

Sadaka - the Ireland Palestine Alliance welcomes Preliminary Measures awarded against Israel by the International Court of Justice (ICJ) and calls on the Government to act urgently to protect the people of Gaza.

The ICJ stated in its order of 26 January 2024 that it considers the Palestinians in the Gaza Strip at plausible risk of genocide by Israel, and that they must be protected from acts of genocide. The Court upheld South Africa's right to seek Israel's compliance with its responsibilities under the Genocide Convention and described its case as valid.

In a series of orders, supported by an overwhelming majority of the judges, the ICJ has demanded that Israel not commit any acts of genocide against Palestinians in Gaza.

In particular, the Court has ordered that Israel must take all measures within its power to prevent:

- killing members of the group
- causing serious bodily or mental harm to members of the group
- deliberately 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.

The Court also ordered Israel to prevent and punish the direct and public incitement to commit genocide in relation to members of the group; and further ordered Israel to take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip.

The Court has ordered Israel to prevent the destruction and ensure the preservation of evidence related to allegations of acts of genocide against Palestinians in the Gaza Strip.

Israel must submit a report to the Court within thirty days on measures it has taken to give effect to the orders. The Court's orders are final and binding.

Sadaka's Chair, Éamonn Meehan, said: "Given the clear and unambiguous position of the ICJ that there is a plausible risk that acts of genocide are being committed by Israel in Gaza, the Government must act immediately. Article 1 of the Genocide Convention requires all States parties to the Convention 'to employ all means reasonably available to them' to prevent genocide.

As a contracting party to the Genocide Convention, the Government must now identify all measures against Israel that are available to Ireland in order to prevent genocide in Gaza, in particular regarding the political, trade and other links between Ireland and Israel, and must implement them urgently.

Ireland must call on the EU to do the same.

A State's obligation to prevent genocide, as well as the duty to act, arise at the instant that the State learns (or should normally have learned) of the existence of a serious risk of genocide. This is an obligation which Ireland cannot avoid.

Ireland must now also urgently intervene in the case, in support of the Court's orders and in defence of the vulnerable population of the Gaza Strip, who are undergoing a relentless and devastating assault by Israel, resulting in unprecedented loss of life, destruction of homes, hospitals, schools and essential services, mass displacement and, now also, hunger and disease.

Ireland's intervention in this case is critical in supporting the ICJ in the exercise of its jurisdiction and in defence of the international rule of law. The Order of the Court clearly states that the measures awarded have binding effect and create international legal obligations for any party to whom the provisional measures are addressed. The measures are addressed to all parties to the Genocide Convention. This includes Ireland.”