

Nicaragua tells UN top court that Germany is pathetic to supply aid to Palestinians while providing arms to Israel



Nicaraguan Ambassador Carlos Jose Arguello Gomez sits next to lawyer Alain Pellet as

Nicaragua is set to ask the International Court of Justice on Monday to order Berlin to halt military arms exports to Israel and reverse its decision to stop funding U.N. Palestinian refugee agency UNRWA, in The Hague, Netherlands, April 8, 2024.
REUTERS/Piroschka van de Wouw

The Hague, April 8 (RHC)-- Germany is facing charges at the top United Nations court for allegedly “facilitating the commission of genocide” against Palestinians in Gaza in coordination with its military and political ally, Israel.

Nicaragua presented its case before the International Court of Justice (ICJ) on Monday, demanding judges impose emergency measures to stop Berlin from providing Israel with weapons and other assistance.

In his opening statement, Carlos Jose Francisco Arguello Gomez, Nicaraguan Ambassador to The Netherlands and the lead of Nicaragua’s delegation said “serious breaches of international humanitarian law...including genocide, are taking place in Palestine” and are “being committed openly.” “The case before us involves momentous events affecting the lives and wellbeing of hundreds of thousands of people, and even the destruction of an entire people.”

In such a situation, he said that other states must avoid to take steps “assisting the perpetrator.” “Germany has violated this obligation imposed on all states,” Gomez said, adding that Germany has not be able “to differentiate between self-defence and genocide” in the case of Gaza.

“If the actions of Israel continue to be unrestrained as they have since since its birth as a state, and they continue to receive the indiscriminate support of states like Germany, then a new generation of Palestinians will rise up again in the future,” he warned.

Daniel Mueller, a lawyer for Nicaragua, also told the court that it is “a pathetic excuse to the Palestinian children, women and men to provide humanitarian aid, including through airdrops, on the one hand and to furnish the military equipment that is used to kill and annihilate them... on the other hand.”

Speaking to reporters after the ICJ hearing in The Hauge, German legal representative Tania von Uslar-Gleichen called Nicaragua’s presentation “biased” and said Germany looks forward to rebutting the charges tomorrow. “Nicaragua’s presentation was grossly biased and we will be telling you tomorrow how we fully live up to our responsibilities,” said Uslar-Gleichen.

In a 43-page submission to the court, Nicaragua argues that Germany is in breach of the 1948 UN Genocide Convention, set up in the wake of the Holocaust. “By sending military equipment and now defunding UNRWA [UN agency for Palestinian refugees] ... Germany is facilitating the commission of genocide,” says the submission.

“Germany’s failure is all the more reprehensible with respect to Israel given that Germany has a self-proclaimed privileged relationship with it, which would enable it to usefully influence its conduct,” added Nicaragua.

Nicaragua asked the ICJ to decide “provisional measures” – emergency orders imposed while the court considers the broader case. It is “imperative and urgent” the court orders such measures given that the lives of “hundreds of thousands of people” are at stake, runs the Nicaraguan case.

The ICJ was set up to rule in disputes between nations and has become a key player in the war between Israel and Hamas that erupted after the October 7 attacks.

In a separate case, South Africa has accused Israel of perpetrating genocide in the Gaza Strip, charges Israel vehemently denies. In that case, the court ordered Israel to do everything in its power to prevent genocidal acts and recently toughened its stance, ordering additional measures obliging Israel to step up access to humanitarian aid.

The court's rulings are binding but it lacks an enforcement mechanism – for example, it has ordered Russia to stop its invasion of Ukraine, to no avail.

Nicaragua has requested five provisional measures, including that Germany “immediately suspend its aid to Israel, in particular its military assistance, including military equipment.” It also calls on the court to order Germany to “reverse its decision to suspend the funding of UNRWA.”

Germany said in January it was halting funding pending an inquiry into Israeli accusations that several UNRWA staff members took part in the October 7 assault. Nicaragua said in its submission that “it could be comprehensible” that Germany would support an “appropriate reaction” by ally Israel to the October Hamas attacks.

The bloodiest-ever Gaza war began with Hamas's unprecedented October 7 attack on Israel that resulted in the deaths of 1,139 Israelis and foreigners, most of them civilians.

Israel has killed at least 33,175 people since then, including more than 13,800 children, according to Gaza's Ministry of Health.

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