



May 2024

## STATEMENT ON GENOCIDE IN GAZA-CALL FOR LEGAL SUPPORT

The National Conference of Black Lawyers re-affirms its October 2023 Statement on the Israeli war on the Palestinian people of Gaza and the other occupied territories. It further condemns both the genocidal atrocities committed by Israel in the past seven months and those which the Netanyahu government promises to embark upon in Rafah despite the calls from the international community to desist from such catastrophic actions.

The complete complicity of the United States government in the wanton killing of the Palestinian population, the destruction of the infrastructure needed to sustain their lives and the deliberate use of starvation and famine as weapons of war on a people that Israel itself has rendered helpless over the past 57 years, are acknowledged facts.

Retired Israeli Defense Forces (IDF) Major General Yitzhak Brick stated publicly in November 2023 *"All of our missiles, the ammunition, the precision-guided bombs, all the airplanes and bombs, its all from the U.S. The minute that they turn off the tap, you can't keep fighting. You have no capability. ... Everyone understands that we can't fight this war without the United States. Period"*.

As of May 3, 2024, according to the Associated Press, "[t]he Israel-Hamas war has driven around 80% of Gaza's population of 2.3 million from their homes and caused vast destruction in several towns and cities. The death toll in Gaza has soared to more than 34,500 people, according to local health officials."

The U.S. government and President Joseph R. Biden in particular, are in flagrant violation of both international law and domestic U.S. law. U.S. actions flout both the Convention on the Prevention and Punishment of the Crime of Genocide, to which both the United States and Israel are parties, and 22 U.S.C. 2378d and 10 U.S.C. 362, generally known as the Leahy laws, which forbid the U.S. from providing assistance to units of foreign security forces which are shown to have committed gross violations of human rights.

The International Court of Justice has found that the South African assertions that Israel is committing genocide are plausible and has ordered Israel to take specific measures to protect the Gazan population. The South African case included public statements of genocidal rhetoric by Israeli government officials, and the graphic reporting by worldwide media. The ICJ finding leaves no doubt that gross violations of human rights, indeed, the catastrophic, indiscriminate and unrelenting destruction of Gaza and its people, are being committed by the Israeli forces. Israel has effectively ignored the court's order.

NCBL notes with horror the deliberate homicidal attack by Israel on the convoy of the

humanitarian aid organization, World Central Kitchen, and Israel's continuing refusal to allow measures to stop the ongoing starvation and avert the impending famine in Gaza. NCBL also notes with outrage Israel's closing of the main humanitarian aid crossing into Gaza.

NCBL further notes and condemns both the Israeli military acts and the militarily-protected acts of violence by internationally unlawful Israeli settlers against Palestinians in the West Bank. It also condemns Israel's drone attacks in neighboring countries. All of these attacks are facilitated by U.S. weapons and financial assistance.

NCBL decries the expulsion of Al-Jazeera, the only international news organization on the ground during this war. The suffering of the Palestinians now has no independent witness to the world. NCBL recognizes that the actions of the United States not only enable this genocide but also provide cover for future such actions by affording impunity.

NCBL stands with and supports the brave, clear-sighted and determined students and other Palestinians supporters who have established encampments on their campuses to raise these issues. NCBL stands in solidarity with those urging these schools' administrations to cut ties with the businesses that support and profit from Israel's apartheid system.

NCBL, recognizing the indivisibility of the world-wide struggle for human rights, re-affirms its historical support for the self-determination of the Palestinian people and condemns the racist Zionist enterprise which denies the full humanity of both Palestinians and Jews. NCBL joins with those fighting for justice and peace around the world, including the non-Zionist Jews who are suffering from special vilification, in calling for an immediate and permanent cease-fire in the territories occupied by Israel. We also call for the provision of restitution by Israel to the people of Gaza, and the implementation of the many UN General Assembly Resolutions on the rights of the Palestinian people. These resolutions can provide a basis for a process leading to a permanent, and peaceful, solution.

Finally, NCBL, formed in 1968 to be the legal arm of the Movement for Black Liberation, urges Black lawyers and all lawyers committed to protecting the human rights of historically oppressed groups to join us in answering the call of Black undergraduate and law students. We are called to provide legal support to students, organizers and others participating in demonstrations to protect the human rights of Palestinians. These students and organizers are being arrested for the exercise of their constitutional right to protest.