

The Israeli war on Gaza under international humanitarian law
(2023-2024)

Prepared BY: Rami Ismail

Table of Content

Chapter 1 Introduction	5
1.1 Background of the Study	5
1.2 Statement of the Problem.....	6
1.3 Objectives of the Study	6
1.4 Hypothesis.....	7
1.5 Literature Review.....	7
1. 6 Research Methodology	8
1.7 Scope and Limitation of Study	8
1.8 Contents of the Study.....	8
Chapter 2: The Status of Gaza Strip under International humanitarian Law.....	9
Chapter 3: Results of Israeli Aggression on the Gaza Strip in 2023-2024	10
3.1 Killing and Wounding Civilians	11
3.2 The Forced Displacement of the Palestinian People.....	12
3.3 The Destruction of Houses and Civilian Objects.....	13
3.3.1 The Destruction of Schools	13
3.3.2 The Destruction of Hospitals.....	14
3.3.3 Destruction of Universities.....	14
3.3.4 Destruction of Infrastructure	15
3.3.5 The Destruction of Roads.....	19
3.3.6 The Destruction of Water Supply Systems.....	19
3.3.7 Electricity Supply Systems' Destruction:	20
3.3.8 Closing Area Siege and Lack of Food and Medical Supplies	20
3.4 The Destruction of Charities	20
3.4.1 The Destruction of Mosques.....	21
3.5 Intentionally Directing Attacks Against Buildings, Material, and Medical Units.....	21
3.6 Intentionally Directing Attacks Against Educational and Cultural Buildings.....	22
3.7 The Bombing of Places of Worship and Graveyards.....	22
3.8 Tightening the Blockade on the Gaza Strip	23
Chapter 4: International Humanitarian Law and Responsibility of the Israeli Occupation....	23
<i>Responsibility of the Israeli Occupation</i>	23
<i>Responsibility of the International Community</i>	24
<i>Responsibility of International Organisations</i>	25
4.1 War Crimes	26

4.2 Crimes Against Humanity.....	27
4.3 The Crime of Genocide.....	27
4.3.1 <i>Air Attacks on Schools and Civilian Shelters</i>	28
Case 1: School of UNRWA attacked in Jabalia	28
Case 2: The Bombing of the Al-Fakhoura School	28
Prohibition of Attacks on Schools and Civilian Centers.....	29
South Africa’s Submission to the ICC	29
The ICC's Decision on the War and Its Implications	30
Chapter 5: Trial Procedures of Israeli Occupation	30
5.1 National Legal Mechanisms	31
5.2 International Legal Mechanisms.....	31
5.3 Universal Jurisdiction	32
5. 4 Challenges to Accountability	32
Chapter 6: Conclusion, Recommendations, Limitations, and Future Research	33
6.1 Conclusion	33
6.2 Recommendations.....	33
6.2.1 <i>Strengthening International Accountability Mechanisms</i>	33
6.2.2 <i>Enhancing Transparency in National Investigations</i>	34
6.2.3 <i>Supporting victims and reconstruction</i>	34
6.3 Limitations	Error! Bookmark not defined.
6.3.1 <i>Challenges in Data Collection</i>	34
6.3.2 <i>Political Sensitivities</i>	34
6.3.3 <i>Limited Cooperation with International Legal Bodies</i>	35
6.4 Future Research	35
6.4.1 <i>Impact of Long-Term Blockade on Gaza</i>	35
6.4.2 <i>Psychological and Social Consequences of Conflict</i>	35
6.4.3 <i>Effectiveness of International Legal Interventions</i>	35
6.4.4 <i>Strategies for Conflict Resolution and Peacebuilding</i>	35
6.4.5 <i>Role of Non-State Actors in the Conflict</i>	36
References.....	37

Abstract

This study focuses on the Gaza conflict of 2023-2024 and seeks to understand whether the Israeli military operations carried out in this context conform to International Humanitarian Law. The work analyses whether those actions, accompanied by many civilian casualties, mass displacement, and infrastructural destruction, could be carried out without breaching the principles of distinction, proportionality, and precaution. In addition, the research examines the obligations of Israel as an occupying entity and the obligations of the international community or its agencies about potential war crimes and crimes against humanity. The study examined some challenges using qualitative approaches and design, case study analysis, and content analysis of legal documents and reports. The study offers empirical evidence to suggest that some of the measures adopted by Israel during the military might be termed as breaching the provisions of IHL, which raises essential concerns on who will be held accountable and the role of legal instruments. The paper concludes with some observations on the future development of international accountability mechanisms and their effects on national proceedings, conflict prevention and resolution, and the establishment of peace in the region.

Chapter 1 Introduction

1.1 Background of the Study

The area known as Gaza, which sits on the eastern coastline of the Mediterranean, spans a flat stretch of approximately 365 square kilometers (Staff, 2023). Despite its small area, the Gaza Strip still has land in almost the same area as that of Las Vegas, but its Population is over three times that of Las Vegas. The figure is about 2.23 million, the approximate number of people residing in the small territory. The war that started on October 7, 2023, has killed over 1% of Gaza's total Population. In Gaza, over 27 thousand Palestinians have died. An estimated 80% of people have now become internally homeless. Such an increased overcrowding of the Population places even more humanitarian burdens on the people, especially during war times (Anera,2024).

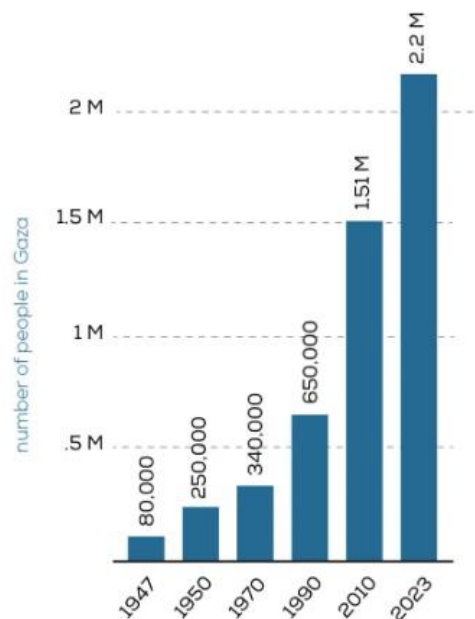


Figure 1 Total population of the Gaza Strip from 1950 to 2015 with projections until 2050

Source (Anera., 2024)

Gaza is internationally recognized as part of the occupied Palestinian territories, along with the West Bank and East Jerusalem. The United Nations and various international bodies have consistently affirmed this status through numerous resolutions, including United Nations Security Council Resolutions 242 and 338, which call for the withdrawal of Israeli forces from territories occupied in the 1967 Six-Day War (Britannica, 2019). The Oslo Accords, signed in the 1990s, further solidified this recognition by establishing a framework for Palestinian self-governance in these areas, including Gaza (Britannica, 2020). However, despite Israel's withdrawal of settlers and military forces from Gaza in 2005, it continues to exert significant control over the territory, particularly its borders, airspace, and maritime access. This ongoing control has led to Gaza being described as an "open-air prison" and is viewed by many as evidence of continued occupation under international law (Human Rights Watch, 2021).

The 2023-2024 escalation in violence is the latest chapter in a prolonged conflict that has seen repeated military operations and rocket fire, causing substantial civilian casualties and widespread destruction. This study examines Israel's recent military actions in Gaza within the framework of International Humanitarian Law (IHL), questioning whether these actions align with the legal norms established by treaties such as the Geneva Conventions.

1.2 Statement of the Problem

The primary problem addressed in this study is whether Israel's conduct in the Gaza Strip during the 2023/24 conflict breached International Humanitarian Law. The legality of military actions which claimed the lives of civilians in Gaza, destroyed civilian infrastructure, and deliberately blockaded essential goods and services to an entire territory will be invariably analysed.

1.3 Objectives of the Study

To assess the legality of IDF military operations in Gaza from 2023-24, under IHL

- To document the impact of these actions on the civilian population.

- To assess the response of the international community to these events.
- To explore the implications of these findings for future conflict resolution and international justice.

1.4 Hypothesis

The study hypothesizes that Israeli actions in the Gaza Strip during 2023-2024 may be considered as violations of International Humanitarian Law and, precisely, regarding the protection of civilian's principle – particularly related to direct attacks — and without regard towards proportionality in war.

1.5 Literature Review

Due to its implications on international law, human rights abuses, and politics, there is already an existing large body of literature surrounding the current armed conflict between Israel and Gaza. This literature sheds light on the nuances of conflict in Kashmir and its relationship to international humanitarian law (IHL). The research to date has served a critical purpose in articulating the legal duties that both state and non-state actors engaged in the conflict are under, as well as raising questions about how it might reshape our broader understanding of international law-given human rights.

B'Tselem (2023) provides an elaborate account of attacks against civilians and civilian objects in the Gaza Strip, showcasing different forms of violence and their impact on the Palestinian population. Recording particular events and analysing whether or not they complied with the provisions of IHL is also very valuable. Focusing on human rights aspects of the conflict, B'Tselem also provides a basis for understanding the legal responsibilities of different actors.

Thus, in Human Rights Watch (Human Rights Watch 2024), there is an effort of the author to describe what happened in 2023, paying attention to the fact of the escalation of cruelties and their impact on Israelis as well as Palestinians. This work also analyses the actions of the sides based on the IHL principles, such as proportionality and necessity. More importantly, Human

Rights Watch's analysis enables us to learn more about this war than how politics or instruments of power are played out in it or affect its military strategies.

The International Committee of the Red Cross (ICRC) recently issued a report on IHL in Gaza. From a legal point of view, the report looks at belligerents' obligations. The current ICRC report focuses on protecting civilians, conducting hostilities, and challenges to compliance with IHL in urban settings. This report will be crucial in determining the legal approaches to this conflict and the obstacles to IHL.

1. 6 Research Methodology

This study's approach is qualitative. It uses case study analysis, legal analysis of documents, and content analysis of reports from international organizations and NGOs. Information will be gathered through primary sources, such as United Nations resolutions and official statements from the Israeli government, interviews and testimonies, and secondary sources, such as journals and newspaper articles.

1.7 Scope and Limitation of Study

The study is directed explicitly at Israeli military operations in Gaza from 7 October 2023 to 31 August 2024. It concentrates on the conflict's legal and humanitarian implications as framed by International Humanitarian Law (IHL). This research will not delve into wider political negotiations or the historical background of the conflict beyond what is necessary for context.

1.8 Contents of the Study

- Chapter 1: Introduction
- Chapter 2: The Status of Gaza Strip under International Humanitarian Law
- Chapter 3: Results of Israeli Aggression on the Gaza Strip in 2023-2024
- Chapter 4: International Humanitarian Law and Responsibility
- Chapter 5: Trial Procedures and Accountability
- Chapter 6: Conclusion and Recommendations

Chapter 2: The Status of Gaza Strip under International humanitarian Law

The Gaza Strip's status under International Humanitarian Law (IHL) is one of the most polemical and legally intricate issues in the Israeli-Palestinian conflict (Lardo, 2020). Since the Six-Day War in 1967, Gaza has been under Israeli occupation since then (unilateral), a position which has been maintained even after Israel withdrew its settlers and military forces from the area (Britannica, 2023). However, Israel still wields significant authority over Gaza's borders, airspace as well and maritime access, hence maintaining its effective control of the territory (B'Tselem, 2023). As per Fourth Geneva Convention provisions, Gaza is viewed as an occupied territory with specific legal obligations for Israel as an occupying power. These include taking care of the welfare of civilians and protecting them from violence and acts constituting collective punishment (Jaber, 2023).

International Humanitarian Law, including Geneva Conventions and Additional Protocols, is relevant to the ongoing conflict in the Gaza Strip (Baldwin, 2023). In this regard, core principles like distinction, proportionality, and precaution are very important. Distinction requires that parties to a conflict differentiate between combatants and non-combatants so that they target only legitimate military objectives (ICRC, 2014). Proportionality forbids launching attacks expected to cause excessive civilian suffering compared to anticipated military gains. Precaution demands that all parties do everything feasible to minimize harm to civilians during their activities related to armed conflict (Human Rights Watch, 2023).

Israel holds responsibility under IHL as a de facto occupying power for protecting civilians in Gaza (Lardo, 2020). They must have free access to and delivery of essential commodities such as food items, medicine supplies, or humanitarian aid without delay. Furthermore, any object used solely for civilian purposes, including houses, schools, hospitals, or places of worship, should never be targeted unless it changes its role by being converted into objects serving military purposes (Amnesty International, 2023). However, the continuing Israeli blockade is

seen by many as a classic punishment on Gaza, and as such, this amounts to collective punishment, which is unequivocally banned in IHL (United Nations, 2023).

International organizations, including the U.N., Human Rights Watch, and Amnesty International, have documented IHL violations by Israel in Gaza. These violations include excessive use of force, such as airstrikes in densely populated areas, resulting in high numbers of civilian casualties. The destruction of buildings meant for ordinary people, like houses, schools, and hospitals, during armed conflict has also been extensively reported (Human Rights Watch, 2023). Furthermore, the existing blockade on Gaza, spanning over a decade, worsens the humanitarian situation as it denies access to necessities and can be considered collective punishment (Amnesty International, 2023).

The international community's failure to pay attention to Gaza's conditions is a disservice to international law, especially the protection of civilians under IHLs. Although the United Nations has passed many resolutions and issued countless reports, all in an attempt to call for compliance with IHL in Gaza, it is still complicated to do so. The International Criminal Court (ICC) has opened investigations into possible war crimes committed in the Strip, which indicates that these allegations are grave enough to warrant judicial mechanisms addressing breaches of IHL (Al Jazeera, 2024).

Under International Humanitarian Law, Gaza can be viewed as an occupied territory, which means certain clinical obligations of the occupying power, Israel. The ongoing fighting and multiple operations have stirred up concerns about Israel's compliance with IHL, especially as it pertains to the principle of distinction as well as the prohibition of the use of human shields, attacks on civilians, and the principle of proportionality, not to mention the pillage. Nonetheless, there are challenges to ensuring compliance or accountability even though they attempt to monitor and enforce IHLS within the Gaza Strip (B'Tselem, 2023).

Chapter 3: Results of Israeli Aggression on the Gaza Strip in 2023-2024

According to Shorrab (2024), the military operations Israel carried out in the Gaza Strip between 2023 and 2024 had dire consequences on the innocent civilians and infrastructure of the area. This section provides an examination of the main impacts of these actions, focusing on civilian deaths, forced displacement, destruction of homes and infrastructure, and essential services.

3.1 Killing and Wounding Civilians

A significant number of civilian casualties have been reported following Israeli military operations in Gaza. Airstrikes and artillery shelling in densely populated areas have resulted in thousands of civilians – including women and children – losing their lives or being injured, based on reports emerging from various international organizations like Human Rights Watch and Amnesty International (Human Rights Watch, 2024). These attacks often occurred in areas with few or no military targets, thus raising concerns about possible violations of the principle distinction under International Humanitarian Law (IHL). The figure of this death toll is based on the Palestinian MoH that by 10 November, about 4,506 children had been killed, and around 1,500 were missing and possibly dead or trapped under the debris waiting to be discovered or retrieved (ReliefWeb, 2023).

This has been widely criticized as it is viewed as using explosive weapons with wide-area effects that cause excessive harm to civilians compared to any anticipated military advantage (Inew.org, 2021). The death toll was raised by such moves as the demolition of entire residential buildings, sometimes without notice, resulting in mass movements by families (Siddiqui, 2024). On December 28th, there was intense Israeli bombing from land, sea, and air across most parts of the Gaza Strip. Intense fighting between Israeli forces and Palestinian armed groups also took place in most locations except for Rafah; rockets were also fired toward Israel (Unocha.org, 2023). On December 27-28 afternoon alone, according to Gaza's Ministry of Health (MoH), at least 210 Palestinians died while another 325 individuals sustained injuries.

Moreover, MoH's statistics for this period ending on December 28th in the morning hours indicated that at least twenty-one thousand three hundred twenty people died in Gaza. Women and children are said to make up approximately 70% of those killed. At least fifty-five thousand six hundred-three Palestinians have been injured by then, too. Many people are still missing, believed to be buried under the debris and awaiting rescue or recovery. On December 28th, the Israeli military announced that three more soldiers had died in Gaza. This was revealed by the Israeli forces, who stated that since their ground operation began, they had lost a total of one hundred and sixty-five men, including nine hundred and twenty-one who were wounded (Unocha.org, 2023)

3.2 The Forced Displacement of the Palestinian People

In this respect, thousands of Palestinian families have had to flee their homes because of the intense and sustained military operations (ReliefWeb, 2024). According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), there has been an unprecedented increase in the number of internally displaced persons (IDPs) in Gaza, with most settling into overcrowded and under-resourced shelters (Unocha.org, 2023). Humanitarian agencies working on the ground are suggesting that at least 100,000 internally displaced persons (IDPs) have arrived in Rafah over recent days following increased hostilities in Khan Younis and Deir al Balah as well as evacuation orders from Israeli forces. As estimated by December 20th, Rafah was considered one of the most densely populated places in Gaza, having more than 12,000 people per square kilometer. The newly arriving IDPs only worsen the situations related to overpopulated conditions and resource scarcity (Unocha.org, 2023).

Besides direct attacks against them, forced displacement results from destructions that render many areas uninhabitable. It has disrupted the lives of those affected and access to basic services such as healthcare, education, and employment opportunities. This amounts to a

breach of protection norms when far from ensuring the safety or well-being of evacuated populations (Unocha.org, 2023).

3.3 The Destruction of Houses and Civilian Objects

One of the most glaring impacts resulting from the Israeli aggression in Gaza has been the large-scale destruction of homes and public facilities. (Bayar, 2024). Thousands of houses have been leveled by airstrikes on purpose, leaving them destroyed or with extensive damage that cannot be restored. According to a statement released by B'Tselem, an Israeli human rights organization, several families are now homeless as entire neighborhoods were demolished through aerial attacks, thereby worsening the humanitarian catastrophe (B'Tselem, 2024).

3.3.1 The Destruction of Schools

Those in power did not spare educational institutions in Gaza from violence. Some schools have been damaged or razed to the ground, interrupting learning for tens of thousands of children. The problem with such an act is that it deprives Palestinians of both their right to education and long-term development in Palestinian society. Under international humanitarian law (IHL), schools are protected objects whose targeting is generally forbidden except when used for military purposes, which was not true in many cases, as reported (Ilyashevich, 2024, June). According to a report by OCHA, “+70% of civilian infrastructure- including homes, hospitals & schools- have been destroyed or severely damaged.” (Bayar, 2024).

Since November 6th, 2023, no student in Gaza has attended any school after the Ministry of Education called off its academic year for 2023-2024 due to indiscriminate shelling and the bombing of residential areas such as offices and schools. They argue they were battling Hamas militants, but rights groups claim Tel Aviv made no effort to protect innocent lives. As per OCHA's records dated October 27th, 2023, there were approximately more than twenty-two thousand five hundred teachers throughout Gaza, while pupils constituted over six hundred twenty-five thousand.

3.3.2 The Destruction of Hospitals

Also affected during hostilities were health centers and medical institutions that either got hit or became collateral damage, hence seriously impairing the capacity of healthcare providers to handle war casualties. (Hassan et al., 2024). Hospitals have been destroyed, leaving a shortfall in medical supplies and pushing the remaining ones to breaking point as they try to manage mass injuries. Under international humanitarian law (IHL), attacking hospitals is prohibited unless it can be shown that such units are being used for enemy purposes (Asi,2021).

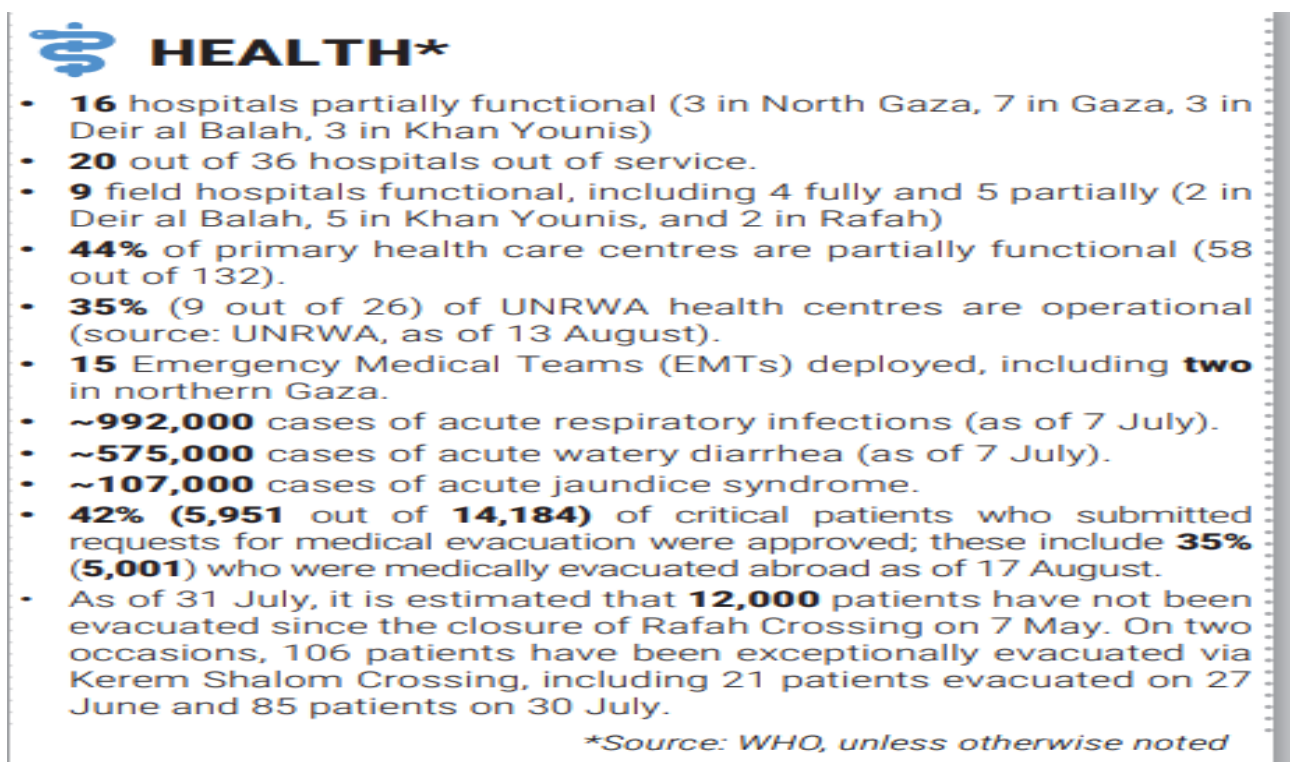


Figure 2 Reported impact snapshot | Gaza Strip (21 August 2024)

Source (OCHA, 2024b)

3.3.3 Destruction of Universities

A massive wreckage to universities in Gaza was caused by the conflict. This attack on higher education disrupts academic activities and destroys research and development, essential for socio-economic advancement. The destruction of Palestinian society's intellectual and cultural fabric is an irrevocable loss. Published by the Israeli media on January 17th, a video has shown how Israeli forces demolished Israa University in the south of Gaza city. Besides this,

university authorities claimed that before demolishing it, Israel first occupied its premises and used it as a military base and detention center for months. Additionally, the Euro-Med Human Rights Monitor said that Israeli soldiers killed 94 professors from universities. According to the monitor, there was “intentional destruction of Palestinian cultural and historical properties” (Shamim, 2024).

3.3.4 Destruction of Infrastructure

Furthermore, during the fighting, significant infrastructures such as roads, water systems supply, and electricity distribution networks were systematically destroyed across the Gaza Strip. The destruction of these networks has hampered the movement of people, including goods, thus making it difficult to provide humanitarian aid or emergency services. The targeting of water supply systems has led to many areas experiencing a shortage of clean water, which has contributed to many waterborne diseases throughout various places within that region. Electrical installations have been targeted, leading to blackouts in hospitals, schools, and households, worsening the plight of the people. The damages incurred to essential facilities in Gaza are estimated to cost about \$18.5 billion, states a new report made by the World Bank and the United Nations with the financial support of the European Union today. That is equal to 97 percent of the West Bank and Gaza’s total Gross Domestic Product, which in the year 2022 was estimated to be \$ 13,395 million (World Bank Group, 2024).

KEY FIGURES


40,223
Palestinian fatalities

Source: MoH Gaza


~1.9 million
internally displaced persons
(90% of Gaza)

UN estimate


495K
People facing catastrophic levels
of food insecurity (IPC Phase 5).

Source: IPC projection for 1 May - 30 September 2024

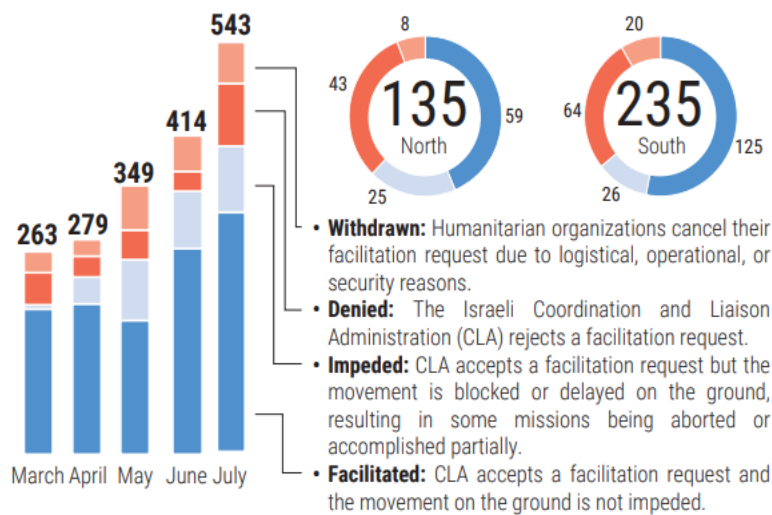

0 hours
Full electricity blackout

Source: GEDCO



HUMANITARIAN ACCESS (1-20 Aug)

Missions requiring coordination with the Israeli authorities





FOOD SECURITY

- **96%** of the analyzed population (2.15 million) is projected to face crisis or worse levels of food insecurity (IPC 3 or above), including:
 - **745K** people facing emergency levels of food insecurity (IPC Phase 4).
 - **495K** people facing catastrophic levels of food insecurity (IPC Phase 5).
- **60-70%** of meat and dairy-producing livestock killed or prematurely slaughtered (source: FAO).
- **65%** of cropland & **33%** of greenhouse area damaged, (source: FAO, UNOSAT)
- **70%** of the fishing fleet destroyed (Food Security Sector, August 2024)

* Source: IPC projection for 16 June - 30 September 2024



NUTRITION*

- Over **96%** of women and children aged 6-23 months are not meeting their nutrient requirements due to lack of minimum diet diversity.
- **346,000** children under five and **160,000** pregnant and breastfeeding women require feeding and micronutrient supplements.
- **>50,000** children are estimated to require treatment for acute malnutrition in 2024.

*Source: Nutrition Cluster



EDUCATION*

- **~625,000** students with no access to education.
- **39,000** 12th grade students were deprived of the opportunity to take their General Secondary Examinations (also known as Tawjihi).
- **9,773** students and **409** educational staff killed and **>15,235** students and **2,411** teachers injured (source: MoE, as of 20 August).
- **85%** of school buildings (477 out of 564) directly hit or damaged and require either full reconstruction or major rehabilitation (as of 6 July).

*Source: Education Cluster, unless otherwise noted



SHELTER*

- **1.5 m²** average space per person in IDP shelters, below the minimum standard of 3.5 m² per person.
- **~100,000** households estimated to be in urgent need of shelter support.

*Source: Shelter Cluster

Gaza****



330

Reported fatalities



2,229

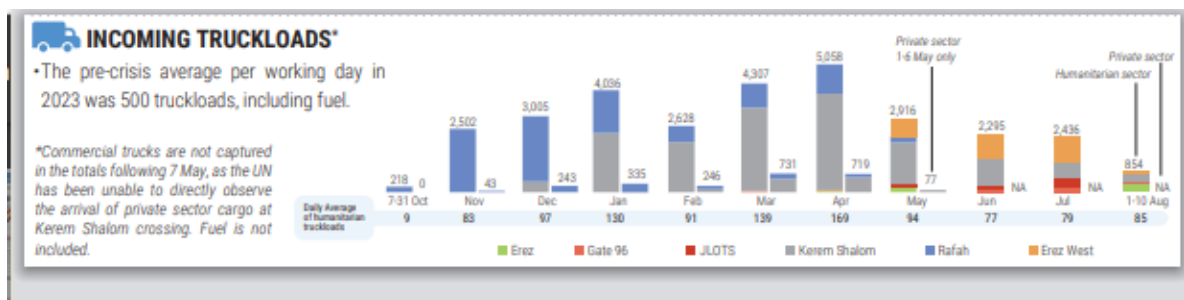
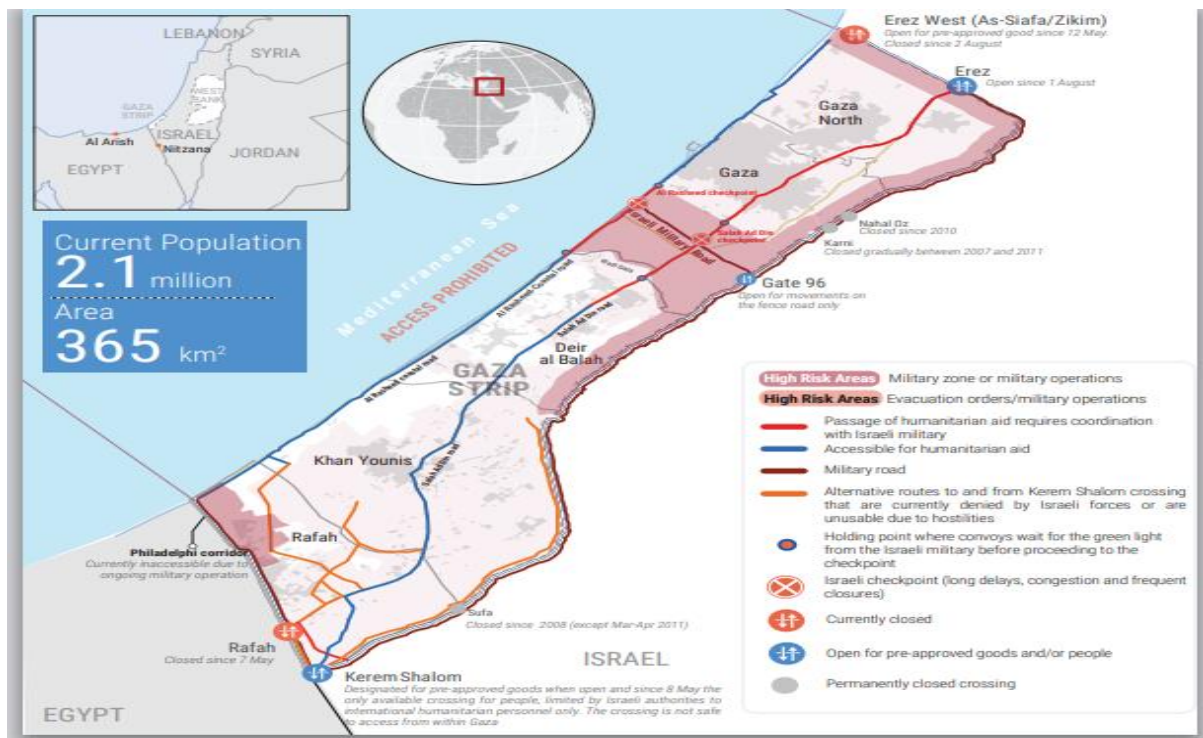
Reported injuries

estimated 109 hostages remain in Gaza

** According to Israeli media citing official sources.

*** This includes fatalities on 7 October and the immediate aftermath, including foreign nationals.

**** The reported Israeli casualties are soldiers killed or injured since the start of the ground operation (source: Israeli military website).



REPORTED DAMAGE

- **>60%** of residential buildings & **>80%** of commercial facilities (source: World Bank, as of Jan 2024).
- **65%** of the total road network (source: UNOSAT, as of 29 May).
- **190** UNRWA installations. (source: UNRWA).
- **130** ambulances (source: MoH Gaza).



Figure 3 Reported impact snapshot | Gaza Strip (21 August 2024)

(OCHA, 2024b)

3.3.5 The Destruction of Roads

Infrastructure such as roads and road networks have been badly affected, especially in delivering aid. It has not only made mobility within the Gaza Strip limited but also the rescue operations and timely delivery of humanitarian aid (Al-Bazz, 2022)

3.3.6 The Destruction of Water Supply Systems

Some water facilities have been attacked or damaged, resulting in temporary or total rationing of clean water for drinking. This has significantly increased the risk of disease outbreaks, placing further strain on the already limited health resources in the region (Oxfam International, 2024) The Office for the Coordination of Humanitarian Affairs report indicates that by February 16th, the water production rate in Gaza was only 5.7% of what it was before the current hostilities (OCHA, 2024). Since many water sources were inaccessible and flooding and subsequent damages destroyed sewage and wastewater systems, diseases such as Hepatitis A diarrhea or cases of severe dehydration have developed. Water scarcity for washing and contamination of the environment due to poor sanitation systems have significantly contributed to disease outbreaks (Human Rights Watch, 2024).

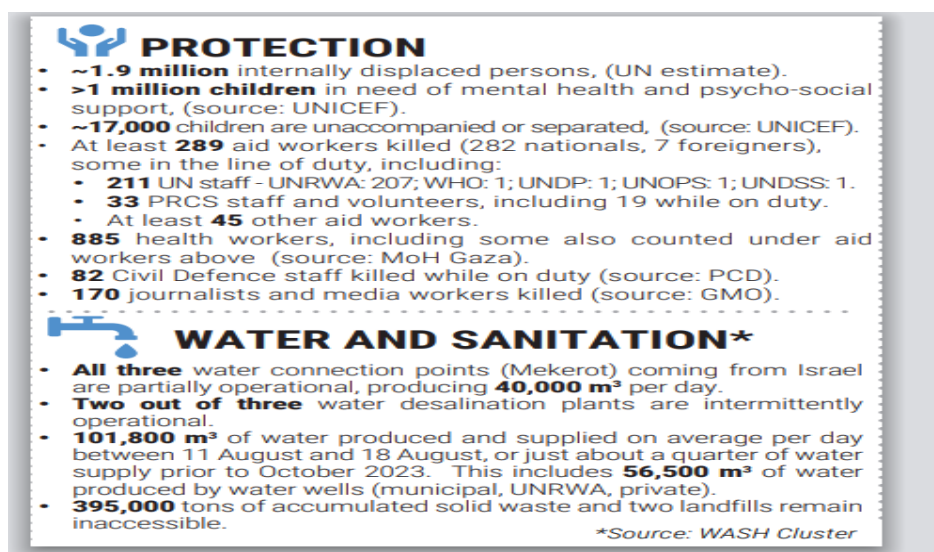


Figure 4 Reported impact snapshot | Gaza Strip (21 August 2024)

(OCHA, 2024b)

3.3.7 Electricity Supply Systems' Destruction:

Gaza's power infrastructure was deliberately damaged, leading to protracted blackouts. Without electricity, there are no hospitals, water treatment plants, or communication networks, thus deepening the humanitarian crisis (Diakona International Humanitarian Law Centre, 2023).

3.3.8 Closing Area Siege and Lack of Food and Medical Supplies

The ongoing Israeli blockade and siege became fiercer during the recent conflict in 2023-2024, thereby making it difficult for essential goods like foodstuffs, medicine substances, and fuel to enter Gaza. This siege is said to amount to collective punishment that IHL bans; it has caused critical shortages among necessities, worsening civilians' plight (Shorrab, 2024).

On October 9, 2023, Yoav Gallant, the Minister of Defense of Israel, remarked, "We encircle [Gaza] completely now; there is no electricity, no food, no water, no fuel – everything is shut down. We fight against human animals, and we behave similarly." That evening, the Mekorot water pipelines supplying Gaza were shut down. On October seven, when the attacks by Hamas on Israel began, Israel ceased providing electricity to Gaza, which is the leading supplier of electricity to the region. Up to March 19 this year, the Israeli authorities have not lifted the power outage in Gaza. Israel has also partially persisted in denying the infiltration of fuel into Gaza since then. The sole power plant in Gaza had its fuel stock depleted by October 11. Without fuel to run the diesel generators, the water and wastewater facilities in Gaza became non-functional (Human Rights Watch, 2024)

3.4 The Destruction of Charities

Ziberi (2024) states that during the conflict, charitable organizations and NGOs that are involved in providing vital services to Gaza's population have also become targets. The

destruction of their offices and premises has greatly impeded their capacity to supply aid and offer assistance, thus further worsening the humanitarian catastrophe. As such, many of the charities engage in life-saving activities such as food distribution, healthcare provision, and psychological support necessary for the survival and well-being of the most fragile groups in Gaza.

3.4.1 The Destruction of Mosques

In the course of Israeli military operations against Hamas during the 2023-2024 years of conflict in Gaza, several mosques were either destroyed or damaged. The BBC was able to confirm 74 out of 117 religious sites that were reportedly razed or ruined between when Israel began its offensive on October 7 and December 31. Out of these, seventy-two are mosques, while two are churches (Kansara & Nour, 2024). Israel launched an offensive against Hamas after it attacked on October 7 (Kansara & Nour, 2024). Furthermore, IHL protects mosques as cultural structures /religious buildings and bans their elimination except if they serve military purposes. This is evidenced by various reports from human rights groups like Amnesty International and Human Rights Watch, which have found several instances where it discusses airstrikes hit or affected mosques with significant damage resulting from them (Amnesty International, 2024). Mosques play a central role in Palestinian society, acting not only as places for worship but also as education centers, social service facilities, and community meeting points, so destroying them breaks down social cohesion within this community

3.5 Intentionally Directing Attacks Against Buildings, Material, and Medical Units

One of the scariest things that stand out in the 2023-2024 Gaza conflict is the deliberate targeting of structures, property, and healing places. The International Humanitarian Law clearly states that medical facilities should not be attacked, neither should other civilian structures, unless they are used for military purposes. Nevertheless, there have been several cases, as indicated by the World Health Organization (WHO) and the International Committee

of the Red Cross, where during Israeli military operations, several hospitals, clinics, and ambulances were hit or otherwise damaged (Administrator, 2023; Hakki., & Stover, 2022). These attacks have had a devastating impact on healthcare providers' ability to treat casualties, thus aggravating the humanitarian crisis in Gaza. Non-medical buildings such as residential complexes and public facilities were also not spared in this war, raising serious questions about the observance of IHL principles of distinction and proportionality.

3.6 Intentionally Directing Attacks Against Educational and Cultural Buildings

Educational institutions such as schools and universities, among others, and cultural buildings such as cultural centres are also affected by these crises. The resultant loss of these institutions has long-term consequences on Palestinian society because they play key roles in imparting knowledge, preserving culture, and maintaining identity. It was estimated that some schools went down while others got extensively damaged, making it impossible for thousands of students to learn (Shamim, 2024). Targeting educational and cultural buildings deliberately violates IHL, which protects them from being bombed unless they are being used for military purposes. Destroying these grounds hinders the immediate learning process and jeopardizes efforts to rebuild and develop the area in the future.

3.7 The Bombing of Places of Worship and Graveyards

In addition to mosques, other places of worship, including graveyards within Gaza, have been subjected to bombing attacks or just destroyed (Saber, 2024). These locations hold immense religious, cultural, and emotional significance for the Palestinians, and their destruction is a grave infringement on IHL. The bombing of cemeteries is particularly grievous since it defiles the final resting places of loved ones and disrupts mourning customs and practices that accompany death (Amnesty International, 2024). The international community has severely criticized this kind of attack, considering that places of worship as well as graveyards are protected during armed conflict.

3.8 Tightening the Blockade on the Gaza Strip

The blockade of the Gaza Strip has been ongoing for over ten years, and it became stricter during the 2023-2024 conflict. It prevents access to vital commodities such as food, medicines, and fuel while restricting movement. Collective punishment is a term that has been used to describe this practice (ICRC, 2024). This has furthered the crisis in Gaza by subjecting the population to severe deficiencies of essential commodities and increasing the suffering among civilians. Blocking humanitarian agencies from delivering assistance is another aspect that worsens it all (UN OCHA, 2023).

Chapter 4: International Humanitarian Law and Responsibility of the Israeli Occupation

Therefore, it raises questions about international humanitarian law and different actors' roles and responsibilities towards Gaza under occupation by Israel, which is one of them. In line with IHL, particularly outlined in Geneva Convention IV, Israelis have specific duties toward ensuring the safety of the population within the Gaza Strip and the provision of essential services (ICRC, 2023). These aspects will be explored below while also focusing on the role played by the international community and other international organizations in addressing these violations.

Responsibility of the Israeli Occupation

Being a de facto occupying power in Gaza, Israel is bound by some principles under International Humanitarian Law that are meant to mitigate the effects of armed conflicts upon civilians or non-combatants. Some critical obligations expected from Israel under IHL include:

Protection of Civilians: Israel must keep its citizens safe from violence and harm emanating from Gaza, thus avoiding indiscriminate attacks, taking precautionary measures against civilian casualties, and preventing acts that amount to collective

punishment. This necessitates distinguishing between military targets and civilians (ReliefWeb, 2024).

Provision of Essential Services: Israel must provide essential services to its population, including food, water, health care, and humanitarian aid (Amnesty International 2019). The blockade that has been imposed on Gaza, which limits access to goods and services in the area, is seen by many as going against this duty and amounts to collective punishment (Human Rights Watch 2024).

Respect for Civilian Infrastructure: IHL requires Israel to respect civilian infrastructure such as houses, schools, hospitals, and religious sites and not direct attacks against them except in instances where they are used for military purposes. Concerns have been raised about Israel's compliance with IHL obligations due to the destruction of such infrastructure during military operations (Baldwin 2023).

Accountability for Violations: Israel is obligated to investigate allegations of IHL violations by its armed forces and ensure that those responsible are held accountable. This includes prosecutions of individuals who commit war crimes or other serious breaches of IHL (Baldwin, 2023)

Responsibility of the International Community

The international community plays a significant role in upholding International Humanitarian Law (IHL) and ensuring parties involved in a conflict adhere to their duties. Some responsibilities include:

Condemnation and Diplomatic Pressure: States and international bodies should censure any violation of IHL but also exert diplomatic pressure on Israel to comply with its obligations; these could involve sanctions, resolutions, or other measures meant to make Israel accountable for its actions (ReliefWeb, 2024).

Support for Accountability Mechanisms: The ICC is one of such mechanisms that must be supported by the international community so as it punishes those who violate IHL (International Criminal Court 2020)

Humanitarian Assistance: To help alleviate civilian suffering through humanitarian relief efforts in response to the humanitarian crisis in Gaza, it is incumbent upon global society (International Criminal Court, 2020) to provide humanitarian aid. This implies that assistance should be provided through the blockade and ongoing conflict (International Criminal Court, 2020).

Promotion of Peace and Conflict Resolution: The world community should also promote peace and strive to resolve such conflicts to respect the rights and human dignity of all parties involved. This includes facilitating dialogue, supporting negotiations, and addressing the underlying causes of the conflict (United Nations, 2018).

Responsibility of International Organizations

International organizations such as the United Nations, ICRC, and various NGOs have different missions of supervising the situation in Gaza and demanding compliance from the parties to the IHL protecting civilians.

Monitoring and Reporting: In the context of the conflict, organizations like the UN and ICRC, among others, must observe the conflict and assess compliance with IHL to present the findings to the international community. It is essential to create awareness of the violation and ensure that people take action to change the situation (Herzberg, 2022).

Advocacy and Protection: IOs call for safeguarding civilians' lives and compliance with the provisions of IHL. Their goal is to guarantee compliance with the recognized standards by all participants and inform the violator of the existing legal norms with the help of legal and diplomatic means (Weizmann, 2020).

Provision of Humanitarian Aid: Governments like the ICRC and various United Nations agencies supplement humanitarian aid to those affected by the conflict in Gaza. Such services include food, shelter, and medical care under callous, life-threatening conditions (Suraningsih,2024).

Facilitating Accountability: International organizations also help ensure accountability for IHL violations by assisting investigations, offering expertise, and assisting in constructing cases for prosecution before international courts(United Nations,2022)

4.1 War Crimes

War crimes are severe violations of International Humanitarian Law (IHL), including targeting civilians, disproportionate force, and unnecessary destruction (Solis, 2021). During the 2023-24 Gaza conflict, Israeli forces were accused of war crimes, such as attacks on crowded areas and targeting civilian structures like homes, hospitals, and schools (Amnesty International, 2024). Following Hamas-led attacks on October 7, Israeli authorities allegedly conducted indiscriminate and disproportionate attacks, violating IHL and resulting in significant civilian casualties (Human Rights Watch, 2024).

Grave breaches, such as starvation as a weapon, collective punishments, and deprivation of essential resources, contravene the Fourth Geneva Convention. The conflict highlighted a failure to protect civilians under IHL principles, such as distinction and proportionality (ICRC, 2024). To address these violations, thorough investigations by agencies like the ICC and UN are essential, focusing on evidence collection, witness interviews, and military order reviews (Human et al., 2024). The international community must enforce accountability through sanctions, diplomacy, and advocacy, while human rights organizations continue documenting violations to ensure perpetrators are prosecuted and future abuses are prevented. (Moses, 2024). Immediate humanitarian relief, including medical aid and shelter, is crucial for victims

4.2 Crimes Against Humanity

Crimes against humanity are defined as either of a widespread or organized nature when a nonarmed population is attacked and can be viewed as one of the most severe infringements on human rights (Atadjanov, 2022). Unlike war crimes, crimes against humanity can take place both during peace times and wars. The ongoing military operations in Gaza have led to massive destruction, displacement, and prevention of access to vital services such as food, water, and medical care. If it could be established that these acts were deliberately adopted or customarily followed practices, they may amount to crimes against humanity. The blockade of Gaza, which imposes tight restrictions on goods and people, has been condemned as a collective punishment that punishes innocent civilians more than anyone else; this may present a strong case for treating Israeli actions also as possible crimes against humanity (Amnesty International, 2024).

4.3 The Crime of Genocide

Genocide is defined under the Genocide Convention (1948) as acts carried out to destroy in whole or part a national, ethnic, racial, or religious group. (Palmer 2021). Some examples of genocide include killing members of the group, causing serious bodily or mental harm to the members, imposing measures intended to prevent births within the group, forcibly transferring children belonging to the group to another group, inflicting conditions calculated to bring about its physical destruction in whole or in part. In respect to Gaza, there have been several human rights violations and breaches of IHL; however, for these acts to qualify as genocide, there must be evidence showing intent by Israelite authorities of wanting to exterminate Palestinians collectively in whole or part (United Nations, 2023).

To date, although it is undoubted how intense the conflict has been and how much civilians have suffered, no international body has officially announced this situation as being genocide, but there are ongoing investigations, especially by the ICC, which may seek such classification

depending on evidence suggesting intentionality and scale of atrocity (Amnesty International,2019).

4.3.1 Air Attacks on Schools and Civilian Shelters

Some of the most blatant premeditated incidents of genocidal nature that have occurred during this conflict include attacks on schools and other protected structures that housed vulnerable individuals comprising of women and children. The United Nations Relief and Works Agency (UNRWA) funded many of these schools. They had been declared safe havens where the civilians could seek refuge from the raging hostilities in their respective areas. Under the provision of international humanitarian law, such zones are not targets for attack, and any direct targeting of the zones is a gross violation of the laws. (UN, 2024; ReliefWeb, 2024))

Case 1: School of UNRWA attacked in Jabalia

At the beginning of the year 2023, an attack on the UNRWA school occurred in the Jabalia refugee camp in which an airstrike struck the school. It caused the death of numerous non-combatants, primarily children, and wounded hundreds of other people. The school had been prominently painted with ‘UN,’ indicating that the United Nations protected the facility. However, the school was bombed during a time when it was confirmed that there were many people inside, most of whom were civilians, something that question the motive behind the bombing of the school. (UN, 2024; ReliefWeb, 2024)

Case 2: The Bombing of the Al-Fakhoura School

In another attack, the Al-Fakhoura School in Gaza City, run by UNRWA, was hit while it housed approximately 800 displaced persons taking shelter in the school. It led to much loss of lives/Depending on the source, the non-military human casualties that were recorded to have been killed were more than forty; many others were injured. Analysis of narratives and investigations also pointed out that there were no military installations in close proximity to the school, thus stressing the fact that the attacks were ruthless and barbaric(OHCHR, 2024).

Over 12,000 Palestinians have been killed in Gaza since Israel began the attacks on October 7, and over 8,300 of them are women and children, while over 30,000 others have been injured, as per the data. (Israel, 2023)

Prohibition of Attacks on Schools and Civilian Centers

The Fourth Geneva Convention and its additional protocols strictly ban targeting civilian infrastructure, including schools and medical centers, unless used for military purposes. Also, there are precise rules governing the protection of schools and other education facilities during armed conflicts, as followed within the Safe Schools Declaration that Israel is a signatory to. These guidelines also state that schools should not be attacked even though they are used as temporary structures with refugees during wars (Baldwin, 2023). Targeting these civilian centers, as well as recruiting places where people sought refuge from the violence, could be considered as actions that were aimed at creating terror and, therefore, damaging the structural foundation of Palestinian society. If considered within the framework of consecutive and systematic targeting of civilians, these actions may well be qualified as genocidal since they are aimed at defeating the population's will and its capacity to live on its territory.

The 2023-2024 Gaza conflict has prompted condemnation from international human rights organizations, including Human Rights Watch and Amnesty International, who have called for investigations into attacks on schools and shelters, labeling them potential war crimes and acts of genocide (Amnesty International, 2023). Additionally, South Africa's recent submission to the International Criminal Court (ICC) alleges genocide and severe breaches of international humanitarian law by Israel, marking a critical step toward holding those responsible for the violence accountable.

South Africa's Submission to the ICC

South Africa joined the ICC in early 2024, and it provided a list of events during the Gaza conflict and stated that they fit the definition of genocide. This is evidenced by a detailed

account of attacks on civilian populations, the intentional attacks against civilian objects, and the alleged Policy to destroy, in whole or in part, the Palestinians as a national, ethnic, and religious group. These allegations were made based on the flow of attacks that, most of the time, targeted women, children, and other vulnerable persons, causing numerous casualties and internally displaced people (Berg, 2024).

The submission also indicates that some of the attacks deliberately targeted people in shelters and areas that are prohibited under international law, including UN schools and hospitals. South Africa's legal team also pleaded that such acts were not isolated acts or incidents of violence that targeted civilians. However, they were systematic acts that were aimed at terrorizing the Palestinians so that they fled their homes and land, which, if proven, entitled South Africa to the genocidal intent under the Genocide Convention of 1948(Roth, 2024).

The ICC's Decision on the War and Its Implications

Following South Africa's submission, the ICC Prosecutor's Office initiated a preliminary examination into the allegations of genocide and war crimes during the 2023-2024 Gaza conflict, acknowledging the seriousness of the accusations and the need for further investigation. The ICC's move towards a full investigation is seen as a significant step for the victims, setting a precedent for addressing genocide allegations in protracted conflicts like the Israeli-Palestine situation (ICC, 2024).

The ICC's potential findings could lead to international arrest warrants, stricter monitoring of Israel's actions in Gaza, and diplomatic repercussions, potentially pressuring Israel to alter its policies in occupied territories. This development underscores the ICC's role in upholding international humanitarian law and signals the global community's commitment to holding violators accountable. As the investigation unfolds, its impact on regional legal and geopolitical dynamics will be closely watched.

Chapter 5: Trial Procedures of Israeli Occupation

The process of seeking justice for alleged offenses against International Humanitarian Law (IHL) involving the Israeli occupation of Gaza is a complicated legal one that is conducted at the national and international levels. These trials are required to make sure that individuals or state actors are held accountable for actions that can be termed as war crimes, crimes against humanity, or even genocide.

5.1 National Legal Mechanisms

By its status as a state, Israel has a duty under international law to examine and prosecute any alleged violation of IHL perpetrated by its forces (Amnesty International, 2019). The office of the Military Advocate General (MAG) and Israeli military jurisprudence have put in place internal mechanisms that evaluate claims made against military officers and, where necessary, draw charges (Schmitz, 2024). The MAG investigates complaints to determine whether they amount to war crimes or severe law violations. If there is enough evidence, such cases may be referred to military courts where Israeli soldiers or officials can stand trial (IDF.il, 2024).

However, these internal processes have been criticized by international organizations for lacking independence and transparency, raising concerns about the effectiveness and impartiality of investigations. Several activists argue that many inquiries either result in no action being taken or only minor consequences for those involved, thus leading people to say there is no form of responsibility on their part (Amnesty International, 2023).

5.2 International Legal Mechanisms

Taking into account the doubts about national legal mechanisms, international bodies are very significant in seeking to bring alleged Israeli perpetrators to justice. Primarily, it is the International Criminal Court (ICC) that has the power to try individuals for war crimes, genocide, and crimes against humanity. (International Criminal Court, 2019). ICC can prosecute individuals who commit crimes within states that have ratified the Rome Statute, such as Palestine. In 2021, the Office of the Prosecutor of ICC launched an investigation into

allegations of crimes committed in Gaza and other parts of Occupied Palestinian Territories since 2014 (International Criminal Court, 2015).

These investigations by the ICC concentrate on accusations of war crimes leveled against both Israel Defense Forces as well as Palestinian militias, which include targeting civilians and civilian infrastructure, use of indiscriminate weapons, and treatment of prisoners. Should they be charged accordingly in the ICC, high-ranking military or political leaders might face arrest warrants. However, Israel does not acknowledge ICC's jurisdiction, with minimal cooperation taking place, hence complicating prosecution processes.

5.3 Universal Jurisdiction

Countries, like others, allow themselves to practice universal jurisdiction over serious offenses such as war crimes and human rights abuses besides the ICC itself. This means that irrespective of where these acts took place or whether their perpetrators are nationals or otherwise, persons committing these crimes can be tried within a country's borders under this legal doctrine. Mukama (2020) points out that there have been several instances where Israeli figures, including soldiers, were accused of those atrocities using this principle to varying degrees. However useful universal jurisdiction may be as another route to justice, it is frequently fraught with political sensitivity, leading to diplomatic conflicts arising from its enforcement. Furthermore, those trials face real-world issues, such as collecting evidence and ensuring the suspect's attendance in court.

5. 4 Challenges to Accountability

The trial procedures for alleged violations during the Israeli occupation face significant legal and political challenges. Legally, issues include collecting evidence in a conflict zone, witness credibility, and applying International Humanitarian Law (IHL) in modern conflicts. Politically, the Israeli-Palestinian conflict stirs controversies, and attempts to hold Israeli authorities accountable often face accusations of political bias (Human Rights Watch, 2024). Israel's

limited cooperation with international legal bodies like the ICC further complicates accountability efforts.

Justice is pursued through a network of national and international legal frameworks, with Israel's military courts handling some IHL allegations and global forums like the ICC addressing individual responsibilities. The principle of Universal Jurisdiction provides additional prosecution avenues, but legal and political barriers persist, casting doubt on the effectiveness of these processes in delivering justice and accountability.

Chapter 6: Conclusion, Recommendations, Limitations, and Future Research

6.1 Conclusion

The war in the Gaza conflict experienced in 2023-2024 has caused extreme effects on civilians and infringed on IHL majorly. The actions taken by the Israeli armed forces of mainly destruction, civilian loss of life, and the infrastructure have posed questions of distinction, proportionality, and precaution. However, taking into consideration the measures taken during this conflict and Israel as an occupying power, some of its actions and engagements indicate possible abuses of humanitarian laws that fall under the Fourth Geneva Convention and consequently would be considered war crimes and crimes against humanity. Citizens and international organizations are still crucial in observing these incidents and pursuing justice in the International Criminal Court (ICC). However, the search for justice is not an easy process, whether legal or simply political, and the case of Gaza is a good example of the issues surrounding the implementation of IHL, where there is prolonged conflict.

6.2 Recommendations

6.2.1 Strengthening International Accountability Mechanisms

Strong international mechanisms are needed to ensure accountability for violations of IHL (United Nations, 2022). The ICC should receive more resources from the international community, which can aid its ability to pursue investigations and prosecutions effectively.

Moreover, states should consider adopting or reinforcing universal jurisdiction laws that address serious crimes without impunity.

6.2.2 Enhancing Transparency in National Investigations

Israel must ensure transparency in its internal investigations of alleged IHL violations in conformity with international standards. This includes releasing investigation results publicly and prosecuting violators regardless of their rank or position (Icrc.org, 2016)

Promoting Conflict Resolution Efforts: The Israeli-Palestinian conflict should be resolved in a diplomatic way that would involve addressing the root causes of the conflict, which include occupation, settlement expansion, and the status of Jerusalem, among others. Dialogue, mutual recognition, and observance of international law are the only ways to achieve sustainable peace.

6.2.3 Supporting victims and reconstruction

The international community's intervention should aim to support rebuilding efforts in Gaza, including rebuilding infrastructure destroyed during military operations and providing sustenance for those affected by the conflict. Trauma healing should also form part of their programs to help them overcome the effects of war experiences.

6.3 Limitations

6.3.1 Challenges in Data Collection

The nature and status of the conflict and the blockade in Gaza complicate efforts to gather data on the population's experiences and the extent and types of abuses. People are most often denied access to conflict zones, and what little information reaches them might be colored in a certain way.

6.3.2 Political Sensitivities

Due to the political nature of the conflict, most research on the subject might be colored politically by the researcher, and therefore, their findings may not be well received or accepted.

It has implications for the efficacy of international legal instruments and states' compliance with investigations.

6.3.3 Limited Cooperation with International Legal Bodies

The U.S. has not ratified the Rome Statute and shows limited cooperation with international legal organizations, posing significant challenges to accountability efforts and the implementation of International Humanitarian Law (IHL). This non-involvement complicates the application of IHL and human rights laws, particularly in regulating armed conflicts like the Gaza conflict, thereby undermining the effectiveness and efficiency of justice delivery systems in international legal bodies.

6.4 Future Research

6.4.1 Impact of Long-Term Blockade on Gaza

Further studies should be devoted to the changes that occurred in the Gaza Strip with the end of the blockade in terms of health, education, and income. Comprehending these effects is essential in influencing policies and humanitarian interventions.

6.4.2 Psychological and Social Consequences of Conflict

The impact of frequent military operations on the people of Gaza, or more so the youths and kids, has not been deeply researched about the psychological aspect. It includes examining the impact of SOS on the individual, among other things, the concept of tertiary PTSD and the effect of conflict stress on the next generation.

6.4.3 Effectiveness of International Legal Interventions

Studies should assess the efficacy of ILI's measures in conflict areas regarding accountability and deterrence of repetition of such violations. It could, for example, involve comparisons with other conflict areas of the world and the prior legal processes taken by international courts.

6.4.4 Strategies for Conflict Resolution and Peacebuilding

There are still many unanswered questions concerning managing conflict and post-conflict reconciliation to achieve sustainable peace, as in the case of the Israeli/ Palestinian conflict. In this research, interventions that address the root of the problem should be considered as much as those that address the symptoms of conflicts.

6.4.5 Role of Non-State Actors in the Conflict

More research should be dedicated to the place and participation of non-state actors—combatants and international NGOs—in the conflict in Gaza. Knowledge about the impact of these factors on the conflict processes and their contribution to worsening or mitigating the conflict is crucial for conflict analysis.

In conclusion, although there are still many hurdles in this fight for justice and accountability for the happenings in Gaza, the international community and civil society actors must persist in research and advocacy, supporting the principles of IHL and pursuing a just and sustainable end to this conflict.

References

- Asi, Y. M., Tanous, O., Wispelwey, B., & AlKhaldi, M. (2021). Are there ‘two sides’ to attacks on healthcare? Evidence from Palestine. *European Journal of Public Health*, 31(5), 927-928.
- Amnesty International. (2023, October 20). *Israeli Attacks Wipe out Entire Families in Gaza*. Amnesty International. <https://www.amnesty.org/en/latest/news/2023/10/damning-evidence-of-war-crimes-as-israeli-attacks-wipe-out-entire-families-in-gaza/>
- Anera. (2024). *How Big is Gaza?* Anera. <https://www.anera.org/how-big-is-gaza/>
- Atadjanov, R. (2022). Crimes against Humanity. In *International Conflict and Security Law: A Research Handbook* (pp. 1031-1072). The Hague: TMC Asser Press.
- Administrator (2023). WHO appeals for protection of the health system from further attacks and degradation of its capacity. [online] World Health Organization - Regional Office for the Eastern Mediterranean. Available at: <https://www.emro.who.int/media/news/who-appeals-for-protection-of-the-health-system-from-further-attacks-and-degradation-of-its-capacity.html>.
- Al Jazeera. (2024). ICC demands end to threats against court amid Gaza war probe. [online] Available at: <https://www.aljazeera.com/news/2024/5/3/icc-calls-for-an-end-to-threats-against-the-court-as-war-in-gaza-rages-on>.
- Al-Bazz, A. (2022). In the West Bank, segregated roads displace Palestinians. [online] www.nrc.no. Available at: <https://www.nrc.no/shorthand/stories/in-the-west-bank-segregated-roads-displace-palestinians/index.html>.
- Amnesty International (2023). EVEN WARS HAVE LAWS RIGHTS REVEALED HUMAN RIGHTS AND ARMED CONFLICT PART 1. [online] Available at: <https://amnesty.ca/wp-content/uploads/2023/11/1570-AI-Rights-Revealed-Part-1-Web.pdf> [Accessed 16 Aug. 2024].

- Amnesty International. (2019). Chapter 3: Israeli Settlements and International Law. [online]
Available at: https://www.amnesty.org/en/latest/campaigns/2019/01/chapter-3-israeli-settlements-and-international-law/?utm_source=google&utm_medium=cpc&gad_source=1&gclid=CjwKCAjw8fu1BhBsEiwAwDrslPZNSRuPSDgY4aqhnqhdg7OOL8TkX8tGCIJ_v5nfSH5zydDfM7HEhoCkIsQAvD_BwE [Accessed 16 Aug. 2024].
- Berg, R. (2024, January 10). What is South Africa's genocide case against Israel at the ICJ? *Www.bbc.com*. <https://www.bbc.com/news/world-middle-east-679223460>
- Britannica. (2019). United Nations Resolution 242 | Definition & Facts | Britannica. In *Encyclopædia Britannica*. <https://www.britannica.com/topic/United-Nations-Resolution-242>
- Britannica. (2020). Oslo Accords | Palestinian Liberation Organization-Israel [1993] | Britannica. In *Encyclopædia Britannica*. <https://www.britannica.com/topic/Oslo-Accords>
- Baldwin, C. (2023). How Does International Humanitarian Law Apply in Israel and Gaza? | Human Rights Watch. [online] Human Rights Watch. Available at: <https://www.hrw.org/news/2023/10/27/how-does-international-humanitarian-law-apply-israel-and-gaza>.
- Bayar , G. (2024). Israeli bombardment destroys more than 70% of civilian infrastructure in Gaza: UN agency. [online] *www.aa.com.tr*. Available at: <https://www.aa.com.tr/en/middle-east/israeli-bombardment-destroys-more-than-70-of-civilian-infrastructure-in-gaza-un-agency/3138876>.
- Britannica (2023). Israel's disengagement from Gaza (2005) | Withdrawal & Hamas | Britannica. [online] *www.britannica.com*. Available at: <https://www.britannica.com/event/Israels-disengagement-from-Gaza>.

- B'Tselem. (2023). The Gaza Strip –Israel is not fighting against Hamas but against civilians, implementing a criminal policy of bombings Retrieved from [https://btselem.org/gaza_strip/20231205_israel_is_not_fighting_against_hamas_but_a
gainst_civilians_implementing_a_criminal_policy_of_bombings](https://btselem.org/gaza_strip/20231205_israel_is_not_fighting_against_hamas_but_against_civilians_implementing_a_criminal_policy_of_bombings)
- Diakona International Humanitarian Law Centre (2023). 2023 Hostilities and Escalating Violence in the oPt | Factual Account of Events. [online] Diakonia International Humanitarian Law Centre. Available at: <https://www.diakonia.se/ihl/news/2023-hostilities-in-gaza-and-israel-factual-account-of-events/>.
- Hakki, L. and Stover, E. (2022). Breaking the silence: Advocacy and accountability for attacks on hospitals in armed conflict. [online] International Review of the Red Cross. Available at: <https://international-review.icrc.org/articles/breaking-the-silence-advocacy-and-accountability-for-attacks-on-hospitals-in-armed-conflict-915>.
- Hassan, F., Manjra, S. and London, L. (2024). Israel's unrelenting war on Gaza healthcare requires urgent action. [online] Al Jazeera. Available at: <https://www.aljazeera.com/opinions/2024/2/14/israels-unrelenting-war-on-gaza-healthcare-requires-urgent-action>.
- Human Rights Watch (2024). Israeli Forces' Conduct in Gaza | Human Rights Watch. [online] Available at: <https://www.hrw.org/news/2024/03/19/israeli-forces-conduct-gaza>.
- Human Rights Watch (2024). Israel and Palestine: Events of 2023. [online] Human Rights Watch. Available at: <https://www.hrw.org/world-report/2024/country-chapters/israel-and-palestine>.
- Herzberg, A. (2022). The Role of UN Documentation in Shaping Narratives at the International Criminal Court and the Implications for the Rights of the Accused. *International Criminal Law Review*, 22(5-6), 1117-1142.

- Human Rights Watch. (2021, April 27). *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution*. Human Rights Watch; Human Rights Watch. <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>
- Human Rights Watch. (2024, March 19). *Israeli Forces' Conduct in Gaza*. Human Rights Watch. https://www.hrw.org/news/2024/03/19/israeli-forces-conduct-gaza#_ftn17
- International Criminal Court (ICC). (2024, May 20). *Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine Image*. <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state>
- Israel. (2023). *Israel bombs another UN-affiliated school in Gaza, killing and injuring dozens of people*. Aa.com.tr. <https://www.aa.com.tr/en/middle-east/israel-bombs-another-un-affiliated-school-in-gaza-killing-and-injuring-dozens-of-people/3057867>
- Icrc.(2023). What does the law say about the responsibilities of the Occupying Power in the occupied Palestinian territory? [online] Available at: <https://www.icrc.org/en/document/ihl-occupying-power-responsibilities-occupied-palestinian-territories>.
- Idf .il. (2024). Addressing Alleged Misconduct in the Context of the War in Gaza. [online] Available at: <https://www.idf.il/en/mini-sites/military-advocate-general-s-corps/addressing-alleged-misconduct-in-the-context-of-the-war-in-gaza/> [Accessed 16 Aug. 2024].
- ICRC (2024). Fundamental principles of IHL | How does law protect in war? - Online casebook. [online] casebook.icrc.org. Available at: https://casebook.icrc.org/a_to_z/glossary/fundamental-principles-ihl.

- Icrc.org. (2016). Israel/Palestine, Accountability for the Use of Lethal Force | How does law protect in war? - Online casebook. [online] Available at: <https://casebook.icrc.org/case-study/israelpalestine-accountability-use-lethal-force> [Accessed 16 Aug. 2024].
- Inew.org. (2021). INEW ~ The use of heavy explosive weapons in Gaza and Israel must stop. [online] Available at: <https://www.inew.org/the-use-of-heavy-explosive-weapons-in-gaza-and-israel-must-stop/> [Accessed 16 Aug. 2024].
- International Criminal Court (2019). International Criminal Court. [online] Icc-cpi.int. Available at: <https://www.icc-cpi.int/>.
- International Criminal Court (2020). Understanding the International Criminal Court. [online] International Criminal Court. Available at: <https://www.icc-cpi.int/sites/default/files/Publications/understanding-the-icc.pdf>.
- International Criminal Court. (2015). State of Palestine. [online] Available at: <https://www.icc-cpi.int/victims/state-palestine>.
- Ilyashevich, M., Samoilova, A., & Sibagatullina, K. (2024, June). Combating the Involment of Children in Armed Conflicts: International Legal Demension. In 2024 4th International Conference on Technology Enhanced Learning in Higher Education (TELE) (pp. 277-282). IEEE.
- ICRC (2024). Gaza: ICRC calls for protection of civilians and hopes for an agreement | The ICRC in Israel, Golan, West Bank, Gaza. [online] Icrc.org. Available at: <https://blogs.icrc.org/ilot/2024/05/07/gaza-icrc-calls-for-protection-of-civilians-while-hoping-for-an-agreement-amidst-evacuations-military-operations-and-negotiations/> [Accessed 13 Aug. 2024].
- Jaber, S. S., & Bantekas, I. (2023). The Status of Gaza as Occupied Territory Under International Law. *International & Comparative Law Quarterly*, 72(4), 1069-1088.

- Kansara, R. and Nour, A. (2024). Israel-Gaza war: Counting the destruction of religious sites. [www.bbc.com. \[online\] 30 Jan. Available at: https://www.bbc.com/news/world-middle-east-67983018.](https://www.bbc.com/news/world-middle-east-67983018)
- Lardo, M. A. (2020). The Occupying Power According to the International Humanitarian Law: Case Study in Gaza Strip. *Padjadjaran Journal of International Law*, 4(2), 170-191.
- Mukama, R. J. (2020). Universal jurisdiction and the international criminal court in its quest for international criminal justice. *BiLD Law Journal*, 5(1), 43-67.
- Moses, J. (2024). Gaza and the Political and Moral Failure of the Responsibility to Protect. *Journal of Intervention and Statebuilding*, 1–5. <https://doi.org/10.1080/17502977.2024.2304987>
- OCHA. (2024a, February 16). *Hostilities in the Gaza Strip and Israel | Flash Update #120 [EN/AR/HE]* / OCHA. [Www.unocha.org. https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-120](https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-120)
- OCHA. (2024b, August 21). *United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory | Reported impact snapshot | Gaza Strip (21 August 2024)*. United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory. https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-21-august-2024?_gl=1
- OHCHR. (2024). *State of Palestine "Background Note on Indiscriminate and disproportionate attacks during the conflict in Gaza*. <https://www.ohchr.org/sites/default/files/documents/countries/opt/state-of-palestine-comments-ohchr-background-note-june2024.pdf>
- Oxfam International. (2024). Israel using water as weapon of war as Gaza supply plummets by 94%, creating deadly health catastrophe: Oxfam | Oxfam International. [online]

Available at: <https://www.oxfam.org/en/press-releases/israel-using-water-weapon-war-gaza-supply-plummets-94-creating-deadly-health#:~:text=The%20report%2C%20Water%20War%20Crimes> [Accessed 16 Aug. 2024].

Palmer, N. (2021). Genocide. In *The Routledge Handbook of Law and Society* (pp. 142-145). Routledge.

ReliefWeb. (2024). Israeli army launches new, massive wave of forced displacement against the people of Gaza City and North Gaza - occupied Palestinian territory. [online] Available at: <https://reliefweb.int/report/occupied-palestinian-territory/israeli-army-launches-new-massive-wave-forced-displacement-against-people-gaza-city-and-north-gaza> [Accessed 16 Aug. 2024]. ReliefWeb. (2023, November 21). *Hostilities in the Gaza Strip and Israel | Flash Update #45 [EN/AR/HE] - occupied Palestinian territory | ReliefWeb*. Reliefweb.int. <https://reliefweb.int/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-45-enarhe>

ReliefWeb. (2024, May 31). *Gaza: Israel continues its crime of ethnic cleansing by destroying last neighbourhoods, UN shelter centres in Jabalia camp [EN/AR] - occupied Palestinian territory*. ReliefWeb. <https://reliefweb.int/report/occupied-palestinian-territory/gaza-israel-continues-its-crime-ethnic-cleansing-destroying-last-neighbourhoods-un-shelter-centres-jabalia-camp-enar>

Roth, K. (2024, January 13). South Africa's genocide case against Israel is imperfect but persuasive. It may win. *The Guardian*. <https://www.theguardian.com/commentisfree/2024/jan/13/south-africa-israel-genocide-the-hague>

- Saber, I.F. (2024). A ‘cultural genocide’: Which of Gaza’s heritage sites have been destroyed? [online] Al Jazeera. Available at: <https://www.aljazeera.com/news/2024/1/14/a-cultural-genocide-which-of-gazas-heritage-sites-have-been-destroyed>.
- Schmitz, R. (2024). How Israel’s military investigates itself in cases of possible wrongdoing. [online] NPR. Available at: <https://www.npr.org/2024/05/15/1250417719/israel-military-idf-investigations-icc> [Accessed 16 Aug. 2024].
- Shamim, S. (2024). How Israel has destroyed Gaza’s schools and universities. [online] Al Jazeera. Available at: <https://www.aljazeera.com/news/2024/1/24/how-israel-has-destroyed-gazas-schools-and-universities>.
- Siddiqui, M.G. (2024). At least 32 killed in last day as Israel targets displacement camps. [online] Al Jazeera. Available at: <https://www.aljazeera.com/news/liveblog/2024/6/25/israel-war-on-gaza-live-leaked-un-report-warns-high-famine-risk-remains>.
- Shafi, H., & Malik, H. (2024). Humanitarian Crisis and Crumbling Pillars of R2P in Gaza. *Journal of Security & Strategic Analyses*, 10(1).
- Staff, G. (2023, October 13). *Geo Explainer: The Gaza Strip*. Geographical. <https://geographical.co.uk/geopolitics/geo-explainer-gaza-map>
- Solis, G. D. (2021). *The law of armed conflict: international humanitarian law in war*. Cambridge University Press.
- Shorrab, A., Nassef, M., Subhi, A., Giwa, B., & Buheji, M. (2024). Health in the Crossfire- Analysing and Mitigating the Multifaceted Health Risks of the 2023 War on Gaza. *Public Health Research*, 14(1), 1-11.
- Suraningsih, A. R., Pramono, R. M. T., dos Santos, L. C. D. C., & Prakoso, S. G. (2024). An Exploration of The Existence and Humanitarian Role of The Icrc in Resolving the

Palestinian-Israeli Conflict in The Gaza Region. AL IMARAH: JURNAL PEMERINTAHAN DAN POLITIK ISLAM, 9(1), 11-20.

United Nations. (2023). Gaza: UN experts call on international community to prevent genocide against the Palestinian people. [online] Available at: <https://www.ohchr.org/en/press-releases/2023/11/gaza-un-experts-call-international-community-prevent-genocide-against>.

United Nations (2018). Maintain International Peace and Security. [online] United Nations. Available at: <https://www.un.org/en/our-work/maintain-international-peace-and-security>.

United Nations (2022). Security Council Must Strengthen, Uphold Responsibility to Ensure Accountability When International Law Is Violated, Speakers Stress in All-Day Debate | UN Press. [online] press.un.org. Available at: <https://press.un.org/en/2022/sc14919.doc.htm>.

United Nations (2023). Security Council: The Situation in the Middle East, Including the Palestinian Question | UN Press. [online] press.un.org. Available at: <https://press.un.org/en/2023/sc15462.doc.htm>.

Unocha.org. (2023). Hostilities in the Gaza Strip and Israel | Flash Update #79 [EN/AR/HE]. [online] Available at: <https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-79> [Accessed 16 Aug. 2024].

UN. (2024). *5 UN schools hit in last 10 days in Gaza: UN agency*. Aa.com.tr. <https://www.aa.com.tr/en/middle-east/5-un-schools-hit-in-last-10-days-in-gaza-un-agency/3276664#:~:text=%E2%80%9CFive%20%40UN%20schools%20have%20been>

- United Nations. (1949, August 12). *Geneva Convention relative to the Protection of Civilian Persons in Time of War (2nd part)*. OHCHR. <https://www.ohchr.org/en/instruments-mechanisms/instruments/geneva-convention-relative-protection-civilian-persons-time-war>
- World Bank Group. (2024, April 2). *Joint World Bank, UN Report Assesses Damage to Gaza's Infrastructure*. World Bank. <https://www.worldbank.org/en/news/press-release/2024/04/02/joint-world-bank-un-report-assesses-damage-to-gaza-s-infrastructure>
- Weizmann, N. (2020). Ensuring respect for IHL as it relates to humanitarian activities. In *Ensuring Respect for International Humanitarian Law* (pp. 198-216). Routledge.
- Ziberi, L., Lengel, L., Limani, A., & Newsom, V. A. (2024). Affect, credibility, and solidarity: strategic narratives of NGOs' relief and advocacy efforts for Gaza. *Online Media and Global Communication*, 3(1), 27-54.

