

Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations

كشف الفظائع الإسرائيلية في فلسطين: تحليل قانوني للإبادة الجماعية وجرائم الحرب وانتهاكات حقوق الإنسان

Boudinar Imene*, University of Ibrahim Sultan Cheibout- Algiers 3-
imeneboudinar52@gmail.com

Received: 30/06 /2025

Accepted: 29/10 /2025

Published: 29/11 /2025

Abstract:

This study extensively canvasses Israel's institutionalized abuses in Palestine under international criminal law, first, clearly setting out key legal concepts such as "genocide" and "crimes against humanity" from accepted frameworks of international law. Building on this foundation, it well examines Israel's actions, explaining how they contravene key principles of international humanitarian law and human rights law. Specifically, the research highlights the profession's outright breach of international covenants, charters, and norms, showing a consistent pattern of gross violations. As a result, they have been condemned across the world by the international community. Ultimately, this research not only sheds light on the severity of Palestine's human rights crisis but also seeks to pave the way for greater insight into the issue, requiring earnest action under the international law sphere.

Key words: war crimes, crimes against humanity, international law, israel, palestine.

Introduction:

Due to its strong connection to the establishment of global peace and security through the prosecution of those alleged to have committed egregious human rights violations, the International Criminal Court concept has taken a major portion of the international community's efforts to establish an international criminal system that is acceptable to its members. Although they are neither a gift nor the loot of usurpation, human rights have occasionally been able to affect political legitimacy and even become a source of moral legitimacy.

When it comes to international conventions and instruments that Israel is bound by, like the 1945 United Nations Charter and the 1949 Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Hague Convention on Respect for the Laws and Customs of War on Land of 1907, let's talk about Israeli violations, massacres, attacks, and crimes like the 2009 war on Gaza, in addition to its 2012 war and the 2014 Guellian War.

In an attempt to pass an international draft resolution establishing a timeline for ending Israel's occupation of the territories of 1967, where documents to accede to the Rome Statute were deposited with the Secretary-General of the United

Nations, Palestine has thus attempted to operationalise two mechanisms for recognising the jurisdiction of the International Criminal Court. The Rome Convention, which established the International Criminal Court, was ratified by Palestine on January 1. The Convention became operative for Palestine on April 1, 2016, making Palestine's accession one of the most crucial steps

* Corresponding Author

« Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations »

towards ensuring accountability for Israeli occupation crimes. As a result, the International Criminal Court was established in mid-January 2016.

In 2023, the conflict in the Gaza Strip has been characterized by violence and human suffering, with civilian populations bearing the brunt of hostilities. The study conducted by Amnesty International sheds light on the grave violations perpetrated by Israeli forces, raising questions about accountability, adherence to international law, and the protection of civilians in conflict zones. This essay critically analyzes the key findings of the study and explores the broader implications for international humanitarian law and the pursuit of justice in the face of war crimes. The study reveals that Israeli forces conducted four strikes in Gaza, resulting in the deaths of numerous civilians, including children, in Rafah, the southernmost governorate of the strip. These attacks targeted residential buildings that were not legitimate military objectives, demonstrating a blatant disregard for the principles of distinction and proportionality enshrined in international humanitarian law. In 2024, the failure to provide adequate warning to civilians before launching the attacks further compounds the gravity of these violations, indicating a pattern of impunity and disregard for human life.

The findings underscore the urgent need for accountability and justice in the face of such egregious violations of international law. The attacks on civilians and civilian objects constitute clear war crimes, necessitating immediate action to prevent further harm to vulnerable populations in conflict zones. The study calls for an immediate and sustained ceasefire, as well as the implementation of provisional measures to safeguard civilian lives and uphold the principles of international humanitarian law.

Additionally, the essay emphasizes the importance of imposing a comprehensive arms embargo on all parties involved in the conflict to prevent the perpetuation of violence and human rights abuses. In conclusion, the study by Amnesty International provides a stark reminder of the atrocities committed in the Gaza Strip and the urgent need for international intervention to ensure accountability and justice for the victims of unlawful attacks. The international community must prioritize the protection of civilians in conflict zones, uphold the principles of international humanitarian law, and work towards a sustainable peace that respects the dignity and rights of all individuals affected by armed conflict. Only through collective action and unwavering commitment to human rights can we prevent further atrocities and build a more just and peaceful world for future generations.

The problematic of the Study:

In order to carry on this academic research the study has opted to ask the following problematic:

How does the International Criminal Court determine jurisdiction over crimes committed in conflict zones involving the Israeli occupier and Palestinians?

Hypothesis of the study:

H1-The ICC has previously opened investigations into situations where alleged crimes have been committed by state and non-state actors. The context of the Israeli-Palestinian conflict could align with past cases that the ICC has pursued.

H2- The international community has shown increasing concern over human rights violations in the Israeli-Palestinian conflict. The ICC may be seen as a legitimate avenue for addressing these violations

« **Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations** »

H3- The Palestinian Authority has been recognized as a non-member observer state by the United Nations. This recognition potentially grants the ICC jurisdiction over crimes committed on Palestinian territory.

H4- The Rome Statute, which established the ICC, includes provisions that cover war crimes, crimes against humanity, and genocide. If the actions of the Israeli occupier in Gaza constitute these crimes, they could be within the ICC's jurisdiction.

The significance of the Study:

The study's significance is demonstrated by the topic's importance as well as by the international community's violations of international humanitarian law by war criminals. and the belief of the international community in the necessity of an everlasting international criminal justice system that aims to prosecute and prosecute serious human rights violations, irrespective of the perpetrator's identity or official status; the extent to which the International Criminal Court has jurisdiction over Israeli war crimes, particularly in light of the Palestinians' recent UN observer state status award.

Methodology of the Study:

-Conduct a comparative analysis of ICC cases involving state and non-state actors to assess the applicability of international criminal law to the Israeli-Palestinian conflict.

-Examine the legal status of Palestine and the implications for ICC jurisdiction over crimes committed in the region.

-Analyze the responses of the international community and relevant stakeholders to previous ICC investigations to gauge the feasibility and effectiveness of pursuing accountability for crimes in the Israeli-Palestinian context.

Outline of the Study

Introduction

1- Evolution of International Criminal Law: A Comprehensive Analysis of the International Criminal Court's Jurisdiction.

2-Israeli violations in Palestine

3. Humanitarian Situation in Palestine in 2024/2025

Conclusion

1- Evolution of International Criminal Law: A Comprehensive Analysis of the International Criminal Court's Jurisdiction

Following the establishment of broad notions of human rights and the experiences of conflicts that have resulted in a great deal of inhumane deaths, the world community has turned its attention to the international criminal protection of fundamental freedoms and human rights. worldwide hostilities and wars in numerous regions, Impact on rising rates of human rights violations and war crimes against civilians in the lack of a suitable mechanism for the international community to curtail violations and punish and prosecute those involved or their heirs, whether they be people, States, organisations, or governments.

1.1- Establishment of the International Criminal Court

Among the atrocities and conflicts that have taken many lives and prompted the establishment of international criminal courts is the Second World War. The Nuremberg and

« **Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations** »

Tokyo Tribunals are the two Second World War courts that made significant contributions to the creation of international criminal law and the notion of retribution for transnational crimes.

¹ The world is ready and willing to accept the existence of a permanent international criminal tribunal capable of trying the most serious crimes that endanger global peace and security and effectively helping offenders reduce such crimes, as evidenced by advancements in international criminal justice and the Rwanda Tribunal.²

During its second session on November 27, 1947, the United Nations General Assembly passed resolution No. 177, directing the International Law Commission to create a codification of crimes against humanity's peace and security by: - Developing the fundamental principles of international law found in the Charter and the Nuremberg Tribunal's rulings proposed law on offences against human security and peace . ³

The International Criminal Court Statute was prepared by the International Law Commission between 1990 and 1994. On December 9, 1994, the Statute was presented to the United Nations General Assembly, which had formed a special committee to examine important substantive administrative matters and plan the framework for an international convention on the creation of the International Criminal Court.⁴

The General Assembly formed the Preparatory Committee in December 1995 to discuss the issue. The Preparatory Committee completed the draft treaty on the creation of the International Tribunal and convened an international conference from June 15–17, 1998, in Rome. There were 160 states present during the meeting. Attendees included representatives of both governmental and non-governmental organisations. The document was available for signature as of December 31, 2000, and it came into effect on July 1, 2002, after 60 ratifications. International Criminal Court ", the Statute of the International Criminal Court detailed the Court's legal position, connection to the UN, mode of establishment, and home base in The Hague, Netherlands.⁵

It also made up the parties that signed the Rome Charter, the International Criminal Court's Statute. The International Criminal Court Statute established a General Assembly known as the Assembly of States Parties, whose duties included draughting draft texts on various topics, such as the rules of evidence, procedure, and the International Criminal Court's rules of procedure, as well as providing administrative oversight of the court's organs, approving their budget, and determining whether or not to increase the court's judicial population through secret ballot.⁶

The International Criminal Court (ICC) is defined as a permanent independent international judicial organ, like other national courts and judicial organs with independent legal personality and a clear legal reference, properly organized to ensure due process of law, starting with the collection of evidence until the final and just judgment.⁷

1.2- Scope of the International criminal court's substantive jurisdiction

The offences for which the International Criminal Court is competent are covered under its *ratione materiae* jurisdiction. The Rome Statute's Article V lists all of these offences in detail, including the following:

I-The crime of genocide: is the commission of any of the following acts committed with intent to destroy a national, ethnic, racial or religious group as such: total or partial destruction, whether by killing, causing serious physical or mental harm to members of the group or deliberately subjecting the group to living conditions with a view to their actual destruction in

« **Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations** »

whole or in part or measures aimed at preventing reproduction within the group or the transfer of the group's children to another group.⁸

II-Crimes against humanity: From the authorities, this group of crimes aims to protect humanity itself and work to preserve it. and defines such crimes as acts committed in the context of a widespread or systematic attack directed against any civilian population and knowing of the murder or extermination attack, which deliberately imposes living conditions, including deprivation of food or medicine, with a view to destroying part of the population or slavery, including the exercise of any consequence of a person's right to property, The unjustified removal or forcible transfer of population by international law and the imprisonment and torture through which severe harm or suffering, whether physical or mental, is inflicted on a person under the supervision or control of the accused or in any form of sexual violence such as rape or persecution of any specific group of the population on political, ethnic, national, cultural or religious grounds not permitted by international law and the enforced disappearance of persons and the crime of apartheid committed in the context of an institutional system of persecution and control by one ethnic group vis-à-vis any other and committed with the intention of maintaining that regime, Other inhumane acts of a similar nature that cause severe body suffering or mental or physical health.⁹

III- War crimes: these crimes mean grave violations of the four Geneva Conventions of 1949 and the two Optional Protocols of 1977, from the killing, torture, suffering, destruction, hostage-taking and forcing prisoners of war to serve in the enemy State's forces and not to be tried fairly. Serious violations of the laws and customs applicable to international conflicts also have the established scope of international law by deliberately directing attacks against the civilian population and its civilian locations and attacks against humanitarian personnel.

The international responsibility for the abovementioned violations rests with States and persons representing or ordering them, and arises against them if they fail to take the necessary action and measures to prevent their belligerent forces from committing war crimes, while the perpetrators are accountable to the International Criminal Court in their personal capacity.¹⁰

IV-Crime of aggression: This crime is one of the crimes that has given rise to problems with the substantive jurisdiction of the International Criminal Court and is intended to use armed force by one State against the sovereignty, territorial integrity or political independence of another State, or in any other manner incompatible with the Charter of the United Nations, in the form of aggression, including: Invasion or attack by the armed forces of a State against the territory of another State or any military occupation resulting from such attack or any annexation of the territory of another State or part thereof using power, the bombing by the armed forces of a State of the territory of another State or the use of any weapons by a State against the territory of another State, an attack by the armed forces of a State on another State's land, naval, air or maritime and air merchant fleet by the armed forces of another State, allowing a State that has placed its territory at the disposal of another State to be used by that State to commit an act of aggression against a third State.¹¹

2- Israeli violations in Palestine

In addition to this, the world cannot continue to watch as Israel continues to violate the rights of Palestinian citizens; in particular, the occupier rejects all international legitimacy resolutions and refuses to take up its obligations to the international community, particularly the Geneva Conventions on the protection of civilians.

« Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations »

It is now time to hold Israel accountable for the grave crimes it has committed against the Arab world in general and Palestine in particular. To that end, we will attempt in this study to draw attention to the crimes Israel has committed in Palestine that have a particular impact on human rights, which are now considered sacred under the main international texts. As a result, these crimes will be included within the purview of the International Criminal Court's Statute. An important development in the history of international criminal justice, Middle Eastern relations, and the international community at large is Palestine's admission to the International Criminal Court on January 1, 2015.

The Israeli occupier has committed crimes against the Palestinian people that are in violation of all valid international resolutions. These crimes must be addressed in accordance with the provisions and principles of international law, specifically the categories of crimes that fall under the purview of the International Criminal Court.¹²

2.1- crimes of genocide

History shows the depth of Palestinian tragedies caused by mass killings and massacres committed by Israeli officials and leaders. From the 1948 massacres of Deir Yassin, the 1953 cellar, the 1956 Kafr Kassem and the 1970 Cow Sea School, to the 1982 Sabra and Shatila massacre, the 1994 Ibrahimi Mosque massacre through the massacres of Jenin camp and the old town of Nablus, 2002 and the repeated war aggression against the Gaza Strip, which was last in the summer of 2014, known as Operation Protective Shelf) and other massacres that refer to the black history of the Zionist movement, the seriousness and gravity of the crimes vis-à-vis international law, the resounding warning of Israeli war criminals to prosecute them and the narrowing of their chances of impunity.¹³

In the wake of escalating tensions and violence in the Middle East, particularly in the Gaza Strip, the year 2024 witnessed a significant turning point in the pursuit of justice and accountability for crimes committed in the region. Amid mounting international pressure and calls for accountability, Palestine, bolstered by diplomatic efforts and widespread support, successfully pushed for the International Criminal Court to launch a formal investigation into alleged war crimes and human rights violations perpetrated by Israeli forces in the occupied territories. This pivotal development marked a significant step towards addressing the long-standing grievances of the Palestinian people and seeking legal recourse for the atrocities committed during the conflict. The ICC's decision to probe these alleged violations underscored the growing recognition of the need to uphold international humanitarian law and ensure accountability for all parties involved in the protracted conflict.¹⁴

As the investigation unfolded, it reignited debates on the jurisdiction of the International Criminal Court, the role of statehood in accessing international legal mechanisms, and the complexities of seeking justice in complex geopolitical contexts. The international community closely monitored these developments, with many advocating for a fair and impartial legal process to ascertain the truth, deliver justice to victims, and deter future violations of international law in conflict zones worldwide. The events of 2024 highlighted the enduring significance of international criminal justice in addressing grave human rights abuses, promoting peace, and fostering respect for the rule of law on a global scale. The journey towards accountability for crimes committed in the Israeli-Palestinian conflict serves as a stark reminder of the challenges and imperatives of pursuing justice in the face of entrenched conflicts and humanitarian crises.¹⁵

2.2-Images of Israel's crimes against humanity in Palestine

Israel has committed the most heinous crimes under consideration by the International Criminal Court, including genocide, war crimes, crimes against humanity, and crimes of

« **Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations** »

aggression. This is due to Israel's dedication to breaking all norms of international humanitarian and human rights law as well as all international covenants, customs, and covenants.

Israel has committed the most heinous crimes under consideration by the International Criminal Court, including genocide, war crimes, crimes against humanity, and crimes of aggression. This is due to Israel's dedication to breaking all norms of international humanitarian and human rights law as well as all international covenants, customs, and covenants.

16

Israel's murder of Palestinians in the Gaza Strip is a crime against humanity, particularly since it knows that the attack will cause civilian casualties or significant loss of life. Other crimes against humanity committed by Israel against Palestinians include the massacres in Sabra and Shatila in 1982, which resulted in the deaths of over 1,800 Palestinian and Lebanese men, women, and children, and the massacre at the Jenin camp in Palestine in 2002.¹⁷

In 2024, the humanitarian access situation in Gaza is rapidly deteriorating, according to warnings from 20 aid agencies. Recent Israeli attacks near UN aid facilities in Rafah have resulted in numerous casualties, including children, leading to a collapse in the ability of aid groups and medical teams to respond effectively. Temporary measures like a 'floating dock' and new crossing points have had minimal impact on improving access. And, aid agencies are concerned about an increase in deaths due to starvation, disease, and lack of medical assistance, as Israeli-controlled crossing points obstruct the entry of essential supplies into Gaza. Médecins Sans Frontières/Doctors Without Borders (MSF) has faced challenges in delivering supplies since May 6, with clean water scarcity posing significant health risks.¹⁸

Pregnant women like Zenab are struggling to access medical care, and the Gaza health system is in disarray, with hospitals facing closure due to fuel shortages and Israeli actions. Save the Children reports that children are unable to be evacuated for medical treatment, while Oxfam highlights the destruction of shelters and essential medical facilities. Additionally, Aid distribution has been severely impacted, with supplies dwindling and aid agencies suspending operations in some areas due to insecurity. The illusion of improvement created by new crossing points and initiatives like the 'floating dock' masks the stark reality of inadequate aid flow into Gaza, exacerbating the suffering of its 2.2 million inhabitants.¹⁹

Calls for a sustained ceasefire, adherence to international humanitarian law, and the protection of humanitarian access are paramount. Aid agencies emphasize the urgent need for consistent and predictable routes for aid delivery and urge all parties involved, including third-party governments and the UN Security Council, to fulfill their obligations to ensure the protection of Palestinians in Gaza.²⁰

3- Humanitarian Situation in Palestine in 2024/2025

The study highlighted the urgent need for a ceasefire and increased aid routes into Gaza to address the catastrophic humanitarian crisis. Israel's recent approval of opening two humanitarian routes into Gaza, while welcomed, was deemed insufficient by Amnesty International.

3.1-1Famine

The organization stressed the necessity of opening all available aid routes immediately and significantly increasing aid through Gaza's southern crossings due to the dire hunger crisis. Amnesty International criticized Israel for creating the humanitarian catastrophe through its blockade and delays in facilitating aid, the organization called for a sustained ceasefire by all parties, complete lifting of the blockade, release of hostages and detainees, and emphasized the legally binding demand for Israel to allow humanitarian aid into Gaza as ordered by the

« Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations »

International Court of Justice. The study highlighted the devastating impact of the conflict, with thousands killed and many facing starvation. The unsafe conditions hinder aid workers' ability to provide necessary assistance, especially food, water, and medical care. Calls were made for the US to exert more pressure on Israel to halt the suffering in Gaza, with concerns raised about arms sales to Israel amidst the ongoing crisis.²¹

In summary, the study underscores the critical need for immediate action to address the humanitarian crisis in Gaza through a sustained ceasefire, increased aid routes, and international pressure to alleviate mass suffering and prevent further violations of international law.

3.2 detention and torture of Palestinians

Amnesty International has called for an end to Israel's practice of indefinitely detaining Palestinians from Gaza without charge or trial under the Unlawful Combatants Law, which violates international law. The organization documented cases of 27 former Palestinian detainees, including women, men, and a 14-year-old boy, who were held for up to four and a half months without access to legal representation or contact with their families. During their incommunicado detention, these individuals reported being subjected to torture and other forms of cruel, inhuman, or degrading treatment.²²

The Unlawful Combatants Law allows the Israeli military to detain individuals from Gaza suspected of engaging in hostilities against Israel or posing a security threat for renewable indefinite periods without the need to provide evidence to support the allegations. Amnesty International's Secretary General, Agnès Callamard, criticized the law for lacking safeguards against arbitrary detention, torture, and enforced disappearance.²³

The study highlights how the Israeli authorities are using this law to arbitrarily detain Palestinian civilians from Gaza, subjecting them to prolonged periods of detention without demonstrating any security threat or following due process. Amnesty International urges the immediate repeal of the Unlawful Combatants Law and the release of those arbitrarily detained under its provisions. The presented text encapsulates distressing testimonies from former detainees in Israel, particularly focusing on a woman's ordeal involving violent strip-searching and threats of abduction and assault by prison guards.

These narratives shed light on the inhumane treatment, physical and psychological abuse, and lack of due process experienced by individuals detained under the Unlawful Combatants Law. The detainees' accounts reveal a pattern of coercive tactics, including threats of violence and humiliation, highlighting a grave violation of human rights standards.²⁴

Amnesty International's documented cases underscore a broader systemic issue within Israel's detention practices, notably the pervasive use of administrative detention, affecting a substantial number of Palestinians. The text emphasizes the urgent need for Israel to adhere to international legal frameworks, particularly in ensuring the prohibition of torture, safeguarding the right to a fair trial, and upholding fundamental human rights principles even in states of emergency.²⁵

The analysis within this text not only illuminates individual suffering and injustice but also raises critical questions about Israel's compliance with international humanitarian and human rights laws in its treatment of detainees. These disturbing accounts serve as poignant reminders of the imperative for accountability, transparency, and respect for basic human dignity within the

« Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations »

realm of detention practices, underscoring the ongoing challenges and violations that demand immediate attention and redress within academic and policy discourses.²⁶

Conclusion

The study provided paint a grim picture of the treatment of Palestinian detainees in Israeli custody, revealing a pattern of systematic abuses including incommunicado detention, torture, threats of violence, and lack of due process. These accounts underscore a flagrant disregard for international human rights standards and legal obligations, particularly concerning the prohibition of torture, the right to a fair trial, and the dignity of detainees.

Amnesty International's documentation not only highlights the individual suffering and trauma endured by detainees but also exposes broader systemic issues within Israel's detention practices, such as the utilization of the Unlawful Combatants Law and administrative detention to detain Palestinians without charge or trial. These practices have led to a pervasive climate of fear, intimidation, and dehumanization among detainees, amplifying concerns about accountability, transparency, and respect for basic human rights principles.

The narratives presented in these texts call for urgent action to address the entrenched violations of international law and human rights norms within Israel's detention system. They underscore the necessity for immediate reforms, accountability mechanisms, and international scrutiny to ensure that detainees are treated with dignity, afforded due process, and protected from torture and abuse. These accounts serve as powerful indictments of systemic injustice and demand a concerted effort to uphold the fundamental rights and dignity of all individuals, irrespective of their circumstances.

The situation in Palestine during times of conflict has been marked by profound human suffering, widespread destruction, and enduring cycles of violence that have exacted a heavy toll on civilians, particularly in Gaza. The recent escalation of hostilities has led to a devastating loss of life, extensive damage to infrastructure, and deep-seated trauma that reverberates across communities.

Amidst the turmoil, innocent civilians, including women and children, have borne the brunt of the violence, facing grave risks to their safety, well-being, and fundamental rights. The disproportionate use of force, indiscriminate attacks, and the targeting of civilian infrastructure have exacerbated an already dire humanitarian crisis, exacerbating existing vulnerabilities and deepening the sense of despair and hopelessness among the population.

As the conflict persists, there is an urgent need for an immediate cessation of hostilities, respect for international humanitarian law, and a commitment to dialogue and diplomacy as the only viable path towards a lasting peace. The international community must step up its efforts to ensure the protection of civilians, facilitate humanitarian access, and work towards addressing the root causes of the conflict to prevent future cycles of violence.

Ultimately, a just and sustainable resolution to the conflict in Palestine requires a comprehensive approach that prioritizes the dignity, rights, and aspirations of all individuals in the region. It calls for a collective commitment to fostering understanding, tolerance, and reconciliation, as well as a steadfast dedication to upholding the principles of justice, equality, and respect for human rights for all those affected by the conflict. Only through genuine dialogue, mutual respect, and a shared commitment to peace can the people of Palestine and Israel move towards a future of coexistence, prosperity, and lasting peace.

« Exposing Israeli Atrocities in Palestine: A Legal Examination of Genocide, War Crimes, and Human Rights Violations »

References:

- ¹ محمود محمد حنفي، جرائم الحرب أمام القضاء الجنائي الدولي، (القاهرة: دار النهضة العربية، 2006)، ص.83.
- ² بدر الدين شبل، الحماية الدولية الجنائية لحقوق الإنسان، (عمان: دار الثقافة للنشر والتوزيع، 2011)، ص.212
- ³ بدر الدين شبل، مرجع سابق، ص 305.
- ⁴⁴ International Law Commission, 1994, vol. II, Draft Statute for an International Criminal Court 1994, International Criminal Court
- ⁵ محمد فهد الشلالدة، القانون الدولي الإنساني، (الإسكندرية: منشأة المعارف، 2005)، ص.372
- ⁶ International Criminal Court, Rome Statute of The International Criminal Court , 2021,p3
- ⁷ أماني عبد الله حسن قريع، "الآثار القانونية الدولية المترتبة على قبول فلسطين دولة غير عضو في الأمم المتحدة"، رسالة ماجستير، منشورة كلية الحقوق جامعة القدس، فلسطين، 2017، ص 74.
- ⁸ علي خلف الشرعة، مبدأ التكامل في المحكمة الجنائية الدولية، ط1، (عمان: دار الحامد للنشر والتوزيع، 2012)، ص. 123.
- ⁹ أحمد عطية أبو الخير، المحكمة الجنائية الدائمة: دراسة للنظام الأساسي للمحكمة والجرائم (القاهرة: دار النهضة العربية، 1999)، ص 243-247.
- ¹⁰ أحمد عطية أبو الخير، المرجع نفسه، ص 248
- ¹¹ عبد الوهاب شيتير، "صلاحيات مجلس الأمن على ضوء النظام الأساسي للمحكمة الجنائية الدولية"، أطروحة دكتوراه، منشورة، جامعة مولود معمري، الجزائر، 2014، ص 43.
- ¹² International Court of Justice, Palestinian President Urges International Community to Hold Israel Accountable for 'Full-Scale War of Genocide', on Day Three of Annual General Debate, available in <https://press.un.org/en/2024/ga12635.doc.htm>, visited on 05/09/2024
- ¹³ عبد الوهاب شيتير، المرجع نفسه، ص 59
- ¹⁴ Amnesty International report , attacks in Gaza causing mass civilian casualties amid real risk of genocide, available on : www.amnesty.org
- ¹⁵ Amnesty International report, ibid.
- ¹⁶ Amnesty International report , <https://www.hrw.org/news/2024/07/17/october-7-crimes-against-humanity-war-crimes-hamas-led-groups>
- ¹⁷ Amnesty International report , <https://www.hrw.org/news/2024/07/17/october-7-crimes-against-humanity-war-crimes-hamas-led-groups>, ibid.
- ¹⁸ Amnesty International report ,Ibid.
- ¹⁹ Amnesty International report ,Ibid.
- ²⁰ Amnesty International report , Ibid.
- ²¹ Usaid Siddiqui ,Israel's war on Gaza updates: Dozens killed by Israeli attacks, Aljazeera , 04/Sep/2024, <https://www.aljazeera.com/news/liveblog/2024/9/4/israels-war-on-gaza-live-israel-bombards-north-south-gaza> , visited on 07/04/2024, at 17h25

²² Amnesty International report Israel: Palestinians from Gaza held in secret detention describe torture - new testimonies, visited on <https://www.amnesty.org.uk/press-releases/israel-palestinians-gaza-held-secret-detention-describe-torture-new-testimonies>, seen on 12/09/2024

²³ Amnesty International report ,Ibid.

²⁴ Amnesty International report ,Ibid

²⁵ Usaid Siddiqui ,Ibid.

²⁶ Usaid Siddiqui , ibid