GlobalResearch
Center for Research on Globalization

‘No One Is Spared’: South Africa Presents Genocide Case Against Israel at ICJ

By Jake Johnson
Global Research, January 12, 2024
Common Dreams 11 January 2024

Region: Middle East & North Africa
Theme: Law and Justice, United Nations
In-depth Report: PALESTINE

All Global Research articles can be read in 51 languages by activating the Translate Website button below the author’s name (only available in desktop version).

To receive Global Research’s Daily Newsletter (selected articles), click here.

Click the share button above to email/forward this article to your friends and colleagues. Follow us on Instagram and Twitter and subscribe to our Telegram Channel. Feel free to repost and share widely Global Research articles.

New Year Donation Drive: Global Research Is Committed to the “Unspoken Truth”

***

“Israel’s political leaders, military commanders, and persons holding official positions have systematically and in explicit terms declared their genocidal intent,” a South African lawyer told the top U.N. court.

*

South African representatives argued before the International Court of Justice on Thursday that Israel is engaged in a genocidal assault on the Gaza Strip, subjecting the enclave to “merciless” bombing with the clear intent to wipe out the Palestinian population.

> “They have deplored anyone feeling sorry for the uninvolved Gazans, asserting repeatedly that there are no uninvolved, that there are no innocents in Gaza, that the killers of the women and the children should not be separated from the citizens of Gaza, and that the children of Gaza have brought this upon themselves,” South African attorney **Tembeka Ngcukaitobi** said during his presentation.

Thursday’s hearing also featured remarks from South African **Justice Minister Ronald Lamola**, South African Ambassador to the Netherlands **Vusimuzi Madonsela**, lawyer **Adila Hassim**, and international law professor **John Dugard**, each of whom laid out an aspect of South Africa’s case against the Israeli government.

Hassim argued that Israel’s “first genocidal act” is the “mass killing of Palestinians in Gaza,” pointing to the U.S.-armed military’s use of 2,000-pound bombs in southern Gaza—the region to which Israeli forces ordered Gazans to move earlier in the war.

> “No one is spared. Not even newborns,” said Hassim, displaying photos of mass graves

> in the Gaza Strip. “U.N. chiefs have described it as a graveyard for children.”

Hassim made the case that Israel is guilty of violating articles 2a, 2b, 2c, and 2d of the Genocide Convention, which defines genocide as harm inflicted “with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.”

> “Israel has deliberately imposed conditions on Gaza that cannot sustain life and are calculated to bring about its physical destruction,” said Hassim. “Israel has forced—forced—the displacement of about 85% of Palestinians in Gaza. There is nowhere safe for them to flee to.”

South Africa’s presenters sought to demonstrate genocidal intent in part by directly quoting high-ranking Israeli officials, including **Prime Minister Benjamin Netanyahu**. Ngcukaitobi pointed to Netanyahu’s repeated invocation of biblical passages to paint Gazans as modern-day Amalekites.

The attorney also played footage of Israeli soldiers chanting that they will “wipe off the seed of Amalek” and that there are “no uninvolved civilians” in Gaza.

> “Israel’s political leaders, military commanders, and persons holding official positions have systematically and in explicit terms declared their genocidal intent,” said Ngcukaitobi. “These statements are then repeated by soldiers on the ground in Gaza as they engage in the destruction of Palestinians and the physical infrastructure of Gaza.”

South Africa’s legal team decided against sharing highly graphic videos and photos during its presentations, saying it did not want to turn the court’s proceedings “into a theatre for spectacle.”

> “South Africa’s application in this court today is built on a foundation of clear legal rights, not images,” the legal team said Thursday.

South Africa is asking the ICJ to adopt “provisional measures” to halt Israel’s mass killing and displacement of Gazans, many of whom are starving and being stalked by disease.

Israel is set to offer its counter to South Africa’s case on Friday, which will mark the first time Israel has defended itself in person at the United Nations’ highest court.

In the days ahead of the ICJ’s public hearings, Israeli officials pressured governments around the world to publicly denounce South Africa’s case. The United States, Israel’s top ally and leading arms supplier, has dismissed South Africa’s arguments as “meritless.”

But a growing number of national governments are backing South Africa, including Brazil, Malaysia, Bolivia, and Pakistan. South Africa’s ICJ effort has also drawn massive support from grassroots organizations across the globe.

> “Israel’s killing, injuring, traumatizing, and displacing large numbers of Palestinians and denying water, food, medicine, and fuel to an occupied population meet the criteria for the crime of genocide,” reads an open letter signed by more than 1,000 unions, popular movements, and other groups. “If a majority of the world’s nations call for a cease-fire, yet fail to press for prosecution of Israel—what is to stop Israel from ethnically cleansing

all Palestinians?”

[From Common Dreams: Our work is licensed under Creative Commons (CC BY-NC-ND 3.0). Feel free to republish and share widely.]

*

Note to readers: Please click the share button above. Follow us on Instagram and Twitter and subscribe to our Telegram Channel. Feel free to repost and share widely Global Research articles.

***Jake Johnson** is a senior editor and staff writer for Common Dreams.*

Featured image: Public hearings in South Africa’s genocide case against Israel began at the International Court of Justice in The Hague, Netherlands on January 11, 2024. (Photo: Selman Aksunger/Anadolu via Getty Images)

The original source of this article is Common Dreams
Copyright © Jake Johnson, Common Dreams, 2024

Comment on Global Research Articles on our Facebook page

Become a Member of Global Research

Articles by: **Jake Johnson**

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca