



STATEMENT ON THE ICJ'S RULING ON PROVISIONAL MEASURES:

“WHERE IS THE JUSTICE?”

GegarAmerika acknowledges the *International Court of Justice (ICJ)* ruling on provisional measures in the South African application against Israel under the *1948 Convention on the Prevention & Punishment of Genocide (Genocide Convention)* but remains disappointed in its failure to explicitly call for an immediate and permanent ceasefire. **Over 174 Palestinians in Gaza and counting have been killed by Israel in the 24 hours since the ICJ ruling.**

GegarAmerika strongly considers Israel's actions in Gaza against the Palestinian people, to be a clear and textbook case of genocide. The ruling by the *ICJ*, has failed to rule in favour of South Africa's request for the provisional measure, or to explicitly call for a ceasefire.

The ruling by the *ICJ* failed to put in place a mechanism for enforcement beyond Israel's self reporting to the court within one month. Israel has repeatedly flouted both International Legal rulings and *United Nations Security Council* resolutions placed on its actions; and there is no historical context which would suggest that Israel's rampant violence in the Gaza Strip will cease as a result of this ruling. We ask the *ICJ*, where is the justice in allowing the oppressor to enforce themselves?

GegarAmerika would like to highlight that the *ICJ* has also failed to rule in favour of the following specific measures requested by South Africa, including:

- Israel shall immediately suspend its military operations in and against Gaza
- Israel shall take all reasonable measures within their power to prevent genocide
- Israel shall prevent the expulsion and forced displacement [of Palestinians] from their homes;
- Israel shall prevent the deprivation of access to adequate food and water

Despite this, we commend the court for ruling in favour of the provisional measures passed, in particular upholding *Article II* of the *Genocide Convention*, which prevents the commission of the following acts:

- (a) killing members of the group;
- (b) causing serious bodily or mental harm to the 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.

GegarAmerika is an initiative of Malaysians of conscience to pressure the United States of America; condemning US imperialism and US interventionist aggression across the Global South. The movement is currently focused on the liberation of Palestine.



We hope that this ruling will be the beginning of the end of Israel's impunity – led and enforced by the warmongering United States of America – on the global stage and in flagrant violation of International Humanitarian and Human Rights Laws.

We, *GegarAmerika*, remind the International Community that with this ruling the Palestinian people are a protected people, and that the International Community have the duty to act to protect the Palestinian people in the face of Genocide. We remind the International Community and International Institutions of their commitment to upholding International Humanitarian and Human Rights Laws, and we strongly urge the International Community to unite in enforcing the provisional measures passed by the ICJ, and to sanction those who violate or support the violation of said provisional measures.

Additionally, we would like to thank the government of South Africa for their commitment to stand on the side of human rights and justice, and their bravery in bringing this case to the *International Court of Justice* despite the intimidation they face from the forces of Western imperialism. We urge nations of conscience to take action against those who continue to fund, support, and arm Israel in its genocide on Gaza; we strongly urge that parties who are complicit in the genocide also be brought to the *ICJ*.

Finally, we call for an immediate Ceasefire and an influx of aid to the Gaza Strip; urge the *UNSC* member countries (in particular Algeria) to take steps to enforce the *ICJ's* ruling via a *UNSC* resolution; call on Malaysia to call for a resolution in the *UNGA* supporting the provisional measures; and urge the *UN* suspend Israel if it fails to heed the rulings by the *ICJ*.

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