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Understanding the Politics of International Law: A Case Study of the Israel-Palestine Conflict

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Abstract

Relationship between international law and international politics remains highly contested in the context of the Israeli-Palestinian conflict, which is shaped by complex legal, political, and historical factors. This study examines how international legal frameworks are interpreted and implemented within broader geopolitical dynamics. Using a doctrinal legal research approach, the study analyzes primary legal sources, including international conventions, United Nations Security Council resolutions, advisory opinions of the International Court of Justice, and proceedings of the International Criminal Court, supported by academic literature and policy documents. The analysis focuses on the application of legal principles related to occupation, self-determination, accountability, and dispute resolution in the Israeli-Palestinian conflict. The findings demonstrate that the enforcement of international law is significantly constrained by geopolitical interests, resulting in selective application and weakening claims of legal neutrality and universality. The study also finds that the effectiveness of international legal mechanisms depends not only on legal norms, but also on institutional impartiality and political commitment to accountability. These findings highlight the need for reforms that reduce politicization and strengthen the credibility of international legal enforcement in resolving global conflicts.

A. Introduction

The politics of international law constitute a complex and significant field, particularly in conflicts that persist across generations.[1] One of the most enduring and consequential contemporary conflicts is the Israeli-Palestinian dispute, which involves territorial contestation intertwined with historical grievances, competing claims to statehood, national identity, and religion.[2] In principle, international law functions as an impartial framework that regulates state conduct and provides mechanisms for dispute resolution.[3] In practice, however, its application is often shaped by political interests, power relations, and the willingness of states to comply with legal norms.[4]

This dynamic is evident in the Israeli-Palestinian conflict, where both parties invoke international law to support claims regarding territorial sovereignty, the use of force, and political legitimacy. Israel grounds its position in legal and historical claims to statehood and security, while Palestine emphasizes the principles of self-determination, the law of belligerent occupation, and human rights protections.[5] The selective use of international law by states, regional actors, and international institutions demonstrates that legal instruments operate within a political environment rather than independently of it.[6] Consequently, legal arguments are frequently influenced by power struggles, diplomatic negotiations, and the competing interests of major international actors.[7]

The United Nations, international courts, and human rights organizations have played important roles in shaping global discourse on the legality of occupation, settlement expansion, military operations, and civilian rights in occupied territories.[8] United Nations Security Council Resolution 242, which called for the withdrawal of Israeli forces from occupied territories, and General Assembly resolutions recognizing Palestinian rights reflect broad international legal positions on key aspects of the conflict.[9] Nevertheless, enforcement mechanisms remain limited, while political alliances often constrain the implementation of international law. As a permanent member of the United Nations Security Council and a close ally of Israel, the United States has repeatedly used its veto power to block resolutions critical of Israeli policies, illustrating the close relationship between international law and global power politics.[10]

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[1] Ghazi-Walid Falah, "The (Im)Possibility of Achieving a Peaceful Solution to the Israeli-Palestinian Conflict," *Human Geography* 14, no. 3 (2021): 333–45, https://doi.org/10.1177/19427786211019014.

[2] Ruba Salih dan Olaf Corry, "Displacing the Anthropocene: Colonisation, Extinction and the Unruliness of Nature in Palestine," *Environment and Planning E: Nature and Space* 5, no. 1 (2022): 381–400, https://doi.org/10.1177/2514848620982834.

[3] Camilla Boisen, "Israel's Punitive War on Palestinians in Gaza," *Journal of Genocide Research*, 26 September 2024, 1–22, https://doi.org/10.1080/14623528.2024.2406098.

[4] Joyce Dalsheim, "The Temporality of the Structure: When Is Settler Colonialism?," *History and Anthropology*, 12 Februari 2025, 1–19, https://doi.org/10.1080/02757206.2025.2452451.

[5] Smadar Ben-Natan, "The Dual Penal Empire: Emergency Powers and Military Courts in Palestine/Israel and Beyond," *Punishment & Society* 23, no. 5 (2021): 741–63, https://doi.org/10.1177/14624745211040311.

[6] Josep Lobera dan Cristóbal Torres-Albero, "Functions of Collective Narratives in a Territorial Conflict. The Israeli-Palestinian Case," *Dados* 64, no. 1 (2021): e20180260, https://doi.org/10.1590/dados.2021.64.1.231.

[7] Laura E. Miller-Graff dan E. Mark Cummings, "The Israeli–Palestinian Conflict: Effects on Youth Adjustment, Available Interventions, and Future Research Directions," *Developmental Review* 43 (Maret 2017): 1–47, https://doi.org/10.1016/j.dr.2016.10.001.

[8] Tinok Haryani dan Joko Setiyono, "Analysis of Jurisdictional Challenges in the Application of Humanitarian Law to the Protection of Victim's Human Rights in the Conflict Between Israel and Palestine," *International Journal of Social Science Research and Review* 7, no. 4 (2024): 396–405, https://doi.org/10.47814/ijssrr.v7i4.2102.

[9] Safaa Sadi Jaber dan Ilias Bantekas, "The Status of Gaza as Occupied Territory Under International Law," *International and Comparative Law Quarterly* 72, no. 4 (2023): 1069–88, https://doi.org/10.1017/S0020589323000349.

[10] Melissa Melpignano, "A Necropower Carnival: Israeli Soldiers Dancing in the Palestinian Occupied Territories," *TDR: The Drama Review* 67, no. 1 (2023): 186–202, https://doi.org/10.1017/S1054204322000910.

Similarly, investigations by the International Criminal Court into alleged war crimes in the region have faced substantial political resistance, highlighting the limitations of legal institutions when confronted with competing political interests.

Beyond its implications for international institutions, the Israeli-Palestinian conflict raises fundamental questions regarding the development and interpretation of international law.[11] The legal status of the West Bank, Gaza Strip, and East Jerusalem remains highly contested, with Israeli security concerns and historical claims confronting the prevailing international view that these territories are occupied under international law.[12] Another major issue concerns the applicability of the Fourth Geneva Convention, particularly the prohibition on transferring an occupying power's civilian population into occupied territory, in relation to Israeli settlement activities in the West Bank.[13] The principle of self-determination, a core norm of international law, underlies Palestinian claims to statehood, yet its realization has remained constrained by prolonged political deadlock.[14] Similarly, the two-state solution represents both a legal and political framework shaped by competing interpretations of sovereignty, security, and national identity.[15]

The conflict also illustrates how non-state actors such as Hamas challenge traditional state-centered legal frameworks.[16] International humanitarian law generally presumes conflicts between states or between a state and a non-state actor, yet its application in asymmetric warfare remains disputed.[17] Israeli military operations in Gaza, Palestinian rocket attacks, and allegations concerning the use of human shields have generated significant legal and ethical debates regarding proportionality, distinction, and civilian protection.[18] Legal discourse surrounding resistance, terrorism, occupation, and self-defense continues to be shaped by political narratives, further complicating efforts to achieve a just resolution.[19] This study therefore critically examines the role of international law in the Israeli-Palestinian conflict by assessing its effectiveness, limitations, and political instrumentalization.

This research adopts a doctrinal legal approach through the analysis of legal principles, statutes, judicial decisions, and scholarly literature to evaluate the interaction between international law and politics.[20] The study examines the theoretical foundations, enforcement mechanisms, and practical challenges of international law within the context of the Israeli-Palestinian conflict. It analyzes several United Nations Security Council resolutions, including Resolutions 242, 338, and 2334, as well as General Assembly Resolution A/RES/77/247, to

[11] Steven E. Zipperstein, "Legal Framing and Lawfare in the Israeli–Palestinian Conflict," *Israel Journal of Foreign Affairs* 16, no. 3 (2022): 330–49, https://doi.org/10.1080/23739770.2022.2170091.
[12] Rafi Grosglik dkk., "Soil, Territory, Land: The Spatial Politics of Settler Organic Farming in the West Bank, Israel/Palestine," *Environment and Planning D: Society and Space* 39, no. 5 (2021): 906–24, https://doi.org/10.1177/02637758211041121.
[13] Marco Allegra dan Erez Maggor, "The Metropolitanization of Israel's Settlement Policy: The Colonization of the West Bank as a Strategy of Spatial Restructuring," *Political Geography* 92 (Januari 2022): 102513, https://doi.org/10.1016/j.polgeo.2021.102513.
[14] Martin Kear, *Hamas and Palestine: The Contested Road to Statehood*, 1 ed. (Routledge, 2018), https://doi.org/10.4324/9780429505270.
[15] Allegra dan Maggor, "The Metropolitanization of Israel's Settlement Policy."
[16] Lebanese American University dan Hasan Ibhais, "Non-State Actors in Middle East Politics. (c2020)" (MA in International Affairs, LAU, 2020), https://doi.org/10.26756/th.2022.350.
[17] William W. Haddad, "Israeli Occupation Policy in Lebanon, the West Bank, and Gaza," dalam *The Regionalization of Warfare*, 1 ed., oleh James Brown (Routledge, 2023), https://doi.org/10.4324/9781003419020-10.
[18] Gabriel T Abumbe dkk., "Hamas-Israel Conflicts In Gaza And Its Implications For Middle East Stability," *Global Journal of Social Sciences* 23, no. 1 (2024): 157–78, https://doi.org/10.4314/gjss.v23i1.13.
[19] Mukhlis Mukhlis dkk., "The Legal Culture to Prevent Radical Islamism by a Pesantren in Madura," *De Jure: Jurnal Hukum dan Syar'iah* 16, no. 1 (2024): 58–87, https://doi.org/10.18860/j-fsh.v16i1.26216.
[20] Anthony Carty, *The decay of international law: A reappraisal of the limits of legal imagination in international affairs* (Manchester University Press, 2024), https://doi.org/10.7765/9781526183842.

evaluate the normative basis for conflict resolution. The research also considers the 2004 Advisory Opinion and the 19 July 2024 Advisory Opinion of the International Court of Justice concerning the legal consequences of the occupation of Palestinian territories. In addition, the study reviews developments and reports related to proceedings before the International Criminal Court to assess the possibility of international criminal responsibility for alleged violations of international humanitarian law. These legal instruments are complemented by secondary sources, including academic journal articles, books, and expert commentaries, to provide a broader perspective on the relationship between law and politics in international relations. A qualitative method is employed throughout this jurisprudential analysis of international legal doctrines and their application to the Israeli-Palestinian conflict.[21]

B. Discussion

1. The Politics of International Law and Its Relationship to the Israel-Palestine Conflict

The relationship between international law and politics has long been debated, producing divergent scholarly perspectives. Legal positivists such as Hans Kelsen argue that international law operates as an autonomous system regulating state behavior.[22] Although based on state consent, international law is regarded as capable of functioning independently of political influence when supported by effective institutional mechanisms.[23]In contrast, realist scholars contend that international law remains subordinate to state interests and power politics in its implementation and enforcement. Hans Morgenthau, for example, argues that powerful states manipulate international legal frameworks to advance their strategic interests, thereby undermining the universality and impartiality of the law.[24]

Critical legal theorists further challenge the neutrality of international law. Martti Koskenniemi argues that international law is often shaped by the political, economic, and ideological interests of dominant actors.[25] His work highlights the selective application of legal principles, particularly in asymmetric conflicts where weaker states and non-state actors are disadvantaged.[26] This perspective aligns with constructivist approaches in international relations, which emphasize the role of norms, discourse, and identity in shaping both the interpretation and enforcement of international law.

The Israeli-Palestinian conflict provides a significant context for examining these tensions. Scholars such as Richard Falk and John Dugard criticize the international community's inconsistent application of international law[27] and the failure of enforcement mechanisms to ensure accountability for all parties involved. Falk particularly emphasizes geopolitical

[21] Tunggul Ansari Setia Negara, "Normative Legal Research in Indonesia: Its Originis and Approaches," *Audito Comparative Law Journal (ACLJ)* 4, no. 1 (2023): 1–9, https://doi.org/10.22219/aclj.v4i1.24855.

[22] Hans Kelsen, *General Theory of Law & State*, 1 ed., ed. oleh Hans Kelsen dan A. Javier Treviño (Routledge, 2017), https://doi.org/10.4324/9780203790960.

[23] D. Zolo, "Hans Kelsen: International Peace through International Law," *European Journal of International Law* 9, no. 2 (1998): 306–24, https://doi.org/10.1093/ejil/9.2.306.

[24] Konstantinos Kostagiannis, "Hans Morgenthau and the Tragedy of the Nation-State," *The International History Review* 36, no. 3 (2014): 513–29, https://doi.org/10.1080/07075332.2013.828639.

[25] Martti Koskenniemi dan Päivi Leino, "Fragmentation of International Law? Postmodern Anxieties," *Leiden Journal of International Law* 15, no. 3 (2002): 553–79, https://doi.org/10.1017/S0922156502000262.

[26] Martti Koskenniemi, "The Fate of Public International Law: Between Technique and Politics," *The Modern Law Review* 70, no. 1 (2007): 1–30, https://doi.org/10.1111/j.1468-2230.2006.00624.x.

[27] Gerald M. Steinberg, "Protecting Human Rights in Occupied Palestine: Working Through the United Nations *Protecting Human Rights in Occupied Palestine: Working Through the United Nations* by John Dugard, Michael Lynk, and Richard Falk(Atlanta: Clarity Press, 2023), 379 Pages: By John Dugard, Michael Lynk, and Richard Falk (Atlanta: Clarity Press, 2023), 379 Pages," *Israel Journal of Foreign Affairs* 17, no. 2 (2023): 215–20, https://doi.org/10.1080/23739770.2023.2249304.

deadlock within the United Nations Security Council, especially the use of veto power, as a major obstacle to neutral enforcement.[28] Meanwhile, Allan Gerson examines the legal dimensions of sovereignty, self-determination, and occupation, arguing that disagreement over fundamental legal principles has weakened the effectiveness of international legal instruments in addressing the conflict.

Although these studies provide important insights, several gaps remain in the existing literature. First, limited attention has been given to the jurisprudential consequences of the politicization of international law, particularly when enforcement mechanisms are influenced by political interests. Second, studies on the Israeli-Palestinian conflict often focus primarily on either legal or political dimensions without sufficiently examining their intersection. Third, while considerable scholarship addresses the influence of international organizations such as the United Nations, less attention has been devoted to the role of regional powers and non-state actors in shaping the application of international law.

This study seeks to address these gaps through a jurisprudential analysis of international law enforcement mechanisms in the context of the Israeli-Palestinian conflict. It critically evaluates the interaction between legal norms and political dynamics to strengthen understanding of the challenges affecting the enforcement of international law in politically contested situations. The study also contributes to broader debates concerning the legitimacy and effectiveness of international law as a mechanism for conflict resolution and institutional reform.

2. Overview of the Israel-Palestine Conflict

The Israeli-Palestinian conflict is one of the longest-running and most contested geopolitical conflicts of the modern era. Its origins lie in overlapping nationalist, religious, and territorial claims that emerged during the late nineteenth century.[29] The rise of Zionism, a Jewish nationalist movement advocating the establishment of a Jewish homeland in Palestine, coincided with the growth of Arab nationalism in response to the decline of the Ottoman Empire and expanding European colonial influence. These competing national movements generated tensions that continue to shape the region. During the late nineteenth and early twentieth centuries, Palestine remained under Ottoman rule, while increasing numbers of Jewish migrants settled in the area because of religious connections to the land and growing persecution in Europe.[30]

Although initially limited in scale, Jewish migration was perceived by the Arab population as a threat to demographic balance and political authority, leading to increasing resistance. Tensions intensified after the First World War when Britain assumed control of Palestine and issued the 1917 Balfour Declaration, which supported "the establishment in Palestine of a national home for the Jewish people" while also promising not to prejudice the rights of existing non-Jewish communities. These contradictory commitments contributed to persistent conflict. The British Mandate for Palestine, established under the League of Nations in 1920, further deepened divisions. Jewish immigration increased significantly during the 1930s as refugees fled Nazi persecution in Europe, prompting stronger Arab opposition.[31]

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[28] Gal Gerson, "Landmarks in the Evolution of Liberal Thought: Freedom, Plurality, Knowledge," *The European Legacy* 29, no. 5 (2024): 471–90, https://doi.org/10.1080/10848770.2024.2341549.

[29] Amal Ahmad, "Land for Peace? Game Theory and the Strategic Impediments to a Resolution in Israel-Palestine," *Defence and Peace Economics* 34, no. 4 (2023): 385–409, https://doi.org/10.1080/10242694.2022.2031445.

[30] Sascha O. Becker dkk., "Persecution, Pogroms and Genocide: A Conceptual Framework and New Evidence," *Explorations in Economic History* 86 (Oktober 2022): 101471, https://doi.org/10.1016/j.eeh.2022.101471.

[31] Gabriel Rubin, "Native and Migrant Land Conflicts: Justifying Migration and Explaining Radicalization in a World of State 'Boxes,'" dalam *Migration and Radicalization*, oleh Gabriel Rubin (Springer International Publishing, 2021), https://doi.org/10.1007/978-3-030-69399-2_3.

This period was marked by escalating violence, including the 1936-1939 Arab Revolt, which was met with harsh British repression. Disputes over land ownership, political representation, and national identity reinforced competing claims to self-determination among both communities. A major turning point occurred after the World War II.[32] The Holocaust strengthened international support for the establishment of a Jewish state, while Britain's declining imperial capacity weakened its control over Palestine. In 1947, the United Nations proposed a partition plan that called for separate Jewish and Arab states, with Jerusalem placed under international administration.[33] Jewish leaders accepted the proposal, whereas Arab leaders rejected it on the grounds that it disproportionately favored the Jewish minority population.

The rejection of the partition plan contributed to the outbreak of the first Arab-Israeli war following the declaration of the State of Israel in 1948 and the intervention of neighboring Arab states. Israel emerged victorious and expanded beyond the territorial boundaries proposed in the United Nations partition plan. At the same time, hundreds of thousands of Palestinians were displaced or forced to flee, an event widely referred to by Palestinians as the Nakba, or catastrophe.

Another major turning point occurred during the 1967 Six-Day War, when Israel captured the West Bank, Gaza Strip, East Jerusalem, Sinai Peninsula, and Golan Heights, significantly expanding its territorial control.[34] The occupation of these territories remains one of the central issues in the conflict. Israel's annexation of East Jerusalem and the establishment of settlements in the West Bank have been widely criticized as violations of international law, although both policies continue to form part of Israeli state policy. For Palestinians, these developments reinforced demands for self-determination and the establishment of an independent state.

During the second half of the twentieth century, periods of negotiation alternated with recurring violence. The Oslo Accords of the 1990s, facilitated through international mediation, were initially regarded as a breakthrough because they established the Palestinian Authority and introduced a framework for a two-state solution. However, mutual distrust, continued settlement expansion, and internal political divisions within both Israeli and Palestinian leadership weakened the peace process. The failure of the 2000 Camp David Summit and the outbreak of the Second Intifada between 2000 and 2005 marked a return to widespread violence and caused severe civilian casualties on both sides.

In the twenty-first century, repeated conflicts in Gaza have become a defining feature of the dispute. Israeli military operations against Hamas, the Islamist movement governing Gaza, have drawn extensive international criticism.[35] At the same time, the humanitarian crisis in Gaza has worsened under the blockade imposed by Israel and Egypt following Hamas's rise to power. Repeated peace initiatives sponsored by the United States have failed amid continuing accusations of political intransigence from both parties. Tensions further intensified after the United States recognized Jerusalem as Israel's capital in 2017, while the continued expansion of Israeli settlements further complicated prospects for peace.[36] Palestinian political divisions,

[32] Chris Sandal-Wilson, "The Colonial Clinic in Conflict: Towards a Medical History of the Palestinian Great Revolt, 1936–1939," *Culture, Medicine, and Psychiatry* 47, no. 1 (2023): 12–36, https://doi.org/10.1007/s11013-022-09779-0.

[33] Ewan Lawry, "An 'Obligation Which We Are Not Entitled to Get Rid of': Competing Notions of Empire and the British Opposition to the Colonial Appeasement of Germany," *The Journal of Imperial and Commonwealth History*, 2 Februari 2025, 1–31, https://doi.org/10.1080/03086534.2025.2459647.

[34] Merav Amir, "Unfastening Israel's Future from the Occupation: Israeli Plans for Partial Annexation of West Bank Territory," *Antipode* 55, no. 5 (2023): 1496–516, https://doi.org/10.1111/anti.12935.

[35] Surender Singh, "Crisis in Middle East: A Study of the Implications of Israel-Hamas War," *Political Discourse* 10, no. 2 (2024): 127–48, https://doi.org/10.5958/2582-2691.2024.00009.6.

[36] Andreas Krieg, "The War in Gaza, the Decline of US Leadership and the Emergence of a Networked Regional Order," *Mediterranean Politics*, 26 Mei 2024, 1–10, https://doi.org/10.1080/13629395.2024.2358618.

particularly between the Palestinian Authority in the West Bank and Hamas in Gaza, have also weakened Palestinian political cohesion and negotiating capacity.[37]

The conflict remains highly volatile, marked by recurring violence in Jerusalem and repeated military confrontations in Gaza. For both Israelis and Palestinians, the conflict is closely tied to historical trauma, territorial disputes, and competing claims to self-determination. Decades of violence, unsuccessful negotiations, and shifting geopolitical alignments have made a lasting resolution increasingly difficult. Consequently, the conflict continues to carry significant implications for regional stability and the broader international order.[38]

3. Politics Versus Law in The Israel-Palestine Conflict

The Israel-Palestine conflict illustrates the close relationship between politics and law in international relations. Although international legal frameworks, including international humanitarian law, the Fourth Geneva Convention, United Nations Security Council Resolutions 242, 338, and 2334, as well as the principles of self-determination and the prohibition of territorial acquisition by force, provide mechanisms for addressing territorial disputes, human rights violations, and sovereignty claims, their implementation is frequently constrained by political interests and power dynamics. This paper further examines how competing national interests, geopolitical alliances, and the selective enforcement of international norms, ranging from United Nations resolutions to international treaties, have weakened legal mechanisms within the conflict. The discussion highlights the tension between legal obligations and political realities, demonstrating how power politics can undermine the objectives of international law in one of the world's longest-running and most contentious conflicts.

a. The Blockade of Gaza

The blockade of Gaza remains one of the most contested issues in contemporary international law, international relations, and humanitarian discourse. Due to its severe humanitarian consequences and the legal debates surrounding its legitimacy, the blockade has attracted extensive attention from states, international organizations, legal scholars, and human rights activists. Israel imposed the blockade in 2007, with varying degrees of support from Egypt, following the rise of Hamas in Gaza.[39] From Israel's perspective, Hamas's electoral victory and subsequent control of Gaza constituted a major security threat because Hamas refused to recognize Israel and engaged in armed resistance. As a result, strict restrictions were imposed on the movement of goods, people, and services into and out of Gaza, contributing to the territory's extensive isolation from external access and influence.[40]

The blockade raises significant legal questions regarding its compatibility with international humanitarian law (IHL) and international human rights law (IHRL).[41] The legal framework governing blockades derives primarily from customary international law and the San Remo Manual on International Law Applicable to Armed Conflicts at Sea, which outlines the conditions under which blockades may be considered lawful. Under

[37] Chokri Kooli dan Eya Kooli, "The Humanitarian and Public Health Crisis in Gaza: Impact, Challenges, and International Responses," *Avicenna* 2025, no. 1 (2025), https://doi.org/10.5339/avi.2025.1.
[38] Amit Loewenthal dkk., "How Civilian Attitudes Respond to the State's Violence: Lessons from the Israel–Gaza Conflict," *Conflict Management and Peace Science* 40, no. 4 (2023): 441–63, https://doi.org/10.1177/07388942221097325.
[39] Barzoo Eliassi, *Narratives of Statelessness and Political Otherness: Kurdish and Palestinian Experiences* (Springer International Publishing, 2021), https://doi.org/10.1007/978-3-030-76698-6.
[40] Mohammed Nijim, "Genocide in Palestine: Gaza as a Case Study," *The International Journal of Human Rights* 27, no. 1 (2023): 165–200, https://doi.org/10.1080/13642987.2022.2065261.
[41] Russell Buchan, "The Palmer Report and The Legality of Israel's Naval Blockade of Gaza," *International and Comparative Law Quarterly* 61, no. 1 (2012): 264–73, https://doi.org/10.1017/S0020589311000650.

these principles, a blockade must be publicly declared, effectively enforced, proportionate to its military objectives, and must not inflict excessive suffering on civilians. It must also permit the delivery of humanitarian assistance and cannot be intended to starve civilians or deny access to essential goods necessary for survival.

Critics argue that the Gaza blockade fails to satisfy these legal requirements and therefore violates international law. Substantial criticism has focused on its humanitarian consequences for Gaza's population of more than two million people. Restrictions on medical supplies, construction materials, fuel, and other essential goods have contributed to widespread poverty, high unemployment, and declining living standards. International organizations, including the United Nations, have documented the blockade's severe effects on access to clean water, healthcare, education, and other fundamental rights, leading Gaza to be described as increasingly "uninhabitable." Critics further contend that the blockade constitutes collective punishment prohibited under Article 33 of the Fourth Geneva Convention, arguing that the broad restrictions imposed on civilians exceed legitimate security objectives.

Supporters of the blockade, particularly Israel, maintain that it constitutes a lawful act of self-defense under Article 51 of the United Nations Charter. They argue that the blockade is necessary to prevent the transfer of weapons and military supplies that could be used in attacks against Israeli civilians and military targets. This justification is closely linked to the characterization of Gaza as a hostile territory controlled by Hamas, a non-state armed group engaged in hostile actions against Israel, including rocket attacks and the construction of cross-border tunnels.

From Israel's perspective, the blockade constitutes a legitimate exercise of its right to protect national security and defend its citizens. However, this justification has been widely contested, particularly regarding the principles of proportionality and necessity under international law. Although states may adopt measures to safeguard security, such actions must remain proportionate to the threat faced and must not impose excessive harm on civilians. Critics argue that the blockade extends beyond military restrictions by severely limiting civilian goods, infrastructure, and essential services, rendering it disproportionate and indiscriminate in relation to its stated security objectives. They further contend that the blockade violates the principle of distinction, a fundamental rule of international humanitarian law requiring a clear separation between combatants and civilians.

The blockade has also generated serious concerns under international human rights law because of its humanitarian consequences. Under the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Israel is a party, states are obligated to protect rights related to food, health, education, and an adequate standard of living. Critics therefore argue that the blockade violates these rights by creating widespread deprivation among Gaza's civilian population. Arguments concerning extraterritorial human rights obligations further support the view that states may bear responsibilities toward individuals outside their territorial boundaries.[42]

Additional criticism concerns allegations that the blockade constitutes collective punishment prohibited under international law. Many observers argue that the restrictions broadly affect civilians rather than specific combatants, effectively treating the population as collectively responsible for the actions of Hamas.[43] Such measures have been

[42] Audrey Wells, "Israel and the Palestinians: The Futility of Violent Revenge," dalam *The Importance of Forgiveness and the Futility of Revenge*, oleh Audrey Wells, Contributions to International Relations (Springer International Publishing, 2022), https://doi.org/10.1007/978-3-030-87552-7_13.

[43] Salvia Salsabila Putri Kastiady, "Protection of Human Rights Against Women in an International Legal Perspective," *International Law Discourse in Southeast Asia* 2, no. 2 (2023), https://doi.org/10.15294/ildisea.v2i2.77078.

characterized as collective punishment because they impose suffering on individuals for acts they did not personally commit, contrary to the protections established under the Geneva Conventions. International responses to the blockade have varied considerably, reflecting broader geopolitical divisions and the difficulties of enforcing international law in politically sensitive conflicts.[44]

The United Nations and numerous human rights organizations have repeatedly called for the lifting of the blockade because of its humanitarian effects and alleged violations of international law. Nevertheless, the International Court of Justice has not issued a definitive ruling on the blockade's legality, leaving the issue unresolved. Efforts to challenge the blockade before international forums, including the Human Rights Council and the United Nations General Assembly, have often been constrained by political divisions and the influence of states closely allied with Israel.[45]

Attempts to challenge the blockade directly, including the 2010 Gaza flotilla incident, further intensified debate regarding its legality and enforcement. Israel's interception of the flotilla, which resulted in the deaths of several activists, drew widespread criticism concerning excessive force and alleged violations of international law. Subsequent international investigations, including United Nations inquiries, concluded that the blockade imposed disproportionate hardship on civilians and significantly restricted humanitarian access.

The Gaza blockade illustrates the broader tensions within international law and international intervention. Although states possess the right to protect national security, such measures must be balanced against the rights and humanitarian needs of affected civilians. The blockade continues to raise serious legal questions concerning proportionality, necessity, and distinction under international humanitarian law.[46] The absence of a definitive judicial ruling, combined with persistent geopolitical divisions, demonstrates the limitations of international law in resolving protracted conflicts and ensuring accountability for alleged violations. Consequently, the blockade remains a prominent example of the tension between state sovereignty and security interests and the principles of human rights and humanitarian law.

b. ICC Investigations into Alleged War Crimes

One of the most significant and controversial forms of international intervention in the Israel-Palestine conflict is the investigation conducted by the International Criminal Court (ICC) into alleged war crimes. Established under the Rome Statute in 1998, the ICC is mandated to prosecute individuals responsible for genocide, crimes against humanity, war crimes, and the crime of aggression.[47] In the context of Israel and Palestine, the Court's involvement has generated intense debate concerning the legitimacy of its jurisdiction[48], procedural integrity, and interpretation of international law.

The ICC's formal involvement began in January 2015 after the Palestinian Authority acceded to the Rome Statute, granting the Court jurisdiction over alleged crimes committed

[44] Philip Rizk, "Fatah: Mythific Ation of A Non-State: Critique of the Idea of State," *Human Geography* 4, no. 1 (2011): 57–79, https://doi.org/10.1177/194277861100400105.
[45] Haggay Etkes dan Assaf Zimring, "When Trade Stops: Lessons from the Gaza Blockade 2007–2010," *Journal of International Economics* 95, no. 1 (2015): 16–27, https://doi.org/10.1016/j.jinteco.2014.10.005.
[46] Andrew Sanger, "The Contemporary Law of Blockade and the Gaza Freedom Flotilla," dalam *Yearbook of International Humanitarian Law - 2010*, vol. 13, ed. oleh M.N. Schmitt dkk., Yearbook of International Humanitarian Law (T. M. C. Asser Press, 2011), https://doi.org/10.1007/978-90-6704-811-8_14.
[47] Pearce Clancy dan Richard Falk, "The ICC and Palestine: Breakthrough and End of the Road?," *Journal of Palestine Studies* 50, no. 3 (2021): 56–68, https://doi.org/10.1080/0377919X.2021.1947108.
[48] Ramisa Jahan, "Can Israel Prevent The ICC From Conducting An Investigation In The Situation In Palestine?," *Jurnal Undang-undang dan Masyarakat* 31 (Desember 2022): 57–69, https://doi.org/10.17576/juum-2022-31-05.

in the Occupied Palestinian Territories (OPT), including East Jerusalem, from 13 June 2014 onward. This development enabled the ICC Prosecutor to examine allegations against Israeli forces, Palestinian armed groups, and other actors. Following a preliminary examination, the Office of the Prosecutor announced in December 2019 that there was a reasonable basis to proceed with an investigation, which formally commenced in March 2021.

A central legal issue concerns the ICC's jurisdiction. Under the Rome Statute, the Court may exercise jurisdiction over crimes committed on the territory of, or by nationals of, a State Party. Although Palestine's accession to the Rome Statute granted the ICC territorial jurisdiction over the OPT, Palestine's status as a state under general international law remains contested. Israel and several allied states argue that Palestine does not satisfy the criteria for statehood under customary international law and therefore lacks authority to confer jurisdiction upon the ICC. Supporters of the investigation counter that Palestine's recognition as a non-member observer state by the United Nations General Assembly in 2012, together with its participation in multiple international treaties, provides a sufficient legal basis for ICC jurisdiction.

The ICC investigation covers alleged violations committed by both Israeli and Palestinian actors. On the Israeli side, scrutiny has focused on military operations in Gaza, particularly during the 2014 conflict known as Operation Protective Edge, as well as settlement policies in the West Bank and East Jerusalem. Many states and international bodies consider these settlements illegal under international law and potentially in violation of Article 8(2)(b)(viii) of the Rome Statute, which prohibits the transfer of an occupying power's civilian population into occupied territory.[49] On the Palestinian side, the investigation examines allegations concerning indiscriminate rocket attacks by armed groups, including Hamas and Islamic Jihad, which may constitute war crimes under Article 8 of the Rome Statute because they targeted civilian populations and civilian infrastructure.

The ICC investigation into alleged war crimes in the Israel-Palestine conflict raises important legal and political questions, particularly regarding the principle of complementarity under the Rome Statute. Under this principle, the ICC may intervene only when national authorities are unwilling or unable genuinely to investigate and prosecute alleged crimes. Israel has argued that its domestic legal system is capable of investigating misconduct committed by its military forces and state officials, rendering ICC intervention unnecessary. Israeli authorities have cited military investigations and judicial reviews conducted by domestic institutions as evidence of accountability. Critics, however, contend that these mechanisms lack sufficient independence and impartiality, particularly in cases involving senior officials and state policies, thereby failing to meet the standards required under the Rome Statute.

The legitimacy of the ICC investigation also depends on adherence to due process and the impartial application of international law. Israel and several allied states have accused the ICC of political bias and selective enforcement, arguing that the Court disproportionately targets Israel while inadequately addressing violations committed by Palestinian actors. These allegations reflect broader concerns regarding the politicization of the ICC and its vulnerability to geopolitical pressure. Supporters of the investigation, however, maintain that accountability must apply equally to all parties and argue that the ICC remains an essential mechanism for addressing impunity where domestic and international efforts have failed to deliver justice.

[49] Dan Porat, "Dual Narratives of the Israeli–Palestinian Conflict in Court: Shaping the Perception of International Terrorism," *Journal of Contemporary History* 59, no. 3 (2024): 576–96, https://doi.org/10.1177/00220094241264089.

The investigation further illustrates the broader tension between legal principles and political realities in the ICC's enforcement role. Although established as an independent judicial institution, the ICC operates within a highly political international environment. In the Israel-Palestine context, the Court's actions have faced strong opposition from influential states, particularly the United States, which has rejected ICC jurisdiction over Israel and criticized the investigation as illegitimate. Such reactions demonstrate the continuing challenges faced by the ICC when legal processes intersect with major geopolitical interests.

Questions concerning enforcement and effectiveness also remain central to the investigation. Because the ICC lacks independent enforcement powers, it depends heavily on cooperation from states and international organizations to collect evidence, secure arrests, and implement judicial decisions. In the Israel-Palestine context, limited cooperation from key actors, especially Israel, presents a significant obstacle to the investigation and its potential outcomes. This situation highlights the broader difficulties faced by international legal institutions when state cooperation is absent or deliberately withheld.

Despite these challenges, the ICC investigation represents a significant development in efforts to address impunity for alleged war crimes in the Israel-Palestine conflict.[50] The investigation signals that both state and non-state actors may be held accountable for violations of international law. It also serves as an important test of the ICC's capacity to address complex and politically sensitive conflicts while maintaining principles of fairness and judicial independence.[51] The outcome of the investigation is likely to influence both the future role of the ICC and the broader effectiveness of international criminal law in deeply contested political conflicts.[52] Ultimately, the investigation reflects the enduring tension between legal accountability, political interests, and the pursuit of justice in international law.

c. United States Recognition of Jerusalem as Israel's Capital and its Implications

The United States' recognition of Jerusalem as the capital of Israel and the subsequent relocation of its embassy from Tel Aviv to Jerusalem in December 2017 marked one of the most significant and controversial developments in contemporary international relations. Announced by former President Donald Trump, the decision departed from decades of United States foreign policy and challenged the prevailing international consensus regarding the status of Jerusalem, one of the most sensitive issues in the Israel-Palestine conflict.

The decision generated widespread international criticism and raised serious questions regarding its compatibility with international law. Jerusalem has long held a disputed legal status within the Israeli-Palestinian conflict. Under the 1947 United Nations Partition Plan, Jerusalem was designated as a corpus separatum, or internationally administered territory, because of its religious significance to Jews, Christians, and Muslims. The plan sought to establish separate Jewish and Arab states while placing Jerusalem under a special international regime.

[50] Ninda Soraya dkk., "ICC Jurisdiction: Against Israeli War and Humanitarian Crimes Targeting Palestinian Civilians 2023," *Jurnal Media Hukum* 31, no. 1 (2024): 59–77, https://doi.org/10.18196/jmh.v31i1.20938.
[51] Saminu Abacha Wakili dkk., "Legal Framework and Challenges Concerning Forensic Evidence in Nigeria," *Trunojoyo Law Review* 7, no. 1 (2025): 33–64, https://doi.org/10.21107/tlr.v7i1.28599.
[52] Jeffry Alexander Ch Likadja dan Novilinda Dwiputri Irtanti Saudila, "Violation of human rights and The Jurisdiction of The International Criminal Court," *Journal of Multidisciplinary Academic Business Studies* 1, no. 4 (2024): 923–31, https://doi.org/10.35912/jomabs.v1i4.2146.

Following the 1948 Arab-Israeli War, Jerusalem became divided, with West Jerusalem controlled by Israel and East Jerusalem, including the Old City, administered by Jordan. This situation changed after the 1967 Six-Day War, when Israel occupied East Jerusalem and later annexed it, declaring the city its "eternal and undivided capital." The annexation, however, has not been recognized by most of the international community, which continues to regard East Jerusalem as occupied territory under international law.

Several United Nations Security Council resolutions reinforce this position. Resolution 242 called for Israel's withdrawal from territories occupied during the 1967 conflict, including East Jerusalem, while Resolution 478 declared Israel's Basic Law proclaiming Jerusalem as its capital to be "null and void." Resolution 478 also urged member states to remove their embassies from Jerusalem. Together, these resolutions reflect the dominant international position that the final status of Jerusalem must be resolved through negotiations between Israelis and Palestinians as part of a broader peace settlement.

The United States' recognition of Jerusalem as Israel's capital was widely viewed as a departure from the prevailing international consensus and the legal framework established by the United Nations. By unilaterally recognizing Israeli sovereignty over Jerusalem, the decision was criticized as inconsistent with the principle prohibiting the acquisition of territory by force, a foundational norm of modern international law reflected in the United Nations Charter and related legal instruments.[53] Critics further argued that the decision implicitly legitimized Israel's occupation and annexation of East Jerusalem, thereby undermining established international legal standards and creating a potentially problematic precedent for other territorial disputes worldwide.

Beyond its legal implications, the decision significantly affected the political and diplomatic dimensions of the Israel-Palestine conflict.[54] For Palestinians, the recognition represented a major setback to aspirations for statehood, as East Jerusalem is widely regarded by Palestinians as the future capital of an independent Palestinian state. The decision was also perceived as evidence that the United States could no longer serve as a neutral mediator in the peace process. In response, the Palestinian Authority suspended formal diplomatic engagement with the United States government. The move further weakened confidence in the already fragile peace process and intensified skepticism regarding the viability of the two-state solution.

The decision also generated widespread regional and international condemnation. Arab and Muslim-majority states, along with major international actors such as the European Union and the United Nations, criticized the policy shift and reaffirmed support for the existing international position on Jerusalem.[55] The Arab League and the Organization of Islamic Cooperation convened emergency meetings to denounce the decision and reaffirmed East Jerusalem as the capital of Palestine. Large-scale protests occurred across the Middle East and other regions, reflecting the profound political, religious, and emotional significance of Jerusalem.[56]

In addition, the decision complicated relations between the United States and several of its longstanding allies. Although a small number of states later relocated their embassies to

[53] Emile Badarin, "Politics, Geography and Recognition in the Emerging Multipolar World Order," *Territory, Politics, Governance*, 5 Juni 2023, 1–19, https://doi.org/10.1080/21622671.2023.2214172.

[54] Razan Shawamreh, "Biased Impartiality: Understanding China's Contradictory Foreign Policy on Palestine," *Journal of Palestine Studies*, 22 Januari 2025, 1–19, https://doi.org/10.1080/0377919X.2024.2447229.

[55] Abdul Basid, "From Conflict to Peace: Fuqaha Political Exegesis on Israel's War Crimes in Palestine," *Al-Istinbath: Jurnal Hukum Islam* 9, no. 2 (2024): 597–624, https://doi.org/10.29240/jhi.v9i2.10597.

[56] Hanna Baumann, "Infrastructural Violence in Jerusalem: Abjection, Incorporation, and Resistance in the 'Cyborg City,'" dalam *Reverberations*, ed. oleh Yael Navaro dkk. (University of Pennsylvania Press, 2022), https://doi.org/10.9783/9780812298123-009.

Jerusalem, most countries maintained their embassies in Tel Aviv and continued to support the position that Jerusalem's final status should be resolved through negotiations between Israelis and Palestinians.

The United States' recognition of Jerusalem as Israel's capital generated major legal and institutional consequences for international law and global governance. Critics argued that the decision undermined international institutions and weakened the rule of law by disregarding established legal norms and United Nations resolutions. The move also intensified concerns over the erosion of multilateralism and the growing tendency of powerful states to prioritize strategic interests over international agreements and collective decision-making.

The United States justified the decision through sovereign authority and domestic legislation, particularly the 1995 Jerusalem Embassy Act. Critics, however, argued that domestic law could not override international legal obligations or alter Jerusalem's disputed status under international law. They further maintained that unilateral recognition weakened the principle that issues of international concern should be resolved through negotiation and multilateral consensus.

Supporters of the decision contended that it merely acknowledged "realities on the ground," as Jerusalem has long functioned as Israel's administrative center, hosting its parliament, Supreme Court, and executive institutions. From this perspective, recognition did not determine Jerusalem's final status and could encourage a more pragmatic peace process. Critics, however, argued that this view underestimated Jerusalem's profound political, religious, and symbolic significance for Israelis, Palestinians, and the wider Arab and Muslim world. For many, the city's status remains closely tied to questions of justice, sovereignty, and Palestinian self-determination.

The broader implications of the decision illustrate the complex relationship between international law and political power. The recognition reflected both the strategic nature of United States-Israel relations and domestic political considerations within the United States. At the same time, it exposed the limitations of international law in constraining unilateral actions by powerful states.[57] The controversy highlighted the difficulty of enforcing international legal norms without effective enforcement mechanisms and sufficient political consensus, particularly in disputes involving major powers.

Ultimately, the recognition of Jerusalem as Israel's capital demonstrates the continuing tension between international law, diplomacy, and geopolitical interests in the Israel-Palestine conflict. Critics viewed the decision as inconsistent with longstanding international legal principles and United Nations resolutions, while supporters considered it a recognition of political reality. Regardless of these competing interpretations, the decision weakened confidence in the peace process and intensified debates concerning the legitimacy and effectiveness of the international legal order.

d. The Role of Global Powers and Regional Powers

Intervention by global and regional powers in the Israel-Palestine conflict reflects a complex interaction between international politics, legal frameworks, and diplomacy. Powerful states and regional actors often shape the direction, intensity, and prospects for peace in the conflict. However, the legality of these interventions remains contested because political, ideological, and strategic interests frequently take precedence over compliance with international law and normative principles. Consequently, geopolitical considerations

[57] Hadeel S. Abu Hussein, "The U.S. Recognition of Jerusalem as a Capital of Israel and the Movement of Its Embassy to Jerusalem: The Question of Jerusalem and Beyond," dalam *The Wretched of the Global South*, ed. oleh Thamil Venthan Ananthavinayagan dan Amritha Viswanath Shenoy, International Law and the Global South (Springer Nature Singapore, 2024), https://doi.org/10.1007/978-981-99-9275-1_11.

often outweigh legal obligations, hindering coordinated efforts to achieve a just and lasting peace.

Major powers such as the United States, Russia, China, and the European Union have played significant roles in the conflict, both directly and through international institutions such as the United Nations Security Council (UNSC).[58] Among them, the United States has remained Israel's strongest ally by providing substantial military, financial, and diplomatic support. This support includes billions of dollars in annual assistance and the repeated use of veto power in the UNSC to block resolutions critical of Israeli policies, particularly settlement expansion and actions in Palestinian territories. Supporters justify this policy through shared security interests and democratic values, whereas critics argue that it undermines neutrality and weakens the credibility of international law.[59]

One of the most controversial issues under international law concerns Israeli settlement expansion in the occupied West Bank and East Jerusalem. The Fourth Geneva Convention prohibits an occupying power from transferring its civilian population into occupied territory, a provision widely interpreted as rendering Israeli settlements illegal. Nevertheless, the United States has consistently defended Israel in international forums, including by vetoing UNSC resolutions addressing settlement activities. This position was reinforced in 2019 when the United States announced that it no longer considered Israeli settlements inconsistent with international law. The decision received widespread criticism from legal scholars and international observers because it was viewed as undermining established principles of international law. This case illustrates how major powers can reinterpret legal norms to align with strategic interests and political alliances, often at the expense of broader international consensus.

Although less directly involved in the conflict, Russia and China have influenced its international dimensions. As a permanent member of the UNSC, Russia has advocated a more balanced approach while criticizing perceived Western bias and supporting Palestinian statehood.[60] However, its position is shaped by broader geopolitical interests, particularly alliances with Syria and Iran, which complicate its role as a neutral mediator.[61] China has consistently supported a two-state solution and participated in United Nations initiatives, but its engagement has largely focused on maintaining regional stability to protect economic interests linked to the Belt and Road Initiative.[62] In both cases, strategic interests often outweigh commitment to international legal principles.

On the other hand, the European Union has traditionally emphasized respect for international law and support for a negotiated two-state solution. The EU has provided substantial humanitarian and development assistance to Palestinians and repeatedly stated that Israeli settlement expansion violates international law.[63] However, divisions among EU member states and reliance on the United States in Middle Eastern diplomacy have

[58] Ilai Saltzman, "Israel and the United States," dalam *Routledge Handbook on Israel's Foreign Relations*, 1 ed., oleh Joel Peters dan Rob Geist Pinfold (Routledge, 2024), https://doi.org/10.4324/9781003048398-17.
[59] Catherine E. Herrold, "Curating Sovereignty in Palestine: Voluntary Grassroots Organizations and Civil Society in the West Bank and East Jerusalem," *Middle East Law and Governance* 14, no. 3 (2022): 414–41, https://doi.org/10.1163/18763375-15030001.
[60] Xuefan Dong dkk., "Public Attitudes toward the Israeli-Palestinian Conflict in China: A Text Mining Analysis," *Telematics and Informatics* 98 (April 2025): 102243, https://doi.org/10.1016/j.tele.2025.102243.
[61] John Calabrese, "China's Theatre Of Diplomacy and the Israel–Hamas Conflict," *The Maghreb Review* 49, no. 2 (2024): 120–34, https://doi.org/10.1353/tmr.2024.a924758.
[62] İrem Aşkar Karakır, "China's Conflict Management in the Middle East: Involvement without Impact?," *Contemporary Review of the Middle East* 9, no. 2 (2022): 240–57, https://doi.org/10.1177/23477989221080632.
[63] Jan Orbie dkk., "Shielded against Risk? European Donor Co-ordination in Palestine," *Development Policy Review* 39, no. 5 (2021): 703–20, https://doi.org/10.1111/dpr.12532.

limited the bloc's ability to exert meaningful pressure on the parties involved.[64] This reflects the broader difficulty of enforcing international law amid competing political and economic interests.[65]

Regional actors, including the Arab League, the Organisation of Islamic Cooperation, and neighboring states such as Egypt, Jordan, and Saudi Arabia, have also shaped the conflict. Historically, Arab states collectively opposed the establishment of Israel and supported the Palestinian cause. However, shifting geopolitical priorities, domestic challenges, and regional rivalries weakened this collective position. This shift became particularly visible through the Abraham Accords, which normalized relations between Israel and several Arab states. Supporters viewed the agreements as promoting regional stability and economic cooperation, while critics argued that they marginalized Palestinian demands for self-determination.

Among regional powers, Egypt and Jordan remain particularly influential because of their geographic proximity and long-standing involvement. Egypt has frequently mediated ceasefires between Israel and Hamas during conflicts in Gaza, although its efforts are often seen as prioritizing regional stability over structural issues such as the Gaza blockade and occupation. Jordan, custodian of Islamic holy sites in Jerusalem, has consistently supported Palestinian rights, but its influence is constrained by dependence on United States assistance and its peace treaty with Israel.

Interventions by global and regional powers in the Israel-Palestine conflict remain highly controversial because they often conflict with fundamental principles of international law. The doctrine of non-interference under the United Nations Charter prohibits states from intervening in the internal affairs of other states or undermining sovereignty and self-determination. However, many international and regional actors have supported policies that sustain occupation, tolerate human rights violations, or marginalize Palestinian statehood in favor of strategic and economic interests.

The selective application of international law by dominant states and regional actors has also weakened its credibility and effectiveness in resolving the conflict. When political expediency takes precedence over legal principles, public trust in international institutions declines and perceptions of injustice deepen among affected communities.[66] This is evident in the Israeli-Palestinian conflict, where the perceived impunity surrounding Israeli violations of international law has contributed to widespread skepticism regarding the neutrality and credibility of the international community.[67]

In conclusion, the involvement of global and regional powers in the Israeli-Palestinian conflict demonstrates the close relationship between international law, politics, and diplomacy. Although these actors possess significant influence over the course of the conflict, their interventions often prioritize strategic and political interests over legal obligations, raising serious questions about legitimacy and accountability. This tendency not only prolongs the conflict but also weakens the broader system of international governance. The situation highlights the urgent need for a more consistent and principled application of international legal norms in addressing global conflicts.

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[64] Falestin Naïli dkk., "Introduction: Charity, Relief and Humanitarianism as a Means of Maintaining Social and Political Stability in the Middle East. A Longue Durée Analysis of Actors, Categories and Practices," *Endowment Studies* 6, no. 1–2 (2022): 1–31, https://doi.org/10.1163/24685968-06010008.

[65] Haider Ali Khan dkk., "Changing Geo-Political Dynamics in Middle East: Implications for Pakistan," *Human Nature Journal of Social Sciences* 5, no. 3 (2024): 203–18, https://doi.org/10.71016/hnjss/wmseqs03.

[66] Oqab Jabali, "Popular Resistance against Israeli Territorial Expropriation: Beita as a Model," *Middle East Policy* 29, no. 4 (2022): 91–106, https://doi.org/10.1111/mepo.12656.

[67] Mai Albzour dkk., "Talking to a (Segregation) Wall: Intergroup Contact and Attitudes Toward Normalization Among Palestinians From the Occupied Territories," *Political Psychology* 44, no. 1 (2023): 43–59, https://doi.org/10.1111/pops.12816.

4. The Ambiguity of the Application of International Law in Resolving the Israeli-Palestinian Conflict

The findings of this study demonstrate that the application of international law in the Israel-Palestine conflict is shaped by competing legal interpretations, geopolitical interests, and selective enforcement of international norms. Although international legal frameworks such as United Nations resolutions and the Geneva Conventions formally recognize Palestinian self-determination and classify Israeli settlement expansion as illegal, enforcement mechanisms remain weak and heavily influenced by the political interests of powerful states.[68] As a result, Israeli policies have often continued without meaningful accountability.[69]

The study further finds that the role of the United Nations, particularly the Security Council, has been constrained by repeated vetoes from major powers, especially the United States, illustrating the dominance of political interests over legal principles. In addition, although international humanitarian law and human rights law are legally binding on both Palestinians and Israelis, their implementation remains uneven. Palestine has increasingly sought legal remedies through international institutions such as the International Criminal Court, while Israel, supported by strong diplomatic alliances, has largely resisted these processes.

The research also concludes that the Oslo Accords, initially intended to establish a legal framework for peace, have instead contributed to the continuation of occupation because their implementation has been repeatedly undermined by changing political realities. Furthermore, key issues in the conflict, including the use of force, occupation, and resistance, remain subject to competing interpretations under international law, producing conflicting legal narratives that shape international responses. Finally, the study identifies the Israel-Palestine conflict as evidence of the limitations of international law in resolving protracted conflicts where political interests frequently override legal obligations and international norms are applied inconsistently.

C. Conclusion

The study concludes that the Israeli-Palestinian conflict reflects a persistent tension between international law and international politics. Although legal instruments such as international humanitarian law, United Nations resolutions, and mechanisms under the International Court of Justice and the International Criminal Court establish standards concerning occupation, self-determination, and accountability, their implementation remains constrained by geopolitical interests, power asymmetries, and selective enforcement. The study finds that the ambiguity in applying international law arises not from the absence of legal norms, but from their politicized interpretation and inconsistent enforcement. It also demonstrates that the effectiveness of international legal mechanisms depends not only on legal doctrine, but also on political commitment and institutional impartiality. Consequently, legal frameworks alone are insufficient to resolve the conflict when international institutions operate within geopolitical constraints. A sustainable resolution therefore requires stronger neutrality, accountability, and consistency in enforcing international law, supported by genuine diplomatic engagement and political commitment.

[68] Oliver Ramsbotham, "Radical Asymmetry, Conflict Resolution, and Strategic Engagement in the Israeli-Palestinian Conflict," dalam *Routledge Companion to the Israeli-Palestinian Conflict*, 1 ed., oleh Asaf Siniver (Routledge, 2022), https://doi.org/10.4324/9780429027376-8.

[69] Caroline Lund dan Brendan Ciarán Browne, "Stigmatisation as Settler Colonialism: Designating Humanitarian and Civic Society Organisations in Palestine as Security Threats," *Peacebuilding*, 9 Oktober 2024, 1–17, https://doi.org/10.1080/21647259.2024.2411090.

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