

LETTER TO THE EDITOR

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A call for the initiation of the forensic humanitarian action in Gaza

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Dear Editor,

The current situation of the war in Gaza has urged me to write this letter to the *Egyptian Journal of Forensic Sciences* on the delayed forensic action to investigate human rights status and the identification of unknown bodies. The major media outlets cited witness statements, from both parties to the conflict, about war crimes. Officials reported that Hamas militants abducted about 239 hostages (DeYoung 2023).

The fourth Geneva Convention is relative to the Protection of Civilian Persons in Time of War. However, it focuses on the protected civilians in occupied territory by the international humanitarian law (IHL) rather than the effects of hostile strategic bombing on civilians (Geneva Convention (IV) on Civilians 1949). The IHL is delegated for the protection of human rights and obliges the different states to prevent, criminalize, and investigate allegations of human rights violations, to present the contributors in front of the international courts, and to identify the victims (Geneva ICRC 2004). The humanitarian activities are granted by the leading humanitarian agency: the International Committee of the Red Cross (ICRC) in Israel, Gaza, and the West bank as well as National societies like: Magen David Adom in Israel and the Palestine Red Crescent Society in Gaza, and the Egyptian Red Crescent Society at Rafah border (Parrin 2023; Clegg 2021).

While the entire world focuses on the urgency for medical and alimentary supplies to Gaza, rapid and sustained forensic humanitarian action is desperately needed as well. During active conflicts, forensic programs should ensure the effective location and recovery of the deceased and the practice of autopsies for the identification of victims, and in the assessment of cases of physical, sexual, and psychological abuse (Cordner and Tidball-Binz 2017). The intervention of forensic practitioners and experts from all forensic disciplines is essential for fulfilling an essential social and ethical function by ensuring the return of dead civilian casualties to their families. The ICRC supports forensic practitioners and their institutions to achieve sustainable best practices (ICRC 2013). However, the actual forensic work by the forensic science unit of the ICRC is carried out only in exceptional circumstances. The ICRC supports and strengthens the medico-legal systems via (1) the provision of forensic science tools, (2) building local and regional forensic capacity, and (3) fostering regional and international cooperation among forensic practitioners and institutions (Gaggioli 2018).

Currently, the ICRC's neutral, impartial, and independent activities are blocked in terms of human suffering alleviation and the protection of dead victims' dignity during these armed conflicts. William Schomburg, the head of the ICRC delegation in Gaza, stated that the conditions in Gaza are not suitable for the humanitarian personnel to work particularly the assistance of medical facilities which is obligatory under international humanitarian law. He also decried the attack on the ICRC convoy (ICRC Statement 2023). Mirjana Spoljaric, the ICRC President, gave a speech at the international humanitarian conference for the people of Gaza held in Paris to urge the States to use their influence to ensure that the

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IHL is fully respected and implemented. She emphasized that the dehumanization of the Palestinian people is unacceptable (Spoljaric 2023).

On the 39th day of the war, hospitals are red zones which can lead to the devastating loss of old and new medical records as reliable sources of antemortem data. ICRC stated that many hospitals became morgues due to a lack of medical supplies and cuts of oxygen lines besides the destruction of infrastructure networks of electricity and water. Non-survivors-families from the national registry exist which complicates the use of DNA-based tests for identifying unknown human remains. There are initiatives from civilian volunteers for identifying, sorting, and burial of human remains that complicate the situation because of the risk of losing evidence (Eliopoulos 2023).

Parallel to this, the National Center of Forensic Medicine in Tel Aviv initiated its own investigation and the scientists from different departments made their efforts to identify the dead casualties (Sieff: The Washington Post 2023). Full capacity of resources for analyses and evidence sources are available according to the different news media portals (Graham-Harrison: The Guardian 2023). As regards the Israeli claims of the presence of hostages in Gaza, it is impossible to provide reparation to the victims or identify them without an orchestrated response for the initiation of the forensic work.

A multidisciplinary team composed of forensic anthropologists, pathologists, archaeologists, odontologists, and geneticists is highly recommended to initiate the investigation. The inclusion of members from both Gaza and Israel or giving access to delegates from both countries to the forensic teams throughout the investigations provides evidence-based results that are acceptable by both parties to the conflict (Eliopoulos 2023). A professional media communication of the findings reported by the official investigation team through press releases and different audiovisual means including video conferences and radios suppresses the rampant propaganda, which will only increase the conflagration of the conflict (Eliopoulos 2023). Given the essential task of maintaining the safety of the forensic personnel and the place of investigations, an immediate restraint on both sides is necessary to avoid heading for a profound humanitarian disaster and endless cycles of violence that endanger the lives of the investigators. The creation of institutional legal frameworks, such as the Official Graves Registration Services and the Information Bureau of Missing People is required to implement the obligations of IHL regarding the management of the dead (Gaggioli 2018). Finally, the protection of the mass graves is crucial for the prevention of unprofessional handling that may lead to the loss of crucial physical evidence and hinder subsequent analysis. (Peerwani 2017).

Abbreviations

ICRC International Committee of the Red Cross
IHL International Humanitarian Law

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References

- Clegg L (2021) The international committee of the red cross and the protection of world war dead. *Forensic Sci Int* 319:110648. <https://doi.org/10.1016/j.forsciint.2020.110648>
- Cordner S, Tidball-Binz M (2017) Humanitarian forensic action. Its origins and future. *Forensic Sci Int*, 279, pp. 65–71. <https://www.elsevier.es/index.php?doi-resolver> <https://doi.org/10.1016/j.forsciint.2017.08.011>
- DeYoung K (2023) Hamas agrees to tentative deal to free dozens of hostages, pending Israel's approval. Available at: <https://www.washingtonpost.com/national-security/2023/11/15/hamas-israel-gaza-hostage-deal/>
- Eliopoulos C (2023) Human rights violations in Ukraine: the need for forensic investigations. *Lancet* 402(10404):P772–773. [https://doi.org/10.1016/S0140-6736\(23\)01372-](https://doi.org/10.1016/S0140-6736(23)01372-)
- Gaggioli G (2018) International Humanitarian Law: The legal framework for humanitarian forensic action. *Forensic Sci Int* 282:184–194. <https://doi.org/10.1016/j.forsciint.2017.10.035>
- Graham-Harrison E. Forensic teams still working to identify bodies 10 days after Hamas massacres, 2023. Available at: <https://www.theguardian.com/world/2023/oct/17/hundreds-of-israeli-bodies-remain-unidentified-10-days-after-hamas-attack>
- ICRC STATEMENT: Israel and the Occupied Territories: ICRC decries the shooting of its humanitarian convoy in Gaza. 2023. Available at: <https://www.icrc.org/en/document/israel-and-occupied-territories-icrc-decries-shooting-its-humanitarian-convoy-gaza>
- ICRC, Fact-sheet: What is International Humanitarian Law?, Geneva, ICRC, 2004, p.1. Available at: https://www.icrc.org/eng/assets/files/other/what_is_ihl.pdf
- ICRC, In-brief: Forensic science and humanitarian action, In-brief, Geneva, ICRC, December 2013. Available at: https://www.icrc.org/sites/default/files/topic/file_plus_list/4156-forensic-science-humanitarian-action.pdf
- Parrin A (2023) "How did they die?": Bridging humanitarian and criminal-justice objectives in forensic science to advance the rights of families

- of the missing under international humanitarian law. *Int Rev Red Cross* 105(923):1047–1070. <https://doi.org/10.1017/S1816383122000686>
- Peerwani N (2017) The role of a forensic pathologist in armed conflict. *Acad Forensic Pathol* 7(3):370–389. <https://doi.org/10.23907/2017.033>
- Sieff K (2023) Israel's missing: Forensic workers struggle to put names to the dead. *The Washington Post*. Available at: <https://www.washingtonpost.com/world/2023/10/31/israel-attack-victims-forensic-identification/>
- Spoljaric M. News Release (2023) ISRAEL AND THE OCCUPIED TERRITORIES FRANCE. Available at: <https://www.icrc.org/en/document/icrc-president-tells-paris-conference-gaza-immediate-imperative-is-to-save-lives>
- The Geneva Conventions of August 12, 1949, International Committee of the Red Cross, Geneva, pp. 153–221

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