

## Europe's Moral Credibility at Stake – Part 2

“Are We Still Human?” – Genocide, Annexation and Europe's Silent Complicity

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**Abstract.** *This Commentary — the second in a series of four on Europe's moral credibility as a defender of international law — responds directly to the questions raised by readers of Part 1. It examines, in turn: first, the scholarly and institutional consensus on the genocide in Gaza (including the landmark conclusions of Israel's own leading human rights organizations B'Tselem and Physicians for Human Rights Israel); second, the accelerating de facto annexation of the West Bank (including the world's only juvenile military court system applied exclusively to Palestinian children and the recently enacted so-called ‘Death Penalty for Terrorists Law’ that also applies exclusively to Palestinians); third, the harm to civilians and the destruction of civilian infrastructure in Lebanon, and Israel's systematic exploitation of ceasefire agreements as cover for continued military operations; and fourth, the most recent EU sanctions against Israeli settlers — a first step — but wholly inadequate and conspicuously excluding the Israeli ministers most responsible.*

*The CONCLUSIO argues that Europe's selective application of the rules-based international order — firm against Russia's invasion of Ukraine, largely silent against the violations catalogued here — represents not merely a reputational liability but a structural contradiction that hollows out the very legal order Europe claims to defend. As argued in Part 1, the clearest and most legally grounded measure available to the EU remains the one it has repeatedly refused: suspending its Association Agreement with Israel under the conditionality clause of Article 2. History will not remember the procedural reasons. It will remember which side Europe chose — the side of international law, or the side of political opportunism.*

*“In the end, we will remember not the words of our enemies,  
but the silence of our friends.”*

Martin Luther King Jr. | American civil rights leader and Nobel Peace Prize laureate

### Preliminary Remarks

The publication of my first Commentary, *Europe's Moral Credibility at Stake*, in late April 2026 generated responses that were supportive, skeptical, and critical alike. Three questions of substance recurred, warranting a direct and substantive reply. But it is not reader response alone — significant new developments have unfolded since Part 1 was published that motivated **three further parts under the same main heading**. Together, they powerfully reinforce the **central argument and substance at the heart of Part 1: the authority, significance, and continuing viability of international and humanitarian law, and Europe's moral credibility as its proclaimed defender, are at stake**.

This Commentary — **Part 2** of the series of four — responds directly to those three principal questions raised by readers of Part 1 and then briefly reflects on recent EU settler sanctions. It thus examines, in turn: (1) the appropriateness of a Club of Rome Chapter President speaking out publicly on such issues; (2) the scholarly and institutional consensus on the genocide in Gaza; (3) developments in the West Bank and Lebanon; and (4) the most recent EU sanctions against Israeli settlers — a first step, but far

short of what is needed. The 'CONCLUSIO' draws these diverse threads together, centering on the EU's continued refusal to suspend its Association Agreement with Israel.

Addressing these issues makes Part 2 inevitably a somewhat longer read. I ask the reader's patience and trust that the subject matter justifies it. While the section line-up follows a coherent overall argument, each section is also designed to stand on its own and can be read independently.

Looking ahead, **Part 3** of the Commentary series covers further developments that have unfolded and intensified beyond those covered in Part 1 and Part 2: the continued suppression of pro-Palestine protests and of free speech at universities; the systematic criminalization of those who document the international and humanitarian law violations and speak inconvenient truths — from UN Special Rapporteurs and ICC prosecutors to retired analysts; the illegal Israeli interceptions of the Gaza Solidarity Flotilla in international waters; and the systematic sexual violence and abuse in the Israeli-Palestinian conflict. **Part 4** then addresses a wider — and indeed dramatic — horizon still: the US-Israeli war on Iran in the context of Israel's nuclear exceptionalism and the nuclear escalation trap, as well as — and crucially — the concrete opportunities and possibilities this crisis offers for Europe in the increasingly fragmented and fractured strategic and geopolitical world order. This also to demonstrate that Europe's commitment to international law can be more than mere rhetoric.

*Let me begin with the three principal questions raised in response to Part 1.*

## 1. Is it Appropriate for a Club of Rome Chapter President to Speak Out Publicly on This Issue?

This question deserves a direct and clear answer: **yes — and indeed, there is an obligation to do so.**

The **Club of Rome** (CoR) was founded in 1968 on the explicit conviction that scientists, scholars and intellectuals bear a responsibility that extends beyond their own disciplines and profession. Its founding mission was — and remains — to identify and communicate the most pressing challenges facing humanity, and to offer perspectives for sustainable solutions. This without deference to political or ideological convenience. The *Limits to Growth* report of 1972 was not a neutral technocratic exercise. It was a deliberate act of public intervention.

Rooted in this tradition, the Club of Rome acts as an independent association of societal actors as a warning voice against political shortsightedness, inconsistent application of international norms, and double standards. In the Club's view, **justice, equity, and fairness, alongside multilateral principles and international dialogue**, constitute the **central pillars of sustainable development, peace, and global resilience**. Anyone who responds differently to **grave and systematic violations of human rights and international law based on geopolitical context and self-interest** — thereby **enabling impunity** — not only loses all credibility but ultimately **threatens the long-term stability of a rules-based world order**. Exposing this reality — along with Europe's specific role and responsibility regarding developments in the Middle East — is the **essence of this commentary series**.

It is the same spirit that inspired a June 2025 statement by 54 members of the CoR, asking pointedly: **"Are we still Human in the face of Gaza?"**<sup>1</sup> — a Call that named what is happening in Gaza unequivocally as genocide, and demanded accountability in accordance with the principles of the International Court of Justice. Among the signatories are several very prominent CoR members — Paul Shrivastava (Co-President), Silvia Zimmermann del Castillo (Co-President), Sandrine Dixson-Declève (former Co-President) and Mamphela Ramphele (former Co-President), among others.

A situation of world affairs in which the foundational norms of international law — the Genocide Convention, the Geneva Conventions, the rulings of the International Court of Justice (ICJ), the arrest warrants of the International Criminal Court (ICC) — are being systematically violated, and in which (a)

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<sup>1</sup> Club of Rome, "Are we still Human in the face of Gaza?", 5 June 2025. Signed by 54 members of the Club of Rome. Available at: <https://www.clubofrome.org/news/are-we-still-human-in-the-face-of-gaza/>

key representatives of the UN and the ICC are personally sanctioned by the US government to impede their work (among them UN Special Rapporteur Francesca Albanese and ICC chief prosecutor Karim Khan), and (b) the European Union is simultaneously blocking the only institutional lever available to enforce its own stated values while itself imposing personal sanctions to impede freedom of expression (as in the case of Jacques Baud, a former NATO intelligence analyst), this is precisely the kind of civilizational challenge the Club of Rome exists to address. **To remain silent in the face of documented violations of international humanitarian law — citing institutional caution or reputational risk - would itself be a political act: one of complicity through silence.**

The question, therefore, is not whether a Club of Rome Chapter President should speak out publicly. **The question is whether the matter addressed warrants such a statement, the arguments put forth are factually sound, and the reasoning is intellectually honest.** The responses I have received to Part 1 — including critical ones — confirm this on all three counts.

## 2. Can One Really Say That Israel Is Committing Genocide in Gaza?

This question — while raised only once in the feedback I received — deserves a most careful treatment. I am certain it is present in many more minds, particularly in countries like Austria and Germany where the genocide label in the context of Israel-Gaza remains deeply charged. My answer is nonetheless unambiguous: **yes, on the available evidence and in the assessment of the overwhelming majority of those most qualified to judge.** Let me be precise about what I am claiming, and on what basis.

The word "**genocide**" carries extraordinary moral and legal weight, and I do not use it lightly. In my first commentary, I deliberately adopted the language of the *International Court of Justice* (ICJ). In issuing its provisional measures in January 2024, the Court determined that the allegations of acts falling within the scope of the Genocide Convention were "**plausible**", thereby confirming its prima facie jurisdiction. A final legal determination by the ICJ is still pending. Because the ICJ has judicially established the fundamental plausibility of this risk, an immediate responsibility to act arises for the international community. Consequently, under the UN Genocide Convention, the **EU and its member states are already legally obligated to do everything in their power to prevent a looming genocide.**

The ICJ's procedural caution reflects the lengthy and complex judicial process. However, it does not suspend the **moral and scholarly judgement** — and that judgement has become **remarkably clear.**

A **UN Special Committee** had already concluded in September 2024 that Israel's policies and practices are "*consistent with genocide, including use of starvation as weapon of war*".<sup>2</sup> In December 2024, **Amnesty International** — followed two weeks later by **Human Rights Watch** — concluded that genocidal acts had been committed.<sup>3</sup> Most significantly, on 16 September 2025, the **UN's Independent International Commission of Inquiry** — the most authoritative UN body to address the question — found that Israel had committed four of the five genocidal acts defined under Article II of the 1948 Genocide Convention, and concluded that genocidal intent (*dolus specialis*) was "*the only reasonable*

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<sup>2</sup> *UN Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, Report A/79/363, released 14 November 2024, covering the period October 2023 – July 2024. Full text available at: <https://www.un.org/unispal/document/report-of-the-special-committee-to-investigate-israeli-practices-20sep24/> — OHCHR press release: <https://www.ohchr.org/en/press-releases/2024/11/un-special-committee-finds-israels-warfare-methods-gaza-consistent-genocide>*

<sup>3</sup> Amnesty International, "*You Feel Like You Are Subhuman: Israel's Genocide Against Palestinians in Gaza*", published 4 December 2024: <https://www.amnesty.org/en/latest/news/2024/12/amnesty-international-concludes-israel-is-committing-genocide-against-palestinians-in-gaza/> — Full 296-page report also available at UN ISPAL: <https://www.un.org/unispal/document/amnesty-internationals-report-04dec24/> — and, Human Rights Watch, "*Extermination and Acts of Genocide: Israel Deliberately Depriving Palestinians in Gaza of Water*", published 19 December 2024: <https://www.hrw.org/report/2024/12/19/extermination-and-acts-genocide/israel-deliberately-depriving-palestinians-gaza>

*inference that could be drawn from the totality of the evidence*".<sup>4</sup> The Commission specifically found that Israeli President **Isaac Herzog**, Prime Minister **Benjamin Netanyahu** and former Defense Minister **Yoav Gallant** had incited the commission of genocide — citing, among others, Gallant's declaration that Israel was fighting "*human animals and must act accordingly*", and Netanyahu's invocation of the *Amalekites*, a biblical people singled out for total destruction. These statements are of particular legal significance: they **constitute direct evidence of the specific genocidal intent** (*dolus specialis*) that the Genocide Convention requires — and that South Africa's submissions to the ICJ in its genocide case against Israel have advanced.

The institutional findings are confirmed and underpinned — and indeed preceded — by an **overwhelming consensus among academic scholars of genocide**. In an investigation first published on 14 May 2025<sup>5</sup>, the **Dutch newspaper NRC** interviewed seven renowned genocide and Holocaust researchers from six countries, including Israel, all of whom described the Israeli campaign in Gaza as genocidal. The paper also reviewed 25 academic articles published in the *Journal of Genocide Research* — the field's leading journal — and found that all eight academics from the field of genocide studies saw genocide or at least genocidal violence in Gaza. "**Contrary to public opinion**", the investigation concluded, "**leading genocide researchers are surprisingly unanimous: the Netanyahu government ... is in that process — according to the majority, even in its final stages.**"

Among those who have reached this conclusion are scholars of the highest standing — and notably, many are themselves Jewish. For example, Israeli scholar of Holocaust and genocide studies **Raz Segal** (Ben-Gurion University) told NRC: "*Can I name someone whose work I respect who does not think it is genocide? No, there is no counterargument that takes into account all the evidence.*" He has also been quoted as describing the assault on Gaza as "*a textbook case of genocide unfolding in front of our eyes*". Also noteworthy is **Omer Bartov** — Dean's Professor of Holocaust and Genocide Studies at Brown University, Israeli-American, and a former IDF officer — whose just-published book "**Israel: What Went Wrong?**" (Farrar, Straus and Giroux, April 2026)<sup>6</sup> traces the tragic transformation of Zionism from a movement of Jewish emancipation into a state ideology of ethno-nationalism. In it, he asks how a state founded in the immediate aftermath of the Holocaust now stands credibly accused of perpetrating large-scale war crimes — and he identifies the failures to the lack of (a) adopting a binding constitution, (b) defining permanent borders, and (c) establishing equal relations with Palestinian citizens as root causes of Israel's trajectory away from liberal-democratic values. Before, Bartov had already written a widely discussed *New York Times* opinion piece entitled "*I'm a Genocide Scholar. I Know It When I See It*"<sup>7</sup> — leaving no ambiguity about his assessment.

Another significant threshold was crossed on 28 July 2025, when two major **Israeli human rights organizations** - **B'Tselem** and **Physicians for Human Rights Israel (PHRI)** — simultaneously published

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<sup>4</sup> UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, "*Legal analysis of the conduct of Israel in Gaza pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide*", presented to the UN Human Rights Council's 60th session on 16 September 2025. Wikipedia summary: [https://en.wikipedia.org/wiki/2025\\_UNHRC\\_Commission\\_of\\_Inquiry\\_report\\_on\\_Gaza\\_genocide](https://en.wikipedia.org/wiki/2025_UNHRC_Commission_of_Inquiry_report_on_Gaza_genocide) — Full report via OHCHR: <https://www.ohchr.org/en/hr-bodies/hrc/i-i-commission-on-oPt/index>

<sup>5</sup> NRC (Dutch daily), investigation published 14 May 2025. English summary: *Middle East Eye*, 17 May 2025: <https://www.middleeasteye.net/news/top-genocide-scholars-unanimous-israel-committing-genocide-gaza-investigation-finds>

<sup>6</sup> The Guardian — Review: "*Israel: What Went Wrong? by Omer Bartov*", 9 May 2026: <https://www.theguardian.com/books/2026/may/09/israel-what-went-wrong-by-omer-bartov-review-the-long-view>

<sup>7</sup> Omer Bartov, *The New York Times*, Opinion — Guest Essay, 15 July 2025, "*I'm a Genocide Scholar. I Know It When I See It*": <https://www.nytimes.com/2025/07/15/opinion/israel-gaza-holocaust-genocide-palestinians.html>

reports concluding that Israel is committing genocide.<sup>8</sup> B'Tselem's report, titled *Our Genocide*, stated: "An examination of Israel's policy in the Gaza Strip and its horrific outcomes ... leads us to the unequivocal conclusion that Israel is taking coordinated action to intentionally destroy Palestinian society in the Gaza Strip." B'Tselem Executive Director Yuli Novak said: "Nothing prepares you for the realization that you are part of a society committing genocide. This is a deeply painful moment for us. But as Israelis and Palestinians who live here and witness the reality every day, we have a duty to speak the truth as clearly as possible." PHRI's companion report, titled "Destruction of Conditions of Life: A Health Analysis of the Gaza Genocide", documented Israel's deliberate destruction of Gaza's healthcare system as a component of genocidal intent (*dolus specialis*). Amnesty International Secretary General Agnès Callamard responded to these Israeli reports: "With the publication of these two reports, B'Tselem and Physicians for Human Rights Israel become the first two Israeli organizations to state it loud and clear, based on meticulous documentation and research: Israel is committing genocide against Palestinians in Gaza." The fact that Israel's own leading human rights organizations, founded and staffed by Israelis, have reached this conclusion makes the frequently put forth antisemitism counter-argument particularly difficult to sustain.

The above assessments have subsequently been affirmed by a substantial body of international legal and scholarly opinion. On 31 August 2025, the **International Association of Genocide Scholars (IAGS)**, with some 500 members worldwide including a significant number of Holocaust scholars, passed a **resolution with 86% support declaring that Israel's policies and actions in Gaza meet the legal definition of genocide under Article II of the UN Genocide Convention.**<sup>9</sup>

In the interest of intellectual honesty, it should be noted that a small number of serious scholars — including some in Holocaust studies — continue to dispute the genocide designation, and their arguments deserve engagement rather than dismissal. What is clear, however, is that **by the second half of 2024, a broad consensus had emerged among genocide researchers and experts that Israel's actions constitute genocide. That consensus has only deepened since.**

Also notably, and referring again to the NRC investigation cited above, a German authority in the genocide field, who wished to remain anonymous, has been reported to have told NRC that the subject is "poisoned" in Germany — that one is "called directly antisemitic" if one mentions possible genocide. "If these acts were subjected to a country other than Israel", he said, "all Germans would immediately sound the alarm". That remark, from a German scholar about Germany, is particularly remarkable given the countries blocking action against Israel at the EU and UN level.

The contrast with voices in the United States could hardly be more stark. **Jeffrey Sachs**, Professor and Director of the Center for Sustainable Development at Columbia University, and **John Mearsheimer**, Professor of Political Science at the University of Chicago — two of the most prominent public intellectuals in the United States on geopolitics — have spoken on this subject with a directness that puts European academic and political discourse to shame.

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<sup>8</sup> B'Tselem, "Our Genocide", 28 July 2025: [https://www.btselem.org/publications/202507\\_our\\_genocide](https://www.btselem.org/publications/202507_our_genocide) — PHRI, "Destruction of Conditions of Life", 28 July 2025: <https://www.phr.org.il/en/destruction-of-conditions-of-life-a-health-analysis-of-the-gaza-genocide/> — Yuli Novak quote: BBC News, 28 July 2025: <https://feeds.bbci.co.uk/news/articles/c776xkvz6vno> — and Times of Israel, 28 July 2025: <https://www.timesofisrael.com/btselem-phri-accuse-israel-of-committing-genocide-in-gaza/> — Amnesty International response, 28 July 2025: <https://www.amnesty.org/en/latest/news/2025/07/israel-opt-israeli-organizations-conclude-israel-committing-genocide>

<sup>9</sup> On the IAGS genocide resolution: International Association of Genocide Scholars, *Resolution on the Situation in Gaza*, adopted August 31, 2025 (86% majority); full text: <https://genocidescholars.org/wp-content/uploads/2025/08/IAGS-Resolution-on-Gaza-FINAL.pdf>; Reuters/AP reporting: <https://www.pbs.org/newshour/world/leading-genocide-scholars-organization-says-israel-is-committing-genocide-in-gaza>.

**Jeffrey Sachs**<sup>10</sup> has been among the earliest and most consistent voices to call what is happening in Gaza by its name. As early as March 2024, Sachs stated publicly that US support for Israel made America complicit in genocide — at a time when most Western academics still avoided the word. His language has only sharpened since. Writing in August 2025, Sachs stated plainly that **under Trump, as under Biden, the US had served as Israel's partner in what he called mass murder, annexation, starvation, and the escalating torment of millions of Palestinians**. In his recurring conversations with Judge Andrew Napolitano — among the most widely followed foreign policy commentary in the United States — Sachs has been equally unsparing about the Washington establishment itself. Asked about the decision-makers driving US policy, he replied that *"our side has no culture at all, other than a kind of gangsterism"*. He has **consistently characterized both Israeli and US leadership as war criminals**, and has expressly aligned himself with the International Criminal Court: when the ICC issued its arrest warrant for Netanyahu in November 2024, Sachs wrote that America must take note — **the US government is complicit in Netanyahu's war crimes and has fully partnered in what he called Netanyahu's violent rampage across the Middle East**. That a scholar of Sachs's standing — a former UN adviser, an economist whose career has been built on mainstream international institutions — speaks in these terms is itself a measure of how far the moral and legal consensus has moved, and it sets the stage for a voice even more direct.

**John Mearsheimer**, one of America's most eminent scholars of international relations, has spoken on this subject with a directness that puts European academic and political discourse to shame. In a keynote address at the *Arab Center Washington DC* on April 10, 2026 — publicly available and widely cited — Mearsheimer<sup>11</sup> stated and reiterated that **what is happening in Gaza is "perfectly appropriate to describe... as a genocide"**, and went further still. What he found most remarkable and what shocked him most profoundly, he said, was not only that Israel was committing a genocide, but that the **United States was openly complicit in it** — and that the liberal academic establishment in America had remained almost entirely silent. He drew the **explicit parallel to Nuremberg**: were Nuremberg-style tribunals to be convened today on the Genocide in Gaza, he argued, **both Joe Biden and his principal lieutenants, and Donald Trump and his principal lieutenants, "would be hanged"**. *"We're talking about a genocide"*, he said. *"We know what happened to all those people who executed a genocide between 1941 and 1945 in Europe. They were hanged."* And he added, with characteristic understatement: *"It's really quite remarkable that hardly a word was said in the liberal establishment in the United States against what Israel was doing, and the United States was helping them to do. Committing genocide, the greatest of all crimes."* That an American 'realist' scholar, operating within the mainstream of his discipline, feels compelled to invoke Nuremberg while his European counterparts dare not even name the crime [for fear of being "called antisemitic", as the anonymous German scholar cited above put it] speaks volumes about where moral clarity now resides, and where it does not.

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<sup>10</sup> Jeffrey D. Sachs: On US complicity in genocide: interview on Al Jazeera, *The Bottom Line*, 17 March 2024: <https://www.aljazeera.com/program/the-bottom-line/2024/3/17/professor-jeffrey-sachs-us-is-complicit-in-israeli-genocide> — On both Biden and Trump as partners in genocide: *"The US Can End the Gaza Genocide Now"*, 20 August 2025: <https://www.jeffsachs.org/newspaper-articles/62j6kwar5zj57zdljed94an5e9lva8> — On "gangsterism" in US foreign policy decision-making: interview with Judge Andrew Napolitano, *Judging Freedom*, 1 June 2026 (transcript: <https://singjupost.com/prof-jeffrey-sachs-how-the-best-military-and-intel-failed-transcript>; video: <https://www.youtube.com/watch?v=xciEC59zChI>) — On the ICC arrest warrant for Netanyahu as an indictment of US complicity: *"The ICC Arrest Warrant for Netanyahu Is Also an Indictment of US Policy and Complicity"*, *Common Dreams*, 22 November 2024: <https://www.commondreams.org/opinion/icc-arrest-warrant-netanyahu>

<sup>11</sup> John J. Mearsheimer, keynote address: *"US Middle East Policy: The Growing Propensity for Genocide"*, Arab Center Washington DC, April 10, 2026. Short excerpt: <https://www.youtube.com/shorts/IB2ODhCojXY> (YouTube Shorts); full address: <https://www.youtube.com/watch?v=nXQLRDDmU6Q>

Against this backdrop, the **EU's continued refusal to act** — not on the basis of a final judicial verdict, but on the basis of the ICJ's own provisional finding of plausibility and the near-unanimous assessment of the scholarly and institutional community — is not caution. It is **conscious and willful disregard**.

### 3. What About the West Bank and Lebanon?

Several correspondents rightly noted that my first Commentary focused primarily on Gaza, and that the full picture is considerably broader. They are correct, and the omissions explicitly mentioned — The West Bank and Lebanon — deserve acknowledgement and remedy.

**The West Bank** is undergoing a process that can only be described as **accelerating de facto annexation**. In February 2026, the Israeli cabinet approved measures allocating over 244 million NIS (New Israeli Sheqel) to establish a government mechanism transferring land registration powers to Israel's Ministry of Justice<sup>12</sup> — directly violating the ICJ's 2024 advisory opinion. In 2025, a record 86 new settler outposts were established.<sup>13</sup> According to a UN Human Rights report from March 2026<sup>14</sup>, over 36,000 Palestinians have been forcibly displaced amid settler violence that is *"coordinated, strategic and largely unchallenged"*, with Israeli authorities playing a *"central role in directing, participating in or enabling this conduct"*. The planned so-called E1 corridor east of Jerusalem<sup>15</sup> — for which a tender for 3,401 housing units was published in December 2025 — would **permanently sever the West Bank in two, rendering a contiguous Palestinian state geographically impossible**.

One further dimension of Israel's West Bank regime deserves explicit mention — one that is unique in the world and illuminates the *apartheid* character of the occupation with particular clarity. **Since 1967**, Palestinian children in the occupied West Bank have been subject to Israeli military law in what is called a *'juvenile military justice system'*.<sup>16</sup> It makes **Palestinian children the only minors in the world consistently prosecuted in military courts**. As of 2009, a Military Juvenile Court has been operating at the Ofer military base — a system in which military judges preside over the detention and prosecution of Palestinian children, while Israeli settler children living in the same territory are governed by civilian law. UN experts have condemned this dual court system as *"a militarily enforced, draconian penal*

<sup>12</sup> Amnesty International, *"Israel/OPT: Global impunity fueling Israel's unlawful annexation measures in the West Bank"*, 27 February 2026: <https://www.amnesty.org/en/latest/news/2026/02/israel-opt-global-impunity-fueling-israels-unlawful-annexation-measures-in-the-west-bank/> — Times of Israel, *"Cabinet OKs new West Bank land registration process, critics decry 'de-facto annexation'"*, 15 February 2026: <https://www.timesofisrael.com/cabinet-oks-new-west-bank-land-registration-process-critics-decry-de-facto-annexation/>

<sup>13</sup> Peace Now, *"2025 was record year for settlement expansion, construction and planning"*, Times of Israel, 25 February 2026: <https://www.timesofisrael.com/2025-record-year-for-settlement-expansion-construction-and-planning-ngo-finds/> — Peace Now, *"Summary of a Year of Terror, Expulsion, and Annexation — 2025 in the Settlements"*, 3 February 2026: <https://peacenow.org.il/en/summary-of-2025-in-settlements>

<sup>14</sup> OHCHR, *"Israel's settlement expansion drives mass displacement in West Bank"*, 17 March 2026: <https://www.ohchr.org/en/press-releases/2026/03/israels-settlement-expansion-drives-mass-displacement-west-bank-un-report> — Reuters / Al-Monitor, 17 March 2026: <https://www.al-monitor.com/originals/2026/03/un-says-more-36000-palestinians-displaced-israeli-settlement-drive>

<sup>15</sup> Amnesty International, *"Israel/OPT: Global impunity fueling Israel's unlawful annexation measures in the West Bank"*, 27 February 2026: <https://www.amnesty.org/en/latest/news/2026/02/israel-opt-global-impunity-fueling-israels-unlawful-annexation-measures-in-the-west-bank/> — Peace Now, *"Israel Advances E1 Construction Tender"*, 5 January 2026: <https://peacenow.org.il/en/e1-construction-tender> — PBS NewsHour, *"Israel clears final hurdle to start settlement construction that would cut the West Bank in two"*, 6 January 2026: <https://www.pbs.org/newshour/world/israel-clears-final-hurdle-to-start-settlement-construction-that-would-cut-the-west-bank-in-two>

<sup>16</sup> TRT World, *"UN slams Israel's new law allowing life sentences for Palestinian children"*, May 2025: <https://www.trtworld.com/article/76d1eaa5412a>; B'Tselem, *"The Military Courts"*: [https://www.btselem.org/military\\_courts](https://www.btselem.org/military_courts) — and PALPULSE, *"West Bank Children Dragged Into Apartheid Courts"*: <https://www.youtube.com/shorts/2zXaiFTAx4>

system that is only applied to Palestinians without due process guarantees" — noting that it "turns a blind eye to settler violence and criminality, allowing it to grow and remain in impunity."<sup>17</sup> The phrase "**without due process guarantees**" warrants brief unpacking: in practice, this means children are arrested often during night raids, held without parental notification, denied access to legal counsel prior to and during interrogation, brought before military judges conducting proceedings in Hebrew which the children frequently do not understand, and tried under military law allowing detention from the age of 12.<sup>18</sup> UNICEF has documented that the vast majority of children report being subjected to physical and psychological intimidation during interrogation.<sup>19</sup> Again, Israeli settler children living in the same territory face none of this — they are governed by Israel's civilian legal system.

**Hundreds of Palestinian minors are arrested each year and prosecuted in Israeli military courts.** They are typically charged with 'throwing stones' — an offence that carries a maximum sentence of 10 to 20 years under military law. In November 2024, the Israeli Knesset passed Amendment No. 25 to the Youth Law, enabling children as young as 12 to receive life sentences for crimes labelled as "terrorism" — even if committed as part of a protest or civil unrest. The UN urged Israel to repeal the amendment, citing the **ICJ's 2024 advisory opinion** finding that **Israel's regime in the occupied territories practiced racial segregation and apartheid**, and noting that the legislation constitutes a breach of Article 3 of the *International Convention on the Elimination of All Forms of Racial Discrimination*.<sup>20</sup>

This is not a peripheral detail. It is a structural feature of a system that applies one law to children of Jewish settlers and another to Palestinian children living under military occupation — **a system that has operated, with complete international impunity, for nearly six decades.**

The **apartheid character of Israel's West Bank regime** was further entrenched on 30 March 2026, when the Israeli Knesset passed — by 62 votes to 48, with Prime Minister Netanyahu voting in person — the so-called '**Death Penalty for Terrorists Law**', introduced by National Security Minister Ben-Gvir.<sup>21</sup> The law mandates death by hanging as the default punishment for West Bank Palestinians convicted of deadly attacks deemed acts of terrorism by a military court, with sentences to be carried out within 90 days of a final ruling. As written, **the law applies exclusively to Palestinians — Israeli citizens convicted of the same offences are subject to a different legal standard — and it does not apply to Israeli settlers living in the same territory.** The *Association for Civil Rights* in Israel immediately petitioned the Supreme Court, calling the legislation "*discriminatory by design*". UN High Commissioner for Human Rights, Volker Türk, urged Israel to repeal the law, stating that it "*will further entrench Israel's violation of the prohibition of racial segregation and apartheid by discriminatorily*

<sup>17</sup> UN experts, OHCHR, "*Palestinians' right to due process guarantees have been violated for 57 years*", 3 July 2024: <https://www.un.org/unispal/document/un-experts-condemn-03jul24>

<sup>18</sup> Wikipedia, "*Palestinian children in Israeli custody*" (synthesising UNICEF, B'Tselem, Human Rights Watch documentation): [https://en.wikipedia.org/wiki/Palestinian\\_children\\_in\\_Israeli\\_custody](https://en.wikipedia.org/wiki/Palestinian_children_in_Israeli_custody) — PALPULSE, "*West Bank Children Dragged Into Apartheid Courts*": <https://www.youtube.com/shorts/2zXaiFTAx4>

<sup>19</sup> UNICEF/UN; The Question of Palestine, "*Children in Israeli Military Detention – Observations and Recommendations*": <https://www.un.org/unispal/document/auto-insert-208566/>

<sup>20</sup> TRT World, *ibid.* — and Defense for Children Palestine, "*Military Detention*": [https://www.dci-palestine.org/military\\_detention](https://www.dci-palestine.org/military_detention) — and UNICEF / UN Question of Palestine, "*Children in Israeli Military Detention*": <https://www.un.org/unispal/document/auto-insert-208566/>

<sup>21</sup> AP/PBS NewsHour, "*Israel's Parliament approves death penalty for Palestinians convicted of murdering Israelis*", 30 March 2026: <https://www.pbs.org/newshour/amp/world/israels-parliament-approves-death-penalty-for-palestinians-convicted-of-murdering-israelis> — Times of Israel, 31 March 2026: <https://www.timesofisrael.com/knesset-passes-death-penalty-law-for-palestinians-convicted-of-deadly-acts-of-terror/> — Death Penalty Information Center overview with full media references: <https://deathpenaltyinfo.org/israel-passes-mandatory-death-penalty-for-palestinians-convicted-of-terrorism-flouting-international-law-and-drawing-widespread-condemnation>

targeting Palestinians, who are often convicted following unfair trials".<sup>22</sup> Human Rights Watch called it "another discriminatory tool in Israel's system of apartheid", noting that it "entrenches discrimination and a two-tiered system of justice, both hallmarks of apartheid".<sup>23</sup> The Arab-majority parliamentary faction Hadash-Ta'al stated bluntly: "This law is not merely a punitive measure — it is an official declaration of the institutionalization of apartheid and racism, and the transformation of the legal system into yet another tool in the violent political repression of the Palestinian people." As a historical reference, Israel has not carried out an execution since 1962, when Nazi war criminal Adolf Eichmann was hanged.

Turning to **Lebanon**. Following the Hamas attack on Israel on 7 October 2023, Lebanon saw massive Israeli military operations extend far beyond any proportionate response to Hezbollah, with **Israeli strikes on civilian infrastructure, displacement of over one million people, 3,185 Lebanese being killed** (many of those women and children) **and 9,633 being injured** since 2 March 2026 alone, when the most recent outbreak of violence began (Lebanese health ministry data from 25 May 2026)<sup>24</sup>. These **numbers continue to rise daily**. An *Office of the UN High Commissioner for Human Rights* (OHCHR) analysis found that Israeli operations in Lebanon involved cases of direct attacks on civilians including medical personnel (with more than 100 medical worker reportedly killed since 2 March 2026), several incidents in which Israeli strikes hit and in some cases levelled multi-story residential buildings, killing entire families — and that in many attacks, no warnings or no reasonably effective warnings were given, preventing civilians from evacuating safely.<sup>25</sup> Such strikes, the UN concluded, may constitute **serious violations of international humanitarian law**.

The **conduct of the ceasefire** has been equally revealing. On 8 April 2026 — the very day a ceasefire to the Iran war was announced and Hezbollah signaled a pause in its attacks — Israel launched what it described as its "*most powerful attacks*" on Lebanon, **killing at least 357 people in a single day**. Lebanon called it "*Black Wednesday*" and accused Israel of carrying out a massacre.<sup>26</sup> A 10-day ceasefire for Lebanon was subsequently announced on 16 April and has since been extended — nominally. In mid-May 2026, OCHA (*UN Office for the Coordination of Humanitarian Affairs*) reported that approximately 95,000 additional people had fled as a result of repeated Israeli displacement orders issued since the weekend; a double strike in the city of Maarakeh killed a paramedic; and strikes hit a health response point in Qana and areas near a hospital in Nabatieh.<sup>27</sup> On 25 May 2026 — a few days before this Commentary was finalized — Israeli drone attacks killed at least three people on roads in southern Lebanon, while Israel simultaneously issued forced evacuation orders for the residents of

<sup>22</sup> UN High Commissioner for Human Rights Volker Türk, statement, 31 March 2026:

<https://www.un.org/unispal/document/ohchr-statement-death-penalty-israel/>

<sup>23</sup> Human Rights Watch, "Adoption of death penalty law by the Israeli Knesset requires urgent EU measures", 2 April 2026: <https://www.hrw.org/news/2026/04/02/adoption-of-death-penalty-law-by-the-israeli-knesset-requires-urgent-eu-measures> — Al Jazeera, "What's Israel's death penalty law that only applies to Palestinians?", 31 March 2026: <https://www.aljazeera.com/news/2026/3/31/whats-israels-death-penalty-law-that-only-applies-to-palestinians>

<sup>24</sup> Lebanese health ministry; data reported in The Guardian on *Middle East crisis live* on 25 May 2026 — also Al Jazeera: <https://www.aljazeera.com/news/2026/5/25/israel-kills-three-in-attacks-on-lebanon-issues-more-displacement-orders>

<sup>25</sup> OHCHR, "UN report on deaths and displacement in Lebanon", 24 April 2026:

<https://www.ohchr.org/en/press-briefing-notes/2026/04/un-report-deaths-and-displacement-lebanon>

<sup>26</sup> Wikipedia, "8 April 2026 Israeli attacks on Lebanon":

[https://en.wikipedia.org/wiki/8\\_April\\_2026\\_Israeli\\_attacks\\_on\\_Lebanon](https://en.wikipedia.org/wiki/8_April_2026_Israeli_attacks_on_Lebanon)

<sup>27</sup> OCHA / People's Daily, "Hostilities drive up casualties, displacement in Lebanon despite ceasefire", 19 May 2026: <https://en.people.cn/n3/2026/0520/c90000-20458171.html> — and UNRWA Situation Report #10, Lebanon Emergency Response 2026: <https://www.unrwa.org/resources/reports/unrwa-situation-report-10-lebanon-emergency-response-2026>

ten additional villages.<sup>28</sup> Al Jazeera asked the question bluntly: *"Is even the pretense of a ceasefire over?"*

**Israel's disregard for ceasefire obligations has in fact been a consistent pattern** since the November 2024 ceasefire agreement. On 26 January 2025, Israeli troops opened fire on unarmed displaced Lebanese civilians returning to their homes in southern villages — killing at least 26 people and wounding approximately 147 others.<sup>29</sup> The civilians had returned after Israeli forces failed to withdraw from occupied Lebanese territory within the agreed ceasefire timeline. The **instrumentalization of ceasefire agreements as diplomatic cover for continued military operations is by now well established** (and this is also true for Gaza): ceasefire agreements are used instrumentally — to manage international pressure — while the occupation of Lebanese territory, the killing of civilians and the forced displacement of entire communities continue regardless. Israel continues to occupy Lebanese territory beyond the ceasefire lines agreed in November 2024, in direct violation of the terms of that agreement and of UN Security Council Resolution 1701.<sup>30</sup>

A further dimension of what happens in Lebanon warrants clarification. **Hezbollah's military engagement against Israel**, which began on October 8, 2023 — the day after Hamas's attack — was **explicitly and consistently framed by Hezbollah itself not as an independent act of aggression but as a deliberate act of solidarity with the Palestinian population in Gaza**.<sup>31</sup> Firing rockets at the Shebaa Farms, Hezbollah claimed solidarity with the *"Palestinian people"*, and insisted that it aimed to pressure Israel by forcing it to fight on two fronts; it offered an immediate ceasefire conditioned solely on a parallel ceasefire in Gaza. **Hezbollah consistently maintained that it would only support a ceasefire in Lebanon if one was simultaneously held in Gaza**. In Hezbollah's own framing — and this is a point that mainstream Western discourse has systematically avoided engaging with — its **intervention was an attempt to halt what it characterized as a genocide in Gaza**. Whether one accepts or rejects Hezbollah's political and military legitimacy, this framing cannot simply be dismissed as it **reflects the overwhelming scholarly and institutional consensus on the genocide in Gaza covered in Section 2 above**. From October 2023 on, Hezbollah could credibly cast its intervention as solidarity with Gaza, a cause with genuine resonance among its Shia constituency and the broader Arab world. The **uncomfortable implication** — which European governments have shown no appetite to confront — is that **an actor they designate as a terrorist organization was, from the outset, responding to the very crime that their own legal frameworks oblige them to prevent**.

<sup>28</sup> Al Jazeera, *"Israel kills three in attacks on Lebanon, issues more displacement orders"*, 25 May 2026: <https://www.aljazeera.com/news/2026/5/25/israel-kills-three-in-attacks-on-lebanon-issues-more-displacement-orders> — and Al Jazeera, *"Israeli killings in Lebanon rise: Is even the pretence of a ceasefire over?"*, 11 May 2026: <https://www.aljazeera.com/amp/news/2026/5/11/israeli-killings-in-lebanon-rise-is-even-the-pretence-of-a-ceasefire-over>

<sup>29</sup> Wikipedia, *"January 2025 southern Lebanon attack"*: [https://en.wikipedia.org/wiki/January\\_2025\\_southern\\_Lebanon\\_attack](https://en.wikipedia.org/wiki/January_2025_southern_Lebanon_attack)

<sup>30</sup> UN Security Council Resolution 1701 (S/RES/1701), adopted unanimously on 11 August 2006, called for the full cessation of hostilities between Israel and Hezbollah, the withdrawal of all Israeli forces from southern Lebanon, and the deployment of Lebanese troops and UNIFIL peacekeepers to the south. The resolution stipulated that the only armed groups permitted south of the Litani River should be the Lebanese military and UN peacekeeping forces. Full text: [https://unsco.unmissions.org/sites/default/files/s\\_res\\_17012006.pdf](https://unsco.unmissions.org/sites/default/files/s_res_17012006.pdf) — UN News explainer: <https://news.un.org/en/story/2024/10/1155221>

<sup>31</sup> On Hezbollah's engagement from October 8, 2023 and its stated Gaza-conditionality for any ceasefire: UK House of Commons Library, Research Briefing CBP-10108, *"Israel-Hezbollah conflict 2023/24: UK and international response"*, <https://commonslibrary.parliament.uk/research-briefings/cbp-10108/>. On Hezbollah's solidarity framing: Manara Magazine / Cambridge Middle East and North Africa Forum, *"Between Narrative and Reality: Hezbollah, 2024–2026"*, April 2026, <https://manaramagazine.org/2026/04/between-narrative-and-reality-hezbollah/>.

To summarize this section: The **pattern of Israel's actions in Gaza, the West Bank and Lebanon is consistent and unmistakable: a systematic disregard for the limits imposed by international humanitarian law, combined with western impunity and the near-total absence of international accountability.** Taken together - Gaza, the West Bank, Lebanon — the picture is not of isolated military operations in a context of legitimate self-defense. It is of a comprehensive, multi-front **strategy of territorial expansion, population displacement, and the destruction of the physical and institutional preconditions for Palestinian statehood.** That Europe continues to extend preferential trade relations in the face of this reality does not merely damage its credibility. It makes Europe materially complicit.

#### 4. Most Recent EU Settler Sanctions: A Step, but Far Short of What Is Needed

On 11 May 2026, the EU Foreign Affairs Council meeting in Brussels produced a decision that deserves acknowledgement — but nothing more. For the first time in over a year, unanimity was achievable: Hungary's new Prime Minister Péter Magyar, sworn in on 9 May having defeated long-serving Viktor Orbán in April, lifted the veto that Orbán — a close ally of Netanyahu — had repeatedly used to block any meaningful EU action on Israeli settler violence. The **EU unanimously agreed to impose asset freezes and travel bans on leaders and organizations within the Israeli settler movement in the occupied West Bank** — a step long overdue and welcome.

However, the decision has **significant limitations.** The sanctioned individuals and organizations have not yet been publicly named. Finance Minister Bezalel Smotrich and National Security Minister Itamar Ben-Gvir — the two cabinet ministers most directly responsible for driving and inciting settlement expansion and settler violence — were reportedly excluded from the sanctions list in order to secure unanimity. The UK, Australia, Canada, Norway and New Zealand had already sanctioned both men in June 2025, Ireland followed just a few days ago. The EU, apparently, could not follow. The ministers also failed to agree on banning products from illegal settlements or suspending the EU-Israel Association Agreement, measures that would carry real economic and political weight.

Hugh Lovatt, a fellow at the *European Council on Foreign Relations*, put it succinctly:<sup>32</sup> *"The EU narrowed the scope of action now to individuals and to a few entities, and in doing that it's ignoring the far more systemic issues at play."* Just *"adding a few more settlers"* to the sanctioned list, he added, *"is missing the big picture"*. Even EU High Representative for Foreign Affairs and Security Policy, Kaja Kallas, acknowledged uncertainty about whether a qualified majority existed for stronger measures. **Sanctioning settlers while shielding the ministers who direct them is not accountability — it is its appearance.** Thus, this decision **is a drop in the ocean where a watershed was needed.**

### **CONCLUSIO:** Europe's Complicity by Silence and Inaction

Part 2 of this Commentary series set out to answer the main questions raised by readers of Part 1, as well as to evaluate key developments in EU-Israel relations since then. The answers that have emerged, and the conclusions to be drawn from them, are unmistakable.

**On the appropriateness of a CoR chapter president speaking out publicly:** Ultimately, the question is not whether a Club of Rome (CoR) representative should speak out, but whether we can afford to remain silent. For decades, the CoR has been committed to tackling major civilizational challenges, and its identity has always been defined by a public advocacy for global justice and fairness, with this dedication firmly directed against selective justice and systemic complicity. This is demonstrated by a clear trajectory, spanning from the 1972 report *"The Limits to Growth"* to the *"Earth for All"* report fifty

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<sup>32</sup> Hugh Lovatt, European Council on Foreign Relations, quoted in Associated Press, 11 May 2026 (widely syndicated): <https://www.npr.org/2026/05/12/g-s1-121581/eu-diplomats-agree-to-sanction-hamas-leaders-and-israeli-settlers>

years later, on to the historic declaration on Gaza in June 2025 — the latter pointedly raising the question: "***Are we still human?***"

**When the rules-based international order is actively dismantled, remaining silent becomes a political act in itself.** Confronting this reality with intellectual honesty is the very essence of our institutional responsibility. At its core, this is why Europe's moral credibility is so profoundly at stake. The EU cannot credibly and effectively advocate for causes and goals such as global prosperity, equity and distributive justice, climate justice, and sustainable development while simultaneously remaining silent on or ignoring the selective application of international law. By failing to uphold its stated values in the Middle East, the EU actively undermines its own agenda for global policy leadership regarding these topics. **All these global challenges are deeply interconnected, and leading on them requires a currency that Europe is currently depleting: international credibility and trust.**

**On the question of genocide: Yes, what happens in Gaza is a genocide.** The UN's *Commission of Inquiry*, *Amnesty International*, *Human Rights Watch*, the *International Association of Genocide Scholars*, and Israel's own leading human rights organizations *B'Tselem* and *Physicians for Human Rights Israel* have each, independently, reached this conclusion. The **scholarly consensus** documented by the **NRC investigation** is, in the words of those researchers themselves, "***surprisingly unanimous***". Among the earliest and most prominent voices in the United States to speak out publicly was **Jeffrey Sachs**. As early as March 2024, he stated that US support for Israel made America complicit in genocide — at a time when most Western scholars still avoided the term. In drawing a parallel, **John Mearsheimer** even explicitly invoked the *Nuremberg Trials*.

Independent of these institutional and scholarly assessments, the **EU and its member states already bear a binding obligation under international law.** Based on the ICJ's historic "**plausibility**" ruling and the resulting **order for provisional measures** in January 2024, they **must do everything in their power to prevent a looming genocide.** Although the ICJ addresses its formal orders directly to the party to the conflict (Israel), the Court's judicial determination of a plausible risk of genocide, together with the **obligations under the UN Genocide Convention**, simultaneously activated the **obligations under international law to prevent for all third states. Looking away has been legally untenable ever since.**

**On the West Bank and Lebanon:** What this Commentary has documented is not a series of isolated incidents but a coherent, accelerating pattern: **annexation advancing in direct defiance of the ICJ**; a juvenile military justice system unique in the world; a death penalty law that applies exclusively to Palestinians; systematic harm and killing of civilians and destruction of civilian infrastructure in Lebanon; and the repeated instrumentalization of ceasefire agreements as diplomatic cover for continued Israeli operations. Together with Gaza, the picture is one of a **comprehensive, multi-front strategy of territorial expansion, population displacement, and the destruction of the preconditions for Palestinian statehood** — pursued in full view of the international community, and with impunity.

**On the EU settler sanctions of 11 May 2026:** They are **to be welcomed as a first step, but are completely inadequate as a response to what has been documented in this commentary.** Sanctioning Israeli settlers while the ministers who direct them — Finance Minister Smotrich and National Security Minister Ben-Gvir — remain untouched means that **those actually responsible are not held accountable.** This reduces the sanctions to mere window-dressing, carefully designed to evade any real consequences. Remarkably, both ministers have already been sanctioned by the United Kingdom, Australia, Canada, Norway, and New Zealand — with Ireland just recently joining them by imposing a travel ban.

Two further voices deserve special emphasis within this overall context. First, **Omer Bartov** — Dean's Professor of Holocaust and Genocide Studies at Brown University, a leading Holocaust scholar, and a former soldier in the Israeli army — has just published a book whose title speaks for itself: "***Israel: What Went Wrong?***" (April 2026). In it, Bartov describes and analyses the tragic transformation of Zionism — from a movement of Jewish emancipation to a state ideology of ethno-nationalism — and

asks: How could Israel have reached a point where a state, founded in the immediate aftermath of the Holocaust, now stands credibly accused of perpetrating large-scale war crimes?

Second, the renowned Israeli-British historian **Ilan Pappé** — Professor at the University of Exeter, prominent representative of Israel's 'New Historians', Director of the European Centre for Palestine Studies, and also a former soldier in the Israeli army—aligns with this perspective. In his recent opening keynote, "**Gaza as an Epicentre: The Breakdown of the International Order**", delivered at the *British International Studies Association* conference in Brighton on 2 June 2026, he employed the metaphor of a *seismic epicenter*. Gaza, he argued, represents this epicenter because it is where "*the worst damage is inflicted*" — a reality so "*cruel and inhuman*" that it must serve as an awakening for the world. For Pappé, the international response to Gaza "*exposed in the starkest way possible [...] what is wrong with the international system that we live in, with international politics, [and] with international morality*".

**Bartov and Pappé** — two intellectuals and critical thinkers deeply rooted in Israeli society — **clearly cannot remain silent and look away. The fact that European governments can do so speaks volumes about the nature of their silence.**

The **main argument of Part 1** therefore not only stands — it **has been substantially reinforced**. The clearest, most immediate and most legally grounded act available to the EU remains the **suspension of its Association Agreement with Israel under the conditionality clause of Article 2** — the very clause Europe itself inserted, for precisely this kind of situation. The EU has not lacked legal basis. It has not lacked evidence. It has not lacked institutional authority. **What it has lacked**, and continues to lack, **is the political will to apply to Israel the principles it applies, firmly and rightly, to Russia**. That **asymmetry** is not merely a reputational liability. It is a **structural contradiction that corrodes the rules-based international order from within** — and sends an unmistakable signal to every government watching: international law will be enforced selectively, and the right patrons exempt you from it.

History will not remember the procedural reasons why the qualified majority on the *EU-Israel Association Agreement* was not reached, or why the ministers most responsible were excluded from the sanctions list. **History will record which side Europe chose — that of international law or that of political opportunism — at a time when the evidence was overwhelming, the human cost and humanitarian consequences were catastrophic, and the choice was clear.**

In this regard, **Germany's role** deserves special attention—particularly given that, with around 30 percent, it is the **second-largest arms supplier to Israel** after the United States (which accounts for over 60 percent). Furthermore, it was **Germany's refusal to support suspending the Association Agreement** that proved decisive in its failure. Upon closer reflection, it could be argued that **Germany thus finds itself on the wrong side of history regarding a genocide for the third time**: first, with the extermination of the Herero and Nama in German South West Africa between 1904 and 1908 — the first genocide of the twentieth century, perpetrated directly by the German colonial state and only recognized as such by Germany itself in 2021; second, with the Holocaust of the Nazi regime in the 1930s and 1940s. The third time is Gaza — where Germany's culpability is of a different, indirect nature: not perpetration directly, but complicity; not the killing itself, but the political shield provided to those who kill; and, most importantly, the deliberate blocking of those very legal mechanisms that could most effectively counteract Israel's violations of international law and hold those responsible accountable. **The nature of the wrong differs, but the outcome does not.**

And on 3 June 2026 — just two days before this commentary was finalized — **Germany failed to secure a non-permanent seat on the UN Security Council during the elections in New York**. This marks the first time since the German reunification that the Federal Republic has lost such a bid. That very evening, German Foreign Minister Johann Wadepuhl conceded that Berlin's "*special responsibility toward Israel*" may have cost the country votes. International commentaries have strongly reinforced this assessment. It remains to be hoped that Germany will draw the right lessons from this defeat.

In closing, a final remark: The words of **Martin Luther King**, placed at the opening of this Commentary, were chosen deliberately: *"In the end, we will remember not the words of our enemies, but the silence of our friends."* Europe is not the enemy of Israel, but it must face its obligations and responsibilities toward international humanitarian law. In light of what has been documented here — an evident genocide, an ongoing annexation in total defiance of the ICJ, legally institutionalized apartheid, and civilians killed under nominally active ceasefires — **Europe's silence is no longer mere inaction; it is complicity. History will not forget. It rarely does.**

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*This text reflects the personal assessment of the author and does not represent an official position of the Club of Rome. The text was produced with the assistance of Claude (Anthropic) and Google AI, respectively. The original text was written in English and subsequently translated to German.*