



## [South Africa Urges the ICJ to Order Israel to Halt Its Devastating Assault on Rafah](#)

On Thursday of this week, the world's top court – the International Court of Justice (ICJ) – began hearing arguments from South Africa regarding Israel's brutal and universally-condemned military assault on the Gazan city of Rafah. In making their case against the Israeli offensive, South Africa is calling on the ICJ to order that it be halted and for more emergency provisional measures to be issued. The arguments for the ICJ to stop the attack on Rafah were made by numerous lawyers, legal experts, and officials, with South Africa and its representatives outlining the abusive nature of Israel's military campaign, statements of ill intent from Israeli officials, and the repeated blocking of humanitarian aid. South Africa is making its case while humanitarian agencies warn that at least 600,000 civilians have recently been forcibly displaced from Rafah by Israel. This comes after an estimated 1.5 million had been seeking refuge there from the war, having already been uprooted from their homes in other areas across Gaza.

During their arguments denouncing the assault on Rafah, South African lawyers and their allies cited statements from Israeli officials themselves publicly describing the aim of the Rafah offensive as "total annihilation." They also provided details of the utter destruction of non-combatant infrastructure such as schools and hospitals, where mass graves of medical workers, women, and children had been uncovered, warning that a failure to halt the operation in Rafah would result in similar findings. South Africa highlighted the irreparable harm posed by the Israeli assault on Rafah, and how it would only serve to exacerbate the already dire humanitarian conditions for civilians in Gaza. This is due to the fact that Rafah is Gaza's primary hub for humanitarian assistance, and aid agencies have already communicated that the closure of the crossing there has significantly hindered their vital operations. Some commentators have expressed a belief that South Africa's case is strong enough for the ICJ to issue additional provisional measures in Gaza, especially considering that humanitarian conditions have not improved even after their earlier orders for Israel to facilitate better flow of aid.

South Africa's urging of the ICJ to order a halt to Israel's military assault on Rafah comes on top of its landmark case accusing Israel of genocide which was put forth several months ago. While the main case could take years before a final decision is reached, back in late January the ICJ did find in an interim judgement that the allegations against Israel fell within the provisions of the Genocide Convention and that the claims of violations of human rights were justified. Thus, the ICJ ordered Israel to take multiple provisional measures. As part of its recent arguments on Thursday, South Africa's representatives repeatedly referred to these aforementioned rulings – which it said Israel had failed to comply with. They pointed out that "for the court's previous orders to be effective, and for the provision of humanitarian aid to be done urgently and at scale, Israel has to be ordered to stop its military offensive" in Rafah. South Africa has also asked the ICJ to order Israel to allow unimpeded access to Gaza for UN officials, humanitarian aid agencies, journalists, and independent investigators.

Analysts have speculated that the ICJ's urgent and expedited hearings regarding the military assault on Rafah could spell more trouble for Israel, as they indicate a huge concern about the humanitarian devastation of the offensive. It has been posited that new orders could be issued against Israel in the coming days. Lawyers for Israel presented their arguments to the ICJ today, which were dismissed by fair observers as being at odds with the reality on the ground in Rafah. As one pundit put it, "There is a difference between the reality on the ground and what Israel is

trying to present to the international community.” In the hearings yesterday and today, South Africa and Israel were each given two hours to make their respective case on the newest request for emergency measures. A decision on this from the ICJ is expected over the next week. While the ICJ has no way of formally enforcing its rulings, possible further measures against Israel would only add to the overwhelming international criticism and pressure regarding its military assault on Rafah.