

Germany rejects allegation of aiding genocide in Gaza at ICJ

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The Hague, April 9 (RHC)-- Germany has denied accusations that it was aiding genocide in Gaza by selling Israel arms in a case at the top UN court brought by Nicaragua – a case that reflects a mounting legal action in support of Palestinians.

Tania von Uslar-Gleichen, legal adviser for the German Foreign Ministry, told the International Court of Justice (ICJ) on Tuesday that Nicaragua's case was rushed, based on flimsy evidence and should be thrown out for lack of jurisdiction. Arms exports were scrutinised for adherence to international law, she said.

“Germany is doing its utmost to live up to its responsibility vis-a-vis both the Israeli and the Palestinian people,” she added, with Germany the largest individual donor of humanitarian aid to Palestinians. Von Uslar-Gleichen said Israel’s security was a priority for Germany given the history of the Nazi decimation of Jews.

Germany is one of Israel’s biggest military suppliers, sending 326.5 million euros (\$353.7m) in equipment and weapons in 2023, according to Economy Ministry data. Berlin has been one of Israel’s staunchest supporters since the October 7 attacks led by the Palestinian group Hamas, which governs Gaza, and Israel’s subsequent assault on Gaza.

Germany and other Western nations have faced street protests, various legal cases, and accusations of hypocrisy from campaign groups who say Israel has killed too many Palestinian civilians in its six-month assault.

At least 1,139 people were killed in the Hamas-led attack on Israel on October 7, according to an Al Jazeera tally based on Israeli statistics. And more than 33,360 people have been killed and 75,993 others wounded in Israeli attacks on Gaza since then, according to Palestinian authorities.

A lawyer for Germany, Christian Tams, told the court that since October 7th, 98 percent of arms exports to Israel were general equipment like vests, helmets and binoculars. And of four cases where war weapons exports were approved, he said, three concerned arms unsuitable for use in combat and meant for training.

Lawyers for Nicaragua have asked the ICJ to order Germany to halt arms sales to Israel and resume funding of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). They argued that Berlin has violated the 1948 Genocide Convention and international law by supplying Israel while aware there was a risk of genocide.

After Tuesday’s hearing, Nicaraguan ambassador Carlos Arguello told journalists that the case at this preliminary stage did not hinge on the amount of Germany’s military aid but simply its existence.

An ICJ ruling on Nicaragua’s requested emergency measures is expected in weeks. A final judgement on the merits of the case is expected to take years and the court has no power to enforce it.

In January, in response to an accusation from South Africa, the ICJ ruled that claims Israel violated some rights guaranteed under the Genocide Convention were plausible and called for a halt to halt any potential acts of genocide.

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