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Protection of Civilians in Times of War: A Theoretical Approach to the Israel-Gaza Conflict through the Lens of IHL

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Abstract: International Humanitarian Law (IHL) covers civilians, medical workers, journalists, and other humanitarian actors who are not taking a direct part in hostilities. Any attacks against civilian property, civilian infrastructure, or houses shall be unlawful, and both warring sides are called upon to fully demarcate the distinction between military targets and civilians. A person whose status is in doubt shall be considered to be a civilian. The basic IHL principles of distinction and proportionality mean that targeting tactics in armed conflict should be designed to balance minimizing civilian harm with achieving legitimate military objectives. Despite these protective regimes, the civilian population continues to pay an unbearable price in modern armed conflict. The recent eruption of violence in the Gaza Strip has resulted in a humanitarian disaster, with civilians stranded on the front line. The behavior of the Israeli army in Gaza has always been at an exceedingly high degree of brutality that of an occupation force, and every day, more proof is being added to a pile of evidence as to massive IHL violations. This paper deals with Israeli violations of IHL and international crimes such as war crimes or crimes against humanity in the case of Israel during the Gaza conflict. It also shows how effective IHL in protecting children and civilians in such situations. The article also gives reflections on the Israel-Palestine (Gaza) crisis, which highlights the necessity to blame Israel and seek solutions for Gaza.

Keywords: *International Humanitarian Law (IHL), Gaza Conflict, Civilian Protection, War Crimes, Crimes against Humanity*

1. Introduction

IHL's structure outlines the regulations that govern the conduct of warring parties, specifically prohibiting the use of weapons and strategies that violate its provisions during hostilities (Leatemala, 2024, p.82). Although many countries have adopted a stance of avoiding war, in reality, numerous nations continue to engage in both international and domestic armed conflicts (Leatemala, 2024, p.82). These wars can often be quite deadly in terms of conventional

weapon lethality levels, such as guns, grenades, and missiles. These repeated atrocities of violence in times of war are human rights violations, causing suffering and injury in a manner that defies humanity itself (Leatemala, 2024, p.82). A core principle of IHL during armed conflict is the clear and consistent obligation for all sides to distinguish openly between civilian populations and military forces. Civilian individuals and infrastructure must not be targeted; only combatants and military installations are recognized as lawful targets

(Baldwin, 2023). Merely stating that civilians are not being targeted is insufficient under IHL; parties to a conflict are obligated to take all practical measures to reduce the risk of harm to civilians and civilian property (Baldwin, 2023). An invasion is considered unlawful if it fails to clearly separate military targets from civilians, or if the anticipated civilian harm is excessive compared to the military benefit expected from the operation (Baldwin, 2023). The fact that a warning is delivered does not absolve the parties of the duty to protect civilians. Civilians who fail to quit on a warning are entitled to protection. Attacks against them should be avoided, and those perpetrating them should do everything possible to protect them (Baldwin, 2023). However, civilians are still losing much during the contemporary conflicts despite the laws that are established to protect them. They are usually forced to leave their places of residence, starve, suffer from disease, face demolition of houses and properties, suffer injuries, and die (Charotte, 2025). In 2023, the United Nations reported a 72% rise in civilian deaths because of conflict when compared to 2022, the highest since 2015 (Charotte, 2025). Much of this influx is credited to the war between Israel and Hamas that started because of the attacks on October 7, 2023 (Charotte, 2025). The Gaza Ministry of Health reports that war since then resulted in injuries amounting to 1,02,000 and Palestinian civilian deaths above 43,000 (Charotte, 2025). The military activities of Israel in Gaza were characterized by extreme brutality, which evoked the issue of the perpetration of war crimes and other serious crimes (Nashif, 2024). These battles, their strategies, and weapons have paid a price on the humanity that is nearly indescribable, the killing and injuries of more than 100,000 Palestinians, the number of which is unimaginable, which is a five percent percentage of the entire population, including large numbers of women and children (Nashif, 2024). Moreover, over 17,000 children became orphans or lost their families, and all child survivors in Gaza will be physically and

emotionally scarred permanently (Nashif, 2024). According to the reports of UNICEF, 14,500 have died in Gaza since the commencement of war, and these figures exceed the total number of child deaths from all global conflicts over the past years. Furthermore, 25,000 children have been battered, and Gaza now holds the apex per capita rate of child mutilation in the world (Riviere, 2025). In November 2024, the International Criminal Court (ICC) issued an arrest warrant for Prime Minister of Israel Benjamin Netanyahu and former Defense Minister Yoav Gallant. This action plunged the world back into the legal responsibility concern in the ongoing Israel-Hamas war (Charotte, 2025). **The ICC emphasized the compelling evidence of blatant breaches of the IHL, such as deliberate starvation of individuals in wars.** The other crimes against humanity cited by the Court were murder and institutionalized persecution (Charotte, 2025). These assertions illustrate why there should be accountability in situations of great violations of IHL. IHL is a very critical factor in controlling armed conflict; its purposes are supposed to curb the effects of the war. However, the just butchering of non-combatants in the recent wars demonstrates the need to investigate the instances of the allegation of the violation of these rules of law independently and strictly. Even the tiniest opportunity to prosecute such grave offenses requires the assistance of its member states by the ICC. Accountability is not only a moral duty, but it is also a necessity to respect IHL (Charotte, 2025). In the above exposition, it is clear that the demolition of Gaza does not only show the failure to comply with IHL but is also the reflection of the lack of the desire of the international community to ensure that the obligation is met. This means that there is a deep necessity to have more powerful international mechanisms and political determination that would make sure that the civilians are safeguarded and that accountability matters. The contributions of the powerful States and world order institutions towards ensuring respect for IHL

must also be reassessed to avoid such rampant human destruction in future wars.

2. Methodology

This paper employs doctrinal legal research methodology with a qualitative and analytical approach. **It utilizes both primary and secondary sources, including International Conventions, journal articles, website content, reports and more.** By using the said sources, this paper has shown that Israel has committed war crimes and crimes against humanity. Furthermore, it has also been demonstrated that Israel has gravely violated International Humanitarian Law as well as International Human Rights Law. Based on the discussion, this paper presents notable findings and recommendations for the global community to address the ongoing conflicts in Gaza.

Protection of Civilians in Gaza under IHL

War delivers the ultimate grief from which all humans would like to be spared. The word “civilian” refers to any person with civilian status (including those who work in humanitarian aid). As such, the civilian population encompasses people residing in areas affected by armed conflict or in territories under occupation. Essentially, a civilian is anyone not participating in the hostilities. Where it is unclear whether someone is a civilian or a member of an armed group, the individual should be presumed a civilian and entitled to all relevant protections. This immunity also applies to volunteers, as well as journalists and civil defense workers (Leatemia, 2024, p.84). Civilians are the group most susceptible to this plague, and when armed combat ensues, civilians usually have the highest casualty rate. These people are not combatants, do not bear arms, and are not involved in any way with hostilities. In the context of armed conflict, civilians are routinely exposed to a variety of risks and bear heavy burdens from violence (Leatemia, 2024, p.84). According to a report by the UNOCHA released in November 2024, the situation in the north of Gaza is reportedly

apocalyptic, and humanitarian assistance should be provided to the respective civilians (Charotte, 2025). In December 2023, South Africa brought a case to the International Court of Justice (ICJ) arguing that the invasion of Gaza by the military amounted to a violation of its obligation under the 1948 Genocide Convention by Israel. In the course of its submission, South Africa requested the Court to order as a matter of urgency provisional measures aimed at protecting against anti-Palestinian violence and Israel’s obligation under international law (Abdullahi, 2024, p.448).

IHL is based on fundamental principles that establish clear boundaries for how wars are waged and what weapons and tactics warring parties can employ. In today’s warfare, the employment of sophisticated weapons has made civilian populations more exposed to enemy offensives (Abdullahi, 2024, p.454). The ICJ, in the Advisory Opinion on the Nuclear Weapons case, called these principles “cardinal” and stressed that they are fundamental to IHL and must not be violated (Abdullahi, 2024, p.454).

The principle of proportionality is a fundamental restriction on the conduct of hostilities under Article 51(5)(b) of Additional Protocol I and Rule 14 of Customary IHL. An attack was illegal when the loss of civilian life through death, injury, or destruction of civilian property was expected to be disproportionate in comparison to the tangible and immediate military benefit expected (Abdullahi, 2024, p.454). Proportionality applies when dealing with military targets, to recognize that the injury caused to civilians or civilian properties may not be totally avoided in the hostilities setting. It highlights, however, the importance of the need to balance military necessity and humanitarian interests, in order to limit allowable civilian collateral damage (Abdullahi, 2024, p.455). The Israel defense forces invaded Beit Hanoun in the northern Gaza Strip on November 8, 2006 (Abdullahi, 2024, p.455). The attack was against a

residential area, and it resulted in massive civilian deaths, which could imply that the principle of proportionality in IHL could be breached. When the area was being bombed, families would sleep in their houses in the shelled location. **The bombing resulted in more than 50 Palestinian casualties, both injured and killed, the majority of which are women and children.** Moreover, numerous houses were badly destroyed or annihilated. Following the act, the Israeli government apologized and attributed the murders to technical failure of the military target system. Purposely or otherwise, heavy artillery shelling of a highly populated civilian territory is often regarded as being unreasonable. It breaches two fundamental concepts of IHL, the ability to differentiate combatants and civilians and the avoidance of excessive harm (Abdullahi, 2024, pp.455-456). The international observers could not buy into the explanation. The case depicts the complete violation of the principle of proportionality and demonstrates that compliance with IHL is the most important issue, especially in the high-density conflicts. It also seems to emphasize the problems that remain unsolved regarding the tension between military tactics and the protection of civilian life during a war (Abdullahi, 2024, p.456).

One of the basic principles of IHL is the principle of distinction. The ICJ has considered it to form a fundamental and irrevocable component of the laws of war. The principle calls on the conflicting parties to ensure that a distinction is made between military and civilian targets, thus permitting attacks only on lawful military targets. It categorically forbids assaults against civilians or civilian property and any action that results in an undue harm to civilians not participating in the combat of any kind (Abdullahi, 2024, p.456). The principle of distinction is meant to defend individual civilians, civilian property, and the civilian population at large. It binds that a line should be drawn between those who are involved in hostilities and those who are not, so as not to make civilians an

object of warfare. The case of Israel and Palestine at the present moment is a bright example of the violation of international legal regulations. The hostilities pursued today point to an extension of a long-term trend that spans over 75 years. Over this period, Israeli actions have reportedly destroyed more than 600 Palestinian towns and villages, alongside the forced displacement of approximately one million Palestinians. These events point to a systematic campaign that has uprooted countless individuals from their homes and lands (Abdullahi, 2024, p.457).

Protection of Children in Gaza under IHL

After the Second World War, legal protections for children were included in IHL. Those experiences of that war and the needs arising therefrom urgently demonstrated the need for an international legal regime to protect civilian populations in armed conflict (Plattner, 1984, p.140). Several Articles concerning children were established by the Fourth Geneva Convention, showing that, even back in 1949, it was recognized that children should not be affected by armed conflict. However, the concept that animates these child-focused rules is not clearly stated in the Convention (Plattner, 1984, p. 142). Protocol I fills this hole, and, in its article 77, the following words are articulated to erase any doubts: Children shall be the object of special respect and shall be protected against any form of indecent assault. The parties to the conflict shall provide them with the care and aid they require, whether because of their age or for any other reason (Plattner, 1984, p. 142). This provision clearly defines the principle of special protection afforded to children in situations of international armed conflict. As of November 3, 2023, 2,326 women and 3,760 children, who have become nearly 67 to 70 percent of the overall casualties, have died, and many others were injured (Saad, 2024, p. 1). Each day, on average, 420 children are injured, and every 10 minutes, a child dies (Saad, 2024, p. 1). **The UN called Gaza a mass burial of children**

(Saad, 2024, p. 1).

Gaza is a crowded area with almost 2.3 million people, which is, nevertheless, located in the occupied Palestinian State and is one of the territories that have been under a long-term military occupation for a series of decades. The strict Israeli blockade of the region, lasting 16 years, has also had a hopeless effect on the everyday life and freedom of residents of the area (Boukari et al, 2024). By January 11, 2024, the death toll among children in Gaza had exceeded 10,000. Furthermore, as of late January 2024, 91 children had died in the West Bank due to the operations by Israeli forces and settler activities (Boukari et al, 2024). During and post armed conflicts, children remain the most defenseless segment of the population. Recent years exhibit that the increase in civilian suffering during wartime deepens. An initiative was taken in 1974 to address the issue by the declaration adopted by the General Assembly, which strictly prohibits assault on civilians. It expressly denounced the mistreatment of women and children precisely in emergencies and armed conflicts, and underscored the humanitarian imperative of ensuring their safety (Abdullahi, 2024, p. 452). It explicitly proscribed acts of persecution, arbitrary arrest, torture and any other cruel, inhuman or degrading treatment (Abdullahi, 2024, pp. 452-453). The Hague Conventions of 1899 and 1907 had established the basis of including the measures to protect children as a civilian population. However, despite the fact that the Fourth Geneva Convention refers to the special protection of children, it cannot create a legal basis to save them (Abdullahi, 2024, p. 453). Article 77(1) of the Additional Protocol I on the other hand stresses that children deserve more protection during armed conflicts. It brings to the fore the necessity to treat children with dignity and protect them against exploitation or abuse of any sort. In addition to that, it imposes a responsibility on both parties to the conflict to offer proper care and support because of the specific needs and

vulnerabilities of children based on their age and situations (Abdullahi, 2024, p. 453).

According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the children were devastated by the current conflict in Gaza. Figures of Israeli military actions which have killed an approximate total of 4104 children, a shocking figure not just for the number of victims, but for the unacceptable imposition of violence upon those who are very young (Abdullahi, 2024, p. 453). And the appalling number has been released in just a little over a month – an average of 100 dead children per day. **On May 6 2024, an updated report by the United Nations Human Rights Council (UNHRC) provides additional context to the general human cost of war and an estimated death toll for Gazan Palestinians at 34,488.** Some 14,500 children and 9,500 women have died as part of the death toll, indicating that civilians, in particular, vulnerable ones were most affected (Abdullahi, 2024, p. 453). Furthermore, reports from Al Jazeera, citing Palestinian officials, reveal that since October 7, Israeli military operations have claimed the lives of at least 10,000 children, highlighting the escalating humanitarian crisis in the region (Abdullahi, 2024, p. 453). This striking figure means, in a horrifying statistic, that on average a Palestinian child is being killed every 15 minutes — an almost unprecedented level of death for any civilian population at all, which, if spread out evenly across Gaza's entire child population, would equate to about one percent (Abdullahi, 2024, p. 453). Article 38 of the Convention on the Rights of the Child (1989) specifically calls for protecting children in times of armed conflict and requires compliance with relevant IHL. Also, Article 39 requires States to make all efforts to facilitate the recovery and reintegration of any child victim of war whose life has been disrupted by the stress and trauma caused by war (Abdullahi, 2024, pp. 453-454).

War Crimes and Crimes against Humanity in Gaza

The legal categories of Crimes against Humanity (CAH) and War Crimes are distinct yet interrelated areas of international law. CAH encompasses serious offenses, including but not limited to murder, extermination, enslavement, torture, and persecution, that are committed as a part of a widespread or systematic attack against civilian populations. These crimes share the elemental characteristic that they need not be limited to times of armed conflict — they can be committed in time of peace, within any State's borders. This wide view enables them to be in a position to be one of the most extensive types of international crimes (This vs That). War crimes are an example of significant violations of legal rules and conventions of armed confrontation, both international and national. This form of crime involves a deliberate killing of civilians, torture using prohibited weapons, rape of prisoners as well as mistreatment in detention facilities. Such breaches destroy the principles of international legal norms, and moral norms to defend such individuals who are not involved in hostilities (This vs That).

As one part of a wider military action against the Occupied Palestinian Territory, the United Nations Independent International Commission of Inquiry (United Nations, 2024) has also charged Israel with conducting a calculated, mass demolition of the healthcare system of Gaza. It is said that this movement was marked by a number of organized attacks on hospitals, clinics, and medics. The Commission has not only through such revelations concluded that the activities of Israel are not just an expression of war crimes but are also extermination as a crime against humanity. The Chairman of the Commission, Navi Pillay, was outraged with the level of the destruction, stating that Israel should immediately stop attacking the health sector in Gaza. She cautioned that Israel is directly targeting health facilities and their officials, which consequently affects the inherent right to health with long-term and devastating effects on civilians (United Nations, 2024). Pillay further mentioned that the actions have

not only affected children in disproportion, but also made them suffer not only directly but through the consequences of a failed health system (United Nations, 2024). It was also reported (United Nations, 2024) that Israeli security forces have launched attacks, killing and injuring medical personnel, arresting them in the field of their work or during treatment, torturing the representatives of this professional group, and attacking ambulances and other emergency medical services. At the same time, the ongoing blockade of Gaza has been tightened, with severe restrictions placed on permits for those needing medical care outside the territory. These actions have been classified as war crimes, including intentional killing, cruel treatment, and the deliberate destruction of civilian infrastructure that is protected under international law. Additionally, the report concludes that these acts also constitute the crime against humanity of extermination. The report revealed (United Nations, 2024) that thousands of Palestinian adults and children alike have been detained, often arbitrarily, in Israeli military facilities and detention centers. While being held, the majority of them were subjected to all forms of torture, verbal and sexual harassment. This sadly applies also to sexual and gender-based violence. Acts of that nature are the most grievous violations of international law and consist of war crimes involving, for example, acts of torture, rape, or other forms of sexual violence; and a war crime as such is also a crime against humanity when torture is committed.

According to a report issued by Human Rights Watch (HRW), Israeli forces have generated such appalling conditions in Gaza that they seem intended to bring about the mass destruction of part of the Palestinian population (Human Rights Watch, 2024). Ostensibly, one of the worst abuses has been the intentional restriction of civilians' right to clean, adequate water. Thousands are believed to have died of this deprivation. According to these findings, the Israeli leaders could be implicated in crimes against humanity of extermination, and their actions could amount

to genocide (Human Rights Watch, 2024). In addition, HRW stresses that Israeli officials have deliberately prevented Gazans from securing access to safe drinking water and adequate sanitation, essential services for health and survival, amounting to a grave threat to public health and human dignity (Human Rights Watch, 2024). Water is a basic human need that Israel is deliberately withholding from Gaza for over a year now, HRW Executive Director Tirana Hassan said. She also said that it is not just a practice of omission but the immediate effect of a policy of starvation, which has led to the death of thousands due to dehydration and disease (Human Rights Watch, 2024). According to Hassan, such conduct constitutes the crime against humanity of extermination and may also qualify as an act of genocide. HRW has found that Israeli authorities have intentionally created conditions in Gaza that appear designed to bring about the physical destruction of the Palestinian population, whether entirely or in part. This approach, coupled with the large-scale killing of civilians, amounts to the continued perpetration of the crime against humanity known as extermination (Human Rights Watch, 2024).

Findings

The following findings are drawn based on the preceding analysis.

The protection of civilians during armed conflict represents an essential human rights and dignity rule in violent conditions. Civilians, who are not necessarily directly involved in a combat, tend to become the victims of armed hostilities. IHL and in particular as stipulated in the Geneva conventions explicitly bar all offensive against civilians and civilian infrastructure like hospitals, schools and residential premises. These legal safeguards aim at reducing the harm caused, saving lives, and lessening the effects of war on the future generations (Leatemala, 2024, pp. 84-85). Being one of the oldest phenomena related to humankind, war is feared and condemned due

to its excessive impact. Wars are usually characterized by large-scale violence and massive loss of life on the part of at least one party to the conflict. It can also be viewed as a manifestation of human self-preservation instinct, when applied to an individual, foreign relations, or nations (Leatemala, 2024, p. 85).

Violations of IHL are a recurrent feature of armed conflicts, arising from the nature and intensity of hostilities, the disorder inherent in the battlefield, and, in some instances, the deliberate breach of legal obligations by the parties to the conflict (Leatemala, 2024, p. 85). IHL, as enshrined in the Geneva Conventions and their Additional Protocols, includes provisions for the protection of those who are not taking direct part in hostilities, such as civilians, medical personnel, or civilian objects. That being said, these rules do exist and are also often disregarded. We still see civilians attacked, banned weapons used, human beings taken hostage, and essential places such as hospitals and schools deliberately destroyed (Leatemala, 2024, p. 85).

The main reasons these problems occur are that international norms are not followed, enforcement mechanisms are weak and rarely in place, and accountability systems for war criminals are lacking (Leatemala, 2024, p. 85).

Israeli attacks on Palestinians, particularly on critical facilities like hospitals, have a massive impact on the ordinary people. Hospitals, which are supposed to be safe spaces for treatment and healing, have been struck by airstrikes and bombings repeatedly. This adds to the suffering of civilian residents. Such acts are an unmistakable violation of IHL, as reflected by the Geneva Conventions and other instruments, which provide that health workers and facilities must be safeguarded during conflict (Leatemala, 2024, p. 85).

Although the IHL is strongly expressed on paper, in practice that it is not always well implemented, especially during high-intensity conflicts. The fact that civilian casualties are enormous is an indicator that the principle of

differentiating between combatant and non-combatant objects is not being observed. **The thriving prejudice of civilian address the vigorous enforcement of IHL to make sure that the fundamental principles of IHL are followed and those who break the rules are punished.** Independent and neutral investigations, along with on-the-ground management, are needed to provide greater protection for civilians in war.

There is little need to describe the humanitarian situation that has developed in the north of Gaza as apocalyptic, since it is evident that it needs significant and continued international aid. The reduced quality of life of citizens in these warring areas necessitates addressing this humanitarian crisis through concerted global action. The fact that South Africa has submitted a case to the ICJ is an indication that some of the member States have renewed faith in the international law institution when faced with such a gross and flagrant violation as South Africa alleges in the Genocide Convention. It is an encouraging but challenging way to hold oneself accountable.

The main aim of the concept of distinction is to designate who can become a combatant. It is a central difference between civilians and belligerents, who are usually the armed forces. Such a distinction is frequently illustrated as one that exists between combatants and non-combatants. Regardless of the terms, the meaning remains the same: non-combatants are people who have never engaged in fighting, and the protection of non-combatants under IHL should be given due protection (Abdullahi, 2024, p. 457).

The ambiguity of the legal responsibility to register as a civilian and the ambiguous situations increase the need for clear answers and military restraint. Nevertheless, the numerous instances of civilian casualties prove that this principle should be enforced and exercised more actively to become effective. Those under IHL, including journalists and humanitarian workers, are also affected by the war. This raises significant

concerns about the security of the people who perform essential non-combat services during the war.

When the consequence is so massive, civilian death (and civilian homes being destroyed), then it is the result of military operations that brings about harm that is more excessive than any tangible and concrete military benefit, to the extent of breaking the legal bar of proportionality. The infeasibility of the State explanations of civilian casualties, especially those that involve the application of sophisticated military technology, attests to a lack of plausible types of accountability.

Roles symbolized in Additional Protocol I and the Convention on the Rights of the Child not to harm children during armed conflict have been widely accepted. Yet, children continue to die in large quantities in Gaza with little indication as of yet that such an accord has been conferred into practical limits on the resort to the use of force. The scale and the frequency of the deaths of children indicate that the principle of distinction and proportionality is not being followed or, even worse, violated when the military actions are held in the populated regions, such as Gaza.

The deliberate decimation of the health system in Gaza cannot be disaggregated from the undermining of the protection of the medical facilities under the IHL and the Geneva Convention. Another weaponization of the denial of health is the debilitation of health care workers to limit access to care. This failure to respect undermines the basic premise of IHL, as encapsulated in the principle of medical neutrality, that parties to a conflict should respect and protect health-care personnel regardless of which party they are part of or which military group they may be associated with.

The existence of laws and standards protecting children in armed conflict is widely recognized despite the broad gap between this commitment and implementation, as evidenced by the situation in Gaza. The double whammy of violence and health crisis,

losing both, has emerged as the focus of a legal as well as humanitarian tragedy. Purposefully creating conditions under which people died because, in part, they were denied clean water, medical treatment, and food is a very stark illustration of using basic needs as tools of control for depriving, both IHL and international human rights obligations.

Recommendations

In light of grave and widespread violations perpetrated by Israeli forces in the Gaza Strip, the author is proposing some recommendations to reinforce the existing legal-based protective regime between belligerents and the civilian population in armed conflict and to end impunity for perpetrators:

1. The ICC should not delay its investigation of war crimes in Gaza. This is a serious claim with far-reaching implications and broadly confirms the allegation of targeting of unarmed civilians; excessive use of military force, and deliberate destruction of infrastructure by Israeli forces.

2. **All States everywhere must exercise universal jurisdiction and investigate and prosecute Israeli war criminals, whether they are military or political leaders who have been responsible for grave breaches of the Geneva Conventions, regardless of where these crimes were committed.**

3. Immediate action must be developed to reinforce international support for the independent commissions of inquiry created by the UN Human Rights Council. They should also be well- resourced to investigate and document violations of IHL in Gaza and to raise awareness of these violations, as groundwork for future legal accountability.

4. IHL binding which is particularly incorporated in the additional protocol I to Geneva Conventions requires the distinction of civilian and military objects. The principle proves to be disastrously unsuccessful in the long run, and this particular unregulated system could not possibly be spared; it

certainly needs redress, and this is the time when it is necessary to have external eye on it.

5. Obstruction, siege and blockade to humanitarian access are actions of collective punishment, which are prohibited by Article 33 of the Fourth Geneva Convention. **These are the practices that should be condemned and made illegal in all parts of this planet.**

6. The international community must strive to create humanitarian "safe zones" that are precisely designed to protect children, placing them under neutral control such as UNICEF or the ICRC. Those zones would provide medical care, education, protection, and trauma counselling.

7. The obstruction or exploitation of humanitarian aid as a weapon of war must be recognized as a war crime by International Law. It should be subject to immediate international investigation and prosecution.

8. The usage or intrusion of humanitarian assistance as a means of warfare ought to be termed a war crime within international law. The international bodies should at once investigate and prosecute it.

9. The use or attack of hospitals for military purposes is a violation of IHL, especially the Fourth Geneva Convention (Article 18). Everyone responsible must be subjected to exemplary punishment and prosecution.

10. Resources and adequate support must be extended to UN bodies and International Non-Governmental Organizations to find evidence of healthcare and educational institution attacks.

11. The UN Security Council should then make a systematic monitoring of the situation in Gaza and whether Israel is acting according to IHL.

12. The parliaments of the nations and the regional bodies also take the initiative to raise their voice over the matter of the safety of civilians, like children, and mount pressure on Israel to abide by international law.

3. Conclusion

The current attack on Gaza is another example of the Israeli military flaunting IHL intentionally and systematically. They are not observing the main principles of distinction, proportionality, and military necessity, which are the major principles of IHL: assaulting the civilian population, devastating basic infrastructures, and starvation as a means of population control. Not only have they led to a humanitarian crisis of such a drastic scale, but they have also brought forth serious legal issues of the commission of war crimes and crimes against humanity. All of the attacks on civilian targets, the reckless shooting, and the blocking of humanitarian aid are indicative of a far greater breakdown within the international system in the provision of legal norms and responsibility. In this regard, ICC prosecution, collective diplomatic/economic measures, and universal jurisdiction should be considered. The regime of protection that is given to civilians in the armed conflict will not be effective in responding to the severe infringement of IHL which involves no actual punishment. The respect of IHL is not only a matter of law, it is also a sensible consideration to save the human dignity during war.

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