INTERNATIONAL COURT OF JUSTICE

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Press Release
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Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)

Palestine files an application for permission to intervene and a declaration of intervention in the proceedings, invoking Articles 62 and 63 of the Statute of the Court

THE HAGUE, 3 June 2024. On 31 May 2024, the State of Palestine filed in the Registry of the Court an application for permission to intervene and a declaration of intervention in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa* v. *Israel)*.

It is recalled that on 31 May 2024, pursuant to Security Council Resolution 9 (1946) (adopted by the Council by virtue of the powers conferred upon it by Article 35 (2) of the Statute of the Court), Palestine filed in the Registry of the Court a declaration accepting "with immediate effect the competence of the International Court of Justice for the settlement of all disputes that may arise or that have already arisen covered by Article IX of the [Genocide Convention], to which the State of Palestine acceded on 2 April 2014" (see press release 2024/51).

Palestine states that its application for permission to intervene and declaration of intervention are "cumulative and alternative". It first applies for permission to intervene under Article 62 of the Statute of the Court. It submits that every State party to the Genocide Convention has an interest in ensuring compliance with that instrument and that, therefore, Palestine has an "interest of a legal nature which may be affected by the decision in the case", as required by Article 62. Palestine further states that it has a "special interest" in the current proceedings as a specially affected State.

Palestine also submits a declaration of intervention under Article 63 of the Statute of the Court, pursuant to which, whenever the construction of a convention to which States other than those concerned in the case are parties is in question, each of these States has the right to intervene in the proceedings. Palestine explains that it wishes to intervene on the construction of Articles I, II, III, IV, V, VI and IX, as well as the Preamble to the Genocide Convention.

The full text of Palestine's application for permission to intervene and declaration of intervention is available on the Court's website.

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History of the proceedings

On 29 December 2023, South Africa filed an Application instituting proceedings against Israel concerning alleged violations by Israel of its obligations under the Genocide Convention in relation to Palestinians in the Gaza Strip.

The Application also contained a request for the indication of provisional measures, pursuant to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court. The Applicant requested the Court to indicate provisional measures in order to "protect against further, severe and irreparable harm to the rights of the Palestinian people under the Genocide Convention" and "to ensure Israel's compliance with its obligations under the Genocide Convention not to engage in genocide, and to prevent and to punish genocide". On 26 January 2024, the Court delivered its Order on South Africa's request.

On 23 January 2024, Nicaragua, referring to Article 62 of the Statute of the Court, filed in the Registry of the Court an Application for permission to intervene "as a party" in the case.

On 16 February 2024, the Court took a decision communicated to the Parties by a letter from the Registrar, on a request by South Africa for additional provisional measures dated 12 February 2024.

On 28 March 2024, the Court indicated additional provisional measures, following a request from South Africa, dated 6 March 2024, for the indication of additional provisional measures and/or the modification of its Order of 26 January 2024.

On 5 April 2024, Colombia, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a declaration of intervention in the case.

On 10 May 2024, Libya, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a declaration of intervention in the case.

On Thursday 16 and Friday 17 May 2024, the Court held public hearings on a request for the modification and the indication of provisional measures submitted by South Africa on 10 May 2024. The Court delivered its Order on this further request on 24 May 2024.

On 24 May 2024, Mexico, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a declaration of intervention in the case.

Earlier press releases relating to this case are available on the Court's website.

Note: The Court's press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The French version of this press release will be issued in due course.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the

Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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