

CHAPTER II

THE DYNAMIC OF HUMANITARIAN CRISIS IN PALESTINE

In this chapter, the author breaks down the explanation into two parts. First, the author begins with the history of the dynamics conflict that occurred between Israel and Palestine which over time led Palestine into abyss of a humanitarian crisis for decades. Second, the author divided into sub-parts with the explanation of the humanitarian crisis in Palestine and then it would be reviewed based on international human rights and international humanitarian law. In first sub-part, the author begins by explains the definition of the humanitarian crisis based on expert sources and reviews according to international human rights and humanitarian rights. Then the next, the author links the indicators with humanitarian conditions in Palestine.

A. The Dynamic conflict of Israel and Palestine

The conflict between Palestine and Israel is never-ending topic and it makes international community seemed lost of words in denying the increasing and going attack between them. There is a very simple question but complicated answer for this case "*What do we gain from warfare?*". It is a question that even child can ask. Those questions can be answered by ordinary people. Some of them will answer that war causes destruction, and death. Nothing can be justified and better way than it all. So many people will die; buildings will be destroyed and so many people will lose their belongings; lose their parents, children, spouses, relatives; it will be damaged, paralyzed, disabled, and destroyed members. A misery that should be avoided. According to Trias Kuncahnyono, a journalist who saw the severity of the war in Palestine and he stated that war is really cruel! War only generates hatred and enthusiasm to retaliate at another opportunity (Kuncahyono, Jalur Gaza, 2009).

The misery that has been experienced by the Palestinians for almost a century. Starting from the 1948 Arab-Israeli war was known as "Nakba or Catastrophe". The trigger of the

conflict between Palestinians and Jews began during the massacre of Jews in Germany (1940). It triggered the Jews to leave from German and then established their own state. Besides that, the Jews believed that the British had promised to give them land in Palestine as a reward of the Ottoman Empire collapse, which was known by the Balfour Declaration (Aljazeera English, 2018).



Figure 2. 1 Displaced Palestine Refugees due to Six Days War on June 22, 1967

Source: <https://www.thenation.com/article/persistence-palestinian-memory/2017>

Since thousands of Jews migrated to Palestine. Then, the increasing number of Jews dominated and forced the indigenous Palestinian population by displacement in several villages and these moments caused a number of victims. Furthermore, under the British mandate, Israel got the recognition of independence by the UN in 1948. The recognition of Israeli independence in the Palestine territory under the UN was rejected by Arab-Gulf

countries and triggered them to start of a major conflict that called as Six War. At that time, the conflict left hundreds of people dead and injured, and more than 750,000 were forced to be displaced from their homes and forced to live for thousands of days in severely refugee camps (Aljazeera English, 2018)

Since the first time, this war which not only involved two actors between Palestine and Israel, it triggered many actors, especially Arab countries and Islamic countries, to condemn the Israeli massacre to Palestinians who were indicted by international actors as the ethnic cleansing in the context of evidenced by the resolution of the UN General Assembly 194, which talks about Palestinian people's refugee rights. The Palestinian were killed. In addition, in the aspect of their economic rights that made the Palestinians dependent to Israeli's economic, they were squeezed and forced to work without salary, Israel also destroyed agricultural land, raids, arrested, deportation and demolition of their houses, and also shot them.

Palestinian forbearance toward Israel's actions seemed very shatter. This was marked by the outbreak of the first *Intifada* (Resistance) of the Palestinians. They attacked Israel without sophisticated weapons, they did not hold the fire guns. They only pelted Israeli soldiers with stones. Interestingly, this resistance was not only for adults but followed by children and some women on 9 December 1987 - 13 September 1993. In the first Intifada, over 300 Palestinians were killed, 20,000 had been injured and around 5,500 detained by Israel, according to the United Nations Agency for Employment and Work for Palestinian Refugees (UNRWA). Recorded by the Swedish branch of Save the Children, estimates that "23,600 to 29,900 children need medical care for their beating injuries during two years of the Intifada; and around 33% under the age of ten. The violence continued on 1989 and the victims at least 285 Palestinians were killed by Israeli security forces, while 17 others were killed by Jewish settlers. By the end of the first Intifada, nearly total victim around 1,500 Palestinians and 185 Israelis had been killed; more than 120,000 Palestinians had been arrested (Hana, 2017).

During the clashes, the United States continued veto to UN Security Council resolution that deplored Israel for human rights violations and its disobedience to the Fourth Geneva Convention. It is made the international community condemn Israel's action and urged the UN to immediately adopted resolution. The polemics of the war and the various effort from agreements to create peace was always continued. They were agreed upon, but there are some debaters that assumed the declaration was only more beneficial to Israel.

During the time, one of the efforts of peace was the Madrid conference on 30 October 1991 which took place for three days in Spain, assisted by the US and the Soviet Union. This conference was the first attempt by the international community to revive the Israeli-Palestinian peace process through bilateral and multilateral negotiations, involving Israel and Palestine and Arab countries, consist of Jordan, Lebanon, and Syria. After the dialogue about the agreement. Furthermore, appeared the agreement named Oslo Accord signed on September 13, 1993 (Kuncahyono, Jalur Gaza, 2009, pp. 196-171). In essence, this agreement was the first of peace initiation from both parties, namely Palestine and Israel, which was officially secured by the Palestinian party that represented by the Palestinians Liberation Organization (PLO). In this agreement, Palestine recognized Israel's independence, while Israel recognized the PLO as official representative of Palestine. However, in this agreement Israel did not recognize the independence of Palestine as a state that can have its own sovereignty and the right to have its own territory.



Figure 2. 2 Oslo Accord Agreement between PLO and Israel

Source: <http://palestineun.org/wp-content/uploads/2016>

US President Bill Clinton stands Between Palestine Liberation Organization Leader (Yasser Arafat) and Israel Prime Minister (Yitzhak Rabin) as they met for the first time on September 13, 1993, a at the White House in Washington DC after signing Oslo Accord agreement

By this agreement, it can indeed be acknowledged that Israel has rebuild the relations with Arab countries in a good way. But the Palestinians suffer more pain because they continue to experience violence from Israel and not supported by other Muslim countries. Especially the Arab countries around it. The Palestinians consider the agreement as a myth of peace. These indications by some experts, this agreement was only to stop the first intifada struggle of the Palestinians and guarantee that Israel would get as much political benefit as possible. In fact, it does not give the changes to Palestine. During the times, Palestinian resistance is supported by the Hamas Coalition which cares for resistance with Palestinian's violence, especially in Gaza, While the PLO strategy through soft power to create Palestine's peace. In late 2005, Israel approved the disengagement initiative of

Ariel Sharon which around 8,000 Jews and their troops forced to leave from the Gaza Strip. However those policies were only a small bait for the Palestinians and their troops. After the Israeli withdrawal, they still continued to control the area of the Gaza lane. This situation was gathered by the Hamas coalition winner on 2006 in general election (Kuncahyono, Jalur Gaza, 2009).

The election was won by Hamas on 2006 for the first time and there was some conspiracy that immediately triggered Israel to declare war and blockaded the economic path, both by air, land, and sea besides stating that the Gaza line was a hostility. The attacks was increasingly miserable of Palestine and the IDF's atrocities were getting worse. Israel thinks that their actions to protect themselves and as the defense. During 2006-2009 there were three major operations in 2008/09, 2012 and 2014 were killed more than 3,500 Palestinians, including hundreds of children, and injured more than 15,000 people, most of them civilians who got various battles by bombings, shootings, Israeli troops and the Palestine's aggression response for Israeli forces greatly worsen to the social conditions of Palestinians.

From year to year, the Palestinian and Israeli conflicts always present shocks news both from the political tension of both parties and their supporters such as Donald Trump's decision to move the capital city from Tel Aviv to Jerusalem in 2017. External and internal tensions played by the elite actor create worse atmosphere. In addition, almost every year on Friday of March Palestinian in Gaza conducted a large-suggestion demonstration as a form of protest against Israel and the world for violations of human rights that have existed since 1948. The event was as the spirit of the struggle of the Palestinian citizens to seize oil land that has been wiped out for a dozen years by missile and bomb fire dropped by land and also by air.

Table 2. 1 The Victim and Attack on Great March Return in Gaza

365 Days Later (The Palestinians Great March Return)		
NO	The Victims and Attack	Numbers of Victims
1	Killed	266 (50 children,6 women, 1 elderly man)
2	Wounded	30,398 (16,027 Hospitalised, 3,175 Children,1,008 Women)
3	Wounded by Bullets	6.857 (Live Bullets) and 844(Steel Bullets)
4	Tears Gas	2,441 (Inhalations)
5	Medical's Victim	3 (Killed) and 665 (Wounded)
6	Ambulance (Partially Damaged)	122
7	Journalist's Victim	2 (killed) and 347 (Wounded)

Source: Al Jazeera News

Table 2.1 above is the data of Palestine victims and the attack on the great March return as a demonstration by the Palestinian to commemorate the "Nakba" day and demand to Israel to stop the blockade in Gaza, Palestine.

The war that is getting tense every day makes the world community, especially Muslims disown what is being experienced by the Palestinians at this time. The condition that has taken place makes the world glance and want to help innocent civilians in the Palestinian territories. What's more tragic is that many victims are among elderly women, pregnant, children who are still under 10 years old and vulnerable parents who are subjected to atrocities to face war. This has an impact on the environment and social security of the Palestinian people themselves, so that it can be ascertained that Palestine is like the

most suffering prison in the world. The humanity is getting destroyed day by day according to human rights watch. The problem that always tries every time to pressure every element of the world actors to find solutions to stop or at least reduce the destruction that occur in Palestine.



5 million Palestinians are classified as refugees by the UN

Figure 2. 3 The Map of The Disappearing Palestine Territory

Source: <https://mondoweiss.net/disappearing-palestine-spotlight.2018>

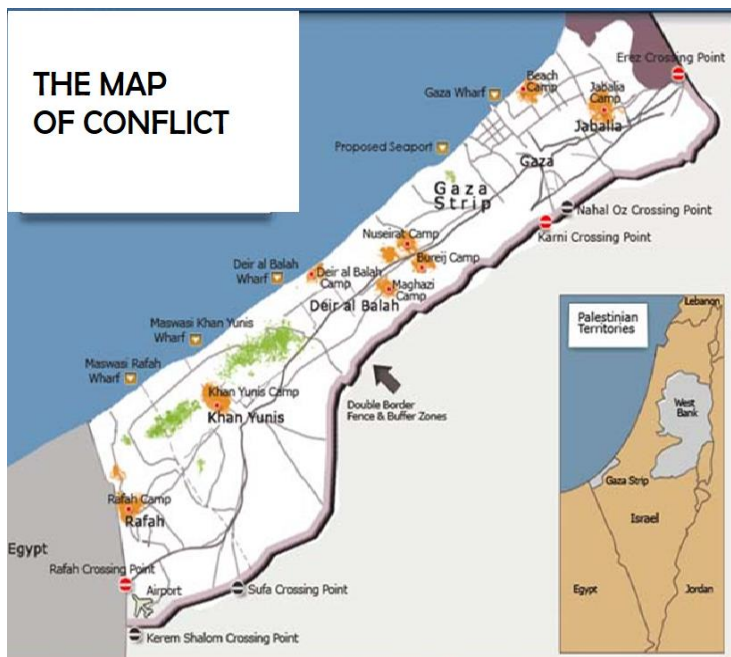


Figure 2. 4 The Gaza Map on Zoomed

Source: <https://www-tc.pbs.org/wnet/files//image-gaza-map.jpg.2008>

As seen on the map above, colonization on Palestinian land for decades can be proven geographically. Palestine areas that were originally large, now is only as small as a splash of ink in Israeli territory. The escalation of humanitarian crisis faced by Palestinians, mostly in Gaza, by the time is getting worse, they live without hope and under pressure of Israeli cruelty. From figure above it can be seen that the center of conflict is actually in the Gaza area which is only as small as the red circle inhabited by almost two million people. They live in siege and oppression carried out by Israel. Their security is threatened at all times by the pounding of bombs and rockets that at any time can destroy them quickly. Palestinians are experiencing serious condition.

B. The Humanitarian Crisis in Palestine

1. The Definitions and Characteristics of Humanitarian crisis

The humanitarian crisis is a very long-standing issue that existed during the First World War with global evolution along with discussion with many international relations actor that emerged, they played in accordance with focus on the issue to analyze and also try to solve the existing global problems, one of those is the problem of the humanitarian crisis caused by several factors. Humanitarian crisis issues can arise due to various event such as war or conflict, natural disasters, and infectious diseases. Then to find out more about this issue, it must understand the true definition of humanitarian crises itself. In fact there are many different definitions of 'humanitarian crisis.

There is no absolute definition, whether this is accurate or not to label certain situations experienced by humans. But often, indirect agreement appears on the basis of human instincts that can be concluded about the standards and limits of human life. Many scholars say that the situation that is called a 'humanitarian crisis' implies that there is a need for serious action for various reasons. According to Internews definition about humanitarian crisis it is situation with high levels of human suffering in which basic human welfare is in danger on a large scale (Internews, 2014, p. 20). There are also specific definitions to define more complex situations where disasters do not occur from nature but also involve human action which make humanitarian crisis to be worse and more complicated. That is called emergency complex and the definition according to the IASC is (Internews, 2014, p. 22):

“[A complex emergency is] a humanitarian crisis in a country, region, or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or

capacity of any single agency and/or the ongoing United Nations country program.”

Then, from the various definitions, there is a question about what kind of characteristics, types or indicators of situations that can be called as humanitarian crisis conditions. There are several characteristics that can be categorized as humanitarian crises. Below are summaries of the types of humanitarian crisis according to interviews (Internews, 2014):

- a. Man-made crises: Including conflict, civil war, genocide, and train and aircraft accidents
- b. Natural disasters: Geophysical. (Earthquakes, tsunamis and volcanic eruptions), hydrological (floods, landslides), climatological (drought), meteorological (storms, cyclones), or biological (epidemics, epidemics)
- c. Complex emergency: A general combination of man-made crises and natural disasters or man-made crises that caused natural disasters and create an impact on humanitarian welfare

It can be concluded that the humanitarian crisis situation is a condition where humans do not get their rights as human beings or it can be said that they cannot fulfill their standard of living in accordance to international human rights law. In this case, the Palestinians experienced a humanitarian crisis which was categorized as complex emergencies. Where Palestine is currently in a conflict situation and under Israel blockade by land, sea, and air, making their economy paralyzed which caused them being unable to fulfill their standard of living. It also impacts in emerging of various humanitarian problems facing Palestinians.

2. The Problem on Humanitarian Issue faced by Palestinian

This sub-part describes the humanitarian conditions and human rights crisis in Palestine, especially in the Gaza region that categorized as complex emergencies in

humanitarian crisis. This below explains based on the problem facing by them (*Human Right Council, 2019*):

- a. **Victims of Violence and security issue:** During the March 30-December 2018 Demonstration it was estimated that 180 Palestinians were killed by Israeli soldiers, including 30 children, and 24,000 people were injured. In the same period, 280 Palestinians were killed and the incident pointed to a fairly high number after 2014. That threatened the security of civilians caused by attack. Israel's soldiers did arrest, shootings, and harassment against Palestinians both from adults, children, women, and old people. It is also noted that 1.386.455 Palestinian registered as refugees. (UNOCHA oPT, 2018)
- b. **Public service:** The instability of domestic political conditions and the power under Israel's government policies regarding any Palestinian administration policy. It has an impact on the poor administration and public services in Gaza. Many of them do not have complete personal data that every citizen should have. The Palestine government is quite busy dealing with problems at the elite level so it makes inattention to provide a good service for Palestinians.
- c. **Children and Education:** Nearly half a million children in Palestine also needed the humanitarian assistance to access quality education. Prolonged conflict and increasing episodes of violence in the West Bank, including East Jerusalem, closure of the Gaza Strip, and restrictions on physical access. It created challenges and threats to the fulfillment of children's rights. Violence against children, needs a serious concern because it jeopardizes children's education and their future potential. Children experience the distress, fear, and intimidation that comes from school area in high-risk locations where they often had to pass checkpoints or walk through settlements.

In addition, every Israeli attack often destroys school buildings including schools, one of fact is in the

area of Beth Lahiyah. In this area dozens of schools were destroyed by Israel attacks and forced the children to take a day off and even if they had to go to school, the teacher had to combine students from several schools according to the availability of buildings that were still intact. Palestinian children became war clans. According to the data from Defense for Children International in 2008, 962 children were killed and 327 children were detained in Israeli prison. For children who are out of school often forced to work, according to the data 4% of children aged (10-17 years) are employed; 5% in the West Bank and 2% of children in the Gaza Strip should work to help their families. So, how severe the lives of Palestinian children are traumatized and must live under the sound of the bombs, fighter planes, rockets and fireworks that can kill their siblings (Kuncahyono, 2009, p. 222).

- d. Poverty and unemployment:** Unemployment rates between the West Bank and Gaza Strip were still high in 2018 (52% in the Gaza Strip compared to 44% in 2017) while in the West Bank, respectively (18% and 19%. 25% for men and 51% for women in 2018). Whereas for Work participation 7 out of 10 men participated more in the workforce, compared to 2 in 10 women. Data from the Gisha movement says about 37% of people employed in Gaza work on the public sector, in other words, they work for the Palestinian Authority or the Hamas-run government in the Gaza Strip (GISHA, 2019).

The number of unemployment continues to increase in Palestine has an impact on the problem of poverty. Where the Palestinian people cannot meet their standard of living properly. Poverty in Gaza is widespread; 53% of the population that survives with less than 4.6 USD / day, with 3.3% living on less than 3.6 USD / day (Human Right Council, 2019). Poverty is also caused by the Israeli blockade which mostly takes up their jobs such as destroyed agriculture, restricted

irrigation, destroyed fishing vessels. As a result they do not get income and only depend on humanitarian assistance.

- e. **Economic and social Right:** Gaza is entering its twelfth-year blockade, the economy has collapsed, adding with increasing of the suffering day by day. They must lose their rights to access the most basic socio-economics - employment, health care, housing, food, water, and sanitation - is a luxury in scarce supplies. Statistics reveal the terrible reality of people who live in Gaza. Their standard of living is very poor in the world. Under the Blockade, it is very difficult to overcome the economic welfare where there are restrictions on exports and imports by Israel (Pazarbasioglu & Wes, 2017).
- f. **Health and Healthcare Access:** Gloomy economic prospects and increasing poverty rates coupled with a climate of fear and insecurity that are continually caused by hostility, it has an impact on severe health issues in Palestine. According to UNRWA the Palestinian people have many diseases where the main factor is very poor health services. In addition, there are also obstacles to health workers, hospitals and medicine which is limited, especially during the war (UNRWA, 2019). Often many patients die caused by limited medical devices and got obstacles from Israeli officers to move patients to the other hospitals in outside the city. In October 2018, almost half of essential medicines were used up in Gaza. Mental health issues in Gaza is alarming. According to the Humanitarian Country Team, 210,000 Gazans are already suffering from severe or moderate mental health disorders, while amid violence around the Great March of Return, 52,098 people, including 26,049 children, need mental health and psychosocial support responses (Human Right Council, 2019).
- g. **Agricultural and Potential Fisheries:**The potential the agricultural sector in the Gaza Strip is very bad, their land is destroyed by blockades, where around 35% of agricultural land is in the "buffer zone" under Israeli

intervention. Farmers who want to cultivate arable land are under constant threat and become targets of the Israeli Security Forces, including by direct fire. Meanwhile, Israel has destroyed Palestinian agricultural land in Gaza by spraying the land with herbicides. In an aerial spraying operation by Israel in January 2018, 550 hectares of agricultural land owned by 212 farmers were affected, with an estimated loss of 1.3 million USD. Basically Gaza has rich and prolific agricultural land with a coastline of 40 km, the Israeli blockade has severely limited the ability to exploit domestic food resources properly through agriculture and fisheries (Human Right Council, 2019).

While for marine sector tight limitations in waters make it difficult for fishermen to catch fish and impede the livelihoods of Gaza fishermen, the data from UNHR mentioned about 95% of whom are already living below the poverty line. Fishermen are routinely chased by the Israeli Security Forces where they are suspected of violating permitted fishing zones, resulting in arrests, seizure of ships, and in extreme cases the use of deadly force by the Israeli Security Forces. In the past two years, the Israeli Security Forces have killed two fishermen and injured dozens more with rubber-coated metal bullets.

- h. Food and Sanitation:** Increasing the poverty rates affect the amount of food safety issues, hunger and malnutrition. Where more than 68 percent of households in the Gaza Strip, or around 1.3 million people, are highly food insecure, according to preliminary findings of the most recent Socio-Economic and Food Safety Survey (SEFSS) conducted in 2018. The current level of food insecurity in Gaza represents a 9 percentage point increase from the equivalent number for 2014 (59 percent). In contrast, food insecurity in the West Bank stands in nearly 12 percent of households according to the same survey, down from 15 percent in 2014 (UNOCHA oPT, 2018). Almost the population - 32.7

percent, 1.6 million people - lack the ability to meet the needs of nutritious food and specifically in the Gaza Strip, where the peak is at 54 percent. According to a survey of Palestinians, especially children suffer from malnutrition with very low levels of minerals and vitamins. Besides, the food issue is caused by the poor availability of sanitation facilities that meet standards and this has an impact on physical and environmental health (World Food Programme, 2019).

- i. **Settler Violence:** Rivalry of residence is also a major issue in the Palestinian and Israeli conflict. There has been a lot of violence perpetrated by Israel against Palestinians and has increased significantly. According to data throughout 2018 clashes between settlers and resulted in the killing of Palestinian residents, injured 83 people and 20 of them were children. The demonstration was stone-throwing, forced destruction, and intimidation. Violence is common in the Hebron area which is the target of land-based attacks with tanks and gunfire with increasing frequency of severity. In this area the Palestinian people live in fear under Israeli control. Often the Israeli army harasses Palestinians, including international activists. This condition is a violation of human right (Human Right Council, 2019).
- j. **Forced Evictions in East Jerusalem:** Since 1948 at the time of the great immigration of the Jews many Palestinians, especially in east Jerusalem, were expelled from their settlers by Israel and had to live for many years even today in refugee camps which are divided into several regions. OCHA estimates that 199 Palestinian homes have been forcibly evicted, placing 877 people, almost half of whom are children at risk of violence and displacement. Cases of eviction, which have largely been brought up by settler organizations, exist in the context of Israel's unilateral annexation of occupied East Jerusalem (Human Right Council, 2019).
- k. **Crisis on water and exploitation of natural sources:** Israel's blockade on Gaza covers all aspects including

water, exploitation of natural resources and results in an imbalance of ecosystems that makes the environment polluted and then damaged it. As in the city of Hebron, Israel's administration damaged the Palestinian water pipes which make them hard to get clean water and had to pay with expensive costs. In addition, Israel also demolished the coastal aquifer which is the only source of clean water in Gaza. As well known, water is an important source for human survival. The Gaza water crisis creates serious public health hazards for its inhabitants. The Dead Sea and abundant natural resources located within the Palestinian Occupied Territories are blocked by Israel. Meanwhile, Israel's companies were permitted to harvest the mineral as they want. In the West Bank olive grove - which is an economic resource for thousands of Palestinian farmers and a symbol of Palestinian identity - is regularly destroyed by Israeli settlers (Human Right Council, 2019).

3. The Impact of Conflict on International Human Right and Humanitarian Law Violation in Palestine

From above explanations about humanitarian problems faced by Palestine, it can be concluded that the Israeli and Palestinian conflict has been going on for decades. It is very severe and has deprived the human rights of Palestinians, especially the right of innocent civilians. In addition, for decades of conflict Israel has also violated many principles of humanitarian law and various resolutions that have been made by international actors such as the UN as a mediator, influencer and international facilitator to stop the war and create peace. In this section, the author explains the review of humanitarian issues in Palestine caused by the conflict between Palestine-Israel based on international human rights and International humanitarian law.

a. Violation on International Human Rights Law

Israel's actions taken against Palestine cannot be justified. All of these actions have violated the principles

of the International human rights law specifically contained in the United Nations Declaration of Human Rights. Palestinians, especially those who live in the Gaza, face many obstacles that prevent them from holding them accountable for alleged human rights violations and seeking civil remedies that caused the weakness status of Palestinian territory and authority. However, even though politically it has not yet received recognition of independence, but they have rights that are protected by international human rights law inherent in each individual as human beings.

International human rights law by definition according to UNHR is *"is a system of international norms designed to protect and promote the human rights of all persons. These rights, which are inherent in all human beings, whatever their nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status, are interrelated, interdependent and indivisible"* (United Nation of Human Right, 2011). Those definitions is also an opening article in the draft Declaration of Human Rights which contains 30 articles divided of five important rights that are owned by humans, namely civil rights, economic rights, cultural rights, political rights and social rights. The five rights must be given in full to each individual and protected by all parties.

But ironically what happened to the Palestinians for decades under Israeli occupation still live under increasing pressure from other nations day by day. Violations committed Israel against the people of Palestine, especially civilians are very severe. All of the Israeli atrocities which have been generally described in the sub-chapter of the humanitarian and human rights crisis in Palestine violate 30 articles contained in the UDHR (UDHR, 1996-2019). The following analysis of Israeli violations against the Palestinian people in accordance with the above humanitarian problems is based on five rights that humans must have and protect.

- 1) **Civil rights:** Most Palestinians do not get their civil rights but violence instead. Civil rights are the right of every human being to obtain freedom both outwardly such as freedom of religion, or external, the right to get protection from various forms of violence legally or not, and the right to get the same treatment without differentiating social status, religion, race, language, gender, national or social origin, ownership rights, births or other positions even within the colony or conflict. While we know that the Palestinian people live in siege, violence, and misery where it is very contrary to the civil rights Stated in Universal Declaration of Human Right.
- 2) **Political Rights:** Palestine is in the condition of war and under Israeli **occupation**. The political conditions of Palestine are unstable, leading Palestinians inability cannot contribute to their governance by voting so they can freely determine the political fate of their country. This is contrary to UDHR article 22.
- 3) **Economic Right:** As explained above, the economy in Palestine has entered a crisis level or arguably paralyzed where they cannot work and meet their standard of living because they live under a blockade and most of their income sources have been destroyed by Israeli militants. They cannot manage their natural resources, causing a surge in unemployment and poverty. This is contrary to the UDHR in articles 17, 22 and 23.
- 4) **Social Rights:** The Palestinian people we know today clearly do not get social rights in the form of a lifetime guarantee to socialize with free and get a good service and public facilities such as education facilities, health, services, healthy food ingredients, and good drinking water and enough. But in fact, the Palestinian people did not get these social rights and contradicted 24-26 in the UDHR.

b. Violation on International Humanitarian Law

As written in the UDHR human rights must be maintained and applied at all times to all people without exception even in a state of war or conflict. International human rights law is a guide and complement to international humanitarian law to achieve the goal of law as broad protection of the rights of all people in the world. As we know Palestine is an area of conflict that has been blocked by Israel for dozens of years and this makes Palestine have two inherent laws namely international human rights law and international humanitarian law or war law. By these definition, international humanitarian law, according to UNHR is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are no longer participating in the hostilities and restricts the means and methods of warfare. Its scope has limited rationale material to situations of armed conflict. Then it can be concluded that International humanitarian law must be enforced in all war situations whether the cause of the conflict can be tried or not (United Nations Human Right, 2011).

The document of International humanitarian law is regulated according to Hague convention and 4 the Geneva convention and additional protocols there were clear rules on how the war took place, such as the order of attacks, protection of opponents, protection of prisoners, rules of use of weapons, protection of natural objects and public facilities, protection of civilians, medical personnel, human rights activists and even specifically discuss articles on the protection of children and women clearly. All are regulated in the Geneva conventions. As we know, both Israel and Palestine have ratified international humanitarian law, which means that their war is regulated under humanitarian law. But the fact is the humanitarian crisis faced by the Palestinians, especially in the Gaza area does not at all

signify the implementation of this law of war. Especially on the part of Israel.

In fact of the humanitarian crisis problem described above indicates that Israel violated all international humanitarian laws. In the January 2009 attack Israel carried out an attack using a white phosphorus bomb in northern Gaza which destroyed the UNRWA complex and UN-owned schools for Palestine. The attack resulted in around 1000 casualties including 315 children and 100 women and thousands of people injured (Kuncahyono, 2009). The attack proved that Israel violated many articles in the Geneva Convention, namely the Geneva Convention 3, Article 35, Verses 1.2 and 3 (regulates the rules of attack), and then violated almost all Geneva Convention, namely the protection of civil rights and protected objects (Dirjen Administrasi Hukum Umum Departemen HAM, 2003).

The violations committed by Israel are continued destruction on the land of Palestine. International humanitarian law provides protection for a number of civil and political rights, the right to live in conflict area which guarantees economic, social and cultural rights (for example, the right to health and the right to food) and group rights (for example, the right to healthy environment). When was discussed in an international session of his actions, Israel's statement said it was a defense the opponent's attack and as protection. But what they did was not comparable to what the Palestinian forces did. Israel responded to a rocket attack with a 3-fold greater attack and the target of their attacks was civilians and caused more victims. The target of Israeli attacks is also children and women. Often they arrested the children and torture them. Whereas according to the 4th Geneva Convention which regulates children's rights, even though children are involved in the conflict, they must be treated well and human rights must be maintained (Kuncahyono, 2009).

The Geneva Convention also explains that in warfare the target of attack should not be directed to civilian settlements, public facilities, natural resources, and places of worship. But in the fact, Israel violates the international humanitarian law rights of the Palestinian people and increasingly pressures them to create a humanitarian crisis that afflicts the Palestinian people day by day. It can be summarized that Israel violations on Gaaza territory banded on UNOCT oPT, are about civilians, Children, Demolations, blockade, Blokade, prisoners, discrimination, settlement, and holly site. All that violations contradiction with international human right and humanitarian law