

## Australia Must Support South Africa's International Court of Justice Case Against Israel

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Asia-Pacific Research, January 10, 2024

[Green Left](#) 7 January 2024

Region: [Oceania](#)

Theme: [Justice](#)

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*South Africa has [filed a suit against Israel](#) for committing genocide in Gaza in violation of the 1948 Genocide Convention in the International Court of Justice in The Hague.*

Charges of genocide include documentation of Israel's killing of thousands of women and children, destruction of homes, denial to a population of water, food, power and medical supplies, the expulsion and displacement of citizens of Gaza.

South Africa's evidence includes reference to Israeli President Isaac Herzog insisting that all Gazans are "Hamas", therefore no distinction can be made between civilians and alleged combatants.

Despite Australia's supposed enthusiasm for the rule of international law, it has shown no intention to support the South African initiative.

The Labor government has ignored requests from the [Australia Palestine Advocacy Network](#) to intervene on South Africa's behalf. If Australia did support South Africa, it would aid legal intervention to cease the slaughter and destruction in Gaza and on the West Bank.

In terms of any prima facie judgment, Australia's foreign policy appears hypocritical.

At the end last September, Australia, without hesitation, joined 31 other countries in support of a Ukrainian suit, filed in the ICJ, against Russia's "immoral and illegal invasion of Ukraine".

Australia then called on Russia to comply with an ICJ binding order to immediately withdraw its military forces from Ukraine. Foreign Minister Penny Wong insisted that “Russia must be held to account for its illegal and immoral invasion of Ukraine”.

The standards used to hold Russia to account are not being applied to Israel.

Developing countries view the West’s claims to uphold international law and common decency as deceitful, false and hypocritical.

Although the ICJ’s findings for the South African case may not be determined by the number of Gazans dead and the extent of the destruction, Australia’s government needs to be consistent.

United Nations figures show that Israeli forces have killed twice as many women and children in Gaza in two months as Russian forces killed in Ukraine in more than two years.

Satellite technology assessments of Israel’s bombing of Gaza show a far greater intensity than in Ukraine, Syria and in the World War II.

According to the Euro-Med [Human Rights Monitor](#), Israel dropped more than 25,000 tons of explosives in Gaza since October 7 — the equivalent to two nuclear bombs.

Labor must think again. Abandon hypocrisy, strive for consistency and make a contribution to humanity by supporting South Africa at the ICJ.

Lawyers with experience of pleading a case for genocide, notably in Bosnia, believe that South Africa’s case is strong and that the ICJ should rule in South Africa’s favour, with a declaration that war and genocide in Gaza must cease.

Rulings by the ICJ are legally binding on signatories to the Geneva Convention.

That leaves Australia, a supposed champion of international law, with two options: it could ignore an ICJ ruling and continue to encourage Israel to do what it likes; or it could adhere to the ICJ ruling.

If it did the latter, its claim to support international law, irrespective of what the US advises or how Israel behaves, would be bolstered.

A third option is not to wait for the ICJ ruling and, instead, abandon hypocrisy, and quickly declare support for South Africa’s ICJ initiative.

It’s not too late to save lives in Gaza and the West Bank.

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Featured image: At the 12th consecutive week protest for Palestine in Gadi/Sydne, January 6. Photo: Peter Boyle

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