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U.S. Court Urges Biden to Examine His "Unwavering Support" for Israel



Sources: The Diary

The judge points out that "the current military siege in Gaza is aimed at eradicating an entire people" and supports the ruling of the International Court of Justice by considering that it is likely "that Israel's conduct amounts to genocide"

In an unprecedented pronouncement until now, a US court – in California – has deemed it pertinent to support the ruling of the International Court of Justice that considers that there is credible evidence to investigate Israel for genocide. The Oakland Federal Court "implores" President Joe Biden, Secretary of State Anthony Blinken and Defense Secretary Lloyd Austin to "examine the results of their unwavering support for the military siege against the Palestinians in Gaza."

Last Friday, Judge Jeffrey White ruled that he does not have jurisdiction to order the Government of Washington to do what the plaintiffs had requested: that it comply "with its duty to prevent, and not to promote, the genocide that is unfolding against the people of Palestine in Gaza." But he confessed that he had before him "the judicial decision of the hardest time I've ever taken" and chose to spend more time than I ever did. scheduled for the hearing of victims and relatives.

Its conclusion is that "the indisputable evidence before this Court are consistent with the conclusion of the International Court of Justice and indicate that the current treatment of Palestinians in Gaza by the Israeli army may plausibly constitute –[probable, plausible] – genocide in violation of international law."

In addition, it points out that "both the indisputable testimonies of the plaintiffs" such as "expert expertise" in genocide, as well as "statements made by various government officials "the ongoing military siege on Gaza is aimed at The goal is to eradicate an entire people and therefore plausibly falls within the international prohibition against genocide."

The lawsuit was filed in California last month. by the Center for Constitutional Rights in New York – a U.S. [Lawyers'](#) Group with a Human Rights Focus – Against the President Biden, Secretary of State Anthony Blinken and Secretary of Defense Lloyd Austin, and it has had more of a journey than some U.S. media [advocated](#). A number of human rights organizations were present as well as individual Palestinians, including several relatives of victims in Gaza.

The specific complaint accused the defendants of "failing to prevent and be complicit in the genocide being carried out by the Israeli Government against them, their families and the 2.2 million Palestinians in Gaza," and urged the White House to block its military aid to Israel and to stop to obstruct the international community's attempts to call for a halt the fire in Gaza.

Washington provides Israel with its largest military aid in the past years: just over \$3.8 billion a year. In addition, Since 7 October, the shipment of large packages of weapons and ammunition. In addition, it provides strong political cover and diplomatic response to Tel Aviv, to the point that in the Security Council It has vetoed on several occasions the majority's demand for a halt to the immediate fire in Gaza.



Photo: Hearing streamed online in Oakland Federal Court for the lawsuit against Biden in connection with his support for Israel

"U.S. Chooses to Avoid Legal Obligations"

In his closing brief, Judge Jeffrey White shows frustration for not being able to issue a court order, admitting that "there are rare cases in which the preferred outcome is inaccessible to the Court. This is one of those cases." By this he means what he considers to be a lack of jurisdiction due to constitutional precedents, something that have been questioned by the plaintiffs' lawyers.

The judge points out in his instruction that the jurisprudence prevents him from meddling in the affairs of U.S. foreign policy, but Lawyers representing the complaint claim that [U.S. law](#) allows and requires the prosecution of possible genocide violations. "Here The U.S. is choosing to avoid its legal obligations Katherine Gallagher, a lawyer at the [Center for Constitutional Rights](#).

Jean Lin, U.S. Department of Justice Attorney argued during the hearing that the court does not have jurisdiction for this case and that governments could be through the United Nations. The General Assembly of the The UN has the power to suspend Israel from its activities – such as in the past with apartheid South Africa – to ask their Member States to push for sanctions or to admit Palestine as a A full-fledged Member State.



Photo: Entrance to the U.S. Federal Court in Oakland during the hearing before the judge
Testimonies of victims and family members

Among the plaintiffs are the Palestinian organizations Defense for Children International, based in Ramallah, West Bank, Al-Haq and several Palestinians from Gaza and the United States United. One of the witnesses [present in the courtroom](#) was journalist Laila El-Haddad, a mother of four, a journalist and Maryland State Writer, with Eighty-Nine Family Members Dead in Gaza because of Israeli attacks. The survivors – uncles and cousins of Leila – have had to move on several occasions within the Fringe:

"The Israeli army killed my aunt, my two cousins, wounded seriously to other cousins. My uncle hasn't been able to recover two bodies, They are still under the rubble. The relatives I have who are still alive They are hungry, they don't have access to clean water, they try to survive as they can they can," he told the judge.

"How does this affect your life?" one of the lawyers asked. "It consumes every aspect of my day-to-day life. It's a nightmare in direct. My neighborhood was destroyed by Israeli shelling the second day of the offensive. I used to walk around there every summer when I'd go visit my family, I'd buy ice cream with my mom and pistachios, We would go to watch the sunset on the beach and then listen to music on the beach. direct. Everything has been razed to the ground," El-Haddad replied.



Photo: Poet and journalist Ahmed Abu Artema, wounded in November, and his 12-year-old son Abboud, killed by an Israeli strike

"We are living through something devastating and overwhelming. The money of the taxes that I pay in this country are used by my government, which is complicit in this destruction and the slaughter of my family. This makes that I feel invisible, unheard, discriminated against, and dehumanized. Biden could make a call and put an end to this, but he has decided actively help," the Palestinian-American continued.

Another plaintiff is poet and journalist Ahmed Abu Artema, who was wounded in an Israeli attack in November on his home in Gaza, in which his twelve-year-old son Abboud, his ten-year-old niece, his father's wife, two aunts and a cousin. Abu Artema was the driving force behind the Great March of Return in 2018, a Nonviolent protest that ended with more than two hundred Palestinians killed and thousands wounded by the Israeli army. An investigation of The United Nations [concluded](#) at the time that "Israeli soldiers committed violations of the rights of the United States." international human rights and humanitarian law. Some of the Such violations may constitute war crimes or crimes against humanity."

Also speaking in court was Dr. Omar Al-Najjar, 24 years. He did so via the Internet from Rafah, southern Gaza, from a hospital in which more than two thousand new patients a day require treatment for serious injury or illness and where there is a shortage of drugs. "I have lost everything in this war," Al-Najjar lamented. "I have nothing but my grief. This is what Israel and its supporters are saying. they've made us."

Plaintiff attorney for the Center for Constitutional Rights, Katherine Gallagher, stressed that "the tireless support of the United States United with Israel is allowing the slaughter of tens of thousands of people. Palestinians and the famine faced by millions. While we are strongly disagree with the Court's final jurisdictional ruling, we urge the Biden Administration to heed the call of the judge to examine and put an end to the support of

this deadly action current. Together with our plaintiffs, we will pursue all avenues to stop the genocide and save Palestinian lives."

Mohammed Monadel Herzallah said he has lost seven members of his family under Israeli attacks, one of them a young girl of four years. "I feel dehumanized... And the world is paralyzed about it," he says in conversation with elDiario.es. "Currently my The family lacks food, medicine and the most basic necessities to survive. We will continue to do everything in our power to save the lives of our people."



Photo: Part of the American Center for Constitutional Rights' team of lawyers during a break during the hearing in Oakland Federal Court

Another of the lawyers, Diana Shamas, stressed that "this is not It is precedent and damning that a federal court has It has been practically stated that Israel is committing genocide while criticizes the 'tireless' support of defendants Biden, Blinken and Austin to the acts that constitute that genocide," he said.

Khaled Quzmar, Director General of Defense for Children International, said in a meeting with elDiario.es in How Judge White's face "was changing as he I listened to the testimonies of the victims and their families."

Testimony before the court included that of Professor of Jewish History and Genocide and Holocaust Expert Barry Trachtenberg, who stressed that Israel's attack on Gaza "has been Funded by the American people, fought with guns supplied by the United States and encouraged by a White House accomplice. Unlike past genocides, they were sentenced Long after we have concluded, we have the opportunity to stop this now. What makes this situation so unique is that we are watching the genocide unfold as we speak... The reason why The one I'm pronouncing is because we're seeing it happen before our eyes."

Despite the fact that it was declared without jurisdiction, the US Federal Court's ruling is unprecedented and marks a further step in the growing consensus around the need to stop Israeli attacks on Gaza and investigate Israel for genocide.

Fountain: https://www.eldiario.es/internacional/tribunal-eeuu-insta-biden-examine-apoyo-inquebrantable-israel_1_10897746.html?utm_source=adelanto&utm_medium=email&utm_content=Socio&utm_campaign=05/02/2024-adelanto&utm_source=elDiario.es&utm_campaign=bf33800a3b-ADELANTO_05-02-2024&utm_medium=email&utm_term=0_10e11ebad6-bf33800a3b-%5B%5D%5D&goal=0_10e11ebad6-bf33800a3b-70387648&mc_cid=bf33800a3b&mc_eid=25a657c028

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