

# ISRAEL'S UNFOLDING CRIME OF GENOCIDE IN GAZA

## FREQUENTLY ASKED QUESTIONS

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### **What is genocide? Is there a legal finding for genocide?**

Genocide refers to specific actions—including killing, causing serious bodily or mental harm, or deliberately inflicting conditions of life calculated to bring about the destruction of the group in whole or in part—taken with the intention of destroying, in whole or in part, the group targeted, on ethnic, racial, religious, or national grounds. There is a plausible and credible case that Israel is committing the crime of genocide against the Palestinian people in the occupied Gaza Strip. In their public statements and speeches, Israeli officials have used dehumanizing language, describing Palestinians in Gaza as “human animals.” They have also been unequivocal in the goal of maximum harm, stating that the “emphasis is on damage and not on accuracy” using “fire of a magnitude that the enemy has not known.” Since Israeli Prime Minister Netanyahu declared “war” following the killing of an estimated 1,400 Israelis on October 7, 2023, over 9,000 Palestinians in Gaza have been killed and 1.4 of the 2.3 million Palestinians living there have been internally displaced.

### **How is the United States complicit in this genocide?**

The United States has been obligated, since learning of the serious risk of genocide in Gaza, to exercise its influence on Israel to prevent the crime. Like both Palestine and Israel, the U.S. is a signatory to the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. The Convention criminalizes not just the act of genocide, but also incitement, attempts, and complicity in genocide. The United States is not only failing to uphold its basic international human rights obligations to prevent genocide, but the ongoing commitment to further the Israeli military operation, with knowledge of the genocidal intent of Israeli officials, brings it to the level of complicity. The United States and responsible U.S. citizens, including the president, can be held responsible for their role in furthering genocide.

### **U.S. and Israeli officials assert “self-defense” as a justification for the Israeli military’s ongoing assault—why is this incompatible with international law?**

There is no justification for committing genocide, including any claim of ‘self-defense.’ The right of self-defense is bound by the principles of international law and cannot be rooted in retaliation or punitive tactics. Because of this, no government can ever engage in a genocidal campaign and proclaim it as an act of self-defense. Further, because Gaza is an occupied territory, Israel, as the occupying power, cannot claim the right of self-defense from an attack under the UN Charter. All parties must comply with international law, including the prohibition against targeting civilians.

### **When did Israel’s unfolding genocide against the Palestinian people begin?**

Since 1947, there have been multiple instances where Israel has engaged in the mass killing of Palestinians, their mass expulsion, persecution, and the annexation of their land, causing severe multigenerational physical and psychological harm to the Palestinian people. The first such instance is the Palestinian Nakba, which provides critical context for understanding the foundations of the genocidal moment we are in today.

The Nakba (meaning “the Catastrophe” in Arabic) refers to the Zionist militias’ violent campaign of mass dispossession between 1947 and 1949, resulting in the forced displacement of 85 percent of the Palestinian population, the destruction of 531 Palestinian towns and villages, and the expulsion of some 750,000 Palestinians who became refugees. Palestinians fled or were forced to flee as armed forces carried out a series of mass atrocities, including dozens of massacres, and killing an estimated 15,000 Palestinians.

Over the past 75 years, successive Israeli governments have pursued deliberate, calculated, and overt campaigns against Palestinians for their forced expulsion, transfer and displacement, extermination, fragmentation, arbitrary imprisonment, torture, and denial of fundamental rights. Since October 7, 2023, Israel has escalated its 16-year closure of Gaza, indiscriminately and repeatedly bombing civilians while cutting off access to all basic necessities, including food, water, electricity, and medical supplies, and on October 13 ordered a forced “evacuation” of 1.1 million Palestinians out of northern Gaza.

### **Is criticizing the state of Israel antisemitic? What is the difference between being anti-Zionist and being antisemitic?**

No, criticizing the actions of any government for its activities is a legitimate exercise of political expression. This freedom of expression is particularly important at the moment as the state of Israel attempts to commit genocide against the Palestinian people. Antisemitism pertains to the persecution and bigotry directed at Jewish people based on culture, religion, and/or appearance. Zionism is a nationalist political ideology that developed in the late 19th century and sought to create a Jewish ethnostate. It gained significant popularity and traction following the genocidal horror of the Holocaust.

One of the core tenets of Zionism, as it relates to Israel, is “a land without a people for a people without a land.” However, this phrase embodies a fatal contradiction: an erasure of Palestinians native to the land through the declaration that the land itself was preordained for Jewish settlers only. There are Jewish people, both white and nonwhite, who have disagreed with the Zionist movement since its origins.

### **What is the responsibility of the U.S. government and the international community?**

The United States must end all military aid, as well as political, economic, and diplomatic support to Israel until Israel comes into compliance with international law. In addition, the international community must work to achieve the immediate end of Israel’s 16-year closure of the Gaza Strip, Israel’s 56-year military occupation of the occupied Palestinian territory (the West Bank, including East Jerusalem, and Gaza), and the apartheid regime Israel administers across historic Palestine. We all must commit to human dignity and stand with Palestinians as they resist Israeli colonization, occupation, and apartheid.

**See our full emergency legal briefing on the unfolding genocide here:**

