

## Implications of International Law on Attacks Against Humanitarian Missions to Gaza

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**ABSTRACT:** The attack on humanitarian aid missions destined for Gaza raises serious concerns in the context of international law, particularly international humanitarian law and human rights law. This article analyzes the legal implications arising from attacks on aid convoys by referring to the fundamental principles of the Geneva Conventions, the Law of the Sea, and relevant United Nations Security Council resolutions. It further examines the legal status of humanitarian missions, the protection they are entitled to, and the potential accountability of states or non-state actors involved in the attacks. Through a normative approach and case study analysis, this article argues that such attacks may constitute serious violations of international law and could trigger legal enforcement mechanisms at both national and international levels. These findings underscore the importance of strengthening legal protections for humanitarian missions in conflict zones to ensure the continued delivery of aid to vulnerable civilian populations.

**KEYWORDS:** international law, humanitarian aid, humanitarian law, attack, state responsibility

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### I. INTRODUCTION

In recent decades, the conflict between Israel and Palestine has become one of the most complex and protracted issues in the international political landscape. This conflict is not only marked by military confrontations and armed battles but also by a deepening humanitarian crisis, particularly in the Gaza Strip and the West Bank. More than a mere territorial or political dispute, this struggle has involved serious violations of human rights (HR), directly affecting the lives of millions of civilians (Rachel Christie, 2024). Various reports from international organizations, including the United Nations (UN), Human Rights Watch, and Amnesty International, have documented numerous forms of human rights violations committed during the course of the conflict. These include the excessive use of military force, violence against civilian protesters, detention without due process, restrictions on access to humanitarian aid, forced evictions of residents from their homes, and the obstruction of humanitarian assistance to conflict victims. Such violations not only breach fundamental norms under international humanitarian law but also perpetuate prolonged suffering and deepen the cycle of violence in the region.

Armed conflict is inherently characterized by systemic violence and widespread human suffering. In every armed conflict, the loss of life is an almost inevitable consequence, affecting both combatants and civilians who have no direct involvement in the hostilities. History has shown that armed conflict is not merely a reflection of self-defense or the pursuit of justice but is often accompanied by various forms of atrocities that contravene the fundamental principles of humanity. These atrocities frequently take the form of war crimes acts that clearly violate the provisions of international humanitarian law and the norms governing conduct during armed conflict (Kereh, 2019). War crimes not only target combatants but also victimize vulnerable groups such as women, children, and other civilians, even though they have no connection to the ongoing conflict. Therefore, armed conflicts invariably cause broad and multidimensional impacts, bringing immense suffering to entire populations within the geographical scope of the conflict, regardless of their status or involvement.

In this context, understanding the Israel–Palestine conflict through the lens of international law becomes crucial. International law especially as enshrined in the 1949 Geneva Conventions and various human rights instruments provides a normative framework for assessing the legality of actions undertaken by parties to the conflict. Furthermore, the question of legal and moral responsibility for such violations must be seriously examined, including the possibility of criminal accountability at the international level, such as before the International Criminal Court (ICC).

The prolonged conflict between Israel and Palestine, particularly in the Gaza region, has caused severe humanitarian consequences. Amidst limited access to basic necessities such as food, clean water, and medicine, numerous humanitarian aid missions from the international community have sought to deliver assistance to affected civilians. However, in several incidents, these humanitarian efforts have themselves become the target of attacks, including by Israeli military forces.

Attacks on humanitarian volunteers or aid convoys raise serious concerns regarding compliance with the principles of international law, particularly international humanitarian law and international human rights law. International law clearly stipulates

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the protection of humanitarian actors in situations of armed conflict. The Geneva Conventions and their Additional Protocols emphasize that neutral and impartial humanitarian assistance must be granted safe and unimpeded access. Therefore, attacks on humanitarian aid missions not only constitute a moral crisis but also potentially represent grave violations of applicable international law.

The primary instruments in the development and application of International Humanitarian Law are reflected in the 1949 Geneva Conventions and Additional Protocols I and II of 1977. These provisions form the fundamental basis for ensuring the protection of individuals affected by armed conflict and for upholding humanitarian principles amidst war. The main objective of this legal framework is to ensure that military actions are conducted with due regard to humanitarian values, thereby creating a more humane condition even in the context of hostilities. The concept of a "humane war" implies that although armed conflict may be unavoidable, there must still be moral and legal limits to the methods of warfare used.

However, the implementation of these principles often faces major challenges on the ground. The Geneva Conventions and their protocols set out various provisions aimed at protecting vulnerable groups such as civilians, persons no longer taking part in hostilities, medical personnel, and religious staff. Moreover, the conventions also provide protection for objects that must not be targeted, including civilian infrastructure, medical facilities, and humanitarian transport (Rama Fatihul Ihsan, 2024).

The Geneva Conventions also regulate the establishment of safety zones and hospital zones as part of protection efforts during armed conflict. The existence of these zones is considered essential to ensuring the safety of civilians, including humanitarian workers and volunteers conducting non-military missions in conflict areas. The designation of an area as a safety zone cannot be done arbitrarily, as the Geneva Conventions require several conditions to be met. These include that the area must only cover a small portion of the territory of the host country, the population must not exceed the capacity of available facilities, and the location must not be in or near a potential battlefield. Additionally, safety zones must be completely separated from military installations, large-scale industrial buildings, and major administrative centers that could be considered strategic targets. The protection guaranteed by these provisions is not only intended for civilians but also includes members of the Red Cross at both national and international levels, humanitarian volunteers, and wounded prisoners of war (Awoah, 2019).

Based on the background above, the author is interested in exploring how international law provides legal protection for the delivery of humanitarian aid to victims of armed conflict in Gaza, and to identify the challenges in implementing international law to address violations against humanitarian missions in the Gaza conflict zone.

## II. RESEARCH METHOD

According to Soerjono Soekanto, the approach used in this study is the normative juridical approach. A normative juridical approach involves conducting research based on literature by examining statutory regulations and relevant literature in accordance with the issues being studied. Normative legal research is defined as a research method that focuses on legal norms, viewed from both the hierarchical structure of legislation (vertical) and the harmonization between regulations (horizontal) (Marzuki, 2008).

This type of research utilizes the normative juridical method, which refers to an approach based on existing laws and regulations (Sunggono, 2003). Based on existing doctrines, it can be concluded that normative legal research is a type of legal research methodology that bases its analysis on the applicable laws and regulations relevant to the legal issues being examined.

## III. DISCUSSION

### 1. International Legal Protection for the Delivery of Humanitarian Aid

The conflict between Israel and Palestine has persisted for approximately one and a half years without any concrete signs of resolution. The ongoing escalation of tensions has resulted in an extremely severe humanitarian crisis, particularly in the Gaza Strip. This situation has disrupted the fulfillment of basic needs, caused widespread damage to infrastructure, and led to a rising number of civilian casualties, including children and women.

Humanitarian movements operating within the context of the Israeli–Palestinian conflict are not only focused on delivering direct aid to victims but also play a significant role in promoting values of peace, justice, and the protection of human rights. These humanitarian initiatives consistently criticize the restrictions and blockades imposed by Israeli authorities in the occupied Palestinian territories. In addition to distributing aid such as food, medicine, and emergency protection, they also advocate for the fundamental rights of the Palestinian people including the right to land ownership, access to education, healthcare services, and freedom of movement.

Moreover, humanitarian movements contribute to building international solidarity. They raise global awareness of the prolonged impact of the conflict and urge states and international organizations to take concrete steps toward a just and sustainable resolution. Global campaigns, solidarity actions, and diplomatic advocacy are all part of the strategies used to bring the Palestinian issue to the international stage and push for stronger protection for civilians.

However, humanitarian activities in this region face significant challenges. One of the main obstacles is the restricted access to the Gaza Strip and the West Bank imposed by Israeli authorities. Area closures, military checkpoints, and strict administrative policies directly hinder the distribution of aid and limit the mobility of both international and local humanitarian organizations. As

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a result, much of the aid is unable to reach victims in a timely manner, further worsening the already vulnerable condition of the civilian population (Kaslam, 2024).

Furthermore, security risks pose a serious threat. Attacks on humanitarian convoys, medical staff, and aid facilities—including hospitals and logistics warehouses—have resulted in casualties and extensive damage. Such actions not only violate international humanitarian law but also undermine the principles of neutrality and the overall safety of humanitarian missions.

In facing this reality, the involvement of the international community is crucial. Member states of the United Nations (UN), international institutions such as the International Committee of the Red Cross (ICRC), as well as regional organizations, bear both moral and legal responsibilities to support, protect, and facilitate humanitarian operations in Palestine. This support includes ensuring safe and unimpeded access, protection of aid personnel, and the strengthening of accountability mechanisms for violations of international law that hinder the progress of humanitarian missions.

By reinforcing cross-border collaboration and reaffirming a commitment to the principles of humanitarian law, it is hoped that humanitarian efforts in the Palestinian territories can be carried out more effectively, sustainably, and with a long-term recovery focus.

In this context, the participation of states in providing humanitarian aid becomes highly relevant for analysis. The role of various countries around the world—whether through government agencies, civil society organizations, or humanitarian volunteers contributes significantly to efforts aimed at alleviating the suffering of the Palestinian people. This aid is not merely symbolic but has a direct impact on improving access for Gaza's population to basic necessities such as food, clean water, medicine, as well as emergency healthcare and education services.

Understanding the contributions of different countries to humanitarian aid provides a new perspective on how states outside the major global powers can play a strategic role in responding to global humanitarian crises. Although their scale may not match that of major donor countries, the humanitarian solidarity expressed by developing nations holds significant value especially in voicing justice and humanity amidst global power imbalances.

However, the complexity of the Israeli-Palestinian conflict also highlights the failure of the international community, including the United Nations, to fulfill its mandate of maintaining global peace and security. The UN's inability to resolve this conflict is largely due to the political structure of the Security Council, particularly the veto power held by its five permanent members (the United States, Russia, China, France, and the United Kingdom). The United States, as Israel's key ally and a veto holder, has often blocked the passage of fair and binding resolutions against Israel. As a result, many efforts to resolve the conflict through international diplomacy have reached a stalemate.

Therefore, general support from the international community alone is not sufficient to stop the violence and create sustainable peace in Palestine. Strong political will and active engagement are needed from the major powers especially the permanent members of the UN Security Council to take concrete and responsible steps toward promoting a peaceful solution. In such a situation, humanitarian initiatives from other countries remain a vital element in sustaining hope and supporting the survival of the Palestinian population trapped in a prolonged crisis (M. Jamaluddin, 2023).

In the context of the armed conflict in Gaza, attacks on humanitarian aid missions constitute a serious violation of international humanitarian law. The 1949 Geneva Conventions and their Additional Protocols impose obligations on parties involved in conflict to respect and protect humanitarian personnel and facilities. The protection of humanitarian personnel and facilities is regulated under Articles 3 and 19 of the Geneva Conventions, as described below:

Common Article 3 of the 1949 Geneva Conventions, which applies in non-international armed conflicts, establishes the fundamental principle that all persons not directly participating in hostilities including civilians, medical personnel, and humanitarian aid workers must be treated humanely without any adverse distinction. This provision prohibits violence to life and physical integrity, torture, punishment without due process, and humiliating or degrading treatment.

Furthermore, Article 19 of the First Geneva Convention stipulates that medical units and establishments, whether civilian or military, must not be attacked and shall be respected and protected under all circumstances. This protection is reinforced by Article 12 of Additional Protocol I of 1977, which broadens the scope of protection to include medical units and medical transportation such as ambulances, field hospitals, and medical and religious personnel performing exclusively humanitarian functions.

However, despite the clear legal protections established under international humanitarian law, the reality on the ground reflects serious non-compliance with these norms. Numerous reports by international organizations, including the International Committee of the Red Cross (ICRC) and the United Nations (UN), have revealed that medical facilities in the Gaza Strip are routinely targeted in armed attacks. These attacks not only cause physical damage to hospitals and medical vehicles but also directly hinder emergency response efforts and the provision of medical care to conflict victims.

This situation demonstrates that violations of international humanitarian law not only result in material losses but also pose a serious threat to the survival of civilians especially in emergency situations requiring urgent medical attention. It raises serious concerns about the weakness of legal protection mechanisms and the lack of accountability for parties who violate established international norms. Therefore, strengthening the implementation of humanitarian law, accompanied by effective enforcement

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mechanisms, is essential to prevent impunity and ensure the safety of humanitarian personnel and facilities in conflict zones such as Gaza.

The obstruction or attack on humanitarian aid missions in Gaza constitutes a grave breach of international humanitarian law and may be categorized as a war crime. Article 70 of Additional Protocol I obliges parties to a conflict to allow and facilitate the rapid and unimpeded passage of humanitarian aid. However, reports from the International Committee of the Red Cross (ICRC) indicate that blockades and access restrictions have led to a deep humanitarian crisis in Gaza, leaving many civilians without the assistance they urgently need.

According to reports from the International Committee of the Red Cross (ICRC), repeated attacks on hospitals in Gaza have devastated the healthcare system in northern Gaza, placing civilians at extreme risk of being denied life-saving medical treatment. Hospitals such as Kamal Adwan and the Indonesia Hospital have become completely non-operational as a result of these attacks. Al-Awda Hospital, previously supported by the ICRC, is now one of the few remaining functioning medical facilities in the area, despite facing immense pressure due to the increasing number of patients and limited medical supplies.

Furthermore, in May 2024, Al-Awda Hospital was attacked with sniper fire and a rocket strike that hit the fifth floor of the building. As a result, medical staff were forced to evacuate the hospital, and after a four-day siege, the facility was forced to shut down.

These attacks on medical facilities are clear violations of international humanitarian law, which strictly prohibits attacks on medical facilities not participating in hostilities. Such violations not only destroy critical health infrastructure but also endanger the lives of thousands of civilians who rely on emergency medical services.

Therefore, it is crucial for the international community to ensure that international humanitarian law is enforced and that violations against the protection of humanitarian aid missions in Gaza are held legally accountable.

Violations of protections for humanitarian aid missions in conflict zones like Gaza are actions that not only undermine universal humanitarian values but also breach international legal provisions that guarantee protection for neutral actors in armed conflict. Under international criminal law, attacks on humanitarian personnel, convoys, or facilities entitled to protection can be prosecuted as war crimes.

This is explicitly stated in Article 8 of the Rome Statute of the International Criminal Court (ICC), which affirms that intentionally directing attacks against personnel, installations, material, units, or vehicles involved in humanitarian assistance or peacekeeping missions so long as they are entitled to protection under international law—constitutes a war crime. Therefore, such acts represent not only violations of international humanitarian law but also open the possibility for individual criminal prosecution of those responsible.

Although Israel is not a party to the Rome Statute and does not recognize the jurisdiction of the ICC over its territory, the situation changed when Palestine officially acceded to the Rome Statute in 2015 and accepted the Court's jurisdiction over international crimes committed within its territory, including Gaza, the West Bank, and East Jerusalem. Based on the principle of territoriality, the ICC has the authority to investigate and prosecute crimes committed on the territory of a state party, regardless of the nationality of the perpetrator. As such, the Court may pursue criminal responsibility against both military and civilian individuals suspected of carrying out attacks on humanitarian personnel and facilities within Palestinian territory (D. Akande, 2018).

Moreover, in 2021, the ICC officially opened an investigation into alleged war crimes committed in the Palestinian territories, including potential violations of humanitarian law in the context of Israeli military operations in Gaza. This includes possible violations related to the disproportionate use of force, attacks on civilian infrastructure, and obstruction of legitimate humanitarian aid distribution.

However, accountability processes at the international level face significant political challenges. Israel's rejection of ICC jurisdiction, diplomatic pressure from major powers, and the slow pace of international legal proceedings often hinder effective investigation and prosecution. Nevertheless, the existence of forums such as the International Criminal Court (ICC) remains a vital component in building international accountability mechanisms, offering hope to victims, and sending a clear message that impunity for crimes against humanity is unacceptable under the modern international legal order (Meloni, 2019).

The international community bears a responsibility to ensure that international law is upheld, particularly in the context of armed conflicts involving violations of human rights and international humanitarian law. In June 2025, the United Nations General Assembly adopted a resolution demanding an immediate cessation of hostilities in Gaza, the release of hostages held by Hamas, and unhindered humanitarian access for the two million Palestinians facing starvation. The resolution passed with 149 votes in favor, 12 against, and 19 abstentions, despite opposition from the United States, Israel, and several other countries. It condemned the use of starvation as a method of warfare and emphasized Israel's legal responsibility as the occupying power to allow humanitarian aid. However, implementation of this resolution has been obstructed by vetoes from permanent members of the UN Security Council, illustrating the difficulties in enforcing international law effectively.

Attacks on humanitarian aid missions in Gaza constitute a grave violation of international humanitarian law. It is essential for the international community to ensure accountability and uphold the law to protect civilians and humanitarian personnel in conflict zones. For example, attacks on medical facilities and humanitarian aid convoys have led to the destruction of vital infrastructure



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and hindered life-saving operations. In this context, the role of major powers and permanent members of the UN Security Council is crucial to ensure that international law is enforced and that violations against humanitarian missions are properly prosecuted.

### **2. Challenges in the Implementation of International Law to Prosecute Violations Against Humanitarian Missions in the Gaza Conflict Zone**

Although international law particularly through instruments such as the 1949 Geneva Conventions and Additional Protocol I of 1977 has established clear standards for the protection of humanitarian aid missions in conflict zones, the implementation of these norms in practice continues to face a range of complex challenges. In the context of the armed conflict in Gaza, repeated incidents of attacks on humanitarian convoys, hospitals, and aid workers demonstrate that the provisions of international law are not consistently respected by the parties involved. Such attacks, whether direct or indirect, against humanitarian facilities not only violate the fundamental principles of international humanitarian law, but also exacerbate the suffering of civilians caught in the conflict.

These implementation challenges are multidimensional. Politically, the Israel–Palestine conflict is a highly sensitive issue on international platforms. The geopolitical interests of major powers, especially the permanent members of the UN Security Council, often hinder the formation of strong, collective responses to violations of international law. Structurally, the absence of coercive enforcement mechanisms at the international level allows states or non-state armed actors to ignore their legal obligations without immediate consequence. Technically, limited access to conflict zones for independent bodies whether for monitoring or investigation hampers the collection of evidence necessary to document and prove violations.

This reality underscores the need for the international community, including multilateral organizations such as the United Nations and international legal bodies such as the International Criminal Court (ICC), to strengthen their roles and mechanisms for promoting accountability. Without strong political commitment from member states and enhanced international enforcement capabilities, legal protections for humanitarian missions risk remaining ideal norms without practical effect.

**Below are some key challenges in the implementation of international law to address violations against humanitarian missions in the Gaza conflict zone:**

#### **1) Limited Jurisdiction and State Compliance**

One of the most significant obstacles in implementing international law against violations of humanitarian aid missions is the limited jurisdiction and compliance of states with international legal instruments. International law is, by nature, voluntary in its acceptance by states. A state is only legally bound by the international treaties or conventions it has ratified. In this context, the role of the International Criminal Court (ICC) as the main body for enforcing international criminal law becomes less effective when the accused state is not a party to the Rome Statute, which is the legal foundation of the ICC.

A concrete example of this issue can be found in the Israel–Palestine conflict, where Israel is explicitly not a party to the Rome Statute. Consequently, Israel does not recognize the ICC's jurisdiction over acts committed by its nationals, including high-ranking military and political officials. This severely hampers efforts to prosecute those individuals in an international court for alleged war crimes, including attacks on humanitarian convoys or medical facilities in Gaza.

Meanwhile, Palestine ratified the Rome Statute in 2015, which technically grants the ICC territorial jurisdiction over Palestinian territories, including Gaza, the West Bank, and East Jerusalem. However, this jurisdiction is only effective if the perpetrators are within the reach of the court, or if the state where they are located is willing to cooperate with the ICC in arresting and extraditing suspects. In the case of Israel, its refusal to cooperate with the ICC poses a significant barrier. Moreover, the ICC lacks operational power to enforce arrests without the cooperation of other states, which often hesitate due to political pressure or strategic alliances (D Akande, 2018).

Furthermore, this situation reflects an asymmetry in the international legal system, where powerful states with significant political influence can evade accountability, while weaker states are more vulnerable to legal enforcement. This strengthens criticisms of the ICC and international law as exhibiting "selective justice," where the effectiveness of legal enforcement depends more on political realities than on the principles of law themselves.

In facing these limitations, efforts are needed to expand universal acceptance of international legal instruments such as the Rome Statute, and to encourage the establishment of stronger and more independent international mechanisms to address serious international crimes, including crimes against humanitarian missions.

#### **2) Global Politics and the UN Security Council Veto Power**

One of the most significant challenges in the enforcement of international law particularly regarding violations of humanitarian aid missions in conflict zones such as Gaza is the influence of global geopolitical dynamics, especially within the United Nations (UN) system. Although the UN, particularly the Security Council (UNSC), holds strong legal and political authority to refer cases of serious violations to the International Criminal Court (ICC), this mechanism often fails to operate effectively due to the use of veto power by the five permanent members: the United States, Russia, China, France, and the United Kingdom.

In theory, the UNSC has the mandate to maintain international peace and security, including the authority to impose sanctions, embargoes, or refer cases to the ICC under Article 13(b) of the Rome Statute. However, in practice, the Council's decisions are

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heavily influenced by the national interests and strategic alliances of its permanent members. This reveals a structural dilemma: even when international law violations are evident and well-documented, the interventions that should be collective and objective are often obstructed by political considerations.

In the context of the Israel–Palestine conflict, the United States' consistent support for Israel has been a major obstacle to reaching international consensus for decisive action. The US's use of its veto power has repeatedly blocked the adoption of resolutions condemning Israel's violations, including attacks on humanitarian aid missions in Gaza. This is evident from numerous draft resolutions submitted since the early 2000s to the present, which were ultimately rejected due to US vetoes, despite majority support from other UN member states.

As a result, the enforcement of international law becomes distorted by geopolitical interests, creating inequity in the implementation of global justice. On one hand, smaller or less influential countries are more likely to be held accountable for international law violations, while on the other hand, powerful states or those protected by permanent UNSC members enjoy relative immunity from international legal processes. This phenomenon further strengthens the perception of a “systemic failure” within the architecture of international law, which is supposed to be neutral and just.

Without significant reform in the UNSC's decision-making structure, legal enforcement efforts for serious violations including attacks on humanitarian missions will continue to depend on the political interests of global elites, rather than on the principles of universal justice.

### **3) Limited Access for Investigation and Verification**

One of the critical obstacles in the enforcement of international law concerning violations of humanitarian missions in conflict zones like Gaza is the limited access granted to independent actors to conduct field observation, investigation, and documentation. Conflict areas that are tightly controlled by state or non-state actors as in the case of the Gaza Strip are often inaccessible to international journalists, human rights organizations, independent observers, and investigative bodies such as the United Nations Commission of Inquiry (COI).

This situation severely limits the process of evidence collection and fact verification, making it nearly impossible in some cases. Physical evidence at the scene may be destroyed, removed, or rendered inaccessible; meanwhile, testimonies from victims and eyewitnesses are difficult to document safely due to the repressive risks posed by the territorial controlling party. As a result, reports of violations that do emerge are often based on secondary data or sourced from local organizations whose documentation capabilities may not meet international legal standards (Freedman, 2020). This condition directly affects the legal strength of the evidence presented before international judicial bodies such as the International Criminal Court (ICC) or the UN Human Rights Council.

Without valid and verifiable documentation, prosecution of violations of international humanitarian law, including attacks on aid convoys or medical facilities, becomes legally weak. The standard of proof in international courts requires strong, cross-examinable evidence that supports the narrative of the perpetrator's involvement in the context of systematic violations. Without direct access, international investigators cannot optimally meet these evidentiary standards. Furthermore, the closed nature of conflict zones increases the likelihood of impunity, as perpetrators may remain unidentified or cannot be directly linked to the violations. This exacerbates distrust in the international legal system, especially among victim communities who do not witness tangible justice processes.

In the context of Gaza, the Israeli government frequently restricts access to the area citing national security concerns. This hampers the work of organizations such as Human Rights Watch, Amnesty International, or even UN special rapporteurs, who in ideal conditions should serve as neutral parties ensuring accountability (Human Rights Watch, 2022; Amnesty International, 2023). On the other hand, local organizations in Gaza operate under high-risk conditions, facing censorship, surveillance, and even physical attacks that severely constrain their ability to function.

Therefore, going forward, there is a need to develop more sophisticated remote investigation mechanisms, including the use of satellite imagery, digital tracking, and digital forensic data collection that meets legal standards (Koenig, 2020). Additionally, international support must be strengthened to protect observers and independent investigative bodies, ensuring that documentation of violations continues even when physical access to the field is highly restricted.

### **4) Absence of Binding Enforcement Mechanisms**

One of the fundamental weaknesses in the structure of international law is its reliance on voluntary compliance by the states that are subjects of international law. Unlike domestic legal systems, which have law enforcement apparatus such as police, prosecutors, and courts operating within a recognized and hierarchically organized jurisdiction, international law lacks a global enforcement body capable of imposing decisions or arresting individuals who violate international law. As a result, the effectiveness of international law is heavily dependent on the political will and cooperation of member states within the international community (Brownlie, 2008).

The absence of a so-called “world police” means that when a state violates international humanitarian law such as by attacking humanitarian aid convoys, targeting medical facilities, or obstructing aid access to civilians there is no automatic mechanism that

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can force the state to be held accountable, especially if that state rejects the jurisdiction of international courts or refuses to recognize any ruling made against it.

In many cases, violators of international law can escape real legal consequences unless there is strong external pressure, such as diplomatic pressure, economic sanctions, or political isolation. However, even these efforts are heavily influenced by strategic global interests. For instance, countries with significant political and military influence, or those with strategic alliances with global powers such as the permanent members of the UN Security Council, are often in a position of greater immunity from international legal demands. In the case of Israel and Gaza, strong support from major powers like the United States has often blocked the effective enforcement of international law, even in the face of serious violations of international humanitarian law (Human Rights Watch, 2023).

This situation creates a crisis of legitimacy within the international legal system, as justice is not always applied equally. Smaller or less influential states are more easily sanctioned or prosecuted in international forums, whereas powerful nations tend to avoid accountability. This has led to criticism that international law particularly in the areas of crimes against humanity and the laws of war is often selective and not neutral, contradicting the very principles of universal justice.

To address this issue, several solutions have been proposed by experts, such as strengthening mechanisms for international implementation and compliance, introducing automatic sanctions for grave violations, and reinforcing the independence of institutions like the International Criminal Court (ICC) and the UN Human Rights Council. However, all of these initiatives still face major obstacles because they depend on political commitment and international consensus, both of which are increasingly fragmented in today's global reality.

### 5. Normalization of Violence and Lack of Accountability

In prolonged conflicts such as the Israeli–Palestinian conflict, violations of international humanitarian law and human rights are often normalized within political and military narratives. This situation gives rise to what is called “structural impunity”—a condition in which perpetrators of violations, whether individuals or institutions, are systematically not held accountable, even when evidence of the violations has been well-documented by international institutions or human rights organizations (Human Rights Watch, 2021; Amnesty International, 2022).

One of the clearest manifestations of this impunity is how violations against humanitarian missions, including attacks on hospitals, medical convoys, or humanitarian volunteers, are often framed as “collateral damage” or technical errors during military operations. Such terminology is used to diminish the moral and legal burden of actions that, in reality, violate core principles of international humanitarian law, such as the principles of distinction and proportionality (S. R. Ratner, 2009).

This kind of approach has very serious consequences, as it lowers the legal and moral sensitivity threshold within the international community and empowers perpetrators to evade accountability (Human Rights Watch, 2021). When systemic violations are framed as isolated or technical incidents, not only is legal responsibility ignored, but it also sends a message to the world that legal mechanisms do not apply in certain conflict contexts (Amnesty International, 2022). In the case of Israel–Palestine, this is further exacerbated by international political support for specific parties, which results in violations of the law not facing clear diplomatic or legal consequences (Human Rights Watch, 2021). Reports from organizations such as Human Rights Watch and Amnesty International consistently highlight a pattern of recurring violations, including attacks on schools, medical facilities, and aid convoys (Amnesty International, 2022). However, these reports are often not followed by adequate legal action or investigation.

Moreover, in a conflict that has lasted for decades, a culture of impunity has also taken root at the local level, where military personnel or state officials involved in violations feel immune from prosecution, both domestically and internationally (Human Rights Watch, 2021). In some cases, perpetrators of attacks that resulted in the deaths of civilians or humanitarian workers have not only gone unpunished but were even praised or promoted, worsening the crisis of justice and accountability (Amnesty International, 2022).

Addressing such structural impunity requires more than just formal law; it demands stronger political, social, and institutional mechanisms to push for accountability, including increased military transparency, credible independent investigations, and consistent international pressure. Without these measures, international law will continue to lose its normative force, and violations in conflict zones like Gaza will persist without consequence.

The implementation of international law in responding to violations against humanitarian aid missions in conflict zones like Gaza faces numerous significant challenges. From limited jurisdiction and global political influence to the lack of binding enforcement mechanisms, all these factors contribute to the weakness of accountability for violations that occur. To strengthen the enforcement of international law, reform of the international judicial system is essential, along with enhanced diplomatic pressure from the global community to ensure that humanitarian principles are genuinely respected in all armed conflicts.

## IV. CONCLUSION

International legal protection for the delivery of humanitarian aid to victims of armed conflict in Gaza is governed by various legal instruments, particularly the 1949 Geneva Conventions and their Additional Protocols, which affirm the obligation of parties to the

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conflict to respect and protect humanitarian personnel and facilities. International humanitarian law provides a strong normative foundation to ensure the safe and unhindered delivery of humanitarian assistance.

However, in practice, significant challenges arise in its implementation. Factors such as limited access due to blockades and restrictions by conflicting parties, complex geopolitical dynamics, lack of state compliance with the jurisdiction of international courts, as well as technical and security obstacles on the ground, result in continued violations against humanitarian missions. Additionally, structural impunity due to weak international law enforcement mechanisms exacerbates the situation, leaving the protection of humanitarian missions in Gaza far from optimal.

### V. RECOMMENDATIONS

1. Strengthening International Law Enforcement Mechanisms: The international community, especially through institutions such as the International Criminal Court (ICC) and the United Nations Security Council, must increase efforts to address legal violations against humanitarian missions by reducing political barriers and enhancing international cooperation.
2. Improving Access and On-the-Ground Protection: Efforts to ensure unhindered humanitarian access to Gaza must be reinforced, including through diplomatic negotiations and international pressure on parties imposing restrictions. Physical protection of humanitarian personnel and facilities should also be a top priority during aid operations.
3. Independent Monitoring and Documentation: Strengthening monitoring and documentation mechanisms by independent bodies is crucial to ensure the availability of valid evidence in cases of violations, which can be used in international legal proceedings.
4. Consolidating International Solidarity and Support: UN member states and international organizations must reinforce solidarity and collective commitment to upholding humanitarian law, including advocating for the protection of humanitarian missions and avoiding politicization that hinders legal enforcement.
5. Humanitarian Law Education and Training: Training and education in international humanitarian law for all parties involved in the conflict is essential to improve understanding and compliance with international norms governing the protection of humanitarian aid.

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