**Lessons in complicity**

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The recent extraordinary Joint OIC-Arab Summit meeting was a predictably inconsequential theatre – more statements and resolutions, denouncing the double standards in implementing international law, condemning the displacement, repeating the demand for a ceasefire etc, but without committing to anything meaningful to compel Israel and its allies to change course. Most telling was what it failed to say, betraying what journalist Antony Loewenstein described as the “wilful impotence” of the Arab elites.

The summit allowed the wider Muslim community, the ummah, to witness our double standards on Palestine, the real issues and views held by our national leaders, which country was aligned with whom – Israel or Palestine – and to what extent.

The actual drama took place at the 22-member League of Arab States Summit meeting that identified key leverage points, the four “important clauses” (The New Arab, Nov 11, 2023) that split the Arab League into two groups effectively. These clauses covered prohibiting the use of US and other military bases in Arab countries to supply Israel with weapons and ammunition; freezing Arab diplomatic, economic, military and security relations with Israel; threats to leverage oil and economic capabilities to apply pressure to halt the ongoing aggression and preventing Israeli aviation from accessing Arab airspace.

For the ordinary person, these are eminently reasonable proposals. But only half of the Arab member countries were willing to take a decisive stand against Israel and support them while the others ended up defeating the “important clauses” and replacing the proposed “concrete measures” with “vague non-committal clauses” (The New Arab, Nov 11, 2023) that can only serve the ongoing genocide. It is tantamount to complicity.

Following the rejection of the Arab League resolution, the matter was then referred to the 57-member OIC Summit that turned out to be an even greater tragedy. It rejected the Iranian president’s 10-point proposal that provided a more comprehensive response to Israeli aggression and included declaring the Israeli army a terrorist organization.

After a long list of condemnations, affirmations and desires, the 31-clause resolution did not affirm the legitimacy of the resistance, failed to mention that the two-state solution had been completely undermined, and was absent of anything substantive or new to move the agenda forward. Moreover, whilst calling on others to act, the OIC simply omitted the Arab League’s punitive “important clauses” without any willingness on its part to do anything that might compel a change.

Zahid Hussain’s article in Dawn, ‘Shameful capitulation’, indignantly described the resolution as “another shameful act of betrayal of the hapless Palestinian population who are facing genocide. Their inaction virtually makes these countries abettors in the mass killings”.

The OIC resolution charge that “inaction is considered complicity” could equally well be made against the Muslim and Arab leadership.

Zahid Hussain’s indignation is not mere conscientious protest. Under international law, aiding and abetting and complicity in genocide are crimes. Supplying and/or failing to prevent vital resources and support, directly or indirectly, fueling Israel’s genocide, crimes against humanity and war crimes, means states are, arguably, contributing materially to supporting and/or sustaining such grotesque criminality. Knowledge or recklessness of the probable consequences of such support, whether by omission or commission, may be sufficient for necessary intent for proving such crimes.

Sending humanitarian aid to Gaza knowing that it is hardly reaching the Palestinians as they are killed mercilessly, and at the same, reassuring Israel that relations will not be affected by its current genocidal spat is barefaced hypocrisy. While ambassadors have been recalled, very few, if any, Muslim or Arab countries have terminated or suspended its diplomatic, economic, military or security relations with Israel.

After the horrific killing of over 15,000 civilians, two-thirds of those women and children, over 3,000 detained in the West Bank and massive destruction of essential infrastructure including hospitals, some Arab and Muslim leaders have been moved to announce some modest steps. Djibouti, Bangladesh and Comoros have approached the International Criminal Court (ICC) calling for an investigation. Oman has closed its airspace to Israel flights and Dubai has suspended Emirates flights to Israel. Jordan has rejected a water and energy deal with Israel. Maldives is moving to close entry to Israeli citizens.

Despite the rhetoric and resolutions, with a few exceptions, the reality is that support for the Palestinians is subject to self-serving interests and trade rather than Palestinian rights, a pursuit of profit rather than principle.

For the ordinary Muslim and Arab mind, it is less about realpolitik and profits and more about innocent people being slaughtered to grab and occupy Palestinian land and ending a clear and manifest injustice, both in humanitarian and international law terms. There is moral clarity that this injustice is unconscionable and must be confronted. Equally, it is unconscionable that leaders are chasing self-interest over protecting lives and dignity.

The Quranic obligations to stand firmly for justice (Al-Nisa: 135) and speaking out for truth are clear. “[W]hoever takes a life – unless as a punishment for murder or mischief in the land – it will be as if they killed all of humanity; and whoever saves a life, it is as if they saved all of humanity” (Al-Maidah: 32). “And hold firmly to the rope of Allah all together and do not become divided” (Al-Imran: 103). Legally, the UN Genocide Convention obliges states to take measures to prevent and punish genocide (Art I) whether they are constitutionally responsible rulers, public officials or private individuals (Art IV).

As settled by Pinochet’s and other precedents, countries and individuals suspected of complicity may be held to account legally. The Centre for Constitutional Rights (US) and the International Centre for Justice for Palestinians (UK, Canada) are initiating legal processes against their government officials. Human rights groups such as Al Haq, Al Mezan and the Palestinian Centre for Human Rights have filed a lawsuit against Israel at the ICC. French lawyer Gilles Devers with hundreds of volunteer lawyers, representing Gaza victims, has submitted a complaint to the ICC.

Ultimately, the onus is on the Muslim and Arab Street, civil society and legal professionals to challenge government policies that are morally repugnant and legally vacuous by mobilizing public opinion to pressure leaders to do more to support the Palestinians. We must hold our governments to account and not let them be complicit in genocide against the Palestinians by “wilful impotence” – which is a licence to the Israelis to continue with mass indiscriminate killing.

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