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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

“THE ISRAEL-PALESTINE CONFLICT AND HUMAN RIGHTS: POLITICAL CHALLENGES, AND HUMANITARIAN CRISES”.

AUTHORED BY - ZAINAB IFTIKHAR KHAN

Abstract

The conflict between Israel and Palestine is a major point in the international politics, which lasted more than seven decades and was characterized by severe political, territorial, and humanitarian crises. This dissertation discusses war in terms of human rights with reference to the use of international legal instruments and its inadequacies, the political obstacles to peace and resolution and the humanitarian catastrophes in Palestine and Israeli. The most vital aspect of this analysis is the legal aspect, especially the aspect of International Humanitarian Law (IHL) and human rights law that is involved in regulating the behaviour of both the parties, i.e., whether Israeli settlements are legal or that the status of Jerusalem and their rights as Palestinian refugees is. Besides the roles played by the legal frameworks, the article also looks at the political aspects of the conflict, including the peace processes (e.g. the Oslo Accords) as well as the role of outside players (e.g. United States, European Union etc.) in maintaining the conflict or reducing it. Red Cross The humanitarian aspect includes the drastic effects of the war, whether economically, socially, and psychologically, especially to the Palestinians in Gaza and the west bank and between displacement of refugees. This study aims at developing a detailed knowledge of the manner in which legal and political issues are interlocked with the human rights violations that have conditioned the conflict occurring.

Keywords: Israel-Palestine Conflict, Human Rights, International Law, Political Challenges, Humanitarian Crisis.

I. Introduction

The Israeli-Palestinian conflict is perhaps one of the most enduring and controversial conflicts ever experienced in history. Its history lies deep in the historical, religious and political reasons fading back to the early 20th century. Some of the causes of the conflict were the Balfour Declaration of 1917 which made the British voice its consent to have a Jewish national home

in Palestine and the subsequent increase in Jewish immigration to Palestine under the British Mandate. This led to a situation of tensions by the Arab population who were threatened by the demographic and political changes. After World War II, in 1948 the splitting of Palestine into two states Jewish and Arab states by the decision of the United Nations followed by the creation of Israel led to the war between Israel and the rest of the Arab world, which displaced hundreds of thousands of Palestinians creating a refugee crisis that still is a problem in the region even today.¹

In 1947 the UN put forward their Partition Plan on how to partition Palestine into the Arab States and the Jewish States but the Arab States declined, and this became the foundation of the Arab Israeli War of 1948. Israelis have been known to be living without a state, and after the war this is because Palestinians have no state left hence the struggle over self-determination and sovereignty has always been there. The conflict has passed through its phases, and thus over the decades, it has taken the form of the 1967 Six-day war during which Israel occupied the West Bank, Gaza strip and East Jerusalem. The consequence of these wars plus the increased political and territorial conflicts resulted to formation of Palestinian resistance groups, especially the Palestine Liberation Organization (PLO) which have been demanding an independent Palestinian state. The conflict is continuous despite various attempts to bring peace between the two including the Oslo accords in the 1990s since they are still arguing over Jerusalem, borders, refugees, and security. The civilians of Israel and Palestine have been severely affected by the humanitarian and political implications of the tussle that continues to run on. Israel and Palestine have experienced security threats due to the infiltration of the militant groups like Hamas, and security activities by the Israeli regime in Sebastia have been subjected to military occupation, displacement and abuse of their human rights.²

The Isra-Palestine conflict is a geopolitical conflict not fully resolved with massive implications on human rights. Human rights violations still exist among the Palestinians and the Israelis though in different circumstances. Terrestrial intrusion, Israeli settlement growth and limited mobility has caused poverty and displacement along with mental abuse to the Palestinians. On the Israeli tip, the citizens have to be in the state of security threats, i.e. they are exposed to terrorist attacks, rocket attacks by Gaza, and they have to live in the state of fear

¹ Avi Shlaim, *The Iron Wall: Israel and the Arab World* (Penguin Books, 2014).

² Rashid Khalidi, *The Hundred Years' War on Palestine: A History of Settler Colonialism and Resistance* (Metropolitan Books, 2020).

and military vigilance. Yet, being addressed by many peace attempts and negotiations, there was seen no permanent way out of the conflict. There is still the political, social and even humanitarian impact that is keeping the peace option at bay, with a number of international frameworks being ineffective in their attempts to resolve the situation.³

Research Objectives

The following dissertation is an attempt to come up with a holistic picture of the Israel-Palestine conflict seen in the light of international law, political issues and humanitarian crises that have been created by the protracted violence. This research aims to determine the following specific objectives:

- Focus on the issues of role of international legal frameworks, i.e. International Humanitarian Law (IHL) and Human Rights Law, in the regulation of the conflict and evaluate their efficiency in safeguarding the rights of both Israeli and Palestinian peoples.
- Examine the political issues that put obstacles on the peace process such as the Israeli settlement policies, the rift in Palestinian leadership and the geopolitical regional politics on peace process.
- Evaluate the humanitarian crises that have been caused and these include the displacement of Palestinians, rights to the basic needs, and the psychological impacts of the struggle both to the Palestinians and the Israeli civilians.

Research Questions

This dissertation is to attempt to answer some of the vital questions that touch on the legal, political and the humanitarian aspects of Israel-Palestine conflict:

1. What are some of the international legal regimes that have been used in handling the Israel-Palestine conflict, and how have they fared in resolving the issue of human rights violations committed by either the Israel or the Palestinians?
2. What are the political issues that thwart any attempts to attain a sustainable peace agreement between Israel and Palestine and has these issues influenced the nature of the conflict?
3. The impact of humanitarian crisis on daily lives of Palestinian civilians living

³ United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Humanitarian Impact of Israeli Settlements in the West Bank*, UN OCHA Report, 2022.

particularly in Gaza and West Bank; how has Israeli security been affected by persistent violence? How does one go about reducing the crises and pegging a healthy peace?

The relevance of this research to the academic literature consists in the fact that it will help understand the complicated interaction between international law, politics, and human rights involved in the Israel-Palestine conflict. The study will offer understanding of the efficacy of international law in averting abuse of human rights through observing their success (or failure) in incorporating the law into the management of international affairs. Moreover, the political issues considered will contribute to the explanation of the inability to realize the long-term solution to the conflict. Finally, the humanitarian effect will be discussed as part of the dissertation, to explain to the world why civilians suffer on both sides, and why the conflict must have a solution within the framework of justice, equal rights and human rights.

This study is not only considerable in regard to the state of its academic development but also hopes to contribute towards the understanding of international peace efforts and human rights campaigns as the international actors remain as a key figure in the endeavours to bring this conflict to an end and liberate people finding themselves in the cross fire.

II. International Law Frameworks and Israel-Palestine Conflict

The laws of war or International Humanitarian Law (IHL) is a cluster of regulations that attempts to constrain the outcomes of armed struggle with human features. The main purpose of IHL is to safeguard the people not taking part in conflicts, including civilians, prisoners of war, medical staff, and it is to limit the conduct of hostilities used by the people engaged in a conflict, and strive so that military action becomes proportionate, necessary, and targeted at legal military purposes.⁴

The main principles of the IHL are: the distinction principle, in accordance with it the parties to the conflict should make a distinction between combatants and civilians, between military targets and civilian objects. This provides the backbone of making sure that the civilians are not the target of hostilities. Another aspect of IHL is the principle of proportionality which is to the effect that any loss suffered by civil population should not prove excessive relative to the military benefit that would be enjoyed on the successfulness of an attack.

⁴ International Committee of the Red Cross (ICRC), *What is International Humanitarian Law?*, Advisory Service on International Humanitarian Law, ICRC Publication, 2004.

The Geneva Conventions of 1949 constitute the major regulation of IHL and, to some extent, can be regarded as the foundation of the international law to deal with situations of armed conflict. These conventions provided elaborate rules on treatment of the wounded and sick, on treatment of the prisoners of war, and on the treatment of civilians during combatant. The Hague Conventions of 1899 and 1907 contains further details on how wars should be conducted such as the protection of property of civilians and the principles of military occupation. IHL binds all cases of armed conflicts, be they international or non-international, with all conflict parties required to comply with their provisions, irrespective of their legal status under international law.⁵

In the Israel-Palestine case, IHL is very imperative in governing the actions of both the Israelis and Palestinian armed forces. Notwithstanding these legislative safeguards, IHL enforcement and implementation is highly questioned, especially in the context of both Israeli military activity and Palestinian militant activity. Both parties are regularly accused of derailing the IHL principles such as attacking civilians, fighting with disproportionate force, and carrying out collective punishment by human rights organizations and international legal organizations.

Territorial Occupation, Treatment of Civilians, and Geneva Conventions and the Rules, Governing Armed Conflict

Geneva conventions serve as the foundation of International Humanitarian Law, which entails the entire system of protecting the individuals in the circumstances of armed conflict. The Fourth Geneva Convention (1949) has a rather special relation to the Israel-Palestine conflict, since it deals with the issues of protection of the civilians in the occupied territory. Territorial occupation According to the Fourth Geneva Convention, one party acquires effective control over the territory of another, even when the territory is not formally annexed; resulting in territorial occupation. The occupying power also has to provide the welfare of the population in the occupied territory and does not have the right to change the status of land and forcibly remove the population. The most controversial thing about Israeli activities in the IHL is the policy of settlements in the West Bank and East Jerusalem. The Geneva Conventions prompt against transfer of civilian occupying power to the occupied territory. The international legal experts and governments alike consider the policy of construction by Israel in these territories as a violation of IHL. Nevertheless, the Israeli government presents the fact that those regions

⁵ International Committee of the Red Cross (ICRC), *Commentary on the First Geneva Convention of 1949*, ICRC Publication, 2016.

do not unfold the full applicability of the IHL or that the conventions are not applied the same because of a complicated political and territorial situation. Moreover, Israel is accused of not acting according to Geneva conveniences because of the large number of civilian victims as a result of building of the separation wall in the West Bank and military activities in Gaza. Such measures such as airstrike of civilian infrastructure and blockade of Gaza have been repeatedly denounced because of the disproportionate damages that these actions impose on the Palestinian people which is considered a breach of the proportionality principle under IHL.⁶

The Task of International Criminal Law (ICL) to punish parties responsible on War Crimes and Violations of Humanitarian Law

The International Criminal Law (ICL) regulates holding individuals responsible who violate the IHL in the case of genocide, crimes against humanity, and war crimes. ICL lays emphasis on individual liability to crime, and this has ensured that persons who engage in serious offenses either as the state or other actors are allowed to undergo prosecution. The Rome Statute that formed the international criminal court also known as the ICC, in 2002, can be seen as the main body of prosecuting war crimes, crimes against humanity, and genocide. Israel however does not have a signature to the Rome Statute therefore the ICC has no direct authority (jurisdiction) over the Israeli people and it is therefore hard to blame Israeli officials over the alleged crimes against IHL. Although Palestine is the ICC member so the court might be able to prosecute any of the alleged war crimes conducted in Palestine territories, jurisdictional complexities and political relationships make up the vast majority of times in difficulties to achieve justice. In 2020, the ICC granted permission of an investigation into possible war crimes on the part of Israeli forces as well as Palestinian militant elements, especially the conflict of 2014 known as the Gaza War and the following hostilities. The allegations that the investigation examines are that of targeting civilians and civilian infrastructure attacks, as well as exercising excessive force. Neither have accepted committing any war crimes and both explain that whatever is being done is in the cause of self-defence or upholding national security. Lapses in accountability of the ICC have brought the need of greater international cooperation in the execution of international law. Even though it reaches such conclusions, the capacity of the court to implement decisions is usually (negatively) affected by political opposition raised by major states and this makes it difficult to bring justice to the victims. Moreover, Palestinian armed organizations, including Hamas, are also accused of war crimes,

⁶ Antonio Cassese, *International Law* (Oxford University Press, 2nd edn., 2005).

not to mention widespread fire of rockets on Israeli civilian settlements, which are prohibited by IHL.⁷

Difficulties in Implementing IHL and ICL in Israeli-Palestinian Conflict

Lack of enforcement of both the International Humanitarian Law (IHL) and the International Criminal Law (ICL) through international consensus and political will is perhaps one of the major issues affecting the implementation of both the laws in the Israel- Palestine conflict. Israel has never signed the Rome Statute and hence the ICC cannot directly indict Israeli officials, a statutory gap which allows justice not to occur. In the meantime, the internal separatism within the Palestinian leadership (i.e., the division between the Palestinian Authority and Hamas) adds an additional twist to this process, and various groups may be punished due to different infractions, but there is no comprehensive legal document that will help to regulate the bigger picture. Accountability of violations is also a problem since the international law is sometimes not applied uniformly, especially based on geopolitical factors. The effective protection that Israel has enjoyed against scrutiny under international law particularly in the United Nations Security Council has been likened to the survival given to Israel by major international powers including United States, where they consistently used their veto powers instead of sanctioning Israeli policies that are against the provisions of IHL. Consequently, neither Israel nor Palestinian forces have faced any serious prosecution under international criminal law and in fact, contravention of IHL became unpunished, and victims lack adequate redress. Such unaccountability promotes patterns of violence and fail to make IHL an effective conflict resolution tool.⁸

International Humanitarian Law and International Criminal Law offer fundamental guidelines in terms of controlling the behaviour during armed conflicts and punishing violators of war crimes. Nevertheless, the situation in Israel and Palestine is among the worst when it comes to the application of these laws as it is extremely complicated both politically and does not involve universal legal responsibility as well as it continues a humanitarian crisis. To have IHL and ICL work toward peace and justice, international cooperation including human rights commitments and enforcement ought to be enhanced and international commitment to have a

⁷ Antonio Cassese, *International Criminal Law* (Oxford University Press, 3rd edn., 2013).

⁸ William A. Schabas, *An Introduction to the International Criminal Court* (Cambridge University Press, 6th edn., 2020).

full accountability and protection of a civilian on both sides of the conflict is a must.⁹

Important United Nations Resolutions

1. UN Resolution 1967: Israeli withdrawal of occupied territories

Resolution UN 242 was a momentous resolution by the security council of the United Nations, which was the way forward after the War I In June 1967-the Six Day War. In the process of this conflict, Israel made great gains and took Western Bank, Gaza Strip, East Jerusalem and Golan Heights, all of which were occupied by Jordan, Egypt and Syria. The resolution stated that "Israel armed forces should leave the occupied territories in the recent conflict", but it was not written which borders should be accepted or what is the depth of withdrawal. The text of the resolution was very skilfully drafted in such way that it was possible to use maximum flexibility in negotiations, yet the basic idea on which the resolution was constructed was the land in exchange of peace. Resolution 242 underlined territorial integrity and provision of secure and internationally recognised boundaries of all member states of the region including Israel. The demand of withdrawal by Israeli was related to the acceptance of the right of Israel to exist and live in peace with secure and recognized borders. To address the situation, the resolution also appreciated that there was need to ensure a fair resolution of the refugee issues and that the freedom of navigation must be guaranteed to all the states in the region. Although it was a straightforward request of the Israeli to withdraw, the resolution was controversial and resulted into giant debate. Israel has understood the resolution to imply that it only needs to evacuate some of the territories occupied by the nation in the war.¹⁰

Conversely, the Arab states and the Palestinians have reasoned that a long-lasting peace can only be attained through complete withdrawal. In the long run, Resolution 242 has been taken as the foundation to all other peace treaties such as in the Camp David Accords (1978) and the Oslo Accords (1993). Nevertheless, it has not worked comprehensively as there is still hot contention on territorial change, status of Jerusalem, and repatriation of Palestinian refugees. Nonetheless, Resolution 242 is an important baseline of the case of Israeli withdrawal and two-state conflict between Israel and Palestine.

⁹ International Committee of the Red Cross (ICRC), *International Humanitarian Law and the Challenges of Contemporary Armed Conflicts*, Report to the 33rd International Conference of the Red Cross and Red Crescent, Geneva, 2019

¹⁰ John Quigley, *The Case for Palestine: An International Law Perspective* (Duke University Press, 2005).

2. UN Resolution 181 (1947): The Partition Plan

Another important resolution that was made in 1947 is the UN resolution 181 that had a proposal of division of Palestine into two countries- Jewish and the Arab countries with an international administration of Jerusalem. This was an attempt to solve the brewing hatred between the Jewish and Arabs in Palestine which was a British Mandate. The UN in the Special Committee on Palestine (UNSCOP) proposed a plan that would sub-divide the land into the three sections as Jewish state, Arab state and as an international zone to Jerusalem because it holds importance to more than one religious group. This plan provided 55 percent of the territory of Palestine to the Jewish state (although Jews only constituted approximately the third part of the population at that moment), 45 percent to the Arab state, the city of Jerusalem was under the international status, as it is holy due to Judaism, Islam and Christianity. The Jewish leadership took this resolution and the Jewish Agency in Palestine then declared the establishment of the State of Israel in May 1948, after the expiry of the British Mandate. But this was opposed by the Arab states and the Palestinian leaders who felt it was not fair and it denied them the self-determination. They said that the plan discriminated against the Jewish minority against the Arab majority, particularly when it came to land distribution. Neighbouring Arab states intervened with a military action after Israel had proclaimed independence, which resulted in 1948 Arab-Israeli War. Israel kept the majority of the territories determined in Resolution 181 and experienced a process of future expansion, whereas Jordan and Egypt controlled the West Bank and the Gaza Strip and East Jerusalem correspondingly. Due to the absence of actual implementation of UN Resolution 181 proposing the two-state solution as a result of this denigration by the Arabs and the ensuing conflict, the two-state solution was not really carried out. What makes this partition plan so meaningful is that this plan also prepared the formation of the state of Israel, but it also increased the feeling of injustice and displacement in the Palestinians, as a number of Palestinians became exiles, and the Arab world never accepted that Israel was a separate state.¹¹

3. UN General Assembly Resolutions: The Palestinian Issue: The Recognition of Palestine as a Non-Member Observer State (2012)

In 2012 a major resolution was passed by the UN general assembly and Palestine was made a non-member observer state. The decision was a landmark in the Palestinian cause and this followed decades of the Palestinian demands to earn recognition in the global arena. On

¹¹ Avi Shlaim, *The Iron Wall: Israel and the Arab World* (Penguin Books, 2014).

November 29, 2012, Resolution 67/19 gained majority support and was passed which changed the status of Palestine ahead of its membership to the United Nations from “entity” to “non-member observer state”. This was a significant diplomatic milestone by Palestine since it was a representation of the international community that generally supported Palestinian self-determination although it was not taking Palestine to full membership at the UN. And the fact that Palestine became a non-member observer state in the UN was taken as symbolic success of Palestinian national aspirations, and symbolic success of increasing global disapproval of the stagnant peace process. It was adopted with 138 yes, 9 no and 41 abstention votes indicating that Palestine is overwhelmingly supported as a state.¹²

Notably, the step was not equated with the entire sovereignty of the state and the involvement in international organizations such as World Bank or International Monetary Funds (IMF). But it certainly gave Palestine a right to take part in UN discussions, membership in UN specialized agencies and to pursue its interest in international legal institutions. It was also through the status of a non-member observer state that Palestine was given a chance to become a member of the international treaties such as Rome Statute of International Criminal Court (ICC) that has justified the power to make claims of war crimes and human rights violations that concerns the occupation. This understanding did not exactly imply the formation of a Palestinian state on a territorial scale recognized by all the international parties, but it was a crucial step to the rule of Palestine and world validity. But the move was opposed by Israel and other western powers especially the United States citing that it was a one-sided approach rather than negotiating with Israel.¹³

This decision failed to address the major causes of the conflict including the status of Jerusalem, boundaries of a potential Palestinian state and the Palestine refugee requests. Nevertheless, it gave a new meaning of international support to Palestinian statehood and is a very important diplomatic instrument that Palestinians use in promoting their rights in the international arena. These three major UN resolutions, which include UN Resolution 242 (1967), UN Resolution 181 (1947), and the recognition of Palestine by the UN General Assembly in the year 2012 are important in determining the framework of an amicable solution to the Israel-Palestine conflict. UN Resolution 242 asked Israeli to withdraw its occupation of the land it took during its 1967 six-day war and thus became the foundation of land-in-exchange to Israeli withdrawal and

¹² UN General Assembly Resolution 67/19, Status of Palestine in the United Nations, UN Doc. A/RES/67/19, dated 29 November 2012.

¹³ John Dugard, *Recognition of Palestine: UN Implications and International Legal Perspectives*, 24 *European Journal of International Law* (2013).

Resolution 181 partition plan was the first official international initiative to divide the land between Jewish Israel and Arab Palestine that was never seen through. International support of Palestinian self-determination was reflected by 2012 when Palestine was recognised by the UN General Assembly as a non-member observer state, although it was a reminder that a two-state solution remains a complicated issue as long as Israel is opposed to it and proceeds in expanding its territories. These resolutions highlight the paramount position the United Nations introduced to mediate the conflict and how the goals of United Nations are still struggling to balance the dreams of both Israeli and Palestinian citizens within the theme of international law.¹⁴

International Court of Justice (ICJ) and International human rights law

The International Court of Justice (ICJ) is the main United Nations court and the opinions and decisions issued by this court play back seat roles in posing instances of international law concerning the conduct of states. Reportedly, in the case of Israel-Palestine conflict, ICJ has made important opinions especially over the construction of the Israeli settlements and the separation barrier (wall) in West Bank. Among the most famous cases was in 2004 when the ICJ provided advisory opinion on Israeli security barrier. The court decided that the building of the barrier-Israel claimed it was to aid in security matters-was an infringement of the international law since it admitted to infringing the rights of Palestinians in the West Bank and East Jerusalem. The court also held that the path of the wall overriding Palestinian territory and the land the wall was being built on actually amounted to violation of international humanitarian law, that is the Fourth Geneva Convention. Through this convention, an occupying power is not allowed to change the demographic composition of the occupied territory as well as transferring its own civilian population to the territory it occupies. The ICJ also confirmed the act of Israel in building the wall as a violation to the rights of the Palestinians to freedom of movement and economic rights in general, including that of Palestinians to access basic services and resources. The ruling although not legally binding was important because it reiterated international law principles and strengthened the Palestinian right under international law. The construction of the settlements by Israel regarding the occupied territories, such as West Bank and East Jerusalem, has also been a topic of discussions in ICJ. The court has always ordered that activity in the occupied territories is against the Fourth Geneva convention which does not allow the occupying power to build settlements in the occupied land. On the face of

¹⁴ James Crawford, *The Creation of States in International Law* (Oxford University Press, 2nd edn., 2006).

these court decisions, Israel has persisted in expanding its settlements with reasons that include security and claims on the land. However, the international community has not done much towards implementing resolutions of the ICJ including the concerns it has raised, especially given the veto privilege of such world super power like the United States in the UN Security Council which has even prevented some penalization of Israel or any form of action against it.¹⁵

The International Human Rights Law in the Occupation and in Guarding the Palestinian Civilians

International Human Rights Law (IHRL) is a document that stipulates basic rights and liberties that every single person can receive without reference to their authorities, nationality, and/or religious affiliation. An example of the application of IHRL is the Israeli occupation of Palestinian land where the IHRL is relevant with regard to the violation of the human rights of both the Israeli security fighting force and the Palestinian fighters. Two of the most important means of international human rights law applicable to Israel and the occupied Palestinian territories include the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Among the Palestinians who are under Israel occupation in the West Bank, Gaza and East Jerusalem, disregard of the basic human rights has been rampant. These comprise population control that includes movement prohibition, refusal of access to care and education, arbitrary arrest, and excessive force by the Israeli security forces and settlers. The Israel Defence Forces (IDF) has been accused of waging disproportionate military actions that have led to deaths, demolition of residences as well as displacement of Palestine families. Collective punishment is also one of the ways of violating the human rights of Palestinian civilians, e.g., demolition of homes and blockades particularly in Gaza. The humanitarian crisis has been further worsened by the fact that due to the siege of Gaza, people suffer desperately short supplies of food, medicine and clean water. Amnesty International and Human rights Watch, and other international bodies tasked with enforcing international human rights and humanitarian law have regularly criticized Israel and its actions as constituting abuses of international human rights and humanitarian laws, including the right to life, the prohibition against torture, and the free movement of people. IHRL application in conflict areas remains a complicated problem, where

¹⁵ John Dugard, *The Advisory Opinion on the Wall: Israel's Failure to Respond Positively to a Legal Opinion*, in *International Law and the Israeli-Palestinian Conflict: A Rights-Based Approach* (Susan M. Akram et al., eds., Routledge, 2011).

one side considers that any act is made in the name of national security (the occupying power, Israel), and the other side indicates upon systematic oppression and discrimination measures. Current expansion of settlement coupled with military presence in Palestinian lands has given rise to a scenario in which protection of the civilian population continues to be one of the most controversial aspects of IHRL. The international human rights standards could be difficult to enforce in such a complicated type of conflict, in consideration of the fact that there are no international means of law enforcement.¹⁶

The Right of Return of the Palestinian Refugees: The case of UN Resolution 194 and its implications on displaced population

The Palestinian refugee problem is still one of the most hot-debatable aspects of the course of the conflict between Israel and Palestine. In the resolution passed by the UN (UN Resolution 194, December 1948), Palestinian refugees who lost their homes during the 1948 Arab-Israeli War and the formation of Israel are entitled to go back home. In the resolution, it is stated that refugees who want to go home, will be enabled to do so once possible and that compensation should be made on their lost property in case they do not go back home. Nevertheless, this resolution has never been implemented to full extent. Israel has always opposed the right of return with the rationale being that the influx of millions of Palestinian refugees was bound to destabilize the demographic status of the Jewish state. Israel will argue that a good number of the refugees packed their bags and went home or were persuaded to do so by the Arab leaders, and admission of the refugees back would go against the national identity of Israel. The trouble of the Palestinian refugees is pathetic. There are around 5 million Palestinians that register as a refugee with the United Nations Relief and Works Agency (UNRWA). Majority of them reside in refugee camps in Lebanon, Jordan, Syria and other regions; they are poor and cannot access quality health care, education, and job opportunities. The right of return is an iconic concern that holds a lot of significance to the Palestinians because it is their right to face justice and receive compensation due to the loss they have already encountered. The right of return is still one of the central concepts of peace negotiations, yet its solution still eludes. This would be a very hard issue to find agreement in, because it would lead to big compromise and Israel security guarantees; this is what makes this issue one of the most difficult issues to create solutions in the peace process. Palestinian refugee problem is not only humanitarian problem,

¹⁶ Amnesty International, *Israel and the Occupied Palestinian Territories: Human Rights Concerns*, Amnesty International Annual Report, 2023.

but it is also political because it is still the source of conflict, as Israel and Palestine are still arguing as to what the fate of these displaced groups will become.¹⁷

Legal Frame Works Effectiveness

Although there have been well-developed legal structures like the IHL and the IHRL that govern such issues, the enforcement of these laws itself has been a major issue as far as the conflict of Israel and Palestine is concerned. Though international law is placed to guard individuals against notions of being violated in times of armed conflicts and occupation, the law sometimes fails due to lack of teeth to enforce the rules towards states. A good example is the Israeli government who has constantly defended their military actions by stating that they are required in national security and the Palestinian government has not been left behind when it comes to receiving political and military assistance especially by the United States who in most occasions save Israel the hassles of international questions. Political influence of veto powers states is one of the main issues of implementing the international law on the United Nations Security Council. As a member of the security council that will always be sitting, the United States has cast its vote on many occasions to prevent resolutions condemning Israel. This has resulted in a scenario whereby, international law and war crime infringements are the courts most untested law on accountability. Moreover, the jurisdiction of the International Criminal Court (ICC) does not extend to Israeli nationals since Israel has not ratified the Rome Statute, which aggravates the position of investigating whether Israeli officials have breached the international criminal law. The deficits of international legal systems are quite conspicuous in the Israeli-Palestine conflict wherein although the conflict has been related to many resolutions and rulings by the ICJ and the UN, the lack of a binding mechanism of the rulings has permitted the breach of the IHL and law of human rights to prevail. Impunity of the Israeli and Palestinian actors has been created by the failure of international institutions to force their decisions which has continued to render the cycle of violence and the violation of human rights. Finally, although the protection of the human rights during armed conflict is described with the help of both International Humanitarian Law and International Human Rights Law, the Israel-Palestine conflict shows that there are serious difficulties with the implementation of the mentioned laws. The advisory opinion developed by the ICJ, the reliance of IHRL, and the right of return of Palestinian refugees, are still the important legal tasks that need to be discussed. The power of the veto-wielding nations and inability to use jurisdiction over Israel

¹⁷ Rex Brynen, *The Palestinian Refugee Problem and the Right of Return*, 28 *Journal of Refugee Studies* (2015).

to hold it accountable to war crimes and human rights violations demonstrate the shortcomings of international legal systems in bringing a permanent peace or holding war criminals liable to war crimes and human rights abuses. The current persistence of humanitarian crises in the region only increases the necessity to find efficient legal and political ways out of the conflict.¹⁸

III. Political Obstacles of Peace and Solution

The Israel-Palestine conflict has been repeatedly changing matters of political darkness throughout decades, depending on the desires and actions of the Israeli and Palestinian leadership. The leaders who have perpetuated the conflict have been instrumental in pushing the peace process and the snags that have been standing on the way of peace, as political winds have been gusting depending on the fortunes of the region.

The longstanding leader of the Palestine Liberation Organization (PLO) Yasser Arafat emerged as the entity representing the Palestinian cause. The leadership of Arafat marked the periods of the critical moments of the Palestinian history with the creation of the Palestinian Authority (PA) and the Oslo Accords in 1993. The PLO was internationally recognized under his leadership, such that the Palestine people were represented and Arafat himself, was a recipient of the Nobel Peace Prize together with other Israeli leaders; Yitzhak Rabin and Shimon Peres over their efforts to negotiate a peace agreement. In spite of this, there was violence towards the end of Arafat, who in 2000, a Second Intifada had swept the scene and success failed in the peace talks.¹⁹

In Israel Benjamin Netanyahu (who has gained the distinction of serving as the longest serving prime minister of Israel) has been an outspoken opponent of the Oslo Accords and has been unwilling to make major territorial compromises to the Palestinians. Netanyahu has developed a tough approach especially on the matters regarding Israeli settlements in the West Bank and East Jerusalem thus ensuring that he is portrayed as standing national Israeli defense interests. His policies have also been aiding the political stalemate between Israel and Palestine because his government has engaged in issues of security more than seeking any peace talks.

Succeeded by Mahmoud Abbas when Arafat was dead, a difficult task has been presented to

¹⁸ Eugene Kontorovich, *The Legal Limits of the ICC's Jurisdiction over Nationals of Non-Party States*, 99 *American Journal of International Law* (2005).

¹⁹ Avi Shlaim, *The Oslo Accord: A Historical Perspective*, 23(3) *Journal of Palestine Studies* (1994).

steer the Palestinian political agenda whilst struggling to unite the Palestinian political arena especially with Hamas. Abbas has been an advocate of the two-state solution, and was in favor of the negotiations with Israel, yet the Palestinian internal conflicts, including the Israeli building in the West Bank settlements, have weakened his authority. His leadership has not gone without serious dissatisfaction as more Palestinians have lost trust in the process of negotiating with Israel which has not shown any fruits to Palestinians.²⁰

A major turning point was the Oslo Accords which took place in 1993 because this was the first time the Israeli government was negotiating directly with the Palestinian Liberation Organization (PLO). These agreements led to the acceptance of the rival by Israel and the PLO and thus the creation of the Palestinian Authority (PA) which is to exercise authority over sections of the West Bank and Gaza. The Oslo Accords marked the path of optimistic possibilities of peaceful dialogue with the frameworks of the future negotiations. The Accords, however, failed to support the central problems like status of Jerusalem, the right of repatriation of Palestinian refugees, borders of Israel, and security of Israel and attained by most as a pragmatic compromise as opposed to a complete settlement. Following years, the peace portion was relatively placed back, leading to the Second Intifada (2000-2005) and rise of violence.²¹

2. Important Political Hurdles to Peace

There are great obstacles to lasting peace agreement between Israel and Palestine in relation to some key political barriers that have always thwarted final agreements between the two warring parties. These obstacles are a mixture of old enmity and indisputable political facts since it is challenging to have a compromise point, which would be acceptable by both sides.

1. Israeli Settlements:

Maintaining growth of Israeli settlements in East Jerusalem and West Bank has been one of the greatest obstacles of peace. The settlements are constructed in areas that Palestinians demand to have a Palestinian state. The international community perceives such growth of settlements as a contravention of the International Humanitarian Law (IHL) coined as the fourth Geneva Convention, which denies an occupying power the

²⁰ Nathan Thrall, *The Only Language They Understand: Forcing Compromise in Israel and Palestine* (Metropolitan Books, 2017).

²¹ William B. Quandt, *Peace Process: American Diplomacy and the Arab-Israeli Conflict since 1967* (Brookings Institution Press, 2005).

right to mass migrate to the occupied territories. Israeli governments set out to continue to proceed with the establishment of new settlements, including those governments under Netanyahu regardless of international condemnations. Not only does this render the future formation of a Palestinian state, but it also causes tensions in the field, where the Palestinians are displaced, restricted in the ways they can enjoy basic amenities and their rights are violated every day.²²

2. The Jerusalem Status:

Jerusalem means a lot to the Israelis and the Palestinians in terms of its religious, political and emotional importance. Israel also takes the city to be its united capital whereas the Palestinians regard East Jerusalem as the capital of their future land. Jerusalem hosts some of the most vital religious sites, which are the Western Wall to the Jew, the Al-Aqsa Mosque to the Muslim, and the Church of the Holy Sepulchre to the Christian. The question of the status of Jerusalem has been one of the most un-zippy questions during the peace negotiations. Most of the world has considered Israeli control of East Jerusalem since the Six-Day War of 1967 was and is illegal under the laws of international free-will but it is seen as an undisputed Israeli control even with the settlements being formed. Any peace agreement has to focus on the conflicting claims Jerusalem and how to strike a balance between the two aspirations.²³

3. The Right of Return of the Palestinian Refugees:

Another serious conflict arises due to the right of return of Palestinian refugees. After the Arab-Israeli War of 1948 more than 700 000 Palestinians were evicted out of their houses and turned into refugees. United Nations Resolution 194 adopted in 1948 states that Palestinian refugees should be given the right to either go back to their homes or be indemnified. Nevertheless, Israel continued to reject this right, because going back such high number of refugees would affect the demographical ratio of Israel and erase its Jewish designation. This is one of the most controversial and politically touchy areas of the peace process because it will directly influence the identity, rights and future of millions of the Palestinians.²⁴

²² UN Security Council Resolution 2334 (2016), UN Doc. S/RES/2334 (Dec. 23, 2016).

²³ Human Rights Watch, *A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution*, April 27, 2021.

²⁴ Lex Takkenberg, *The Status of Palestinian Refugees in International Law* (Oxford University Press, 1998)

3. External actor influence

Third parties have also had a major influence on the Israel-Palestine disputes and their result is much of the time they create snarls in the peace process by their interests, policy and actions.

1. The United States.

The US has always played a key role as one of the external players in the Israeli-Palestine conflict. It has been a strong supporter of Israel, giving military, financial and political assistance, sometimes protecting Israel against criticisms in United Nations Security Council. Although U.S has also been a friend to the Palestinian people, especially regarding their quest to be subjected to statehood, it is even seen to be on the side of Israel because of its association to the Israeli government. The Trump Peace Plan (2020) that strongly favored Israel only worsened the situation, growing distrustful relations between the Palestinians and the rest of the world.²⁵

2. The European Union (EU):

European Union has been more balanced, and it has favoured the two-state solution and promoted the Palestinian statehood. EU is also forerunner in giving humanitarian assistance to Palestinian territories as well as facilitating peace efforts. Nevertheless, EU has not been able to do much due to the political division of the region and the incoherence of its member states.

3. Russia and Arab States:

Russia has very much tried to have greater influence in the Middle East zone as it has already started acting as an intermediary between Israel and Palestinians. In the meantime, other Arab states including Egypt and Jordan have been part of the process of peace though their role has been inconsistent, varying with regional politics. Lately, the Abraham Accords have altered the Muslim Arab States overall sentiments toward the state of Israel with the UAE and Bahrain among others normalizing their ties with Israel, pushing, to a certain extent, the cause of Palestine to the background.

4. Political Stasis and Peace Process

Even as many peace initiatives have been going on over the decades, negotiations have been failing to bring a lasting peace. Some of the most significant Summits such as Camp David (2000) and Annapolis Conference (2007) failed without any conclusion. Camp David (2000)

²⁵ The White House, *Peace to Prosperity: A Vision to Improve the Lives of the Palestinian and Israeli People* (Jan. 2020).

led by the then U.S President Bill Clinton and with Yasser Arafat and Ehud Barak at the center, was aimed at discussing final status issues. But there was disagreement with regard to the status of Jerusalem, and the right of returning and sufficiency of Israel which resulted in the collapse of the talk and soon after that there was the Second Intifada. Recently, the Trump Peace Plan (2020) or the Deal of the Century was suggested, that proposed a two-state solution that was very tilted in Favor of Israel. It was greatly rejected by the Palestinians since the plan accepted Jerusalem as the unified capital of Israel and granted Palestinians partial autonomy. The Arab Peace Initiative a plan proposed by Saudi Arabia in 2002 which asks Israel to withdraw its occupation of the occupied territories in exchange of Israeli acceptance of normalization of relations between it and Arab countries has not been appealing even to Israel. Extremism, security, and political will by both Israeli and Palestinian leadership have been the major causes of political deadlock that has been witnessed. There is division of the Palestinian factions and no unification in approach of negotiations which further undermines chances of a lasting peace.²⁶

The political issues towards peace on the conflict between Israel and Palestine are well established in the history and the politics of the region. Disputes about the settlements, the status of Jerusalem, the right of the return to their homes and the inexistence of Palestinian unity have been standing in the way of the creation of a long-term peaceful agreement. The involvement of other actors has also not helped the situation as world powers tend to have other strategic interests rather than take a neutral view when it comes to peace. The solution to the problem will be to overcome these political obstacles and strike a common ground between Israeli security interests and Palestinian desires to become a state.²⁷

IV. Israel-Palestine Crisis Humanitarian Crisis

Humanitarian conditions in Palestinian lands, especially in Gaza and the West Bank, are very poor and millions of civilians are suffering due to deprivation that ensues due to prolonged conflict, military occupation and Israeli policies.

1. Gaza Strip: Blockades, Bombings and Humanitarian Crisis

Israeli blockade of the Gaza Strip, which is populated by about 2 million Palestinians, has existed since 2007. This blockade has contributed to a major impediment of the

²⁶ Jeremy Pressman, "The Second Intifada: Background and Causes of the Israeli-Palestinian Conflict," 9 *Journal of Conflict Studies* (2003).

²⁷ Ian J. Bickerton and Carla L. Klausner, *A History of the Arab-Israeli Conflict* (Routledge, 8th edn., 2018).

flow of people and goods in and out of Gaza paralyzing its economy and leading to huge shortage of essential materials such as food, medicine, fuel, and building materials. Israel has frequently granted as a justification that the blockade is a security measure so that weapons will not be smuggled into Gaza to be used by the Hamas and other extremists groups. Nevertheless, this blockade has resulted in debilitating humanitarian implications on the civilian population which include high unemployment rates, poverty and low access to basic amenities such as health care and education. Moreover, Gaza has been under constant military attacks by Israeli veiled under defending Israel against the rocket attacks and other attacks by the militant groups in Gaza. Such military actions including Operation Cast lead (2008-2009), Operation Pillar of Defense (2012), and Operation Protective edge (2014) have caused the killing of thousands of Palestinian civilians and the destruction of civilian structure like homes, hospitals, schools, and power facilities. These bombing campaigns have resulted in a chronic region, which has experienced a lot of mental and physical distress.²⁸

2. mAnkara: West Bank: Impacts of Israeli Military Occupation

Most of the Palestinian cities such as Ramallah, Nablus, and Hebron located in the West Bank continue to be occupied by the Israeli military since the 1967 Six-Day War. This occupation has devastatingly impacted the right of free movement of the Palestinians as they are no longer free since they experience check points, road blocks as well as travel restrictions especially during the movement between Gaza and the West Bank. Israel has built the separation wall which they argue as a security barrier leading to division of Palestinian communities and interference with daily activities, family separation and losses of economies. Since it is an illegal settlement expansion into the West Bank (under the terms of the International Humanitarian Law, IHL), the Palestinian territories have been usurped and given to the Israeli citizens thus becoming the Israeli settlers. This not only restricts the area where Palestinians can construct houses and plant their own crops but also causes more tensions and violence between the settlers and the Palestinian people. There have been cases of harassment, violence and arbitrary arrest by Israeli forces on Palestinians in the West Bank leading to a sense of fear and unrest. The Palestinians in the west bank are also victims of strict policies

²⁸ United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), *Humanitarian Needs Overview: Occupied Palestinian Territory 2022* (UN, 2022).

which negatively affect access to essential services. These are restricted access to water, health and education because of physical barriers such as the separation wall as well as the legal ones: use of land and freedom of movement.²⁹

3. The Gaza Economic Blockade, Medicinal Shortage, and Scaled-down Accessibility to Medical Aids

The local economy of Gaza has been ruined by an economic blockade imposed on the territory, which, in turn, resulted in high unemployment rates and poverty and excessive dependence on international assistance. As the doors to the world have been shut on Gaza, its inhabitants have no chance to develop as individuals and the economy. In addition, the Gaza health sector is faced with gross under-resourcing and overworking. Poverty of medical resources and access to modern medical facilities has also meant there is high mortality especially due to inability to offer chronic diseases and injury casualties of the war modern medical treatment. The inadequacy causes many Palestinians, mostly children and the aged to develop preventable.

Humanitarian crisis of the Israel-Palestine conflict is deep and complex and touches lives of Palestinians and Israelis. Palestinians are experiencing the grim effect of the occupation of Israel, which entails blockade, military actions, and displacement. In the meantime, Israelis also have to deal with a threat to their security adding to psychological pressure and social separation. Humanitarian organizations are not situated in good conditions and in most cases they are not able to alleviate the sufferings of civilians, since they are frustrated by political and military issues. The long-term effects of psychological and social changes that will be witnessed on children and youth by both sides will be a long-term problem that will affect the future generation. Finally, the humanitarian crisis is telling of the necessity of long-term solution that would meet the demands of Israeli security as well as the Palestinian rights.³⁰

V. Comparative Case Studies: Human Rights Violation in Other Conflicts

There are great similarities between the Israel-Palestine conflict and the various longer term protracted conflicts across various parts of the world. A major point of reference is the Kashmir

²⁹ International Court of Justice (ICJ), *Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, ICJ Reports (2004).

³⁰ Amnesty International, *Gaza's Health Sector on the Brink: Chronic Crisis Amid Ongoing Blockade and Conflict*, MDE 15/3484/2023 (2023).

conflict in which the land issue between Pakistan and India on the Kashmir region resembles some of the issues between Palestine and Israel. Territorial and autonomy conflict are the issues in the two cases. The people of Kashmiri Muslims have always wanted to gain autonomy or independence and this is similar to the Palestinians who want an independent state. The occupation of Jammu and Kashmir by India has been partially characterized by the same sort of tyranny such as displacement of people, military brutality and excessive law that curtails rights of the natives. Similar to Palestinians in the West Bank, Kashmiri, too, are exposed to militarization and arbitrary detention and have their civil and political rights infringed by being abused under occupations. The other conflict that can be compared to the conflict between Israel and Palestine is the Sri Lankan civil war (1983-2009) that was based on ethnic rivalry between the dominant Sinhalese and the minority, Tamil. Militarized occupations, targeted violence, displacement and attacks on civilians were observed during the conflict. The similarities between the two conflicts were that the military action lasted long in densely populated civilian regions, leading to the abuse of human rights, and massive imposition of suffering and other humanitarian harms to civilians. The Tamil Tigers, and indeed Palestinian militant groups, resorted to insurgent tactics, and the Sri Lankan government to heavy-handed military responses to insurgency, just like the tactics of the Israelis in Gaza. Failure to resolve the root causes of the conflict including disparity in ethnicity, territorial differences, and military action proves how these issues are more often than not difficult to resolve complex conflicts. Another case of a prolonged conflict is the Syrian civil war (2011-present) that also implies the similarity of the dynamics of ethnic tensions, territorial and political conflicts. Although its particular characteristics are different, the Syrian conflict has been also marked by the interference of international forces, civil conflict, and humanitarian disaster, just like what happens in the Israel-Palestine case.³¹

The continued warfare has also led to large scale losses and destruction of property and people as well as contravention of international laws by all the opposing sides. Similar to the case of Israel-Palestine, outside intervention by third nations, like the U.S., Russia, and regional states, including Iran or Saudi Arabia adds complexity to the process of resolving the situation. Militarization of the war in Syria, siege warfare, and attacking the civilian population were similar to those caused by the Israeli military action on the Gaza Strip and the West Bank, with

³¹ Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, UN Doc A/HRC/49/73 (18 February 2022).

destruction of civilian infrastructures. Experience of these wars indicates that although the international laws and frameworks of human rights can be valuable tools in resolving such wars, there should be the political will, not only by the local leaders but by international actors as well. All the conflicts in Sri Lanka, Kashmir, and Syria serve to show that through such conflicts there is need to come up with underlying political, ethnic, and territorial grievances in any peace process. In the Israeli-Palestinian case, the lessons emphasize the importance of including all parties, neighbourhood balancing and assistance in taking a step closer to a lasting peace.

This has not always been the case when IHL and International Human Rights Law (IHRL) has been applied to other parts of the world where the occupational, the will to self-determination and the land dispute dynamic have been the same as in the Middle East, yet have proven to be ineffective and indeed inapplicable to powerful states. Although it does provide the necessary models of safeguarding civilians and delivering justice, international law is usually met with lots of obstacles as far as its enforcement is concerned. The example of the South African apartheid case, one may agree, succeeded with the use of international sanctions and direct diplomacy to achieve a shift of the political structure, yet this process took decades of resistance, international solidarity, and local mobilization of politics. As evidenced in this case, although international legal frameworks may prove to serve an important role, they still need some form of internal support and involvement within the civil society in order to be effective. The other example is the conflict in Cyprus whereby the region has not been united since it remains politically divided as people cannot agree on how it is to be governed. The invasion of Cyprus by Turkey in the year 1974 resulted in taking over by the Turkish regime the northern region of Cyprus and the consequent expulsion of Greek Cypriots. Just like in Israel-Palestine, Cyprus has been subjected to international interference and up to date the issue is not completely solved with debate still raging on the circumference of the territory integrity and self-determination. The inability of the international community to implement the resolutions of the UN and reach peaceful reunification proves the ineffectiveness of the international law in resolution of an intractable territorial disagreement.³²

In either of the two cases, the violation of human rights, territorial issues and national

³² UN General Assembly, *International Convention on the Suppression and Punishment of the Crime of Apartheid*, GA Res 3068 (XXVIII) (30 November 1973) UN Doc A/9030.

sovereignty has not been effectively dealt with by the United Nations and other international organizations in a manner that would produce a lasting peace. Israel-Palestine conflict, as well as some other territorial challenges in the world, has to be addressed not only by the international law, but also by the politics, which has to be based on the justice, human rights, and respect to each other.

Conclusion

The Israeli-Palestinian feud is a highly rooted and complex matter, with legal, political, and humanitarian aspects that have been dictating the history of the land of promise ever since the pre-state period, which began more than 70 years ago. Territorial problems, ethnic rivalries and religious differences have defined the unfortunate conflict that has led to victimisation of both the Palestinians and the Israelis. This study has revealed that international law especially International Humanitarian Law (IHL) and International Human Rights Law (IHRL) have shown significant systems of managing the violations, which are, however, badly implemented due to the politics associated with, e.g., the power of the big states behind the Security Council of the United Nations. Political impediments to peace such as the problem of the Israeli settlements, the status of Jerusalem, and the right of refuge of the Palestinian refugees continue to be serious impediments towards putting in place an acceptable and sustainable solution. Humanitarian crisis in Gaza and the West Bank, has resulted in the severe economic strain, displacement and psychological trauma of Palestinian citizenry, whereas Israeli citizens have continued to experience a threat to their security, which is also contributing to the effects of climate of fear and militarization. The study also pointed out that outside forces, such as the United States, European Union, Russia and local powers have contributed positively and negatively to the peace process. The Oslo Accords, Camp David Summit, and Annapolis Conference all failed in bringing peace to the region and highlights the intractability of the conflict and the mistrust between the sides. Other conflicts like in Kashmir, Sri Lanka and Syria have given similar comparative case studies with some differences, but all of them indicate that inclusive dialogue, reconciliation and accountability are essential. These conflicts have taught us that sustainable peace in Israel-Palestine would be emanated by international enactment of the law, political commitment and a keen appreciation by both parties of the issue of human rights. As a result of the findings, this study advises the international community to renew its efforts aimed at empowering the self-determination of Palestine as well as expand humanitarian assistance and no-conflicts among the Palestinian entities. Further, any peace settlement needs

a political solution that will meet the security interests of Israel and sovereign rights of Palestinians so that this agreement is sustainable. Finally, the road to peace in Israel and Palestine is related to the mutual recognition, the enforcement of international law, and the respect the common adherence to human rights, where both communities could live together in peace, dignity, and with security.

