

# World Court To Hear South Africa's Charge of Genocide Against Israel

*This report is an excerpted and edited transcript of a presentation on this crucial case by EIR investigative journalist David Shavin on the Jan. 4 “Fireside Chat” webcast of The LaRouche Organization. Additional reporting is by David Cherry and Richard Freeman.*

*The International Court of Justice (ICJ), otherwise known as the World Court, is the main judicial organ of the United Nations. Established in 1945, and composed of 15 judges elected to nine-year terms of office by the UN General Assembly and the Security Council, it is the only international court authorized by the UN Charter to adjudicate general disputes between countries, with its rulings and opinions as primary sources of international law. It is not to be confused with the International Criminal Court, also resident in The Hague, Netherlands, which is limited to prosecution of individuals under international criminal law.*

Jan. 4—The UN’s International Court of Justice (ICJ), on Jan. 11–12, will hear South Africa’s case that the present Israeli government of Prime Minister Benjamin Netanyahu is violating the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, and that, among other things, the UN must order an immediate halt to Israel’s military operations.



Flickr/Roman Boed

*The International Court of Justice (World Court) in The Hague, Netherlands, will hear South Africa’s case charging Israel with violating the 1948 Convention on Genocide, in Gaza.*



DoD/USAF/Jack Sanders

*Benjamin Netanyahu, Prime Minister of Israel, named in South Africa’s charges for his policy of genocide against the Palestinians.*

Israel was a signer, and in 1948 a promoter, of the Convention on Genocide. Israel will appear to oppose the charge.

Now, in South Africa’s submitted case, the Convention on Genocide is cited as defining genocide as acts such as “killings committed with intent to destroy, in whole or in part, a national, ethnic, racial, or religious group.” So South Africa’s 84-page filing says that Israel’s actions are “genocidal in character, because they are intended to bring about the destruction of a substantial part” of the Palestinians in Gaza. Besides killings and serious injuries, Israel is “inflicting on them conditions of life calculated to bring about their physical destruction as a group.”

I actually think this is the most telling part. Israel has failed “to provide or ensure essential food, water, medicine, fuel, shelter, and other humanitarian assistance for the besieged and blockaded people,” and forced “the evacuation of 1.9 million people, or 85% of the population”; it has herded them “into ever-smaller areas without adequate shelter,” and continued to attack them.

Besides committing genocide, South Africa is also charging [Israel’s government] with failing to hold senior Israeli officials accountable for their direct and public incitement to genocide. Even if they weren’t committing

genocide, that is also a crime. So both things are named.

The report goes on to say that, beyond the killing of more than 21,110 named Palestinians as of Dec. 29 when they filed, and with over 7,780 more missing, “Israel has also laid waste to vast areas of Gaza.” It has

damaged over 355,000 homes according to the report. It refers to 75 years of apartheid, 56 years of belligerent occupation of Palestinian territory, and 16 years of blockading Gaza.

The ICJ is to order Israel to cease the killings, offer reparations, and reconstruct what it has destroyed.

## Nations Endorse South Africa’s Genocide Charge

The governments of Türkiye and Malaysia announced Jan. 3 their support for the South African government’s Application to the International Court of Justice (ICJ) in The Hague, asking that Israel be investigated for crimes of genocide against the people of Palestine. They were joined by Jordan the next day.

The Organization of Islamic Cooperation (OIC) of 57 nations had endorsed South Africa’s action Dec. 30.

A spokesperson for the South African Foreign Ministry told the Jan. 3 *Jerusalem Post* that it expects other countries to soon follow Türkiye’s and Malaysia’s lead. The newspaper quoted the Turkish Foreign Ministry saying, “It is expected that within the framework of this application, the ICJ will decide on provisional measures involving those to stop Israel’s attacks on Gaza.”

The Malaysian Ministry of Foreign Affairs had said Jan. 2 that it—

welcomes the application by South Africa instituting proceedings against Israel ... concerning the violations by Israel of its obligations under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide in relation to Palestinians in the Gaza Strip.

On Jan. 4, Jordanian Foreign Minister Ayman Al-Safadi declared Jordan’s support for South Africa’s Application and [told](#) the Jordanian parliament,

There are 43 Arab and Islamic countries that are members of the 1948 Convention on the Prevention and Punishment of Genocide, and

one of the decisions of the joint Arab-Islamic summit was to assign the general secretariats of the Arab League and the Organisation of Islamic Cooperation to prepare legal files, and we are now working on formulating a joint effort to follow up on this file.

Helga Zepp-LaRouche, founder and head of the international Schiller Institutes, told an International Peace Coalition meeting Jan. 5:

It will be an important international stage, and South Africa has a high moral standing because of its successful fight against the apartheid regime. It’s also characteristic of our time that it is an African country, and a member of the BRICS, which is taking the lead in bringing the crime to world attention, and not a member of the West, which has abandoned moral leadership on these matters.

The *Middle East Eye* on Jan. 4 summarized a [report](#) by David Hearst, its Editor-in-Chief:

“As the world watches, the fate of international justice hinges on this crucial case,” says David Hearst, co-founder and editor-in-chief of *Middle East Eye*. South Africa has filed a meticulous application at the International Court of Justice, accusing Israel of genocide in Gaza. Backed by evidence, the 84-page document details Israel’s alleged genocidal actions, from the scale of killings exceeding 22,000, to the deprivation of food, water and healthcare in Gaza.

## Africa's Obligation

Before it filed on Dec. 29, back on Nov. 12, South Africa's Foreign Minister [Naledi] Pandor called upon the International Criminal Court (ICC) set up in 2002—the ICJ was set up in 1946, and quite frankly is much more serious—but Pandor called upon the ICC Prosecutor, whose name is Karim Khan, to “speed up the investigation and explore breaches of three of the four crimes under the ICC jurisdiction—war crimes, crimes against humanity, and genocide. We expect that warrants of arrest should be executed for those most responsible,” and [Pandor] goes on to name Netanyahu and some of his Cabinet members.

We can expect Karim Khan to dutifully stall, which he has been doing.

The South African government made the decision to go forward, very properly, with the International Court of Justice, in December. So, on Dec. 29, South Africa does file with the ICJ. What the Office of the President said at that time was:

South Africa is gravely concerned with the plight of civilians caught up in the present Israeli at-



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*Dr. Naledi Pandor, South African Foreign Minister.*

tacks on the Gaza Strip due to the indiscriminate use of force and forcible removal of inhabitants.... As a state party to the Convention on the Prevention and Punishment of the Crime of Genocide, South Africa is under a treaty obligation to prevent genocide from occurring.

That's what they all [signators to the Convention in 1946 —ed.] agreed to, so they're obligated to do what they're doing. So [South Africa's] Cabinet directed the filing to the ICJ.

## Israel's 'Blood Libel' Response

Israel's response on Jan. 2, coming from the Prime Minister's senior spokesman, Eylon Levy, was that Israel objects to “South Africa's absurd blood libel.”

I just want to mention that “blood libel,” for people who don't know this, is more inflammatory to Jews—saying “blood libel,” somebody's committing a “blood libel”—than if they heard someone is an anti-Semite or even a Nazi. “Blood libel” is from the Middle Ages; it was concocted to incite riots



Wafa/Mahmoud Fareed

*Reflecting the widespread damage inflicted by IDF airstrikes in Gaza is this rubble of what was the Al-Amin Muhammad Mosque in Khan Younis, destroyed Oct. 8, 2023.*

and pogroms against Jews, by alleging that Jews would kill Christian babies and children to use their blood in making matzoh, or some other bizarre story. It was designed to create blind rage, both against the Jews, and for that matter, amongst the Jews.

I was rather shocked when I noticed a week earlier, on Christmas Day, before Eylon Levy invoked the blood libel, that [Israel's] Foreign Minister Eli Cohen had stated that the UN had published "unsubstantiated blood libels" against Israel.... Then, two days later, the same Eylon Levy announced that Foreign Minister Eli Cohen had taken action against the UN: No visas for any UN employees unless they keep quiet about the conditions in Gaza. Since they're not being kept quiet, they're not going to get visas, and reporting on the situation in Gaza is cooperating with "the Hamas terror regime's propaganda machine."

Israel knows it's committing crimes; they know what the situation is on the ground in Gaza. They just have to shut people up. Accusing the UN or South Africa of a blood libel is itself an incitement to violence.

### 'Evacuate the Gazans to Sinai'

You don't need written documentation of the ethnic cleansing plan of Israel, *but it exists*. All you need to know is that first, bombing the north [of Gaza] was intentional terrorizing of the population; forcing them to the south to "safety." And then going after them in the Khan Younis area in the south and forcing them to the Egyptian border. Everything we've seen is proof on its own. Also, the intentional deprivation of water, food, medicine, fuel, shelter.

But on Dec. 27, an Israeli publication called *Mekomit* ran a 10-page article on the official document that Israel's Ministry of Intelligence put out back on Oct. 13. Yuval Abraham was the author of this article about the document from Oct. 13 that we know Netanyahu was working from. The article elaborates on the explicit ethnic cleansing policy being pushed:

The document recommends that "Israel act to evacuate the Gazan population to Sinai during the war to establish tent cities and new cities in northern Sinai [desert in Egypt—ed.] which will accommodate the purported population. And then to create a sterile zone of several kilometers inside Egypt and not allow the population to



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*Gila Gamliel, Israeli Minister of Intelligence—another named party in South Africa's genocide docket.*

return to activity or residence near the Israeli border."

At the same time, countries in the world, primarily the U.S., "must be harnessed to implement the move." This is probably how we know Netanyahu was working from the document. We know, independently, he was trying to push [U.S. President Joe] Biden to go after Egypt and make this happen. And Washington knows that's what was on Netanyahu's mind; it's no big secret. The Intelligence Ministry is not like a U.S. intelligence directorate. It doesn't gather intelligence; it actually writes position papers ... for the government to act on. It's headed by Likud Party's Gila Gamliel, another person on [South Africa's] docket.

Author Abraham wrote that an "official at the Ministry of Intelligence confirmed that this is an authentic document from the Ministry of Intelligence." It was distributed to the Cabinet, to the security arms of the Israeli government. It wasn't supposed to reach the media, so somebody leaked it on Dec. 27.

Just to quote a little bit more from [Abraham's article on] the document:

The transfer plan is divided into several phases. In the first phase, the population in Gaza must be "vacated to the south," while the Air Force

strikes will focus on the northern part of the Strip. In the second phase, ground entry into Gaza will begin, which will lead to the occupation of the entire Strip from north to south. [Then, as Israeli forces occupy the south] The citizens of Gaza will move to Egyptian territory, leave the Strip, and will not be allowed to return to it permanently....

The United States can contribute to the move by exerting “pressure on Egypt” and other countries to make this happen. Israel is to conduct a supplementary campaign for the Western world in a way that does not incite and blacken Israel, in which the deportation of the population from Gaza will be presented as a humanitarianly necessary move. We will receive the support of the world, because it will lead to fewer casualties among the civilian population compared to the expected number of casualties otherwise. If the population of Gaza remains in the Strip, there will be many Arab deaths during the expected occupation of Gaza, and this will damage Israel’s international image even more than the deportation of the population.

I’ll mention in line with that: This report was dated Oct. 13. On Oct. 12, a few hours before the order came out that the Palestinians had 24 hours to vacate the north of Gaza, Lt. Colonel Jonathan Conricus, international spokesman for the Israel Defense Forces, speaking to a video meeting of AIPAC officials, as [reported](#) by the *Times of Israel*, warned of Israeli attacks that will produce scenes out of Gaza that will be hard to stomach. The *Times of Israel* said:

A spokesman for the Israel Defense Forces urged AIPAC and its followers to stick with Israel as it attacks Hamas, even when “the going gets ugly” and “the scenes out of Gaza will be hard to stomach.” Conricus spoke to a webcast convened by the AIPAC about what Israel expects from Americans and especially those who support the pro-Israel lobby....

### **U.S.: South African Submission Is ‘Meritless’**

So, they all knew.

I guess I should update you. On Jan. 3, State De-

partment briefing spokesman Mike Miller was asked about the South African case and the allegations of genocide. He said,

There’s no concern at the State Department that our officials will be roped into what South Africa’s doing. It’s counterproductive. [These are] allegations that should not be made lightly. And as it pertains to the United States, we’re not seeing any acts that constitute genocide.

The question to Miller is then repeated: “Has the State Department determined that acts of genocide are not taking place?” Has it done any due diligence? Miller stammers: “We have not at this point seen acts that constitute genocide, no.” He is asked again: “Is there a State Department process that’s been completed to make that determination?” Miller makes up: “Well, that’s a determination by the State Department that I just represented here at the podium.”

[White House National Security Council spokesman] John Kirby was asked something similar. Does Washington agree with what South Africa is doing? And what about Israel’s charge that it’s a blood libel? Kirby said:

We find this submission [by South Africa] meritless, counterproductive, and completely without any basis in fact whatsoever.

### **ICJ Hearings To Be Live-Streamed**

The [ICJ announced](#) that the Jan. 11 “hearings will be streamed live and on demand (VOD) in the two official languages of the Court, English and French, on the [Court’s website](#) and on [UN Web TV](#). High-resolution video clips and still photos produced by the Registry during the hearings will be available free of charge and free of copyright for editorial, non-commercial use, on the Court’s website” and on their X feed, [@CIJ\\_ICJ](#). The hearing in The Hague is scheduled for 10 a.m.–12 noon local time on Jan. 11, with Israel’s defense at 10 a.m.–12 noon on Jan. 12.

*For historical background, see the [EIR Special Report of December 2000](#), “Who Is Sparking a Religious War in the Middle East?”*