

English Essay

Topic:

War Crimes in the Palestine-Israel Conflict: A Challenge to International Law

Brainstorming

→ War Crimes in the Palestine-Israel Conflict

- 1) Targeting civilians
- 2) Infrastructure destruction
- 3) Forced displacements
- 4) Weaponizing water, Food and medicines

→ Accountability mechanism:

- 1- International criminal Court (ICC)
- 2- International Court of Justice (ICJ)
- 3- UN investigations

→ Challenges in International law

- 1- Politics
- 2- Power dynamics
- 3- Jurisdictional issues
- 4- lack of co-operation

→ Way forward:

- increasing efforts of accountability
- enforcement of international law

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1. Introduction

1.1 Attention grabber

1.2 General Statements.....

1.3 Thesis Statement: The Palestine-

Israel Conflict is marked

by war-crimes, and the international community faces significant challenges in holding perpetrators accountable.

2. War-Crimes in the Palestine-Israel Conflict:

War Crimes Committed by Israeli forces:

2.1 Targeting Civilians and Civilian infrastructure (Amnesty international, 2022)

2.2 Using disproportionate forces including aerial bombardment and Siege warfare. (Human Rights watch 2022)

2.3 Weaponizing water, food and Medicines and restrictions on Healthcare and Education (B'Tselem, 2020)

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War Crimes Committed by Hamas:

1. Civilians killed by Hamas and some are made prisoners of war captives.

3. Challenges to accountability under International law:

3.1 Case filed against Israeli Genocide in international court of Justice ordered ceasefire which is not accepted by Israel. (4th Geneva Convention)

3.2 The role of international Criminal Court (ICC) and its jurisdiction over the conflict (ICC, 2021)

3.3 The impact of State Sovereignty and jurisdiction on investigation and prosecutions (UN General Assembly, 1948).

3.4 The role of politics and power dynamics in shaping international responses to war-crimes (Kretzmer, 2019)

4. Implications for International Justice

- 4.1 The need of accountability and rule of law in conflict resolution (UN Security Council, 2004)
- 4.2 The impact of impunity on victims and their families. (Amnesty International, 2022)
- 4.3 The role of international community in promoting justice (European Union, 2022)

5 Way-forward for Conflict

- 5.1 Negotiations must be brokered by a neutral party like China
- 5.2 Need of punitive action against Israel if it does not halt war like oil embargo in 1973 through OIC and OPEC.
- 5.3 Western world needs to end defending Israel as per UN Convention Israel has no right of self defence in occupied region.

6. Conclusion

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"Malnourished babies in Gaza
do not have energy to cry!"
- UNICEF -

The Palestine-Israel Conflict has deep roots and now the conflict is on its peak and resulting in severe war-crimes in the region. The war crimes include targeting civilians and infrastructure, use of disproportionate force and weaponizing water, food and medicines. The voices rose against Israeli war-crimes in International Court of Justice (ICJ) and International Criminal Court (ICC) and in UN Security Council ended with no concrete results. The challenges to international law and justice include politics, power dynamics and complexities of state sovereignty and jurisdiction. So this Palestine-Israel

Conflict is marked by war-crimes and international community faces several challenges in holding the perpetrators accountable.

It resulted in negative implications for victims and broader peace process.

Hamas attacked Israel on October 7, 2023, and Israel reacted by launching terrorism against Gaza. Israel has destroyed the North and Centre of Gaza and is now carrying attacks in the rest regions. More than 90% of civilian buildings are demolished by indiscriminate bombardment. More than 45,000 Palestinian have lost their lives in this retaliation, including 12,000 women and more than 12,000 children, 140 Journalists and more

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than 700 health workers
and doctors. Israel also
attacked the refugee
camps in South Gaza.

As per Amnesty International,
2022 this is documented
Human rights violation.

Since Israel launched this
terrorism it has been carrying
out a series of aerial
bombardments, missile jet
fighters, helicopters and
armoured - tanks including
artillery. More than 400
tank and more than 100
artillery and 50,000 Israeli
troops are participating
in committing war-crimes
in Gaza. To compell the
Palestinian to surrender
Israeli forces are using
the tactics of siege
warfare. All these actions
of Israel in Gaza are
against the Human Rights

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Watch 2022 which defends the rights of people in 100 countries worldwide and brings the perpetrators to justice.

Israel has stopped the supply of food, water, medicine, oil/petrol and all other necessary commodities in Gaza. They have destroyed the Gaza electricity system. They have restricted the movements on Healthcare and Education. This war has destroyed all four universities in Palestine and forces have intentionally hit the educational and healthcare institutes resulting in civilian casualties. B'Tselem 2020 gathered 25 testimonies from Palestinians who were abused by Israeli soldiers in Central Hebron between May and August 2024.

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The Palestinian militant force Hamas has also done war-crimes in Israel when it attacked more than 13 cities of Israel with missile bombardments and 5000 missiles were fired by Hamas into Israel. Approximately 1400 individuals were killed and almost 240 were captured and brought into Gaza and were declared as prisoners of war captives. These strikes infuriated Israel and which in reaction started increased war-crimes in Gaza.

The Israeli administration continues to violate human rights as per the Fourth Geneva Convention. There has been an increasing voice of war-crimes committed by Israel in Gaza. South African government was on

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lead to case file against israel in international court of Justice (ICJ). The court ordered a ceasefire but israel did not accept it.

International court of Justice ordered the arrest of Netanyahu and his war cabinets on one hand and leader of Hamas on other hand. Most of muslim countries supported South Africa against israel.

But international court once failed to ensure Justice.

The international Criminal Court 2021 also heard the war-crimes and ~~it~~ issued the arrest warrant of Netanyahu. But here the powerful United State of America stated that israel is not under the Jurisdiction of international Criminal Court ICC. So

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another human rights watch international organization also failed to make perpetrators of war-crimes accountable.

By resolution 217A of 1948 UN General Assembly, meeting in Paris, adopted the Universal Declaration of Human Rights with eight nations abstaining from the vote but none dissenting. So on September 18, 2024, the United Nations General Assembly (UNGA) adopted a resolution that called for an end to Israel's unlawful presence in occupied Palestinian territories within a year. The resolution passed with 124-14 votes while 43 countries abstained. It was a historic and diplomatic win for Palestine, but

the mighty United State of America (USA) vetoed against the resolution as USA will always protect israel because of Jewish lobby. There are also challenges of jurisdiction and state sovereignty on investigation and prosecution.

United State of America call itself Champion of fundamental rights and it has always condemned the China's Russia for human rights violation. Here it has

been silent on war-crimes being committed by Israel, contrarily it criticizes Hamas.

The Ketzmer 2019 strengthen the human rights and gives inherent right of Self Defense.

So the western world

call these acts of israel a self-defense and

they support israel because

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of their vested interest in Israel. The Arab world is also doing just lip-service on this conflict as many of these countries have their vested interest in Israel and also they do not want to antagonize the mighty America. Nobody in international community is taking concrete steps like diplomatic sanctions and economic sanctions etc. So, all this has resulted in a barrier to achieve international justice.

It is high time to assess the implications for international justice. As the UN Security Council, 2004 focused on various issues including conflict resolutions in Africa and implementation of resolutions on women, peace and security. These

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is immediate need of accountability and rule of law in conflict. The Amnesty international, 2022 is a movement of 10 million people to mobilize humanity in everyone as the war-crimes in Gaza impacted the impunity of on victims and their families. The role of international community like European Union, 2022 is very important in promoting Justice. Though the governments in European countries, US, and Canada do not support the victims but there are increasing protests across the West by Human Rights Organizations and students especially in the universities, demanding to stop war crimes.

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For a lasting peace in the Middle East and a peaceful resolution to the Palestine conflict it is important that Israel ends the genocide and there is immediate and unconditional ceasefire. Secondly the best possible solution is the Two-State Solution as it offers both parties a chance of having an independent state. The negotiations must be brokered by a neutral party like China or Qatar, because America has vested interest in Israel. Furthermore, there is need of punitive actions against Israel if it does not halt the war. like Oil embargo in 1973, ~~by~~^{the} Arab world through OIC and OPEC can impose diplomatic and economic sanctions on

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israel and its allies to force an unconditional and immediate ceasefire. The countries that have signed Abraham Accords should play constructive diplomacy to convince israel to end the genocide in palestine. Lastly the Trump administration and western world as a whole needs to stop defending israel. As the United state continues to justify the war-crimes by calling it israel's right of self-defense, it needs to stop that because the United Nations conventions say that the occupying force does not have a right of self defense in an occupied region. Dialogue require all stakeholders to offer something meaningful.

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The Hamas attack on Israel on October 7, 2023 was start of brutality in this region. But the Israeli reaction is destructive enough to ^{be} called as another holocaust. The Palestine-Israel conflict is marked by true war crimes and the international community like the international Court of Justice (ICJ), international Criminal Court (ICC) and Human Rights Watch have faced significant challenges in holding the perpetrators accountable. Israel has targeted civilians, infrastructure, like even hospitals, educational institutes etc. It has created water, food and medicine emergency in Gaza. The support of powerful states like USA and non-cooperative

behaviours of Israel have resulted in severe challenges to international

justice. This is high time for international community to put concrete efforts by diplomatic, economic and economic pressure on Israel for unconditional ceasefire.

The international organizations and Muslim world are the major hope for Palestinian victims and their families.