



COUR INTERNATIONALE DE JUSTICE

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Resume

Non official

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Application of the convention for the prevention and repression of genocide crime in the Gaza Strip (Africa in Saudi Arabia, Israel)

Demand en indication de mesures conservatoires

The course begins by closing on December 29, 2023, the Republic of South Africa has entered into the course of a request to enter the country of Israel concerning the management of all parties, in the Gaza Strip, and the obligations of the Convention for the purpose of The prevention and repression of the crime of génocide (ci-après the "convention on the génocide" or the "convention"). The request contains a demand and indication of conservatory measures, on the African market term «pri[ait] respecting the context of all urgency, in the attention of the decision au fond in the present affair, les Mesures reserved supplies in those that concern the palestinian people in a group protected by the Ladite Convention »:

- « 1) The country of Israel must suspend the implementation of military operations in and around the world. Gaza.
- 2) The government of Israel should fight against a military unit or an army unit that operates under its direction, with its own force or influence, with an organization or a person who controls sous vide. Direction or influence, do not engage in a direct action to direct military operations. Mention au point 1) ci-dessus.
- 3) The Republic of South Africa and Israel do not comply with the obligations imposed by the Convention for the prevention and suppression of gynecological crime, which may concern the pale people, all of the available means. Then you can prevent the genocide.
- 4) Israel does not comply with the obligations of the Convention for the prevention and suppression of gynecological crime, if the palestinian people are concerned about the group that protects them from the Convention, please The text of the text appears in Article II of the Convention, in detail:
 - a) the group members;
 - b) The graves in the physical or mental network of the group;

- c) The group intends to follow different existing conditions
Intraîner sa total or partial physical destruction; et
 - d) The measures must enter the group.
- 5) Click on Israel to apply to the point 4) c) Read on, if it concerns you
Palestiniens, please contact the company from the beginning of April, and prendre
all the measures at their door to prepare the commission, and include the order
announcements and restrictions of restrictions or interaction pertinents:
- a) Expulsion of local populations and replacement of force;
 - b) Private populations:
 - i) Accès applied to the water and the light;
 - ii) This is a human rights intervention, noting that there is a concern for poor,
comfortable, summer, food, hygiene and hygiene;
 - iii) assistance and medical equipment; et
 - c) Détruire la vie palestinienne à Gaza.
- 6) The country of Israel calls, in the case of Palestine, in the presence of military units,
in which an army unit is irrigated or a person who works in the same direction, with
his phone or on the other side. Many influencées come from people, and an
organization or a person who tries to control his or her own direction or influence
does not communicate with one of the people who act on their faces at points 4)
and 5) that are affected or do not live in a place that acts permanently. Direct citation
and publication of the genocide, the content of the genocide, tentative or complicit
in the genocide, and it fills this, if those things come into contact with other sources
of risk for In the context of the previous articles, the first articles, II, III and IV of the
convention for the prevention and repression of the crime of génocide.
- 7) The State of Israel must provide effective measures to prevent destruction and
ensure the preservation of elements in advance of contacts and allegations of
relevant acts in Article II of the Convention for prevention and prevention of
genocide crime. ; At the end of the day, it is necessary to refuse or to rest on the
gas stations, facilitating missions, international mandatories and organisms charged
for protection and conservation needs. de preuve.
- 8) The country of Israel does so on the basis of a rapport on the basic measures of
aura prises for donning the ordonnance effect in indications of conservatory
measures, in a day on the computer. On the cell phone date, at intervals of
adjustments, those that are fixed in the course, then this decision will be definitive
to return to the office.
- 9) The country of Israel must abstain from communication and do so in a safe way, as
it is susceptible to damage or damage to the different ports of the heart or the most
difficult type of operation. »

I. INTRODUCTION (par. 13-14)

This relates to the recent context in which the current affair was brought to a different location. On October 7, 2023, the Hamas and other army groups present in the Gaza Strip on a men's attack in Israel, more than 1,200 people, in better mills of soldiers and more than 240 rooms, don't have more than 1,000 people. retenus captifs. In the suite of this attack, Israel launched a major military operation across the street, Arienne and Maritime, which caused a significant number of civilian casualties and caused massive destruction of civil infrastructure and the replacement of other parts. A large number of residents of Gaza. There is a conscience of the victim of the human tragedy that comes to the region and nourishes many of the victims and human survivors that continue to develop.

Additional organs and institutions specializing in the Organization of Nations are often conflated in the Gaza Strip. These solutions, in particular, were adopted by the General Assembly of Nations (for resolution A/RES/ES-10/21 adopted on October 27, 2023 and resolution A/RES/ES-10/22 adopted on December 12, 2023.), and the United Nations Security Council (resolution S/RES/2712 (2023) adopted on November 15, 2023 and resolution S/RES/2720 (2023) adopted on December 22, 2023), which have a number of conflicting aspects. . The contact person's port to the country is to a certain extent, the South African ayant introduces the present instance au titre de la convention sur le genocide.

II. COMPÉTENCE *PRIMA FACIE* (PAR. 15-32)

1. Observations liminaires (par. 15-18)

This type of product, conforms to the nature of the product, does not allow for conservatory measures that the customs made by the demander are *initially* installed on a base on the laquelle for compliance for the sake of the customer, but this is not the case for the purchaser. It is very difficult to say how much you love the business. In the present day, South Africa enters the Competence of the Cour in paragraph 1 of Article 36 of the Cell Statute and Article IX of the Genocide Convention. La Cour doit donc, at first lieu, déterminer si ces lui confèrent accommodations *primarily facie* compétence pour statuer sur le fond de l'affaire, ce lui permettrait — sous réserve que les autres conditions nécessaires surient réunies — d'indicaire des conservatoires.

They believe that the African and Israeli parties are at the convention on the genocidaire and that these parties do not have a formula to reserve in Article IX or one of the following methods of the convention.

2. Existence of a different relationship to the interpretation, the application or the implementation of the convention on the genocide (par. 19-30)

The word relates to the IX article of the convention on the genocidosis subordonne the compétence of the cour à the existence of a different relationship to the interpretation, the application or the execution device. The Sudanese Invoice, as a basis of compliance with the contract, the clause compromising the convention on the genocide, the contract does not require a repair, at the present stage of the production, if the acts and the commissions do not demand the tire grief. It is susceptible to entry into the entire application *materia* of this instrument.

We note that African countries are fait, in different multilateral and bilateral areas, in public disclosures in children's books, in the past, in the face of nature, in the port and in the sample of military operations in Israel. Gaza, that the actions of the cell-ci étaient constitutive de manquements à ses obligations au regards de la convention on the génocide.

Ainsi, at the 10 a.m. extraordinaire session of the General Assembly of Nations, again on December 12, 2023, — the largest representative of Israel —, the permanent representative of Africa in Sudan, a declaration that “[I]es” The events of the six seasons [passed] to the Gaza Montr[ai]ent qu'Israël agi[ssai]t au mépris des obligations lui included au titre de la convention sur le génocide. The African Republic has a rappelled statement in the verbal note on December 21, 2023 that says it is addressed to the Ambassador of Israel to Pretoria.

We have heard from Israel that there was an accusation of diabetes in the context of a conflict in the Gaza Strip in a document published by his minister of affairs that occurred on December 6, 2023. They may have been injured and returned on December 15, 2023 on the Internet site of the Forces of Raéli. ennes defense sous the title “The War Against Hamas: Answering Your Most Pressed Questions” (“The Guerre against the Hamas: Answers to your most urgent questions”), affirming that “[I]’accusation of the genocide has not [Israël] failed.” [sai]t the object [était]t did not use all the fondment, and it fell as it fell, but also had a moral object.” Israel and it is clear that “[I]’accusation of the genocide n[était]t has been incoherent on the juridical plan and on the actual plan, elle [était]t also obscène”, and qu’il n’existait «aucune The basis is valid, either fait or droit, for the chef to be afflicted with génocide.

Please note that this is due to the fact that the Parties included in the amount of net worth points in the question of saving if certain actions or omissions are submitted to Israel in Gaza are the constituencies of the management of the obligations owed to them. convention sur The genocide. It includes that the sustenance elements are sufficient in this place to start the *first facie* existence of a different type between the related parties in the interpretation, the application or the implementation of the convention on the genocide.

For those who are safe if the actions and transmissions do not require tire grief, especially those who are susceptible to diabetes in the Convention on genocidosis, because of the risk that Africa in South Africa considers that the response to Israel is engagée au This motif tells you that a genocidaire is in the gas and that it prevents the obligation to prevent and remove the genocidaires. The South African country of Israel has a legal obligation to the authorities due to the Convention on the genocidosis, noting the cells concerned with “the content in the statement of the genocidosis, the direct receipt and publication of the genocidosis contract, The tentative of génocide and the complicity in the génocide.”

From the world, at certain points of activity and missions from the African market reprochement In Israel, the Gaza Strip contains all those who are susceptible to entering the convention's provisions.

3. Conclusion how much competition was in the first place (par. 31-32)

On the light of this precide, the cour that contains it, *initially*, it is a compliance in the vertu of article Israel's demand is that he wants to see his son's business.

III. QUALITÉ POUR AGIR DE L'AFRIQUE DU SUD (Par. 33-34)

Please note that Israel does not compete with the quality of Africa in the current project. All of these parties at the Convention on the genocidosis ont, and souscrivant auxiliary obligations contents in this instrument, an entire community à filler that the génocide so it prevenu, réprimé and pruned. It is appropriate that this part of the convention on the genocide may cause the responsibility for the part to be removed, noting the introduction of a different instance of the disease, in the context of the management of this decision. The obligations *are erga omnes parts* They are in combination with the convention title and its entire metre.

This is *due to the fact* that Africa is of high quality in order to differentiate between Israel and Israel concerning violations of all types of obligations imposed by the Convention on it.
The genocide.

IV. THE DROITS DONT PROTECTION EST RECHERCÉE AND THE LIEN ENTER CES DROITS AND THE MESURES DEMANDÉES (PAR. 35-59)

This is the reason why the indicator of conservatory measures says article 41 of his son's status for the purpose of saving, in the decision of his decision on the foundation of the business, the traces returned by the box. parties. It's appropriate that the Cour do it to prepare safekeeping by telling the measures of the droits that the arrêt qu'elle aura ultérieurement à rendre pourrait reconnaître à l'une or à l'autre des parties. Also, I don't need to perform this procedure because it is the same time that the drops are allotted according to the demand of other available items. Outside, there is a lie between the drops that don't provide protection and the required conservation measures.

This is what, according to the first article of the convention, all parties with this instrument use it to "prevent and punish" the crime of genocidosis, to save a group of people from the same month, as soon as in the intention of the country, in all or in a party, in a national, ethnic, racial or religious group, such as: the members of the group (article II, *litt. a*); This grave is in the physical or mental health of the group members (article II, *litt. b*); Soumission intentionnelle du groupe à des conditions d'existence devant entraîner sa total or partial physical destruction (article II, *litt. c*); It is necessary to enter the navigation in the group (Article II, *litt. d*); Transferred from the group to another group (Article II, *litt. e*).

Conformation in Article III of the Convention on the genocidosis, the previous actions are also proposed by the Convention: the entry in the statement of the genocidosis (Article III, *litt. b*), the incitation direct and published in the report. The génocide (Article III, *litt. c*), the tentative de génocide (Article III, *litt. d*) and the complicit in the génocide (Article III, *litt. e*).

We realize that the Convention's dispositions should protect the members of a national, ethnic, racial or religious group to combat gender-related acts or all the wrong things in Article III. It is understood that there is a correlation between the members of the groups protected by the convention, the obligations included in the parties to this instrument and the place of the chacun at the end of the demander's implementation of these obligations by a third party. partie. From the beginning of the day, the Palestine society constitutes a distinct "national, ethnic, racial or religious group" and is part of a group that protects people from the second article of the gender convention.

Please note that the military operation contracted by Israel in the attack suite on October 7, 2023 caused a large number of deaths and losses and caused massive destruction of habitats, the replacement of the major population. And considérables and civil infrastructure. Même si les chiffs Relatifs à la Bande de Gaza Ne is Peuvent Faire l'upjet d'un vérification Indépendante, des Informations Récentes font état de 25 700 palestiniens tués, de plus de 63 000 Utres BLESSÉS, de plus de 360 000 LOGEMENTS Détruits ou Partiellement Endometriosis and environment: 1.7 million people have places in Gaza's interior. The gas tanks have special privileges for water, light, fuel, electricity and existing household appliances, as well as other medical equipment and medical equipment.

Please note, please note the announcement on January 5, 2024 by the General Secretariat adjoining the Organization of the United Nations and human affairs and coordinating security services, due on December 21, 2023. The World Organization of Santé is on a mission in North Gaza, and an announcement was made on January 13, 2024 by the General Office of the Secretary and the United Nations Organization for Refugees in Palestine. in the Proche-Orient (UNRWA).

This great response to the declaration of the UNRWA General Commission will result in the crash in Gaza being "aggravated by the proposal of human beings". Please also note that additional descriptions are made by those responsible for Israelis. It says the attention, in particular, on other relevant topics: October 9 to 10, 2023, by M. Yoav Gallant, Israeli Minister of Defence, on October 12, 2023, by M. Isaac Herzog, President of Israel, and on October 13, 2023 by M. Israel Katz, the Israeli Minister of Energy and Infrastructure. We also received a note from the press release on November 16, 2023, with 37 specialists, independent experts and travel group members in the Special Procedural Council of the United Nations Organization. , this alarm system warns of "visible genocidaires and human diseases caused by those responsible for the Israeli government". On October 27, 2023, the United Nations Committee for the Elimination of Racial Discriminations imposed on people who were entitled to "the extent of the increase in the number of racist targets and other human beings in Palestine since October 7."

This is because the faits and circumstances mentioned are appropriate to connect certain parts of Africa and don't believe the protection is plausible. There is also a warning from Gaza's Palestine protection against gynecological acts and prohibious acts connected to the visas in Article III and the African Supplier's duties that Israel accepts from its obligations. In combination with the convention title.

The day before comes to the condition of the lien where the places returned to Africa and the appropriate reserve funds are available.

This is due to the fact that, by nature, at certain points in the past few months, the reserves of the reserves required by the African Republic of Saudi Arabia have been able to provide reliable drops that are requested to inform them of the convention's fondness for the disease in the current affair, to save it. Droit the Palestinian territories of Gaza protection against the acts of genocide and the acts prohibés connexes seen in Article III and the droit of the African country of the demander qu'Israel s'acquitte des obligations lui included au titre de la convention. In consequence, there is a lien inside the revendikés due to the demand that the jugés plausibles and au certain moins of secure conservatoires sollicitées mesures.

V. RISQUE DE PRÉJUDICE IRRÉPARABLE AND URGENCE (PAR. 60-74)

The text of the article contains 41 copies of the text of the screen measuring conservatories because there is an irreparable risk due to the possibility of falling in the light in a judiciary procedure or when the méconnaissance allocates the risk of falling. d'entraîner des conséquences irréparables. This pouvoir is not the same as the one that s'il ya urgency, that's-à-dire s'il existe a risk and imminent qu'un irreparable préjudice so it causé aux droits revendiqués avant que la cour ne rende sa décision définitive.

The lumière of fondamentales that the convention on the genocidosis protector, the cosider that the drops in place are caused in the space, so that the droit of the Palestineens of the gas band band protector against the genocide and other acts Prohibés connect visés to the article III of the convention on the genocidosis and the droit of the African government demanding the respect by Israel of the obligations au the titre of this instrument, sont of nature telle that the prejudice that the leur serait porté to pour. It is irreparable.

This is because the population is civil and the Gaza band is extremely vulnerable. It would be difficult for a military operation to operate in Israel on October 7, 2023. There was a significant increase in the size of millions of deaths and losses and the destruction of homes, buildings, medical installations and vital infrastructure, Where are the replacements? massifs of population. Please note that this operation is currently taking place and that the first ministry of Israel announced on January 18, 2024, that the government "during [it] enter the country for a long time." Aujourd'hui,

The number of Palestinians of the Gaza Strip does not have access to pre-made appliances, such as potable water, electrical appliances, essential medicines or suction cups. The World Health Organization estimated that 15% of women who were injured in the Gaza Strip were susceptible to complications, and an increase in the severity of the death of the mother and another person in the treatment of the disease with other medical conditions. In these circumstances, we are aware of the catastrophic human situation in the Gaza Strip fire fort that protects us from the situation that is difficult to find.

The pre-note of the declaration of Israel will be filled with certain measures for the examiner and better conditions that affect the population of the Gaza Strip. It also confirms that the General Prosecutor in Israel has affirmed that the food drinker has been pre-empted by the civil population that does not lie in the penal suites, the chef's receipt, and that the Israeli auto charities charge. The application of the previous actuallement also deals with other affairs in this regard. When the court, the measures are taken, if there are any problems, there are no insufficiencies to eliminate the risk of an irreparable prejudice that may cause the court not to receive a precise decision in the business.

On the lumière of this précède, the court considère qu'il ya urgency, in that senses qu'il there is a real risk and imminent qu'un irreparable prejudice so it causé aux droits qu'elle a plausible jugés, before qu'elle ne Rende sa décision définitive.

VI. CONCLUSION AND MESURES À ADOPTER (PAR. 75-84)

The package includes a number of pre-existing conditions, including conditions that support the status of the indication of conservatoires in the country. He don't lie to you in order, in the attention of the most advanced decision, certain measures must be protected from the return of the drops in Africa due to other plausible items. In the present case, you can check the label for the conservation measures required by the African Republic because of the circumstances of the employee, the time when the measures are not given without any identification in the cells that are solicited.

Because this is what prevents the pre-crystal situation, Israel does not comply with the obligations of others in compliance with the contract on the disease, prescribing all the measures in his son's office to receive the commission, to the Palestine rencontre Gaza, that everyone entered into the champ d'application of the Article II of the Convention, in particular the relevant actions: a) in the group's members, b) in the grave of the physical or mental integrity of the group's members. , c) Soumission intentionnelle du groupe à des conditions d'existence devant entraîner sa totale physique or partielle, et d) mesures necessary à entering the navigations au sein du the group. The way these phones act online in the application chapter of the article II of the convention says that they are connected to the destination, in all or in a party, in a group similar to the phone. This is the reason why Israel does this filter, with immediate effect, because my son does not communicate with his wife's face.

The country is aware of the situation in Israel due to all the measures in his son's room to prevent and publish the invocation directly and publish it to connect the gene to the group members of the Palestine group in the Gaza Strip.

Outside, the world is from Israel, do not forget to tell me effective measures to allow for basic service facilities and human resources that require all urgency to remove difficult conditions from existing homes. Palestinians of the bande de Gaza.

Israel also recommends effective measures to prevent destruction and ensure the conservation of elements before relatifs from allegations entered into the champ

d'application of articles II and III of the convention on the genocide corresponding to the members of the Palestine group of the Gaza band.

Finally, in the view of the specific measures, they said they had a decision, this time, Israel did it for me to provide a rapport on the sense of the measures, and there were offers to implement the current order in a day on the road. Compter de la date de celle-ci. The report also showed me that there was a community in Africa, which makes it possible for the community to see all of these observations on our site.

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This is the time necessary for all parties at the Gaza Strip to join the International Humanitarian Organization. It is a grave preoccupation by the sort of people who leave the attack in Israel on October 7, 2023 and are posted by Hamas and other army groups and attached to the immediate and incumbent liberation.

DISPOSITIF (Par. 86)

The integrated text of the ordonnance site is as appropriate:

«Parces motifs,

LA COUR,

Including the storage facilities provided:

1) What's next for you,

The law of Israel does not comply with the obligations of the Convention for the prevention and repression of the crime of genocidosis, prior to all measures in his son's office to prepare for the commission, at the *encontre des Palestiniens* Gaza, who entered into the application of the Article II of the Convention, in particular the relevant acts:

a) More group members;

b) Atteinte grave to the physical or mental integrity of the group members;

c) Soumission by the group's intention to follow existing conditions inside the group
It destroys the entire physique or part; et

d) Measures available to enter the group in the group;

POUR : Mme Donoghue, *president* ; M. Gevorgian, *vice-president* ; MM. Tomka, Abraham, Bennouna, Yusuf, Mme Xue, MM. Bhandari, Robinson, Salam, Iwasawa, Nolte, Mme Charlesworth, M. Brant, *juges* ; M. Moseneke, *juge ad hoc* ;

CONTRE : Mme sebutinde, *juge* ; M. Barak, *juge ad hoc* ;

2) That's what happens next,

The country of Israel does it well, with the immediat effect, that my son does not communicate.
When the symptoms occur at point 1, the disease occurs;

POUR : Mme Donoghue, *president* ; M. Gevorgian, *vice-president* ; MM. Tomka, Abraham, Bennouna, Yusuf, Mme Xue, MM. Bhandari, Robinson, Salam, Iwasawa, Nolte, Mme Charlesworth, M. Brant, *juges* ; M. Moseneke, *juge ad hoc* ;

CONTRE : Mme sebutinde, *juge* ; M. Barak, *juge ad hoc* ;

3) Please choose one side,

The country of Israel must prendre all the measures in one's place to prevent and publish the direct receipt and publish it to join the genocides in the members of the Palestine group of the Gaza band;

POUR : Mme Donoghue, *president* ; M. Gevorgian, *vice-president* ; MM. Tomka, Abraham, Bennouna, Yusuf, Mme Xue, MM. Bhandari, Robinson, Salam, Iwasawa, Nolte, Mme Charlesworth, M. Brant, *juges* ; MM. Barak, Moseneke, *juges ad hoc*;

CONTRE : Mme sebutinde, *juge* ;

4) Please choose one side,

The country of Israel do not have access to effective measures to enable basic service facilities and human resources that require all urgency in order to remove difficult conditions and conditions in other areas in the Gaza Strip. ;

POUR : Mme Donoghue, *president* ; M. Gevorgian, *vice-president* ; MM. Tomka, Abraham, Bennouna, Yusuf, Mme Xue, MM. Bhandari, Robinson, Salam, Iwasawa, Nolte, Mme Charlesworth, M. Brant, *juges* ; MM. Barak, Moseneke, *juges ad hoc*;

CONTRE : Mme sebutinde, *juge* ;

5) That's what happens next,

The State of Israel must prendre effective measures to prevent destruction and ensure the conservation of elements that precede relatifs and allegations entered into the application articles II and III of the Convention for prevention and repression. The crime of genocide comes with group members
Palestiniens of the Gaza band;

POUR : Mme Donoghue, *president* ; M. Gevorgian, *vice-president* ; MM. Tomka, Abraham, Bennouna, Yusuf, Mme Xue, MM. Bhandari, Robinson, Salam, Iwasawa, Nolte, Mme Charlesworth, M. Brant, *juges* ; M. Moseneke, *juge ad hoc* ;

CONTRE : Mme sebutinde, *juge* ; M. Barak, *juge ad hoc* ;

6) That's what happens next,

The country of Israel does so on the cover of the information on the measures that aura prises to donner effective at the present ordonnance on a day on the computer of the date of the cell.

POUR : Mme Donoghue, *president* ; M. Gevorgian, *vice-president* ; MM. Tomka, Abraham, Bennouna, Yusuf, Mme Xue, MM. Bhandari, Robinson, Salam, Iwasawa, Nolte, Mme Charlesworth, M. Brant, *juges* ; M. Moseneke, *judge ad hoc* ;

CONTRE : Mme sebutinde, *judge* ; M. Barak, *judge ad hoc*. »

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Mme la juge XUE joint a declaration à l'ordonnance; Mme the juge SEBUTINDE joint to the ordonnance of exposure of his dissidente opinion; MM. les juges BHANDARI and NOLTE joignent des clarations à l'ordonnance; M. le juge *ad hoc* BARAK joint à l'ordonnance l'exposé de son individual opinion.
