

MEANWHILE IN THE MIDDLE EAST



Why both South Africa and Israel are welcoming the UN court's ruling in a landmark genocide case

CNN

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January 26, 2024



Judges are seen at the International Court of Justice in The Hague, Netherlands, on Friday. (Piroschka van de Wouw/Reuters)

A historic ruling by the United Nations' top court in a genocide case against Israel on Friday was welcomed by the three main parties it involved: Israel, South Africa and the Palestinians. But at the same time, no one got what they asked for.

The International Court of Justice in The Hague, the Netherlands, ordered Israel to "take all measures" to prevent genocide in Gaza after South Africa accused Israel of violating international laws on genocide in its war in the territory.

It rejected Israel's request for the case to be thrown out, but it also stopped short of ordering Israel to halt the war as South Africa has asked.

"I would have wanted a ceasefire," said South African foreign minister **Naledi Pandor** after the ruling in The Hague. She said that she was still satisfied with the outcome.

Israel went to war with Hamas in Gaza after the Palestinian militant group launched a brutal attack on the country on October 7, killing 1,200 people and taking more than 250 people hostage.

The war has resulted in the death of more than 26,000 people in Gaza, according to the Hamas-run health ministry, and left much of the enclave in ruins. Israel has pledged not to stop its campaign until all the remaining hostages are released and Hamas is destroyed.

The case at the ICJ marks **the first time** Israel has been brought before the court on accusations of violating the 1948 UN Genocide Convention, which was drafted

in part due to the mass killings of Jewish people in the Holocaust during the Second World War.

Still, many Israelis hailed the ruling on Friday as a win for the Jewish state. Eylon Levi, an Israeli government spokesperson, said the court " **dismissed** (South Africa's) ridiculous demand to tell Israel to stop defending its people and fighting for the hostages." **Avi Mayer**, the former editor in chief of the Jerusalem Post called it "a devastating blow to those accusing the Jewish state of 'genocide'."

"The most dramatic thing is that no ceasefire was ordered," Shelly Aviv Yeini, head of the international law department at Israel's Haifa University, told CNN, adding that a potential ceasefire order was Israel's biggest fear, especially as it would have come as over a hundred hostages remain in Gaza.

The discourse in Israel has so far focused on only ending the war once the hostages are freed, she said, adding that Israel would have "struggled to live" with a ceasefire order that doesn't guarantee the return of the captives.

"So, I think this is quite (an) expected outcome, and something that Israel will be able to comply with," she said, adding that the court's order for Israel to deliver humanitarian aid and report back to the ICJ on its actions is "doable."

A 'dark day' in Israel's history

Despite the outcome being perceived by some as being in Israel's favor, experts warned of the reputational damage faced by the Jewish state.

“I would not call it a win, but I would say it could have been worse,” Robbie Sabel, professor of international law at the Hebrew University of Jerusalem, told CNN.

“The fact that in public eyes there'll be an association that Israel's acts could have led to genocide, clearly this is harmful public relations.”

Friday's measure was an interim measure by the ICJ as the court considers a full ruling on whether Israel is guilty of violating the Genocide Convention. That ruling could take years.

Sabel said that while he is “absolutely convinced” that the ICJ will eventually find Israel not guilty of genocide, he worries that by that time “the public may have forgotten that.”

“If they had asked us to stop defending ourselves, we would have had a problem, and at least we don't have that problem,” he said.

Yeini said it was nonetheless a “a very dark day” in Israel's history.

For some Palestinians, however, the court's ruling didn't go far enough.

Mohammed el-Kurd, a Palestinian activist from Jerusalem, said the ICJ failed on South Africa's “most important request” to suspend the military operations. “Not shocking, but stings nonetheless,” he said on X, formerly Twitter.

“Until the Israeli regime's genocidal assault on Gaza stops, we should keep protesting and disrupting in every way possible. This is today's lesson,” **he said**.

CNN's Christian Edwards contributed to this report.

More on the Israel-Hamas war

- **Netanyahu under pressure:** More than 40 senior former Israeli national security officials, celebrated scientists and prominent business leaders have sent a letter to Israel's president and speaker of parliament demanding that Prime Minister Benjamin **Netanyahu be removed** from office for posing what they say is an "existential" threat to the country. "We believe that Netanyahu bears primary responsibility for creating the circumstances leading to the brutal massacre of over 1,200 Israelis and others, the injury of over 4,500, and the kidnapping of more than 230 individuals, of whom over 130 are still held in Hamas captivity," it reads. "The victim's blood is on Netanyahu's hands."
- **Israel-Qatar spat:** Qatar on Wednesday said Netanyahu was **undermining mediation efforts** in the Israel-Hamas war after a leaked recording allegedly captured the Israeli prime minister criticizing the Gulf nation. On the recording, a voice – purportedly that of Netanyahu – describes Qatar as "problematic."

The speaker also says he is “very mad at the Americans” for renewing a lease on their military base in Qatar without extracting a concession on hostages from the country. "These remarks if validated, are irresponsible and destructive to the efforts to save innocent lives, but are not surprising," Qatar's foreign ministry spokesperson, Majed Al Ansari, said.

- **Hostage talks:** The director of the CIA, Bill Burns, is expected to meet with officials from Israel, Egypt and Qatar to discuss a deal to secure the **release of remaining hostages** held by Hamas, according to a US official familiar with the plans. It comes amid intensive discussions on the parameters of a new deal that would pair hostages' release with a cessation in the fighting in Gaza. The meetings are expected to occur in Europe, the official said. The CIA declined to comment. The White House, which also declined to confirm Burns' meetings, said Thursday that ongoing hostage talks were “sober and serious.”