Bosnians for defending themselves. There was people who didn't think that they needed to do anything, that they needed to speak out, that it did not matter at the end of the day or that it was just happening to somebody far away, but I was not somebody that was far away that it was happening to.
- People in Palestine are now that somebody that it's happening to and who are being indiscriminately bombed, being cut off from medical aid, from electricity, from water, and from food.

- I mean starvation has already started to occur. There are massive reports of people running out of water, the little food provisions that they were left with.
- I cannot look at it and say that it is anything other than genocide, and I know that there will be some who will make qualms about that, who will criticise me for that, and that is fine.
- Obviously, there is an aspect here of various other crimes against humanity. There is an aspect of ethnic cleansing, of forcible expulsions, which is what Israel is currently attempting to do, but they're not just forcibly attempting to forcibly displace Palestinians. They're doing that and indiscriminately bombing them while cutting off them from the rest of the world and anything that may aid them.
- As somebody who survived Bosnian genocide, I feel very passionately about this, and that period of my life was so impactful that I ended up obviously dedicating the rest of my life to educating about the horrors of the Bosnian genocide and to educating about what dehumanisation leads to.
- Currently in Bosnia, we have an issue of ethno-nationalism. We have an issue of genocide denialism, we have an ethnically split country, so for me, genocide is a process that continues.
- It does not matter whether it's one person killed or a hundred thousand. What matters is the intent behind it.
- Whether only 30 people could have been killed in the Holocaust, but it still would've been genocide because that's how genocide functions. The intent has to be there, the intent to destroy, the attempt to destroy in whole or in part by not just killing, but also making the situation and their circumstances so horrific that they cannot survive.
- The case of the Bosnian genocide and Palestine are different in many ways. Bosnia was not under occupation for 75 years, but we were under siege for four years by an aggressor.
- There was indiscriminate killing, there were massacres. Over 8,000 people were murdered in just one small town in a very short span of time.
- I think what is terrifying for me in this moment is the fact that I am seeing a repeat of the same sort of actions that happened in Bosnia.

- Are they at the same level? No. Are they exactly the same? No, but they're similar enough that I feel compelled to speak out about this.
- Part of the Holocaust education is “never again”, and unfortunately after the Holocaust, Bosnia happened and then we said “never again”, and then Rwanda happened and we said “never again.” So many other genocides have happened, and we keep saying never again, and we keep staying quiet while they happen, only to then turn around and proclaim loudly, never again. Well, never again is now.
- All of us have a responsibility to speak out, to put pressure on our collective political representatives and governments in any way that we can and to take a stand and to stand with the Palestinian people.

### **Maha Abdallah:**

- Since last Saturday, we have seen an increase in public shameless statements from Israeli officials indicating genocidal intent as well as potential genocidal acts, including massacres, large scale, deliberate destruction, forced displacement and forcible transfer of Palestinians as Israel relentlessly and mercilessly attacks.
- Over 2 million people who have been held captive in an open-air prison for 17 years by now, we've all heard or read the many statements made by the Israeli decision makers that explicitly dehumanised Palestinians, by describing them “human animals” and call for the destruction of Palestinians, especially in the Gaza Strip.
- One Israeli parliamentmember has recently explicitly demanded the government to carry out another NAKBA against Palestinians in Gaza and elsewhere, “one that will overshadow the NAKBA of 1948”, according to his demand.
- In the media, an Israeli journalist incites to turn Gaza into a Slaughterhouse.
- Banners have been placed on Israeli roads with slogans calling for the mass destruction of Gaza and for zero residents in Gaza.
- Such calls have echoed in the United States and in Europe, where some representatives publicly supported the extensive destruction of Gaza without any regard for human life, dignity, and the rules of war or international law.

- It is also important to remind that last week is by no means is the starting point of practises and policies that have long sought to dehumanise, forcibly remove and eliminate the Palestinian wherever they may be, it'll certainly not end there either.
- About nine months ago, Israeli Minister of Finance and Defence publicly called to wipe out the entire village of Huwara in Nablus, while Israeli settlers under the protection of Israeli forces carry out programs against Palestinian communities and towns across the West Bank, creating coercive environments, and forcing their displacement and transfer.
- Since its inception and even prior, Israel as a settler colonial militarised regime represented by its political, military and religious figures, has made sure to stereotype and depict the Palestinian as barbaric and violent in its internal and external discourse, including through the media, textbooks and others, but also as primitive, backward, criminal terrorist and vile.
- Zionism has waged a genocidal warfare against the Palestinian people the moment it claimed that “Palestine is empty” and the moment that it claimed that “there is a land without a people, for a people without a land” denying the existence of an entire people and undermining its collective social, economic, political, and cultural history, ties and gripes
- As the UN Special Rapporteur on the Human Rights situation in the Occupied Palestinian territory, put it in her first report to the UN General Assembly last year: “It is the logic of elimination that drives Israel settler colonial project in Palestine and for the purpose of eliminating all traces and expression of Palestinian existence”.
- The culmination of this over the decades has been the establishing of a Zionist Israeli Jewish supremacy, institutional discrimination, racism, and domination over the Palestinian people who have been oppressed, deliberately fragmented and prevented from exercising the right to self-determination.
- Palestinians have been for decades warning against the system of apartheid.
- This very same regime of supremacy and structural violence embedded in the Zionist ideology and the state of Israel is what justifies the annihilation process of the Palestinian people, both in the physical and nonphysical sense, from Gaza to Jerusalem to the Naqab (Negev) through different techniques over the years.
- Discrimination, persecution, segregation, apartheid, forcible transfer, and dehumanisation are all prominent features and prerequisites of genocide.

- They formed the foundation upon which Israel has for decades carried out the dispossession and large scale killing, targeting and physically harming the Palestinian people.
- As debates continue about whether the claim of genocide is legally or factually correct, there are clear warnings and symptoms emanating in the current vicious reality on the ground, as was discussed already, including in the total besiegement imposed, the cut-off of water, electricity, medicine, and internet in Gaza which are all essential for human survival as well as the publicly intended large scale destruction of Gaza and its people under the guise of self-defence.
- It is therefore incumbent upon all relevant stakeholders of the international community to immediately intervene and to take immediate measures to prevent genocide in line with the relevant duties under the genocide convention and other pertinent instruments of international law, and to put an end to the on-going grave breaches, war crimes and crimes against humanity against the Palestinian people. Once and for all states must refrain from assisting such unlawful acts and cooperate to bring them to an end as opposed to celebrate and cheer on them.
- Third states also have a duty to ensure that Israel refrains from further incitement to genocide and from perpetrating acts that are prohibited under Article 2 of the Genocide convention.
- States must act in accordance with Article 8 of the Genocide Convention and call upon the competent United Nations organs, namely the General Assembly and the Security Council, as well as the UN office on the Genocide Prevention to take the appropriate action to prevent genocide.
- The role of the UN General Assembly is particularly important in this instant, also considering the veto power dynamic at the Security Council as well as the General Assembly's 1982 resolution that condemned the Sabra and Shatila massacres as an act of genocide.
- By virtue of the Genocide Convention, the International Court of Justice does exercise jurisdiction.
- State parties to the Genocide Convention could bring a case before the court, such as with the on-going proceedings in The Gambia versus Myanmar and Ukraine versus Russia.

- Here it's important to note that the state of Palestine is party to the Genocide Convention since 2014 and in accordance with Article 9 of the Genocide Convention and considering Israeli statements and acts particularly since the 7th of October of this year, the state of Palestine may trigger proceedings before the ICJ in relation to the prevention of genocide.
- As for the International Criminal Court, and in light of ongoing proceedings in the situation in Palestine at the ICC and with genocide falling within the court's jurisdiction, according to the Rome statute, the office of the prosecutor must not shy away from investigating individual criminal liability in this respect.
- There is no lack of information or knowledge about what has been going on in Palestine for the past 100 years and all the violations and the international crimes being perpetrated.
- What there is, is a lack of political will, selectivity and double standards on part of the international powers in how they act or do not act in this case to respect and protect human rights, international law and accountability.
- This signals danger not only to the Palestinian people, the rights and existence, but also to the credibility and effectiveness and effectiveness of international law and order.

### **Huda Abudagga:**

- To talk on how this particular onslaught is different from the 51 day onslaught in Gaza in 2014.
- My family, my town is in the Eastern South of Gaza, the whole town was evacuated on the second or third day of the onslaught.
- My town is currently one of the ghost towns and even when they go to it to grab some clothes or necessities, they say that the situation is bad, everything is destroyed.
- The main definers of the town are destroyed, but at the end of the day we say as long as the people are alive, will till now, it's not a problem. We'll rebuild Gaza again.
- I think the best way to describe how this is worse than the 2014 onslaught, even though the 2014 was horrendous, it was one of the longest attacks on Gaza lasted for 52 days. During that time as well, I think two or three weeks from the beginning of that attack, my family

had to evacuate their areas as well. We've kind of lived this before, but this time it's a million times worse.

- From the first day of this war we've lost around 14 people from my extended family, only an 11 year old girl and her uncle had survived.
- These evacuations, when they happened in 2014, they were for a much shorter period of time, and generally the attacks were more targeted towards maybe military structures.
- So right now, they are wiping out families, they're wiping up whole neighbourhoods. In Gaza, for example, my town, each neighbourhood is a place of a whole family, so when you wipe out a neighbourhood, you're wiping out a whole family. When you're making this neighbourhood evacuate, you're making the whole family leave.
- When my family was evacuating, a lot of them were hesitant to evacuate because they genuinely didn't know where to go because, as I said, the whole family is located in one area, so they do not have family to go to.
- If you're issuing orders of evacuating this area, you're putting a whole family in a place of displacement unless they have friends or colleagues, and even when they do evacuate, they're not safe.
- This time, the scale, bombing being done on a much larger scale than 2014, the intent is clearly, or the way they're doing it is clearly to harm and kill as many people as possible, the way they just bomb houses full of people.
- Right now 47 families are wiped up from the civil registry, we're talking about families of 10, 15 members.
- Another thing that really is also adding to the struggle is the fact that they're hearing news that they are going to be evacuated to Egypt.
- Every single time people have some form of hope, this time, they genuinely don't know what's going to happen.
- Add to that all the imposed blockade. I have family members who have been living off tea and biscuits and now they can't even have tea because they ran out of gas.



- I have another branch of my family who have rented a house far away from our area, and they're literally living off the food that comes from the families around every two days. And here I'm not talking about one or two people, I'm talking about families of 7-15 members.
- Right now, we think of the 2014 aggression, the 2012 aggression, the 2008 aggression as normal aggressions compared to this one. We'd all rather go back to the 2014 aggression compared to what we're going through right now.
- Food was never an issue before. For them. In Gaza there are always aid coming in, there are always people helping each other with food. But this time even food is becoming a hurdle. It's becoming an issue. Most basic needs are becoming something that is adding to their struggle. Let's not talk about electricity and water.
- This mass destruction of full neighborhoods doesn't usually happen on such a scale. For example, AlRimal, that's the most elegant neighborhood in Gaza, one of the most populated as well with all the main universities, main shops, malls. It's the place where people go to enjoy time or shop. This place is in ruins right now.
- They're bombing the central areas, the main monuments of each area. Even my town, when we saw videos of it, I couldn't recognize it. I was watching and I only recognized it when I saw a monument that had the name of my town to recognize it.
- It's not even just massacres. They're erasing any identity of Palestinians. Everything that defines the areas, the towns are being destroyed. It's an insane account of destruction and massacre that is happening on the ground right now.
- We genuinely don't know what's going to happen. We don't know if we're ever going to see Gaza again.
- That's maybe one of the most difficult things to have to process and deal with, to think that your existence is going to be deleted from this area.
- This area is not going to belong to you anymore, or you're not going to have a right to go visit it or see it or live in your home or in your land.

## Comments and Q & A

**Q1:** Do you feel there is any likelihood of Israeli officials and Israeli army personnel being held accountable for these statements and these attacks? Israel is unlikely to court martial its own soldiers, so will the ICC step up and actually play a role here? Secondly, and related to this, would supplying arms as the US is doing be a contributory charge under international law?

### Panelist response:

- **Maha Abdullah**

- No, I really don't believe that any Israeli official or military leader or personnel will be held accountable for any of the statements or actions that they have made.
- This is what has been proven over the past seven or eight decades to date, and unfortunately Israel and other associated actors in Israel, whether as governmental or military representatives, they've enjoyed a wide range of impunity and protection from the international community for all the violations and atrocities they have been committing against the Palestinian people.
- We've seen investigation processes and proceedings being delayed and stall, whether it be at the International Criminal Court or whether it be at in the UN bodies throughout the different mechanisms and so on.
- There is a clear bias, a clear selectivity and double standards in how international community, especially the Western part of the international community, has decided to use and utilise and apply international law to the question of Palestine and the Palestinian people.
- That doesn't help in bringing justice, it doesn't help in realising Palestinian's fundamental rights and therefore it'll certainly not help in creating the peace that everyone is seeking.
- As for the role of arms and arms companies, this is a particularly important moment to be calling on these entities and companies and different relevant actors to stop the trade in arms with Israel and to call on states to suspend and impose military embargo as well.

- **Noura Erekat**

- About the politicization of the ICC, I have received a tremendous amount of inquiry of how we can use the law in this moment.
- I want to just emphasize to the audience that we should not place any faith in the law and legal institutions at this moment.

- The prosecutor recently, Kareem Khan has come out to say that he will be prosecuting and investigating Hamas in the precise moment where there is an ongoing genocide and very explicit genocidal intent.
- This is to remind us that since the ICC was established in 2004, almost all of those who have been tried have been African heads of state African and Arab heads of state, and so this is why several countries have pulled out of the Rome statute even or threatened to rescind their signature from the Rome statute of 1998.
- It is not to say that we can't use this and that there isn't a case to be made. We should be making the case.
- There are also avenues for the legal practitioners out there to use universal jurisdiction to serve individuals.
- Genocide convention does not only hold government leaders to account, but individuals to account, which distinguishes it from almost all other international treaties.
- So, individuals, including media individuals who have fomented this genocidal intent should be aware that they are also at risk of such prosecution.

Q2: Do you feel that the genocidal intent is limited to the current lineup of Israeli government, or does it extend to different sectors of the political spectrum?

**Panelist response:**

**Raz Segal**

- I think that the question of genocide in Palestine, which is a question that's been discussed in the last 15 years and debated so in the history of Israeli state and mass violence against Palestinians since 1948.
- There is consensus on war crimes and crimes of aggression, on military occupation, on siege, on many other international criminal acts, but not on genocide until this current attack on Gaza.
- What we're seeing now in Israeli politics and society really across the board in culture, media and on social media.
- Anyone who follows Hebrew language sources now on media and social media, it's all over the place. Genocidal, explicit, unashamed, genocidal language calls for genocidal killings.
- I think this language cuts across currently a lot of the kind of otherwise political ideological boundaries and lines in Israeli politics and society.
- Gallant's (Israeli Defence Minister) specific language about complete siege, which I think is very important for the discussion of genocide among us because the international legal framework is another thing, but I think that Gallant took the 17 year siege of Gaza, which was already illegal according to international humanitarian law, which is the longest, and this is so very important, the longest siege of its kind in modern history and turned it into a complete siege.
- This in itself signals genocidal intent especially because there's nowhere to go. We've just seen a nine month siege on Nagorno Karabach.
- We've all witnessed the ethnic cleansing of Nagorno Karabach in front of our eyes and these people lost everything. They've lost their society, their lives, their culture, their homes,

everything, but they had somewhere to flee into Romania. Palestinians and Gazans have nowhere to flee.

- This is urgent, the issue of Israel genocidal assault, and I do think that it cuts across a lot of the boundaries and lines in Israeli politics and society and culture today.

Q3: Was the genocidal intent in Bosnia something that appeared before the war or something that was being built up over the years as an attempt to actually rid of Bosnians? Do you feel the process is similar to the situation of Palestinians in Gaza and elsewhere?

### Arnesa Buljusic-kustura

- As for as whether the intent of genocide was sudden or whether it had taken years to get there, it was not sudden, it was slowly planned and slowly unveiled.
- Obviously, the genocide in Bosnia came as a result of the dissolution of Yugoslavia and all the respective republics declaring independence such as Bosnia, but Bosnia was not the first country that was attacked.
- There was attempts by Serbia to attack, I believe it was Slovenia first, then Croatia, then Bosnia.
- Up until they actually attacked, they were smuggling weapons into the country. They were instigating fervour. They were spreading propaganda. So, the intent behind the destruction was absolutely there prior to the beginning of the genocide actually.
- And yes, I do see similarities here when it comes to Gaza. As I've said, they're not the same in a lot of ways. There's vast differences between Palestine and Bosnia. Obviously, we're talking about a 75 year long occupation. Lots of different aggressions throughout the years. And a very pathetic attempt at any sort of international justice for current or past atrocities.
- But there's enough similarities, particularly in the way that politicians in Israel and the leadership is talking about Gazans, not just this time. It was in the past as well, I feel like this has been also building and they just found the right excuse in this case to really implement their destruction of Palestinians.

Q4: I want to ask you, what are the practical steps that become available even if we prove unequivocally that genocide is happening in Gaza? Which audience do we need to convince? Because as you mentioned, Sabra and Shatila is recognized as a genocide, but literally nothing has come of that..

### Maha Abdullah

- I think it's a difficult question with maybe a bit of contradictions in how I would answer it as most Palestinians.
- Sure, there's a lot of frustrations with international law and its mechanisms, but also in international law from its colonial roots to the implementation and applicability today through its different bodies.
- As Palestinians, I don't think we should depart from that, and I don't think we should leave that space empty and that battle open for others to take over and manipulate further.
- The numerous UN resolutions have failed the Palestinian people, whether they're positive or negative in their content. But they're important. They're important for the history, for accountability. And because systems are run by people and people change. And if for decades we've had the wrong people in place. One day, I'm sure that I'm confident that it's changing, we'll have people who are genuinely concerned with justice and accountability.
- Which avenue to go to? Definitely the United Nations General Assembly. Again, as you mentioned, and I mentioned there was a recognition of massacres against Palestinians and Sabra and Shatila as genocide in the past.
- The scale and intensity of the massacres and the destruction that's happening in Gaza today and that has happened over the years on different wide scale, large scale military offensives may fall within the same category.
- We have an ongoing commission of inquiry at the United Nations that should also be taking the lead and presenting a role model, to other UN bodies and mechanisms in investigating and warning against symptoms of genocide against Palestinians.
- We have also individual states who have ratified the genocide Convention and who should be actively engaging with and seeking their action in this regard. Whether it be it in publishing statements or communications with Israel and other relevant actors were warning against the genocide and to prevent genocide or whether it be through their domestic jurisdictions, to activate and trigger cases against individuals from the Israeli government or military that are inciting on genocide.
- This is not very difficult to do, especially when we're looking at the numerous dual citizens that serve in the Israeli military and that serve in the Israeli government, whether in Europe or in the United States or elsewhere.

Q5: One of the hardest things right now is that because of this through line and this dehistorisation and depoliticization that wants to connect Palestinian use of armed force to Nazi atrocities, that the question of genocide is being blurred. And what the media and many Zionists are trying to emphasize is that what Palestinian use of armed force is actually targeted at all Jews and genocidal. And this is really, really harmful. Can you address that and how then we can make this case more plainly?

### Prof. Raz Segal

- May we see that day soon, that Israeli politicians and army officers and in some cases journalists and others will face accountability for what we're seeing now in front of our eyes very clearly. I do think that these institutes can change because people can change. And as I indicated before, I think we are seeing some sort of shift these days with this.
- This goes through the root problems, the conflation of a people, Jews and a state of Israel, a state that one fifth of its citizens are Palestinians and not Jews. And where of course many Jews do not identify with Israel. Many Jews were and are anti-Zionist. Many Jews were and are non Zionist. They are Americans or they're British, or they're whoever they are. They have no interest in Israel. They don't want this way or the other. They're not anti or pro, they're non Zionist, they're Jews.
- This conflation is very, very dangerous. Actually, it's also wrong. The people who were targeted and killed in the Hamas attack were Israeli citizens. That's how we need to refer to them, first and foremost, Israeli citizens.
- We need to remember that what we're talking about here is not this decontextualized targeting of Jews. Certainly not in the way that we saw Jews targeted in this long history of mass violence against Jews.
- What we're seeing here is a powerful state, a nuclear power with one of the most significant armies in the world with the support of all the Western powers.
- We need to really cut this distorted picture of a Jews facing Nazis, this kind of propaganda image, and speak the truth of what's going on around here.
- And really, Maha, thank you very much. I share your commitment to bringing these people to trial into accountability one day.

### Huda Abudagga

- I'm not going to repeat any statistics, numbers, facts that are on the ground. I think we all are well aware of them.
- I'm going to try to echo the sounds from the ground, and what I hear from the people there.
- All they want right now is for this escalation to stop, for this bombing to stop.
- They don't ask anything from the world, no humanitarian aid, nothing. All they want is for the bombing to stop, for this destruction to stop, for this death to stop.
- They want to go back to their homes. They want to rise from under the Ashes and rebuild Gaza. They don't need anything other than for this bombing to stop.
- I feel like this is the best thing I could end with from the ground. Just pray for them. They ask us and they ask the world to do something to stop this. And I hope we can find some way to stop this.

**Closing Statement: Noura Erakat**

- We are praying for them and we are fighting for them, and we are fighting for ourselves. This is a catastrophe to all of humanity. It is a massive failure.
- For those who continuously tell me they won't speak afraid about their jobs and livelihood. What is the value of these jobs and this livelihood in a world that has absolutely failed and betrayed its own humanity?
- Let us continue to fight for this immediate ceasefire and for justice and decolonization.
- Thank you to our esteemed speakers, to Professor Raz, to Arnesa, to Maha, to Sourani, to the organizers of this event. May you have the power and the strength to continue. Thank you. And thank you so much for the interpreters, we cannot see you, but we cannot do this without you.

\_END\_