



Active Genocide Alert

Israel/Palestine: There is No Justification for Genocide

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The Lemkin Institute mourns the horrific outbreak of violence that has erupted in Israel and Palestine in the wake of Hamas' unprecedented military operation against Israel that began on October 7th, 2023.

We warn world leaders that the crisis is dangerously likely to descend into the mass murder pattern of genocide and urge them to pursue foreign policy initiatives that serve both to de-escalate the situation and bring the State of Israel together with Palestinian representatives in a transformative peace process that ensures the dignity and security of all peoples in the region. We hold leaders in the United States (alongside many other Western leaders) primarily responsible for the deterioration in relations between Palestinian authorities and the State of Israel and the ensuing hostilities due to its withdrawal from a leadership role in a peace process while it still heavily supported Israel with weapons and other military aid. We strongly urge Western leaders to pull back from the endorsement they have given Israel to effectively commit genocide against Palestinians, whether through massacre or through forced population displacement, lest they be complicit in genocide. Genocide is a crime in international law and is a permanent moral wound on the body of humanity. There is never a justification for perpetration of this crime.

The multi-pronged attack by Hamas militants on October 7 has killed approximately 1,200 Israelis, many of them civilians. In an interview with Al-Jazeera, Hamas spokesperson Khaled Qadomi claimed that the its military operation was conducted in response to repeated Israeli attacks on the Al-Aqsa Mosque within occupied East Jerusalem, the blockade and intensive bombardment of Gaza, and an upsurge in attacks on Palestinian civilians by the Israeli Occupation Force (IOF) soldiers and settlers in the West Bank over the past year. Analysts have noted that these daily threats to Palestinian life, dignity, and identity have taken a back seat in the Middle East as Israel has pursued the normalization of diplomatic relations with several Arab countries; some analysts suggest that the attack on October 7 may have been timed to

undermine negotiations between Israel and Saudi Arabia and place the crisis of Palestinian sovereignty back on the international agenda.

Regardless of the attack's timing, the atrocities committed by Hamas militants on the ground suggest that this unprecedented attack also had genocidal dimensions. The Lemkin Institute is horrified by the heartbreaking stories that have emerged from the victims of this attack, as well as the deeply felt and deeply experienced links that survivors are making with the persecution that their family members experienced in pogroms across Europe and during the Holocaust, highlighting the deep and historically resonant trauma of these attacks. We stand in unwavering solidarity with the right of Jews all over the world to live in safety and security.

Many acts of violence committed by Hamas militants appear directly targeted against Israeli and Jewish identities. The Lemkin Institute has not been able to independently verify reports of many of these atrocities; we have had to rely instead on a judicious review and cross-checking of media sources. This work has been hampered by the fact that, particularly in this conflict, media sources often make incorrect or false claims. On October 9, for example, the Los Angeles Times posted an update on a story it ran over the weekend that notes: "An earlier version of this column mentioned rape [by Hamas militants] in the attacks, but such reports have not been substantiated." There is also a wide array of propaganda currently being spread about these events. During a roundtable with American Jewish community leaders on October 11, US President Joe Biden referred to the beheading of Israeli infants by Hamas militants, a statement that he claimed was based on his review of photographic evidence. A White House spokesperson later clarified that the claim was not based on photographic evidence, but rather on claims made by a spokesperson for Israeli Prime Minister Benjamin Netanyahu. A spokesperson for the Israeli military later told The Intercept that the Israel Defense Forces (IDF) cannot confirm the beheading claims. In light of the misinformation and disinformation flourishing at the moment, the Institute's analysis may change as new facts emerge.

Nonetheless, as details of Hamas' attack become available, the Lemkin Institute has identified several atrocities committed by Hamas militants that raise red flags for genocidal intent. Such atrocities include: the targeted massacre of symbols of group life, such as the murder of 260 young people at the Supernova music festival near Kibbutz Re'im in southern Israel (within kilometers of the Gazan border); inversion rituals, such as the killing of children in front of their family members; and desecration rituals, such as the massacre of entire families, the setting fire to homes with families still inside them, and the desecration of dead bodies. One survivor of the Supernova festival massacre testified hearing Hamas militants shout "Kill all the Jews!" and "Rape all their women!" A particularly harrowing and potentially genocidal crime can be viewed in a video posted on social media that shows Hamas militants parading the almost naked, still body of 22-year-old German citizen Shani Louk, a hostage from the Supernova festival, through the streets of Gaza. (It is unclear what happened to Louk after the video was taken, though her mother believes she is alive and in critical condition at a Gaza hospital). Hamas' repeated use of social media to post videos of their crimes to terrorize external audiences is reminiscent of a terror tactic employed by Turkish soldiers against Kurds in eastern Turkey, Azerbaijani soldiers against Armenians in Nagorno-Karabakh, and ISIS militants against Yezidi and Christian

communities in northern Iraq. Further crimes committed during Hamas' attack include the seizure of at least 130 hostages and the killing of disarmed soldiers.

The Israeli state's response to these attacks has demonstrated a disturbingly open disregard for international law. It has been energetically supported by Western leaders who have just overseen the genocide committed by Israel's ally, Azerbaijan, against Armenians in Artsakh/Nagorno-Karabakh — including US President Joseph Biden, British Prime Minister Rishi Sunak, European Commission President Ursula von der Leyen, European Council President Charles Michel, and German Chancellor Olaf Scholz. Their reckless blanket support for any possible retribution committed by Israel's right-wing government exposes the hypocrisies that underpin the West's public commitments to human rights. Given the turbulence of the violence between Israel and Gaza and the threat it holds to the human security of Israelis and Palestinians on the ground, the further escalation of this inherently genocidal situation in Israel-Palestine will pose a threat that transcends borders and jeopardizes both regional and global security. Already the conflict has extended to Lebanon and Syria. It is in the interest of the international community to prevent and punish genocide — and it is obliged to do so. When communities are shattered by atrocities, it falls to international actors to protect civilian life and work to de-escalate the violence. Instead, the current situation in the region has been fanned and escalated by Western leaders and stakeholders.

Israeli government officials have made public statements that have been riddled with genocidal language and imagery that conflates Hamas — an Islamist organization with a military wing — with all Palestinians, particularly those living in Gaza, through the use of capacious terms such as “our enemy,” “Nazis,” and “human animals.”

In a televised address on October 7, Israeli Prime Minister Benjamin Netanyahu declared that Israel was at war: “We have only started striking Hamas,” he said. “What we will do to our enemies in the coming days will reverberate with them for generations.”

“In parallel,” Netanyahu continued, “I am initiating an extensive mobilization of the reserves to fight back on a scale and intensity that the enemy has so far not experienced. The enemy will pay an unprecedented price.”

Two days later, on October 9, Israel's Defense Minister Yoav Gallant called for a “complete siege on Gaza,” specifying that all electricity, water, food, and fuel supplies would be halted to the Gaza Strip. He noted that Israel is “fighting against human animals” and is “acting accordingly.” In international law collective punishment and the use of such starvation tactics against civilian populations are war crimes.

On October 12, in an interview with Sky News, when asked about Palestinian civilians in Gaza, former Israeli Prime Minister Naftali Bennett sternly responded “Are you seriously asking me about Palestinian civilians? What is wrong with you? We're fighting Nazis.” He proceeded to justify Israel's collective punishment of Palestinians in Gaza by exclaiming “I am not going to

[provide] electricity or water to my enemies,” once again demonstrating the deliberate conflation of ordinary Gazans with Hamas-affiliated militants.

Since October 7, Israel has launched retaliatory attacks on Gaza of a lethal scope and scale. These attacks have leveled entire neighborhoods and killed over 1,537 Palestinians, including 500 children and 267 women, according to the [Palestinian Health Ministry](#). Data published by [the United Nations](#) indicates that more than 338,000 people have been displaced. Generations of families have been indiscriminately killed in these attacks, and the Israeli military has been accused of targeting buildings traditionally deemed “off-limits” in wartime, including mosques, schools, crucial public services infrastructure, hospitals, ambulances, and United Nations-sponsored structures and refugee camps. Gaza’s residents have watched in terror as residential neighborhoods have been systematically destroyed from artillery fire, in tandem with essential services and utilities. As the last power plant in Gaza deactivated, hospitals in Gaza have been unable to treat patient influxes. Patients in critical condition who require oxygen generators and other lifesaving medical equipment have been rendered particularly vulnerable. Emergency telecommunication systems (which are indispensable to providing assistance to Gazan civilians) have been [severed](#). Furthermore: Gazans have nowhere to flee to avoid bombardment, as all Israeli-Gazan border checkpoints have been sealed. On October 10, Israeli bombardment forced the closure of the Rafah crossing—the sole checkpoint between Gaza and Egypt. While few Palestinians have the required permission to leave through the Rafah crossing, it has been used to deliver medical and humanitarian supplies from Egypt into Gaza. Whether or not such shipments have resumed since October 10 is unclear.

Amid the [rapidly rising number](#) of Palestinian journalists killed by Israeli forces since the outbreak of hostilities, the [importance of a free press to the goal of genocide prevention](#) cannot be understated. Journalists reporting on the occupation have historically been subjected to arrests, unjust legal proceedings, the destruction of equipment and evidence, and, in the case of Palestinian-American journalist Shireen Abu Akleh, political assassination. The current Israeli-enforced power outage in Gaza has disastrous effects for journalists reporting on the ground, preventing information from reaching external audiences. Journalists are protected under international law as civilians in combat zones; targeting journalists in warfare is a [war crime](#).

The Israeli response to Hamas’ October 7 attack is only expected to intensify in the coming days, particularly if Israel launches a ground offensive into Gaza. In a televised speech on October 11, Prime Minister Netanyahu [announced](#) that “every Hamas member is a dead man.” Such language is dangerously likely to result in sex-selective massacres of Palestinian men of “battle age,” which constitutes a genocidal act. Settler violence in the West Bank has spiked in tandem with the outbreak of hostilities, leading to immense danger for Palestinians located there: in the small town of Yasuf, east of Salfit, [10 people were injured](#) on Saturday in an attack from local settlers who were supported by the IOF. Since then, the X (formerly Twitter) account of [@LocalFocus1](#) has documented 41 Palestinians killed by settlers and IOF in the West Bank and occupied Jerusalem. The Lemkin Institute has seen two videos, posted on X (formerly Twitter), that purport to display the desecration of Palestinian male bodies. In one [video](#), men

are viewed smiling as they urinate on the partially stripped dead bodies of Palestinian men. This is a crime reminiscent of previous acts committed by Israeli police in the [West Bank](#) and by American soldiers in [Afghanistan](#), [Iraq](#), and at the prison complex in [Guantanamo Bay](#). In the other [video](#), a man's body is being repeatedly run over by a car whose occupants are speaking Hebrew and laughing and celebrating as the body is ripped apart. We have also seen the distressing [video](#) of the young Palestinian boy who was purportedly set on fire by settlers in Hebron. We have not been able to verify the time and place of these videos, but we mention them here because atrocities against Palestinians are so rarely investigated by the Western press and we call for investigation. Such acts of desecration and brazen celebration constitute dangerous red flags of genocidal ideology. Should the genocidal potential of settler communities be unleashed—a potential that has already been [demonstrated](#) throughout the past year—the genocidal violence facing Gazans could very quickly spread to the West Bank.

It is important to note that Gaza is one of the most densely populated territories in the world: 2.3 million people live within 140 square miles of territory that has been permanently blockaded by Israel since Hamas seized power in 2007. The Israeli government controls almost every aspect of life in Gaza, closely monitoring all movement across the border, including everything that goes in and comes out of the territory, and it regularly bombards Gaza in response to Hamas-fired rocket attacks or political unrest in the occupied West Bank. About two-thirds of the population is (or descends from) refugees from the Nakba of 1948, when Palestinians throughout the former British Mandate were killed and forcibly displaced by Zionist militias and the newly-created Israeli Army. About half of all Gazans today are children; half live below the poverty line. The [unemployment rate](#) is 46.6 percent (rising to 62.3 percent among young people ages 15-29). An estimated 80 percent of Gazans are dependent on humanitarian assistance. According to a 2018 [study](#), 68 percent of Gazan households experience food insecurity, leading to the stunting and wasting of children under five. The trauma of both constant insecurity and frequent bombardments has deeply scarred the Gazan people: one [study](#) showed that 95 percent of children in Gaza suffer from anxiety, depression, and trauma. Given both the unsuitable conditions of life and the border wall constructed by the Israeli government to block the territory from the outside world, the United Nations has called the Gaza strip an “open air prison.” The misery and hopelessness of daily life in a context of “permanent siege” has resulted in widespread occurrence of PTSD, trauma, depression, and illness among Gazans—a society-wide [desperation](#) that spilled over into Hamas' military assault on Saturday, October 7. The Lemkin Institute calls for an end to Israel and Egypt's brutal blockade on Gaza and for freedom of movement for Palestinians who live in the region.

In our [most recent](#) Red Flag Alert for genocide in Israel-Palestine, from July 30, 2023, we noted that “[t]he spiral violence in the West Bank, particularly in the cities of Nablus and Jenin, could easily create the conditions for radicalization of Israeli society into mass murder.” This political radicalization may now be coming to pass. The unifying effect of Hamas' October 7 attack both within Israel and beyond its borders—notably between the Israeli state and many people in the Jewish Diaspora—cannot be overstated. A society that was divided by Prime Minister Benjamin Netanyahu's radical agenda and judicial reform proposals is now unified around the perceived need for retaliation and, in many cases, for retribution.

Over the past few days, we have seen attempts to justify atrocities by one side or another with references to past horrors, future threats, and ongoing wrongs. We reiterate that **there is no justification for genocide**. These attempts to justify atrocities lose sight of the overarching historical dynamic in which this tragedy is playing out, manifesting within the ongoing legacy of settler colonialism, the Holocaust, and the Nakba, as well as the perpetuation of violence and its impact on social relations between Israelis and Palestinians. The process of creating the State of Israel, relying on both British occupation and the murder and displacement of 700,000 Palestinians from their indigenous lands, ushered in a historical dynamic of continuous erasure for Palestinians and their identity as a necessary component of the exertion of Israel's sovereignty and security as an explicitly "Jewish state." Such a dynamic enshrines injustice against Palestinians within Israeli nationalism and relentlessly divides Israelis and Palestinians into oppositional positions simply by virtue of their identities and the very real, asymmetric consequences of inhabiting these identities. This cleavage renders peacebuilding a very difficult task, ensuring that every outbreak of hostilities risks having a tragic collective dimension.

The historical dynamic of Palestinian erasure reached a crossroads with the re-election of Benjamin Netanyahu as Prime Minister in December 2022—an administration whose right-wing government has openly supported racist policies against Palestinians and the continuous annexation of territory. The United Nations has recently reported that settler violence in the West Bank has displaced over 1,100 Palestinians since 2022, further noting that 190 Palestinians have been killed by Israeli gunfire in 2023 alone, which sets 2023 to become the most deadly year for Palestinians in decades. The Netanyahu government has further approved the creation of 13,000 new West Bank settlements (the highest number on record for a single year), which has led to the continued displacement of Palestinians from their ever-dwindling ancestral lands. Furthermore, members of Israel's current right-wing government, such as Heritage Minister Amichai Eliyahu of the far-right Otzma Yehudit party, have openly advocated annexing "Judea and Samaria" to Israel—terms often used to refer to the entirety of the West Bank. This expansionist aim is driven and supported by extremist Jewish settler groups, such as the Sovereignty Movement, who link annexation (and the realization of a "Greater Israel") to "the soul, vision and hope of the Jewish people through generations of exile and the generation of redemption." Israeli Finance Minister Bezalel Smotrich declared on March 20, 2023 that "[t]here is no such thing as Palestinians," which, in itself, constitutes a patently genocidal statement.

On September 22, 2023, Prime Minister Netanyahu presented a map of the "New Middle East" to the United Nations General Assembly—a map that did not include Palestine at all.

As we warned in our May 8, 2021 Statement on Israeli Violence in Jerusalem, "Israel appears to be implementing an eliminationist ideology that has grown from the systemic and structural violence against Palestinian life that has marred the nation since its founding in 1948."

While Hamas does not have the capacity to fully destroy Israel on its own, its targeted attacks on civilians suggests that it is pursuing maximal harm to civilians in the limited scope of its current military power. Israel, on the other hand, has the capacity to completely annihilate Gaza

and all Palestinian-inhabited communities of the West Bank, whether through bombardment, invasion and forced displacement, or wholesale massacres. This is what we seem to be seeing now.

While there are many different ways to commit genocide, international law criminalizes all patterns of genocide, and perpetrators of genocide must be held accountable. The international community needs to intervene in all ways possible to protect Palestinians and Israelis alike, enforcing a new peace process—one that addresses the deep structural causes of the violence. Regional actors in the Middle East need to take the lead on creating the conditions for such an intervention.

We at the Lemkin Institute finally extend our solidarity to Israelis and Palestinians who are doing the indispensable and challenging work of pursuing restorative justice, recognizing past wrongs, examining structural violence, and crafting shared narratives that can liberate identity from the need to oppress or erase. We are deeply pained by all the loss and suffering. Israeli society, like other societies (such as settler colonies like the United States and Canada) that are built upon the forcible seizure of other peoples' land, massive population displacement, massacre, and the erasure of identity, must begin the disruptive, difficult process of coming to terms with its history if it is to disentangle itself from the genocidal structures that have supported its existence up to the present day. This unexamined history constitutes a vulnerability in the long-term, not only creating a permanent state of insecurity for the populations whose land was taken—but also for the populations who are now thriving on that land.