

From Solferino to Gaza; From Holocaust to Palocaust

Having established through the occupation of Palestinian territory under the claim of Jewish persecution and displacement in Europe culminating in the Holocaust under Nazi Germany and in pursuit of a Jewish National Home, Israel has now inherited a collection of Palestinian persecution and displacement.

The invocation of the right to resistance by the occupied people of Gaza has escalated war crimes and occupation that Israel initiated against Palestinians in 1948, reaching its peak with a new chapter of atrocity and brutality by the Zionist regime since October 7, 2023.

The crimes of this regime, inter alia, the relentless indiscriminate killing of civilians, famine, and genocide are not limited to Palestinians but the regime has extended her flames of wrath, with U.S. support, to Lebanon, Yemen, Syria, and Iran. What is unfolding in Gaza before the eyes of the world is far more horrific than what Henry Dunant witnessed in the Battle of Solferino, which rendered the establishment of the International Committee of the Red Cross (ICRC).

Gaza's situation recalls Dunant's Solferino Memories: one boy who had been without food for three days and could no longer speak; There was water and food, but even so, men died of hunger and thirst; all night without having taken any nourishment.¹ What is depicted before the world now is a *new* Solferino devoid of humanity.

Gaza's plight today is far more tragic: In three months, over 1,400 people seeking food were killed by the Zionist regime.² Amir, a child, was shot dead after walking 12 km to retrieve a small bag of flour and lentils.³ Imad, a three-and-a-half-year-old boy, was shot while returning from buying; as he reached out for help, another bullet killed him.⁴ Jenan, a four-month-old infant, died in a hospital for lack of a single drop of milk.⁵ These are but a drop in the ocean of bloodshed in Gaza. While some international bodies have taken steps to alleviate Palestinian suffering, global accountability systems must act decisively to prove that no new Henry Dunant or novel structures are needed to address modern atrocities.

¹Henry Dunant, A memory of Solferino, 1949, pages. 41, 58, 71.

²<https://news.un.org/en/story/2023/08/1116002>

³<https://trt.global/world/article/7c892f7cc5ab>

⁴Kids under fire documentary, 2020, available at <https://www.aljazeera.com/video/fault-lines/2023/27/kids-under-fire-2>

⁵ <https://www.reuters.com/business/healthcare-pharmaceuticals/gaza-hunger-crisis-ripples-across-health-sector-israeli-blockade-endures-2025-05-07/>

This imposed **famine**, which is violating of Articles of 23, 50, 55 and 59 of the fourth Geneva Convention and Articles of 54 and 69 Additional Protocol I and Articles 7.1.b and 8.2.b.xxv of ICC Statute, unfolds along a collection of violations of humanitarian law, including **the principle of distinction** (e. g. Articles 1 and 7 of The Customary IHL Rules, Articles 48 and 52 of Additional Protocol I), **proportionality** (e. g. Article 14 of The Customary IHL Rules and Article 51 (5b) of Additional Protocol I), **prohibition of targeting of protected sites** (e. g. Articles 19 and 35-37 of the First Geneva Convention, Articles 18-22 of the Fourth Geneva Convention and Articles 53-56 of Additional Protocol I), **precautionary measures** (e. g. Articles 57 and 58 of Additional Protocol I), **mass killings** (Article 7(a)-(b) of the Rome Statute), **forcible transfer** (Articles 7.1.4 and 8.2.a.vii of ICC Statute) and **genocide** (1948 Genocide Convention).

Once a term confined to history and law books, genocide now unfolds visibly. Israeli Prime Minister Netanyahu's rhetoric, calling Palestinians "bloodthirsty monsters," "children of darkness," "extreme evil," "barbarians," and "Amalek," alongside President Herzog's reference to war against "an entire nation [Palestine]", Defense Minister Gallant's degradation of Palestinians as "human animals," National Security Minister having vowed to "eliminate Palestinians who celebrate," and its Energy Minister pledging to deprive Palestinians of water, electricity, and fuel leave little doubt of such intent. Statements like "Gaza's civilians must leave the world," "erasing the Gaza Strip from the face of the Earth,"[^]"the people should be told that they have two choices; to stay and to starve, or to leave,"[^]"Gaza will become a place where no human being can exist,"[^]and "'poor' women of Gaza... They are all the mothers, sisters or wives of Hamas murderers"[^]further corroborate this.[^]

[^]Nissim Vaturi, Deputy Speaker of the Knesset, Member of the Foreign Affairs and Security Committee, @nissimv, Tweet (2:33 p.m.), 7 October 2023, <https://twitter.com/nissimv/status/171069486609096169>. Translation in "Public Statement: Scholars Warn of Potential Genocide in Gaza", *Opinio Juris*, 18 October 2023, <https://opiniojuris.org/2023/10/18/public-statementscholars-warn-of-potential-genocide-in-gaza>.

[^]Giora Eiland, "A new turning point in the history of the State of Israel. Most people don't understand that", *Fathom*, 7 October 2023, <https://fathomjournal.org/opinion-a-new-turningpoint-in-the-history-of-the-state-of-israel-most-people-dont-understand-that/>

[^]Giora Eiland, "It's time to rip off the Hamas band-aid", *Yedioth Ahronoth*, 12 October 2023, <https://www.ynetnews.com/article/sju3uabba>

[^]Giora Eiland, "Let's not be intimidated by the world", *Yedioth Ahronoth* (print), 19 November 2023, in Bezalel Smotrich, Minister of Finance, Chairman of the Religious Zionist Party, @bezalelsm, Tweet (11:20 a.m.), 19 November 2023, <https://twitter.com/bezalelsm/status/1726198721946480911>

[^]Application Instituting Proceedings Containing a Request for The Indication of Provisional Measures, Application of The Convention on The Prevention and Punishment of The Crime of Genocide in The Gaza Strip (South Africa V. Israel), 29 December 2023, pp. 140-156.

Before South Africa's case against Israel at the ICJ could legally establish genocide, it was already proven for thousands of mothers cradling dead children, thousands of children suffering death by bullets and famine, thousands of fathers amputated returning to ruins, and billions of audiences witnessing these horrors. Regardless of the Court's legal complexities allowing for proving the crime, what media now document is an unmitigated ***Palestinian Holocaust (Palocaust)***. The Holocaust, once a claim, has birthed a real Palocaust; all for the Zionist State's creation.

The perpetuation of Gaza's Solferino and the Palestinian Holocaust (Palocaust) not only wound the people there, but also constitute an injury to the very edifice of human dignity. This has caused a loss of trust in existing international mechanisms. The international community bears a humanitarian imperative: States and multilateral institutions must employ all available means to fulfill their obligations under international humanitarian law, pressuring the Zionist regime - an entity manifestly antithetical to humanity- with the objectives of securing Palestinian dignity and prosecuting war criminals; lest we again hear the cry: **"They deserted us".¹¹**

A Group of International Legal Scholars

¹¹Henry Dunant, A memory of Solferino, 1947, p. 30.