

Denmark has a duty to prevent genocide

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Citizen proposal:

Leading UN and international law experts agree that Israel is preparing and carrying out a genocide in Gaza. Leading Israeli leaders, authorities and senior military personnel have repeatedly publicly expressed intentions that, according to the definition of the Genocide Convention, can be described as incitement to genocide.

In 2005, Denmark acceded to the Genocide Convention¹, which in article 139 imposes on Denmark the obligation to protect all populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The concept is also known as Responsibility To Protect (R2P) and is part of international law².

This obligation was recognized by Foreign Minister Lars Løkke Rasmussen in a press release on November 17, 2023³, in which he stated that “all states in the world have an obligation to prevent and combat genocide

The Danish government should recognize the risk of genocide in Gaza and work actively to prevent and stop it in accordance with Denmark’s international obligation to prevent genocide under the Genocide Convention and international law.

¹ United Nations, General Assembly. (2005). 2005 World Summit Outcome
https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf

² United Nations, Responsibility to Protect (2005)
<https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>

³ Udenrigsministeriet, Danmark intervenserer i sag om anklager om folkedrab begået af Myanmar ved Den Internationale Domstol i Haag (2023-11-17)
<https://via.ritzau.dk/pressemeddelelse/13749796/danmark-intervenerer-i-sag-om-anklager-om-folkedrab-begaet-af-myanmar-ved-den-internationale-domstol-i-haag>

Remarks:

The definition of genocide⁴ is acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group by any of the following acts:

- A. killing members of the group,
- B. causing serious bodily or mental harm,
- C. inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part,
- D. mass displacing a population group under such severe living conditions that it makes survival impossible

In addition to the execution of genocide, it is a criminal offense to conspire to commit genocide, publicly incite genocide, attempt to commit genocide, and be complicit in genocide.

The convention includes incitement to genocide precisely to emphasize the obligation to prevent genocide - as opposed to acting only after the genocide has occurred.

The following expert assessments warn of Israel's intention of genocide in Gaza:

1. "The Office of the UN High Commissioner for Human Rights" warns on November 16, 2023⁵, that the serious violations committed in Gaza, including the use of bombs and an increasing use of dehumanizing rhetoric, constitute a genocide in progress.
2. 800 lawyers and academics in international law sign a letter⁶ on October 18, warning of the risk of genocide in Gaza.
3. The Jewish magazine "Jewish Currents" documents on October 13⁷, that Israel's actions are considered as genocide, as they meet 3 of the 5 criteria, which are defined in the UN Genocide Convention.

⁴ UN, Genocide Convention, (1948)

<https://www.un.org/en/genocideprevention/genocide-convention.shtml>

⁵ Kontoret for FN's højkommissær for menneskerettigheder, Gaza: UN experts call on international community to prevent genocide against the Palestinian people (2023-11-16)

<https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against>

⁶ OpinioJuris, Public Statement: Scholars Warn of Potential Genocide in Gaza (2023-10-18)

<https://opiniojuris.org/2023/10/18/public-statement-scholars-warn-of-potential-genocide-in-gaza>

⁷ JewishCurrents, A Textbook Case of Genocide (2023-10-13)

<https://jewishcurrents.org/a-textbook-case-of-genocide>

4. International Federation for Human Rights, which is an association of 188 organizations from 116 countries, declares in November⁸ that Israel's actions against the Palestinian people constitute a genocide, and that states that provide assistance to Israel are complicit.
5. Craig Mokhiber writes in his resignation letter on October 31 from his job as director of the UN Office for Human Rights in New York, that Israel is carrying out a "text-book case of genocide"⁹
6. Euro-Med Monitor with Richard Falk, former UN rapporteur, as chairman declares on November 3¹⁰, that Israel's actions violate the international convention on the prevention of genocide, and that hunger is used as a weapon.
7. The UN Human Rights Council issued a press release on November 17¹¹, in which they draw attention to the lack of drinking water.
8. Mark Zeitoun, hydrologist, tells The Guardian¹², that the lack of drinking water destroys the living conditions of the population in Gaza, which contributes to genocide.
9. The UN Regional Information Office publishes an analysis on November 21¹³, which highlights Israel's call for genocide as an obvious intention to "destroy the Palestinian people under occupation" and demand for "another Nakba".

⁸ International Federation for Human Rights, Resolution on Israel's unfolding crime of genocide and other crimes in Gaza and against the Palestinian People (November 2023)

https://www.fidh.org/IMG/pdf/fidh_resolution_on_israel_s_unfolding_crime_of_genocide_and_other_crimes_in_gaza_and_against_the_palestinian_people.pdf

⁹ Craig Mokhiber, Resignation Letter (2023-10-28)

<https://twitter.com/raminho/status/1719385390086271164>

¹⁰ Euro-Med Human Rights Monitor, Scholars' consensus: Genocide in Gaza marks turning point, Israel must be held accountable (2023-11-03)

<https://euromedmonitor.org/en/article/5914/Scholars%E2%80%99-consensus:-Genocide-in-Gaza-marks-turning-point.-Israel-must-be-held-accountable>

¹¹ UN Human Rights Council, Israel must stop using water as a weapon of war: UN expert (2023-11-17)

<https://reliefweb.int/report/occupied-palestinian-territory/israel-must-stop-using-water-weapon-war-un-expert>

¹² The Guardian, Flooding Hamas tunnels with seawater risks 'ruining basic life in Gaza', says expert (2023-12-23)

<https://www.theguardian.com/world/2023/dec/23/israel-flooding-hamas-tunnels-seawater-risks-ruining-basic-life-gaza-expert>

¹³ UN Regional Information Office, Palestine: Preventing a Genocide in Gaza and a New "Nakba" (2023-11-21)

<https://unric.org/en/palestine-preventing-a-genocide-in-gaza-and-a-new-nakba>

10. 55 scholars in holocaust and genocide studies declare on December 9¹⁴ that President Herzog and Prime Minister Netanyahu's statements demonstrate the intention to destroy the Palestinian people.
11. The International Commission of Jurists (ICJ), consisting of 60 prominent jurists including senior judges, lawyers and academics, concludes on November 17¹⁵ that:
 - Israel is carrying out a genocide on the Palestinians
 - The UN member states have a duty to intervene against the ongoing genocide in Palestine.

The crucial point in this context is that the obligation to protect against genocide does not require that the member states wait for an investigation. There have been countless statements directly from leading figures in the Israeli government and commanders in the IDF, which clearly state Israel's intention of genocide, among other things by using dehumanizing language, which is a well-known component of genocide.

Below is an excerpt of these statements:

- Benjamin Netanyahu, the Israeli prime minister, stated on October 8, that "we will turn Gaza into a deserted island".
- Isaac Herzog, the Israeli president, stated on October 13, that "there is a whole nation out there that is responsible. The rhetoric that the civilians [in Gaza] are not aware or not involved is not true. It is absolutely not true."
- Prime Minister Benjamin Netanyahu stated on October 28: "You shall remember what Amalek did to you, says our holy bible. And we remember it, and we fight" referring to a biblical story where the Israelites are ordered to kill "man and woman, infant and suckling, ox and sheep, camel and donkey" (1 Samuel 15:3) among the Amalekites.

¹⁴ University of Notre Dame, Statement of Scholars in Holocaust and Genocide Studies on Mass Violence in Israel and Palestine since 7 October (2023-12-09)

<https://contendingmodernities.nd.edu/global-currents/statement-of-scholars-7-october>

¹⁵ International Commission of Jurists, Gaza/Palestine: States have a Duty to Prevent Genocide (2023-11-17)

<https://www.icj.org/gaza-occupied-palestinian-territory-states-have-a-duty-to-prevent-genocide>

- Yoav Gallant, defense minister, stated on October 9, that he considers his enemies as human animals and declared that there would be a shutdown of electricity, food and fuel to Gaza.
- Yair Ben David, commander in the IDF, stated on December 8, that all of Gaza would be leveled to the ground.
- Ghassan Alian, Israeli major general, stated on October 10, that “human animals are treated as such. There will be no electricity or water in Gaza, only destruction”.
- Israel Katz, the Israeli energy minister, wrote on October 7: “there will be no power or water turned on, and no fuel will be allowed to enter”.
- Several Israeli ministers have called for the relocation of Palestinians out of Gaza, including Prime Minister Benjamin Netanyahu, Finance Minister Bezalel Smotrich, Foreign Minister Eli Cohen, Minister of Intelligence Gila Gamliel, Minister of Women’s Advancement May Golan, Deputy Speaker of the Knesset Nissim Vaturi, and Minister of Cultural Heritage Amichai Eliyahu.
- Minister of National Security, Itamar Ben-Gvir, wrote in a tweet on October 17: “As long as Hamas does not release the hostages, the only thing that should enter Gaza is hundreds of tons of explosives from the air force - not a single gram of humanitarian aid.”

The statements clearly indicate the intention of the Israeli leaders and senior military personnel to carry out a genocide, and the state of Israel possesses the necessary means to realize such an intention. The intention is accompanied by concrete actions, as Israel has bombed the civilian population and civil structures, cut off the supply of water and electricity and withheld emergency aid, so that only a limited percentage, i.e. 10%, of the required humanitarian assistance is allowed access.

It is the duty of the UN member states to intervene.

We demand that the government acts on Denmark’s obligation under the Genocide Convention.

Denmark has committed itself to not only stop genocide but also to prevent genocide. This means that:

1. The government should acknowledge that there is a risk of genocide in Gaza based on existing expert assessments and statements from the Israeli government.
2. The government should condemn Israel's actions.
3. The government should stop arms trade with Israel.
4. The government should use all diplomatic, legal and economic means to stop the genocide in Gaza.
5. The government should demand unhindered humanitarian access.
6. The government should support South Africa's request to the International Court of Justice from December 28, 2023 and follow any measure presented by the court to "protect against further, serious and irreparable harm to the rights of the Palestinian people" in accordance with the Genocide Convention.

We also refer to the UN's guidance¹⁶ on the prevention of genocide.

Before the genocide in Rwanda and the genocide in Bosnia¹⁷, the international community was not willing to listen to experts' warnings. It cost hundreds of thousands of lives.

We must learn from history and listen to experts.

In Denmark, we are proud to be at the forefront of the fight for international law and human rights. Let us therefore position ourselves as a pioneer nation and take a leading role in the efforts to stop and prevent genocide.

We must use the correct terms, and the government must acknowledge what the experts have already established, namely that Israel has a clear intention of genocide in Gaza.

Denmark must stand by its obligation both in words and actions, work to stop the genocide and ensure that it never repeats itself. Otherwise, conventions risk being eroded and our values meaningless.

¹⁶ United Nations Regional Information Centre for Western Europe, Palestine: Preventing a Genocide in Gaza and a New "Nakba" (2023-11-21)

<https://unric.org/en/palestine-preventing-a-genocide-in-gaza-and-a-new-nakba>

¹⁷ OpinioJuris, An Appeal to Address the Failure in Preventing Genocide in Gaza through the International Court of Justice (2023-11-10)

<https://opiniojuris.org/2023/11/10/an-appeal-to-address-the-failure-in-preventing-genocide-in-gaza-through-the-international-court-of-justice>