

Email: sajewsforafreepalestin@gmail.com



SAJFP Statement on ICJ Ruling

SAJFP (South African Jews for a Free Palestine) welcomes the acknowledgement of Israel's genocidal actions in today's ruling by the ICJ, as well as the provisional measures ordered by the Court. Having borne witness to the genocide Israel is committing against the Palestinians in Gaza, as part of the ongoing Nakba, we support the recognition of the urgency to prevent acts of genocide and ensure the provision of aid and basic services is freely allowed, as conveyed in the ruling.

Since the Nakba of 1948, Palestinians have lived as refugees under Israeli settler colonisation, driven off their lands or treated as second-class citizens in Apartheid Israel. Over these 75+ years, Israel has systematically attempted to erase Palestinians by continuing illegal land appropriation, the denial of Palestinian existence and culture, and the brutal murder, imprisonment, and destruction of Palestinian lives. For decades, the depth of the oppression has gotten progressively worse, culminating in the genocide Israel is currently committing against the 2.3 million Palestinians besieged in Gaza. The ICJ order takes the first, long-awaited step in the recognition by international law of the extensive suffering of the Palestinian people. Palestinian voices are finally being amplified all around the world – with Israeli lies at last being drowned out.

Along with all those committed to the freedom of Palestine, SAJFP has waited anxiously in anticipation of today's ruling. Each and every member of Gaza's population is at risk of imminent death by unabating Israeli aggression. In addition, there is an even greater risk of death by starvation, dehydration, disease, and exposure, in a dire humanitarian crisis intentionally created by Israel.

The ICJ cannot yet rule on whether Israel is committing genocide given that this is the provisional phase of this case. However, its ruling today came as close as is permissible given the nature of the application to doing so. The Court acknowledged the inhumane actions carried out by Israel, its imposition of a catastrophic humanitarian crisis, as well as the genocidal nature of the statements made by high-ranking Israeli officials. Having found that South Africa had standing to bring the application, that a "dispute" existed between South Africa and Israel, and that South Africa made a plausible case that the Genocide Convention has been violated by Israel, the Court ruled in favour of South Africa and granted certain provisional measures. The provisional measures ordered are as follows:

- Israel must take all measures to prevent commission of all acts of killing of and violence against Palestinians, and deliberate infliction of conditions designed to inflict destruction
- Israel must ensure with immediate effect that its military forces do not commit any of these acts
- Israel must take measures to prevent and punish public incitement to genocide
- Israel must take immediate and effective measures to facilitate humanitarian aid

- Israel must take measures to prevent destruction, and ensure preservation of evidence
- Israel must submit report to the court indicating all measures being taken within one month of today

While we had hoped that the Court would explicitly call for a ceasefire and order Israel to “immediately suspend its military operations in and against Gaza”, it would be impossible to implement the provisional measures the Court did order without effectively implementing a ceasefire, as stated by Minister of International Relations Dr Naledi Pandor at a press conference in The Hague,.

While observing the Israeli regime’s preference for impunity, SAJFP calls on the Israeli government to adhere to the ICJ’s ruling and implement the measures ordered. Unfortunately, responses from high ranking Israeli authorities already point to Israel’s unwillingness to comply and be held accountable for its actions. SAJFP further calls on Israel’s complicit allies, including the United States, to cease funding and arming a genocide and to place pressure on Israel to abide by the ICJ’s ruling, in accordance with their own obligations under the Genocide Convention, as well as immediately ceasing the sale of weapons to Israel, recognising that such support for genocide can amount to complicity.

The implementation of these measures must signify a milestone and not the destination of the journey that will lead to a free Palestine from the river to the sea. The law is a tool and not a solution, and those of conscience have recognised this genocide long before the legal architecture took action. While the ongoing genocide is necessarily at the forefront of our minds, it is the settler colonial Apartheid system that has been perpetuated for seventy-five years that has led us to this point. Genocide and Apartheid are not mutually exclusive, and exist across the whole of Palestine in the context of the ongoing Nakba. To end the suffering and prevent ongoing genocide, the Apartheid state of Israel must be dismantled to clear the way for a free, unsegregated Palestine.

SAJFP also acknowledges that while international law can contribute to the freedom of Palestine and an end to Apartheid, it has more often than not been used as a tool of imperialism and it is but one tool to be used in the struggle. SAJFP therefore commits to continue our activism towards this goal, raising awareness, fighting the equivalence of anti-Zionism with antisemitism, and maintaining the work of boycott, divestments, and sanctions (BDS) at the core of our actions. We do this in the name of many principles including of the Jewish value of Tikkun Olam (healing the world), as well as out of commitment and solidarity with the Palestinian people.

This is a significant moment, in which the criminal nature of the state of Israel has been unmasked within international law using the very Genocide Convention to which it is a party. We offer our warmest congratulations to the South African legal and diplomatic teams, and are proud to be South African. We urge our government to make this part of a broader national commitment to a permanent and immediate ceasefire and the complete freedom of Palestine. There is a long way to go, but it is a journey that ends in freedom and equality for all. In the words of Palestinian poet Mosab Abu Toha, “They kill us many times but we will live more than many times.”

For inquiries contact:

Jo Bluen: +27 78 053 9882
Rina King: +27 82 854 5692
Josh Marcus: +27 60 344 2020
Caitlin Le Roith: +27 82 702 7571

