Vienna International Institute for  Middle East Studies

Internship Research Project

on the

"Palestinian Humanitarian Crisis Unveiled: Analyzing Seven Decades of Change and Predicting Future Developments Amid Middle-Eastern Diplomatic Shifts"

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Palestinians evacuate following an Israeli airstrike on the Sousi Mosque in Gaza on Oct. 9, 2023
Mahmud Hams/AFP via Getty Images

Content

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Introduction

This paper aims to provide a holistic view on the ongoing Israeli aggression both in Gaza and in the illegally occupied West Bank since October 7, 2023, in response to an unanticipated strike by Hamas against southern Israel. Moreover, this research will focus on the humanitarian tragedy that is unfolding presently and it attempts to both record what is currently happening in order to provide a compact framework for prospective researchers. The writer of this research paper closely monitored the events because she had been visiting the area regularly and has herself experienced the humanitarian catastrophe in Palestine. She offers firsthand evidence as an eye witness and personal experience to support her research. Based on the compilation of various documents of international human rights organisations such as the Human Rights Watch (HRW), the Amnesty International, the Israeli Information center for human rights in the occupied territories B'Tselem, as well as the Palestinian non-governmental human rights organisation Al-Haq, the readers will recognise rapidly that, what is happening in Gaza and in the illegally occupied West Bank did not happen in a *"vaccum"* as the United Nations Secretary-General António Guterres has addressed prior in his speech on October 24, 2023, at a Security Council session with representatives from 15 countries, held at the United Nations headquarters.

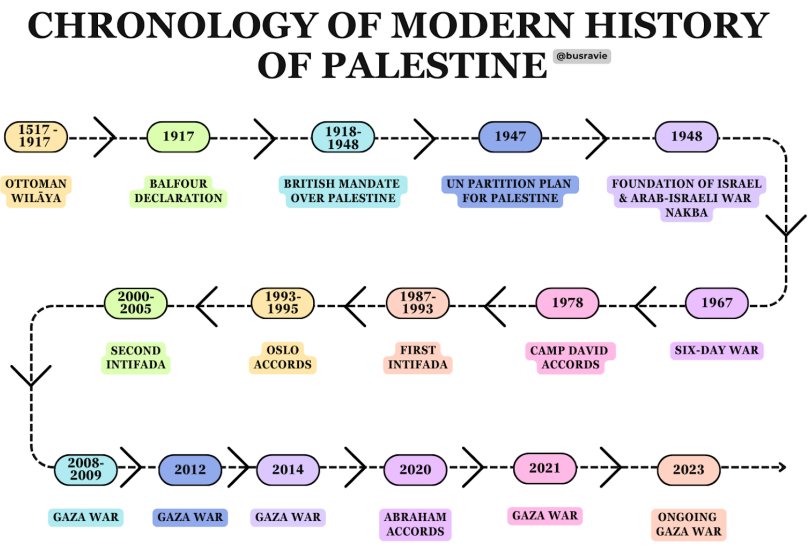
A timeline of historical developments will be presented to the readers of this paper in order to give a greater and a more comprehensive understanding of the Mideast conflict. The detailed overview from 636 AD until 1517 AD will be provided in the Annex I. The following chapter will solely start with the Modern History in order to give a brief overview of the significant incidents. A chapter on the war on Gaza will be provided with elaborating closely the developments and with providing a timetable of the incidents on a daily basis. Hence, the examination of the root causes will follow according to those findings. The constant dehumanization of Palestinians as part of the justification policy of the Israeli government as well as former high ranking officials will be carefully analyzed. Certainly, the analysis will include a summary of the responses from significant regional actors, given the profound influence of the current conflict on the area and the possibility of its escalation within the region. Furthermore, the analysis will encompass the reactions of major international organizations given their significant roles within the international community, including the the United Nations Security Council, and the United Nations General Assembly, as well as the viewpoints of Secretary-General António Guterres, Volker Türk, the United Nations High Commissioner for Refugees (UNHCR) the Commissioner-General Philippe Lazzarini United Nations Relief and Works Agency for Palestine Refugees in the Near Eas (UNRWA) and UNICEF. The responses of the Organization of Islamic Cooperation (OIC) and the Arab League will also be included. The momentous and delicate issue of South Africa's recent attitude towards Israel is being meticulously discussed. In a comprehensive 84-page document submitted to the International Court of Justice, South Africa asserts that Israel is not complying with its obligations under the 1948 Geneva Conventions, particularly in relation to the prohibition and punishment of genocide.
The International Court of Justice (ICJ) and The International Criminal Court (ICC) are key judicial institutions with significant roles in the international community. Recognizing their importance and the potential for confusion between their distinct functions and jurisdictions, a detailed and comprehensive comparison of these two courts is included in

Annex II. This comparison aims to clarify their respective mandates, areas of jurisdiction, and the different roles they play in the global legal framework.

Furthermore, the last chapter of the document delves deeply into the exploration of various potential future scenarios for Palestine and the broader region. This exploration is critical in understanding the possible outcomes and implications of the current geopolitical situation. To provide a well-rounded perspective, this chapter not only discusses theoretical scenarios but also considers their practical implications. Finally, the document concludes with a series of recommendations. These recommendations are carefully crafted, keeping in mind the readers of the document, including policy makers, scholars, and other influential stakeholders. The aim is to offer insightful guidance and action points that could be beneficial in shaping future policies and strategies in the region.

I: Short Glance on the Historical Developments

Modern History



1516-1917 Wilāya Sham in the Ottoman Empire:

From 1516 to 1917, the Wilāya Sham, a region encompassing modern-day Syria, Lebanon, Israel, Palestine, and Jordan, was a crucial part of the Ottoman Empire. This period was marked by the Empire's vast administration and cultural influence over the region. The Wilāya Sham, with its rich history and strategic location, became a vital pillar in the Ottoman administrative structure. However, the early 20th century brought significant geopolitical shifts that signaled the end of this era. These changes were partly due to the rising nationalist

movements within the Empire and the external pressures of World War I, leading to the eventual dissolution of the Ottoman Empire.

1897 First World Zionist Congress

The late 19th century marked a pivotal moment in Jewish history with the birth of the Zionist movement. This period was characterized by a significant transformation in the way many Jews viewed their identity and their relationship with the land of Israel. Theodor Herzl, often regarded as the father of modern political Zionism, was a key figure in this era. He became convinced that the Jewish people needed a state of their own for safety and self-determination due to the rise of nationalism in Europe. Herzl articulated his vision of a Jewish homeland in his seminal work, *"Der Judenstaat"* (The Jewish State), published in 1896. He argued for the establishment of a Jewish state as the only solution to the Jewish question in Europe – the persistent issue of Jewish integration and anti-Semitism.

Long before the Balfour Declaration initiated the colonization of Palestine under British auspices, Theodor Herzl sought permission from the Ottoman Empire to establish a Jewish state. Palestine, containing Islam's three holiest sites, was integral to the Ottoman domain. The Ottomans, led by Sultan Abdul Hamid II and struggling with immense debt, were approached by Herzl in 1896 with a substantial financial offer to allow Jewish colonization in Palestine. He proposed to Sultan Abdul Hamid II that Jewish financiers could establish a company in Istanbul to gradually acquire the Ottoman Empire's debt from European countries. As part of this arrangement, Herzl suggested granting certain areas in Palestine a degree of autonomy to facilitate Jewish migration. One historical record states that Theodor Herzl proposed paying £20 million to the Ottoman Sultan, equivalent to approximately $2.2 billion in today's money, for a charter allowing Jewish colonization of Palestine[2]. Such a sum would have reduced the Ottoman Empire's debt by about 20 percent. Reports suggest that Herzl declared that *"without the help of the Zionists, the Turkish economy would not stand a chance of recovery".*[3] Herzl's representatives in discussions with the Ottoman Sultan, Philip de Newlinski and Arminius Vambery, expressed doubts about the likelihood of Jerusalem, Islam's third holiest city, being sold, regardless of the precarious state of the Ottoman finances. However, Sultan Abdul Hamid II rejected the offer outright in 1896, informing Philip de Newlinski:

> *"If Mr. Herzl is as much your friend as you are mine, then advise him not to take another step in this matter. I cannot sell even a foot of land, for it does not belong to me but to my people. My people have won this Empire by fighting for it with their blood and have fertilised it with their blood. We will again cover it with our blood before we allow it to be wrested away from us."*[4]

The Sultan emphasized the land's significance to his people and their willingness to defend it. Although the conflict is occasionally depicted as ancient, dating back over a thousand years, its origins are actually rooted in the late 19th century. Zionism was based on the objective of relocating Jews from Europe to Palestine could address what was referred to in Europe as the *"Jewish problem"*. This concept of relocating was leading to the displacement of native Palestinians and was supported by many non-Jews and even those with

[2] Mim Kemal Oke. 1982. The Ottoman Empire, Zionism, and the Question of Palestine (1880-1908). International Journal of Middle East Studies, Vol. 14, No. 3 (Aug., 1982), pp. 329-341; https://www.jstor.org/stable/163676
[3] ibid.
[4] ibid.

anti-Semitic views. Figures like Theodor Herzl, among other Jews, embraced this concept, which infused early Zionism with a colonial aspect[5].

The movement gained momentum with the convening of the First Zionist Congress in Basel, Switzerland, in 1897. This gathering, organized by Herzl, was a groundbreaking event that brought together Jewish leaders from various countries to discuss the idea of a Jewish homeland. The congdddress adopted the Basel Program, which stated, "Zionism aims at establishing for the Jewish people a publicly and legally assured home in Palestine." Following the congress, waves of Jewish immigration (Aliyahs) to Ottoman Palestine began. These immigrants, motivated by Zionist ideology, sought to create a new life in what they viewed as their "ancestral homeland" or "promised land". They established agricultural settlements, revived the Hebrew language, and laid the groundwork for a future Jewish state.

1917 Balfour Declaration:

In 1917, the Balfour Declaration emerged as a significant milestone in the history of Zionism and the Middle East. This declaration, a letter written by Arthur James Balfour, the British Foreign Secretary, to Lord Rothschild, a leader of the British Jewish community, proclaming that *"His Majesty's government view with favor the establishment in Palestine of a National Home for the Jewish people"*[6]. The declaration aligned with the Zionist goals set forth in 1897 and marked a crucial step towards realizing these aspirations. However, it also emphasized the protection of the civil and religious rights of the non-Jewish communities in Palestine. The Balfour Declaration had far-reaching historical impacts, influencing the later establishment of the State of Israel and contributing to ongoing regional conflicts and negotiations.

1918-1948 British Mandate over Palestine:

After the end of World War I and the collapse of the Ottoman Empire, Palestine came under a British Mandate. This period was marked by British administrative control, authorized by a League of Nations mandate. The British occupied Palestine as part of the imperialist redrawing of the map of the world, for which the First World War had been fought. During a speech in Jerusalem, Christmas 1917, the British commander General Allenby announced *"only now have the crusades ended"* [7]. Throughout these years, the region witnessed increasing conflicts between the Arab and Jewish populations, particularly concerning Jewish immigration and the aspiration for statehood.
Until the eve of the Second World War, the British administratively, politically, and militarily established the basis for a Jewish state in Palestine.[8] The British Mandate came to an end in 1948, coinciding with the establishment of Israel and the outbreak of the first Arab-Israeli war. This era was pivotal, as it set the stage for many of the subsequent conflicts and geopolitical dynamics in the region.

[5] https://www.trtworld.com/magazine/how-theodor-herzl-failed-to-convince-the-ottomans-to-sell-palestine-12765755
[6] https://www.uccpin.org/land-loss-timeline
[7] https://www.palestinechronicle.com/remembering-the-ottoman-empire-in-palestine/
[8] https://www.uccpin.org/land-loss-timeline

1947 UN Partition Plan for Palestine:

In response to escalating tensions and violence by Jewish settlers in Palestine, the newly formed United Nations proposed a partition plan in 1947. This plan suggested dividing Palestine into two independent states: one Jewish and one Arab, with Jerusalem envisioned as an international city under UN administration. The Jewish leadership accepted the plan, while the Arab leadership and neighboring Arab states rejected it, viewing it as unjust and a violation of the rights of the Arab majority in Palestine. The rejection of the plan led to further conflicts and marked the beginning of the Arab-Israeli War of 1948.

Since the pivotal year of 1947, Israeli settlers have relentlessly pursued a path of aggression against the Palestinian people, steadfastly disregarding human rights, international law and numerous United Nations resolutions aimed at fostering peace and mutual respect in the region. This ongoing conflict, marked by profound sorrow and loss for the Palestinians, reflects a continual violation of their rights and an unyielding encroachment upon their lands. Despite the international community's calls for a peaceful resolution and adherence to established UN decisions, Israeli settlers and forces have consistently escalated tensions, undermining the prospects of a harmonious coexistence. The Palestinian struggle, rooted in a deep-seated yearning for justice and sovereignty, remains unfulfilled in the face of these persistent and unjust actions.

1948 Founding of Israel; the Arab-Israeli War and Nakba:

In 1948, a pivotal year in history, two significant events unfolded: the founding of the State of Israel and the onset of the Arab-Israeli War. The Nakba, or catastrophe, refers to the exodus of Palestinians from their lands in 1948 when the State of Israel was created. With the creation of the State of Israel, over 700,000 Palestinians were displaced[9], and numerous Palestinian towns and villages were destroyed or depopulated. This event remains a central historical trauma for Palestinians and is commemorated annually.
The current situation in the region has not changed much and is still marked by widespread and systematic evictions[10] and the demolition of Palestinian homes and settler violence according to a one year report[11] on demolitions and seizures in the West Bank including East Jerusalem between 1 January, 2022 to 31 December, 2022.

1949 Armistice Agreement

In 1949, following the Arab-Israeli War of 1948, a series of Armistice Agreements were signed, marking the end of the first major conflict between the newly declared State of Israel and its Arab neighbors. These agreements, signed individually with Egypt, Lebanon, Jordan, and Syria, established demarcation lines that separated the Israeli army from the forces of these neighboring countries. The most notable of these demarcation lines became known as the "Green Line."

The Green Line essentially outlined the boundaries of Israel, as they existed at the end of that conflict, until the 1967 Six-Day War. It was not intended to be a permanent border but rather

[9] https://time.com/6330904/palestinians-gaza-fear-permanent-expulsion/
[10] https://www.btselem.org/facing_expulsion_blog
[11] https://www.eeas.europa.eu/sites/default/files/documents/2023/One%20Year%20Report%20on%20Demolitions%20and%20Seizures%20in%20the%20West%20Bank%20including%20East%20Jerusalem%20-%201%20January%20%E2%80%93%2031%20December%202022.pdf

a ceasefire line. For the Palestinians and many in the Arab world, the Green Line represented more than just a military demarcation. It became a symbol of the lands lost in the 1948 war and a reference point in the ongoing conflict over Palestinian rights and territories. The areas beyond the Green Line, including the West Bank, Gaza Strip, and East Jerusalem, were occupied by Jordan and Egypt until 1967, and these territories have since been at the center of the Israeli-Palestinian conflict. The Green Line[12] remains a significant reference in discussions about peace, borders, and the future of the Israeli and Palestinian peoples.

1949 The Division of Palestine into West Bank and Gaza Strip:

The partition of Palestine into the West Bank and the Gaza Strip was a direct consequence of the first Arab-Israeli War, which broke out following Israel's declaration of independence and the end of the British Mandate over Palestine. In the aftermath of the 1949 armistice, the borders between Israel and its Arab neighbors were redrawn. These events not only reshaped the geopolitical landscape of the region but also set the stage for ongoing conflicts and negotiations in the decades to come.

West Bank:

This area was annexed by Jordan after Jordanian troops gained control over the region during the war. The West Bank remained under Jordanian rule until the Six-Day War in 1967, when it was illegally occupied by Israel.

Gaza Strip:

Egypt took control of the Gaza Strip after the war. While Egypt administered the Strip, it did not formally annex it. Similar to the West Bank, the Gaza Strip was also illegally occupied by Israel during the Six-Day War in 1967.

1956 Suez Crisis (Sinai War):

This conflict saw further displacement in the Gaza Strip[13] and heightened tensions in the region. While the primary conflict was between Egypt and a coalition of Israel, France, and the UK, Palestinians in the Gaza Strip suffered due to their proximity to the conflict zone.

1964 Foundation of the Palestinian Liberation Organization (PLO):

In 1964, the Palestinian Liberation Organization (PLO) was established under the initiative of the Arab League. This pivotal event unfolded against the backdrop of the ongoing Arab-Israeli conflict and the growing national aspirations of the Palestinian people. The creation of the PLO marked a significant development in the region, with the organization aiming to represent and lead the Palestinian struggle for independence. Yasser Arafat emerged as a key figure and leader within the PLO, becoming synonymous with the Palestinian national movement. Further, he was the co-founder of Fatah, a major Palestinian political and military faction, in 1959. Fatah conducted guerrilla warfare against Israel as part of its efforts to establish a Palestinian state. Arafat's involvement in Fatah and the PLO was not just as a political figurehead; he was actively engaged in the strategic and operational

[12] https://www.uccpin.org/land-loss-timeline

[13] https://timesofindia.indiatimes.com/world/middle-east/today-in-history-israeli-forces-capture-gaza-strip-during-1956-suez-crisis/articleshow/104939993.cms?from=mdr

aspects of the military struggle. This included planning and overseeing guerrilla operations against Israeli targets, especially before the peace process of the 1990s.
PLO was recognized as the *"sole legitimate representative of the Palestinian people"* by over 100 states with which it holds diplomatic relations, and has enjoyed observer status at the United Nations since 1974, considered to be a terrorist organization by the U.S. and Israel until the Madrid Conference in 1991. In 1993 the PLO recognizes Israel's right to exist in peace, accepts **UN Security Council resolutions 242 and 338**, and rejects *"violence and terrorism"*; in response, Israel officially recognized the PLO as the representative of the Palestinian people.

1967 Six-Day War:

The Soviet Union alerted Egyptian President Nasser about the likelihood of an Israeli invasion targeting Syria. Following this warning, Nasser initiated a blockade of the Straits of Tiran. In response, Israel conducted a preemptive strike, gaining control over the Sinai Peninsula, the Golan Heights in Syria, West Bank, and East Jerusalem, which resulted in significant Palestinian displacement, with many becoming refugees a second time, having already fled or been expelled in 1948.
Furthermore, it marks the start of military governance system over Palestinians in these territories. In the aftermath, Israel began transferring its civilian population into newly constructed housing developments, termed 'settlements', on Palestinian territories it occupied during the war. These settlements, often seen as illegal under international law and as a direct violation of Palestinian rights, have become a persistent source of tension and a symbol of the ongoing Israeli occupation of Palestinian lands. The first official use of the terms *"occupied"* and *"territories"* in relation to Israel was in **United Nations Security Council Resolution 242**[14]. This resolution was created after the Six-Day War and it called for a fair and enduring peace in the Middle East. This peace was to be established by adhering to certain principles, including: the withdrawal of Israeli military from the areas seized during the conflict, and the end of all hostilities or territorial claims. It also emphasized the need to respect and acknowledge the sovereignty, territorial wholeness, and political independence of every country in the region, affirming their right to exist peacefully within secure and recognized borders, without the threat or use of force.

On June 8, 1967 the USS Liberty, an American naval intelligence vessel, came under attack from Israeli air and sea forces. The assault resulted in the deaths of 34 U.S. sailors and left 171 wounded. Israel maintained that the incident was an unfortunate error.Despite initial anger in Washington, the response eventually shifted to official silence. There was no Congressional inquiry or formal investigation into the event. The 1967 Six-Day-War significantly bolstered Israel's military dominance in the region, further aligning United States foreign policy with pro-Israeli interests.

1967 Settlement Expansion (Ongoing):

The phenomenon of illegal Israeli settlements in the West Bank and Gaza Strip began shortly after the Six-Day War in 1967, a war that resulted in Israel occupying these territories. This marked the beginning of a policy where various Israeli governments, both left and right-wing, supported the establishment of settlements in these areas, despite being

[14] https://web.archive.org/web/20171012112540/https://unispal.un.org/DPA/DPR/unispal.nsf/0/9F5F09A80BB6878B0525672300565063

considered illegal under international law[15], the establishment and expansion of Israeli settlements in the West Bank continue. These settlements often lead to displacement, loss of land and resources for Palestinians, and frequent violence by settlers against the Palestinian population. This aggressive settlement policy, deeply rooted in Zionist expansionist ideologies, has been a continuous source of oppression and existential threat for the Palestinian people. Many of these settlers, often armed and displaying a blatant disregard for international law and Palestinian rights, originated from various parts of the world, drawn by nationalist and religious beliefs. Their presence not only symbolizes the ongoing Israeli occupation but also severely hinders the prospect of peace, infringing upon the basic human rights and self-determination of the Palestinian population. The settlements, deemed illegal under international law, continue to expand, exacerbating tensions and contributing to a cycle of violence and dispossession faced by Palestinians in their ancestral homeland.

A significant example was May 2021[16], where the chronic challenges faced by Palestinians were highlighted, as they have endured persistent inequality for many years. This period is characterised by systematic discrimination, forced displacement, suppression of dissent, and incidents of harm and fatalities. These issues form a structure that benefits Jewish Israelis to the detriment of Palestinians. That month, the spotlight was on Sheikh Jarrah, a district in the occupied territory of East Jerusalem, where Palestinian families who had previously been displaced during the founding of Israel in 1948 were protesting against Israeli plans to evict them to accommodate Jewish settlers. The ongoing actions and conduct of settlers are a continuous provocation and humiliation of Palestinian civilians residing in the occupied territories.

1973 Yom Kippur War:

On October 6, 1973, coinciding with Yom Kippur, a holy day in Judaism, a coalition of Egypt and Syria launched a surprise attack on Israel. The objective was to reclaim territories lost to Israel during the 1967 Six-Day War, specifically the Sinai Peninsula and the Golan Heights, which were of strategic and cultural importance to the Arab nations.

For Palestinians and their supporters, this war symbolized a moment of Arab unity and resistance against Israeli expansionism and occupation. The Arab armies initially made significant gains, which momentarily reversed the sense of invincibility that surrounded the Israeli military after the 1967 war. In moments of difficulty for Israel during the conflict, the United States stepped in to bolster its position by supplying military hardware, while the Soviet Union did the same for the Arab states. President Nixon's strategy was influenced by the Cold War dynamics, viewing the success of Israel, a U.S. ally, against Soviet-backed Arab nations as crucial to maintaining U.S. prestige. Nixon also anticipated that supporting Israel would enhance U.S. influence, allowing it to compel Israel, albeit reluctantly, towards peace negotiations after the war. The conflict eventually led to a military stalemate, followed by a ceasefire brokered by the United States and the Soviet Union.

The war had significant implications for the Palestinian cause. It led to a shift in the geopolitical landscape, eventually paving the way for the Camp David Accords and the Egypt-Israel Peace Treaty. While these agreements were seen as steps towards peace by

[15] https://www.icj.org/israel-icc-must-investigate-forced-displacement-of-palestinians-in-sheikh-jarrah-and-attacks-against-civilians-in-gaza/#:~:text=According%20the%20UN%20Office%20of,%5D%20at%20risk%20of%20displacement.%E2%80%9D

[16] https://www.amnesty.org/en/latest/campaigns/2022/02/israels-system-of-apartheid/

some, many Palestinians felt that their aspirations for self-determination and sovereignty were sidelined in these diplomatic efforts. The war underscored the complexities of the Arab-Israeli conflict and the Palestinian struggle for a homeland, a struggle that continues to resonate in the region's ongoing tensions and conflicts.

1978 Camp David Accords:

The Camp David Accords of 1978, facilitated by U.S. President Jimmy Carter, marked a significant development between Egypt's President Sadat and Israel's Prime Minister Begin. This peace treaty, while it resulted in the return of the Sinai Peninsula to Egypt, also brought to the forefront the controversies and unresolved issues concerning the Palestinian cause. The ongoing Israeli occupation of the West Bank and the Gaza Strip remained a contentious and ongoing challenge, highlighting the need for a comprehensive and just solution to the Palestinian question.

1982 Lebanon War:

Israel occupied parts of southern Lebanon at different times, resulting in conflicts that impacted both Lebanese and Palestinian populations within Lebanese borders, notably the 1982 Lebanon War and the ensuing occupation until 2000. A remarkable issue in this time was the Sabra Shatila massacre. The Sabra and Shatila Massacre occurred also in 1982 during the Lebanese Civil War. Israeli forces, who had invaded Lebanon, surrounded the Palestinian refugee camps of Sabra and Shatila[17] in Beirut and allowed a Lebanese Christian militia to enter. The militia then carried out a brutal massacre of Palestinian civilians. Israel was criticized for its indirect involvement as it had a presence in the area but did not intervene to stop the killings. This event led to international outrage and investigations, and several Israeli officials were found to be negligent in their duties and forced to resign.
Ariel Sharon, an Israeli military and political leader, was controversially dubbed *"the Butcher of Beirut"* due to his role at the Sabra and Shatila massacre. As Israel's Defense Minister at the time, Sharon was seen as having indirect responsibility for the massacre, where Lebanese Christian Phalangist militia killed hundreds to thousands of Palestinian and Lebanese Shiite civilians in the Sabra and Shatila refugee camps in West Beirut. An Israeli government inquiry, the Kahan Commission, later found that Sharon bore *"personal responsibility"* for not anticipating the possibility of Phalangist violence and for not taking measures to prevent it. The commission recommended his removal from the post of Defense Minister. This event significantly tarnished Sharon's reputation internationally. Sharon was later elected Prime Minister of Israel in 2001.

The Lebanon war and its aftermath contributed to the establishment and rise of Hezbollah, a Shia political party and militant group in Lebanon. Hezbollah emerged partly in response to Israel's occupation of southern Lebanon and the perceived injustices against the Lebanese and Palestinian populations. The 1982 Lebanon War, therefore, had far-reaching consequences, reshaping the political and militant landscape of Lebanon and the broader Middle East region.

[17] Shahid, Leila. The Sabra and Shatila Massacres: Eye-Witness Reports. Journal of Palestine Studies, Vol. 32, No. 1. (Autumn, 2002), pp. 36–58.

1987 The Establishment of Hamas:

When Hamas, a militant and political organization, was formed in 1987 during the First Intifada (Palestinian uprising against Israeli occupation), the Gaza Strip was under Israeli occupation. This occupation began in 1967, following the Six-Day War, when Israel captured Gaza, along with the West Bank and East Jerusalem, from Egypt and Jordan, respectively. The establishment of Hamas occurred in the context of this ongoing occupation and was part of the broader Palestinian response to it.

It originated as an offshoot of the Egyptian Muslim Brotherhood, a transnational Islamic organization. Hamas was established by Sheikh Ahmed Yassin and several other Palestinian Islamic activists in Gaza. The organization's inception was partly in response to the perceived inadequacies of the Palestine Liberation Organization (PLO) in effectively confronting the Israeli occupation and advocating for Palestinian rights.

Hamas combined religious and nationalist elements in its charter and agenda. It quickly gained popularity for its social service networks and its armed resistance against Israeli forces. The organization's activities have ranged from providing social services to Palestinians in Gaza and the West Bank to conducting military operations against Israel. Hamas's establishment marked a significant shift in the Palestinian resistance movement, introducing a distinct Islamic character to the struggle against Israeli occupation and competing with the secular nationalist PLO for leadership of the Palestinian cause.

1987-1993 First Intifada:

The First Intifada was a Palestinian uprising[18] against the illegal Israeli occupation of the West Bank and the Gaza Strip and the aggressive Israeli rule in the occupied Palestinian territories. This period was marked by protests, boycotts, civil disobedience, and violent outbreaks by Israeli forces. The Intifada highlighted the profound dissatisfaction among Palestinians regarding the ongoing occupation and their difficult living conditions. Israel deployed some 80,000 soldiers and initially fired live rounds, killing a large numbers of Palestinians. In the first 13 months, 332 Palestinians and 12 Israelis were killed. Given the high proportion of children, youths and civilians killed, it then adopted a policy of 'might, power, and beatings,' namely "breaking Palestinians' bones". The global diffusion of images of soldiers beating adolescents with clubs then led to the adoption of firing semi-lethal plastic bullets.[19] It also heightened international awareness of the Israeli-Palestinian conflict and laid the groundwork for later peace talks.

By 1987, frustration among Palestinians living under Israeli occupation had been growing for 20 years, because illegal settlements in the occupied territories had been spreading while Palestinians struggled economically and endured frequent confrontations with the Israeli army. On December 8, 1987, when an Israeli vehicle in Gaza caused a crash that killed four Palestinians, riots broke out in Gaza's Jabalia refugee camp. With that, the first Intifada had begun, as the uprising spread to the occupied West Bank. This occurred amid strong international criticism of Israel's crackdown, which was seen as excessively violent and was internationally condemned. Palestinians used rocks against the Israeli military, who responded with firing bullets to protestors and were reported to have intentionally beaten protesters severely. Allegations of torture by Israeli forces also emerged. The United Nations Security Council criticized the Israeli government for these actions. This conflict continued

[18] The Routledge Handbook on the Israeli-Palestinian Conflict, n.d., p. 61–63.
[19] https://www.uccpin.org/land-loss-timeline

for nearly six years, resulting in the deaths of over 100 Israelis and at least 1,000 Palestinians.
The uprising persisted from December 1987 up to the Madrid Conference in 1991, although some consider its end to have come in 1993 with the signing of the Oslo Accords.

1993 Oslo Accords:

On September 13, 1993, when the Israeli Prime minister Yitzhak Rabin and the leader of the Palestinian Liberation Organization (PLO) Yasser Arafat signed the Oslo Accords, which provided a framework for peace negotiations. The Oslo Accords were brokered by the US President Bill Clinton. These agreements provided for provisional self-governance for Palestinians in parts of the West Bank and the Gaza Strip. Israel accepted the PLO as the representative of the Palestinians, and the PLO renounced armed resistance and recognised Israel's right to exist in peace. The Oslo Accords were seen as a stepping stone for further negotiations towards a lasting peace solution. However, many of its core issues, such as the status of Jerusalem, the return of Palestinian refugees, and Israeli settlements, remained unresolved. Edward Said, a Palestinian American academic and activist, believed the Oslo Accords showed the *"truly astonishing proportions of the Palestinian capitulation"*.

Oslo Accords initially brought hope but ultimately did not succeed[20]. Even thirty years after these agreements, Israel continues to heavily bomb Gaza, leading many to view the peace process as a failure.

2000 Camp David II:

In the year 2000, the Camp David II summit marked a significant moment in the Israeli-Palestinian peace process, with Israeli Prime Minister Barak and Palestinian leader Arafat meeting under the auspices of U.S. President Clinton. At this juncture, Arafat was presented with a proposal that was outwardly framed as an opportunity for establishing an independent, demilitarized, Palestinian state. However, the terms of the proposal heavily favored Israeli interests, demanding continued Israeli control over crucial Palestinian resources and territories. The conditions included Israel's control over Palestinian airspace, vital West Bank water aquifers, an extended lease of strategic land along the Jordanian border, and the annexation of areas encompassing major Jewish settlements. Furthermore, the proposal granted Israel sovereignty over most of Jerusalem and the critical bypass roads in the West Bank.

Arafat's refusal to accept this deal was a stand against what was perceived as a deeply imbalanced and unfair offer. While this proposal has been often hailed as Israel's most *"generous offer,"* from a Palestinian perspective, it was seen as a stark infringement on their rights and sovereignty, offering a semblance of statehood without real autonomy or control over their own land and resources. Arafat's decision reflected a broader Palestinian sentiment that genuine peace cannot be achieved through agreements that compromise their fundamental rights and aspirations for a truly independent and sovereign state.

[20] https://www.mei.edu/publications/30-years-oslos-legacy-failure

2000-2005 Second Intifada:

The year 2000 marked the beginning of the Second Intifada, a significant and more violent Palestinian uprising against Israeli occupation, which lasted until 2005. This period of intensified conflict was triggered by a highly controversial visit to the Al-Aqsa compound, known to Palestinians as Haram-al-Sharif, by then-Israeli opposition leader Ariel Sharon. The visit, seen as a provocative act by Palestinians, led to immediate and widespread demonstrations and riots. Israeli forces responded with rubber bullets and tear gas atrgeting civilians, thus escalating the tensions into a full-blown conflict.
Throughout the Second Intifada, Palestinians suffered heavy casualties. The Israeli military response involved the deployment of tanks and air strikes, execution of targeted assassinations, and harsh measures against demonstrations. The death toll was severe, with an estimated 3,000 Palestinians losing their lives. The Palestinian casualties predominantly included civilians, highlighting the grave humanitarian impact of the conflict.

This uprising, taking place in the Israeli-occupied territories, followed the collapse of the Camp David Summit peace talks in 2000. The hopes for a definitive settlement of the Israeli-Palestinian peace process were dashed, leading to this explosive period of conflict. Israeli military operations in Palestinian areas led to extensive destruction of infrastructure and a high number of civilian deaths, further deepening the historical grievances and the struggle for Palestinian self-determination and rights. The Second Intifada stands as a poignant reminder of the ongoing quest for freedom and justice in the face of occupation and conflict.

2002 Israel's Construction of the Separation Barrier:

The decision to build the separation barrier, also known as the West Bank Separation Barrier, was made by the Government of Israel under Prime Minister Ariel Sharon on June 23, 2002. This resolution, known as Government of Israel Resolution 2077[21], approved the implementation of the first phase of the barrier. The Israeli government stressed that the barrier was intended as a security mechanism and not as a political border. It was met with strong opposition from Palestinians and international human rights organizations. The barrier, often referred to as the *"apartheid wall"* symbolized a physical manifestation of the division and conflict between Israel and Palestine. Its construction led to the seizure of Palestinian land and the disruption of daily life for thousands, as it cut through communities, farmlands, and natural resources. The wall became a poignant symbol of the restrictions on movement and the erosion of rights for Palestinians, drawing widespread criticism for its impact on the possibility of a contiguous Palestinian state and the peace process. Its establishment was seen not only as a tool for security but also as a means of annexation and control, deepening the divide in an already fractured region.

2004 ICJ Condems Israel's Separation Barrier as Illegal:

In 2004, the International Court of Justice (ICJ) issued an advisory opinion regarding the legality of the separation barrier often referred to as the *"apartheid wall"* constructed by Israel in the West Bank.[22]

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[21] http://www.passia.org/maps/view/41#:~:text=On%2023%20June%202002%2C%20Israel%E2%80%99s%20Cabinet%20Decision%20No.,of%20Israeli%20military%20forces%20in%20the%20West%20Bank.

[22] https://news.un.org/en/story/2004/07/108912#:~:text=9%20July%202004%20The%20International%20Court%20of%20Justice,Israel%20should%20make%20reparations%20for%20any%20damage%20caused.

The ICJ's decision was a response to a request from the United Nations General Assembly. The Court found that Israel's construction of the barrier violated international humanitarian law and other international legal norms, stating that the barrier's route on occupied Palestinian territory was illegal. The Court concluded that Israel's self-defense argument did not justify the construction of the barrier along the approved route. The ICJ called on Israel to cease the construction of the barrier on Palestinian territory, dismantle sections that had already been built, and compensate Palestinians who had suffered damage due to the construction.

The Court also addressed the legal status of the territory in question, recognizing the territories between the 1949 Israel-Jordan Armistice Agreement line (the Green Line) and the former eastern boundary of Palestine, including East Jerusalem, as occupied territories where Israel has the status of an occupying power since 1967. The ICJ referred to various international laws, including the Fourth Geneva Convention and the Hague Regulations, which were applicable to Israel's occupation of the Palestinian territories. Additionally, the Court considered the impact of the barrier on the Palestinian people's right to self-determination and found that the construction of the barrier, along with other measures, severely impeded this right.

The Court's decision highlighted the complexities of the Israeli-Palestinian conflict, emphasizing the importance of adhering to international law in resolving such disputes.

2005 Israel Withdrawal from Gaza:

In 2005, under the leadership of Prime Minister Ariel Sharon, Israel initiated a significant policy change by disengaging from the Gaza Strip. The Israeli occupation of Gaza effectively ended in 2005 through a unilateral disengagement plan implemented by the Israeli government, led at the time by Prime Minister Ariel Sharon. This plan involved the withdrawal of all Israeli military forces and the dismantling of Jewish settlements in the Gaza Strip. Israeli settlers affected by this decision were compensated and resettled, marking a major shift in Israeli policy. The disengagement was perceived by Palestinians as a step towards their autonomy, albeit with ongoing challenges. Subsequently, Hamas, often seen by its supporters as a symbol of Palestinian resistance, took control of governing Gaza. The disengagement was executed in August 2005, and it marked the first time Israel dismantled settlements in territories captured in the 1967 Six-Day War that it had considered part of its historical land.

Despite withdrawing its ground presence, Israel continued to exercise control over key aspects of Gaza's existence, including its borders, airspace, and maritime access. This control has had profound implications for the daily life and economy of Gaza's residents, affecting everything from movement of people and goods to access to resources. The 2005 disengagement, while ending direct Israeli presence in Gaza, did not lead to full sovereignty for the Palestinians there, leaving Gaza in a state of limbo, politically and geographically isolated, yet heavily reliant on and influenced by external forces. The legacy of this disengagement under Sharon's tenure remains a complex and contentious aspect of the Israeli-Palestinian conflict. The disengagement led to a power vacuum in Gaza, which was eventually filled by Hamas. As explained in detail below, in 2006, Hamas won a majority in the Palestinian Legislative Council elections, and in 2007, after a conflict with the Fatah party, it took control of the Gaza Strip. Since then, Gaza has been under the de facto

administration of Hamas, with Israel and Egypt imposing a blockade on the territory, citing security concerns related to Hamas's control and its military capabilities.

2006 Hamas Triumphs in Parliamentary Elections:

In 2006, a significant shift occurred in Palestinian politics as Hamas, the Gazan political organization with an associated military wing, won a decisive victory over Fatah, the leading secular Palestinian political party and the largest faction of the Palestine Liberation Organization (PLO), in the parliamentary elections. This outcome was not recognized by several international actors, leading to a complex political scenario. Following the election, a geographical and political divide became evident within the Palestinian territories: Hamas assumed governance in the Gaza Strip, while Fatah retained control in the West Bank. This division reflected the contrasting political ideologies and approaches of the two parties, and it marked a pivotal moment in the Palestinian struggle for self-determination and statehood. The election of Hamas, seen by its supporters as a legitimate resistance movement against Israeli occupation, signified a new era in Palestinian politics, albeit one fraught with challenges both internally and in the international arena.

War against Gaza:

2008-2009: Operation Cast Lead

In late 2008, the Gaza Strip witnessed the onset of Operation Cast Lead, a three-week armed conflict initiated by Israel against Palestinian factions. Commencing on 27 December 2008 and concluding on 18 January 2009, this operation was described by Israel as a response to cease rocket fire into its territory and to curb weapons smuggling into Gaza. However, the Israeli military strategy involved intensive attacks not only on military targets but also on essential civilian infrastructure. Israeli forces targeted police stations, military sites including weapons caches, and alleged rocket firing teams, as well as political and administrative buildings. These strikes were carried out in densely populated urban areas, leading to significant civilian casualties and infrastructure damage.

The operation triggered a strong response from Palestinian groups, who launched rockets as a defensive reaction to the massacres. This period marked one of the most devastating chapters in the Gaza Strip, reflecting the profound humanitarian crisis and the escalation of violence in the region. The impact of Operation Cast Lead was deeply felt across Palestinian communities, exacerbating the ongoing struggle for self-determination and dignity in the face of overwhelming military force.

2012: Operation Pillar of Defense

In November 2012, the Gaza Strip faced a significant escalation of conflict with the initiation of Operation Pillar of Defense by Israel. This military offensive, stated by Israel as a measure to stop rocket attacks from Gaza, led to a series of intensive air strikes. These strikes targeted not only military sites but also heavily impacted civilian areas, including places that Israel identified as having links to militant activities. The operation resulted in substantial destruction of infrastructure and civilian casualties on the Palestinian side, including women and children.

As a response to the Israeli offensive, Palestinian groups in Gaza launched rocket fire, describing their actions as a necessary defense against what they viewed as severe and disproportionate military force. This conflict marked another intense period of violence in the region, deepening the humanitarian crisis in Gaza.

2014: Operation Protective Edge

Operation Protective Edge, an extensive military operation launched by Israel in the Hamas-ruled Gaza Strip, culminated in a heavy toll after seven weeks of intense conflict. This included Israeli bombardment, Palestinian rocket attacks, and ground fighting. The casualties in Gaza were significant, with estimates ranging between 2,142 and 2,310 killed and between 10,626 and 10,895 wounded. Among the wounded were 3,354 children, highlighting the profound impact on civilian life. On the Israeli side, the conflict resulted in the deaths of 66 soldiers and 5 civilians, while 469 soldiers and 261 civilians were injured. The operation underscored the severe human cost of the conflict, affecting countless lives and deepening the humanitarian crisis in the region.

2014 Hamas and Fatah form a Unity Government:

In 2014, a pivotal moment emerged in Palestinian politics as Hamas and Fatah agreed to form a unity government. This agreement, intended to reconcile the longstanding division between the two influential Palestinian factions, was met with concern by Israel. The unity deal marked a significant political development, as it brought together Hamas and Fatah, with the latter being recognized for its comparatively pragmatic approach in the Palestinian political spectrum. Despite the formation of this government, ongoing tensions between Hamas and Fatah highlighted the enduring complexities in Palestinian politics. The agreement was a key step towards Palestinian unity, but it also underscored the intricate and often volatile nature of alliances in the Palestinian territories.

2015 Palestinian Unity Government Dissolves:

In a significant development in 2015, the Palestinian unity government, which had been a beacon of hope for political harmony, was dissolved. This government, formed with the intention of bridging the longstanding divide between the two major Palestinian factions, Fatah and Hamas, faced numerous challenges from its inception. The dissolution marked a notable setback in the efforts to achieve a unified Palestinian political front. It underscored the deep-seated divisions and the complexities within the Palestinian political landscape. The collapse of this unity effort raised concerns about the future of Palestinian governance and the prospects of a sustainable peace process in the region. The dissolution of the unity government signified a return to fragmented leadership, further complicating the path towards achieving national and international goals.

2016 US Military Aid for Israel:

In a historic move, the United States in 2016 approved an unprecedented military aid package for Israel, committing $38 billion over the next decade. This agreement, the largest of its kind in U.S. history, significantly enhances the previous pact, which was set to expire in 2018, where Israel received $3.1 billion annually. This strategic decision underscores the enduring alliance between the U.S. and Israel, reflecting a deep commitment to ensuring Israel's security and military superiority in the region. The package is aimed at bolstering

Israel's defense capabilities, amidst growing regional challenges and maintaining its qualitative military edge.

2018 US Embassy from Tel Aviv to Jerusalem:

In a move interpreted as a show of solidarity with Israel, President Trump relocated the US embassy from Tel Aviv to Jerusalem, a decision that drew criticism from Palestinian supporters who view East Jerusalem as the capital of a future Palestinian state. Concurrently, his administration ceased funding for UNRWA, impacting Palestinian refugees.

In response to these developments, Gazans initiated the Great March of Return, a series of weekly demonstrations along the border with Israel, advocating for the right of Palestinian refugees to return to their ancestral homes. Throughout the year, these protests witnessed significant casualties, with over 250 Palestinians killed and more than 20,000 injured, many suffering severe injuries including limb loss, often as a result of being shot by Israeli forces. This led to widespread condemnation by human rights organizations, criticizing Israel for its aggressive tactics which they termed as a "shoot-to-kill-or-maim" policy.

2020 Abraham Accords Declaration "Peace Agreement":

The Abraham Accords Declaration of 2020, brokered by the United States under President Trump, marked a significant development in Middle Eastern diplomacy. This agreement facilitated the normalization of relations between Israel and several Arab states, including the United Arab Emirates, Bahrain, Sudan, and Morocco. The accords opened avenues for cooperation in trade, security, and technology.

While hailed as a step towards peace and stability in the region, the Abraham Accords were perceived by many Palestinians as a setback to their aspirations for statehood and independence. The agreements shifted the regional dynamics, potentially sidelining the Palestinian issue and undermining their quest for recognition and self-determination.

2021 War against Gaza:

2021 Operation Guardian of the Walls

In 2021, Gaza endured another severe episode of violence under the Israeli military operation named Operation Guardian of the Walls. This operation, initiated by Israel, was marked by its intensity and the substantial destruction it inflicted on the Gaza Strip. The Palestinian territories, particularly Gaza, faced a relentless barrage of airstrikes and military actions, which were characterized by their ferocity and the significant civilian toll they exacted. According to the United Nations[23], the Gaza Strip witnessed the loss of 256 lives and approximately 2,000 people were injured, including over 600 children and 400 women. Among those killed, the UN classified 128 as civilians. The conflict also led to the displacement of over 113,000 Palestinians seeking shelter at UNRWA schools. This highlights the extensive humanitarian impact on the region.

[23] https://reliefweb.int/sites/reliefweb.int/files/resources/Occupied%20Palestinian%20Territory%20%28oPt%29%20-%20Response%20to%20the%20escalation%20in%20the%20oPt%20-%20Situation%20Report%20No.%201%2C%2021%20-%2027%20May%202021.pdf

The scale and nature of the Israeli offensive were met with international concern and condemnation from human rights organizations, emphasizing the disproportionate use of force and the dire consequences for civilians in Gaza. This conflict not only led to loss of life but also exacerbated the already dire living conditions in the region, with substantial damage to essential infrastructure and housing. The 2021 conflict, while part of the ongoing Israel-Palestine tensions, stood out for its particularly harsh impact on Palestinian civilians, highlighting the urgent need for a lasting and just resolution to the longstanding conflict in the region.

2023 Ongoing War against Gaza since the 7th of October:

As of 2023, the Gaza Strip remains embroiled in a prolonged and devastating conflict that escalated dramatically after October 7th. This ongoing war, characterized by relentless Israeli military operations, continues to inflict profound hardship on the Palestinian people in Gaza. The offensive, perceived by Palestinians and their supporters as a severe and disproportionate response, has led to extensive destruction of civilian infrastructure, including homes, schools, and healthcare facilities. The humanitarian situation in Gaza, already dire due to years of blockade and previous conflicts, has worsened significantly, with an alarming increase in casualties, displacement, and suffering among the civilian population. Palestinian resistance, framed as a fight for self-determination and freedom against occupation, continues amidst these challenging conditions. The people of Gaza, enduring relentless bombardment and a deepening humanitarian crisis, remain steadfast in their demand for an end to the siege and for recognition of their rights. This ongoing conflict not only highlights the resilience and perseverance of the Palestinians in Gaza but also underscores the urgent need for a just and lasting solution to the Israel-Palestine conflict, one that ensures peace, security, and dignity for all. The plight of Gazans in this continued war serves as a poignant reminder of the ongoing struggle for Palestinian liberation and justice. In the following chapter a detailed overview will be provided.

Periodic Clashes and Military Operations:

Regular clashes between Israeli forces and Palestinians, sometimes sparked by specific events or broader tensions, have led to the deaths of many Palestinians. These incidents keep occurring during military raids on the Al Aqsa Compound, protests, and raids of right-wing Jewish extremists on Jewish holy days, or as a result of security operations.

II: War on Gaza since the 7th of October 2023

The 7th of October has been a turning point for the world order. Over the past 13 weeks the world has witnessed an astonishing scale of atrocity and brutality, a genocide unfolding in plain sight. There has been a sheer volume of disinformation, designed to defend the indefensible aggression of Israel. The noteworthy complicity of many Western news organizations, which have been repeatedly exposed for not questioning and disseminating Israeli propaganda, gained global attention. Gaza has been turned into a slaughter house, entire neighbourhoods, families and minors were wiped out.

Since October 7, 2023, Israel has escalated its offensive on the densely populated Gaza Strip in response to an unanticipated strike by Hamas against southern Israel. Following the incursion, Israel halted the delivery of essential resources such as water, food, fuel, and power to the 2.3 million inhabitants of the enclave, a measure that the United Nations has condemned as *collective punishment*[24]. During a press conference in Cairo, Egypt, on November 8, 2023, the UN High Commissioner for Human Rights Volker Türk made the remarks that this collective punishment *"amounts to a war crime"*, adding that *"the massive bombardments by Israel have killed and injured, in particular, women and children."*[25]
Consequently, nearly all of Gaza's two million[26][27] people have been displaced, as Israel flattened much of the enclave. Over 21,978 civilians[28], encompassing mainly children due to Gaza's notably young population, with 47% under 18 years old[29] have been killed. The health

[24] https://www.ohchr.org/en/press-releases/2023/10/israeloccupied-palestinian-territory-un-experts-deplore-attacks-civilians
[25] https://www.middleeastmonitor.com/20231108-collective-punishment-of-palestinian-civilians-amounts-to-war-crime-un-human-rights-chief/
[26] https://www.voanews.com/a/palestinians-pour-into-southern-gaza-israel-widens-attacks-on-hamas-/7417882.html
[27] https://www.pcbs.gov.ps/site/lang__en/1/default.aspx
[28] https://www.pcbs.gov.ps/site/lang__en/1405/Default.aspx
[29] https://www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=4484

ministry has announced that the death toll includes at least 9,000 children[30], 6,450 women[31], 4,700 kids and women missing[32], with 61,519 injured[33].

So far, Israeli attacks on the Gaza Strip have gone beyond the use of the right to self-defence within the limits of international law, the limits imposed by the principle of proportionality[34]. Israel killed 136 staff members of the UN and the UN secretary-general Antonio Guterres said that throughout the UN's history, they had never witnessed the death of their staff in such large numbers[35]. At least 106 journalists have been killed according to new figures released by the government media office in Gaza[36].

According to the Palestinian Central Bureau of statistics, in the West Bank so far 3,822 civilians are injured[37], including 582 children, and 319 civilians including 80 kids[38] have been killed.

In a critical address delivered on November 6, 2023, United Nations Secretary-General António Guterres stood before the international press at the UN Headquarters in New York. His speech was a powerful and urgent plea for an immediate humanitarian ceasefire amid escalating violence and tragedy. Guterres painted a harrowing picture of the dire situation, emphasizing the unprecedented toll the war was taking on civilians, particularly children. The gravity of his message was underscored by alarming statistics about the loss of life, including those of journalists and UN aid workers, numbers unparalleled in recent history. Calling attention to the devastating humanitarian and ethical implications of the ongoing war on Gaza, Guterres firmly reiterated the necessity of adhering to international humanitarian law, stressing the immediate need for a ceasefire to prevent further loss of innocent lives. His words were not just a call to action but a poignant reminder of the collective responsibility towards humanity in times of war.

> *"The unfolding catastrophe makes the need for a humanitarian ceasefire more urgent with every passing hour.* ***Gaza is becoming a graveyard for children****. Hundreds of girls and boys are reportedly being killed or injured every day. Without fuel, new-born babies in incubators and patients on life support will die. The nightmare in Gaza is more than a humanitarian crisis. It is a crisis of humanity. More journalists have reportedly been killed over a four-week period than in any conflict in at least three decades. More United Nations aid workers have been killed than in any comparable period in the history of our organization. The way forward is clear. A humanitarian ceasefire -now. Let me be clear: No party to an armed conflict is above international humanitarian law."*[39]

Prior to his address on November 6, 2023, United Nations Secretary-General António Guterres reiterated his call for a ceasefire and the protection of civilians in a Security Council

[30] https://www.pcbs.gov.ps/site/lang__en/1405/Default.aspx
[31] ibid.
[32] ibid.
[33] https://www.pcbs.gov.ps/site/lang__en/1/default.aspx
[34] https://www.middleeastmonitor.com/20231108-images-coming-from-gaza-trouble-athens-greek-foreign-minister/
[35] https://www.aljazeera.com/news/2023/12/24/israeli-strikes-kill-un-staff-more-than-70-of-his-extended-family-in-gaza#:~:text=Since%20Israel's%20war%20on%20Gaza,staff%20in%20such%20large%20numbers.
[36] https://www.pcbs.gov.ps/site/lang__en/1405/Default.aspx
[37] https://www.pcbs.gov.ps/site/lang__en/1406/Default.aspx
[38] https://www.pcbs.gov.ps/site/lang__en/1405/Default.aspx
[39] https://turkiye.un.org/en/251952-guterres-%E2%80%9Cgaza-becoming-graveyard-children%E2%80%9D

session with representatives from 15 countries, held at the United Nations headquarters on Tuesday, October 24, 2023, emphasizing that:

> *"It is important to also recognize* ***the attacks by Hamas did not happen in a vacuum. The Palestinian people have been subjected to 56 years of suffocating occupation.*** *They have seen their land steadily devoured by settlements and plagued by violence; their economy stifled; their people displaced, and their homes demolished. Their hopes for a political solution to their plight have been vanishing. But the grievances of the Palestinian people cannot justify the appalling attacks by Hamas. And those appalling attacks cannot justify the collective punishment of the Palestinian people."*

Guterres keeps expressing his concerns that the hostilities could potentially escalate into a more extensive conflict within the area, stating that "the occupied West Bank, including East Jerusalem, is at a boiling point."[40]
Amidst the global call for peace and justice, the majority of United Nations member states, standing in solidarity with the Palestinian cause, strongly advocated for an immediate ceasefire to end the suffering and uphold human rights. However, despite this overwhelming support, the resolutions in the UN Security Council failed to pass 4 resolutions due to disheartening vetoes before eventually succeeding on the 15 November, 2023.

Furthermore, in a move counter to the aspirations of peace and freedom for Palestine, a few countries opposed the majority-backed resolution for an immediate ceasefire in the UN General Assembly.

Deliberate Slaughtering and Targeting of Journalists

There has been a harrowing increase in the deliberate targeting and slaughtering of Palestinian journalists, a grim pattern that represents a profound threat to press freedom and the fundamental right to information. The Committee to Protect Journalists (CPJ) has documented the deaths of at least 90 journalists and staff since the conflict began, with around three-quarters of all deaths in 2023 occurring in Gaza[41]. This sinister campaign against journalists in Gaza is not only a blatant attempt to obscure the atrocities committed by the Israeli forces but also an affront to the principles of humanity and justice. The Israeli army's relentless attacks have indiscriminately targeted media professionals, leading to at least 83 deaths of journalists and media workers according to the Committee to Protect Journalists[42]. These attacks are not isolated incidents but part of a broader strategy to suppress the truth and silence witnesses to the ongoing oppression in Gaza. This systematic campaign has led to the killing of Palestinian journalists in their homes, during their coverage of the conflict, and even in locations that should be safe havens, such as United Nations-run schools[43]. The targeting of journalists like Al Jazeera's Samer Abudaqa, who was killed while reporting, and others who have lost their lives or family members, like Al Jazeera correspondent Wael Al-Dahdouh, is indicative of a deliberate strategy to eliminate voices

[40] ibid.
[41] https://www.aljazeera.com/program/inside-story/2023/12/16/is-israel-deliberately-targeting-journalists-in-gaza
[42] https://cpj.org/2024/01/journalist-casualties-in-the-israel-gaza-conflict/#:~:text=As%20of%20January%2018%2C%202024,and%201%2C200%20deaths%20in%20Israel.
[43] https://www.aljazeera.com/program/inside-story/2023/12/16/is-israel-deliberately-targeting-journalists-in-gaza

that dare to reveal the harsh realities of the Israeli occupation and aggression[44]. Furthermore, the International Federation of Journalists and other organizations have highlighted the calculated and deliberate nature of these attacks, asserting that many of the journalists were specifically targeted by surgical Israeli strikes. The persistence of these acts, despite international condemnation, reflects a disturbing disregard for international law and human rights. The Palestinian Journalists' Syndicate has underscored this grim reality, noting that over 100 Palestinian journalists have been killed since the beginning of the conflict, with many of them deliberately targeted[45]. This ongoing assault on journalists in Gaza is part of a broader context of media repression by Israeli forces, which includes arrests, shadow banning of channels like Al-Aqsa, and targeting of media outlets and service providers. More than 26 journalists have been arrested in the West Bank alone, reflecting a systemic effort to stifle Palestinian voices and media freedom[46]. On March 17, 2022, Blinken agreed with President Joe Biden that war crimes had been committed in Ukraine, emphasizing that intentionally targeting civilians is a war crime and expressing difficulty in concluding that Russia was doing otherwise[47]. The protection of journalists in war zones is a critical issue under international humanitarian law, particularly as outlined in the Geneva Conventions and their Additional Protocols. Article 79 of Additional Protocol I to the Geneva Conventions specifically provides that journalists engaged in dangerous professional missions in areas of armed conflict are to be treated as civilians and protected as such, provided they do not partake in hostilities[48]. This protection is crucial, as journalists play a vital role in documenting and reporting on situations of armed conflict, often at great personal risk. However, the stark reality is that this protection is not always upheld. The intentional targeting and killing of journalists, as seen in the Israeli aggressions in Gaza since October 7, 2023, is a violation of international humanitarian law. Such acts not only constitute a breach of the Geneva Conventions but are also considered war crimes under the Rome Statute of the International Criminal Court. Deliberate attacks against civilians, including journalists, are grave breaches of the Geneva Conventions and Additional Protocol I[49][50]. Despite these clear legal protections, the enforcement and adherence to these laws are often lacking, leading to a disturbing trend of impunity for crimes against journalists. This lack of accountability contributes to the recurrence of such violations[51]. The international community, including states and international bodies, bears the responsibility to end this impunity and prosecute those responsible for serious violations of international humanitarian law. It's crucial to ensure a safe and enabling environment for journalists, especially in situations of armed conflict[52]. The silence or inadequate response of the Western media and governments, to the deliberate targeting of journalists in certain conflict zones, can be seen as a form of hypocrisy. This inconsistency in upholding and advocating for the rights and protections of journalists, depending on the geopolitical context, undermines the principles of international law and justice. It is imperative that all journalists, regardless of the conflict or region they are covering, receive the same level of protection and support from the international community.

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[44] https://www.mwatana.org/posts-en/targeting-of-journalists-in-gaza
[45] https://www.democracynow.org/2024/1/8/palestinian_journalists
[46] https://globalvoices.org/2023/11/23/statement-israeli-occupying-forces-launch-a-new-campaign-targeting-journalists-and-media-outlets-in-palestine/
[47] https://www.reuters.com/world/blinken-says-war-crimes-committed-ukraine-us-experts-working-document-attacks-2022-03-17/
[48] https://www.icrc.org/en/doc/resources/documents/interview/protection-journalists-interview-270710.htm
[49] https://www.icrc.org/en/doc/resources/documents/interview/protection-journalists-interview-270710.htm
[50] https://www.icrc.org/en/doc/resources/documents/article/other/media-protection-article-.htm
[51] https://safety.rsf.org/appendix-i-protection-of-journalists-in-war-zones/
[52] https://safety.rsf.org/appendix-i-protection-of-journalists-in-war-zones/

Dramatic Rise in Detention of Palestinians

According to estimates of Euro-Mediterranean Human Rights Monitor's (Euro-Med Monitor)[53], by the 23 December, 2023 Israel has hold more than 8,000 Palestinians, including around 1,200 to 1,400 from the Gaza Strip, who were detained after October 7, in many instances without any direct evidence of the commission of an offence[54]. The information provided on the website of United Nations Office for the Coordination of Humanitarian Affairs (OCHA) further include that shortly after their arrest, detainees have been subjected to systematic abuse such as being stripped of their clothes, handcuffed, blindfolded, severely beaten, harassed, sexually assaulted, deprived of sleep food, water, and basic hygiene, and degraded in front of cameras[55]. First-hand accounts gathered by the UN Human Rights Office align with numerous images and videos recently shared on social media by Israeli soldiers, showing mistreatment and degradation of Palestinians. The Office has also received troubling claims of Palestinian prisoners being subjected to physical abuse by guards, and threats of sexual violence as a reprisal for the October 7 strikes have been reported for both male and female inmates[56]. Furthermore, the conditions for Palestinian inmates in Israeli jails have reportedly worsened significantly. Prisoners describe extreme overcrowding and substantial restrictions on fundamental necessities like food, water, electricity, medical care, family visits, and legal assistance.

Over the last few weeks since the beginning of the Israeli aggression, Israeli authorities have frequently imposed administrative detention on Palestinians, expanded the use of emergency measures that allow for inhumane and degrading treatment of detainees, and failed to adequately investigate reports of torture and deaths in detention. The circumstances surrounding the arrest, detention, and imprisonment of Palestinians raise serious concerns[57]. Since October 7, many Palestinian men have died in Israeli custody, marking the highest reported number of such incidents in a very short timeframe in many years. Only a few of these incidents have led to Israeli authorities initiating investigations, and historically, there has been a near-total lack of accountability in similar cases.

Amidst the ongoing struggle for Palestinian rights and self-determination, the Israeli apartheid state's expansion of administrative detention emerges as a stark manifestation of oppression. These detentions, devoid of due process, are emblematic of a broader system of injustice that undermines the Palestinian quest for freedom and dignity. The practice of administrative detention, a relic of colonial control, has been repurposed by Israeli authorities as a tool to suppress Palestinian resistance. This stark violation of human rights has escalated alarmingly, as evidenced by the recent surge in detentions, which marks a new chapter in the long history of Palestinian subjugation.

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53 https://reliefweb.int/report/occupied-palestinian-territory/revealing-horrific-conditions-faced-palestinian-detainees-euro-med-monitor-calls-immediate-international-delegation-inspect-israeli-detention-camps-enar

54 https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-office-opt-dramatic-rise-detention-palestinians-across-occupied-west-bank

55 https://reliefweb.int/report/occupied-palestinian-territory/revealing-horrific-conditions-faced-palestinian-detainees-euro-med-monitor-calls-immediate-international-delegation-inspect-israeli-detention-camps-enar

56 https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-office-opt-dramatic-rise-detention-palestinians-across-occupied-west-bank

57 https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-office-opt-dramatic-rise-detention-palestinians-across-occupied-west-bank

Despite the release of a number of Palestinian detainees as a result of a truce agreement between Israel and Hamas, a significant and increasing number of Palestinians continue to be held in Israeli detention facilities under conditions that are considered by many as unlawful. The swap deal of November 28, where 69 civilians previously held in Gaza were exchanged for 180 Palestinian detainees in a temporary cease-fire between Israeli forces and Palestinian factions. The incidents of October 7 and the following and ongoing war in Gaza has cast a light on the larger issue of the numerous Palestinains detained by Israel.

Israeli authorities, as of November 1, are detaining over 7,000 Palestinians from the occupied territories for alleged security offenses, according to the Israeli human rights organization HaMoked[58]. Arrests of Palestinians have outnumbered releases since the incidents in early October, with many detainees being women and minors. A significant portion of these detainees have not been convicted for a crime, with over 2,000 held under administrative detention, where individuals are detained without charges or trial. According to Human Rights Watch, "such detention can be renewed indefinitely based on secret information, which the detainee is not allowed to see. Administrative detainees are held on the presumption that they might commit an offense at some point in the future. Israeli authorities have held children, human rights defenders and Palestinian political activists, among others, in administrative detention, often for prolonged periods."[59]

Separate Criminal Justice Systems

The considerable number of Palestinian detainees can be attributed to the seperare judicial frameworks enforced by Israeli authorities within the occupied territories. Approximately three million Palestinians residing in the West Bank, not including East Jerusalem, are subject to military law and are processed in military tribunals. In stark contrast, the almosr half a million Israeli settler population in the West Bank, falls under the jurisdiction of civil and criminal law, with cases heard in Israeli civil courts. This bifurcation of legal systems is marked by pervasive disparities in treatment and process. This dual system is thoroughly infused with discriminatory practices at every level. The following table visualises briefly a comparison on the varying treatment of both populations:

Military law	Israeli Civil & Criminal Law
Palestinians can be held for up to eight days before they must see a judge — and then, only a military judge.	A person has to be brought before a judge within 24 hours of being arrested, which can be extended to 96 hours when authorized in extraordinary cases.
Palestinians can be jailed for participating in a gathering of merely 10 people without a permit on any issue "that could be construed as political".	Settlers can demonstrate without a permit unless the gathering exceeds 50 people, takes place outdoors and involves "political speeches and statements."
Palestinian children are arrested during nighttime raids. Israeli authorities interrogate them without a guardian present, hold them for longer periods	Israeli civil law protects children against nighttime arrests, provides the right to have a parent present during interrogations and limits the amount of time

[58] https://www.hrw.org/news/2023/11/29/why-does-israel-have-so-many-palestinians-detention-and-available-swap
[59] ibid.

before bringing them before a judge and hold those as young as 12 in lengthy pretrial detention.	children may be detained before being able to consult a lawyer and to be presented before a justice.
Israel extensively applies administrative detention against Palestinians, which surpasses the legal limits prescribed for such measures.	Administrative under Israeli law detention as a temporary and exceptional measure

In essence, while Israeli settlers and Palestinians inhabit the same land, they are subject to separate legal systems. Palestinians are tried in military courts with military laws, whereas settlers are judged in civil courts under civil laws, leading to different procedural rights and varying penalties for similar offenses. Consequently, this leads to an expanding population of Palestinians being imprisoned without fundamental due process. Discrimination pervails even in the treatment of children. Therefore, the Association for Civil Rights in Israel figured out that in 2017, a significant majority—72 percent—of Palestinian children from the West Bank were detained until the end of the legal proceedings, in contrast to a mere 17.9 percent of children within Israel.

Individuals accused of crimes often face a lack of due process in military courts. A substantial number of Palestinians convicted of "security offenses"—2,331 as of November 1—have entered plea agreements to avoid extended pretrial detention and avoid what are perceived as unjust military court proceedings, where the conviction rate for Palestinians is close to 100 percent.[60]

Torture and Mistreatment

Apart from the lack of due process, there is a long history of mistreatment and torture of Palestinian detainees by Israeli authorities. Since 2001, over 1,400 complaints [61] have been lodged against Shin Bet, the Israeli internal security service, for torture practices such as harsh shackling, forced sleep deprivation, and exposure to extreme temperatures. These complaints have been submitted to the Justice Ministry of Israel, resulting in a total of three criminal investigations and no indictments, according to the Public Committee Against Torture, an Israeli rights group.

According to Military Court Watch, in their 2023 documentation[62] of 22 instances of Palestinian children's detention, 64 percent reported experiencing physical abuse, and 73 percent underwent strip searches by Israeli forces during their detention.

Amnesty International and other human rights lawyers have gathered testimonies and evidence indicating that Israeli forces have subjected Palestinian prisoners to torture and other forms of ill-treatment, including severe beatings and humiliation. The reported torture and dehumanization of Palestinian detainees are not mere breaches of conduct; they are calculated acts of cruelty designed to inflict maximum suffering and humiliation. This is not only an assault on individual Palestinians but an affront to humanity that echoes through the corridors of Palestinian homes and communities.

Detention and Inhumane Conditions

[60] https://www.haaretz.com/israel-news/2022-04-25/ty-article-magazine/.highlight/israels-other-justice-system-has-rules-of-its-own/00000180-6566-d824-ad9e-e7664fa10000

[61] https://stoptorture.org.il/en/torture-in-israel-today/

[62] https://www.militarycourtwatch.org/page.php?id=xsTLcL44b4a1787880Aha01W0W3Q6

The conditions in Israeli prisons are reported to be inhumane, with detainees facing overcrowding and punitive measures, like the denial of outdoor exercise and the withholding of water and electricity. There has also been a reported lack of investigation into the deaths of detainees under such conditions.
The larger context includes thousands of Palestinians remaining in detention, the military court system with high conviction rates, and the widespread detention of Palestinian children. There are also claims of a systematic pattern of mass imprisonment of Palestinians and a clampdown on free speech, especially during times of heightened conflict. The situation has had a profound impact on detainees and their families, with many reporting physical and psychological abuse. Families of prisoners have been denied contact, exacerbating the emotional toll of detention.

Increase in arbitrary detention

Israeli authorities have significantly ramped up the use of administrative detention against Palestinians. This form of detention allows holding individuals indefinitely without charge or trial, and its use has seen a sharp increase in the West Bank. Reports from Palestinian human rights organizations indicate a significant increase in arrests and a decline in conditions for Palestinian prisoners before October 7. These reports detail including violent raids, retaliatory prison transfers and isolation of prisoners, less access to running water and bread and fewer family visits. The situation has further deteriorated since then. Since October 7, more than 2,200 Palestinian men and women have been detained by Israeli forces, as reported by the Palestinian Prisoners' Club. The Israeli human rights group HaMoked further noted that from October 1 to November 1, the number of Palestinians held in administrative detention (which means they are held without being charged or going to trial) increased from 1,319 to 2,070. The increasing number of Palestinians held in administrative detention, with many held on secret evidence or no charges at all, has been criticized as a tool to persecute Palestinians and has raised concerns over the violation of international humanitarian law. The international legal framework, designed to protect the most vulnerable, is trampled upon as Palestinian detainees are subjected to conditions that shock the conscience of the world. The systemic denial of their rights is a highlighting reminder of the discrimination that Palestinians face daily under illegal occupation.
All in all, the discrimination in detention and imprisonment practices represents only a part of the broader pattern of systemic oppression. This pattern is evident in the actions of Israeli authorities, which have been characterized as crimes against humanity, specifically apartheid and persecution of Palestinians, as identified by Human Rights Watch[63], Amnesty International[64] alongside various Israeli[65], Palestinian[66], and international[67] human rights groups. Personal testimonies reveal instances of severe abuse, including physical violence and threats. The testimonies suggest that the treatment of Palestinian prisoners may constitute war crimes under international law. The widespread detention has affected nearly every Palestinian household, contributing to a collective experience of incarceration and resistance. The report implies that the Israeli system of detention is part of a broader strategy of control over the Palestinian population. Each Palestinian subjected to these

[63] https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution
[64] https://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/
[65] https://www.btselem.org/publications/fulltext/202101_this_is_apartheid
[66] https://www.alhaq.org/advocacy/20931.html
[67] https://www.amnesty.org/en/latest/campaigns/2022/02/israels-system-of-apartheid/

indignities carries a story—a narrative of resilience in the face of an occupying power's attempts to erase their identity and spirit. These personal accounts are a testament to the Palestinian endurance and a call to the world to bear witness to their suffering.

Impact of the tragedy in Gaza on the West Bank

Since the Israeli assault on Gaza began on October 7, 2023, the impact on the West Bank has been both devastating and multifaceted. According to Doctors Without Borders, even before this assault, Israeli forces had killed 205 Palestinians in the West Bank, and settlers were responsible for nine more killings, with a significant number occurring in Jenin refugee camp[68]. This period marked the worst on record for Israeli attacks on Palestinians in the West Bank, with violence escalating notably after the war on Gaza began[69]. The Office of the High Commissioner for Human Rights (OHCHR) has highlighted the alarming situation in the West Bank, including East Jerusalem, as a result of the multi-layered human rights violations against Palestinians. Since October 7, there have been 132 Palestinian deaths, including 41 children, caused by Israeli forces and settlers, with a stark increase in the use of military tactics and weapons in law enforcement operations. The escalation of settler violence, averaging seven attacks per day, has been particularly concerning, with many incidents involving the collaboration or acquiescence of Israeli forces[70]. The Crisis Group notes that the Israeli army has intensified raids and imposed restrictions on movement, leading to a paralyzed economy and heightened fears among West Bank Palestinians. They find themselves caught between escalating violence from the army and settlers and a lack of political leadership or horizon[71]. The economic hardships faced by Palestinians due to closures and attacks come with significant impacts on local businesses and transportation[72]. Furthermore, Human Rights Watch reports that the number of Palestinians held in administrative detention without trial or charge has reached the highest in over 30 years. Additionally, settler violence has forced numerous Palestinians to leave their homes, exacerbating the crisis of displacement. These actions have been characterized as part of Israel's crimes against humanity of apartheid and persecution, as documented by various human rights organizations[73].

Settler violence in the West Bank has been a particularly alarming aspect of the broader conflict, especially following the Israeli assault on Gaza that began on October 7, 2023. The Office of the High Commissioner for Human Rights (OHCHR) reported a dramatic escalation in settler violence, with an average of seven attacks per day. In many of these incidents, settlers were either accompanied by members of the Israeli forces or were wearing uniforms and carrying army rifles. This collaboration has raised serious concerns about the complicity of Israeli forces in these attacks. The OHCHR noted that the settler violence, combined with near total impunity for these actions, is forcing entire Palestinian communities from their land, which could amount to the forcible transfer of a population, a grave breach of the Fourth Geneva Convention[74]. Human Rights Watch also highlighted the issue of settler violence, reporting that settlers have attacked 92 Palestinian communities since October 7, 2023. The impunity that fuels this violence serves as a major informal tool

[68] https://www.doctorswithoutborders.org/latest/palestinians-west-bank-2023-was-deadliest-year-record
[69] https://www.aljazeera.com/program/inside-story/2024/1/16/what-might-be-the-consequences-of-israeli-violence-in-occupied-west-bank
[70] https://www.ohchr.org/en/press-briefing-notes/2023/11/alarming-urgent-situation-occupied-west-bank-including-east-jerusalem
[71] https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/all-eyes-gaza-israel-tightens-its
[72] https://www.aljazeera.com/features/2023/10/28/palestinians-in-occupied-west-bank-face-closures-harassment-and-attacks
[73] https://www.hrw.org/news/2023/11/22/while-fire-rages-gaza-west-bank-smolders
[74] https://www.ohchr.org/en/press-briefing-notes/2023/11/alarming-urgent-situation-occupied-west-bank-including-east-jerusalem

used by the state to take over more and more West Bank land. These abuses are a part of the broader context of Israeli authorities' crimes against humanity of apartheid and persecution, as documented by various human rights organizations[75]. Additionally, the Crisis Group has noted the role of Israeli settlers in the violence against Palestinians in the West Bank. This violence is often accompanied by military raids and has taken a mounting toll on Palestinian communities, contributing significantly to the deteriorating conditions in the region[76]. All of these reports underscore the severe and escalating nature of settler violence in the West Bank, which has been a critical factor in the ongoing oppression and displacement of Palestinian communities in the region.

The Timetable of Destruction in Gaza

October 7, 2023	Hamas launches Al-Aqsa Flood on Israel. This marks the beginning of heightened hostilities between Israel and Gaza.
October 9, 2023	The Israeli government imposes a "total blockade" on Gaza, severely restricting access to essentials like food, water, and fuel.
October 9, 2023	Israel uses 155mm white phosphorus artillery shells in northern Gaza.[77] Upon contact, white phosphorus can burn people, thermally and chemically, down to the bone as it is highly soluble in fat and therefore in human flesh. The use of white phosphorus in densely populated areas of Gaza violates the requirement under international humanitarian law.[78]
October 10-16, 2023	The Israeli army fired artillery shells containing white phosphorus, an incendiary weapon, in military operations along Lebanon's southern border.[79]
October 13, 2023	Israel threatens to evacuate Gaza.
October 15-21, 2023	Deliberate denial of access to food, water, and fuel to civilians in Gaza. Israel resumes partial water supply to southern Gaza and allows limited humanitarian aid through the Rafah crossing with Egypt.
October 17, 2023	Israeli air strike on Al Ahli Baptist Hospital.
October 20, 2023	Israel bombs Greek Orthodox Saint Porphyrius Church in Gaza
October 22, 2023	The United Nations says the lives of at least 120 newborn babies in incubators in Gaza's hospitals are at risk as fuel runs out in the Palestinian enclave under renewed Israeli blockade. "We have currently 120 neonates who are in incubators, out of which we have 70 neonates with mechanical ventilation, and of course this is where we are extremely concerned," UNICEF spokesperson Jonathan Crickx [80]

[75] https://www.hrw.org/news/2023/11/22/while-fire-rages-gaza-west-bank-smolders
[76] https://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/all-eyes-gaza-israel-tightens-its
[77] https://citizenevidence.org/2023/10/13/israel-opt-identifying-the-israeli-armys-use-of-white-phosphorus-in-gaza/
[78] https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon
[79] https://www.amnesty.org/en/latest/news/2023/10/lebanon-evidence-of-israels-unlawful-use-of-white-phosphorus-in-southern-lebanon-as-cross-border-hostilities-escalate/
[80] https://www.aljazeera.com/news/2023/10/22/over-100-incubator-babies-at-risk-due-to-israels-fuel-cuts-to-gaza-un

October 24, 2023	UN Secretary-General António Guterres called for a ceasefire.
October 29, 2023	Israel begins ground offensive in Gaza.
October 27, 2023	**UN General Assembly Resolution (A/ES-10/L.27)** Jordan led a non-binding resolution at the UN General Assembly on October 27, calling for an immediate ceasefire in Gaza alongside unhindered access to humanitarian aid.
October 30, 2023	Israel bombs Jibaliya refugee camp
November 3, 2023	The Norwegian Refugee Council reports catastrophic needs in Gaza due to the shutdown of water, sanitation, and hygiene facilities.
November 4, 2023	People queue for bread at a partially collapsed bakehouse in Nuseirat refugee camp, Gaza. Israeli forces are accused of using starvation as a method of warfare.
November 12, 2023	Israel launches devastating strike on Al-Shifa Hospital
Novemer 14, 2023	Three of the original 39 premature babies have already died since Gaza's biggest hospital ran out of fuel at the weekend to power generators that had kept their incubators going due to Israeli blockade.
November 15, 2023	Israel storms the Parliament office in Gaza
November 15, 2023	The UNSC finally adopted a Malta-led resolution calling for humanitarian pauses and aid delivery to Gaza. The US, UK and Russia abstained, with 12 nations voting in favor.
November 17, 2023	The World Food Programme (WFP) warns of an "immediate possibility" of starvation in Gaza.
November 18, 2023	Israel targets Al-Fakhoura School affiliated with UN Relief and Works Agency for Palestinian Refugees
November 24, 2023 - December 01, 2023	The Israel-Hamas truce began on November 24, 2023, and was renewed twice before it ended on December 1, 2023. During this truce, fighting was paused, allowing humanitarian aid to enter Gaza. In exchange for Israel releasing Palestinian prisoners, Hamas released captives.[81] As part of the truce, nearly 240 captives were taken by Hamas following an attack on October 7. Of these, 127 captives remained in Gaza, with 110 freed as part of the truce. Israel initially released a list of 300 Palestinian prisoners eligible for release during the pause in fighting. A list of 50 more names of prisoners eligible was released later. Out of these 350 prisoners, 240 were released, and 110 remained. However, at the same time, Israel arrested approximately the same number of Palestinians in the West Bank and East Jerusalem.

[81] https://www.aljazeera.com/news/2023/12/1/the-israel-hamas-truce-has-ended-what-we-know-so-far

November 27, 2023	The UN Geneeral Assembly adopted a resolution calling for an “immediate and sustained” humanitarian truce condemning “all acts of violence aimed at Palestinian and Israeli civilians”.
November 29, 2023	29 UNSC meeting, the French permanent representative to the UN called for the brief truce that was in force for a week last month “to be permanent and lead to a ceasefire”.
December 1, 2023	Israeli military resumes bombing Gaza and expands ground operations after a brief ceasefire.
December 3, 2023	WFP reports a "high risk of famine" in Gaza, indicating a near-collapse of the food system.
December 6, 2023	WFP declares severe hunger levels in northern and southern Gaza.
December 7, 2023	Human Rights Watch reports that Israel's actions in Gaza, including the blockade and military operations, amount to war crimes under international law.
December 12, 2023	Israeli forces blew up a UNRWA school building in Beit Hanoun in northern Gaza.
December 12, 2023	The **UN General Assembly Adopts Resolution (A/ES-10/L.27)**[82] Demanding Immediate Humanitarian Ceasefire in Gaza, Parties' Compliance with International Law, Release of All Hostages.
December 26, 2023	Announcment of the appointment of Ms. Sigrid Kaag of the Netherlands as Senior Humanitarian and Reconstruction Coordinator for Gaza pursuant to Security Council Resolution 2720.
December 29, 2023	South Africa instituted proceedings against Israel concerning violations by Israel of its obligations under the Convention on the Prevention and Punishment of the Crime of Genocide in relation to Palestinians in the Gaza Strip, and requested the International Court of Justice (ICJ) to indicate provisional measures
January 03, 2024	According to the Times of Israel news website, Israel is holding secret talks with the Democratic Republic of Congo, urging the Central African country to take in Palestinians from the Gaza Strip
January 11- 12, 2024	Public Hearing of Proceedings (from Thursday 11 to Friday 12 January 2024) instituted by South Africa against the State of Israel on 29 December 2023; Request for the indication of provisional measures
January 11, 2024	The U.S. and British militaries bombed more than a dozen sites used by the Houthis in Yemen, in a massive retaliatory strike using warship- and submarine-launched Tomahawk missiles and fighter jets.

[82] https://press.un.org/en/2023/ga12572.doc.htm

January 11, 2024	Israel strikes against Deir Al Balah
January 19, 2024	ICJ Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem (Request for Advisory Opinion) - Public hearings to open on Monday 19 February 2024

III: Root Cause of Operation Al Aqsa Flood

There are several key factors that contributed to the triggering of Operation Al Aqsa Flood, all of which significantly heightened tensions and exacerbated the plight of Palestinians.

As highlighted by the UN secretary-general António Guterres on October 24, 2023, in a poignant session of the United Nations Security Council, the attacks by Hamas did not happen in a vacuum. He acknowledged the long history of occupation and suffering endured by the Palestinian people, highlighting their diminishing hopes for a political resolution and the adverse impacts of settlement expansion, economic stagnation, displacement, and demolition of homes. Guterres underscored that while the grievances of the Palestinian people do not justify Hamas's attacks, these attacks in turn cannot justify the collective punishment of the Palestinian population. As stated above his statement was a critical reminder of the complex layers of the conflict, calling for a balanced and humane approach to its resolution.
Since the mid-20th century, particularly intensifying with the creation of the State of Israel in 1948, the Israeli-Palestinian conflict is marked by periods of intense violence with numerous ongoing. Hence, it is a multifaceted and prolonged asymmetrical dispute. The conflict has seen repeated intense episodes of violence, causing significant casualties and suffering, notably for the Palestinian people.
This includes the extension of Israeli control to areas that are beyond the internationally recognized boundaries of Israel and breaching of international law repeatedly[83], combined with the economic challenges and the loss of political rights, which have driven Palestinians to a saturation point. Most notably, the practice of Israel relocating its citizens to the territories it occupies and the displacement of the indigenous Palestinian residents is in violation of essential principles of international humanitarian law. For example, according to the Fourth Geneva Convention, Article 49: *"The Occupying Power must not deport or move segments of its own civilian populace into the territory it holds." The article further bans "all forcible transfers, whether they are individual or mass ones, as well as the deportation of protected persons from an occupied territory."*
Each of the historical incidents can be found in Chapter I and these represent significant trauma and disruption in the lives of Palestinians and contributes to the broader narrative of occupation and conflict.

A noteworthy event, in the understanding and in investigating the root cause of the Palestinian suffering, is the 78th session of the United Nations General Assembly o September 22, 2023, where Israeli Prime Minister Benjamin Netanyahu presented a map[84] delineating “The New Middle East”, depicting the State of Israel stretching from the Jordan River to the Mediterranean Sea and building a “corridor of peace and prosperity” with its

[83] https://www.amnesty.org/en/latest/campaigns/2019/01/chapter-3-israeli-settlements-and-international-law/
[84] https://www.washingtonpost.com/world/2023/10/16/new-new-middle-east-israel-region-saudi-relations-fututre/

neighbours across the region, including Saudi Arabia. A Palestinian state, or even the collection of shrunken enclaves that the Palestinian Authority ostensibly controls, does not appear on the map. This action symbolised a critical juncture in the longstanding conflict, as it seemed to signify an intention to erase the Palestinian issue definitively. Netanyahu's government, often characterized as extreme, has been accused of exacerbating tensions through relentless intimidation. The presentation of this map, which is interpreted by scholars as a prototype of the potential erasure of Palestinian territories, particularly highlighting the plight of those in Gaza who are seen as facing an existential threat with few avenues for relief or recourse, which discernibly triggered Hamas to react.

Within the broader context of the geopolitics of the region, especially the so-called Abraham Accords[85], which are signed with Bahrain and the United Arab Emirates, and later also Sudan and Morocco, reinforced the belief of the extinction of Palestinians and the Palestinian cause conclusively. These agreements, initiated under the Trump administration in the United States, aimed to foster normalised relations between Israel and several Arab nations[86]. Critics argue that these accords are part of a *"dirty game"* that seeks to side-line the Palestinian issue in favour of strengthening alliances with key Arab states.

> *"For the past 25 years, we have been told repeatedly that peace with other Arab countries will only come after we resolve the conflict with the Palestinians,"* Netanyahu wrote in an article in Haaretz[87] before the last election in 2022. *"Contrary to the prevailing position,"* he continued, *"I believe that the road to peace does not go through Ramallah but bypasses it: instead of the Palestinian tail wagging the Arab world, I argued that peace should begin with Arab countries, which would isolate Palestinian obstinacy."*

A peace agreement with Saudi Arabia was supposed to be the icing on the *"peace for peace"* cake that Netanyahu has spent years preparing. Despite public clashes[88] between President Joe Biden and Prime Minister Benjamin Netanyahu, notably over the rule of law and Netanyahu's policies towards Palestinians, the Biden administration seems to have adopted a path not unlike that of its predecessor. Initially, it was believed that Biden would seek a more subtle and refined strategy, diverging from President Trump's policies. However, recent observations suggest that the current administration is following a course similar to the previous one. This approach has not only neglected the Palestinian standpoint but also sought to bypass it in favour of direct engagement with Arab governments.

A particularly delicate and worrisome development in this context is the potential normalisation of relations with Saudi Arabia. In a rare interview with Western media, the Crown Prince of Riyadh, Mohammed bin Salman, told Fox News on September 20, 2023, that ongoing talks[89] with Israel mean the prospect of normalised relations is *"getting closer every day."* Given Saudi Arabia's custodianship of Mecca, the holiest site in Islam, its actions carry significant weight across the Muslim world. Therefore, any shift in Saudi policy, especially in terms of its relationship with Israel, could have far-reaching implications, potentially redefining the regional order and signalling a substantial deviation from past Arab solidarity with the Palestinian cause.

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[85] https://edition.cnn.com/2020/08/13/middleeast/mideast-trump-full-statement-uae-israel-intl/index.html
[86] https://ye.usembassy.gov/president-trump-announces-historic-agreement-to-normalize-relations-between-the-uae-and-israel/
[87] https://www.haaretz.co.il/opinions/2022-10-14/ty-article-opinion/.premium/00000183-d17f-d8cc-afc7-ffff32720000
[88] https://www.france24.com/en/americas/20230328-us-president-biden-warns-israel-cannot-continue-down-this-road-in-judiciary-standoff
[89] https://www.reuters.com/world/middle-east/saudi-crown-prince-says-getting-closer-israel-normalization-fox-interview-2023-09-20/

Another crucial aspect for investigating the root cause and understanding of the Palestinian suffering, is the name of the operation *"Al Aqsa Flood"* as used by Hamas[90]. The name carries deep symbolic significance, referencing the Al Aqsa compound located in Jerusalem, which is revered as one of the holiest sites in Islam. In accordance with international law, which forbids the annexation and ongoing occupation of East Jerusalem[91], Israel has asserted control over all of Jerusalem, encompassing the Old City and the Al-Aqsa Mosque area. However, those claims of Israel are deemed illegitimate and have not received recognition from the vast majority of countries globally.

According to agreements with Jordan, the Jordanian Waqf, an Islamic trust responsible for the administration of religious sites, managed the internal security and administration of the Al-Aqsa Mosque compound. Israel, on the other hand, was tasked with the external security and the regulation of non-Muslim visitors' entry, which was to be coordinated with the Waqf while respecting Jordan's restrictions on Jewish extremist groups considered to be incendiary. In recent years, however, Israel has increased its control over the site. This includes managing access points, limiting Palestinian entry, carrying out aggressive incursions within the site, and permitting entry to Jewish extremist groups. Since 1967, these groups have made clear their intention to assume control of the site, demolish the Dome of the Rock, and erect a third temple in its place[92]. Dividing and sharing control over the Al-Aqsa Mosque is a violation of international law. **United Nations Security Council Resolution 27**[93], demands for the protection of Al-Aqsa, and recognises that *"any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act may seriously endanger international peace and security"* as illegal.

Root Causes in a nutshell:

1) Palestinian suffering over the years, esp. blockades and economic stagnation
2) United Nations General Assembly Speech of Netanyahu promoting a map without Palestine
3) Putting Palestinian Issue asside such as in Abraham Accords
4) Israel storming of Al Aqsa compound regularly
5) Dehumanization of Palestinians
6) Continuous arbitrary detention of Palestinians, torture and mistreatment

Dehumanization and aggressive language against Palestinians

The dehumanization and aggressive language against Palestinians, have been a disturbing testament to a long-standing pattern of injustice and human rights violations. Since the beginning of the Israeli aggression against Gaza, it has been marked by a heightened intensity of violence and blatant disregard for Palestinian lives, dignity, and human rights. The United Nations rights chief has condemned the dehumanization of Palestinians,

[90] https://www.middleeastmonitor.com/20231009-haniyeh-outlines-context-and-objectives-of-hamas-operation-al-aqsa-flood/
[91] https://www.ohchr.org/en/news/2020/06/israeli-annexation-parts-palestinian-west-bank-would-break-international-law-un
[92] https://www.jpost.com/jewish-world/jewish-features/can-third-temple-be-built-without-destroying-dome-of-the-rock
[93] https://digitallibrary.un.org/record/90768

particularly by Israeli settlers, and has noted the alarming surge in settler violence in the West Bank, with reported incidents involving shootings, burning of homes and vehicles, and uprooting of trees[94]. In Gaza, neighborhoods have been razed by airstrikes, exacerbating the already dire humanitarian situation resulting from the long-standing Israeli blockade. The large-scale military operations, including Operation "Al-Aqsa Flood" by Hamas and other Palestinian groups and Israel's "Operation Iron Swords," have disproportionately impacted civilians, many of them children, trapped in the inescapable cycle of violence[95]. The dehumanization of Palestinians has also been a significant factor enabling these attacks, as noted by the head of UNRWA, the U.N. aid agency for Palestinians[96]. Furthermore, the media and international community have been criticized for their role in perpetuating this dehumanization. The Institute for Palestine Studies has highlighted the glaring disparity in how Palestinian and Israeli lives are valued, with the U.S. and its allies often justifying mass murder and oppression against Palestinians under the guise of democracy and strategic interests. This approach has been evident in the use of explicitly racist terminology by Israeli leaders and the American government's support for Israel's military actions, even when these result in the bombing of civilian areas like hospitals in Gaza[97]. Israel Prime Minister Benjamin Netanyahu's said on October 28, 2023 "You must remember what Amalek has done to you, says our Holy Bible. And we do remember", as Israeli forces prepared to launch an assault on Gaza. The Amalekites, descendants of Amalek, were an ancient biblical nation who, according to the Hebrew Bible, were the first to attack the children of Israel (the Jewish people) after their escape from Egypt into Sinai. Further, Israeli Defense Minister Yoav Gallant said in a statement "We are fighting against animals". On October 9, 2023 Gallant described Palestinians as "human animals" in his proclamation of the "total siege"[98]. On October 5, 2023 Israel's Jerusalem Affairs and Heritage Minister Amichai Eliyahu said on 5th of November that dropping a nuclear weapon on the Gaza Strip is "an option[99]". Neve Gordon, a law faculty member at Queen Mary University of London and of Israeli origin, criticized Israel's efforts to legitimize actions he deemed war crimes. Gordon argued that Israel's attacks on civilian areas, medical facilities, and personnel, as well as the restriction of electricity and water access in Gaza, constitute war crimes. He highlighted Israel's portrayal of its military actions as adhering to the laws of war while simultaneously dehumanizing Palestinians, accusing them of moral failings and disregard for the distinction between civilians and combatants. The derogatory comparisons of Palestinians on Israeli social media, as attempts to dehumanize Palestinians is an aim to justify civilian casualties. Emphasizing the humanity of each casualty in conflicts, he criticized the term "collateral damage" and noted the significant military imbalance favoring Israel.

[94] https://news.un.org/en/story/2023/12/1145132
[95] https://moderndiplomacy.eu/2023/10/23/the-dehumanization-of-palestinians-the-gaza-crisis-and-the-urgency-for-peace/
[96] https://www.reuters.com/world/middle-east/unrwa-chief-says-dehumanization-palestinians-enable-israeli-attacks-2023-12-10/
[97] https://www.palestine-studies.org/en/node/1654481
[98] https://www.aljazeera.com/opinions/2024/1/14/intent-in-the-genocide-case-against-israel-is-not-hard-to-prove
[99] https://www.timesofisrael.com/far-right-minister-says-nuking-gaza-an-option-pm-suspends-him-from-cabinet-meetings/

IV: Reaction of Regional Key Players

“Axis of Resistance”

The "Axis of Resistance," which includes groups such as Yemen's Houthi movement, Lebanese Hezbollah, and various Iraqi and Syrian militias, along with Iran, has maintained a stance characterized by strong rhetorical support for Hamas and opposition to Israel's actions. However, these groups have generally avoided escalating tensions into a broader regional conflict. Their actions, more indicative of showcasing capability and solidarity, suggest a strategic approach that balances support for Palestinian causes with a deliberate avoidance of direct confrontation with Israel and the United States.
After launching an unprecedented attack Hamas, Mohammed Deif, Hamas' military commander, called for support from their Axis allies, including groups in Lebanon, Iran, Yemen, Iraq, and Syria. This plea was echoed by Khaled Meshaal, a Hamas leader, who acknowledged Hezbollah's actions but indicated that "the battle requires more"[100]. Hezbollah, despite being a powerful component of the Axis with around 100,000 fighters, has maintained a cautious approach. While they have engaged in almost daily exchanges of fire across the Lebanon-Israel border, these have largely remained confined to a narrow territory to avoid a full-scale confrontation. Hezbollah's leader, Sayyed Hassan Nasrallah, stated that Hamas had kept its initial attack on Israel secret from its allies, which contributed to its success. Hezbollah is aware of Lebanon's fragile situation and the catastrophic consequences of another war with Israel[101]. In the West Bank, particularly in the Nur Shams refugee camp, there has been growing support for armed resistance. Despite severe Israeli raids, the resistance, including groups like Tulkarem Brigades-Saraya al-Quds and Tulkarem Brigades-Fast Response, remains defiant. The sentiment among these groups is that "armed resistance is the only solution," reflecting a widespread frustration with decades of military occupation and stalled negotiations[102]. Iran, a key supporter of the Axis of Resistance, has reiterated its support for Palestine. Iranian Foreign Minister Hossein Amir-Abdollahian emphasized Iran's commitment to preventing Israeli war crimes in Gaza and discussed forming a larger axis against Israel with Hamas officials. Additionally, Iran's potential strategies include forming a large-scale joint war command room and the involvement of resistance groups in Iraq and Yemen. Iran also recognizes the strategic importance of the Bab-el-Mandeb Strait controlled by Yemen's Ansarullah, highlighting the potential regional impact of the conflict[103].

An escalated Israeli attack on Gaza could intensify tensions across the Iranian-led "Axis of Resistance," which includes groups like Lebanese Hezbollah, Iraqi and Syrian Shiite militias, and Yemen's Houthi movement. Despite Hezbollah leader Hassan Nasrallah's praise for attacks on U.S. bases in Iraq and Syria and the Houthi's attempted strike on Israel, he has stopped short of fully committing Hezbollah to the conflict. Iran, meanwhile, aims to politically resolve the Gaza conflict and avert an all-out clash with Israel, showing restraint in

[100] https://www.reuters.com/world/middle-east/irans-axis-resistance-against-israel-faces-trial-by-fire-2023-11-15/
[101] https://www.reuters.com/world/middle-east/irans-axis-resistance-against-israel-faces-trial-by-fire-2023-11-15/
[102] https://www.aljazeera.com/features/2023/12/12/west-bank-fighters-say-israel-war-on-gaza-inspires-more-resistance
[103] https://www.islamtimes.org/en/article/1088950/what-are-axis-of-resistance-s-options-against-israeli-aggression

preventing the war's spread to Lebanon. However, there's speculation that Yemen is being positioned as a less risky base for operations against Israel.

On October 31,2023 the Houthis escalated the situation by launching drones and missiles at Israel, including a drone attack on Eilat. This follows Iran's warning that the Gaza war could open new fronts. The Houthis, with Iranian help, have developed advanced weaponry, including precision-guided rockets and drones. Israel has countered these threats with its Arrow missile defense system, as demonstrated in neutralizing a Yemeni missile aimed at Eilat.

These developments highlight the Houthis' extended reach and capabilities, including long-range missiles and drones. However, their effectiveness against Israel's robust defense systems, especially given the distance from Yemen, remains questionable. Yemen has a strategic location near key maritime routes like the Bab al-Mandeb The accusations of Houthis attacking commercial ships connected to Israel in the Bab-el-Mandeb brought attention to the USA, China, and Russia's competition in subregions. Bab-el-Mandeb's strategic location on the Red Sea means any military movement in this area is of great importance. Control over this region could provide both economic and military advantages to the Houthis. Their attacks could grant them and indirectly Iran more bargaining power at the negotiation table regarding the Palestinian-Israeli conflict and the resolution of the internal war in Yemen.

The Houthis' arsenal, particularly anti-ship missiles, poses a threat to maritime security, highlighting the need for effective naval defense strategies. The Houthis' open declaration of war against Israel marks a significant shift in their alignment with Iran's "Axis of Resistance" and suggests their evolving role from a local to a regional player, leveraging regional sentiments against Israel's actions in Gaza for broader legitimacy. Recently, the Houthis, who announced they would target commercial ships heading to Israel in response to Israeli attacks on Gaza, have turned the Bab-el-Mandeb Strait, which separates the Arabian Peninsula and Africa, into a nightmare for international trade ships through their missile attacks. In response to the "Do not do business with Israel" message conveyed by the Houthi's drone and missile attacks, some major companies have already declared that they will not use this strait. Bab-el-Mandeb is the entrance to the Suez Canal, where 12% of global trade is conducted, connecting Europe and Asia. The alternative Cape of Good Hope route extends the journey by 6,000 kilometers and almost ten days, raising fears of impacting global inflation. The USA and the UK made efforts to form an international force against the Houthis, who have attacked this vital trade route. On January 12, 2023 the US and the UK carried bombed Houthi targets in Yemen, under the controversial use of UNSC Resolution 2720, which has escalated tensions in the region, raising fears of a regional conflict potentially escalating into a global one. This military action, employing Tomahawk missiles and fighter jets, represents a significant intensification of the conflict. The Houthis, officially known as "Ansar Allah," are the armed wing of the Zaidi branch of Shiism, which once governed Yemen. They emerged in the 1990s in Yemen's Saada region in the north, initially protesting the government's neglect of the area and socio-economic injustices. They also rose against the increasing Saudi influence and the neglect of Yemen's north. Russia and China, while not directly involved in the Yemen war, are seen as international actors providing indirect support to the Houthis. These countries try to prevent the Houthis from being isolated internationally by opposing or softening arms embargoes and other restrictive

measures against Yemen at the United Nations Security Council. This support reflects the contentious nature of regional and international politics and plays a significant role in the continuation of the conflict in Yemen. China generally maintains a neutral stance on Yemen-related issues at the UN Security Council, adhering to a non-interventionist foreign policy and avoiding meddling in internal affairs. This approach is also evident in decisions related to the Houthis in Yemen. China's neutrality is based on its foreign policy principles and strategic interests, trying to maintain balance among parties in conflict zones while protecting its commercial and diplomatic interests. This reflects China's overall approach and interests in global politics and indicates its interest relationships with Gulf countries.

Neighbouring Countries: Egypt and Jordan

Both Egypt and Jordan, despite having peace agreements with Israel for many years, have maintained a distant and cool relationship, discouraging interactions between their respective populations[104]. In a statement on October 7, Egypt did not acknowledge that Hamas had committed serious crimes and acts of war. On October 11, the Egyptian Foreign Minister, Sameh Shoukry, expressed Cairo's opposition to any efforts to resolve the Palestinian issue through military actions or displacement of people.

Egyptian President Abdel Fattah al-Sisi condemned what he described as the "collective punishment" of Palestinians in Gaza. Egypt has been especially concerned about a potential influx of Palestinians crossing into its territory, which could severely undermine hopes for a Palestinian state and lead to regional instability[105]. President al-Sisi vehemently rejected any forced displacement of Palestinians to Egyptian lands in Sinai, emphasizing that the liquidation of the Palestinian cause without a just solution is unacceptable and would not happen at Egypt's expense[106]. Egypt has also been involved in efforts to deliver humanitarian and emergency aid to the people of Gaza. The country's foreign minister, Sameh Shoukri, discussed the priority of such aid during meetings with international counterparts. Egypt's role as a mediator and its strategic position, sharing a border with Gaza, places it at the forefront of diplomatic and humanitarian efforts to address the crisis[107]. King Abdullah II of Jordan echoed similar sentiments, expressing his "unequivocal rejection" of any displacement of Palestinians. Given that Jordan already hosts a large number of displaced Palestinians from previous conflicts, the King stressed that any forced displacement constitutes a war crime according to international law. Both Jordanian and Egyptian[108] leaders warned that the failure to stop the war on Gaza would plunge the region into catastrophe. They emphasized the necessity of immediately stopping the war, protecting civilians, lifting the siege, and delivering humanitarian aid to the people in Gaza[109]. Both countries' leaders have shown growing anger and frustration with the situation, even as they maintain diplomatic relations with Israel. Their statements reflect deep concern over the humanitarian situation in Gaza, more refugees in their countries and the broader implications for regional stability and the future of the Palestinian cause.

[104] https://www.fdd.org/analysis/2023/10/23/egypt-and-jordan-condemn-israeli-response-to-hamas-massacre/
[105] https://www.middleeastmonitor.com/20231020-jordan-egypt-failure-to-stop-war-on-gaza-will-plunge-region-into-catastrophe/
[106] https://businessmirror.com.ph/2023/10/22/egypt-and-jordan-express-growing-anger-over-israels-actions-in-gaza/
[107] https://www.scmp.com/news/world/middle-east/article/3238545/israel-gaza-war-egypt-jordan-condemn-collective-punishment-gaza
[108] https://www.middleeastmonitor.com/20231020-jordan-egypt-failure-to-stop-war-on-gaza-will-plunge-region-into-catastrophe/
[109] https://businessmirror.com.ph/2023/10/22/egypt-and-jordan-express-growing-anger-over-israels-actions-in-gaza/

Arab Sphere: GCC Countries

The Gulf Cooperation Council (GCC) countries, including Saudi Arabia, Kuwait, the United Arab Emirates, Qatar, Bahrain, and Oman, have collectively and individually expressed strong condemnation of the Israeli aggressions in Gaza since October 7, 2023. In a statement made on behalf of the GCC countries during the United Nations General Assembly's discussion of "The Question of Palestine," it was emphasized that this aggression cannot be justified as self-defense[110]. The GCC outright rejected any efforts or approaches to forcibly displace Palestinians from their land and welcomed the humanitarian truce agreement achieved through joint mediation efforts by Qatar, Egypt, and the United States between Israel and Hamas[111]. The GCC condemned the Israeli military escalation in the Gaza Strip and warned of the humanitarian and security consequences of any ground operations conducted by Israeli forces on Palestinian civilians. This escalation was seen as a violation of international law, international humanitarian law, and United Nations General Assembly resolutions, including the call for an immediate ceasefire and the implementation of a humanitarian truce to preserve civilian lives and allow humanitarian aid to enter Gaza immediately and without delay[112].

The 44th GCC Summit, held in Doha, Qatar, was expected to primarily deal with the Israeli war on Gaza. The Gulf leaders were anticipated to discuss the two-state solution to the Israel-Palestine conflict as outlined in the Arab Peace Initiative of 2002, which states that East Jerusalem must be the capital of an independent Palestinian state[113]. Leaders of the GCC, meeting in Doha, also condemned the escalation of violence and indiscriminate bombing by Israeli forces in Gaza, the forced displacement of the civilian population, and the destruction of civilian facilities and infrastructure. They stressed the necessity of resuming the humanitarian truce to achieve a complete and sustainable ceasefire, ensuring the arrival of all humanitarian and relief aid and basic needs, the resumption of the work of electricity and water lines, and the entry of fuel, food, and medicine for the residents of Gaza[114]. The GCC countries have also held Israel legally responsible for the killing of thousands of civilians in Gaza, which they view as a clear violation of international law and international humanitarian law. The GCC rejected Israeli measures aiming to displace Gaza residents and called on the international community to take necessary measures, within international law, to respond to the illegal practices of the Israeli government. This includes providing international protection for the Palestinian people and condemning the targeting of civilian facilities and infrastructure by Israeli forces[115].

While there were no specific or explicit response of Saudi Arabia, Bahrain and Oman, Kuwait's Ministry of Foreign Affairs expressed concern over the escalation in Gaza, calling on the international community to stop the violence and protect Palestinian civilians. Kuwait warned that the continuation of violence without deterrence would undermine peace efforts and the prospects of a two-state solution[116]. While the UAE, which has moved towards full

[110] https://timesofoman.com/article/139141-gcc-calls-for-end-to-brutal-aggression-against-gaza
[111] https://www.qna.org.qa/en/News-Area/News/2023-11/29/0035-gcc-countries-affirm-common-position-demanding-end-of-aggression-in-gaza-strip
[112] https://www.qna.org.qa/en/News-Area/News/2023-10/28/0039-gcc-warns-of-risks-of-any-ground-operations-carried-out-by-israeli-occupation-in-gaza-strip
[113] https://www.newarab.com/news/44th-gcc-summit-doha-address-israels-war-gaza
[114] https://gulfnews.com/world/gulf/qatar/doha-declaration-gcc-condemns-escalation-in-gaza-israels-indiscriminate-bombing-1.99774848
[115] https://thepeninsulaqatar.com/article/09/12/2023/gcc-countries-hold-israel-legally-responsible-for-killing-thousands-of-civilians-in-gaza
[116] https://www.aljazeera.com/news/2023/10/15/which-countries-have-criticised-israeli-attacks-on-gaza

diplomatic ties with Israel under the Abraham Accords, has expressed deep concern over the situation in Gaza, calling for an immediate cessation of violence and a return to calm. The UAE emphasizes the importance of dialogue and negotiations as the way to reach a two-state solution[117]. Qatar's Emir, Sheikh Tamim bin Hamad Al Thani, accused Israel of committing "genocide" in Gaza and called for a permanent ceasefire at the GCC summit[118]. Qatar has been actively involved in mediation efforts and has called for the international community to compel Israel to respect international law and the historical rights of the Palestinian people[119].

Turkey

In response to the Israeli aggressions in Gaza Turkey, under the leadership of President Recep Tayyip Erdogan, has taken a strong stance in support of the Palestinian cause, reflecting a deep concern for the humanitarian crisis in Gaza and a commitment to Palestinian rights. President Erdogan condemned Israel's military actions, describing them as a "massacre" and a "disproportionate" response to Hamas' attacks. He further criticized the cutting off of electricity and water to Gaza and the destruction of civilian infrastructure by Israel, emphasizing that such actions were devoid of any ethical foundation and amounted to a conflict using every sort of shameful method[120]. Erdogan's criticism extended to what he termed the "inhumane" war in Gaza, leading him to cancel a planned trip to Israel, marking a significant deterioration in the already strained Turkey-Israel relations[121].

In a diplomatic move signaling Turkey's grave concern over the situation, the Turkish government recalled its ambassador to Israel for consultations. This decision was made in light of the ongoing Israeli attacks on civilians and the deteriorating humanitarian situation in the besieged enclave of Gaza[122]. Furthermore, Turkey's Foreign Minister, Hakan Fidan, urged the United States to use its influence over Israel to halt the attacks in Gaza and the West Bank, highlighting the worsening situation due to Israeli actions. Fidan emphasized the need for a full ceasefire and the start of a process aimed at realizing a fair and lasting peace based on a two-state solution[123]. Erdogan also warned Israel against a ground invasion of Gaza, reiterating his call on the Israeli government to cease operations that he labeled as genocide. Amidst these tensions, Israel evacuated its diplomats from Turkey, following large-scale protests and public outcry in Turkey over Israel's actions in Gaza[124]. Throughout this period, Erdogan maintained a strong pro-Palestinian stance, advocating for the Palestinian cause and the formation of an independent Palestinian state. His position underscores Turkey's long-standing support for Palestinian self-determination and its criticism of Israeli policies in the region. The response from Turkey reflects a significant alignment with the Palestinian perspective, voicing strong opposition to Israeli military actions and advocating for the rights and welfare of the Palestinian people. Furthermore, Turkey constantly showed interest in taking a mediating role. It’s previous experience in mediation, such as hosting talks between Russia and Ukraine, adds to its credentials. Erdogan's recent communications with both Palestinian President Mahmoud Abbas and Israeli President Isaac Herzog underline Turkey's readiness to mediate, including in aspects such as prisoner exchanges. However, the effectiveness of Turkey's role as a mediator will

[117] https://www.aljazeera.com/news/2023/10/15/which-countries-have-criticised-israeli-attacks-on-gaza
[118] https://www.gulf-times.com/article/673266/qatar/gcc-countries-hold-israel-legallyresponsible-for-gaza-civilian-deaths
[119] https://www.aljazeera.com/news/2023/12/5/qatar-emir-condemns-genocide-in-gaza-urges-ceasefire-at-gcc-summit
[120] https://www.reuters.com/world/middle-east/turkeys-erdogan-calls-israeli-response-hamas-gaza-massacre-2023-10-11/
[121] https://www.aljazeera.com/news/2023/10/25/turkeys-erdogan-scraps-israel-trip-over-inhumane-gaza-war
[122] https://www.aljazeera.com/news/2023/11/4/turkey-recalls-ambassador-to-israel-for-consultations-as-gaza-bombing-rages
[123] https://www.reuters.com/world/turkey-calls-us-use-influence-halt-israeli-attacks-gaza-turkish-source-2023-12-17/
[124] https://www.al-monitor.com/originals/2023/10/turkeys-gaza-protests-continue-erdogan-warns-israel-against-ground-invasion

largely depend on Israel's readiness to engage in talks and the broader international context, including the United States' stance on the issue[125]. Turkey's unique position stems from its relations with Hamas and its history of ties with Israel, despite recent rough patches. Both Erdogan and his Foreign Minister, Hakan Fidan, have been actively involved in diplomatic efforts aimed at resolving the conflict, focusing on humanitarian aid to Gaza and the release of hostages taken by Hamas[126] [127].

International Involvement: Russia and China

Both Russia and China have expressed strong positions that align with pro-Palestinian sentiments, emphasizing the need for a ceasefire and the implementation of a two-state solution. Russia and China have taken a stance that underscores their support for the Palestinian cause and their criticism of Israeli actions in Gaza. Their reactions reflect a broader strategy to counterbalance Western influence and maintain their geopolitical interests in the region.

China, through its Foreign Minister Wang Yi, condemned Israel's actions, which they viewed as extending beyond self-defense. Wang Yi called for an immediate end to hostilities to protect civilians and prevent further deterioration of the situation. He emphasized the urgency of a two-state solution, advocating for the creation of an independent Palestinian state alongside Israel. This stance is consistent with China's long-held position [128]on the Israeli-Palestinian conflict. China's diplomatic efforts have included calls for a larger, more authoritative international peace conference[129] and a specific timetable for implementing the two-state solution, seeking to enhance its international influence and appeal in shaping events through diplomacy[130]. Russia, under the leadership of President Vladimir Putin, also criticized Israel's bombardment of Gaza as contrary to international law, warning of a catastrophe that could last decades. Russian Foreign Minister Sergei Lavrov highlighted that responding to terrorism by violating international humanitarian law and indiscriminately using force where civilians are present is unacceptable. Lavrov[131] pointed out the impossibility of destroying Hamas without also destroying Gaza and most of its civilian population, emphasizing the need for humanitarian programs to save the population under blockade. Russia has been sending humanitarian aid to Gaza and coordinating Middle East policy with China, while also maintaining contact with both Israel and Palestine[132]. In a diplomatic call, Wang Yi and his Russian counterpart Sergey Lavrov addressed the Israel-Gaza conflict among other international issues. They expressed their commitment to work together to enhance the international influence of the BRICS nations (Brazil, Russia, India, China, and South Africa) and agreed on the need for an immediate ceasefire and the smooth delivery of humanitarian aid in Gaza. Both countries also made a joint effort towards realizing a two-state solution, underscoring their rejection of the Western bloc's confrontational policy towards Russia and China[133].

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[125] https://themedialine.org/by-region/erdogan-seeks-mediator-role-in-hamas-israel-war-after-talks-with-israeli-palestinian-leaders/
[126] https://www.aljazeera.com/news/2023/10/22/is-turkey-uniquely-positioned-to-mediate-between-palestinians-and-israel
[127] https://www.reuters.com/world/middle-east/erdogan-says-turkey-will-ramp-up-diplomacy-calm-israeli-palestinian-conflict-2023-10-08/
[128] https://thediplomat.com/2023/10/chinas-attitude-toward-the-israel-gaza-war/
[129] https://www.reuters.com/world/china-russia-find-common-cause-israel-hamas-crisis-2023-10-20/
[130] https://www.reuters.com/world/china-calls-larger-scale-peace-conference-gaza-crisis-wang-yi-2024-01-15/
[131] https://www.reuters.com/world/china-russia-find-common-cause-israel-hamas-crisis-2023-10-20/
[132] https://www.aljazeera.com/news/2023/10/28/russia-says-israeli-bombardment-of-gaza-is-against-international-law
[133] https://www.scmp.com/news/china/diplomacy/article/3248066/china-and-russia-push-israel-gaza-ceasefire-and-two-state-solution-foreign-ministers-vow-boost-brics

V: International Organizations

United Nations Security Council

Since the beginning of the Israeli aggressions in Gaza on October 7, 2023, the United Nations Security Council was severely hampered by the repeated vetoes of the United States, a loyal ally of Israel. This obstructionist stance has critically undermined the Council's ability to act decisively in addressing the escalating humanitarian catastrophe in Gaza and hold Israel accountable for its actions. During the emergency sessions, the Council was confronted with the dire situation in Gaza, particularly the devastating impact on Palestinian children[134]. Despite the UN General Assembly adopting a resolution demanding a humanitarian truce, the Security Council remained largely inactive, largely due to the United States' refusal to endorse resolutions that did not explicitly recognize Israel's right to self-defense or condemn Hamas. This inaction highlighted a stark contrast between the broader international community's will and the deadlock within the Security Council[135]. In one instance, Russia and China vetoed a U.S.-proposed resolution that called for a humanitarian pause but failed to address the critical need for a ceasefire, protection of civilians, and cessation of arming Hamas[136]. The U.S. then watered down its initial draft, which had been criticized for ignoring the humanitarian crisis and excessively emphasizing Israel's self-defense rights. Subsequent attempts to pass a resolution were continually stymied by U.S. vetoes, reflecting a clear bias towards Israel and a disregard for the Palestinian plight[137]. The U.S. ambassador to the UN, Linda Thomas-Greenfield, described a later resolution on Gaza aid deliveries as a positive step, despite the U.S.'s abstention from voting. This resolution, though calling for the establishment of conditions for a sustainable cessation of hostilities, fell short of demanding an immediate end to the fighting, further demonstrating the Council's inability to address the urgent needs of the Palestinian people in Gaza[138]. The Security Council's paralyzation and repeated failure to adopt a unified stance due to U.S. vetoes starkly illustrates the power dynamics within international diplomacy and the challenges in achieving consensus on contentious issues. The U.S.'s actions have been a source of deep frustration and criticism, as they have effectively shielded Israel from international scrutiny and accountability, while the humanitarian crisis in Gaza deepens and the potential for regional escalation of the conflict grows increasingly alarming. Such actions emphasize the broader argument that the global decision-making process should not be hindered by the dominance of just five countries, highlighting the need for reform in the UNSC's structure. Recep Tayyip Erdoğan, the President of Turkey, has been a vocal critic of the structure of the United Nations Security Council (UNSC). He famously said in 2014, "The world is bigger than five,"(Turkish: Dünya beşten büyüktür) during his addresses at the 69th United Nations General Assembly (UNGA) to highlight the inequities of the current system, where five permanent members (the US, UK, China, Russia, and France) have the power to veto any decision. This phrase underscores the idea that the decisionmaking process at the global level should be more democratic and not be dominated by just a few powerful nations. Erdoğan's comment calls attention to the need for reform in the UNSC to ensure a more equitable representation of nations.

[134] https://news.un.org/en/story/2023/10/1142517
[135] https://news.un.org/en/story/2023/10/1143002
[136] https://www.aljazeera.com/news/2023/10/26/two-more-resolutions-to-end-gaza-violence-fail-at-un-security-council
[137] https://news.un.org/en/story/2023/10/1142507
[138] https://www.dw.com/en/israel-hamas-war-un-security-council-passes-gaza-resolution/live-67795998

Historically, the US has displayed a pattern of using its influential position in the UNSC to provide a protective shield for Israel against international criticisms and repercussions[139].

What was the human cost of the UNSC vetoes in terms of Palestinian lives?

Each veto at the UN Security Council, coinciding with precise dates, had a quantifiable and tragic impact on human lives, emphasizing the grave consequences of delayed actions. The data speaks for itself:

The UN Security Council failed to pass 4 resolutions before eventually succeeding on 15 November, 2023	
Vetoes at the UN Security Council	**Palestinian Casualties**
16 October, 2023	[140]**Gaza** 2,808 fatalities 10,850 injuries 1 mio. displaced people **West Bank** 58 fatalities 1,176 injuries
18 October, 2023	[141]**Gaza** 3,478 fatalities 12,500 injuries 1 mio. displaced people **West Bank** 64 fatalities 1,284 injuries 545 displaced people
2 times on 25 October, 2023	[142]**Gaza** 6,547 fatalities 17,439 injuries 1,4 mio. displaced people **West Bank** 102 fatalities 1,889 injuries 607 displaced people

While the US firmly resisted any suggestion of a ceasefire, advocating instead for a temporary pause in the conflict, on October 25, 2023, Russia and China exercised their veto power against the USA's resolution proposing a *"pause"* in hostilities, instead of a full *"ceasefire"*. Had the ceasefire been promptly implemented, it is reasonable to assert that the magnitude of casualties would have been considerably lower. The direct correlation between the delay in enforcing a ceasefire and the escalation in the number of casualties is evident. This relationship underscores the critical importance of timely diplomatic interventions in

[139] Read more on the US vetoes UNSC Resolutions Vetoed by the US in Defence of Israel: https://viimes.org/publication/shielding-an-ally-a-review-of-unsc-resolutions-vetoed-by-the-us-in-defence-of-israel/
[140] https://reliefweb.int/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-10
[141] https://reliefweb.int/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-12-enarhe
[142] https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-19

conflict zones to mitigate human suffering and loss of life. The failure to establish an immediate ceasefire resulted in a tragic and avoidable exacerbation of casualties, highlighting the imperative need for prompt and effective diplomatic action in similar situations.

United Nations General Assembly

Since the onset of Israeli aggressions in Gaza beginning on October 7, 2023, the UN General Assembly has been actively involved, demonstrating a strong pro-Palestinian stance amidst the escalating humanitarian crisis. The Assembly's efforts have been characterized by a determination to address the overwhelming suffering of the Palestinian people, despite the political complexities and resistance from certain member states.

The United Nations General Assembly (UNGA) operates on a principle of equal representation, where each member state has one vote. Unlike the UN Security Council, there is no veto power in the UNGA, and decisions are made based on majority votes. Thus, no country can unilaterally block a resolution in the UNGA. The resolution was a non-binding expression of the majority view of UN Member States, marking the first formal response of the United Nations to the ongoing Israeli aggression, after the Security Council failed on four occasions to reach consensus on any action.

One significant resolution (A/ES-10/L.25)[143] adopted by the UNGA on October 27, 2023 called for an "immediate, durable and sustained humanitarian truce" in Gaza. This resolution was adopted with 121 votes in favor, 14 against, and 44 abstentions.

The UNGA resolution demanded all parties comply with international humanitarian law and called for the "immediate and unconditional release" of all civilians held captive. It also urged the protection of humanitarian personnel and facilities and the facilitation of humanitarian access for essential supplies and services into the Gaza Strip[144]. An amendment proposed by Canada, which sought to unequivocally reject and condemn the attacks by

[143] https://news.un.org/en/story/2023/10/1142847
[144] https://press.un.org/en/2023/ga12548.doc.htm

Hamas on October 7, did not pass as it failed to reach the required two-thirds majority. This amendment was one of the key points of contention during the UNGA session[145].

On December 12, 2023 another resolution[146] (A/ES-10/L-27) was adopted by the UNGA, which came amid international pressure on Israel to end its months-long assault on Gaza, where more than 18,000 Palestinians had been killed, the majority of whom were women and children. More than 80 percent of Gaza's 2.3 million residents had also been displaced. The relentless airstrikes and siege by Israel had created dire humanitarian conditions in the Palestinian territory. The vote in the UNGA, with 153 countries voting in favor, 23 abstaining, and 10 countries voting against (including Israel and the United States), served as an indicator of global opinion on the crisis[147]. This resolution was calling for an immediate ceasefire in Gaza and the protection of civilians.

Notably, amendments introduced by Austria[148] (A/ES-10/L.28) and the United States[149] (A/ES-10/L.29), which sought to condemn Hamas for its role in the conflict and to emphasize Israel's right to defend itself, were not adopted. These proposed amendments were seen by many member states as unbalanced and failing to adequately address the scale of devastation faced by the Palestinians in Gaza[150].

The President of the General Assembly, Dennis Francis, emphasized the necessity to end the onslaught on civilians and the profound disrespect for international law. Echoing these sentiments, the representative of Egypt, speaking for the Arab Group, introduced the draft resolution[151], sharply criticizing the Israeli aggression and dismissing the argument about Israel's right to self-defense as a pretext. The resolution's focus was on demanding an immediate humanitarian ceasefire and the protection of civilians[152]. During the Assembly session, various representatives expressed their positions. Pakistan's ambassador condemned the resolution's failure to explicitly blame Israel for the carpet bombardment of Gaza, describing it as a war against the Palestinian people and an attempt to erase the idea of Palestine. The US ambassador, on the other hand, focused on condemning Hamas for the

[145] https://press.un.org/en/2023/ga12548.doc.htm
[146] https://www.aljazeera.com/news/2023/12/12/un-general-assembly-votes-overwhelmingly-in-favour-of-gaza-ceasefire
[147] https://www.aljazeera.com/news/2023/12/12/un-general-assembly-votes-overwhelmingly-in-favour-of-gaza-ceasefire
[148] https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/401/12/PDF/N2340112.pdf?OpenElement
[149] https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/401/72/PDF/N2340172.pdf?OpenElement
[150] https://press.un.org/en/2023/ga12572.doc.htm
[151] https://news.un.org/en/story/2023/12/1144717
[152] https://press.un.org/en/2023/ga12572.doc.htm

terrorist attacks on October 7 and emphasized the need for a sustainable peace that addresses the humanitarian situation[153].

The humanitarian catastrophe in Gaza has been further highlighted by reports from the International Committee of the Red Cross and UNESCO, detailing the extensive damage to healthcare facilities and educational institutions. More than 7,000 Palestinians have been killed, including a significant number of children, underscoring the severe impact of the Israeli military actions[154].

In general, even though there were vetoes in the UN Security Council, 193 members of the UN General Assembly's actions reflect a strong pro-Palestinian perspective, advocating for an immediate humanitarian ceasefire and the protection of Palestinian civilians. A great part of the international community's stance, in contrast to the deadlock and vetoes in the Security Council, demonstrates a collective global stance and a more united and forceful response to the humanitarian crisis in Gaza, calling for accountability and adherence to international law and for an urgent need for humanitarian intervention. Furthermore, the meetings and votes in the UNGA highlight the stark contrast between the positions of the UNGA and the UNSC, where the US vetoed a similar resolution calling for a ceasefire.

The UN Secretary General

Throughout the Israeli aggressions in Gaza since October 7, 2023, UN Secretary-General António Guterres has consistently voiced grave concerns and called for immediate action to address the humanitarian crisis. His statements have emphasized the need for a ceasefire and the protection of civilians, reflecting a deep awareness of the disproportionate suffering endured by the Palestinian people. By making poignant and deeply concerning statements, highlighting the catastrophic humanitarian situation in Gaza and the complexities surrounding the conflict, Guterres starkly characterized Gaza as becoming a "graveyard" for children, underlining the immense human cost, particularly to the most vulnerable, of the ongoing conflict. This statement powerfully conveyed the gravity of the situation in Gaza, where widespread displacement and casualties have been reported, painting a harrowing picture of the suffering endured by the Palestinian people, especially children[155]. Furthermore, in response to accusations from Israeli diplomats that he had justified the terror attacks by Hamas, Guterres firmly rebuked these claims, emphasizing that while the attacks by Hamas did not occur in a vacuum and were rooted in long-standing grievances, they did not justify the disproportionate collective punishment inflicted on the Palestinians[156]. He acknowledged the deep-rooted grievances of the Palestinian people, who have been subjected to years of occupation, violence, and diminishing hopes for a political solution. This nuanced perspective recognized the complexity of the situation, highlighting the cycle of violence exacerbated by longstanding issues. Guterres' statements reflect his commitment to upholding international humanitarian law and the protection of civilians, while also acknowledging the underlying factors contributing to the conflict[157].
From the onset of the crisis, Guterres highlighted the severe humanitarian impact of the Israeli military actions. More than 2 million people in Gaza, over 80% of whom are now

[153] https://news.un.org/en/story/2023/12/1144717
[154] https://www.euronews.com/2023/10/27/israel-hamas-half-israelis-want-to-hold-off-gaza-invasion-eu-calls-for-pause-us-strikes-sy
[155] https://press.un.org/en/2023/ga12548.doc.htm
[156] https://news.un.org/en/story/2023/10/1142802
[157] https://press.un.org/en/2023/sc15462.doc.htm

displaced, faced dire conditions with limited access to essential supplies and services due to Israeli restrictions. Guterres urgently called for unhindered humanitarian access to alleviate the suffering of the Palestinian civilians[158]. He also emphasized the importance of a two-state solution as the only viable path to long-term peace and security for both Israelis and Palestinians[159]. Guterres was particularly vocal about the distressing situation in Gaza, where the Israeli siege had led to a communications blackout, severely hindering the delivery of humanitarian assistance. He urged all sides and relevant parties to allow UN access for delivering urgent aid to the trapped and helpless civilians in Gaza[160]. In his addresses to the UN Security Council, Guterres repeatedly called for a sustained humanitarian ceasefire[161] and the unconditional release of all hostages, underscoring the need for all parties to respect international humanitarian law[162]. Guterres also expressed deep concern about the risks of the conflict spilling over into the wider region, noting the escalation of tensions from Lebanon and Syria to Iraq and Yemen. He called for diplomatic efforts to prevail over hateful rhetoric and provocative actions, stressing the importance of addressing the rise in antisemitism and anti-Muslim bigotry[163].

The UN High Comissioner for Refugees (UNHCR)

Since the beginning of the Israeli aggressions in Gaza on October 7, 2023, UN High Commissioner for Human Rights Volker Türk has been vocal in highlighting the catastrophic impact of the conflict, particularly on the Palestinian people, and calling for immediate action to mitigate the crisis. Türk's statements have been marked by a strong emphasis on the humanitarian and human rights grounds for ceasing hostilities and addressing the grave situation in Gaza.

Türk described the resumption of hostilities in Gaza as catastrophic, urging all parties and states with influence to redouble efforts to ensure a ceasefire. He specifically pointed out the troubling intentions of Israeli political and military leaders to expand and intensify the military offensive. Türk reminded Israel, as the occupying power, of its obligation under international humanitarian law[164] to meet the basic needs of the population in Gaza, such as food, water, and medical care. He also stressed the necessity of allowing and facilitating rapid and unimpeded passage of humanitarian relief throughout Gaza. During his visit to the Middle East, Türk observed the intense urban warfare and the dire situation in Gaza's hospitals, where doctors were forced to operate on children without anesthesia due to severe resource constraints. He condemned the attacks directed at civilians and civilian objects, such as hospitals and schools, as well as the collective punishment[165] imposed by Israel's blockade and siege on Gaza, highlighting these as prohibited actions under international humanitarian law[166]. Türk also pointed out that the collective punishment by Israel of Palestinian civilians and forcible evacuation are unlawful. He stressed the urgent need for a ceasefire to allow aid deliveries into Gaza, the release of all hostages, and the creation of political space to end the occupation based on the rights of Palestinians and Israelis to

[158] https://news.un.org/en/story/2023/12/1144362
[159] https://news.un.org/en/story/2024/01/1145607
[160] https://www.reuters.com/world/middle-east/un-chief-deeply-distressed-by-planned-israeli-siege-gaza-2023-10-09/
[161] https://press.un.org/en/2023/sgsm22071.doc.htm
[162] https://news.un.org/en/story/2023/10/1142912
[163] https://www.aljazeera.com/news/2023/12/12/un-general-assembly-votes-overwhelmingly-in-favour-of-gaza-ceasefire
[164] https://www.ohchr.org/en/press-releases/2023/12/comment-un-high-commissioner-human-rights-volker-turk-resumption-hostilities
[165] https://news.un.org/en/story/2023/11/1143657
[166] https://www.ohchr.org/en/statements-and-speeches/2023/11/un-human-rights-chief-volker-turk-briefs-states-his-visit-middle

self-determination[167]. In a broader context, he noted that the number of civilian casualties in Gaza indicated something was clearly wrong with Israel's operations against Hamas[168].

UNRWA, UNICEF, WHO, UNFPA

Since the onset of the Israeli aggressions in Gaza on October 7, 2023, United Nations agencies like UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East) and UNICEF (United Nations Children's Fund) have been vocal in highlighting the devastating impact of these hostilities, especially on women, children, and infants in the besieged enclave.

UNRWA reported that as of October 10, 2023, over 187,000 Palestinians had been displaced, seeking refuge in 83 UNRWA-affiliated schools and shelters across the Gaza Strip. The agency stressed the difficult conditions in these shelters, including overcrowding and limited availability of potable water, while also pointing out the damage to 18 UNRWA facilities due to airstrikes. These facilities are essential for providing basic needs to the internally displaced[169]. UNICEF, in a joint statement with WHO, UNFPA, and UNRWA, expressed grave concern about the disproportionate burden borne by women, children, and newborns in Gaza. They emphasized that these groups are not only casualties but also suffer due to reduced access to health services. As of November 3, 2023, 2,326 women and 3,760 children were reported killed in Gaza, with thousands more injured. The blockade and bombardments have caused massive displacement, collapsing water and electricity supplies, and restricted access to food and medicines, severely disrupting maternal, newborn, and child health services. This situation has led to a grim scenario where pregnant women and newborns are at a heightened risk of death due to lack of access to essential medical care[170]. UNICEF's Executive Director, Catherine Russell, highlighted the dire situation for children in Gaza, stating that the region had become "the most dangerous place in the world to be a child." She reported that more than 5,300 Palestinian children were killed in 48 days of relentless bombing, and with the resumption of fighting, the number of casualties was expected to rise. The lack of access to water, food, and medical supplies was feared to lead to a humanitarian catastrophe. UNICEF called for a lasting humanitarian ceasefire to protect and assist children in accordance with international humanitarian law[171]. Moreover, UNRWA warned of a major famine in Gaza, with increasing cases of starvation-related deaths. The agency's Commissioner-General, Philippe Lazzarini, pointed out the dire levels of hunger and despair among residents, and the growing frustration towards international institutions for their perceived inadequacy in addressing the crisis. The situation in Gaza has been further exacerbated by the Israeli control over the entry of aid trucks and the accumulation of humanitarian aid on the Egyptian side of the Rafah crossing[172].

These statements from UNRWA and UNICEF present a harrowing picture of the plight of Palestinians in Gaza since the beginning of the Israeli aggressions. The blockade of food, water, and electricity by Israel has pushed the population, particularly women and children, towards the brink of famine and diseases. The international community's response is urgently needed to address this humanitarian crisis and ensure the protection and assistance of the vulnerable populations in Gaza.

[167] https://news.un.org/en/story/2023/11/1143362
[168] https://news.un.org/en/story/2023/11/1143362
[169] https://www.qna.org.qa/en/News%20Area/News/2023-10/10/0037-unrwa%C2%A0187,000-displaced-in-gaza-due-to-israeli-aggression
[170] https://www.unicef.org/press-releases/joint-statement-unicef-who-unfpa-and-unrwa-women-and-newborns-bearing-brunt-conflict
[171] https://www.unicef.org/lac/en/press-releases/statement-unicef-executive-director-catherine-russell-resumption-fighting-gaza
[172] https://english.palinfo.com/reports/2023/12/17/311311/

Organization of Islamic Cooperation (OIC) and the Arab League

On 11 November, 2023 a joint extraordinary Arab and Islamic summit was held in Riyadh, Saudi Arabia[173]. The response of the Organization of Islamic Cooperation (OIC) and the Arab League to the Israeli aggressions in Gaza since October 7, 2023, reflects a complex interplay of diplomatic, historical, and geopolitical factors. The emergency summit attended by 57 predominantly Muslim countries, symbolized a collective condemnation of Israel's actions. However, the summit's outcomes, largely shaped by historical contexts and pragmatic geopolitics, did not translate into decisive action. The Arab world's reluctance for military intervention, influenced by past conflicts such as the wars of 1967 and 1973, directed their response towards non-military strategies, emphasizing global support for Palestinian rights and economic measures like trade negotiations. The involvement of the Iranian President Ebrahim Raisi at the Riyadh Summit, following a recent defrost in Saudi-Iranian relations, signified a shift in regional dynamics. Iran's role as a supporter of groups like Hamas and Hezbollah against Israel, coupled with its rapprochement with Saudi Arabia, indicated a potential move from confrontation to diplomatic engagement. This was evident in the phone conversation between Raisi and Saudi Crown Prince Mohammed bin Salman, which underscored a unified support for Palestinians. Syrian President Bashar al-Assad's presence, after a decade of isolation, marked a significant turn in Arab diplomacy. Assad's call for effective action against Israel, such as economic sanctions and legal accountability, reflected a growing impatience with conventional diplomacy in the Arab world[174].

Key figures like Saudi Crown Prince Mohammed bin Salman, Turkish President Recep Tayyip Erdogan, and Palestinian Authority President Mahmoud Abbas voiced strong statements against Israel's actions, calling for an immediate ceasefire and condemning the violation of international humanitarian laws. The presence of Qatar's Emir Sheikh Tamim bin Hamad Al Thani and Egypt's President Abdel Fattah el-Sisi also highlighted diverse perspectives within the summit, with a focus on the need for a unified approach to end Israel's aggression[175]. The Riyadh summit encapsulated the aspirations, divisions and realpolitik of the members of the OIC and the Arab League. While the resolution addressed a number of issues and condemned Israel's actions, the lack of a unified and effective strategy to resolve the Palestinian issue was evident. The summit highlighted the challenges these organizations face in influencing the course of the Israeli-Palestinian conflict and shaping the broader regional order in the Middle East.

[173] https://www.oic-oci.org/topic/?t_id=39923&t_ref=26755&lan=en
[174] https://www.internationalaffairs.org.au/australianoutlook/diplomatic-deadlock-oic-and-arab-leagues-stalemate-on-israel-palestine/
[175] https://www.aljazeera.com/news/2023/11/11/saudi-arabia-to-host-arab-islamic-summit-to-unify-efforts-on-gaza

VI: South Africa's genocide case against Israel at the International Court of Justice (ICJ)

"We know too well that our freedom is incomplete without the freedom of the Palestinians."
– Nelson Mandela –

This section elaborates the details of South Africa's case against Israel before the ICJ, which is of great importance for the present paper.
On December 29, 2023 the South African government files a case against Israel at the International Court of Justice alleging that Israel's war in Gaza amounts to genocide. The lawsuit enumerates various actions as constituting genocide, including the large-scale killing of Palestinians in Gaza, with a notable emphasis on the high number of child fatalities. Additionally, it highlights the destruction of residential structures, leading to the expulsion and displacement of Palestinian families. The blockade, which restricts access to essential supplies such as food, water, and medical aid in the Gaza Strip, is also cited as part of these genocidal acts. Furthermore, the suit points to the deliberate disruption of vital health services, which are crucial for the well-being of pregnant women and infants, as a measure to prevent Palestinian births. These actions are collectively presented in the lawsuit as systematic efforts aimed at the destruction of a significant part of the Palestinian population, fitting the legal definition of genocide.

This event holds particular significance, given the historical context of South Africa's relationship with Israel. During the era of the apartheid regime in South Africa, there were notably close ties between the two regimes. However, following the dismantling of apartheid, there has been a marked shift in South Africa's understanding and empathy towards the Palestinian cause. This change in perspective is largely attributed to South Africa's own experiences with severe human rights violations under the apartheid regime, fostering a sense of solidarity with those undergoing similar struggles. In Ramallah, there's even a statue of Nelson Mandela, a prominent figure in the fight against apartheid in South Africa. This statue not only represents the shared struggles against oppression but also serves as a beacon of hope, signifying the possibility of overcoming such repressive systems. The case brought forward by South Africa against Israel at the International Court of Justice can be seen as an extension of this sentiment. It is perceived as a glimmer of hope, an indication that just as apartheid was eventually overcome in South Africa, similar systems of oppression and human rights violations, like those in the Palestinian territories, can also be confronted and dismantled.

The decision by South Africa to bring the case of genocide in Gaza by Israel in front of the International Court of Justice (ICJ) has several potential benefits. First of all, it symbolizes a broader commitment to global justice and the upholding of human rights, reflecting a deep understanding of the impact of oppressive regimes on the dignity and rights of individuals. In general, the case brings international attention to the situation in Gaza and the alleged acts of genocide. It allows for a comprehensive examination of the evidence and legal arguments, increasing transparency and awareness.The legal proceedings and the potential

consequences of a negative ICJ ruling may deter future violations of international law and acts of genocide by any state. It sets a precedent for accountability. South Africa's initiative might encourage other countries and human rights organizations to take similar actions in pursuit of justice and accountability for alleged human rights abuses. Even if the outcome does not lead to an immediate resolution, it can contribute to diplomatic efforts to address the underlying issues.

It's important to note that the ICJ's rulings are not legally binding, since the ICJ does not have an enforcement mechanism. A detailed explanation of how the International Court of Justice (ICJ) and International Criminal Court (ICC) work is provided in Annex II.

Supporting Countries

Several countries and international organizations have shown their support for South Africa's case against Israel at the International Court of Justice (ICJ). This backing highlights the global interest and varied perspectives on the issue. The Organization of Islamic Countries (OIC)[176], a 57-member consortium including nations like Saudi Arabia, Iran, Pakistan, and Morocco, endorsedSouth Africa's legal action on December 30, 2023. Their support emphasizes the collective stance of these countries on the matter. Malaysia[177], through its Ministry of Foreign Affairs, expressed approval for South Africa's application in a statement released on January 2, 2024. The statement also reiterated Malaysia's call for an independent Palestinian state based on the pre-1967 borders with East Jerusalem as its capital, aligning with the broader international perspective on the Palestinian issue. Turkey[178]'s Ministry of Foreign Affairs spokesperson, Oncu Keceli, publicly welcomed South Africa's initiative on January 3, 2023, adding to the growing chorus of international support. Jordan[179], represented by Foreign Minister Ayman Safadi, declared on January 4, 2023 that Amman would back South Africa in this case, showing solidarity within the Middle Eastern region. Bolivia distinguished itself as the first Latin American country to support the case, with its Ministry of Foreign Affairs labeling South Africa's move as historic on January 5, 2024. Lebanon[180]'s foreign ministry announced its endorsement of the case on the first day of the hearing

During a UN General Assembly session[181], the Maldives, Namibia, and Pakistan each vocalized their backing for the genocide case filed by South Africa, showcasing a diverse range of support from different continents.

The Arab League[182], a 22-member alliance, also affirmed its support and Secretary-General Ahmed Aboul-Gheit's post on this topic reflected the collective stance of these countries in the Middle Eastern and North African region. Further, Colombia[183] and Brazil[184], through their respective Ministries of Foreign Affairs, expressed their countries' support in individual press releases, indicating a growing consensus in the Latin American region. Beyond these

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[176] https://twitter.com/oicarabic/status/1741149401446265065

[177] https://www.kln.gov.my/web/guest/-/malaysia-welcomes-the-application-by-south-africa-before-the-international-court-of-justice-against-israel-on-alleged-genocide-violations-in-the-gaza-

[178] https://www.mfa.gov.tr/sc_-1_-disisleri-bakanligi-sozcusu-oncu-keceli-nin-guney-afrika-cumhuriyeti-tarafindan-israil-aleyhine-uluslararasi-adalet-divani-na-yapilan-basvuru-hk-bir-soruya-cevabi.en.mfa

[179] https://twitter.com/ForeignMinistry/status/1742903294731632873

[180] https://www.middleeasteye.net/news/war-gaza-where-does-world-stand-south-africas-genocide-case-against-israel

[181] https://twitter.com/IpIndependent/status/1745038988723793951

[182] https://twitter.com/lassecgen/status/1745148000035295496

[183] https://twitter.com/petrogustavo/status/1745220905066705056

[184] https://buenosairesherald.com/world/latin-america/brazil-colombia-support-s-african-icj-case-against-israel-paraguay-backs-tel-aviv#:~:text=Around%20100%20people%20are%20still%20being%20held%20hostage%20in%20Gaza,crimes%20in%20the%20Gaza%20Strip.%E2%80%9D

countries, numerous advocacy groups and civil society organizations worldwide[185] have joined South Africa's call. Notable among them are Terreiro Pindorama in Brazil, Asociacion Nacional de Amistad Italia-Cuba in Italy, and Collectif Judeo Arabe et Citoyen pour la Palestine in France. These endorsements were reported by the independent outlet Common Dreams, highlighting the widespread global civil society interest and support for South Africa's legal move against Israel.

Even the Israeli Member of Parliament Ofer Cassif has taken a notable stance[186] in the context of his country's politics, especially regarding the case against Israel at the International Court of Justice (ICJ) filed by South Africa. He sparked both political and social media controversy by signing a petition supporting South Africa's genocide case against Israel. Cassif, a member of the Hadash-Ta'al party, a left-wing, Arab-majority political group, has a history of challenging mainstream Israeli political narratives. He entered the Israeli parliament nearly five years ago and has been known for his dissenting views within the Israeli political landscape, particularly his pro-Palestinian stance and communist ideology. His support for South Africa's legal action is rooted in his commitment to Israeli society and its residents, which he believes is compromised by the current government's policies. He has accused some members of the government and its coalition of calling for ethnic cleansing and even genocide against Palestinians. Cassif's declaration of support for South Africa's legal bid at the ICJ is a continuation of his long-standing criticism of Israeli policies in Gaza and the Palestinian territories.

Opposing Countries

The opposition to South Africa's lawsuit against Israel at the International Court of Justice (ICJ) primarily comes from several Western nations, most of whom are traditional allies of Israel. A notable opponent of the lawsuit is the United States, which has categorically denied the accusations of genocide against Israel. The U.S.[187] government has described South Africa's claim as "meritless" and "counterproductive," emphasizing its strong disagreement with the allegations presented in the case. Similarly, the United Kingdom has also expressed its disapproval of the lawsuit. British Foreign Secretary David Cameron labeled the case as "unhelpful," underscoring the UK[188]'s stance that Israel possesses the right to defend itself. This statement aligns with the traditional position held by the UK in supporting Israel's right to national security. Ireland[189], known for its long-standing support of Palestinian rights, has surprisingly chosen not to join the lawsuit alongside South Africa. Taoiseach Leo Varadkar highlighted the need for caution in labeling actions as "genocide," reflecting on the complexity of the conflict and the actions of both parties involved. Additionally, Guatemala[190] and Hungary have voiced their opposition to the lawsuit. The stance of Hungary[191]'s foreign minister was particularly strong, as he described the lawsuit as a "legal attack against Israel."

The European Union (EU)[192], in contrast to the United States and other Western allies of Israel, has maintained a largely silent stance regarding the International Court of Justice

[185] https://www.aljazeera.com/news/2024/1/9/which-countries-back-south-africas-genocide-case-against-israel-at-icj
[186] https://www.aljazeera.com/news/2024/1/11/who-is-israeli-mp-ofer-cassif-why-is-he-backing-south-africa-at-the-icj
[187] https://www.cnbc.com/2024/01/09/us-slams-south-africas-meritless-israel-genocide-suit.html
[188] https://www.independent.co.uk/tv/news/david-cameron-israel-south-africa-b2478386.html
[189]https://www.thejournal.ie/varadkar-rules-out-joining-gaza-genocide-case-south-africa-israel-6266230-Jan2024/?utm_source=shortlink
[190] https://www.middleeasteye.net/news/war-gaza-where-does-world-stand-south-africas-genocide-case-against-israel
[191] https://twitter.com/zoltanspox/status/1744712634048344242
[192] https://www.euronews.com/my-europe/2024/01/12/where-do-eu-countries-stand-on-south-africas-genocide-case-against-israel

(ICJ) lawsuit brought by South Africa against Israel. This lawsuit claims that Israel's siege of Gaza amounts to genocide and breaches the post-Holocaust 1948 Genocide Convention. The EU's silence on this high-profile case can be attributed to its efforts to mediate in the Israel-Hamas war, which have been complicated by the incoherent positions of its 27 member states. A European Commission spokesperson reiterated the bloc's support for the ICJ but did not back the genocide case against Israel specifically. They stated that "countries have the right to submit cases or lawsuits" and that "the European Union is not part of this lawsuit," emphasizing that it is not for the EU to comment on this specific case. This approach reflects the EU's strategy to tread a neutral line on the conflict, endorsing Israel's right to self-defense while calling for the protection of civilian life in Gaza and the unhindered provision of humanitarian aid. Despite this, the EU has refrained from collectively calling for a ceasefire in Gaza, instead opting to urge for "humanitarian pauses". The response from individual European countries also varies. While Germany, Austria, and the Czech Republic, all considered staunch allies of Israel, have voiced skepticism about the case, Slovenia is currently the only EU state to have publicly backed South Africa's case. Slovenia's support for the case is significant due to the broad spectrum of alleged violations committed in the region. Germany[193] has announced its decision to intervene on Israel's behalf in the International Court of Justice (ICJ) case. The German government firmly rejects the accusation of genocide against Israel, stating that it has no basis whatsoever. In a statement posted on social media, Steffen Hebestreit, a government spokesperson, emphasized that Germany will express its views as a third party in the main hearing before the ICJ.

Namibia’s condemnation of Germany

Namibia has expressed strong condemnation of Germany's support for Israel in the face of genocide accusations at the International Court of Justice (ICJ). This criticism stems from Namibia's perspective on Germany's colonial history and its own experiences with genocide under German colonial rule. Namibia[194]'s statement criticizes Germany for its decision to support Israel's defense against allegations of genocide. The Namibian presidency emphasized the irony in Germany's support for Israel, given its own historical atrocities against the Herero and Nama peoples during its colonial rule over Namibia from 1904 to 1908. Namibia described these events as the first genocide of the 20th century, in which over 70,000 indigenous people were killed[195].

In 2021, Germany officially recognized the genocide it committed in Namibia and pledged over €1.1 billion in development aid as compensation. However, Namibia's recent statement suggests that Germany has yet to fully atone for these actions. Namibia's President Hage Geingob described the South African indictment against Israel as "morally upright" and expressed deep concern over Germany's decision to intervene on Israel's behalf at the ICJ, urging Germany to reconsider its position[196].

[193] https://www.timesofisrael.com/liveblog_entry/germany-rejects-un-genocide-charge-asserting-israel-defending-itself-after-inhuman-oct-7-attacks/

[194] https://www.aljazeera.com/program/inside-story/2024/1/15/why-is-namibia-furious-at-germanys-icj-intervention-supporting-israel

[195] https://www.dw.com/en/israel-hamas-war-hostage-families-hold-24-hour-rally/live-67975111#liveblog-post-67976076

[196] https://www.middleeasteye.net/news/namibia-slams-germany-offering-defend-israel-icj

Namibian Presidency
@NamPresidency

Namibia rejects Germany's Support of the Genocidal Intent of the Racist Israeli State against Innocent Civilians in Gaza

On Namibian soil, #Germany committed the first genocide of the 20th century in 1904-1908, in which tens of thousands of innocent Namibians died in the most inhumane and brutal conditions. The German Government is yet to fully atone for the genocide it committed on Namibian soil. Therefore, in light of Germany's inability to draw lessons from its horrific history, President @hagegeingob expresses deep concern with the shocking decision communicated by the Government of the Federal Republic of Germany yesterday, 12 January 2024, in which it rejected the morally upright indictment brought forward by South Africa before the #InternationalCourtofJustice that Israel is committing genocide against Palestinians in #Gaza.

Worryingly, ignoring the violent deaths of over 23 000 Palestinians in Gaza and various United Nations reports disturbingly highlighting the internal displacement of 85% of civilians in Gaza amid acute shortages of food and essential services, the German Government has chosen to defend in the International Court of Justice the genocidal and gruesome acts of the Israeli Government against innocent civilians in Gaza and the Occupied Palestinian Territories.

Germany cannot morally express commitment to the United Nations Convention against genocide, including atonement for the genocide in Namibia, whilst supporting the equivalent of a holocaust and genocide in Gaza. Various international organizations, such as Human Rights Watch have chillingly concluded that Israel is committing war crimes in Gaza.

President Geingob reiterates his call made on 31 December 2023, "No peace-loving human being can ignore the carnage waged against Palestinians in Gaza". In that vein, President Geingob appeals to the German Government to reconsider its untimely decision to intervene as a third-party in defence and support of the genocidal acts of Israel before the International Court of Justice.

The Indictment

The indictment[197] filed by South Africa against Israel at the International Court of Justice (ICJ) focuses on allegations of genocide, drawing from the 84-page application and the Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG)[198]. This chapter aims to simplify the understanding of genocide as defined in the CPPCG and elaborate on South Africa's application.

Genocide, as defined by the CPPCG, encompasses one or more of the following acts: killing members of a group, causing serious bodily or mental harm, deliberately inflicting conditions

[197] https://www.icj-cij.org/sites/default/files/case-related/192/192-20231228-app-01-00-en.pdf

[198] https://www.un.org/en/genocideprevention/genocide-convention.shtml#:~:text=The%20Genocide%20Convention%20was%20the,during%20the%20Second%20World%20War.

calculated to bring about physical destruction, imposing measures to prevent births, and forcibly transferring children of the group to another group, all with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. Punishable actions under the convention include not only the act of genocide itself but also conspiracy to commit genocide, direct and public incitement to commit genocide, attempts to commit genocide, and complicity in genocide. This means that both active participation and indirect actions like incitement are subject to punishment.

Turning to the specific case of Israel, South Africa's application argues that Israel is guilty of committing genocide and related acts. The application asserts that Israel has displayed an intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, evidenced through various indicators such as the scale of atrocities, systematic and deliberate targeting of specific groups, and political doctrines leading to these acts. This intent is not limited to government officials but extends to any individual, including those spreading genocidal rhetoric on social media. Evidence presented includes statements from Israeli leaders and officials that reflect an intent to destroy the Palestinian people in Gaza. For example, Defence Minister Yoav Gallant spoke of imposing a complete siege on Gaza, while President Isaac Herzog talked about breaking the Palestinians' backbone. Other statements by Israeli army reservists and former Knesset members expressed similarly aggressive sentiments towards Palestinians.

The indictment details specific acts committed by Israel, categorized under the CPPCG's definition of genocide:

1. Killing members of the group: Over 21,110 Palestinians were killed in Gaza between October 7, 2023, and December 29, 2023, with an additional 7,780 people missing and assumed dead.
2. Causing serious bodily or mental harm: At least 55,243 people were wounded, with no functioning hospitals in northern Gaza and widespread mental trauma reported.
3. Deliberately inflicting conditions of life calculated to bring about physical destruction: This includes mass displacement, expulsion from homes, deprivation of food, water, and medical care, and destruction of infrastructure.
4. Imposing measures intended to prevent births: This is evidenced by the killing of over 7,729 children and the increase in premature births and preventable infant deaths, exacerbated by Israel's actions.

The application by South Africa to the ICJ not only accuses Israel of these specific acts but also situates them within the broader context of genocide as defined by international law. The aim is to hold Israel accountable under the CPPCG for its actions against the Palestinian people in Gaza.

The Hearing of the South African lawyer team

On January 11, 2023, proceedings commenced at the International Court of Justice (ICJ) in The Hague against Israel, marking a historic moment with accusations of genocide being articulated with unprecedented detail.

South African delegates meticulously presented their arguments centered around an 84-page indictment. They urged both the ICJ and the global community to intervene and halt the acts

of genocide by Israel against Palestinians in Gaza. Blinne Ni Ghralaigh, part of the legal team representing the lawsuit, emphasized the critical nature of the court's intervention: "The court's failure to impose provisional measures would represent a significant departure from established legal precedents. The credibility and the capacity of international law to impartially bind and safeguard all individuals are fundamentally at stake."

Ambassador Vusi Madonsela of South Africa, in the Netherlands, elucidated the rationale behind South Africa's decision to engage the ICJ against Israel. His insights are essential to comprehend why South Africa, a nation that triumphed over its apartheid past, is so invested in the Palestinian cause, especially considering Israel's historical support of the apartheid regime. Madonsela asserted, "South Africa acknowledges that Israel's actions, perceived as genocidal, are a continuation of a series of unlawful acts perpetrated against the Palestinian people since 1948." He further contextualized Israel's actions within the broader narrative of its 75-year apartheid, 56-year occupation, and 16-year blockade of the Gaza Strip.

Adila Hassim, a South African lawyer part of the team representing the lawsuit, accused Israel of contravening Article 2 of the Genocide Convention by committing acts that align with the convention's definition of genocide. She specifically identified the mass killing of Palestinians in the Gaza Strip as the primary act of genocide, presenting photographic evidence of mass graves. Hassim highlighted the intensive Israeli bombardments, including the deployment of 6,000 bombs per week and the use of heavy ordnance in areas deemed as safe. She underscored the indiscriminate nature of these attacks, affecting even newborns, and referenced UN characterizations of Gaza as akin to a cemetery for children.

Hassim further delineated what she termed as Israel's second act of genocide:

- The infliction of severe physical or mental harm on Palestinians in Gaza, breaching Article 2B of the Genocide Convention.
- Israeli assaults resulted in nearly 60,000 injured or maimed Palestinians, predominantly women and children, amidst a collapsing healthcare system.
- The arrest and inhumane treatment of numerous Palestinian civilians, including children.
- The undeniable physical and psychological torment endured by the Palestinian populace.

Hassim's claims are echoed by the international community, with 15 UN special rapporteurs and 21 members of UN working groups warning of an impending genocide in Gaza, according to another South African legal representative, Tembeka Ngcukaitobi. He stressed the discernible genocidal intent in Israel's military tactics and the systematic destruction of Palestinian homes and infrastructure. Ngcukaitobi pointed out that Israel's political and military leaders have not only expressed but systematically pursued genocidal policies. Ngcukaitobi referenced statements by Israeli Prime Minister Benjamin Netanyahu, which he interpreted as an invocation of genocidal intent, drawing parallels with biblical narratives of annihilation. He also presented social media evidence of Israeli soldiers chanting slogans endorsing the eradication of Gaza. Finally, Blinne Ni Ghralaigh, an Irish lawyer, underscored the urgency for the ICJ to implement provisional measures to protect Palestinians in Gaza from the alleged irreversible harm caused by Israel's actions, which contravene the Genocide Convention. She cited statements from UN officials depicting Gaza's dire humanitarian situation, painting a picture of extreme suffering and despair.

The Response of Israel

On January, 12, 2023 Israel's hearing[199] commenced at the International Court of Justice (ICJ) in The Hague. In the case presented by South Africa against Israel at the International Court of Justice (ICJ), Israel's primary defense was centered around the argument of self-defense, particularly in response to the attacks by Hamas on October 7, 2023. Israel's legal team dedicated considerable effort to depict these attacks as exceptionally severe, supplementing their narrative with photographic evidence of the hostages and emphasizing the incredible nature of the assaults.

A key point of contention raised by Israel was South Africa's omission of any reference to these attacks in their initial presentation on the first day of the hearing. This omission was highlighted by the Israeli representatives as misleading, a term that was recurrently used throughout their defense.

Regarding the critical aspect of intent, essential for establishing the accusation of genocide against the people of Gaza, Israel contended that such intent was not reflective of government policy. This assertion was made despite the numerous statements by Israeli officials, cited by South Africa, which could be interpreted as indicating genocidal intent.

Israel further emphasized its identity as a rules-based nation with a robust legal system, asserting that any transgressions occurring in Gaza, including potential war crimes, would be subject to scrutiny and legal action within its national courts. This point was made to counter allegations of systemic abuse and genocidal intent, suggesting that any individual crimes would be dealt with domestically.

Lastly, Israel addressed the issue of jurisdiction, a fundamental criterion for a case to be heard at the ICJ. One of the prerequisites for bringing a dispute to this court is that the state initiating the case should have first attempted to resolve the issue bilaterally. Israel claimed that there had been efforts to engage with South Africa prior to the latter's decision to approach the ICJ, but these attempts were unsuccessful. This argument aimed to challenge the admissibility of the case at the ICJ on procedural grounds, suggesting that South Africa had not sufficiently pursued all available avenues for resolving the dispute before resorting to international adjudication.

Examining the detailed legal arguments put forth by both sides, it becomes apparent that during the hearing at the International Court of Justice, where Israel was presenting its defense, there were simultaneous reports of intense bombing by Israel in Deir al-Balah[200]. This military activity, coinciding with the judicial proceedings, might serve as a significant indicator for the international community in assessing the current circumstances. Such actions, occurring concurrently with the legal debate, provide enough context for the international community to make an informed judgment about the alleged ongoing genocide.

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199 https://www.justsecurity.org/91262/south-africa-vs-israel-at-the-international-court-of-justice-a-battle-over-issue-framing-and-the-request-to-suspend-the-war/

200 https://reliefweb.int/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-92-enarhe#:~:text=On%2012%20January%2C%20at%20about,house%20in%20Rafah%20was%20struck.

VII: Future Feasible Scenarios for Palestine

In the ongoing debate about the future of the Israeli-Palestinian conflict, the question of whether a "Two State Solution" or a "One State Solution" is more feasible and preferable has become increasingly pertinent. The Oslo Accords, a significant attempt at a two-state solution, have been widely regarded as unsuccessful in achieving lasting peace, leading experts like Jon B. Alterman from the Center for Strategic and International Studies (CSIS) to suggest that a redefinition of “state and solution” might be more applicable. This perspective takes into account the deeply intertwined histories and economies of Arabs and Jews, as outlined by Alterman in his January 10, 2024 commentary, where he emphasizes the impracticality of two completely independent states. He proposes a nuanced approach involving increased integration and cooperation between the two communities, similar to the European Union model, which allows for shared sovereignty while maintaining certain national powers.

The dilemma, however, extends beyond mere integration. The first option, a Jewish State that includes all Jews worldwide and continues the expansion of settlements, leaves Palestinians in fragmented territories under occupation, raising concerns about equal rights and justice. Meanwhile this approach would surely be recognised as an existential threat to neighbouring countries in the region. The second option presents a radical yet potentially transformative idea: a single state established through a democratic referendum under United Nations supervision. This state would provide equal representation and voting rights to Jews, Christians, and Muslims, including Palestinians, aiming to establish a lasting peace.

This “one-state solution”, while ambitious, addresses the core issues of equality and shared governance. It moves away from the "land for peace" strategy, which has seen limited success, and instead focuses on a collective approach to security, economic prosperity, and freedom. This model, as Alterman suggests, is not without challenges, especially considering the historical grievances and entrenched positions of both sides. It requires a significant shift in thinking and a willingness to embrace a shared future.

In a speech delivered on June 25, 2016, Gideon Levy[201], an Israeli journalist and author presented a poignant critique on the viability of the two-state solution. Levy expressed deep skepticism regarding Israel's commitment to this solution, highlighting a history spanning 50 years that, in his view, contradicts the notion of earnestly pursuing a separate Palestinian state. Central to Levy's argument was the ongoing construction of Israeli settlements in occupied territories. He argued that these settlements are a clear indication of Israel's lack of intention to allow for a two-state solution, labeling these settlements as "criminal" and strategic barriers to the creation of a Palestinian state. Levy pointed out that every Israeli government has continued building these settlements, suggesting a unanimous lack of commitment to peace negotiations. What he described was the existing one-state reality, which has been in place for half a century. He raised a critical question about the nature of this state, pondering whether it can be considered a democracy or an apartheid state, given the ongoing disparities and lack of equal rights for Palestinians.

[201] https://www.youtube.com/watch?v=a5zw3Yz-yas&ab_channel=OxfordUnion

The shift in rhetoric over time regarding the two-state solution is remarkable, because what was once a fringe or controversial position is now more widely accepted, even rhetorically supported by Israeli politicians like Netanyahu. This apparent shift is insincere, as the practical implementation of a two-state solution has become increasingly unfeasible, especially given the enormous challenge of relocating 700,000 settlers. Hence the conflict is trapped in a stalemate, with no clear resolution in sight. This impasse largely attributed to Israeli policies and actions that have consistently undermined the peace process. His speech, delivered in 2016, still resonates with relevance and validation years later, reflecting the enduring complexities and challenges of the Israeli-Palestinian conflict.

A Global Effort for Reconstructing Gaza after the War

The recent bombing of Yemen on January 11, 2024 by the U.S. and UK, under the misuse of UNSC Resolution 2722[202] has escalated tensions in the region, raising fears of a regional conflict potentially escalating into a global one. This military action, employing Tomahawk missiles and fighter jets, represents a significant intensification of the conflict. However, if this aggressive expansion does not lead to a wider war, it invites us to think outside the box about potential paths to establish peace in the region, and particularly to reconstruct the razed Gaza Strip.

The announcement of Ms. Sigrid Kaag of the Netherlands as the Senior Humanitarian and Reconstruction Coordinator for Gaza, in line with Security Council Resolution 2720, signals a pivotal moment for international involvement in the reconstruction of Gaza. This appointment could mark the beginning of a new phase, focusing on rebuilding and restoring peace efforts in the region.

Looking ahead, addressing the apartheid issue in Gaza becomes critically important, especially in light of South Africa's involvement. South Africa's own history with apartheid and its recent application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip against Israel is a significant move. This action not only resonates symbolically, given South Africa's past, but it also sets a precedent for addressing apartheid policies in occupied Palestinian territories. The message is clear: just as South Africa overcame its divisions to achieve peace among different races and communities, so too can a similar transformation occur in Palestine, paving the way for Jews, Christians, and Muslims to coexist peacefully.

Regarding the reconstruction and governance of Gaza, the involvement of countries that have maintained neutrality or supported the Palestinian humanitarian cause is essential. Spain, as the EU coordinator, and Qatar, potentially coordinating Islamic countries, could be prime candidates for leading these efforts. These nations, having not been complicit in the conflict, bring a level of impartiality and credibility to the table. Conversely, countries that have either ignored the genocide or not remained impartial should not be considered suitable interlocutors or coordinators for the future of Gaza and the “one-state-solution” as suggested by Jon B. Alterman. This approach to reconstruction and governance is not just about rebuilding infrastructure but also about fostering an environment where long-standing grievances are addressed, and a foundation for lasting peace is established. The involvement of countries with a history of support for human rights and humanitarian causes can ensure that the future of Gaza and the Palestinian people is shaped by principles of justice, equity, and coexistence.

[202] https://press.un.org/en/2024/sc15561.doc.htm

VIII: Conclusion

In concluding the analysis of the complex and evolving situation in the Israeli-Palestinian conflict, it becomes evident that the lack of unity among Palestinians has significantly contributed to the current status quo. The necessity for a unified Palestinian voice is paramount in the struggle to end the occupation and apartheid, that Palestinians currently face. This disunity is starkly evident in the fact that some factions have negotiated on behalf of all Palestinians without maintaining their strong positions, due to the fruitlessness of the Oslo Talks. This situation is further compounded by the humanitarian catastrophe unfolding in Gaza and in the West Bank, emphasizing the urgent need for cohesive Palestinian representation and strategy.

The outbreak of the Israeli aggression towards Gazan population on October 7 and the subsequent events of the past three months can be seen as a direct result of the total failure of peace talks in the region, particularly those brokered by the United States. The U.S.'s unconditional support of actions of Israel that have been labeled as genocidal has severely eroded trust in its ability to play a mediating role in future peace processes. This lack of trust also extends to certain European and Western countries, whose impartiality and commitment to justice have been called into question. For instance, Canada or Germany's recent stance regarding the International Court of Justice (ICJ) serves to confirm these assertions. Germany's position, which might be perceived as aligning more closely with certain political interests rather than an unbiased commitment to international legal principles, raises concerns about the consistency of its approach to international justice. Similarly, it is worth noting the criticism directed at Namibia's approach, which further underscores the complexities and challenges in maintaining impartiality and a steadfast commitment to justice within international relations and legal proceedings.

It's crucial to recognize that Israel, in its search for a scapegoat to justify its actions in Gaza, perceives an existential threat from regional countries. This perception has been heightened by the international community's growing awareness and condemnation of Israel's breaches of international law. The insecurity felt by neighboring countries, due to Israel's actions, have elevated the possibility of them taking preventive measures to ensure their own security, which could result in a broader conflict. The evidence suggests that Israel's attempts to involve other nations in the conflict are a dangerous move, potentially leading to a regional war, or even a conflict of a larger scale. Israeli Prime Minister Benjamin Netanyahu reportedly told the US, specifically addressing President Joe Biden, that the conflict Israel is engaged in is not just Israel's war but also that of the United States. Netanyahu described it as "a war against the axis of evil led by Iran and its three proxies: Hezbollah, Hamas, and the Houthis." He emphasized, "This is not just our war – it is also your war." This statement indicates Netanyahu's perspective on the broader implications of the conflict and suggests an aim to align the interests and actions of the US more closely with those of Israel in the region[203].

To navigate this intricate and perilous landscape, a new approach is essential. The future peace process must be anchored in a comprehensive understanding of the regional dynamics, acknowledging the legitimate security concerns of all parties involved. It must also be founded on principles of international law, human rights, and equitable justice. The role

[203] https://www.antiwar.com/blog/2024/01/17/with-friends-like-netanyahu-president-biden-needs-a-good-war-crimes-defense-lawyer/

of international mediators needs to be re-evaluated, with a focus on those who can genuinely facilitate dialogue without bias or vested interests. The involvement of countries with a track record of supporting human rights and impartiality could be crucial in steering the peace process towards a more just and sustainable outcome. The path to peace in this region is fraught with challenges, but it is not impossible. It requires a concerted effort by the international community, a unified voice from the Palestinian side, and a willingness from all parties to engage in a dialogue based on mutual respect, international law, and the right to self-determination. Only through such a holistic and inclusive approach can the cycle of violence be broken and a lasting peace achieved in one of the most tumultuous regions of the world.

The ongoing conflict in Gaza has led to an unprecedented humanitarian catastrophe, which is particularly unique due to the inability of Palestinians to flee to other countries or receive external rescue efforts, as is often possible in other conflicts. The situation in Gaza has resulted in massive losses of life and injuries, as well as severe deprivation.

As of January 2024, the death toll in Gaza since the beginning of the conflict on October 7 has risen to 24,812, with more than 65,716 wounded, according to the enclave's health ministry[204]. Over 7,000 are missing or under rubble, and there are 9,025 people in detention. This tragic loss of life, the high number of injuries and detention have created deep scars and trauma that will not be recovered overnight. Thousands of children have been orphaned and adding to the severity of this crisis, Gazans now make up 80% of all people facing famine or catastrophic hunger worldwide, as reported by UN human rights experts. Every person in Gaza is hungry, with a quarter of the population starving and struggling to find food and drinkable water. Famine is imminent, and pregnant women are not receiving adequate nutrition and healthcare, putting their lives at risk. All children under five, numbering around 335,000, are at high risk of severe malnutrition, which could lead to stunting and irreparable physical and cognitive impairments [205]. Gaza is also facing a dire medical and public health situation. Hospitals and medical crews have been targeted, with healthcare facilities damaged and ambulances destroyed. There is an acute shortage of drugs, medical supplies, and fuel for generators. The Red Crescent has managed to deliver some medical aid through the Rafah crossing, but the situation remains critical[206]. The electricity supply in Gaza is on the brink of total failure. The sole power plant can operate for only a few more days without additional fuel, after which the entire Gaza Strip will be without electricity. This would directly affect hospitals and the water supply, exacerbating the already critical situation[207]. These conditions illustrate the severity of the humanitarian tragedy in Gaza, marked by loss, suffering, and an environment where basic human needs are unmet, creating a scenario with no precedent in modern history.

[204] https://www.pcbs.gov.ps/site/lang__en/1/default.aspx
[205] https://www.ohchr.org/en/press-releases/2024/01/over-one-hundred-days-war-israel-destroying-gazas-food-system-and
[206] https://www.aljazeera.com/news/2023/10/10/what-is-the-humanitarian-situation-in-gaza
[207] https://www.aljazeera.com/news/2023/10/10/what-is-the-humanitarian-situation-in-gaza

Annex I

Early History of Palestine

636 AD Siege by Abu Ubaidah ibn al-Jarrah:

The siege led by Abu Ubaidah ibn al-Jarrah in 636 AD was a pivotal event in the early Islamic conquests. This military action was part of a series of campaigns that marked the rapid expansion of the Islamic Empire. The siege was not just a military operation but also a turning point in the spread of Islam, significantly influencing the religious and geopolitical landscape of the region.

637 AD Surrender of Jerusalem to Umar ibn Khattab by Emperor Sophronius:

In 637 AD, Emperor Sophronius, the Byzantine ruler, was compelled to surrender Jerusalem to Umar ibn Khattab, the second Caliph following Muhammad. This event was not only a significant military victory but also heralded a major cultural and religious shift. Umar ibn Khattab, known for his just and wise rule, entered the city with humility, not as a conqueror. His takeover was characterized by respect for local traditions and beliefs, fostering peaceful coexistence among different religions and cultures.

661-750 AD Umayyad Caliphate:

The Umayyad Caliphate, established in 661 AD, marked the expansion of Islamic rule beyond the Arabian Peninsula. It was characterized by significant architectural, cultural, and scientific achievements, alongside its military conquests.

750-1258 AD Abbasid Caliphate:

The Abbasid Caliphate, starting in 750 AD, is known for its golden age of Islamic culture, science, and philosophy. This era witnessed the flourishing of arts, literature, and the translation of ancient texts into Arabic.

1095-1291 AD Crusades:

The Crusades were a series of religious wars initiated, supported, and partially directed by the Latin Church in the medieval period. The main goal was to recapture Jerusalem and the Holy Land from Muslim rule.

1187-1244 AD Saladin Ayyubi's Victory and Ayyubid Rule:

In 1187 AD, Saladin Ayyubi, the founder of the Ayyubid dynasty, achieved a monumental victory that reshaped the Middle Eastern political landscape. His triumph at the Battle of Hattin led to the downfall of the Crusader states and the recapture of Jerusalem, which had been under Christian control since the First Crusade. This victory was not only a significant military achievement but also marked a turning point in the Crusades, demonstrating Saladin's strategic prowess and leadership. Saladin's rule is remembered for its fairness, chivalry, and respect towards different religions. The Ayyubid dynasty, under his leadership,

fostered an era of relative peace, cultural flourishing, and architectural achievements, leaving a lasting impact on the region's history and culture.

1250–1517 AD Mamluk Sultanate:

The Mamluk Sultanate was a medieval realm spanning Egypt, the Levant, and Hejaz. It emerged after the Islamic caliphates and was known for its military prowess, particularly in halting Mongol expansion and recapturing Crusader-held territories.