



INTERNATIONAL COURT OF JUSTICE

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Press Release

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Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)

Colombia files a declaration of intervention in the proceedings under Article 63 of the Statute

THE HAGUE, 5 April 2024. Today, Colombia, invoking Article 63 of the Statute of the Court, filed in the Registry of the Court a declaration of intervention in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*.

Pursuant to Article 63 of the Statute, whenever the construction of a convention to which States other than those concerned in the case are parties is in question, each of these States has the right to intervene in the proceedings. If a State uses this right, the construction given by the judgment of the Court will be equally binding upon it.

In availing itself of the right of intervention conferred by Article 63 of the Statute, Colombia relies on its status as a party to the Convention on the Prevention and Punishment of the Crime of Genocide (the “Genocide Convention”). In its declaration, Colombia states that the Genocide Convention is “a cardinal instrument of international law”, and contends that the case “raises vital issues concerning the interpretation and application of several provisions of the Genocide Convention that reflect both *erga omnes* obligations, owed to the international community as a whole, and *erga omnes partes* obligations, owed to all States parties to the treaty”. Colombia states that it is submitting its declaration

“in the genuine belief that the States parties to the Genocide Convention should do everything in their power to contribute to ensure the prevention, suppression and punishment of genocide[,] and therefore, to assist the Court in finding the responsibility of any State Party to the Convention, for its failure to comply with the obligations contained therein”.

In accordance with Article 83 of the Rules of Court, South Africa and Israel have been invited to furnish written observations on Colombia’s declaration of intervention.

The full text of Colombia’s declaration of intervention is available on the Court’s [website](#).

History of the proceedings

On 29 December 2023, South Africa filed an [Application instituting proceedings](#) against Israel concerning alleged violations by Israel of its obligations under the Genocide Convention in relation to Palestinians in the Gaza Strip.

The Application also contained a [request for the indication of provisional measures](#), pursuant to Article 41 of the Statute of the Court and Articles 73, 74 and 75 of the Rules of Court. The Applicant requested the Court to indicate provisional measures in order to “protect against further, severe and irreparable harm to the rights of the Palestinian people under the Genocide Convention” and “to ensure Israel’s compliance with its obligations under the Genocide Convention not to engage in genocide, and to prevent and to punish genocide”.

Public hearings on the request for the indication of provisional measures submitted by South Africa were held on Thursday 11 and Friday 12 January 2024. On 26 January 2024, the Court delivered its [Order](#) on South Africa’s request.

On 23 January 2024, Nicaragua, referring to Article 62 of the Statute of the Court, filed in the Registry of the Court an [Application for permission to intervene](#) “as a party” in the case.

On 16 February 2024, the Registrar transmitted to the Parties the Court’s [decision](#) on South Africa’s communication dated 12 February 2024, in which that State called upon the Court urgently to exercise the power conferred on it by Article 75, paragraph 1, of the Rules of Court.

On 28 March 2024, the Court indicated [additional provisional measures](#) following a [request](#) made by South Africa on 6 March 2024.

Earlier [press releases](#) relating to this case are available on the Court’s website.

Note: The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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