



## Political and Legal Aspects of the Israeli and Palestinian Conflict\*

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### Abstract:

The Israeli-Palestinian conflict has a long history spanning several decades and encompasses intricate political and legal dimensions. This battle not only had repercussions for both parties involved but also garnered international scrutiny and emerged as a significant matter in global diplomacy. This article seeks to examine the political and legal dimensions of the conflict, namely Israel's diplomatic acts that contravene international legal standards, as well as the suggested and implemented attempts for resolving the conflict. This study employs qualitative research methodologies with a focus on reviewing existing literature. The literature review includes the examination of international legal documents, UN resolutions, and peace accords, as well as articles and books that analyze the Israeli-Palestinian issue from a political and legal standpoint. The collected data is evaluated to discern patterns of lawlessness exhibited by Israel and assess the efficacy of different conflict resolution strategies. The research findings indicate that Israeli diplomatic acts frequently contravene the tenets of international law, such as engaging in unlawful occupation and establishing colonies in Palestinian lands. Despite the implementation of multiple resolutions and diplomatic initiatives aimed at resolving the issue, the outcomes have been restricted and frequently hindered by political motivations and a mutual unwillingness to make concessions. To establish durable peace, it is necessary to adopt a more comprehensive approach and include the international community in addressing the Israeli-Palestinian problem.

**Keywords:** Politics of law; Israeli-Palestinian conflict; Dimensions

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## Dimensi Politik Hukum Konflik Israel dan Palestina

### Abstrak:

Konflik Israel-Palestina memiliki sejarah panjang selama beberapa dekade dan mencakup dimensi politik dan hukum yang rumit. Pertarungan ini tidak hanya berdampak pada kedua pihak yang terlibat, namun juga mendapat sorotan internasional dan menjadi masalah penting dalam diplomasi global. Artikel ini berupaya mengkaji dimensi politik dan hukum konflik, yaitu tindakan diplomasi Israel yang bertentangan dengan standar hukum internasional, serta upaya yang disarankan dan dilaksanakan untuk menyelesaikan konflik tersebut. Penelitian ini menggunakan metodologi penelitian kualitatif dengan fokus mengkaji literatur yang ada. Tinjauan literatur meliputi penelaahan terhadap dokumen hukum internasional, resolusi PBB, perjanjian perdamaian, serta artikel dan buku yang menganalisis isu Israel-Palestina dari sudut pandang politik dan hukum. Data yang dikumpulkan dievaluasi untuk melihat pola pelanggaran hukum yang ditunjukkan oleh Israel dan menilai kemandirian berbagai strategi penyelesaian konflik. Temuan penelitian menunjukkan bahwa tindakan diplomatik Israel seringkali bertentangan dengan prinsip hukum internasional, seperti melakukan pendudukan yang melanggar hukum dan mendirikan koloni di tanah Palestina. Meskipun berbagai resolusi dan inisiatif diplomatik telah diterapkan untuk menyelesaikan masalah ini, hasil yang dicapai masih terbatas dan seringkali terhambat oleh motivasi politik dan keengganan bersama untuk membuat konsesi. Untuk membangun perdamaian yang tahan lama, perlu dilakukan pendekatan yang lebih komprehensif dan melibatkan komunitas internasional dalam mengatasi masalah Israel-Palestina.

**Kata Kunci:** Politik Hukum; Konflik Israel-Palestina; Dimensi

## Политико-правовые аспекты израильско-палестинского конфликта

### Аннотация:

Израильско-палестинский конфликт имеет долгую историю, охватывающую несколько десятилетий, и имеет сложные политические и правовые аспекты. Эта битва не только повлияла на обе стороны, но и привлекла внимание международного сообщества и стала важным событием в мировой дипломатии. В этой статье рассматриваются политические и правовые аспекты конфликта, а именно дипломатические действия Израиля, противоречащие международным правовым нормам, а также предлагаемые и осуществленные попытки урегулирования конфликта. В этом исследовании используются методологии качественного исследования с уделением особого внимания обзору существующей литературы. Обзор литературы включает рассмотрение международных правовых документов, резолюций ООН, мирных соглашений, а также статей и книг, анализирующих израильско-палестинский вопрос с политической и правовой точки зрения. Собранные данные анализируются с целью выявления закономерностей, проявляющихся в Израиле, и оценки эффективности различных стратегий урегулирования конфликтов. Результаты исследований свидетельствуют о том, что израильские дипломатические действия зачастую противоречат принципам международного права, таким как участие в незаконной оккупации и создание колоний на палестинских землях. Несмотря на осуществление многочисленных резолюций и дипломатических инициатив, направленных на урегулирование этого вопроса, результаты были ограничены и зачастую затруднены политическими мотивами и взаимной нежеланием делать уступки. Для установления прочного мира необходимо принять более всеобъемлющий подход и вовлечь международное сообщество в решение израильско-палестинской проблемы.

**Ключевые слова:** Политика права; Израильско-палестинский конфликт; Размеры

## A. INTRODUCTION

The Palestinian-Israeli conflict has not gone away until now. This conflict began with the occupation of the Palestinian territories by Israel. This has had a tremendous impact on the world in general and the Arab World in particular. It cannot be denied that conflict and fighting are felt by both parties. The war between Palestinian people's fighters on the one hand and Israeli military forces on the other has never stopped since the beginning of the conflict until now. (Firdaus, et., al., 2020) The conflict that occurred was caused by debates that arose as a result of territorial struggles and land disputes. This problem always occurs in the world of politics and international relations and is closely related to efforts to build an international framework that is conducive to stability among people who have the opportunity to develop independence and fight for their interests and rights. In fighting for this, we cannot be separated from various clashes, disputes and disputes that give rise to conflict. (Mursidah, 2017)

Disputes result from the severance of diplomatic relations on a small scale, while conflicts at a more serious level usually result from not just severance of diplomatic relations, but refer to acts of armed violence or war. This is reflected in the conflict that occurred between the two countries, namely Palestine and Israel, where this conflict has escalated until now and has become an international issue. Because for approximately  $\frac{3}{4}$  century the conflict between the two has still not been resolved.

This conflict between the Arabs and the Jews is a conflict that is still going on today and has been rooted for hundreds of years. The beginning of this conflict was caused by the conflict between the two parties, namely between the Zionist Movement and Arab Nationalism which occurred at the end of the 19th century. This Zionism is a Jewish movement that desires to return to settle and occupy their land of Palestine at that time. At the time of the occupation, there were around 565,000 Arab people and 24,000 Palestinian people who lived and inhabited the land of Palestine.

The Zionists consider that the Palestinian territory is the ancestral land of the Jews which must be used as their territory of residence. The Zionists want to establish an autonomous state on Palestinian land. However, in fact, this area is an area dominated by Arabs and the city is a holy city for Muslims. (Mas'odi, 2022)

The majority of religions that occupy the holy city are Islam. However, as time went by, more and more Jewish immigrants flocked to Palestine, giving rise to various minor conflicts between the two parties. So it can be said that the

conflict between Palestinians and Jews was a conflict over the holy land of Jerusalem which resulted in war. (Samad, et.al., 2023)

The conflict that occurred in Palestine has caused much sadness for neighboring countries that are concerned. The Palestinian-Israeli conflict is a central and crucial problem in the Middle East region. Conflict and conflict resolution have become one of the prominent issues in the development of political studies in the world throughout most of the 20th century, even into the 21st century, especially the issue of the Palestinian and Israeli dispute.

The conflict between Palestine and Israel can endanger world peace and security, because this conflict continues to expand and becomes a conflict involving all countries on the plain. The UN certainly plays an important role in handling the conflict between Palestine and Israel, as stated in the UN Charter article 24 paragraph (1) which states that in order to ensure that the United Nations can carry out its actions smoothly and appropriately, then members assign all responsibility to the security council to maintain its obligation to be accountable for all actions on their behalf. Therefore, the UN is present and involved in resolving the Palestinian and Israeli conflict. The UN has made various efforts to resolve the conflict between Palestine and Israel, but the reality is that until now it has been proven that the UN organization does not have strong power against Israel because until now the conflict between Palestine and Israel is still going on and has not yet reached an end. bright. (Cahya, 2022)

A series of legal issues related to violent conflict have emerged and are of concern, especially the legality of certain actions taken by Israel in response to a series of brutal attacks carried out by Palestinians aimed at civilians in Israel. (Bartal, 2015) Israel's strong reaction raises questions about permissible actions in the fight against terrorism and about Israel's responsibilities towards the Palestinian population. Most notable among these issues is Israel's construction of the "Separation Barrier"/"Wall" in these territories.

These problems are beyond the limits of the current scope. However, several legal pronouncements made by the International Court of Justice are relevant to the territorial issues discussed here. The International Court of Justice stated, among other things, that the "Green Line" was apparently temporary but that it was nevertheless considered Israeli-occupied territory, including East Jerusalem. (Noam, 2015)

This article employs conflict resolution theory to examine several political and legal facets of the issue. Conflict resolution theory provides a structure for comprehending the underlying reasons for conflict, determining the desires and

requirements of the parties involved, and developing tactics to attain a peaceful conclusion. This idea highlights the significance of comprehending the fundamental needs and interests of all parties involved. Within the Israeli-Palestinian context, pertinent examples include the imperative for security, acknowledgment, and the entitlement to self-determination. Conflict resolution theory encompasses a range of tactics, including mediation, arbitration, and negotiation. This article may explore the implementation of these methods in the specific context of the Israeli-Palestinian conflict. An essential principle in conflict resolution theory is to identify a solution that is advantageous to all parties involved, sometimes known as a win-win solution. This article presumably emphasizes the potential for a mutually beneficial outcome through the use of compromise and cooperation between Israelis and Palestinians.

## B. METHODS

The research method used in this research is a qualitative research method, with a literature approach and a conceptual approach. Qualitative research methods are approaches used to understand social phenomena and complex contexts through in-depth analysis of non-numerical data, such as texts, documents and interviews. In the context of this article, qualitative research is used to explore the political and legal aspects of the Israeli-Palestinian conflict, with a focus on the meanings, perceptions, and experiences associated with the conflict. (Subadi, 2006), (Kusumastuti, & Khoiron, 2019), (Semiawan, 2010)

The literature approach involves collecting and critically analyzing a variety of relevant literature sources, including books, journal articles, official documents, and previous research reports. This article may examine a variety of historical, political, and legal sources to provide a comprehensive picture of the Israeli-Palestinian conflict. Literature analysis helps researchers understand the context and historical development of the conflict, as well as the various perspectives and arguments that have been put forward by experts and stakeholders.

The conceptual approach involves developing and testing theoretical concepts used to analyze and understand conflict. In this article, a conceptual approach may be used to develop a theoretical framework that helps explain the political and legal dynamics of the Israeli-Palestinian conflict. This approach also helps identify and define key concepts, such as sovereignty, human rights, security, and justice, that are relevant to the analysis of the conflict. (Roosinda, et., al., 2021), (Nartin, et.al., 2024)

By combining qualitative methods with literary and conceptual approaches, this article can provide an in-depth and comprehensive analysis of the Israeli-Palestinian conflict. The literature approach allows the researcher to review and synthesize various existing sources, while the conceptual approach helps build a better theoretical understanding of the political and legal aspects of the conflict. The result is an analysis that is not only based on empirical data but also enriched by theoretical and contextual insights.

## C. RESULTS AND DISCUSSION

### 1. Understanding the Israeli and Palestinian Conflict

Palestine is an area that has three Samawi religions, namely Judaism, Christianity and Islam and this religion is said to be a holy area. This region is part of the Ottoman or Turkish Ottoman dynasty, so it is called the holy land area (*Al-Ard*). This is because the people, even with three religions, are known to live side by side in harmony and peace without any conflicts occurring. The Palestinian people are descended from Kan'ans and Philistines. However, this area has also been mixed with Greek, Roman, Mongolian, Arab and Turkish descendants. So most of the religions practiced in the region are Christianity and Islam.

Once upon a time, Jewish immigrants arrived in the Palestinian territory with the aim of settling and living there. This is because the Jews were ruled by their leader, namely Zionism, Theodore Herzl. (Samad, et.al., 2023) These immigrants came from Germany, Russia, Bulgaria, Yugoslavia, Aden and Africa. The British government gave the two nations the right to each form their own government to be independent. Thus, a dispute arose between the two over claims regarding who owns the Palestinian territory. This continued for 30 years of British rule in the Palestinian region, where clashes between the two groups often occurred until World War II saw the massacre of Europeans of Jewish blood. With this incident, the Jewish people really wanted to seize and control the land of Palestine. (Kapitan, 1995)

The presence of Britain which was given a mandate in the Palestinian territory was actually not in accordance with what was stipulated by the League of Nations (LBB). Britain's inability to manage Palestine at that time gave Jews the opportunity to tell the world that the state of Israel had been proclaimed in 1948. The establishment of the state of Israel actually received full support from the United States and the Soviet Union. However, Palestine, as a territory that was previously indigenous, also fought for its independence and finally regained

its territory in 1988, even though it was not yet recognized internationally. Until now, Palestine has always fought for its rights at international forums. (Alisha, 2022)

The Jews, who actually dominated Palestine and occupied the region, triggered the creation of a state called Israel in 1948. The establishment of the state of Israel was strongly supported and even received assistance from a superpower, namely the United States, by recognizing that Israel was a country. So Israel's presence became strong in the Palestinian territory even though previously it was the Jews who were originally immigrants and the Palestinians who were natives.

This movement became stronger with the Balfour declaration on November 2 1917. Jews who initially came from regions in Europe continued to come back to Palestine. So there were many Jewish efforts so that they could return to the Palestinian territories. At the first International Zionist Conference in Basel in 1897, an immigration movement to Palestine was carried out through several stages. First, Jews bought land on a large scale to build houses for Jews even though at that time, Jews were reluctant to spend money to buy land in Palestine because the price was quite expensive. Second, terror was carried out against Jews in Europe so that they would move to Palestine. Third, the Jews deliberately closed the route to meeting the needs of the Palestinian population with the aim of causing the Arab-Palestinian community to fall into poverty so that they would later be forced to sell their land to the Zionists. Seeing these conditions made the Palestinian Arabs dislike and begin to worry about the Jews. So the idea arose that if the Jews controlled the Palestinian territory, then the security and peace of the Palestinian territory would be threatened. Over the past few years, many regional projects and partnership initiatives have been established to strengthen, legitimize, and institutionalize the Israeli occupation presence in Palestine. However, the Israeli-Palestinian 'joint' project does not promote cooperation for sustainable growth, but rather maintains Israeli control over the development of both countries.

The Israeli military and civilian administration are key actors in core Palestinian development activities related to free access to goods and movement, as well as the provision of safe drinking water, adequate sanitation and electricity. International financial assistance and investment in the water and sanitation sector is controlled by the Israeli military government. The main goal of any future regional cooperation and partnerships must be based on effective, fair and equitable dialogue in order to build sustainable wastewater management infrastructure. (Al-sa, 2013)

The Palestinian tragedy has been developing since 1948 and has claimed many victims. These are historical, geographical, national, revolutionary, political, military, peaceful, violent, as well as fundamental denial. The history of this region is also deeply embedded in European colonial efforts in the Middle East during the First and Second World Wars. In November 1917, the Balfour Declaration came promising the British government to Jewish Zionists a homeland in Palestine. This declaration demonstrated a strong commitment to Zionist efforts to colonize Palestine. The Declaration stated that His Majesty's Government took a view in favor of the establishment in Palestine of a national home for the Jewish people, and would use their best endeavors to facilitate the achievement of that object. (Aldajani & Leiner, 2022) Palestinians are seen by Israelis as terrorists and Israelis are seen by Palestinians as invaders who imposed themselves on settlements taken by force with US and Israeli support and maintained their occupation through military force. (Farrah, 2018)

## **2. Israel's Violations of Diplomatic and Legal Politics**

In the conflict between Israel and Palestine, many methods have been used to resolve the conflict, but Israel often violates the agreements made, so that the conflict never ends. For example, Israel violated the ceasefire several months ago. (Anggraeni, 2021) Starting from the desire of the Arabs and Jews to control each other, they wanted to make the land of Palestine the choice of either Israel or Palestine. The war that occurred between Arabs and Israelis in 1967 has had an influence to this day. Palestine used to have a large area, but now the Palestinian territory is getting smaller and the Palestinian territory is part of Israel. (Ramadani, Kurniawan, & Fuadin, 2024)

Several approaches to resolving this conflict. In 1947, the British mandate over Palestine ended and the UN took power. UNSC Resolution no. 181 (II) dated 29 November 1947 divided Palestine into three parts. This received strong protests from the Palestinian population. They held massive demonstrations against this UN policy. It's different with the Jews. (Nwokoye, 2022) They jubilantly celebrated this momentous triumph. Palestine received military assistance in the form of war weapons from other Arab nations. Israel was declared founded by a group of Jews on May 14, 1948. The realization of the Jews' aspiration to establish their own state, despite being dispersed across many regions, was accomplished by this statement. They successfully fulfilled the directive expressed by Theodore Herzl in his work *Der Judenstaat* (The Jewish State) since 1896.

After that, in the midst of Middle Eastern countries where the majority adhere to Islam, there was a group of people who had a Western culture and



lifestyle. The Jews chose Palestine as a place to settle because they felt they had a historical attachment, due to the massacre by the Nazis, they felt they had to look for a safe place to live and because they adhered to the teachings of the Torah, and because Palestine was the most vital centre point for world powers, and was a military strategic centre that could be used as a milestone to dominate the world. England once offered to choose Argentina, Uganda or Palestine to settle, but Herzl preferred Palestine. (Islamiati & Rijal, 2022)

The arrival of the Jews into the Palestinian region was the same as the arrival of the colonial nations into the region, because what happened was the conquest and control of land and property by the Jews over Palestine. Fazlur Rahman emphasized that from the start Israel was the embodiment of colonialism in the proper sense of the word. Therefore, it is not strange if turmoil, resistance, or movements of the Palestinian people emerge to oppose the Jews. (Yacobi & Newman, 2007)

Israel's leaders have always preferred violence to diplomacy in dealing with the Arabs. Since its inception, Israel has been strongly inclined to use military force, and reluctant, very reluctant, to engage in meaningful diplomacy to resolve political disputes with its neighbors. In 1979 Israel concluded a peace treaty with Egypt and in 1994 concluded a peace treaty with Jordan, but the overall pattern remained a reliance on brute military force. (Mahwati & Nanda, 2022)

Israel's handling of the Palestinian issue is a major problem because it will be difficult to justify its ties and support to Israel if Israeli policies become very harsh. Several countries around Israel have long used acts of terror as a foreign policy instrument. Thus, there are distinct structural similarities in the types of threats that India and Israel face from their enemies' acts of terror. (Youvan, 2023) When radical mullahs call on their followers to take up arms in support of jihad, their main thrust is always the liberation of the lands of Palestine and Kashmir and the destruction of the United States. The Gaza flotilla incident is just a microcosm of broader trends in the region that have important implications for Israel. The power vacuum created by the Arab Spring will provide opportunities for new alliances and power brokers. In its quest for regional power status, the rapprochement of nations with traditional anti-Israel groups is an effective way to gain support from the Arab masses who usually criticize Israel on the Palestinian issue. If the country's offer has a moderating effect on such resistance groups, its approach will be acceptable to Israel. (Arafat, 2023)

In the Israeli-Palestinian conflict, Israel has violated International Humanitarian Law, namely by not implementing humanitarian principles. The attacks that occurred caused many civilian casualties on the Palestinian side. In addition, in applying International Humanitarian Law in the armed conflict between Palestine and Israel, the concepts of Self-Defense and Retaliation can be found. Self-defence can be used as a justification for an action. Meanwhile, retaliation takes the form of non-compliance with international obligations with the country that committed the violation. (Mahwati & Nanda, 2022)

In the armed conflict between Palestine and Israel there were human rights violations. The principles regarding human rights contained in the UN charter clearly explain that the ceasefire attacks carried out by Israel are contrary to the principles contained in international humanitarian law and human rights, especially in the principles of human values. Israel carried out attacks on Palestine as a form of reprisal and self-defense due to attacks from Hamas which attacked the safety of Israeli citizens. (McDuff, 2020)

The humanitarian principles violated by Israel took the form of actions that hampered the distribution of humanitarian aid from various international organizations that showed sympathy for displaced Palestinian civilians. Apart from that, the Israeli military also attacked civilians and seized and held Palestinian civilians hostage in Gaza. The application of Humanitarian Law contained in the Israeli and Palestinian conflict with Cast Lead actions carried out by Israel in the form of self-defense (Self-Defence) by carrying out retaliation (Reprisal). The Hamas paramilitary missile attack on Israel disrupted the security of Israeli citizens even though diplomatic steps have been taken, until now no bright spot has been found. The actions taken by Israel and Palestine both carry out actions that violate International Humanitarian Law, especially Human Rights. The violations committed by Israel in Humanitarian Law lie in the principle of distinction between proportionality, the principle of military necessity and humanitarian principles relating to Human Rights. (Anggraeni, 2021) Thus, based on the reality explained above, Palestine can be recognized as a sovereign state as a goal in public international law because it has become a non-member observer state in UN forums and participates in various international agreements. (Cahyani, 2022)

### **3. Resolution of the Israeli-Palestinian Conflict**

The Israeli-Palestinian conflict is a long-standing and complex conflict that has not been resolved for decades. The conflict has resulted in significant

human suffering and has implications for regional and international security. Conflict resolution efforts involve various approaches, including mediation, international law, and theoretical analysis. Mediation has been the main approach used in this conflict, involving various actors in facilitating negotiations between the two parties. Although mediation efforts face many challenges, continued efforts towards a peaceful resolution are essential. International law has become an important framework for resolving conflict, and provides a legal basis for the rights and obligations of parties involved in conflict. However, the parties involved often ignore or violate the international legal framework, creating major challenges for conflict resolution. Theoretical analyzes have provided valuable insights into the conflict, highlighting different aspects of the conflict and offering different policy implications. (McDuff, 2020)

A multi-faceted approach is needed to understand conflict comprehensively and develop effective conflict resolution strategies. In conclusion, the Israeli-Palestinian conflict remains an urgent challenge for the international community. Efforts towards a peaceful resolution must continue by combining various approaches and perspectives. A just and sustainable peace agreement is essential to the prosperity and security of Israel and Palestine, as well as the region as a whole. (Senadeera, 2023)

Palestine is presented as a geographical region but without Palestinians: there are “Arab residents” in the disputed territories. The narrative presents Israel as a victorious invader, emphasizing its strengths as better organization and strong will, and its ability to defeat the native population. Israel forced most of the native Arab population to flee the land it had seized. The problem of their right to return home is still one of the factors inhibiting the achievement of the Jewish-Arab agreement. (Wypych, 2022)

Resolution of the Israeli-Palestinian conflict is a complex issue that requires a multidimensional approach and international support to achieve sustainable peace. Some recommendations for conflict resolution are: (Nim, 2009), (Fitria & Putra, 2022), (Rahman, Zulkifli, & Rastam, 2018)

First: Two-State Approach (Two-State Solution). Creating two adjoining states, Israel and Palestine, with mutually agreed borders based on the 1967 borders, with some adjustments based on negotiations. Official recognition of the sovereignty of each country and a commitment to peaceful coexistence.

Second: Recognition and Security. Recognition of the right to exist from both parties. Israel recognizes the sovereign state of Palestine, and Palestine recognizes Israel's right to live in peace and security. Creation of security

mechanisms involving international monitoring to prevent violence and ensure order.

Third: Position of Jerusalem. Agree on Jerusalem's status as an open city or divide the city into two mutually recognized capitals, with a guarantee of free access for all religions to holy sites.

Fourth: Palestinian Refugees. Seek a just solution for Palestinian refugees, including limited repatriation options, financial compensation, and integration in the countries where they currently reside.

Fifth: Resources and Economy. Establish mutually beneficial economic cooperation between Israel and Palestine, including joint management of natural resources such as water and land. Support infrastructure and economic development in the Palestinian territories to improve the quality of life of Palestinians.

Sixth: International Role. Involving international bodies such as the UN, European Union and major countries to facilitate negotiations and provide security guarantees and financial support. Adopt international resolutions guaranteeing implementation of peace agreements.

Seventh: Education and Reconciliation. Promote educational programs and cultural exchanges to reduce prejudice and build trust between the two peoples. Establish a reconciliation commission to investigate human rights violations and facilitate the peace process.

Eighth: Phased Approach. Take a gradual approach that includes small steps towards peace, ensuring consistent progress and measuring the success of each stage before moving on to the next.

#### **D. CONCLUSION**

The actions taken by Israel and Palestine are actions that violate International Humanitarian Law, especially Human Rights. The violations committed by Israel in Humanitarian Law lie in the principle of distinction between proportionality, the principle of military necessity and humanitarian principles relating to Human Rights. Meanwhile, the violations committed by the Palestinian side violated Additional Protocol I to the Geneva Conventions because civilian areas were used for military operations, hiding places and battlefields. Thus, based on the reality explained above, Palestine can be recognized as a sovereign state as a goal in public international law because it

has become a non-member observer state in UN forums and participates in various international agreements.

## REFERENCES:

- Aldajani, Iyad Muhsen; and Martin Leiner, (2022). "Reconciliation, Heritage and Social Inclusion in the Middle East and North Africa," *Reconciliation, Heritage and Social Inclusion in the Middle East and North Africa*, no. October 2022: 1–481, <https://doi.org/10.1007/978-3-031-08713-4>.
- Alisha, Rania. (2022). Universitas Muhammadiyah Yogyakarta, "Organisasi Multilateral Seperti PBB Untuk Menghentikan Konflik Atau Kerangka Kerja Untuk Menciptakan Perdamaian Israel-Palestina," no. November.
- Al-sa, Rashed. (2013). "Water, Land, and Development: Comparative Arizona – Israeli- Palestinian Perspective," *Shared Borders, Shared Waters*, no. December: 155–72, <https://doi.org/10.1201/b13076-18>.
- Anggraeni, Savira. (2021). Universitas Muhammadiyah Yogyakarta, "Konflik Israel-Palestina," no. November.
- Arafat, Achmad Fatih. (2023). "Hubungan Diplomatik Antara Negara-Negara Arab Dengan Israel: Penghalang Perjuangan Kemerdekaan Palestina," no. June: 0–9, <https://www.researchgate.net/publication/371722307>.
- Bartal, Savira. (2015). "Jihad in Palestine: Political Islam and the Israeli-Palestinian Conflict," *Jihad in Palestine: Political Islam and the Israeli-Palestinian Conflict* 57, no. December ): 1–307, <https://doi.org/10.4324/9781315720654>.
- Cahya, Ega Nur. (2022). "Agresi Israel Terhadap Palestina Yang Berujung Pelanggaran Ham Pada Palestina," *Jurnal Pendidikan PKN (Pancasila Dan Kewarganegaraan)* 3, no. 1: 43, <https://doi.org/10.26418/jppkn.v3i1.52144>.
- Cahyani, Az-zahra Firdausa. (2022). Universitas Muhammadiyah Yogyakarta, "Sikap Negara-Negara Islam Dalam Menanggapi Konflik Palestina-Israel," no. November 2021.
- Farrah, Mohammed. (2018). "Discourse in a Confrontational Situation: The Palestinian-Israeli Conflict," *Discourse & Society* 6, no. 2.
- Firdaus Firdaus et al., (2020). "Yasser Arafat Dan Konflik Palestina-Israel (Tinjauan Sejarah)," *Khazanah: Jurnal Sejarah Dan Kebudayaan Islam* 10, no. 1: 1–12, <https://doi.org/10.15548/khazanah.v10i1.265>.

- Fitria, F., & Putra, G. R. A. (2022). Problematika Antara Israel dan Palestina. *ADALAH*, 6(2), 40-60.
- Islamiati, Widya; and Syamsul Rijal, (2022). "Memahami Konflik Palestina-Israel Dalam Bingkai Berita NU Online," *Jurnal Studi Journalistik* 4, no. 2: 1-18, <https://doi.org/10.15408/jsj.v4i2.28963>.
- Kapitan, Tomis. (1995). "Self-Determination and The Israeli / Palestinian Conflict," no. 1: 1-24.
- Kusumastuti, A., & Khoiron, A. M. (2019). *Metode penelitian kualitatif*. Lembaga Pendidikan Sukarno Pressindo (LPSP).
- Mahwati, T., & Nanda, A. R. (2022). Analysis of the Palestinian and Israeli Conflict in the Perspective of International Humanitarian Law. *International Law Discourse in Southeast Asia*, 1 (1), 23-42.
- Mahwati, Tri; and Ana Risma Nanda, (2022). "Analysis of the Palestinian and Israeli Conflict in the Perspective of International Humanitarian Law," *International Law Discourse in Southeast Asia* 1, no. 1: 23-42, <https://doi.org/10.15294/ildisea.v1i1.56873>.
- Mas'odi, Mas'odi, (2022). "White Supremacy, Kekerasan Wacana, Dan Ketidakadilan: Analisis Politik Standar Ganda Dunia Barat Dalam Konflik Di Palestina Dan Ukaraina," *Al-Irfan : Journal of Arabic Literature and Islamic Studies* 5, no. 2: 177-94, <https://doi.org/10.36835/alirfan.v5i2.5892>.
- McDuff, "Sport Diplomacy: Sport's Impact as a Form of Soft Power on Peacebuilding and Nation-Building in the Israeli-Palestinian Conflict."
- McDuff, Ender. (2020). "Sport Diplomacy: Sport's Impact as a Form of Soft Power on Peacebuilding and Nation-Building in the Israeli-Palestinian Conflict," *Flux: International Relations Review* 10: 53-61, <https://doi.org/10.26443/firr.v10i1.29>.
- Mursidah, Z. (2017). *Peran Dewan Keamanan Pbb Dalam Upaya Perdamaian Terhadap Konflik Israel Palestina* (Doctoral Dissertation, Unimed).
- Nartin, S. E., Faturrahman, S. E., Ak, M., Deni, H. A., MM, C., Santoso, Y. H., ... & Eliyah, S. K. (2024). *Metode penelitian kualitatif*. Cendikia Mulia Mandiri.
- Nim, D. T. W. (2009). *Konflik Israel-Palestina (Study Terhadap Konsep Perdamaian Di Timur Tengah)* (Doctoral Dissertation, Uin Sunan Kalijaga Yogyakarta).

- Noam, Gilad, (2015). "Territorial Aspects of the Israeli-Palestinian Conflict : A Legal Perspective on Some Historical and Contemporary Issues The Hebrew University of Jerusalem Faculty of Law Territorial Aspects Palestinian Conflict : A Legal Perspective Contemporary Issues O."
- Nwokoye, Agary. (2022). "Dimensions of Israeli-Palestinian Conflict and the Prospects for Peace," no. October.
- Rahman, A. A. A., Zulkifli, M. F., & Rastam, R. (2018). Konflik Palestin dan Israel: Peperangan dan Diplomasi yang Tiada Penghujung? Palestine and Israel: Endless War and Diplomacy? *Zulfaqar Journal of Defence Management, Social Science & Humanities*, 1(2).
- Ramadani, M. S., Kurniawan, K., & Fuadin, A. (2024). Menguak Bias Media dalam Pemberitaan Konflik Israel-Palestina: Sebuah Analisis Konten Kritis. *Jurnal Onoma: Pendidikan, Bahasa, dan Sastra*, 10(1), 887-905.
- Roosinda, F. W., Lestari, N. S., Utama, A. G. S., Anisah, H. U., Siahaan, A. L. S., Islamiati, S. H. D., ... & Fasa, M. I. (2021). *Metode penelitian kualitatif*. Zahir Publishing.
- Samad, M. Y., Zattullah, N., Abdullah, F. P., Adzel, Z., Permatasari, D. A., Persadha, P. D., & Brata, T. (2023). Optimizing Indonesia's Digital Diplomacy through a Multitrack Peace Building Approach: A Case Study of the Palestine-Israel Conflict. *Jurnal Pertahanan: Media Informasi tentang Kajian dan Strategi Pertahanan yang Mengedepankan Identity, Nasionalism dan Integrity*, 9(3), 495-511.
- Semiawan, C. R. (2010). *Metode penelitian kualitatif*. Grasindo.
- Senadeera, Mahesh. (2023). "Conflict Resolution in International Diplomacy A Case Study of the Israeli-Palestinian Conflict Conflict Resolution in International Diplomacy A Case Study of the Israeli-Palestinian Conflict M . D . M . S . Dasanayaka," no. April.
- Subadi, T. (2006). *Metode penelitian kualitatif*.
- Susilowati, I., Yunus, N. R., & Sholeh, M. (2019). Politics of identity on great 212's reunion. *Dauliyah: Journal of Islam and International Affairs*, 4(1), 58-79.
- Universitas Muhammadiyah Yogyakarta, (2022). "The Role of Indonesia and Multilateral Organizations in the Israeli-Palestinian Conflict (Peran Indonesia Dan Organisasi Multilateral Dalam Konflik," no. November: 0-6.

Wypych, Dobrochna Hildebrandt, (2022). "Contrasting Narratives of the Israeli-Palestinian Conflict in Polish History Textbooks," *Frontiers in Education* 7, no. March: 1–13, <https://doi.org/10.3389/educ.2022.815830>.

Yacobi, Haim; and David Newman, (2007). "The EU and the Israel – Palestine Conflict," 173–202.

Youvan, Douglas C, (2023). "Through Christ's Eyes: Approaching the Israeli-Palestinian Conflict with Love and Understanding," no. October, <https://doi.org/10.13140/RG.2.2.10832.07681>.

Yunus, N. R., Rezki, A., & Taryono, T. (2021). The Application of Political Theories in the Indonesian Political Reform Movement in 1998. *JOURNAL of LEGAL RESEARCH*, 3(3), 493-510.