

# Policy Paper on “The Israeli Occupying Forces’ Crimes in Jenin Refugee Camp During June 2023”

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## Introduction:

Since 1948, Palestinian refugees residing in Jenin refugee camp, situated in the occupied West Bank, have been deprived of their right to return to their homes and properties from which they were forcibly displaced during the Nakba. Since the Israeli occupation in 1967, the refugees have been living under the weight of occupation, expanding settlements, the apartheid wall, military checkpoints and control over their natural resources, while facing continuous military raids, killings and collective punishment. The Israeli invasions of Jenin refugee camp during late June and early July 2023 serve as a stark reminder of the massacre that occurred during the Second Intifada in 2002. At that time, the Israeli occupying forces killed 52 Palestinians, demolished 169 homes and displaced nearly a quarter of the camp's population. They carried out demolition and destruction in the camp without any accountability or reparations for the damages caused.

This year is witnessing the highest death toll in the occupied West Bank since 2005, making it the deadliest year to date. Since Benjamin Netanyahu returned to power, the situation in the occupied Palestinian territories has rapidly worsened. At least 152 Palestinians, including 28 children, have been killed, mostly as a result of live ammunition fired by Israeli forces<sup>1</sup>. This policy paper comes in the context of Israel's military operation in Jenin in June and July 2023, aiming to shed light on the sufferings of the camp from Israeli occupying forces' assaults. The paper examines the impact of Israeli breaches on the local community there, specifically the youth and women. Furthermore, it highlights the legal analysis of the Israeli occupying forces' crimes in Jenin from an international law perspective. In conclusion, practical recommendations and proposals are provided to be implemented on the ground in order to support Jenin refugee camp.

During the first week of July, at least 12 Palestinians, including 4 children, lost their lives, and over 100 others sustained injuries due to Israel's military operation in Jenin refugee camp. As a consequence of the airstrikes and bulldozers targeting homes, roads and civilian infrastructure, such as electricity and water supplies, more than 3,500 refugees were forced to flee the camp and become internally displaced. The Israel's military attacks, occurring in less than 48 hours, resulted in significant casualties, displacement and destruction in the overcrowded refugee camp<sup>2</sup>.

The frequency of the occupation's incursions into Jenin camp increased during 2023, and consequently the violations committed, including killing, destruction and numerous violations documented in the reports of international and national organisations. During June 2023 particularly, Jenin refugee camp, witnessed an outrageous escalation of Israeli military attacks that had severe implications on the lives and rights of its residents. This period was marred by grave breaches of international humanitarian law and human rights, as Israeli forces engaged in a series of unlawful actions. Deliberate killings, indiscriminate targeting of civilians, arbitrary

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<sup>1</sup> Norwegian Refugee Council (NRC). (2023, July 6). Palestine: Jenin Operation Marks Violent Half-Year for Israel's Government. <https://reliefweb.int/report/occupied-palestinian-territory/palestine-jenin-operation-marks-violent-half-year-israels-government>

<sup>2</sup> ibid

arrests and detentions, forced displacement, attacks on journalists and medical personnel and deliberate destruction of civilian infrastructure were amongst the alarming violations that occurred. Such egregious acts not only undermine the fundamental principles of international law but also exacerbate the already precarious situation in the region, calling for urgent attention and accountability from the international community.

This paper is the result of a discussion with a group of Palestinian youth from Jenin camp, which took place on 31<sup>st</sup> July 2023. The session was attended by 26 youth, i.e., 12 males and 16 females, as well as representatives from various international organisations, such as Diakonia, Asamblea De Cooperacion Por La Paz (ACPP), Konrad-Adenauer-Stiftung (KAS), Norwegian People's Aid (NPA) and Swiss representatives. The session was convened in response to Israel's military operation on Jenin refugee camp that occurred at the end of June and the beginning of July 2023. Its purpose was to engage in a dialogue in order to listen to the youths' experiences, in light of Israeli violations in the camp. Furthermore, the session aimed to identify youths' needs and explore ways to enhance their resilience. The discussion also focused on providing psychological and social support, as well as opening new avenues for effective communication with the outside world.

### **Aims and Objectives:**

The purpose of the policy paper is to provide a legal analysis of the situation and its humanitarian and political repercussions, presenting policies and recommendations based on thorough research and factual information. The objectives of the paper are as follows:

- Provide a detailed account of Israel's military operation in Jenin refugee camp: The paper aims to present a thorough and accurate description of the Israeli occupying forces' crime, assaults and the resulting material and human damage to the population and infrastructure within the camp. The paper will highlight the breaches of human rights and international humanitarian law endured by civilians and refugees inside the camp, shedding light on their suffering.
- It aims to increase global awareness of the situation in the region and the long-term effects of these violations on the affected population and society. The paper also advocates for an international investigation to verify the facts and hold those involved accountable for their actions. Also, the paper aims to motivate the international community to express solidarity with the Palestinian people and assist them in dealing with the humanitarian and political consequences of the crime.
- Propose policies and practical solutions: The paper will develop policies and practical proposals to address the issue and tackle potential challenges faced by the Palestinians in the aftermath of this crime. The paper will outline specific steps and strategies to address the identified issues, promote accountability and provide support to the affected population. It includes diplomatic efforts, advocacy campaigns, humanitarian aid plans, international legal actions and measures to ensure compliance with international law and human rights

standards. The action plans will aim to create tangible and sustainable solutions to the crisis while fostering peace and stability in the region.

- Emphasise the importance of human rights and international law: The paper will underscore the necessity of respecting human rights, adhering to international humanitarian law and upholding the rights of peoples.

### **Potential War Crimes: Israeli Actions in Jenin Refugee Camp under International Law**

The practices of the Israeli occupying forces in Jenin camp in June and July 2023 constitute clear violations of international law, including human rights law and international humanitarian law, and may amount to international crimes prosecutable under the Rome Statute of the International Criminal Court. Firstly, due to the illegality of the Israeli occupation and the illegitimate system based on apartheid, the entire military operation in Jenin camp is considered an act of prohibited aggression under the *jus ad bellum* principles, conflicting with the established international rules governing the use of force. Additionally, the actions of Israeli authorities, must comply with the framework of law enforcement under international human rights law. The excessive and disproportionate use of force automatically constitutes a violation of the right to life, as stipulated in Article 6 of the International Covenant on Civil and Political Rights, and is firmly rooted in the duty not to use force beyond what is strictly necessary to effect the arrest within the bounds of the law.

The deliberate targeting of Palestinians with the intent to kill qualifies as a war crime under Article 8(2) of the Rome Statute of the International Criminal Court. Additionally, targeting homes with explosive devices in densely populated areas is a violation of Article 53 of the Fourth Geneva Convention, which prohibits the destruction of civilian property and constitutes a grave breach of the Geneva Conventions, also amounting to a war crime. Furthermore, the Israeli occupying forces violated international humanitarian law by targeting electricity generators, as they are indispensable for the civilian population's survival.

According to international law experts, the international legal framework strongly denounces Israeli air strikes and ground attacks in the occupied West Bank, specifically targeting Jenin refugee camp and resulting in the deaths of at least 12 Palestinians. UN experts argue that these actions may prima facie constitute a war crime, as they involve killing and serious injury to the occupied population, destruction of homes and infrastructure and arbitrary displacement of thousands<sup>3</sup>. The so-called "counter terrorism" operations find no justification under international law and amount to collective punishment of the Palestinian population, labeled as a "collective

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<sup>3</sup> The experts: Francesca Albanese, Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967; Paula Gaviria Betancur, Special Rapporteur on the human rights of internally displaced persons, Reem Alsalem, Special Rapporteur on violence against women and girls. "Israeli air strikes and ground operations in Jenin may constitute war crime: UN experts" (Press Release, Special Procedures, 05 July 2023). <https://www.ohchr.org/en/press-releases/2023/07/israeli-air-strikes-and-ground-operations-jenin-may-constitute-war-crime-un>

security threat" by Israeli authorities. The experts express serious concern about the military weaponry and tactics deployed by Israel's occupying forces against Jenin's population<sup>4</sup>. They stress that the Palestinians in the occupied Palestinian territories are protected persons under international law, entitled to all human rights, including the presumption of innocence. Israel's attacks in Jenin refugee camp are seen as amplifications of the long-standing structural violence that has plagued the occupied Palestinian territories for decades.

## **Impact on Youth and Women**

It is very important to realise that the escalating confrontations in the West Bank and in Jenin refugee camp in particular, is a dangerous indication of the growing sense of despair amongst Palestinian youth. Their frustration accumulated over years, along with their loss of hope for an end to the prolonged occupation in their country for seven decades and the boredom of hearing the same stereotypical discourses about peace, settlement and just solutions without actual action on the ground.

The situation worsens when talking about the situation of Palestinian women who endure targeted violence due to the occupation. There is a distinct aspect concerning the situation of Palestinian women, as they suffer from dual violence. The Israeli occupation, on one hand, perpetrates violence against Palestinian women in various forms, starting with killings, arrests and targeting. This doesn't just end with violating fundamental rights, such as residence, housing, mobility and being deprived of access to healthcare, education, social security and other rights. It also extends to encompass the negative consequences and repercussions that the occupation's violence inflicts on Palestinian women due to its policy of killings, arrests, injuries, sieges, incursions, land confiscation, settlement construction, property destruction and house demolitions. Overall, this leads to social, economic and psychological effects on women, their stability and their diverse rights within stable families.

Women bear amplified burdens when a family member is martyred, arrested, or injured, often becoming the sole provider for the family. Similarly, when family land is confiscated – a source of livelihood – or when the family's house is demolished, women not only lose their right to housing and stability in psychological and social contexts but also experience increased psychological stress as they struggle to provide care and support for their dispersed families<sup>5</sup>.

## **Proposals to Take Action**

### **Global Awareness and International Community Support**

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<sup>4</sup> ibid

<sup>5</sup> Women's Center for Legal and Social Counseling, Fact sheet about The status of Palestinian women and legal protection mechanisms. <https://euromedrights.org>.

To strengthen global awareness and garner support from the international community for Jenin refugee camp, it is essential to increase attention, solidarity and take concrete actions to address the challenges in the camp. This could be led by youth and achieved through a range of approaches, including launching a comprehensive media campaign that highlights the situation in the camp, utilising social media to draw attention to the plight of the people of Jenin camp and hosting conferences, seminars and cultural events focused on Jenin camp to engage academics, artists and intellectuals in advocating for global awareness.

Moreover, collaborating with international NGOs, especially those focusing on human rights and humanitarian issues, will help amplify the voices of the people in Jenin refugee camp and coordinate effective advocacy efforts. Encouraging academic research and publications on the situation in Jenin will provide credible information and insights for policymakers and the international community.

Furthermore, there should be a mobilisation of humanitarian aid and support for the affected population in Jenin camp through partnerships with humanitarian organisations. By implementing these strategies, the international community can play a significant role in addressing the challenges faced by the people in Jenin refugee camp and offering much-needed assistance and support.

### **Humanitarian and Infrastructure Support**

By implementing certain measures, material and technical support can be effectively provided to aid the affected population in Jenin camp, helping them recover and rebuild their lives in the aftermath of the violence and displacement. These measures could be delivering emergency humanitarian aid, such as food, clean water, medical supplies and shelter, to meet the immediate needs of the affected population. Additionally, setting up mobile medical clinics or reinforcing existing health facilities can provide medical care and treatment for the injured and traumatised individuals. Establishing psychosocial support programmes will also help survivors cope with the psychological impact of the violence.

Furthermore, resources may be allocated to repair damaged homes, roads and other civilian infrastructure to restore basic services and living conditions. Initiatives to rebuild and equip damaged schools, provide educational materials and support teachers will help children affected by violence resume their educational activities. Establishing child protection programmes is vital to safeguard children's rights and ensure their well-being during the crisis. Lastly, working with relevant authorities to enhance security measures for civilians will provide them with the necessary protection and safety.

### **International Accountability**

The Israeli occupying forces' crimes in Jenin camp demonstrate a blatant disregard for international law and human rights standards, leading to grave consequences for the civilian population. The international community must ensure legal accountability and pursue justice for

the victims of these violations. The United Nations General Assembly may instruct the Secretary-General to provide a detailed report on the recent Israeli violations in Jenin camp and other Palestinian cities. This report will rely on available resources and information to assess the scale of violations and attacks and their impact on civilian populations. The next crucial step is to call on the Security Council to form a fact-finding team. This team should consist of independent and impartial experts in human rights and international law, who can conduct a comprehensive and reliable investigation. The fact-finding team must make a direct visit to the area concerned with investigation, as information-gathering is crucial to understanding the situation on the ground and its impact on civilian populations in Jenin camp. This visit will enable obtaining live and accurate information and directly monitoring the situation.

In the current context of international accountability mechanisms, these facts will be valuable for the ongoing investigations in Palestine by the International Criminal Court and the United Nations' Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel. Additionally, states should support these independent international mechanisms to hold Israeli authorities accountable for their international crimes committed against Palestinians. Each state, within their jurisdiction, should conduct investigations, pursue accountability and hand over perpetrators of these crimes to the International Criminal Court. Moreover, the Prosecutor of the International Criminal Court should issue a statement on the systematic and widespread attack against the Palestinian people and should conduct a visit to Palestine as part of the ongoing investigation.

### **Call for an Independent International Investigation**

To the alarming situation in Jenin, civil society calls for an independent international investigation to thoroughly verify the facts and hold those responsible accountable for their actions. The severity of the violations and potential war crimes demands an impartial examination to ensure justice for Palestinians. This call could be achieved with more engagement from international organisations, such as Amnesty International, Human Rights Watch and the International Commission of Jurists, to advocate for their involvement in calling for and supporting an independent investigation. In addition, it is necessary to lobby governments and promote diplomatic channels to take a stance on the matter and advocate for an independent investigation at the United Nations and other relevant international forums, as the diplomatic efforts can pressure the international community to support the investigation. Furthermore, social media must be utilised and press releases issued to raise awareness about the situation in Jenin refugee camp and the need for an independent investigation, engaging journalists and media outlets to cover the issue extensively.

### **The Role of International NGOs in Jenin Refugee Camp**

One of the essential roles of international NGOs in Jenin is advocating for human rights and international law. By documenting and exposing human rights violations and the impact of the aggression on civilians, NGOs can raise awareness amongst the global community. Their



comprehensive reports and documentation are instrumental in pressuring governments and international organisations to take action and implement mechanisms for accountability. With a wider and more sustained presence, international NGOs can amplify their advocacy efforts, ensuring that the world remains aware of the ongoing situation in Palestine.

International NGOs play a crucial role in providing humanitarian aid to Palestinians affected by Israeli aggression. The presence of these organisations on the ground allows them to directly assess the needs of affected communities and provide timely and targeted assistance. Expanding their role would enable NGOs to tackle the root causes of suffering and help build sustainable solutions for vulnerable populations. By adopting a broader sphere, these organisations can tackle long-term issues, such as access to education, healthcare and livelihoods, fostering resilience and stability.

Expanding the scope of international NGOs in Jenin camp would allow them to focus on supporting local grassroots' initiatives. These local initiatives often have a deeper understanding of the needs and realities on the ground. By empowering and collaborating with local organisations and communities, international NGOs can foster sustainable development. The combined efforts of local and international actors can create a more robust and holistic approach to addressing the underlying issues of the conflict.

Finally, there is a need for shifting the role of NGOs from solely providing humanitarian aid to actively seeking ways to end the occupation in Palestine. While humanitarian aid is essential for immediate relief, addressing the occupation's root causes is equally important for lasting peace and upholding human rights. By focusing on ending the occupation, NGOs can promote sustainable change, hold violators accountable, empower Palestinian voices and advocate for a just resolution. This transformative approach allows them to champion human rights and influence international policy, playing a vital role in achieving a comprehensive and equitable resolution to the occupation.

## **Conclusion:**

The aggressions on Jenin camp during June and July 2023 are grave breaches of international humanitarian law and human rights, resulting in the highest violation toll in the occupied West Bank in decades. The deliberate killings, indiscriminate targeting of civilians, arbitrary arrests and forced displacement caused immense suffering and devastation to the population and infrastructure in the region. The situation in Jenin camp demands urgent attention and accountability from the international community.

This policy paper highlights the urgent need to shift the role of NGOs from solely providing humanitarian aid to actively seeking ways to end the occupation in Palestine. While humanitarian aid is essential for alleviating immediate suffering, addressing the root causes of the occupation is equally important for lasting peace and upholding human rights. By focusing on ending the occupation, NGOs can champion human rights, influence international policy and play a vital role in achieving a comprehensive and equitable resolution to the occupation.

To address the situation in Jenin camp, this paper proposes a multi-faceted approach, including calling for an independent international investigation to hold those responsible accountable, raising global awareness and the international community's support to provide aid and solidarity and advocating for international accountability to ensure justice and equity. Moreover, the role of international NGOs in Jenin camp is pivotal, as they can document violations, provide humanitarian assistance and support local grassroots' initiatives, empowering local communities and fostering sustainable development.

In conclusion, the Israeli occupation's actions in Jenin camp during June 2023 constitute grave violations of international law and human rights. The global community must take decisive action to address the crisis. By shifting the focus of NGOs towards ending the occupation, supporting the affected population and promoting accountability, we can strive for a future where peace, justice and respect for human rights prevail in the region. It is now time to shift our approach from addressing the consequences of the occupation to addressing its root cause, namely, actively working to bring an end to the occupation. It is no longer enough to work as an *ad hoc*, but we must work to implement radical solutions.

## Recommendations

The following recommendations can be provided regarding many aspects mentioned in this paper. These recommendations include the levels of NGOs, youths and local institutions in Jenin refugee camp, as follows:

- **Expanding the role of local and international NGOs**
  - Call for an Independent International Investigation on the aggression in Jenin refugee camp.
  - NGOs should work on raising global awareness to gain international community support.
  - International stakeholders should support Jenin camp with humanitarian and infrastructure needs.
  - All efforts from national and international NGOs should focus more on holding Israel accountable.
  - To rethink the role of international NGOs in Jenin camp to expand it from an ad hoc to a more comprehended role in order to end the occupation.
  - International NGOs may establish venues and centres for their institutions to engage more with the reality on the ground.
  
- **Support the employees in institutions offering psychological and social support services in Jenin refugee camp:**
  - Conduct a comprehensive assessment of employees' needs within institutions providing psychological and social support services. This assessment could include surveys and workshops to understand the challenges they face and their personal and professional requirements.

- Develop training programmes based on the assessment's results in order to enhance employees' skills in dealing with work pressures and providing support to beneficiaries. These programmes can include techniques for social interaction, stress management and the promotion of professional sustainability.
- Provide psychological well-being in order to enhance the employees' psychological well-being through individual or group consultation sessions and address their psychological challenges and concerns.
- Promote social interaction by organising social events and workshops that encourage interaction amongst employees, fostering team spirit and mutual support.
- Raise awareness on self-care by encouraging employees to develop self-care skills and emotional resilience through workshops and awareness-raising sessions.
- **Support youths' work in Jenin refugee camp, particularly youth working in documentation and mentoring**
  - Integrate community members in monitoring and documentation efforts to increase awareness and participation.
  - Provide local awareness workshops on the importance of monitoring and documenting violations and their positive impact.
  - Connect youth with human rights organisations and international media outlets to publish reports and news about violations in Jenin refugee camp.
  - Organise international workshops to exchange expertise and experiences with other teams working in the same field.
  - Empower Palestinian women in Jenin refugee camp by providing different kind of support, programmes and workshops in different fields based on needs assessments.