



Policy Brief

ورقة سياسات

International Law and Gaza Strip¹

Within the “Emancipatory Human Rights” Project

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2024

¹ This paper was supposed to be co-authored with Professor Koen De Feyter. Unfortunately, after delivering the paper’s outline, on 20 September 2024, Prof. Koen passed away. He was an inspirational scholar who left us far too soon.

Special thanks and appreciation for the honourable academics: Gentian Zyberi, Thalia Kruger, Tomaso Ferrando, Gamze Turkelli, and Maha Abdallah, for their remarkable contributions in this Policy brief.

Executive Summary

This policy brief sheds light on the double standards in the application of International law, and the inability of its organizations and instruments to serve their purpose which is advancing peace and security, and safeguarding internationally established norms, in particular as the genocide and Israeli atrocities towards Palestinian continue, and with Israel and its allies remain persistent to commit grave violation to international law. Furthermore, it aims to influence advocates, activists, scholars, national and international organizations, solidarity movements; third-party states to the Genocide Convention, and legal groups to promote civil society and social initiatives, to influence their government's policies towards international conflicts, in particular, the ongoing genocide in Palestine. It provides examples of possible and needed actions to make the current international law and human rights system universally functional and effective. Highlight initiatives' vital role in supporting an emancipatory understanding and utility of human rights, international law instruments, and the importance of legal action also, national and global initiatives on the peace-building front.

This policy brief begins by first highlighting some of the international efforts to end the genocide in Gaza, then moving to the landmark International Court of Justice advisory opinion of July 2024, then highlighting some efforts globally at the national level and obligations of third states concerning preventing and stopping mass atrocities against Palestinians. Then moves to the second section, to elaborate on how this is an opportunity to reshape the world order and introduce an emancipatory approach to the understanding and application of international law. The second section highlights the future of international law in light of the failure to stop the genocide in Gaza and provides opportunities to counter and challenge the double standards in the application of international law. Finally, the policy concludes with recommendations to Legal Groups, activists, scholars, solidarity movements, social initiatives, Palestinian universities, national and regional organizations, and Palestinian Public institutions, and provides them with some possible mechanisms which can be used to contribute to the emancipatory understanding and application to international law, support Palestinian people right to self-determination, and contribute to the efforts aiming to end the genocide in Palestine.

Introduction:

The ongoing genocide in Gaza and the hostilities against civilians in the West Bank, and Jerusalem, accompanied by accelerating annexation, settlement expansion, settler violence and the forcible displacement of Palestinians, are a continuation and culmination of a decades-long of Palestinian suffering from the atrocities of the Israeli occupation. And while international actors call for peace, they continue sending aid for war, contributing to destabilization in Palestine and beyond. Mass starvation, denying access to vital means of life, and carpet-bombing civilian areas are the key practices that constitute Israel's acts of genocide in Gaza, that continue disregarding the international norms and states' obligation to prevent and stop genocide. Indeed this genocide and ongoing crimes against the Palestinian people highlighted how power structures can disregard established norms of international law and within international organizations; also, it persists in dominating the international legal discourse, while depriving suffering nations, such as

the Palestinian people of their rights to self-determination. Israel's genocide continues with loud disregard for peremptory norms, and rules of war, including distinction and proportionality. This contradiction in the application of international law raises serious questions about the effectiveness and functionality of International Law Instruments.

The Israeli-waged war revealed double standards in international policies and international organizations. The bias in the use of international instruments sheds doubts on the efficiency of such instruments. Will the shift in international practices weaken the established international norms? Is there still a future for international law, especially when it repeatedly fails to deliver justice and peace? Can initiatives to reshape international law fruit? This policy brief proceeds to highlight these questions. By first highlighting some of the international efforts to end the genocide in Gaza, then moving to the landmark International Court of Justice advisory opinion of July 2024, then highlighting some efforts globally at the national level and obligations of states concerning preventing and stopping mass atrocities against Palestinians. Then moves to the second section, to elaborate on how this is an opportunity to reshape the world order and introduce an emancipatory approach to the understanding and application of international law. The second section highlights the future of international law in light of the failure to stop the genocide in Gaza and provides opportunities to counter and challenge the double standards in the application of international law. Finally, the policy provides some recommendations to contribute to the emancipatory understanding and application of international law.

The Objectives of this Policy Paper:

- Highlight some of the global initiatives to stop the genocide,² and highlight the double standards in the application and enforcement of international law during the War on Gaza. Examine the repercussions of refusal and procrastination to stop the ongoing genocide on international law instruments.
- Elaborate on needed actions to make the current international law and human rights system universally functional and effective.
- Influence advocates, activists, scholars, national and international organizations, solidarity movements, third-party states to the Genocide Convention, and legal groups to promote civil society and social initiatives, to influence their government's policies towards international conflicts.

² There are many remarkable initiatives from local and international civil society actors, including Palestinian civil society, and some states of the global south, all of which worked tirelessly to use all possible legal means to stop the ongoing genocide and to expose Israel's crimes against Palestinians. It's important to note that for this paper, some initiatives were highlighted as an example. As mentioned in the objectives of this Policy Brief, it aimed to highlight some of the efforts in an attempt to draw a link and shed light on the main issue here; the biased application of international law, which supported the ethnic cleansing of Palestinians, and violated binding rules of international law. Nonetheless, other research papers discuss one or more of the topics mentioned here with a deepened focus on some of them. Therefore, this Policy Brief aims to highlight the most relevant points in connection with the main topic and objective.

- Highlight the vital role that initiatives play in supporting an emancipatory understanding and utility of human rights, international law instruments, and the importance of legal action also, national and global initiatives on the peace-building front.

International efforts aimed to preventing genocide in Gaza

Following the atrocities in Gaza, there were various international initiatives to mitigate the humanitarian crisis, and contribute to the political efforts to stop the aggression by using legal means. In May 2024, the International Criminal Court “ICC” Prosecutor stated that several applications for arrest warrants had been filed with the Pre-Trial Chamber at the ICC, requesting to arrest Israeli Prime Minister Benjamin Netanyahu, Defence Minister Yoav Gallant. However, the ICC Pre-Trial Chamber I granted the UK request to file amicus brief on matters of jurisdiction, resulting in over 70 amicus curiae submissions, while initially keeping the content of the request incognito for the public. The ICC on 21 November 2024 the ICC finally issued the arrest warrants for Netanyahu and Gallant, for crimes against humanity and war crimes committed from at least 8 October 2023 until at least 20 May 2024.³

This prolonged process, which took more than 6 months to issue arrest warrants raises concerns about whether the ICC can function independently, or succumb to pressure from Israel or its allies, especially the US which has previously sanctioned the Chief Prosecutor of the ICC. In addition, the late issuance of the arrest warrants has allowed speculation about what is happening on the ground and enabled mass atrocity crimes to continue for several months. This instils skepticism in the international criminal justice system. At the same time, it appears that ICC officials were under intense pressure to drop the investigations against Israeli senior state officials.⁴ Direct threats of sanctions against ICC officials were publicly made by some US senators and congressional representatives. Nonetheless, it’s important to highlight the United Nations Security Council’s failure to call for an unconditional, permanent ceasefire, largely due to US multiple vetoes, which is associated with representation-power-voting dynamics within the Council. Taking into consideration, these dynamics hinders the United Nations Security

³ International Criminal Court, “Situation in the State of Palestine: ICC Pre-Trial Chamber I rejects the State of Israel’s challenges to jurisdiction and issues warrants of arrest for Benjamin Netanyahu and Yoav Gallant,” *International Criminal Court*, (21 November 2024), <https://www.InternationalCriminalCourt-cpi.int/news/situation-state-palestine-InternationalCriminalCourt-pre-trial-chamber-i-rejects-state-israels-challenges> (accessed 30 November 2024). Also, watch full video on “Statement of International Criminal Court Prosecutor: Applications for arrest warrants in the situation in the State of Palestine, published by the ICC: <https://www.InternationalCriminalCourt-cpi.int/news/statement-InternationalCriminalCourt-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state#>.”

⁴ Jasmin Johurun Nessa, “Delays, Interference, and Espionage: The ICC’s Struggle with Arrest Warrants in the Situation in the State of Palestine,” *Opinio Juris* (11 October 2024), <https://opiniojuris.org/2024/10/11/delays-interference-and-espionage-the-iccs-struggle-with-arrest-warrants-in-the-situation-in-the-state-of-palestine/>, (Accessed 8 December 2024).

Council's primary responsibility to maintain international peace and security.⁵ Undoubtedly, this instils scepticism in the international criminal justice system.

Alongside proceedings concerning individual criminal responsibility before the ICC, South Africa submitted a claim against Israel at the International Court of Justice "ICJ", for violating the Genocide Convention. Moreover, South Africa requested the ICJ to order protective measures. The ICJ expressed, in legally binding provisional measures orders, that prima facie evidence showed that Israel may be committing genocide; also, in May 2024, it ordered Israel to halt its military offensive, and any other action in Rafah Governorate, which Israel invaded and destroyed afterwards. The ICJ ordered four provisional measures on Israel; to ensure measures to prevent acts of genocide, prevent and punish direct and public incitement of genocide, conduct immediate and effective measures for allowing humanitarian aid, and finally, to preserve and take all measures to prevent the destruction of evidence that might be used in the case of genocide.⁶

While these provisional measures orders are legally binding, clearly Israel did not respect any; and proceeded to escalate in the pattern of genocidal conduct. This raises many questions on the issue of ICJ's lack of enforcement capabilities and also the failure of the international law mechanisms and organizations to hold Israel to account, more impunity wins for Israel. If one were to draw an analogy, the ICJ used a firmer tone towards Russia in a similar situation concerning Ukraine in March 2022, where it affirmatively ordered Russia to immediately stop its invasion of Ukraine, and suspend its military action there.⁷

Violation of self-determination principle as a *Jus Cogens* norm

In its legal analysis in the July 2024 landmark advisory opinion, the International Court of Justice concluded that Israel's occupation of the West Bank, Gaza Strip, and East Jerusalem, is unlawful, along with the associated settlement regime, annexation and use of natural resources. Also, that Israel should end the occupation, evacuate settlers, cease settlement activities, and make reparations.⁸ In addition, the International Court of Justice identifies the right to self-

⁵ Sergey Vasiliev, "Tackling Israel's Interference with the International Criminal Court: A Wake-up Call from the Netherlands," *Verfassungsblog* (21 October 2024), <https://verfassungsblog.de/tackling-israels-interference-with-the-international-criminal-court/> (accessed 8 December 2024).

⁶ International Court of Justice, "Order of 24 May 2024- Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)," *International Court of Justice* (24 May 2024), <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240524-ord-01-00-en.pdf> (accessed 5 October 2024).

⁷ See the Summary of the Judgment of 2 February 2024 (Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation: 32 States intervening) Summary of the Judgment of 2 February 2024). See also the International Court of Justice ruling on 16 March 2022 in the same case.

⁸ International Court of Justice, "Advisory Opinion on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem," *International Court of Justice* (19 July 2024), <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>, (accessed 25 September 2024).

determination as a peremptory norm, namely *Jus Cogens*: “The Court considers that, in cases of foreign occupation such as the present case, the right to self-determination constitutes a peremptory norm of international law.”⁹ This was followed by the United Nations General Assembly’s “UNGA” recent resolution in September 2024, which urged the ending of the occupation within 12 months from its adoption.¹⁰

In particular, *Jus cogens* norms are peremptory norms of general international law that are acknowledged as binding legal norms that shall not be violated.¹¹ It was established that such norms are absolute, also, non-derogable under any circumstances.¹² Also, some of these norms are rooted in customary international law,¹³ which has as its purpose the protection and maintaining the international order, hence in particular, *Jus Cogens* obligations can have an *Erga Omnes* character.¹⁴

Moreover, the ICJ reiterated that the right of all peoples to self-determination is owed *Erga Omnes* and all states have a legal interest in protecting that right.¹⁵ It means that not only confers a right on the peoples of all non-self-governing territories to self-determination but also imposes an obligation on all states to see to it that this right is fully supported through international modalities and channels.¹⁶ Hence, international actors have an obligation to support Palestinians’ right to self-determination.

The ICJ’s advisory opinion and the UNGA resolution establish a causal relation between the occupation and the settlements, on one hand, the right of the Palestinian people to self-

⁹ Ibid., 66.

¹⁰ United Nations General Assembly, “Resolution on the Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory,” *United Nations General Assembly* (13 September 2024), <https://documents.un.org/doc/undoc/ld/n24/266/48/pdf/n2426648.pdf> (accessed 1 October 2024).

¹¹ Dire Tladi, “Fourth report on peremptory norms of General International law (jus cogens), in: the International Law Commission’s Seventy-first session,” *UN digital library* (31 January 2019), 16. <https://digitallibrary.un.org/record/3798216/?ln=ar&v=pdf>, (Accessed 30 September 2024).

¹² Ibid.,

¹³ The International Law Commission recognized that the jurisprudence of the ICJ shows clear evidence of the basis of *jus cogens* in customary international law. See the draft adopted by the International Law Commission “Draft Conclusion on identification and legal consequences of peremptory norms of general international law (*Jus Cogens*)-with commentaries 2022,” https://legal.un.org/ilc/texts/instruments/english/commentaries/1_14_2022.pdf (accessed 3 October 2024).

¹⁴ Dinah Shelton, “International Law and Relative Normativity” in: *International Law*, 4th edition, ed., Malcom Evans (New York: Oxford University Press, 2014), 160.

¹⁵ See the Advisory opinion of the International Court of Justice on Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004 (I), p. 199, para. 155. See also East Timor (Portugal v. Australia), Judgment, I.C.J. Reports 1995, p. 102, para. 29. and the Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965.

¹⁶ See the advisory opinion by the International Court of Justice on Legal Consequences of the Separation of the Chagos Archipelago from Mauritius in 1965. The court recalled that “respect for the principle of equal rights and self-determination of peoples” is one of the purposes of the United Nations (Article 1, paragraph 2, of the Charter).

determination and peace, on the other. However, the Israeli response was committing more crimes, annexing Palestinian land, and displacing Palestinians. Moreover, Israel had outlawed international Law by banning UNRWA, accompanied by far-right settlers' calls to settle and annex Gaza.

The principle of responsibility of third states' parties (*Erga Omnes Partes*)

Third states parties in the Genocide convention have *Erga Omnes Partes* obligation to stop the ongoing genocide. Since *Erga Omnes Partes* refers to obligations towards all in the same conventions, the ICJ recognized that states' can initiate proceedings against other states before the ICJ for certain kinds of human rights violations, even if the state who invoked the request to comply was not subject itself by the violation.¹⁷ In particular, the Genocide Convention in article I and supplemented with the articles that follows establishes a duty on state Parties to take measures to prevent and punish the crime of genocide.¹⁸

There is an active role of non-injured states in international adjudicative procedures regarding the accomplishment of the high purposes of the Genocide Convention and violations protected by *Erga Omnes Partes*. Moreover, various declarations of intervention submitted to the ICJ to provide arguments to one of the parties can be seen in some Genocide cases before the ICJ.¹⁹ Hence, third states' parties to the Genocide Convention have a responsibility to prevent and to stop genocide when it occurs. Therefore, states aiding Israel, by sending arms and financial aid are clearly in breach of their obligations.

National tribunals and initiatives around the world

Meanwhile, on the national level, there have been attempts to counteract genocide such as the recent call by the Spanish Prime Minister to urge a global arms embargo on Israel, or Entry denial by Spain to a ship carrying arms to Israel. In addition, Spain in a brave move cancelled 7 million dollar arms deal with Israel following large public and media pressure. Other examples include a Dutch appeals court ordering a ban on F-35 Aircraft Deliveries to Israel, over concerns

¹⁷ Pok Yin S. Chow, "On Obligation *Erga Omnes Partes*," *Georgetown Journal of International Law*. Vol. 52, No.2 (20 August 2020), 469-504.

¹⁸ International Court of Justice, "Order of 23 January-Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar: 7 States intervening)," *International Court of Justice* (23 January 2020), <https://www.icj-cij.org/sites/default/files/case-related/178/178-20200123-ORD-01-00-EN.pdf> (accessed 6 October 2024). In this case the court affirmed, at least preliminarily, South Africa's *erga omnes partes* standing, meaning the ability to bring the case as a fellow party to the Genocide Convention, despite not being directly affected by the allegation. See also Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal).

¹⁹ States can intervene pursuant to Article 63 of the ICJ convention, where it allow states that are parties to a convention have the right to intervene in proceedings that concern the construction of that convention. It was highlighted that intervenes are to serve the purpose of harmonizing the application of principles, and to reduce repetitive litigation before the ICJ.

that such aircraft are participating in actions amounting to war crimes.²⁰ However, based on recent updates the court was advised to uphold the ban until a final ruling in the case is made.²¹ This was preceded by a lawsuit against the government of the Netherlands filed by a coalition of Palestinian and Dutch civil society organisations. Undoubtedly, the recent investigation launched by the Belgian prosecutor towards a Belgian soldier fighting for Israel in Gaza for possible war crimes, which came after a complaint by the Belgian-Palestinian association, will be a significant precedent for other EU member states to prosecute their citizens, if their participation in international crimes is established. Hence, ending the impunity in such crimes should be a welcomed practice against those perpetrators who commit such heinous crimes and are *hostis humani generis*.

This reminds us of the appropriateness of enacting universal jurisdiction over persons suspected of committing some international crimes when other states are unable or refuse to take effective measures to stop these crimes.²² Furthermore, groups of NGOs in Belgium have filed a complaint against Israeli shipping company ZIM for violating the arms rules.

In addition, Nicaragua broke diplomatic ties with Israel amid the ongoing war. It proceeded to file claims against Germany in the ICJ under the Genocide Convention. The suit is a result of Nicaragua state commitment towards respecting its legal obligation towards the international law in connection with obligation *Erga Omnes Partes*, and refusal to be complicit in international crimes through supporting genocide in any means.²³ Furthermore, the recent recognition of the State of Palestine, by number of state such as Ireland, Norway, and Spain, holds a significant value at such time. Such a step amid ongoing genocide implicates a stance towards the existence of Palestinian people both politically and legally within their land. Altogether, these initiatives signify international attempts at national levels to pressure states to adhere to their international obligation.

Nonetheless, it's important to note the role the peaceful demonstration by tens of thousands played in influencing many of these actions and initiatives. Nevertheless, there have been other initiatives that were not mentioned here, which are not any less significant of the ones mentioned in this policy brief.

²⁰De Rechtspraak, "Court of Appeal The Hague," *De Rechtspraak* (12 February 2024), <https://uitspraken.rechtspraak.nl/details?id=ECLI:NL:GHDHA:2024:191> (accessed 15 October 2024).

²¹ NLTimes, "Netherlands to challenge court ruling blocking F-35 spare part exports to Israel," *NL times* (12 February 2024), <https://nltimes.nl/2024/02/12/netherlands-challenge-court-ruling-blocking-f-35-spare-part-exports-israel> (accessed 5 November 2024).

²² Many countries adopted legislations that allow prosecuting perpetrators of crimes against humanity, torture, and genocide. See also International Court of Justice elaboration on the need to prosecute genocide: "Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)," *International Court of Justice* (11 July 1996), <https://www.icj-cij.org/sites/default/files/case-related/91/091-19960711-JUD-01-00-EN.pdf> (Accessed 18 October 2024).

²³ Susan Akram and John Quigley, "Is International Law Still Relevant after the Carnage in Gaza?," *Arab Center Washington DC* (23 April 2024), <https://arabcenterdc.org/resource/is-international-law-still-relevant-after-the-carnage-in-gaza/> (accessed on 10 October 2024).

An opportunity to reshape the world order? Emancipatory version of International Law

The future of international law in light of recent failure to stop the genocide in Gaza

The failure to stop the genocide in Gaza and to force Israel to comply and stop violating peremptory norms, demonstrated the absence of a genuine will to sanction such actions. Concerns increased after the failure to enforce the decisions and resolutions concerning Palestine and all the other international decisions related to the right of Palestinian People. Derogating from established international norms; the German Foreign minister justified genocide as a form of self-defense against terrorism.²⁴ This implies a deranged practice in international law, legitimizing genocidal actions under the pretext of state self-defense. Genocide is to become acceptable in some situations; a very dangerous assumption allowing the possible termination of a nation. This insinuation does not have any legal basis, not to mention that it cannot pass the rules of proportionality, or any humanitarian law principle. The tragedy of Gaza revealed that it is not the lack of international tools or instruments such as laws and conventions to prevent or stop international crimes that are missing, but the bias in the application of international laws and the will to enact them against Israel.

Opportunities and limitations of international law

Accountability requires congruence between laws and their application, and International law, as it stands today, does not promise a bright future for some nations. However, quitting the current international legal system including human rights is not a solution to any problem. Nonetheless, noncompliance with international law does not amount to non-effectiveness. In the case of non-compliance, what fails is the inaction of relevant measures against the state and individuals engaging in unlawful conduct under international law. Identifying the root causes of non-compliance, amongst which are the double standards and selectivity in applying international law is necessary. Otherwise, International law has proven effective in certain cases globally.

Rather, there is an evident need to introduce new emancipatory practices that reflect the understanding of international law, international organizations, and human rights instruments, where it serve the emancipatory purpose it was created for; that is prompting justice, peace and equality. In particular, for nations like the Palestinians, it's not possible to discuss human rights, without addressing the need for decolonization, self-determination, and unbiased application of international law. For that, there is a need to dismantle the neo-colonial underpinning of prevailing mechanisms of international law and explore international law beyond the political and economic restraints of the contemporary international legal system. Such an approach assumes

²⁴ Middle East Monitor, "German FM: Israel can kill civilians in Gaza to 'defend itself'," *Middle East Monitor* (15 October 2024), <https://www.middleeastmonitor.com/20241015-german-fm-israel-can-kill-civilians-in-gaza-to-defend-itself/> (accessed 16 October 2024).

that International Law, its instruments, and organization serve nations equally and mandate the emancipation of nations from colonial practices including the echolalia of the Zionist narrative.

This is achieved on the formal and informal level. The latter is critical in this case, since individual and group initiatives around the world, civil society organizations, political and social groups, universities, human rights and legal activists, intellectuals, scholars, and others have become more able to influence their states' policies.²⁵ This requires social and political initiatives questioning double standards when applying international law, and addressing how countries are contributing to the oppression and suffering of other nations - the ongoing genocide in Gaza being a clear example.

The global national and regional civic spaces are key factors in promoting an emancipatory approach to the use of International Law instruments, and human rights.²⁶ The International volition to take effective measures relies on the state's foreign policies, which are influenced by initiatives at the national level. The spaces the universities, social groups, and civil society organizations around the world provide; have become a foundational component to the emancipatory understanding of human rights and international law. In that sense, there is still hope for international law to become more efficient, and apply the same mechanisms without bias. Only then human rights and international law can become liberating tools to serve justice and assume all people as equals and brothers in humanity.

Conclusion:

For international law to become an emancipatory tool that promotes equality for nations; it requires redrawing the narrative it functions within; Colonial powers have been using double standards to gear the international Law. This created a selective international system that only functions to serve neoliberal powers at the expense of suffering nations. Subsequently, limiting human rights to specific rights deprives nations of basic rights such as equality, freedom, and their right to self-determination. Peace is a humane requirement, not a luxury, and crimes that disrupt the world's peace should not be tolerated without prosecution or repercussions. Otherwise, we are doomed to relive the past again.

Recommendations

The following recommendations are suggested for the purposes of this policy brief:

²⁵ Vincent Intondi, "The Threat of Nuclear Bombing and Incitement to Genocide," *Journal for Peace and Nuclear Disarmament* (26 August 2024), <https://www.tandfonline.com/doi/full/10.1080/25751654.2024.2396670>, (Accessed 22 October 2024).

²⁶ Lena Salayma, "Rethinking International Law after Gaza Symposium: Massacring Civilians – Genocide as International Legal Conundrum," *Opinio Juris* (8 October 2024), <https://opiniojuris.org/2024/10/08/massacring-civilians-genocide-as-international-legal-conundrum/>, (Accessed on 10 October 2024).

1. Legal Groups, human rights and social activists, legal scholars, academics, solidarity movements and social initiatives should contact their local representatives, and council members, send letters and petitions to pressure their representatives to address the topic of foreign policies concerning Palestine, urge them to stop arming Israel, and vote against laws and regulation that supports genocide. In addition, to pressure their governments to adopt legislations that invoke the universal jurisdiction principle, and allow investigation and prosecution of perpetrators who participated in Gaza's Genocide and committed international crimes.
2. Legal Groups, human rights and social activists, legal scholars, academics, solidarity movements and social initiatives around the world, need to urge their local institutions, organizations, and governmental departments to suspend their relations with Israeli institutions and corporations that support and aid genocide and apartheid.
3. National and regional human rights organizations to promote relations with international and national civil society movements, student groups, social initiatives and organizations, to support the dialogue on the topic of Palestine, hate speech, emancipatory education, and emancipatory application of international law and human rights.
4. Civil society organizations, solidarity movements, legal scholars, lawyers, human rights and social activists, and legal organizations should urge their governments which are third-state parties to the Genocide Convention to file a joint declaration of intervention in the case brought by South Africa, also, to put more pressure to stop the ongoing genocide in accordance to their international obligation to prevent and stop genocide using the means international law provided.
5. Palestinian Universities should focus on the concept of an Emancipatory understanding of international law and human rights and highlight the real role of human rights in liberating nations and promoting their prosperity rather than serving the neocolonial agenda that markets its principles in exchange for partial rights.
6. Universities in Palestine should connect and build relations with Regional and International Universities to facilitate the engagement of students in Palestinian universities in the global dialogue on Palestine.
7. Palestinian Public Institutions need to continue promoting relations with international society, civil movements and organizations, to support the dialogue on the topic of Palestine, strengthen diplomatic affairs through dialogue, and urge states to respect their legal obligations under international law.

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