

Global Journal of Arts Humanity and Social Sciences
ISSN: 2583-2034
Abbreviated key title: Glob.J.Arts.Humanit.Soc.Sci
Frequency: Monthly
Published By GSAR Publishers
Journal Homepage Link: <https://gsarpublishers.com/journal-gjahss-home/>

Volume - 6 | Issue - 5 | May 2026 | Total pages 361-373 | DOI: 10.5281/zenodo.20506870

Israel War on Gaza: The Legality and its Effects on Civilians

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Abstract

International Humanitarian Law (IHL) is the International Law that governs wars originated by aggrieved act; it suffices to state that there are international guidelines that often regulate combatants during the time of war. In this regard, a soldier is supposed to separate between the men at war and the civilian. Those who have nothing to do with war (such as civilians, organizations, and erections) should be kept saved, and must not be battered and deprived of sustenance. However, Hamas's surprised attack on Israel on 7th October 2023, and Israel's retaliation led to the death, injury, and destruction of properties of several civilians. Hence the question that borders this study is how well has Israel complied with the Law of War to justify its continued invasion on Gaza, is the initiation of the war in line with IHL. In this regard, the study investigates the legality or otherwise of the war on Gaza. The research adopts a doctrinal research methodology; data obtained through primary and secondary sources were analyzed through descriptive and analytical approaches. The study finds that, the ongoing war on Gaza shows that Israel and Hamas have gone beyond the rules of engagement by targeting civilians and their places of refuge, leaving several civilians dead and with severe injury. Concerning this, the study therefore concludes and recommends. that the war between Israel and Gaza can be termed as War Crime, Crime against Humanity and Genocide, given the rate of violation of civilians' rights. The study therefore recommends that there is need for the international community to intervene for a ceasefire by Israel on Gaza for the war is no longer justifiable under the relevant International Laws.

Keywords; Gaza War, Legality, Implications, Civilian Population.

Article History

Received: 15- 05- 2026

Accepted: 28- 05- 2026

Published: 30- 05- 2026

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1. Introduction

The declaration of Israel as a state in 1948 brought an unabated war between Israel and other Arab nations. Large number of Palestinians left their homes for safety resulting to what they described as a colossal displacement. Before a ceasefire was called

the following year, Israel had taken over most of the territories, including Jordan occupied areas which is now called West Bank and the Egyptians area now known as Gaza.¹ Jerusalem was

¹ Emanuel F. Horovitz M. (2024) "Israeli civilian killed by anti-tank missile in north as Hezbollah attacks continue", Times of Israel. No. 7 December



divided into two for Israel to the West and Jordan to the East. When the peace agreement failed between them, there were more wars in a decade. In the 1967 war, the West Bank and East Jerusalem were occupied by Israel, as well as most of the Egyptian Sinai Peninsula, Syrian Golan Heights and Gaza. Since the war began in 1948, most Palestinians live around West Bank, Gaza, Jordan, Syria and Lebanon. None of them has returned to their ancestral home as Israel says allowing them back will be a huge threat to the Jewish Nation. There were several Peace Talks between the warring parties but all proved abortive. One of them is the Peace Talk of 2003 which later hindered in 2014 between the Israelis and Palestinians in Washington. Presently, Hamas is in charge of Gaza and since gaining power, she has vowed to attack Israel as a result of which many nations have labelled Hamas as a terrorist group. On 7th October, 2023, gunmen believed to belong to Hamas swept into an Israeli town opening fire on innocent people in their homes, on the street and at a music festival, killing about 1200 people including women and children. Some were burnt alive and their houses destroyed. The research investigates the effects of the war on civilians who are not parties or participating in the conflict.

1.1. Objectives of the Study

1. To assess Israel's adherence to International Humanitarian Law (IHL) in its military operations in Gaza following the Hamas attack on October 7, 2023, and evaluate compliance with IHL standards.
2. To examine the legality of the conflict by analyzing whether the initiation of hostilities and ongoing military actions align with IHL principles concerning the protection of civilian populations.
3. To identify violations of human rights and highlight the extent of civilian casualties and property damage, determining whether these actions constitute war crimes and crimes against humanity.

1.2. Methodology

The work adopts a doctrinal method of research by reviewing the existing literatures relevant to the topic., The materials used are both primary and secondary sources. With the intention of filling the gaps of the reviewed literature, emphases will be given to the Geneva Convention of 1949 and the International Criminal Court (ICC) Statute 2002 as the primary sources while articles from journals, newspapers, and other internet materials were used as secondary sources.

1.3. The Structure of the Study

Chapter One: Introduction to International Humanitarian Law: This chapter summarizes the basic principles of international humanitarian law, including the distinction between combatants and civilians, and the obligations of parties to armed conflicts.

Chapter Two: The Theoretical and Legal Foundations of the Conflict in Gaza: A detailed account of the events leading to the conflict, including Hamas' attack on Israel and Israel's subsequent military responses, setting the context for legal analysis.

Chapter Three: Legal Analysis of Military Actions: A study of specific military operations carried out by Israel in Gaza, evaluating them according to the standards of international humanitarian law and assessing their impact on civilians.

Chapter Four: Findings on the Impact on Civilians and Human Rights Violations: Presentation of data and evidence showing the consequences of the conflict on civilians, including deaths, injuries, property destruction, along with their legal implications.

Conclusions and Recommendations: The final chapter summarizes the findings, categorizing the actions as potential war crimes, and calling for international intervention to facilitate a ceasefire, emphasizing the need to adhere to international legal standards.

1.4. Literature Review

War conflict has been a persistent and transformative element in human history, shaping societies, economies, and political structures. The study of war encompasses various disciplines, including history, political science, sociology, psychology, and economics. This literature review synthesizes key themes, theories, and findings from scholarly works on war conflict, providing an overview of how academic understanding of war has evolved and the multifaceted dimensions through which it is analyzed.

To Vanda Felbaba – Brown, United State involvement in Gaza makes it worry some. But this has to do with the US domestic politics where the Muslim American are unhappy with Joe Biden's involvement on Gaza war as he tries to please the Jews American by assisting Israel.² To Tefri Feldman, the complexities of the war in Gaza are overshadowing the threat of Hezbollah in Lebanon through the Iranian investment for decades to dismantle Israel. Israel relentless effort to destroy their arsenals will linger the war.³

To Sharam Grewal. Since October 7, 2023, Israel forces have killed huge number of Civilians the disobedient to ICJ order and yet Joe Biden continues to support Israel through military and weapon vans afan of the lehy law is a gross violation of human rights. He further asserts that Biden administration is aware of these violations but ignores existence shows his hypocrisy speaks clearly of international interests in the on-going war on Gaza.⁴

² Vanda F. B. (2024). *Initiative on Nonstate Armed Actors*, Co-Director - *Africa Security Initiative*, Senior Fellow - *Foreign Policy*, *Strobe Talbott Center for Security, Strategy, and Technology*, <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.

³ Jeffrey F. and John C. (2024) *Foreign Policy*, *Strobe Talbott Center for Security, Strategy, and Technology*, <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.

⁴ Sharan G. (2024) *Foreign Policy*, *Center for Middle East Policy*, <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.

Steven Heydemann posits that the Arab states, Turkey, Saudi and Iran putting their security and diplomatic ties is a step in the right direction which will present a significant shift in regional dynamics. To him this may go a long way in ameliorating the conflict on Gaza.⁵

To Marvin Kalb, two state solution may bring a rebuilt energy and hope but is a deception or political propaganda made by president Biden for his re- election agenda. To him American political elites have continued to use Israel – Gaza conflict to achieve their political gains, he cited Jimmy Carter.⁶

To Patricia M. Kim, he disagrees with those who anticipate that China will become the middle East peace broker because it restored a relationship between Saudi Arabia and Iran is an illusion. He further argues that China instead of doing what, resorts to blaming Washington for obstructing peace at the UN, asserting US biased support for Israel is the reason for chaos in Middle East.⁷

To Tanvi Madan, for Indian's approach of condemning the terrorist attacks in Israel without naming Hamas but supporting Israel's right to respond but subsequently call for humanitarian aid on Gaza is evident that Indians play a double standard in interest has not helped the situation than complicating the conflict.⁸

To Suzanne Maloney, Hamas Massacre on October 7 and the immediate invasion of Gaza by Israel which affected people in devastating ways did not bring positive results. He further said that Israel's bombardments on Gaza which have failed to eliminate Hamas and to deter Hezbollah Veket attacks was a wrong approach that linger this Gaza conflict.⁹

To Bruce Riedel, attacks on shipping in the Red Sea by Houthin in Yemen impacted on international commercial activities negatively, to him the action by Houthin was a sign to escalate the war on Gaza to other regions which will threaten the global economy. He

therefore, calls for UN to stop the war because it is gradually taken a different shape.¹⁰

In conclusion, different ideologies from different scholars on why the war has not stopped. the research is of the view that security council should eschew personal interests on Gaza issues, if not the war may not end anytime soon.

2. The Theoretical and Legal Foundations of the Conflict in Gaza

This chapter delves into the intricate details surrounding the armed conflict in Gaza, highlighting the sequence of events that triggered the conflict. Beginning with Hamas' attack on Israel and Israel's retaliatory military actions, the narrative unfolds to provide a comprehensive background for legal scrutiny and analysis.

2.1. Theoretical Frameworks

Realism and Liberalism; In international relations, war conflict is often analyzed through the lenses of realism and liberalism. Realist theories posit that conflict arises from an anarchic international system where states seek power and security.¹¹ Realists argue that the inherent competition among states make war an inevitable outcome in certain contexts. Conversely, liberal theories emphasize the role of international institutions, economic interdependence, and democratic governance in mitigating conflict.¹² Liberals argue that these factors promote cooperation and reduce the likelihood of war.

Constructivism; Constructivist approaches challenge the materialist assumptions of realism and liberalism by focusing on the social and ideological constructs that shape state behavior and conflict (Wendt, 1999). Constructivists examine how identities, norms, and discourse influence the emergence and resolution of conflicts, highlighting that war is not only driven by material interests but also by social perceptions and interactions.

Marxist and Critical Theories; Marxist theories interpret war as a manifestation of capitalist competition and class struggle, where conflicts between states are seen as extensions of internal class dynamics (Cox, 1981; Lenin, 1917). Critical theories further explore how war serves the interests of dominant groups and perpetuates structural inequalities, advocating for transformative approaches to conflict resolution (Tickner, 1992).

2.2. Historical Perspectives

Classical Warfare; Classical literature on war, exemplified by works like Sun Tzu's *The Art of War* and Clausewitz's *On War*, provides foundational insights into military strategy, the nature of warfare, and the interplay between politics and war. Clausewitz's

¹⁰ Bruce R. (2024) <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.

¹¹ Morgenthau. "The daily presence of force and recurrent reliance on it mark the affairs of nations" (Waltz 1979: 186). "Security" thus means a ...23 pages.

¹² Keohane and Nye, *Power and Interdependence*, pp. 50-51. 32.

⁵ Steven H. (2024) *Center for Middle East Policy* <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.

⁶ Marvin K. (2024) <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.

⁷ Patricia M. (2024) *Foreign Policy, Center for Asia Policy Studies, John L. Thornton China Center*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.

⁸ Tanvi M. (2024) *Foreign Policy, Center for Asia Policy Studies*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.

⁹ Suzanne M. (2024) *Foreign Policy*. @MaloneySuzanne. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.



concept of war as a "continuation of politics by other means" underscores the intrinsic link between war and state objectives.

World Wars and Cold War Studies; The extensive research on the World Wars and the Cold War era has significantly shaped contemporary understandings of war. Scholars like John Keegan and Martin van Creveld have analyzed the evolution of warfare, technological advancements, and the socio-political impacts of these global conflicts.¹³ The Cold War literature, including works by Graham Allison and John Mearsheimer, explores the dynamics of nuclear deterrence, proxy wars, and the balance of power.

Post-Cold War and Contemporary Conflicts; In the post-Cold War period, literature has increasingly focused on asymmetric warfare, civil wars, and insurgencies. Mary Kaldor's concept of "new wars"¹⁴ highlights the blurred lines between state and non-state actors, the role of identity, and the changing nature of conflict in the globalized world. Additionally, contemporary studies address the impact of terrorism, cyber warfare, and hybrid conflicts on international security.¹⁵

2.3. Causes of War

Understanding the causes of war remains a central theme. The primacy of power (realism), democratic peace theory (liberalism), and economic interdependence are extensively debated. Samuel Huntington's "Clash of Civilizations" posits cultural and religious identities as primary sources of conflict, while others argue for more nuanced, multifactorial explanations incorporating political, economic, and social dimensions.

War and Economics; The relationship between war and economic factors is a significant area of study. Economic theories of war examine how resource scarcity, economic incentives, and market structures influence the likelihood and nature of conflicts. Charles Kindleberger and Barry Buzan have explored how economic interdependence can both mitigate and exacerbate conflict, depending on the context.

Technology and Warfare; Advancements in military technology have transformed the conduct and impact of war.¹⁶ Literature by Martin van Creveld and John Arquilla delves into the implications of cyber warfare, unmanned systems, and information warfare. The ethical and strategic dimensions of emerging technologies,

¹³ <https://www.jstor.org/stable/48638049>, Accessed 19th October, 2024. Accessed 19th October, 2024.

¹⁴ **Kaldor M.** (2013) *In defence of new wars. Stability: International Journal of Security and Development*, 2 (1). ISSN 2165-2627

¹⁵ **William A.** (2005), *High Seas: The Naval Passage to an Uncharted World* (Annapolis, Md.: Naval Institute Press, 2005), p. 177.

¹⁶ *Future Warfare and Critical Technologies: Evolving Tactics and Strategies*; <https://www.orfonline.org/research/future-warfare-and-critical-technologies-evolving-tactics-and-strategies>, Accessed 19th October, 2024

including artificial intelligence and autonomous weapons, are also critically examined.¹⁷

Human Dimensions of War; The human impact of war is a critical focus, encompassing the experiences of soldiers and civilians, psychological trauma, and societal disruption.¹⁸ Sociological studies by C. Wright Mills and Pierre Bourdieu investigate how war affects social structures and individual identities. Psychological research explores the effects of combat exposure, post-traumatic stress disorder (PTSD), and the moral dilemmas faced by participants.

Conflict Resolution and Peacebuilding; The literature on conflict resolution emphasizes strategies to prevent, manage, and resolve conflicts.¹⁹ John Burton and Johan Galtung advocate for human needs-based approaches and positive peace, respectively. Mediation and negotiation techniques are extensively studied, with a focus on inclusive dialogue, power-sharing arrangements, and the role of international organizations in facilitating peace processes.

Gender and War; Gender perspectives have enriched the understanding of war by highlighting the differential impacts on men and women and the role of gender in conflict dynamics. Cynthia Enloe and Joan A. Babst explore how gender norms influence participation in warfare, the experiences of female combatants, and the broader societal repercussions of conflict on gender relations.

2.4. Recent Developments and Emerging Trends

Hybrid and Cyber Conflicts; Recent literature addresses the rise of hybrid warfare, which combines conventional and unconventional tactics, including cyber-attacks, misinformation campaigns, and economic coercion. Frank Hoffman and Thomas Rid analyze the challenges posed by these multifaceted threats to traditional security paradigms.

Climate Change and Conflict; The intersection of climate change and war is an emerging area of research. Scholars like Michael T. Klare and Nathan Wolfe investigate how environmental stressors, such as resource scarcity and natural disasters, can act as catalysts for conflict, exacerbating existing tensions and creating new security dilemmas.²⁰

¹⁷ *Ibid.*

¹⁸ *The Human Dimension in Irregular Warfare; Irregular Warfare & Latin America National Security Commentator* Published Jan. 30th 2024 by Sal Artiaga; <https://www.linkedin.com/pulse/human-dimension-irregular-warfare-sal-artiaga-3120c>. Accessed 19th October, 2024.

¹⁹ **Schuurman B.** (2010) *Clausewitz and the 'new wars' scholars.* Parameters Spring. 89–100

²⁰ **Andrew W. M.** (2019) "Revolutions in Military Affairs," *Statement before the Senate Armed Services Committee, Subcommittee on Acquisition and Technology*, 5.

Humanitarian Interventions and Responsibility to Protect; Debates around humanitarian interventions and the Responsibility to Protect doctrine continue to evolve. Alex J. Bellamy and Barry Buzan examine the ethical and strategic implications of intervening in sovereign states to prevent mass atrocities, highlighting the tensions between national interests, international law, and moral imperatives.²¹

The literature on war conflict is vast and multifaceted, reflecting the complexity of war as a phenomenon. Theoretical debates between realism, liberalism, constructivism, and critical theories provide diverse lenses for understanding the causes, nature, and consequences of war. Historical analyses offer valuable lessons from past conflicts, while contemporary studies address emerging challenges such as hybrid warfare and climate-induced conflicts. Key themes like the economic underpinnings of war, technological advancements, human impacts, and conflict resolution strategies underscore the interdisciplinary nature of war studies. As global dynamics continue to evolve, ongoing research and innovative methodological approaches will remain crucial for deepening the academic understanding.

2.5. Concept of War

The question that calls for an answer is whether contemporary wars are governed by the extant Conventions, where the combatants respect the rules of engagement laid down by international law and when parties deviate in their offensive amounts to war crime. International wars also known as International Armed Conflict require parties to act in line with the Geneva Convention of 1949²². Another type of war, known as Non-International Armed Conflict,²³ is where the state is at war with armed non-state actors also known as militant groups. In this situation, international law still requires that the rights of civilians are to be protected. The concept of war is seen by different people from divergent points. To some war is a means to restore peace to the society while to others, war is a medium to bring or call an errant party to order.²⁴ Whichever way one views the concept of war when compared to peace, it is easier to say that the worst peace ever experienced is better than a good war. For one to discuss the concept of war, one is equally discussing the direct opposite of peace.

The socio-political concept of war is the view that war can only take place between two sovereign political entities known as the States, and it is used to resolve political differences between them. The majority of these scholars believe that wars are domestic mechanisms for conflict resolution that occur through anarchy. Wars have been seen to involve State institutions directly. This comes either from some individuals of the state or from the state against another state.

²¹ *Ibid.*

²² *Geneva Convention of 1949.*

²³ *Ibid.*

²⁴ *Abu Mayzer, (2023). "Palestinian gunmen shoot dead West Bank motorist, two assailants killed - police". Reuters. No. 22 February 2024, Accessed 6 July 2024.*

The Court Idea of War labels war as “a legal condition which equally permits two or more hostile groups to carry on a conflict by armed force”. This definition is cited as stating that “war is a litigation or suit (litigio) between nations that defend their rights, in which force is the judge and victory is the judicial award”. The Court in the Nicaragua case²⁵ generally interpreted the idea of Jus Cogen to assume authority over the use of force decisions.

The legal concept of war is provided under the International Humanitarian Law.²⁶ IHL sees war as an armed conflict between two or more States, the presence of military invasion of all or part of the area of a High Contracting Party, as well as wars of state liberty. The United Nations Charter,²⁷ on the other hand, sees the concept of war as the threat or use of force against the territorial integrity or political independence of any State, or in any other manner contrary with the resolutions of the United Nations which sues for peaceful settlement²⁸ of conflicts amongst member States. The different concepts of war discussed above show that war itself is an enemy of man and not a friend as is seen clearly in Gaza, where lives and properties are being destroyed daily as a result of war.

2.6. Legal Frameworks

War is regulated by International Humanitarian Law (IHL), which strives to decrease the negative consequences of war on humanity's purposes. IHL restricts the weapons and tactics of war while defending those who are or aren't engaged in hostilities. The laws of war and armed conflict are other names for IHL. All of the world's states have ratified the 1949 Geneva Conventions, which constitute much of the international humanitarian law. This Convention was seen as inadequate to meet the reality on the battlefield. Therefore, the Conventions have to be enhanced by two more accords: the Additional Protocols,²⁹ Concerning the defense of hostilities victims,³⁰ Concerning the introduction of a second unique emblem. These Conventions set particular rules to safeguard fighters, or members in the militia, as well as civilians, medical personnel, military clergy, and soldiers in civilian support roles who might be hurt, unwell, or drowned.

The Fourth Geneva Convention Relating to the Protection of Civilians³¹ provides for civilians occupying and living in areas of armed conflict territories to be protected.³² Particular clauses comprised of Human rights include protection from prejudice stemming from ethnicity, nationality, faith, or political beliefs and

²⁵ *I.C.J. 1984 I.C.J. 39.*

²⁶ *Article 2 of Geneva Convention of 1949.*

²⁷ *Article 2(4) UN Charter 1945.*

²⁸ *Article 33 UN Charter.*

²⁹ *Additional Protocols II OF 1977.*

³⁰ *Additional Protocol of 2005.*

³¹ *Ewumbue M. C. (2006): Respect for International Humanitarian Law by Armed Non-state Actors in Africa." International Review of the Red Cross 864 905–24.*

³² *Additional Protocol II of 1977.*



against murder assault, and further inhumane measures.³³ Hospital and safe zones may be helpful for the sick, injured, and old as well as for kids below 15, expectant women, and mothers of young children under seven.³⁴ Hospitals run by civilians and their employees must be safeguarded.³⁵ The care of orphaned or family-separated youngsters is covered under this convention³⁶ along with the aid workers known as Red Cross and Red Crescent national organizations, the International Committee of the Red Cross's Central Tracing and Protection Agency is also allowed to disseminate household information and facilitate family reunions. Respect is owed to civilians' safety, honor, family rights, religious beliefs, etiquette, as well as traditions. It is forbidden to plunder, retaliate, destroy property recklessly, or take hostages.³⁷

Under the law, individuals do not have to be deported or subjected to a collective penalty. An occupying force cannot compel civilians to perform military-related tasks. The population's needs for food and medical supplies are met by occupying powers, which also include maintaining public health and medical facilities. Passage should be permitted for medical supplies and items used for religious purposes. If it is not feasible, they are to assist unbiased humanitarian groups like the ICRC in facilitating relief supplies. The Red Cross³⁸ or other neutral humanitarian assistance groups that have been approved by the parties to the dispute may continue their operations.

The year 1977 brought two more Protocols to the Geneva Conventions³⁹ which were approved by a global diplomatic assembly to provide enhanced defense for victims of both domestic and external armed conflicts. Geneva Conventions⁴⁰ Concerning the safety of Victims of IAC: Geneva Conventions⁴¹ on the Protection of Victims of Non-IA Wars Protocol II expounds upon safeguards for those entangled in intense domestic disputes, like civil wars. The case under investigation pertains to Protocol II of the 1st Convention. The non-international protections found in Common Article 3 of the 1949 Geneva Conventions are enhanced and complemented by Protocol II. Respect is due to those who choose not to participate in hostilities directly or who have stopped doing so. They must always be treated with compassion.⁴² Violence against people's life, health, or emotional or physical well-being is expressly forbidden by Protocol II. Acts of terrorism,

hostage-taking, slavery, murder, cruel treatment, infringements on an individual's personal dignity, collective punishment, and pillage are all expressly prohibited. These protections are thought to be essential guarantees and each is unique. When it is feasible, children should be taken to safe locations and then reunited with their families.⁴³ The same humanitarian treatment outlined in the Geneva Conventions is guaranteed to everyone interned or detained during internal hostilities. This bolsters the defense of medical and religious staff as well as the sick, injured, and shipwrecked. Attacks are prohibited from being used by residents and on "things indispensable to civilian survival," which include houses of worship, cultural artifacts, irrigation systems, and crops.⁴⁴

If the Conventions and most especially the Additional Protocols to the Geneva Convention of 1949⁴⁵ have come to strengthen the protection of Civilians in times of armed conflicts, what then are the challenges at the war zones where civilians are still being killed, kidnapped, raped, forced to marry and children being recruited into terrorism?⁴⁶ It is disheartening that despite the extant laws, the warring parties have refused to observe these Laws in place. Israel has consistently made civilians and their properties the center of their target at any given opportunity they strike. It therefore calls for the need for Regional and International Organizations to lend their voice for Gaza to stop.⁴⁷

UN Charter⁴⁸ provides right of Self-Defence of an imminent threat, the question is what then constitutes an armed attack. Israel has used this article as a shield against all allegations of war crime, genocide. In *Islamic Republic of Iran v. United States of America*.⁴⁹ Where the ICJ interpreted right to Self-Defence as application of necessity and proportionality.

3. Legal Analysis of Military Actions in Gaza

This legal analysis scrutinizes the military actions undertaken in Gaza, focusing on the evaluation of specific operations conducted by Israel. The assessment is conducted in accordance with the standards set by international humanitarian law, with a particular emphasis on the impact of these actions on civilian populations. By examining the legality and consequences of these military activities, this analysis aims to provide a comprehensive understanding of the legal framework surrounding the conflict in Gaza.

⁴³ Article 15 of Additional Protocol I of 1949.

⁴⁴ Article 63 of the Second Geneva Convention 1949

⁴⁵ Additional protocol I, II, III, and IV of Geneva Convention 1949.

⁴⁶ Abraham Y. (2023). "A Gazan worked in Israeli kibbutzim for decades. Then came Oct. 7". *+972 magazine*. Archived from the original on 7 July 2024.

⁴⁷ Ibid.

⁴⁸ Article 51 of United Nations Charter of 1945.

⁴⁹ ICJ GL No 90, [2003] ICJ Rep 161, ICGJ 74 (ICJ 2003), 6th November 2003.

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Additional Protocol III of 2005.

³⁹ Protocol I and II of Geneva Convention, 1949

⁴⁰ Articles 102 of Protocol I Protocol Treaty II of the Geneva Conventions of August 12, 1949,

⁴¹ Articles 28–39 Protocol a Supplementary Protocol to the 1949 Geneva Conventions on the Protection of Victims of Non-International Armed Wars Protocol II.

⁴² Protocol II of the 1949 Convention.



3.1. Implications of the War in Gaza

Since 7th October 2023 when the war started and having seen the actions taken by Israel and Palestine, this research makes a legal analysis of certain conducts exhibited by the warring parties. The colossal humanitarian situation, and the level of damage, indeed shows great violations of the Geneva Convention or the Law of War which could lead to international crimes. We are to say that the conflict between Israel and Hamas is within the regulation of IHL. The Law of War requires that combatants must be separated from civilians, civilian objects, and military objects. The rule of proportionality, precaution, and certain obligations for International Human Rights (IHR) also must be observed.

Hamas's conduct of 7th October, 2023 which coordinated a serious attack on Israel where civilians and their properties were destroyed and many were taken hostage including women and children is a clear act of terrorism. This particular act led to the killing of about 1400 people in Israel.⁵⁰ Hamas openly announced that they were responsible for the attack in Israel and that the policies, programs, and decisions of the Palestine Liberation Organisation were what reflected on 7th October 2023 and that was what motivated the Israel's war on Gaza. The Rome Statute⁵¹ 2002 provides that the commission of War Crimes including willful killing, taking of hostages, outraging upon personal dignity, and intentionally directing attacks against civilians and their objects could amount to terrorism and genocide. Hamas's action could also amount to a crime against humanity under the Rome Statute.

Israel responded to the terrorist group in Gaza by launching Operation Iron Swords. The Israel Defense Forces (IDF) confirmed to newsmen that it has launched 6000 bombs weighing 4000 tons on Gaza since 7th October 2023.⁵² Regrettably, Israel's offensive seems to be targeting civilians, markets, hospitals, mosques and schools. This has caused substantial damage to humanitarian services and infrastructures essentially to life in Gaza including eighteen structures of the UN. The fight has also frustrated the supply of humanitarian aid to civilians in Gaza with a lot of humanitarian crises in the land. The IDF was quoted as saying "the war will take a different dimension that has not been witness in five decades".

3.2. Implications of Israel's Response

The response of Israel to Gaza violates the rules of engagement set out under the Geneva Convention and the Rome Statute of the ICC. Their conduct or military operations that went beyond attacking the terrorist group to the civilians and their properties as objects of target is a great violation of IHL. IHL requires that only the combatants should be targeted. Looking at the organized nature of

⁵⁰ ["Israel social security data reveals true picture of Oct 7 deaths." France 24. Agence France-Presse. 15 December 2023. Archived from the original on 17 December 2023. Accessed 24 August 2024.](#)

⁵¹ Article 8 of the Rome Statute of the ICC 2002.

⁵² <https://www.aljazeera.com/news/2023/10/12/israel-says-6000-bombs-dropped-on-gaza-as-war-with-hamas-nears-a-week>, as of May, 2024. Accessed, 3rd September, 2024

Israel's action and the circumstances surrounding the operation by the IDF, Israel has committed war crimes and crimes against humanity.⁵³ The principle of Jus Cogens (Customary International Law) stipulates that all parties to a conflict, be it international or national conflict, have the duty to allow rapid unhindered passage of humanitarian relief to civilians. This principle has the backing of Additional Protocol I⁵⁴ which forbids intentionally using starvation as means of war. Israel has refused to allow passage of aid to Gaza which shows a violation of rules of engagement provided under the convention and the additional protocols. Report of September, 3rd 2025 shows that over 62,000 have been killed and many properties destroyed in Gaza since October 2023 and this is worrisome.⁵⁵

obstructing its supply.⁵⁶ Israel has been accused of deliberately frustrating the passage of humanitarian aid to Gaza and the question begging for an answer has been, whether Israel is using starvation as a weapon of war. Only time will tell.

By a careful look at Israeli's actions in current days, one can state that Israel has now turned the war on Gaza into genocide⁵⁷ or ethnic cleansing and the United States of America is an accomplice to the genocide in Gaza having been the major supplier of military aids to Israel.

3.3. Illegality of the war on Gaza

Both IHL and Customary International Law (CIL) have provided rules of engagement and high contracting parties must adhere to them; any attempt to derogate from these rules may amount to a war crime. Although the conduct of Hamas on 7th October 2023 amounted to a crime against humanity, Israel's response to the attack has now gone beyond the stipulated rules. For example, both parties failed to apply the principles of IHL which are humanity, distinction, military necessity, and proportionality meant to prevent civilian casualties at war. The Laws of war set minimum standards for all combatants to the battle. Both parties have failed to severe fighters from innocent citizens.⁵⁸

Secondly, Israel's consistent refusal to allow humanitarian relief materials to be supplied to civilians in Gaza who are in imminent danger of starvation is a clear case of genocide against the innocent civilians who are not to be targeted, which makes the war illegal as it is against the Geneva Convention.

⁵³ Frankel, J. (2024). ["As Gaza death toll passes 40,000, corpses are buried in yards, streets, tiered graves"](#). PBS. Associated Press. Accessed 25 August 2024.

⁵⁴ Article 54 of Additional Protocol I to Geneva Convention of 1949.

⁵⁵ https://en.wikipedia.org/wiki/Casualties_of_the_Israel%E2%80%93Hamas_war. Accessed on 11th September, 2025.

⁵⁶ Ibid.

⁵⁷ <https://www.aljazeera.com/opinions/2024/6/11/like-sri-lanka-once-did-israel-has-turned-safe-zones-into-killing-fields>. Accessed 3rd September, 2024.

⁵⁸ <https://casebook.icrc.org/case-study/israelgaza-operation-cast-lead>, Accessed, 2nd September, 2024.



Thirdly, the UN Security Council (SC) resolution ordering Israel to immediately allow the supply of aid to Gaza and the release of the hostages⁵⁹ is commendable and any further strategy adopted by Israel to frustrate humanitarian aid will amount to disobedience to UNSC resolution and such action should attract sanction from the UNSC. Furthermore, UN Commission of Inquiry also held that the killing Palestinians amounted to Crime Against Humanity⁶⁰

Fourthly, the South African petition over Israel's killings in Gaza at the ICJ⁶¹ where the Judges on the 28th March, 2024 unanimously ordered Israel to take necessary steps to ensure food supply in Gaza amounts to an Order of the Court of which it must be obeyed by Israel. Disobedience of Court Order amounts to contempt of Court. Israel in their defense filed a preliminary objection challenging the jurisdiction of the IJC to entertain a criminal charge bordering on genocide. This research agrees with the Israeli position because it is clear that the Rome Statute of 2002 accords jurisdiction of crime of genocide to the International Criminal Court (ICC).⁶² ICJ in its wisdom circumvented the criminal complaint and gave its judgment based on the fundamental rights of the people of Gaza. With all the above Conventions, the resolution of the UNSC and ICJ judgment point to the fact that Israel's military presence and actions in Gaza are a violation of international Law and in obedience to ICJ orders have to restrict the war on Hamas alone who are tagged as the alleged terrorist to allow civilians their international human rights protection.

3.4. Starvation as weapon of war

The [Gaza war](#) has led to imminent [famine](#) conditions in the [Gaza Strip](#), resulting from [Israeli airstrikes](#) and the ongoing blockade of the Gaza Strip by Israel, which includes restrictions on [humanitarian aid](#).⁶³ By February 2024, 2.2 million people in Gaza were experiencing food insecurity at emergency level. Airstrikes have destroyed food infrastructure, such as bakeries, mills, and food stores, and there is a widespread scarcity of essential supplies due to the blockade of [aid](#).⁶⁴ By March 2024, this had caused starvation for more than half a million Gazans and is part of a broader [humanitarian crisis](#) in the Strip. It is the "highest number of people facing catastrophic hunger" ever recorded on the [IPC](#)

⁵⁹ <https://www.un.org/unispal/document/sc-press-release-17jul24/>. Accessed 3rd September, 2024.

⁶⁰ **Farge, E.** "UN Mourns Record Death Toll in War with Over 100 Employees Killed in Gaza". U.S. News and World Report. Reuters. Retrieved 11 November 2023. Accessed 4th September, 2024.

⁶¹ <https://www.aljazeera.com/news/2024/1/11/a-quick-guide-to-south-africas-icj-case-against-israel>. Accessed 4th September, 2024.

⁶² *Ibid.*

⁶³ **Bermudez, Krystal** (9 April 2024). "Hamis-Run Gaza Health Ministry Admits to Flaws in Casualty Data". Foundation for Defense of Democracies. Retrieved 12 April 2024.

⁶⁴ "About 10 percent of the Gaza Strip's population killed, injured, or missing due to the Israeli genocide". Euro-Med Human Rights Monitor. 25 July 2024. Retrieved 20 October 2024.

[scale](#), and is widely expected to be the most intense man-made famine since the [Second World War](#).⁶⁵

In March 2024, the [Integrated Food Security Phase Classification](#) (IPC) aid partnership said that the residents of Gaza are perishing due to starvation. The alarming pace at which this crisis of hunger and malnutrition, caused by humans, is spreading in Gaza is deeply concerning. Half of Gaza's entire population is currently facing catastrophic conditions and is on the brink of famine, a situation that has never been seen before. Approximately 1.1 million individuals in Gaza half its population were grappling with severe hunger. By October 2024, the IPC and World Food Programme reported that more than 1.8 million Palestinians in Gaza were experiencing "extremely critical" levels of hunger, resulting from 70% of crop fields destroyed and livelihoods decimated during Israel's offensive.⁶⁶

A letter sent to President [Joe Biden](#), Vice President [Kamala Harris](#), and others on 2 October 2024 by 99 American healthcare workers who have served in the Gaza Strip since 7 October 2023, using the [Integrated Food Security Phase Classification](#) standards and the available data on the severity of food shortage in different parts of Gaza, calculated that there had been at the very least 62,413 deaths in Gaza from starvation (most of them young children) and at least 5,000 deaths from lack of access to care for chronic diseases.⁶⁷ This estimate was included in the estimate for indirect deaths in the war in a study from the [Watson Institute for International and Public Affairs](#) at [Brown University](#). According to [UNRWA](#), in the four months to mid December 2024, some 19,000 children were treated for acute malnutrition.⁶⁸

As of August 2025, [Integrated Food Security Phase Classification](#) (IPC) projections show 100% of the population are experiencing "high levels of acute food insecurity", and 32% are projected to face Phase 5 catastrophic levels by September 30, 2025. On 22 August 2025, the IPC said that famine is taking place in one of the five [governorates](#) in the Gaza Strip: specifically, the [Gaza Governorate](#) which includes [Gaza City](#). The IPC added that, within the next month, famine was likely to also occur in both the [Deir al-Balah Governorate](#) and [Khan Yunis Governorate](#). The IPC had insufficient data on the [North Gaza Governorate](#) for a classification but concluded that conditions were likely similar or worse than in the Gaza Governorate.^{[162][163]} Within the next 6 weeks as of 16 August, the number of people in IPC Phase 5 is expected to rise from 500,000 to over 640,000. As Israel deliberately starving

⁶⁵ *Ibid.*

⁶⁶ **Massoud, Bassam; Fick, Maggie** (23 December 2023). "Gaza death toll: why counting the dead has become a daily struggle". Reuters. Archived from the original on 14 January 2024.

⁶⁷ **Yee, Vivian** (17 December 2023). "More Than 100 Members of This Gaza Clan Have Been Killed in War". The New York Times. Retrieved 19 December 2023.

⁶⁸ "The war in Gaza has wiped out entire Palestinian families. AP documents 60 who lost dozens or more". Associated Press. 17 June 2024.

civilians (by blocking food, water, fuel, destroying agriculture, or willfully impeding relief) is prohibited by IHL and is a war crime under the Rome Statute (Article 8). States and commanders can be criminally responsible if intent or culpable conduct is shown.

3.5. Casualties of Gaza War

Palestinian Ministry of Health noted that at least one person of each family in Gaza has been killed as a result of the war.⁶⁹ United Nations Relief and Works Agency (UNRWA) lamented that as a result of uncountable dead bodies in Gaza the body bags have become inadequate.⁷⁰ Furthermore, the consistent refusal by Israel to allow relief materials into Gaza has caused not less than 2.2 million people under excruciating hunger.⁷¹ For president Joe Biden to disagree with the death toll reports by the legally recognized media houses is a clear indication that America should be seen as an accomplice in the war against Gaza.⁷² Also not less than 189 Journalists are killed in Gaza⁷³ it was also reported that more than 1600 Health and aid workers were killed as at June, 2024.⁷⁴ 706 Israelis soldiers and 66 Police officers were killed in Gaza war as at 3rd September, 2024.⁷⁵ IDF said it had killed more than 3000 terrorist operatives who are Hezbollah and 90 Hezbollah commanders in Lebanon.⁷⁶

3.6. Regional intervention

Several Arab countries, including Egypt, Jordan, and Saudi Arabia, have called for immediate ceasefires, condemned the violence, and emphasized the need to protect civilians. Egypt, in particular, has played a key mediating role in past conflicts, often working to broker ceasefires between Israel and Hamas. Cairo has also worked to manage humanitarian aid, particularly through the Rafah border crossing with Gaza.

Arab nations, especially those with strong ties to the Palestinian cause like Qatar and the UAE, have contributed significant humanitarian aid to Gaza. This includes financial support, medical

⁶⁹ <https://www.aljazeera.com/news/2023/10/13/when-a-family-dies-under-israels-bombs-part-of-gazas-history-disappears>. Accessed 4th September, 2025.

⁷⁰ <https://www.vaticannews.va/en/world/news/2023-10/unrwa-gaza-jordan-appeal-humanitarian-law-hospitals-water.html>. Accessed 4th September, 2025.

⁷¹ <https://www.ipcinfo.org/ipcinfo-website/alerts-archive/issue-97/en>. Accessed 4th September, 2025.

⁷² <https://thehill.com/homenews/administration/4275738-biden-no-confidence-in-palestinian-death-toll-from-gaza-health-ministry>. Accessed 3rd September, 2024.

⁷³ <https://www.google.com/search?client=firefox-b-d&q=Journalists+killed+in+Gaza>, 4th September, 2025.

⁷⁴ <https://www.map.org.uk/news/archive/post/1598-500-healthcare-workers-killed-during-israels-military-assault-on-gaza>. Accessed 4th September, 2025.

⁷⁵ <https://www.gov.il/en/pages/swords-of-iron-idf-casualties>. Accessed 4th September, 2025.

⁷⁶ https://www.timesofisrael.com/liveblog_entry/six-months-of-war-idf-data-shows-604-soldiers-killed-more-than-9000-rockets-fired-by-hamas/. Accessed 3rd September, 2025.

supplies, and food for civilians affected by the conflict. Qatar, for example, has long been a major donor to the rebuilding of Gaza's infrastructure after rounds of violence.⁷⁷

Arab states have used their influence in international forums like the United Nations, the Arab League, and through bilateral relations to call for international action. The Arab League has condemned Israeli military actions and lobbied for global diplomatic intervention to stop the escalation.

Despite a common concern, there are differences among Arab nations on how to address the conflict. Some countries, like Jordan and Egypt, which have peace treaties with Israel, often seek to balance diplomatic relations with Israel and their support for Palestinian rights. Others, like Saudi Arabia, the UAE, and Bahrain, have normalized or improved relations with Israel in recent years through the Abraham Accords, which complicates their stance.⁷⁸ These nations have condemned the violence but may not take as firm a stance as before normalization. Nations within the Middle East have a key role to play in bringing to end the war on Gaza, but their inability to come bold to declare the true position is being a serious challenge especially Egypt and Jordan who are diplomatic in addressing the matter

Public opinion across the Arab world is often more strongly pro-Palestinian than official government positions. This creates pressure on Arab governments to take stronger stances against Israel's actions, but many governments balance this with pragmatic political and economic considerations.⁷⁹

Arab leaders frequently stress the need for Palestinian political unity between Hamas, which controls Gaza, and the Palestinian Authority (PA), which governs parts of the West Bank. Without this unity, it is harder for Arab nations to push for a comprehensive solution.⁸⁰ Overall, the Arab world's response is characterized by a mix of diplomatic, humanitarian, and rhetorical actions, but efforts are often constrained by political realities and regional dynamics.

The veto power of the five permanent members of United Nations Security Council provides several challenges that impact the effectiveness and fairness of the Council. Vetoes are now being used to protect their interest and those of the allied rather than the goal of peacekeeping. This has greatly influenced the war on Gaza.

⁷⁷ <https://www.aljazeera.com/opinions/2024/5/24/how-the-arab-world-will-enable-palestine-to-win-its-war-of-liberation>, Accessed 20th October, 2024.

⁷⁸ Arab regimes risk being badly beaten if they decide to fight Israeli aggression and they risk domestic turbulence if they remain silent. <https://arabcenterdc.org/resource/arab-states-have-supported-and-shunned-hamas-in-the-gaza-war/>. Accessed 20th October, 2024.

⁷⁹ Ibid.

⁸⁰ <https://carnegieendowment.org/posts/2023/10/arab-perspectives-on-the-middle-east-crisis?lang=en>, Accessed 19th October, 2024.

3.7. Challenges of curbing the war.

The challenges to be encountered by the international community in resolving this war in Gaza are as follows:

Israel will see any attempt to stop this war as an opportunity for Hamas to regroup to cause more attacks on their territory, and so they may resist such a move for settlement.

Hamas themselves have vowed to continue the fight for their rights until they reclaim back their ancestral land and for that reason, they will continue this attack against Israel when they have the opportunity.

Hamas's war against Israel is asymmetric, and that will make it very difficult for Israel to separate the main terrorist from the people of Gaza. As Israel is determined to wipe Hamas off the face of the world, this is another factor that may prolong the war against Gaza.

International interest in the Gaza war through military support of the super power nations is another factor that may truncate any effort to resolve the warring parties. The USA and some European countries seem to be backing Israel while Russia,⁸¹ China, and Arab countries seem to be behind Gaza. This scenario will make it difficult for these so-called mediators to come to common ground since they all have different interests.

4. Conclusion: Findings and Recommendations

The ongoing conflict in Gaza, intensified by the actions of Hamas and the subsequent military response from Israel, has led to severe humanitarian crises and violations of international law. Both sides have inflicted suffering on civilians, highlighting the urgent need for a peaceful resolution. Key findings reveal the extensive impact on innocent lives and properties, exacerbated by disproportionate military actions. Recommendations emphasize the importance of establishing a two-state solution, ensuring security for both parties, and designating Jerusalem as a neutral territory to foster coexistence. Ultimately, a commitment to peace and collaborative dialogue is essential for a sustainable resolution to the conflict.

4.1. Impact of the Israel-Gaza Conflict on Civilians and Human Rights Violations

Finally, the actions of Hamas on the 7th of October, 2023 are condemnable and uncalled for, and should not be accepted by any state or nation. Israel's response to the attack and invasion of Gaza beyond the rules of engagement is equally condemnable. Israel is suspected of using bunch (cluster) bombs that extensively affect properties and civilians including aid workers, in contravention of the Conventions on war. This article concludes by saying that the war on Gaza has brought colossal loss to innocent civilians and their properties, and it is needless and should be stopped without further delay, because two wrongs cannot make a right.

4.2. Findings

- I. The actions of Hamas on October 7, 2023, led to Israel's alleged use of cluster bombs in response, resulting in severe loss of life and property in Gaza.
- II. Both parties engaged in actions considered violations of international humanitarian law, causing harm to civilians and relief workers. However, Israel was the most violative of international humanitarian law and human rights rules.
- III. The conflict in Gaza by Israel has caused unnecessary suffering to innocent civilians, highlighting the urgent need to stop hostile actions and move towards a peaceful solution.
- IV. The use of disproportionate force and violations of the laws of war have exacerbated the humanitarian crisis in Gaza, underscoring the importance of adhering to international legal standards.
- V. Establishing Jerusalem as a neutral territory could foster peace by recognizing the city's significance to both Muslims and Christians. This approach would facilitate shared access to holy sites, promoting interfaith dialogue and understanding. By placing management under the UN Security Council, the potential for conflict may be reduced, creating a stable environment. A neutral Jerusalem could serve as a symbol of coexistence and respect for diverse beliefs. This initiative may lead to lasting solutions, contributing to regional stability and harmony. Ultimately, it could pave the way for a more unified vision of peace in the area.

4.3. Recommendations

- I. The general rule is that there is no substitute for peace anywhere in the world. The opposite of peace is war which turns out to hunger, sorrows, weeping, fighting, and casualties; destruction of life and properties, and closure of schools amongst others. The following recommendations may be useful in resolving the long-drawn conflict between Israel and the Gaza community:
- II. Two-state solution. Palestinian state or full sovereignty. Instead, it would bring Israeli security control in the West Bank and expand economic opportunities for Palestinians. The United Nations must take a bold step to set up a boundary reconciliation committee to come up with an acceptable formula that will design the Palestinian state in consultation with Israel for each party to have their sovereign states. In the 80th⁸² session of UNGA held in New York also endorse a two-state solution to the Israeli-Palestinian conflict, the majority of the member states recognized Palestinian state.
- III. Freeing of hostages. Since the war began in 1948, many Palestinians fled their ancestral home and have been

⁸¹ https://www.google.com/search?q=which+countries+support+israel+in+gaza+war&client=firefox-d&sca_esv=2be68b492be70465&sca_upv=1&sxsrf=ADLYWJFiZEyPhyzmcVKanAo4bEJIVeWQ%3A1725519504934, Accessed 3rd September 2025.

⁸² <https://www.aljazeera.com/news/2025/9/23/which-are-the-150-countries-that-have-recognised-palestine-as-of-2025>, Accessed 3rd September 2025.



displaced. Today, Palestinians in huge numbers live essentially as stateless refugees in camps around the region. Palestinians call for a "right of return" that would permit them and their descendants to return to the homes and villages they once fled. The same Israeli hostages who are captured by Hamas be unconditionally released.

- IV. Assurance of security on both territories. Security is a major concern for Israel. The country is threatened by its location by Arab Nations who wish that it does not exist. For Israel to accept the offer of allowing a Palestine state to be created, it has to be very sure of the safety of its territories. The memory of invasion by Arab armies remains strong in the record of Israel where military or rocket attacks from Gaza and Lebanon occur regularly, and terrorism has killed or maimed thousands of Israelis. Both sides must guarantee security to each other before the UNSC.
- V. Jerusalem. Both parties believe Jerusalem is their capital, and the city is a holy place. For Arab who are Muslims, it is the third holiest city, because it is a place where Prophet Muhammad rose to heaven. Since the 7th century, it has been the site of the gold Dome of the Rock and the al-Aqsa Mosque which are also all located on top of the Temple Mount. For Jews Christian it is a place where Jesus was crucified and risen the third day and has the Church of the Holy Sepulchre which, according to tradition, contains the two holiest sites in Christianity. The same city is reserved for the millennium reign. This research recommends that Jerusalem should be made a neutral land or some sort of "no man's land", a holy place of worship for both parties under the management and control of the Security Council of the UN. This will go a long way in bringing lasting solutions to the region.

Bibliography

- About 10 percent of the Gaza Strip's population killed, injured, or missing due to the Israeli genocide. Euro-Med Human Rights Monitor. 25 July 2024. Retrieved 20 October 2024.
- Abraham Y.** (2023). ["A Gazan worked in Israeli kibbutzim for decades. Then came Oct. 7". +972 magazine.](#) Archived from [the original](#) on 7 July 2024.
- Abu Mayzer,** (2023). *"Palestinian gunmen shoot dead West Bank motorist, two assailants killed - police"*. Reuters. No. 22 February 2024. Accessed 6 July 2024.
- Additional Protocol I to Geneva Convention of 1949.
- Additional protocol I, II, III, and IV of Geneva Convention 1949.
- Additional Protocol of 2005.
- Additional Protocols II OF 1977.
- Andrew W. M.** (2019) "Revolutions in Military Affairs," Statement before the Senate Armed.
- Arab regimes risk being badly beaten if they decide to fight Israeli aggression and they risk domestic turbulence if they remain silent.
- <https://arabcenterdc.org/resource/arab-states-have-supported-and-shunned-hamas-in-the-gaza-war/>. Accessed 20th October, 2024.
- Bermudez, Krystal** (9 April 2024). "Hamas-Run Gaza Health Ministry Admits to Flaws in Casualty Data". Foundation for Defense of Democracies. Retrieved 12 April 2024.
- Bruce R.** (2024) <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>. Accessed on 23rd October, 2024.
- Emanuel F. Horovitz M.** (2024) *"Israeli civilian killed by anti-tank missile in north as Hezbollah attacks continue"*. Times of Israel. No. 7 December 2023. Accessed 24 August 2023.
- Ewumbue M. C.** (2006): *Respect for International Humanitarian Law by Armed Non-state Actors in Africa.* International Review of the Red Cross 864 905–24.
- Farge, E.** *"UN Mourns Record Death Toll in War with Over 100 Employees Killed in Gaza"*. U.S. News and World Report. Reuters. Retrieved 11 November 2023. Accessed 4th September, 2024.
- Frankel, J.** (2024). *"As Gaza death toll passes 40,000, corpses are buried in yards, streets, tiered graves"*. PBS. Associated Press. Accessed 25 August 2024.
- Future Warfare and Critical Technologies: Evolving Tactics and Strategies; <https://www.orfonline.org/research/future-warfare-and-critical-technologies-evolving-tactics-and-strategies>. Accessed 19th October, 2024.
- Geneva Convention of 1949.
- Geneva Convention of 1949.
- <https://carnegieendowment.org/posts/2023/10/arab-perspectives-on-the-middle-east-crisis?lang=en>. Accessed 19th October, 2024.
- <https://casebook.icrc.org/case-study/israel-gaza-operation-cast-lead>. Accessed, 2nd September, 2024.
- https://en.wikipedia.org/wiki/Casualties_of_the_Israel%E2%80%93Gaza_war. Accessed on 11th September, 2025.
- <https://thehill.com/homenews/administration/4275738-biden-no-confidence-in-palestinian-death-toll-from-gaza-health-ministry>. Accessed 3rd September, 2024.
- <https://www.aljazeera.com/news/2023/10/12/israel-says-6000-bombs-dropped-on-gaza-as-war-with-hamas-nears-a-week>, as of May, 2024. Accessed, 3rd September, 2024.
- <https://www.aljazeera.com/news/2023/10/13/when-a-family-dies-under-israels-bombs-part-of-gazas-history-disappears>. Accessed 4th September, 2025.
- <https://www.aljazeera.com/news/2024/1/11/a-quick-guide-to-south-africas-icj-case-against-israel>. Accessed 4th September, 2024.
- <https://www.aljazeera.com/news/2025/9/23/which-are-the-150-countries-that-have-recognised-palestine-as-of-2025>. Accessed 3rd September 2025.



27. <https://www.aljazeera.com/opinions/2024/5/24/how-the-arab-world-will-enable-palestine-to-win-its-war-of-liberation>, Accessed 20th October, 2024.
28. <https://www.aljazeera.com/opinions/2024/6/11/like-sri-lanka-once-did-israel-has-turned-safe-zones-into-killing-fields>, Accessed 3rd September, 2024.
29. <https://www.google.com/search?client=firefox-b-d&q=Journalists+killed+in+Gaza>, 4th September, 2025.
30. https://www.google.com/search?q=which+countries+support+israel+in+gaza+war&client=firefox-d&scas_esv=2be68b492be70465&scas_upv=1&sxsrf=ADLYWJFiZEyPhyzmcVKanAo4bEJIIVeWQ%3A1725519504934, Accessed 3rd September 2025.
31. <https://www.gov.il/en/pages/swords-of-iron-idf-casualties>, Accessed 4th September, 2025.
32. <https://www.ipcinfo.org/ipcinfo-website/alerts-archive/issue-97/en>, Accessed 4th September, 2025.
33. <https://www.jstor.org/stable/48638049>, Accessed 19th October, 2024, Accessed 19th October, 2024.
34. <https://www.map.org.uk/news/archive/post/1598-500-healthcare-workers-killed-during-israelas-military-assault-on-gaza>, Accessed 4th September, 2025.
35. https://www.timesofisrael.com/liveblog_entry/six-months-of-war-idf-data-shows-604-soldiers-killed-more-than-9000-rockets-fired-by-amas/, Accessed 3rd September, 2025.
36. <https://www.un.org/unispal/document/sc-press-release-17jul24/>, Accessed 3rd September, 2024.
37. <https://www.vaticannews.va/en/world/news/2023-10/unrwa-gaza-jordan-appeal-humanitarian-law-hospitals-water.html>, Accessed 4th September, 2025.
38. I.C.J. 1984 I.C.J. 39.
39. ICJ GL No 90, (2003) ICJ Rep 161, ICGJ 74 (ICJ 2003), 6th November 2003.
40. [Israel Social Security Data Reveals True Picture of Oct 7 deaths, France 24, Agence France-Presse.](#)
41. **Jeffrey F. and John C.** (2024) *Foreign Policy, Strobe Talbott Center for Security, Strategy, and Technology*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
42. **Kaldor M.** (2013) In defence of new wars. Stability: International Journal of Security and Development, 2 (1). ISSN 2165-2627.
43. **Keohane and Nye**, Power and Interdependence.
44. **Marvin K.** (2024) <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
45. **Massoud, Bassam; Fick, Maggie**, (23 December 2023). "Gaza death toll: why counting the dead has become a daily struggle". Reuters. Archived from the original on 14 January 2024.
46. **Morgenthau**, "The daily presence of force and recurrent reliance on it mark the affairs of nations" (Waltz 1979: 186). "Security" thus means a ...23 pages
47. **Patricia M.** (2024) *Foreign Policy, Center for Asia Policy Studies, John L. Thornton China Center*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
48. Protocol I and II of Geneva Convention, 1949.
49. Protocol I Protocol Treaty II of the Geneva Conventions of August 12, 1949,
50. Protocol II of the 1949 Convention.
51. Rome Statute of the ICC 2002.
52. **Schuurman B.** (2010) Clausewitz and the 'new wars' scholars. Parameters Spring.
53. Services Committee, Subcommittee on Acquisition and Technology, 5.
54. **Sharan G.** (2024) *Foreign Policy, Center for Middle East Policy*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
55. **Steven H.** (2024) *Center for Middle East Policy* <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
56. Supplementary Protocol to the 1949 Geneva Conventions on the Protection of Victims of Non-International Armed Wars Protocol II.
57. **Suzanne M.** (2024) *Foreign Policy*. @MaloneySuzanne. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
58. **Tanvi M.** (2024) *Foreign Policy, Center for Asia Policy Studies*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.
59. The Human Dimension in Irregular Warfare; Irregular Warfare & Latin America National Security Commentator Published Jan. 30th 2024 by Sal Artiaga; <https://www.linkedin.com/pulse/human-dimension-irregular-warfare-sal-artiaga-3120c>, Accessed 19th October, 2024.
60. The Second Geneva Convention 1949.
61. The war in Gaza has wiped out entire Palestinian families, AP documents 60 who lost dozens or more. Associated Press. 17 June 2024.
62. United Nations Charter of 1945.
63. **Vanda F. B.** (2024) *Initiative on Nonstate Armed Actors*, Co-Director - *Africa Security Initiative*, Senior Fellow - *Foreign Policy, Strobe Talbott Center for Security, Strategy, and Technology*. <https://www.brookings.edu/articles/six-months-on-what-is-the-impact-of-the-war-in-gaza/>, Accessed on 23rd October, 2024.

64. **William A.** (2005), *High Seas: The Naval Passage to an Uncharted World* (Annapolis, Md.: Naval Institute Press, 2005).
65. **Yee, Vivian,** (17 December 2023). "More Than 100 Members of This Gaza Clan Have Been Killed in War". *The New York Times*. Retrieved 19 December 2023.

