

Hat das Völkerrecht überlebt, oder hat die westliche politische Klasse es getötet? 3

[Januar 28, 2024](#) in [Uncategorized](#) von [craig](#)

Als der Internationale Gerichtshof feststellte, dass es einen plausiblen Fall gegen Israel gibt, behandelte er das Argument Israels, dass der Fall abgewiesen werden sollte, da es von seinem Recht auf Selbstverteidigung Gebrauch mache, mit Verachtung. Dieses Argument nahm mehr als die Hälfte der israelischen Schriftsätze in Anspruch. Das Gericht stellte nicht nur fest, dass ein plausibler Fall von Völkermord vorliegt, sondern erwähnte die Selbstverteidigung in seinem Zwischenurteil nur ein einziges Mal - und das auch nur, um darauf hinzuweisen, dass Israel sie in Anspruch genommen hatte. Absatz 41:

intent. In any event, Israel contends, since the purpose of provisional measures is to preserve the rights of both parties, the Court must, in the present case, consider and “balance” the respective rights of South Africa and Israel. The Respondent emphasizes that it bears the responsibility to protect its citizens, including those captured and held hostage as a result of the attack that took place on 7 October 2023. As a consequence, it claims that its right to self-defence is critical to any evaluation of the present situation.

Dass der IGH das Recht Israels auf Selbstverteidigung nicht bestätigt hat, ist vielleicht der wichtigste Punkt in dieser Zwischenverfügung. Es ist der Hund, der nicht gebellt hat. Das Argument, das jeder westliche Staatschef verwendet, wird vom IGH zurückgewiesen.

Nun hat der IGH nicht wiederholt, dass eine Besatzungsmacht kein Recht auf Selbstverteidigung hat. Das brauchte er auch nicht. Er hat die fadenscheinige Behauptung Israels einfach ignoriert.

Das konnte er tun, weil das, was er dann wiederholte, weit über jede plausible Behauptung von Selbstverteidigung hinausging. Was mir an der Entscheidung des IGH am meisten auffiel, war, dass der Beschluss viel detaillierter auf die Beweise für den Völkermord einging, als es nötig gewesen wäre. Die Beschreibung war eindeutig.

Hier ist Absatz 46 entscheidend

46. The Court notes that the military operation being conducted by Israel following the attack of 7 October 2023 has resulted in a large number of deaths and injuries, as well as the massive destruction of homes, the forcible displacement of the vast majority of the population, and extensive damage to civilian infrastructure. While figures relating to the Gaza Strip cannot be independently verified, recent information indicates that 25,700 Palestinians have been killed, over 63,000 injuries have been reported, over 360,000 housing units have been destroyed or partially damaged and approximately 1.7 million persons have been internally displaced (see United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Hostilities in the Gaza Strip and Israel — reported impact, Day 109 (24 Jan. 2024)).

Der Grund, warum dies so entscheidend ist, ist, dass der Gerichtshof nicht sagt, dass Südafrika dies behauptet. Der Gerichtshof sagt, dass dies die Fakten sind. Es ist eine Tatsachenfeststellung des Gerichtshofs. Ich kann nicht genug betonen, wie wichtig diese Beschreibung der Situation in Gaza durch das Gericht ist.

Der Gerichtshof geht dann auf die Darstellungen der Vereinten Nationen über die tatsächliche Situation ein und zitiert ausführlich drei verschiedene hochrangige Beamte, darunter Philippe Lazzarini, Generalkommissar des UNRWA:

49. The Court further notes the statement issued by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Mr Philippe Lazzarini, on 13 January 2024:

“It’s been 100 days since the devastating war started, killing and displacing people in Gaza, following the horrific attacks that Hamas and other groups carried out against people in Israel. It’s been 100 days of ordeal and anxiety for hostages and their families.

Dies erklärt natürlich, warum die unmittelbare Reaktion auf das IGH-Urteil ein koordinierter Angriff Israels und der vereinigten imperialistischen Mächte auf das UNRWA war, der darauf abzielte, den Völkermord durch die Einstellung der Hilfe zu beschleunigen, eine propagandistische Gegenzählung zum IGH-Urteil zu liefern und die Glaubwürdigkeit der Beweise des UNRWA vor dem Gericht zu verringern.

Der Gerichtshof arbeitet sehr eng mit der UNO zusammen und ist ein fester Bestandteil des UN-Systems. Eine besonders enge Beziehung besteht zur UN-Generalversammlung - viele Fälle des Gerichtshofs gehen auf Ersuchen der UN-Generalversammlung zurück. In zwei Wochen wird der Gerichtshof auf Ersuchen der UN-Generalversammlung mit seinen Anhörungen zur Rechtslage in den besetzten Gebieten Palästinas beginnen. Der Beschluss enthält fünf spezifische Verweise auf die UNGA.

Der Gerichtshof hat viel Zeit damit verbracht, die Fakten des sich entwickelnden Völkermords im Gaza-Streifen zu erläutern. Er hätte dies nicht

so detailliert tun müssen, und dem wurde viel zu wenig Aufmerksamkeit geschenkt. Ich war ebenso überrascht, wie ausführlich das Gericht auf die Beweise für die völkermörderische Absicht Israels einging.

Es ist besonders demütigend für Israel, dass der Gerichtshof das israelische Staatsoberhaupt, den Präsidenten Israels selbst, zitiert hat, der zusammen mit zwei anderen Ministern der Regierung eindeutige Beweise für eine völkermörderische Absicht lieferte.

51. In this regard, the Court has taken note of a number of statements made by senior Israeli officials. It calls attention, in particular, to the following examples.

52. On 9 October 2023, Mr Yoav Gallant, Defence Minister of Israel, announced that he had ordered a “complete siege” of Gaza City and that there would be “no electricity, no food, no fuel” and that “everything [was] closed”. On the following day, Minister Gallant stated, speaking to Israeli troops on the Gaza border:

“I have released all restraints . . . You saw what we are fighting against. We are fighting human animals. This is the ISIS of Gaza. This is what we are fighting against . . . Gaza won’t return to what it was before. There will be no Hamas. We will eliminate everything. If it doesn’t take one day, it will take a week, it will take weeks or even months, we will reach all places.”

On 12 October 2023, Mr Isaac Herzog, President of Israel, stated, referring to Gaza:

“We are working, operating militarily according to rules of international law. Unequivocally. It is an entire nation out there that is responsible. It is not true this rhetoric about civilians not aware, not involved. It is absolutely not true. They could have risen up. They could have fought against that evil regime which took over Gaza in a coup d’état. But we are at war. We are at war. We are at war. We are defending our

homes. We are protecting our homes. That’s the truth. And when a nation protects its home, it fights. And we will fight until we’ll break their backbone.”

On 13 October 2023, Mr Israel Katz, then Minister of Energy and Infrastructure of Israel, stated on X (formerly Twitter):

“We will fight the terrorist organization Hamas and destroy it. All the civilian population in [G]aza is ordered to leave immediately. We will win. They will not receive a drop of water or a single battery until they leave the world.”

Auch hier sagt der Gerichtshof nicht, dass Südafrika dies behauptet hat. Es ist eine Tatsachenfeststellung des Gerichtshofs. Der IGH hat bereits Israels Leugnung der Aufstachelung zum Völkermord vor Gericht für unwahr befunden.

Und nun stellen Sie sich Folgendes vor: Gleich am nächsten Tag, nachdem Präsident Herzog eine völkermörderische Äußerung gemacht hatte, wie vom Internationalen Gerichtshof festgestellt, wurde er von Ursula von der Leyen,

der Präsidentin der Europäischen Kommission, und Roberta Metsola, der Präsidentin des Europäischen Parlaments, empfangen und ihnen "volle Unterstützung" angeboten.



Wenn man sich im Detail anschaut, was der Gerichtshof als tatsächliche Tatsachen in Bezug auf Tod, Zerstörung und Vorsatz festgestellt hat, habe ich keinen Zweifel daran, dass dieses Gericht Israel des Völkermordes für schuldig befinden wird, sobald der eigentliche Fall vor den Gerichtshof kommt.

Alle Argumente Israels wurden fallen gelassen. Jedes einzelne. Die erheblichen Anstrengungen, die Israel unternommen hat, um den Fall aus verfahrensrechtlichen Gründen abweisen zu lassen, wurden beiseite geschoben. Das Gleiche gilt für die Selbstverteidigung. Und in seiner Tatsachenfeststellung hat der Gerichtshof die israelischen Lügen über die Vermeidung von Opfern unter der Zivilbevölkerung, die Verantwortung der Hamas für die Schäden an der Infrastruktur und den Zugang von Hilfsgütern nach Gaza eindeutig für unwahr erklärt.

70. The Court considers that the civilian population in the Gaza Strip remains extremely vulnerable. It recalls that the military operation conducted by Israel after 7 October 2023 has resulted, *inter alia*, in tens of thousands of deaths and injuries and the destruction of homes, schools, medical facilities and other vital infrastructure, as well as displacement on a massive scale (see paragraph 46 above). The Court notes that the operation is ongoing and that the Prime Minister of Israel announced on 18 January 2024 that the war “will take many more long months”. At present, many Palestinians in the Gaza Strip have no access to the most basic foodstuffs, potable water, electricity, essential medicines or heating.

Das sind die Fakten, die sich zugetragen haben.

Lassen Sie sich nicht durch das Fehlen des Wortes "Waffenstillstand" in dem Gerichtsbeschluss verwirren. Was der Gerichtshof angeordnet hat, kommt dem sehr nahe. Er hat das israelische Militär ausdrücklich angewiesen, das Töten von Palästinensern einzustellen.

THE COURT,



Indicates the following provisional measures:

(1) By fifteen votes to two,

The State of Israel shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to Palestinians in Gaza, take all measures within its power to prevent the commission of all acts within the scope of Article II of this Convention, in particular:

- (a) killing members of the group;
- (b) causing serious bodily or mental harm to members of the group;
- (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and
- (d) imposing measures intended to prevent births within the group;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; *Judge ad hoc* Mosenke;

AGAINST: *Judge* Sebutinde; *Judge ad hoc* Barak;

(2) By fifteen votes to two,

The State of Israel shall ensure with immediate effect that its military does not commit any acts described in point 1 above;

IN FAVOUR: *President* Donoghue; *Vice-President* Gevorgian; *Judges* Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; *Judge ad hoc* Mosenke;

AGAINST: *Judge* Sebutinde; *Judge ad hoc* Barak;

Das ist absolut klar. Und obwohl ich einräume, dass es insofern tautologisch ist, als es Israel anweist, eine Konvention zu befolgen, zu deren Einhaltung es bereits verpflichtet ist, könnte es keinen deutlicheren Hinweis darauf geben, dass der Gerichtshof der Ansicht ist, dass Israel die Konvention derzeit nicht befolgt.

Und was passiert jetzt?

Nun, Israel hat mit der Tötung von mehr als 180 palästinensischen Zivilisten seit der Anordnung des Internationalen Gerichtshofs reagiert. Wenn das so weitergeht, könnte Südafrika den Gerichtshof erneut um dringendere Maßnahmen ersuchen, noch bevor der angeordnete Monatsbericht Israels fällig ist. Algerien hat angekündigt, dass es die Anordnung vor den UN-Sicherheitsrat bringen wird, um sie durchzusetzen.

Ich bezweifle, dass die Vereinigten Staaten ihr Veto einlegen werden. Die Reaktion Israels und seiner Unterstützer auf den IGH-Beschluss ist schizophren. Auf der einen Seite wurde der IGH als antisemitisch angeprangert. Andererseits bestand die offizielle Darstellung (unglaublicherweise) darin, zu behaupten, Israel habe den Fall tatsächlich gewonnen, während die Berichterstattung in den Mainstream-Medien heruntergespielt wurde. Dies wurde durch den massiven und koordinierten Angriff auf das UNRWA noch verstärkt, um alternative Schlagzeilen zu schaffen.

Es ist schwierig, einerseits zu behaupten, dass Israel irgendwie gewonnen hat, und andererseits zu versuchen, die Durchsetzung der Anordnung des UN-Sicherheitsrates zu blockieren. Mein Verdacht ist, dass die Doppelstrategie fortgesetzt wird: so tun, als gäbe es keinen Völkermord und als würde Israel die "unnötige" Anordnung befolgen, während man gleichzeitig den IGH und die UNO im Allgemeinen angreift und lächerlich macht.

Egal, was der IGH gesagt hätte, Israel hätte den Völkermord nicht gestoppt; das ist die einfache Wahrheit. Die unmittelbare Reaktion der USA und ihrer Verbündeten auf den Erlass war der Versuch, den Völkermord zu beschleunigen, indem sie die Hilfsmaßnahmen der UNO lähmten. Ich gestehe, dass ich so etwas Bösartiges und Unverfrorenes nicht erwartet habe.

Die Mühlen Gottes mahlen langsam, aber sie mahlen außerordentlich klein. Nachdem der IGH so deutlich auf einen möglichen Völkermord hingewiesen hat, könnte es durchaus an den Richtern der einzelnen Länder liegen, die internationale Unterstützung für den Völkermord zu bremsen. Wie ich bereits ausführlich erläutert habe, wurde die Völkermordkonvention durch das Gesetz über den Internationalen Strafgerichtshof von 2001 in das britische Recht aufgenommen.

Zweifellos haben die Rechtsberater der FCDO in Protokollen davor gewarnt, dass Minister nach britischem Recht wegen Beihilfe zum Völkermord persönlich haftbar gemacht werden können, wenn Waffenlieferungen und andere militärische und geheimdienstliche Zusammenarbeit mit dem israelischen Völkermord fortgesetzt werden. In den USA haben in Kalifornien bereits Anhörungen zu einer gegen Joe Biden eingereichten Klage wegen Beihilfe zum Völkermord begonnen.

Natürlich wünsche ich mir, dass dies alles schneller geht. Das wird es aber nicht. Die UN-Generalversammlung kann Israel aus der UNO ausschließen. Es gibt noch andere nützliche Maßnahmen, die ergriffen werden müssen. Aber das ist ein langer Weg, keine schnelle Lösung, und Menschen wie Sie und ich spielen weiterhin eine wichtige Rolle, wenn es darum geht, die Macht des Volkes zu nutzen, um einer bösartigen politischen Klasse von Mördern die Kontrolle zu entreißen.

Dies war ein guter Sieg. Ich freue mich, dass dieser Kurs, für den [ich eingetreten bin](#) und für den ich Lobbyarbeit geleistet habe, funktioniert und den Druck auf die Zionisten erhöht hat, und dass meine Einschätzung, dass der Internationale Gerichtshof nicht nur ein Instrument der NATO ist, wie der korrupte Internationale Strafgerichtshof, sich bestätigt hat.

Das kann den gestern Abend getöteten und verstümmelten Kindern und denen, die in den nächsten Tagen sterben werden, nicht helfen. Aber es ist ein Hoffnungsschimmer am Horizont.

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Has International Law Survived, or Has the Western Political Class Killed It? - Craig Murray

craig

9–11 Minuten

In finding there is a plausible case against Israel, the International Court of Justice treated with contempt the argument from Israel that the case should be dismissed as it is exercising its right of self-defence. This argument took up over half of Israel's pleadings. Not only did the court find there is a plausible case of genocide, the court only mentioned self-defence once in its interim ruling – and that was merely to note that Israel had claimed it. Para 41:

intent. In any event, Israel contends, since the purpose of provisional measures is to preserve the rights of both parties, the Court must, in the present case, consider and "balance" the respective rights of South Africa and Israel. The Respondent emphasizes that it bears the responsibility to protect its citizens, including those captured and held hostage as a result of the attack that took place on 7 October 2023. As a consequence, it claims that its right to self-defence is critical to any evaluation of the present situation.

That the ICJ has not affirmed Israel's right to self-defence is perhaps the most important point in this interim order. It is the dog that did not bark. The argument which every western leader has been using is spurned by the ICJ.

Now the ICJ did not repeat that an occupying power has no right of self-defence. It did not need to. It simply ignored Israel's specious assertion.

It could do that because what it went on to iterate went way beyond any plausible assertion of self-defence. What struck me most about the ICJ ruling was that the Order went into far more detail about the evidence of genocide than it needed to. Its description was stark.

Here Para 46 is crucial

46. The Court notes that the military operation being conducted by Israel following the attack of 7 October 2023 has resulted in a large number of deaths and injuries, as well as the massive destruction of homes, the forcible displacement of the vast majority of the population, and extensive damage to civilian infrastructure. While figures relating to the Gaza Strip cannot be independently verified, recent information indicates that 25,700 Palestinians have been killed, over 63,000 injuries have been reported, over 360,000 housing units have been destroyed or partially damaged and approximately 1.7 million persons have been internally displaced (see United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Hostilities in the Gaza Strip and Israel — reported impact, Day 109 (24 Jan. 2024)).

The reason this is so crucial, is that the Court is not saying that South Africa asserts this. The Court is saying these are the facts. It is a finding of fact by the Court. I cannot emphasise too strongly the importance of that description by the court of the state of affairs in Gaza.

The Court then goes on to detail accounts by the United Nations of the factual situation, quoting three different senior officials at length, including Philippe Lazzarini, Commissioner General of UNRWA:

49. The Court further notes the statement issued by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Mr Philippe Lazzarini, on 13 January 2024:

“It’s been 100 days since the devastating war started, killing and displacing people in Gaza, following the horrific attacks that Hamas and other groups carried out against people in Israel. It’s been 100 days of ordeal and anxiety for hostages and their families.

In the past 100 days, sustained bombardment across the Gaza Strip caused the mass displacement of a population that is in a state of flux — constantly uprooted and forced to leave overnight, only to move to places which are just as unsafe. This has been the largest displacement of the Palestinian people since 1948.

This war affected more than 2 million people — the entire population of Gaza. Many will carry lifelong scars, both physical and psychological. The vast majority, including children, are deeply traumatized.

Overcrowded and unsanitary UNRWA shelters have now become ‘home’ to more than 1.4 million people. They lack everything, from food to hygiene to privacy. People live in inhumane conditions, where diseases are spreading, including among children. They live through the unlivable, with the clock ticking fast towards famine.

The plight of children in Gaza is especially heartbreakingly. An entire generation of children is traumatized and will take years to heal. Thousands have been killed, maimed, and orphaned. Hundreds of thousands are deprived of education. Their future is in jeopardy, with far-reaching and long-lasting consequences.” (UNRWA, “The Gaza Strip: 100 days of death, destruction and displacement”, Statement by Philippe Lazzarini, Commissioner-General of UNRWA, 13 Jan. 2024.)

50. The UNRWA Commissioner-General also stated that the crisis in Gaza is “compounded by dehumanizing language” (UNRWA, “The Gaza Strip: 100 days of death, destruction and displacement”, Statement by Philippe Lazzarini, Commissioner-General of UNRWA, 13 Jan. 2024).

This of course explains why the immediate response to the ICJ ruling was a coordinated attack by Israel and the combined imperialist powers on UNRWA, designed to accelerate the genocide by stopping aid, to provide a propaganda counter-narrative to the ICJ judgment, and to reduce the credibility of UNRWA’s evidence before the court.

The Court works very closely with the UN and is very much an entrenched part of the UN system. It has a particularly close relationship with the UN General Assembly – many of the Court’s cases are based on request from the UN General Assembly. In a fortnight’s time the Court will be starting its substantive hearings on the legal position in the Occupied Territories of Palestine, at the request of the UNGA. There are five specific references to the UNGA in the Order.

The Court spent a great deal of time outlining the facts of the unfolding genocide in the Gaza Strip. It did not have to do so in nearly so much detail, and far too little attention has been paid to this. I was equally surprised by how much detail the court gave on the evidence of genocidal intent by Israel.

It is especially humiliating for Israel that the Court quoted the Israeli Head of State, the President of Israel himself, as giving clear evidence of genocidal intent, along with two other government ministers.

51. In this regard, the Court has taken note of a number of statements made by senior Israeli officials. It calls attention, in particular, to the following examples.

52. On 9 October 2023, Mr Yoav Gallant, Defence Minister of Israel, announced that he had ordered a “complete siege” of Gaza City and that there would be “no electricity, no food, no fuel” and that “everything [was] closed”. On the following day, Minister Gallant stated, speaking to Israeli troops on the Gaza border:

“I have released all restraints . . . You saw what we are fighting against. We are fighting human animals. This is the ISIS of Gaza. This is what we are fighting against . . . Gaza won’t return to what it was before. There will be no Hamas. We will eliminate everything. If it doesn’t take one day, it will take a week, it will take weeks or even months, we will reach all places.”

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“We are working, operating militarily according to rules of international law. Unequivocally. It is an entire nation out there that is responsible. It is not true this rhetoric about civilians not aware, not involved. It is absolutely not true. They could have risen up. They could have fought against that evil regime which took over Gaza in a coup d’état. But we are at war. We are at war. We are at war. We are defending our

homes. We are protecting our homes. That’s the truth. And when a nation protects its home, it fights. And we will fight until we’ll break their backbone.”

On 13 October 2023, Mr Israel Katz, then Minister of Energy and Infrastructure of Israel, stated on X (formerly Twitter):

“We will fight the terrorist organization Hamas and destroy it. All the civilian population in [G]aza is ordered to leave immediately. We will win. They will not receive a drop of water or a single battery until they leave the world.”

Again, this is not the Court saying that South Africa has alleged this. It is a finding of fact by the Court. The ICJ has already found to be untrue Israel’s denial in court of incitement to genocide.

Now think of this: the very next day after President Herzog made a genocidal statement, as determined by the International Court of Justice, he was met and offered “full support” by Ursula von der Leyen, President of the European Commission and Roberta Metsola, President of the European Parliament.



When you take the detail of what the Court has found to be the actual facts of the case, in death and destruction and in intent, I have no doubt that this is a court which is currently minded to find Israel guilty of genocide once the substantive case comes before the Court.

All of Israel's arguments were lost. Every one. The substantial effort Israel put into having the case dismissed on procedural grounds was brushed aside. So was self-defence. And in its findings of the facts, the Court plainly found to be untrue the Israeli lies about avoidance of civilian casualties, the responsibility of Hamas for the damage to infrastructure, and the access of relief aid to Gaza.

70. The Court considers that the civilian population in the Gaza Strip remains extremely vulnerable. It recalls that the military operation conducted by Israel after 7 October 2023 has resulted, *inter alia*, in tens of thousands of deaths and injuries and the destruction of homes, schools, medical facilities and other vital infrastructure, as well as displacement on a massive scale (see paragraph 46 above). The Court notes that the operation is ongoing and that the Prime Minister of Israel announced on 18 January 2024 that the war “will take many more long months”. At present, many Palestinians in the Gaza Strip have no access to the most basic foodstuffs, potable water, electricity, essential medicines or heating.

Those are the facts of what happened.

Do not be confused by the absence of the word “ceasefire” from the Court order. What the Court has ordered is very close to that. It has explicitly ordered the Israeli military to stop killing Palestinians.

THE COURT,

Indicates the following provisional measures:

(1) By fifteen votes to two,

The State of Israel shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to Palestinians in Gaza, take all measures within its power to prevent the commission of all acts within the scope of Article II of this Convention, in particular:

- (a) killing members of the group;
- (b) causing serious bodily or mental harm to members of the group;
- (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and
- (d) imposing measures intended to prevent births within the group;

IN FAVOUR: *President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judge ad hoc Moseneke;*

AGAINST: *Judge Sebutinde; Judge ad hoc Barak;*

(2) By fifteen votes to two,

The State of Israel shall ensure with immediate effect that its military does not commit any acts described in point 1 above;

IN FAVOUR: *President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judge ad hoc Moseneke;*

AGAINST: *Judge Sebutinde; Judge ad hoc Barak;*

That is absolutely clear. And while I accept it is tautologous, in the sense it is ordering Israel to obey a Convention which Israel is already bound to follow, there could be no clearer indication that the Court believes that Israel is not currently obeying it.

So what happens now?

Well, Israel has responded by killing over 180 Palestinian civilians since the Order was given from the International Court of Justice. If that continues, South Africa may return to the Court for more urgent measures even before the ordered monthly report from Israel is due. Algeria has announced it will take the Order to the UN Security Council for enforcement.

I doubt the United States will veto. There has been a schizophrenic reaction from Israel and its supporters to the ICJ Order. On the one hand, the ICJ has

been denounced as antisemitic. On the other hand the official narrative has been (incredibly) to claim Israel actually won the case, while minimising the coverage in mainstream media. This has been reinforced by the massive and coordinated attack on UNRWA, to create alternative headlines.

It is difficult to both claim that Israel somehow won, and at the same time seek to block UNSC enforcement of the Order. My suspicion is that there will be a continuing dual track: pretending that there is no genocide and Israel is obeying the “unnecessary” order, while at the same time attacking and ridiculing the ICJ and the wider UN.

No matter what the ICJ said, Israel would not have stopped the genocide; that is the simple truth. The immediate reaction of the US and allies to the Order has been to try to accelerate the genocide by crippling the UN’s aid relief work. I confess I did not expect anything quite that vicious and blatant.

The wheels of God grind slowly, but they grind exceedingly small. The ICJ having flagged up a potential genocide so strongly, it may well fall to judges in individual nations to restrain international support for the genocide. As I explained [in detail](#), the Genocide Convention has been incorporated into UK law by the International Criminal Court Act of 2001.

There will, beyond any doubt, have been minutes issued by FCDO legal advisers warning of ministers being at risk of personal liability in UK law for complicity in genocide now, should arms shipments and other military and intelligence cooperation with the Israeli genocide continue. In the US, hearings started already in California on a genocide complicity suit brought against Joe Biden.

Of course I wish this would all work faster. It will not. The UN General Assembly may suspend Israel from the UN. There are other useful actions to be taken. But this is a long slog, not a quick fix, and people like you and I continue to have a vital role, as everybody does, in using the power of the people to wrest control from a vicious political class of killers.

This was a good win. I am pleased that this course for which [I advocated](#) and lobbied has worked and increased pressure on the Zionists, and that my judgment that the International Court of Justice is not just a NATO tool like the corrupt International Criminal Court, has been vindicated.

It cannot help the infants killed and maimed last night or those to die in the coming few days. But it is a glimmer of hope on the horizon.

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