

Gaza: World court orders Israel to halt military operations in Rafah

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The International Court of Justice (ICJ) on Friday issued new provisional measures that order Israel to immediately end military operations in Rafah in southern Gaza and to open the governate's border crossing for urgent aid deliveries.

This follows a request from South Africa in a pending case accusing Israel of violating its obligations under the Genocide Convention.

Reading the [new provisional measures](#) in an open session at the court in The Hague, [ICJ](#) Justice Nawaf Salam announced that Israel must abide by its obligations under the [Genocide Convention](#) to "immediately halt its military offensive and any other action in the Rafah governate which may inflict upon the Palestinian group in Gaza conditions of life that would bring about its physical destruction in whole and in part".

The court issued that decision by 13 votes in favour to two against.

The new provisional measures came in response to South Africa's [request](#) made on 10 May related to its initial accusations in December that Israel is violating its obligations under the Genocide Convention during the war in Gaza, which broke out after Hamas-led attacks on Israel in October that killed more than 1,200 people and left another 250 taken hostage.

Israel's military response has, to date, killed nearly 36,000 Palestinians and caused widespread destruction and a looming famine in the besieged and bombarded enclave.

Court orders opening of Rafah border crossing

Given the worsening conditions on the ground since Israel's incursion into Rafah on 7 May, the court decided, also by votes of 13 in favour to two against, the new provisional measures shall require Israel to open the Rafah crossing for the unhindered delivery of urgent humanitarian aid and ensure unimpeded access for fact-finding missions to investigate allegations of genocide.

The Rafah border crossing, which has been the main entry point for aid to the enclave, has been closed since 7 May.

"The court is not convinced that evacuation efforts and related measures that Israel has affirmed to have undertaken to enhance the security of civilians in the Gaza Strip, and in particular those recently displaced from the Rafah governate, are sufficient to alleviate

immense risks to which the Palestinian population is exposed as a result of the military offensive in Rafah,” Mr. Salam said.

In addition, the ICJ ordered Israel to submit a report within one month on steps taken to implement these provisional measures.

Deteriorating conditions

Mr. Salam said the ICJ had noted that the situation in Gaza has deteriorated since it last issued provisional measures in March, adding that since Israel’s incursion into Rafah, the Najjar Hospital was no longer functioning and aid efforts have been impacted.

The court also noted that Israel’s evacuation orders for Rafah residents had led more than 800,000 people to flee to places like the coastal area of Al Mawasi, which lacked the basic essentials and services to accommodate them.

Since taking up South Africa’s case in January, the ICJ had already issued provisional measures in [January](#) and [March](#) by which Israel must, among other things, take all steps to ensure sufficient humanitarian aid enters Gaza.

However, UN agencies are reporting that scant aid is currently entering Gaza.

Court reiterates call to release hostages

On Friday, Mr. Salam recalled that in the two previous orders for provisional measures “the court expressed its grave concern over the fate of the hostages abducted during the attack in Israel on 7 October 2023 and held since then by Hamas and other armed groups, and called for their immediate and unconditional release.”

He said “the court finds it deeply troubling that many of these hostages remain in captivity and reiterates its call for their immediate and unconditional release.”

UN chief to send ICJ order to the Security Council

The Secretary-General took note of the new provisional measures, UN Spokesperson Stéphane Dujarric told journalists at UN Headquarters on Friday.

Recalling that, pursuant to the [UN Charter](#) and to the Statute of the Court, the decisions of the ICJ “are binding”, the UN chief “trusts that the parties will duly comply with the order from the court”.

“In accordance with the Statute of the Court, the Secretary-General will also promptly transmit the notice of the provisional measures ordered by the court to the [Security Council](#),” he said.

What’s the difference between the ICJ and the ICC?

There is frequent confusion between the [International Criminal Court \(ICC\)](#) and the [International Court of Justice \(ICJ\)](#). Both courts have open cases against Israel related to the ongoing conflict in Gaza.

The simplest way to explain the difference is that ICJ cases involve countries, and the ICC is a criminal court, which brings cases against individuals for war crimes or crimes against humanity. While the ICJ is an organ of the United Nations, the ICC is legally independent of the UN, although it is endorsed by the General Assembly.

The ICJ is currently considering South Africa’s accusations that Israel is violating the Genocide Convention.

On Monday, the [ICC sought arrest warrants](#) related to possible war crimes against three Hamas leaders and Israel’s Prime Minister, Benjamin Netanyahu, and Defence Minister Yoav Gallant. The request for the warrants are now being considered by the court’s judges.

Read more about the courts in our explainers on the [ICJ](#) and the [ICC](#).

Retrieve May 25, 2024 from [Gaza: World court orders Israel to halt military operations in Rafah | UN News](#)

ICJ orders Israel to halt Rafah operation

Watch live as the International Court of Justice (ICJ) in The Hague rules on request to order halt Israel's Rafah offensive in Gaza as part of a larger case brought by South Africa.

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Zechariah 12:1

The burden of the word of the LORD for Israel, saith the LORD, which stretcheth forth the heavens, and layeth the foundation of the earth, and formeth the spirit of man within him.

2 Behold, I will make Jerusalem a cup of trembling unto all the people round about, when they shall be in the siege both against Judah *and* against Jerusalem.

3 And in that day will I make Jerusalem a burdensome stone for all people: all that burden themselves with it shall be cut in pieces, though all the people of the earth be gathered together against it.

4 In that day, saith the LORD, I will smite every horse with astonishment, and his rider with madness: and I will open mine eyes upon the house of Judah, and will smite every horse of the people with blindness.

5 And the governors of Judah shall say in their heart, The inhabitants of Jerusalem *shall be* my strength in the LORD of hosts their God.

6 In that day will I make the governors of Judah like an hearth of fire among the wood, and like a torch of fire in a sheaf; and they shall devour all the people round about, on the right hand and on the left: and Jerusalem shall be inhabited again in her own place, *even* in Jerusalem.

7 The LORD also shall save the tents of Judah first, that the glory of the house of David and the glory of the inhabitants of Jerusalem do not magnify *themselves* against Judah.

8 In that day shall the LORD defend the inhabitants of Jerusalem; and he that is feeble among them at that day shall be as David; and the house of David *shall be* as God, as the angel of the LORD before them.

9 And it shall come to pass in that day, *that* I will seek to destroy all the nations that come against Jerusalem.

10 And I will pour upon the house of David, and upon the inhabitants of Jerusalem, the spirit of grace and of supplications: and they shall look upon me whom they have pierced, and they shall mourn for him, as one mourneth for *his* only *son*, and shall be in bitterness for him, as one that is in bitterness for *his* firstborn.

11 In that day shall there be a great mourning in Jerusalem, as the mourning of Hadadrimmon in the valley of Megiddon.

12 And the land shall mourn, every family apart; the family of the house of David apart, and their wives apart; the family of the house of Nathan apart, and their wives apart;

13 The family of the house of Levi apart, and their wives apart; the family of Shimei apart, and their wives apart;

14 All the families that remain, every family apart, and their wives apart.