

## Public Statement: Scholars Warn of Potential Genocide in Gaza

15 October 2023

As scholars and practitioners of international law, conflict studies and genocide studies, we are compelled to sound the alarm about the possibility of the crime of genocide being perpetrated by Israeli forces against Palestinians in the Gaza Strip. We do not do so lightly, recognising the weight of this crime, but the gravity of the current situation demands it.

The pre-existing conditions in the Gaza Strip had already prompted discussions of genocide prior to the current escalation – such as by the [National Lawyers Guild](#) in 2014, the [Russell Tribunal on Palestine](#) in 2014, and the [Center for Constitutional Rights](#) in 2016. Scholars have warned over the years that the siege of Gaza may amount to a “[prelude to genocide](#)” or a “[slow-motion genocide](#)”. The prevalence of racist and dehumanising language and hate speech in social media was also noted in a [warning](#) issued in July 2014 by the UN Special Adviser on the Prevention of Genocide and Special Adviser on the Responsibility to Protect, in response to Israel's conduct against the protected Palestinian population. The Special Advisers noted that individual Israelis had disseminated messages that could be dehumanising to the Palestinians and that had called for the killing of members of this group, and reiterated that incitement to commit atrocity crimes is prohibited under international law.

Israel's current military offensive on the Gaza Strip since 7 October 2023, however, is unprecedented in scale and severity, and consequently in its [ramifications](#) for the population of Gaza. Following the incursion by Palestinian armed groups on 7 October 2023, including criminal attacks against Israeli civilians, the Gaza Strip has been subjected to incessant and indiscriminate bombardment by Israeli forces. Between 7 October and 9:00 a.m. on 15 October, there have been 2,329 Palestinians killed and 9,042 Palestinians injured in Israeli attacks on Gaza, including over 724 children, huge swathes of neighbourhoods and [entire families](#) across Gaza have been obliterated. Israel's Defence Minister [ordered](#) a “complete siege” of the Gaza Strip prohibiting the supply of fuel, electricity, water and other essential necessities. This terminology itself indicates an intensification of an already illegal, potentially genocidal siege to an outright destructive assault.

Late on 12 October, the Israeli authorities issued an order for more than 1.1 million Palestinians in Gaza City and the northern Gaza Strip to leave their homes and flee to the south of Gaza within 24 hours, knowing that this would be practically impossible for many. Palestinians who did start to evacuate south reported that civilians and ambulances [were targeted and hit](#) by Israeli airstrikes on the designated “safe route”, killing at least 70 Palestinians who were fleeing to seek refuge. The ICRC [stated](#) that “the evacuation orders, coupled with the complete siege” are incompatible with international humanitarian law. Almost half a million Palestinians have already been displaced, and Israeli forces have [bombed](#) the only possible exit route that Israel does not control, the Rafah crossing to Egypt multiple times. The World Health Organisation [published](#) a warning that “[f]orcing more than 2000 patients to relocate to southern Gaza, where health facilities are already running at maximum capacity and unable to absorb a dramatic rise in the number patients, could be tantamount to a death sentence”.

There has also been an escalation of violence, arrests, expulsions, and destruction of whole Palestinian communities in the occupied West Bank and Jerusalem. Since 7 October, Israeli settlers, with the backing of the army and police, have attacked and shot Palestinian civilians at point blank range (as documented in the villages of a-Tuwani and Qusra), have invaded their homes and assaulted residents. A number of Palestinian communities have already been forced to abandon their homes, after which settlers arrived and destroyed their property. Between 7 – 15 October, Al-Haq documented the killing by Israeli military and settlers of 55 Palestinians in the West Bank, and more the injury of 1,200 Palestinians there.

Statements of Israeli officials since 7 October 2023 suggest that beyond the killings and restriction of basic conditions for life perpetrated against Palestinians in Gaza, there are also indications that the ongoing and imminent Israeli attacks on the Gaza Strip are being conducted with potentially genocidal intent. Language used by Israeli political and military figures appears to reproduce rhetoric and tropes associated with genocide and incitement to genocide. Dehumanising descriptions of Palestinians have been prevalent. Israeli Defense Minister Yoav Gallant [declared](#) on 9 October that “we are fighting human animals and we act accordingly”. He subsequently [announced](#) that Israel was moving to “a full-scale response” and that he had “removed every restriction” on Israeli forces, as well as [stating](#): “Gaza won’t return to what it was before. We will eliminate everything.” On 10 October, the head of the Israeli army’s Coordinator of Government Activities in the Territories (COGAT), Maj. Gen. Ghassan Alian, [addressed](#) a message directly to Gaza residents: “Human animals must be treated as such. There will be no electricity and no water, there will only be destruction. You wanted hell, you will get hell”. The same day, Israeli army spokesperson Daniel Hagari [acknowledged](#) the wanton and intentionally destructive nature of Israel’s bombing campaign in Gaza: “The emphasis is on damage and not on accuracy.”

Since 2007, Israel has [defined](#) the Gaza Strip as a whole as an “enemy entity”. On 7 October, Prime Minister Benjamin Netanyahu said that Gazans would pay an “[immense price](#)” for the actions of Hamas fighters. He [asserted](#) that Israel will wage a prolonged offensive and will turn parts of Gaza’s densely populated urban centres “into rubble”. Israel’s President [emphasised](#) that the Israeli authorities view the entire Palestinian population of Gaza as responsible for the actions of militant groups, and subject accordingly to collective punishment and unrestricted use of force: “It is an entire nation out there that is responsible. It is not true this rhetoric about civilians not being aware, not involved. It’s absolutely not true”. Israeli Minister of Energy and Infrastructure Israel Katz [added](#): “All the civilian population in Gaza is ordered to leave immediately. We will win. They will not receive a drop of water or a single battery until they leave the world.”

Evidence of incitement to genocide has also been present in Israeli public discourse. This ranges from statements by elected officials – such as Knesset member Ariel Kallner’s [call](#) on 7 October for “one goal: Nakba! [*catastrophe for Palestinians*] A Nakba that will overshadow the Nakba of 1948” – to public [banners](#) displayed in Israeli cities calling for a “victory” signified by “zero population in Gaza” and the “annihilation of Gaza”. On national television, security correspondent Alon Ben David [relayed](#) the Israeli military’s plan to destroy Gaza City, Jabaliyya, Beit Lahiya, and Beit Hanun. Such statements are not new and resonate with a wider Israeli discourse showcasing the intent for elimination and genocide against the Palestinian people. Earlier in the year, for example, Israeli Minister of Finance Bezalel Smotrich [called](#) Palestinians “repugnant”, “disgusting” and called for “wiping out” the entire Palestinian village of Huwwara in the West Bank.

On 12 October 2023, a group of UN Special Rapporteurs’ [condemned](#) “Israel’s indiscriminate military attacks against the already exhausted Palestinian people of Gaza, comprising over 2.3 million people, nearly half of whom are children. They have lived under unlawful blockade for 16 years, and already gone through five major brutal wars, which remain unaccounted for”. The UN experts warned against “the withholding of essential supplies such as food, water, electricity and medicines. Such actions will precipitate a severe humanitarian crisis in Gaza, where its population is now at inescapable risk of starvation. Intentional starvation is a crime against humanity”. On 14 October 2023, the UN Special Rapporteur on the situation of human rights in the occupied Palestinian territory [warned](#) against “a repeat of the 1948 Nakba, and the 1967 Naksa, yet on a larger scale” as Israel carries out “mass ethnic cleansing of Palestinians under the fog of war”.

The Palestinian people constitute a national group for the purposes of the Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention). The Palestinians of the Gaza Strip constitute a substantial proportion of the Palestinian nation, and are being targeted by Israel because they are Palestinian. The Palestinian population of Gaza appears to be presently subjected by the Israeli forces and authorities to widespread killing, bodily and mental harm, and unviable conditions of life – against a backdrop of Israeli statements which evidence signs of intent to physically destroy the population.

Article II of the Genocide Convention provides that “genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.”

All states are bound as a matter of law by the principle that genocide is a crime prohibited under international law. The International Court of Justice has affirmed that the prohibition of genocide is a peremptory norm of international law from which no derogation is allowed. The Convention provides that individuals who attempt genocide or who incite to genocide “shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals”.

Article I of the Convention on the Prevention and Punishment of the Crime of Genocide provides that: “The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish”. The International Court of Justice has [clarified](#) that “a State’s obligation to prevent, and the corresponding duty to act, arise at the instant that the State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed. From that moment onwards, if the State has available to it means likely to have a deterrent effect on those suspected of preparing genocide, or reasonably suspected of harbouring specific intent (*dolus specialis*), it is under a duty to make such use of these means as the circumstances permit”.

[Palestinian human rights organisations](#), [Jewish civil society groups](#), [Holocaust and genocide studies scholars](#) and others have by now warned of an imminent genocide against the Palestinian population in Gaza. We emphasise the existence of a serious risk of genocide being committed in the Gaza Strip.

The undersigned urgently appeal to states to take concrete and meaningful steps to individually and collectively prevent genocidal acts, in line with their legal duty to prevent the crime of genocide. They must protect the Palestinian population, and ensure that Israel refrains from any further incitement to genocide and from the perpetration of conduct prohibited by Article II of the Genocide Convention.

All states should immediately act under Article VIII, and should call upon the competent organs of the United Nations, particularly the UN General Assembly, to take urgent action under the Charter of the United Nations appropriate for the prevention and suppression of acts of genocide. We note specifically the role of the General Assembly here, given that the Security Council is compromised by the United States and the United Kingdom (both permanent veto-holding members) sending military forces to the eastern Mediterranean in support of Israel.

We recall that in 1982, the General Assembly [condemned](#) the massacre of Palestinian civilians in the Sabra and Shatila refugee camps as “an act of genocide”. We note also that the state of Palestine is entitled to initiate, in accordance with Article IX of the Genocide Convention, proceedings before the International Court of Justice in order to prevent the perpetration of genocidal acts.

Finally, we call on all relevant UN bodies, including the Office on Genocide Prevention and the Responsibility to Protect, as well as the Office of the Prosecutor of the International Criminal Court to immediately intervene, to carry out the necessary investigations and invoke the necessary warning procedures to protect the Palestinian population from genocide.

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723. Susanne Wessendorf, Professor of Social Anthropology, Coventry University
724. Suzana Rahde Gerchmann, PhD candidate and GTA at City, University of London.
725. Swati Chattopadhyay, Professor, University of California, Santa Barbara
726. Sydney Chuen, Georgetown University.
727. Syed Muhammad Omar, PhD Research, University of Kansas
728. Syeda Masood, Phd candidate, Brown University
729. Talal Asad, Distinguished Professor Emeritus, City University of New York
730. Tamanisha J. John, Assistant Professor at York University
731. Tamsin Phillipa Paige, Senior Lecturer, Deakin Law School
732. Taner Akcam, Director of Armenian Genocide Research Program at Promise Armenian Institute, UCLA.
733. Tani Barlow, Professor of History, Rice University
734. Tania Saeed, Associate Professor, Lahore University of Management Sciences (LUMS), Pakistan
735. Tanya Serisier, Reader in Feminist Theory and Criminology, Birkbeck, University of London
736. Tanzil Chowdhury, Associate Professor of Public Law, Queen Mary University of London
737. Tarik Nejat Dinc, Visiting Assistant Professor, Reed College
738. Tariq Khan, Associate Professor, Govt College Township Lahore.
739. Tasniem Anwar, Assistant Professor, Vrije Universiteit Amsterdam
740. Tendayi Achiume, Professor of Law UCLA School of Law
741. Teresa Almeida Cravo, Associate Professor, University of Coimbra, Portugal
742. Terri Ginsberg, Faculty, City University of New York
743. Thalia Kruger, Professor, Faculty of Law, University of Antwerp
744. Thomas Blom Hansen, Professor of Anthropology, Stanford University.
745. Thomas Cowan, University of Nottingham
746. Thomas Earl Porter, Professor of Russian, Modern European and Genocide Studies, North Carolina Agricultural & Technical State University
747. Tim Lindgren, Postdoctoral Fellow at Amsterdam Law School, University of Amsterdam.
748. Tim Lindgren, Postdoctoral Fellow in International Law at Amsterdam Law School, University of Amsterdam
749. Timothy Mitchell, Professor, Columbia University
750. Tom Frost, Senior Lecturer, Kent Law School.
751. Tom Pettinger, Research Fellow, University of Warwick
752. Tor Krever, Assistant Professor in International Law, University of Cambridge
753. Tori Fleming, Doctoral Student, York University
754. Traek Z. Ismail, CUNY School of Law
755. Trevor Lies, Ph.D. Candidate, University of Kansas.
756. Trevor Ngwane, senior lecturer, University of Johannesburg
757. Triestino Mariniello, LJMU
758. Ubeydullah Ademi, PhD Student, Northwestern University
759. Umair Pervez, Instructor University of Calgary
760. Usha Natarajan, LPE Faculty Fellow, Yale Law School
761. Valentina Zagaria, Research Associate, Anthropology Department, University of Manchester
762. Valerie Forman, Associate professor, New York University
763. Van Aken Mauro University of Milan-Bicocca, Italy
764. Vanessa Ramos, Asociación Americana de Juristas, President
765. Vasiliki Touhouliotis, Adjunct Faculty and Independent Scholar, Portland State University

766. Vasken Markarian, PhD, University of Texas at Austin
767. Vasuki Nesiah, Professor of Practice in Human Rights and International Law, The Gallatin School, NYU.
768. Victoria Sanford, PhD, Lehman Professor of Excellence, Lehman College and the Graduate Center, City University of New York.
769. Victoria Veguilla del Moral, Pablo de Olvide University
770. Vida Samiian, Professor & Dean Emerita, CSU Fresno
771. Vidya Kumar, Senior Lecturer in Law, SOAS, University of London
772. Vikki Bell, Professor of Sociology, Goldsmiths, University of London
773. Vivan, Itala, Professor, Università degli Studi, Milano, Italy
774. Wade McMullen, international human rights lawyer, Robert F. Kennedy Human Rights
775. Wail S. Hassan, University of Illinois Urbana-Champaign
776. Walaa Alqaisiya, University of Venice-Italy.
777. Waqas Tufail, Reader in Criminology, Leeds Beckett University
778. Waseem Yaqoob, Lecturer, History of Political Thought
779. Wassim Naboulsi, Research Associate in IR, University of Sussex.
780. Wendy Brown, Professor, Institute for Advanced Study.
781. Wendy DeSouza, Adjunct Professor in Women and Gender Studies, Sonoma State University
782. Wendy Gifford, Professor, University of Ottawa
783. Wendy Pearlman, Professor of Political Science, Northwestern University.
784. William I Robinson, Distinguished Professor of Sociology, University of California at Santa Barbara
785. William Mazarella, Neukom Family Professor of Anthropology, University of Chicago
786. Yaseen Noorani, Associate Professor, University of Arizona
787. Yaser Amouri, PhD, Public International Law, Birzeit University, Palestine
788. Yasmeen Azam, graduate student, UC Berkeley
789. Yasmeen Hanoosh, Professor, Portland State University
790. Yasmine Kherfi, PhD Student, LSE
791. Yasmine Nahlawi, Legal Consultant.
792. Yolande Jansen, Professor, University of Amsterdam
793. Yosefa Loshitzky, Professor, University of London, UK
794. Yusuf Ahmed, Tutor, SOAS.
795. Zahra Ali, Assistant Professor at Rutgers University-Newark.
796. Zahra Moloo, PhD candidate, Human Geography, University of Toronto
797. Zakia Salime, Associate Professor, Rutgers
798. Zeina Jamal, PhD, Queen Margaret University
799. Zoé Samudzi, Visiting Assistant Professor, Strassler Center for Holocaust and Genocide Studies, Clark University
800. Zoha Waseem, University of Warwick
801. Zoya Hasan, Professor Emerita, Jawaharlal Nehru University, New Delhi