

# Spain Backing the Sumud Flotilla Could Be a Turning Point in Israel's Annihilation of Gaza

For nearly two years, the world has borne witness to what is widely described as one of the most systematic and brutal campaigns of destruction against a civilian population in modern history. Gaza - a densely populated enclave with more than two million Palestinians - has been under near-total siege since October 2023. Its infrastructure has been devastated, its access to water and electricity choked, and its civilian population subjected to repeated bombings, displacement, and starvation.

Increasingly, global public opinion and international legal institutions have begun to call this what it is: **a genocide**. The International Court of Justice, in its 2024 provisional measures and later advisory opinion, ruled that Israel's policies in both Gaza and the West Bank violate multiple articles of the **Genocide Convention**, **Fourth Geneva Convention**, and **customary international law**. The ICJ further determined that **Israel's occupation of Palestinian territory is illegal** and that member states have **an obligation to ensure non-recognition of and non-assistance to this illegal situation**.

Yet, in spite of these clear legal rulings, Israel has continued its military campaign - emboldened by decades of **diplomatic impunity**, a veto shield at the United Nations, and strong backing from powerful Western states, especially the United States. The result: the world has largely stood by as Gaza has been reduced to rubble.

Now, that calculus may be about to change.

## A Schoolyard Bully Meets Its Match

For decades, Israel has acted like a schoolyard bully in the international system - pushing boundaries, ignoring rulings, and escalating with confidence that no one would dare confront it directly. That posture has been reinforced by its alliance with Washington, its regional military superiority, and its undeclared nuclear deterrent. But this posture has also cultivated **arrogance** - a belief that no act, no matter how reckless or illegal, would trigger a proportionate international response.

Israel's decision to **attack Qatari diplomatic interests** earlier this year was widely regarded as one of its most foolhardy provocations yet. But what now looms may exceed even that: **a potential Israeli attack on the Sumud Flotilla** - a multinational convoy of ships attempting to deliver humanitarian aid to Gaza. Among the participating vessels are those sailing under the **Spanish flag**, carrying **Spanish citizens** - including elected officials, aid workers, and journalists.

If Israel attacks these ships with lethal force, it could trigger a chain of events that dramatically shifts the geopolitical and legal landscape - and possibly forces Israel, for the first time in its history, to **abandon not only the siege of Gaza but its occupation of the West Bank**.

## The Legal Dominoes Begin to Fall

### Step 1: Attack on a Civilian Vessel – UN Charter Article 51

Should Israeli forces attack **civilian, foreign-flagged ships** on the high seas - particularly in international waters - this would constitute a grave breach of international law, including:

- **UNCLOS** (United Nations Convention on the Law of the Sea)
- **Customary international maritime law**
- The **San Remo Manual** on international law applicable to armed conflict at sea.

More importantly, **Article 51 of the United Nations Charter** provides that:

“Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations...”

If Spain determines that Israel’s attack on its ships constitutes such an armed attack - particularly if citizens are killed - it may invoke **individual self-defense** under Article 51. Moreover, this invocation could invite **collective self-defense**, where **other states voluntarily support Spain’s right to respond**.

Nations such as:

- **Turkey** (a NATO member with historical grievances and regional strategic rivalry with Israel),
- **Indonesia** (which has recently expressed political will to join a peacekeeping force in Gaza under a UN mandate),
- **Yemen** (already engaged in asymmetric naval pressure on Israeli shipping in the Red Sea),

...could declare their support for Spain’s claim of self-defense. This creates a **legal coalition framework** for limited naval, air, and humanitarian operations under the principle of **collective self-defense** - even in the absence of a UN Security Council resolution.

### Step 2: Attack on a Military Vessel – NATO Article 5

If the situation escalates further - for example, if Israeli forces **strike a Spanish or Turkish naval warship** - the legal and political calculus shifts decisively.

Under **Article 5 of the NATO Treaty**, an attack on one member’s **forces, vessels, or aircraft** in the area of operation defined by **Article 6** (including the Mediterranean) is consid-

ered an attack on all. Spain and Turkey could then **formally invoke Article 5**, triggering a collective response mechanism.

While NATO operates by consensus and each member state retains flexibility in what it contributes, invoking Article 5 **obligates consultation and solidarity**. Even if the **United States** and **Germany** - both deeply entangled with Israel - choose to abstain from combat, they are unlikely to **block** other NATO members from taking action, especially given the ongoing imperative to **preserve alliance unity over Ukraine**.

## From Naval Escorts to Strategic Retreat

In response, a multi-nation NATO-led coalition - likely centered on **Spain, France, Turkey, and Italy**, and joined by other sympathetic states - could quickly establish:

- **A humanitarian maritime corridor to Gaza**
- **Air and naval defense patrols over eastern Mediterranean waters**
- **Joint command mechanisms for search-and-rescue and convoy protection**

Israel's navy and air force, though sophisticated and regionally dominant, cannot realistically contend with a **coordinated NATO force** - especially not one operating under Article 5 and backed by the political legitimacy of **collective self-defense**.

Under such pressure, **Israel would be forced to retreat** - not only lifting its siege of Gaza but **withdrawing from parts or all of the West Bank**, in line with the **ICJ's 2024 advisory opinion**, which explicitly declared Israel's occupation illegal and ordered member states to **end support for it**.

## Aftermath: Legalizing the Outcome via "Uniting for Peace"

After the dust settles, the same coalition of countries that acted in collective self-defense could bring a **Uniting for Peace resolution** to the General Assembly - retroactively:

- **Endorsing the multinational operation**, and
- **Authorizing a formal UN peacekeeping mission** in Palestine, including **both Gaza and the West Bank**.

This would offer an international legal framework - however fragile - for:

- Ending the blockade,
- Protecting Palestinian civilians,
- Dismantling illegal settlements, and
- Rebuilding the shattered institutions of Palestinian civil society.

## A Turning Point in the Middle East - and in International Law

Make no mistake: none of this is guaranteed. The risks of escalation, miscalculation, and backlash are real. But the **Sumud Flotilla crisis**, if mishandled by Israel, could mark the beginning of a **historic shift** - not just in the power balance of the region, but in the application of **international law** itself.

For the first time in decades, **a state like Spain** - backed by European allies, Muslim-majority partners, and a critical mass of public support - could draw the red line that international law has lacked in the Israeli-Palestinian conflict.

This would not be the destruction of Israel. But it could be the **end of Israel's ability to destroy Gaza without consequences**.

And perhaps, from the ashes of Gaza, the world may finally build a framework that makes future genocides not only illegal - but impossible.