



## [Nicaragua Files a Case at the ICJ in an Attempt to Halt Germany's Supplying of Arms to Israel](#)

In response to repeated human rights abuses in Gaza, Nicaragua has brought charges against Germany at the International Court of Justice (ICJ) for “facilitating the commission of genocide” against Palestinians by Israel. In statements from Carlos Jose Francisco Arguello Gomez, Nicaraguan Ambassador to the Netherlands and the lead of Nicaragua’s delegation, he described Israel’s actions as a breach of humanitarian law and expressed that there was a genocide taking place against the Palestinian people. Due to the nature of it being such a dire and urgent situation, Nicaragua has requested that the ICJ exercise emergency actions to prevent Germany from further supplying Israel with weapons and assistance. Nicaragua has outlined that Germany is in breach of the Genocide Convention with their weapons transfers and the cessation of funding to the humanitarian agency UNRWA. During the course of 2023 alone, some 30% of Israel’s military equipment was purchased from Germany in an amount totaling \$326 million, and Germany remains one of Israel’s largest international suppliers in 2024.

Germany has unsurprisingly rejected the allegations that they are complicit in Israel’s human rights violations in Gaza, with government spokesman Wolfgang Buechner stating “we note Nicaragua’s lawsuit, and we deny the allegations as unjustified.” Meanwhile, however, German Chancellor Olaf Scholz has faced increasing domestic discontent, and groups of German civil servants have called on their government to cease arms deliveries to Israel in light of ample evidence of their war crimes in Gaza. Tania von Uslar-Gleichen, one of Germany’s defense lawyers, said “our history is the reason why Israel’s security has been at the core of Germany’s foreign policy,” essentially arguing that Germany’s abuses under the Nazi regime are the reason behind their support of Israel. Germany went on to claim that their transfers to Israel had benign purposes and limited capabilities, but for many human rights experts, the destructive scale of Israel’s military offensive demonstrates how the supplying of arms from Germany and others can be used to sustain this. In recognition of Israeli humanitarian violations, the defense seemed to admit and explain that Germany does have a responsibility to remind Israel of the rules of international humanitarian law. Nicaragua’s case against Germany is not only meant to target the arms suppliers, but also aims at the nature of Israel’s military campaign itself, accusing the country of genocidal acts.

The Nicaraguan case compounds the separate one filed by South Africa at the ICJ earlier this year, where they also accused Israel of engaging in genocidal actions against Palestinian civilians in Gaza. The preliminary decision by the judges in the Hague stated that Israel must take “immediate and effective measures” to protect Palestinian civilians in Gaza by ensuring that adequate humanitarian aid is allowed into the enclave, and to take every possible measure to avoid genocidal acts. International observers argue that Israel has thus far failed to live up to either of these standards. Israel has rejected that their actions amount to genocide, and claims that it is acting in self-defense following the October 7th Hamas attacks. However, it is impossible to disregard the blatant Israeli human rights violations and war crimes that have taken place since October. More than 33,000 Palestinians have been killed, an alarming number of which have been children, and the humanitarian crisis in Gaza is extremely dire. The recent case brought to the ICJ by Nicaragua only strengthens the merit and validity of South Africa’s case, and attempts to draw attention to other actors complicit in Israeli war crimes.

Germany is second to only the United States in the supplying of arms to Israel. According to the Stockholm International Peace Research Institute, between 2013 and 2022 Israel received 68% of their weapons from the U.S.

and 28% from Germany. However, analysts contend that it would be difficult to bring the U.S. before the court due to Washington's lack of recognition of the ICJ's power to compel appearance. Still, Nicaragua sought to include the U.S. sales in their case anyway, saying that the U.S. and Germany collaborated on certain military programs. Experts have highlighted that without the support of the United States, Israel's military offensive in Gaza would not be sustainable. Other suppliers to Israel such as Italy and Canada have claimed that they stopped their weapons transfers to Israel, but have continued to send arms in "honor of previous commitments." Following the recent killing of seven aid workers from the World Central Kitchen as a result of multiple Israeli airstrikes, there have been renewed calls to halt weapons transfers to Israel, with last week's incident receiving international condemnation. Some U.S. Congressmembers have cited American laws that should prohibit arms exports to Israel due to the lack of humanitarian aid they are letting into Gaza. The UN's top human rights body has also recently called on countries to cease weapons transfers to Israel because of the snowballing humanitarian disaster in Gaza and the grave human rights violations that are taking place there. Nicaragua's case, while a step in the right direction, will likely take years to receive a final ruling. Additionally, without a final decision yet on South Africa's case regarding whether Israel is committing genocidal acts, it will be difficult to accuse Germany of supporting genocide. Until the decision is made, however, Germany and the United States should cease their supplying of weapons to Israel since there is growing evidence of war crimes and human rights violations being committed in Gaza.