

Getting Serious About Halting Israeli Genocide

By [Medea Benjamin](#) and [Nicolas J. S. Davies](#)

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On Friday, December 8, the UN [Security Council](#) met under Article 99 for only the fourth time in the UN's history. Article 99 is an emergency provision that allows the Secretary General to summon the Council to respond to a crisis that "threatens the maintenance of international peace and security." The previous occasions were the Belgian invasion of the Congo in 1960, the hostage crisis at the U.S. Embassy in Iran in 1979 and Lebanon's Civil War in 1989.

Secretary General Antonio Guterres [told](#) the Security Council that he invoked Article 99 to demand an "immediate ceasefire" in Gaza because "we are at a breaking point," with a "high risk of the total collapse of the humanitarian support system in Gaza." The United Arab Emirates drafted a ceasefire resolution that quickly garnered 97 cosponsors.

The World Food Program has reported that Gaza is on the brink of mass [starvation](#), with 9 out of 10 people spending entire days with no food. In the two days before Guterres invoked Article 99, Rafah was the only one of Gaza's five districts to which the UN could deliver any aid at all.

The Secretary General stressed that

"The brutality perpetrated by Hamas can never justify the collective punishment of the Palestinian people... International humanitarian law cannot be applied selectively. It is binding on all parties equally at all times, and the obligation to observe it does not depend on reciprocity."

Mr. Guterres concluded,

"The people of Gaza are looking into the abyss... The eyes of the world - and the eyes of history - are watching. It's time to act."

UN members delivered eloquent, persuasive pleas for the immediate humanitarian ceasefire that the resolution called for, and the Council voted thirteen to one, with the U.K. abstaining, to approve the resolution. But the one vote against by the United States, one of the five veto-wielding permanent members of the Security Council, killed the resolution, leaving the Council impotent to act as the Secretary General warned that it must.

This was the sixteenth U.S. Security Council veto since 2000 – and fourteen of those [vetoes](#) have been to shield Israel and/or U.S. policy on Israel and Palestine from international action or accountability. While Russia and China have vetoed resolutions on a variety of issues around the world, from Myanmar to Venezuela, there is no parallel for the U.S.’s extraordinary use of its veto primarily to provide exceptional impunity under international law for one other country.

The consequences of this veto could hardly be more serious. As Brazil’s UN Ambassador Sérgio França Danese told the Council, if the U.S. hadn’t vetoed a previous resolution that Brazil drafted on October 18, “thousands of lives would have been saved.”

And as the Indonesian representative asked, “How many more must die before this relentless assault is halted? 20,000? 50,000? 100,000?”

Following the previous U.S. veto of a ceasefire at the Security Council, the UN General Assembly took up the global call for a ceasefire, and the resolution, sponsored by Jordan, [passed](#) by 120 votes to 14, with 45 abstentions. The 12 small countries who voted with the United States and Israel represented less than 1% of the world’s population.

The isolated diplomatic position in which the United States found itself should have been a wake-up call, especially coming a week after a Data For Progress poll found that 66% of Americans [supported](#) a ceasefire, while a Mariiv poll found that [only 29%](#) of Israelis supported an imminent ground invasion of Gaza.

After the United States again slammed the Security Council door in Palestine’s face on December 8, the desperate need to end the massacre in Gaza returned to the UN General Assembly on December 12.

An identical resolution to the one the U.S. vetoed in the Security Council was approved by a vote of 153 to 10, with 33 more yes votes than the one in October. While General Assembly resolutions are not binding, they do carry political weight, and this one sends a clear message that the international community is disgusted by the carnage in Gaza.

Another powerful instrument the world can use to try to compel an end to this massacre is the [Genocide Convention](#), which both Israel and the United States have ratified. It only takes one country to bring a case before the International Court of Justice (ICJ) under the Convention, and, while cases can drag on for years, the ICJ can take preliminary measures to protect the victims in the meantime.

On January 23, 2020, the Court did [exactly that](#) in a case brought by The Gambia against Myanmar, alleging genocide against its Rohingya minority. In a brutal military campaign in late 2017, Myanmar massacred tens of thousands of Rohingya and burnt down dozens of villages. 740,000 Rohingyas fled into Bangladesh, and a UN-backed fact-finding mission found that the 600,000 who remained in Myanmar “may face a greater threat of genocide than ever.”

China vetoed a referral to the International Criminal Court (ICC) in the Security Council, so The Gambia, itself recovering from 20 years of repression under a brutal dictatorship, submitted a case to the ICJ under the Genocide Convention.

That opened the door for a unanimous ruling by 17 judges at the ICJ that Myanmar must prevent genocide against the Rohingya, as the Genocide Convention required. The ICJ issued that ruling as a preventive measure, the equivalent of a preliminary injunction in a domestic court, even though its final ruling on the merits of the case might be many years away. It also ordered Myanmar to file a report with the Court every six months to detail how it is protecting the Rohingya, signaling serious ongoing scrutiny of Myanmar's conduct.

So which country will step up to bring an ICJ case against Israel under the Genocide Convention? Activists are already discussing that with a number of countries. Roots Action and World Beyond War have created an [action alert](#) that you can use to send messages to 10 of the most likely candidates (South Africa, Chile, Colombia, Jordan, Ireland, Belize, Türkiye, Bolivia, Honduras and Brazil).

There has also been [increasing pressure](#) on the International Criminal Court to take up the case against Israel.

The ICC has been quick to investigate Hamas for war crimes, but has been dragging its feet on investigating Israel.

After a recent visit to the region, ICC prosecutor Karim Khan was not allowed by Israel to enter Gaza, and he was criticized by Palestinians for visiting areas attacked by Hamas on October 7, but not visiting the hundreds of illegal Israeli settlements, checkpoints and refugee camps in the occupied West Bank.

However, as long as the world is faced with the United States' tragic and debilitating abuse of institutions the rest of the world depends on to enforce international law, the economic and diplomatic actions of individual countries may have more impact than their speeches in New York.

While historically there have been about two dozen countries that have not recognized Israel, in the past two months, Belize and Bolivia have severed ties with Israel, while others—Bahrain, Chad, Chile, Colombia, Honduras, Jordan and Turkey—have [withdrawn their ambassadors](#).

Other countries are trying to have it both ways—condemning Israel publicly but maintaining their economic interests. At the UN Security Council, Egypt [explicitly](#) accused Israel of genocide and the U.S. of obstructing a ceasefire.

And yet Egypt's long-standing partnership with Israel in the blockade of Gaza and its continuing role, even today, in restricting the entry of humanitarian aid into Gaza through its own border crossings, make it complicit in the genocide it condemns. If it means what it says, it must open its border crossings to all the humanitarian aid that is needed, end its cooperation with the Israeli blockade and reevaluate its obsequious and compromised relationships with Israel and the United States.

Qatar, which has worked hard to negotiate an Israeli ceasefire in Gaza, was eloquent in its denunciation of Israeli genocide in the Security Council. But Qatar was speaking on behalf of the Gulf Cooperation Council, which includes Saudi Arabia, Bahrain and the United Arab

Emirates (UAE). Under the so-called Abraham accords, the sheikhs of Bahrain and the UAE have turned their backs on Palestine to sign on to a toxic brew of self-serving commercial relations and hundred million dollar [arms deals](#) with Israel.

In New York, the UAE sponsored the latest failed Security Council resolution, and its representative [declared](#), “The international system is teetering on the brink. For this war signals that might makes right, that compliance with international humanitarian law depends on the identity of the victim and the perpetrator.”

And yet neither the UAE nor Bahrain has renounced their Abraham deals with Israel, nor their roles in U.S. “might makes right” policies that have wreaked havoc in the Middle East for decades. Over a thousand US Air Force personnel and dozens of U.S. warplanes are still based at the Al-Dhafra Airbase in Abu Dhabi, while Manama in Bahrain, which the U.S. Navy has used as a base since 1941, remains the headquarters of the U.S. Fifth Fleet.

Many experts compare [apartheid Israel](#) to apartheid South Africa. Speeches at the UN may have helped to bring down South Africa’s apartheid regime, but change didn’t come until countries around the world embraced a global campaign to economically and politically isolate it.

The reason Israel’s die-hard supporters in the United States have tried to ban, or even criminalize, the campaign for Boycott, Divestment and Sanctions (BDS) is not that it is illegitimate or anti-semitic. It is precisely because boycotting, sanctioning and divesting from Israel may be an effective strategy to help bring down its genocidal, expansionist and unaccountable regime.

U.S. Alternate Representative to the U.N. Robert Wood [told](#) the Security Council that there is a “fundamental disconnect between the discussions that we have been having in this chamber and the realities on the ground” in Gaza, implying that only Israeli and U.S. views of the conflict deserve to be taken seriously.

But the real disconnect at the root of this crisis is the one between the isolated looking-glass world of U.S. and Israeli politics and the real world that is crying out for a ceasefire and justice for Palestinians.

While Israel, with U.S. bombs and howitzer shells, is killing and maiming thousands of innocent people, the rest of the world is appalled by these [crimes against humanity](#). The grassroots clamor to end the massacre keeps building, but global leaders must move beyond non-binding votes and investigations to boycotting Israeli products, putting an embargo on weapons sales, breaking diplomatic relations and other measures that will make Israel a pariah state on the world stage.

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Medea Benjamin is the cofounder of [CODEPINK for Peace](#), and the author of several books, including [Inside Iran: The Real History and Politics of the Islamic Republic of Iran](#).

Nicolas J. S. Davies is an independent journalist, a researcher for CODEPINK and the author

of [Blood on Our Hands: The American Invasion and Destruction of Iraq](#).

Medea Benjamin and Nicolas J. S. Davies are the authors of [War in Ukraine: Making Sense of a Senseless Conflict](#), published by OR Books in November 2022. They are regular contributors to Global Research.

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Articles by: [Medea Benjamin](#)
and [Nicolas J. S. Davies](#)

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