



## The U.N.'s Last Chance For Decency w/ Craig Mokhiber

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**Dimitri Lascaris (DL):** Good afternoon, this is Dimitri Lascaris coming to you for Reason2Resist from Kalamata, Greece on September 17th, 2025. Today we are joined again on Reason2Resist by a highly esteemed human rights lawyer who knows quite a bit about the UN Charter in International Human Rights. Many of you will have heard of him before. His name is Craig Mokhiber. Craig is an American former UN human rights official and a specialist in international human rights law, policy and methodology. On October 28th, 2023, three weeks after Israel's genocidal assault on Gaza began, Craig stepped down as the director of the New York office of the UN High Commissioner for Human Rights four days before he was due to retire. And in his final letter to the High Commissioner, Volker Türk, Craig harshly criticized the organization's response to Israel's war on Gaza, calling Israel's military intervention a "textbook genocide" – how prophetic those words were – and accusing the UN of failing to act. Thank you so much for joining us today.

**Craig Mokhiber (CM):** Thanks, Dimitri. Always good to be with you.

**DL:** Craig, I'd like to start our discussion with the seminal report published yesterday by the UN Independent Commission of Inquiry on the Occupied Palestinian Territories. I certainly want to hear your thoughts on the significance of their report. But before I do that, could you please talk to us about the mandate of the commission of inquiry and the composition? What is the mandate and who are its members?

**CM:** Well, the mandate is to investigate and report on the human rights situation across the Occupied Palestinian Territories. And with regard to all conduct by Israel and others, it is composed of three prominent international human rights experts. Navi Pillay is the chair of the commission. People will know her as the former UN High Commissioner for Human Rights. Before that, she was an international judge in the Rwanda Tribunal. She was a high court judge in South Africa, appointed by Nelson Mandela. She is the chair. She is joined in the commission by Chris Sidoti, the second commissioner who is a prominent international human rights lawyer from Australia, and by Miloon Kothari, another very well-known international human rights expert who has himself served previously as a special rapporteur

and held a number of human rights positions. So they are independent experts. They do not take orders from any government or any body of the United Nations. They report to the UN Human Rights Council, but they are dependent actors who are bound to report based upon international law and the facts on the ground. And they had been actively investigating, even before October of 2023, the situation on the ground, and they have meticulously, step by step, documented the facts and the breaches of law in a series of reports, culminating now with this report finding that Israel has been perpetrating and continues to perpetrate genocide in Palestine.

**DL:** So could you put a little more flesh on the bones in terms of what their report concluded? I myself have not had an opportunity to read it in full, but I've read a UN press release, which talks about a finding that Israel is committing four or five categories of acts of genocide, and also they speak to the genocidal intent. Could you enlighten us about the essence of what they decided in that regard?

**CM:** Well, you can be forgiven, Dimitri, for not having read it yet. It's 80 pages of detailed facts and legal analysis, the results of two years of investigation. As I said, they based their analysis on the UN Genocide Convention, principally, which defines genocide in a very particular way. It says you have to have a very special kind of intent and that you have committed any one of five different acts. The commission documented four of those acts very directly: killing of members of the group as such, so killing them because they're members of that group, causing serious bodily and mental harm – these are all obvious to anyone who's been following, obviously, your reports of the past two years, but this has been documented by the commission. Thirdly, and this is language of the Genocide Convention which is particularly important, and that is inflicting conditions of life calculated to bring about the destruction of the group in whole or in part – which has been done very systematically. And imposing measures that are intended to prevent births from within the group, from within Palestinian community. There's a fifth one in the Genocide Convention that's about transferring children out of the group and into your own group. This has happened in some genocides in the past. They didn't cover that because they didn't have any direct evidence of Israel doing that. There have been cases of missing children after the Israeli invasion and so on, but they didn't have any direct evidence of them transferring those children into Israel, other than as prisoners.

So for those first four, the killing, the serious bodily and mental harm, inflicting conditions calculated to bring about the destruction of the group and measures to prevent births, which is a very revealing genocidal act because it is designed to destroy the group. And if you want to do that, you have to prevent birth. What is particularly horrifying about Israel's genocide in Palestine is that they have systematically worked intentionally to erase the past of the Palestinian presence in their homeland by, for example, destroying monuments, destroying cemeteries, destroying public records and so on, to destroy the present as well, which they have done through just destroying every school and hospital and mosque and refugee shelter and church and public building and food store and agricultural land and so on. And then also to destroy the future by driving out the population. And most especially by targeting children

and by taking action to prevent births, which the commission documents very clearly in acts by Israel, for example, targeting systematically all of the maternity wards in Gaza, compelling women to give birth in unsterile conditions, Caesarian sections without anesthetic, all of these sort of horror stories that have been emerging. And then even signaling out and destroying the one fertility clinic in Gaza and with it, all of the embryos that were stored there, all of the records that were stored there, all of hope that was stored there for Palestinian families in Gaza.

And then on intent, what separates those kind of horrific crimes and themselves from the concept of genocide is that according to the genocide convention, they have to be perpetrated with a very specific intent to destroy the group in whole or in part. And the commission goes to great lengths. I think even they go further than they need to in documenting evidence of intent. And the reason I say they go further than the need to is because one of the particularities that we've all spoken about for two years of this genocide is that the Israelis are so confident in their absolute impunity supported by Western countries and their absolute conviction that they will not be held accountable have been declaring their genocidal intent publicly and out loud over and over again. And here we're not talking about marginal characters. We're talking about the prime minister, the president, most of the cabinet ministers, senior political leaders, senior military officials, military commanders, all the way down the chain of command openly and repeatedly declaring their intention to wipe out the Palestinian people, at least in Gaza on the record.

But to buttress that, in addition to documenting that, the commission goes further and it looks at evidence. In international legal proceedings, it's usually not the case that you have genocidal intent declared so publicly as in the case of Israel. So most genocide cases, what you find yourself doing, as I've said, is digging through dusty government archives looking for smoking gun memo or evidence of genocidal intent. That often is not something that can be easily found. And so also allowed is to judge intent based upon conduct, essentially. And they analyzed a whole series of actions that show genocidal intent, context, the perpetration of other culpable acts that are systematically directed at the same group that shows that they're targeting the group, the scale of the atrocities, which are quite unprecedented in Palestine, the means and methods that are used, the large number of civilian victims, the systematic targeting of people just by virtue of them having been born Palestinian in Gaza, the repetition of destructive acts, discriminatory acts, the use of language to target that group at the same time. All of these things, they put together and documented and showed, I think beyond a reasonable doubt that the intention of the Israelis is to wipe out the Palestinian people in Gaza. And I would add also in the West Bank where the genocide has been spreading, even as we speak since before October of 2023 with the pogroms already in the spring of 2023 in villages in the West Bank.

So there you have not an editorial opinion on the part of the commission of inquiry, but a legal analysis which is held directly against the requirements of genocide that are found in the convention on the prevention and punishment of the crime of genocide of the United Nations and all of the facts that go along with it by an official United Nations body that has an

investigative mandate. This is different from other sorts of bodies. They actually have a mandate to investigate and they've now issued this very damning, clear and unequivocal report finding that Israel is perpetrating genocide.

**DL:** So on the question of genocidal intent, you mentioned the commission's reliance in part on statements of the Israeli president, Isaac Herzog. And of course, at least one of the statements as I recall, maybe more than one were cited by the International Court of Justice in its opinion of January, 2024 ordering provisional measures to protect the Palestinian population. And he has not yet been indicted by the International Criminal Court, but he did actually visit the United Kingdom. I believe it was last week. He was warmly received by the British Prime Minister, Sir Keir Starmer at 10 Downing Street. In your opinion, and I want to be clear, I'm not asking you about British domestic law, I'm interested in your thoughts on international law. Do you believe that based on the available evidence the British government had a duty under international law to arrest Isaac Herzog when he set foot on British soil?

**CM:** Yeah, I think that there's a very strong argument that they should have done so. They had diplomatic outs. They could have advised him not to come, for example, but having allowed him to enter onto their territory, whether or not he has been indicted by the International Criminal Court – and by the way, the International Criminal Court under persecution from the United States and the Israelis and others has gone effectively dark. We know that there are other indictments underway that were effectively ready to be delivered before the sanctions of the US government started to take hold. And in the short list of those who are likely to be indicted, you have to be looking at the Israeli president given his involvement in this and his declarations, which by the way, are cited by the report both in terms of genocidal intent, but also for the separate crime of incitement to genocide. When he speaks, the people in his country listen because he's the president. And he made a number of statements that would constitute incitement under international law.

So what are the obligations of other states like the UK and by the way, Canada and the US and Germany and other states that have been complicit in the perpetration of genocide? One of the points that is made by the Commission about the inquiry is that at least at the moment last year when the International Court of Justice found genocide was plausible and issued its provisional measures, at least by that point and probably sooner, all member states of the United Nations were put on notice of the risk, at least the risk, of genocide. And that imposed legal obligation on all of them, including the UK, to take all measures effectively to prevent and to stop that genocide, beginning with negative measures, not to be engaging with the perpetrating regime, not to be facilitating in any way, not to be recognizing its actions. Certainly not to be supporting them in the way that the UK has with intelligence over flights and weapons parts and other sort of factors.

But to actually invite one of the perpetrators into your country and to take no action to hold them accountable is, in my view, a breach of the UK's international legal obligations to intervene. So whether or not he will be indicted by an international court, there are legislation, there's national legislation in countries that was established precisely to allow

them to meet their international legal obligations for the prevention of genocide, for ensuring respect for international humanitarian law under the Geneva Conventions, other obligations of human rights treaties and so on. And clearly, not only has the UK not met that standard, not met those obligations, but it has directly breached them by making itself complicit. And there are so many other Western states where the same thing can be said.

**DL:** So before the UN Commission of Inquiry issued its report yesterday, Craig, many reputable human rights organizations and experts had already opined that Israel is committing genocide. And this is by no means an exhaustive list, but they include Amnesty International, the Israeli human rights Group B'Tselem, the Israeli human rights group, Physicians for Human Rights Israel, the International Association of Genocide Scholars, which is the world's leading association of genocide scholars, I understand. And of course, the wonderful Francesca Albanese, the current UN Special Rapporteur on the human rights situation in the Occupied Palestinian Territories. So in light of this large body of expert opinion that Israel is indeed committing genocide, do you believe that the UN Commission's report constitutes a major new legal development? And if so, why?

**CM:** Well, a couple of things I'll say about that. The report is late. We have to say this is two years of a live stream genocide. There's no one left on the planet. Even ordinary folks by now have understood what is happening on the ground in Palestine, but certainly experts and those with international mandates would have known long ago. My letter to the UN was in October of 2023, calling out genocide unfolding there and putting senior officials of the organization on notice. That was followed not long after by the findings of, as you mentioned, Francesca Albanese as the UN Special Rapporteur. After that, a whole series of independent human rights experts of the United Nations working under mandate from the Human Rights Council with the same findings. And by the way, the International Court of Justice is a UN court, and it had already found the plausibility of genocide and issued provisional measures to stop those things. Not to mention all those external groups that you mentioned: Amnesty, Human Rights Watch, every major Palestinian human rights organization, major Israeli human rights organizations that you mentioned, international lawyers where there is a consensus around genocide that I have not seen in my work in international law and international relations.

So you can say it's quite late for this commission to do it. Now, on the other hand, this commission has been working on working the case. Deliberately, systematically documenting, doing the analysis over this full period of two years. It has issued other reports with very damning findings about Israeli crimes against humanity, about Israeli systematic war crimes and so on. And now, it has topped it off with this report. What's important about the report is that it demonstrates the unprecedented level of consensus among international mechanisms, legal scholars, as you say, genocide scholars and others. And it exposes both the United Nations itself, the political corridors of the United Nations and the intergovernmental bodies for their inaction and sometimes their silence. We still are two years in. Neither the Secretary General, the High Commissioner for Human Rights or any other senior official of the UN has even uttered the word genocide. And when asked about it, you still get this standard reply that was developed years ago in the Secretariat to sort of deflect the question

where they will say only a court can declare genocide. Well, only a court can declare any of the crimes that they're responsible for monitoring, whether that is torture or summary executions or any other crime, but it doesn't stop them from pronouncing publicly on it. And indeed, senior figures in the UN will declare terrorism moments after an incident is reported that they deem to be terrorism. They don't seem to need a legal opinion to do so.

And the other thing that is offensive about that, Dimitri, is that the obligations around genocide, not just in the convention, but in terms of those mandated UN bodies that are supposed to be monitoring human rights is an obligation of prevention. And you cannot prevent a genocide if you refuse to even name the crime until two years later when some international tribunal has banged the gavel. That is an unacceptable response. And so this commission coming out as it did at this moment, on top of all of the other declarations that have come out of the UN system and declaring this is indeed genocide and laying out the facts and laying the law in such a systematic way. It exposes those who because of fear of the United States and the United Kingdom and the Germans and the European Union, because of the fear of harassment by Israel proxies and Israel lobby groups have been reticent to speak the truth. They are now more exposed than ever.

**DL:** So I'm glad you mentioned the UN secretary general, because that's what my next question was going to address. You talked about the fact that he hasn't even uttered the word genocide. Some of us, including yours truly have been fairly critical of Antonio Gutierrez throughout these two years of horror. In addition to naming the crime genocide, what more do you think he can and should do in his role as UN secretary general to bring this horror to an end? And I recognize he can't do it alone, but I'm very curious to know what you think he should be doing to enhance the prospects that we can stop this before this nefarious project is consummated.

**CM:** Well, the secretary general has powers that he has not used. If you look at what the Security Council has done, you can almost forgive the security counsel because they've been blocked by the US veto. So they have been incompetent by design, right? That veto is there precisely to prevent it from doing something that one of the P5, the permanent members, don't want it to do. But in other parts of the UN system, you can't blame it on a design flaw. It's an abdication. It's a failure by a lack of political will, a lack of courage to take the action that they're expected to take. The secretary general has a global podium. He has a global platform. He has powers under the charter to initiate his own investigations and to make declarations on that basis. He has influence over the work of the Security Council, over the work of the General Assembly, over the work of the Secretariat, and all of the offices that represent that. And rather than mobilizing them to stop a genocide, he has opted to carefully calculate his language in a way that would be least offensive to Western powers.

Clearly, the main motivating factor there is fear of the United States, the United Kingdom and Germany. I always mentioned those three. They are the ones that are the tip of the spear of Western impunity, but it cuts across to others, to Canada, to Australia, to the European group and others. And not on the basis of principle, but on the basis of fear, he has not mobilized

those possibilities. In his opening speech to the General Assembly he could have called for decisive action on stopping the genocide in Palestine. He was pressed just yesterday by journalists in the UN press corps to explain why every time he is asked – you have all of these pronouncements we've been talking about from UN mechanisms and others of genocide, and yet every time the secretary general is asked he falls back on this old smoke screen of saying only a court can determine a genocide. And he was pressed on this by journalists in the press corps yesterday. And he modified his response somewhat. He said, well, you know, I'm the Secretary General, I will follow what a UN body says. So he's gone beyond the court now. And then he said, you know, if the Security Council or the General Assembly says something, then I have to follow it.

Now, first of all, that is an admission that he refuses to do moral leadership. He will always be one step behind the political bodies and he won't exercise the kind of leadership that is expected at a moment like this. He won't deploy the kind of resources that are needed at a moment like this, and then in the same statement, what he's doing is he is discounting the human rights council and the independent human rights mechanisms, which are also UN mechanisms, and reserving any sort of direction to either the Security Council or the General Assembly. And that deference to the security counsel is not an accident. The General Assembly is another matter that we can talk about, but there is this tendency, not just among UN officials, but UN member states to hide behind the Security Council because they know the Security Council can't act because of the US veto. So it's very easy to throw up your arms and say, well, you know, there was a resolution in the Security Council, but the US vetoed it, there's nothing we can do. There's a lot of powers in the UN charter that have not been deployed to respond to this. And that is the choice of the officials with the power to do so.

**DL:** So let's turn now to one of those political bodies, the United Nations General Assembly. And specifically, I'd like to talk to you about the Uniting for Peace Resolution. In late August, Mondoweiss published an article that you authored, and in it, you argued that the Cold War era Uniting for Peace Resolution offers a promising alternative for ratcheting up the pressure on Israel's genocidal regime. Could you start by just explaining to us what the Uniting for Peace Resolution is? What prompted its adoption? In essence, what does it say?

**CM:** Yeah, so Uniting for Peace is a Cold War era mechanism in the General Assembly, which is actually very important, but very little known. So it was adopted in 1950 during the Korean conflict. And what it basically is, is if the Security Council is unable to act owing to the veto of one of its permanent members, the General Assembly, which is the more democratic body of the UN, where you have 193 states, all of them are members, all of them have one vote, and there's no veto – that General Assembly is empowered to take action to get around the deadlock in the Security Council. And this is important. It gives them additional powers. It requires a two-third majority, but resolutions on Palestine are routinely adopted with more than a two-thirds majority, because the world effectively stands with Palestine, and the US and Israel are very much isolated on these issues. And what they could do is, under this so-called Uniting for Peace Resolution, they could adopt concrete measures to hold Israel accountable and to help to stop the genocide that is happening there.

So for example, they could decide not to accept the credentials of the State of Israel in the UN General Assembly in the same way that they did with apartheid South Africa. That's one thing they could do. And that gets around the Security Council that also with apartheid South Africa was blocking that. The General Assembly found a way to get around that and refused the credentials of apartheid South Africa. They could do the same thing with Israel. They could call sanctions and a military embargo. Now, they couldn't enforce them, but they can call them, give them a multilateral framework for them to be implemented. They could monitor them and they could expand them as needed. They could establish a criminal tribunal to hold Israeli perpetrators to account. Again, all in the General Assembly under Uniting for Peace. They could reactivate the anti-apartheid mechanisms to deal with Israeli apartheid that were so important during the struggle against apartheid in South Africa and helped to bring additional political pressure to bear for that. And what we've been saying is, they could also mandate a multinational UN protection force to deploy to Gaza, ultimately to the West Bank at some point, in order, with a specific mandate, to protect civilians from genocide, to ensure the delivery of humanitarian aid, to preserve evidence of Israeli war crimes and to begin the process of reconstruction and recovery. They could do this. And they could do it with a two-thirds vote in the General Assembly.

Whether or not they will do it – and let me say there is a precedent. In 1956, during the height of the Suez Crisis, under Uniting for Peace, the General Assembly mandated the UN emergency force, which deployed to the Sinai against the wishes of France, against the wishes of the United Kingdom, both veto-wielding members of the Security Council, against the wishes of Israel. And this would be even easier because we're coming off the heels of last year's advisory opinion of the International Court of Justice that affirmed that Israel has no sovereignty in the West Bank or Gaza, no authority in the West Bank or Gaza, no rights in the West Bank or Gaza and would not have a say. Only the state of Palestine would have a say and you don't need Chapter Seven of the UN Charter. You don't need the Security Council because it would be based upon the consent of the Palestinians for it to be deployed.

This is a real possibility, but you can imagine that very powerful forces, both the Americans and their allies, and then let's say the champions of the status quo, the French and the Saudis and others are working very hard to make sure that does not happen. But there's a global movement that has sprung up around this that is trying to bring the diplomatic conversation out into the light of day so that every member state will have to say yes or no to deploying protection for people who are facing extermination. And then they're going to have to answer for their vote to their own people and to the rest of the international community. And they can't hide anymore and say, well, we tried, but the US vetoed it. The idea is to expose this to the light of public scrutiny and see if that can affect political will.

**DL:** I'd like to hone in on one thing you mentioned in terms of the options available to the General Assembly under this resolution. You mentioned that they could establish an International Criminal Tribunal. And you've also talked about the fact that the International Criminal Court has effectively gone dark under immense pressure from the United States,



Israel, and other Western states, including the British government. If they were to establish an International Criminal Court, would the prosecutor appointed by or for that court have the authority to issue indictments that UN members would be obliged to respect?

**CM:** It would. It could issue indictments. It could have all of the normal functions of a court. It would not have the power to enforce them. But guess what? Neither does any other court. Neither does the ICC, neither does the ICJ. So if you have a rogue regime like that in Washington or that in Israel, nothing that you do is going to get them to comply in the immediate term. But once somebody has been indicted, once the evidence has been laid on the table, you never know what is going to happen. You never know with this ICC case. The ICC has not folded up its tent and gone home. It has gone, as we both said, it has gone dark to be sure. It has been paralyzed in some ways because the US sanctions impose criminal liability on anyone who cooperates with the court. And that means providing them with email, providing them with the financial services so they can pay salaries and so on. So those unlawful sanctions imposed by the United States can do a lot of damage, but it has not shut down the ICC. Those files are still hot. There are conversations with other member states on how to diminish and ultimately block the effect of the sanctions. The EU has a blocking legislation that could assist it in that regard. Others as well. So that is going to continue.

But importantly, what happens is that you will have a process. You will have perpetrators indicted. You will have evidence presented. You will have an official record created. And over time, some people would be held accountable and others would be put on notice. You know, one of the key strategies of the dismantling of the apartheid regime in South Africa was isolation. And that isolation was diplomatic, economic. It was also physical. So imagine Israeli perpetrators being indicted – how quickly their world shrinks, their capacity to travel. So now, so far, you've got complicit states – some very directly complicit, right? You've got countries like the US and Bulgaria and others inviting Netanyahu, who is indicted for crimes against humanity, actually inviting him and guaranteeing his security to their countries. That's an act of complicity. Those countries are in breach of their international legal obligations. Over time, they're going to pay a price for that as well, I believe. So just imagine how that shrinks the world of people who are indicted and their ability to travel and so on. So I think it would be important despite the obstruction of rogue governments like that in the United States.

**DL:** I guess one way to put it is fear of arrest is a deterrent even if an arrest actually never materializes. Just put yourself in the mindset of somebody who's facing an indictment like that being facing Netanyahu and Gallant. I'm sure that they would much rather not have to face the risk of arrest and also the stigma of indictment. Next, I'd like to talk to you, Craig, about the attack on Qatar. And the first thing, before I get into what happened at this extraordinary emergency summit in Doha that concluded on Monday, just as a basic matter of international law, what was the state of Qatar entitled to do legally in order to respond to the attack on Doha last week by Israel?

**CM:** Well, from Qatar's side, this was an act of aggression. This was an armed attack on the territory of Qatar, not authorized by the Security Council, not an act of self-defense. Qatar is not even engaged. Qatar is an ally of the United States and has cooperated with the Israeli regime at times. So they're not engaged in an armed conflict. But they suffered an act of aggression and an act of aggression would entitle them to use armed force in self-defense. Of course, they chose not to do so, but that would be their legal right. And it's not only an act of aggression against Qatar. I've called it a treacherous, perfidious crime because it was a crime that was set up by the Israelis and the Americans under the guise of hosting diplomatic talks. And in luring their counterparts for those diplomatic talks, using that then to murder them, to assassinate them. Just as they did with Hassan Nasrallah, who was in Beirut to agree to a ceasefire that he'd already agreed to when the Israelis murdered him and the US-Israeli attack on Iran, where they pretended to be negotiating with Iran in order to launch a sneak attack, just as they did in this case. Right?

So this was a crime of aggression. It was a particularly perfidious and sleazy crime as it was perpetrated, but it was also a serious violation – so that's the crime of aggression under the UN Charter, but also a grave breach of international humanitarian law, the crime of murder. It was a gross violation of international human rights law prohibiting extrajudicial executions. And I think it was an attack on international law itself saying, the rules don't apply to us and we dare you. And then sending the message to the world that, okay, if those rules don't apply to us, they don't apply to anybody. So it's an attack on international law itself. And it's an attack on the very idea of diplomacy. As I've said in other interviews, rule number one of diplomacy is you don't murder your counterpart while the diplomacy is going on. Right? And all of this is the product of absolute impunity by the West that has created this arrogance, this violence, this murderous rampage by the Israeli regime across all of Western Asia and beyond, because people are being affected by this regime in Canada, in the United States, in the UK, across Europe, being persecuted by state power in their own countries on behalf of a foreign regime. That is just an extension of the violent rampage of Israel.

**DL:** So, in response, as I indicated, the Qatari regime convened this extraordinary emergency summit with over 50 states participating from the Arab League and the Organization for Islamic Cooperation. And, Craig, I did find time to read the communique, actually, several times. And what stood out for me – maybe I missed it, but I don't think so – is that the participating states did not announce any new economic or diplomatic sanctions on Israel, and they certainly did not announce their intention to pursue any kind of a military response. So, I guess my question is probably more geopolitical than legal, but I'm interested in your views about the results of this summit. Do you think that the communique issued by the participating states will increase, materially, the pressure on Israel to stop the genocide and to respect the sovereignty of neighboring Arab states, or do you see this more or less as a political theater?

**CM:** No, I think the declaration itself announces to the world that Israel and the US have gotten away with their attack on Qatar. Because for all of the strong rhetoric in the declaration that was adopted at the end of the summit, there were no teeth. There were some

suggestions of teeth, and so I will hold out a tiny margin of space that there's something that's not in the declaration that is going to follow from this. But one would have hoped that after this attack, these Gulf states would have recognized the Faustian nature of the deal that they have entered into with the US-Israel axis, where I've said they have sacrificed their sovereignty, they have sacrificed parts of their economy, they have sacrificed their honor, they've hosted US Military bases, they've normalized their relations with the Israeli regime. And they did all of that because they believed what they would get in return was the protection of the empire from Israel and from the ravages of the empire itself. And then you saw how quickly Qatar was thrown under the bus. Qatar hosts the biggest US Military base in Western Asia. Right? And how quickly they were thrown under the bus.

The US stood down its military defenses hosted in Qatar that are supposed to defend Qatar. They greenlit the attacks, they armed the assassins. And what you get as a result is a meeting where they say lots of bad words, but don't adopt any concrete measures. They could have declared absolutely an end to the absurd and complicit Abraham Accords, they could have announced sanctions against Israel, they could've announced more directly a kind of security cooperation as a deterrent. They could have announced action that they would take in the General Assembly along the lines that I have described because they're very influential and a big part of the global majority. They could've gone much further than they did. If they do not in the wake of that summit take concrete action, I'm not saying they have to go to war with the Israeli regime, but if they do take concrete action that actually bites out of fear of the United States, which is a principle motivating factor for a lot of these regimes, that will be a declaration of surrender. And it is precisely that kind of behavior that has encouraged Israeli impunity. And then that impunity leading to this expansion of the Israeli rampage that as I've said, has included genocide in Palestine, occupation in Palestine, in Lebanon, in Syria, that has included a transnational terror attack with the booby trapping of pagers in Lebanon, that has included attacks on Palestine, on Lebanon, on Syria, on Yemen, on Iraq, on Iran – all acts of aggression under international law. This kind of non-response is precisely what feeds the impunity that feeds the violence of the Israeli regime. If they don't isolate this regime, if they don't stand up to their American godfather in order to make a change, they will all suffer for it, not just Qatar. Nobody is safe in Western Asia. None of us are safe more broadly from the shenanigans of the Israeli regime and its proxies.

**DL:** It occurred to me, Craig, that there was one other issue I wanted to take up with you if you have five more minutes, which is related to what we've been talking about, but it's a little bit off topic. I thought, since I had you here, I'd benefit from your legal wisdom. Is that okay?

**CM:** Absolutely. Anything.

**DL:** Okay, so I was recently on a platform where I'm frequently invited to speak, Jamal Thomas, and he asked me about the failure of the People's Republic of China to impose sanctions on Israel. And my response to him – and you and I talked about this the last time I interviewed you, although I don't think we spoke per se about China, but we talked broadly about the duty to impose sanctions. And the view that I expressed to him was that although I

readily acknowledge and have said repeatedly that the primary culprits in this genocide are Western states, in particularly the United States, Britain, and Germany, I do believe that non-Western states, particularly the more important ones, like the People's Republic of China and the Russian Federation, are not doing enough. And I am of the view, which I believe you expressed the last time we spoke, that they have an obligation under international law to take economic measures against Israel, irrespective of any bar in the United Nations Charter on unilateral sanctions, because they constantly raise that. They say, we're against unilateral sanctions, they can only be approved by the UN Security Council. And you and I talked about the obligation to prevent genocide under the Genocide Convention. And also you raised, which I thought was a very good point, that the International Court of Justice in January 2024 effectively ordered states to take measures within their power to prevent Genocide, including appropriate economic sanctions.

So I expressed this view when I was on Jamal Thomas' show. And then the guest who came after me, whom I've never encountered before, I'm not going to identify him because it's irrelevant. It's the legal issue that I'm curious to explore with you. He took the position that under the Genocide Convention, a state cannot take action against a state unless it is so authorized by the International Court of Justice. Because there's a provision within the Genocide Convention that directs states that are party to the Genocide Convention to take their disputes to the ICJ. And my view, for what it's worth, is that Article 1 of the Genocides Convention is not limited by that provision of the Genocide Convention and that in circumstances such as these, the People's Republic of China and the Russian Federation – and in the case of the PRC, it's quite important because I believe it's the second largest trading partner of Israel – that it has an obligation to impose sanctions and it is not entitled to say, well, the UN Security Council hasn't approved them, which inevitably it will not do because of the veto of the United States. And I'm curious what your view is about this. So my question to you very simply is, in your opinion, is there any bar in the Genocide Convention to a member state, a signatory to the convention, imposing sanctions on a state suspected of, or actually in the process of committing genocide in the absence of an order from the ICJ or the UN Security Council?

**CM:** There's an absolutely absurd interpretation of the Genocide Convention. That in fact runs contrary to the very idea of the Genocide Convention, which as I've said, is called the Convention on the Prevention and Punishment of the Crime of Genocide. Prevention is impossible if you limit the action taken by state's parties only to action through the court, which, as you know, takes two, three, maybe more years in order to finish its deliberations, which means that prevention has not happened. So that would be an absurd interpretation. There's nothing in the Convention that says that action to prevent genocide has to be taken through the International Court of Justice. That's where you deal with disputes. That's one way to engage the court. In doing so states are obliged to take action within their own national, regional, international orbits in order to prevent and stop and punish genocide. That's the idea behind the convention itself. And that is a very bizarre reading for that reason.

Now, it's certainly true that unilateral sanctions, unilateral coercive measures, have been a very abusive tool that are contrary to international law, that violate international human rights, that are a huge problem. Particularly, for example, in the way that they are imposed by the US, which has gone completely insane. It has already imposed sanctions on countless countries that have caused millions of people to suffer and die as a result of those sanctions. It's now gotten in the habit of imposing sanctions on anyone they disagree with, particularly anyone who is critical of the State of Israel. So they've imposed sanctions on the International Criminal Court . They've imposed sanctions on the Special Rapporteur. They've just completely gone ballistic with their abuses of power. So there's a reason why the international community is trying to say you can't do unilateral coercive measures of that kind. Now, that doesn't mean that individual states are not empowered to take action to meet their legal obligations, their treaty obligations under human rights, humanitarian law, international criminal law. In fact, they're obliged to do so. And if they need a multilateral cover, they have, in this case, with regard to Israel, they have now the provisional measures of the International Court of Justice telling them exactly that that's what they must do, that the law requires it. Right? This is not a law review article or a national court somewhere. This is the International Court of Justice, the authoritative body of international law and the body named in the Genocide Convention, by the way, to resolve these things. That's very clear. It's clear from the advisory opinion of the court as well. That gives them cover.

But they could also seek, if they want multilateral cover, they could get it tomorrow in the UN General Assembly. As I said, under Uniting For Peace – and I mean literally tomorrow. Tomorrow is the 18th, which is the one year deadline set by the General Assembly for Israel to comply with the orders of the International Court of Justice and the demands of the General Assembly or face further measures. Literally tomorrow they could convene under Uniting For Peace and adopt the kinds of measures I mentioned, including a military embargo and sanctions. Why they haven't done it so far is precisely the reason that you said. The states, including these states, have very expansive relations with Israel, trade relations, technological exchanges, weapons relations and so on. Using some of the worst technologies developed on earth, developed in Israel, to surveil their populations and so on.

So those individual states have dropped the ball, but they have an opportunity now. And especially, Dimitri, because the global majority has said that it is opposed to this genocide, to the Israeli regime in solidarity with the Palestinian people demanding that it stops. They passed this landmark resolution a year ago that talks about sanctions, that talks about a military embargo, that talks all of the things that were in the International Court of Justice and says we are going to enforce them and if you ignore us, there'll be further measures adopted in a year. That year is tomorrow. And in fact, it's been declared by Palestinian civil society and those working in solidarity with them as an international day of action for demonstrations and protests and strikes and anything else. There'll be a big demonstration that I've been involved with organizing. Tomorrow, marching from the Public Library, which is on 5th Avenue and 42nd Street to the United Nations, past a number of UN member state missions on the way. A big rally with people like Roger Waters and Jill Stein and lots of other powerful voices who will be there, all in connection with this demand. There is nothing to

stop – I mean, this would give multilateral legitimacy to sanctions, to a military embargo, to all of these other measures that I've taken. And if states opt not to do it, I have said I will be carrying the banner from there on for the dismantling of the United Nations, which will have proven that it's not the veto. It is the choice of senior officials of member states who are making a very cynical choice not to use the powers that they are granted under the UN Charter.

**DL:** So you've prompted me to ask the money question, Craig, which is, in your opinion, is there any state on God's green earth that is complying with its international legal obligations to bring an end to this horror? Even one?

**CM:** Well, I think – 100% nobody, except maybe Yemen under Ansar Allah, who have sacrificed a great deal, have gone beyond, but have sacrificed lives in order to try to intervene. But there are a lot of states that have taken very important steps that have an important impact. The South Africa case for genocide against the International Court of Justice, they took that at their own national risk and have suffered the consequences of it, beginning with Donald Trump declaring that there's white genocide in South Africa. You know, we're not doing genocide, you're doing genocide. It's the kind of childish schoolyard nonsense that Trump is so famous for. But they have done that. You've had other countries that within their own little ambit – Spain has taken some courageous positions, announced its nine measures and so on. It has much further to go for that. Colombia, I think, is increasingly ratcheting up. In each region, you can find a state that has taken some measures, but none have taken everything within their power to actually stop this. And I think it would be nice if we could count on states to intervene directly, to stop the genocide as Yemen has tried to do under Ansar Allah. They're not going to do it because they need cover. Right?

So here's your opportunity. Convene under Uniting For Peace, adopt a multilateral mandate for a UN protection force, contribute your troops to that force, use your diplomatic economic and other pressure to make sure that it gets deployed and gets access and stop this genocide that you know is happening, that is not controversial, that the whole world who has any authority to affirm has affirmed. And you have the power to stop it. This is our League of Nations moment. I really think that this session of the UN 80th session of the General Assembly will determine in large measure whether there is a 90th session of the General Assembly. And frankly, Dimitri, I hope they do the right thing. If they don't, I won't be sorry to see them go. I'm saying that as someone who worked 32 years in the United Nations, gave it my blood, sweat and tears. And somebody who respects parts of the UN like the courageous people of UNRWA, 360 of them who've been murdered by Israel during this genocide, many along with their families. Or the independent special procedures like Francesca Albanese and others and this Commission of Inquiry now. Under tremendous pressure, Francesca is facing harassment, abuse, sanctions, death threats, but still continues to do her job. There are parts of the UN that are well worth saving. We don't want to throw out the baby with the bathwater, but the political side of the house, if it needs to go the way of the League of Nations, if it doesn't take decisive action now, then so be it.

**DL:** Indeed Craig, the best parts of the UN are the ones that are under the most vicious assault. And you mentioned two of them. The Office of the Special Rapporteur and UNRWA. Truly heroic and the best of humanity in my opinion. I can't thank you enough for this conversation and we will make a point of publishing this report tomorrow morning in the early hours on September 18th with the hope that somebody out there who has some power to make these things happen is listening. And we can't thank you enough for joining us again today, Craig.

**CM:** Thank you. Always good to be with you, Dimitri, and thanks for everything you do.

**DL:** And we're signing off today from Kalamata. And I take it you're in New York, Craig?

**CM:** I am in Western New York.

**DL:** And Western New York on September 17th, 2025.

**ENDE**

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