

Philadelphia People's Tribunal on War Crimes and Genocide in Gaza: Jury Report & Findings

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Executive Summary

PURPOSE & BACKGROUND

The purpose of this report, composed by Tribunal jurors, is to present the processes, findings, recommendations, and conclusions, of the Philadelphia People's Tribunal on War Crimes and Genocide in Gaza which convened on May 31, 2025.

On October 7, 2023, Hamas attacked Israel and killed roughly 1,200 people while taking 240 hostages. Hamas's acts were a grave violation of International Humanitarian Law (IHL) which prohibits killing or abduction of civilians. Israel responded by bombarding and invading Gaza, home to about 2.2 million Palestinians. The Gaza Health Ministry announced, as of June 11, 2025, that over 55,000 people have been killed, while more than 125,000 have been wounded. Israeli forces have destroyed vast areas of Gaza and displaced roughly 90% of its population. Israel's military campaign against Gaza is ongoing and has resulted in: the destruction or incapacitation of most of Gaza's hospitals; the destruction of all 12 of Gaza's universities and 80% of its schools, libraries, museums, and cultural heritage sites; the transformation of large sections of Gaza to rubble; hundreds of thousands of Gazans living in tent camps and other unsuitable shelter with unrelenting and pervasive food, water, and sanitation insecurity.

The war in Gaza has become infamous for Israel's disproportionate response to the Hamas attack that precipitated it. This report notes that: The perceived justness of one's cause is distinct from the legality of how one fights. International humanitarian law makes clear that no cause justifies war crimes—including war crimes committed by the other side. None of Hamas's actions justifies Israeli violations of the laws of war.

Due to Israel's unrelenting war in Gaza, and the lack of any progress towards a permanent ceasefire or prospect for peace in Gaza, as well as worldwide concerns that war crimes and genocide have been, and continue to be, committed by Israel, 30 local, national, and international peace and justice organizations convened the Philadelphia People's Tribunal on War Crimes and Genocide in Gaza.

A people's tribunal is a unique, internationally recognized mechanism that, while not legally binding, nonetheless carries the forceful weight of a community's voice in naming violations of IHL, including war crimes and genocide, and holding states, state actors, and others responsible for the commission such crimes, accountable.

The scope of this report includes an overview of the field of IHL and specifies which statutes apply to the Tribunal's findings; a literature review of publicly available essays, articles, and statements about the war; testimony from witnesses at the Tribunal; key findings related to the above; and conclusions and recommendations from the Tribunal jurors.

KEY FINDINGS

A review of IHL frameworks for defining and prosecuting genocide and crimes against humanity show them to be robust and clear. As detailed in this report, the full depth and breadth of Israel's documented military and occupation-related actions in Gaza since October 7, 2023, together with reviews from a variety of IHL experts and compelling witness testimony heard at the People's Tribunal, strongly support allegations of such crimes by Israel. Additionally, since October 2023 the United States government's executive and legislative branches, in whole or in part, by virtue of their direct military materiel and diplomatic support of Israel's war in Gaza, are complicit in the commission of these crimes.

RECOMMENDATIONS

Based on the jurors' key findings supporting charges of the commission of genocide and war crimes by Israel in Gaza, as well as findings supporting charges of complicity in these crimes by agents of the executive and legislative branches of the U.S. government acting in their official capacities, the Tribunal's central recommendations include, but are not limited to: an immediate apology from all charged parties to the victims of these crimes in Gaza; the immediate cessation of any and all activities that either directly or indirectly contribute to the further commission of war crimes and genocide in Gaza; commencement of a post-war reparations process for Gaza and its citizens; sustained public engagement by U.S. taxpayers to protest and employ other forms of public advocacy to spotlight the ongoing commission of war crimes and genocide in Gaza; and the prioritization of amplifying Palestinian voices ensuring their narratives and leadership remain central to the movement.

CONCLUSION

This report of the Philadelphia People's Tribunal strongly corroborates Israel's violations of IHL, including the commission of war crimes and genocide in Gaza. Further, it supports charges of complicity in these crimes by branches of the U.S. government and its representatives acting in their official roles. Of grave concern to the Tribunal jurors are the ongoing violations of IHL in Gaza by Israel, supported by the U.S. government, including war crimes and genocide. All charged parties to these crimes must cease violating IHL provisions immediately, offer apologies to the victims of these crimes, and commence a reparations process to make Gaza and Gazans whole.

Background for the People's Tribunal: The Role of Friday's @ Fetterman's

Since December 8, 2023, Friday's @ Fetterman's, an all-volunteer grassroots organization, has conducted a weekly peace vigil for Gaza every Friday outside of the Philadelphia office of Pennsylvania's U.S. Senator John Fetterman (Democrat). The Friday peace vigil is the only weekly Philadelphia-region protest against Israel's U.S.-funded war on Gaza/Palestine. By May 31, 2025, the day of the Philadelphia People's Tribunal on War Crimes & Genocide in Gaza, the group had held 79 consecutive Friday peace vigils for Gaza, and over 600 people had attended one or more vigils outside of Senator Fetterman's office in Philadelphia.

When it formed, Friday's @ Fetterman's decided to target U.S. Senator John Fetterman because early in the war, with civilian casualties and injuries mounting in Gaza as a result of Israel's retaliatory military campaign in the aftermath of October 7, 2023, Senator Fetterman categorically rejected a peaceful, negotiated resolution to the crisis. Rather, Senator Fetterman defended, encouraged, provided political cover—and voted for new and increased funding—for Israel's use of weapons of mass destruction on the civilian population in Gaza.

From December 8, 2023 through the end of 2024, supporters of Friday's @ Fetterman's called, emailed, sent letters to Senator Fetterman, met with Senator Fetterman's foreign policy staffers, and persistently requested to meet with the Senator himself, all to no avail. Despite repeated rejections of such requests, Friday's@Fetterman's peace activists conducted nonviolent civil disobedience actions at Senator Fetterman's D.C. and Philadelphia offices and continued to witness for peace outside of the Senator's Philadelphia office every single Friday in biting chill and brutal heat, in the rain, snow, and sunshine.

A full range of peaceful nonviolent strategies to persuade, pressure, and prod Senator Fetterman to support and facilitate a permanent ceasefire between Israel and Hamas that would have resulted in freeing all individuals held in captivity, halting the mass killing and injury of civilians, and ending an unprecedented humanitarian crisis in Gaza was employed. Receiving no response of significance from the Senator or his staff, the leadership of Friday's @ Fetterman's arrived at the bitter conclusion that Pennsylvania's senior senator was consciously aiding and abetting Israel in violating international law that prohibits human rights abuses against civilians.

In January of 2025, Friday's @ Fetterman's announced its intention to conduct a people's tribunal to hold Senator Fetterman, the U.S. government, the U.S. Congress, and other specific U.S. officials accountable for complicity with Israel's war crimes and genocide in Gaza.

Friday's @ Fetterman's reached out to two esteemed international peacemaking organizations—the American Friends Service Committee (AFSC) and Friends of Sabeel North America (FOSNA)—

to collaborate on organizing and implementing the Philadelphia People's Tribunal on War Crimes and Genocide in Gaza.

On May 31, 2025, more than 300 people attended the Philadelphia People's Tribunal in person at Friends Center in Philadelphia, PA or online via Zoom webinar.

What Are People's Tribunals?

People's tribunals are forums of justice organized by social justice movements and organizations to adjudicate human rights abuse cases against states, state actors, and state-backed corporations. The judgments rendered through people's tribunals are non-binding, as their decisions are not backed by the force of state authority. However, a people's tribunal is a forum through which empowered citizens can advance human rights and hold governments, government officials, and government-funded corporations to account for egregious abuses of human rights.

The 1966 Russell Tribunal, also known as the International War Crimes Tribunal, the Russell–Sartre Tribunal, or the Stockholm Tribunal, is widely recognized by human rights scholars as the inceptive model and inspiration for subsequent people's tribunals conducted throughout the world. The Russell Tribunal was organized by Bertrand Russell, British philosopher and Nobel Prize winner, and hosted by French philosopher and writer Jean-Paul Sartre, to investigate and evaluate American foreign policy and military intervention in Vietnam.

The Tribunal was constituted in November of 1966 and was conducted in two sessions in 1967, in Stockholm, Sweden and Roskilde, Denmark. A jury of 24 individuals— intellectuals, writers, political scientists, and trade union leaders—representing 18 nations, half from the Western world and half from the “global South.” The Findings of the Russell Tribunal's jurors concluded that the U.S. was guilty of war crimes and genocide against the Vietnamese people.

Many people's tribunals have been conducted since the 1966 Russell Tribunal: the 1973 Russell Tribunal on Latin America, which investigated human rights violations in Brazil and Argentina by US-backed dictators; a 1974-1976 tribunal that investigated the U.S.-backed coup in Chile; a 2004 tribunal on Iraq; and the 2011 Russell Tribunal on Palestine, conducted in Cape Town, South Africa. Numerous local people's tribunals have also been conducted over the last 50 years to address a multiplicity of alleged local, national, and international human rights abuses. The most recent example of a high-profile international people's tribunal was the Gaza Tribunal conducted in Sarajevo, Bosnia and Herzegovina from May 26-29, 2025.

The Philadelphia People's Tribunal on War Crimes and Genocide in Gaza, conducted in Philadelphia, Pennsylvania on May 31, 2025, was inspired by previous people's tribunals and followed the organizing templates for conducting a tribunal that have been established over the previous half century.

Summary of International Law: Genocide, War Crimes, and Crimes Against Humanity

THE GENOCIDE CONVENTION

Adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951, the Genocide Convention was the first human rights treaty adopted by the UN and remains the cornerstone of international law on genocide. It legally defines genocide and obligates states to prevent and punish this crime, whether committed in times of peace or war.

The Genocide Convention is enforced by the International Court of Justice (ICJ) for state responsibility. It is enforced by the International Criminal Court (ICC) and ad hoc tribunals for individual criminal liability. Bosnia and Herzegovina v. Serbia and Montenegro (ICJ, 2007), became the first ICJ ruling to confirm a genocide had occurred (Srebrenica).

Key Provisions

Article I: Obligation to Prevent and Punish

- Genocide is a crime under international law.
- States undertake to prevent and punish genocide.

Article II: Definition of Genocide

Genocide means acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, including:

- (a) Killing members of the group
- (b) Causing serious bodily or mental harm
- (c) Deliberately inflicting conditions of life calculated to destroy the group
- (d) Preventing births within the group
- (e) Forcibly transferring children of the group

Article III: Punishable Acts

The following are punishable under the Convention:

- Genocide
- Conspiracy to commit genocide
- Direct and public incitement to commit genocide
- Attempt to commit genocide
- Complicity in genocide

Article IV: Individual Criminal Responsibility

- Applies to individuals regardless of official capacity (e.g., heads of state are not immune).

Article V: Domestic Legislation

- States must enact national laws to give effect to the Convention.

Article VI: Jurisdiction

- Persons charged shall be tried by a competent tribunal of the state where the act occurred, or by an international penal tribunal (e.g., International Criminal Court).

Article VII: Extradition

- Genocide is not considered a political crime for extradition purposes.

Importance & Impact

- The Genocide Convention established that genocide is a distinct and punishable crime, separate from other war crimes or crimes against humanity.
- It laid the groundwork for prosecutions in international tribunals, including the International Criminal Tribunal for Rwanda (ICTR), Yugoslavia (ICTY), and the International Criminal Court (ICC).
- It remains legally binding for over 150 state parties.

Limitations & Criticisms

- Enforcement is often political; few states have acted robustly on their duty to prevent.
- Intent ("dolus specialis") is difficult to prove, which limits successful prosecutions.
- The Convention does not automatically create universal jurisdiction—states must incorporate it into national law.

PRINCIPLES OF INTERNATIONAL LAW RECOGNIZED IN THE CHARTER OF THE NÜRNBERG TRIBUNAL AND IN THE JUDGMENT OF THE TRIBUNAL (1950)

Principles of International Law Recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal, commonly referred to as the Nuremberg Principles were formulated in 1950 by the International Law Commission (ILC) of the United Nations. These principles form the foundation of individual criminal responsibility under international law for the most serious crimes: war crimes, crimes against peace, and crimes against humanity.

Principles

Principle I – Individual Responsibility

A person who commits an act that constitutes a crime under international law is personally responsible and liable for punishment.

Principle II – No Immunity by Domestic Law

The fact that domestic law does not impose a penalty for an act that is a crime under international law does not relieve the individual of responsibility.

Principle III – No Immunity by Official Position

Heads of state or government officials are not immune from criminal responsibility under international law.

Principle IV – No Defense of Superior Orders

Following orders of a superior does not absolve responsibility if a moral choice was possible and the act was unlawful under international law.

Principle V – Right to a Fair Trial

Every person charged with a crime under international law has the right to a fair trial.

Principle VI – Crimes Under International Law

The following acts are crimes under international law and entail individual responsibility:

A. Crimes Against Peace: Planning, initiating, or waging a war of aggression or in violation of international treaties

B. War Crimes: Violations of the laws or customs of war, including killing civilians, mistreating prisoners, etc.

C. Crimes Against Humanity: Atrocities committed against civilian populations, including murder, extermination, slavery, and persecution, whether in war or peace

Principle VII – Punishable Participation

Complicity in the commission of any of the above crimes is also a crime under international law.

WAR CRIMES

According to the Rome Statute of the International Criminal Court, Article 8, war crimes are grave breaches of the Geneva Conventions and include:

- Willful killing
- Torture or inhumane treatment
- Unlawful deportation or confinement
- Intentionally targeting civilians or civilian infrastructure
- Starvation of civilians as a method of warfare

CRIMES AGAINST HUMANITY

According to Article 7 of the Rome Statute, crimes against humanity include widespread or systematic attacks against civilians and comprise:

- Murder
- Enslavement
- Deportation or forcible transfer
- Imprisonment
- Torture
- Rape and other sexual violence
- Persecution
- Enforced disappearance
- Apartheid

These do not require a connection to armed conflict.

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

The following articles of the International Covenant on Civil and Political Rights (ICCPR) establish pertinent aspects of international law about the possibility of genocide and crimes against humanity in Gaza.

Relevant Articles

Article 9 – Right to Liberty and Security of Person

- Protects individuals from arbitrary arrest or detention.
- Anyone detained must be informed of the reasons for arrest and charges against them.
- Detainees have the right to challenge the lawfulness of detention before a court (habeas corpus).

- Anyone unlawfully detained has the right to compensation.

Article 19 – Freedom of Expression

- Everyone has the right to hold opinions without interference.
- Everyone has the right to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, through any media.
- These rights may be subject to certain restrictions, but only as provided by law and necessary:
 - For respect of the rights or reputations of others
 - For the protection of national security, public order, public health, or morals

Article 21 – Right of Peaceful Assembly

- Recognizes the right of peaceful assembly.
- No restrictions may be placed on this right except those imposed by law and necessary in a democratic society in the interests of:
 - National security or public safety
 - Public order
 - Protection of public health or morals
 - Protection of the rights and freedoms of others

Article 25 – Right to Participate in Public Affairs

- Every citizen has the right to:
 - Take part in public affairs, directly or through freely chosen representatives
 - Vote and be elected in genuine periodic elections with universal and equal suffrage and secret ballot
 - Access public service on general terms of equality

PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR

The following provisions of the Geneva Convention are part of international humanitarian law (IHL), which regulates the conduct of armed conflict. They affirm the protection of civilians and impose clear obligations on occupying powers, especially regarding humanitarian access, collective punishment, and essential services.

The following is a concise summary of Articles 23, 33, 55, and 59 of the Fourth Geneva Convention (formally titled: Convention Relative to the Protection of Civilian Persons in Time of War, 1949).

Relevant Articles

Article 23 – Free Passage of Relief Supplies

- Requires all parties to the conflict to permit free passage of essential humanitarian consignments, including:
 - Medical supplies
 - Food and clothing for children under 15, expectant mothers, and maternity cases
- Passage may be conditioned on supervision to ensure the aid is not diverted to military purposes.

Article 33 – Prohibition of Collective Punishment and Reprisals

- Collective penalties and all measures of intimidation or terrorism are prohibited.

- Pillage (looting) is expressly forbidden.
- Reprisals (retaliatory actions) against protected persons and their property are strictly prohibited.
- Individuals must not be punished for offenses they have not personally committed.

Article 55 – Obligation to Ensure Food and Medical Supplies

- The Occupying Power must ensure the food and medical supplies of the population.
- It must also ensure the maintenance of hospitals and public health, with particular attention to children.
- If the resources of the occupied territory are inadequate, the Occupying Power must import necessary supplies.

Article 59 – Relief Schemes in Occupied Territories

- If the population of an occupied territory is inadequately supplied, relief schemes must be allowed and facilitated.
- These may be organized by states or impartial humanitarian organizations like the International Committee of the Red Cross (ICRC).
- The Occupying Power must protect and facilitate such relief efforts and not arbitrarily restrict them.

CONVENTION ON THE RIGHTS OF THE CHILD

The Convention on the Rights of the Child (CRC) is a landmark international treaty that affirms the civil, political, economic, social, and cultural rights of all children, emphasizing their inherent dignity and right to survival, development, protection, and participation. It obligates governments to act in the best interests of the child, ensuring their protection from harm and promoting conditions for their full and free development.

Relevant articles

Article 6 – Right to Life, Survival, and Development

- Every child has the inherent right to life.
- States parties must ensure, to the maximum extent possible, the survival and development of the child.
- This goes beyond mere survival, encompassing physical, mental, emotional, cognitive, social, and cultural development.

Article 37 – Protection from Torture and Deprivation of Liberty

States must ensure that:

- No child is subjected to torture, cruel, inhuman, or degrading treatment or punishment.
- No child shall be subjected to capital punishment or life imprisonment without the possibility of release, regardless of the offense.
- Detention or imprisonment of a child must be:
 - Used only as a last resort and for the shortest appropriate period
 - In conditions that respect the child's dignity and account for their age
 - With access to legal assistance and the right to challenge the legality of their detention

1954 HAGUE CONVENTION ON THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT

The 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, further enhanced under the 1999 Second Protocol to the Hague Convention of 1954, is the first international treaty dedicated exclusively to protecting cultural heritage during war. The Convention binds parties to protect cultural heritage from damage, destruction, and looting during conflict. It imposes specific duties on occupying powers to ensure preservation. It allows special international recognition and protection of certain cultural sites through UNESCO registration.

Relevant Sections

Section I – General Provisions (Articles 1–6)

This section defines the scope and obligations under the Convention.

- Article 1: Defines “cultural property” as monuments, museums, libraries, archives, and significant works of art—both immovable and movable.
- Article 2–3: Cultural property must be respected and protected in both international and non-international armed conflicts.
- Article 4: Parties must refrain from using cultural property or its surroundings for purposes likely to expose it to destruction, and must prevent theft, vandalism, and misappropriation.
- Article 5: Occupying powers are responsible for protecting cultural property in occupied territory.

Section IV – Protection of Cultural Property in Occupied Territory (Article 5)

- Requires an occupying power to support existing authorities in safeguarding cultural property.
- If necessary, the occupying power must take its own protective measures in cooperation with national authorities.
- Emphasizes continuity of cultural institutions and protection of access to cultural heritage.

Section V – Special Protection (Articles 8–11)

- Introduces the concept of “special protection” for a limited number of key cultural properties, such as:
 - Refuges for movable cultural property
 - Monuments of great importance to humanity
- States may request to register such properties under a “Register of Cultural Property under Special Protection” maintained by UNESCO.
- Such sites are to be marked with a distinctive emblem (the Blue Shield) and are to be immune from military use or attack, except in cases of absolute military necessity.
- Protection can be suspended only under clearly defined and strictly limited conditions.

INTERNATIONAL LAW COMMISSION (ILC) DRAFT ARTICLES ON THE RESPONSIBILITY OF STATES FOR INTERNATIONALLY WRONGFUL ACTS (ARSIWA)

The International Law Commission’s (ILC) Draft Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA), adopted in 2001 and widely regarded as reflective of customary international law provides another legal framework to think through the US complicity

in war crimes and crimes against humanity in the context of the genocidal war on Gaza. Relevant articles include the following and point out to responsibility on states that contribute to violations by others, such as through military, financial, or logistical support, with knowledge of the wrongful nature of the act (e.g., genocide, aggression, war crimes), as well as positive and negative obligations on all states in the face of grave violations of fundamental international norms—like apartheid, colonial conquest, or illegal occupation.

Relevant Articles

Article 16 – Aid or Assistance in the Commission of an Internationally Wrongful Act

A state is internationally responsible if it aids or assists another state in committing an internationally wrongful act when:

1. The assisting state knows the conduct is wrongful; and
2. The act would be wrongful if committed by the assisting state itself.

Article 41 – Consequences of Serious Breaches of Peremptory Norms

1. Duty to Cooperate

All states must cooperate to bring an end to serious breaches of peremptory norms of international law (e.g., prohibitions on genocide, slavery, aggression, apartheid).

2. Duty of Non-recognition and Non-assistance

States must:

- Not recognize as lawful any situation created by such a breach;
- Not render aid or assistance in maintaining that situation.

PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS- PROTOCOL ADDITIONAL TO THE GENEVA CONVENTIONS OF 12 AUGUST 1949, AND RELATING TO THE PROTECTION OF VICTIMS OF INTERNATIONAL ARMED CONFLICTS (PROTOCOL I), 8 JUNE 1977

Articles 15, 17, 54 and 70 of Protocol I (1977) to the Geneva Conventions relates to the protection of victims of international armed conflicts. According to these articles: a) civilian health workers and clergy are shielded from attack and obstruction, as long as they remain neutral and solely humanitarian; b) civilians who provide impartial aid to the wounded should be protected, in reinforcement of the humanitarian principle of aiding the vulnerable regardless of affiliation. c) intentionally depriving civilians of the resources essential to life is strictly forbidden and may constitute a war crime; and d) warring parties must allow and facilitate humanitarian relief efforts to reach populations in need, especially where essential services have collapsed.

Relevant Articles

Article 15 – Protection of Civilian Medical and Religious Personnel

- Civilian medical and religious personnel must be respected and protected in all circumstances.
- They may not be punished for carrying out their humanitarian duties, regardless of the benefitting population.
- These protections continue unless they commit acts harmful to the enemy outside their humanitarian function.

Article 17 – Role of the Civilian Population and Aid for Wounded and Sick

- The civilian population has the right and duty to help care for the wounded, sick, and shipwrecked, even from enemy forces.
- Those who voluntarily provide such aid must not be harmed, punished, or prosecuted for doing so.
- Parties to the conflict must support and encourage humanitarian acts by civilians.

Article 54 – Protection of Objects Indispensable to the Survival of the Civilian Population

- Prohibits the use of starvation of civilians as a method of warfare.
- Parties to the conflict must not attack, destroy, remove, or render useless objects necessary for civilian survival, such as:
 - Foodstuffs
 - Agricultural areas
 - Drinking water installations and supplies
 - Irrigation works
- These protections apply whether the objects are intended for civilians or for the enemy's forces, if their loss would threaten civilian survival.

Article 70 – Relief Actions

- Where civilians are inadequately supplied, relief actions must be undertaken with the consent of the parties concerned.
- These actions include the provision of essential supplies such as:
 - Food
 - Water
 - Medicine
 - Clothing
 - Shelter materials

ARTICLE 20 OF THE 1996 DRAFT CODE OF CRIMES AGAINST THE PEACE AND SECURITY OF MANKIND

Article 20 of the 1996 Draft Code of Crimes Against the Peace and Security of Mankind, developed by the International Law Commission (ILC), affirms the international legal consensus that genocide is one of the most egregious crimes, involving specific intent to destroy a group, and obligates states and the international community to prevent and punish such crimes wherever they occur.

Article 20 – Genocide

A crime against the peace and security of mankind is committed if a person commits any of the following acts with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;

(e) Forcibly transferring children of the group to another group.

Article 20 develops the following:

1. Intent ("Dolus Specialis")

- The defining feature of genocide is the specific intent (dolus specialis) to destroy a group as such.
- This distinguishes genocide from other mass atrocities such as war crimes or crimes against humanity, which may lack a group-targeted intent.

2. Protected Groups

- Only four groups are protected under Article 20 (same as the Genocide Convention):
 - National
 - Ethnic
 - Racial
 - Religious
- Political, cultural, or economic groups are not included, though this has been the subject of scholarly and legal debate.

3. Enumerated Acts

Each prohibited act contributes to the physical or biological destruction of the targeted group:

- (a) Killing: Includes mass executions and targeted assassinations.
- (b) Serious harm: Covers torture, rape, psychological trauma, or mutilation.
- (c) Destructive conditions: Includes forced displacement, denial of food/water, or exposure to lethal environments.
- (d) Prevention of births: Includes forced sterilization or segregation of genders.
- (e) Transfer of children: Often meant to erase the group's identity and future continuity.

4. Individual Criminal Responsibility

- The Draft Code, like the Genocide Convention, assigns responsibility to individuals, not just states.
- Covers perpetrators, commanders, political leaders, and others who incite, aid, abet, or conspire to commit genocide.

THE FOREIGN ASSISTANCE ACT OF 1961- LEAHY LAW

The Foreign Assistance Act of 1961 is a foundational U.S. law that governs how the United States provides foreign aid to other countries. It authorizes various forms of assistance—including military, economic, and humanitarian—while promoting U.S. foreign policy objectives such as development, security, and democracy. Through its Section 620M, The Act also imposes conditions and restrictions, including prohibitions on aid to governments involved in human rights violations, nuclear proliferation, or undemocratic practices.

Prohibition of Assistance

U.S. funds cannot be used to assist any foreign military or law enforcement unit if there is credible information that the unit has committed gross human rights violations (GVHR), such as:

- Extrajudicial killings
- Torture

- Enforced disappearances
- Rape under custody
- Other flagrant abuses

Remediation Clause

Assistance may resume only if the foreign government takes effective steps to bring responsible members of the unit to justice.

SECTION 361 OF TITLE 10 OF THE U.S. CODE- PROHIBITION ON ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT COMMIT GROSS VIOLATIONS OF HUMAN RIGHTS

This section prohibits the Department of Defense (DoD) from providing training, equipment, or other assistance to any unit of a foreign security force if there is credible information that the unit has committed gross violations of human rights (GVHR). This provision mirrors Section 620M of the Foreign Assistance Act, which applies to the State Department. Together, these two sections form what is commonly known as the “Leahy Laws,” preventing U.S. complicity in foreign human rights abuses.

Assistance Ban

No assistance may be provided to any unit of a foreign security force if credible information exists that the unit has committed:

- Extrajudicial killings
- Torture
- Enforced disappearances
- Rape or other severe abuses

Remediation Clause

Assistance may be restored only if the foreign government takes effective steps to hold perpetrators accountable.

Vetting Requirement

The DoD must conduct human rights vetting—often in coordination with the State Department—before assistance is given, to ensure compliance with this law.

The Basis for the Philadelphia People's Tribunal

The conflict between Palestine and the state of Israel dates to Israel's independence on May 14, 1948. According to the United Nations Office for Coordination of Humanitarian Affairs (UNOCHA):

The Occupied Palestinian Territory faces a protracted protection and political crisis characterized by more than 56 years of Israeli military occupation, 16 years of the Gaza blockade, internal Palestinian divisions, lack of adherence to international humanitarian and human rights law, and recurrent escalations of hostilities between Israeli security forces and Palestinian armed groups.¹

On October 7, 2023, Hamas attacked Israel and killed roughly 1,200 people while taking 240 hostages. Hamas's acts were a grave violation of international humanitarian law which prohibits killing or abduction of civilians.² Israel responded by invading Gaza, home to about 2.2 million Palestinians. As of June 11, 2025, the Gaza Health Ministry announced that over 55,000 people have been killed, while more than 125,000 have been wounded; additionally, many more are believed to be buried under rubble. Israeli forces have destroyed vast areas of Gaza and displaced roughly 90% of its population.³

Numerous peace and justice organizations in the greater Philadelphia area have been closely monitoring the war in Gaza since its inception. These organizations have noted that Gaza is geographically comparable to Philadelphia in area, and that enables them to visualize how the level of devastation brought upon Gaza might compare had it been brought upon Philadelphia. Additionally, Philadelphia is home to both vibrant Jewish American and Palestinian American communities: the Jewish presence dates to our colonial days; Philadelphia ranks fourth among U.S. cities (behind New York, Chicago, and Houston) as a home for Palestinian Americans. As such, the war in Gaza has deeply affected both communities, and Philadelphia's peace and justice community has felt a profound obligation to bear witness, and to take actions that might end the war and the pervasive suffering it has engendered.

Due to the unrelenting war, and the lack of any progress towards a permanent ceasefire or peace in Gaza, 30 local, national, and international peace and justice organizations, led by the American Friends Service Committee (AFSC), Friends of Sabeel North America (FOSNA), and Friday's at Fetterman's, organized and conducted a People's Tribunal (the Tribunal). As the war in Gaza has been ongoing for over 20 months, and as the devastation brought upon Gaza by the Israeli government and its armed forces has been unrelenting and extensively documented by humanitarian organizations worldwide, the Tribunal organizers determined, based on publicly available information as well as first person accounts, that war crimes and genocide have been,

and continue to be, committed in Gaza. Therefore, the Philadelphia People's Tribunal on War Crimes and Genocide in Gaza was convened on May 31, 2025: to bear witness to the crimes and genocide being committed in Gaza; to identify specific violations of International Humanitarian Law (IHL) by the government of Israel and its armed forces; to determine to what extent, as an ally of Israel, the United States government and specific elected officials, acting in their official capacities, might be complicit in the commission war crimes, crimes against humanity, and genocide; and how those deemed culpable of such violations of IHL and crimes might be held accountable.

In addition to presenting and discussing the various conventions, declarations, and principles related to IHL, specifically how IHL addresses war crimes, crimes against humanity, genocide, and complicity in these crimes, the Tribunal heard first person testimony from Palestinians in Gaza and Palestinian Americans directly affected by the war. In addition to this testimony, Tribunal jurors reviewed numerous publications, essays, reports, and other relevant documents to inform this report. As there is a long history of the development of international human rights law involving attorneys, jurists, philosophers, and others, and as Tribunal jurors themselves have limited firsthand experience in Gaza since October 2023, this report appropriately relies on the reportage and opinions of many internationally recognized experts in this field (cited accordingly, below) in support of the Tribunal's *raison d'être*.

ISRAEL'S WAR ON GAZA

Immediately after the Hamas-led attack on Israel of October 7, 2023, Israel began a major bombing campaign. On October 13 Israel began ground operations, and on October 27 launched a full-scale invasion⁴. As a day-to-day, or even month-to-month accounting of Israeli military actions is beyond the scope of this report, only a grim sampling of salient war-related facts germane to the Tribunal are presented here:

- More than 55,000 Gazans killed (many international organizations consider this a significant underestimate), most non-combatants, and roughly half women and children
- Displacement of about 1.9 million of Gaza's 2.2 million Palestinians⁵
- Destruction or incapacitation of most of Gaza's hospitals⁶
- Destruction of all 12 of Gaza's universities and 80% of its schools, libraries, museums, and cultural heritage sites⁷
- Large parts of city transformed to rubble, with hundreds of thousands of Gazans living in tent camps and other unsuitable shelter⁸
- Pervasive food, water, and sanitation insecurity⁹.

ISRAEL'S DISPROPORTIONATE RESPONSE

The principle of proportionality in war is a cornerstone of IHL and mandates that military actions should not cause excessive harm to civilians or civilian objects in relation to the anticipated military advantage¹⁰.

Omer Bartov, an Israeli American historian and Dean's Professor of Holocaust and Genocide Studies at Brown University, recently wrote in *The New York Review of Books*:

There is abundant information about what has been happening in Gaza since that day (October 7, 2023), although reporting from the ground has been difficult and hazardous. If you want a detailed, day-to-day account of how the IDF's (Israeli Defense Forces) bombing campaign and subsequent ground incursion into Gaza has been experienced by the local population, Atef Abu Saif's "Don't Look Left" is essential reading. Even in rare mainstream American media reports that discuss Palestinians in Gaza with relative sympathy, names and personal stories are rarely mentioned—the precise opposite of reports about the victims of the Hamas massacre and their families. Abu Saif fills that gap, chronicling the random, cruel destruction inflicted by the IDF on members of his family and closest friends."¹¹

There is abundant information about what has been happening in Gaza since that day (October 7, 2023), although reporting from the ground has been difficult and hazardous. If you want a detailed, day-to-day account of how the IDF's (Israeli Defense Forces) bombing campaign and subsequent ground incursion into Gaza has been experienced by the local population, Atef Abu Saif's "Don't Look Left" is essential reading. Even in rare mainstream American media reports that discuss Palestinians in Gaza with relative sympathy, names and personal stories are rarely mentioned—the precise opposite of reports about the victims of the Hamas massacre and their families. Abu Saif fills that gap, chronicling the random, cruel destruction inflicted by the IDF on members of his family and closest friends."¹¹

Additionally, all access to Gaza is controlled by the IDF, which has denied entry to several human rights organizations including Israeli and Palestinian organizations, as well as international organizations including Human Rights Watch (HRW) and Amnesty International (AI).¹²

Aryeh Neier, the 88-year-old German-born, American co-founder of HRW notes that organizations such as HRW and AI (as well as many others) are uniquely qualified to weigh in on conflicts with profound human rights implications, such as Israel's war on Gaza:

Over the past few decades these organizations have created a broad awareness that there is a body of law, known as International Humanitarian Law (IHL), that represents civilized values and regulates the conduct of combatants. It forbids such practices as indiscriminate bombing and requires military forces to try to protect civilians from harm. It condemns attacks that intentionally or indiscriminately destroy civilian dwellings and such structures as schools, hospitals, and places of religious worship. And it prohibits measures that are intended to starve the civilian population or to deny them other necessities of life.¹³

Of note is that Israel, a nuclear power, possesses the most technologically advanced and sophisticated military in the Middle East, in addition to which it has a very long-standing military weapons procurement program with the United States that helps arm it with an enormous array of modern, lethal weaponry, including fighter jets, tank and artillery shells, and 2,000 pound "bunker-buster" bombs, among others. All these weapons, and many others provided by the United States, have been used by Israel in Gaza, and replenished repeatedly over the course of the war.¹⁴ Israel has a long history of sophisticated, specific, targeted military operations against many

of its foes, including Hezbollah and Iranian military leadership, as well as Iran's regional proxy militias, that have generally spared non-combatants. This history begs the question of why the Israeli government has employed an invasion and war campaign strategy in Gaza of almost unrelenting, often indiscriminate or unjustifiable, bombardment that has decimated, directly or indirectly, the entire Palestinian population, infrastructure, and culture.

Israel's war in Gaza is noted for its disproportionate response to the Hamas attack that precipitated it. As Kenneth Roth, an American attorney and former Executive Director of Human Rights Watch (1993–2022) noted in 2024:

The perceived justness of one's cause is distinct from the legality of how one fights. International humanitarian law makes clear that no cause justifies war crimes—including war crimes committed by the other side.

None of Hamas's actions justifies Israeli violations of the laws of war.

Assessing the extent of those violations is difficult while Israel's military assault continues and the Israeli government limits the access of international journalists and human rights investigators to Gaza. Still, by talking to witnesses there, using satellite imagery, and analyzing photos and videos that Israeli soldiers and Palestinian civilians have posted on social media, it is possible to determine that the Israeli government has repeatedly violated international humanitarian law in ways that amount to war crimes.

A first principle of international humanitarian law is that civilians, as well as civilian structures that are not in active use for military purposes, should never be targeted and must be presumed civilian unless evidence suggests otherwise.

Among the civilian structures they (Israeli forces) have attacked with little if any military justification are all twelve of Gaza's universities and 80 percent of its schools, as well as libraries, museums and cultural heritage sites.

International humanitarian law also prohibits firing even on a known military target when harm caused to civilians "would be excessive in relation to the concrete and direct military advantage anticipated." This rule of proportionality obviously leaves room for interpretation...but Israel regularly violates it, most notably in its extensive use of enormous 2,000 pound bombs...These bombs can kill anyone within six hundred feet of impact.

Israel's use of 2,000 pound bombs (a military expert told Roth, on the record) seems to reflect a "shake and bake" strategy by which the military hopes to damage tunnels, with little regard for the civilian devastation above. Such indifference to civilian lives and structures is prohibited, whether motivated by an effort to reestablish what The New York Times called the Israeli military's "aura of power" after October 7 or by a policy of collective punishment (emphasis added).¹⁵

CIVILIAN DEATHS AND DISPLACEMENT IN GAZA

The impact of Israel's unrelenting war on Palestinian civilians and other non-combatants has been of the utmost concern to Philadelphia's peace and justice community, and a driving force behind

the Tribunal's establishment. As Roth notes:

People have also been needlessly killed because Israel failed to presume they were civilians. According to (the Israeli newspaper) Haaretz, Israel has created "kill zones" where soldiers shoot anyone who enters, armed or not. There have even been reports of Israeli soldiers summarily executing Palestinians. In April (the Israeli news and opinion magazine) +972 reported that Israel had been using an artificial intelligence system called Lavender to select human targets for air strikes. Army personnel can choose whether or not "to adopt Lavender's kill lists," but +972 suggested that...this oversight was a perfunctory "rubber stamp," meaning that an algorithm of uncertain reliability was making life-and-death decisions.

"Moreover," the (+972) report noted,

The Israeli army systematically attacked the targeted individuals while they were in their homes—usually at night while their whole families were present—rather than during the course of military activity.

Those families often included relatives displaced from elsewhere. International humanitarian law requires taking "all feasible precautions" to minimize harm to civilians. An alleged Hamas operative's family home should therefore have been the last place to target him, since his family members are presumed to be civilians, but the army found it easier to locate suspects there. To make matters worse, it (the Israeli army) has often used so-called dumb bombs, not precision weapons, which require larger explosives to reliably hit their targets and so increase the likelihood of harm to nearby civilians.

Even when one or more people or structures are known to be legitimate military targets, international humanitarian law prohibits treating an entire populated area in which they might be located as a target. The Israeli Air Force claims that all of its attacks are "precise" and "focused," but judging from the widespread destruction they have caused, they seem regularly to have been indiscriminate. Entire neighborhoods have been pulverized...

When confronted with these war crimes, Israeli authorities often blame Hamas for using civilians as "human shields" and fighting from populated areas. Under international humanitarian law, using noncombatants "to render certain points, areas or military forces immune from military operations" is indeed a war crime. The laws of war also...require warring parties to take "all feasible precautions" to minimize harm to civilians. Hamas often disregards these requirements, but that does not relieve Israel of its responsibilities to comply with its own duties under international humanitarian law. Notably, it does not justify attacks that are indiscriminate or cause disproportionate harm to civilians. Palestinian civilians are still civilians even if Hamas is endangering them.¹⁶

Displacement of most of Gaza's population has been deliberative and iterative. The United Nations

Office for Coordination of Humanitarian Affairs notes that “Ninety per cent of Gaza’s current population of 2.1 million people has been displaced, lacking access to sufficient shelter, food, life-saving medical services, clean water, education and livelihoods.”¹⁷ Along similar lines, Omar Bartov writes: “The Strip’s population has been not only deprived of food, water, medical care and sanitation but continually targeted: people displaced from one area end up in another, where they are again attacked or displaced.”¹⁸ Additionally, Sari Bashi, the Israel/Palestine Advocacy Director at Human Rights Watch, note in October 2024:

But there’s mounting evidence that the Israeli military is unlawfully forcing civilians out of northern Gaza, with no safe place to go, no safe way to get there, and no apparent plans to let them return.

International humanitarian law prohibits forcible transfer or deportation of an occupied population. A narrow exception allows temporary evacuation as a measure of last resort...But that requires the Israeli military to ensure that civilians are safely moved, that they can get necessities such as food, water, health care, and shelter, and that people are allowed to return home as soon as possible (emphasis added) after hostilities end in that area.

The Israeli military has not met those conditions during the past year, and there’s little hope they will do so now.¹⁹

DESTRUCTION OF GAZAN INFRASTRUCTURE AND CULTURE

Numerous human rights experts have written about the systematic destruction of Gazan infrastructure, including schools, universities, libraries, museums, hospitals, cultural heritage sites, fishing access, and the land itself.

Kenneth Roth (previously cited in this report), wrote in July 2024:

A first principle of international humanitarian law is that civilians, as well as civilian structures (emphasis added) that are not used for military purposes, should never be targeted and must be presumed civilian unless evidence suggests otherwise.

Israeli forces regularly sidestep this crucial rule. Among civilian structures they have attacked with little if any military justification are all twelve of Gaza’s universities and 80 percent of its schools, as well as museums and cultural heritage sites. They justified destroying Gaza’s Islamic University, for instance, by claiming it had been used “as a Hamas training camp for military intelligence operatives”—a rationale that in wartime would turn many American universities that send graduates to US intelligence agencies into legitimate military targets. In November the Israeli magazine +972 reported that the Israeli army was destroying high-rise apartment buildings and public infrastructure to “create a shock” in Palestinian society—another unlawful use of military force.

By late November (2023) thirty of Gaza’s thirty-six hospitals had been attacked, many repeatedly. By the end of March only 10 were “minimally functioning,” according to the World Health Organization...The result is that, just as Israel’s

bombing and starving of Palestinian civilians have created an acute need for health most Palestinians have been deprived of it. They have also been left without... medical attention such as dialysis, cancer treatment, or maternity care...²⁰

Omer Bartov (previously cited in this report) wrote early in 2025:

The repeated displacements, the ceaseless attacks on areas designated as safe zones, and the systematic destruction of housing, infrastructure, hospitals, universities, schools, places of worship, museums, and other sites of collective memory and identity—all of this indicates an intent, already expressed in the early days of the campaign, to eradicate Palestinian physical and cultural existence in Gaza entirely and make the Strip uninhabitable.²¹

Neve Gordon, an Israeli professor of international law and human rights, and co-author Muna Haddad, a Palestinian human rights lawyer, wrote in March 2024: “Seventy percent of civilian infrastructure has been destroyed or damaged, leaving many areas uninhabitable.” Additionally, they wrote:

Israel has not been content with preventing food from entering the Strip. Since the war began it has also destroyed more than one third of Gaza’s agricultural land, more than one fifth of its greenhouses, and one third of its irrigation infrastructure—all vital sources of food...Large swaths of that land were razed by soldiers...to expand the “buffer zone” on Gaza’s side of the border...reducing the Strip’s area by 16 percent. Israeli naval forces have also damaged or destroyed around 70 percent of Gaza’s fishing vessels...a few fisherman still go out to sea in small vessels...some of them have been attacked and killed.²²

RELIEF EFFORTS, FOOD DISTRIBUTION, AND FAMINE IN GAZA

In prosecuting the war in Gaza, Israeli forces have not only applied massive military force throughout the Strip, they have also intentionally impeded relief efforts and food distribution in the fashion of psychological warfare. As Roth noted in July 2024:

International humanitarian law also requires warring parties to allow humanitarian aid to reach civilians in need. The Israeli government blames everyone but itself for the severe shortage of food in Gaza, but Israeli authorities have been the primary impediment. They have imposed enormous obstacles to the delivery of aid, particularly food—a policy that amounts to using starvation as a weapon of war. For much of the war, Israel has allowed just enough food into Gaza to avoid widespread death but not enough to prevent pervasive hunger and, in some parts of Gaza...famine.

(The Israeli military’s) convoluted procedures for inspecting aid trucks can take three weeks. In many cases trucks have been rejected and forced to start all over again...Items rejected included anesthetics, cardiac catheters, chemical water quality testing kits, crutches, maternity kits, oxygen cylinders, surgical tools, ultrasound equipment, wheelchairs, and X-ray machines.²³

Oxfam reported in May 2025 that Israel continues to obstruct the delivery of aid: “More than two months have passed since the Israeli government began enforcing a comprehensive aid blockade of the Gaza Strip, preventing delivery of lifesaving supplies to people in need, including food, water, medicine, fuel and cooking gas.”²⁴

The UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA) is historically, and by staffing and programming, the pre-eminent relief agency serving Gaza, having begun work there in May 1950. The Agency is funded almost entirely by voluntary contributions from UN member states but also receives some funding from the UN’s general fund. UNRWA services include education, health care, relief and social services, camp infrastructure, microfinance and emergency assistance. The UN General Assembly has repeatedly renewed UNRWA’s mandate, and it currently extends to June 2026.²⁵

Kenneth Roth has also addressed Israel’s relationship with UNRWA:

The Netanyahu government has also pursued a vendetta against UNRWA, even though its 13,000 staff members in Gaza “far outstrip the collective capacity of the rest of the humanitarian sector in the territory” to deliver food and other humanitarian aid, as other groups working there wrote in a joint statement this past February (2024). The pretext was Israel’s claim in January (2024) that twelve UNRWA staff members had taken part in the October 7 attack.

But Israel also charged that UNRWA was complicit with Hamas in a broader sense: according to The Wall Street Journal, Israeli intelligence estimated that 10 percent of UNRWA’s staff is “affiliated” with Hamas or Islamic Jihad and that half of the staff have “a close relative with an active membership in the militant groups.” This allegation persuaded many Western donors to suspend funding, despite the agency’s crucial work averting famine. On April 22 (2024) an independent international investigation found that Israel had largely failed to support these accusations, and most governments have now resumed funding. But ... (the U.S.) Congress adopted legislation to provide aid to Ukraine, Israel, and Taiwan, Republicans insisted on adding a clause prohibiting the U.S. government, traditionally UNRWA’s largest donor, from funding the agency until at least March 2025.²⁶

With respect to these issues, it is important for those following the war in Gaza to have some historical perspective on Israel’s role in managing the needs of Palestinians in the Strip prior to October 2023. Gordon and Haddad wrote in March 2024:

...Well before the current war, Israel had rendered the majority of Gaza’s inhabitants destitute and undernourished. Newborn children were seven times likelier to die than if they had been born an hour’s drive away in Beersheba or Tel Aviv. In 2021 Gaza’s per capita GDP reached around \$1,050, compared with Israel’s \$52,130. It is hardly surprising, then, that in 2022 UNRWA supplied food to over 1,139,000 refugees in Gaza—fourteen times more than it had in 2000.

That December UNRWA reported that 81 percent of the refugees in the Strip lived below the national poverty line...More than three quarters of families were reducing both the number of meals they ate each day and the quantity of food at each meal.²⁷

Regarding the ongoing war in Gaza, Gordon and Haddad also wrote (in March 2024):

Since October 7 at least 171 UNRWA team members have been killed. On several occasions Israeli forces have fired on UN trucks carrying food supplies along the routes the military itself had designated safe, destroying the aid and suspending the deliveries. At other times Israeli troops have killed Palestinians waiting to receive aid: in one instance...at least 112 people who had gathered to collect flour in Gaza City were killed.²⁸

As of March 15 (2024), in northern Gaza, one in three children under two are suffering from acute malnutrition; at least twenty-seven children have reportedly died from starvation.

All this suffering is human made, a direct outcome of Israel's unrelenting barrage. Like most famines, it is also the product of a longer history. Since 1967, when Israel first occupied the Gaza Strip, it has controlled the Palestinian food basket, engineering the nutritional intake of its inhabitants and using food as a weapon to manage the population. For decades Israel has systematically damaged the Strip's capacity to produce its own foodstuffs, decreasing its access to drinkable water and nutritional food. **Understanding these longer-term policies is crucial for making sense of the famine unfolding in Gaza now** (emphasis added).

Gordon and Haddad conclude their essay on famine in Gaza with:

Since the start of the current war, Israel might have had an interest in getting aid to Palestinians, if only to conceal the violence its military is committing. Instead, as the food crisis in Gaza accelerated, the government launched a concerted campaign to eliminate UNRWA...(as) Amjad Iraqi recently reported in these pages (the New York Review of Books), the Knesset's subcommittee on foreign policy and public diplomacy had been debating how to deal with the Agency. He cites a Koholet Policy Forum researcher named Noga Arbell: "It will be impossible to win the war if we do not destroy UNRWA, and this destruction must begin immediately."

With each new development, one can only wonder what more Israel intends to do to annihilate Gaza's population and render the region's recovery impossible.²⁹

SELECTED INDICATORS OF OFFICIAL US SUPPORT FOR ISRAEL'S WAR ON GAZA

Numerous Philadelphia peace and justice organizations began taking public actions and communicating via vigils as well as through electronic and print media soon after Israel commenced its assault on Gaza. Among the earliest organizations to establish a regular presence

protesting the war, and germane to the Tribunal's establishment, was "Friday's at Fetterman's" (F@F), a Philadelphia area grassroots organization newly founded to protest the war, and to bear witness weekly at Pennsylvania U.S. Senator John Fetterman's office. The group's main purpose was to meet with Senator Fetterman and insist that he call for an immediate, permanent ceasefire in Gaza. Regrettably, that effort continues, as Senator Fetterman has refused to officially meet with F@F's members or endorse a permanent ceasefire. (In April 2024 four members of the F@F team traveled to the Senator's Washington DC office to conduct a sit-in to protest his anti-ceasefire, pro-war stance. While the Senator attempted to ignore the F@F members, his only response to queries about his refusal to call for a permanent ceasefire were a repetitious "I stand with Israel, I stand with Israel, I stand with Israel.")

Pennsylvania's two other U.S. senators (since October 7, 2023), Bob Casey and David McCormick, have also supported the U.S.'s role in supporting Israel's war against Gaza, primarily by voting to approve, or verbally supporting, the many arms transfers from the U.S. government to Israel since October 7, 2023.

Regrettably, our Pennsylvania U.S. senators are members of the 118th and 119th U.S. Congresses which have overwhelmingly supported and helped fund Israel's war on Gaza. Additionally, both the Biden and Trump administrations have, almost without exception, requested Congressional approval for massive arms transfer to Israel since Oct 7, or have bypassed Congress to accomplish the same end. Although there have been dissenting voices in Congress, both presidential administrations and the 118th and 119th Congresses have acted to suspend funding to UNRWA.

The following is a representative sampling of arms transfer packages to Israel since October 7, 2023³⁰:

- October 19 (2023): The Defense Department confirmed...the United States had been providing "precision-guided munitions, such as joint attack munitions, small-diameter bombs, 155-millimeter artillery ammunition and other categories of critical equipment." (On the same date, President Biden gave a national address from the Oval Office in which he said he would be "asking Congress to [make] an unprecedented commitment to Israel's security that will sharpen Israel's qualitative military edge...").
- (By) December 1 (2023): The U.S. has delivered roughly 15,000 bombs and 57,000 artillery shells since October 7, including 100 BLU-109, 2,000-pound bunker buster bombs.
- December 29 (2023): Congress notified of a \$147.5 million (arms) sale declaring an emergency exists to bypass Congressional review (primarily tens of thousands of rounds of 155mm artillery ammunition).
- March 29 (2024): The Washington Post reported that the Biden administration had recently fulfilled a number of arms deliveries...including more than 1,800 MK84 2,000-pound bombs and 500 MK82 500-pound bombs.
- June 29 (2024): Reuters reported new figures on arms transferred to Israel since October (2023), including "at least 14,000 MK-84 2,000-pound bombs, 6,500 500-pound bombs, 3,000 Hellfire precision-guided air-to-ground missiles, 1,000 bunker-buster bombs, 2,600 air-dropped small-diameter bombs, and other munitions."

- January 24 (2025): According to media reports, the Trump administration lifted the Biden administration's hold on the transfer of 2,000-pound bombs to Israel.
- February 28 (2025): Declaring an emergency exists to bypass Congressional review, the State Department notified Congress of three potential arms sales to Israel via the Foreign Military Sales process: \$2.04 billion for 35,529 2,000-lb bombs...and 4,000 I-2000 Penetrator warheads; \$675.7 million for nearly 5,000 1,000-pound bombs and guidance kits.

Literature Summary of: Concerns for War Crimes, Crimes Against Humanity, Violations Against International Humanitarian Law, Genocide, and Complicity for Such Acts in Israel's War on Gaza

The Philadelphia People's Tribunal on War Crimes and Genocide in Gaza (the Tribunal) heard in-person and video testimony regarding the impact of Israel's ongoing war on Gaza. Witnesses included Palestinians testifying by video conferencing from Gaza, Northern Ireland, and Jordan as well as Palestinian Americans and others testifying in person. The witnesses included a Gazan civilian, Palestinian aid staff for the American Friends Service Committee (AFSC) in Gaza; AFSC U.S. leadership, a Palestinian journalist, a Palestinian American human rights and international law attorney, a Philadelphia-based Palestinian American interfaith activist, and several grassroots activists representing local peace and justice organizations.

While essential to the Tribunal's process, the testimony of those above was not alone sufficient to cover the overwhelming breadth and depth of Israel's 20-month war on Gaza, specifically as it relates to the prosecution of the war, and internationally widespread concerns about Israel's commitment of war crimes, crimes against humanity, genocide, and complicity in acts deemed unlawful by international humanitarian law and related standards. As a surrogate for direct testimony about these concerns, the Tribunal's jurors reviewed several sources in the public domain written by various international experts on human rights and international humanitarian law. * (These experts were also introduced through their work about the war on Gaza in section I. of this report). The extracts from their writings in section I. were presented to summarize the wide scope of Israel's unrelenting war on Gaza that raise questions about war crimes, crimes against humanity, and genocide. This section presents representative additional extracts from these same experts that support the naming of war crimes, crimes against humanity, violations of international humanitarian law, and genocidal acts.

- Omer Bartov: an Israeli American historian and the Dean's Professor of Holocaust and Genocide Studies at Brown University¹
- Sari Bashi: The Robina Visiting Human Rights Fellow and the Israel/Palestine Advocacy Director at Human Rights Watch²
- James A. Goldston: the Executive Director of the Open Justice Society Initiative, which advances the rule of law and rights protection worldwide³
- Neve Gordon: a professor of human rights law at Queen Mary University of London and the Vice President of the British Society for Middle East Studies⁴
- Muna Haddad: a Palestinian human rights lawyer and a PhD candidate in the School of Law at Queen Mary University in London⁵

- Aryeh Neier: an American human rights activist who co-founded Human Rights Watch, and who is the former national Executive Director of the American Civil Liberties Union⁶
- Kenneth Roth: an American attorney and human rights activist, former director of Human Rights Watch⁷

The American human rights activist and co-founder of Human Rights Watch, Aryeh Neier, writes:

Today the human rights movement includes thousands of organizations around the world...Over the past few decades these organizations (e.g., Human Rights Watch, Amnesty International) have created a broad awareness that there is a body of law, known as International Humanitarian Law (IHL), that represents civilized values and regulates the conduct of combatants. It forbids such practices as indiscriminate bombing and requires military forces to try to protect civilians from harm. It condemns attacks that intentionally or indiscriminately destroy civilian dwellings and such structures as schools, hospitals, and places of religious worship. And it prohibits measures that are intended to starve the civilian population or to deny them other necessities of life.⁸

The following are extracts from published materials in the public domain by the above-named humanitarian law experts that the Tribunal believes serve as surrogate testimony in support of concerns about war crimes, crimes against humanity, violations against international humanitarian law, genocide, and complicity for such acts in Israel's war on Gaza. Given the length, extent, and ongoing nature of the war in Gaza, the extracts are not presented to highlight any specific sequence of concerning events, but chronologically, as the named author, or author's, work was published.

NEVE GORDON AND MUNA HADDAD (MARCH 30, 2024)⁹

On October 9, following two days of extensive aerial bombing, the country's minister of energy and infrastructure, Israel Katz, announced that he had ordered water, electricity, and fuel to be cut off. "What was," he said, "will not be."

The same day, the defense minister, Yoav Gallant, demanded a "complete siege" of the enclave (Gaza): "there will be no food, there will be no fuel." (His reasoning has since become notorious: "we are fighting human animals.") On October 17 the national security minister, Itamar Ben-Gvir, insisted that "as long as Hamas does not release the hostages in its hands...not an ounce of humanitarian aid" would enter Gaza—only "hundreds of tons of explosives from the Air Force." The next day Prime Minister Benjamin Netanyahu put the matter in similarly stark terms: "We will not allow humanitarian assistance in the form of food and medicines from our territory to the Gaza Strip."

These were all declarations of an intent to deprive the Palestinians in Gaza "of objects indispensable to their survival, including willfully impeding relief supplies"—**the legal definition of "using starvation of civilians as a method of warfare," a crime against international law under the Rome Statute** (emphasis added). Israeli newspapers, television, and social media...were saturated with calls

to destroy the population, in whole or in part: to “erase” Gaza, “flatten” it, turn it “into Dresden.” On October 13—the day Israeli authorities ordered 1.1 million people in northern Gaza to evacuate their homes within twenty-four hours—the country’s president, Isaac Herzog, said publicly that there were “no innocent civilians” in the Strip.

The army has systematically attacked dozens of health care facilities, leaving one in three hospitals partially functioning and forcing doctors to operate under severely inadequate conditions on a constant stream of injured civilians, many of them civilians. This level of killing and destruction in such a short time is unprecedented in the twenty-first century. The UN special rapporteur on the situation of human rights in the Palestinian Territories, Francesca Albanese, concluded earlier this week that **“there are reasonable grounds to believe” that Israel has crossed the threshold of genocide** (emphasis added).

ARYEH NEIER (JUNE 6, 2024)¹⁰

References the international law definition of genocide: **“Intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such”** (emphasis added).

In late December (2023), when South Africa brought to the International Court of Justice (ICJ) its accusation that Israel was committing genocide in Gaza, I did not join some of my colleagues in the international human rights movement in their support of the charge. I was deeply distressed by Israel’s bombing campaign, particularly by its frequent use in densely populated areas of 500–and 2,000–pound bombs—**supplied by the United States** (emphasis added)—that were killing large numbers of civilian noncombatants...Yet I was not convinced that this constituted genocide.

I thought then, and continue to believe, that Israel had a right to retaliate against Hamas for the murderous rampage it carried out...To recognize this right to retaliate is not to mitigate Israel’s culpability for the indiscriminate use of tactics and weapons that have caused disproportionate harm to civilians, but I believe that Hamas shares responsibility for many of Israel’s war crimes.

And yet, believing this, **I am now persuaded that Israel is engaged in genocide against Palestinians in Gaza** (emphasis added). What has changed my mind is its sustained policy of obstructing the movement of humanitarian assistance into the territory.

Additional important protections for civilians were incorporated in two important Protocols to the Geneva Conventions adopted in 1977... **The Protocols outline many of the rules that the Israeli Defense Forces have been accused of violating in Gaza, including a prohibition on indiscriminate bombing and the use of starvation as a weapon of war** (emphasis added).

The International Court of Justice is considering the accusation that Israel is committing genocide in Gaza. The ICJ does not have criminal jurisdiction, and it is not able to adjudicate charges involving war crimes or crimes against humanity. Even so, if it ultimately finds that Israel has committed genocide, that will be a resounding defeat for a state that was born in the aftermath of a genocide many of its founders barely survived.

KENNETH ROTH (JULY 18, 2024)¹¹

None of Hamas's actions justifies Israeli violations of the laws of war...Still, by talking to witnesses there, using satellite imagery, and analyzing photos and videos that Israeli soldiers and Palestinian civilians have posted on social media, **it is possible to determine that the Israeli government has repeatedly violated international humanitarian law in ways that amount to war crimes** (emphasis added).

In November (2023) the Israeli magazine +972 reported that the Israeli army was destroying high-rise apartment buildings and public infrastructure to “create a shock” in Palestinian society—another unlawful use of military force.

Even when one or more people or structures are known to be legitimate military targets, international humanitarian law prohibits treating an entire populated area in which they might be located as a target. The Israeli Air Force claims that all of its attacks are “precise” and “focused,” but judging from the widespread destruction they have caused, they seem regularly to have been indiscriminate.

International humanitarian law also prohibits firing even on a known military target when the harm caused to civilians “would be excessive in relation to the concrete and direct military advantage anticipated.” ...Israel regularly violates it, most notably in its extensive use of enormous 2,000–pound bombs to attack Hamas's tunnels, such as in the densely populated Jabalia refugee camp.

When confronted with these war crimes (Israel's bombing and starving of Palestinian civilians), Israeli authorities often blame Hamas for using civilians as “human shields” and fighting in populated areas. Under international humanitarian law, using noncombatants “to render certain points, areas of military forces immune from military operations” is indeed a war crime...**Hamas often disregards these requirements, but that does not relieve Israel of its responsibilities to comply with its own duties under international humanitarian law. Notably, it does not justify attacks that are indiscriminate or cause disproportionate harm to civilians** (emphasis added).

International humanitarian law also requires warring parties to allow humanitarian aid to reach civilians in need. The Israeli government blames everyone but itself for the severe shortage of food in Gaza, but Israeli authorities have been the primary impediment. **They have imposed enormous obstacles to the delivery of aid,**

particularly food—a policy that amounts to using starvation as a weapon of war (emphasis added).

SARI BASHI (OCTOBER 2024)¹²

Forced displacement can amount to a war crime. Using starvation as a weapon of war is always a war crime. Since October 1 (2024) the Israeli military has ordered some 400,000 people in northern Gaza to leave their homes and blocked aid from reaching them—risking both crimes again and again (emphasis added).

Israeli operations in Gaza have been ongoing for more than a year after Hamas-led fighters committed crimes against humanity in southern Israel...From the outset, senior Israeli officials said that they held everyone in Gaza responsible for the October 7 attack. They closed Gaza's crossings, blocked aid, and cut the supply of electricity and drinking water. Israeli Prime Minister Benjamin Netanyahu vowed to turn Gaza into "cities of ruins."

For a year, in violation of three provisional orders from the International Court of Justice, Israeli authorities have allowed only a trickle of aid to enter Gaza, impeding humanitarian missions, especially in Gaza's north, decimating the civilian infrastructure, and killing aid workers (emphasis added). Almost everyone in Gaza is struggling to get adequate food, and for a half a million people, the shortages are catastrophic. Malnutrition has killed children, most hospitals are not functioning, and infectious diseases, including polio, have spread.

Israeli authorities say they issued the latest evacuation orders for the north...to give civilians a chance to flee to safety as the Israeli military targets Hamas. But there's mounting evidence that the Israeli military. Is unlawfully forcing civilians out of northern Gaza, with no safe place to go, no safe way to get there, and no apparent plans to let them return.

International humanitarian law prohibits forcible transfer or deportation of an occupied population (emphasis added). A narrow exception allows temporary evacuation as a measure of last resort...But that requires the Israeli military to ensure that civilians are safely moved, and that they can get necessities such as food, water, health care, and shelter, and that people are allowed to return home as soon as possible...

The Israeli military has not met those conditions during the past year, and there's little hope they will do so now. A week into the hostilities last October, the Israeli military ordered more than a million people in northern Gaza (almost one half of Gaza's population) to leave their homes, without providing a safe destination and sometimes attacking them as they fled.

Civilians maintain their protected status whether or not they heed military evacuation orders, and the Israeli military—as the occupying power—must ensure

that adequate aid reaches them wherever they are...The United States reportedly wrote to the Israeli government on October 13 (2024) demanding that it let more humanitarian aid enter the Strip. It's not the first time the US has made that demand, with little effect. It's time for the US to take concrete action and **suspend military assistance to Israel, to avoid complicity in the spiraling abuses against civilians in Gaza** (emphasis added).

JAMES A. GOLDSTON AND ARYEH NEIER (DECEMBER 2024)¹³

On November 21 (2024), when three International Criminal Court judges issued arrest warrants for leaders of Israel and Hamas, the decision drew a frenzy of hostile and often ill-informed reactions from many American lawmakers and defenders of Israel. The incoming senate majority leader, John Thune, had already called the charges against Prime Minister Netanyahu and former Defense Minister Yoav Gallant “outrageous and unlawful” and promised that imposing sanctions against the ICC would be a “top priority in the next Congress.” Now Senator Lindsey Graham threatened to “sanction any country that aids and abets the arrest of any politician in Israel,” including Britain, Canada, France, and Germany.

Earlier this year (2024) the **International Court of Justice concluded that “the right of the Palestinians in Gaza to be protected from acts of genocide” was plausibly in jeopardy. Amnesty International has just issued a meticulously documented report arguing that Israeli officials have manifested the intent required to justify the accusation of genocide** (emphasis added). But the ICC arrest warrants do not charge genocide. Rather, **they accuse both Netanyahu and Gallant of responsibility for the war crimes of starvation as a method of warfare and intentionally directing attacks against the civilian population of Gaza, as well as the crimes against humanity of murder, inhumane acts, and persecution** (emphasis added).

What we do know is that aerial bombardments of apartment houses, tent encampments, schools, hospitals, and other public buildings have caused the most deaths and injuries. Israel has frequently used five-hundred-pound, one-thousand-pound, and even two-thousand-pound bombs (provided by the United States) in Gaza’s crowded environs (emphasis added).

OMER BARTOV (MARCH 2025)¹⁴

The Israelis are perpetrating a genocide in Gaza because they perceive Palestinians as savages, but they justified it as a response to another potential genocide that would be akin to the holocaust, carried out by Hamas militants who were rehearsing for another Final Solution. Former prime minister Naftali Bennett was one of many who insisted that “we are fighting Nazis.”...In a poll conducted in Israel in May 2024, more than half the respondents said that the Hamas attack could be compared to the Holocaust.

If we take into account the killed, the wounded, the thousands buried under the rubble, the thousands of “indirect” deaths due to the destruction of most medical facilities, the thousands of children who will never fully recover from the long-term effects of starvation and trauma, we can undoubtedly conclude that Israel has deliberately subjected the Palestinian people in Gaza, most of whom are refugees from the partition of Palestine in 1948 or their descendants, to “conditions of life calculated to bring about its physical destruction in whole or in part,” as stated in Article II(c) of the 1948 UN Genocide Convention. The rest of the world, especially Israel’s Western allies and Jewish communities in Europe and the United States, will have to grapple with this reality for many years. How was it possible, well into the twenty-first century, eighty years after the end of the Holocaust and the creation of an international legal regime meant to prevent such crimes from ever happening again, that the state of Israel—seen and self-described as the answer to the genocide of the Jews—could have carried out a genocide of Palestinians with near-total impunity? (emphasis added)

The long-term consequences of this travesty may, however, be that the genocide in Gaza will finally liberate Israel of its status as a unique state rooted in a unique Holocaust. This will hardly help the tens of thousands of Palestinian victims or the victims of the Hamas massacre, the dead and dying hostages or their broken families. But the license that Israel, the land of the victims, has long enjoyed and abused may be expiring. The sons and daughters of the next generation will be free to rethink their own lives and future, beyond the memory of the Holocaust; they will also have to pay for the sins of their parents and bear the burden of the genocide perpetrated in their name (emphasis added).

Summary of the Philadelphia People's Tribunal Witness Testimony

The People's Tribunal of Philadelphia incorporated testimony from Palestinians in Gaza, attorneys, humanitarian aid workers, and community members, including Philadelphia-based Palestinian Americans and organizers.

OPT: The Tribunal lead attorney, King Downing, gave an opening testimony describing the focus of the Tribunal. The arguments and testimony were for jurors to weigh as evidence to indict all three branches of the U.S. Government, under both President Biden and Trump, on levels ranging from the national to local.

The first tribunal was in Nuremberg, 1945, following World War II. It set a precedent for governments and communities for what a tribunal could present and accomplish. Karl Jaspers, following the consequent Nuremberg Trials, penned *The Question of German Guilt*, which questioned the political and moral responsibility of the German people in Nazi Germany's crimes, largely individual and criminal. Attorney Downings presented three of the four forms of guilt Jaspers outlined in his work:

1. Criminal guilt: criminal guilt of individual actions
2. Political guilt: guilt of the collective, for active participation but also tacit consent (there are no bystanders)
3. Moral guilt: often not addressed in criminal and civil courts due to the First Amendment, this encompasses the moral obligation for one to reflect on their action or inaction and existential justifications given for these actions and inactions

The first testimony was from Nada, a resident of Sheik Aljeen in Northern Gaza, a 21-year-old woman, born and raised in Gaza, who had been studying nursing. (She gave testimony via Zoom):

She shared that her education had been cut short after October 2023. While online coursework had been taken, she had had to discontinue due to financial hardships. In her day-to-day, she tried to keep her younger siblings (ages 10 and 11) educated through hour-long lessons. Israel had targeted and destroyed all schools and hospitals.

She reconstructed the story of her and her family's displacement: on October 22nd, they were called at midnight and told to move. They knew that when Israel entered a region, everything would be destroyed. She witnessed the shooting death of her pregnant best friend by Israeli soldiers, and she struggled to convey the effects of such an experience—to have your friend slump over onto your side, when moments prior she was alive and sitting next to you.

They spent 22 days without food and having to drink water from the bathroom. While they were travelling on a “safe road,” she watched neighbors dragged away and “deleted from life.” Her mother’s family was killed in its entirety: “What can I do to help my mother”? Even now, on Zoom, she could hear bombs exploding.

She has visited her village. There was not a single home remaining, though people were starting to rebuild. The bombing of hospitals decimated already limited supplies of antibiotics, painkillers, and dressings. Thieves with guns, controlled by Israel, would steal everything from hospitals, including ambulances. They would also steal jewelry and phones, often targeting women.

Women were significant victims of this violence. Their husbands and children would be killed, and they would be left with the responsibility of finding food, water, and money for their remaining children and family members. Women would be taken off of roads and made to strip while soldiers mocked them, as thousands watched.

She had gone months without sufficient food and weighed around 39kgs now (86lbs). The markets only take cash, but bank transactions take five to seven days, with a \$40 fee and 30% cut from banks. A tomato is \$10, a small bag of flour \$400.

There was anger at Israel—everyone wanted a break, a breath. She wants to complete her education. They all hate the government—the U.S. has the power to stop Israel, yet Trump is playing on emotions. She appreciated the citizens of our country for amplifying voices and coming together to share resources.

A prerecorded video of Nada was shown after her testimony, and many tears were shed in the room as we witnessed her crying out and sobbing with joy over finding her burned nursing certificates and a small bag of toiletries (perfume, lip gloss) amidst all that remained of her home (dust and rubble). Videos and images of life before October 2023, of family celebrations and beautiful coastlines, were contrasted with the devastation—the nothingness—that remained of the village.

Eileen Weitzman, a social worker, attorney, and artist with experience in housing law and immigration and police brutality work, testified in-person:

She spoke about the international and U.S. domestic laws restricting military aid she had researched for U.S. complicity. These laws are presented in full in the section **Summary of International Law: Genocide, War Crimes, and Crimes Against Humanity**, above.

Yousef Aljamal testified from Belfast, Ireland via Zoom:

He resides in Belfast, having grown up in a refugee camp in Gaza. He is currently the Gaza AFSC Coordinator.

He began by stating that 70% of Palestinians are refugees, with more than

100,000 in each of the original eight camps. These camps did not have access to water, electricity, or sanitation, and had been funded by UNRWA.

He shared that life was never normal in Gaza. Gaza had been in total siege starting 2007, and he grew up with bombings and electricity outages every day. Ninety percent of the water was unsanitary, and from 2014 through October 7th, a majority of his friends had been killed. Generations grew up in siege and occupation, including regulations on fishermen. Education had been all they had, but now schools were being targeted, and educators and students killed.

His family had been forced to move to a refugee camp by gunpoint in 1948, and he had come from generations inheriting refugee status.

Israeli permits were necessary to receive healthcare outside of Gaza, with all of the healthcare being controlled by Israel. This presented opportunities for blackmail from the Israeli government: these permits were attached to information about families and coercion of Gazans into informants for the Israeli government, with permits still denied regardless. This circumstance existed for students trying to leave for their education, even their faces being used in propaganda.

The use of technology for surveillance and restriction was extreme, from facial recognition to the restriction of water, Internet, and television.

Since October 7th, his sister had also been killed, his father dead from lack of medicine, and 40 other members of his family passed. Their homes had all been destroyed. Israel was now targeting high rises in Gaza City, forcing further displacement. Everything was being targeted—nature, people, and infrastructure. Fifty pounds of flour costs \$700, which 99% of Gazans cannot afford.

The Gaza Humanitarian Fund was a humiliating entity, having killed 60 and injuring 100 in their “aid distribution efforts.” AFSC and UNRWA, which had worked in Gaza for decades (AFSC for 150+ years), were not allowed into Gaza, despite there being a need for 500 aid trucks a day to minimize starvation. Replaced now by the Gaza Humanitarian Fund, he described the conditions as concentration camps, with not enough aid being distributed and people being shot and killed in distribution. An Israeli American businessman had founded the organization (the Gaza Humanitarian Fund) and resigned because he had felt misled by the Israeli government.

Yousef spoke of how he could discern the weapons being deployed, having grown up hearing the bombs every day. He could tell when weapons testing was being done on Palestinians, Gaza serving as a testing field for the Israeli military. They felt like earthquakes. Drones shot into homes, displacing and killing people. Medicine was tested on Palestinians in Israeli jails.

This was a genocide. The depopulation of Gaza started in the late 1950's and

1960's. The sheer amount of killing and destruction, including the mass destruction of infrastructure (schools, cultural centers, hospitals, roads, universities) motivated this conclusion. Now, anyone and everyone could be killed, in their cars, on roads, in tents, in their homes, even if they were humanitarian aid workers. Ben Gvir (Israel's minister of national security) himself had stated intentions to depopulate Gaza. These atrocities were being committed by U.S. tax dollars, and the weaponry U.S. supplied. It took a genocide for Palestinians to be seen, but this could be a turning point: "Our day will come". He sees a gap between citizens and politicians, questioning the U.S. government's insistence in supporting the Israeli government, referring to lobbies and money in our political system. But even in politics, he sees a slow change occurring.

Dauoud Kuttab, a Palestinian journalist, testified from Jordan via Zoom:

He grew up in Jerusalem, went to school and university in the U.S., then returned to Jerusalem for journalism; he had written about Palestine from the beginning of his career.

A carton of eggs costs \$120, and people are living off lentils, their homes completely destroyed.

He shared that there is currently no freedom of movement and no freedom of the press in Gaza. There is no status of journalists currently—they are not recognized by the Israeli government. TV and Press vests mark journalists as enemies and targets rather than offering protection. Many journalists have already been killed. International press and foreign journalists are not allowed into Gaza. Israel has justified the killing of journalists by stating they are releasing propaganda; however, under the Geneva conventions, even propaganda journalists must be protected as citizens and only attacked if carrying a gun or active in combat.

He spoke on the hypocrisy of Western media. Usually when journalists are not allowed into a place, that is reported on. However, there has not been resistance to the blockade or reports made. Most reporters are Palestinians, so it has been easy for Israel to frame their reports as propaganda, allowing them to have a monopoly on the narrative. Israeli military personnel and AIPAC (American Israel Public Affairs Committee) have a presence in the media, going so far to misstate Palestinian voices. Such a case was the bombing of Al-Shifa Hospital under claims of Hamas tunnels, which was never corroborated.

While his colleagues and friends in Western media have tried to resist, writing letters and complaints, these are not working due to corporate interests. During that time, over 200 journalists have been killed in Gaza, and all media infrastructure bombed. Even before October 7th, however, there have been cases of journalists being shot and killed while filming. On the state of Palestinian media, he argued for a need of playing human interest stories and creating stories that are overwhelming. "We need to humanize the Palestinians," and it is not about

numbers and deaths. He stated that every single one is an individual, whole human being. While social media has been a tool to share these stories, there has been a downgrading and silencing of such voices by the media, including algorithm issues and shadow banning. Some have found workarounds, but the issue remains.

The destruction of cultural artifacts and identity have been overwhelming. The third oldest Christian church was destroyed, killing 18 when the walls fell and buried them. Gaza and Palestine are some of the oldest places in the world, and everything is being destroyed. As for apartheid in East Jerusalem, he told a story of a pastor in Gaza (a U.S. national) who was invited to a Christian conference in Bethlehem. Despite getting travel permits, he was held up on the Kin Hussein Bridge, and turned back; no one connected to Gaza is allowed to enter.

Mr. Kuttab spoke of Palestinian statehood and the right to self-determination: Netanyahu and his Cabinet have blocked this; the indirect funding of Hamas by the Netanyahu government is evidence of this. He spoke of how the U.S. is complicit and has aligned itself strongly with Israel. In the days after October 7th, U.S. officials repeated lies and propaganda on and on, with no fact checking. He concluded that U.S. officials have been lying to the media, and that there were concrete failures and a lack of government accountability.

Jonathan Kuttab gave testimony in person:

He is an attorney specializing in human rights and international law (a member of the bar for New York, Israel, and Palestine). He is also a university lecturer and Washington Arab Center fellow.

He shared that the context of international law is that it has developed over the years but has always been a practice of nations throughout history. Following WWI, the first efforts to codify international humanitarian law were made. People pushed governments to adopt such codifications in writing—if two-thirds of nations adopted, the code would officially become international law.

The U.S. and Israel have both adopted laws which punish and prohibit the practice of genocide, classifying it as a punishable crime. Genocide is different in different contexts, but: “The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.” He recounted that 15 judges of the ICC, including those who are Zionist, the South African judges, and Israeli judges all agreed that the cutting off of food is a crime of genocide as well as incitement of genocide. There has been full control by Israel, as an occupying power, over food, and they have prevented any from coming into Gaza. However, as an occupying power, they have the responsibility to provide basic needs, and not only this but to prevent others from having to provide these needs for them.

Article II of this Convention on the Prevention and Punishment of the Crime of

Genocide states: "Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a. Killing members of the group;
- b. Causing serious bodily or mental harm to members of the group;
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. Imposing measures intended to prevent births within the group;
- e. Forcibly transferring children of the group to another group."

Only one of these is enough to show proof of the intent to commit a genocide. He argued that Israel has been using clear, open language of genocide which shows incitement and intent for genocide: for example, over 500 statements from officials (religious leaders, in the news, commentators, journalists, etc.) are openly genocidal. In fact, he stated it was difficult to find a single genocide scholar who would not call this a genocide, especially following the breaking of the first ceasefire. The limiting of aid trucks, plans for distribution, and restricting of food are all genocidal. However, the media and people have not wanted to deal with the consequences of being open that this is a genocide.

Article III of the Convention states: "The following acts shall be punishable:

- a. Genocide;
- b. Conspiracy to commit genocide;
- c. Direct and public incitement to commit genocide;
- d. Attempt to commit genocide;
- e. Complicity in genocide."

On complicity, international decisions that describe this include aiding and abetting genocidal acts, and all acts of assistance and words and acts of encouragement. Complicity can be direct and indirect, and it is a universal crime with universal jurisdiction that has no statute of limitations. The question for U.S. and local officials, he stated, was whether they had intent, and had the knowledge for intent. The fact that a ceasefire alone is controversial, that there is hesitation, shows such complicity.

Tribunal next played a short film from AFSC," Lifeline," followed by in person testimony from Zoe Jannuzi:

The film showed the inhumane conditions of displaced Palestinians and humanitarian aid workers, as well as the sheer destruction Gaza had undergone as of late 2024. Zoe Jannuzi, an AFSC in-person resource coordinating for Palestine, answered questions from the jury. She shared, "You are human as long as you support those around you".

Joyce Ajlouny, a Palestinian, third generation Quaker, now the Washington D.C. American Friends Service Committee General Secretary, testified via Zoom:

She grew up in a small Quaker community in Ramallah, and attended a Friends

school, which led to her involvement with AFSC. She started by sharing that violence against Palestinians began with killings by Zionist militias. Every aspect of life was controlled, from electricity to relocation.

The politicization of aid and food has been unprecedented. She shared that these were never before seen circumstances: open air camps where people were not allowed to leave, continuous bombings, and the restriction of access to all lifesaving things. In essence, there was the complete collapse of everything.

On moral guilt and Quaker values, she stated Palestine was our era's "moral compass," for individuals, international bodies, and powerful countries. It has been a revealing moment, morally and ethically. Quakers believe that any desecration of a spirit is wrong, and silence and inaction has perpetuated this harm. But there has been persistence--joy despite the conditions.

Legislative motions have frozen free speech, refusing to acknowledge or speak of genocide, curtailing free speech, and labelling such speech as anti-Semitic.

Sam Kuttab, a Philadelphia-based Palestinian American leader, testified in-person:

He was born in Bethlehem, raised in Jerusalem, and has called Philadelphia home for 40 years. He spoke of the fear within Philadelphia's Palestinian American community, especially amongst those from Gaza. Fear of deportations and danger to loved ones, including threats from ICE, were serious concerns, not to mention fear for their families in Gaza and the harm that they might be enduring.

Mr. Kuttab himself has lost 16 family members. He spoke of fears amongst those who are speaking out: doxxing by Israeli news; FBI and ICE interrogations of students calling for a ceasefire; silencing of voices just calling for the bombings to end. This fear is very real and perpetuates. These people are not anti-Semitic, anti-Jewish, or anti-Israel, even; they are calling for the countless deaths of children, aid workers, doctors, the bombings of hospitals, mosques, churches to end.

He shared a first-hand story of an individual who had been asked to testify and declined out of fear. There could have been real repercussions, including expulsion. However, it is undeniable to him that what has been occurring is devastating, and a genocide—one that we are not acknowledging.

As part of the Prayers for Peace Alliance, he sees reasons to be hopeful. As a group that includes many religious and cultural backgrounds, he has found that many people are feeling the sentiment, "Not in our name." As a city with so many peace- and justice-oriented organizations, he called on Philadelphia to stand together and make change on the ground. As for a moral and just response from our elected officials, he saw, currently, a refusal to uphold existing laws and asked them to represent our will, not the will of another country.

Tribunal lead attorney King Downing then presented evidence about the American Israel Public Affairs Committee (AIPAC):

AIPAC was founded between 1951-1954 to garner bipartisan support for Israel, to promote pro-Israel legislation, and to lobby for U.S. aid for the Israeli military. In the past election cycle, they have spent \$50 million on advertising, with the Washington Post reporting \$56 million spent on funding federal election candidates directly. Twenty-three million dollars was used to oust Cori Bush and Jamaal Bowman. Fifty-one of eighty pro-Israel PACs are controlled by AIPAC. One of their projects was the United Democracy Project, in which of the 469 seats open in the 2024 elections, AIPAC funded 80% of the seats (363 in the House and 26 in the Senate), sending \$17 million to 223 Republicans and \$28 million to 28 Democrats.

He also outlined the aspects of a genocide, as follows:

1. Killing of people and children in large numbers
2. Serious bodily and mental harm inflicting destructive conditions on people and children
3. Expulsion from land in large numbers
4. Deprivation of access to food and water
5. Deprivation of access to medical care
6. Deprivation of access to clothes, hygiene, sanitation, and shelter
7. Destruction of life of the people, including culture
8. The prevention of births including deprivation of access to prenatal and maternity care
9. Killing and maiming of journalists to suppress information about these acts
10. Free speech attacks on academics and Palestinians

Final testimony was heard from local grassroots advocates representing Reclaim Philadelphia, Peace Justice & Sustainability Now!, and Fridays @ Fetterman's, all of whom testified in person:

Reclaim Philadelphia spoke about how Pennsylvania alone has spent \$48 million in support of Israel and the Israeli military. They highlighted how that money could have been spent to support the local community by presenting three alternative projects, each with a budget of \$16 million. The first would be investment in climate, e.g., planting trees, especially in low-income neighborhoods where temperatures in the summer rise more than other areas of the city due to lack of shade. The second was on harm reduction, and the third was for housing, including whole home repairs to mitigate the harmful effects of old housing (such as lead pipes and faulty plumbing and heating/cooling systems).

Peace Justice & Sustainability Now! focused on Senators Bob Casey and David McCormick's complicity. Senator Casey has supported Israel, and the supplying of the Israeli military with arms. While he has appeared to support humanitarian aid

access legislation and a two-state solution, his actions were different in policy, especially around the time Biden was withholding large bombs from Israel. Senator McCormick has been callous towards Israel's violations of international and domestic law, showing bias towards the notion that all Palestinians are Hamas and supporting an Israeli nonprofit that has shared rhetoric about Hamas' involvement in UNRWA. There has been complicity in what the Trump administration has been doing, and he has voted against an arms cutoff to Israel and against the reinstatement of UNRWA funding.

Fridays @ Fetterman's gave a comprehensive presentation on their work and research on Senator John Fetterman. They illustrated how Senator Fetterman has furthered the interests of Israel rather than the interests of the U.S. and his constituents. Rather than calling for an immediate ceasefire from the beginning, he has supported and encouraged Israel's use of weapons of mass destruction in Gaza. In January 2024 he condemned the South African government for bringing a case of genocide against Israel in the International Court of Justice. In May of 2024 he attacked the Biden administration for its possible halt of a shipment of 2,000-pound mega bombs to Israel. In November 2024 Senator Fetterman criticized Pope Francis's statement indicting Israel's actions as a genocide while calling for international investigation; the Senator defended Israel instead. In February 2025, Senator Fetterman gave President Trump's AI rendering of a U.S.-owned Gaza Strip credence, and suggested Palestinians as a whole are responsible for October 7th. In March 2025 he traveled to Israel and accepted Netanyahu's gift of a ceremonial pager, which carried chilling symbolism—a gift celebrating Israel's use of exploding pagers to kill and injure civilians, children, and perceived enemies in Lebanon and Syria. Fridays@Fetterman's concluded by sharing a video of Senator Fetterman repeating the same Zionist propaganda over and over when encountered by members of their organization in Washington, D.C. in April 2024.

In his closing arguments, Tribunal lead attorney King Downing stated that genocide is not a question of politics. He shared the fourth and final form of guilt that had been dissected by Karl Jaspers, the first three of which had been presented in his opening statement (criminal, political, moral): metaphysical. The metaphysical guilt weights on those who did not fight to prevent these acts being done in our names.

Tribunal lead attorney Downing then indicated that the Tribunal jurors would be receiving Charging Statements from the Tribunal judges, and would be responsible for determining the extent to which Crimes Against Humanity, Genocide, War Crimes, and U.S. Complicity may have occurred. The jury would present its findings in a report of The Philadelphia People's Tribunal, to be presented at a future date.

Analysis of Crimes Against Humanity, Genocide, War Crimes, and U.S. Complicity in the Ongoing Crisis in Gaza

The extensive documentation of international legal instruments, conventions, and customary norms presented in the previous sections highlights a clear framework for identifying, preventing, and prosecuting mass atrocities such as genocide, war crimes, and crimes against humanity. When this legal architecture is applied to the current situation in Gaza, there emerges a strong basis for concluding that crimes of the highest order under international law are being committed. Moreover, U.S. political and military support, particularly through arms transfers and diplomatic shielding, constitutes legal and moral complicity.

Philosopher Karl Jaspers, in his 1946 work The Question of German Guilt (Die Schuldfrage), outlined four types of guilt to help post-war Germany confront the Holocaust and Nazi atrocities:

1. Criminal Guilt – Legal responsibility for actions that violate the law, subject to judicial punishment.
2. Political Guilt – The accountability of citizens for the actions of their state, particularly in collective governance.
3. Moral Guilt – Individual ethical responsibility for one's personal actions or failure to act against injustice.
4. Metaphysical Guilt – A philosophical and spiritual guilt arising from shared human solidarity and failure to prevent suffering.

CRIMES AGAINST HUMANITY AND WAR CRIMES IN GAZA

According to the Rome Statute of the International Criminal Court, war crimes include willful killing, starvation of civilians as a method of warfare, unlawful deportation, and destruction of objects indispensable to civilian survival. Crimes against humanity involve widespread or systematic attacks on civilians, including murder, persecution, forcible transfer, and collective punishment. The blockade of Gaza, sustained bombardment of civilian infrastructure, starvation, forced displacement, and deliberate obstruction of humanitarian aid plausibly fulfill these criteria.

Article 33 of the Fourth Geneva Convention and Article 54 of Protocol I to the Geneva Conventions strictly prohibit collective punishment and the destruction of essentials for civilian survival. The destruction of water infrastructure, health services, and restriction of food and medical aid all point to violations of these norms.

GENOCIDE AND SPECIFIC INTENT

The Genocide Convention defines genocide as acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. Actions such as mass killing, starvation, infliction of conditions of life calculated to destroy a group, and forcible transfer of children are named in Article II of the Convention. These are echoed in Article 20 of the ILC Draft Code of Crimes Against the Peace and Security of Mankind.

Evidence of genocidal intent (*dolus specialis*) may be inferred not only from the scale and pattern of violence but also from statements made by political and military officials in Israel, as well as the systematic targeting of civilians and essential services. These may fulfill the legal threshold for genocide under Article II(c) of the Convention and Article 6 of the Rome Statute.

LEGAL OBLIGATIONS AND U.S. COMPLICITY

The United States is bound by numerous international and domestic laws that prohibit support for foreign forces engaged in grave human rights violations. Section 620M of the Foreign Assistance Act ("Leahy Law") and Section 361 of Title 10 of the U.S. Code forbid the provision of military aid to units credibly accused of gross violations of human rights. Articles 16 and 41 of the ILC Draft Articles on State Responsibility further clarify that knowingly aiding a wrongful act such as genocide or crimes against humanity makes a state complicit and legally responsible.

The continued supply of military assistance, including precision-guided munitions and diplomatic protection in international forums, despite widespread reports of atrocities, may implicate the U.S. under these provisions. According to Jaspers' framework, American political leadership and civil society may also bear moral, political, and metaphysical guilt for failing to stop—or actively enabling—ongoing atrocities.

CONCLUSION

The legal frameworks for defining and prosecuting genocide and crimes against humanity are robust and clear. The documented actions in Gaza, coupled with credible reports, including testimonies we heard during the Tribunal, and legal analysis, strongly support allegations of such crimes. The United States, as a major military and diplomatic backer, must urgently reassess its role to avoid further legal culpability and moral disgrace. It has not only a legal obligation but a profound ethical responsibility to prevent and end such atrocities.

Charging Statements

PHILADELPHIA PEOPLE'S TRIBUNAL ON WAR
CRIMES AND GENOCIDE IN GAZA

V.

THE BIDEN ADMINISTRATION

THE CURRENT TRUMP ADMINISTRATION

SEN. FETTERMAN

SEN. MCCORMICK

SEN. CASEY

JURY'S FINDINGS

We, the jury in the above captioned People's Tribunal, issue the following findings:

- 1. We find that acts of genocide, as defined by the Geneva Convention and other sources, are being committed by the State of Israel on the people of Gaza.**

Immediately following the Hamas-led attack on Israel of October 7, 2023, Israel— one of the world's most powerful military states—initiated an aerial bombardment and a ground invasion of Gaza, a subjugated territory that has been under direct or de facto Israeli control since 1967. While international law recognizes a nation's right to self-defense in response to an armed attack against its people and lands, it still requires the aggrieved nation to prioritize the protection of civilian populations and prohibits systematic destruction of the infrastructure that supports that health and safety of civilians. The perceived justness of one's cause is distinct from the legality of how one fights. International humanitarian law makes clear that no cause justifies genocidal retribution.

The testimony and evidence submitted at the Tribunal, along with additional evidence compiled by the jurors, has conclusively demonstrated that Israel has violated the United Nations Genocide Convention:

- Israel has purposefully targeted civilian populations in Gaza, resulting in the deaths of at least 55,000 people—most of them non-combatants, and roughly half women and children.
- Israel has systematically displaced nearly 2 million Gazans from their homes.
- Israel has intentionally impeded relief efforts including food distribution and access to water and sanitation in the fashion of psychological warfare.
- Israel has carried out the deliberate destruction of Gazan infrastructure, including schools, universities, libraries, museums, hospitals, cultural heritage sites, fishing access, and the land itself.

The evidence also shows that Israel's actions in Gaza cannot substantiate its claim to be acting in self-defense, or acting to free its citizens from captivity, or even any reasonable claim that its military forces are pursuing a defined military victory over Hamas, the governing authority in Gaza.

Rather, the evidence shows that Israel is attempting to destroy the societal fabric that allows for Palestinians to continue to live in Gaza and its purpose is to ultimately remove the Palestinian population from the entire territory or to bring about the Palestinian population's physical destruction in whole or in part.

Jonathan Kuttab, an attorney specializing in human rights and international law, testified at the Tribunal that it was difficult to find a single genocide scholar who would not call this [Israel's acts in Gaza] a genocide.

The Tribunal jury finds that Israel's actions and its intent in Gaza are in violation of the Genocide Convention adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951.

2. Having found that the State of Israel is committing acts of genocide on the people of Gaza, we further find the Biden Administration to have been complicit in those acts.

On 19, 2023, then-President Biden gave a national address in which he said he would be "asking Congress to [make] an unprecedented commitment to Israel's security that will sharpen Israel's qualitative military edge [in Gaza]."

Subsequently, the Biden Administration implemented a comprehensive policy to provide Israel with the diplomatic, financial, and military support it required to carry out a genocidal war on the civilian population of Gaza:

- On December 29, 2023, the Biden Administration notified the US Congress of a \$147.5 million arms sale to Israel, declaring an emergency existed that justified bypassing Congressional review.
- Through the Biden Administration, the U.S. delivered massive arms transfers to Israel including:
 - MK82 500-pound bombs
 - MK84 2,000-pound "bunker-buster" bombs
 - Billions of dollars' worth of additional munitions and military support equipment including Hellfire missiles and thousands of rounds of tank and artillery shells.

In addition to critical financial and military support for Israel's assault on Gaza, the Biden Administration also used its diplomatic leverage to protect Israel from international sanction. Three times during its time in power, the Biden Administration used its veto power on the U.N. Security Council to block a call for an immediate cease-fire in Gaza.

Article III of the UN Genocide Convention clarifies that "complicity in genocide" is illegal and describes complicity as "...aiding and abetting genocidal acts, and all acts of assistance and words and acts of encouragement..."

The Tribunal jury finds that the Biden Administration was complicit with Israel's genocidal acts in Gaza and was in violation of the Genocide Convention adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951.

3. Having found that the State of Israel is committing acts of genocide on the people of Gaza, we further find the current Trump Administration to be complicit in these acts.

The Trump Administration has continued the policy of providing Israel with the diplomatic, financial, and military support required to carry out a genocidal war on the civilian population of Gaza:

- On February 28, 2025, the Trump Administration's Department of State declared an emergency to bypass Congressional review and notified Congress of three potential arms sales to Israel via the Foreign Military Sales process. The arm sales included \$2.04 billion for 35,529 2,000-lb bombs and 4,000 I-2000 Penetrator warheads, and \$675.7 million for nearly 5,000 1,000-pound bombs and guidance kits
- On June 4, 2025, the Trump Administration used its veto power on the U.N. Security Council to block a call for an immediate cease-fire in Gaza.

The Trump Administration also played an integral role in establishing the Gaza Humanitarian Foundation (GHF), an American organization based in Delaware, to distribute humanitarian aid in Gaza. The GHF has been criticized by the United Nations and almost all humanitarian groups for politicizing aid distribution, and for complicity in Israel's objective to depopulate Palestinians from Gaza. Since the GHF began food distribution in southern Gaza—bypassing the established UN-led system—hundreds of Palestinians have been killed and many more wounded near distribution points or while waiting to pick up food aid. Yousef Aljamal, the Gaza Coordinator of the Palestine Activism Program for the American Friends Service Committee, testified at the Tribunal that the GHF had established “concentration camps, with not enough aid being distributed and people being shot and killed during [food] distribution.”

Based on the evidence, the Tribunal jury finds that the Trump Administration is complicit with Israel's genocidal acts in Gaza and is in violation of the Genocide Convention adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951.

4. Having found that the State of Israel is committing acts of genocide on the people of Gaza, we further find U.S. Senator John Fetterman to be complicit in these acts.

Early on after the horrific attacks of October 7, 2023, when the United Nations and the international community called for an immediate ceasefire and the release of all individuals held captive by Hamas, U.S. Senator John Fetterman (D-PA) rejected a peaceful, negotiated resolution to the crisis, and supported and encouraged Israel's use of weapons of mass destruction in Gaza.

Over the next year and a half, Senator Fetterman embraced the role as Israel's leading champion in the U.S. Senate:

- When the Biden Administration considered halting a shipment of 2,000-pound mega bombs to Israel in May of 2024 out of a well-founded fear that they would be used to decimate the city of Rafah, Senator Fetterman attacked Biden in a social media post, declaring emphatically, “I don't think we should be withholding any munitions...I think we should be sending them

immediately.”

- In recognition of Senator Fetterman’s role as propagandist for Israel’s war in Gaza, Israeli Prime Minister Netanyahu presented him a gift of appreciation during a visit to Israel in March of 2025.
- Senator Fetterman’s actual votes in the U.S. Senate have provided a sword to batter Gaza and a shield against international accountability:
 - Senator Fetterman voted for a \$15 million special military aid package to Israel in April of 2024
 - Senator Fetterman voted for U.S. sanctions against the International Criminal Court for issuing arrest warrants for Israeli Prime Minister Netanyahu and Israeli military officials accused of war crimes
 - Senator Fetterman cast a vote against Congressional disapproval of sending offensive military weapons to Israel for use in Gaza.

Based on the evidence, the Tribunal jury finds that US Senator John Fetterman is complicit with Israel’s genocidal acts in Gaza and is in violation of the Genocide Convention adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951.

5. Having found that the State of Israel is committing acts of genocide on the people of Gaza, we further find U.S. Senator David McCormick to be complicit in these acts.

U.S. Senator David McCormick (R-PA) made a highly publicized visit to Israel on his first trip overseas after taking office in January of 2025. When in Israel, McCormick reiterated his strong support for Israel’s war in Gaza. When Pennsylvania’s freshman senator was selected to chair the influential Senate Foreign Relations Subcommittee on Near East, South Asia, Central Asia, and Counterterrorism, he announced, “I am honored to chair a subcommittee on such critical issues. I see this as a great opportunity to strengthen the U.S.-Israel alliance.”

While Senator McCormick is relatively new to the office and does not have Senator Fetterman’s voting record on funding the war or the Democratic senator’s high-profile status as a defender of Israel, he has clearly positioned himself as a staunch supporter of Israel’s policies in Gaza.

Based on the evidence, the Tribunal jury finds that US Senator David McCormick is complicit with Israel’s genocidal acts in Gaza and is in violation of the Genocide Convention adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951.

6. Having found that the State of Israel is committing acts of genocide on the people of Gaza, we further find former U.S. Senator Robert Casey to have been complicit in those acts.

When former U.S. Senator Casey (D-PA) was in office from October 7, 2023, to January 3, 2025, he consistently proclaimed his support for Israel’s war in Gaza. In May of 2024, during a visit to the Weitzman National Museum of American Jewish History in Philadelphia, Senator Casey said

hat it was “the right decision” for the police to disband a pro-Palestinian encampment on the University of Pennsylvania’s campus.

“I think it’s one thing to have a protest about how a military campaign is conducted, you can criticize that, but when you won’t even come to the basic conclusion that this is a terrorist organization that has to be stopped, I can’t have a conversation with you,” Casey said about the student anti-war protesters. “The conversation is over.”

In April of 2024, Senator Casey voted for a \$15 million special military aid package to Israel.

It should be noted that Senator Casey frequently advocated that Israel should permit humanitarian aid to be delivered to civilians in Gaza. However, the senator never offered specific details on how that objective could be achieved or introduced any legislation linking U.S. military aid to Israel with verification of civilian access to humanitarian aid in Gaza.

While Senator Casey did not seek Senator Fetterman’s high-profile status as a defender of Israel’s war in Gaza, his statements and his voting record bolstered Israel’s genocidal acts in Gaza.

Based on the evidence, the Tribunal jury finds that US Senator Robert Casey was complicit with Israel’s genocidal acts in Gaza and is in violation of the Genocide Convention adopted by the United Nations General Assembly on December 9, 1948, and entered into force on January 12, 1951.

7. We find that war crimes, as defined by various conventions and international law, are being committed by the State of Israel on the people of Gaza.

According to the Rome Statute of the International Criminal Court, Article 8, war crimes are grave breaches of the Geneva Conventions and include intentionally targeting civilians or civilian infrastructure and starvation of civilians as a method of warfare.

Since October 7, 2023, the political leaders of Israel have asserted that all their actions in Gaza are in response to, and justified by, the attack on Israel perpetrated by Hamas and by the seizure and holding of Israeli citizens as captives. In fact, international law recognizes a nation’s right to self-defense in response to an armed attack against its people and lands. However, the principle of proportionality in war is a cornerstone of international law. Nations at war are prohibited from causing excessive harm to civilians or civilian infrastructure. The perceived justness of one’s cause is distinct from the legality of how one fights. International humanitarian law makes clear that no prior acts justify war crimes against civilians during a nation’s conduct of war.

The testimony and evidence submitted at the Tribunal, along with additional evidence compiled by the jurors, has conclusively demonstrated that Israel has violated the Rome Statute of the International Criminal Court and other conventions prohibiting war crimes:

- The evidence shows that Israel has purposefully targeted civilian populations in Gaza, resulting in the deaths of at least 55,000 people—most of them non-combatants and roughly half women and children
- The evidence shows that Israel carried out the deliberate destruction of Gazan infrastructure,

including schools, universities, libraries, museums, hospitals, cultural heritage sites, fishing access, and the land itself

- Further, the evidence shows that Israel impeded relief efforts and food distribution to deploy starvation of civilians as a method of warfare in Gaza.

Based on the evidence, the Tribunal jury finds that Israel's actions in Gaza are in violation of the Rome Statute of the International Criminal Court and other international conventions prohibiting war crimes.

8. Having found that the State of Israel is committing war crimes against the people of Gaza, we further find the Biden Administration to have been complicit in those acts.

Based on the evidence previously cited regarding the Biden Administration's complicity with Israel's acts in Gaza, the Tribunal jury finds that the Biden Administration was complicit with Israel's war crimes in Gaza, and was in violation of the Rome Statute of the International Criminal Court and other international conventions prohibiting war crimes.

Furthermore, the Tribunal jury finds that the Biden Administration was also guilty of violating U.S. domestic law, specifically the Foreign Assistance Act of 1961- Leahy Law:

The Leahy Law prohibits the Department of Defense from providing assistance to any unit of a foreign security force if credible information exists that the unit has committed war crimes and human rights abuses.

9. Having found that the State of Israel is committing war crimes against the people of Gaza, we further find the current Trump Administration to be complicit in these acts.

Based on the evidence previously cited regarding the Trump Administration's complicity with Israel's acts in Gaza, the Tribunal jury finds that the Trump Administration is complicit with Israel's war crimes in Gaza and is in violation of the Rome Statute of the International Criminal Court and other international conventions prohibiting war crimes.

Furthermore, the Tribunal jury finds that the Trump Administration is also guilty of violating U.S. domestic law, specifically the Foreign Assistance Act of 1961- Leahy Law. The Leahy Law prohibits the Department of Defense from providing assistance to any unit of a foreign security force if credible information exists that the unit has committed war crimes and human rights abuses.

10. Having found that the State of Israel is committing war crimes against the people of Gaza, we further find U.S. Senator John Fetterman to be complicit in these acts.

Based on the evidence previously cited regarding Senator Fetterman's complicity with Israel's acts in Gaza, the Tribunal jury finds that Senator Fetterman is complicit with Israel's war crimes in Gaza and is in violation of the Rome Statute of the International Criminal Court and other international conventions prohibiting war crimes.

11. Having found that the State of Israel is committing war crimes against the people of Gaza, we further find U.S. Senator David McCormick to be complicit in these acts.

Based on the evidence previously cited regarding Senator McCormick's complicity with Israel's acts in Gaza, the Tribunal jury finds that Senator McCormick is complicit with Israel's war crimes in Gaza and is in violation of the Rome Statute of the International Criminal Court and other international conventions prohibiting war crimes.

12. Having found that the State of Israel is committing war crimes against the people of Gaza, we further find U.S. Senator Robert Casey to have been complicit in those acts.

Based on the evidence previously cited regarding Senator Casey's complicity with Israel's acts in Gaza, the Tribunal jury finds that Senator Casey was complicit with Israel's war crimes in Gaza and is in violation of the Rome Statute of the International Criminal Court and other international conventions prohibiting war crimes.

The Tribunal Jury issues the following recommendations:

- 1. Immediate Accountability and Apology:** All charged parties must immediately reverse their actions and issue formal apologies to the victims of war crimes and genocide in Gaza, as well as to their relatives in the United States, and to all U.S. taxpayers who became unwillingly complicit through coercive U.S. government funding.
- 2. End All Support for the Genocide:** By every means available, all charged parties must immediately cease any and all activities that either directly or indirectly contribute to the further commission of war crimes and genocide in Gaza.
- 3. Commencement of a reparations process to make Gaza and Gazans whole:** An international coalition of nations, including broad representation from Palestinian authorities, should be formed and immediately commence a process to determine the scope of reparations to restore Gaza to a heretofore unrealized safe and secure land. Israel and the U.S. should bear the greatest burden of financial and material support to this effort.
- 4. Sustained Public Engagement:** U.S. taxpayers are urged to persist in contacting their elected officials, as well as to actively engage in non-violent protest and civil disobedience, media outreach, and other forms of public advocacy to spotlight and resist the ongoing commission of war crimes and genocide in Gaza.
- 5. Centering Palestinian Voices:** All individuals and organizations involved in opposing war crimes and genocide in Gaza should prioritize and amplify Palestinian voices, ensuring their narratives and leadership remain central to the movement.

A jury of nine individuals who were representative of Philadelphia's social justice community (e.g. civil rights advocates, community organizers, faith leaders, public health professionals, etc.) served as jurors at the Philadelphia People's Tribunals on War Crimes and Genocide in Gaza. The nine jurors played a role similar to that of a grand jury in the U.S. legal system. The jurors listened to witness testimony at the Tribunal and reviewed multiple sources of documented evidence to decide if there was sufficient proof of U.S. government complicity with war crimes and genocide in Gaza and if agents of the U.S. government should therefore be held accountable.

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