

International Law and Gaza: Legal Implications of Atrocity Crimes

A Conversation for UCD Students & Staff

in association with



UCD Centre For Human Rights
Ionad um Chearta an Duine

Sutherland School of Law, UCD

27 March 2024

2 – 3:30pm

LAW L023 - A&L Goodbody Lecture Theatre

Implications of the International Court of Justice's Order for provisional measures in *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)* (26 January 2024).

About the event

This event, organised by academics at the Sutherland School of Law, aims to explore the legal implications of the ICJ's Provisional Measures of 26 January 2024, in particular its implications for third states, including Ireland. We also hope that the event will provide an opportunity to reflect on the role and limitations of international law in defining, preventing, and seeking accountability for atrocities.

Speakers include: Aisling Swaine, Full Professor of Peace, Security and International Law; Amy Strecker, Associate Professor of Cultural Heritage Law and Cathryn Costello, Full Professor of Global Refugee and Migration Law.

Legal Background

On 26 January 2024, the International Court of Justice issued its Order for provisional measures in *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*.

Reading out the Order, ICJ President Joan Donoghue noted the 7 October 2023 attacks on Israel, calling for the release of all remaining hostages taken from Israel during these Hamas-led attacks in which some 1,200 people were massacred. Highlighting that the ICJ was 'acutely aware of the extent of the human tragedy unfolding in the region', Judge Donoghue said that the court remained 'deeply concerned about the continuing loss of life and human suffering.'

The Court ordered Israel to adopt six provisional measures 'in relation to Palestinians in Gaza', namely to: 1) take all measures within its power to prevent genocide; 2) ensure that its military does not commit genocide; 3) take all measures within its power to prevent and punish incitement to genocide; 4) take immediate and effective measures to enable urgent humanitarian assistance and basic services; 5) take effective measures to prevent the destruction and ensure the preservation of evidence relating to allegations of acts under article 2-3 of the Genocide Convention; and 6) report to the Court within one month about measures taken to give effect to the order. (The precise terms are available [here](#)).

Since then, the Israeli bombardment of Gaza has continued, the humanitarian situation has worsened, and the civilian population, most displaced and living in tents, now face starvation and famine.

On 5 March 2024, UN human rights experts stated:

'Israel has been intentionally starving the Palestinian people in Gaza since 8 October. Now it is targeting civilians seeking humanitarian aid and humanitarian convoys. Israel must end its campaign of starvation and targeting of civilians.' The full statement is [here](#).

All welcome.