



come, i.e., the final verdict issued, and the process of handling the case are significant.

The court has not yet delivered a final decision, and it may take some time for the review and issuance of a decision. However, the process of handling the case itself holds importance. Accusing Israel of genocide has generated various international reactions and placed this regime under international pressure. Israel must be held accountable for the allegations and for complying with the temporary orders.

**The issue of the Gaza war and Israeli crimes has now entered new phases, namely of accusing Israel of genocide and the violation of human rights and international conventions related to wars. Why do you think America, which claims to champion human rights in the world, remains a staunch support-**

#### er of Israel?

Unconditional support for Israel is part of the US strategy. For instance, Washington, in response to the same court decision, labeled it as meritless. Despite being a member of the International Court of Justice, it cannot jump to conclusions. Like other countries, the US can express its opinion during the content review of the case. However, here, it cannot impose its viewpoint on others and obstruct the proceedings and voting through veto power, as it does in the Security Council. The United States has long been openly undermining international law, which has cost it its moral advantage in the world. Hence, it can no longer be said that the US maintains its former position as a champion of human rights. In effect, the issuance of provisional court measures favoring Palestinians as well as Washington's open opposition to the measures will further weaken its international standing.

## It may be genocide, but it won't be stopped



By Chris Hedges  
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### OPINION

The International Court of Justice (ICJ) refused to implement the most crucial demand made by South African jurists: "Israel shall immediately suspend its military operations in and against Gaza." But at the same time, it delivered a devastating blow to the foundational myth of Israel. Israel, which paints itself as eternally persecuted, has been credibly accused of committing genocide against Palestinians in Gaza. Palestinians are the victims, not the perpetrators, of the "crime of crimes". A people, once in need of protection from genocide, are now potentially committing it. The court's ruling questions the very raison d'être of the "Jewish State" and challenges the impunity Israel has enjoyed since its founding 75 years ago.



▶ Palestinians flee the north Gaza Strip through the Salaheddine road in the Zeitoun district on the southern outskirts of Gaza City, with Israeli army tanks closely following them on November 24, 2023.  
● AFP

The ICJ ordered Israel to take six provisional measures to prevent acts of genocide, measures that will be very difficult if not impossible to fulfill if Israel continues its saturation bombing of Gaza and wholesale targeting of vital infrastructure.

The court called on Israel "to prevent and punish the direct and public incitement to commit genocide". It demanded Israel "take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance". It ordered Israel to protect Palestinian civilians. It called on Israel to protect some 50,000 women giving birth in Gaza. It ordered Israel to take "effective measures to prevent the destruction and ensure the preservation of evidence related to allegations of acts within the scope of Article II and Article III of the Convention on the Prevention and Punishment of the Crime of Genocide against members of the Palestinian group in the Gaza Strip". The court ordered Israel to "take all measures within its power" to prevent the crimes that amount to genocide such as "killing, causing serious bodily and mental harm, inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, and imposing measures intended to prevent births within the group".

Israel was ordered to report back in one month to explain what it had done to implement the provisional measures.

Gaza was pounded with bombs, missiles, and artillery shells as the ruling was read in The Hague. Since October 7, more than 26,000 Palestinians have been killed. Almost 65,000 have been wounded, according to the Palestinian Ministry of Health. Thousands more are missing. The carnage continues. This is the cold reality.

Translated into the vernacular, the court is saying Israel must feed and provide medical care for the victims, cease public statements advocating genocide, preserve evidence of genocide, and stop killing Palestinian civilians. Come back and report in a month. It is hard to see how these provisional measures can be achieved if the carnage in Gaza continues.

"Without a ceasefire, the order doesn't actually work," Naledi Pandor, South Africa's minister of international relations, stated bluntly after the ruling. Time is not on the side of the Palestinians. Thousands of Palestinians will die within a month. Palestinians in Gaza make up 80 percent of all the people facing famine or catastrophic hunger worldwide, according to the

United Nations. The entire population of Gaza by early February is projected to lack sufficient food, with half a million people suffering from starvation, according to the Integrated Food Security Phase Classification, drawing on data from UN agencies and NGOs. The famine is engineered by Israel.

At best, the court — while it will not rule for a few years on whether Israel is committing genocide — has given legal license to use the word "genocide" to describe what Israel is doing in Gaza. This is very significant, but it is not enough, given the humanitarian catastrophe in Gaza.

Israel has dropped almost 30,000 bombs and shells on Gaza — eight times more bombs than the US dropped on Iraq during six years of war. It has used hundreds of 2,000-pound bombs to obliterate densely populated areas, including refugee camps. These "bunker buster" bombs have a kill radius of a thousand feet. The Israeli aerial assault is unlike anything seen since Vietnam. Gaza, only 20 miles long and five miles wide, is rapidly becoming, by design, uninhabitable.

Israel will no doubt continue its assault, arguing that it is not in violation of the court's directives. In addition, the Biden administration will undoubtedly veto the resolution at the Security Council demanding Israel implement the provisional measures. The General Assembly, if the Security Council does not endorse the measures, can vote again calling for a ceasefire, but has no power to enforce it.

The only active resistance to halt the Gaza genocide is provided by Yemen's Red Sea blockade. Yemen, which was under siege for eight years by Saudi Arabia, the United Arab Emirates, France, Britain, and the US, experienced over 400,000 deaths from starvation, lack of health care, infectious diseases, and the deliberate bombing of schools, hospitals, infrastructure, residential areas, markets, funerals, and weddings. Yemenis know too

well — since at least 2017 multiple UN agencies have described Yemen as experiencing "the largest humanitarian crisis in the world" — what the Palestinians are enduring.

Yemen's resistance — when the history of this genocide is written — will set it apart from nearly every other nation. The rest of the world, including the Arab world, retreats into toothless rhetorical condemnations or actively supports Israel's obliteration of Gaza and its 2.3 million inhabitants.

The Israeli newspaper Yedioth Ahronoth reported that the US has sent 230 cargo planes and 20 ships filled with artillery shells, armored vehicles, and combat equipment to Israel since the attacks of October 7, in which some 1,200 Israelis were killed. US weapons and military equipment are being shipped to Israel — which is running out of munitions — from the British base RAF Akrotiri in Cyprus, according to the UK investigative website Declassified UK. The Israeli newspaper Haaretz reported that more than 40 US and 20 British transport aircraft, along with seven heavy-lift helicopters, have flown into RAF Akrotiri, a 40-minute flight from Tel Aviv. Germany reportedly plans to provide 10,000 rounds of 120mm precision ammunition to Israel. If the court rules against Israel, these countries will be recognized by the world's most important international court as accomplices to genocide.

It is clear from the ruling that the court is fully aware of the magnitude of Israel's crimes. This makes the decision not to call for the immediate suspension of Israeli military activity in and against Gaza all the more distressing. But the court did deliver a devastating blow to the mystique Israel has used since its founding to carry out its settler colonial project against the indigenous inhabitants of historic Palestine. It made the word genocide, when applied to Israel, credible.

The full article first appeared in ScheerPost.



▶ Pro-Palestine activists wave flags as the International Court of Justice (ICJ) President Joan E. Donoghue delivers the court's ruling on the genocide case against Israel, in The Hague, Netherlands, on January 26, 2024.  
● PATRICK POST/AP

