



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

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

Request for the indication of additional provisional measures and the modification of previous provisional measures

Conclusion of the public hearings held on Thursday 16 May and Friday 17 May 2024

THE HAGUE, 17 May 2024. The public hearings on the [request filed by South Africa on 10 May 2024](#) 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)* concluded today with the statements of Israel.

The delegation of South Africa was led by HE Mr Vusimuzi Madonsela, Ambassador of the Republic of South Africa to the Kingdom of the Netherlands, and Mr Cornelius Scholtz, Legal Counsellor, Embassy of the Republic of South Africa to the Kingdom of the Netherlands, as Co-Agents. The delegation of Israel was led by Mr Gilad Noam, Deputy Attorney General for International Law, Ministry of Justice of the State of Israel, and Ms Tamar Kaplan Tourgeman, Acting Legal Adviser of the Ministry of Foreign Affairs of the State of Israel, as Co-Agents.

At the end of the presentation of their arguments, the Co-Agents of South Africa and Israel made the following requests to the Court, on 16 and 17 May respectively.

For South Africa:

“South Africa respectfully requests the Court to order the State of Israel, as a State party to the Genocide Convention and as a party to these proceedings, to:

- (1) immediately, and further to its obligations under the Court’s previous Orders of 26 January 2024 and 28 March 2024, cease its military operations in the Gaza Strip, including in the Rafah Governorate, and withdraw from the Rafah Crossing and immediately, totally and unconditionally withdraw the Israeli army from the entirety of the Gaza Strip.

- (2) immediately, and further to its obligations under provisional measure 4 of the Court's 26 January 2024 Order and provisional measures 2 (a) and 2 (b) of the Court's 28 March 2024 Order, take all effective measures to ensure and facilitate the unimpeded access to Gaza of United Nations and other officials engaged in the provision of humanitarian aid and assistance to the population of Gaza, as well as fact-finding missions, internationally mandated bodies and/or officials, investigators, and journalists, in order to assess and record conditions on the ground in Gaza and enable the effective preservation and retention of evidence; and ensure that its military does not act to prevent such access, provision, preservation or retention;
- (3) submit an open report to the Court (a) on all measures taken to give effect to these provisional measures within one week as from the date of this Order; and (b) on all measures taken to give effect to all previous provisional measures indicated by the Court within one month as from the date of this Order.”

For Israel:

“The State of Israel requests the Court to reject the request for the modification and indication of provisional measures submitted by the Republic of South Africa.”

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The Court will now begin its deliberation.

The Court's decision will be delivered at a public sitting, the date of which will be announced in due course.

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”.

On 26 January 2024, the Court delivered its [Order](#) on South Africa's request.

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

On 28 March 2024, the Court indicated [additional provisional measures](#), following a further [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 10 May 2024, South Africa filed a [request](#) for the indication of additional provisional measures and the modification of provisional measures previously prescribed by the Court.

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

The verbatim records of the hearings, including the lists of participating delegations, are available on the [case page](#) on the Court's website. High-resolution video clips and still photos produced by the Registry during the hearings are available free of charge and free of copyright for editorial, non-commercial use, on the [Multimedia page](#) 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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