

## SAHUDA Statement on Palestine

The following statement is released by the South African Humanities Dean's Association (SAHUDA) in condemnation of the ongoing and unparalleled violations of international law and human rights in the Gaza Strip and the Occupied Westbank of Palestine.

The current siege on Gaza has surpassed its sixth month and the plight of the inhabitants of Gaza and the Occupied Westbank of Palestine is continuously deteriorating. Six months into the siege (8 April 2024), the death toll in Gaza has risen to more than 33,109 Palestinians, including 13,850 children; those injured number 75,750. These figures translate to 179 people including 75 children killed in Gaza per day since 7 October 2023 (ReliefWeb, 2024). In the Occupied Westbank, 460 people have been killed, of which 117 children, with more than 4,750 injured (AJLabs, 2024).

The number of internally displaced people in Gaza out of a population of 2,3 million stands at more than 1,7 million bringing the internally displaced to 75% of Gazan residents (OCHA, 2024). As of March 2024, 17,000 children were unaccompanied or separated from their parents, while 1 million children were in need of mental health and psychosocial support (OCHA, 2024).

90% of school structures in Gaza have been damaged, whilst 29% have been destroyed, depriving 433,000 children of access to education (MESA Committee on Academic Freedom, 2024). It is impossible to estimate how long it will take to rebuild the school system in Gaza, or whether this will be possible at all.

Higher Education in Gaza has been similarly decimated. The Euro-Med Human Rights Monitor reports that as at 20 January 2024, 94 university professors had been killed since the start of the hostilities, and that every university in the Gaza strip had been destroyed (Euro-Med Human Rights Monitor, 2024a). This toll includes the controlled demolition by detonation on the 17<sup>th</sup> of January of the Al-Israa University in Southern Gaza. This wilful destruction was carried out on the last existing university in Gaza and filmed and broadcast by Israeli media.

In response to the systematic and ongoing destruction of life and infrastructure in Gaza, South Africa brought an *Application instituting proceedings and request for the indication of provisional measures* before the International Court of Justice (ICJ) on the 29<sup>th</sup> of December 2023. South-Africa, making the case that the population of Gaza was being subjected to genocide, requested nine provisional measures to be applied to halt aggression and protect civilian lives (ICJ, 2023). In its ruling of 26 January 2024, the ICJ made the significant conclusion that "In light of the foregoing ... *prima facie*, it has jurisdiction pursuant to Article IX of the Genocide Convention to entertain the case" (ICJ, 2024a Section 3, par 31, p12), thereby lending credence to the claim of genocide. The court conceded to six of the nine provisional measures applied for, ruling that:

(1) The State of Israel shall, in accordance with its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to Palestinians in Gaza, take all measures within its power to prevent the commission of all acts within the scope of Article II of this Convention, in particular: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; and (d) imposing measures intended to prevent births within the group; (2) The State of Israel shall ensure with immediate effect that its military does not commit any acts described in point 1 above ; (3) The State of Israel shall take all measures within its power to prevent and punish the direct and public incitement to commit genocide in relation to members of the Palestinian group in the Gaza Strip; (4) The State of Israel shall take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip; (5) The State of Israel shall take effective measures to prevent the destruction and ensure the preservation of evidence related to allegations of acts within the scope of Article II and Article III of the Convention on the Prevention and Punishment of the Crime of Genocide against members of the Palestinian group in the Gaza Strip; (6) The State of Israel shall submit a report to the Court on all measures taken to give effect to this Order within one month as from the date of this Order (ICJ 2024a, Par 86, p24-26).

Within a month of the ruling, Euro-Med Human Rights Monitor flagged six indicators that the State of Israel had failed to comply with the order of the ICJ. The Euro-Med report cites “repeated violations of the ruling of the world’s highest court” with indicators that Israel had persisted in perpetrating “genocide, grave violations, war crimes, and crimes against humanity” (Euro-Med Human Rights Monitor, 2024b).

The indicators of ongoing violations of the ICJ ruling include the perpetration of mass killings, including of the family of the six-year old child Hind Rajab, the two paramedics who responded to her distress call, and eventually Hind herself. The report cites five further indicators of violations against international law, the Genocide Convention, to which Israel is a signatory, and the ruling of the ICJ, with examples, including (i) Causing serious physical or mental harm, (ii) Imposition of inhuman living conditions through intentional material destruction, (iii) Starvation as a weapon; obstruction of the delivery of humanitarian supplies; (iv) Imposition of an environment meant to prevent childbirth and (v) Public incitement to genocide (Euro-Med Human Rights Monitor, 2024b).

This report was released before the enactment of the heinous Flour Massacre on the 29<sup>th</sup> of February, which will remain a point of shame for the perpetrators in the annals of history. An estimated 112 people who had gathered to collect flour were killed, and 760 injured (Office of the High Commissioner for Human Rights, 2024a).

A human-made famine in Gaza has become a reality. The United Nations High Commissioner for Human Rights, Volker Türk, notes that the situation of “hunger, starvation and famine is a result of Israel’s extensive restrictions on the entry and distribution of humanitarian aid and commercial goods, displacement of most of the population, as well as the destruction of crucial civilian infrastructure” and that alarm bells sounded about the risk of famine have continued to go unheeded for several months (Office of the High Commissioner for Human Rights, 2024b).

On the 6<sup>th</sup> of March, 2024, in response to increasing scarcity of food and the collective punishment of the people of Gaza through engineered famine, South Africa brought an *Urgent Request and Application for the Indication of Additional Provisional Measures and the Modification of the Court’s Prior Provisional Measures Decisions* before the ICJ, urging the court to act immediately (foregoing a formal hearing), based on the urgency of the matter (ICJ, 2024b, par 15, p5-6). This latest application

notes that “changes in the situation in Gaza and new facts ... demand the urgent indication of further provisional measures and the modification of the Court’s previous decisions on provisional measures”, emphasizing the “Palestinians in Gaza are no longer at ‘immediate risk of death by starvation’” but that children and babies had now verifiably succumbed due to lack of food (ICJ, 2024b, par 14, p5; par 7, p2).

Yet, in continuing contempt of the ICJ ruling to facilitate the provisioning of food aid in Gaza, a three-vehicle convoy on a route agreed to in advance between the World Central Kitchen (WCK) and the IDF, was systematically targeted by the IDF on the 1<sup>st</sup> of April 2024, killing seven international food aid workers and wilfully obstructing urgently needed measures to prevent starvation (Mason, 2024; Al Arabyia News, 2024).

It is against this ongoing catastrophe and its effects on schooling, higher education and the lives of people in the Occupied Territories – now at risk both from military action and prolonged starvation - that the South African Humanities Dean’s Association (SAHUDA) condemns the ongoing violation of human rights in the Occupied Territories and in particular in Gaza.

The South African Humanities Dean’s Association calls for an immediate end to hostilities by all parties; the immediate release of all hostages and detainees; the urgent provisioning of humanitarian aid to Gaza; the urgent provisioning of the basic necessities of life, namely food, water, clothing, and shelter, and of sanitation and health care, as well as freedom of movement.

In addition we as Humanities Deans call on South-African and international academics in the Humanities and in all disciplines to stand in solidarity with their colleagues in Gaza to bring an end to the horrific epistemicide and genocide unfolding before our eyes. We call on South-African and international academics to foster exchange and partnership with Palestinian universities in order to support the stabilisation of the Higher Education sector and so-doing give substance to our unwavering belief in the rights of the peoples of the Occupied Territories to education and the conditions that sustain life.

Bearing in mind the role of the international community and that of brave South Africans and Israeli citizens in opposing an unjust regime and bringing an end to Apartheid, we are reminded of the power of courage and education to eradicate inequality, human rights abuses and humanitarian catastrophe, and of our moral obligation to stand with the people of Palestine.

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