



# **The international responsibility of the Zionist regime in the wars in Gaza and Lebanon with emphasis on the Advisory Opinion 2024 of the International Court of Justice**

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## **Abstract**

In recent decades, the Zionist regime's repeated wars against the Gaza Strip and Lebanon have become one of the most challenging humanitarian and legal crises in the international arena. This article, with an analytical approach, examines the legal and humanitarian dimensions of these conflicts and analyzes the widespread violations of the Israeli regime against the fundamental principles of international humanitarian law and human rights. Israel's actions, including the bombing of civilian infrastructure, the disproportionate use of force, the economic blockade, the violation of the ceasefire, and the prevention of the delivery of humanitarian aid, are in clear conflict with principles such as the principles of distinction, proportionality, and precaution. In addition, the long-term occupation of Palestinian territories and attempts to annex them are considered a violation of the right to self-determination and the prohibition of the acquisition of territory by force.

The article, citing Advisory Opinion 2024 of the International Court of Justice, introduces Israel's actions as continuous and illegal violations that must be immediately ended. The study also examines the international responsibility of states and armed non-state groups, the role of international institutions such as the International Criminal Court, and the challenges of implementation in achieving justice. In addition, the rights of Palestinian prisoners, the systematic destruction of civilian property, and the humanitarian consequences of forced migration and displacement are also examined. Finally, the article emphasizes the need for structural reform of international judicial institutions, strengthening binding mechanisms, and developing efficient mechanisms to deal with increasing violations. Only by strengthening legal accountability, impartial monitoring, and upholding international principles can lasting peace, effective justice, and human dignity be achieved in the region.

**Keywords:** Zionist regime; International humanitarian law; War crimes; Ceasefire agreement.

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## Introduction

The ongoing military conflicts between the Zionist regime and Palestinian resistance groups in the Gaza Strip, as well as the complex confrontations between this regime and the Lebanese Hezbollah, have a long and deep-rooted history that dates back to decades of occupation of Palestinian lands, the imposition of severe sieges, and political and military conflicts. These conflicts have continued in the form of a series of military operations and regional wars, including the 34-day war in Lebanon in 2006, Operation Cast Lead in 2008, and Operation Hard Rock in Gaza in 2014. This cycle of violence has raised serious concerns among the international community regarding compliance with the principles of international humanitarian law, human rights, and laws related to the protection of civilians (Shariati, 2020).

Over the years, the Israeli regime has repeatedly been accused of committing acts that, within the framework of international law, can be considered war crimes and even crimes against humanity. Examples include deliberate killings, destruction of infrastructure, forced expulsions and transfers of the population, severe deprivation of fundamental freedoms, torture, and racial discrimination (Seddiqi, 2019).

The recent Gaza war in 2023 and 2024, which began with a massive Hamas attack on Israel, marked a new chapter in the humanitarian and legal crisis. During this war, thousands of Palestinian civilians were killed or injured, hospitals, schools, aid centers, and vital infrastructure were destroyed, and the Gaza Strip became practically uninhabitable (Alavi, 2014). Israel's widespread use of heavy bombs in densely populated areas, its complete blockade of the Gaza Strip, and its prevention of humanitarian aid from entering were met with widespread global condemnation. International and human rights law scholars have emphasized that these actions could constitute a clear violation of the fundamental principles of humanitarian law (Kashani, 2019).

Among these principles are the principle of distinction (separation between military and civilian targets), proportionality (proportionality between the expected military benefit and the harm caused to civilians), military necessity, and precaution in the attack (Karimpour, 2018). The UN Independent Commission of Inquiry announced in a report in June 2024 that Israeli forces may have committed war crimes on numerous occasions, and in some instances, their actions may also constitute crimes against humanity. Given the volume, severity, and repeated pattern of these actions, a legal examination of Israel's behavior in recent wars is of vital importance not only for explaining the international responsibility of this state, but also for preventing the recurrence of similar tragedies in the future. This article, focusing on the recent wars in Gaza and Lebanon, examines these actions in light of the rules of international humanitarian law and international human rights law.

**Assessing the Legality of the Occupying Power's Presence in the Occupied Palestinian Territories: The International Court of Justice's Approach**

The legality of the presence of an occupying power in an occupied territory must be assessed within the framework of a set of international legal rules. According to the Advisory Opinion of the International Court of Justice, military occupation is defined as the exercise of effective control by a State over a foreign territory (paragraphs 91-92) (Sedqi, 2019). This effective

control, although a necessary condition for the presence of an occupier, is by no means a sufficient condition; it must be consistent with key rules of international law, in particular the prohibition of the use of force, the prohibition of the acquisition of territory by force, and the right of peoples to self-determination (Shariati, 2020).

The prolongation of the occupation, especially when policies such as annexation of occupied territories are pursued, can affect the legal legitimacy of the continuation of this presence. Israel's official and unofficial policy of annexing large parts of the West Bank and East Jerusalem has been repeatedly cited by the Court as an example of actions that violate the prohibition on the use of force and the acquisition of territory by force (paragraphs 173 and 179) (Kashani, 1400). Thus, Israel's attempt to consolidate its control through annexation is not only contrary to the Charter of the United Nations, but also a violation of fundamental principles of international law. Some scholars emphasize that Israel's actions may be justified under the pretext of self-defense under the Charter of the United Nations, while others believe that the principle of proportionality in international law has been violated (Mansour, 1403). However, a striking point in the Court's analysis is the merging of two independent and related rules, namely the prohibition on the use of force and the prohibition on the acquisition of territory by force, in such a way that the importance of the latter rule is diminished compared to the former. Furthermore, the Court never clearly specifies which institution or entity is specifically protected by Article 2(4) of the Charter; That is, is this support against the existing Palestinian state or the Palestinian state in the process of formation, or is it support for the Palestinian people in general? This ambiguity and conservatism of the Court in explicitly declaring the status of the Palestinian state has caused the analyses in this field to remain ambiguous (Seddiqi, 2019).

In the field of human rights violations and discrimination, the Court considers Israel's actions to be discriminatory. This discrimination has emerged in the form of numerous policies and measures such as restrictions on movement, destruction of property, deprivation of fundamental rights, and discriminatory differences between Israeli settlers and Palestinians (paragraph 223) (Karimpour, 2019). The Court considers this discriminatory behavior to be a violation of several articles of the Human Rights Covenants and the Convention on the Elimination of All Forms of Racial Discrimination. However, the Court has refrained from using the term "apartheid", and this is due to the need to maintain internal consensus among the judges. Nevertheless, the Court states that Israel's policies have led to the creation of a relatively complete separation between the two communities (paragraph 229). Another important focus of the Advisory Opinion is the examination of the right of the Palestinian people to self-determination. Relying on its previous decisions, the Court emphasizes that Israeli policies, including settlement construction, forced displacement, and deprivation of resources, violate the right of the Palestinian people to self-determination (para. 237) (Shariati, 2020). This right, along with the prohibition of acquiring land by force, is a fundamental principle of international law that must be upheld. The Court has carefully avoided declaring the existence of the State of Palestine as a legal reality in order to avoid its political and legal complexities. A key development occurs in the final sections of the Advisory Opinion, where the Court goes beyond a mere analysis of violations of international law during the occupation and identifies the occupation of Palestinian territories as an internationally wrongful act that must end immediately. This approach was met with opposition from some judges, but the Court rightly emphasizes that the legality of military occupation is not determined on the basis of international humanitarian law alone, but must be assessed in light of broader rules of

international law such as the prohibition of the use of force and the right to self-determination (paragraph 251) (Kashani, 1400).

As a result, the Court reaffirms the violation of the prohibition of land acquisition by force by Israel, including through annexation policies, and confirms the illegality of Israel's continued presence in the occupied Palestinian territories (paras. 252-257). The Court believes that Israel's continued abuse of its occupation position, by creating field changes and distorting the rights of the Palestinian people, completely negates the legal legitimacy of its presence (Sedqi, 2019).

As a strategic legal document, this advisory opinion once again highlights the importance of respecting international rules, the right to self-determination and the prohibition of the use of force in complex disputes such as the occupation of Palestinian territories, and emphasizes the need to end the illegal occupation. An examination of the provisions and legal implications of the 2024 Advisory Opinion of the International Court of Justice, despite its emphasis on the continuity of previous practices, is a step forward in analyzing the legal status of the occupation of the West Bank. Referring to Israel's continuous and widespread practice of establishing and expanding illegal settlements, the Court explicitly considers these actions to be a clear violation of Article 49 of the Fourth Geneva Convention (Karimpour, 2018).

Within the framework of international law, monitoring institutions such as the United Nations and the International Court of Justice play an important role in monitoring and evaluating these violations. Based on international approaches, these institutions can lay the groundwork for the accountability of states and groups involved in the war through independent investigation and evaluation (Kashani, 2019). In other words, these policies, which began in 1980 with the official annexation of East Jerusalem, represent a clear attempt to gradually annex the occupied territories to Israel. This process not only violates the fundamental rights of the Palestinian people but also severely limits their right to self-determination (Shariati, 2020).

The main point of difference between the majority of judges and the dissenting minority in the Court is whether the current Israeli occupation constitutes a continuing violation requiring an immediate end. The majority of the Court, by a vote of 11 to 4, emphasizes the necessity of ending the occupation; a vote that demonstrates a strong will to uphold the legal obligations of the occupying power and third countries. Furthermore, the Court reiterates its previous positions on the continuation of Israel's legal responsibilities even after the apparent withdrawal from the Gaza Strip, and clarifies that Israel's military and control hegemony continues to give rise to the application of the rules of military occupation (Seddiqi, 2019).

Another noteworthy point is the Court's emphasis on the applicability of human rights rules beyond territorial borders in situations of occupation; that is, Israel is responsible for implementing international human rights treaties in the occupied territories. Although the Court does not enter into the technical details of the concept of "jurisdiction," this emphasis can serve as a basis for broader discussions on the scope of the legal responsibilities of the occupier (Shariati, 2020).

The Court also specifically examines the situation of long-term occupation, stating that the duration of the occupation does not in itself change its legal status, but can be evidence of a violation of other rules of international law, including the lack of intention to end the occupation and attempts at annexation and demographic changes (Kashani, 1400).

Israel, citing Hezbollah missile attacks from Lebanese territory, launches military operations and claims the right to self-defense. However, this claim faces serious challenges in legal and international circles, because Article 51 of the UN Charter makes the right to self-defense subject to compliance with specific rules and emphasizes the need for proportionality, limitation, and respect for the rights of civilians (Rahimi, 1401).

The principle of proportionality means that the harm inflicted on civilians should not exceed what is necessary to achieve the military objective. This principle clearly sets limits on the use of force, and the use of force should only be in response to a genuine armed attack and in a proportionate manner. In addition, international humanitarian law emphasizes that measures must be taken to prevent unnecessary harm to civilians in military operations. In this context, there has been much criticism of Israel's aggression, some of which consider its actions to increase the suffering of civilians and exacerbate the humanitarian crisis in Lebanon and the region. For this reason, some jurists and experts believe that the legitimacy of Israel's right to self-defense in such circumstances should be carefully assessed and in the context of full compliance with international rules (Rahimi, 1401). Consequently, Israel's military aggression against Lebanon cannot be examined solely from the perspective of self-defense, but must be analyzed in the broader context of international law, human rights, and humanitarian and regional consequences. On the other hand, the United Nations and related institutions have always emphasized the need to preserve the sovereignty, territorial integrity, and political independence of countries and have called on the parties to the conflict to respect the principles of international law.

#### Legal Aspects of the 2024 Advisory Opinion

In line with the approach adopted by the International Court of Justice in its 2004 Advisory Opinion on the Separation Wall, the 2024 Advisory Opinion also emphasizes that Israel's ongoing and widespread actions to establish and expand illegal settlements in the West Bank are clearly contrary to Article 49 of the Fourth Geneva Convention (Sedqi, 2019). The Court analyzes the two-decade process of these actions, which began in 1980 with the formal annexation of East Jerusalem, as a continuous attempt to gradually annex these areas to Israeli territory.

The Court, emphasizing that these policies have severely impeded the realization of the right of the Palestinian people to self-determination, considers them a clear violation of Israel's fundamental obligations under international law. As stated in the 2004 Advisory Opinion, "the pursuit of such an objective seriously impedes the exercise of the right of the Palestinian people to self-determination" (para. 122). This issue is reiterated in a more explicit form in the new advisory opinion. The most important point of disagreement between the majority and minority judges of the Court is whether the Israeli occupation, as a "continuous wrongful act," should be ended immediately. The majority of judges, by a vote of 11 to 4, emphasized the need to end the occupation; a vote that, although not complete consensus, represents a serious change in approach in international law (Kashani, 2011). From the Court's perspective, many of Israel's policies and actions in the occupied territories clearly violate fundamental rules of international humanitarian law and international human rights law. Although detailed sections of the opinion repeat some previous positions, key new points have also been raised.

First, the Court clarifies that despite Israel's announcement of a "unilateral withdrawal" from the Gaza Strip in 2005, the area remains under occupation and Israel's legal responsibilities

remain intact due to its maintenance of military dominance and comprehensive control (Shariati, 2020).

Secondly, the Court has reaffirmed the extraterritoriality of human rights rules and has recognized treaties such as the Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights, and the Convention on the Elimination of All Forms of Racial Discrimination as applicable to occupied territories. However, the Court has been conservative in its precise interpretation of the concept of “jurisdiction” in these treaties, which can lead to diverse interpretations (Karimpour, 2018).

The third innovative point in this theory is the examination of the concept of “prolonged occupation”. The Court emphasizes that the mere duration of an occupation does not change its legal status, but the continuation of occupation may be an indication of a violation of other international rules, including a lack of intention to end the occupation and the pursuit of policies such as territorial annexation and demographic changes that have profound legal consequences (Kashani, 2011).

In sum, the Court’s 2024 Advisory Opinion, beyond reiterating the principles of international law, has explicitly recognized the responsibility of the occupying State and the duties of third States. This transformative approach reflects a desire to make legal obligations binding, which will be discussed further.

#### Legal and Humanitarian Analysis of the Zionist Regime’s Invasion of Lebanon

Since the beginning of the recent Israeli invasion of Lebanon and in the light of the ongoing conflicts in Gaza, a serious threat to the security and lives of civilians in the region has emerged; a threat that has not only been crystallized in direct battles with Hezbollah, but has also increased the risk of a full-scale regional war. The United Nations in 2024 has continuously investigated human rights violations in these conflicts and has published reports on attacks on civilians and civilian infrastructure (Youssef, 2024, p. 156).

In this context, a key question has arisen around the legal legitimacy of Israel’s military operations and the norms of international law, particularly the principle of self-defense. Israel argues that Hezbollah’s rocket attacks from Lebanese territory recognize its right to self-defense, but this claim has been widely criticized and opposed internationally. Hugh Lowat, a leading international law expert at the European Council on Foreign Relations, has noted: “The main debate is about legal priority; does Israel’s right to defend its territorial integrity take precedence over Lebanon’s right to sovereignty over its territory?” (Lowat, 2024). The concept of self-defense in international law has precise limitations, especially when actions purporting to be defensive are disproportionate to the primary threat or do not prioritize the protection of civilians. The UN Charter, especially Article 51, recognizes the right to self-defense as conditional and limited to actual armed attacks and obliges states to fully comply with the rules of international humanitarian law and the Geneva Conventions (Mahmoudi, 2022, p. 134). Judge Kai Ambos, a professor of law at the University of Göttingen and an expert on the International Criminal Court, believes that “the right to self-defense exists, but it is subject to conditions and criteria and cannot be exercised without limits. Determining the legitimacy of an Israeli invasion is a complex issue and the subject of multiple interpretations that usually must be resolved by international institutions; but these authorities rarely intervene and the proceedings usually do not reach a definitive conclusion” (Ambos, 2024). From the perspective of international law, Article 2, paragraph 4, of the UN Charter prohibits the use of force or the threat of force and

emphasizes respect for the sovereignty and territorial integrity of states. Article 51 also recognizes the right to self-defense against armed attacks. Lebanon, as an independent state, has full sovereignty over its territory, and Israel has launched military operations aimed at confronting Hezbollah, an armed group based inside Lebanon.

The issue of the legitimacy of military actions in the region, within the framework of international law, is multifaceted and highly controversial. This dispute is not limited to Lebanon and Hezbollah, but also has broader dimensions in relation to Gaza and the Palestinian issue. One of the important issues is the issue of international responsibility, which obliges not only states but also non-state armed groups to be accountable for violations of international law, especially humanitarian law (Mahmoudi, 2022, p. 134).

Hamas's military actions, especially after the October 7 operation, are justified by the group as self-defense, citing resistance to the occupation and repeated violations of Palestinian rights; while the Zionist regime condemns it as terrorism. This difference in interpretation has also been reflected at the international level; some countries consider Hamas's right to resistance legitimate, while others consider any armed action against Israel to be a violation of international law. The dire humanitarian situation in Gaza, with its high civilian casualties, economic blockade, and restricted access to vital resources, has become a benchmark for assessing the effectiveness of the international order in dealing with humanitarian crises. Human rights reports have shown that some Israeli attacks, especially in recent years, have violated the principles of international law and that the harm inflicted on civilians has exceeded the norm (International Human Rights in War, 2023, p. 85). In Lebanon and Palestine, the issue of self-defense has become a point of intersection between geopolitical interests, human rights considerations, and the limitations of international law; an intersection that requires a profound review of the structures of the international security and legal order in order to find a just and sustainable solution. Some international law experts justify Israel's military operations in the context of self-defense, arguing that Hezbollah used Lebanese soil against Israel and that the Lebanese government failed to respond effectively. However, the fighting has resulted in widespread civilian and military casualties on both sides and displaced more than 150,000 people in Lebanon and the occupied territories.

Israeli law professors Amichai Cohen and Yuval Shani, in an article for the Liber Institute for Law and War, argue that Israel has the right to self-defense against Hezbollah and even the right to conduct operations against the Lebanese government. Shani, in a letter to the New York Times, compared this position to the actions of the United States against ISIS and al-Qaeda in other countries. However, Israel's interpretation of the right to self-defense has faced serious international opposition.

In 2006, after the month-long Israeli-Lebanese war, the UN Security Council issued a resolution prohibiting the entry of foreign forces into Lebanon without the consent of the central government. The resolution also required Hezbollah to leave the buffer zone in southern Lebanon, but Hezbollah has refused to fulfill this obligation, and UN peacekeeping forces have also been unable to stop the group's rocket attacks. UN reports indicate that the organization's peacekeeping offices near the Lebanese border have been targeted (Dawlatkhah, 2023, p. 211).

From a humanitarian law perspective, regardless of the legitimacy or otherwise of military operations, all parties to the conflict have an obligation to protect civilians. Yale University Professor of International Law, Oona Hathaway, considers the deliberate targeting of civilians to be an act of coercion and unlawful. UN reports have shown that over 1,500 people in Lebanon

have lost their lives as a result of Israeli military operations in two weeks, and Human Rights Watch has reported the deaths of hundreds of civilians in a single day in September (Karimi, 2022, p. 180). The humanitarian crisis resulting from the displacement of nearly one million people in Lebanon has raised concerns about its synergy with the difficult situation in Gaza. International humanitarian law, including the Geneva Conventions, requires military forces to give civilians adequate warning before attacks. Although Israel has announced evacuations in some areas of southern Lebanon, the failure to provide safe passage and the presence of large numbers of refugees have seriously hampered the evacuation process. According to the United Nations, more than 250,000 people have fled Lebanon to Syria, a country still reeling from the consequences of a civil war. Implementing the international laws of war in the current context, where different countries disagree on the definition of war crimes, seems difficult and sometimes impossible. Military developments and new technologies such as drones and combat robots have also changed the rules in this area (Karimi, 2022, p. 99).

The International Court of Justice has made it possible for countries accused of violating international treaties, including genocide, to be prosecuted. Judge Ambus emphasizes that if the case of the Lebanese military operation is referred to this court, Israel may defy the execution of the rulings, which could be referred to the Security Council. The UN General Assembly may also issue resolutions, but it lacks the binding authority to take effective action unless its members request it.

The fundamental question is, what institution can prevent Israel's military advance? Ambus believes that the ineffectiveness of international institutions does not mean that international law is worthless, because these laws have set moral standards for the protection of civilians and states cannot violate them (Karim, 2023, p. 88).

However, the lack of binding mechanisms and weak enforcement of the law have allowed some powerful actors, including Israel, to continue to take drastic military action without fear of punishment. This shows that the existence of laws is not enough and that without practical mechanisms for monitoring and punishment, international law is practically incapable of maintaining peace and preventing chaos.

#### International Responsibility for Violations of the Laws of War

One of the most important and complex issues of international law in the field of armed conflict is the issue of international responsibility. International responsibility is defined as the obligation and obligation of States and armed groups to be accountable for violations of international law, in particular the humanitarian laws of war and human rights. This responsibility is the basis for maintaining the international legal order and ensuring respect for human dignity in critical situations of war.

According to modern legal theories and judicial practices, international responsibility is not limited to states, but non-state armed groups can also be considered responsible parties. This legal development is a response to the complex realities of contemporary conflicts, which are no longer limited to confrontations between states, and non-state actors, including rebel groups, resistance movements or terrorist organizations, play an active and decisive role in armed conflicts (Mahmoudi, 2022, p. 134). In this context, international judicial institutions, especially the International Court of Justice (ICJ) and the International Criminal Court (ICC), play a key and irreplaceable role in determining responsibilities and administering justice. As the highest international judicial authority, the International Court of Justice issues opinions and advisory



opinions in cases of disputes between states and in examining widespread violations of international law. In contrast, the International Criminal Court, focusing on prosecuting war crimes, crimes against humanity, and genocide, seeks to bring international criminals to justice and prevent their possible impunity (Karim, 2023, p. 88).

The recent wars between Lebanon and Israel are a prime example of the complex situation of international responsibility. In these conflicts, numerous cases of human rights and humanitarian law violations have been documented, indicating the possibility of legal responsibilities for the parties involved. These violations have included intentional or indirect attacks on civilians, the use of prohibited or inhumane weapons, and the widespread destruction of civilian infrastructure such as hospitals, schools, and vital facilities (Dawlatkhah, 2023, p. 211).

Furthermore, the importance of the role of the International Criminal Court in investigating and prosecuting these violations has become increasingly clear. The Court, through its judicial mechanisms, can investigate allegations of war crimes and, by prosecuting individuals and groups responsible, help to establish accountability and prevent the recurrence of such violations. However, numerous challenges, such as political obstacles, lack of cooperation from States, and judicial restrictions on the enforcement of judgments, complicate the process of seeking justice (Ambus, 2024).

In particular, in conflicts such as the Lebanon-Israel conflict, accurately identifying the responsibility of non-state armed groups and determining instances of violations of international law requires extensive and impartial investigations, in which international organizations and human rights institutions play a key role. Also, emphasizing compliance with the principles of humanitarian law, such as the principles of distinction, proportionality, and the prevention of unnecessary collateral damage, is crucial to reducing harm to civilians (International Human Rights in War, 2023).

Finally, the issue of international responsibility has broad dimensions not only at the legal and judicial level but also at the level of international politics. States and international organizations should work to ensure the effective implementation of international law, establish stronger monitoring mechanisms, and strengthen judicial cooperation to prevent the recurrence of violations and provide justice for victims. Lack of accountability, especially in complex and multi-sided conflicts, can lead to an escalation of violence and the weakening of the international legal order.

#### Violations of the Ceasefire Agreement by the Zionist Regime

Ceasefire agreements are of great importance in armed conflicts as a key tool for reducing violence and providing an opportunity for political solutions. However, in the conflict between the Zionist Regime and the Islamic Resistance Movement Hamas, Israel's repeated violations of these agreements have severely affected the peace and stability process. Since the implementation of the last ceasefire agreement on January 9, 2025, the Israeli regime has committed more than 960 violations of this agreement in 42 days, including various military operations, including shooting, ground assaults, aerial bombardment, and siege. These actions have resulted in the martyrdom of 98 Palestinians and the injury of more than 490 people.

(1Violations of political commitments and the negotiation process

One of the important aspects of these violations is the Zionist Regime's delay and disregard for the implementation of political commitments related to the second phase of the ceasefire negotiations. Despite the initial agreement to start this phase on time, Israel has deliberately delayed and attempted to impose a new framework that is inconsistent with the previous provisions. This approach has raised serious doubts about the regime's true will to advance the peace process and has severely reduced trust between the parties.

#### (2) Violation of the rights of Palestinian prisoners

The issue of the release of prisoners is another area of violation of the agreement. The Israeli regime has repeatedly delayed the release of more than 600 Palestinian prisoners and has even forced the released prisoners to wear clothing with derogatory and racist language. Furthermore, it has not announced the full list of Palestinian prisoners and has only published the names of 2,400. Reports indicate that physical and psychological violence against Palestinian prisoners continues even in the hours leading up to their release, which is a serious violation of human rights.

#### (3) Military aggression and violation of designated boundaries

In the operational arena, the Israeli regime has been illegally infiltrating the designated lines of retreat and advance in sensitive areas, especially the Philadelphia axis, shooting at civilians and causing widespread destruction of residential and agricultural infrastructure on a daily basis. These actions include missile attacks, aerial bombardment, and military presence on the main streets of cities such as Salah al-Din and Harun al-Rashid. Preventing refugees from returning to their homes and targeting fishing boats in the coastal waters of the Gaza Strip are also examples of ceasefire violations. In Lebanon, Israeli airstrikes on civilian areas and violations of designated boundaries have raised widespread concerns under international law.

#### (4) Obstruction of aid and reconstruction

One of the dimensions of the crisis is the restriction of humanitarian aid and the delay in the reconstruction of the Gaza Strip. The Israeli regime has severely slowed the reconstruction process by preventing the import of fuel, construction materials, medical and relief equipment. For example, despite existing commitments, only 978 fuel trucks have entered Gaza in 42 days, representing only 46.5 percent progress, and this figure has decreased to less than 10 trucks per day in recent weeks. The ban on the import of ambulances, hospital equipment and bank liquidity has also made the humanitarian situation in Gaza critical and unbearable (Yousef, 2023, p. 161).

#### (5) Legal and international consequences of ceasefire violations

This series of violations has not only imposed a heavy humanitarian and security burden on the region, but has also seriously undermined the status of international law and humanitarian treaties. According to international documents and protocols, the parties to the conflict are required to observe principles such as the protection of civilians, ensuring access to humanitarian aid and respecting political agreements. Repeated violations of these principles could result in international responsibilities for the Israeli regime and lead to the issuance of resolutions or judicial action by international organizations such as the International Criminal Court (International Law in Armed Conflict, 2024).

Conclusion:

The recent wars in Gaza and Lebanon are a clear and alarming example of the repeated and systematic violations of international humanitarian and human rights law, the main responsibility for which lies mainly with the Zionist regime. In recent years, this regime, with successive and often escalating actions, has violated the fundamental principles of international law and severely endangered the lives, security and dignity of civilians (Mahmoudi, 2023, p. 214).

In this framework, international institutions, including the International Court of Justice and the International Criminal Court, play a pivotal role in pursuing and responding to human rights violations (Karim, 2022, p. 179). However, recent experiences have shown that some of these institutions have faced challenges such as political bias and unilateral judgments that have prevented fair and comprehensive handling of cases (Soleimani, 2024, p. 95). Such issues have not only affected the credibility and legitimacy of these institutions, but also reduced their practical ability to ensure justice and effective accountability.

For this reason, structural reform and strengthening of international judicial mechanisms are necessary to ensure impartial and effective administration of justice by increasing independence, transparency, and diplomatic cooperation between countries (Sharifi, 2023, p. 112). Respect for the rules and principles of international law and ensuring accountability of all parties is the fundamental key to achieving sustainable stability and security at the regional and global levels (Hashemi, 2022, p. 88).

Furthermore, to effectively address violations of international law, it is crucial to develop and implement deterrent and punitive laws. These laws should be designed and enforced in a way that both prevents the recurrence of violations and ensures accountability without discrimination and justice (Dehghani, 2024, p. 45). Only through such operational and credible mechanisms can we hope to achieve lasting peace, protect human rights, and establish an international legal order (Norouzi, 2023, p. 131).

Ultimately, achieving these goals requires strong political will, global cooperation, and a continued commitment by international institutions and governments to the values of human rights and justice in order to create a safer and more just world for all (Amiri, 2024, p. 67).

## References

- 1 Shariati, Mohammad Reza. (2012). *Human Rights and Armed Conflict*. Tehran: Samt Publications.
2. Sedghi, Ali Asghar. (2019). "Legal Analysis of War Crimes in the Israeli-Palestinian Conflicts". *International Law Quarterly*, Volume 14, Issue 2, pp. 23–45.
3. Alavi, Mehdi. (2018). *International Humanitarian Law and Regional Crises*. Tehran: Noor Publishing.
4. Kashani, Hadi. (2019). "Violation of Fundamental Principles of Human Rights in Armed Conflicts: A Case Study of Gaza". *Journal of International Studies*, Issue 38, pp. 57–76.
5. Karimpour, Naser. (2018). *International Humanitarian Law and the Rules for the Protection of Civilians*. Tehran: University Press.
6. Sedghi, Ali Asghar. (2019). "Legal Analysis of the Occupation and Actions of the Zionist Regime in the Palestinian Territories". *International Law Quarterly*, Volume 14, Issue 2, pp. 45–68.

7. Shariati, Mohammad Reza. (2019). *International Law and Regional Conflicts*. Tehran: Samt Publications.
8. Kashani, Hadi. (1400). "Human Rights Violations and International Law in Occupying Conflicts". *Journal of Human Rights Studies*, No. 15, pp. 75–94.
9. Rahimi, Hossein. (1401). "The Right to Self-Defense in International Law: A Critique of the Claims of the Israeli Regime". *Journal of International Law*, Vol. 16, No. 3, pp. 198–225.
10. Mansour, Seyed Ali. (1403). *Legal Review of Self-Defense and Occupation in Middle East Conflicts*. Tehran: University Press.
11. Ambus, Kai. (2024). *International Law and the Challenges of Armed Conflicts: Analysis of Contemporary Cases*. Göttingen University Press.
12. Dowlatkah, Mehdi. (2023). "Human Rights Violations in the Lebanon-Israel War: International Reports and Legal Analyses". *Journal of International Law Studies*, Volume 45, Issue 2, pp. 205–220.
13. *International Human Rights in the Field of War*. (2023). Tehran: International Law Research Center Publications.
14. Karimi, Sara. (2022). *The Impact of New Technologies on International Humanitarian Law*. Tehran: Law and War Publishing.
15. Karim, Mohammad. (2023). "The Role of the International Criminal Court in Prosecuting War Crimes in the Middle East". *International Justice Journal*, Issue 12, pp. 75–95.
16. Mahmoudi, Reza. (2022). "The International Responsibility of Non-State Armed Groups in Conflicts". *International Law Studies*, Volume 18, Issue 3, pp. 125–140.
17. Yousef, Nasser. (2024). "Human Rights Analysis of the 2024 Lebanon and Gaza Conflicts". *United Nations Annual Report on Human Rights*, pp. 155–170.
18. Lovat, Hugh. (2024). "The Right of Self-Defense and Legal Priorities in Middle East Conflicts". *Journal of the Council on European Foreign Relations*, Vol. 32, No. 1.
19. Cohen, Amichai and Shani, Yuval. (2024). "Israel's Right of Self-Defense and Regional Implications". *Liber Institute for Law and War*, Washington, DC.
20. Janina Dale. (2024). "Legal Assessment of the Use of Weapons in Populated Areas: The Case of the Lebanon-Israel War". *Oxford Institute for Ethics, Law and Armed Conflict*.
21. United Nations. (2006). *Security Council Resolution 1701 on the Lebanon-Israel War*.
22. Youssef, Ahmed. (2023). *Examining the Challenges of Relief and Reconstruction in Gaza*. Tehran: Center for Human Rights Studies.
23. *International Law in Armed Conflict*. (2024). Tehran: University of International Law Press.
24. Dowlatkah, Mehdi. (2023). "Breach of the Ceasefire Agreement in the Palestinian-Israeli Conflict." *Journal of Middle East Studies*, No. 52, pp. 155–170.