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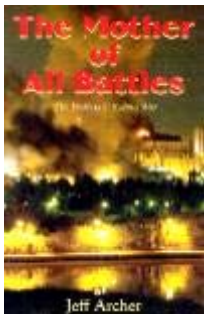
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The new book by Jeff Archer : "The Mother of All Battles: The Endless U.S.-Iraq War"

90 organizations, mainly French, to prosecute Israel for War Crimes

Saed Bannoura - IMEM



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January 14, 2009

Ninety organizations, mainly French, decided to prosecute Israel at the International Court for committing War Crimes against the Palestinian people in the Gaza Strip as the Israeli offensive left more than 1033 Palestinians dead, and over 4580 wounded in its first two weeks.

The French Lamond Newspaper reported that the organizations prosecuting Israel in the International Court are pro-Palestinian and that this step comes as several Arab and international organizations are also moving towards filing lawsuit against Israel for war crimes against the unarmed Palestinian civilians in the Gaza Strip, especially since Israel is using internationally banned weapons in its war such as White Phosphorus.

A French lawyer who phrased the lawsuit said that the eight article of the



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:: Autodeter-
minazione e
resistenza irakena
di Aldo Bernardini,
Ordinario di Diritto
internazionale
all'Università di
Teramo

:: ONU - XX
Assemblea Generale
(1965):
La XX Assemblea
Generale dell'ONU
(1965) dichiara "la
legittimità della lotta
da parte dei popoli
sotto oppressione
coloniale, per
esercitare il loro diritto
all' autodeter-
minazione e
all'indipendenza".
Inoltre, l'Assemblea
invita "tutti gli Stati a
fornire assistenza
morale e materiale ai
movimenti di
liberazione nazionale
nei territori coloniali".

:: ONU - Risoluzione
1514
"L'Assemblea
Generale dichiara che:
la soggezione dei
popoli a dominio
straniero, conquista e
asservimento
costituisce una
negazione dei diritti
umani fondamentali, è
contraria alla Carta
delle Nazioni Unite ed
è un impedimento alla
promozione della
pace e della
cooperazione
mondiali.
Tutti i popoli hanno
diritto all' autodeter-
minazione; in virtù di
tale diritto essi
devono liberamente
determinare il loro
status politico e
liberamente
perseguire il loro
sviluppo economico,
sociale e culturale".

:: Convenzione di
Ginevra, Protocollo
Addizionale I (1977):

Rome Conventions specifies a war crime as "a deliberate act that aims at harming civilians and causing great suffering, harming them physically, destroying their property in a way that cannot be justified".

The lawyer, Jill Devier, said that a country cannot justify its war crimes by saying that it was subjected to missile fire "even if the Palestinian homemade shells fired into Israel also constitute a war crime".

He added that the lawsuit against Israel is well supported by two main legal basis;

1. The inequivalent Israel attack against Gaza, as it includes shelling heavily populated areas. He said that this issue was also raised at the Security Council on December 31.
2. The targets of the Israeli shelling were mainly civilian, as most of the casualties are children and women, and the army also shelled governmental facilities, mosques, sport clubs, and a building which had journalists on its rooftop.

Responding to a question regarding the chances of winning the lawsuit especially since it is prosecuting figures in a country that does not recognize the international court, Devier said that this issue makes the case more difficult but added that several Israeli officials have dual citizenships and could be prosecuted in the countries of their second citizenship.

Another possibility, he added, is that the United Nations can form special courts or the security council can call for a lawsuit against Israel, yet he said that the two options are hard to achieve under the current international situation, most likely referring to the biased US government support to Israel.

The number of Palestinians killed in the ongoing Israeli offensive and illegal war against Gaza exceeded 1000, while at least 4,418 were wounded. Most of the casualties are women, elderly and children.

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