

THE ISRAEL-PALESTINE CONFLICT: A LEGAL AND ETHICAL ANALYSIS OF WAR CRIMES, HUMANITARIAN VIOLATIONS, AND THE EROSION OF INTERNATIONAL LAW

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ABSTRACT

The Israel-Palestine conflict, rooted in historical territorial disputes rather than solely religious differences, has evolved into one of the most complex and protracted conflicts in modern international relations. This study adopts a qualitative descriptive approach to critically examine the conflict through the lens of Just War Theory and International Humanitarian Law (IHL). Focusing on recent escalations, the paper analyzes attacks on civilian infrastructure, the conduct of hostilities, and the protection of non-combatants as mandated under the Geneva Conventions and the Rome Statute of the International Criminal Court. The findings reveal systematic violations of IHL, particularly in the principles of proportionality and distinction, with substantial evidence indicating the commission of potential war crimes. The analysis underscores that both Israeli military actions and Hamas operations have compromised the fundamental tenets of humanitarian law, exacerbated humanitarian crises and undermining the credibility of international legal frameworks. Furthermore, the paper highlights the long-term implications of these violations, including the risk of global erosion of humanitarian norms, the destabilization of regional peace efforts, and the entrenchment of cycles of violence and displacement. The research calls for stricter enforcement of international law, impartial investigations into alleged war crimes, and the reaffirmation of the universality of humanitarian principles to restore legitimacy to the global legal order. Addressing the conflict requires more than ceasefires; it demands a comprehensive legal, moral, and political commitment to upholding the rights and dignity of all affected populations.

Keywords: *Ethics, Israel-Palestina Conflicts, International Law, Humanitarian Law*

INTRODUCTION

The Israel-Palestine conflict remains one of the most protracted and deeply entrenched conflicts in modern history, capturing sustained international attention and concern. While it is often characterized in popular discourse as a religious conflict between Jews and Muslims, a more nuanced academic analysis reveals that the roots of the conflict are fundamentally territorial, centered on the control and sovereignty of Palestinian lands.

Historically, Palestine encompassed an area of approximately 27,000 square kilometers in the Middle East (Ii, n.d.). The genesis of the modern conflict can be traced to the issuance of the Balfour Declaration on November 2, 1917, during the First World War. Britain, seeking to secure broader support in the war effort, issued this declaration expressing favor for "the establishment in Palestine of a national home for the Jewish people," a significant diplomatic victory for the Zionist movement.

The Balfour Declaration was not an isolated policy initiative but emerged from the lobbying efforts of influential Zionists such as Chaim Weizmann, a renowned chemist who contributed to the British war effort by developing synthetic acetone, critical for munitions production. In recognition of such contributions and under the leadership of Prime Minister David Lloyd George, Britain endorsed the Zionist aspiration to establish a homeland in Palestine—despite the presence of an indigenous Arab population that had lived in the territory for centuries.

This endorsement laid the groundwork for future tensions. The indigenous Palestinian Arab community vehemently rejected the notion that their homeland could be promised unilaterally to another group without their consent. Subsequent decades witnessed growing unrest, protests, and sporadic violent uprisings by Palestinian Arabs, who viewed the increasing Jewish immigration and land acquisitions as existential threats to their national and cultural identity.

The situation further deteriorated after the Second World War. Britain, weakened economically and politically, relinquished its mandate over

Palestine and referred the matter to the newly established United Nations. In 1947, the United Nations proposed the Partition Plan (UN Resolution 181), which recommended the division of Palestine into separate Jewish and Arab states, with Jerusalem placed under international administration.

Although the plan sought to create a peaceful coexistence, it largely favored the Jewish community, granting them 55% of the territory despite comprising only about one-third of the population at that time. The Palestinian Arabs and neighboring Arab states rejected the partition as unjust. However, for the Zionist leadership, the plan offered a legitimate pathway to statehood.

On May 14, 1948, under the leadership of David Ben-Gurion, the Jewish community declared the independence of the State of Israel. The establishment of Israel was quickly recognized by major powers such as the United States and the Soviet Union, conferring international legitimacy on the new state. Supported by these geopolitical backers, Israel expanded its control, ultimately seizing approximately 78% of historic Palestinian lands during the 1948 Arab-Israeli War (also known as the Nakba, or "catastrophe," by Palestinians).

The founding of Israel marked not merely the culmination of Zionist aspirations but the beginning of a new and enduring phase of conflict. The displacement of over 700,000 Palestinian Arabs, who became refugees in neighboring countries and territories, created a humanitarian crisis that persists today. Meanwhile, successive wars, occupations, and failed peace initiatives have entrenched the divisions further.

The Israel-Palestine conflict has evolved into a symbol of broader struggles over national self-determination, colonial legacies, and international law. Its framing as a religious conflict obscures the deeper geopolitical and territorial dimensions that underpin it. Furthermore, the conflict illustrates how promises made under imperial conditions—such as the Balfour Declaration—continue to reverberate across generations, shaping national identities and international relations.

Understanding the origins of the Israel-Palestine conflict as primarily a territorial dispute, exacerbated by colonial legacies and international power politics, offers a more comprehensive framework for evaluating contemporary efforts toward resolution. Rather than a clash of civilizations, the conflict reflects profound tensions over land, sovereignty, and historical justice—issues that remain unresolved despite decades of negotiations and intermittent ceasefires.

Thus, addressing the Israel-Palestine conflict requires not merely religious reconciliation but the rectification of territorial grievances and the establishment of equitable political frameworks that recognize the legitimate aspirations of both peoples.

RESEARCH METHOD

This study adopts a qualitative descriptive approach to examine the historical development, territorial dynamics, and international dimensions of the Israel-Palestine conflict. The research is grounded in a post-positivist epistemological framework, emphasizing the interpretation of historical processes, political motivations, and the evolution of territorial claims over time. Data were collected through documentary research, which involved a comprehensive review of secondary sources including historical documents, treaties, declarations, scholarly books, peer-reviewed journal articles, and credible news reports. By systematically analyzing these sources, the study seeks to construct an in-depth and contextualized understanding of the conflict's origins, the role of international actors, and the long-term implications for global politics.

To ensure academic rigor, the data collection process was supplemented by critical content analysis, focusing on identifying patterns of discourse, shifts in international support, and the evolving legal frameworks surrounding the conflict. Sources were selected based on their relevance, credibility, and contribution to existing scholarship. In addition, historical triangulation was employed to cross-validate findings and mitigate potential

biases. The analysis centers on presenting a structured narrative that captures both the historical continuity and contemporary challenges of the Israel-Palestine conflict, aiming to offer insights that enrich theoretical and practical discussions within international relations and political science disciplines.

RESULT AND DISCUSSION

Just War Theory and International Legal Frameworks in the Israel-Palestine Conflict

The Israel-Palestine conflict, a longstanding and deeply entrenched confrontation, can be critically examined through the dual frameworks of Just War Theory and International Humanitarian Law (IHL). Traditionally, war is justified by reference to national interests, often framed as an existential imperative for the survival and sovereignty of the state (Setiadji, 2021). From this perspective, armed conflict becomes a continuation of political objectives when other means have failed. Just War Theory, originating from classical Christian thought—particularly the seminal contributions of St. Augustine and Thomas Aquinas—seeks to impose moral constraints on the initiation and conduct of war. Augustine articulated two fundamental domains: *Jus ad Bellum*, which delineates the moral conditions required to justify the initiation of warfare, and *Jus in Bello*, which governs ethical behavior during war itself (Mamahit, 2014). According to Augustine, war can only be deemed just if it is waged for a rightful cause, declared by legitimate authority, and motivated by intentions that aim at establishing peace rather than conquest or revenge. Building on Augustine's foundation, Aquinas emphasized three criteria for a just war: rightful authority, just cause, and right intention—criteria which remain influential in contemporary interpretations of ethical warfare.

Applying Just War Theory to the Israel-Palestine conflict reveals complex questions about legitimacy, proportionality, and ethical conduct. Both parties claim self-defense and the protection of national rights as justifications for the use of force. However, Just War principles demand more than rhetorical appeals; they require objective scrutiny regarding whether actions taken by

either side satisfy the stringent conditions for moral legitimacy. In particular, the right intention—whether the aim is to establish lasting peace or to pursue dominance—becomes crucial in assessing the justness of claims made by both Israel and Palestinian factions. Moreover, even when war is justified at its outset under *Jus ad Bellum*, violations during the conduct of hostilities under *Jus in Bello*, such as indiscriminate attacks or targeting civilians, can negate the moral validity of a conflict.

In contemporary warfare, these moral considerations are operationalized into binding international legal standards through International Humanitarian Law. The Geneva Conventions of 1949 and their 1977 Additional Protocols codify the fundamental principles of proportionality and distinction. The principle of proportionality requires that the anticipated military advantage of an attack must not be outweighed by excessive harm to civilians or civilian objects. For instance, military operations targeting infrastructure located in densely populated areas must carefully assess whether the expected strategic gain justifies the probable civilian casualties and destruction. Similarly, the principle of distinction demands that combatants always differentiate between military targets and civilian persons or objects, prohibiting direct attacks against civilians or civilian infrastructure such as hospitals, schools, and places of worship.

Numerous incidents in the Israel-Palestine conflict have raised concerns regarding the violation of these principles. The frequent targeting of residential areas, schools, hospitals, and UN-protected facilities by military operations, especially in periods of escalated hostilities, calls into question the adherence to the proportionality and distinction requirements enshrined in IHL. Under the Fourth Geneva Convention, particularly Article 18 (protection of hospitals) and Article 27 (protection of civilians), as well as Articles 51 and 52 of the Additional Protocol I, civilian populations must be shielded from the effects of warfare (Ferraro & Cameron, 2016).

Beyond humanitarian law, the Rome Statute of the International

Criminal Court (ICC) establishes clear legal accountability for violations occurring during armed conflict. Article 8 categorizes intentional attacks on civilian objects, indiscriminate attacks resulting in disproportionate civilian harm, and attacks against protected buildings such as religious institutions as war crimes (Calvo-Goller, 2009). Moreover, Article 7 addresses crimes against humanity, criminalizing systematic acts that cause great suffering to civilian populations. Specific case studies—such as the shelling of civilian neighborhoods, attacks on hospitals, or destruction of agricultural infrastructure—may constitute grave breaches under these international legal instruments, raising the possibility of legal action against individuals responsible for ordering or conducting such operations.

The practical enforcement of these legal standards remains a significant challenge. Despite the existence of detailed legal frameworks, political dynamics within the United Nations Security Council, where key players often exercise veto powers, have hindered consistent accountability. The Israel-Palestine conflict thus exemplifies the tension between normative international law and the realities of geopolitical interests. Although mechanisms exist to prosecute war crimes and protect civilians, their application is often selective, influenced by the strategic interests of powerful states, thereby undermining the universality and impartiality of international law.

From a broader perspective, the failures to uphold Just War principles and International Humanitarian Law in the Israel-Palestine conflict have had devastating humanitarian consequences. Beyond immediate casualties, the destruction of civilian infrastructure has long-term ramifications for public health, education, and economic recovery, entrenching cycles of poverty and instability. Furthermore, the erosion of legal and moral norms in one conflict zone risks setting dangerous precedents elsewhere, weakening the normative power of international humanitarian law globally.

Thus, when viewed through the lens of both Just War Theory and

International Humanitarian Law, the Israel-Palestine conflict reveals systemic challenges not only in the ethical justification of war but also in the regulation of violence once conflict has erupted. Upholding the principles of proportionality, distinction, and the protection of civilians remains critical not merely for legal compliance but as a moral imperative essential for any meaningful pursuit of peace and justice. Without a recommitment to these foundational principles by all parties involved—and the international community at large—the prospects for a durable and just resolution to the conflict will remain elusive.

Civilian Infrastructure Attacks and the Erosion of Humanitarian Principles in the Israel-Palestine Conflict

The Israel-Palestine conflict continues to evolve into a complex humanitarian crisis, where the lines between military targets and civilian spaces are increasingly blurred. Recent attacks, such as the bombing of the Deir el-Balah Mosque and the siege of Al-Shifa Hospital, exemplify the grave consequences faced by non-combatants. Under international humanitarian law, particularly the Geneva Conventions and their Additional Protocols, civilian infrastructure—hospitals, mosques, schools—must be afforded protection unless directly contributing to military operations. However, the practical realities of warfare in Gaza reveal systematic patterns of targeting or severely damaging spaces crucial to civilian survival, raising significant legal and ethical concerns about compliance with the principles of distinction and proportionality.

On March 5, 2024, Israeli forces conducted an airstrike on a mosque adjacent to a refugee encampment in Deir el-Balah, killing a woman and wounding twenty civilians. According to reports from Al-Jazeera, the attack struck an area primarily housing displaced persons, amplifying the humanitarian cost. The targeting of religious sites demands particular scrutiny: while military necessity can, in exceptional cases, justify striking a civilian object being used for military purposes, the presumption under

international law remains heavily against such actions without compelling evidence. The proportionality of this attack is deeply questionable, given the scale of civilian presence and the severe humanitarian repercussions.

Similarly, the siege and eventual storming of the Al-Shifa Hospital by Israeli forces intensified international condemnation. Medical professionals within Al-Shifa reported a total collapse of critical services, with patients dying due to the lack of electricity, medicines, and even basic medical care. Premature infants had to be manually warmed after incubators failed, and corpses decomposed within hospital walls, creating health hazards for the living. According to the United Nations Office of the High Commissioner for Human Rights, the deprivation of essential services at Al-Shifa constituted violations of the Fourth Geneva Convention, which explicitly protects medical facilities and prohibits the targeting or obstruction of humanitarian operations, even amidst active hostilities.

Beyond the immediate loss of life, the systematic degradation of civilian services has produced profound secondary effects across Palestinian society. Attacks on schools and educational institutions have crippled access to learning, with UNICEF reporting over 480 educational facilities damaged or destroyed during the conflict. The destruction of these institutions not only interrupts the academic development of children but also erodes social cohesion, perpetuating cycles of poverty, unemployment, and psychological trauma that will linger across generations. Education, recognized under international law as a fundamental right, has become a casualty of the conflict.

The humanitarian consequences extend beyond education. Attacks on electricity grids, water supplies, and sanitation systems have worsened the already precarious living conditions in Gaza. Reports from Human Rights Watch highlight that the deliberate or negligent targeting of critical civilian infrastructure exacerbates humanitarian suffering and may amount to collective punishment, a violation under Article 33 of the Fourth Geneva Convention. In such a context, civilian survival is weaponized, further

deepening Gaza's humanitarian emergency.

Forced displacement has emerged as another catastrophic consequence of the ongoing hostilities. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), by June 2024, more than one million Palestinians had been forcibly displaced from Rafah and surrounding areas. This level of displacement, affecting nearly half the population of the Gaza Strip, has created enormous pressure on humanitarian relief systems, worsened social fragmentation, and further entrenched vulnerability among displaced populations. The displacement crisis highlights the broader cost of military operations that disregard proportionality and the protection of civilian life.

Economically, the conflict has devastated Gaza's already fragile economy. According to the World Bank, unemployment in Gaza has soared beyond 50%, with poverty rates ranging from 38% to 53%. Families struggle to meet basic needs as livelihoods vanish under the pressure of siege, blockade, and bombardment. The destruction of commercial infrastructure and agricultural land has compounded the economic crisis, leaving international aid as the primary means of survival for a majority of the population. This economic collapse underscores how the impact of the conflict transcends immediate battlefield considerations and penetrates deeply into the daily lives of ordinary people.

The psychological toll on Palestinians, particularly children and youth, has reached alarming levels. Studies conducted by Save the Children and the Norwegian Refugee Council (NRC) reveal that widespread trauma, anxiety, depression, and symptoms of post-traumatic stress disorder (PTSD) are prevalent across Gaza's population. Children who survive airstrikes often face lifelong emotional scars, while adults exhibit high rates of mental health deterioration due to repeated exposure to violence, loss, and displacement. These psychological effects constitute a silent but enduring legacy of the conflict, compounding the already immense challenges faced by post-conflict

recovery efforts.

Applying the framework of Just War Theory, particularly the principles of proportionality and distinction, it becomes evident that many military actions in the current conflict fall short of ethical legitimacy. While Israel argues proportionality by claiming that public facilities such as mosques and hospitals were exploited by Hamas for military purposes, the scale of civilian casualties and infrastructural devastation challenges this claim. The sheer magnitude of displacement—affecting 85% of the Gaza population according to UN sources—suggests that civilian harm is not incidental but central to the conflict's conduct. Moreover, attacks on journalists, educational institutions, and UN-protected shelters cannot be justified even under broad interpretations of military necessity, thereby representing clear violations of international humanitarian standards.

The international community remains starkly divided, with polarized narratives shaping perceptions of legitimacy. Pro-Palestinian actors emphasize violations of human rights, the disproportionate killing of civilians, and the destruction of civilian life, while pro-Israel advocates stress the right to self-defense and the imperative of neutralizing threats from militant groups like Hamas. Nevertheless, even acknowledging the security imperatives of states, the indiscriminate harm inflicted upon civilians, the destruction of critical infrastructure, and the ensuing humanitarian catastrophe point to a systemic erosion of the moral and legal frameworks that are supposed to regulate warfare. As such, the Israel-Palestine conflict, particularly in its targeting of civilian infrastructure, serves as a sobering indictment of the failures of contemporary international law to protect vulnerable populations amidst asymmetric warfare.

Violations of International Humanitarian Law in the Israel-Palestine Conflict

The Israel-Palestine conflict has repeatedly raised serious concerns regarding the adherence to International Humanitarian Law (IHL),

particularly the protections established under the Fourth Geneva Convention of 1949. The Convention explicitly mandates the protection of civilians and civilian infrastructure during armed conflicts, with Article 18 prohibiting attacks on hospitals and designated humanitarian collection points, and Article 27 emphasizing the humane treatment and protection of civilians from violence, intimidation, and public humiliation. Recent events, notably the bombing and sieging of facilities such as Al-Shifa and Al-Aqsa Hospitals, reveal clear breaches of these foundational protections, exacerbating the humanitarian crisis in Gaza and highlighting the erosion of internationally accepted wartime norms.

The attack on medical facilities such as Al-Shifa Hospital violates Article 18, which demands that hospitals and medical centers serving civilians must be spared from hostilities. In the Gaza conflict, Israeli military operations severely impaired hospital functionality, leading to preventable deaths among vulnerable groups, including premature infants and critically injured civilians. The deprivation of fuel, electricity, and basic medical supplies under siege conditions transformed hospitals from places of care into zones of humanitarian collapse. Such actions, devoid of direct military justification, contravene the core humanitarian obligation to protect non-combatants and medical facilities during warfare.

Furthermore, Article 27 of the Fourth Geneva Convention requires that all protected persons be treated humanely without adverse distinction based on race, nationality, religion, or political opinion. The killing of civilians, healthcare workers, journalists, and the systematic targeting of civilian homes and public shelters during the conflict represents profound violations of this principle. According to United Nations reports, civilians accounted for a significant majority of casualties in Gaza, suggesting a pattern of disregard for the fundamental protections enshrined in international humanitarian norms.

The operation known as Cast Lead, conducted by Israel, offers historical precedent for evaluating the persistent violations of humanitarian law. During

the 22-day assault, an overwhelming proportion of casualties were civilians, and the massive destruction of civilian infrastructure—including homes, hospitals, and United Nations facilities—demonstrated a disregard for the principle of distinction. This principle, foundational to IHL, obligates parties to differentiate clearly between combatants and non-combatants and to target only legitimate military objectives. The repetitive failure to observe this distinction not only results in disproportionate civilian suffering but also fundamentally undermines the legitimacy of military operations.

Moreover, the principle of military necessity, codified in Article 57 of Additional Protocol I, mandates that attacks must be strictly limited to military objectives. However, evidence from Gaza shows that civilian homes, schools, and essential infrastructure were systematically targeted under the pretext of neutralizing militant threats. Destruction of electricity grids, water facilities, and healthcare infrastructure critically endangered the survival of civilians, especially children and the wounded, thus violating the requirement that military operations must minimize unnecessary suffering and preserve essential services for civilian populations.

Humanitarian considerations were equally neglected during the conflict. The denial of humanitarian aid—whether through blockades, restrictions on medical evacuations, or attacks on aid convoys—constitutes a violation of the principle of humanity, another cornerstone of IHL. The obstruction of humanitarian relief efforts, as documented by Human Rights Watch and UN agencies, exacerbated Gaza's humanitarian disaster, contravening the legal obligation to facilitate assistance to populations in need during armed conflict.

The principle of proportionality, designed to prevent attacks causing excessive civilian harm relative to the anticipated military advantage, was systematically undermined. Israeli operations often responded to Hamas rocket attacks—many of which were militarily ineffective—with large-scale bombardments that devastated entire neighborhoods. The disproportion

between the limited military objectives achieved and the extensive civilian casualties and infrastructure destruction signals a profound breach of this principle. Notably, the retaliation dynamic during and after attacks, such as those occurring after October 7, 2023, demonstrated the widening gap between military goals and humanitarian consequences.

However, violations of IHL were not confined to Israeli forces alone. Armed groups in Gaza, notably Hamas, also breached humanitarian law by employing tactics that endangered civilians. Article 28 of the Fourth Geneva Convention and Article 51 of Additional Protocol I prohibit the use of civilians as human shields and forbid launching attacks from civilian areas to protect military objectives. Hamas's alleged embedding of military infrastructure within densely populated civilian neighborhoods, while not conclusively proven in the case of hospitals, complicates the operational environment and exposes civilians to heightened risk—thus contributing to the cycle of violations.

Furthermore, Article 52 of Additional Protocol I protects civilian objects from military attacks unless they are effectively used for military action. While Hamas's placement of rocket launchers near or within civilian areas complicates Israel's military calculations, it does not absolve Israeli forces from their obligations under proportionality and distinction principles. Even if civilians are unlawfully used as shields by one party, the attacking force must still take all feasible precautions to minimize civilian harm, a standard that many operations in Gaza have demonstrably failed to meet.

In sum, the evaluation of the Israel-Palestine conflict through the lens of the Geneva Conventions and International Humanitarian Law reveals extensive and serious violations by both Israeli forces and Palestinian armed groups. The destruction of civilian infrastructure, the high civilian death toll, the obstruction of humanitarian aid, and the use of civilian areas for military purposes constitute breaches of international norms. These violations not only worsen the immediate humanitarian crisis but also erode the credibility of the

international legal framework designed to protect civilians in times of war. Without stronger enforcement mechanisms and accountability, the erosion of humanitarian law witnessed in Gaza risks becoming the tragic new standard for future asymmetric conflicts.

Analysis of Potential War Crimes and the Erosion of International Humanitarian Law

The classification of certain acts within the Israel-Palestine conflict as potential war crimes requires careful reference to international legal standards, particularly the Geneva Conventions, the Rome Statute of the International Criminal Court (ICC), and customary humanitarian law. A series of criteria defines war crimes: deliberate killings, torture, infliction of great suffering, unlawful destruction of civilian property, and attacks on protected persons and sites. Violations such as the targeted destruction of hospitals, mass displacement of civilians, and deliberate targeting of civilian infrastructure fall squarely within these categories. In the context of the recent escalations, there is substantial evidence to argue that breaches of international humanitarian protections—especially those related to the safeguarding of civilians and civilian objects—have occurred systematically.

The Fourth Geneva Convention, particularly Articles 18 and 27, clearly prohibits attacks on hospitals and mandates humane treatment of all civilians in occupied territories. The bombing of Al-Shifa and Al-Aqsa hospitals, as well as the repeated targeting of schools and shelters, constitute grave breaches under these articles. Moreover, Article 147 of the Convention identifies the intentional killing, torture, or inhumane treatment of civilians as grave breaches, amounting to war crimes. Such actions, resulting in mass civilian casualties and widespread destruction without direct military necessity, fulfill the material elements needed for classification as war crimes under international law.

The Rome Statute expands this framework further, particularly in Article 8(2)(b), by criminalizing attacks against civilian objects,

disproportionate attacks, and the use of protected facilities for military purposes without distinction. Israel's actions, if found to have systematically targeted civilian centers without adequate military justification, could thus fulfill the threshold for war crimes prosecution under the Rome Statute. The Statute also identifies attacks causing extensive environmental damage disproportionate to military advantage as crimes, raising additional legal concerns given the widespread infrastructural devastation across Gaza.

The response from international institutions has been significant. The United Nations Security Council, in a March 2024 resolution, demanded an immediate ceasefire during Ramadan and emphasized strict adherence to humanitarian obligations. Similarly, the Office of the UN High Commissioner for Human Rights (OHCHR) raised alarms regarding the high civilian death toll and the deliberate targeting of essential medical infrastructure, warning of the legal implications under international humanitarian law. Organizations such as Amnesty International and Human Rights Watch have openly accused Israel of committing acts potentially qualifying as war crimes and demanded independent international investigations into the conduct of military operations in Gaza.

Historical patterns reinforce these concerns. In previous conflicts, including the 2021 Gaza war and Operation Cast Lead in 2008-2009, Israel's military actions have drawn allegations of systematic violations of the Geneva Conventions and international humanitarian law. Patterns of disproportionate force, unlawful targeting of civilian sites, and mass displacement have been documented across multiple conflicts, strengthening the argument that the recent escalations are part of a broader trend rather than isolated incidents. Reports from Amnesty International and the United Nations suggest recurring structural issues in Israel's rules of engagement and targeting protocols.

The potential sanctions facing Israel are significant but politically complex. The International Criminal Court (ICC) has opened investigations into alleged war crimes committed in the Occupied Palestinian Territories,

dating back to 2014. However, Israel's non-ratification of the Rome Statute complicates direct enforcement. Nevertheless, targeted economic sanctions, diplomatic isolation, and embargo measures could be employed by individual states and blocs, such as the European Union, in response to ongoing violations. Previous precedents, such as labeling goods from Israeli settlements, represent initial steps toward economic pressure in response to breaches of international law.

A comparative analysis with incidents such as the 2015 U.S. airstrike on a Médecins Sans Frontières hospital in Kunduz, Afghanistan, offers important legal parallels. In that case, despite a U.S. internal investigation and official acknowledgment of wrongdoing, accountability was limited to administrative penalties. This example illustrates a broader pattern in international conflict: while violations are often recognized, legal and political barriers frequently prevent full criminal accountability for war crimes, perpetuating a culture of impunity and undermining the credibility of humanitarian law enforcement.

The broader legal context of State Responsibility under international law further complicates accountability mechanisms. Even when violations are well-documented, geopolitical dynamics—particularly the support Israel receives from major powers such as the United States—often shield it from collective international action. Nonetheless, under the principle of *hostis humani generis* (enemy of all humanity), states committing grave violations of humanitarian norms can, theoretically, face international sanction through coordinated economic, diplomatic, and political pressure even outside formal judicial mechanisms.

Beyond legalistic evaluations, the ethical ramifications of continued violations of humanitarian law are profound. The erosion of international norms risks rendering the foundational principles of modern humanitarian law—distinction, proportionality, necessity, and humanity—ineffectual. If violations such as those occurring in Gaza go unpunished, future conflicts may escalate in brutality, with states feeling emboldened to target civilians and

protected infrastructure without fear of meaningful reprisal, undermining the very fabric of the international humanitarian order painstakingly developed in the aftermath of World War II.

Finally, the regional implications of failing to address potential war crimes are deeply destabilizing. Perceived injustice fuels radicalization among Palestinian populations and strengthens extremist narratives that undermine moderate political solutions. The broader Middle East risks increased instability, as unresolved grievances spill over into neighboring countries, fostering cycles of violence and refugee crises. Therefore, the international community faces not merely a moral or legal obligation but a strategic imperative: to enforce humanitarian norms rigorously, ensure accountability for violations, and work towards a durable political solution grounded in justice and respect for international law.

Long-Term Implications of the Erosion of International Humanitarian Law

The failure to rigorously enforce international humanitarian law in the context of armed conflicts, particularly in the Israel-Palestine situation, carries profound and far-reaching consequences. Ignoring the laws of war, especially in cases involving attacks on civilian facilities and non-combatants, risks creating a dangerous precedent whereby states perceive no tangible repercussions for serious violations. This, in turn, fosters a permissive environment where humanitarian norms are increasingly viewed as irrelevant or ineffective, leading to the gradual erosion of global compliance with these norms. As international legal institutions such as the United Nations and the International Criminal Court lose credibility and effectiveness, the global community risks facing a legitimacy crisis, wherein the rules established to limit the savagery of war become merely symbolic rather than operational. Without stringent enforcement, violators may continue to commit atrocities with impunity, escalating the risks of severe crimes such as genocide, crimes against humanity, and systemic war crimes. Furthermore, the fundamental

principles of humanitarian law, which aim to protect civilians and limit the brutality of armed conflict, could be significantly weakened, reversing decades of progress in making warfare more regulated and humane.

Beyond its legal and normative implications, the disregard for international humanitarian law has dire consequences for the Israeli-Palestinian conflict and broader regional stability. Perceived injustices, particularly on the part of the Palestinian population, can fuel further radicalization and increase support for extremist groups that view violence as the only viable response to diplomatic and legal failures. The absence of meaningful legal enforcement incentivizes both parties to prioritize military strategies over peaceful negotiation, further entrenching cycles of violence and undermining prospects for a sustainable political solution. Moreover, perceived or real inequities in the application of international law diminish trust between the conflicting parties, making any negotiation efforts appear biased or unreliable. In this environment, peace initiatives—whether promoted by regional actors such as Arab League states or by international coalitions—face substantial hurdles, as they are likely to be seen as hollow or ineffective if they fail to address fundamental issues of accountability and justice.

The ongoing deterioration of humanitarian conditions in Gaza and the West Bank, compounded by recurrent violence, threatens to destabilize not only the Israeli-Palestinian context but the entire Middle East. Prolonged conflict exacerbates refugee flows, increases the burden on neighboring countries such as Jordan, Lebanon, and Egypt, and creates fertile ground for the proliferation of new conflicts fueled by sectarian divisions, resource scarcity, and political grievances. The humanitarian fallout, particularly in terms of displacement and economic collapse, places immense pressure on regional economies and heightens social tensions, thereby generating conditions conducive to further instability and conflict proliferation.

To avoid a wholesale collapse of the international humanitarian system

and to foster the conditions necessary for a just and durable peace, robust enforcement of legal norms and accountability mechanisms must become a top priority for the international community. International organizations, including the International Committee of the Red Cross (ICRC), Human Rights Watch, Amnesty International, and various United Nations agencies, have underscored the critical importance of enforcing international humanitarian standards and have warned of the grave consequences of continued neglect. These reports consistently highlight the need for impartial investigations, accountability for violations, and consistent application of humanitarian law across all conflicts, without regard to political alliances or geopolitical interests.

Failure to act decisively will not only embolden violators but will also degrade the international system's ability to mediate, regulate, and prevent future atrocities. When states perceive that violations are met with impunity, they are less likely to adhere to humanitarian norms in future conflicts, leading to an escalation of brutality, an increase in civilian suffering, and a breakdown of the foundational principles that underpin modern conflict regulation. Moreover, weakening the authority of legal institutions tasked with enforcing international humanitarian law diminishes the ability of these bodies to serve as credible arbiters in future disputes, further accelerating the erosion of international peace and security structures.

In the Israeli-Palestinian context, specifically, neglecting the enforcement of humanitarian law will perpetuate cycles of violence, deepen political polarization, and cement narratives of victimization and injustice that hinder reconciliation. The continued normalization of targeting civilian populations, destroying essential infrastructure, and obstructing humanitarian aid will severely damage any future efforts toward a two-state solution or alternative peace frameworks. The longer accountability is delayed, the more entrenched these destructive patterns become, and the harder it will be to dismantle them in pursuit of a durable settlement.

Regional peace initiatives, including those led by Arab states and international organizations, will be severely undermined if there is a prevailing perception that international law selectively applies or that certain states are exempt from accountability. Achieving sustainable peace will require not only political agreements but also a credible commitment to legal and moral norms. Without this, peace processes will continue to fail, and the region will remain trapped in cycles of war, poverty, displacement, and extremism.

Thus, the international community faces a critical juncture: either to reaffirm and reinforce the universality and inviolability of humanitarian law, or to allow its gradual decline into irrelevance. The consequences of inaction are too severe to ignore—not just for the Middle East, but for the credibility of the entire international legal order. Ensuring accountability for war crimes and serious violations is not merely a matter of justice for the victims; it is a necessary condition for the preservation of a rule-based international system and for the hope of a more peaceful and just world.

CONCLUSION

The Israel-Palestine conflict, when scrutinized through the frameworks of Just War Theory and International Humanitarian Law, reveals a distressing pattern of systemic violations that have inflicted profound suffering on civilian populations. Both Israeli and Palestinian actors have breached fundamental principles such as distinction and proportionality, undermining the moral and legal foundations designed to protect civilians during armed conflict. The repeated targeting of hospitals, schools, and refugee shelters not only constitutes potential war crimes under the Rome Statute and the Geneva Conventions but also erodes the legitimacy of international humanitarian norms.

Beyond the immediate human cost, the conflict's long-term ramifications threaten to destabilize the broader Middle East and weaken the international legal order. Failure to ensure accountability for violations risks

creating a precedent of impunity, encouraging future conflicts where civilian suffering is normalized. Furthermore, the persistent erosion of trust in international mechanisms weakens prospects for meaningful peace negotiations and fosters environments conducive to radicalization, displacement, and regional instability. If international institutions fail to enforce legal norms impartially, the vision of a rule-based global system will continue to deteriorate.

Moving forward, the international community must prioritize accountability, uphold the integrity of humanitarian law, and work towards political solutions that address the core grievances of both Israelis and Palestinians. True and lasting peace cannot be achieved through military dominance or temporary ceasefires alone. It requires the reestablishment of legal and ethical commitments to human rights, justice, and equitable sovereignty. Only through a genuine commitment to these principles can future generations hope to escape the enduring cycles of violence and injustice that have long defined the Israel-Palestine conflict.

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