

118TH CONGRESS  
2D SESSION

# H. RES. 1041

Condemning the order issued by the International Court of Justice on  
January 26, 2024, imposing provisional measures against Israel.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 29, 2024

Mr. JACKSON of Texas (for himself, Mr. KUSTOFF, Mr. BOST, Mrs. MILLER of West Virginia, Mr. FLEISCHMANN, Mr. GUEST, Mr. WEBER of Texas, Mr. SELF, Mr. ELLZEY, Mr. WILSON of South Carolina, Mr. TIFFANY, Mrs. HARSHBARGER, Mr. BERGMAN, Ms. MACE, Mr. CISCOMANI, Mr. LAWLER, Mr. D'ESPOSITO, Mr. FITZPATRICK, Mr. NEHLS, and Mr. LANGWORTHY) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Condemning the order issued by the International Court of Justice on January 26, 2024, imposing provisional measures against Israel.

Whereas Israel is a strong ally and major strategic partner of the United States;

Whereas Hamas is an Iranian terrorist proxy and in 1997 was designated by the United States as a foreign terrorist organization;

Whereas Hamas is a genocidal organization that calls for the destruction of the State of Israel in its 1988 charter and seeks to harm Israeli citizens;

Whereas, since Hamas was founded in 1987, its terrorists have repeatedly carried out lethal attacks in Israel and, since seizing control of the Gaza Strip in 2007, have repeatedly attacked Israel with rocket fire;

Whereas, since taking control of the Gaza Strip, Hamas has diverted vast amounts of resources from intended peaceful purposes to develop an extensive military capability;

Whereas these efforts have transformed Gaza into an elaborate fortress designed to attack Israel;

Whereas these attacks have consistently been timed and calculated to undermine any positive momentum in Israeli-Palestinian negotiations;

Whereas, on October 7, 2023, Hamas terrorists attacked Israel in an unprovoked act of war;

Whereas Hamas' unlawful act of aggression against Israel on October 7 included the barbaric and illegal slaughter of over 1,200 civilians from more than 25 nations, including at least 30 United States citizens;

Whereas Hamas accomplished this by launching a coordinated attack and began slaughtering Israelis and abducting hostages in towns in southern Israel, including children and the elderly;

Whereas Hamas poses a serious and continuous threat to the safety and security of the State of Israel and its citizens;

Whereas Hamas has promised to repeat October 7-style massacres "again and again", promising there will be more attempts "until Israel is annihilated";

Whereas Hamas attacks are categorically unlawful and intended to kill or injure civilians;

Whereas over 130 hostages, including up to 8 Americans, continue to be unlawfully detained by Hamas in inhumane conditions in Gaza;

Whereas Hamas frequently uses civilian populations as “human shields” to inevitably cause incidental death and injury to Gazan civilians;

Whereas Hamas uses Gazan civilians not only to shield its operatives, but in the hopes of casualties being inflicted in order to advance its international disinformation campaign against Israel;

Whereas this attack and threat of ongoing violence compelled Israel to evacuate residents from their homes in Gaza;

Whereas Hamas deliberately causes collateral damage to property by placing their weapons stockpiles, launchpads, and headquarters in or under residential buildings, schools, mosques, and hospitals;

Whereas South Africa brought a case against Israel on December 29, 2023, before the International Court of Justice (ICJ) under the Genocide Convention;

Whereas accusing the State of Israel of committing and inciting genocide against Palestinians living in the Gaza Strip was based on a distorted invocation of selective facts;

Whereas, on January 26, 2024, the ICJ rejected Israel’s assertion that the Court lacked jurisdiction due to the absence of a genuine dispute and Israel’s lack of a chance to respond, and the Court issued an order with six provisional measures including requiring Israel to submit a report to the ICJ on all measures Israel takes to abide by the order of the ICJ; and

Whereas the decision imposing these provisional measures failed to credibly consider Israel’s inherent right to self-

defense against the armed attack by Hamas or the gravity of the international law violations committed by Hamas: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) condemns the provisional measures order by  
3       the International Court of Justice;

4               (2) condemns South Africa for bringing forth  
5       the meritless case against Israel;

6               (3) stands firmly with Israel as it continues to  
7       defend itself against the illegal and unprovoked  
8       armed attack by Hamas and other Iranian terrorist  
9       proxies;

10              (4) believes unequivocally in Israel's right to  
11       self-governance and self-defense; and

12              (5) calls on the President to direct the Sec-  
13       retary of State to formally intervene in this case in  
14       support of Israel, to encourage other nations to in-  
15       tervene in this case in support of Israel, and to as-  
16       sess if and how South Africa has been complicit in  
17       supporting Hamas and how such complicity may be  
18       legally sanctioned.

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