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Australian Government
Department of Foreign Affairs and Trade

**MEDIA TALKING POINTS
DISTRIBUTION: CRISIS**

Topic: POLITICAL-ECONOMIC
Subject: Hamas-Israel Conflict

Originating Division: MAD

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Talking Points

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If raised: Is Israel committing genocide against Palestinians in Gaza?

- *Aware South Africa has instituted proceedings against Israel before the International Court of Justice under the Genocide Convention.*
- *Not appropriate to comment on matters before the Court.*

If pressed:

- *This matter is currently before the International Court of Justice*
 - *not going to pre-empt the Court's consideration of this case.*

If raised: Will Australia intervene in South Africa's case against Israel, as we did in Ukraine's case against Russia?

- *Not under consideration at this time.*

If pressed:

- *The Court has not yet notified States of a right to intervene in this case.*

On 29 December South Africa instituted proceedings against Israel before the International Court of Justice under the Genocide Convention, alleging Israel is committing genocide against Palestinians in Gaza. South Africa has also requested that the Court indicate provisional measures (interim orders pending consideration of the merits of the case). They include that Israel immediately suspends its military operations in and against Gaza and “desists from the commission of any and all acts” within the scope of Article II the Convention.