

Global Sumud Flotilla, Power of Civil Resistance and the Gaza Tribunal's Sarajevo Declaration

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First, I want to thank the Global Sumud Flotilla and WOLAS organisers for inviting me, as a representative of the Gaza People's tribunal – if I were a sailor and a little more courageous – I would be joining you on a boat but just being here to wave you all off tomorrow feels like the most enormous privilege and a moment of joy in an otherwise desperately bleak global landscape. Thank you all for your bravery, spirit and humanity.

The world has arrived at a dangerous precipice – Palestine has exposed the fissures and fractures that so glaringly divide our capitalist world - it has revealed in raw brutality the gaping chasm between persecutors and the persecuted, oppressors and the oppressed, colonisers and the colonised, the rich and the poor, the governors and the governed ... and in so doing Palestine has become the vanguard for the global, anti-fascist; anti-colonial movement – for an awakening and recognition that change must come from below,

must come from a newly animated civil society. The Global Sumud Flotilla encapsulates a key effort in this enterprise.

My brief remarks relate to Civil Society, law and challenging state crime – through initiatives such as the Gaza tribunal, BDS, the global Sumud Flotilla and the Sarajevo Declaration discussions of which more to follow ...

I am here representing the Gaza People's Tribunal in solidarity with the people of Palestine and the courageous people of the Sumud flotilla – but I am also here I'm here – not as a lawyer – but as a critical scholar of state crime and an activist

Deploying law strategically (as the wonderful Hind Rajab Foundation do in their pursuit of holidaying Israeli genocidaire and South Africa's case against Israel at the ICJ) can play a powerful role in the civil resistance against genocide but imagining that the international legal order through the international courts can play anything more than a symbolic or normative role in the struggle is deeply misguided. With respect to Palestine Israel has breached over 30 UN Security council resolutions without consequence and its daily egregious international crimes have led to nothing but impunity.

Israel's ongoing genocide reflects the abject failure of the UN system to prevent and punish war crimes, crimes against humanity, and genocide.

For a scholar of state crime the solutions to state crime lie well outside the frameworks of criminal justice, law, international conventions, and international courts. Instead, any such solutions are much more likely to be found in the struggles of the state's victims or with those who advocate and organise as allies of those victims. And it is the *organisation* of those victims and allies that not only has the power to challenge state violence but is central in defining that violence as criminal in the first instance.

Civil society has proven itself to be a much more effective force than international law, in identifying, gathering and analysing evidence, and naming and resisting the egregious crimes of states, particularly through campaigns of civil disobedience, mass strikes, and boycott, divestment and sanctions.

Civil society enjoys widespread legitimacy as an authoritative check on the power and actions of the state. Because it operates from the ground up it has far greater agility and capacity to recognise the processes involved in earlier stages of state crimes.

Why do we know about Israel's genocidal crimes ... **Not** because a UN Independent International Commission of Inquiry publishes its findings of genocide— a whole 2 years **after** the annihilation phase of the genocide began; nor because the Association of Genocide scholars has finally found its conscience; **not** because our media reports on them or our governments denounce them...to the contrary our media and our governments have been central in sustaining and perpetuating these crimes ... we know about Israel's crimes only because for decades Palestinian and other civil society groups, independent scholars rights groups and journalists, have been documenting them.

The Israeli crimes embodied in all the stages of genocide have thus been known for many years, and include its decades-long policies and practices of settler colonialism, ethno-supremacism, apartheid, racial segregation, persecution, unlawful settlements, routine settler and IOF violence in the West Bank and East Jerusalem the denial of the right of return, collective punishment, mass detention, torture and cruel and inhuman treatment and punishment, extrajudicial executions, systematic sexual violence, home demolitions, forced displacement and expulsions, ethnic purges and forced demographic change, forced starvation, the systematic denial of all economic and social rights, and extermination.

Civil society has been at the heart and centre of all evidence gathering in relation to Israel's crimes. And this work by civil society has led efforts to successfully name Israel's crimes as settler colonialism, apartheid and genocide.

The Gaza People's Tribunal is a peoples tribunal in the tradition of Bertrand Russell's International War Crimes Tribunal for Vietnam and the Permanent Peoples Tribunal which grew out of it

Unlike a court of law, our Tribunal begins from the premise that Israel is committing genocide; that it is a settler colonial apartheid state underpinned by the racist ideology of Zionism. We do not require the hypothetical ruling of an international court, nor the dreadfully belated judgement of a UN independent commission to determine that a genocide is happening (and has been happening incrementally since 1917) – the evidence is manifold - thousands of Palestinian and global civil society organisations, historians, state crime theorists, international relations scholars, philosophers and international lawyers all agree.

The Gaza Tribunal Project is a civil society initiative, in response to the genocide - led by Professor Richard Falk - its primary aims are to promote solidarity among Palestinian and global civil society organizations, progressive intellectuals, and lay people around the

world and - based on witness and expert testimony, to create an archive of both the historical and geopolitical context of the genocide and the solidarity movement it has engendered.

We start from a recognition that governments and the international legal order have not simply failed the Palestinians but they have actively *enabled* Israel's impunity and its decades-long colonial persecution of the people of Palestine. We are not a legal tribunal – rather we seek to document and give voice to the solidarity movement and voices of conscience around the world

For us the challenge of justice and resistance falls to *civil society*, to acts of solidarity, to social movements, and to people of conscience everywhere. It understands the need to mobilise the power of the people, in their millions, to challenge the crimes of the Israeli regime and its co-conspirators, our own governments, in the US, Europe and elsewhere.

The Tribunal seeks to counter the forces of evil with the forces of justice, by bringing pressure to bear in every sector, and making clear that genocide will not be normalised, that apartheid will not be normalized, that colonialism will not be normalised, that Israel and its Zionist underpinnings will not be normalised.

We know that Israel's Zionist regime is committed to seeing out its genocide and we know that its principal genocidal partner, the U.S. government is equally committed to this genocide, and to the erasure of Palestine. At the same time we know that other Western governments like the UK and Germany and complicit Arab states have fully endorsed Israeli impunity and continue to do so .

So the question is – how in the face of such powerful forces of carnage, do we stop a genocide, how do we dismantle the Zionist state and the support of those global powers whose ultimate goal is the erasure of Palestine, knowing that law and its international mechanisms are not the answer.

The Tribunal is clear - genocide (and the settler colonial apartheid structures which enable it) will only end through the steadfastness of the Palestinian people, coordinated resistance against Israel's genocidal actions, the solidarity of the rest of the world, and the isolation, weakening, and ultimate dismantling of the Zionist regime and the global political and economic structures that support it...

... And so to the Sarajevo Declaration

At the first session of The Gaza People's tribunal held in Sarajevo the contextual foundations for understanding Israel's genocide were laid. Over the course of four days we heard expert and witness testimony

on the history and ideological foundations of the genocide, on the crimes Israel and its partners have committed and on the geo-politics fuelling the genocide and Israel's impunity.

Just as with Bertrand Russell's tribunal on the Vietnam War, the Gaza Tribunal has two missions: first to document, record, archive and primarily amplify the voices from the genocidal killing fields; and second to animate and support resistance so that all humanity, in bearing witness, is impelled to join in solidarity actions to end Israel's barbaric crimes.

Like Bertrand Russell before us and I quote him here:

"Our task is to make mankind bear witness to these terrible crimes and to unite humanity on the side of justice."

The Sarajevo Declaration was the culmination of the work of the Tribunal to date – it was both an unequivocal condemnation of Israel's genocide and a clarion cry to global civil society - an urgent call to action and a commitment on the part of the Gaza Tribunal to work with partners across global civil society to bring about an end to the genocide.

The declaration embodies a series of demands around which civil society is already organising: demands which speak directly to the myriad crimes against humanity that Israel is perpetrating.

The declaration thus demands *inter alia* an immediate withdrawal of Israeli forces from Gaza and an end to the genocide, to all Israeli military action, to forced displacement and expulsions, to settlement activities, to the siege of Gaza and to restrictions on movement in the West Bank.

It calls for the immediate and unconditional release of all prisoners, including the thousands of Palestinian women, men and children held most often without charge in abusive Israeli detention facilities. It insists on the immediate resumption of humanitarian aid to all of Gaza without restriction or interference, including food, water, shelter, medical supplies and equipment, sanitary equipment, rescue equipment, and construction materials and equipment. It also calls for a complete withdrawal of all Israeli forces from Lebanese and Syrian territory and of course would have included a demand for the immediate cessation of Israel's bombings and targeted assassinations in Iran, Yemen, Qatar and Tunisia. Had they occurred before May 2025.

The Sarajevo Declaration recognises that dangerous forces in both the state, corporate and supra institutional spheres are pushing us

toward the void. Toward a future in which humanity itself is threatened. The events of the past 24 months, and the Tribunal's own deliberations, have convinced us that both key international organisations and most countries of the world, whether acting individually or collectively, have not only failed in defending the human rights of the Palestinian people and in responding to the Israeli regime's genocide in Palestine but have to varying degrees been complicit or actual partners in these crimes.

In the Declaration we extend solidarity to global civil society which has risen up against the genocide in extraordinarily creative and brave ways but which has encountered McCarthyite suppression and increasing state violence.

We denounce the wave of persecution against human rights defenders, peace activists, students, academics, workers, professionals, and we pay tribute to those who, despite this persecution, have had the courage and moral conviction to stand up and speak out, while rejecting the ridiculous hasbara tactics of smearing as "antisemitic" or "supporters of terrorism" all those who dare to publicly challenge the Israeli regime and its European and US allies.

Significantly the declaration rejects wholesale the destructive ideology of Zionism, - the official state ideology of the Israeli regime –

It is the forces of Zionism that colonized Palestine in 1948 and continue to colonize the OPT and it is Zionism, with its inherent racism that created the Israeli apartheid state on the ruins of traditional Palestine; and it is Zionism – the belief in a Jewish supremacist state – that drives pro-genocidal Israeli organisations and their surrogates on the far right today.

The declaration demands immediate action to isolate, contain, and hold accountable the Israeli regime through universal boycott, divestment, sanctions, a military embargo, suspension from International organizations, and the prosecution of all its perpetrators

The final lines of the Declaration are worth repeating:

‘the challenge of justice now falls to people of conscience everywhere, to civil society and to social movements, to all of us ... Palestinian lives are at stake. The international moral and legal order is at stake. We must not fail. We will not relent.’

Millions of people continue to march in cities around the world; civil resistance groups target Israeli linked armaments factories, trade unions have blocked weapons shipments to Israel, the BDS, movement particularly through academic and cultural boycotts has

grown in power and impact and a phenomenal 26,000 people signed up for the Global Sumud Flotilla in an attempt to break the siege of Gaza and create a humanitarian corridor.

The message of the Sarajevo declaration is that— in spite of/because of, the forces of darkness we find ourselves surrounded by - we must continue to do everything, everywhere and at all times, to stop Israel's attempts at Palestinian erasure and at the same to restore justice and humanity in a world hurtling toward fascism.

Joy is something we tend to share only privately in these dark times but the Flotilla is a real cause for public joy because it reminds us of our collective power, of the fact that humanity lives strong among ordinary people of conscience.

In his closing address to the final session of the Vietnam War Crimes tribunal Bertrand Russell declared in words that equally impel our resistance today:

'The napalm and pellet bombs, the systematic destruction of a heroic people are a barbarous rehearsal. The starving and the suffering will no longer die in silence. We must discredit the arrogant demand that they protect our comfort with their quiet agony.'
