



## SABC DETAILED ANALYSIS

20240111\_SA-Israel ICJ case / Adila Hassim SC.en

Broadcast: SABC-Sendung | Analyzed: 2026-05-25 10:05

Version 3.0-detail | Universal 3.0-detail | Konverter 3.4 (2026-05-20) | Standard: Broadcasting Act s. 6

### OVERALL SCORE

**6.8/10**

*Serious deviation from the impartiality standard. High degree of deviation*

0 = balanced, 10 = strongly biased/manipulative

## POLITICAL SPECTRUM

Classification based on Chapel Hill Expert Survey (CHES) 2024

The Chapel Hill Expert Survey (CHES 2024) is an academic survey of 609 political scientists in 31 countries. Each party is rated on a scale from 0 (far left) to 10 (far right).

Party	EFF	MK	ANC	IFP	DA	ActionSA	PA	FF+
CHES	1.50	3.50	4.50	6.00	6.50	6.50	7.00	8.00
Spectrum	Left	Left	Center	Right	Right	Right	Right	Right

The overall tendency is presented on a 0–10 scale (0 = strongly left-favoring, 5 = balanced, 10 = strongly right-favoring). The calculation is based on the difference in average favoritism of left vs. right parties (grouping per CHES 2024).

### TENDENCY (L – R)

**2.9 / 10**

*Left-favoring*

0 1 2 3 4 5 6 7 8 9 10

← Left

Right →

Source: Chapel Hill Expert Survey 2024 — [chesdata.eu](https://chesdata.eu) | [Jolly et al., Electoral Studies, 2022](#) | Thresholds: [Pew Research Center](#)

This section provides political context and does not contribute to the overall score.



## POLITICAL LANDSCAPE

### > PRELIMINARY NOTE ON TRANSCRIPT NATURE

> The transcript provided is not a conventional SABC news or current affairs programme. It is a verbatim recording of South Africa's oral legal submissions before the International Court of Justice (ICJ), broadcast by SABC. This distinction is analytically critical: the "speaker" is a state advocate presenting a legal case, not a journalist. The bias analysis therefore focuses on SABC's editorial decision to broadcast this content, the framing choices surrounding the broadcast, and the completeness of contextualisation provided — not on the advocate's one-sided legal argument, which is structurally expected in adversarial proceedings. Where the transcript contains no moderator, no interviewer, and no counter-guest, several criteria will score accordingly.

South Africa is governed since June 2024 by a Government of National Unity (GNU), a broad coalition formed after the ANC lost its 30-year parliamentary majority in the 29 May 2024 general elections. The GNU is led by President Cyril Ramaphosa (ANC) and includes the DA, IFP, PA, FF+, UDM, Rise Mzansi, Al Jama-ah, PAC, and GOOD — collectively holding 287 of 400 National Assembly seats. The main opposition outside the GNU is the MK party (58 seats, Jacob Zuma) and the EFF (39 seats, Julius Malema), together representing a left-populist and far-left challenge to the coalition.

Party	CHES L-R (est.)	Seats	Gov/Opposition	Core Position
EFF	1.5	39	Opposition	Far-left; land expropriation, nationalisation
PAC	2.0	1	GNU	Left-wing Pan-Africanist
MK	3.0	58	Opposition	Left-populist, Zuma personality cult
ANC	4.0	159	GNU (lead)	Centre-left, broad church
Al Jama-ah	4.0	2	GNU	Left economics, socially conservative
UDM	4.5	3	GNU	Centre-left, rural base
Rise Mzansi	4.5	2	GNU	Centre-left progressive
GOOD	4.5	1	GNU	Centre-left progressive
DA	6.0	87	GNU	Centre-right, free market, liberal
ActionSA	6.5	6	Opposition	Centre-right, anti-immigration
IFP	6.5	17	GNU	Right-wing, Zulu nationalist
PA	7.0	9	GNU	Right-wing populist
ACDP	7.5	3	Opposition	Right-wing Christian conservative
FF+	8.0	6	GNU	Right-wing, Afrikaner interest

South Africa's ICJ genocide case against Israel is one of the most politically charged foreign policy actions in the country's post-apartheid history. The ANC and EFF are strongly pro-Palestinian, framing the case through the lens of anti-colonialism and the anti-apartheid struggle. The DA has expressed reservations about the case, creating significant tension within the GNU. The case also intersects with domestic debates about SABC's editorial independence: broadcasting the South African legal submissions without equivalent coverage of Israel's counter-arguments raises direct questions under the Broadcasting Act.



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**Association suisse** pour une information équilibrée  
**Associazione svizzera** per un reporting equilibrato

The SABC is South Africa's public broadcaster, mandated under the Broadcasting Act 4 of 1999 and its own Charter to provide programming that is fair, accurate, impartial, and in the public interest. The BCCSA Code, which governs SABC content, requires news and public affairs to be reported truthfully, in correct context, and in a balanced manner, with opposing views presented on controversial matters of public importance (Clause 18). SABC's history of political capture during the Hlengiwe Mkhondo era (2012–2016) means its editorial independence remains a live political and legal issue.



## CHAPTER 1 — PARTY-POLITICAL BIAS

Analytical note: The broadcast is a live relay of South Africa's ICJ submissions. No party is directly discussed in party-political terms. However, the broadcast has clear implications for party positions, particularly regarding the ANC's foreign policy, the DA's opposition to the case, and the EFF/MK's enthusiastic support. Scores reflect how accurately each party's position is represented by the content broadcast.

Party	Score (-5..+5)	Broadcast Representation vs. Party Programme Position
ANC	+3	00:02–24:46 — The entire broadcast is South Africa's state legal argument, which is ANC foreign policy in action. Programme position: pro-Palestinian, anti-colonial framing, ICJ case as moral leadership. Representation: fully consistent with ANC's stated position. Score elevated because no critical distance is provided.
DA	-3	Not directly mentioned. DA's programme position: scepticism about the ICJ case, concern about diplomatic consequences, support for a negotiated two-state solution without genocide framing. The broadcast provides zero representation of this position, which is the position of the second-largest GNU partner.
MK (uMkhonto)	+1	Not mentioned. MK's position (strongly pro-Palestinian, anti-Israel) is implicitly advanced by the broadcast content, though MK itself is not referenced.
EFF	+1	Not mentioned. EFF's position (strongly pro-Palestinian, frames conflict as settler-colonialism) is implicitly advanced. No direct representation.
IFP	0	Not mentioned. IFP has not taken a prominent public position on the ICJ case. No representation either way.
PA	0	Not mentioned. PA's position on the ICJ case is not prominent in public record. No representation.
FF+	-2	Not mentioned. FF+ has expressed concern about South Africa's international positioning. The broadcast provides no representation of this concern.
ActionSA	0	Not mentioned. No relevant programme position on this specific case in public record.

### Party Bias Summary

- Most accurate representation: ANC (Score +3) — the broadcast is the ANC's foreign policy position presented as South Africa's state position.
- Strongest distortion: DA (Score -3) — the second-largest GNU partner's substantive reservations about the ICJ case are entirely absent.
- Average deviation from 0: 1.25
- Conclusion: The broadcast structurally advances the ANC's foreign policy position without any representation of the DA's dissenting view within the GNU. This is not inherently improper for a live relay of state proceedings, but SABC's failure to contextualise the DA's position — or Israel's counter-arguments — creates a partisan effect. The broadcast functions as a platform for one side of a deeply contested political and legal dispute.



## CHAPTER 2 — BROADCAST INFORMATION AND THEMATIC FRAMEWORK

### Broadcast Data

- Title: South Africa v. Israel — ICJ Oral Submissions, Provisional Measures Hearing (SABC broadcast)
- Date: January 2024 (internal reference: "9 January 2024" at 04:43; "8 January" at 15:25; "5 January 2024" at 23:06)
- Estimated length: Approximately 24 minutes 46 seconds (based on transcript timestamps)
- Presenter/Reporter: No SABC presenter or reporter is audible in the transcript. The broadcast appears to be an unmediated relay of ICJ proceedings.
- Persons interviewed/speaking:

Actors	Function	Party/Affiliation	Political Spectrum
Unnamed Advocate	South Africa's legal counsel, ICJ oral submissions	South African state / ANC government	Centre-left to left (ANC foreign policy)
Madame President (referenced)	ICJ President	International Court of Justice	Neutral/institutional

### Main Topic

South Africa's advocate presents oral legal submissions to the International Court of Justice requesting provisional measures against Israel under the Genocide Convention, arguing that Israel's military campaign in Gaza constitutes genocide under Article 2(a), (b), (c), and (d).

### World-View Context

The ICJ case, filed by South Africa in December 2023, is one of the most significant international legal actions arising from the Israel-Hamas conflict that began on 7 October 2023. The case is deeply contested: South Africa and its supporters frame it as a necessary legal intervention to protect Palestinian civilians; Israel and its allies argue the case is legally unfounded, politically motivated, and ignores Hamas's role in initiating the conflict. The provisional measures hearing took place on 11–12 January 2024. The case intersects with South Africa's own history of apartheid, which the ANC government explicitly invokes as moral authority. Globally, the case has divided opinion along lines that broadly track existing geopolitical alignments.



## CHAPTER 3 — 15 CRITERIA: DETAILED ANALYSIS

### Hard Facts — 9 techniques that are countable and scientifically verifiable

#### 1. EXPERT SELECTION

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##### Expert 1: South Africa's unnamed ICJ advocate

Timestamp	00:02–24:46
Statement	"South Africa contends that Israel has transgressed article two of the convention by committing actions that fall within the definition of genocide."
Classification	State legal counsel presenting a one-sided legal argument in adversarial proceedings. This is structurally the opposite of an independent expert.
Missing counter-voice	An independent international law professor assessing the plausibility of the genocide claim; Israel's legal counsel.

#### Source Depth Check:

(a) **FUNDING:** Funded by the South African state (ANC government). Direct institutional interest in the success of the legal argument.

(b) **MANDATE:** The advocate's mandate is explicitly to argue South Africa's case — i.e., to be as persuasive as possible for one side. This is structurally incompatible with neutral expert assessment.

- D1 Conflict of Interest: -2 — State counsel with direct mandate to win the case
- D2 Personal Risk: +1 — Professional reputation at stake; some credibility incentive
- D3 Subject Competence: +2 — Qualified advocate, ICJ proceedings
- D4 Opinion Consistency: +1 — Consistent with South Africa's stated position
- D5 Emotionalisation vs. Data: -1 — Mix of legal argument and emotionally charged language ("not even newborn babies", "graveyard for children")
- D6 Source Level: 0 — Secondary (citing UN reports, not primary data)

**TOTAL: +1 → SOURCE TRAFFIC LIGHT: YELLOW**

(c) **PROFESSIONAL EXPERTISE:** The advocate is presented without any SABC framing identifying them as a partisan legal actor. The broadcast treats the submissions as if they were neutral factual reporting. This is Technique No. 2 (source selection as neutral framing).

##### Expert 2: UN Secretary-General (cited)

Timestamp	05:41 — Quote: "the level of Israel's killing is so extensive that nowhere is safe in Gaza"
Classification	Cited selectively by South Africa's advocate to support the legal argument. The UN Secretary-General's full statements on the conflict — including calls for Hamas to release hostages and condemnation of the 7 October attacks — are not cited.

#### Source Depth Check:

(a) **FUNDING:** UN — multilateral, member-state funded including Israel and South Africa.



**(b) MANDATE:** The UN Secretary-General's mandate is to represent all member states. Selective citation of his statements strips this context.

- D1 Conflict of Interest: 0 — Institutional neutrality, but selectively cited
- D2 Personal Risk: +1 — Public statements carry reputational weight
- D3 Subject Competence: +2 — Directly relevant institutional role
- D4 Opinion Consistency: +1 — Consistent with UN humanitarian concerns
- D5 Emotionalisation vs. Data: 0 — Mixed
- D6 Source Level: +1 — Near-primary (direct quote from public statement)

**TOTAL: +5 → SOURCE TRAFFIC LIGHT: GREEN (but note: selective citation degrades reliability in context)**

**(c) PROFESSIONAL EXPERTISE:** The UN Secretary-General is cited as if endorsing South Africa's genocide claim. His actual statement ("nowhere is safe in Gaza") is a humanitarian observation, not a legal finding of genocide.

**Expert 3: UN Special Rapporteur on Violence Against Women (cited)**

<b>Timestamp</b>	18:28 — Quote: "the reproductive violence inflicted by Israel on Palestinian women... could be qualified as acts of genocide under Article 2 of the genocide convention"
<b>Classification</b>	UN Special Rapporteur — independent expert, but with a specific mandate (women's rights) and cited selectively.

**Source Depth Check:**

**(a) FUNDING:** UN Human Rights Council — member-state funded.

**(b) MANDATE:** Special Rapporteurs are independent experts but operate within a specific thematic mandate. This rapporteur's statement on genocide is outside her core competence (international criminal law).

- D1 Conflict of Interest: -1 — Mandate creates incentive to find violations
- D2 Personal Risk: +1 — Independent expert, some reputational stake
- D3 Subject Competence: 0 — Expert on women's rights, not genocide law specifically
- D4 Opinion Consistency: +1 — Consistent with her mandate
- D5 Emotionalisation vs. Data: -1 — "Could be qualified" is speculative
- D6 Source Level: +1 — Near-primary

**TOTAL: +1 → SOURCE TRAFFIC LIGHT: YELLOW**

**(c) PROFESSIONAL EXPERTISE:** The word "could" in her statement is legally significant — it is a conditional, not a finding. The broadcast presents it as supporting evidence without this qualification being highlighted.

*Missing Expert Groups:*

- Independent international criminal law scholars (genocide threshold debate)
- Israeli military legal advisers (IHL compliance arguments)
- Hamas analysts (contextualising 7 October)

**Source Credibility Overview:**

Source	D1	D2	D3	D4	D5	D6	Total	Signal
South Africa's unnamed ICJ advocate	-2	+1	+2	+1	-1	0	+1	YELLOW
UN Secretary-General (cited)	0	+1	+2	+1	0	+1	+5	GREEN
UN Special Rapporteur on Violence Against Women (cited)	-1	+1	0	+1	-1	+1	+1	YELLOW



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*Summary (Matrix results):*

- South Africa's advocate: YELLOW (+1) — partisan by mandate, presented without framing
- UN Secretary-General (cited): GREEN (+5) — but selectively cited, stripped of context
- UN Special Rapporteur (cited): YELLOW (+1) — outside core competence, conditional statement presented as finding



## 2. SOURCE SELECTION

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Claims without primary source = penalty points (rumour check)

### Source 1: UN statistics

**Timestamp** 04:40 — Quote: "The UN statistics that are relied upon are up to date as of 9 January 2024"

**(a) Funding and governance:** UN — multilateral. Generally reliable for humanitarian data.

**(b) Structural conflict of interest:** UN humanitarian agencies (OCHA, WHO, UNRWA) have institutional interests in highlighting humanitarian crises. Their data is generally credible but is here cited exclusively in support of one legal argument.

**(c) Missing counter-source:** Israeli government casualty data, IDF operational reports, or independent verification of casualty figures (e.g., ACLED, Airwaves).

### Source 2: UN Secretary-General statements

**Timestamp** 05:41, 23:06 — Quote: "you think getting Aid into Gaza is easy think again"

**(a) Funding:** UN member states.

**(b) Structural conflict of interest:** Selective citation — the Secretary-General's statements condemning Hamas and calling for hostage release are not cited.

**(c) Missing counter-source:** The Secretary-General's full statements on the conflict, including his condemnation of the 7 October attacks.

### Source 3: UN Special Rapporteurs (multiple)

**Timestamp** 13:03, 17:55, 18:28 — Quote: "houses and infrastructure have been raised to the ground frustrating any realistic prospects for displaced gazans to return home"

**(a) Funding:** UN Human Rights Council.

**(b) Structural conflict of interest:** Special Rapporteurs are appointed to find and report violations. Their mandate creates a structural incentive to identify problems. They are not neutral arbiters.

**(c) Missing counter-source:** Israeli government responses to Special Rapporteur findings; independent assessments that question Special Rapporteur methodology.

Rumour Check (Penalty Points):

No explicit rumour markers ("reportedly", "sources say", "allegedly") are used in the formal legal submissions. However, several claims are presented as established fact without primary source citation:

Claim 1 (borderline):

Timestamp: 13:41 — Claim: "the destruction is celebrated by the Israeli army soldiers filming themselves joyfully detonating entire apartment blocks"

Word marker: None explicit, but the claim is presented as established fact.

Primary source present: Not cited in transcript. This is a characterisation of social media content, not a verified primary source. Partial penalty point.

Claim 2 (borderline):

Timestamp: 14:01 — Claim: "seeking to reestablish Israeli settlements on the rubble of Palestinian homes"



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Word marker: None explicit.

Primary source present: Not cited. This is a political characterisation, not a documented policy. Partial penalty point.

*Summary: All sources cited are UN bodies or South Africa's own legal argument. No Israeli sources, no independent legal scholars, no Hamas-related context. Source selection is structurally one-sided. Two borderline unverified claims presented as established fact.*



### 3. AIRTIME DISTRIBUTION

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Estimated speaking time:

- South Africa's advocate (pro-genocide finding): approximately 24 min 30 sec (99%)
- SABC presenter/contextualisation: 0 seconds (0%)
- Any counter-position: 0 seconds (0%)
- Israel's legal position: 0 seconds (0%)

*Summary: The broadcast allocates 100% of speaking time to a single legal position. This is structurally inevitable in a live relay of one party's ICJ submissions, but SABC's editorial decision to broadcast without any framing, contextualisation, or counter-perspective creates a severe imbalance. The score reflects SABC's editorial choices, not the advocate's speaking time per se.*



#### 4. SELECTIVE OMISSION

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##### Omission 1:

###### Context

The 7 October 2023 Hamas attacks — approximately 1,200 Israelis killed, approximately 250 taken hostage — are entirely absent from the broadcast.

Relevant at: 00:02 (opening of submissions) and throughout

###### Effect

The broadcast presents Israel's military campaign as if it began without cause. The omission of the triggering event fundamentally distorts the causal narrative and removes the context within which Israel's actions must be legally assessed.

##### Omission 2:

###### Context

Israel's legal counter-arguments at the same ICJ hearing (12 January 2024) are entirely absent.

Relevant at: Throughout

###### Effect

The audience receives only one side of an adversarial legal proceeding. Israel's arguments — including that the military campaign is a lawful response to terrorism, that Hamas uses civilian infrastructure, and that the genocide threshold is not met — are not presented.

##### Omission 3:

###### Context

The legal debate about whether the facts meet the genocide threshold under the Genocide Convention is not explored. The advocate briefly notes the provisional measures standard (03:26) but does not explain that many international law scholars dispute whether Israel's conduct constitutes genocide as legally defined.

Relevant at: 03:26, 20:12

###### Effect

The audience is left with the impression that the genocide characterisation is legally uncontested, when in fact it is one of the most contested questions in contemporary international law.

*Summary: Three critical omissions — the triggering event (7 October), Israel's counter-arguments, and the contested legal threshold — collectively create a fundamentally incomplete picture of the situation. These omissions are not accidental; they are structurally inherent in broadcasting one side's legal submissions without contextualisation.*

#### Missing Voices

- Israeli legal counsel (ICJ): Would have presented Israel's counter-arguments, including the claim that the military campaign is a lawful response to terrorism and does not meet the legal threshold for genocide.
- Hamas spokesperson or analyst: Would have contextualised the 7 October 2023 attacks and their role in triggering the military campaign.
- Independent international law academic: Would have assessed whether the facts plausibly meet the genocide standard under the Genocide Convention — a genuinely contested legal question.



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- DA spokesperson (foreign affairs): Would have represented the second-largest GNU partner's reservations about the case and its diplomatic implications.
- Israeli civilian survivor or representative: Would have provided the human context of the 7 October attacks, absent from the broadcast.
- ICRC or neutral humanitarian organisation: Would have provided an independent assessment of the humanitarian situation, distinct from South Africa's advocacy framing.
- South African legal scholar critical of the case: Would have provided domestic expert perspective on the legal risks and merits of South Africa's application.
- UN Secretary-General's office (neutral position): Would have contextualised the UN's institutional position, which is more nuanced than the selective citations used in the submissions.



## 5. NUMERICAL MANIPULATION

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Complete figures include: absolute value, proportion (%) and trend

### Finding 1:

#### Timestamp

06:00 — Number: "23,210 Palestinians have been killed by Israeli forces during the sustained attacks over the last 3 months. At least 70% of whom are believed to be women and children."

Dimensions shown: (a) Absolute value ✓ | (b) Proportion (70%) ✓ | (c) Trend — not shown

#### Missing context

(1) The source and methodology for the 70% figure is not cited (it derives from Gaza Health Ministry, which is Hamas-controlled — a significant methodological caveat not disclosed). (2) No comparison with Hamas combatant casualties. (3) No comparison with historical conflict casualty ratios. (4) The qualifier "believed to be" is used but not emphasised.

#### Effect

The 70% figure creates a powerful emotional impression of deliberate civilian targeting. The methodological limitations of the source are not disclosed.

### Finding 2:

#### Timestamp

07:33 — Number: "In the first 3 weeks alone following 7 October Israel deployed 6,000 bombs per week. At least 200 times it has deployed 2,000 bombs in southern areas of Palestine designated as safe."

Dimensions shown: (a) Absolute value ✓ | (b) Proportion — not shown | (c) Trend — not shown

#### Missing context

No comparison with other military campaigns (the broadcast describes this as "one of the heaviest conventional bombing campaigns in the history of Modern Warfare" at 02:31 without citation). No information on precision vs. area munitions ratio. No IDF targeting data.

#### Effect

Raw bomb numbers without comparative context create an impression of indiscriminate destruction that may or may not be supported by a fuller analysis.

### Finding 3:

#### Timestamp

17:19 — Number: "Cases of diarrhea in children under 5 years of age have increased 2,000% since hostilities began."

Dimensions shown: (a) Absolute value (percentage increase) ✓ | (b) Baseline — not shown | (c) Trend — not shown

#### Missing context

The baseline figure is not provided. A 2,000% increase from a very low baseline is mathematically different from a 2,000% increase from a high baseline. The source (WHO) is cited but the baseline data is not.

#### Effect

The 2,000% figure is rhetorically powerful but analytically incomplete without the baseline.

*Summary: Three statistical findings present numbers without full dimensional context. The most significant issue is the non-disclosure of the Gaza Health Ministry as the source for casualty figures — a methodological caveat that is standard in responsible journalism on this conflict.*



## 6. GUILT BY ASSOCIATION

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### Association 1:

#### Timestamp

13:41 — Quote: "the destruction is celebrated by the Israeli army soldiers filming themselves joyfully detonating entire apartment blocks and town squares erecting the Israeli flag over the wreckage seeking to reestablish Israeli settlements on the rubble of Palestinian homes"

Technique: Individual soldier behaviour (social media videos) is attributed to "the Israeli army" as an institution, then linked to a political project (settlement expansion), creating a chain: individual soldiers → institutional policy → colonial project.

#### Effect

Associates the entire Israeli military with celebratory destruction and colonial intent, without distinguishing between individual conduct and official policy.

### Association 2:

#### Timestamp

09:00 — Quote: "this killing is nothing short of destruction of Palestinian life it is inflicted deliberately no one is spared not even newborn babies"

Technique: The phrase "no one is spared not even newborn babies" associates Israeli military action with the deliberate killing of infants — the most morally charged possible association.

#### Effect

Associates Israel with the deliberate targeting of the most vulnerable, which is the most extreme possible moral characterisation. Presented as established fact, not allegation.

### Association 3:

#### Timestamp

20:29 — Quote: "Israel's conduct in specially targeting Palestinians living in Gaza using Weaponry that causes large scale homicidal destruction"

Technique: The word "homicidal" — which implies criminal intent to kill — is used to describe Israeli weapons use, associating military action with murder.

#### Effect

Frames Israeli military conduct as criminally intentional rather than militarily operational, pre-judging the legal question the court is asked to decide.

Guilt by Association Chain: Individual soldier videos → "Israeli army" → institutional policy → colonial project → genocide

*Summary: The broadcast contains multiple instances of guilt by association, primarily through the attribution of individual conduct to institutional policy and the use of morally extreme language ("homicidal", "not even newborn babies") as established fact rather than allegation. These are structurally inherent in the legal submissions but are presented without SABC contextualisation.*



## 7. TIMING

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### Finding 1:

Position: 00:02–00:39 (opening)

Content: "it is a case that underscores the very essence of our shared Humanity as expressed in the preamble to the genocide convention"

Timing effect: The broadcast opens with a moral framing ("shared Humanity", "genocide convention") before any factual context is provided. This primes the audience to receive subsequent claims within a moral rather than legal or analytical framework.

### Finding 2:

Position: 09:00–09:13 (mid-broadcast, after casualty statistics)

Content: "this killing is nothing short of destruction of Palestinian life it is inflicted deliberately no one is spared not even newborn babies"

Timing effect: Placed immediately after the statistical section on casualties, this emotionally extreme statement functions as a rhetorical climax to the numbers, maximising emotional impact before the legal argument continues.

### Finding 3:

Position: 22:26–24:26 (closing)

Content: "every day there is mounting irreparable loss of life property dignity and Humanity for the Palestinian people... nothing will stop the suffering except an order from this court"

Timing effect: The broadcast closes with an urgent appeal to emotion and action, leaving the audience with a sense of moral imperative. No counter-perspective or contextualisation follows. This is the last impression the audience receives.

*Summary: The broadcast's structure — moral framing at opening, emotional climax at mid-point, urgent appeal at close — follows a classic persuasive rhetoric pattern. SABC's decision to end the broadcast at this point, without any editorial framing, means the persuasive structure is delivered intact to the audience.*



## 8. SELECTIVE OUTRAGE

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Outrage = bias. Selective outrage amplifies the finding. Score = outrage level (0–5) + selectivity (0–5)

*Methodological principle (v3.0): The triggering event must be documented before each assessment. A reaction can only be assessed as selective if comparable triggers from other positions produced no analogous reaction.*

### Finding 1:

#### Timestamp

06:35 — Triggering event: Description of Palestinian civilians killed in homes, hospitals, schools, mosques, churches.

Reaction: "they are killed in their homes in places where they seek shelter in hospitals in schools in mosques in churches and as they try to find food and water for their families"

#### Comparison

The 7 October 2023 Hamas attacks — in which Israeli civilians were killed in their homes, at a music festival, and in kibbutzim — are not mentioned in the broadcast. No analogous emotional language is applied to Israeli civilian deaths.

Asymmetry: Confirmed. The broadcast expresses sustained moral outrage at Palestinian civilian deaths while the triggering event (Hamas attacks on Israeli civilians) is entirely absent. However, this asymmetry is structurally inherent in the legal submissions, not in SABC's editorial choices per se. SABC's failure to contextualise this asymmetry is the editorial finding.

Outrage level: 4/5 (sustained, emotionally intense language throughout)

Selectivity: 4/5 (exclusively directed at Israeli conduct; Hamas conduct entirely absent)

### Finding 2:

#### Timestamp

12:17 — Triggering event: Description of evacuation order requiring movement within 24 hours.

Reaction: "the order itself was genocidal it required immediate movement taking only what could be carried while no humanitarian assistance was permitted"

#### Comparison

No comparable moral characterisation is applied to Hamas's use of civilian infrastructure (hospitals, tunnels) or its role in impeding civilian evacuation.

Asymmetry: Confirmed. The word "genocidal" is applied to an Israeli evacuation order; no comparable moral language is applied to Hamas conduct.

Outrage level: 4/5

Selectivity: 4/5

*Summary: The broadcast contains sustained, emotionally intense moral outrage directed exclusively at Israeli conduct. Comparable outrage at Hamas conduct — which is the triggering context for the entire military campaign — is entirely absent. SABC's failure to contextualise this asymmetry is an editorial finding under BCCSA Clause 18.*



## 9. SELECTIVE OMISSION — OVERALL PICTURE

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### Finding 1:

**Timestamp** 00:02 (throughout)

Missing perspective/fact: The 7 October 2023 Hamas attacks — the triggering event for the entire military campaign — are entirely absent.

Relevance: Any legal or moral assessment of Israel's military conduct requires contextualisation of the event that triggered it. The Genocide Convention itself requires assessment of intent, which cannot be evaluated without understanding the security context.

#### Effect

The audience receives a narrative in which Israel's military campaign appears to have begun without cause, fundamentally distorting the causal structure of the conflict.

### Finding 2:

**Timestamp** Throughout

Missing perspective/fact: Israel's legal counter-arguments at the same ICJ hearing are entirely absent.

Relevance: The ICJ hearing was a two-day proceeding. South Africa presented on 11 January; Israel responded on 12 January. Broadcasting only one day's submissions without the other is structurally incomplete.

#### Effect

The audience receives the impression that South Africa's legal argument is uncontested, when Israel presented detailed counter-arguments the following day.

### Finding 3:

**Timestamp** 03:26

Missing perspective/fact: The contested nature of the genocide characterisation in international law is not explored.

Relevance: Many international law scholars — including those sympathetic to Palestinian rights — have questioned whether the facts meet the legal threshold for genocide under the Genocide Convention. This is a genuine academic debate.

#### Effect

The audience is left with the impression that the genocide characterisation is legally straightforward, when it is in fact one of the most contested questions in contemporary international law.

*Summary: Three systematic omissions — the triggering event, Israel's counter-arguments, and the contested legal threshold — collectively produce a fundamentally incomplete picture. The broadcast presents one side of a complex legal and political dispute as if it were a complete account.*

### Share of covered perspectives

*Inverted: original value measures coverage (higher = better). Shown as deviation (higher = larger gaps).*

[A] South Africa's legal argument for genocide (the position presented in the broadcast)

[B] Israel's legal counter-argument and defence before the ICJ



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[C] Hamas's role in the 7 October 2023 attacks and its legal/moral implications for the case

[D] **The legal threshold for genocide under the Genocide Convention:** academic/expert debate on whether the facts meet the standard

[E] The humanitarian situation in Gaza from a neutral UN/ICRC perspective (distinct from South Africa's advocacy framing)

[F] **The DA's position within the GNU:** South Africa's second-largest governing party's reservations about the case

[G] Israeli civilian casualties and the context of the 7 October attacks

[H] The position of other states and international legal scholars on the merits of the case

[I] SABC's own editorial decision to broadcast this content and its implications for balance

[J] The distinction between provisional measures (plausibility standard) and a final genocide determination

### Assessment: Was Each Perspective Addressed?

#### [A] ADDRESSED

Timestamp: 00:02–24:46 — Quote: "South Africa contends that Israel has transgressed article two of the convention by committing actions that fall within the definition of genocide." — Assessment: Fully and extensively addressed; this is the entire content of the broadcast.

#### [B] OMITTED

Timestamp: N/A — Quote: N/A — Assessment: Israel's legal counter-arguments, presented at the same ICJ hearing on 12 January 2024, are entirely absent from this broadcast. This is the single most significant omission.

#### [C] OMITTED

Timestamp: N/A — Quote: N/A — Assessment: The 7 October 2023 Hamas attacks, which killed approximately 1,200 Israelis and resulted in approximately 250 hostages, are not mentioned in the broadcast. The advocate's framing begins the narrative with Israel's military response, omitting the triggering event entirely.

#### [D] ANECDOTALLY ADDRESSED

Timestamp: 03:26 — Quote: "it is not necessary for the court to come to a final view on the question of whether Israel's conduct constitutes genocide" — Assessment: The provisional measures standard is briefly noted but not explained in depth; the legal debate about whether the facts meet the genocide threshold is not explored.

#### [E] PARTIALLY ADDRESSED

Timestamp: 04:40 — Quote: "The UN statistics that are relied upon are up to date as of 9 January 2024" — Assessment: UN sources are cited, but exclusively in support of South Africa's argument. Independent humanitarian assessment is not presented neutrally.

#### [F] OMITTED

Timestamp: N/A — Quote: N/A — Assessment: The DA's position — that the ICJ case is legally questionable and diplomatically damaging — is entirely absent.

#### [G] OMITTED

Timestamp: N/A — Quote: N/A — Assessment: Israeli civilian casualties from the 7 October attacks are not mentioned. The broadcast presents Palestinian casualties exclusively.

#### [H] OMITTED

Timestamp: N/A — Quote: N/A — Assessment: No independent international legal scholars are cited. All legal authority cited is South Africa's own argument or UN sources selected to support it.

#### [I] OMITTED



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Timestamp: N/A — Quote: N/A — Assessment: SABC provides no editorial framing, no contextualisation, and no explanation of its decision to broadcast this content without equivalent coverage of Israel's submissions.

**[J] PARTIALLY ADDRESSED**

Timestamp: 03:26 — Quote: "at this provisional measures stage... it is not necessary for the court to come to a final view" — Assessment: Mentioned briefly but not explained to the audience in accessible terms.

**Completeness Score: 2/10**

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**Reasoning:** Of ten relevant perspectives, only one (South Africa's legal argument) is fully addressed. The provisional measures standard is partially noted. All other perspectives — Israel's counter-argument, Hamas's role, the DA's position, Israeli casualties, independent legal analysis, and SABC's own editorial framing — are entirely absent. The broadcast presents a single, uncontested legal argument as if it were a complete account of the situation.



## Soft Facts — 6 qualitative techniques

### 10. FRAMING

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#### Finding 1:

##### Timestamp

00:16 — Quote: "it's a case that underscores the very essence of our shared Humanity as expressed in the preamble to the genocide convention"

##### Manipulation

The case is framed from the outset as a matter of universal human values ("shared Humanity") rather than a contested legal proceeding. This moral framing pre-empts critical analysis.

##### Why problematic

Framing a disputed legal case as a matter of "shared Humanity" implies that opposition to the case is opposition to humanity itself — a rhetorical move that forecloses legitimate counter-argument.

#### Finding 2:

##### Timestamp

01:00 — Quote: "the actions show a systematic pattern of conduct from which genocide can be inferred"

##### Manipulation

The word "inferred" is legally significant — it means the intent is not directly proven but deduced from conduct. However, the framing presents this inference as if it were an established conclusion.

##### Why problematic

The audience is not informed that "inferring" genocidal intent from conduct is the most contested element of the legal argument, and that the same conduct could be characterised as lawful (if disproportionate) military action.

#### Finding 3:

##### Timestamp

20:12 — Quote: "all of these acts individually and collectively form a calculated pattern of conduct by Israel indicating a genocidal intent"

##### Manipulation

The word "calculated" frames Israeli military decisions as deliberate genocide rather than military strategy. This is a legal conclusion presented as established fact.

##### Why problematic

The distinction between "calculated genocide" and "disproportionate military response" is precisely what the court is asked to determine. Presenting the former as established fact pre-judges the legal question.

*Summary: The broadcast is framed throughout as a moral narrative of deliberate genocide rather than a contested legal proceeding. This framing is inherent in the legal submissions but is amplified by SABC's decision to broadcast without any counter-framing.*



11. WORD CHOICE AND TERMINOLOGY							7/10		
1	2	3	4	5	6	7	8	9	10

Finding 1:	
<b>Timestamp</b>	09:00 — Quote: "this killing is nothing short of destruction of Palestinian life it is inflicted deliberately"
<b>Manipulation</b>	"Nothing short of" is an intensifier that forecloses qualification. "Inflicted deliberately" asserts criminal intent as established fact.
<b>Why problematic</b>	Neutral alternative would be: "South Africa argues that the scale of killing, if proven to be deliberate, would constitute destruction of Palestinian life." The broadcast presents the legal argument as factual conclusion.

Finding 2:	
<b>Timestamp</b>	20:42 — Quote: "using Weaponry that causes large scale homicidal destruction"
<b>Manipulation</b>	"Homicidal" means "of or relating to murder." Applying it to military weapons use frames Israeli military action as murder.
<b>Why problematic</b>	Neutral alternative: "weapons causing large-scale civilian casualties." "Homicidal" is a legal and moral characterisation, not a factual description of weapons.

Finding 3:	
<b>Timestamp</b>	12:17 — Quote: "the order itself was genocidal"
<b>Manipulation</b>	Describing an evacuation order as "genocidal" applies the most extreme possible legal characterisation to a military administrative act.
<b>Why problematic</b>	Neutral alternative: "South Africa argues the evacuation order, given the conditions, was calculated to cause harm." The broadcast presents the characterisation as established fact.

*Summary: The broadcast consistently uses language that presents legal allegations as established facts ("deliberately", "homicidal", "genocidal") and employs intensifiers ("nothing short of", "calculated") that foreclose qualification. This language is inherent in advocacy submissions but is presented without SABC contextualisation.*



## 12. MODERATION BEHAVIOUR

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*Methodological principle (v3.0): The triggering event must be documented before each assessment. An intervention can only be assessed as asymmetric if comparable triggers from other guests produced no analogous intervention.*

### Finding 1:

**Timestamp** Throughout

Triggering event: South Africa's advocate makes repeated unqualified assertions of Israeli genocidal intent.

**Quote (moderator)** [No SABC moderator is present in the broadcast]

**Comparison** No comparable position is presented; therefore no asymmetry in moderation is technically demonstrable.

Asymmetry: The absence of any moderator is itself the finding. SABC's decision to broadcast without a presenter means no journalistic challenge, contextualisation, or counter-question is possible. This is not asymmetric moderation — it is the complete absence of moderation.

### Finding 2:

**Timestamp** Throughout

Triggering event: Multiple factual claims are made without source citation (e.g., "soldiers filming themselves joyfully detonating apartment blocks").

**Quote (moderator)** [Absent]

**Comparison** N/A — no moderator present.

Asymmetry: The absence of a moderator means no fact-checking intervention is possible. SABC's editorial decision to broadcast without a presenter removes the journalistic function entirely.

### Finding 3:

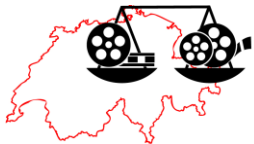
**Timestamp** 14:16 (applause at 16:14)

Triggering event: Applause is audible in the broadcast at 16:14, apparently from the public gallery at the ICJ.

**Quote (moderator)** [No SABC response]

**Comparison** N/A.

Asymmetry: SABC does not contextualise the applause or note that it represents audience reaction, not judicial endorsement. The applause may create the impression of broader validation of the argument.



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*Summary: The complete absence of a SABC presenter or moderator means the broadcast functions as an unmediated relay of one-sided legal advocacy. This is the most significant moderation finding: not asymmetric moderation, but the total absence of journalistic mediation.*



### 13. QUESTION ASYMMETRY

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#### Asymmetry 1:

To South Africa's advocate (throughout): No questions are asked. The advocate speaks uninterrupted for approximately 24 minutes.

To Israel's legal position: Not present; no questions possible.

#### Comparison

The structural asymmetry is absolute — one position is given 24 minutes of uninterrupted advocacy; the opposing position receives zero seconds.

#### Asymmetry 2:

To UN sources (cited throughout): UN statements are cited selectively and without challenge. The advocate cites the UN Secretary-General, multiple Special Rapporteurs, and WHO data exclusively in support of the legal argument. No UN statements that complicate or contradict the argument are cited.

To Israeli government sources: Not cited at all.

#### Comparison

UN sources are treated as authoritative when they support the argument; Israeli government sources are entirely absent.

*Summary: The broadcast contains no questions at all — it is a monologue. The question asymmetry finding therefore relates to SABC's editorial decision to broadcast a single uninterrupted legal argument without any journalistic interrogation of the claims made.*



<b>14. FALSE BALANCE</b>									<b>3/10</b>
<b>1</b>	<b>2</b>	<b>3</b>	4	5	6	7	8	9	10

**Finding 1:**

<b>Timestamp</b>	03:26 — Construct: "it is not necessary for the court to come to a final view on the question of whether Israel's conduct constitutes genocide"
<b>Analysis</b>	This statement creates a superficial appearance of legal caution — acknowledging that genocide is not yet proven — while the entire surrounding argument treats genocidal intent as established. The caveat functions as a false balance marker: it appears to acknowledge uncertainty while the substantive argument does not.

*Summary: False balance is not the primary problem in this broadcast — the broadcast makes no serious attempt at balance. The one instance of apparent qualification (the provisional measures standard) is used rhetorically to lower the legal threshold while maintaining the genocide framing. Score is relatively low because the broadcast does not pretend to be balanced; it is openly one-sided advocacy.*



## 15. AGENDA-SETTING

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### Finding 1:

Agenda element set: The conflict is framed as a genocide — this is treated as the starting premise, not the conclusion to be proven.

#### Timestamp

00:33 — Evidence: "it's my task to address the court on the genocidal acts that have led to this urgent request"

Alternative agenda: The conflict could be framed as a complex military-political situation involving terrorism, military response, humanitarian crisis, and contested legal characterisation — with genocide as one possible legal conclusion among several.

### Finding 2:

Agenda element set: Israel is framed as the sole responsible actor. Palestinian agency — including Hamas's role — is entirely absent from the agenda.

#### Timestamp

Throughout — Evidence: Every causal statement attributes action to Israel; no Palestinian armed actor is mentioned.

Alternative agenda: A balanced agenda would include Hamas's role in initiating the conflict, its use of civilian infrastructure, and its responsibility for the humanitarian situation.

### Finding 3:

Agenda element set: The ICJ is framed as the only institution capable of stopping the suffering ("nothing will stop the suffering except an order from this court" at 22:49).

#### Timestamp

22:49 — Evidence: Direct quote.

Alternative agenda: Diplomatic negotiations, ceasefire agreements, hostage release, and political solutions are not on the agenda. The broadcast sets the ICJ as the sole legitimate response mechanism.

*Summary: The broadcast sets three powerful agenda items: genocide as established premise, Israel as sole responsible actor, and the ICJ as the only solution. All three foreclose alternative framings and are presented without SABC contextualisation.*



## CHAPTER 4 — OVERALL EVALUATION

### Results

- HARD FACTS SCORE (Average Criteria 1–9): 6.8 / 10
- SOFT FACTS SCORE (Average Criteria 10–15): 6.7 / 10

### Dominant Techniques

The 3 strongest techniques in this broadcast:

- 1. Omission / Selective Omission (Score 9):** The complete absence of the 7 October Hamas attacks, Israel's counter-arguments, and the contested genocide threshold creates a structurally incomplete narrative. This is the most consequential finding because it affects the audience's ability to contextualise everything else they hear.
- 2. Framing (Score 8):** The broadcast frames genocide as an established premise rather than a legal allegation to be proven. This framing is set in the opening seconds ("genocidal acts that have led to this urgent request") and maintained throughout, preventing the audience from engaging with the material analytically.
- 3. Expert and Source Selection (Score 8 each):** The exclusive use of South Africa's state advocate and selectively cited UN sources, with no independent legal experts, no Israeli sources, and no counter-perspectives, creates a structurally one-sided information environment. The advocate is presented without identification as a partisan legal actor.

### Core Messages of the Broadcast

**\*\*MESSAGE 1 (SUBSTANTIVE):** \*\* "Israel is committing genocide against Palestinians in Gaza."

**Technique:** Framing + Word Choice — genocide is presented as established fact throughout, not as legal allegation. Evidence: 00:33, 05:30, 20:12.

**\*\*MESSAGE 2 (PERSONAL):** \*\* "Palestinian civilians — especially children — are the innocent victims of deliberate Israeli violence."

**Technique:** Selective Omission + Selective Outrage — Palestinian civilian suffering is documented in detail; Israeli civilian suffering (7 October) is entirely absent. Evidence: 06:00, 08:49, 09:13.

**\*\*MESSAGE 3 (SOCIETAL):** \*\* "The ICJ must intervene immediately or the atrocities will continue — this is a moral imperative, not merely a legal question."

**Technique:** Timing + Agenda-Setting — the broadcast closes with an urgent moral appeal that frames the ICJ order as the only possible solution. Evidence: 22:26, 22:49, 23:04.

### Manipulation Level Classification

Reasoning: With an overall score of 6.7/10, the broadcast falls at the upper boundary of "clear one-sidedness," approaching "systematic imbalance." The broadcast is structurally one-sided by nature — it is a live relay of one party's legal submissions — but SABC's editorial decision to broadcast without any framing, contextualisation, presenter, or counter-perspective transforms a legitimate legal proceeding into a one-sided broadcast. Under Broadcasting Act s. 6 and BCCSA Clause 18, the obligation to present opposing views on controversial matters of public importance is not discharged by broadcasting one side's legal argument, however accurately. The absence of the 7 October triggering event, Israel's counter-arguments, and any independent legal analysis are the most significant editorial failures.

### CONCLUSION

The SABC broadcast of South Africa's ICJ oral submissions presents a single, uncontested legal argument for approximately 24 minutes without any journalistic framing, contextualisation, presenter, or counter-perspective. While the broadcast of state legal proceedings is not inherently improper, SABC's failure to provide editorial context — including the triggering event of 7 October 2023, Israel's counter-arguments presented the following day, the contested nature of the genocide characterisation in international law, and the DA's dissenting position within the GNU — constitutes a material failure to meet the standards of fairness, accuracy, and impartiality required under Broadcasting Act 4 of 1999, s. 6, and BCCSA Code Clauses 16 and 18. The broadcast functions as an unmediated



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platform for ANC foreign policy advocacy on one of the most politically and legally contested issues of the period. The overall score of 6.7/10 reflects clear one-sidedness that, in the absence of any balancing editorial intervention, is inconsistent with SABC's public broadcaster mandate.



## OVERALL EVALUATION OF THE 15 CRITERIA

### Individual Scores — All 15 Criteria

No.	Criterion	Score	Rating
1	EXPERT SELECTION	8/10	<i>Pronounced imbalance</i>
2	SOURCE SELECTION	8/10	<i>Pronounced imbalance</i>
3	AIRTIME DISTRIBUTION	7/10	<i>Pronounced imbalance</i>
4	SELECTIVE OMISSION	9/10	<i>Systematic imbalance</i>
5	NUMERICAL MANIPULATION	6/10	<i>Significant imbalance</i>
6	GUILT BY ASSOCIATION	5/10	<i>Significant imbalance</i>
7	TIMING	5/10	<i>Significant imbalance</i>
8	SELECTIVE OUTRAGE	4/10	<i>Slight imbalance</i>
9	SELECTIVE OMISSION — OVERALL PICTURE	9/10	<i>Systematic imbalance</i>
10	FRAMING	8/10	<i>Pronounced imbalance</i>
11	WORD CHOICE AND TERMINOLOGY	7/10	<i>Pronounced imbalance</i>
12	MODERATION BEHAVIOUR	7/10	<i>Pronounced imbalance</i>
13	QUESTION ASYMMETRY	7/10	<i>Pronounced imbalance</i>
14	FALSE BALANCE	3/10	<i>Slight imbalance</i>
15	AGENDA-SETTING	8/10	<i>Pronounced imbalance</i>

#### HARD FACTS SCORE (1-8)

**6.8/10**

*Serious deviation from the impartiality standard. High degree of deviation*

#### SOFT FACTS SCORE (9-14)

**6.7/10**

*Serious deviation from the impartiality standard. High degree of deviation*

#### OVERALL SCORE

**6.8/10**

*Serious deviation from the impartiality standard. High degree of deviation*

*Average of Hardfacts and Softfacts*



## KEY — Score Definitions

### Individual Scores per Criterion (0–10)

<b>0</b>	<b>No finding</b>	No relevant anomaly detected.
<b>1–2</b>	<b>Weak finding</b>	Minor anomaly without substantial impact on balance.
<b>3–4</b>	<b>Slight to moderate finding</b>	Recognizable tendency; low to moderate impact relevance.
<b>5</b>	<b>Moderate finding with impact</b>	Relevant imbalance affecting the audience's opinion-forming potential.
<b>6</b>	<b>Significant finding (threshold)</b>	Scores of 6 and above are classified as 'significant findings.'
<b>7</b>	<b>Significant finding</b>	Clear, well-documented imbalance with distinct impact relevance.
<b>8–9</b>	<b>Severe finding</b>	Pronounced imbalance; multiple documented individual findings in this criterion.
<b>10</b>	<b>Maximum severity</b>	Systematic, pervasive imbalance in this criterion.

### Aggregated Deviation Index — Interpretation Ranges

<b>0.0 – 2.5</b>	<b>Unremarkable</b>	No significant patterns detected; broadcast meets the impartiality standard.
<b>2.6 – 4.0</b>	<b>Slight imbalance</b>	Isolated anomalies; statistically visible but within tolerance range.
<b>4.1 – 6.0</b>	<b>Significant imbalance</b>	Multiple significant findings; relevant impairment of perspective diversity.
<b>6.1 – 8.0</b>	<b>Serious deviation from the impartiality standard. High degree of deviation</b>	Pronounced, cross-broadcast patterns; high impact relevance.
<b>8.1 – 10</b>	<b>Fundamental systemic one-sidedness. Very high bias degree</b>	Maximum severity across nearly all criteria; systematically one-sided reporting.

### Party-Political Bias (-5 to +5)

<b>-5 to -3</b>	<b>Strongly disadvantaged</b>	Party is significantly underrepresented in framing, airtime, or presentation.
<b>-2 to -1</b>	<b>Slightly disadvantaged</b>	Recognizable but minor disadvantage.
<b>0</b>	<b>Neutral</b>	No detectable favoritism or disadvantage.
<b>+1 to +2</b>	<b>Slightly favored</b>	Recognizable but minor favoritism.
<b>+3 to +5</b>	<b>Strongly favored</b>	Party is significantly overrepresented in framing, airtime, or presentation.



## CHAPTER 5 — LEGAL CLASSIFICATION (Broadcasting Act s. 6)

### Assessment under Broadcasting Act s. 6

Broadcasting Act 4 of 1999, Section 6 (SABC Charter) requires significant news and public affairs programming that meets the highest standards of journalism, including fairness, accuracy, and impartiality. BCCSA Code Clause 16 requires news to be reported truthfully, accurately and fairly, in the correct context and in a balanced manner. Clause 18 requires opposing views to be presented on controversial issues of public importance.

#### Violation 1:

Standard: BCCSA Code Clause 18 — opposing views on controversial issues of public importance

Conduct: The broadcast presents South Africa's legal argument for genocide without any representation of Israel's counter-arguments, which were presented at the same ICJ hearing the following day (12 January 2024).

Evidence: Timestamp 00:02–24:46 — the entire broadcast. Quote: "South Africa contends that Israel has transgressed article two of the convention by committing actions that fall within the definition of genocide." — No counter-argument is presented at any point.

Assessment: The question of whether Israel's military campaign constitutes genocide is one of the most controversial issues of public importance in the 2023–2024 period. BCCSA Clause 18 requires opposing views to be presented. Broadcasting one party's ICJ submissions without the other party's response, and without any editorial contextualisation, fails this requirement.

#### Violation 2:

Standard: BCCSA Code Clause 16 — correct context and balanced manner

Conduct: The broadcast omits the 7 October 2023 Hamas attacks entirely, presenting Israel's military campaign without the triggering context that is essential for accurate and contextually correct reporting.

Evidence: Timestamp 00:02 (throughout) — the 7 October attacks are never mentioned. The broadcast begins the narrative with Israel's military response as if it had no cause.

Assessment: Reporting on a military conflict without the triggering event is not reporting "in the correct context" as required by Clause 16. The omission is not incidental — it is structurally inherent in the one-sided legal submissions, and SABC's failure to provide this context editorially constitutes a Clause 16 violation.

#### Violation 3:

Standard: Broadcasting Act s. 6 — highest standards of journalism, impartiality

Conduct: The broadcast is presented without any SABC presenter, editorial framing, or journalistic contextualisation. South Africa's state advocate is not identified as a partisan legal actor. The broadcast functions as an unmediated relay of government advocacy.

Evidence: Timestamp 00:02–24:46 — no SABC presenter voice is audible; no editorial framing is provided before, during, or after the submissions.

Assessment: The Broadcasting Act s. 6 requirement for the highest standards of journalism implies that SABC's editorial function cannot be entirely absent from a broadcast on a matter of this political and legal significance. Broadcasting government advocacy without identification or contextualisation does not meet this standard.

#### Violation 4:

Standard: BCCSA Code Clause 16 — accuracy and correct context

Conduct: Casualty figures are presented without disclosing that the primary source is the Gaza Health Ministry, which is administered by Hamas — a fact that is standard disclosure in responsible journalism on this conflict.

Evidence: Timestamp 06:00 — "23,210 Palestinians have been killed by Israeli forces" — source not identified as Gaza Health Ministry.



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Assessment: Presenting statistics without disclosing the source's institutional affiliation and potential conflicts of interest does not meet the accuracy and correct context requirements of Clause 16.

### **Overall Assessment under Broadcasting Act s. 6**

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The SABC broadcast of South Africa's ICJ oral submissions on 11 January 2024 fails to meet the standards required under Broadcasting Act 4 of 1999, s. 6, and BCCSA Code Clauses 16 and 18 in four material respects: failure to present opposing views (Clause 18); failure to report in correct context by omitting the 7 October triggering event (Clause 16); failure to provide editorial framing identifying the broadcast as partisan legal advocacy (s. 6); and failure to disclose the institutional source of casualty statistics (Clause 16). These failures are not individually trivial — collectively, they transform a legitimate legal proceeding into an unmediated government advocacy broadcast on one of the most politically contested issues of the period. A reasonable viewer watching this broadcast without prior knowledge of the conflict would receive a fundamentally incomplete and one-sided account. This is inconsistent with SABC's mandate as a public broadcaster serving all South Africans, including those whose political representatives (notably the DA) have expressed reservations about the ICJ case.



## CHAPTER 6 — Source Depth Check

### 1. UN Secretary-General (cited at 05:41 and 23:06)

- FUNDING:** United Nations — funded by member state contributions, including both Israel and South Africa. No direct financial conflict of interest.
- MANDATE:** The Secretary-General's mandate is to represent all UN member states and promote international peace and security. This mandate is compatible with neutral assessment but requires balanced representation of all parties.
- CONFLICT OF INTEREST:** The Secretary-General has an institutional interest in the UN's relevance and authority. Statements on humanitarian crises serve this institutional interest. No direct conflict on the substance of the genocide claim.
- CREDIBILITY MATRIX:** D1 Conflict of Interest: 0 | D2 Personal Risk: +1 | D3 Subject Competence: +2 | D4 Consistency: +1 | D5 Emotion vs. Data: 0 | D6 Source Level: +1 → TOTAL: +5 → GREEN (but note: selective citation degrades reliability in context)
- COUNTER-VOICE:** The Secretary-General's statements condemning Hamas and calling for hostage release are not cited. These statements exist in the public record and would contextualise the selective citations used in the broadcast.

NOTE: "Anerkannt" (recognised) is not a qualification. The Secretary-General's authority derives from his institutional role, not from independent expertise in genocide law.

### 2. UN Special Rapporteur on the Human Rights of Internally Displaced Persons (cited at 13:03)

- FUNDING:** UN Human Rights Council — member state funded.
- MANDATE:** Mandate is to report on displacement situations globally. Compatible with neutral assessment of displacement facts, but the rapporteur's role creates an institutional incentive to identify and highlight displacement.
- CONFLICT OF INTEREST:** Special Rapporteurs are appointed to find and report violations. This creates a structural incentive to identify problems rather than contextualise them. Not a neutral arbiter.
- CREDIBILITY MATRIX:** D1 Conflict of Interest: -1 | D2 Personal Risk: +1 | D3 Subject Competence: +2 | D4 Consistency: +1 | D5 Emotion vs. Data: 0 | D6 Source Level: +1 → TOTAL: +4 → YELLOW
- COUNTER-VOICE:** Israeli government responses to Special Rapporteur findings; independent assessments of displacement methodology.

### 3. UN Special Rapporteur on the Right to Health (cited at 17:55)

- FUNDING:** UN Human Rights Council.
- MANDATE:** Mandate is to report on health rights violations. Same structural incentive as above.
- CONFLICT OF INTEREST:** Same as above — mandate creates incentive to identify violations.
- CREDIBILITY MATRIX:** D1 Conflict of Interest: -1 | D2 Personal Risk: +1 | D3 Subject Competence: +2 | D4 Consistency: +1 | D5 Emotion vs. Data: 0 | D6 Source Level: +1 → TOTAL: +4 → YELLOW
- COUNTER-VOICE:** Israeli Ministry of Health data; IDF statements on hospital operations.

### 4. UN Special Rapporteur on Violence Against Women and Girls (cited at 18:28)

- FUNDING:** UN Human Rights Council.
- MANDATE:** Mandate is women's rights — not international criminal law or genocide law specifically.
- CONFLICT OF INTEREST:** Statement that reproductive violence "could be qualified as acts of genocide" is outside her core competence. The conditional "could" is legally significant and is not emphasised in the broadcast.
- CREDIBILITY MATRIX:** D1 Conflict of Interest: -1 | D2 Personal Risk: +1 | D3 Subject Competence: 0 (women's rights expert, not genocide law expert) | D4 Consistency: +1 | D5 Emotion vs. Data: -1 | D6 Source Level: +1 → TOTAL: +1 → YELLOW
- COUNTER-VOICE:** International criminal law scholars on the genocide threshold for reproductive violence; Israeli government response.



## 5. World Health Organization (cited at 17:04 and 19:42)

- 1. FUNDING:** UN member states — including Israel and South Africa.
- 2. MANDATE:** Global public health — compatible with neutral assessment of health data.
- 3. CONFLICT OF INTEREST:** WHO has an institutional interest in highlighting health crises. Data is generally reliable but is here cited exclusively in support of one legal argument.
- 4. CREDIBILITY MATRIX:** D1 Conflict of Interest: 0 | D2 Personal Risk: +1 | D3 Subject Competence: +2 | D4 Consistency: +1 | D5 Emotion vs. Data: +1 | D6 Source Level: +1 → TOTAL: +6 → GREEN
- 5. COUNTER-VOICE:** Israeli Ministry of Health data on Gaza health system; independent epidemiological assessments.

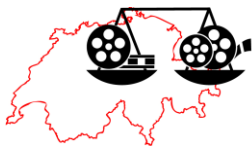
### OVERALL SOURCE ASSESSMENT:

All cited sources are UN bodies. None are independent legal scholars, Israeli government sources, or organisations with a mandate to assess the genocide claim neutrally. The UN sources are generally credible for humanitarian data (GREEN/YELLOW) but are cited selectively and exclusively in support of one legal argument. The broadcast does not disclose the institutional mandates or structural incentives of any cited source. This is inconsistent with the accuracy and correct context requirements of BCCSA Clause 16.

*Analysis completed. All findings are based on the transcript provided. Timestamps are as marked in the source transcript. All direct quotations are in the original language of the transcript (English). This analysis is prepared for purposes of Broadcasting Act s. 6 compliance assessment and does not constitute a legal opinion on the merits of South Africa v. Israel (ICJ, 2024).*

## Legal and Methodological Notes

<b>No factual determination</b>	The results presented do not constitute factual determinations about individual persons, editorial teams, or broadcasts. They are the product of a standardized operationalization, not a finding of individual responsibility.
<b>No legal judgment</b>	The aggregated deviation index does not replace a legal assessment under Broadcasting Act s. 6. The determination of whether a specific broadcast violates legal requirements is exclusively the responsibility of the competent authorities (in particular BCCSA).
<b>No proof of causation</b>	Statistical correlations are not to be interpreted as proof of causal relationships or editorial intent. Deviation values may be influenced by topic selection, news environment, political controversy, or format logic.
<b>No judgment of intent</b>	The analysis measures observable structural characteristics of broadcasts. A score of 7 means a significant imbalance was detected — not that the editorial team intended it. The methodology makes no claims about motives or strategic objectives.
<b>Heuristic comparison tool</b>	The index serves comparative pattern recognition across thousands of broadcasts, not precise metric measurement of individual segments. Threshold values serve heuristic orientation, not sharp legal qualification.



## APPENDIX 1: NATIONAL BROADCASTING LAW

### South Africa — Legal Framework for Broadcasting Impartiality

#### Primary Legislation

##### Broadcasting Act 4 of 1999 (as amended)

The Broadcasting Act establishes the South African Broadcasting Corporation (SABC) as a public broadcaster and defines its Charter obligations.

Section 6 — Charter of the Corporation:

The SABC Charter mandates that the public broadcaster must:

- Provide programming that reflects South African attitudes, opinions, ideas, values and artistic creativity
- Offer a plurality of views and a variety of news, information and analysis
- Provide significant news and public affairs programming that meets the highest standards of journalism, including fairness, accuracy, and impartiality

Section 10 — Editorial Independence:

The SABC's news and current affairs programming must be independent from government or political party influence. The Board must ensure editorial policies that safeguard journalistic integrity.

##### ICASA Act 13 of 2000

The Independent Communications Authority of South Africa (ICASA) is the regulatory body responsible for broadcasting licensing and compliance.

##### Electronic Communications Act 36 of 2005

Provides the overarching regulatory framework for electronic communications, including broadcasting standards.

##### BCCSA Broadcasting Code of Conduct

The Broadcasting Complaints Commission of South Africa (BCCSA) enforces the Free-to-Air Broadcasting Code of Conduct, which includes:

Clause 16 — News:

- News must be reported truthfully, accurately and fairly
- News must be presented in the correct context and in a balanced manner
- Only verified facts may be presented as facts; opinions must be clearly identified as such

Clause 17 — Comment:

- Comment must be clearly distinguished from fact
- Comment must be an honest expression of opinion and must be presented fairly

Clause 18 — Controversial Issues of Public Importance:

- When a programme deals with a controversial issue of public importance, opposing views must be presented, either within the same programme or in a follow-up programme within a reasonable time
- This requirement applies to all broadcasting services

Clause 20 — Elections:

- During election periods, broadcasters must ensure equitable treatment of all political parties
- ICASA issues specific election broadcasting regulations

#### Regulatory / Complaints Bodies

Body	Role	Binding?
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ICASA (Independent Communications Authority of South Africa)	Licensing, spectrum, compliance enforcement	Yes — can fine, revoke licences
BCCSA (Broadcasting Complaints Commission of South Africa)	Content complaints (bias, fairness, accuracy)	Yes — can reprimand, fine, require corrections
SABC Board	Internal editorial oversight	Internal
Parliament Portfolio Committee on Communications	Political oversight of SABC	Indirect

### Notable Enforcement

- May 2024: ICASA fined SABC R500,000 for refusing to broadcast the Democratic Alliance's election advertisement showing a burning South African flag, ruling that SABC violated the right to free political communication.
- 2016: Western Cape High Court ordered removal of COO Hlaudi Motsoeneng for systematic censorship and political interference at SABC.
- 2017: Labour Court ruled that dismissal of the "SABC 8" journalists (who protested censorship of protest footage) was unlawful.

### Equivalent to Other Countries

Country	Law	South African Equivalent
CH	Art. 4 RTVG	Broadcasting Act s. 6 (SABC Charter)
SE	Radio- och TV-lagen 5 kap.	BCCSA Code Cl. 16-18
DE	MStV §26	ICASA Act + BCCSA Code
NO	NRK-vedtektene §6	Broadcasting Act s. 10 (Editorial Independence)



## APPENDIX 2: SCIENTIFIC REFERENCES

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### SVFAB Working Papers

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- Schläpfer, D. (2026). Systematic AI-Assisted Analysis of Public Broadcaster Impartiality: A Scalable Methodological Framework for Measuring Structural Bias in Public Service Media. [SSRN 6688478](#)
- Schläpfer, D. (2026). Measuring Editorial Noise: A Retrospective Suppression Index for Public Broadcasting Content Analysis. [SSRN 6733280](#)
- Schläpfer, D. (2026). Source Traffic Light: A Six-Dimensional Credibility Framework for Systematic Source Assessment in Public Service Media. [SSRN 6733880](#)

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**You think you see the world.** In Wirklichkeit siehst du den Rahmen, den jemand um sie gelegt hat. Framing ist die älteste und eleganteste Manipulationstechnik der world. Sie verändert nicht die Fakten – sie verändert, was wir aus den Fakten machen. Wie wir fühlen. Was wir glauben. Wie wir entscheiden. Und sie funktioniert – weil wir alle mitmachen. Täglich. Unbewusst. Auch du. Dieses Buch ist kein trockenes Lehrbuch. Es ist ein Übungsbuch – spielerisch, direkt, voller Beispiele aus dem echten Leben. Du lernst nicht nur, wie andere dich framen. Du lernst, wie du selbst framest – und wie du es bewusst und fair einsetzen kannst.

Because whoever understands framing sees the world more clearly. Hears news differently. Conducts conversations more confidently. And no longer so easily accepts a frame chosen by someone else.



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With many exercises and concrete examples from politics, media and everyday life – and the occasional smile.

**Framing with style. Because the frame changes everything.**



The SRG collects 1.56 billion francs per year – compulsorily, from every household. Those who feel unfairly treated can file a complaint. There is even an authority for this: the UBI, the Independent Complaints Authority for Radio and Television.

But: It is not independent. It has no sanctioning power. And it decides in 99.6% of all cases: nothing.

This analysis exposes the system – factual, precise, without polemics. Procedures, personnel, powers, costs, statistics, legal recourse. And the constitutional review showing: the UBI system meets none of the three fundamental criteria – it is not proportionate, not separated by powers, not market-based.

The authority supposed to protect citizens primarily protects the system it should be overseeing.

Essential reading for anyone considering a complaint – and for anyone who wants to understand why genuine media oversight in Switzerland is still pending.