

‘Knew or Should Have Known’

Governments Complicit in Genocide Will Not Be Able To Plead Ignorance at the Coming Nuremberg Tribunal

by Dennis Small

Feb. 4—We summarize the strategic situation, and what must be done to immediately reverse the current rush to genocide and global war, as follows:

The International Court of Justice (ICJ) ruled on Jan. 26, 2024 that it is plausible that genocide is actively being carried out by Israel against the Palestinian people in Gaza, as charged by the government of South Africa.

The ICJ further ordered that “Third States must, therefore, also act independently and immediately to prevent genocide by Israel and to ensure that they are not themselves in violation of the Genocide Convention by aiding or assisting in the commission of genocide. This necessarily imposes an obligation on all States to cease funding and facilitating Israel’s military actions, which are plausibly genocidal,” as South African Minister of International Relations Naledi Pandor [stated](#) on Jan. 31.

ICJ rulings are binding on participating governments and responsible officials in those governments, and Israel was given 30 days to report back to the Court and document its compliance with the Court’s Order.

Instead of following the Court’s requirements, Israel and its principal international allies have arrogantly flouted those rulings from the moment they were issued on Jan. 26, 2024.

On Jan. 26, the very day that the ICJ Order was issued, the governments of Israel and the United States colluded to suspend all funding to UNRWA (UN Relief and Works Agency for Palestine Refugees in the Near East), which provides the vast majority of the life-sustaining humanitarian aid for the people of

Gaza, doing this on the basis of a questionable Israeli dossier charging a dozen UNRWA employees (out of 13,000 in Gaza and 30,000 in the region) with working with Hamas, a secret dossier which has yet to be made public.

A total of 17 countries plus the European Union (United States, Germany, Sweden, Japan, France, Switzerland, Canada, United Kingdom, The Netherlands, Australia, Italy, Austria, Finland, New Zealand, Iceland, Romania, Estonia, and the European Union) have now frozen their funding of UNRWA, guaranteeing that the threatened famine now besetting 2.3 million people in Gaza will become

an actual famine with hundreds of thousands of deaths, as UNRWA’s funding totally disappears by the end of February.

On Jan. 30, the Israeli Defense Ministry announced that they were flooding the tunnels in Gaza with seawater, which will predictably not only kill Hamas and hostages alike but also destroy the possibility of having any freshwater or agriculture in the region for decades.

As of Feb. 4, IDF troops are poised at the outskirts of Rafah in southern Gaza, preparing to launch a full-scale military assault on the over one million desperate Palestinians whom the IDF has driven there from other parts of Gaza, in order to impose a policy that the ICJ has characterized as “plausible genocide,” and which therefore could end up being the “final solution to the Palestinian problem.”

The combined military forces of the United States and the United Kingdom—the two countries

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most directly responsible for financing, arming, and unleashing today's Israeli depopulation war against Palestine—launched air strikes over the weekend of Feb. 3–4 against selected “enemy targets” in Yemen, Iraq and Syria, with a manifest intent of sending a “Shock and Awe” message to terrify the entire world into submission.

These developments now threaten to spread the war in Southwest Asia to Iran and engulf the entire region in war, which could rapidly become a nuclear World War III. Therefore, the following immediate actions are called for:

1. Demonstrations should be held worldwide in front of the embassies or consulates of the 18 countries which have frozen funding for UNRWA, demanding that they immediately restore that funding, vastly increase the flow of humanitarian aid to Gaza, bring about an immediate and permanent ceasefire, and convene an international conference to develop concrete steps toward establishing a two-state solution for the region based on mutually-beneficial economic development.

2. City Councils and state legislatures across the United States, and elected bodies in all countries

around the world, should follow the example of the City Council of Chicago, the third largest city in the U.S., which on Jan. 31 passed a [resolution](#) which stated that they “support the United Nations implementation of Resolution 377, known as ‘Uniting for Peace’, which called an emergency session of the General Assembly which voted in favor of “immediate humanitarian ceasefire in Gaza.”

3. Every Congressman and Senator in the U.S. should be told that they will be thrown out of office if they do not publicly express their adherence to both the Constitution of the United States and to international law to which our nation has subscribed (including the decisions of the ICJ), both of which now demand action to stop the genocide before it goes any further. Elected officials in other countries should also be called on to abide by their corresponding legal and moral obligations.

All governments around the world, all public officials, are now on notice: Not only is it the case that they “should have known” what was happening in Gaza on their watch; they now know. And history—and a likely coming Nuremberg Tribunal—will judge them accordingly.