

German imperialism must answer for complicity in Gaza genocide

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Seventy-nine years after the end of World War II, during which the Nazis murdered six million Jews, Germany is once again before the highest international court for complicity in genocide. On 8 and 9 April, the International Court of Justice in The Hague heard a complaint by Nicaragua accusing the German government of violating the UN Genocide Convention and other international agreements to which Germany is a signatory.

Although it is legally obliged to do so, the German government has done nothing to prevent genocide in the Gaza Strip, according to the complaint. Instead, it provides Israel with aid, including military equipment, used in committing genocide. It refuses to prosecute and punish persons who commit serious crimes against international law. And in a further violation of its obligations under international humanitarian law, it has stopped providing financial support to the UN Relief and Works Agency for Palestinian Refugees (UNRWA).

Nicaragua demands that the ICJ condemn Germany and also order emergency measures to halt German arms deliveries to Israel, a review of where the weapons were used, and a resumption of aid payments to UNRWA.

The evidence cited by Nicaragua in support of its complaint is overwhelming and irrefutable.

The complaint details how Israel has acted against the Palestinian civilian population in total disregard of international humanitarian law since the first days of the war. As evidence, it cites numerous statements by UN representatives and human rights organizations, as well as the Israeli government.

The complaint states:

While the United Nations and other international organizations were deploring Israeli illegal acts, the German chancellor on 12 October 2023 reiterated Germany's full support for Israel's military campaign, which was already patently indiscriminate. In an address to the German

Bundestag, he stated that "at this moment, there [was] only one place for Germany: the place on the side of Israel. This is what we mean when we say that Israel's security is a German *raison d'État*."

The complaint then shows how Germany increased its support for Israel the more obvious the genocidal thrust of the war became. Although the Israeli army has now killed at least 33,000 Palestinians, including 14,500 children and almost 10,000 women, while deliberately starving the population and razing large parts of the Gaza Strip to the ground, destroying hospitals, universities and schools and killing hundreds of journalists, nurses and aid workers, Germany continues to increase its arms supplies.

"By early November 2023, it was widely reported that the German defense export approvals to Israel had risen nearly tenfold in comparison to the previous year, reaching 303 million euros worth of defense equipment," the complaint states.

According to a new study by the research agency Forensis, Germany is Israel's second-largest arms supplier behind the United States. In the last five years, it has accounted for 30 percent of all Israeli arms imports, and last year it even accounted for 47 percent. Since 2003, Germany has granted 4,427 individual licenses for arms exports to Israel for a total value of 3.3 billion euros. Many of these weapons are used in Gaza.

The complaint concludes:

From all of the above, it is clear that Germany has provided and continues to provide political, financial and military support to Israel with full knowledge of the ongoing plausible commission by Israel of serious breaches of international law facilitated by that support, and in disregard of Germany's own obligations.

In the oral arguments in support of the complaint on Monday, the lawyers addressed the pre-history of the current war: the expulsion of the Palestinians in 1948 and the Israeli occupation policy since 1967, as well as the inconsequential lip service to a two-state solution, and the acceptance of the brutal, illegal Israeli occupation policy and settlement construction in the West Bank by Germany and other allies of Israel.

The German government reacted with extreme nervousness to Nicaragua's lawsuit. It deployed a top-notch team of lawyers, including four law professors, hailing from Germany, Scotland, England and Italy. The head of the legal department of the Ministry of Foreign Affairs, Tania von Uslar-Gleichen, described the allegations in court as "baseless," adding that the complaint lacked any legal and factual basis.

But in terms of content, the German side, which took the floor in The Hague on Tuesday, could not refute the complaint. Instead, it relied on excuses and legal manoeuvres. The lawyers claimed that the arms supplies—including combat drones, warships, ammunition and tank engines—were general armaments and not weapons of war that could be used in combat. Since last October, only the supply of test weapons and helmets had been approved, they added.

At the same time, the German representatives tried to delay the process with various procedural maneuvers. For example, they applied to continue the hearing only after the court had ruled on South Africa's genocide case against Israel, which could take years.

The German government reacted so nervously because the veil of lies and propaganda with which it conceals its complicity in the genocide of the Palestinians is becoming flimsier by the day. For years, it has justified its support for the Zionist state and the far-right Netanyahu regime, which is hated by millions of Jews in Israel and around the world, with reference to Germany's responsibility for the Holocaust.

Anyone who protests against the genocide of the Palestinians in Germany is denounced as an antisemite. Protesters are arrested, slogans are arbitrarily censored. Artists are disinvited, academics are dismissed and students are expelled from universities. Nevertheless, the resistance is growing. According to a survey, 69 percent of the German population rejects Israel's military action in the Gaza Strip.

Justifying the genocide of the Palestinians with the Holocaust is not only cynical but also mendacious. Germany's ruling circles, which left tens of thousands of mass murderers and criminals who pulled the strings behind the scenes undisturbed in their leading positions in business, politics, the judiciary and academia after Hitler's downfall,

have never seriously tried to deal with the Nazi crimes.

Their interest in Israel is not based on responsibility for the Holocaust. Rather, the Zionist state serves as a bridgehead for their imperialist interests in the Middle East. The Palestinians are being shunted out of the way because they stand in the way of these interests and an imperialist redistribution of the energy-rich region.

Germany's complicity in the genocide of the Palestinians is inextricably linked to the return of German militarism. In Ukraine, the German government has been working for years with admirers of Nazi collaborators who murdered tens of thousands of Jews. The war against Russia is financed and directed by NATO. Germany is the largest donor after the US.

The government intends that Germany should be "fit for war" again in a few years, i.e., to be able to wage a major war. To this end, tens of billions of euros are being diverted from social spending to the war budget, and the reintroduction of conscription is being prepared. This is incompatible with democracy.

The same development is taking place in all other imperialist countries. The ruling class is moving sharply to the right everywhere. The gap between rich and poor and the rivalries over raw materials and markets have reached such a level that the powers-that-be can only respond with violence. The fact that Germany of all countries is now on trial again for genocide is symptomatic of this process.

However, the court's ruling, which is expected in about two weeks, will not change this development, even if it decides in favor of Nicaragua. Although the judgments of the ICJ are binding on Germany, the court has no means of enforcing its rulings.

It is also unlikely that the ICJ, a United Nations body, will bite the hand that feeds it. Georg Nolte, the son of the late right-wing historian Ernst Nolte, is a German jurist on the court's bench.

The genocide in Gaza, the war in Ukraine, the ruling class's political shift to the right and the attacks on social spending can only be stopped by an independent movement of the international working class fighting for the overthrow of capitalism and a socialist society.



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