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The Israeli Occupation's Prevention of Retrieving the Bodies of Victims in the Gaza Strip, from under the Rubble warns of a Health catastrophe and the Spread of Diseases

Human Rights and Democracy Media Center- SHAMS, emphasizes that the Israeli decision to prevent the civil defense teams, from pulling out the bodies of the martyrs and searching for survivors, under the rubble of the demolished buildings, is a profound violation of the International Humanitarian Law. The behavior of the Israeli occupation violates the human dignity of the dead and stands as psychological torture of their families as they have no idea about the fate of their relatives, and they stand under a case of waiting accompanied by pain. Article 15 of the Geneva First Convention states: "At all times, and particularly after an engagement, Parties to the conflict shall, without delay, take all possible measures to search for and collect the wounded and sick, to protect them against pillage and ill-treatment, to ensure their adequate care, and to search for the dead and prevent their being despoiled". The same idea was affirmed in Article 16 of the Geneva Fourth Convention, which states: "Each Party to the conflict shall facilitate the steps taken to search for the killed and wounded, to assist the shipwrecked and other persons exposed to grave danger, and to protect them against pillage and ill-treatment". For that, banning the search and rescue of the victims from under the rubble and demolished buildings, is a crime according to the Geneva Convention. Violating the Geneva Convention is considered a war crime in accordance with the Rome Statute- 1998. According to the Palestinian Ministry of Health, there are around 1,500 martyrs and injured, including 830 children, under the rubble. The number is subject to rise at any moment due to the continuation of shelling and bombing the houses and buildings.

SHAMS Center calls upon the necessity to respect the dignity and sanctity of the deceased and with no respect for the value of human life. Such a right was affirmed in Article 17 of the Geneva First Convention, which states: "It is ensured that the parties to the conflict bury the bodies in accordance with each case to the extent that circumstances allow. The burial should be preceded by a careful examination of the body, including a medical examination where possible, to confirm the cause of death and identify the deceased. Bodies should not be cremated except for imperative reasons of public health or due to the deceased person's religious beliefs. In the case of cremation, the reasons and circumstances should be detailed in the death certificate or in a list of the deceased individuals who are officially certified. The parties to the conflict are responsible for ensuring that the deceased are buried with respect and in accordance with their religious customs when possible. Their graves should be respected, grouped by nationality, when possible, properly maintained, and clearly marked for identification at all times". The Second Optional Protocol of the Geneva Convention affirmed the same time, where Article 8 of the



Protocol states: "All possible measures should be taken after any military engagement, to search for wounded, and shipwrecked and sick persons and gather them as long as it is possible. These persons, provided that they continue to refrain from any act of hostility, shall continue to be considered shipwrecked during their rescue until they acquire another status under the Conventions or this Protocol.

SHAMS Center affirms that The continuation of hostile actions carried out by the Israeli occupation army in the Gaza Strip without interruption since the seventh of this month (October 2023), has led to the deaths of thousands of martyrs and the destruction of thousands of homes. In the context of water, electricity, and fuel shortages, and the attack on ambulance crews, civil defense teams, and rescue squads, as well as the use of internationally prohibited lethal weapons and highly destructive thermal missiles, targeting buildings and residential towers without prior warning by the Israeli occupation army, is a stark commitment to criminality and a grave violation of international humanitarian law. These acts of aggression have transformed extensive neighborhoods in the Gaza Strip into devastated areas with piles of residential building debris above their inhabitants' heads. This has resulted in the accumulation of hundreds of bodies beneath the destructive rubble, with the civil defense and rescue teams unable to reach and recover them.

There may also be survivors still under the rubble, inaccessible to rescue teams due to the Israeli occupation army's prevention and shelling. Hundreds of missing individuals, whose fate remains unknown, whether they are alive or deceased, further hinder the rescue teams from reaching these devastated areas. To save the victims and search for bodies and extract them from under the rubble, the matter leads to the deaths of many survivors trapped under the debris, and the decomposition of bodies, posing a significant humanitarian and health disaster. Empowering rescue and civil defense teams and the Palestinian Red Crescent to access the victims and recover bodies from under the rubble requires ensuring that these teams are not targeted by Israeli military aircraft.

SHAMS Center urges the United Nations and its agencies, the International Committee of the Red Cross, and governmental and non-governmental human rights organizations are urged to intervene immediately and exert pressure on the occupying state to allow the Civil Defense teams in the Gaza Strip to recover victims from under the rubble, grant them the freedom of movement and operation to search for the missing and those trapped under the debris of destroyed buildings and ensure the delivery of all necessary logistical equipment to them to carry out their humanitarian work. Any further delay could accelerate the decomposition of bodies, which poses a significant health and environmental catastrophe, potentially leading to the spread of diseases and epidemics