

# Major Defeat for Israel: ICJ rules that Israel is plausibly committing genocide in Gaza

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**Palestinians call for maximum pressure to stop the genocide and dismantle apartheid.**



The International Court of Justice (ICJ) today made history. It confirmed the **plausibility** of South Africa's charge under the Genocide Convention that **"Israel has engaged in, is engaging in and risks further engaging in genocidal acts against the Palestinian people in Gaza."** It orders **Israel to prevent any genocidal act, to stop its military from committing such acts**, and to ensure the provision of the entry into the occupied and besieged Gaza Strip of food, water, medicine and other humanitarian needs.

The **Palestinian Anti-Apartheid Coordinating Committee (PAACC)**, comprising the Anti-Apartheid Department of the Palestine Liberation Organization (PLO), the Anti-Apartheid Committee of the Palestinian National Council (PNC), the BDS movement, the Palestinian Human Rights Organization Council (PHROC) and the Palestinian NGO Network (PNGO), warmly welcomes the ICJ's historic decision. ICJ decisions are [final, binding, and not subject to appeal](#), and all states must comply with their legal obligations by unilaterally and collectively taking all feasible measures to urgently and definitively **ensure that Israel respects the court's decision and implements in full and without delay its ordered provisional measures**.

While the Court fell short of explicitly ordering an immediate and permanent ceasefire to stop the genocide, states must now be pressured more than ever to fulfill their legal obligations and to impose on Israel a ceasefire.

The ICJ decision now puts heightened legal - not to mention moral - responsibility on the shoulders of states that respect international law, civil society, and people of conscience worldwide to bring to an end Israel's ongoing genocide and to help dismantle its underlying system of oppression.

All states, corporations and institutions, including media corporations, that are complicit in any aspect of Israel's 75-year-old regime of [settler-colonialism, apartheid and military occupation](#) must **end this complicity** at once and be held accountable for aiding and abetting war crimes, crimes against humanity, and, plausibly, genocide. **Third States that have knowingly supplied arms, materials and other support to Israel for use in atrocity crimes, including genocide, must be held to account for contributing to internationally wrongful acts** and breaches of jus cogens norms of international law.

Following the ICJ's historic decision that Israel is plausibly committing genocide, and given that States Parties to the Genocide Convention have an erga omnes obligation to prevent and punish the crime of genocide, States must:

- Impose a two-way military embargo on Israel, work to adopt a mandatory arms embargo on it at the UN, and adopt other punitive measures to prevent and suppress its acts of genocide. and end the provision of economic and diplomatic support to it.
- Impose lawful and proportionate economic sanctions and other countermeasures on Israel, including canceling all free-trade and cooperation agreements, until it adheres to its obligations under international law.
- Take immediate action to expel Israel from international fora including the [UNGA](#), [International Olympic Committee](#), FIFA, and others, as apartheid South Africa was.
- States Parties to the International Criminal Court (ICC) must pressure the Prosecutor to swiftly advance investigation into all war crimes, crimes against humanity and acts of genocide carried out by Israeli perpetrators against the Palestinian people, and to immediately and without further delay issue arrest warrants for the case files before the Court, since 2014. They must also ensure the Court is fully resourced to ensure the viability of the investigation into the Situation in Palestine.
- Arrest and prosecute, including by applying Universal Jurisdiction, Israeli nationals, including government officials, or persons present on their territory or within their jurisdiction, who have incited to genocide, supported genocide, or carried out genocidal acts against the Palestinian people.
- Act on their responsibility to ensure that corporate entities and institutions domiciled in their territory or under their jurisdiction will cease and desist from aiding and abetting Israel's genocide and other crimes under international law, including the crime against humanity of apartheid, against the Palestinian people.
- Join the large and increasing number of states in the Global South in supporting South Africa's genocide case against Israel at the ICJ.

The order for provisional measures can contribute to the protection of Palestinian rights from "further, severe and irreparable harm" as requested by South Africa. If implemented, the measures may halt the severe harm of Israel's genocide against 2.3 million Palestinians, but even when Israel's relentless bombing of civilians and civilian infrastructure stops, the famine and infectious diseases that are spreading in Gaza due to Israel's deadly siege and [domicide](#) will continue to devastate Palestinians. UN human rights experts have warned that all Gaza Palestinians, half of them children, are hungry and over half a million are [starving](#)."

Much more needs to be done to address the root causes-the ongoing Palestinian Nakba. "Israel's genocidal acts," as South Africa has [affirmed](#) before the ICJ, must be understood "within the broader

context of Israel's 75-year apartheid, 56-year occupation and 16-year siege imposed on the Gaza Strip." Israel's settler-colonial violence since 1948, said South Africa, "has systematically and forcibly dispossessed, displaced, and fragmented the Palestinian people, deliberately denying them their internationally recognized, inalienable right to self-determination, and their internationally recognized right of return as refugees to their towns and villages, in what is now the State of Israel."

In the Unified Palestinian Anti-Apartheid Call of 2023, Palestinians [affirmed](#) that "the dismantling of Israel's regime of settler-colonialism and apartheid is an indispensable condition for the Palestinian people to exercise its full legitimate and inalienable rights as stipulated in international law."

The Palestinian people know all too well that only through people power, unity, and mobilization can we achieve justice and be able to exercise our inalienable rights. We call on people around the world to seize this moment created by the ICJ ruling and respond to the [Palestinian Unified Call](#) "to strengthen the growing global state of solidarity with the Palestinian people and our just cause by supporting - and actively participating in - the global, Palestinian-led Boycott, Divestment and Sanctions (BDS) movement."

Justice is the only acceptable solution. Any action or diplomatic effort that is not focused on ending and punishing Israel's genocide, crimes against humanity, war crimes, and human rights violations, as well as ending all international complicity in them, amounts to perpetuating its impunity, injustice and oppression of our people while further dismantling the rule of international law.

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### **P.S.**

BDS Movement

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