

A Chance to Hold Israel and the US to Account for Genocide

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On January 11th, the International Court of Justice (ICJ) in The Hague is holding its [first hearing](#) in South Africa's case against Israel under the Genocide Convention. The first provisional measure South Africa has asked of the court is to order an immediate end to this carnage, which has already killed more than 23,000 people, most of them women and children. Israel is trying to bomb Gaza into oblivion and scatter the terrorized survivors across the Earth, meeting the Convention's definition of genocide to the letter.

Since countries engaged in genocide do not publicly declare their real goal, the greatest legal hurdle for any genocide prosecution is to prove the intention of genocide. But in the extraordinary case of Israel, whose cult of biblically ordained entitlement is backed to the hilt by unconditional U.S. complicity, its leaders have been uniquely brazen about their goal of destroying Gaza as a haven of Palestinian life, culture and resistance.

South Africa's 84-page [application](#) to the ICJ includes ten pages (starting on page 59) of statements by Israeli civilian and military officials that document their genocidal intentions in Gaza. They include statements by Prime Minister Netanyahu, President Herzog, Defense Minister Gallant, five other cabinet ministers, senior military officers and members of parliament.

Reading these statements, it is hard to see how a fair and impartial court could fail to recognize the genocidal intent behind the death and devastation Israeli forces and American weapons are wreaking in Gaza.

The Israeli [magazine](#) +972 talked to seven current and former Israeli intelligence officials involved in previous assaults on Gaza. They explained the systematic nature of Israel's

targeting practices and how the range of civilian infrastructure that Israel is targeting has been vastly expanded in the current onslaught. In particular, it has expanded the bombing of civilian infrastructure, or what it euphemistically defines as “power targets,” which have comprised half of its targets from the outset of this war.

Israel’s “power targets” in Gaza include public buildings like hospitals, schools, banks, government offices, and high-rise apartment blocks. The public pretext for destroying Gaza’s civilian infrastructure is that civilians will blame Hamas for its destruction, and that this will undermine its civilian base of support. This kind of brutal logic has been proved wrong in U.S.-backed conflicts all over the world. In Gaza, it is no more than a grotesque fantasy. The Palestinians understand perfectly well who is bombing them – and who is supplying the bombs.

Intelligence officials told +972 that Israel maintains extensive occupancy figures for every building in Gaza, and has precise estimates of how many civilians will be killed in each building it bombs. While Israeli and U.S. officials publicly disparage Palestinian casualty figures, intelligence sources told +972 that the Palestinian death counts are remarkably consistent with Israel’s own estimates of how many civilians it is killing. To make matters worse, Israel has started using artificial intelligence to generate targets with minimal human scrutiny, and is doing so faster than its forces can bomb them.

Israeli officials claim that each of the high-rise apartment buildings it bombs contains some kind of Hamas presence, but an intelligence official explained,

“Hamas is everywhere in Gaza; there is no building that does not have something of Hamas in it, so if you want to find a way to turn a high-rise into a target, you will be able to do so.”

As Yuval Abraham of +972 summarized,

“The sources understood, some explicitly and some implicitly, that damage to civilians is the real purpose of these attacks.”

Two days after South Africa submitted its Genocide Convention application to the ICJ, Israeli Finance Minister Smotrich [declared](#) on New Year’s Eve that Israel should substantially empty the Gaza Strip of Palestinians and bring in Israeli settlers.

“If we act in a strategically correct way and encourage emigration,” Smotrich said, “if there are 100,000 or 200,000 Arabs in Gaza, and not two million, the whole discourse on “the day after” will be completely different.”

When reporters [confronted](#) U.S. State Department spokesman Matt Miller about Smotrich’s statement, and similar ones by National Security Minister Itamar Ben-Gvir, Miller replied that Prime Minister Netanyahu and other Israeli officials have reassured the United States that those statements don’t reflect Israeli government policy.

But Smotrich and Ben-Gvir’s statements followed a meeting of Likud Party leaders on Christmas Day where Netanyahu himself said that [his plan](#) was to continue the massacre until the people of Gaza have no choice but to leave or to die.

“Regarding voluntary emigration, I have no problem with that,” he told former Israeli

UN Ambassador Danny Danon. “Our problem is not allowing the exit, but a lack of countries that are ready to take Palestinians in. And we are working on it. This is the direction we are going in.”

We should have learned from America’s lost wars that mass murder and ethnic cleansing rarely lead to political victory or success. More often they only feed deep resentment and desires for justice or revenge that make peace more elusive and conflict endemic.

Although most of the martyrs in Gaza are women and children, Israel and the United States politically justify the massacre as a campaign to destroy Hamas by killing its senior leaders. Andrew Cockburn [described](#) in his book Kill Chain: the Rise of the High-Tech Assassins how, in 200 cases studied by U.S. military intelligence, the U.S. campaign to assassinate Iraqi resistance leaders in 2007 led in every single case to increased attacks on U.S. occupation forces. Every resistance leader they killed was replaced within 48 hours, invariably by new, more aggressive leaders determined to prove themselves by killing even more U.S. troops.

But that is just another unlearned lesson, as Israel and the United States kill Islamic Resistance leaders in Gaza, the West Bank, Lebanon, Iraq, Yemen and Iran, risking a regional war and leaving themselves more isolated than ever.

If the ICJ issues a provisional order for a ceasefire in Gaza, humanity must seize the moment to insist that Israel and the United States must finally end this genocide and accept that the rule of international law applies to all nations, including themselves.

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