



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2024/41

10 May 2024

Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)

South Africa submits an urgent request for the indication of additional provisional measures and the modification of previous provisional measures

THE HAGUE, 10 May 2024. South Africa today filed an [urgent request](#) with the Court for the indication of additional provisional measures and the modification of provisional measures previously prescribed by the Court in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*.

In its new request, South Africa states that the provisional measures previously indicated by the Court “are not capable of ‘fully address[ing]’ the changed circumstances and new facts on which [its] Request is founded”. It further states that

“[t]he situation brought about by the Israeli assault on Rafah, and the extreme risk it poses to humanitarian supplies and basic services into Gaza, to the survival of the Palestinian medical system, and to the very survival of Palestinians in Gaza as a group, is not only an escalation of the prevailing situation, but gives rise to new facts that are causing irreparable harm to the rights of the Palestinian people in Gaza”.

South Africa requests the Court to indicate further provisional measures and modify the previous provisional measures, pursuant to Article 41 of the Statute of the Court and Articles 73 (1), 74 (1), 75 (1) and (3) and/or 76 (1) of the Rules of Court, for “the protection of the Palestinian people in Gaza from grave and irreparable violations of their rights, and of South Africa’s rights, under the Convention on the Prevention and Punishment of the Crime of Genocide”.

History of the proceedings

On 29 December 2023, South Africa filed an [Application instituting proceedings](#) against Israel concerning alleged violations by Israel of its obligations under the Convention on the Prevention and

Punishment of the Crime of Genocide (the “Genocide Convention”) in relation to Palestinians in the Gaza Strip.

The Application also contained a [request for the indication of provisional measures](#), pursuant to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court. The Applicant requested the Court to indicate provisional measures in order to “protect against further, severe and irreparable harm to the rights of the Palestinian people under the Genocide Convention” and “to ensure Israel’s compliance with its obligations under the Genocide Convention not to engage in genocide, and to prevent and to punish genocide”.

Public hearings on the request for the indication of provisional measures submitted by South Africa were held on Thursday 11 and Friday 12 January 2024. On 26 January 2024, the Court delivered its [Order](#) on South Africa’s request.

On 23 January 2024, Nicaragua, referring to Article 62 of the Statute of the Court, filed in the Registry of the Court an [Application for permission to intervene](#) “as a party” in the case.

On 16 February 2024, the Court issued its [decision](#) on South Africa’s request for additional provisional measures dated 12 February 2024.

On 28 March 2024, the Court indicated [additional provisional measures](#), following a [request](#) from South Africa, dated 6 March 2024, for the indication of additional provisional measures and/or the modification of its Order of 26 January 2024.

On 5 April 2024, Colombia, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a [declaration of intervention](#) in the case.

On 10 May 2024, Libya, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a [declaration of intervention](#) in the case.

Earlier [press releases](#) relating to this case are available on the Court’s website.

Note: The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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