

The Elders call for immediate compliance by Israel with ICJ provisional measures

29 January 2024

The Elders call for Israel to comply immediately with the provisional measures ordered by the International Court of Justice (ICJ) to protect Palestinians in Gaza from acts of genocide.

The Elders also call for Israel's allies to publicly affirm their respect for the Court's ruling, and to use the political, military and financial leverage at their disposal to ensure Israel's compliance with the provisional measures.

The ICJ's legally binding decision is a moment of the utmost gravity.

Israeli forces have killed over 25,000 Palestinians in Gaza, destroyed homes and infrastructure across the territory and displaced up to 1.9 million people. The Elders share the Court's judgement that this scale of devastation risks causing irreparable harm to the people of Gaza.

Israel, as the occupying military power, must comply with the Court's ruling and implement the provisional measures in full. This includes ensuring its military does not commit any acts of genocide against the Palestinian people as a protected group, including killing members of the group. It also includes preventing incitement to genocide, and enabling provision of urgently needed basic services and humanitarian assistance. An immediate step must be to lift the siege of Gaza and end the collective punishment of Palestinians.

The Elders support the Court's emphasis that all parties to the conflict are bound by international humanitarian law, and its call for the immediate and unconditional release of the hostages held by Hamas and other armed groups.

All states have a responsibility to respect the Court's ruling. South Africa has shown moral leadership in bringing this case, and it is now incumbent on others – particularly Israel's allies and the UN Security Council – to live up to their own moral and legal obligations to prevent acts of genocide, and support the ICJ's ruling.

As a minimum, Israel's allies must ensure they are not complicit in any atrocity crimes. The Elders thus reiterate [their call for all countries providing military assistance to Israel to place this under review and set new conditions for future provision](#). Governments which provide

military assistance in the knowledge that atrocities are being committed, or may be imminent, risk being complicit. Self-defence can never be a justification for atrocity crimes.

For too long, Israel's allies – particularly the United States and many European states – have provided political cover for its violations of international law. This impunity must end now.

Political leaders who choose to disregard or undermine the Court's ruling risk further weakening the international rule of law at a time when it is already acutely under threat. The UN Security Council has a vital role in ensuring compliance with the ICJ ruling and upholding the consistent application of international law. The world is watching.

Mary Robinson, former President of Ireland and Chair of The Elders

Ban Ki-moon, former UN Secretary-General and Deputy Chair of The Elders

Graça Machel, Founder of the Graça Machel Trust, Co-founder and Deputy Chair of The Elders

Gro Harlem Brundtland, former Prime Minister of Norway and former Director-General of the WHO

Helen Clark, former Prime Minister of New Zealand and former head of the UN Development Programme

Elbegdorj Tsakhia, former President and Prime Minister of Mongolia

Zeid Ra'ad Al Hussein, former UN High Commissioner for Human Rights

Hina Jilani, Advocate of the Supreme Court of Pakistan and co-chair of the Taskforce on Justice

Ellen Johnson Sirleaf, former President of Liberia and Nobel Peace Laureate

Ricardo Lagos, former President of Chile

Juan Manuel Santos, former President of Colombia and Nobel Peace Laureate

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[Lakhdar Brahimi](#), [Fernando Henrique Cardoso](#), and [Jimmy Carter](#) are Elders Emeritus.

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