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Statement by International Law Scholars on the Need to Investigate Suspected Violations of International Law and War Crimes

We are scholars of international law at Israeli academic institutions, whose areas of expertise include the law of armed conflict.

Throughout the war, we have approached the competent Israeli authorities on numerous occasions regarding concerns about violations of international law. Among other matters, we raised concerns regarding incitement to international crimes, the destruction of infrastructure without military necessity, disproportionate harm to civilians, and the prevention and delay of humanitarian assistance.

In response to the film “Collateral Damage,” the IDF Spokesperson stated that the allegations raised in the film were unfounded. Like IDF officers, we, too, have not seen the film. However, we believe that, even at this time and irrespective of the film, the appropriate response to the allegations raised throughout the war is an independent and effective investigation that examines the conduct of the war from the perspective of international law as well—including the conduct of senior officials and policymakers. This should be undertaken in addition and parallel to criminal investigations into specific incidents, where warranted. This is the appropriate response as a matter of common sense, Israeli law, and international law alike.

We emphasize that the wholesale dismissal of allegations of violations of the law, in the absence of a professional and objective investigation into the relevant policies and the manner in which they were implemented in practice—and, all the more so, attempts to intimidate those who raise such allegations—do not constitute an appropriate response in a state that respects the rule of law.

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