



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2024/54

28 June 2024

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

Spain files a declaration of intervention in the proceedings under Article 63 of the Court's Statute

THE HAGUE, 28 June 2024. Today, Spain, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a declaration of intervention 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)*.

Pursuant to Article 63 of the Statute, whenever the construction of a convention to which States other than those concerned in the case are parties is in question, each of these States has the right to intervene in the proceedings. If they do so, the construction given by the judgment of the Court will be equally binding upon them.

In availing itself of the right of intervention conferred by Article 63, paragraph 2, Spain relies on its status as a party to the Convention on the Prevention and Punishment of the Crime of Genocide (the "Genocide Convention"). In its declaration, Spain states that the Genocide Convention is a crucial instrument in international law for the prevention and punishment of genocide. It emphasizes that the Genocide Convention

"is not only a criminal law treaty. It also contains elements clearly linked to the protection and safeguarding of fundamental values and principles of international law, including the protection of human dignity and the principle of accountability, and imposes substantive obligations on Contracting Parties that go beyond ensuring the criminal prosecution of the crime of genocide."

In accordance with Article 83 of the Rules of Court, South Africa and Israel have been invited to furnish written observations on Spain's declaration of intervention.

The full text of Spain's declaration of intervention is available on the Court's [website](#).

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 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 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 took a [decision](#), communicated to the Parties by a letter from the Registrar, 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 [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.

On Thursday 16 and Friday 17 May 2024, the Court held public hearings on a [request for the modification and the indication of provisional measures](#) submitted by South Africa on 10 May 2024. The Court delivered its [Order](#) on this further request on 24 May 2024.

On 24 May 2024, Mexico, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a [declaration of intervention](#) in the case.

On 31 May 2024, the State of Palestine, invoking Articles 62 and 63 of the Statute of the Court, filed in the Registry of the Court an [Application for permission to intervene and 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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