

International Court of Justice finds Israel's occupation of Palestine illegal

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In a devastating condemnation of the Israeli government and its imperialist backers, the International Court of Justice (ICJ) ruled Friday that Israel's occupation of Palestine is unlawful, ordering all countries to cease enabling it.

The court ruled categorically that Israel's 56-year-old domination over "the Palestinian territories occupied since 1967" is "illegal." The occupied territories include the West Bank, East Jerusalem and Gaza, whose population is being systematically massacred by Israel in an ongoing genocide.

In its sweeping ruling, the court found that, beyond the criminality of Israel's war against the population of Gaza, the entire framework within which the genocide is being conducted is itself illegal, and that its enablement by the imperialist powers is also illegal.

The court declared that "All States must cooperate with the United Nations to put into effect modalities required to ensure an end to Israel's illegal presence in the Occupied Palestinian Territory." It adds that countries must not "render aid or assistance in maintaining" the illegal occupation.

In a refutation of the imperialist powers' justifications for funding and arming the Gaza genocide based on claims that "Israel has a right to defend itself," the court ruled that "Israel's security concerns cannot override the principle of the prohibition of acquisition of territory by force."

The Biden administration has declared dozens of times that the support of the United States for Israel's war against the population of Palestine is "ironclad." Since the start of the Gaza genocide, the US has provided Israel with \$6.5 billion in weapons and has pledged a further \$14 billion. This included more than 14,000 2,000-pound bombs.

With the help of these weapons, Israel has likely

killed 186,000 Gazans or more since October, according to a survey published in *The Lancet*.

In announcing the ruling, Nawaf Salam, the president of the ICJ, said,

The sustained abuse by Israel of its position as an occupying power, through annexation and an assertion of permanent control over the occupied Palestinian territory and continued frustration of the right of the Palestinian people to self-determination, violates fundamental principles of international law and renders Israel's presence in the occupied Palestinian territory unlawful.

Responding to Friday's ruling, the UK-based charity Oxfam declared that Israel "is committing the crime of apartheid in the West Bank and East Jerusalem, which is one of the most serious international crimes."

Philippe Sands, counsel for Palestine in the ICJ case, declared in response to the ruling,

This is as clear and far-reaching a ruling as I have come across from this court. ... Its legal consequences are entirely without ambiguity, its political consequences far-reaching. ... Among the many practical consequences, the court has made clear its view, by an overwhelming majority, that the US and other embassies in Jerusalem are illegal and must be removed for international law to be respected.

Israel has fully annexed East Jerusalem and declared Jerusalem as its capital. In an embrace of the illegal occupation, the Trump administration moved the US embassy to Jerusalem, a move upheld by the Biden administration.

In an interview with Al Jazeera, international law expert William Schabas declared, “[The advisory ruling] is not just directed against Israel. It’s directed against Israel’s friends, and it’s telling them that they cannot contribute in any way to the settlement policy, to the continued acts of violence and persecution in the occupied territories.”

In a statement responding to the ruling, Amnesty International declared, “The International Court of Justice has issued its opinion, and the conclusion is loud and clear: Israel’s occupation and annexation of the Palestinian territories are unlawful, and its discriminatory laws and policies against Palestinians violate the prohibition on racial segregation and apartheid.”

Israeli officials responded with condemnations of the ICJ and by reasserting the very content of the ruling: that Israel is seeking to dominate and annex the entirety of the Palestinian territories.

“We will not accept moral preaching from the court,” blustered Israeli National Security Minister Itamar Ben-Gvir.

“The Jewish people are not conquerors in their own land—neither in our eternal capital Jerusalem nor in the land of our ancestors in Judea and Samaria,” said Israeli Prime Minister Benjamin Netanyahu. “No false decision in The Hague will distort this historical truth, and the legality of Israeli settlement in all the territories of our homeland cannot be disputed.”

The ICJ is the highest legal body of the United Nations. Friday’s ruling is in response to a 2022 request by the United Nations General Assembly to rule on the legality of the Israeli occupation of Gaza. It is separate from the International Criminal Court, whose chief prosecutor has accused Israel of genocide.

While Friday’s ruling presents a devastating legal indictment of the Israeli government and its imperialist backers, the fact remains that it, like numerous other court rulings and UN resolutions, has no practical force whatsoever.

The ruling comes ahead of the visit by Netanyahu to Washington on July 24 to deliver a joint address to

Congress, in which the war criminal prime minister will give a progress report to his imperialist paymasters. The imperialist powers, led by the United States, are thoroughly committed to supporting the genocide in Gaza as part of the reassertion of neo-colonial domination all over the world.

The task of opposing and ending the Gaza genocide falls to the working class, and it can only be accomplished through the building of an international movement of workers and young people all over the world against war and imperialist barbarism as a critical element of the struggle for socialism. The rally called by the Socialist Equality Party, International Youth and Students for Social Equality (IYSSE) and International Workers Alliance of Rank-and-File Committees (IWA-RFC) on the day of Netanyahu’s appearance in Washington will be a decisive step in building this movement, and we urge the broadest possible attendance at this critical event.



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