

International Legal Analysis of Human Rights Violations and Alleged Genocide in Palestine: A Normative Juridical Approach

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ABSTRACT: This study examines alleged human rights violations in Palestine that may amount to genocide, using a normative juridical approach grounded in international law. It assesses whether Israel's actions meet the elements of genocide under the 1948 Genocide Convention and evaluates the effectiveness of international legal mechanisms in addressing such crimes. The research employs a normative juridical method integrating statutory, case-based, and conceptual approaches. It systematically analyzes international legal instruments, decisions of international courts, and relevant legal theories concerning genocide and human rights. The findings reveal that Israel's conduct—including targeted attacks on civilians, the destruction of vital infrastructure, the imposition of prolonged economic blockades, and the expansion of illegal settlements—exhibits strong indicators of war crimes and potentially fulfills the elements of genocide under international law. While the International Court of Justice (ICJ) and the International Criminal Court (ICC) possess jurisdiction to address such violations, enforcing international legal norms encounters significant barriers. These include the influence of global political power, veto rights in the United Nations Security Council, and systemic biases that shield certain state actors from accountability. This study concludes that although a robust legal framework exists to respond to human rights violations in Palestine, the implementation of international law remains limited due to entrenched geopolitical interests. To address these shortcomings, the international community must pursue structural reforms in the global legal order and foster collective efforts to protect human rights and ensure accountability. By offering a critical legal analysis, this study contributes to the academic discourse on international human rights and humanitarian law and supports more effective advocacy strategies to combat impunity and uphold justice in the Israeli-Palestinian conflict.

Keywords: Human Rights Violations, Genocide, Palestine, International Law, ICC, ICJ.



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INTRODUCTION

The Israeli-Palestinian conflict is one of the longest-running geopolitical conflicts in the modern world, with historical roots that can be traced to the early 20th century (Oluwashakin, 2013). This dispute began with territorial claims between the Jewish and Arab communities in the Palestinian region, which then developed into a protracted conflict involving various domestic, regional and international actors. The Balfour Declaration of 1917, which supported the creation of a "*homeland for the Jewish people*" in Palestine, as well as a British mandate over the region, was the initial trigger for tensions that led to a series of clashes between Jewish and Arab communities. This situation worsened after the founding of the state of Israel in 1948, which the Arab-Israeli War accompanied (Khan & Tinua, 2024).

Since then, this conflict has experienced various forms of escalation, ranging from conventional war between Israel and Arab countries and military occupation of Palestinian territories to forms of structural and systemic violence involving forced evictions, economic blockades, and the construction of illegal settlements in the occupied territories (Shakir, 2023). The ongoing escalation of violence, especially in the last decade, has had far-reaching impacts, politically, socially and humanitarianly. The conflict impacts diplomatic relations between countries in the Middle East region and triggers global tensions between political blocs with strategic interests in the region.

In recent years, the intensification of military attacks, economic blockades and military operations in Gaza and the West Bank region have further increased tensions in the region. Data from Human Rights Watch (2024) shows a total of 12,855 construction of new housing units for Israeli settlements during the first 6 months of 2023. In addition, Amnesty International (2023) report that more than 2.2 million Gaza residents live under a tight blockade that limits their movement, worsening social and economic conditions in the region. Air strikes that have repeatedly hit civilian areas in Gaza have resulted in thousands of casualties, the majority of whom are women and children, and damaged vital infrastructure such as hospitals, schools and clean water facilities (Machold & Printy Currie, 2024). It has been recorded that 30,000 people have been killed and 70,000 others injured since the latest escalation of the conflict in Gaza (Knell, 2024). Apart from that, the humanitarian aid crisis is also getting worse. Amnesty International (2024) stated that 90% of the population in Gaza does not have access to clean water, which increases the risk of spreading infectious diseases.

Israel faces accusations of genocide in international law from various human rights organizations and several countries, especially regarding increasing civilian casualties, destruction of Palestinian infrastructure, and settlement expansion in the West Bank (Shaw, 2015). These actions potentially violate the 1948 Genocide Convention Article II, which defines genocide as a systematic attempt to destroy a national, ethnic, racial or religious group through murder, physical or mental suffering and the creation of conditions that exterminate the group (Abajo, 2024). A similar definition was also adopted in the 1998 Rome Statute Article 6, which grants jurisdiction to the International Criminal Court (ICC) to try these crimes. In addition, the charges against Israel are linked to the 1949 Geneva Convention IV, which prohibits collective punishment, acts of reprisal against civilians, and the use of excessive military force that causes mass suffering. Furthermore, Miller's (2023) research shows that blockade policies and the disproportionate use of force have created

conditions that allow the systematic extermination of certain groups. In this context, Additional Protocol I to the 1977 Geneva Conventions affirms the prohibition of attacks on vital infrastructure, such as water sources, health facilities and food systems, which are essential for the survival of the civilian population, thus further strengthening the legal basis for these accusations.

From a geopolitical perspective, various international actors have conflicting interests in this conflict, which further complicates efforts for a peaceful resolution. Some countries openly support Israel citing national security and strategic interests, while other countries condemn Israel's actions, accusing it of crimes against humanity. The role of the UN and international organizations in handling this conflict is also often criticized because it is considered less effective in enforcing international law and fails to prevent further escalation (Alduraiddi et al., 2025).

The urgency of this study is increasing considering the importance of understanding the juridical aspects of human rights violations in Palestine in the context of international law. This study is not only relevant in assessing Israel's actions based on the principles of international human rights law but also in evaluating the effectiveness of available legal instruments to address allegations of genocide and crimes against humanity. Given the various challenges in implementing international law, such as global politics and the interests of large countries, this study is very important to provide a clearer perspective regarding justice and accountability in this conflict.

Based on the problems that have been raised, this research aims to answer several main questions: whether Israel's actions against Palestine meet the elements of genocide according to international law, what is the role of international human rights law in dealing with allegations of genocide in Palestine, and what are the main challenges in enforcing international law in this case. By understanding these three aspects, it is hoped that this research can enrich academic discourse regarding international law and the Israeli-Palestinian conflict and encourage more concrete legal efforts to resolve this problem.

METHOD

This research uses a normative juridical method, namely a legal research method that analyzes legal norms written in statutory regulations and applicable legal doctrine (Marzuki, 2017). In the context of this research, normative juridical methods are used to examine international legal instruments that regulate human rights violations and genocide and how these legal norms are applied in the Palestinian case. This study aims to understand the basis of international law governing genocide, state responsibility, and law enforcement mechanisms that can be used in the Palestinian case.

This research uses three main approaches. First, a statutory approach to analyzing international legal instruments related to genocide and human rights, such as the 1948 Genocide Convention, the 1948 Universal Declaration of Human Rights, and the 1998 Rome Statute, which provide jurisdiction for the ICC, including over Palestine, which ratified the treaty in 2015. Second, a case approach by examining international legal decisions, such as the case of Bosnia and Herzegovina v. Serbia (ICJ, 2007) and South Africa's lawsuit against Israel at the ICJ (2024), which emphasized the obligation to prevent genocide. Third, a conceptual approach to understand the legal theory of genocide as *jus cogens* norms and *erga omnes* obligations requires all countries to prevent and

act on genocide through domestic mechanisms and international institutions such as the ICC and ICJ.

The data sources in this research consist of primary, secondary and tertiary legal materials. Primary legal materials include international treaties such as the 1948 Genocide Convention, the 1998 Rome Statute, and the UN Charter, as well as relevant ICJ and ICC decisions. Secondary legal materials include books, scientific journals, and reports from human rights organizations such as Amnesty International and Human Rights Watch, highlighting human rights violations in Palestine.

The data collection technique was carried out through library research by examining various legal literature and official reports on human rights violations in Palestine. The data obtained was then analyzed using qualitative methods with a deductive approach, namely concluding established legal norms which were then applied in the context of the Palestinian case (Marzuki & Samsuri, 2022). Through this method, the research aims to provide a comprehensive understanding of the legal basis governing cases of genocide in Palestine and evaluate the extent to which international law can be enforced in dealing with this crime (Schabas, 2009)

RESULTS AND DISCUSSION

Alleged Violations of International Law by Israel in the Case of Attacks on Palestine

Based on various reports issued by international institutions working in the field of Human Rights and Humanity, the actions carried out by Israel against Palestinians can be classified as alleged serious violations of international law, including war crimes and genocide. Based on the definition in the 1948 Genocide Convention, Article II explicitly states that genocide is an act committed to destroy, in whole or in part, a national, ethnic, racial or religious group. The article details the acts of genocide as: "*(a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.*" (Genocide Convention, 1948).

Data from Human Rights Watch (2022) shows that Israel's attacks on Gaza throughout 2021 caused more than 260 deaths, consisting of 129 civilians and 66 children (Almasri, 2022). This high number of civilian casualties is a serious violation of Article 51 of Additional Protocol I to the 1977 Geneva Conventions, which explicitly prohibits attacks on civilians or civilian objects and requires conflicting parties to always distinguish between military targets and civilians. The article states, "*The civilian population as such, as well as individual civilians, shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited*". Air strikes targeting densely populated areas without clear strategic military value indicate a violation of the principles of distinction and proportionality and confirm the alleged existence of a systematic pattern of attacks aimed at the ongoing destruction of the Palestinian social structure (Amnesty International, 2022)

Israel's blockade policy on Gaza since 2007 has caused almost 62% of Gaza's population of around 1.3 million of the two million Palestinians to live in extreme poverty and depend on international assistance to meet basic needs (OCHA OPT, 2022). This blockade violates Article 33 of the 1949 Geneva Convention on Individual responsibility, collective penalties, pillage, reprisals, which explicitly prohibits collective punishment by stating that *"No protected person may be punished for an offence he or she has not personally committed."* This blockade also drastically limits Gaza residents' access to clean water, with a United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA, 2021) report stating that around 78% of the water in the area is polluted and unfit for consumption (OCHA, 2021a). In addition, the production capacity of the Gaza Power Plant can only reach a maximum of 80 megawatts (MW), plus 120 MW from Israel, meeting around 50% of Gaza's total electricity needs, which range from 400 to 450 MW. As a result, electricity outages will reach an average of 11 hours per day in 2021 (OCHA, n.d.) This condition significantly disrupts health, education and public sanitation services, thereby increasing the prevalence of infectious diseases, chronic malnutrition and child mortality. The cumulative impact of these policies suggests systematic suffering as part of indirect efforts to reduce the Palestinian population gradually.

The destruction of civilian infrastructure by Israeli forces included thousands of civilian homes as well as essential facilities such as hospitals, schools, universities and factories. An estimated 15,000 housing units were damaged, as were several water and sanitation facilities and infrastructure, 58 educational facilities, nine hospitals, and 19 primary health care centers (OCHA, 2021b) This action violates Article 53 of the 1949 Fourth Geneva Convention, which clearly states that *"Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or the State, or to other public authorities, or social or co-operative organizations, is prohibited, except where such destruction is rendered necessary by military operations."*

In addition, damage to health facilities, such as the attack on Al-Shifa Hospital in Gaza, is contrary to Article 18 of the Fourth Geneva Convention which confirms that *"Civilian hospitals organized to give care to the wounded and sick, the infirm and maternity cases, may in no circumstances be the object of attack, but shall at all times be respected and protected by the Parties to the conflict."* The legal implications of these violations indicate that such destruction systematically undermines the Palestinian group's ability to survive, creates extremely difficult living conditions and leads to the forced displacement of the population, an act that is also regulated in Article II of the Genocide Convention as an attempt to destroy the group physically.

Amnesty International (2022) reports an increase in attacks targeting Palestinian women and children. Approximately 2,000 children have been administratively detained without clear legal process between 2018 and 2022. In addition, detaining children without fair legal process violates the 1989 Convention on the Rights of the Child, in particular Article 37, which confirms that *"(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall conform with the law and shall be used only as a measure of finality resort and for the shortest appropriate period"* Meanwhile, Palestinian women face escalating violence, including physical harassment, detention, and intimidation by Israeli security forces. This action is also contrary to international law. Article 34 of the 1949 Fourth Geneva Convention expressly prohibits the taking of hostages by stating, *"The taking of hostages is prohibited."*

This is also stated in Article 76 of Additional Protocol I to the 1977 Geneva Conventions, which explicitly states that "(1) *Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault; (2) Pregnant women and mothers having dependent infants who are arrested, detained or interned for reasons related to the armed conflict, shall have their cases considered with the utmost priority; (3) To the maximum extent feasible, the Parties to the conflict shall endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants, for an offence related to the armed conflict. The death penalty for such offences shall not be executed on such women.*" This pattern of violence not only constitutes a gross violation of human rights but also indicates a systematic effort to weaken the social structure and disrupt Palestine's demographic sustainability.

Furthermore, Israel's policy of strictly controlling Palestinian access to vital resources such as water, land, food and health services violates several international legal instruments aimed at protecting the basic rights of the civilian population. According to a report from the European Parliamentary Research Service (2016), around 80% of water resources in the West Bank are diverted to illegal Israeli settlements, significantly limiting Palestinian access to water for domestic and agricultural needs (Lazarou, 2016). This contradicts Article 55 of the 1949 Fourth Geneva Convention, which states, "*To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population....*"

In addition, control of resources that causes life difficulties for the Palestinian people can also be categorized as a form of group extermination under Article II(c) of the 1948 Genocide Convention, which states that "*Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part*" is included in the definition of genocide. The impact of this policy not only reduces people's welfare but also worsens the birth rate and increases the death rate due to limited access to basic needs.

Based on an analysis of various reports from international institutions, Israel's actions against Palestinians show strong indications of serious violations of international law, especially in the context of genocide and war crimes. Therefore, resolving this dispute has an urgent urgency to ensure the upholding of international law and protect the basic rights of Palestinians. Continuation of violations without legal accountability will further weaken the global justice system and normalize impunity for perpetrators of war crimes and genocide. Therefore, the international community must take firm steps in implementing effective legal mechanisms, including through independent investigations, international sanctions, and upholding justice through the International Criminal Court. A fair resolution is important for victims, regional stability, and the legitimacy of international humanitarian law in preventing similar violations in the future.

The Role of International Human Rights Law in Resolving The Genocide Case in Palestine

The International Court of Justice (ICJ) has primary jurisdiction in handling genocide cases based on the 1948 Genocide Convention. This jurisdiction allows member states to bring cases of alleged genocide before the ICJ, either as plaintiffs or defendants. In some cases, such as *Bosnia the Crime of Genocide Bosnia and Herzegovina v. Serbia and Montenegro* (2007), the ICJ determined

that although Serbia did not directly commit genocide in Srebrenica, the country failed to fulfill its obligations to prevent and punish acts of genocide. This ruling shows how the ICJ enforces state accountability in serious crimes against humanity.

In the context of the Palestinian conflict, Israel has been involved in legal proceedings at the ICJ several times, especially in cases related to alleged violations of human rights and international humanitarian law. One important case is Construction of a Wall in the Occupied Palestinian Territory (2004). In this decision, the ICJ stated that Israel's construction of the separation wall in the Palestinian territories is contrary to international law and violates the human rights of the Palestinian people. Furthermore, in 2023, the ICJ received a request from South Africa to review Israel's actions against Palestinians in Gaza for alleged violations of the Genocide Convention (2024). This legal process emphasizes the ICJ's role in determining whether Israel's actions can be categorized as genocide and whether the country is legal responsibility for the country.

The ICJ decision has major implications for global policy, especially in diplomacy and international pressure on Israel. Although the ICJ decision is binding for the parties to the dispute, its implementation depends on the UN Security Council mechanism and geopolitical dynamics that influence state compliance with international law. In the case of the construction of the separation wall in Palestine (2004), the ICJ confirmed Palestine's legal position in international forums by providing legitimacy to Palestine's claim to sovereignty. This ruling also encourages more countries to recognize Palestinian rights to occupied land. The main legal basis for this decision comes from various international legal instruments which emphasize the principle of prohibiting forced territorial annexation and the obligation of states to respect humanitarian law. The UN Charter, especially Article 2(4), explicitly states that: "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." The ICJ refers to this article to assess that Israel's policy of building a separation wall in the Palestinian territory violates the principle of state sovereignty and is an illegal use of force.

In addition, the 1949 Fourth Geneva Convention, especially Article 49, confirms that: "*The Occupying Power shall not deport or transfer parts of its civilian population into the territory it occupies.*" Based on this principle, the ICJ stated that the transfer of the Israeli population to the occupied territories not only violates international humanitarian law but also strengthens illegal colonization practices that are contrary to international legal norms. In line with this, the 1907 Hague Convention in Article 23(g) prohibits acts of destruction of property that are not necessary for military purposes, as stated "It is especially forbidden to destroy or seize the enemy's property, unless the necessities imperatively demand such destruction or seizure of war." Thus, the construction of the separation wall and the expansion of illegal settlements in the occupied Palestinian territories are actions that cannot be legally justified and are contrary to widely recognized international legal norms.

In support of the ICJ's legal interpretation, UN Resolution 242; UN Resolution 338 further reinforce the obligation for Israel to withdraw from occupied territories and to recognize the rights of the Palestinian people to their land. The ICJ's ruling, therefore, is firmly grounded in core principles of international law, which categorically prohibit the acquisition of territory through force and the imposition of occupation through annexation. In this regard, the ICJ emphasized that

Israel, as an occupying power, is obliged to comply with international humanitarian law and respect the human rights of the Palestinian people. This is in line with Article 2(4) of the UN Charter which states that "*All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.*" This article emphasizes the limitations of using force in international relations as an instrument to maintain territorial integrity and state sovereignty. In the context of the Israeli-Palestinian conflict, this provision is crucial in determining the legality of actions taken by the state in order to maintain security or expand its territory.

This is closely related to the concept of the right to self-defense as regulated in Article 51 of the UN Charter, which states that: "*Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.*" Israel frequently invokes this provision to justify its military actions in the occupied Palestinian territories. However, the International Court of Justice (ICJ) and numerous international law scholars contend that Article 51 applies specifically to acts of aggression between sovereign states. Since Palestine is not a full member of the United Nations and is not universally recognized as a sovereign state, the applicability of Article 51 to Israel's actions in this context remains highly contested. Consequently, Israel's use of force in the occupied territories cannot be fully justified under the right to self-defense as defined by Article 51. Furthermore, should the ICJ conclude in an ongoing case that Israel has violated the Genocide Convention, such a finding could significantly deepen Israel's diplomatic isolation and prompt increased international pressure for sanctions or embargoes.

In addition to the role of the ICJ, international law also gives jurisdiction to the International Criminal Court (ICC) to deal with international crimes. The International Criminal Court (ICC) operates under the 1998 Rome Statute, which provides jurisdiction to try individuals for serious crimes such as genocide, crimes against humanity, war crimes, and crimes of aggression. In the context of the Israeli-Palestinian conflict, the ICC faces significant challenges because Israel is not a state party to the Rome Statute. Since 2015, Palestine has accepted the jurisdiction of the ICC, allowing investigations into alleged war crimes that occurred on its territory (Aliya Nadita Ifara et al., 2024). The International Criminal Court (ICC) has jurisdiction in prosecuting individuals responsible for war crimes and crimes against humanity. The ICC's investigation into the situation in Palestine aims to identify individuals responsible for violations of international humanitarian law, including attacks on civilians, destruction of infrastructure, and excessive use of force by the Israeli military. The ICC's jurisdiction in this situation is based on several key legal foundations, including Article 12 paragraph (2)(a) of the Rome Statute, which states that the ICC can exercise its jurisdiction if the crime occurred in the territory of a party state. Although Israel is not a state party, Palestine has been a state party since 2015, giving the ICC the authority to investigate alleged war crimes that occurred on its territory, including the West Bank, East Jerusalem and the Gaza Strip.

However, these efforts face major challenges, especially in prosecuting Israel's political and military leaders. Large countries with significant economic and political influence often resist ICC investigations, due to various strategic and diplomatic interests. In addition, global political pressure is a major obstacle in implementing ICC decisions. Several countries, including the United

States and European countries, often pressure the ICC not to take steps that could harm their allies. In addition, the mechanism for executing ICC decisions still faces obstacles due to the lack of political support from large countries that influence the UN Security Council. Several large countries, including the United States and several European countries, often pressure the ICC not to take actions that they consider detrimental to their allies. Gaps in implementing ICC decisions are also seen in inconsistencies in handling similar cases in other regions, reflecting broader geopolitical dynamics in the application of international law. Therefore, although ICC decisions can provide important legal precedents, their effectiveness in bringing about real justice remains dependent on the international community's political will.

Concerning broader international law, UN resolutions are often the main tool in dealing with the Palestinian conflict. Resolutions adopted by the UN Security Council, such as Resolutions 242 and 338, have called for the withdrawal of Israeli forces from the occupied territories and a peaceful settlement based on the principles of justice. Although these resolutions have clear objectives, their implementation is often hampered by the veto of permanent Security Council member states and the absence of effective enforcement mechanisms.

Apart from law and diplomacy, economic pressure on Israel is also an influential factor in the dynamics of this conflict. One of the strategies used is the Boycott, Divestment and Sanctions (BDS) campaign, which aims to pressure Israel economically and politically to stop the occupation of the Palestinian territories. According to research by Heilmann (2016), the boycott of Israeli products contributed to a reduction in demand in several industrial sectors involved in the illegal occupation. The effects of this boycott can be seen in the decline in exports of Israeli agricultural products and several technology sectors experiencing a decline in international investment.

The impact of this economic boycott not only affects the business sector but also puts political pressure on Israeli policies. The decline in exports in the agricultural and technology sectors due to the boycott campaign has caused significant economic disruption for several industries that contributed to the illegal occupation (Heilmann, 2016). This ongoing economic pressure creates impetus for the Israeli business community to urge their government to consider more moderate policies towards the Palestinians.

Although the boycott campaign has the potential for substantial economic impact, its effectiveness remains limited as Israel continues to receive economic and military support from its allies, including the United States and the European Union. Political factors are the main obstacle in implementing international sanctions against Israel. Countries with strategic interests in the Middle East often maintain close diplomatic and economic ties with Israel, so economic sanctions are rarely applied widely. In addition, powerful political lobbies in major powers, especially in the United States, often prevent the implementation of harsher measures against Israel in international forums.

As a result, the application of international law and justice in the Palestinian conflict is still influenced by global geopolitical dynamics, where economic and political interests often hinder efforts for a just resolution. Thus, although an economic boycott against Israel can exert significant pressure, its success depends largely on its consistency, the scope of its implementation at the

global level, and changes in the international political constellation that allow for more decisive action against the illegal occupation.

Challenges and Obstacles in International Law Enforcement

The International Court of Justice (ICJ) faces fundamental challenges in law enforcement against sovereign states. The main obstacle lies in international law, which does not have a binding coercive mechanism, so the implementation of ICJ decisions depends on the willingness of member states to comply with the decisions given. The *Nicaragua v. The United States* (1986) set an important precedent demonstrating the ICJ's weak effectiveness when it rejected its jurisdiction and ignored a ruling requiring it to cease support for rebel groups in Nicaragua. The inability to enforce this decision confirms that international law is ineffective in dealing with superpowers with strategic interests in a conflict.

In addition to the absence of coercive mechanisms, states with large economic and military powers often avoid the consequences of violating international law. In the South China Sea Arbitration case (2016), the Permanent Court of Arbitration (PCA) stated that China's maritime claims over the South China Sea had no legal basis. However, China rejected the decision and continued to build military facilities in the region without facing effective legal action from the international community (Kanner & Orion, 2016). Likewise, Russia's annexation of Crimea in 2014 demonstrated the ineffectiveness of international sanctions in pressuring major powers to comply with international legal norms (Dimova & Umland, 2020). Thus, international law enforcement depends more on political and economic pressure than genuine legal mechanisms.

In the context of armed conflict, human rights violations pose a major challenge to international law enforcement. Although the Geneva Conventions and the Rome Statute have set legal standards for dealing with war crimes and crimes against humanity, their implementation still faces structural obstacles. The main difficulty lies in the mechanisms for arresting and prosecuting perpetrators of war crimes, especially those with political and military power. A study by Schabas (2016) the International Criminal Court (ICC) experiences obstacles in carrying out its mandate because several large countries, including the United States, Russia and China, have not ratified the Rome Statute. This asymmetry results in the ICC targeting leaders of small states more often than leaders of large states not subject to the court's jurisdiction.

The Israeli-Palestinian conflict reflects the political complexity in the application of international law. The United States has consistently provided diplomatic, economic, and military support to Israel, including using its veto power in the UN Security Council to thwart resolutions holding Israel accountable for its military actions against the Palestinians. In contrast, the European Union has a more varied approach. France and Spain actively push for the implementation of a two-state solution and criticize Israel's settlement expansion policy in the West Bank as contrary to international law (Pinedo & Devereux, 2022). The concrete steps taken by Spain, together with Ireland and Norway, in recognizing the State of Palestine in May 2024 emphasize the urgency of a two-state solution as a prerequisite for regional stability (Picheta, 2024).

Meanwhile, Germany and Austria maintain close diplomatic relations with Israel, based on historical factors of the Holocaust that still influence their foreign policies (Massey, 2024). Apart from historical factors, economic interests also play a role, especially in the trade in weapons and strategic technology. Britain, in post-Brexit dynamics, is strengthening its trade relations with Israel, especially in the defense and cyber security sectors (Garcia, 2023). However, in the context of international diplomacy, the UK continues to maintain its commitment to peace negotiations and a two-state solution as a foreign policy oriented towards regional stability (Hadfield & Whitman, 2023).

Arab countries also show diverse dynamics in this conflict. Iran and Syria vocally oppose Israel by providing political and material support to resistance groups such as Hamas and Hezbollah (Motamedi, 2024). On the other hand, Saudi Arabia is starting to demonstrate a pragmatic approach by considering normalizing relations with Israel in a broader regional geopolitical context (Guzansky, 2023). The normalization of relations between the United Arab Emirates and Bahrain with Israel through the Abraham Accords shows a diplomatic strategy based on economic interests and regional stability (Landau, 2020).

The role of the veto right in the UN Security Council is one of the main factors hindering international law enforcement. The five permanent members of the Security Council (the United States, Russia, China, the United Kingdom and France) have veto powers allowing them to overturn resolutions inconsistent with their national interests. The United States consistently uses veto rights to protect Israel from sanctions or international legal action. According to Al-Fitrah et al. (2021) This veto mechanism is often used as a geopolitical tool to hinder the implementation of international justice, especially in prolonged conflicts such as in Palestine. The imbalance in the application of international law increasingly shows that law cannot always be enforced neutrally when there are dominant political interests.

Overall, international law enforcement faces significant structural challenges, mainly related to the absence of coercive mechanisms against sovereign states, difficulties in dealing with human rights violations in armed conflicts, and the dominance of the political interests of large countries in shaping the dynamics of international law. Reform of the international legal system, including limiting the use of veto rights in cases of serious human rights violations and increasing more effective and binding law enforcement mechanisms, is an urgent step to increase the effectiveness and credibility of international law in the future.

CONCLUSION

The conclusion of this research highlights that Israel's actions against Palestine show strong indications of serious violations of international law, including allegations of genocide and war crimes. Based on various legal instruments, such as the 1948 Genocide Convention, the 1949 Geneva Convention, and the 1998 Rome Statute, the policies implemented by Israel, ranging from the destruction of civilian infrastructure, to an economic blockade that creates inhumane living conditions, to disproportionate attacks on the Palestinian civilian population, violate the basic principles of international humanitarian law. The International Court of Justice (ICJ) and the

International Criminal Court (ICC) have jurisdiction to enforce the law in this case, but implementation faces major challenges. One of the main obstacles is the ineffectiveness of the international legal system in cracking down on powerful countries with great geopolitical influence. The veto right in the UN Security Council is often used by countries allied to Israel to hinder stronger legal action, making accountability for alleged human rights violations difficult to enforce. In addition, economic and military support from large countries increasingly complicates efforts to resolve conflicts justly and law-based. Thus, although normatively there is a strong legal basis for categorizing Israel's actions as a form of genocide, the effectiveness of the implementation of international law in this case is still a major unresolved issue.

Although this research provides an in-depth understanding of the juridical aspects of the Israeli-Palestinian conflict, several limitations must be considered. One of the main limitations is the study's reliance on secondary data from international organization reports and previous legal studies. Limited access to primary data, such as direct victim testimony and independent field investigations, can limit the depth of empirical analysis. In addition, this research focuses more on a normative legal perspective without integrating a multidisciplinary approach that includes economic, social and political aspects which also play an important role in this conflict. Another challenge faced is the large influence of global political dynamics on the implementation of international law, where the interests of large countries often become an inhibiting factor in upholding justice. In this case, this research also fails to explore the perspective of the Israeli side, which could provide a more comprehensive picture of the complexity of this conflict. Therefore, although this research succeeded in identifying various legal violations, there are still gaps in the analysis that can be developed further to obtain a more holistic understanding.

More comprehensive studies with more diverse approaches are needed to complete this research gap. One important step is to conduct empirical research in the field by collecting primary data through direct interviews with victims, independent observers and local human rights organizations. This approach will provide a deeper dimension to the impact of conflicts and human rights violations. In addition, further research can integrate multidisciplinary perspectives, such as economic and political studies, to understand how factors outside the legal aspect contribute to escalating conflicts and obstacles in implementing international law. Further studies could also focus on analyzing concrete strategies for enforcing the law, such as reforming the UN system, increasing the effectiveness of international sanctions, and strengthening the role of the ICC and ICJ in taking action against serious human rights violations. In addition, comparative research with similar cases, such as the genocide in Bosnia, Rwanda, or Myanmar, could provide additional insight into patterns of impunity and legal challenges faced in other cases of crimes against humanity. Thus, through further research development, it is hoped that more effective solutions can be found in upholding international law and fighting for justice for the Palestinian people.

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