

ICJ on Gaza: Acting Against Israel

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Five days after the International Court of Justice (ICJ) announced various interim measures aimed at preventing the State of Israel from committing acts in Gaza which come within the scope of the Genocide Convention such as "killing members of the (targeted) group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, and imposing measures intended to prevent births within the group," the brutal, barbaric butchery of the largely unarmed and impoverished inhabitants of the small strip of land continues unabated. In the first two days after the 26th January ICJ Order was issued for instance 373 Palestinians were killed in Gaza, the majority of them children and women.

We should not be surprised that Israel has defied the ICJ. It has defied it before. Israel has nothing but contempt for international law. It sees itself as above the law. It has always acted as though the restraints and limits that law imposes upon states and individuals do not apply to it. Israel is special. It can do what it wants.

The main reason for this is the Nazi holocaust before and during the Second World War. As one of the principal victims of that terrible tragedy, many Jews have come to believe that the suffering that they have had to bear somehow absolves them from any wrongdoing. After all the Genocide Convention itself was a consequence of the holocaust. How could anyone now accuse the Jewish state of Israel of genocide? That the victims of a gross, wanton injustice sometimes become the most heinous perpetrators of inhuman crimes against fellow human beings once they gain power is a glaring truth that most Israelis have chosen to ignore.

If the Israeli elite is so determined to wipe out the Gazan population and tighten its suffocating grip over Gaza, it is because it is part of its ethnic cleansing agenda that began

in 1948 with the expulsion of more than three-quarters of a million Palestinians from their homes to pave the way for the creation of the state of Israel. Ethnic cleansing of Palestine, it must never be forgotten, is a primary goal of Israel which has now reached a new phase with the current assault on Gaza.

What renders added significance to the current assault are the underlying economic and geopolitical motives behind the move. It is reported that a trillion cubic feet of gas discovered off the Gaza shoreline in the 1990s could bring massive wealth to Israel if it can eliminate the real owner of Gaza, namely Palestine. It would enable Israel to supply gas to Europe replacing Russia. Israel would also become a major player in the formulation of oil and gas policies and the ensuing politics in the region and beyond. This may be one of the reasons why the US, and to a great extent, Europe are prepared to provide cover to Israel's drive to control Gaza.

Gas wealth and its geo-political promise must be read in conjunction with another plan associated with Israel and the US. The two countries, it is alleged, are set to build a new canal, the Ben Gurion Canal, from the northern tip of Gaza which will open a new naval route to the Mediterranean and beyond. It will not only reduce dependence upon the Suez Canal but also create a new route for global trade with the East and the West. For the US in particular, the Ben Gurion Canal may well emerge as its much needed buttress helping to perpetuate its power as a global hegemon.

This is why Gaza is so critical — for the aggressor who is hell-bent on annexing the strip and for the victim who realizes that the survival of its inhabitants as part of Palestine is fundamental to that nation which is now under Israeli occupation. The steadfastness of the Palestinian people, their willingness to sacrifice their lives for freedom and dignity would undoubtedly be a major factor in ensuring that Gaza survives. The massive support for the people of Gaza expressed by millions around the globe— the millions who are demanding both an immediate, unconditional ceasefire and the free flow of humanitarian assistance to the beleaguered citizens of the strip — will also help to reinforce their cause. The ICJ directives of 26th January could also have a salutary effect.

Since Israel is required to submit a report to the ICJ within one month of the announcement of the directives, the ICJ can do a thorough assessment of whether the former has complied with directives. If Israel is guilty of non-compliance, the ICJ can request the UN General Assembly to suspend Israel's membership.

If suspension does not bring about a positive change in the behaviour of the State of Israel, the UNGA can after a reasonable period of time move on to the second stage. It should direct all member states to boycott Israel in every sphere of activity — from politics and economics to culture and sports. The boycott will last as long as Israel continues to kill people in Gaza or the West Bank or acts in any manner that contributes towards genocide as spelt out under the Genocide Convention.

A firm resolve on the part of the majority of UN members to act decisively against Israeli arrogance will surely produce the desired result.

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