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Israel's violation of humanitarian principles under the Gaza blockade: A study of health crisis

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Abstract:

This study investigates Israel's violations of humanitarian principles under the Gaza blockade, with a specific focus on the public health crisis affecting civilians. Employing a descriptive qualitative method, this research utilizes library research techniques to collect and analyze data from books, journals, and credible reports. Within the framework of International Humanitarian Law (IHL), the study reveals several key violations, including restricted access to humanitarian aid, attacks on medical facilities, and discriminatory treatment of civilians. These actions have severely impaired Gaza's healthcare system, leading to increased mortality rates and widespread suffering. The study highlights the blockade's role in exacerbating food and medicine shortages, degrading medical infrastructure, and obstructing the movement of healthcare personnel. It further analyzes the international community's responses and explores the legal implications of the blockade under IHL, particularly in light of the principles of distinction, proportionality, and military necessity. By offering a legal and humanitarian perspective, this research aims to enhance understanding of the ongoing crisis and support international advocacy to uphold human rights and end the blockade's devastating impact.

Keywords: International Humanitarian Law; Gaza blockade; health crisis; civilian protection; humanitarian aid

INTRODUCTION

The Israeli–Palestinian conflict stands as one of the most enduring and complex geopolitical issues in modern history. Rooted in early 20th-century tensions, the conflict has evolved into a persistent cycle of violence and instability that affects not only the local population but also garners significant attention from the global community. Numerous nations and international organizations have attempted to facilitate peaceful resolutions, yet core disputes remain unresolved. Among these, the Gaza blockade constitutes a prominent military measure that has significantly deteriorated the humanitarian situation in the region (Muliyono, 2023).

Following the Balfour Declaration in 1917 and the establishment of the State of Israel in 1948, the conflict resulted in the displacement of hundreds of thousands of

Palestinians, creating a protracted refugee crisis. Although diplomatic efforts—such as the Oslo Accords—have been initiated, fundamental issues such as the status of Jerusalem and the right of return for Palestinian refugees continue to impede lasting peace (Ginting, 2013).

The blockade of Gaza, initiated by Israel in 2007 in response to Hamas' control over the territory, is purportedly aimed at preventing weapons smuggling and attacks against Israeli territory. However, this blockade has severely restricted the movement of goods and people, obstructing access to food, medicine, construction materials, and other essentials, thereby creating extremely difficult living conditions for Gaza's residents (Pratiwi, 2024).

The humanitarian crisis has further deepened, especially in the healthcare sector. Hospitals and clinics in Gaza are experiencing acute shortages of medical supplies and equipment, resulting in preventable deaths and a rise in communicable and chronic diseases. According to reports from international humanitarian agencies, the crisis constitutes a direct consequence of the prolonged blockade, which not only limits material aid but also impedes the mobility of medical personnel (Sidik, 2023).

From the perspective of international law, such actions raise serious concerns about the violation of humanitarian principles in occupied territories. The United Nations and various human rights organizations have documented and condemned these violations, stressing the need for accountability and international intervention (Amnesty International, 2024; Human Rights Watch, 2024). A critical legal analysis of Israel's implementation of the blockade is therefore essential to assess its compatibility with global humanitarian norms.

The central question this study seeks to address is: to what extent does Israel's blockade of Gaza violate humanitarian principles under international law? By restricting access to basic needs such as food, water, and healthcare, the blockade appears to contravene obligations under the Geneva Conventions and customary international humanitarian law. This study thus aims to explore the legal and humanitarian implications of the blockade and its broader impact on the daily lives of Gaza's civilian population.

The research employs a qualitative method, emphasizing non-numerical data collected through documentation and literature reviews. Sources include official reports by international organizations, peer-reviewed journal articles, and relevant academic books. This method allows for a comprehensive exploration of theoretical concepts and legal frameworks concerning violations of humanitarian principles in conflict settings.

Discussion and Analysis

Concept of International Humanitarian Law

International Humanitarian Law (IHL) comprises a body of legal norms designed to protect individuals who are not or are no longer participating in hostilities, and to restrict the means and methods of warfare. IHL is grounded in three fundamental principles: distinction, proportionality, and military necessity. The principle of distinction requires parties in conflict to differentiate between combatants and civilians, as well as between military and civilian objects (Henckaerts, 2005). The principle of proportionality prohibits military actions that would cause civilian harm excessive in relation to the anticipated military advantage. Meanwhile, the principle of military

necessity stipulates that any military action must be essential to achieving legitimate military objectives (Kusumaatmadja, 1986).

A key aspect of IHL is the prohibition of direct attacks on civilians and civilian infrastructure. Civilian objects—such as hospitals, schools, and water facilities—are protected under the Geneva Conventions, and any targeting of such entities constitutes a serious breach of international law (Ambarwati et al., 2009). Furthermore, access to healthcare is recognized as a core humanitarian right during armed conflict, obligating all parties to ensure medical assistance is provided to the wounded and sick without discrimination.

Blockades are a recognized method of warfare under international law but must adhere strictly to IHL standards. A blockade refers to the isolation of a specific area by land, sea, or air to prevent the movement of goods and people for military purposes. However, when a blockade disproportionately affects civilians or denies them access to basic necessities—such as food, water, and healthcare—it may constitute a violation of international humanitarian obligations (Henckaerts, 2005).

Violation of Humanitarian Principles

The blockade imposed by Israel on the Gaza Strip constitutes a clear violation of the fundamental principles of International Humanitarian Law (IHL). Based on a thorough legal analysis, the blockade fails to meet the legal criteria established by IHL, particularly with regard to the principles of distinction, proportionality, and military necessity. According to Article 33 of the Fourth Geneva Convention, collective punishment that directly harms civilian populations—such as through broad economic or resource restrictions—is explicitly prohibited (Kusumaatmadja, 1986). Israel's blockade has systematically obstructed the people of Gaza from accessing essential services, especially healthcare, which amounts to a grave breach of international humanitarian norms (Pratiwi, 2024).

The principle of distinction requires conflicting parties to target only military objectives, while sparing civilians and civilian infrastructure. However, Israel's blockade imposes sweeping restrictions that indiscriminately affect the entire population of Gaza. These restrictions include limitations on the entry of medical supplies, fuel for hospital generators, and the movement of healthcare personnel, leading to a collapse in the region's healthcare system (Ambarwati et al., 2009).

The situation further violates the principle of proportionality, which mandates that military actions should not result in excessive harm to civilians in relation to the anticipated military advantage. The blockade has created a health emergency marked by rising infant and maternal mortality, the spread of preventable diseases, and the complete dysfunction of Gaza's medical facilities. The inability of hospitals to operate adequately due to shortages in medicine, medical equipment, and staff signifies a direct and disproportionate impact on the civilian population (Sidik, 2023).

Legally, such actions may qualify as serious violations of IHL. Multiple United Nations resolutions have condemned the blockade as unlawful and called for its immediate termination. Richard Falk, former United Nations Special Rapporteur on Human Rights in the Palestinian Territories, asserted that the Gaza blockade represents a form of collective punishment, a violation explicitly prohibited under international law (Anwar, 2024). These systemic violations not only contravene the Geneva

Conventions but also undermine the foundational principles of human dignity and rights enshrined in international human rights law.

Impact of the Health Crisis

The blockade imposed by Israel on Gaza over the past 17 years has produced alarming and far-reaching consequences for public health in the region. Reports from the World Health Organization (WHO) and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) classify the health situation in Gaza as an extreme humanitarian emergency. Prolonged restrictions on the entry of medicines, medical equipment, and humanitarian assistance have crippled Gaza's public health infrastructure, eroding its capacity to respond to basic medical needs (Sidik, 2023).

According to data from ReliefWeb, the intensifying military operations and near-total blockade have led to catastrophic outcomes. Between October 7, 2023, and April 30, 2024, at least 34,568 Palestinians were killed and 77,765 injured in Gaza, as reported by the Gaza Ministry of Health. Furthermore, the Integrated Food Security Phase Classification (IPC) revealed that 1.1 million individuals—approximately half of Gaza's population—face acute food insecurity, the highest percentage recorded globally. Among them are an estimated 15,000 pregnant women, significantly increasing the risk to maternal and infant health. Child malnutrition rates have doubled since January 2024, with one in three children under two years old suffering from malnutrition (Fadhil, 2024). The Gaza Ministry of Health confirmed that by April 1, at least 32 people, including 28 children, had died from malnutrition and dehydration in hospitals in northern Gaza.

These indicators point to a complete deterioration of the healthcare system. The International Committee of the Red Cross (ICRC) has reported that malnutrition among Gaza's children exceeds thresholds recognized by international humanitarian standards, underscoring the severity of the crisis (Human Rights Watch, 2024). Limited access to clean water, damaged medical infrastructure, and the chronic shortage of healthcare personnel have created conditions conducive to the spread of infectious diseases, while simultaneously undermining the population's long-term well-being.

The relationship between the blockade and the public health crisis is well established in academic literature. Epidemiological research confirms that constraints on movement and shortages of essential medical supplies severely hinder both emergency and preventive healthcare. This situation has contributed to rising rates of mental health disorders, infectious disease outbreaks, and chronic illnesses that remain untreated. The degradation of healthcare services due to the blockade not only violates humanitarian law but also constitutes a direct threat to the right to health, a right recognized under international human rights instruments (Azzahra et al., 2024).

International Community Response

The Gaza blockade has triggered diverse reactions from the international community, reflecting both the legal complexities and the geopolitical sensitivities surrounding the issue. The United Nations (UN), through various agencies including the Human Rights Council, has consistently condemned the blockade as a violation of international law and humanitarian norms. Several European nations—such as Ireland, Sweden, and Belgium—have openly criticized Israel's policy and called for the

immediate lifting of the blockade via multilateral diplomatic forums (Christie, Ma'rifa, & Priliska, 2024).

Despite these condemnations, efforts to alleviate the humanitarian crisis have encountered considerable obstacles. International humanitarian organizations such as UNRWA, WHO, and the International Committee of the Red Cross (ICRC) have attempted to deliver emergency assistance to Gaza. However, these efforts are often impeded by stringent restrictions imposed by Israel, including delayed or denied permits for aid convoys and logistical disruptions at border crossings (Human Rights Watch, 2024). Countries like Turkey and Qatar have launched direct humanitarian missions, but their outreach remains limited due to ongoing blockades and security concerns.

The effectiveness of international responses remains underwhelming. Analysts from international think tanks argue that existing diplomatic actions are largely symbolic, with limited impact on conditions on the ground. One of the primary obstacles to meaningful progress is the lack of a robust international sanctions mechanism. Additionally, the strategic alliance between Israel and key global powers—particularly the United States—has contributed to the inertia in enforcing international legal norms (Simela, 2014).

Human rights organizations such as Amnesty International and Human Rights Watch have taken more assertive roles by publishing detailed investigative reports, documenting systematic violations, and urging international accountability. These organizations rely on legal frameworks including the Geneva Conventions and the Rome Statute to advocate for justice. Nevertheless, their efforts are constrained by the absence of binding enforcement mechanisms within the international legal system, which hampers efforts to hold violators accountable (Dewantara et al., 2023).

The persistent failure of the international community to translate condemnation into action highlights the structural limitations of global governance institutions in conflict resolution. A more coordinated and legally empowered international response is crucial to addressing the ongoing violations and restoring the rights of civilians in Gaza.

Conclusion

The blockade imposed on the Gaza Strip has generated far-reaching consequences for the civilian population, culminating in a protracted and multifaceted humanitarian crisis. This crisis encompasses widespread violations of international humanitarian law, the deterioration of the healthcare system, rising mortality rates, and a significant decline in the overall quality of life. The blockade restricts access to food, clean water, medicine, and healthcare services, while also damaging critical infrastructure and impeding the movement of humanitarian aid and medical personnel.

The resulting health crisis—marked by malnutrition, disease outbreaks, and psychological trauma—has placed Gaza's civilian population in a state of extreme vulnerability. These conditions not only violate the Geneva Conventions and customary international humanitarian norms but also undermine the fundamental human rights guaranteed by international law.

Efforts by the international community, including the United Nations, humanitarian organizations, and several sovereign states, have been insufficient in curbing the crisis. While numerous diplomatic statements and resolutions have been

issued, their lack of enforceability and political will—exacerbated by strategic geopolitical alliances—has rendered these responses largely symbolic. The ineffectiveness of international law enforcement mechanisms continues to obstruct meaningful accountability for the violations committed.

This study underscores the urgent need for a stronger, more coordinated global effort to address the crisis in Gaza. This includes enhancing multilateral cooperation, strengthening the legal mechanisms required to uphold accountability, and ensuring that humanitarian aid reaches those in need. Moreover, increased global attention and pressure are imperative to compel all parties to cease actions that violate humanitarian principles and to work toward a just and lasting resolution to the conflict.

Without concrete and immediate action, the blockade will continue to perpetuate human suffering, exacerbate instability in the region, and undermine international legal and moral frameworks. The international community bears both a legal obligation and a moral responsibility to protect the rights and dignity of the people of Gaza and to end the humanitarian catastrophe caused by this prolonged blockade.

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