



Ongoing genocide in Gaza: Six indicators of Israel's failure to comply with ICJ ruling



📅 26 Feb 2024

📍 Israel-Palestinian Territory

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Despite the ruling of the International Court of Justice (ICJ) requiring Israel to take action to stop the crime of genocide against the Palestinian people,

Israel has refused to deescalate its military attack on the Gaza Strip.

As the ICJ gave Israel one month to submit a report on its execution of the measures specified in its ruling, Euro-Med Human Rights Monitor has released its own report, which details the Israeli army's repeated violations of the ruling of the world's highest court over the course of a full month.

Euro-Med Monitor's report concludes that Israel persists in violating international law by targeting Palestinians, primarily in the Gaza Strip, with genocide, grave violations, war crimes, and crimes against humanity.

Drawing from the evidence examined in the period since the Court's ruling, the report demonstrates that the Israeli army is still carrying out genocide against the Palestinian people in the Gaza Strip.

Euro-Med Monitor denounces Israel's repeated violations of both the ICJ ruling and the Genocide Convention, which Israel ratified. It calls on South Africa and all members of the Court to take the necessary consequent steps, including cutting off all political, economic, and, most importantly, military ties, which are interpreted as endorsing Israel's disdain for the ruling and, consequently, as encouraging it to carry out its genocide against the Palestinian people.

The six fundamental indicators that confirm Israel's violations of the ICJ's ruling are presented in detail below.

First indicator: Mass killings

Since the Court's ruling, the Israeli army has killed over 3,847 Palestinians, including 1,306 children and 807 women, and injured approximately 5,119 people. This brings the total number of Palestinian deaths since 7 October 2023 to 38,067, including 14,350 children, 8,620 women, and 8,000 men who have been trapped beneath the debris of demolished buildings or missing in the streets for long enough that they are now presumed dead.

The Israeli army uses a variety of weapons, such as artillery shelling, sniper fire, drones, and missiles with huge destructive capacity—many of which are unguided—to carry out indiscriminate killings and mass killings of Palestinian civilians.

During a civilian car ride in the neighbourhood of Tal al-Hawa, in the southwest of Gaza City, on 29 January 2024, the Israeli army opened fire on six-year-old Hind Rajab and five members of her family, killing them with direct and repeated gunfire.

An audio recording from the Palestinian Red Crescent Society (PRCS) documented the last moments before the massacre was committed against the family. Fifteen-year-old Layan Hamada, who was in the same car, made a call to PRCS to ask

for assistance, as they were surrounded by Israeli tanks. Layan's last words were: "They are shooting at us, the tank is next to us." The audio recording captures clips from the intense gunfire that the car was subjected to. Layan, her three brothers, and her parents were killed in the attack, while Hind remained trapped inside the car, injured, and surrounded by the dead bodies of her family members.

Twelve days after making her own distress call while injured and trapped in the car, Hind was found dead, alongside the dead bodies of her relatives who were also killed inside the vehicle. Nobody could get to Hind in time to save her. On that same day, Saturday 10 February, the PRCS also found the bodies of two of its paramedics, Yousef Zaino and Ahmed Al-Madhoun.

Zaino and Al-Madhoun had been sent to rescue Hind after the PRCS received a distress call from her over the phone, and after it had coordinated with Israeli army forces by informing them of the rescue mission, as required by Israel in this type of situation.

Euro-Med Monitor also documented the 12 February killing of two brothers, Muhib Osama Ezz El-Din Abu Jama, 19, and Elyas Osama Ezz El-Din Abu Jama, 17, who was mentally and physically disabled, in Rafah's Al-Shaboura refugee camp in the south of the Gaza Strip. Their father, Osama Ezz El-Din Abu Jam, was injured by an Israeli quadcopter targeting displaced people in the camp.

“We heard gunfire around us at around 1:45 in the evening,” Osama, the father of the two victims, told the Euro-Med Monitor team. “Not knowing what was going on, as we were inside the tents, I went outside to look around and saw everyone running. Hearing gunfire, my boys woke up and asked what was going on.”

Osama stated that “in less than a minute” a quadcopter overhead started shooting “right at our tent”. He was wounded, he said, and two of his sons were killed, one of whom had both mental and physical disabilities. “Then we left the tent and ran so that I could protect what was left of my children,” he continued. “We entered somebody’s house, and I kept bleeding for three hours, until the ambulance arrived and took me to the hospital.”

He added that, “After bringing me to the Kuwaiti Hospital, which was unable to treat me, they moved me to Abu Youssef Al-Najjar Hospital [in Khan Yunis], where they bandaged my wound, retained the shrapnel, and informed me that they would check on the injury later [due to crowding].”

On the same day (12 February), Euro-Med Monitor documented the killing of 16-year-old Mahmoud Alaa Awad Al-Assar and his 21-year-old sister, Asmaa Alaa Awad Al-Assar. An Israeli quadcopter shot the siblings north of Badr Camp, in the northwest of the city of Rafah. A PRCS ambulance driver, Muhammad Al-Omari, was also killed that same day, and several other ambulance crew members injured, when

Israeli forces opened fire on an ambulance carrying a number of patients from the northern Gaza Strip to the southern Gaza Strip as part of a prearranged mission.

On 9 February, Israeli snipers killed at least 21 Palestinians in the vicinity of Nasser Hospital in Khan Yunis. Another incident involved the shooting of a 14-year-old girl who was attempting to transport water she had collected when she was struck by sniper fire in front of the hospital gate.

On 13 February, Israeli forces sent detainee Jamal al-Din Abu al-Ela, dressed in a white hazmat suit and his hands bound with plastic cable ties, to the Nasser Hospital in the city of Khan Younis. Dispatched as a messenger by the Israeli army, he warned people to evacuate the hospital before it was bombed. As he was leaving the hospital, an Israeli soldier shot him three times in the chest and stomach, killing him instantly in front of his mother, while he was still inside the hospital gates. According to the Palestinian Ministry of Health, Israeli snipers also killed three other civilians in the hospital that day.

Regarding the mass killing of civilians, Euro-Med Monitor has documented the targeting and destruction of dozens of homes by Israeli aircraft over the heads of their civilian residents. On 29 January, for instance, Israel's army bombed a residential building in Gaza City's Al-Tuffah neighbourhood, killing 25 Palestinians and injuring dozens more. On the same day, the Israeli army killed 20 Palestinians

and wounded dozens of others when it bombed a residential building in Gaza City's Al-Sabra neighbourhood.

Similarly, Israeli army aircraft bombed a house in Rafah's Al-Genaina neighbourhood on 3 February without prior warning, killing 13 Palestinians, including four women and four children.

On 12 February, Israeli aircraft bombed 15 homes over the heads of their residents and two mosques in Rafah with belts of fire, killing 83 people, including 25 children and 13 women, some of whom were killed while sleeping in their tents.

Euro-Med Monitor has also documented the killing of 326 health workers, 130 journalists, and 96 academics between 7 October and today.

Second indicator: Causing serious physical or mental harm

Israel prevents injured patients from receiving medical care outside of the Gaza Strip. With most of the Strip's hospitals closed, Israel has only permitted 800 wounded individuals to leave since it started its military attacks. The rest are still waiting to be allowed to leave in order to receive basic or essential medical care abroad. Many of them have consequently died from their wounds or infections caused by these wounds, while hundreds have had to have limbs amputated or suffered severe burns and lacerations.

Furthermore, for roughly five months, patients with chronic illnesses like cancer, heart disease, diabetes, and high blood pressure have not received the necessary treatment. Patients' suffering is made worse by the unavailability or restricted availability of many different kinds of medications, putting their lives at grave risk. Numerous cases of patient deaths due to a lack of treatment have been documented by Euro-Med Monitor.

More than 1,100 kidney patients suffer from not being able to obtain dialysis services. Additionally, cancer diagnostic services are rendered unavailable. Notably, over 2,000 people typically receive a cancer diagnosis each year in the Gaza Strip. Meanwhile, 225,000 individuals with high blood pressure, 45,000 patients with cardiovascular illnesses, and 71,000 individuals with diabetes face a severe lack of medications and treatments, in addition to malnutrition.

After over four months of intense Israeli military attacks on the Gaza Strip, the roughly two million displaced residents of the Strip are living in tents, shelter centres, or cramped homes, lacking basic amenities for health, hygiene, and life. They are also under constant and intense bombardment, and there are no safe havens. As a result, all residents of the Strip are all under extreme psychological pressure, which will likely have a long-term negative impact on their mental and emotional well-being.

Detainees specifically are routinely subjected to the severe violations and crimes committed by the Israeli army forces, which include depriving Palestinians of their humanity and dignity and treating them cruelly.

The Israeli military has arbitrarily detained hundreds of Palestinian citizens, including women and children, as documented by Euro-Med Monitor. After being stripped, blindfolded, and made to spend hours in the freezing cold, many Palestinian detainees were transported against their will to unidentified locations, where they endured cruel and painful treatment, such as being denied access to food, water, shelter, and restrooms.

In this context, a statement was released by UN experts expressing concern about credible reports of flagrant human rights violations of Palestinian women and girls in the Occupied Palestinian Territory, including the Gaza Strip. These violations include forced disappearances, extrajudicial executions, arbitrary detention, torture, sexual violence, threats of rape and forced stripping, male strip searches, inhumane treatment, attacks on human dignity, and denial of fundamental human rights. The statement brought attention to the case of a baby who was brought into Israel by an Israeli officer; her whereabouts have remained unknown ever since.

Third indicator: Imposition of inhuman living conditions through intentional material

destruction

Following the ICJ's decision, the Israeli army continued its systematic policy of forcibly displacing Palestinians from their homes. This was implemented through two paths: The first was through its insistence on forcing residents of Gaza City and the Strip's northern areas to evacuate, and by raiding shelter centres in western Gaza on 29 January; this area housed about 88,000 Palestinians who were forcibly displaced anew. On 20 February, people living in Al-Zaytoun neighbourhood, in the south of Gaza City, were forced to evacuate to the area of Al-Mawasi under air and artillery bombardment.

The second path that the Israeli army took was to keep directing people to evacuate the Khan Yunis refugee camp, which was initially home to over 150,000 people. Things escalated dramatically when the Israeli army stormed Al-Amal and Nasser hospitals in Khan Yunis at the beginning of this month, which led to the enforced displacement of 8,000 people from Al-Amal Hospital and the Red Crescent Society, and about 10,000 people from the Nasser Hospital.

These evictions were conducted in violation of international law and constitute a crime of forcible transfer, as civilians were forcibly evacuated from their homes and shelter centres without being given a safe substitute location, and are now left without

shelter centres that guarantee their safety or basic needs being met.

Numerous times, as people were being displaced along roads that had previously been deemed safe routes, the Israeli army opened fire on them directly.

In the meantime, the Israeli army keeps destroying houses, neighbourhoods, and communities in a systematic and extensive manner, making it impossible for those who have been forcibly displaced to return to their homes in the near future. Over 340,000 homes in the Gaza Strip have been destroyed by the Israeli army since the start of the military attacks: roughly 73,000 homes in the northern Gaza Strip (72%), 140,000 homes in Gaza City (75%), approximately 40,000 homes in the Central Governorate (50%), approximately 73,000 homes in Khan Yunis (65%), and 14,000 homes in Rafah (20%).

Following the ICJ's decision, Israeli forces blew up 91 residential squares containing hundreds of residential units, in addition to hundreds of other residential units that it destroyed by air and artillery bombardment.

Meanwhile, Israeli forces persisted in targeting Gaza's healthcare sector, including hospitals and medical personnel. Between 7 October 2023 and 12 February 2024, the Israeli forces carried out 378 attacks on healthcare facilities across the Gaza Strip, damaging 98 health facilities and 98 ambulances.

Thirteen out of 35 hospitals in Gaza were only partially operational as of 7 February, meaning that there are no fully operational hospitals in the region.

This month, the Israeli army attacked the Al-Amal and Nasser hospitals, essentially shutting them down by detaining and arresting scores of medical personnel as well as turning off the electricity. As a result, at least eight patients in the Nasser hospital died.

As the ongoing Israeli bombing campaign has prevented medical personnel and the families of victims from burying their loved ones, dozens of the dead have been buried in mass graves in the courtyards of the two hospitals mentioned above.

In this regard, the Israeli army has persisted in demolishing Palestinian historical, cultural, educational, and religious objects in the Gaza Strip. According to the Palestinian National Library, Israeli forces have destroyed a total of 26 cultural and/or theatrical centres, at least 325 buildings housing cultural and/or historical sites, 208 mosques, five libraries, and two churches; Israeli forces have also targeted 44 cultural and/or scientific figures.

Fifth indicator: Starvation as a weapon; obstruction of the delivery of humanitarian supplies

Since the start of its military attacks on the Gaza Strip, Israel has been using starvation as an

additional tool to carry out the crime of genocide against Palestinian civilians, by denying them access to foods and relief supplies.

Due to the severe and acute food insecurity experienced by the entire population of the Gaza Strip, immediate humanitarian assistance and measures are still desperately needed.

According to the Integrated Phase Classification of Food Security (or IPC), the Gaza Strip is currently home to the highest percentage of people facing acute food instability within the last 20 years, at the very least. Approximately 53% of the population (about 1,170,000 people) are suffering from an extreme malnutrition emergency, and 26% (or roughly half a million people), are suffering from famine. There will also undoubtedly be a rise in the number of deaths caused by hunger, malnutrition, or diseases related to it.

The Israeli army is still strictly obstructing humanitarian aid from entering the Gaza Strip, particularly Gaza City and the Strip's northern areas. This includes drastically reducing the amount of aid supplies, putting arbitrary restrictions on the kinds and items that are allowed, conducting purposefully drawn-out inspections, attacking aid trucks, and continuing to demolish streets and infrastructure that are essential for the movement, arrival, and distribution of humanitarian aid.

Additionally, Israel has permitted Israeli settlers to plan and enact demonstrations intended to block the entrance of convoys carrying humanitarian supplies into the Gaza Strip via the Kerem Shalom/Kerom Shalom crossing in the southern part of the Strip. Dozens of Israeli protestors repeatedly blocked aid trucks from entering Gaza at this crossing in the two weeks that followed the ICJ's ruling.

The most hazardous situation is still in Gaza City and the Strip's north, where thousands of civilians assemble and put their lives in danger to receive some of this aid, as only a very small number of trucks have arrived south of Gaza City. Euro-Med Monitor has documented at least eight Israeli shooting operations that targeted these gatherings and led to the deaths and injuries of dozens of civilians.

Following the ICJ's recommendation that Israel guarantee Palestinians access to humanitarian aid and basic services, Israel claimed that 12 UNRWA employees were complicit in the 7 October attack as a method of damaging the reputation and mission of the UN organisation.

Israeli Foreign Minister Yisrael Katz stated that UNRWA must be replaced with a different organisation as soon as the military attacks in the Gaza Strip end. Based solely on Israeli allegations, 16 countries have suspended their donations to the UN agency, which the latter warned would prevent it

from providing humanitarian services to the Strip as early as the end of February.

Despite warnings from human rights and UN organisations about the dire consequences of this move for the lives of Palestinians, the Israeli government has moved forward with its plans to close UNRWA.

Compared to the average number of trucks that entered Gaza daily prior to 26 January, fewer supplies are delivered per day. Before 7 October, an average of 500 trucks per day entered the Gaza Strip; however, during the week of January 19–25, an average of just 156 trucks per day were permitted to enter the Strip.

Even more alarmingly, only 103 trucks were allowed to enter the Strip per day within the period of 27 January–22 February. Since 23 January, there have been no humanitarian supplies delivered to Gaza City's central and northern regions. Meanwhile, hundreds of people were killed when aid trucks arrived in the city's southern suburbs and were targeted by Israeli forces.

Furthermore, civilian police in the Gaza Strip are routinely targeted by Israeli forces, which hinders relief supplies from reaching residents and exacerbates the situation.

The World Health Organisation stated on 12 February that the humanitarian aid provided so far to Gaza is a

“drop in the ocean of need”, which continues to grow every day.

António Guterres, Secretary-General of the United Nations, has also voiced concern about the worsening circumstances that aid workers in Gaza are facing, where the occasional convoys that enter are vulnerable to Israeli army fire.

For its part, the Food and Agriculture Organisation of the United Nations (FAO) said on 12 February: “Every day, more and more people are on the brink of famine-like conditions. There are unprecedented levels of acute food insecurity, hunger, and near famine-like conditions in Gaza.”

While residents of Gaza City and the Strip’s northern areas lack access to clean drinking water, which can typically lead to various forms of infectious diseases and epidemics, residents of the Strip’s southern governorates—particularly Rafah—are dealing with an outbreak of hepatitis A, diarrhoea, and vomiting, which can be fatal if there is not enough clean water available.

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), there is an urgent need to establish a stabilisation centre in Rafah for treating children suffering from severe malnutrition and its complications.

Fifth indicator: Imposition of an environment meant to prevent childbirth

Measures implemented by Israel against the Gaza Strip disproportionately affect women and children. In recent weeks, thousands of women and children have been killed, including pregnant women and fetuses.

Pregnant women in the Gaza Strip face extreme challenges in giving birth in shelter centres, hospitals, and homes during Israeli military attacks. These challenges stem from a lack of access to healthcare, the closure of the majority of hospitals and medical facilities, and the inability to reach hospitals that are only partially operational due to ongoing bombing.

Women are compelled to give birth in unsafe conditions, frequently without the required medical support, or in cramped hospitals where infection and other health issues are more likely to occur due to poor hygiene and sterilisation of medical equipment. In many cases, pregnant women have been forced to undergo caesarean sections without anaesthesia.

In addition to infants dying from hunger due to a lack of available formula and mothers' incapacity to breastfeed as a result of their own dehydration and malnutrition, there has been a rise in newborn deaths in the Gaza Strip as a result of preventable causes, such as diarrhoea, common colds, and infectious diseases.

Sixth indicator: Public incitement to genocide

Israel has not shown any seriousness in investigating its horrific crimes, including killings and executions of Palestinian prisoners—including civilians—and systematic looting and burning of homes. In addition, Israel has not yet launched an investigation into these violations or brought charges against any civilians, military personnel, or political figures implicated in inciting the extermination of Palestinians in the Gaza Strip.

More statements have been made, in fact, expressing Israel's determination to carry out the crime of genocide, and no adjustments have been made by Israel to guarantee the safety of Palestinian civilians.

Israeli Defence Minister Yoav Gallant stressed that Israel does not intend to stop its military attacks in the Gaza Strip anytime soon, saying: "We are achieving our mission in Khan Yunis, and we will also reach Rafah and eliminate the elements that threaten us."

Regarded as the most important religious figure for the Jewish Home party, which is part of Israel's government coalition, Rabbi Dov Lior urged Israelis to break the Sabbath in order to stop aid from getting into the Gaza Strip.

Eleven ministers within Prime Minister Benjamin Netanyahu's right-wing government and 15 Members of the Knesset participated in a conference held by pro-settlement group Nachala on 28

January, under the title “Settlements Bring Security,” calling for the Israeli “resettlement” of Gaza.

“After the seventh of October, history changed,” the Nachala group’s director, Daniela Weiss, told NBC News. “It’s the end of the presence of Arabs in Gaza. It’s the end. Instead of them, there will be many, many Jews that will return to the settlements, that will build new settlements.”

At the “Return to Gaza” conference in occupied Jerusalem, Israeli Minister of National Security Itamar Ben Gvir even demanded the creation of a map showing the relocations of 21 settlements that will be opened in the Strip as well as the implementation of “voluntary migration” for Palestinians.

Euro-Med Monitor has also documented video footage of Israeli army officers promoting official incitement issued by Israeli officials to commit the crime of genocide against the Palestinians in the Gaza Strip, including the “Amalek directives”, plus additional statements of genocidal intent and confirmation of the practical implementation of these statements on the ground, plus dehumanisation of the Palestinians. This footage includes:

- [Video footage](#) showing an Israeli soldier smiling as a neighbourhood in Gaza is bombed.
- [Video footage](#) showing an Israeli soldier forcing blindfolded detainees to confess that they are slaves.
- [Video footage](#) showing Israeli soldiers standing over a number of young Palestinian men, after

blindfolding them and tying their hands behind their backs.

- [Video footage](#) showing Israeli soldiers mocking Palestinians as they are forced to leave their homes and pass through a checkpoint in southern Gaza.
- [Video footage](#) of Israeli military officer Yehuda Wald bragging about burning Palestinian homes in Gaza.
- [Video footage](#) posted to Facebook of an Israeli soldier saying, “The Nakba will be a beautiful memory compared to what awaits them...We are the children of Yeshua who conquered this land from seven different peoples...They are not only human animals, they are also stupid.”
- [Video footage](#) posted to Facebook under the title “Flattening the Curve - Gaza” of an Israeli soldier named Adir Ken-Dror filming the destruction of entire neighbourhoods in Gaza.
- [A video clip](#) showing the massive destruction of homes in Gaza was posted on an Israeli Telegram channel.
- Commenting on the ground invasion into Rafah, Israeli Prime Minister Benjamin Netanyahu [said](#) on 11 February: “We’re going to do it. We’re going to get the remaining Hamas battalions in Rafah, which is the last bastion, but we’re going to do it...We have succeeded so far and we will succeed again.”
- [Statement](#) by Israeli Foreign Minister Yisrael Katz saying, “Calls to limit Israel’s defence will only strengthen Hamas. Israel is determined to crush Hamas militarily.”
- [Statement](#) by Israeli Finance Minister Bezalel Smotrich saying that “US pressure should not prevent us from occupying Rafah and destroying Hamas,” adding that he has decided to prevent the transfer of food aid to Gaza.
- Claim of the Israeli delegation to the Holy See that “all residents of Gaza either support or commit terrorism”.
- [Statements](#) by Israeli Defence Forces Chief of Staff Hertzi Halevi that Israeli forces have made “very high

military achievements” in Gaza, but “there is still a long way to go”, and, “In decades past, there was no army manoeuvring in densely populated areas. Army soldiers are dealing with this matter with great success and the military achievements are extraordinary.”

- [Order](#) by Israeli army officer Issahar Akilov to his soldiers to level random civilian homes in Gaza.
- [Video footage](#) of a soldier from the Netzah Yehuda Battalion shouting, “We have to wait our turn to enter Gaza. We have come to spread terror.”
- [Statement](#) by soldier Shoam Gita urging the Israeli military to use 20,000 D9 bulldozers in a row to demolish Gaza completely.

Pivotal result

The data presented indicate that Israel continues to commit the crime of genocide against the Palestinian people on a persistent, deliberate, and conscious basis, in flagrant violation of the ICJ’s ruling.

Recommendations

In light of the aforementioned, Euro-Med Human Rights Monitor:

- Urges the International Court of Justice to render a binding ruling compelling Israel to cease hostilities, as it is the only means of putting an end to the crime of genocide and safeguarding the physical evidence of its commission.
- Calls for international investigations into the violations that have been documented since Israel began its military attacks on the Gaza Strip in order to ensure justice and compensation for the victims,

and calls for the International Criminal Court to expedite its investigation procedures and to prioritise addressing the situation in the Gaza Strip above all other matters. This will involve working to end the policy of impunity enjoyed by Israel, including all those who carry out and issue orders, and holding those responsible for these actions accountable.

- Urges the international community to uphold its legal and moral duties to the people living in the Gaza Strip, to guarantee that the International Court of Justice's ruling is carried out, and to put an end to the genocide that the Court declared was likely to have taken place in the Gaza Strip.
- Highlights the significance of applying international pressure to prevent the destruction of evidence connected to Israel's crimes in the Gaza Strip and to facilitate the entry of necessary humanitarian aid without delay in order to stop the famine from spreading there. Investigative committees from the United Nations and other international organisations should also be allowed entry into the Gaza Strip.
- Warns of the dangerous consequences of many donor countries' decision to suspend their funding to UNRWA in light of the current catastrophic conditions and the famine that is spreading in the Strip, as it is the main humanitarian agency in the Gaza Strip—on which more than two million people depend for survival—describing the decision as a dangerous violation of the international obligations of these countries, especially with regard to protecting the Palestinian people from the crime of genocide.
- Insists that in order to improve the ability to hold Israel accountable, particularly in relation to its violation of the ICJ's ruling, national and international institutions' work in monitoring, documenting, reporting, and publishing information on Israel's violations must be intensified. Additionally, Israel must provide the necessary evidence to the Court following the expiration of the one-month

deadline that the Court granted it to submit a report on its implementation of the decision's measures.



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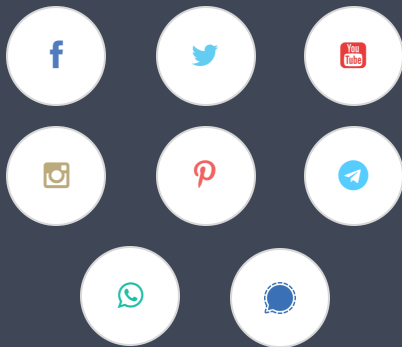
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