



Legal Position Paper

Unlivable Zones..

Israeli Attacks on Civilian Objects in
Violation of IHL

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Introduction

International Humanitarian Law rules are mandatory and binding, yet their application is linked to the extent of states' commitment to them. This has made the protection system in Fourth Geneva Convention unable to achieve its intended goal, allowing the commission of war crimes and heinous massacres against civilians in conflict zones and countries under occupation, such as the Palestinian people under Israeli occupation. The international community no longer seems to care about the war crimes and crimes against humanity occurring in the Gaza Strip. The prevailing trend is for Israeli occupation forces to challenge the principles of international law and hundreds of resolutions issued by the United Nations and international organizations, while the world ignores and neglects the Palestinian people. The Palestinian people have only received a number of phrases, verbal condemnations, and slogans that have not stopped the "genocide machine" practiced by Israeli occupation forces against innocent civilians.

Israeli occupation forces have not only violated the rules and principles of international humanitarian law, including the principle of distinction, the principle of proportionality, and the principle of precaution, but they have also deliberately distorted the laws of war and manipulated facts to justify their hostile actions against Palestinian civilians. They have targeted civilian homes, medical facilities, educational buildings, markets, and infrastructure that provides basic services to citizens, such as water facilities, roads, and bridges, with random and deliberate attacks. These attacks have deprived protected persons of all means of livelihood, rendering the Gaza Strip no longer fit for living.

This paper discusses the extent to which Israeli occupation forces failed to comply with the principles of international humanitarian law during their brutal attack on the Gaza Strip. It refutes and clarifies the flimsy claims used by the occupation forces to extinguish the legitimacy of their random military attacks on the infrastructure, which destroyed all means of life. Maat did not find any indications that the targeted infrastructure contained legitimate military objectives; therefore, these attacks against civilian objects are considered violations of international law and war crimes.

Report Methodology

This Paper discusses the massive destruction of civilian infrastructure in Gaza Strip from the beginning of the armed conflict in Gaza Strip on 7 October 2023 until mid-August 2024. The Paper is based on information obtained from official data, reports, and studies issued by UN bodies, as well as testimonies of citizens who survived Israeli targeting operations and the families of victims, and discussions and studies issued by civil society organizations. The report does not conduct a comprehensive assessment of the extent of the impact of these attacks on human rights violations, but rather focuses on explaining and clarifying Israeli occupation forces' violation of the principles of international humanitarian law when targeting infrastructure, while distorting the rules and laws of war to justify their inhumane actions against the Palestinian people.

Deliberate Targeting of Civilian Infrastructure in Gaza

On August 16, 2024, after 315 days of the ongoing Israeli military assault on the Gaza Strip, the basic infrastructure in the enclave had been destroyed on a catastrophic scale. The indiscriminate attacks by Israeli occupation forces reduced civilian buildings to rubble, including residential units, hospitals, schools, government buildings, religious structures, roads, universities, fuel stations, water facilities, and food stores. Israeli military failed to provide clear evidence that these targets were legitimate military objectives, or that the extensive damage was collateral from the fighting. Rather, the attacks appeared to be deliberately aimed at inflicting the greatest possible suffering on civilians, in complete disregard of the principles of international humanitarian law, including distinction, proportionality, and precaution.

Israeli military operations from the beginning of the war until mid-August 2024 resulted in the complete destruction of 87,000 housing units and partial damage to 297,000 more. Additionally, 25,010 service buildings were completely destroyed, including 198 government headquarters, 34 hospitals rendered out of service, and 25 others damaged. Israeli bombardment also led to the complete destruction of 610 mosques, 3 churches, 117 schools and universities (with 332 more partially damaged), and entire families were killed during the targeting of homes. Many of Israeli attacks employed weapons that could not be directed at specific military targets or whose humanitarian effects could not be limited, making them indiscriminate in nature – a violation of international human rights law, as such weapons inevitably lead to civilian casualties and infrastructure destruction.

Article 53 of the Fourth Geneva Convention prohibits an occupying power from destroying private property unless such destruction is absolutely necessary for military operations, which Israeli attacks do not appear to have conformed to. Testimonies from human rights groups confirm that Israeli occupation forces deliberately destroyed entire cities and villages. In June 2024, they carried out hostile acts to turn the city of Jenin and its camp into a disaster area, destroying water and sewage networks, electricity generators, bakeries, homes, and commercial markets.¹ In the Shuja'iyya area of Gaza, 35% of the buildings and residential facilities were destroyed, along with water tanks, mosques, schools, and other vital infrastructure, rendering parts of the area unlivable.²

Israeli forces also extensively damaged water stations and wells across Gaza, with UN estimates indicating that about 67% of water and sanitation facilities and infrastructure had been destroyed or damaged by the end of June 2024, leaving 700,000 citizens exposed to health risks due to water outages. In total, 126 water and sanitation service mechanisms were destroyed, equivalent to 80% of the municipality's mechanisms, especially those related to waste collection, sewage treatment, and water services.³

Four of the six sewage treatment plants in the enclave, which play a crucial role in preventing disease outbreaks, were damaged or destroyed after being directly targeted. The remaining plants are non-operational due to fuel shortages.⁴ On August 5, 2024, Israeli forces targeted the water treatment plant in Rafah, preventing civilians from accessing this basic resource. The amount of water flowing into Gaza has decreased by 94% to just 4.74 liters per person per day - slightly less than a third of the minimum recommended in emergencies and insufficient even for flushing a toilet. The use of water as a weapon of war constitutes a grave violation of international human rights law.⁵

In the medical sector, Israeli forces deliberately destroyed a number of critical facilities, including the Al-Shifa Medical Complex, Nasser Medical Complex, and Kamal Adwan Hospital. During a siege on Al-Shifa Hospital from March 16 to April 1, 2024, the occupation forces destroyed all its specialized departments, including surgery, emergency, kidney, women's health, cancer, and burns units, as well as outpatient clinics. This has deprived over a million Palestinians of essential healthcare services in

¹ الاحتلال يواصل عملية تدمير البنية التحتية وممتلكات المواطنين في جنين ومخيمها، وكالة الأنباء والمعلومات الفلسطينية، <https://2u.pw/hXngW0V0>

² بلدية غزة جيش الاحتلال تعد استهداف المرافق الحيوية والبنى التحتية لجعل القطاع غير قابل للحياة، الأهرام، <https://2u.pw/2fmGHe99>

³ نافذة إنسانية على غزة: شح المياه وتلوثها يهددان حياة الأطفال، الجزيرة، <https://2u.pw/74zPYeck>

⁴ بي بي سي أكثر من نصف مواقع المياه في غزة دمرت وتضررت بفعل الحرب الإسرائيلية، بي بي سي، <https://2u.pw/6A0730s0>

⁵ أو كسفام إسرائيل تستخدم الماء كسلاح حرب في قطاع غزة، قدس برس، <https://2u.pw/YywtUvav>

this hospital.⁶ Israeli army has also executed doctors and other medical workers extrajudicially.⁷

The destruction has also targeted religious buildings, with some mosques hit by missiles weighing up to 2 tons, leading to their complete obliteration - such as the historic Great Omari Mosque in Gaza.⁸ On the other side, Church of Saint Porphyrius was heavily shelled, resulting in the deaths of 17 Palestinian Christians, including 9 children.⁹

Educational facilities have not been spared either. Israeli occupation forces have bombed numerous schools and universities, including UNRWA's educational buildings in western Gaza. Al-Fakhoura School in Jabalia Camp was among those targeted, depriving over 600,000 Palestinian students of their right to education. Teachers and principals have also been targeted.¹⁰

The damage to electricity infrastructure has been extensive, with over 3,030 kilometers of the power grid destroyed. Entire areas of Gaza have been left without electricity; depriving civilians of basic services necessary for sustaining life.¹¹

Israeli occupation forces Blatant Disregard of IHL Principles in their Attacks on Gaza

International humanitarian law seeks to protect things that are indispensable to the survival of the civilian population. It imposes obligations on Israeli occupation forces to take all possible precautions to protect civilians and civilian objects from the effects of military operations. The military forces of Israeli occupation government must distinguish between civilians and civilian objects on the one hand, and combatants and military targets on the other. They are also prohibited from directly attacking civilians and from using methods of combat that may lead to indiscriminate attacks.

The precautionary principle requires that the occupation forces take all possible measures to minimize the loss of civilian lives and damage to civilian objects, including providing effective advance warnings before a military attack. They are also obligated to observe the principle of proportionality, which requires that they limit damage to civilian objects compared to the military advantage they obtain.

⁶ استشهاد أكثر من 300 فلسطيني خلال العدوان على مستشفى الشفاء بغزة، <https://2u.pw/nDrcqM7Q>
⁷ شهادة أحد العاملين في منظمة أطباء بلا حدود والمنشورة على مواقع التواصل الاجتماعي، <https://2u.pw/51Ylr0Fj>
⁸ لقطة فيديو منشورة على وسائل التواصل الاجتماعي توضح التدمير الذي تعرض له المسجد العمري، <https://2u.pw/sjoA1PZL>
⁹ ورقة حقائق عن استهداف الأماكن الدينية خلال الحرب على غزة، <https://2u.pw/BH4ELzbr>
¹⁰ تقرير قصف الاحتلال للمدارس والجامعات يلقي بظلاله على «الوضع التعليمي» في غزة، <https://2u.pw/A9TDRMOL>
¹¹ المكتب الإعلامي الحكومي الاحتلال الإسرائيلي دمر 3030 كم من شبكة الكهرباء، <https://2u.pw/hkPw66bn>

However, it is clear that Israeli occupation forces did not comply with these principles during their military operations in the Gaza Strip. They did not provide evidence that the targets they bombed were military, nor did they exercise the required level of caution and care to avoid targeting civilian infrastructure. The occupation forces used explosive weapons in populated areas as well as internationally prohibited weapons with indiscriminate effects. In many of the attacks, they did not issue any prior warnings to civilians, which raises concerns about violations of the principle of precaution during attacks to protect civilians.

During armed conflicts occupation forces failed to distinguish between civilian and military targets by choosing methods and means used in launching military operations and verifying that those targets are military. Likewise, military means must not be used that cannot be directed at a specific military target or whose effects cannot be determined. In this way, Israeli occupation forces failed to achieve this principle in most of the military attacks they carried out on civilian objects. They used weapons designed for open battlefields in densely populated areas, causing severe damage to public facilities. In November 2023, they used massively destructive bombs during an air strike on the Jabalia area north of Gaza City, which is incompatible with a densely populated area.¹²

On August 10, 2024, Israeli occupation forces bombed the Al-Tabi'in School in the Al-Daraj neighborhood in eastern Gaza City with three missiles, even though it contained more than 5,000 displaced civilians. The attack resulted in the killing of at least 100 Palestinian civilians and the injury of dozens of others. The occupation forces failed to justify their military attack by claiming that they had eliminated some terrorists, as some of the names announced by Israeli army had been martyred in other areas, which violates the principle of distinguishing between military targets and civilian objects.¹³

During military attacks, the military advantage gained must be greater than the damage caused to civilians and civilian objects in order to achieve the principle of proportionality. The estimates of Maat confirm that many military attacks by Israeli occupation forces caused widespread civilian losses and damages, without obtaining the assumed military advantage. During March 2024, Israeli occupation forces destroyed 53.2% of the buildings in the Khan Yunis area after a series of continuous military attacks, but without achieving tangible military results. A number of medical buildings, such as

¹² نيويورك تايمز إسرائيل استخدمت قنابل هائلة التدمير في قصف جباليا، قناة الشرق، <https://2u.pw/BEYUyqkE> ،
¹³ تنديد واسع بقصف مدرسة "التابعين" شرق غزة، وإسرائيل تقول إنها قتلت عناصر من حماس خلال الضربة، بي بي سي ، <https://2u.pw/SFymcLMI>

the Al-Amal Hospital of the Palestinian Red Crescent and Nasser Hospital, as well as the largest mosque in Khan Yunis, the Great Mosque, were destroyed.¹⁴

On October 22, 2023, an Israeli airstrike on the Abu Mailiq family home in the Deir al-Balah area in southern Wadi Gaza killed 19 people, most of them children.¹⁵ Some of the victims' families had written their names on their bodies before they died in order to identify them.¹⁶ On November 21, 2023, a member of the al-Ghoul family reported that 49 of her family members were killed and 8 others were injured after Israeli occupation forces bombed their homes in the southern Wadi Gaza area in the Nuseirat area. This was despite the fact that her family had migrated from the al-Shati refugee camp area in northern Gaza to the south in search of safety and to escape the repeated targeting of homes by the occupation forces. In her testimony, she confirmed the difficulty of identifying some of the bodies that had been turned into pieces.^{17,18}

Maat's investigations into these indiscriminate raids carried out by the occupation army did not find any indication that it achieved a military advantage; on the contrary, these attacks only destroyed entire families, and the civilian casualties and damage to buildings exceeded the expected military advantage, and therefore may not respect the principle of proportionality.

Israeli occupation forces were obligated to observe the principle of precaution during armed attacks, which includes taking all possible measures to choose weapons, tactics, timing and targets to avoid causing loss of civilian life or damage to civilian objects, and to provide warnings to the population in order to allow them to protect themselves and avoid harm.

However, the warnings issued by Israeli government before some military attacks were insufficient, too general and unspecific. In October 2023, Israeli army issued a warning to residents of the northern Gaza Strip to move to the south and gave them 24 hours to leave. Declaring an entire city or area a military target is a complete violation of international humanitarian law, as all possible measures must be taken in all cases to avoid targeting civilians and civilian objects. In contrast, Israeli occupation forces did not issue any warnings during a number of military attacks that destroyed civilian objects in the Gaza Strip.¹⁹ Instead, they bombed areas that they had declared safe and that contained humanitarian targets, which means that they did not pay any attention to the principle of precaution when carrying out military operations.

¹⁴ الجيش الإسرائيلي يترك خان يونس وصور الأقمار الصناعية تكشف زيادة الدمار فيها خلال شهر مارس، بي بي سي ، <https://2u.pw/cmSvFQjd>

¹⁵ فيديو منشور على موقع انستجرام يوضح انتشار الضحايا بعد عملية القصف، <https://2u.pw/EqKCdln5>

¹⁶ فيديو يوضح كتابة أسماء الأطفال على أجسادهم منشور على موقع تويتر، <https://2u.pw/nQCdAbCF>

¹⁷ شهادة صابرين الغول لأحد الموقع الاخبارية، <https://2u.pw/8bwNwShm>

¹⁸ صفحة صابرين الغول أحد أفراد ضحايا عائلات الغول على موقع التواصل الاجتماعي، <https://2u.pw/3l8mWdSb>

¹⁹ تقرير موضوعي الهجمات العشوائية وغير المتناسبة أثناء النزاع في قطاع غزة، المفوضية السامية لحقوق الإنسان، <https://2u.pw/tQDxwmOt>

Humanitarian Camouflage: Distorting Laws of War to Justify Targeting Civilian Objects

Leaders of Israeli occupation forces and their spokesmen insist that they are targeting Hamas sites during the attack on civilian objects. However, a special analysis of the social media of the spokesman of Israeli occupation army, Avichay Adraee, confirms the mention of a number of flimsy justifications that have no evidence to obscure the facts related to the deliberate targeting of civilian objects, which is an unfounded justification. The pattern and scope of the attacks do not include military or terrorist sites, but rather destroy public facilities, educational and medical buildings, and civilian homes. These buildings are not, as Israeli occupation army claims, incidental damage to civilians or their private property as a result of targeting military targets, but rather a clear manipulation of the facts and distortion of the provisions of international humanitarian law to justify war crimes committed by Israeli occupation forces.²⁰

Israeli occupation forces spokesman has tried to manipulate concepts such as collateral damage, safe zones, evacuations, and medical protection, to blur the distinction between civilians and combatants and between civilian and military targets in an attempt to evade international responsibility. The spokesman uses the terms of international humanitarian law to justify the comprehensive destruction of the infrastructure that supports life, a strategy known as "humanitarian camouflage."

Israeli Defense Forces spokesman often describes hospitals, schools, mosques, United Nations facilities, civilian homes, and other civilian objects as being linked to supporting terrorism and through which the army of the occupation forces is attacked. The spokesman frequently links the targeting of civilians to their use by terrorist movements, referring to the Hamas movement and its use of civilians as human shields.²¹

On August 10, 2024, during Israeli occupation forces' targeting of Al-Tabi'in School, Israeli Defense Forces spokesman justified this by saying that it was based on intelligence information that there were 20 terrorists inside the school, which was primarily housing displaced persons. However, it was not proven that the school was a military headquarters or a military target,²² and this is a clear example of the distortion of the rules of international humanitarian law that Israeli occupation forces constantly use.

²⁰ صفحة المتحدث باسم جيش الدفاع الإسرائيلي على وسائل التواصل الاجتماعي،

https://x.com/AvichayAdraee?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

²¹ صفحة المتحدث باسم جيش الدفاع الإسرائيلي على وسائل التواصل الاجتماعي،

https://x.com/AvichayAdraee?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor

²² فيديو للمتحدث باسم قوات الاحتلال الإسرائيلي، <https://x.com/AvichayAdraee/status/1822356152891400412>

Recommendations:

In general, it can be said that Israeli occupation government is deliberately targeting civilian infrastructure of population intending to eliminate their means of life. These are crimes that amount to crimes against humanity and war crimes, while exploiting principles of international humanitarian law to obscure the facts and justify these violations. Accordingly, Maat recommends the following:

- The need to pressure Israeli occupation government by all possible diplomatic and political means to stop the routine hostilities against civilians in the Gaza Strip.
- The need for international and UN organizations to enter Gaza to assess the situation in light of the ongoing conflict, to determine the humanitarian impacts and the extent of losses in the Gaza Strip.
- The international community must act to confront continued impunity of Israeli forces for war crimes and other crimes under international law.
- The need to allow humanitarian aid to enter the Gaza Strip without restrictions or conditions.
- The need to conduct impartial and independent investigations into alleged violations of international humanitarian law and hold their perpetrators accountable.
- Work to compensate victims of attacks on infrastructure, while providing donor funds to rebuild Gaza in the post-armed conflict phase.
- Support efforts to rebuild and restore damaged infrastructure.
- Member States should develop a plan to end the illegal status quo in Palestine and prepare to implement diplomatic, economic, and political measures provided for in UN Charter in the event of an Israeli invasion.
- Distortion of provisions and principles of international humanitarian law by Israeli occupation government should be condemned and awareness raised of such practices that seek to obscure the facts.