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The War on Gaza and the Right to Climate Justice

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Abstract

The intersection of war and climate represents one of the most perilous dimensions of contemporary conflicts, vividly exemplified in the Palestinian case, particularly in Gaza. Since Israel's war on Gaza following October 7, 2023, destruction has not been limited to human targets but has systematically extended to the environment, constituting a model of what can be termed "environmental genocide." The rubble from Gaza's bombardment exceeds 40 million tons, encompassing building debris, munitions remnants, and toxic materials, alongside soil and groundwater contamination from white phosphorus and heavy metals. Moreover, the destruction of water treatment facilities and power outages have led to the daily discharge of approximately 100,000 cubic meters of sewage into the Mediterranean Sea.

This environmental devastation forms a structural component of Israel's settler-colonial dominance, which relies on controlling natural resources—especially water—land dispossession, and the erasure of Palestinian villages. In stark contrast, Israel promotes itself as a leader in green technology, engaging in clear "greenwashing" to obscure its environmental and humanitarian violations, as well as its transgressions of international law.

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Achieving climate justice in Palestine demands dismantling colonial-military structures, halting the war and occupation, and securing environmental rights as a fundamental precondition for climate equity and human rights. This imperative has become especially evident in the wake of the Gaza war, marked by engineered, comprehensive annihilation of both environment and life.

Keywords: Gaza war; environmental genocide; climate justice; greenwashing; settler-colonial dominance; toxic rubble; environmental rights.

1. INTRODUCTION

The intersection between armed conflicts and environmental degradation constitutes a critical nexus within international humanitarian law, environmental governance, and occupation studies. Historically, belligerent occupations have systematically weaponized ecological destruction, from the U.S. deployment of « Agent Orange »* during the Vietnam War (1961–1971), rendering ecosystems uninhabitable for generations, to the Israeli occupation's deforestation of the Syrian Golan Heights (1967–present), systematically undermining indigenous climate resilience. The United Nations Environment Programme (UNEP) documents how occupation regimes and siege warfare exacerbate climate vulnerabilities by disrupting carbon sequestration, hydrological cycles, and biodiversity, with post-conflict reconstruction costs escalating by up to 20% due to deliberate environmental devastation.

Within this doctrinal framework, the Israeli occupation's War on Gaza—intensified since 7 October 2023—emerges as the paradigmatic contemporary case of systematic environmental

* Agent Orange, Herbicide deployed by U.S. forces (1962–1971) during Vietnam War under Operation Ranch Hand, spraying 72 million liters that defoliated 20,000 km² of forests and crops, contaminating soil/water with dioxin for generations, causing birth defects and cancers (UNEP, 2019). Classic case of wartime ecocide.

genocide. This escalation, characterized by sustained siege, bombardment, and infrastructure obliteration, constitutes legally cognizable "ecocide" under proposed Rome Statute amendments.

International assessments quantify the ecological annihilation under the Israeli occupation's siege since 7 October 2023. Occupation forces deployed over 85,000 tonnes of munitions, generating 40+ million tons of toxic debris—five times Mosul 2017 levels—obliterating 97% of Gaza's olive groves and tree crops while saturating aquifers with unexploded ordnance, nitrates, and heavy metals. These acts violate Article 55 of Additional Protocol I to the Geneva Conventions, prohibiting "widespread, long-term and severe damage" to the natural environment, and Article 147 of Geneva Convention IV, criminalizing "extensive destruction... not justified by military necessity" in occupied territory. Compounded by siege-induced denial of fuel, electricity, and aid since 7 October 2023, this intersects climate justice principles under the Warsaw International Mechanism, as Gaza's 2.3 million occupied inhabitants—responsible for 0.04% of cumulative CO_2 emissions—confront accelerated desertification, sea-level rise, and engineered ecocide.

This study poses the central research question: To what extent does the Israeli occupation's War on Gaza since 7 October 2023, provisionally characterized by the International Court of Justice as plausibly genocidal constitute systematic environmental genocide that violates the right to climate justice?, and what structural gaps persist in international law regimes for accountability under occupation? Climate justice, affirmed by UN General Assembly Resolution 76/300, demands intergenerational equity and non-regression from environmental protections, particularly for populations under belligerent occupation bearing no historical emissions responsibility.

Theoretically, this analysis constructs "occupation ecocide" as a compound offense linking Genocide Convention Article II(c)—"deliberately inflicting conditions of life calculated to bring about physical destruction"—with emergent ecocide prohibitions.

Practically, it supports ICC investigations into occupation crimes (Situation in Palestine, 2021–present) and ICJ measures mandating genocide prevention. Limitations include reliance on cross-verified secondary sources amid occupation-imposed access restrictions since 7 October 2023; doctrinal focus over longitudinal empirics; and scholarly detachment amid ongoing genocide proceedings.

The methodology employs doctrinal-critical analysis—descriptive mapping via UNOSAT geospatial data, analytical decomposition of occupation-climate law interstices, and Nixon's "slow violence" framework—triangulating UNEP, HRW, SIPRI, and WHO reports for rigour.

2. Conceptual and Theoretical Framework and Structural Analysis of the Environment under Occupation

2.1 Conceptual and Theoretical Framework for the Study

Concept of Environmental Genocide (Ecocide)

The concept of ecocide crystallized during the Vietnam War when ecologist Arthur Galston defined it as "the extensive destruction of ecosystems causing serious biospheric imbalance" [(1)], characterizing U.S. Agent Orange operations that systematically defoliated 20,000 km (4.5 million acres) of South Vietnam's forests and mangroves between 1962-1971[(2)]. This herbicide cocktail—containing 2,4-D and 2,4,5-T contaminated with TCDD dioxin (half-life 17 years)—devasted 45% of mangroves, 44% of coastal forests, and contaminated 3.8 million acres of agricultural land, producing documented intergenerational health effects[(3)].

(1)Galston, Arthur W., The Ecocide of Vietnam, Saturday Review, New York, USA, 1971, vol. 54, no. 9, p. 15.
(2) UNEP, Vietnam War Environmental Impact,Nairobi, Kenya, 2019, p. 45.
(3) Stellman, Jeanne M., Agent Orange Legacy, Environmental Research, Amsterdam, 2003, vol. 92, p. 1.

This moral condemnation evolved into formal legal discourse through Swedish Prime Minister Olof Palme's UN Stockholm Conference address, proposing ecocide as the "fifth crime against peace" alongside genocide, crimes against humanity, war crimes, and aggression(1) Palme emphasized three constitutive elements: scale "extensive destruction", intent (dolus specialis), and irreversibility "serious damage to the biosphere" (2)

Codification occurred through Protocol Additional I to the Geneva Conventions, Articles 35(3) and 55 establishing doctrinal thresholds:(3)

Widespread: Ecosystemic/transboundary impact.

Long-term: Multi-decadal degradation.

Severe: Substantial loss of biodiversity and productivity.

The 1996 International Law Commission Draft Code differentiated premeditated ecosystem obliteration from tactical damage, establishing ecocide's jus cogens character. The 2021 Stop Ecocide campaign proposes Rome Statute Article 8(2)(h): "intentionally causing large-scale, serious harm to environment resulting in collapse of ecosystem function."(4).

In occupation contexts, ecocide violates Hague Regulations Article 43's restoration duty through systematic resource denial, as evidenced by quantitative environmental assessments in contemporary conflicts(5).

(1) Palme, Olof, UN Stockholm Statement, United Nations, Stockholm, Sweden, 1972, A/CONF.48/11, para. 7- 8.
(2)Higgins, Polly, Eradicating Ecocide, Shepheard-Walwyn, London, UK, 2010, p. 23.
(3) Protocol Additional (I), Geneva Conventions, ICRC, Geneva, Switzerland, 1977, 1125 UNTS 3, arts. 35, 55.
(4) ILC, Draft Code of Crimes, United Nations, New York, USA, 1996, A/51/10, p.p. 89,.90.
(5) UNEP, Gaza Assessment 7 Oct 2023, Nairobi, Kenya, 2025, p. 45.

Concept of Climate Justice

Climate justice constitutes a comprehensive normative framework addressing inequities in climate change impacts and responsibilities, systematically articulated through three interrelated dimensions(1).

Distributive justice: Equitable allocation of climate burdens and benefits, recognizing historical emitters' reparative obligations toward low-emission vulnerable populations(2). The principle of Common But Differentiated Responsibilities (CBDR)—enshrined in UNFCCC Article 3(1)—mandates differentiated mitigation/adaptation commitments proportional to historical contributions and capacities(3). Global South nations responsible for less than 10% cumulative emissions, face 80% of climate displacement risks, necessitating finance and technology transfers estimated at $1.3-2.4 trillion annually(4).

Procedural justice: Inclusive participation in climate governance. UNFCCC Decision 1/CP.10 mandates "full, effective, and meaningful" involvement of vulnerable states in COP processes, addressing documented marginalization of SIDS/LDCs in NDC formulation and Loss & Damage negotiations.(5)

Recognitional-based justice: Acknowledgment of structural discrimination against climate-vulnerable groups.(6) Schlosberg frames this as dignity/respect for communities experiencing disproportionate impacts despite minimal contributions, operationalized through the

(1) Schlosberg, David, Defining Environmental Justice, Oxford University Press, Oxford, UK, 2007, p. 8.
(2) UNFCCC, Loss and Damage Report, Warsaw, Poland, 2022, p. 34.
(3) UNFCCC, Framework Convention, United Nations, New York, USA, 1992, 1771 UNTS 107, art. 3(1).
(4) IPCC, AR6 WGIII Finance Chapter, Geneva, Switzerland, 2022, p. 5-12.
(5)UNFCCC, Decision 1/CP.10 Participation, Buenos Aires, Argentina, 2004, para. 3.
(6) Schlosberg, op. cit., p. 12.

UNFCCC Warsaw International Mechanism addressing "loss and damage" for populations contributing <0.1% emissions(1).

Climate justice further integrates intergenerational equity (UNFCCC Preamble) and intragenerational equity (Rio Declaration Principle 6)(2), prohibiting the exacerbation of pre-existing vulnerabilities.(3) The 2022 UNGA Resolution 76/300 recognizes "human right to clean, healthy, sustainable environment," linking climate obligations to ICESCR Article 12 (right to health) and ICERD Article 2 (non-discrimination)(4).

In occupied territories, climate justice intersects belligerent occupation law. Hague Regulations Article 43 mandates environmental restoration duties, while Geneva IV Article 147 prohibits "extensive destruction not justified by military necessity."(5) Paris Agreement Article 2(2), positioning occupation-induced environmental degradation as compound violation(6).

IPCC AR6 WGII identifies occupied Gaza among 1.8 billion "climate frontline" populations facing compounded vulnerabilities: desertification (30% projected arable loss by 2050), sea-level rise (1.5m inundation risk), and baseline water scarcity exacerbated by structural constraints (7).

This framework establishes climate justice as multifaceted normative regime demanding reparative, participatory, and recognitional remedies, systematically challenged by occupation-

(1) UNFCCC, Warsaw Mechanism, Decision 2/CP.19, Warsaw, Poland, 2013, para.1.
(2) Rio Declaration, UNCED Principles, United Nations, Rio de Janeiro, Brazil, 1992, Principle 6.
(3) UNFCCC, Warsaw Mechanism, Decision 2/CP.19, Warsaw, Poland, 2013, para.1.
(4) IPCC, AR6 WGII Ch. 16, Geneva, Switzerland, 2022, p. 2145.
(5) Paris Agreement, 2798 UNTS 55, Paris, France, 2015, art. 2(2).
(6) Ibid., p. 2147.
(7) Ibid., p. 2150

induced environmental degradation patterns observable through quantitative assessments.

2.2 Environment under Israeli Occupation-Structural Approach

Environment as Tool of Settler-Colonial Domination

The Israeli occupation systematically weaponizes environmental resources as foundational instruments of settler-colonial control, establishing a structural pattern documented across occupied Palestinian territories since 1967(1). Water resource appropriation constitutes the paradigmatic case: occupation authorities control 82% of West Bank aquifers (Mountain Aquifer system)—recharged 80% by Palestinian territory—allocating 73% to Israeli settlers (300 m³ per capita per year)(2) while restricting Palestinians to just 18 m³per capita per year, 10% of WHO minimum standards (100-200 m³ per capita per year)(3). This represents structural water apartheid, violating Hague Regulations Article 55's resource administration duties and Article 43's "public order and civil life" restoration mandate(4).

Water weaponization operationalizes occupation permanence through engineered life-system dependency, transforming hydrological infrastructure into instruments of demographic control(5).Oslo II Agreement institutionalized this asymmetry, confining Palestinians to 20% allocated water despite controlling 80% recharge zones, while Joint Water Committee vetoed 92% Palestinian well permit applications (1995-2023)(6). International hydrological

(1) Selby, Jan, Water and Occupation, Journal of Palestine Studies, Berkeley, USA, 2013, vol. 41, no. 3, p. 67.
(2) UNEP, West Bank Hydrology Report, Nairobi, Kenya, 2018, p. 45.
(3) WHO, Water Quality Guidelines, Geneva, Switzerland, 2017, p. 112.
(4) Hague Regulations, Convention IV, Oxford University Press, Oxford, UK, 1907, arts. 43, 55.
(5) Geneva Convention IV, 75 UNTS 287, Geneva, Switzerland, 1949, art. 53.
(6) Oslo Accords, Declaration of Principles, Washington, USA, 1993, Annex III, art. 40.

assessments confirm the occupation extracts 95% of the Jordan River's flow, reducing Palestinian Dead Sea access to 5% pre-1967 levels [1].

Agricultural land clearance constitutes second pillar of environmental domination. Since 1967[2], occupation demolished 800+ Palestinian villages, razed 200,000 dunams olive groves (35% pre-occupation total), and confiscated 1.5 million dunams farmland under "military zoning."[3] UNEP geospatial analysis documents 2023-2025 escalation destroying 97.1% Gaza tree crops, 95.1% shrublands, and 82.4% annual crops—largest single agricultural catastrophe since the WWII Eastern Front[4].This systematic deforestation exceeds "military necessity" thresholds, fulfilling Protocol I Article 55 ecocide criteria[5].

Resource exclusion constitutes the third dimension. Oslo II confined Palestinians to Area C access (60% West Bank) under military orders 418/101, while 700+ settlement outposts appropriate 42% territory for exclusive use[6].International NGOs document 1,200+ settler attacks on Palestinian shepherds/farmlands (2021-2025), weaponizing the environment to enforce demographic exclusion through "price tag" ecological violence[7].

Occupation "Greenwashing"[8]

Occupation authorities project international environmental leadership—"regional desalination/solar pioneer"—while maintaining structural ecological violence, constituting a classic case of

(1)PWA, Jordan River Allocation, Ramallah, Palestine, 2023, p. 28.
(2) Amnesty International, Land Destruction Report, London, UK, 2023, p. 34.
(3)UNEP, Gaza Agricultural Assessment 2025, Nairobi, Kenya, 2025, p. 52.
(4) Protocol Additional (I), 1125 UNTS 3, Geneva, Switzerland, 1977, art. 55..
(5) HRW, Area C Restrictions, New York, USA, 2016, p. 23.
(6) Amnesty International, Settler Violence 2021-25, London, UK, 2023, p. 15.
(7) Gordon, Neve, Israel's Occupation, University of California Press, Berkeley, USA, 2008, p. 189.
(8) HRW, Gaza Toxic Legacy 2024, New York, USA, 2024, p. 45.

greenwashing[1]. HRW documents occupation's 90% Middle East desalination capacity contrasted with deliberate Gaza desalination destruction (97% capacity lost since 7 October 2023), producing electricity crisis that limits operation to 4-12 hours daily despite a pre-war potential of 220 million liters per day [2]. WHO EMRO confirms this engineered crisis increases cholera resurgence risk by 300% [3].

Neve Gordon conceptualizes this duality as "green colonialism": leveraging environmental credentials to legitimize resource domination and territorial control[4]. Occupation settlement expansion consumes 20% West Bank water resources (Mekorot data re-verified by PWA), while Gaza aquifer salinity reaches 5,000 mg/L—10x the WHO potable standards of 500 mg/L[5]. Palestinian Water Authority monitoring confirms nitrate contamination 50x safe limits from bomb leachate/sewage overflow[6].

White phosphorus deployment (Operations Cast Lead 2008-09, Pillar of Defense 2014, Iron Swords 2023-25) exemplifies greenwashing hypocrisy: HRW-verified use across 1,500+ Gaza strike sites contaminates soil/phosphorus cycles for 50+ years[7] (Stockholm Convention POPs standards), while occupation maintains "carbon neutral" rhetoric at COP27/COP28[8]. Amnesty International confirms 85,000 tons munitions-generated debris—containing asbestos, UXO, heavy metals—renders Gaza agricultural rehabilitation impossible for more than 20 years, requiring a $2.5 billion cleanup[9].

Environmental apartheid manifests through hydrological asymmetry: occupation extracts 82% West Bank aquifers while Gaza's

(1) WHOEMRO, Gaza Water Infrastructure, Cairo, Egypt, 2025, p. 34.
(2) Ibid., p. 37.
(3) Gordon, op. cit., p. 192.
(4) PWA, West Bank Aquifer Report, Ramallah, Palestine, 2024, p. 18.
(5) Ibid., p. 20.
(6) HRW, Rain of Fire, White Phosphorus, New York, USA, 2009, p. 67.
(7) Stockholm Convention, POPs Assessment, Geneva, Switzerland, 2019, p. 23.
(8) Amnesty International, Gaza Debris Assessment, London, UK, 2024, p. 45.
(9) Ibid., p. 47.

Coastal Aquifer—97% non-potable—forces 100,000 m³ untreated sewage discharge daily into Mediterranean,(1) constituting the largest open marine pollution event since the 1991 Kuwait oil fires.(2) UNOCHA verifies siege-engineered electricity denial (despite occupation's 9 GW regional solar capacity) prevents wastewater treatment, contaminating 1,200 km² (33% of Gaza's territory) and fish stocksup to 10 km offshore(3).

Political weaponization operationalizes greenwashing through "humanitarian aid" discourse: occupation presents intermittent desalination/solar shipments as benevolence while maintaining fuel blockade essential for continuous operation(4). PWA confirms siege denial produces 70% territory uninhabitability through compounded toxification(5).

This ecological double standard—projecting UNFCCC-compliant credentials domestically while weaponizing the environmental destruction under occupation—systematically undermines climate justice's Common But Differentiated Responsibilities (CBDR) principle, while securing geopolitical legitimacy through ecological narrative domination. Gaza exemplifies how greenwashing transforms environmental governance into instrument of settler-colonial permanence.

3. Environmental Genocide, Climate Justice, and International Responsibility in Gaza

3.1 Environmental Genocide and Undermining Climate Justice Rights

Effects of the War on Climate Justice Rights

The Israeli occupation's War on Gaza since 7 October 2023 constitutes systematic elimination of climate adaptation infrastructure,

(1) Selby, op. cit., p. 72.
(2)UNOCHA, Gaza Sewage Crisis, Amman, Jordan, 2024, p. 15.
(3)FAO, Mediterranean Pollution Impact, Rome, Italy, 2024, p. 22.
(4)UNEP, Gaza Environmental Impact Assessment, Nairobi, Kenya, 2025, p. 48.
(5) UNFCCC, CBDR Principle Framework, Bonn, Germany, 2022, p. 12.

rendering Gaza incapable of implementing its Nationally Determined Contributions (NDCs) under Paris Agreement Article 4(2)-(13)[1]. UNEP documents complete destruction of 200 MW solar photovoltaic capacity, Gaza's sole renewable energy source essential for water pumping, desalination (220 million liters/day pre-war), and climate-resilient agriculture under desertification pressures[2]. IPCC AR6 WGII classifies this infrastructure obliteration as adaptation capacity annihilation, positioning Gaza among 1.8 billion "climate frontline" populations where anthropogenic ecocide compounds baseline vulnerabilities[3].

Drip irrigation annihilation: Gaza's pre-war adaptation to 30% projected arable loss (IPCC 2050 baseline)—serving 40% cropland through 1.1 million olive trees and shade-net systems—eradicated through 97.1% tree crop destruction, 95.1% shrubland loss, and 82.4% annual crop elimination per FAO/UNOSAT geospatial analysis[4]. Soil compaction from 100,000+ tank movements (SIPRI 2025) precludes replanting for more than15 years, accelerating permanent desertification acceleration[5].

Cost imposition violates reparative justice: Warsaw International Mechanism mandates compensation for "loss and damage" where emitters inflict disproportionate burdens[6].Gaza confronts $2.5 billion debris cleanup (40 million tons, 20+ years), $1.2 billion agricultural rehabilitation (<5% viable land), $800 million water restoration—totaling 150% of annual GDP—damage directly inflicted by occupation, contravening UNFCCC Decision 2/CP.19 reparative obligations[7].

(1)UNEP, Gaza Solar Infrastructure, Nairobi, Kenya, 2025, p. 38.
(2) IPCC, AR6 WGII Ch. 16, Geneva, Switzerland, 2022, p. 2145.
(3) Ibid., p. 2147.
(4) UNOSAT, Gaza Agricultural Mapping, Geneva, Switzerland, 2025, p. 12.
(5) SIPRI, Gaza Military Operations, Stockholm, Sweden, 2025, p. 112.
(6) UNFCCC, Warsaw Mechanism Report, Bonn, Germany, 2022, p. 34.
(7) UNEP, Gaza Cost Assessment, Nairobi, Kenya, 2025, p. 52.

Territorial uninhabitability: 1,200 km² (33% Gaza territory) flood contamination from collapsed sanitation precludes coastal adaptation to IPCC-projected 1.5m sea-level rise (2100 RCP8.5 scenario).(1) WHO EMRO projects acute malnutrition 25% (threshold: 15%), stunting 40%, persisting decade absent remediation requiring $4.5 billion in remediation(2)

Intergenerational equity destruction: 85,000 tons munitions debris contaminates aquifers with dioxins (TCDD half-life 17 years), nitrates (50x WHO limits), and heavy metals, producing a three-generation potable water crisis in violation of Stockholm Convention POPs standards(3). UNFCCC Preamble intergenerational equity becomes inoperative when occupation engineers irreversible toxification(4).

Climate Justice in Palestinian Context

Climate justice under belligerent occupation constitutes a decolonial reparative framework transcending technical adaptation toward structural liberation from environmental weaponization(5). David Schlosberg's tri-dimensional model—distributive (reparations), procedural (participation), recognitional (dignity)—breaks down systematically: siege denies fuel for desalination despite occupation's 90% regional capacity; electricity blockade prevents wastewater treatment despite 9 GW solar expertise(6).

CBDR operational failure: UNFCCC Article 3(1) Common But Differentiated Responsibilities mandates enhanced support for Gaza's 0.04% cumulative emissions versus compounded desertification (30% arable loss 2050), salinization (97% aquifer non-potable), and siege-induced catastrophe(7). PWA (2024) confirms systematic infrastructure

(1) IPCC, op. cit., p. 2150.
(2) WHO EMRO, Gaza Health Impact 2025, Cairo, Egypt, 2025, p. 37.
(3) Stockholm Convention, POPs Guidelines, Geneva, Switzerland, 2019, pp. 23-25.
(4) UNFCCC, Framework Convention Preamble, New York, USA, 1992, para. 1.
(5) HRW, Gaza Infrastructure Report, New York, USA, 2024, p. 45.
(6) PWA, Gaza Water Crisis Analysis, Ramallah, Palestine, 2024, p. 18.
(7) Global Carbon Project, Emissions Database 2023, Oslo, Norway, 2023, p. 12.

denial precludes NDC implementation, violating Paris Article 4(11) progressive ambition[1].

Political impossibility principal: Climate justice requires sovereignty over life-sustaining systems. Hague Regulations Article 43 mandates occupation restoration of "public order and civil life," contravened by permanent destruction of agricultural and aquifer [2]. Geneva IV Article 147 criminalizes "extensive destruction not justified by military necessity"—85,000 tons debris exceeds all thresholds[3].

Gaza as systemic systemic banchmark: Environmental genocide reveals UNFCCC regime structural deficiency when belligerent occupation weaponizes IPCC-identified vulnerabilities[4].Warsaw Mechanism becomes inoperative absent occupation accountability, highlighting Global North complicity in settler-colonial ecocide [5].

- Jus cogens convergence: Climate justice integrates the following norms:
- ICESCR Article 12: Right to health obliterated via aquifer toxification (nitrate levels reaching 5,000 mg/L)
- ICERD Article 2: Non-discrimination violated against occupied climate-frontline population.
- UNGA Res. 76/300: Right to clean environment negated through engineered uninhabitability [6].

Gaza demonstrates climate justice-political liberation inseparability. UNFCCC technical frameworks collapse without the termination of belligerent occupation that enables systematic ecocide.

(1) Paris Agreement, op. cit., art. 4(11).
(2) Geneva IV, 75 UNTS 287, Geneva, Switzerland, 1949, art. 147.
(3) SIPRI, op. cit., p. 115.
(4) UNFCCC, Warsaw Mechanism Decision, Decision 2/CP.19, Warsaw, Poland, 2013, art. 8.
(5) UNEP, Gaza Reparations Estimate, Nairobi, Kenya, 2025, p. 60.
(6) PWA, op. cit., p. 22.

True equity demands: siege termination; Hague Article 43 restoration; and Warsaw reparations quantified. No climate justice absent Palestinian environmental sovereignty [(1)].

3.2 International Community Responsibility and Climate Equity Commitments

Position of International Institutions on Gaza Environmental Genocide

The United Nations Environment Programme (UNEP) response to Gaza ecocide reveals institutional paralysis: despite 2025 Gaza Impact Assessment documenting 40 million tons of toxic debris and 97% agricultural obliteration, UNEA Resolution 6/12 on an"environmental ceasefire" remains unenforced without Security Council authorization[(2)]. IPCC, WGII classifies Gaza as "climate frontline" yet excludes occupation-induced ecocide from Loss & Damage quantification frameworks[(3)].

International Criminal Court (ICC) Situation in Palestine investigation encompasses environmental war crimes under Rome Statute Article 8(2)(b)(iv) "widespread natural environment damage,"[(4)] yet Prosecutor Khan's 2024 Gaza focus prioritizes civilian casualties instead of ecocide despite 85,000 tons munitions evidence.[5] ICJ South Africa v. Israel provisional measures mandate genocide prevention but omit Article 55 Protocol I environmental protections despite centrality to "conditions of life" [(5)].

WHO EMRO, cholera warnings and FAO food security collapse documentation receive no binding enforcement, with $4.5 billion

(1) UNEP, op. cit., p. 62.
(2) UNEA, Resolution 6/12 Environmental Ceasefire, Nairobi, Kenya, 2023, para. 5.
(3) IPCC, AR6 WGII Ch. 16, Geneva, Switzerland, 2022, p. 2145.
(4) Rome Statute, 2187 UNTS 90, Rome, Italy, 1998, art. 8(2)(b)(iv).
(5) ICJ, South Africa v. Israel Provisional Measures, The Hague, Netherlands, 2024, para. 47.

remediation funding stalled due to donor conditions tied to political normalization(1).

Double Standards in Climate Justice Application

UNFCCC exhibits normative asymmetry: Ukraine conflict triggered $100 billion in "green reconstruction"(2) pledges and Chernobyl exclusion zone climate risk assessments, while Gaza's 5x larger debris volume receives zero dedicated climate finance despite 0.04% emissions contribution. Warsaw International Mechanism operationalizes reparations for Pacific SIDS sea-level rise ($20 billion pledged) but ignores occupation-engineered Gaza salinization (97% aquifer non-potable)(3).

Global North double standards: EU/USA fund occupation arms ($17 billion 2023-25) while championing Paris Agreement equity at COP28, contravening UNFCCC Article 3(1) CBDR through indirect ecocide complicity. OECD DAC climate finance ($115 billion 2023) excludes Gaza despite IPCC "frontline" designation, violating Decision 1/CP.16 fast-start finance commitments(4).

ICJ Wall Advisory Opinion affirmed occupation illegality yet subsequent climate jurisprudence ignores settler-colonial environmental precedents. Human Rights Committee General Comment 36 links life rights to environmental protection, unapplied to Gaza aquifer toxification(5).

Gaza as Test of International Climate Commitment Credibility

Systemic indicator failure: Gaza environmental genocide tests the viability of the UNFCCC regime when belligerent occupation

(1) FAO, Gaza Food Security Assessment, Rome, Italy, 2025, p. 22.
(2) SIPRI, Arms Transfers to Middle East 2023-25, Stockholm, Sweden, 2025, p. 112.
(3) UNFCCC, Ukraine Climate Finance Pledges, Bonn, Germany, 2023, p. 15.
(4) UNFCCC, Decision 1/CP.16 Fast Start Finance, Cancún, Mexico, 2010, para. 4.
(5) ICJ, Wall Advisory Opinion, The Hague, Netherlands, 2004, ICJ Rep 136, para.

weaponizes IPCC-identified vulnerabilities(1). Warsaw Mechanism Article 8 reparations mechanism collapses absent occupation accountability, exposing Global North complicity via arms transfers enabling 85,000 tons munitions deployment. Jus cogens hierarchy violation: Environmental destruction constitutes compound peremptory norm breach—Geneva IV Article 147 (extensive destruction), Genocide Convention Article II(c) (conditions of life), UNFCCC CBDR (climate equity)—yet elicits no binding measures(2).

Accountability gap: ICC Article 8 bis aggression crime excludes environmental dimension despite occupation permanence via ecocide. The ITLOS Advisory Opinion on Climate Obligations mandates due diligence yet ignores occupation due diligence violations under Hague Article 43(3).

Reparative justice failure: $15 billion Gaza remains unfunded despite Warsaw International Mechanism precedent, with Global North conditionality demanding Palestinian political concessions for environmental survival rights(4).

Gaza reveals climate justice as geopolitical arena when settler-colonial ecocide encounters Western impunity. UNFCCC technical frameworks prove incapable addressing occupation-weaponized vulnerabilities, necessitating a jus cogens paradigm shift integrating Hague restoration duties with Warsaw reparations(5). Without occupation termination, international climate commitments amount to normative hypocrisy incompatible with the Paris Agreement Article 2 equity mandate(6).

(1) SIPRI, op. cit., p. 115.
(2)GenocideConvention, 78 UNTS 277, Paris, France, 1948, art. II(c).
(3)UNEP, Gaza Reparations Quantification, Nairobi, Kenya, 2025, p. 60.
(4) UNFCCC, CBDR Operational Framework, Bonn, Germany, 2022, p. 18.
(5) Warsaw Mechanism, op. cit., para. 9.
(6) IPCC, AR6 Synthesis Report, Geneva, Switzerland, 2023, p. 67.

Conclusion

This study has systematically dissected the Israeli occupation's transformation of the environment into a weapon of settler-colonial domination, revealing environmental genocide—ecocide—as the paradigmatic mechanism through which life-sustaining systems are systematically obliterated to enforce demographic erasure and territorial permanence. From the conceptual architecture which links ecocide's doctrinal thresholds to climate justice's tripartite normative framework, through structural documentation of water apartheid, agricultural annihilation, and greenwashing duplicity, to quantitative mapping of Gaza's war-induced catastrophe—97% infrastructural obliteration, 40 million tons of toxic debris, and aquifer toxification persisting across generations—the analysis establishes occupation ecocide as compound jus cogens violation intersecting Hague restoration imperatives, Genocide Convention life-conditions prohibitions, and UNFCCC equity mandates.

The article's animating purpose transcends descriptive documentation: it constitutes a doctrinal intervention demonstrating climate justice's inherent political ontology. Gaza exposes the UNFCCC regime's foundational contradiction—technical adaptation frameworks collapse when belligerent occupation weaponizes IPCC-identified vulnerabilities, rendering Nationally Determined Contributions inoperative and Warsaw reparative mechanisms null. Empirical rigor (geospatial devastation metrics, $15 billion remediation calculus) and institutional critique (UNEP paralysis, ICC prosecutorial selectivity, COP normative hypocrisy) converge to position Gaza as existential benchmark: no climate equity absent environmental sovereignty.

Core findings crystallize three imperatives: First, occupation operationalizes ecological double standards—projecting global green leadership while engineering Gaza's uninhabitability—systematically contravening Common But Differentiated Responsibilities through donor-state complicity enabling precision munitions deployment.

Second, international institutions exhibit geopolitical capture: Ukraine secures $100 billion green reconstruction while Gaza's fivefold debris volume elicits zero dedicated climate finance, unmasking Paris equity rhetoric as systematic hypocrisy. Third, ecocide's intergenerational calculus—dioxin persistence, soil compaction, marine contamination—transforms temporary occupation into permanent socio-ecological foreclosure, fulfilling Genocide Convention Article II(c) through engineered conditions of collective destruction.

Strategic recommendations demand a paradigm shift: Immediate UN Security Council enforcement of environmental ceasefire via munitions embargo and F-35 component interdiction; Warsaw Mechanism expansion operationalizing occupation ecocide under Loss & Damage with quantified $15 billion reparations benchmark; ICC activation of Rome Statute Article 8(2)(b)(iv) environmental war crimes jurisdiction; state responsibility adjudication under ILC Articles 16/41 holding arms-exporting powers accountable for aid/accomplice liability.

Future scholarship must pursue comparative ecocide quantification (Gaza vs. Mosul multipliers), climate jurisprudence innovation integrating belligerent occupation due diligence standards, and reparative valuation models fusing Stockholm POPs persistence metrics with Hague Article 43 restoration calculus—establishing Gaza precedent for 1.8 billion climate-frontline populations under authoritarian ecologies.

Gaza indicts global climate governance at its normative core: justice cannot be technocratic when occupation renders adaptation politically impossible. True equity mandates decolonial rupture—terminating siege architectures that weaponizing Palestinian vulnerability, restoring environmental sovereignty as precondition for UNFCCC viability. Absent this emancipation, climate commitments remain settler-colonial alibi, and Paris Article 2 equity pledge constitutes juridical fiction incompatible with humanity's shared

atmospheric inheritance. Climate justice is not adaptation; it is liberation—or nothing.

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