

Amnesty International seeks to expand the concept of genocide

By Alessandro Spinillo and Paulina Guerrero

A. Background

On 5th December, Amnesty International published a report entitled “‘You feel like you are subhuman’ Israel’s Genocide Against Palestinians in Gaza.” Amnesty argues that Israel is committing genocide against the Palestinian people in Gaza.¹

In order to make its case, Amnesty both distorts the factual narrative of what has happened in Gaza, as well advocates changing the definition of genocide.

Genocide was defined in the *Convention on the Prevention and Punishment of the Crime of Genocide* (Genocide Convention) in 1948. Israel was among the first countries to sign that convention - only months after its establishment and three years after the holocaust, which was the very reason for defining and criminalising genocide.

The Genocide Convention defines genocide as “any of the following acts committed with the 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.”

The intent to destroy a group *as such* is the key element of the definition - yet the most crucial one to prove.

The biased nature of Amnesty’s report can be seen from the first page of its executive summary (page 12) as it starts narrating the facts:

¹ <https://www.amnesty.org/en/documents/mde15/8668/2024/en/>

“On 7 October 2023, Israel embarked on a military offensive on the occupied Gaza Strip (Gaza) of unprecedented magnitude, scale and duration. Since then, it has carried out relentless aerial and ground attacks, many of them with large explosive weapons, which have caused massive damage and flattened entire neighborhoods and cities across Gaza, along with their life-supporting infrastructure, agricultural land, and cultural and religious sites and symbols deeply engrained in Palestinians’ collective memory. Israel’s military offensive has killed and seriously injured tens of thousands of Palestinians, including thousands of children, many of them in direct or indiscriminate attacks, often wiping out entire multigenerational families. “²

As is most notable from this introductory paragraph, Amnesty omits the slightest mention of the reason and justification for Israel’s military campaign: the terrorist attacks committed by Hamas and other terror groups in Gaza prior to and on the 7th of October 2023, and the necessity to prevent such attacks from occurring in the future.

On the 7th of October 2023, members of Hamas carried out a coordinated assault on Israel which they called “Operation al-Aqsa Flood.” Thousands of rockets were fired at Israel from 6am, thousands of armed Hamas fighters crossed the border from the Gaza strip to Israel, used explosives to neutralise Israel’s military and communications infrastructure near the border, used motorboats to enter Israel by sea and paragliders to enter by air and stormed military bases by surprise. Once they had invaded Israel by air, land, and sea, the armed terrorists stormed into several kibbutzim (farming communities and residential areas), where they tortured and massacred entire families setting the kibbutzim on fire. They also stormed the nearby Supernova Music Festival conducting another round of massive rape and murder again setting the cars on fire.³ Hamas invaded Israel by surprise and tortured, raped, murdered, burned, and kidnapped innocent civilians. In total, Hamas fighters (and other Palestinian factions and even civilians who participated) murdered 1,200 people and dragged 251 hostages into Gaza. As if that had not been disturbing enough, they filmed and posted everything on social media for the world to see.⁴

² Amnesty International, p.12.

³ Sarah Judith Hofmann, *October 7 attacks: Last DJ at Supernova festival looks back*, Deutsche Welle, 10th June 2024. <<<https://www.dw.com/en/october-7-attacks-last-dj-at-supernova-festival-looks-back/a-70314584> >>

⁴ Jean-Luc Mounier, *Hamas terrorist attacks on October 7: The deadliest day in Israel’s history*, France 24, 7th October 2024. <<<https://www.france24.com/en/middle-east/20241007-hamas-terrorist-attacks-7-october-deadliest-day-israel-history-anniversary>>>

Only then did Israel declare a state of war against Hamas—a war that Hamas had initiated earlier that morning. Israel mobilized its troops to regain military control over the areas infiltrated by Hamas within the next couple of days.⁵ Acting in self-defense, Israel launched a military operation in Gaza to neutralize the existential security threat posed by Hamas and to recover the hostages taken into Gaza. Amnesty International’s omission of Israel’s self-defense justification deliberately distorts the context, failing to acknowledge Israel’s obligation under international law to defend its citizens against the immediate and severe threat posed by Hamas’s unprecedented attack and its declared intention to commit further attacks and atrocities.

Over a year after the deadliest day in Israel’s modern history (the most massive attack on Jews since the Holocaust) Amnesty’s introductory paragraph in that report explicitly affirming that, on October 7th, Israel “embarked on a military offensive on the occupied Gaza Strip (Gaza) of unprecedented magnitude, scale and duration” comes as both dissonant and twisted. Only in following pages are the attacks mentioned to say that hours after them, “Israel conducted a first wave of retaliatory air strikes on Gaza” without specifying the nature of the attacks and purposefully making it seem like Hamas was somehow the victim.

What Amnesty does is try to erase the invasion and attack on Israel on October 7th and only narrate the part where Israel hurriedly responds. This selective and manipulative use of language is a constant feature of the entire report.

While Amnesty does later recognise that Hamas conducted an attack against Israel on the 7th of October, it states that these will be the subject of a future report. This first report, however, is written and published in the context of the never-ending accusations of genocide against Israel to explain the death toll and the humanitarian crisis in Gaza since the 7th of October. What is most concerning about this report, is that it seeks to broaden the definition of genocide under international law in order to accuse Israel of committing it.

It is very significant that Amnesty’s Israel branch distanced itself from Amnesty International’s allegation that Israel is committing “genocide” in Gaza. Although it said that death and destruction in Gaza had reached “catastrophic proportions,” and that “serious crimes” were potentially taking place that needed investigation, Amnesty Israel concluded that Israel’s actions did not meet the definition of genocide. According to Haaretz newspaper, several

⁵ *Ibid*

members of Amnesty Israel and Jewish members of Amnesty International have accused the Amnesty International report of producing an “artificial analysis” of the situation in the Gaza Strip:

“From the outset, the report was referred to in international correspondence as the ‘genocide report,’ even when the research was still in its initial stages. This is a strong indication of bias and also a factor that can cause additional bias: Imagine how difficult it is for a researcher to work for months on a report titled ‘genocide report’ and then to have to conclude that it is ‘only’ about crimes against humanity. Predetermined conclusions of this kind are not typical of other Amnesty International investigations.”

They accused the report of having been “motivated by a desire to support a popular narrative among Amnesty International’s target audience” that stemmed from “an atmosphere within Amnesty International of minimizing the seriousness of the October 7 massacre. It is a failure – and sometimes even a refusal – to address the Israeli victims in a personal and humane manner.”⁶

B. Amnesty’s particular allegations of genocide

Amnesty International’s report is solely focused on affirming that Israel is conducting a genocide on the Palestinian population of Gaza.

“This report focuses on the Israeli authorities’ policies and actions in Gaza as part of the military offensive they launched in the wake of the Hamas-led attacks on 7 October 2023 while situating them within the broader context of Israel’s unlawful occupation, and system of apartheid against Palestinians in Gaza, the West Bank, including East Jerusalem, and Israel. It assesses allegations of violations and crimes under international law by Israel in Gaza within the framework of genocide under international law, concluding that there is sufficient evidence to believe that Israel’s conduct in Gaza following 7 October 2023 amounts to genocide.”⁷

What this report aims to do then, according to its own description, is to involve the West Bank and East Jerusalem, which are separate territories from Gaza and under separate circumstances, as part of the “broader context” already assuming those to be under occupation and an apartheid

⁶ <https://www.timesofisrael.com/predetermined-conclusions-amnesty-israel-workers-slam-parent-groups-genocide-charge/>

⁷ Amnesty International, p.13.

regime to mix them with the circumstances in Gaza and be able to accuse Israel of accumulatively committing genocide.

If Amnesty wants to accuse Israel of genocide taking into account the accumulation of the situation in Gaza, East Jerusalem, and the West Bank, it would then have to prove the elements required to constitute a genocide in each of the three regions. This report on the other hand, mentions them to classify them as territories occupied by Israel under an apartheid regime, but never actually focuses on the particular circumstances and nuances differentiated in each of these territories, nor the historical context behind them. It instead uses them as accumulating territories in which Israel is supposedly committing a genocide making the accusation seem more aggravating.

Now as the report mainly centres around the circumstances in Gaza since the 7th of October, Amnesty argues several actions from Israel which it claims to amount to genocide against the Palestinian people as a protected group under international law.

Amnesty's accusations of genocide in this report conveniently overlook the fact that civilian casualties and the humanitarian crisis in the past year have occurred in the midst of an armed conflict started by Hamas. As well, it ignores many other factors which, if taken into account, contradict a finding that Israel had the intention to destroy the Palestinian people, in whole or in part.

The report focuses on giving data on the numbers of casualties mostly by Israeli air strikes. A recent research carried out by Fifty Global Research Group has revealed that, not only has the death toll in Gaza been inflated, but that it has inflated "by failing to distinguish between civilian and combatant deaths, over-reporting fatalities among women and children and even including individuals who died before the conflict began."⁸ The numbers that the media and even certain organisations have been too quick to go with, have been provided by the Gaza health ministry ran by Hamas. Amnesty International has been no exception to this mistake.

There is no denying that there has been a very high death toll since the war began, nor can it be denied that there is a humanitarian crisis in Gaza. But this is not necessarily evidence of genocide.

⁸ Toi Staff, *UK think tank: Gaza death toll inflated to defame Israel for targeting civilians*, The Times of Israel, 15th December 2024. <<<https://www.timesofisrael.com/uk-think-tank-gaza-death-toll-inflated-to-defame-israel-for-targeting-civilians/>>>

For instance, Amnesty International bases its accusation on its argument that Israel has “used large explosive weapons with wide area effects on densely populated residential areas, including in the vicinity of hospitals and other critical infrastructure.”⁹ What Amnesty fails to acknowledge, is that, not only does Hamas have an already long and documented history of operating within civilian infrastructure with reports going as back as to 2014,¹⁰ but hostages from Israel taken on the 7th of October were found in tunnels under said civilian infrastructure and even in civilian homes.

Amnesty thus ignores the fact that Hamas purposefully uses Palestinian civilians as human shields in front of the hostages and their own terror underground infrastructure, putting them in harm’s way, so that Israel looks like a murderer to the eyes of the world.

The use of human shields is defined in the Rome Statute (to which Palestine acceded in 2015) on article 8(2)(b)(xxiii) as a war crime and expressly prohibited under international humanitarian law (IHL).¹¹ The abduction and retention of hostages is also strictly forbidden under Common Article 3 of the 1949 Geneva Conventions. The continuous retention and abuse of the remaining hostages only means that Israel will have to continue going into Gaza to recover them. The purposeful and strategic use of Palestinian people as human shields only risks the rise of their death toll.

Amnesty also argues that Israel is committing genocide through the starving of the population in Gaza. The report accuses Israel of not allowing humanitarian aid trucks into Gaza and intentionally starving the population.

According to Rule 53 of customary IHL (also codified on Article 54(1) of Additional Protocol I applicable for IACs and Article 14 of Additional Protocol II applicable for NIACs), the use of starvation to the civilian population as a method of warfare is strictly prohibited. Furthermore, according to the International Committee of the Red Cross’s Volume on the Rules of customary IHL:

⁹ Amnesty International p.14.

¹⁰ NATO Strategic Communications Centre of Excellence. *Hamas Use of Human Shields in Gaza* (2008-2014). Retrieved from https://stratcomcoe.org/cuploads/pfiles/hamas_human_shields.pdf. See also Peter Beaumont, *What is a Human Shield and how has Hamas been accused of using them?* (30th October 2023) The Guardian. Retrieved from <https://www.theguardian.com/world/2023/oct/30/human-shield-israel-claim-hamas-command-centre-under-hospital-palestinian-civilian-gaza-city>

¹¹ GCIII, art. 23; GCIV, arts. 28 and 49; API, arts. 51(7) and 58; APII, art. 5(2)(c) and 13

“Rules 54–56 are a corollary to the prohibition of starvation of civilians as a method of warfare. This means that attacking objects indispensable to the survival of the civilian population (see Rule 54) and denying access of humanitarian aid intended for civilians in need, including deliberately impeding humanitarian aid (see Rule 55) or restricting the freedom of movement of humanitarian relief personnel (see Rule 56) may constitute violations of the prohibition of starvation.”¹²

However, the prohibition of starvation as a method of warfare does not prohibit siege warfare as long as the purpose is to achieve a military objective and not to starve a civilian population. In fact, Israel’s Manual on the Laws of War admits that the prohibition of starvation “clearly implies that the city’s inhabitants must be allowed to leave the city during a siege”.¹³ While imposing a siege is not entirely prohibited, the use of it to purposefully starve a population is and the besieging party in this case must allow humanitarian aid to enter, as well as allow that population to evacuate that area.

Not often spoken about however, is that the besieged party also has certain obligations under IHL including the full protection of the civilian population under their charge. This means that the combatant party and government in charge of the civilian population in that territory must ensure that they get the necessary means to cover their basic needs allowing humanitarian aid if they are not able to provide these means themselves. The besieged party is also under the obligation to keep the civilian population away from the area of combat and away from military objectives, an obligation which can be translated into offering shelter and allowing them to evacuate the area – an obligation with which Hamas blatantly failed to comply.

It has been reported by other sources (and caught on camera) that Hamas is stealing the aid from the humanitarian trucks that Israel allows into Gaza through its border and the reselling it to the Gazans at exorbitant prices to finance itself, which the Israeli army has actually tried to prevent.¹⁴

While Amnesty recognises that Israel evacuates Palestinian civilians from targeted areas designating “safe zones”, it accuses Israel of displacing civilians as an act of genocide.

¹² Jean-Marie Henckaerts and Louise Doswald-Beck, Customary International Humanitarian Law Volume I: Rules, 3rd ed., ICRC-Cambridge University Press, 2009, p.188

¹³ Israel, Manual on the Laws of War

¹⁴ Jewish News Syndicate, *Hamas caught on video stealing dozens of humanitarian aid trucks entering Gaza strip*, New York Post, 10th October 2024. << <https://nypost.com/2024/10/10/world-news/hamas-steals-humanitarian-aid-trucks-from-gaza-strip/> >>

In summary, all the actions that Amnesty International is accusing Israel of - the targeting of civilians and civilian infrastructure for killing, the intentional starvation, and the displacement of the population as acts of genocide - are only argued through the lens of withholding accountability from Hamas in this particular conflict. That is, the report conveniently leaves aside the fact that Hamas has built terrorist infrastructure under civilian residential areas, schools, and hospitals, has a long and documented history of using Palestinian civilians as human shields, steals humanitarian aid to resell it to civilians at exorbitant prices, and does not take the appropriate measures to evacuate them from combat zones when necessary. All these are rather important factors to leave out for a report that claims to take into account the “broader context.”

In the midst of an armed conflict, one in which it is particularly difficult to distinguish civilians from combatants, Israel goes to great lengths to minimise the number of civilian casualties as much as possible. If there is a concerning death toll amongst the Gazan population (not disregarding the fact that the numbers obtained from the Gaza health ministry are for many reasons unreliable), it is important to take into account the factors previously mentioned in that broader context to consider the possibility that said death toll then may in fact be more attributable to Hamas than to Israel.

Civilian fatalities are naturally always regrettable. However, the civilian-to-combatant ratios in Gaza are much lower than in other scenarios of urban warfare across the world. The Israel Defense Forces (“IDF”) estimated that at least 17,000 Palestinian terrorists had been killed since the start of the current war by September 5, 2024. Based on this estimate, even if one accepts the Gaza Ministry of Health’s reported total of at least 40,878 Palestinian fatalities by that date, the civilian-to-combatant casualty ratio is 1.4:1. This ratio is significantly lower than the average civilian-to-combatant casualty ratio in urban armed conflicts worldwide, which was more than 8:1 in 2021, according to a report by the UN Secretary-General to the UN Security Council. For comparison, during the battle for Mosul in 2016–2017, the civilian-to-ISIS combatant casualty ratio was approximately 2.5:1.¹⁵ Other reliable sources report an even lower civilian-to-combatant casualty ratio of 1.1:1.¹⁶ Based on this civilian-to-combatant

¹⁵ Report of the UN Secretary-General to the UN Security Council on “Protection of Civilians in Armed Conflict”, 10 May 2022, [S/2022/381](#)

¹⁶ “The genocide claim against Israel doesn’t add up” Shalomo Cohen and Yaacob Samet, The Times of Israel, June 2, 2024.

casualty ratio, the source describes the IDF military operations in Gaza “as a historical achievement of protecting civilian lives” in the context of asymmetric and urban warfare.¹⁷

According to Prof. John Spencer of the Modern War Institute at West Point, the comparatively low ratio of civilians to combatants killed in the Gaza war is indicative of extraordinary care taken by the IDF to avoid civilian casualties, despite the exceptional difficulties faced by the IDF in fighting terrorists deeply embedded within, around and underneath residential and other civilian buildings in densely populated urban areas.¹⁸

Finally, as has been stated, Israel does allow humanitarian aid into Gaza, as well as makes sure that the population have access to vaccines, and issues warnings of evacuation as the report itself recognises. While all of those are indeed Israel’s obligations under international humanitarian law, it seems unlikely that it would be taking all those precautions for a population if it was seeking to destroy it.

C. Genocide under International Law: The issue of intent

The commission of the crime of genocide requires special intent or *dolus specialis* to “destroy, in whole or in part, a national, ethnical, racial or religious group, as such.”

According to the International Court of Justice (ICJ), there must be the specific intent to destroy the group:

*“[...] It is not enough to establish, for instance in terms of paragraph (a) [of the Convention], that deliberate unlawful killings of members of the group have occurred. The additional intent must also be established, and is defined very precisely. It is often referred to as a special or specific intent or dolus specialis [...]”*¹⁹

The Court has established a very high threshold for qualifying acts as genocide, as it did in the Srebrenica massacre. In *Bosnia v. Serbia* the Court was persuaded that:

1. The Bosnian Serbs had conceived a “final goal” that outlined the physical disappearance of the Bosnian Muslim population from the entire area of Srebrenica and was reflected in an intercepted document made by a Bosnian Serb high commander:

¹⁷ *ibid*

¹⁸ <https://www.newsweek.com/israel-has-created-new-standard-urban-warfare-why-will-no-one-admit-it-opinion-1883286>

¹⁹ ICJ (2007) *Case concerning the application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Bosnia Herzegovina v Serbia Montenegro). Judgement of 26th February 2007. Para 187.

*“We must continue to arm, train, discipline, and prepare the RS Army for the execution of this crucial task — the expulsion of Muslims from the Srebrenica enclave. There will be no retreat when it comes to the Srebrenica enclave, we must advance. **The enemy’s life has to be made unbearable and their temporary stay in the enclave impossible so that they leave en masse as soon as possible, realising that they cannot survive there.**”²⁰ (bold added).*

2. In accordance with that “final goal”, the Bosnian Serb forces intended to execute “as many as possible of the military aged Bosnian Muslim men present in the enclave [Srebrenica]”²¹. In addition to that, Bosnian Muslim women and children were subject to forcible transfer from the same area.²²

Only under such specific conditions of *dolus specialis* did the Court find that there were acts amounting to genocide and hence a violation of the Convention. The Court clearly established that the acts carried out as described in Article II of the Convention must have been done with the intent to destroy a group as such, in whole or in part.

There is a very important reason why the Court set up such a stringent standard regarding intent. It recognised that, in the context of an armed conflict, it can be very difficult to distinguish between civilians and combatants.²³ And that is even in a regular conflict, let alone one in which a belligerent organisation that deliberately disguises its combatants among civilians, uses them as human shields, and withholds humanitarian aid. Due to the “gravity” of the crime of genocide, the Court established such high threshold and standard of evidence to prevent the term genocide from being jeopardised and therefore losing its meaning.²⁴

This threshold was further underscored in the subsequent case of *Croatia v. Serbia*, where the Court rejected all allegations of genocide. The Court determined that there was insufficient evidence to demonstrate the specific intent required under the Genocide Convention.²⁵

Amnesty’s report however, does not seem to take such standards with the required seriousness as it suggests to take a wider and more “holistic” approach to the application of the definition under the Convention:

²⁰ Ibid. Para. 279

²¹ Ibid. Para. 292

²² Ibid. Para. 293

²³ Ibid. Para. 249

²⁴ Ibid. Para. 293

²⁵ ICJ (2015) *Case concerning the application of the Convention on the Prevention and Punishment of the Crime of Genocide* (Croatia v Serbia Montenegro). Judgement of 3rd February 2015.

“[...] genocidal intent may be assessed based on direct evidence or, in its absence, inferred from indirect or circumstantial evidence, including: the general context in which prohibited acts were committed; the existence of a pattern of conduct; the scale and allegedly systematic nature of the prohibited acts; and the scale, nature, extent and degree of casualties and harm against the protected group. In addition, genocide need not be the sole intent: it can co-exist with military goals or be the means to achieve military goals.”²⁶

Under this suggestion, any conflict (where there is bound to be unfair suffering to civilians and other non-combatants) can be classified as genocide. Because the *dolus specialis* to destroy in whole or in part a group as such as required has not been proven on Israel’s part, Amnesty International suggests lessening the requirement so that “genocide need not be the sole intent: it can co-exist with military goals or be the means to achieve military goals.” Any legitimate military goal of Israel which would have nothing to do with genocide, such as defeating Hamas, an organisation with actual genocidal intent as clearly written in its founding Charter, and rescuing the hostages, could now be taken as genocide according to this much wider and less critical interpretation.

In sum, the only plausible inference that can be made from the conduct of the IDF forces on the ground in Gaza is that they intended to neutralize the existential security threat posed by the terrorist group Hamas, without specific intent to destroy Palestinians in Gaza, in whole or in part.

Amnesty, in vain, intends to infer specific intent from the statements of Israel’s officials allegedly calling for the annihilation of the Palestinian protected group in Gaza. This accusation is baseless. Most of the inflammatory remarks were directed at Hamas rather than the Palestinian people. Prime Minister Netanyahu promptly reprimanded government officials for any language that could be interpreted as genocidal, and therefore no liability can be attributed to the state for failing to prevent such statements. While some of these remarks might be reprehensible and could constitute hate speech under Israeli national laws, they are entirely incapable of establishing state-specific intent to destroy a protected group under the Convention.

²⁶ Amnesty International, p.31.

As a matter of principle, state liability for graves crimes, like genocide, requires “fully conclusive evidence” as the Court held in *Bosnia v. Serbia*.²⁷ Amnesty’s argument on this matter is trivial and does not merit any further serious discussion. Additionally, incitement to genocide cannot be recognized as a stand-alone crime under the Convention—it only exists if genocide itself has been committed.

D. Conclusion

The report claims to take into account the “wider context” in order to justify its amplification of the definition of genocide just so that it can fit its accusation against Israel of committing it. On the other hand, it conveniently leaves aside key facts which, if taken into account, would undermine such conclusions, such as the use of civilians as human shields by Hamas, the keeping of hostages and weapons under civilian infrastructure including civilian homes, the stealing of humanitarian aid, and the obligation to evacuate the civilian population. While war is inherently a violent affair, the current situation in Gaza is more due to the violations to international humanitarian law by Hamas than by Israel.

The specific genocidal intent is still not proven despite the report’s allegations. It is not a policy established on any document officially issued by the Israeli government. The Hamas Charter on the other hand, explicitly calls for the obliteration of the state of Israel (Preamble), calls for Jihad (article 15), and for the extermination of the Jewish people (articles 7, 22, and 32). These are all very important parts of the “wider context” that Amnesty’s report seems to be missing in its “holistic” approach to redefining the word genocide. Genocide does not work “accumulatively”. In fact, if one were to take the “broader context” approach that Amnesty International claims to be taking, then less so is Israel committing a genocide but rather being the victim of one.

We agree with the conclusions of Professors Shany and Cohen in their recent detailed analysis of the Amnesty International report:

“It is notoriously difficult to establish genocide under international law, and thus it is not surprising that the Amnesty International report on the Gaza War, which set out to do precisely this, has not succeeded, in our view. The report includes much valuable information on patterns of behavior by Israel that raise serious concerns regarding their legality. Such acts and omissions must be investigated and, if requisite findings are

²⁷ Para. 209

made, prosecuted and remedied. Still, taking the extra step of claiming based on that available factual record that a genocide has occurred requires a higher standard of proof than the report contains, both with regard to the *actus reus* and the *mens rea*. The attempt to partly resolve this difficulty by changing the normative goalposts regarding how to prove genocide under international law can be considered as a proposal for *lex ferenda*, but it cannot support a conclusive determination of genocide on the basis of *lex lata*.²⁸

In legal argumentation, the accusing party must make sure the facts fit under the definition given by the law, not fit the law to their argued facts at their convenience. Doing so completely undermines the law and the legal system which is precisely to protect the victims of genocide. Amnesty International is seeking with this report to broaden the definition only so that Israel can fit in it. This is example of how international law can and is being twisted and weaponised to delegitimise the Jewish state and, in doing so, aiding those who seek to destroy it from the trenches of the lawfare.

²⁸ <https://www.justsecurity.org/105790/critical-amnesty-international-gaza-genocide/>