

***AN EXAMINATION OF ISRAELI VIOLATIONS IN THE OCCUPIED
PALESTINIAN TERRITORIES THROUGH INTERNATIONAL
LEGAL MECHANISMS***

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ABSTRACT

The Palestinians Territories of the West Bank and the Gaza Strip have been under occupation for more than forty years. Even after the unilaterally disengagement plan of Israel, withdrawing from Gaza, and the administrative control established by Hamas in the area, Israel can still be consider the last authority over the territory. Over all these decades, the military administration of Israel over the occupied territories has been continuously harming the rights of the Palestinian population, regardless its obligations under the law of belligerent occupation, in special the Geneva Convention IV of 1949, relative to the Protection of Civilian Persons in Time of War. This study, at first, historically demonstrates the occupation over the Palestinian territories, and in this regard, the legal obligations of the State of Israel under the rules and principles of the international humanitarian law, in special the law of belligerent occupation. In a second moment, it intends to demonstrate Israel's accountability over violations that have been committed within the territories, regarding the civilian population. Through the analyses of the codification of international humanitarian law and the subsequent development through the jurisprudence of the International Criminal Tribunals, such as the ICTR and the ICTY, and the International Criminal Court, intends to demonstrate the extent to which violations committed by Israel could amount to war crimes and crimes against humanity within the international legal framework. It concludes by assessing international legal mechanisms in order to hold Israel accountable for crimes committed against the civilian population, as the United Nations Fact-Finding Mission on the situation of the Gaza Strip; the principle of Universal Jurisdiction; and the Palestinian Declaration submitted to the International Criminal Court, under Article 12(3) of the Rome Statute.

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ACRONYMS

CRC	Convention on the Rights of the Child
DOP	Declaration of Principles
ICJ	International Court of Justice
ICCPR	International Convention on Civil and Political Rights
ICESCR	International Convention on Economic, Social and Cultural Rights
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the Former Yugoslavia
ICRC	International Committee of the Red Cross
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMT	International Military Tribunal
PA/PNA	Palestinian Authority/ Palestinian National Authority
PLO	Palestine Liberation Organization
PNA	The Palestine National Council
UN	The United Nations
US/USA	The United States of America

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