

Ottawa Shrugs Off ICJ Genocide Verdict While Cutting Funds to Palestinian Refugees

Many Western powers are now plausibly complicit in the genocide of Palestinians

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On January 26, the International Court of Justice (ICJ) [ruled](#) in South Africa's genocide case against Israel. The results were welcomed by South Africa as well as Palestinian leaders, diaspora, and solidarity activists: in its ruling, the court ordered Israel to "take all measures within its power to prevent the commission of acts of genocide" and to allow humanitarian aid into the deliberately starved territory. The court also ordered Israel to prevent its forces from violating the 1948 Genocide Convention "with immediate effect."

In all, the ICJ has found that Palestinians are a protected national group at risk of irreparable harm under the Genocide Convention. The court also found plausible risk that Israeli forces are committing or will commit genocide in Gaza.

Israeli representatives had been calling for the ICJ to simply throw out the case, arguing that South Africa has no legitimate quarrel with Israel at the world's top court. By issuing provisional measures against genocide and moving forward with South Africa's case, the ICJ has sided with South Africa, dealing a huge blow to Israel's already tattered credibility on the world stage.

As Andrew Mitrovica [writes](#) in *Al Jazeera*:

Near unanimously [15-1], the court was convinced that South Africa made a plausible case demonstrating that Israel has displayed the intent to execute genocide. As a result, the court is required, by international law, to proceed with a full hearing and, ultimately, to render a verdict on the seminal question: Is Israel guilty of the crime of genocide in Gaza?

While the court stopped short of ordering a ceasefire, the ICJ's provisional measures would amount to a ceasefire if implemented. Essentially, the court has called for a ceasefire by implication. As South Africa's Foreign Minister Naledi Pandor [said](#) after the ruling, "I believe that in exercising the order, there would have to be a ceasefire. Without it, the order doesn't actually work."

It is worth noting that during a number of previous genocide cases at the ICJ, including Bosnia in the 1990s and Myanmar in 2019, the ICJ did not directly call for a ceasefire.

The ICJ's ruling puts the lie to the dominant claims by Western media and government officials that Israel is simply defending itself against terrorism, and its actions in Gaza, however excessive, are nonetheless justified. In short, the global majority has rejected the West's framing of the Israeli war on Gaza.

What will follow this historic ICJ ruling? Unless the US exerts leverage on Israel to rein in its genocidal military campaign against Palestinians, little will happen. While ICJ rulings are legally binding, Israel has never let international law moderate its violence, whether the massacre of civilians or the expansion of illegal settlements. And global institutions, dominated as they are by Western powers and especially the US, have never been especially interested in holding Israel accountable.

Even so, the ICJ ruling represents a historic victory for Palestinians and a rejection of Israeli and Western propaganda on the world stage.

For its part, Israel responded to the ICJ ruling with typical bellicosity, with Defence Minister Yoav Gallant (who was cited during the lawsuit for calling Palestinians "human animals") claiming the world court is "antisemitic" and that "Israel does not need to be lectured on morality."

The response by Western countries, meanwhile, has been to continue their unconditional support for Israel—despite the fact that, in the eyes of The Hague, many Western powers are now plausibly complicit in the genocide of Palestinians.

The US government responded to the ICJ ruling predictably: by dismissing the case without discussing its merits. A State Department spokesperson [claimed](#) that the Hague "did not make a finding about genocide... in its ruling," which is untrue. At this stage of ICJ proceedings, the court is deciding whether or not South Africa presented a plausible case that Israel is committing genocide, which the overwhelming majority of judges did. The case will continue, although it could be years before a final verdict is reached.

In an interview with Owen Jones, geopolitical analyst Mouin Rabbani [stated](#) that Washington's response to the ruling is "[like] saying someone on trial for murder has not been found guilty on the first day of the trial."

The Canadian response has been similarly spineless.

Prior to the ruling, Trudeau had [spoken dismissively](#) of South Africa's genocide case, telling reporters: "Our wholehearted support of the ICJ and its processes does not mean that we support the premise of the case brought forward by South Africa."

On January 26, the day the ICJ ruled Israel is plausibly committing genocide in Gaza, Foreign

Affairs Minister Mélanie Joly once more [reiterated Canada's support for Israel](#). The statement repeats Trudeau's earlier remarks while proclaiming that Canada "support[s] Israel's right to exist and defend itself."

Statement by Minister Joly on the International Court of Justice's decision on South Africa's request for provisional measures in its case against Israel

Read the full statement: <https://t.co/nwtHByUoyX>

— Foreign Policy CAN (@CanadaFP) [January 26, 2024](#)

Joly's statement calls on Hamas to release the Israeli hostages taken on October 7, but makes no demands for Israel to cease its bombings of civilians, schools, hospitals, and UN shelters, or its targeted assassinations of journalists and artists, or the genocidal incitement of its leaders.

Currently over 26,000 Palestinians have been reported killed in Gaza, with almost 65,000 injured. Gazans suffer acute shortages of food, clean water, and medicine, while 85 percent of the enclave's residents have been internally displaced. [According to the UN](#), 60 percent of Gaza's infrastructure has been damaged or destroyed.

While simply noting "concern" about the "humanitarian crisis" in Gaza, Joly's language fills with vitriol once Palestinian attacks are mentioned:

Nothing can justify Hamas' brutal attacks on October 7, including the appalling loss of life, and the heinous acts of violence perpetrated in those attacks, including sexual violence... Hamas must release all hostages, stop using Palestinian civilians as human shields, and lay down its arms.

Meanwhile, Israel's response to the ICJ ruling did not stop at combative words. Shortly after the verdict, Israel released a statement accusing staff members of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) of participating in the October 7 attacks.

It is reasonable to assume that these accusations, based on "confessions" drawn from interrogations, were extracted through torture. This did not stop UNRWA donors, including the US and Canada, from cutting funding for the agency.

UNRWA was founded in 1949 to provide relief for Palestinians dispossessed by [the Nakba](#). Since then, it has served as a lifeline for millions of Palestinian refugees. The UN agency [currently supports](#) nearly six million refugees, mostly in Gaza and Jordan, across 58 camps. It also supports 706 schools, 140 primary health care facilities, and provides food and cash assistance to 1.8 Palestinians.

As analyst [Mouin Rabbani](#) outlines, Israel's accusations are curiously timed:

My understanding is that Israel timed the release of a statement accusing twelve UNRWA staff of having been directly and personally involved in the Palestinian attacks on Israel of October 7. [The accusations seem] timed and released to coincide with the ICJ [verdict] in an effort to divert attention from it.

In Rabbani's view, UNRWA "spectacularly mishandled this issue" by taking actions that could be seen as validating the accusations. These actions gave Israel's Western sponsors the justification they needed to pull funding from the UN agency.

Israel has long sought to delegitimize UNRWA. Indeed, former foreign ministry official [Noga Arbell](#) has openly called for its dismantling.

"It will be impossible to win the war if we do not destroy UNRWA," Arbell stated in parliament in early January. "This destruction must begin immediately."

"It will be impossible to win the war if we do not destroy Unrwa, and this destruction must begin immediately"

Earlier this month on 4 January, Noga Arbell, a former Israeli official, called for the destruction of Unrwa during a discussion in the Israeli parliament. pic.twitter.com/VooVg39fVL

— Middle East Eye (@MiddleEastEye) [January 28, 2024](#)

UNRWA has stated that if funds are not restored, the agency will need to end all services after February, a catastrophic prospect for millions of Palestinian refugees. Yet Canada doesn't seem to care. Gaza was already [facing a famine](#) before the aid cuts. Millions of Palestinians are living on a knife's edge, barely able to subsist amidst unimaginable conditions of bombardment, starvation, and genocidal brutality.

As NDP MP Heather McPherson [asked](#) in the House of Commons yesterday, "Why are Canada's Liberals... abandon[ing] Palestinians in their greatest hour of need?"

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Featured image: Health center operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in the southern Gaza Strip. UNRWA was established by the General Assembly in 1949 and mandated to provide assistance and protection to some 5.6 million registered Palestine refugees. Photo by United Nations/Flickr.

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