

The Trenches of the Ecological Rule of Law in The Israel-Palestine Conflict: Guaranteeing Human Dignity and an Environmental Balance in the Age of Climate Change

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Abstract

The study analyzes the duties of states regarding the protection of the ecological rule of law and international environmental balance in contexts of war, with special attention to the current conflict between Israel and Palestine, as a guarantee of human dignity and world order. During climate urgency, the text assesses the environmental and legal impacts arising from the conflict, under applicable international regimes and invites debate on global governance of humanitarian, social, economic, and environmental issues. Using the deductive expository method, the essay raises questions about the common future of humanity when the duty to protect individuals and international society in the event of armed conflict is violated, with a focus on the environmental damage resulting from human actions in war.

Keywords

Ecological Rule of Law; international environmental balance; human dignity; international regimes; armed conflict.

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1_ INTRODUCTION

The Duties of States in Maintaining Global Stability and Protecting Human Beings in International Conflicts

The conflict between Israel and Palestine is a recurring theme on the international agenda, not only because of its longevity, but also because of its complexity and the long-term humanitarian and environmental consequences that result from it. The dispute, which spans centuries of history, involves geopolitical, religious, territorial, and identity factors, reflecting not only regional tensions but also the limits of public international law (PIL) in promoting peace and containing collateral damage.

Tenheri and Garcez (2022, pp. 222–223) highlight that the territorial dispute between Palestinians and Israelis has deep historical roots, beginning with the Zionist project and intensified by migration processes and colonial policies. With the collapse of the Ottoman Empire, the beginning of the British Mandate, and the subsequent Balfour Declaration (1917), tensions between the Arab community and Jewish immigrants intensified, culminating in the UN partition proposal in 1947. The creation of the State of Israel in 1948 triggered a cycle of forced displacement, wars, and diplomatic deadlocks that continue to this day.

In this context, international law is invoked not only as a mediator of peace, but also as an instrument for holding states accountable for direct and indirect damage caused to the civilian population and the environment. To this end, the importance of the Principle of International Cooperation and the General Duty of Care stands out, which impose positive obligations on subjects of international law to maintain global stability and protect human dignity, including in armed conflicts.

The humanitarian crisis in Gaza, exacerbated by the military offensive that began in October 2023, reveals the material dimension of these obligations. According to a report by the Integrated Food Security Phase Classification (IPC, 2025), more than 1 million people depend exclusively on humanitarian aid, with around 470,000 facing levels of food insecurity considered “catastrophic,” with a high risk of mortality, especially among displaced persons and children. These figures highlight direct violations of the fundamental rights to life, food, and health, which are at the core of international protection of human dignity.

In addition to the humanitarian impacts, the environmental damage resulting from military operations in Gaza has been widely observed. It is estimated that the attacks generated approximately 39 million tons of debris, contaminating soil, waterways, and the local atmosphere (UNEP, 2024). Recent studies (NEIMARK *et al.*, 2024) indicate that, in the first four months of the offensive alone, carbon dioxide emissions ranged

from 420,000 to 652,000 tons, and could exceed 61 million tons if future infrastructure reconstruction is taken into account. These environmental externalities directly affect public health and contribute to the worsening of global warming.

These effects impose the need to discuss the legal and moral duties of states in conflict contexts. Legal duties, arising from treaties, conventions, and customary norms, are binding, and failure to comply with them results in international accountability. Moral duties, on the other hand, guided by principles such as humanity, justice, and solidarity, although not coercive in nature, play a fundamental role in shaping normative expectations and in exerting pressure from the international community on states. As Accioly, Silva, and Casella (2025, p. 228) point out, “there is no intervention when collective action stems from a commitment formally assumed in a multilateral treaty,” such as the Charter of the United Nations, whose Chapter VII grants the Security Council the authority to act in the maintenance of international peace and security.

Throughout the development of international law, many principles originally considered merely ethical have evolved into positive norms with full legal force. This transition can be explained by the theory of the implicit powers of international organizations, according to which constituent treaties, such as the UN Charter, must be interpreted in accordance with their founding objectives.⁴ The Principle of International Cooperation, enshrined in Article 1, §3 of the Charter, imposes on States the duty to promote respect for human rights and solidarity among nations, as reiterated in the Universal Declaration of Human Rights (1948) and the 1966 Covenants (ICCPR and ICESCR).

In the context of armed conflicts, this collective duty includes accountability for damage caused to the civilian population and the environment.⁵ The environmental impact of wars is recognized as a violation of humanitarian law, especially in light of the criteria of military necessity and proporcionalidade⁶.

Additional Protocol I to the Geneva Conventions (1977), in Article 35.3, prohibits methods of warfare that cause “extensive, long-term, and serious damage to the natural

4 Chapter VII of the United Nations Charter gives the Security Council powers to act in situations that pose a threat to international peace and security. Although the text expressly provides for certain measures, such as sanctions and the use of force, it is understood that the Council also has implicit powers to take other measures necessary to maintain peace, provided that they are in line with the objectives of the Organization. This interpretation ensures greater flexibility in the application and effectiveness of public international law, so that, as the international scenario changes, organizations are allowed to act based on specific but adaptable purposes, from a functional perspective.

5 This obligation is supported by international humanitarian law, especially the 1949 Geneva Conventions, which establish standards for safeguarding civilians and limiting the effects of armed conflict. In the case of the conflict between Israel and Palestine, the civilian population is often exposed to serious threats to life, safety, and human dignity. In a speech delivered to the UN Security Council on October 24, 2023, Secretary-General António Guterres stated that there were “clear violations of international humanitarian law in Gaza” and stressed that “protecting civilians cannot mean ordering more than a million people to evacuate to the south, where there is no shelter, no food, water, medicine, or fuel, and then continue to bomb the south” (UN, 2023).

6 The 1949 Geneva Convention, in Article 53, prohibits the destruction of civilian property in occupied territories, except in cases where it is absolutely necessary for military reasons, and also classifies, in Article 147, the extensive and unjustified destruction of property as a serious offense. Both provisions are directly applicable to situations of prolonged occupation, such as in the case of Palestine.

environment." Article 54 reinforces this protection by prohibiting attacks on assets essential to civilian survival, such as water sources, crops, and irrigation systems.

It is noted that, even though Israel has not ratified these Protocols, the provisions are recognized as customary and valid norms, regardless of the State's formal accession. In addition, the Hague Convention imposes on countries the duty to preserve cultural and natural assets, even in situations of war, as evidenced in UNESCO reports on damage to cultural heritage in Gaza (2024) and the UN-UNEP survey on the environmental impact of the conflict (2024). The harmful effects not only compromise the immediate ecological balance, but also have a significant impact on the post-conflict period, hindering the recovery and rehabilitation processes of the affected ecosystems.

In theory, this reality reinforces the evolution of the international legal regime toward shared and multisectoral responsibility, which is not limited to diplomacy or even discussions about state sovereignty, but also encompasses the protection of environmental and cultural assets and the civilian population. As Sánchez (2020, p. 37) argues, environmental impact is ultimately a direct result of human action, which reinforces the duty to mitigate damage and adopt sustainable alternatives, even in contexts of conflict.

In view of this, the present analysis is justified by the need to evaluate, from a logical-deductive perspective, the effectiveness of international legal regimes in protecting the environment and human beings in war scenarios, with a special focus on the Israeli-Palestinian conflict. The investigation will cover the relevant international norms, the principles of global order, and the duties of states in containing collateral damage, in order to then discuss the role of international society in global pacification and in strengthening international responsibility as a vector of environmental and humanitarian justice.

2_ DEVELOPMENT

2.1_The Old-New War Between Israel and Palestine

The conflict between Israel and Palestine, often treated as a recent episode, is in fact one of the longest and most complex geopolitical disputes of our time. It is a multifaceted conflict with historical, religious, cultural, and, above all, territorial roots. The current crisis is nothing more than the continuation of a centuries-old dispute, marked by successive dominations, population displacements, and deep identity rivalries.

The region of Palestine, located at the crossroads of Africa, Europe, and Asia, has always attracted the interest of great empires. Since ancient times, it has been ruled by Egyptians, Assyrians, Persians, Romans, and Ottomans. One of the most

significant historical events was the Jewish Diaspora, which intensified in the 1st century AD when the Jews were expelled by the Roman Empire after the destruction of the Second Temple in Jerusalem. This episode consolidated a spiritual connection with the homeland that, centuries later, would result in the emergence of Zionism, a nationalist movement that advocated the return of Jews to Palestine.

In the 19th century, Zionism gained strength in the face of rising anti-Semitism in Europe. At the same time, Palestine, already predominantly inhabited by Arabs, maintained its cultural and religious ties to the land. With the end of World War I and the defeat of the Ottoman Empire, the territory came under British administration, under the mandate of the League of Nations. During this period, the British government made contradictory diplomatic commitments to Jews and Arabs, which further exacerbated tensions between the groups.⁷

With the intensification of conflicts and the impact of the Holocaust in World War II, international pressure grew for the creation of a Jewish state. In 1947, the UN proposed, through Resolution 181, the partition of Palestine with the creation of two states, one Jewish and one Arab, and the internationalization of Jerusalem. The proposal was accepted by the Jews but rejected by the Arabs, who considered it a violation of the principle of self-determination of peoples.

The proclamation of the founding of the State of Israel in 1948 symbolized the return of the Jewish people to their ancestral homeland, but for the Palestinians, it marked the beginning of the Nakba ("catastrophe"), with the forced displacement of approximately 750,000 people. With the outbreak of the Arab-Israeli War⁸, which resulted in Israel's territorial expansion beyond the limits proposed by the UN, the Palestinians created the Palestine Liberation Organization (PLO)⁹, in 1964, in pursuit of national autonomy. The organization adopted both diplomacy and armed resistance, establishing itself as a symbol of the Palestinian cause. Despite this, the State Palestinian statehood was never effectively established, and new cycles of violence followed one another over the decades.

⁷ Two official documents illustrate this issue: the Husayn-McMahon correspondence (1915–1916), which indicated British support for the creation of an Arab state, and the Balfour Declaration (1917), which expressed support for the establishment of a "national home for the Jewish people" in Palestine, without guaranteeing the political rights of the local Arab population.

⁸ For more information on this subject, see: <https://agenciabrasil.ebc.com.br/internacional/noticia/2023-10/entenda-o-que-e-sionismo-movimento-que-da-origem-ao-estado-de-israel>

⁹ For more information on this subject, see: <https://www.britannica.com/event/Arab-Israeli-wars>

In 1993, the Oslo Accords¹⁰, signed between Yasser Arafat (PLO) and Yitzhak Rabin (Israel), represented a milestone in peace efforts. The Declaration of Principles provided for the creation of an interim Palestinian government. However, the process was undermined by extremist attacks on both sides, culminating in Rabin's assassination, which weakened moderate leadership.

In this context of diplomatic frustration, Hamas¹¹, emerged, an Islamist organization founded in 1987. Opposed to the existence of Israel and the peace agreements, the group took control of the Gaza Strip in 2007 after winning the 2006 legislative elections. As a result, Israel and Egypt imposed blockades that severely compromised the region's supply.

The crisis reached a new peak on October 7, 2023, when Hamas launched Operation Al-Aqsa Flood, firing thousands of rockets into Israel. In response, the Israeli government launched large-scale attacks on Gaza, resulting in massive destruction of civilian infrastructure and thousands of deaths. Despite the adoption of UN Security Council Resolution 2712, which called for humanitarian pauses, the bombings continued, exacerbating the humanitarian crisis.

According to the IPC (2025), approximately 22% of Gaza's population faces catastrophic food insecurity, while 93% live in crisis or worse. The destruction of supply systems, electrical networks, and health facilities has compromised basic services for the population.

In addition to human losses, the conflict has caused significant environmental damage. According to UNEP (2024), it is estimated that the bombings have generated around 39 million tons of debris, contaminating the soil, water, and air. CO₂ emissions from the offensives and future reconstruction may exceed 61 million tons (NEIMARK *et al.*, 2024), contributing to global warming and aggravating risks to public health.

The impacts violate international humanitarian law, which prohibits the disproportionate use of force and imposes obligations to protect the environment in times of war. The Fourth Geneva Convention (1949), in its Articles 53 and 147, prohibits

10 "On September 13, 1993, Israeli Prime Minister Yitzhak Rabin and Palestine Liberation Organization (PLO) negotiator Mahmoud Abbas signed a Declaration of Principles on Interim Self-Government Arrangements, commonly referred to as the Oslo Accords, at the White House. Israel accepted the PLO as the representative of the Palestinians, and the PLO renounced terrorism and recognized Israel's right to exist in peace. Both sides agreed that a Palestinian Authority (PA) would be established and would assume governmental responsibilities in the West Bank and Gaza Strip for a period of five years. Thereafter, permanent negotiations would be held on the issues of borders, refugees, and Jerusalem. Although the Clinton administration played a limited role in bringing about the Oslo Accords, it invested vast amounts of time and resources in helping Israel and the Palestinians implement them. When Clinton left office, however, the peace process had stalled and a new round of violence between Israelis and Palestinians had begun. Available at: <https://history.state.gov/milestones/1993-2000/oslo>. Accessed on: July 30, 2025.

11 For further information, see: <https://www.cfr.org/backgrounder/what-hamas>

the extensive and unjustified destruction of civilian property. Additional Protocol I (1977) reinforces this protection by prohibiting methods of warfare that cause lasting damage to the environment and by prohibiting attacks on property essential to civilian survival, such as water and food sources. Even without formal ratification by Israel, many of these provisions are considered customary international law.

Other treaties, such as the Hague Convention, also oblige states to protect cultural and natural assets in contexts of war. UNESCO reports (2024) denounce severe damage to heritage in Gaza, hindering post-conflict recovery efforts and ecosystem rehabilitation.

Thus, the conflict between Israel and Palestine goes beyond the limits of a territorial or religious dispute. It involves identity politics, collective memories, geostrategic interests and serious violations of international norms, both humanitarian and environmental.

2.2_The Right to a Safe and Prosperous Environment as a Fundamental Human Right

The right to a safe and prosperous environment, now recognized as a fundamental third-dimension right, goes beyond ecological concerns. It is intrinsically linked to the realization of other human rights, such as the right to life and quality of life, health, integrity, housing, dignity, and ultimately, the rights of society as a whole.

As a basis for normativity and, in particular, for the Brazilian State itself, human dignity, as corroborated in Article 1, item III, of the Federal Constitution, is also integrated with current ecological values, as Sá (2012, p.150) clearly points out. The 1972 Stockholm Declaration recognized, in Principle 1¹², the human right to adequate living conditions in a quality environment. In turn, the 1992 Rio Declaration reinforced this perspective by proclaiming that human beings have the right to a healthy and productive life in harmony with nature, which was widely disseminated by subsequent United Nations conferences, until the drafting of Resolution 48/13 of the UN Human Rights Council in 2021, which formally ratified the right to a clean, healthy, and sustainable environment as a fundamental right of every individual.

UN Resolution 76/300 (2022) reinforces that everyone has the right to a healthy environment, recognizing the interdependence between human rights and a balanced environment. According to the UNDP (2023, p. 5), this right is essential to survival and the

12 "Man has a fundamental right to freedom, equality, and adequate living conditions in a quality environment that allows him to lead a dignified life and enjoy well-being, (...)"
Simple translation. Available at https://docs-un-org.translate.goog/en/A/CONF.48/14/Rev.1?_x_tr_sl=en&_x_tr_tl=pt&_x_tr_hl=pt&_x_tr_pto=tc. Acesso em: 29.Jul.2025

enjoyment of minimum prerogatives such as health, water, food, and sustainable development.

In this way, the international human rights protection regime treats environmental degradation as a direct violation of human dignity. Although the 1948 Universal Declaration does not expressly address the environment in its text, the corollary to life and security necessarily involves environmental protection as a tool for validating and expressing all other rights that interact with it.

According to Sampaio and Rezende (2020, p. 277), “massive human interventions in the environment have led to a toxic situation that endangers health and life, with serious repercussions for equality, denounced by the demands for environmental justice,” thus making everyone responsible for its defense and preservation. If we look at the scenario of armed conflicts, such as the war in Palestine, it would be correct to assess the duty of international cooperation and care for the environment to the satisfaction of global protection.

Édis Milaré (2011, pp. 1063-1084) emphasizes that environmental damage, because it is felt everywhere and is therefore transboundary in nature, requires cooperation between peoples and the creation of direct responsibilities and obligations for states, regardless of domestic legal systems. Paulo Borba Casella (2010, p. 718) adds that “the legitimacy of individual states as agents acting to enforce compliance with such obligations, in the name of the international community’s interests (...) is gaining ground in international environmental law.”

Even though domestic rules are influenced by local customs and contexts, Toniolo and Ferrari (2016, p. 57) argue that the environment is a legal asset of international interest, requiring global commitments and responsibilities.

In Brazil, Article 225 of the Federal Constitution incorporates international instruments for the protection and enforcement of the right to an ecologically balanced environment, imposing on the government and the community the legitimacy to defend it, endorsing the analysis of the entire national legal system to satisfy environmental protection as a dimension of human dignity.

Understanding environmental law as an element of human dignity means recognizing its cross-cutting nature and its role in building global citizenship. Piovesan (2008, p. 204) clarifies that human beings are citizens of the world, holders of rights that transcend borders and, for this reason, the recognition of the environment as a fundamental right imposes ethical and legal responsibilities on the State and society that aim to preserve life in all its forms, whether to prevent the impact of human actions, even in exceptional situations such as war, or to protect the core of human existence.

2.3_The Ecological Rule of Law and Global Dignity in the Age of Climate Change

The contemporary debate on environmental protection transcends the boundaries of traditional legislation and reveals the emergence of a new paradigm: the Ecological Rule of Law, based on the notion of global environmental dignity.

This concept represents the evolution from an anthropocentric view to an ecocentric approach, in which the environment is no longer just an object of state protection but becomes part of the core of international fundamental rights (LEITE; BECKHAUSER, 2021, p. 210).

Created to establish standards, international instruments are fundamental to global governance, as they promote cooperation and harmonization of norms at the global level. In this context, they establish goals and commitments for signatory countries and work to strengthen the structures necessary for global cooperation in protecting the environment and promoting sustainable development.

According to Canotilho (2010, p. 7), the principle of sustainability emerges as one of the structural pillars of modern constitutional law. This new perspective seeks to integrate the “economic, social, and environmental” dimensions into a single body of law, recognizing that environmental quality is an indispensable condition for the realization of fundamental rights.

The evolution of the concept of global environmental dignity is also highlighted by FERREIRA; LEITE (2012, p. 30). The authors consider that “it is necessary to remember that the principle of human dignity has an underlying ecological dimension, which is why, until now, reference has been made to the satisfaction of dignity beyond the human being,” which is justified by the interdependence between ecological systems and the minimum conditions for a dignified life.

The United Nations Environment Programme (UNEP), which plays a crucial role in implementing international environmental policies, as well as conducting assessments to identify emerging problems and recommend corrective actions and financial support, highlights the importance of an environmentally responsible rule of law, with sound laws, institutions of integrity, and effective access to environmental justice. The United Nations Conference on Environment and Development, known as RIO 92 or the Earth Summit, promoted Agenda 21, with detailed guidelines for the implementation of sustainable development at the local, national, and global levels. In addition, the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity reinforce the global commitment to protecting environmental dignity and consolidate the environment as a universal right.

The Ecological State is based on triple sustainability: ecological, economic, and social, as advocated by Canotilho (2010, p. 9). This integration suggests the adoption of

public policies that seek a balance between human development and the protection of ecosystems, with the establishment of a new legal order that extends to the interaction and protection of man and nature and the prohibition of environmental regression.

According to Leite and Beckhauser (2021, p. 213):

The paradigm of ecological law, with a view to respecting planetary boundaries and promoting human rights and the rights of nature together, redefines categories of conflicts, rights, and legal responsibilities: the holders of rights are expanded (every person), the objects are broadened (the commons), and the space-time of demands that become global and intergenerational is resized.

The advance toward ecological rule of law and global environmental dignity requires a political, legal, and ethical commitment from all nations to overcome global environmental challenges and consolidate a new cooperative model of government, in which human dignity and environmental protection go hand in hand and are inseparable. It presupposes a profound cultural transformation that goes beyond the normative field and reaches social ethics itself.

Thus, the integration of environmental law and human rights is central to the construction of the so-called Ecological State, based on environmental dignity and the reinforced precautionary principle, applicable even in situations of scientific uncertainty. In short, this is a global challenge that requires collective engagement in defense of life in all its forms and existence, especially with regard to the recent war between Israel and Hamas.

The conflict has impacts resulting from military attacks and the devastation of the local environment, which undermine the global protection of the right to a balanced environment and a healthy quality of life for present and future generations. The United Nations Relief and Works Agency for Palestine Refugees warns of water shortages in Gaza, as well as contamination of the water supply and the Mediterranean Sea by sewage due to the destruction of local infrastructure, soil pollution, degeneration of flora and fauna, loss of biodiversity, destruction of productive areas, food insecurity, and the likelihood of desertification¹³.

The pollution of water resources due to the destruction of buildings and debris, for example, is a recurring practice in conflict areas. As is the poor disposal of waste, which

¹³ According to an article published by Veja, "the two million inhabitants of the narrow Arab enclave face serious and possibly irreversible environmental damage. The occupation has interrupted the water supply and deactivated sewage treatment plants, resulting in the dumping of raw sewage on the land, contaminating the Mediterranean Sea and aquifers. Essential underground water sources for irrigating crops. More than two-thirds of Gaza's agricultural land, including wells and greenhouses, has been damaged or destroyed by military bombing and earthworks. Satellite images taken since the ceasefire began on January 19 reveal that Gaza has lost 80% of its trees. In addition, vital wetlands, sand dunes, coastal waters, and the region's only significant river, the Wadi Gaza, have been severely affected. Available at: <https://veja.abril.com.br/agenda-verde/catastrofe-ambiental-pode-inviabilizar-futuro-da-faixa-de-gaza/>. Accessed on: July 28, 2025.

affects rivers and groundwater and directly worsens the availability of drinking water for those already in need. The lack of access to basic resources, such as food and hygiene items, causes the spread of disease and intensifies the impact on the population's health. The dirt and decomposition of bodies, even if buried, act as contaminants, especially through necrotic fluid and gases. Animals in need feed on contaminated waste and also spread disease. Desertification can result in areas that are no longer habitable, either due to the lack of suitable soil for survival, the difficulty of returning to agriculture, or the loss of biodiversity.

In fact, according to recent research led by Benjamin Neimark, Patrick Bigger, Frederick Otu-Larbi, and Reuben Larbi (2024), there is a direct relationship with the costs of the international climate crisis, since the event has already emitted 281,000 tons of carbon dioxide into the atmosphere, including bombs, artillery, and fuel burned in flights and tanks used on the ground. They clarify:

It is estimated that 36-45% of Gaza's buildings — homes, schools, mosques, hospitals — have been destroyed or damaged. According to the Bank of Israel, initial estimates of the financial cost to Israel are expected to reach US\$50 billion, including the reconstruction of Gaza.

Amid this turmoil are the less discussed but vitally important climatic and environmental effects of the conflict. This omission is understandable, given that the world remains focused on the acute death and suffering in Gaza. However, military operations remain an underanalyzed dimension of the climate crisis, one that will intensify the suffering of vulnerable communities as the impacts of global warming intensify. (...) According to the latest report from the UN Environment Program on the Emissions Gap, military emissions are “underreported” by the UNFCCC, but even with incomplete data, researchers have found that the armed forces are responsible for nearly 5.5% of global emissions. (...) For every dollar of defense spent in 2019 by the five largest European defense spenders, we estimate that Israel's 2019 military budget of \$20.34 billion would result in a total emissions value of 6.99 megatons of CO₂—roughly the same emissions as the entire country of Uruguay in 2019.¹⁴

14 Free translation. In the original: “Estimates place 36-45% of Gaza's buildings — homes, schools, mosques, hospitals — as destroyed or damaged.⁷ According to the Bank of Israel, initial forecasts of the financial cost to Israel is expected to reach up to \$50 billion,⁸ including rebuilding Gaza. Within this turmoil are the less discussed, but vitally important, climate and other environmental effects of the conflict. This omission is understandable as the world remains focused on the acute death and suffering in Gaza. However, military operations remain an under-analysed dimension of the climate crisis that will intensify suffering on vulnerable communities as the impacts of global warming intensify. (...). According to the UN Environmental Programme's most recent Emission Gap report,¹⁶ military emissions are ‘insufficiently accounted’ for by the UNFCCC, but even with incomplete data, researchers have found that militaries account for almost 5.5% of global emissions. (...). For each defence dollar spent in 2019 by the top five European defence spenders, we estimate that Israel's 2019 military budget of US \$20.34 billion would result in a total emissions figure of 6.99 megatonnes of CO₂ - roughly the same emissions as the entire nation of Uruguay in 2019.”

CONCLUSIONS

The conflict between Israel and Hamas, by revealing not only profound human rights violations but also severe environmental impacts, imposes an urgent imperative on the international community: the integration of environmental protection as a central element in the prevention and mitigation of the effects of contemporary wars.

Under the principles of international human rights law and environmental law, it is essential to recognize that a healthy environment is a sine qua non condition for the realization of the fundamental rights to life, health, and human dignity.

Thus, the duty to protect is not limited to containing the immediate damage caused by armed conflict, but extends to preventing climate change, which is exacerbated by environmental destruction in conflict zones.

The adoption of preventive measures, as recommended by the precautionary principle, should be incorporated as a collective responsibility of States and the international community, ensuring that post-conflict reconstruction takes into account the ecological sustainability and resilience of the affected ecosystems.

Furthermore, strengthening international legal mechanisms, including accountability for environmental damage and promoting multilateral cooperation, is essential to ensure that armed conflicts do not compromise the rights of present and future generations. Environmental protection in times of war, therefore, emerges not only as a legal obligation, but as a moral and political duty, indispensable for building a future of lasting peace and global climate balance.

However, such measures should not be adopted only reactively, when confrontations have already intensified. Prevention is an indispensable element for mitigating damage and preserving international order. Preventive diplomacy, through listening and dialogue between the parties involved, represents one of the first viable mechanisms for avoiding the escalation of tensions. At the same time, strengthening multilateral institutions is essential for promoting coordinated, sustainable, and effective responses aimed at international stability and the protection of human dignity in conflict scenarios.

Coordinated action between states and civil society involves different measures aimed at preventing and containing conflicts. Among these measures, regional cooperation stands out, which aims to promote security and stability through dialogue, without resorting to the use of force. In addition, the prevention of human rights violations establishes that states must ensure respect for these rights within their borders. The early adoption of these measures has been identified by international organizations as

an essential tool for preventing extreme conflicts, since their effectiveness tends to be reduced when implemented only after hostilities have begun.

The active and continuous engagement of civil society is recognized as a fundamental element in promoting a culture of peace and building a safer and more sustainable world. Although in certain national contexts this role of society in global pacification is not effective or does not receive encouragement, it is a responsibility that transcends borders, as it refers to a common interest: world peace. In such cases, the responsibility for encouraging, educating, and promoting social involvement falls on other countries and international organizations.

Thus, analysis of the environmental impacts resulting from the choice and use of weapons in the conflict between Israel and Hamas reinforces the urgency of incorporating strict environmental criteria into the regulation of international humanitarian law. The destruction of soil and contamination of natural resources not only compromise the immediate environment, but also threaten the survival of civilian populations, highlighting the close connection between environmental protection and human rights. Therefore, the integration of international environmental instruments with human rights becomes imperative for the construction of a global legal system capable of mitigating the devastating effects of armed conflicts on the environment.

Furthermore, the accountability of actors involved, both state and non-state, for environmental violations during wars must be strengthened in order to ensure redress for damage caused and prevent future occurrences. This mechanism is essential to promote environmental justice and ensure that global environmental dignity is not mere rhetoric, but a concrete reality that permeates all spheres of international law.

Ultimately, consolidating the Ecological Rule of Law and achieving global environmental dignity represent a multidimensional challenge that requires not only regulatory and institutional development, but also profound cultural and ethical change. Only through collective engagement and international cooperation will it be possible to tackle contemporary environmental challenges, especially those that arise in contexts of armed conflict, ensuring a sustainable and dignified future for the next generations.

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