

Documents

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Operation Marg Bar Sarmachar, MOFA Press Release, January 18, 2024, Islamabad.

Source: <https://mofa.gov.pk/press-releases/operation-marg-bar-sarmachar>

This morning Pakistan undertook a series of highly coordinated and specifically targeted precision military strikes against terrorist hideouts in Siestan-o-Baluchistan province of Iran. A number of terrorists were killed during the Intelligence-based operation – codenamed ‘Marg Bar Sarmachar’.

Over the last several years, in our engagements with Iran, Pakistan has consistently shared its serious concerns about the safe havens and sanctuaries enjoyed by Pakistani origin terrorists calling themselves *Sarmachars* on the ungoverned spaces inside Iran. Pakistan also shared multiple dossiers with concrete evidence of the presence and activities of these terrorists.

However, because of lack of action on our serious concerns, these so-called Sarmachars continued to spill the blood of innocent Pakistanis with impunity. This morning’s action was taken in light of credible intelligence of impending large scale terrorist activities by these so called Sarmachars.

This action is a manifestation of Pakistan’s unflinching resolve to protect and defend its national security against all threats. The successful execution of this highly complex operation is also a testimony to the professionalism of the Pakistan Armed Forces. Pakistan will continue to take all necessary steps to preserve the safety and security of its people which is sacrosanct, inviolable and sacred.

Pakistan fully respects the sovereignty and territorial integrity of the Islamic Republic of Iran. The sole objective of today’s act was in pursuit of Pakistan’s own security and national interest which is paramount and cannot be compromised.

As a responsible member of the international community, Pakistan upholds the principles and purposes of the UN Charter including territorial integrity and sovereignty of member states. Guided by these principles, and in exercise of our legitimate rights within international law, Pakistan will never allow its sovereignty and territorial integrity to be challenged, under any pretext or circumstances.

Iran is a brotherly country and the people of Pakistan have great respect and affection for the Iranian people. We have always emphasized dialogue and cooperation in confronting common

challenges including the menace of terrorism and will continue to endeavour to find joint solutions.

Islamabad

18 January 2024

17/2024

Document: 2**List of Practical Cooperation Deliverables of the Third Belt and Road Forum for International Cooperation (369 concrete outcomes), Ministry of Foreign Affairs of the People's Republic of China, October 18, 2023.**

Source:<http://www.beltandroadforum.org/english/n101/2023/1020/c127-1273.Html>

I. Bilateral Cooperation Documents

1. The Chinese government signed the Memorandum of Understanding (MOU) on Belt and Road Cooperation with the government of Honduras, signed cooperation plans or action plans of BRI with the governments of Argentina, Mauritania, Georgia and Serbia, and will sign the Plan of Joint Promotion of BRI with the government of Egypt.
2. The Communist Party of China (CPC) signed the Action Plan on Building a Community with a Shared Future (2024-2028) with the Lao People's Revolutionary Party.
3. The Chinese government signed the Action Plan (2024-2028) on Building a China-Cambodia Community with a Shared Future in the New Era with the government of Cambodia.
4. The Chinese government signed the Belt and Road Cooperation Priority Projects List (the Second Round) with the government of Hungary.
5. The Chinese government signed the MOU for Strengthening the Cooperation on China-EU Trains Passing via Iran with the government of Iran, and signed the MOU for Deepening the Cooperation of China-EU Trains Trans-Caspian Transport Lines with the government of Kazakhstan.
6. The Chinese government signed the Agreement on Extending the Validity of the MOU on Establishing a Mechanism for Strategic Dialogue for Economic Cooperation and Coordination between the Government of the People's Republic of China and the Government of the Argentine Republic, and will sign the Treaty for Developing China-EU Trains Trans-Caspian Transport lines with the government of Kazakhstan.
7. The Chinese government signed the cooperation documents on science, technology and innovation with the governments of Honduras and Indonesia, and will sign the Agreement on Scientific and Technological Cooperation with the government of the United Arab Emirates.
8. The Chinese government signed the international road transport agreements with the governments of Kazakhstan and Mongolia, and signed the Five-year Action Plan (2023-2027) for Highway Technical Cooperation with the government of Pakistan.
9. The Chinese government signed the Free Trade Agreement and the Early Harvest Arrangement of the Free Trade Agreement with the government of Nicaragua, signed free trade agreements with the

governments of Ecuador and Serbia, will sign the Agreement on Trade in Services and Investment with the government of Belarus, and signed the MOU on Investment Cooperation in Green Development and the MOU on Investment Cooperation in the Digital Economy with the government of Turkmenistan.

10. The Chinese government signed the Agreement on Economic and Technical Cooperation with the government of Kazakhstan, and signed the MOU on Renewable Energy Cooperation with the government of Uzbekistan.

11. The National Commission of Supervision of China signed MOUs on Cooperation in the field of Combating and Preventing Corruption with the Office of the Comptroller-General of Cuba, the Administrative Control Authority of Egypt, the Anti-Corruption Unit of Cambodia, the Corruption Eradication Commission of Indonesia and the Anti-corruption Commission of Malaysia.

12. The National Development and Reform Commission of China signed the MOU on Jointly Accelerating the Formulation of the Cooperation Plan on the BRI with the Ministry of Finance and National Planning of Zambia, signed the MOU on Establishing an Expert Exchange Mechanism within the Framework of the China-Pakistan Economic Corridor (CPEC) with the Ministry of Planning, Development and Special Initiatives of Pakistan, and signed the MOU on Exchange and Cooperation in the Field of Economic Development Policy with the Ministry of Economy of Serbia.

13. The National Development and Reform Commission of China signed the MOU on Jointly Promoting the Third Round of Key Projects in China-Cambodia Production Capacity and Investment Cooperation with the Council for the Development of Cambodia, and signed the 2023-2025 Cooperation Plan on Key Areas with the Ministry of Development of Greece.

14. The National Development and Reform Commission of China signed documents on promoting industrial investment cooperation with the Ministry of Economy of Azerbaijan, the Ministry of People's Power of Economy, Finance and Foreign Trade of Venezuela, the Ministry of Foreign Affairs and Trade of Hungary, and will sign relevant documents with the Ministry of Economy and Regional Development of Serbia and the relevant department of Chile.

15. The Ministry of Science and Technology of China will sign the MOU on Bilateral Cooperation under the Framework of China-LAC Sustainable Food Innovation Center with the Ministry of Science, Technology and Innovation of Argentina.

16. The Ministry of Industry and Information Technology of China signed cooperation documents on digital and information communications with the Ministry of Post and Telecommunication of Algeria, the Ministry of Communication Technologies of Tunisia, the Ministry of

Telecommunications and Information Technology of Iran and the Ministry of Information and Communications Technology of the Philippines, and will sign relevant documents with the Ministry of Communication, Telecommunications and Digital Economy of Senegal and the Ministry of Digital Technology of Uzbekistan.

17. The Ministry of Industry and Information Technology of China signed the MOU on cooperation with the Ministry of Economic Development of Hungary, and the MOU on Industrial Cooperation with the Ministry of Industry of Indonesia.

18. The Ministry of Ecology and Environment of China signed cooperation documents on environmental protection, sustainable development and responding to climate change with the Department of Environment of Iran, the Ministry of Natural Resources and Environmental Protection of Belarus and the Ministry of Planning, Development and Special Initiatives of Pakistan.

19. The Ministry of Transport of China signed the MOU on Deepening International Road Transport Cooperation with the Ministry of Transport of Tajikistan, signed the MOU on Future Mobility Cooperation with the Ministry of Transport of Singapore, and signed the Protocol on Implementation on the International Road Transport Agreement between the Government of the People's Republic of China and the Government of Mongolia with the Ministry of Road and Transport Development of Mongolia.

20. The Ministry of Commerce of China signed MOUs on Establishing the Unimpeded Trade Work Group with the Ministry of Foreign Affairs, International Trade and Worship of Argentina and the Ministry of Development, Industry and Trade of Nicaragua, signed the MOU on the Establishment of the Investment and Economic Cooperation Working Group with the Ministry of Foreign Affairs of Uruguay, signed the MOU on Cooperation in the Field of Free Zones and Economic Zones with Kuwait Direct Investment Promotion Authority, and signed the MOU on Trade Promotion Cooperation with Ministry of Industry, Mine and Trade of Iran.

21. The Ministry of Commerce of China signed MOUs on cooperation on electronic commerce with the Department of Trade and Industry of the Philippines and the Coordinating Ministry for Economic Affairs of Indonesia, signed the MOU on Deepening Blue Economy Cooperation with the Ministry of Environment and National Beautification, Blue and Green Economy of Barbados, signed the MOU on Promoting Investment Cooperation in Green Development with the Council for the Development of Cambodia, and signed the Framework Agreement on Promoting Investment Cooperation in Green Energy Power with the Ministry in the Presidency for Electricity of the Government of South Africa.

22. The Ministry of Commerce of China signed the MOU to Announce the Substantive Conclusion of the Subsequent Negotiations on the Upgrade of

China-Singapore Free Trade Agreement with the Ministry of Trade and Industry of Singapore, signed the MOU on Launching the Negotiations for China-Serbia Free Trade Agreement with the Ministry of Internal and Foreign Trade of Serbia, and signed the MOU on Conclusion of the Majority Text and Initiating Market Access Negotiation of *Agreement on Trade in Services and Investments between the People's Republic of China and the Republic of Belarus* with the Ministry of Economy of Belarus.

23. The People's Bank of China signed the MOU on Establishing RMB Clearing Arrangement with the National Bank of Serbia, signed the MOU on Enhanced Collaboration on CBDC with the Central Bank of the United Arab Emirates, and signed the MOU on Bilateral Financial Cooperation with the Bank Indonesia.

24. The National Development and Reform Commission of China and Shenzhen Municipal People's Government of Guangdong Province of China signed the MOU Concerning Cooperation on the Planning Knowledge and Experience Sharing for the New Capital of Indonesia with the Ministry of Maritime Affairs and Investment of Indonesia and Nusantara Capital Authority of Indonesia. The Ministry of Commerce of China and Fujian Provincial People's Government signed the MOU on Two Countries Twin Parks Cooperation Project with the Ministry of Maritime Affairs and Investment of Indonesia.

25. The National Development and Reform Commission of China signed the MOU on Supporting Cross-Border Financing by Chinese Enterprises and Promoting the Development of the Hong Kong Bond Market with Hong Kong Monetary Authority.

26. The National Health Commission of China signed MOUs on health cooperation with the Ministry of Health of Saudi Arabia and the Ministry of Health of Oman, and will sign relevant documents with the Ministry of Health of Mongolia, the Ministry of Health of Laos and the Ministry of Health of Cambodia.

27. The National Energy Administration of China signed cooperation documents with the Ministry of Energy of Kazakhstan and the Ministry of Energy of Azerbaijan, and signed the MOU on renewable energy cooperation with the Ministry of Energy and Mines of Cuba.

28. The State Administration for Market Regulation of China will sign the MOU on Competition Cooperation with the Superintendence for the Promotion and Protection of Free Competition of Venezuela. The Standardization Administration of China signed the MOU on cooperation with the Kazakhstan Institute of Standardization and Metrology.

29. The National Administration of Traditional Chinese Medicine of China signed the Plan of Cooperation (2023-2027) in the Area of Traditional Chinese Medicine with the Ministry of Health of Singapore.

30. The China Media Group will sign cooperation documents with the official media organizations of Egypt, Pakistan, Myanmar and other Belt and Road Partner Countries.

31. The China Export & Credit Insurance Corporation signed MOUs on cooperation with the government of Serbia, PT PLN(PERSERO), JSC “Asaka Bank of Uzbekistan” and JSC “Development Bank of Kazakhstan”.

32. The Bank of China signed the MOU on Digital Currency Cooperation with the First Abu Dhabi Bank PJSC, and the MOU for Global Strategic Cooperation with ACWA Power. The Industrial and Commercial Bank of China will sign the MOU on cooperation with the Ministry for National Economy of Hungary.

II. Cooperation Documents with International and Regional Organizations

1. The Chinese government signed *the Renewal of the Agreement on Enhancing Belt and Road Intellectual Property Cooperation* and the agreement on its amendment and extension with the World Intellectual Property Organization.

2. The Chinese government will sign the report of mid-term review on the Work Programme on Further Deepening Trade and Economic Cooperation with ASEAN.

3. The Ministry of Transport of China signed the MOU on Promoting Sustainable Transport for the SDGs with the United Nations.

4. The National Development and Reform Commission of China signed MOUs on Belt and Road cooperation with International Bamboo and Rattan Organization and Global Energy Interconnection Development and Cooperation Organization.

5. The State Administration for Market Regulation of China and the United Nations Industrial Development Organization will sign the project document on strengthening the capacity of China’s food inspection and testing bodies to improve trust for trade under the framework of the Belt and Road.

6. The Ministry of Ecology and Environment of China and the China Meteorological Administration signed the Agreement on Cooperation in Support of the United Nations Early Warnings for All Initiative with the World Meteorological Organization.

7. The Ministry of Water Resources of China, the Standardization Administration of China and the United Nations Industrial Development Organization will sign the MOU on Cooperation in Promoting Rural Sustainable Development based on Small Hydro-power International Standards.

8. The Standardization Administration of China signed the MOU for Cooperation with African Electrotechnical Standardization Commission.

9. The Export-Import Bank of China signed the MOU with the United Nations Industrial Development Organization.

10. The World Tourism Cities Federation (WTCF) signed the MOU on cooperation with the Pacific Asia Travel Association (PATA).

III. Bilateral Cooperation Platforms and Projects or Mechanisms Launched by the Chinese Side

1. Established the Corporate Integrity and Compliance Evaluation System for the BRI.
2. Established the Mechanism of the China-Central Asian Transport Ministers' Meeting. To establish the China-Cambodia Railway Cooperation Mechanism. Launched the China Railway Express Portal website.
3. Established the E-Commerce Cooperation Dialogue between China and Central Asian Countries.
4. Establishing the Belt and Road Economic and Financial Capacity Building Platform, and the "Green Investment Principles for the Belt and Road" regional chapter for Africa and ASEAN.
5. To establish the China-Central Asia Investment and Financing Platform, the Belt and Road Joint Investment Platform with Hong Kong Monetary Authority, and the Cooperative Framework of Joint Investment with Indonesia Investment Authority.
6. To establish the Belt and Road Low Carbon Service Partnership. To launch the Central Asia Regional Green Technology Development Action Plan. To establish the China-ASEAN Mangrove Conservation Partnership. Established the China-Arab International Research Center for Drought, Desertification and Land Degradation.
7. To launch the Belt and Road Special Cooperation Program for Sustainable Development Technology, the Science Action Plan for Sustainable Development, the Belt and Road Special Cooperation Program for Poverty Alleviation through Science and Technology, and the Belt and Road Special Cooperation Program for Spatial Information through Science and Technology.
8. To launch the Belt and Road Comprehensive Legal Service Platform and the Belt and Road Legal Service Talent Training Program. To develop a capacity-building center for legal talents in domestic, foreign and international law. Established the China-Africa International Commercial Mediation Center.
9. To launch the China Documentary Festival "Belt and Road" International Screening, release the Vision for a Shared Future Global Short Video Showcase, and establish the "News Hotline".
10. To launch the Belt and Road Special Cooperation Program for Innovation and Entrepreneurship and the Belt and Road Teacher Development Initiative. To organize the Belt and Road Teenager Maker Camp and Teacher Workshop.
11. Held the 17th meeting of China-Venezuela Joint High-Level Meeting, and China-Pakistan Economic Corridor (CPEC) 12th Special Joint

Cooperation Committee Meeting and Special Joint Cooperation Committee Meeting on 10th Anniversary of CPEC.

12. Held the 2nd China-Laos Belt and Road Cooperation Forum, the 3rd China-Thailand Think-Tank Forum *Ten Years of the Belt and Road: China-Thailand Partnership for Sustainable Development*, and the program *China and Argentina: Encounter between cultures*.

13. To establish the Platform for Overseas Business Sustainable Development and the “Going Global” Comprehensive Service Center for Chinese Enterprises. The International Commercial Dispute Prevention and Settlement Organization will release the Investor-State Arbitration Rules.

14. To establish the Belt and Road High-Quality Development Promotion Association of the Yangtze River Delta, to build the Belt and Road International Production Capacity Cooperation Demonstration Zone in Anhui Province, China, and conducted Shenzhen and Singapore Smart City Cooperation.

15. To establish the Belt and Road International Center for Geoscience Education and Training and the Meteorological Training Centre for participating countries of BRI.

16. Held the China-ASEAN Education Cooperation Week. To establish a Promotion Platform for Culture Exchange and Educational Cooperation with Arab States participating in BRI. Chongqing Municipal People’s Government will carry out the cooperation project on music education with Moscow Tchaikovsky Conservatory.

17. To establish the China-Pakistan Belt and Road Joint Laboratory on Small Hydropower Technology, the China-Indonesia Joint Laboratory for Marine Sciences and the China-Belarus International Innovation Center.

IV. Institutional Schemes Proposed by the Chinese Side

1. The China Development Bank will set up a RMB350 billion financing window for Belt and Road cooperation.

2. The Export-Import Bank of China will set up a RMB350 billion financing window for Belt and Road cooperation.

3. An additional RMB80 billion will be injected into the Silk Road Fund to support BRI projects on the basis of market and commercial principles.

V. Cooperation Projects

1. The Chinese government signed the MOU on Cooperation in Mubarak Al-Kabeer Port Project with the Kuwait government, and signed the cooperation documents on Joint Construction of China Basa-Viet Nam Bat Xat Red River Boundary River Road Bridge with the government of Viet Nam.

2. The Chinese government will sign the exchange of letters for the Addis Ababa - Djibouti Railway Materials Project with the government of

Ethiopia, and the exchange of letters on the China-Aid Project of Wind Power Plants with the government of Uzbekistan.

3. The National Development and Reform Commission of China will sign the MOU on Formulating the Cooperation Programs for Development along the China-Laos Railway with the Ministry of Planning and Investment of Laos.

4. The China Development Bank as Lender will sign the RMB Revolving Credit Facility Agreement with Malayan Banking Berhad as Borrower, the Facility Agreement with Central Bank of Egypt as Borrower, the Term Facility Agreement with BANK BBVA PERÚ as Borrower, the Term Facility Agreement with African Export-Import Bank as Borrower, and the Term Facility Agreement with Bank Misr as Borrower. To complete the first disbursement of the Loan for Credit Line of Senegal (improvement of the Niayes Road and improving the fluidity of roads in the Dakar region).

5. The Export-Import Bank of China signed the RMB Term Loan Agreement with Saudi National Bank, the USD Term Loan Agreement with Africa Finance Corporation, the Cooperation Framework Agreement with Indonesia Investment Authority and the Loan agreements with Cambodia for road, bridge and reservoir projects.

6. The Export-Import Bank of China signed the MOU between Credit Guarantee and Investment Facility and China-ASEAN Investment Cooperation Fund II, and is promoting China-ASEAN Investment Cooperation Fund II to make equity investment in Pertamina Geothermal Energy Project.

7. Silk Road Fund participates in the Africa Infrastructure Investment Fund IV of Old Mutual in South Africa and the Highland Capital Central Asia Fund II in Kyrgyzstan.

8. The China International Development Cooperation Agency and National Forestry and Grassland Administration signed the Framework Agreement on supporting the “one billion trees” national movement of Mongolia and cooperation between China and Mongolia on combating desertification with the Ministry of Economy and Development and the Forestry Agency of Mongolia.

9. Assisting Egypt to issue the first panda bond from African countries. The Bank of China issued the world’s first BRI partner themed green notes. The Industrial and Commercial Bank of China issued the 2023 Green Bond issuance in CIBM (RMB 10 billion), issued the Multi-currency “Carbon Neutrality” themed overseas green bonds, and participated in the Project of Abu Dhabi Holding Group Green Loan Facility (USD 2.5 billion).

10. Supported the project finance for Malaysia East Coast Rail Link Project. Building the Nigerian Kaduna-Kano Railway Project in Nigeria, and the Gantsmod-Gashuunsukhait Port Cross-Border Railway Project in Mongolia.

11. To build the Marine Facilities for King Salman International Complex for Maritime Industries and Services Project in Saudi Arabia. Supported the project finance for the Chancay Port Project in Peru.
12. To sign the Facility Agreement of Nairobi Expressway Project in Kenya, the Loan Agreement on the Construction of Access to Quito from the Oriental Valleys and Construction of Guayasamin Bridge in Ecuador, and signed the Loan Agreement on the Guyana East Coast Demerara Road Project Phase II. To build the Elevated Expressway Project and the Bypass Expressway Project in Dhaka, Bangladesh, and the State Road of 1b Category No.27 Loznica-Valjevo-Lazarevac, Section Iverak-Lajkovac (Intersection on the Highway E-763 Belgrade-Pozega) in Serbia. Carrying out the operation and maintenance services for Metro Rail Transit System on the Orange Line in Lahore (ALL TOWN to DERA GUJRAN) in Pakistan.
13. Building the China-aid New Gwadar International Airport Project in Pakistan and the Siem Reap Angkor International Airport on BOT Scheme in Cambodia.
14. Signed the Loan Agreement on the Trinidad and Tobago New Industrial Park at Phoenix Park Project. Invested in the Zambia Jiangxi Economic Cooperation Zone Project. To invest in the Lygend Indonesia OBI Industrial Park, build the Hunan-Laos "One Road, Two Zones" Project and the China-Philippines Demonstration Park for economic and trade innovation and development.
15. Supporting the project finance for Malaysia-China Kuantan Industrial Logistic Park. To build the Comprehensive Service Cooperation Zone of East Africa Commercial & Logistics Industrial Park in Tanzania and an overseas warehouse for China-Europe Train Express in Mongolia. Promoting strategic cooperation projects of logistics channels and international trade with Kyrgyzstan, building the Aktau Port Container Hub Project in Kazakhstan, and realized the full coverage of "Green Channel" for rapid customs clearance of agricultural and sideline products at road ports along the border with Central Asian countries. To implement the Air Silk Road China-Malaysia Freight Hub Project, and the China-ASEAN (Hainan) Demonstration Initiative on Cruise Connectivity.
16. Supporting the project finance for Bash 500MW and Dzhankelely 500MW Wind Power Generation Project, and Tashkent 200MW Solar PV and 500MWh Battery Energy Storage System Project in Uzbekistan. Supporting the project finance for Manah II Photovoltaic Independent Power Project in Oman, and the project finance for Al Dhafra PV2 Solar Power Plant Project in Abu Dhabi, the United Arab Emirates. To build 750MW Solar Power Plant Project in Iraq, Ratesti 154MW Solar Power Plant Project in Romania, and Resko 51 MW Solar Power Plant Project in Poland. To sign the Loan Agreement on the 25MW Photovoltaic Solar Power Plant with 5MW Storage in Kaya, Burkina Faso.

17. To sign the Technical Agreement of the Niger River Training and Flood Control Scheme—Comprehensive Planning of Niger River Basin in Nigeria and Feasibility Study of the Priority Engineering Works. Signed the Loan Agreement on the Tonle Bassac Bridge Project (Chak Angrae Kraom-Praek Pra) in Cambodia, the Loan Agreement on the Jenelata Dam Project in Indonesia, and the Loan Agreement on the Ranomafana Hydropower Plant Project in Madagascar. To sign the Loan Agreement on the Construction of Bypass around Novisad with the Bridge over Danube River in Serbia, and the Loan Agreement on the Construction of Three Priority Bridges Crossing Pasig-Marikina River and Manggahan Floodway Bridges in the Philippines.

18. Implementing the Interoperable QR Code Cooperation Project with Sri Lanka and Malaysia. Building the National Broadband Infrastructure Project in Solomon Islands. To sign the Loan Agreement on the Rural Grid Extension Project Phase VIII in Cambodia, and support the project finance for Fixed Network ALL-IP Modernization Project in Serbia, and Huawei Exported Telkom FY23 Network Construction Project in South Africa.

19. To sign the cooperation agreements on investment in Simandou Iron Ore Project in Guinea. Investing in the Phase II Project of the Kamoya Copper-Cobalt Mine in the Democratic Republic of the Congo, the Colluli Potash Mining Project in Eritrea, the Boguty Tungsten Mine Project in Kazakhstan, and the Tres Quebradas Salar Project and the Cauchari-Olaroz lithium Salt Lake Development Project in Argentina. Investing in the Fujian Gulei 1.5MMTA Ethylene and Downstream Deep Processing Complex Project (SABIC FUJIAN Gulei Ethylene Project). Investing in the Nickel-Cobalt Hydroxide Hydrometallurgical Project with an Annual Output of 120,000T Nickel Metal and 15,000T Cobalt Metal, the Project with an Annual Output of 50,000T of Lithium Hydroxide and 10,000T of Lithium Carbonate, and the Project of Nickel Metal Production Line with an Annual Output of 126,000T and supporting facilities in Indonesia.

20. To support a series of financing projects for Singapore PCTCs. To build an Auto Center in Hulhumale, Maldives, and the Service Long March Tyres (Pvt) Limited Phase II in Pakistan.

21. The China Investment Corporation invested to a Renewable fuel company in South East Asia, and a Global fruit postharvest tech company headquartered in South Africa.

22. Acquiring Partial Share of Halcyon Agri Corporation Limited in Singapore, and implementing the Project of Contract Farming in Tanzania.

23. To implement the projects for public well-being and infrastructure in Ghana and Kenya and the trade supply chain project in Angola and other African countries, and the project of Keat Hong Grange—N8C12 (987Dus) in Singapore. To build the Project of the Red Sea Utility Assets and Infrastructure in Saudi Arabia, and the Project to Strengthen Ecosystem Resilience in the Ferlo Region, Senegal. Signed the Loan Agreement on

Uzbekistan Olympic Village Project Lot 1 & Lot 2, and the Loan Agreement on the Rajshahi WASA Surface Water Treatment Plant Project in Bangladesh.

24. To invest in the power battery manufacturing project in Hungary and solar module and battery production line projects in Viet Nam. Implementing the Project of expanding the Angel Yeast (Egypt) annual output of yeast products.

VI. People's Livelihood and People-to-people Connectivity Projects

1. China will carry out 1,000 small-scale livelihood assistance projects.
2. The Chinese government will provide training sessions and seminars for 20,000 foreign officials and technical personnel and in-service education programs for 500 persons in China, continue to implement the Silk Roads Youth Research Grant, and launch the Belt and Road Youth Elite Program and the Belt and Road Youth Development Program.
3. To launch the BRI Green Talent Program, the "Africa Solar Belt" Program of South-South Cooperation on Climate Change, and hold the training on South-South Cooperation for Addressing Climate Change. Implementing the "Vista of the Green Silk Road" international communication programme.
4. To hold an anti-corruption seminar for Belt and Road countries. Sponsored the second session of "Research and Fellowship Program of the Belt and Road Legal Cooperation" and will hold its third session. To establish the Capacity-Building Alliance for Sustainable Investment. Held the Belt and Road Banking Regulatory Seminar.
5. Released the "Featured and Excellent" international cooperation projects in conformity assessment field. To set up Belt and Road People-to-People Connectivity Charitable Fund and implement Silk Road People-to-People Connectivity Initiative. Implementing the China Merchants C-Blue Love Village in Sri Lanka and relevant countries, and the Panda Pack Project in Nepal, Ethiopia, Myanmar, Cambodia, Laos, Burundi and relevant countries.
6. Implementing WFAS the Belt and Road Tour of Acupuncture-Moxibustion in Ethiopia, the Mobile Interventional Operation Module in Laos, the Lifeline Express International Bright Journey in Uzbekistan and Kyrgyzstan, the Amity Living Water Project in Nepal, and the China-ASEAN Heart-to-Heart Program devoted to cure children with congenital heart disease.
7. The National Development and Reform Commission of China will carry out the cooperation on capacity building for Africa with the African Union, jointly implement the BRI economic reform and transformation cooperation project with the Zimbabwean side, implement the vocational training project on industrial sector and build the base for conservation, research and innovation of medicinal plants with the Indonesian side.

8. The State Taxation Administration of China released the Belt and Road Tax Administration Capacity Enhancement Group Curriculum and will provide training opportunities for 10,000 tax officials in the coming 5 years.
9. Launched the Lancang-Mekong Sweet Spring Project, carried out the pilot cooperation with relevant countries in the field of water supply safety technology in the rural areas, and to build a rubber dam over the Mohananda River in Bangladesh.
10. To establish the Ocean Forecasting System for Southeast Asia, host the China-Island Countries Forum on Ocean Cooperation and jointly launch the China-Island Countries Marine Disaster Risk Reduction Cooperation Plan.
11. Handed over the certificates of the Gwadar Seawater Desalination Project to Pakistan and the Project of Satellite Assembly, Integration and Testing Center to Egypt, and signed the exchange of letters on the China-Aid Project of National Data Center with Serbia. Building the Kenol-Sagana-Marua Highway Improvement Project: Lot 2-Dualling of Sagana-Marua (A2) Road in Kenya.
12. To sign the exchange of letters on the China-Aid Project of refined oil with Laos, announced the approval of the China-Aid Project of the Cambodia King Works Brigade. Handed over the certificates of the Emergency Food Assistance Project to Mozambique, Chad, Lesotho, Zimbabwe and Mali.
13. Announced to provide emergency aid of school uniform materials for 2024 school year to Sri Lanka, handed over the Certificate of the Nasaythong Middle School Project to Laos. Implemented the Railway Vocational and Technical College Project, the Vientiane Phia Vad Middle School Project and the Drinking Water Project for SANTIPAB High School in Laos. Operating the Luban Workshop in Kazakhstan continuously.
14. China will sign the exchange of letters for the Phase IV Advanced Agricultural Specialist Technical Assistance Project with Ethiopia. Promoting the Juncao Technology Cooperation with Rwanda, Papua New Guinea, Fiji and relevant BRI countries, the Perennial Rice Technology in Uganda and relevant BRI countries, and implementing the East Asia Poverty Reduction Cooperation Pilot Project in Laos. Cooperating on Research and Promotion of Agricultural Technologies and Water-saving Irrigation Technologies in Uzbekistan. Carrying out the Research and Preliminary Work of China-Indonesia Agricultural Machinery Service Center in the Palm Park.
15. Signed the exchange of letters for the National Surgical Center Project with Mozambique, and the Poliovirus Vaccine Project with Pakistan. Handed over the Certificate of the Project of Technical Cooperation of Abdulla Mzee Hospital in Zanzibar to Tanzania. Building the China-Thailand Traditional Chinese Medicine Center and the China-Cambodia

Traditional Chinese Medicine Center. To implement the “Cataract Blindness Elimination Project” in Senegal.

16. To launch the Belt and Road News Network (BRNN) Short Video Sharing Program, the Projects of Distribution of TV and Radio Programs in BRI Partner Countries. Releasing the Project of New Silk Road — Connecting the World. To hold “The Silk Road Bond”—a Showcase of Chinese TV Programs and Film, organize the “Belt and Road” Audio-Visual Program Exchange Activity and the Belt and Road Panda Friends Project. Launched the Golden Mango TV Channel with Ghana.

17. The National Cultural Heritage Administration of China to carry out Maritime Silk Road trans-boundary conservation and nomination work, and will hold the Roundtable Conference on Maritime Silk Road Cultural Heritage Conservation, and the exhibition “Thriving for a Collaborative World: Belt and Road Cooperation in Cultural Heritage and Archaeology” and create the album of *Collection of Results in Silk Road Heritage Conservation*. To implement the Project of China-Saudi Joint Archaeological Excavation of Al Serrian and the China-aid Natেশ্বর Archaeological Park Project in Bangladesh.

18. The General Administration of Sports of China will hold the Belt and Road Wushu Training Camp and the Belt and Road Women’s Chess Masters World Championships in Shaanxi.

19. To launch the International Projects on Dunhuang Culture, and build a China Cultural Centre in Auckland, New Zealand.

20. China will organize the Pacific-Indian Ocean Scientific Expeditions, and popularize the Modified Clay technology for HAB mitigation to BRI countries, to protect the security of ocean environment.

21. Hong Kong SAR Government continues to implement the Belt and Road Scholarship, and will jointly produce the television variety programs with participating countries of BRI and hold the “Asia+ Festival”.

VII. White Papers and Research Reports

1. Issued *The Belt and Road Initiative: A Key Pillar of the Global Community of Shared Future*.

2. To issue the *Vision and Proposed Actions outlined on Pursuing Steady and Sustained Progress in High Quality BRI Cooperation — Prospects for the BRI in the Next Decade*. 3. To issue the *Report on Development of the Green Silk Road (2023)*.

4. To issue the *Report on Development of the Innovative Silk Road*.

5. Issued the *China’s Trade and Investment Cooperation under the BRI 2013-2023*.

6. To issue the *Report on the High-quality Development of the Air Silk Road (2023)*.

7. To issue the *Report on Building Closer People-to-People Ties under the BRI*.

8. To issue the *Report on the International Cooperation and Development of Traditional Chinese Medicine under the BRI*.
9. To issue the *Report on Development of China-ASEAN Jointly Building the BRI*.
10. To issue the *Report on Development of China-Africa Jointly Building the BRI*.
11. To issue the *Report on Development of China-Latin America and the Caribbean Jointly Building the BRI*.
12. Issued the *Belt and Road Development Studies — A Synergy Approach to Global Development*.
13. Issued the *Debt Sustainability Framework for Market Access Countries of the BRI*.
14. Issued the *Trade Index of China and BRI Partner Countries*.
15. To issue *A Decade on: Innovation and Practice in Developing Green Belt and Road*.
16. To issue the *Research Report on Green Finance Practice of the BRI*.
17. To issue the *Research Report on Best Practice of Financial Support Services for the Projects of BRI*.
18. To issue the *Blue Book on Emergency Management of the BRI (2023)*.
19. To issue the *White Paper on the Silk Road Heritage Conservation*.
20. Issued the *White Paper on Seaborne Trade Digitalization and the Belt and Road Collaboration Innovation*.
21. To issue the *White Paper on Chinese Listed Companies to Build the Belt and Road 2023*.
22. To issue *Excellent International Cooperation Projects in Metrology under the BRI*.
23. To issue the *Disaster Assessment Report for Belt and Road Countries*.
24. The Innovation and Development Center for the BRI will issue the *Report on Innovation Development 2030*.
25. To issue the *Report on the Ten-Years Achievements in Connectivity of Standards' Contribution to Jointly Building the BRI*.
26. Issued the *BRI Green Development Outlook*.
27. To issue *Reports on BRI-related by International Think Tanks*.
28. The Development Research Center of the State Council of China, with the partners of the Silk Road Think Tank Network, will jointly write the *Report on Belt and Road Cooperation and the Shared Development*.
29. Issued the *Report on the Export-Import Bank of China's Participation in the Belt and Road Cooperation in the Past Ten Years*.
30. Issued the *Case Studies of Enterprises' Non-profit Activities for the BRI*.
31. Issued the *Report on the Belt and Road Infrastructure Development Index (2023)* and the *Report on Portuguese-speaking Countries'*

Infrastructure Development Index and Macao's Achievements in the BRI (2023).

Document: 3**Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), International Court of Justice, Summary of the Order of 26 January 2024, The Hague, Netherlands.**

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Summary

Unofficial

Summary 2024/1

26 January 2024

Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)
Request for the indication of provisional measures

The Court begins by recalling that, on 29 December 2023, South Africa filed in the Registry of the Court an Application instituting proceedings against Israel concerning alleged violations in the Gaza Strip of the Convention on the Prevention and Punishment of the Crime of Genocide (hereinafter the “Genocide Convention” or the “Convention”). The Application contained a Request for the indication of provisional measures, whereby South Africa, “request[ed] the Court, as a matter of extreme urgency, pending the Court’s determination of this case on the merits, to indicate the following provisional measures in relation to the Palestinian people as a group protected by the Genocide Convention”:

“(1) The State of Israel shall immediately suspend its military operations in and against Gaza.

(2) The State of Israel shall ensure that any military or irregular armed units which may be directed, supported or influenced by it, as well as any organisations and persons which may be subject to its control, direction or influence, take no steps in furtherance of the military operations referred to [in] point (1) above.

(3) The Republic of South Africa and the State of Israel shall each, in accordance with their obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, in relation to the Palestinian people, take all reasonable measures within their power to prevent genocide.

(4) 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 the Palestinian people as a group protected by the Convention on the Prevention and Punishment of the Crime of Genocide, desist from the commission of any and all acts within the scope of Article II of the Convention, in particular:

- (a) killing members of the group;
- (b) causing serious bodily or mental harm to the 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.

(5) The State of Israel shall, pursuant to point (4) (c) above, in relation to Palestinians, desist from, and take all measures within its power including the rescinding of relevant orders, of restrictions and/or of prohibitions to prevent:

- (a) the expulsion and forced displacement from their homes;
- (b) the deprivation of:
 - (i) access to adequate food and water;
 - (ii) access to humanitarian assistance, including access to adequate fuel, shelter, clothes, hygiene and sanitation;
 - (iii) medical supplies and assistance; and
- (c) the destruction of Palestinian life in Gaza.

(6) The State of Israel shall, in relation to Palestinians, ensure that its military, as well as any irregular armed units or individuals which may be directed, supported or otherwise influenced by it and any organizations and persons which may be subject to its control, direction or influence, do not commit any acts described in (4) and (5) above, or engage in direct and public incitement to commit genocide, conspiracy to commit genocide, attempt to commit genocide, or complicity in genocide, and insofar as they do engage therein, that steps are taken towards their punishment pursuant to Articles I, II, III and IV of the Convention on the Prevention and Punishment of the Crime of Genocide.

(7) 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 of the Convention on the Prevention and Punishment of the Crime of Genocide; to that end, the State of Israel shall not act to deny or otherwise restrict access by fact-finding missions, international mandates and other bodies to Gaza to assist in ensuring the preservation and retention of said evidence.

(8) The State of Israel shall submit a report to the Court on all measures taken to give effect to this Order within one week, as from the date of this Order, and thereafter at such regular intervals as the Court shall order, until a final decision on the case is rendered by the Court.

(9) The State of Israel shall refrain from any action and shall ensure that no action is taken which might aggravate or extend the dispute before the Court or make it more difficult to resolve.”

I. INTRODUCTION (PARAS. 13-14)

The Court recalls the immediate context in which the present case came before it. On 7 October 2023, Hamas and other armed groups present in the Gaza Strip carried out an attack in Israel, killing more than 1,200 persons, injuring thousands and abducting some 240 people, many of whom continue to be held hostage. Following this attack, Israel launched a large-scale military operation in Gaza, by land, air and sea, which caused massive civilian casualties, extensive destruction of civilian infrastructure and the displacement of the overwhelming majority of the population in Gaza. The Court is acutely aware of the extent of the human tragedy that is unfolding in the region and is deeply concerned about the continuing loss of life and human suffering.

The ongoing conflict in Gaza has been addressed in the framework of several organs and specialized agencies of the United Nations. In particular, resolutions have been adopted by the General Assembly of the United Nations (see resolution ES-10/21 adopted on 27 October 2023 and resolution ES-10/22 adopted on 12 December 2023) and the Security Council (see resolution 2712 adopted on 15 November 2023 and resolution 2720 adopted on 22 December 2023), referring to many aspects of the conflict. The scope of the present case submitted to the Court, however, is limited, as South Africa has instituted these proceedings under the Genocide Convention.

II. PRIMA FACIE JURISDICTION (PARAS. 15-32)

1. Preliminary observations (paras. 15-18)

The Court recalls that, in accordance with its jurisprudence, it may indicate provisional measures only if the provisions relied on by the applicant appear, *prima facie*, to afford a basis on which its jurisdiction could be founded, but it need not satisfy itself in a definitive manner that it has jurisdiction as regards the merits of the case. In the present case, South Africa seeks to found the jurisdiction of the Court on Article 36, paragraph 1, of the Statute of the Court and on Article IX of the Genocide Convention. The Court must therefore first determine whether those provisions *prima facie* confer upon it jurisdiction to rule on the merits of the case, enabling it — if the other necessary conditions are fulfilled — to indicate provisional measures.

The Court notes that South Africa and Israel are parties to the Genocide Convention and that neither of them has entered a reservation to Article IX or any other provision of the Convention.

2. Existence of a dispute relating to the interpretation, application or fulfilment of the Genocide Convention (paras. 19-30)

The Court recalls that Article IX of the Genocide Convention makes the Court’s jurisdiction conditional on the existence of a dispute relating to the

interpretation, application or fulfilment of the Convention. Since South Africa has invoked as the basis of the Court's jurisdiction the compromissory clause of the Genocide Convention, the Court must also ascertain whether it appears that the acts and omissions complained of by the Applicant are capable of falling within the scope of that convention *ratione materiae*.

The Court notes that South Africa issued public statements in various multilateral and bilateral settings in which it expressed its view that, in light of the nature, scope and extent of Israel's military operations in Gaza, Israel's actions amounted to violations of its obligations under the Genocide Convention. For instance, at the resumed 10th emergency special session of the United Nations General Assembly on 12 December 2023, at which Israel was represented, the South African representative to the United Nations stated that "the events of the past six weeks in Gaza have illustrated that Israel is acting contrary to its obligations in terms of the Genocide Convention". South Africa recalled this statement in its Note Verbale of 21 December 2023 to the Embassy of Israel in Pretoria.

The Court notes that Israel dismissed any accusation of genocide in the context of the conflict in Gaza in a document published by the Israeli Ministry of Foreign Affairs on 6 December 2023 which was subsequently updated and reproduced on the website of the Israel Defense Forces on 15 December 2023 under the title "The War Against Hamas: Answering Your Most Pressing Questions", stating that "[t]he accusation of genocide against Israel is not only wholly unfounded as a matter of fact and law, it is morally repugnant". In the document, Israel also stated that "[t]he accusation of genocide . . . is not just legally and factually incoherent, it is obscene" and that there was "no . . . valid basis, in fact or law, for the outrageous charge of genocide".

In light of the above, the Court considers that the Parties appear to hold clearly opposite views as to whether certain acts or omissions allegedly committed by Israel in Gaza amount to violations by the latter of its obligations under the Genocide Convention. The Court finds that the above-mentioned elements are sufficient at this stage to establish *prima facie* the existence of a dispute between the Parties relating to the interpretation, application or fulfilment of the Genocide Convention.

As to whether the acts and omissions complained of by the Applicant appear to be capable of falling within the provisions of the Genocide Convention, the Court recalls that South Africa considers Israel to be responsible for committing genocide in Gaza and for failing to prevent and punish genocidal acts. South Africa contends that Israel has also violated other obligations under the Genocide Convention, including those concerning "conspiracy to commit genocide, direct and public incitement to genocide, attempted genocide and complicity in genocide".

In the Court's view, at least some of the acts and omissions alleged by South Africa to have been committed by Israel in Gaza appear to be capable of falling within the provisions of the Convention.

3. Conclusion as to prima facie jurisdiction (paras. 31-32)

In light of the foregoing, the Court concludes that, prima facie, it has jurisdiction pursuant to Article IX of the Genocide Convention to entertain the case and that, consequently, it cannot accede to Israel's request that the case be removed from the General List.

III. STANDING OF SOUTH AFRICA (PARAS. 33-34)

The Court notes that Israel did not challenge the standing of South Africa in the present proceedings. It recalls that all the States parties to the Genocide Convention have a common interest to ensure the prevention, suppression and punishment of genocide, by committing themselves to fulfilling the obligations contained in the Convention. It follows that any State party to the Genocide Convention may invoke the responsibility of another State party, including through the institution of proceedings before the Court, with a view to determining the alleged failure to comply with its obligations erga omnes partes under the Convention and to bring that failure to an end.

The Court concludes, prima facie, that South Africa has standing to submit to it the dispute with Israel concerning alleged violations of obligations under the Genocide Convention.

IV. THE RIGHTS WHOSE PROTECTION IS SOUGHT AND THE LINK BETWEEN SUCH RIGHTS AND THE MEASURES REQUESTED (PARAS. 35-59)

The Court recalls that its power to indicate provisional measures under Article 41 of the Statute has as its object the preservation of the respective rights claimed by the parties in a case, pending its decision on the merits thereof. It follows that the Court must be concerned to preserve by such measures the rights which may subsequently be adjudged by it to belong to either party. Therefore, the Court may exercise this power only if it is satisfied that the rights asserted by the party requesting such measures are at least plausible. Moreover, a link must exist between the rights whose protection is sought and the provisional measures being requested.

The Court recalls that, in accordance with Article I of the Convention, all States parties thereto have undertaken "to prevent and to punish" the crime of genocide, that is to say any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group (Article II, para. (a)); causing serious bodily or mental harm to members of the group (Article II, para. (b)); deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part (Article II, para. (c)); imposing measures intended to prevent births within the group (Article II, para. (d)); forcibly transferring children of the group to another group (Article II, para. (e)). Pursuant to Article III of the Genocide Convention, the following acts are also prohibited by the Convention:

conspiracy to commit genocide (Article III, para. (b)), direct and public incitement to commit genocide (Article III, para. (c)), attempt to commit genocide (Article III, para. (d)) and complicity in genocide (Article III, para. (e)).

The Court notes that the provisions of the Convention are intended to protect the members of a national, ethnical, racial or religious group from acts of genocide or any other punishable acts enumerated in Article III. It considers that there is a correlation between the rights of members of groups protected under the Genocide Convention, the obligations incumbent on States parties thereto, and the right of any State party to seek compliance therewith by another State party. In the Court's view, the Palestinians appear to constitute a distinct "national, ethnical, racial or religious group", and hence a protected group within the meaning of Article II of the Genocide Convention.

The Court observes that the military operation being conducted by Israel following the attack of 7 October 2023 has resulted in a large number of deaths and injuries, as well as the massive destruction of homes, the forcible displacement of the vast majority of the population, and extensive damage to civilian infrastructure. While figures relating to the Gaza Strip cannot be independently verified, recent information indicates that 25,700 Palestinians have been killed, over 63,000 injuries have been reported, over 360,000 housing units have been destroyed or partially damaged and approximately 1.7 million persons have been internally displaced. Palestinians in the Gaza Strip have been deprived access to water, food, fuel, electricity and other essentials of life, as well as to medical care and medical supplies.

In this regard, the Court takes note of a statement made on 5 January 2024 by the United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, a report of 21 December 2023 by the World Health Organization following a mission to North Gaza, and a statement issued on 13 January 2024 by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The Court also refers to the statement by the UNRWA Commissioner-General that the crisis in Gaza is "compounded by dehumanizing language". In this regard, the Court has taken note of a number of statements made by senior Israeli officials. It calls attention, in particular, to the following examples: statements made by Mr Yoav Gallant, Defence Minister of Israel, on 9 and 10 October 2023, by Mr Isaac Herzog, President of Israel, on 12 October 2023, and by Mr Israel Katz, then Minister of Energy and Infrastructure of Israel, on 13 October 2023. The Court also takes note of a press release of 16 November 2023, in which 37 Special Rapporteurs, Independent Experts and members of Working Groups part of the Special Procedures of the United Nations Human Rights Council voiced alarm over "discernibly genocidal and dehumanising

rhetoric coming from senior Israeli government officials". Concerns were also expressed on 27 October 2023 by the United Nations Committee on the Elimination of Racial Discrimination about "the sharp increase in racist hate speech and dehumanization directed at Palestinians since 7 October". In the Court's view, the facts and circumstances mentioned above are sufficient to conclude that at least some of the rights claimed by South Africa and for which it is seeking protection are plausible. This is the case with respect to the right of the Palestinians in Gaza to be protected from acts of genocide and related prohibited acts identified in Article III, and the right of South Africa to seek Israel's compliance with the latter's obligations under the Convention.

The Court then turns to the condition of the link between the plausible rights claimed by South Africa and the provisional measures requested.

The Court considers that, by their very nature, at least some of the provisional measures sought by South Africa are aimed at preserving the plausible rights it asserts on the basis of the Genocide Convention in the present case, namely the right of the Palestinians in Gaza to be protected from acts of genocide and related prohibited acts mentioned in Article III, and the right of South Africa to seek Israel's compliance with the latter's obligations under the Convention. Therefore, a link exists between the rights claimed by South Africa that the Court has found to be plausible, and at least some of the provisional measures requested.

V. RISK OF IRREPARABLE PREJUDICE AND URGENCY (PARAS. 60-74)

The Court recalls that, pursuant to Article 41 of its Statute, it has the power to indicate provisional measures when irreparable prejudice could be caused to rights which are the subject of judicial proceedings or when the alleged disregard of such rights may entail irreparable consequences. However, this power will be exercised only if there is urgency, in the sense that there is a real and imminent risk that irreparable prejudice will be caused to the rights claimed before the Court gives its final decision.

In view of the fundamental values sought to be protected by the Genocide Convention, the Court considers that the plausible rights in question in these proceedings, namely the right of the Palestinian group in the Gaza Strip to be protected from acts of genocide and related prohibited acts identified in Article III of the Genocide Convention and the right of South Africa to seek Israel's compliance with the latter's obligations under the Convention, are of such a nature that prejudice to them is capable of causing irreparable harm.

The Court considers that the civilian population in the Gaza Strip remains extremely vulnerable. It recalls that the military operation conducted by Israel since 7 October 2023 has resulted, inter alia, in tens of thousands of deaths and injuries and the destruction of homes, schools, medical facilities and other vital infrastructure, as well as displacement on a massive scale. The Court notes that the operation is ongoing and that the Prime Minister of Israel announced on 18 January 2024 that the war "will

take many more long months". At present, many Palestinians in the Gaza Strip have no access to the most basic foodstuffs, potable water, electricity, essential medicines or heating. The World Health Organization has estimated that 15 per cent of the women giving birth in the Gaza Strip are likely to experience complications, and indicates that maternal and newborn death rates are expected to increase due to the lack of access to medical care. In these circumstances, the Court considers that the catastrophic humanitarian situation in the Gaza Strip is at serious risk of deteriorating further before the Court renders its final judgment.

The Court takes note of Israel's statement that it has taken certain steps to address and alleviate the conditions faced by the population in the Gaza Strip. The Court further notes that the Attorney General of Israel recently stated that a call for intentional harm to civilians may amount to a criminal offence, including that of incitement, and that several such cases are being examined by Israeli law enforcement authorities. According to the Court, while steps such as these are to be encouraged, they are insufficient to remove the risk that irreparable prejudice will be caused before the Court issues its final decision in the case.

In light of the considerations set out above, the Court considers that there is a real and imminent risk of irreparable prejudice to the plausible rights invoked by South Africa, as specified by the Court.

VI. CONCLUSION AND MEASURES TO BE ADOPTED (PARAS. 75-84)

The Court concludes on the basis of the above considerations that the conditions required by its Statute for it to indicate provisional measures are met. It is therefore necessary, pending its final decision, for the Court to indicate certain measures in order to protect the rights claimed by South Africa that the Court has found to be plausible. In the present case, having considered the terms of the provisional measures requested by South Africa and the circumstances of the case, the Court finds that the measures to be indicated need not be identical to those requested.

The Court considers that, with regard to the situation described above, Israel must, in accordance with its obligations under the Genocide Convention, 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. The Court recalls that these acts fall within the scope of Article II of the Convention when they are committed with the intent to destroy in whole or in part a group as such. The Court further considers that Israel must ensure with immediate effect that its military forces do not commit any of the above-described acts.

The Court is also of the view that Israel must 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. The Court further considers that Israel must 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.

Israel must also 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 Genocide Convention against members of the Palestinian group in the Gaza Strip.

Finally, in view of the specific provisional measures it has decided to indicate, the Court considers that Israel must 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. The report so provided shall then be communicated to South Africa, which shall be given the opportunity to submit to the Court its comments thereon.

*

The Court deems it necessary to emphasize that all parties to the conflict in the Gaza Strip are bound by international humanitarian law. It is gravely concerned about the fate of the hostages abducted during the attack on Israel on 7 October 2023 and held since then by Hamas and other armed groups, and calls for their immediate and unconditional release.

OPERATIVE CLAUSE (PARA. 86)

The full text of the operative clause of the Order reads as follows:

“For these reasons,

THE COURT,

Indicates the following provisional measures:

(1) By fifteen votes to two,

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;

IN FAVOUR: President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judge ad hoc Moseneke;

AGAINST: Judge Sebutinde; Judge ad hoc Barak;

(2) By fifteen votes to two,

The State of Israel shall ensure with immediate effect that its military does not commit any acts described in point 1 above;

IN FAVOUR: President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judge ad hoc Moseneke;

AGAINST: Judge Sebutinde; Judge ad hoc Barak;

(3) By sixteen votes to one,

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;

IN FAVOUR: President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judges ad hoc Barak, Moseneke;

AGAINST: Judge Sebutinde;

(4) By sixteen votes to one,

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;

IN FAVOUR: President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judges ad hoc Barak, Moseneke;

AGAINST: Judge Sebutinde;

(5) By fifteen votes to two,

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;

IN FAVOUR: President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judge ad hoc Moseneke;

AGAINST: Judge Sebutinde; Judge ad hoc Barak;

(6) By fifteen votes to two,

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.

IN FAVOUR: President Donoghue; Vice-President Gevorgian; Judges Tomka, Abraham, Bennouna, Yusuf, Xue, Bhandari, Robinson, Salam, Iwasawa, Nolte, Charlesworth, Brant; Judge ad hoc Moseneke;

AGAINST: Judge Sebutinde; Judge ad hoc Barak.”

*

Judge XUE appends a declaration to the Order of the Court; Judge SEBUTINDE appends a dissenting opinion to the Order of the Court; Judges BHANDARI and NOLTE append declarations to the Order of the Court; Judge ad hoc BARAK appends a separate opinion to the Order of the Court.

Annex to Summary 2024/1

Declaration of Judge Xue

Judge Xue concurs with her colleagues in upholding South Africa's standing, on a prima facie basis, in instituting proceedings against Israel for breach of its obligations under the Genocide Convention. In explaining her position, she notes that the question of Palestine has been on the agenda of the United Nations since the inception of the Organization and that the people of Palestine, including the Palestinians in the Gaza Strip, are not yet able to exercise their right to self-determination. She recalls the relevant United Nations resolutions where it is stated that "the United Nations has a permanent responsibility towards the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy". In Judge Xue's view, this responsibility requires that the United Nations, including its principal judicial organ, ensures that the Palestinian people are protected under international law, particularly protected from the gravest crime – genocide.

In view of the humanitarian disaster in Gaza over the past one hundred and nine days, Judge Xue expresses her deep concern over the humanitarian situation in Gaza. She considers that, as a result of the Israeli military actions, the very existence of the Palestinian people in Gaza is at stake, which challenges the most elementary principles of humanity and morality. Judge Xue recalls that, over sixty years ago, when Ethiopia and Liberia instituted legal proceedings before the Court against South Africa for breach of its obligations as the Mandatory Power in South West Africa, the Court rejected the standing of those applicants for lack of legal interest. This gave rise to strong indignation of the Member States of the United Nations against the Court, severely tarnishing its reputation. In the *Barcelona Traction* case, the Court recognized that there are certain international legal obligations owed to the international community as a whole; by the very nature of their importance all States have a legal interest in their protection. They are characterized as obligations erga omnes. The Court, however, did not touch on the question of standing in that judgment. While the law and practice are still evolving, for a protected group such as the Palestinian people Judge Xue considers it least controversial that the international community has a common interest in its protection. In her view, this is the very type of case where the Court should recognize the legal standing of a State party to the Genocide Convention to institute proceedings on the basis of erga omnes partes to invoke the responsibility of another State party for the breach of its obligations under the Genocide Convention.

In light of the foregoing considerations and for the reasons contained in the Order of the Court, Judge Xue agrees that the provisional measures indicated in this Order are warranted under the circumstances.

Dissenting opinion of Judge Sebutinde

Judge Sebutinde respectfully dissents from the majority in this Order, arguing that the dispute between the State of Israel and the people of Palestine is essentially and historically a political one, calling for a diplomatic or negotiated settlement, and for the implementation in good faith of all relevant Security Council resolutions by all parties concerned, with a view to finding a permanent solution whereby the Israeli and Palestinian peoples can peacefully coexist. In her opinion, this is not a legal dispute susceptible of judicial settlement by the Court. Judge Sebutinde also argues that some of the preconditions for the indication of provisional measures have not been met — namely that South Africa has not demonstrated, even on a *prima facie* basis, that the acts allegedly committed by Israel and of which the Applicant complains were committed with the necessary genocidal intent and that, as a result, they are capable of falling within the scope of the Genocide Convention. Furthermore, she argues that the rights asserted by South Africa are not plausible under the Genocide Convention. Judge Sebutinde considers that the provisional measures indicated by the Court in the Order are not warranted.

Declaration of Judge Bhandari

In his declaration, Judge Bhandari states that the attacks on civilians in Israel on 7 October 2023 must be condemned but notes that Israel's military campaign in response to those attacks has led to a humanitarian catastrophe in Gaza.

Judge Bhandari recalls that the case has not been fully argued and that the Court does not have before it a full factual record. He further recalls that, in deciding a request for the indication of provisional measures, the Court is not deciding South Africa's claims or deciding whether to grant the requested relief.

Judge Bhandari states that the Court, in weighing the plausibility of the rights protection of which South Africa claims, must consider such evidence as is before it at this stage. It must take into account the widespread destruction in Gaza and loss of life that the population of Gaza has thus far endured. In determining the plausibility of these rights at the provisional measures stage, the Court need not make a final determination on the existence of intent under Article II of the Convention on the Prevention and Punishment of the Crime of Genocide. In Judge Bhandari's view, the widespread nature of the military campaign in Gaza, as well as the loss of life, injury, destruction and humanitarian needs following from it, are by themselves capable of supporting a plausibility finding with respect to rights under Article II. The Court was justified in granting provisional measures in the terms it did.

Finally, Judge Bhandari states that all participants in the conflict must ensure that all fighting and hostilities come to an immediate halt and

that remaining hostages captured on 7 October 2023 are unconditionally released.

Declaration of Judge Nolte

Judge Nolte submits a declaration in which he sets out the reasons for his agreement with the Court's decision to indicate provisional measures in respect of the Convention on the Prevention and Punishment of the Crime of Genocide. In his view, the measures indicated rest primarily on the plausible claim by South Africa that certain statements by Israeli State officials, including members of its military, give rise to a real and imminent risk of irreparable prejudice to the rights of Palestinians under the Genocide Convention.

Separate opinion of Judge ad hoc Barak

1. In his opinion Judge ad hoc Barak explains that the Court rejected South Africa's main contention, which concerns the suspension of the military operations in the Gaza Strip. Instead, the Court adopted measures that recall Israel's existing obligations under the Genocide Convention. In his view, the Court has reaffirmed Israel's right to defend its citizens and emphasized the importance of providing humanitarian aid to the population of Gaza. Judge ad hoc Barak states that the provisional measures indicated by the Court are of a significantly narrower scope than those requested by South Africa.

2. In the present case, the Court has emphasized that "all parties to the conflict in the Gaza Strip are bound by international humanitarian law", which includes Hamas. The Court has also stated that it "is gravely concerned about the fate of the hostages abducted during the attack on Israel on 7 October 2023 and held since then by Hamas and other armed groups, and calls for their immediate and unconditional release".

3. Judge ad hoc Barak recalls that the Genocide Convention holds a very special place in the heart and history of the Jewish people, both within and beyond the State of Israel. Through an autobiographical remark, he explains that genocide is more than just a word for him; it represents calculated destruction and human behaviour at its very worst. It is the gravest possible accusation and is deeply intertwined with his life experience.

4. According to Judge ad hoc Barak, Israel is a democracy with a strong legal system and an independent judicial system. In his view, whenever there is tension between national security and human rights, the former must be attained without compromising the protection of the latter. He further explains that international law is an integral part of the conduct of the Israeli State and army, and that the holdings of the Israeli Supreme Court demonstrate a commitment to the rule of law and human life.

5. With regard to the Court's *prima facie* jurisdiction, Judge ad hoc Barak is doubtful whether South Africa brought this dispute in good faith. After South Africa sent a Note Verbale to Israel on 21 December 2023,

concerning the situation in Gaza, Israel replied with an offer to engage in consultations at the earliest possible opportunity. South Africa, instead of accepting this offer, which could have led to fruitful diplomatic talks, decided to institute proceedings against Israel before this Court. He regrets that Israel's attempt to open a dialogue was met with the filing of an application.

6. In the view of Judge ad hoc Barak, the present case involves an additional difficulty because the other belligerent in the armed conflict, Hamas, is not a party to the present proceedings. While this does not prevent the Court from exercising its jurisdiction, it is an essential matter to be considered when determining the appropriate measures or remedies in this case.

7. Judge ad hoc Barak considers that the Court failed to give a complete account of the immediate context in which the present case came before it. He recalls that on 7 October 2023, over 3,000 Hamas terrorists invaded Israeli territory by land, air and sea. He further recalls that over 1,200 innocent civilians, including infants and the elderly, were murdered.

Judge ad hoc Barak also explains that Hamas places its military apparatus within and below civilian infrastructure to immunize it, intentionally putting its own population at risk. Furthermore, he refers to the fate of the hostages, an agony which has been ongoing for over 100 days, and the deaths and destruction taking place in Gaza.

8. According to Judge ad hoc Barak, the appropriate legal framework for analysing the situation in Gaza is international humanitarian law, and not the Genocide Convention.

9. Regarding the Genocide Convention, Judge ad hoc Barak explains that central to the crime of genocide is the element of intent, namely the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group as such. In his view, this intent is not present. Not even under the standard of plausibility required for the indication of provisional measures. For this reason, Judge ad hoc Barak disagrees with the Court's approach regarding the plausibility of rights, comparing the present case with Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*The Gambia v. Myanmar*). In his view, the evidence presented by South Africa is not comparable to that available to the Court in the Gambia case. He recalls that Israel argued that it has adopted several measures to minimize the impact of hostilities on civilians. In his view, it is surprising that the Court took note of Israel's statements explaining the steps it has taken to alleviate the conditions faced by the population in Gaza, but then completely failed to draw conclusions from these statements when examining the existence of intent. It is even more surprising that the Court did not view any of these measures and statements as sufficient to rule out the existence of a plausible intent to commit genocide.

10. Judge ad hoc Barak also recalls that the Court has not made any findings with regard to South Africa's claims under the Genocide Convention. The conclusions reached by the Court in this preliminary stage do not prejudice in any way the claims brought by South Africa, which in his view, remain wholly unproven.

11. With regard to the specific measures indicated by the Court, Judge ad hoc Barak explains that he voted against the first and second provisional measures because he was not persuaded by South Africa's arguments on the plausibility of rights. Nevertheless, he points out that the first and second measures indicated by the Court merely restate obligations that Israel already has under Articles I and II of the Genocide Convention.

12. Regarding the third measure, which concerns acts of public incitement, he voted in favour in the hope that the measure will help to decrease tensions and discourage damaging rhetoric. He notes the concerning statements made by some authorities.

Regarding the fourth measure, he voted in favour, guided by deep humanitarian convictions and the hope that this will alleviate the consequences of the armed conflict for the most vulnerable. In his view, through this measure, the Court reminds Israel of obligations arising out of international humanitarian law, which already present in the DNA of the Israeli military.

13. According to Judge ad hoc Barak, it is regretful that the Court was unable to order South Africa to take measures to protect the rights of the hostages and to facilitate their release by Hamas. In his view, these measures are based on international humanitarian law, as are those enabling the provision of humanitarian aid. Moreover, the fate of the hostages is an integral part of the military operation in Gaza. By taking measures to facilitate the release of the hostages, South Africa could play a positive role in bringing the conflict to an end.

14. Finally, with regard to the fifth provisional measure, he explains that he voted against because South Africa has not shown that Israel has destroyed or concealed evidence.

Document: 4**The UAE Consensus Negotiations Outcome, COP28, December 2023, Dubai, United Arab Emirates**

Source: <https://www.cop28.com/en/the-uae-consensus-negotiations-outcome>

KEY NEGOTIATED OUTCOMES

At this historic COP, countries came together to deliver the ‘**UAE Consensus**’ - the most ambitious and comprehensive set of negotiated outcomes to come out of the UNFCCC process since COP21.

A key component of the UAE Consensus is the decision on the GST to assess progress since Paris and put forward a plan to close implementation gaps to 2030. In a landmark agreement to bring a sectoral approach to the COP process, it calls on Parties to transition away from fossil fuels and to triple renewables and double energy efficiency globally by 2030. The decision also recognises the need to peak global emissions by 2025, taking into account different national starting points, and encourages countries to submit economy-wide Nationally Determined Contributions (NDCs). It also includes recognition of the crucial need to significantly scale up adaptation finance beyond doubling to meet urgent and evolving needs, and a clear call for countries to deliver National Adaptation Plans by 2025 and implement them by 2030. Finally, recognising the crucial role finance has to play in delivering ambition, the GST decision builds momentum behind a new global climate finance architecture in support of the post-2025 climate goal to be delivered at COP29.

Even if we stopped all emissions today, accelerated adaptation is still needed to respond to the devastating climate impacts already being experienced. In line with the mandate to develop an impactful Global Goal for Adaptation promised as part of the Paris Agreement, COP28 delivered the **Emirates Framework for Global Climate Resilience**. The framework is a step change that will put adaptation focus and action on a par with mitigation by galvanising not just governments, but also all non-party stakeholders to speed up and scale up action for adaptation. It defines how to do this through:

- targets for a universal set of themes essential for sustainable development and human wellbeing (food, water, health, shelter, livelihoods, nature, biodiversity and culture); and,
- targets on how to approach adaptation at local to national levels.

The framework also calls for regional and international cooperation, including for the first time asking to also look at the need to look at the transboundary nature of climate impacts.

From Day One, countries came together to truly innovate the COP process, with the **fund for loss and damage** promised at COP27 being adopted on the very first day of COP28. The new fund, to be hosted by the World Bank for an initial period of four years, will allocate resources based on the available evidence and with a minimum percentage allocated to least developed countries and Small Islands Developing States.

In demonstrating the spirit of international solidarity, 19 countries made commitments totalling \$792 million towards the fund and funding arrangements related to loss and damage, including \$100 million from the UAE.

Accelerating the normal pace of negotiations, COP28 also delivered a **Just Transition Work Programme**, only established at COP27. This three-year programme, which starts immediately, will drive ambitious, equitable implementation across all pillars of the Paris Agreement. Continuing the Presidency's commitment to inclusion, it includes references to labour rights and social protection as part of adaptation, for the first time in the UNFCCC process.

COP28 also delivered on a **Mitigation Work Programme**, which was established at COP26, that effectively showcases opportunities and barriers to closing the ambition and implementation gap.

A Presidency-led initiative saw Parties agree that all future COP Presidencies should appoint a Presidency **Youth Climate Champion**, to help facilitate the engagement of children and youth in climate action, including in the UNFCCC process. This was the first time a Presidency has delivered this type of initiative under the Paris Agreement and will help to ensure that youth have an enhanced, highlevel voice at every future COP.

A range of other technical negotiations completed the ambitious package, including on non-market approaches and a **technology implementation program**. On broader matters, a **host for COP29** was agreed - Baku in Azerbaijan. With Belem in Brazil also confirmed as the host for **COP30**, this provides the opportunity of a 'troika' of Presidencies to inject both pace and stability into the COP process.

THE UAE CONSENSUS

To ensure that we do not lose momentum, the UAE Consensus includes multiple actions that will be taken forward throughout the COP28 Presidency:

- **GST** - First annual GST dialogue to be convened at the next UNFCCC meeting in June 2024, where countries will share best practice on using the GST outcome to inform their next NDCs. "Road map to Mission 1.5oC" to be taken forward by the UAE, Azerbaijan and Brazil Presidencies to help ensure that international cooperation stimulates ambition in those NDCs.
- **Emirates Framework for Global Climate Resilience** - A work programme to further strengthen the indicators at the heart of the

new framework will kick off in 2024. Countries need to provide written inputs to help inform this by March 2024.

- **Just Transition Work Programme** - At least two dialogues to be convened before COP29 in a hybrid format to ensure inclusivity, and countries to provide further written evidence and inputs for the work programme by March 2024.
- **Mitigation Work Programme** - Two global dialogues to be held through 2024, with countries submitting proposals for the topics they address by February 2024.
- **Presidency Youth Climate Champion** - COP28 and COP29 Presidencies will appoint the first official Youth Climate Champions after the role was institutionalized at COP28.

