

An Exploration of the Existence and Humanitarian Role of The ICRC in Resolving the Palestinian-Israeli Conflict in the Gaza Region

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Abstrak

The Israeli-Palestinian conflict, especially in the Gaza Strip, has become a complex and long-standing geopolitical problem, marked by historical, religious, and territorial disputes. The Gaza Strip, a narrow coastal region, has been a focal point of intense conflict, characterized by repeated hostilities, military operations, and political tensions. The region has witnessed multiple wars and clashes, leading to humanitarian crises and significant infrastructure challenges. The impact of these conflicts on civilian populations has been enormous, causing widespread displacement, economic hardship, and severe restrictions on daily life. Amid these tumultuous conditions, the International Committee of the Red Cross (ICRC), a neutral and independent humanitarian organization, has played an important role. The ICRC operates based on the principles of humanity, impartiality, neutrality, and independence, with a mandate to protect and assist those affected by armed conflict and other situations of violence. This paper explores the important role of the International Committee of the Red Cross (ICRC) in overcoming the protracted Israeli-Palestinian conflict, especially in the volatile Gaza region. By examining the historical context, objectives, and humanitarian approach adopted by the ICRC in this conflict scenario, this research aims to explain the organization's impact in mitigating the suffering of the affected population.

Keywords: ICRC, Humanity, Israel-Palestine Conflict, Gaza

INTRODUCTION

The ICRC is an independent, impartial, and neutral organization that has the specific mission of safeguarding and protecting the human rights and honor of individuals who are victims of armed conflict and other acts of violence. The ICRC becomes the main actor in conflict situations with the aim of maintaining health care services for conflict-affected communities, providing support to local structures, and sending its own experts if needed.¹ In addition to these tasks,

¹ American Red Cross, "Global Red Cross Movement Responds as Israel and Gaza Conflict Continues," American Red Cross (United States, 2023).

the ICRC also has a responsibility to support efforts to broaden the acceptance of international humanitarian law and emphasize the need to comply with such law in times of armed conflict. As part of the International Red Cross and Red Crescent Movement, the ICRC is legally responsible for recognizing aid organizations as official national Red Cross or Red Crescent.

The main center of the International Committee of the Red Cross (ICRC) is located in Geneva, Switzerland, and has branches in around 80 countries. The ICRC seeks to provide protection and humanitarian assistance to individuals affected by armed conflict or violence in other situations. The ICRC also works to promote respect for the rules of international humanitarian law and encourage their implementation in national legislation (International Committee of The Red Cross). The ICRC is an organization that is intensively involved in the fighting between Israel and Palestine, especially in the Gaza area. The dispute between Palestinians and Israelis has been going on for many years and has had devastating consequences for Gaza which has been one of the worst affected areas. The ICRC has a significant role in resolving conflicts and helping to alleviate suffering through humanitarian aid.²

As an objective humanitarian organization, the ICRC has worked to facilitate the release of captives, provide essential services, and keep civilians safe. The group has provided assistance in freeing people held captive in Gaza, eased the process of exchanging messages from the Red Cross, provided funds to families whose homes were severely damaged, and supported social inclusion for the disabled. The ICRC is also involved in efforts to improve the availability of vital services, such as water supply, electricity, and sewage treatment, for residents in the West Bank and Gaza Strip. The most recent crisis between Israel and the Palestinians has created a humanitarian crisis that has taken its toll on the people of Gaza. Fuel, water and food supplies are suffering significant shortages, while medicine supplies are running low. The threat of destroying hospitals and other health facilities looms. The ICRC appeals for a temporary halt to the conflict in Gaza to alleviate the suffering of the people, and for permission for humanitarian aid and first adopter teams to enter the area.³

However, serious humanitarian impacts arose from this conflict. Severe humanitarian impacts occurred as a result of the evacuation orders. Many health facilities have been damaged, and families living outside are destitute with limited food and water supplies. The ICRC has submitted a request for a temporary halt to the fighting and to allow humanitarian aid and first responders into Gaza to alleviate the suffering of the people. In an effort to mitigate the human consequences of the conflict in Gaza, the International Committee of the Red Cross (ICRC) plays a crucial role. However, recent evacuation measures taken by the Israeli authorities have had a catastrophic impact. The full effort prevented residents from accessing food, water and energy needs through a complete siege. The ICRC states that this violates the norms of international humanitarian law and seeks to provide life-saving assistance. For these reasons, the ICRC appeals for a halt to the fighting so that aid delivery can take place with maximum safety and efficiency.⁴

The war in Gaza has had a significant humanitarian impact. The ordered evacuations caused very serious humanitarian damage, including many hospitals being destroyed and families experiencing shortages of food and water supplies. For these reasons, the ICRC is appealing for a temporary halt to the fighting and for humanitarian aid and first responders to enter and provide assistance to the people of Gaza. The ICRC plays a significant role in mitigating the

² Joko Setiyono, "Peran Icrc Dalam Perkembangan Hukum Humaniter Internasional Di Era Global," *Law Reform* 13, no. 2 (2017), <https://doi.org/10.14710/lr.v13i2.16157>.

³ Simela Victor Muhamad, "DPR RI Dan Isu Palestina Diplomasi Antar Parlemen," *Kajian* 19, no. 1 (2014).

⁴ Yuli Fachri and Andri Tarigan, "Peranan International Committee of the Red Cross Terhadap Krisis," *Jurnal Univ Riau*, 2020.

humanitarian consequences of the conflict in Gaza.⁵ However, the Israeli authorities' recent evacuation measures have had important catastrophic effects. The complete blockade prevents Gazans from obtaining food, water and electricity. The ICRC expressed that this behavior violates the principles of international humanitarian law, and seeks to provide assistance aimed at saving lives. As such, the ICRC is appealing for a halt to the fighting to enable the delivery of aid with safety and efficiency.

The organization has done its utmost to keep civilians safe, improve the welfare of prisoners, and provide assistance to individuals in need during times of conflict. In times of hostage-taking, the ICRC plays a role in facilitating the release of hostages, providing much-needed services, and supporting the inclusion of people with disabilities in community life. Not only that, the ICRC also seeks to improve the availability of essential services such as water supply, electric power, and waste management for residents in the West Bank and Gaza Strip regions.⁶ Shortages of fuel, water and food as a result of the conflict have created a huge demand for Gazans. The ICRC urges that safe and sustainable humanitarian access be provided throughout the Gaza region to ease the suffering of its population.⁷ The author gives this title so that we can understand more about how the ICRC plays a role in resolving the Palestinian-Israeli conflict in the Gaza Territory from a humanitarian perspective.

The weaknesses and poor conditions in Palestine due to the conflict with Israel have led to a humanitarian crisis. As explained earlier, this crisis has invited the involvement of the International Committee of the Red Cross (ICRC) in an effort to help restore conditions in Palestine. The main objective of the ICRC's involvement is to restore the situation of the Palestinian people in order to be self-sufficient. This role is part of the ICRC's humanitarian mission and mandate, which aims to protect the lives and dignity of victims of armed conflict and other situations of violence. Thus, a main problem that underlies this research can be drawn, namely "How is the existence of Humanity, especially through the International Committee of the Red Cross (ICRC), reflected in the handling of the Palestinian-Israeli conflict in the Gaza Strip?"

METHOD

Human security theory is a theory that explains how efforts to re-conceptualize security are fundamental. This theory uses an analytical method that focuses on ensuring security for each individual. According to (MacLean, 1999), the concept of human security is the concept of protection of individuals against political threats and protection to obtain opportunities for a prosperous life. The political threat in question can be in the form of violence committed by other parties, while the opportunity to live well is reflected in the accessibility of individuals to their environment. In another sense, MacLean defines human security as security for oneself, the community, and the environment.

This human security theory is getting a lot of attention because some countries seem to be dominant in judging and oppressing weak countries, one of which is the United Nations Development Program (UNDP) which responds to this problem by issuing a human security policy. The United Nations Development Program (UNDP) details seven components of human security that must get attention, including: 1) economic security (freedom from poverty and guaranteed fulfillment of life's needs); 2) food security (easy access to food needs); 3) health security (easy access to health services and protection from disease); 4) environmental security

⁵ Laode Fathun Muhamad, "Intervensi ICRC Dalam Krisis Kemanusiaan Di Palestina Tahun 2011," *Phys. Rev. E* 108, no. 2 (2011).

⁶ Kementerian Luar Negeri, "Rencana Strategis Kementerian Luar Negeri Tahun 2020-2024," Kementerian Luar Negeri Republik Indonesia (2020).

⁷ George A. MacLean, "Human Security and the Globalization of International Security," *Diplomacy and International Relations* 7, no. 1 (2006): 89–99.

(protection from air pollution and environmental pollution, as well as access to clean water and air); 5) personal security (safety from physical threats caused by war, domestic violence, crime, drug use, and even traffic accidents); 6) community security (preservation of cultural identity and cultural traditions); and 7) political security (protection of human rights and freedom from political pressure). In addition, the United Nations Development Programme (UNDP) also emphasizes that the concept of human security has 3 important principles, namely: freedom from fear, freedom from want, dan freedom to live in dignity.

RESEARCH RESULTS

Since the 1967 international armed conflict between Israel and its neighbors that triggered the adoption of the four Geneva Conventions of 1949, the Palestinian territories have been under the control of the Israeli army. Therefore, the ICRC considers the Israeli-held territories to be under Israeli occupation, and affirms the de jure application of the law of occupation (The Hague Regulations of 1907 and the Fourth Geneva Convention of 1949). The application of the law of occupation does not alleviate the fundamental dispute over sovereignty over the territories. The International Committee of the Red Cross (ICRC) is a humanitarian organization that operates globally, providing assistance and protection to victims of armed conflict and other situations of violence. The organization follows the principles of humanity, impartiality, neutrality, independence, voluntary service, unity, and universality in its mission.

For decades, humanitarian tragedies have occurred in the Israeli-Palestinian conflict and have led to thousands of people calling for help in the Gaza region. The ICRC is deeply concerned about the dangerous and unsafe conditions that civilians endure during evacuations. Men, women and children, waving white flags, walked tens of kilometers past dead bodies lying in the streets and without necessities such as food and water. At the same time, the ICRC team in Gaza and hotline operators received many calls from refugees looking for their family members.⁸ The most important thing is that members of the same family are not separated during the evacuation. Regardless of the means of evacuation, safe zones or humanitarian pauses, parties to the conflict remain bound by their obligations under international humanitarian law. While civilians continue to move from north to south Gaza, hundreds of thousands of refugees lack basic necessities such as shelter, food, water and hygiene. The situation is rapidly approaching a humanitarian disaster. The south is inadequately equipped to accommodate the large numbers of people arriving with only the clothes they are wearing, and the amount of humanitarian aid coming in is largely insufficient. The ICRC reiterates its call for the unhindered and orderly flow of humanitarian aid.

In the context of the Israeli-Palestinian conflict, particularly in the Gaza Strip, the ICRC plays a critical role in meeting the humanitarian needs of affected communities. The conflict between Israel and Palestine has posed significant humanitarian challenges, including displacement, infrastructure damage, and loss of life. The ICRC's humanitarian role in Gaza during the Israeli-Palestinian conflict has been crucial in addressing the healthcare crisis. Through the provision of medical supplies, equipment and training, the ICRC has made a significant contribution to the resilience of the healthcare system in the Gaza Strip. The ICRC has played a critical role in ensuring the supply of essential medical materials to health facilities in the Gaza Strip. This includes medicines, surgical equipment, and other medical supplies necessary for the treatment of conflict-related injuries. The ICRC aims to meet the urgent healthcare needs of affected communities. The ICRC's medical assistance and health support in the Gaza Strip during the Israeli-Palestinian conflict includes a comprehensive approach. From the timely provision of medical supplies to the rehabilitation of health infrastructure and the training of health professionals, the ICRC's efforts have been instrumental in meeting the short- and long-term healthcare needs of conflict-affected communities.

⁸ Palang Merah Remaja, "Tentang ICRC," ICRC Indonesia, 2023.

The ICRC's efforts in improving water and sanitation infrastructure have shown positive results. The ICRC has been actively involved in initiatives to improve access to clean and safe water for residents in Gaza. This involves repairing and maintaining water infrastructure, such as wells, pumps, and pipelines. By addressing the damage caused by the conflict, the ICRC aims to provide a more reliable water supply to meet the basic needs of the community. In line with the water supply initiative, the ICRC is also working to improve sanitation facilities to prevent outbreaks of disease. This includes the construction and repair of sewage systems and the promotion of good hygiene practices in communities. By emphasizing the importance of sanitation, the ICRC aims to mitigate post-conflict health risks. The ICRC's Water and Sanitation Initiative in the Gaza Strip is designed to address both short- and long-term challenges arising from the Israeli-Palestinian conflict. By focusing on improving water supply, sanitation facilities, emergency response, and community empowerment, the ICRC is making a significant contribution to the overall well-being and health of the people in Gaza.

The ICRC's advocacy of civilian rights and promotion of international humanitarian law has played an important role in minimizing adverse impacts on civilian populations. The ICRC's Protection of Civilians and Promotion of International Humanitarian Law in the Gaza Strip is a multifaceted endeavor. Ranging from direct engagement with parties to the conflict to broader advocacy for legal and policy change, the ICRC's activities aim to create an environment that prioritizes the safety and well-being of civilians in accordance with international humanitarian law. The ICRC is actively involved in advocating for the rights and protection of civilians caught in the midst of conflict. This involves diplomatic efforts, public statements and engagement with relevant authorities to emphasize the importance of protecting civilians and ensuring their well-being.

The ICRC also played an important role in addressing the welfare of prisoners and detainees during the Israeli-Palestinian conflict in the Gaza Strip. The ICRC conducts regular visits to places of detention, including prisons and detention centers in the Gaza Strip. These visits serve a variety of purposes, including monitoring detention conditions, assessing the treatment of detainees, and ensuring that international humanitarian law (IHL) standards are upheld. During detainee visits, the ICRC closely monitors the living conditions of detainees. This involves assessing aspects such as hygiene, health services, access to water and sanitation, and the overall treatment of detained individuals. The ICRC's efforts in relation to detainee visits and detainee welfare are integral to upholding the rights and welfare of individuals detained during the Israeli-Palestinian conflict in the Gaza Strip. The organization's monitoring, advocacy and support initiatives contribute to promoting humane treatment and ensuring respect for international humanitarian and human rights standards.

The ICRC's role in facilitating family reunification has yielded positive results. The ICRC provides identification and tracing services to help reunite family members separated due to conflict-related circumstances. This includes gathering information from individuals who wish to locate their relatives, as well as from those currently in ICRC care. The ICRC's efforts in family reunification during the Israeli-Palestinian conflict in the Gaza Strip are geared towards restoring and maintaining important family links. By providing identification services, legal support, and psychosocial assistance, the ICRC seeks to mitigate the impact of separation on affected families and contribute to the overall well-being of individuals affected by conflict-induced displacement.

The ICRC's coordination with its partners during the Israeli-Palestinian conflict in the Gaza Strip was characterized by collaboration with humanitarian organizations, engagement with local and international authorities, and adaptive strategies to navigate a complex and changing environment. Through working collectively with a wide range of partners, the ICRC aims to optimize the impact of its humanitarian interventions and meet the multiple needs of affected communities. Effective collaboration with various stakeholders will increase the efficiency and impact of humanitarian efforts. Although its primary focus is on emergency relief efforts, the

ICRC's involvement in long-term development projects has contributed to community recovery and resilience. The ICRC's long-term development initiatives in the Gaza Strip are designed to address the underlying causes of vulnerability and promote sustainable recovery. By investing in livelihoods, education, healthcare and infrastructure, the ICRC contributes to the long-term resilience and well-being of communities affected by the Israeli-Palestinian conflict.

DISCUSSION

Tables and Figures are centered and cited in the manuscript. Tables and Figures should be clearly readable and have at least 300 DPI (Dots Per Inch) resolution for good print quality. Tables are created with an open model (without vertical lines) as shown below:

The existence of the International Committee of the Red Cross (ICRC) as an international humanitarian organization has been present and provides its humanitarian role in the Palestinian-Israeli conflict. As the theory of human security regarding the protection of individuals against political threats, the International Committee of the Red Cross (ICRC) has provided assistance to weak countries. Not only the recent conflict in 2023, the International Committee of the Red Cross (ICRC) has put forward the concept of human security in the Palestinian-Israeli conflict since some time before the conflict occurred. In its blog, the International Committee of the Red Cross (ICRC) revealed that they have long witnessed the devastating killings that occurred in the Palestinian-Israeli conflict which resulted in many casualties from the civilian population. As a humanitarian organization, they are outraged to see what is happening in the Palestinian-Israeli conflict where human security is threatened which is contrary to the human right to life.

Mirjana Spoljaric as president of the International Committee of the Red Cross (ICRC) revealed that in these conflicts civilians are always victimized, even though they are innocent people who have the right to live safely. Murder and ill-treatment directed against civilians are actually prohibited by the Geneva Convention. The International Committee of the Red Cross (ICRC) has applied the theory of human security to help civilians in the Palestinian-Israeli conflict, especially the latest conflict that occurred in 2023. However, the International Committee of the Red Cross (ICRC) does not defend one side and condemn the other. As a humanitarian organization, the International Committee of the Red Cross (ICRC) plays a role in prioritizing human security on both the Palestinian and Israeli sides. This is evidenced by the International Committee of the Red Cross (ICRC) offering humanitarian support to both sides and trying to keep the civilian population to achieve their rights.

As described in the human security theory in the previous section, the International Committee of the Red Cross (ICRC) has been working with the Palestine Red Crescent Society (PRSC) and Magen David Adom (MDA) to help anyone who is injured or sick and in need. Together they are working to send medical supplies to a hospital in Gaza, help reunite those separated from their families, and evacuate the wounded for immediate treatment. Regardless of race and origin, the International Committee of the Red Cross (ICRC) helps people affected by the conflict by doing whatever it takes to uphold the concept of human security so that their lives can be protected. Of the seven components of human security issued by the United Nations Development Program (UNDP), the International Committee of the Red Cross (ICRC) has pursued several components such as food security, health security, personal security, and political security. Actually, there is one other component, namely environmental security, which is pursued by the International Committee of the Red Cross (ICRC). In this case, the International Committee of the Red Cross (ICRC) has sought access to clean water. However, due to the escalating conflict situation, the need for clean water is a little difficult so that the civilian population lacks clean water. Even hospitals need clean water for medical treatment, but due to the unfavorable conditions, they are struggling. There is also a lack of clean air where dust is scattered, making the air dirty due to the remnants of bombed buildings.

In terms of food security, the International Committee of the Red Cross (ICRC) has provided food assistance to victims affected by the conflict. Moreover, the International Committee of the Red Cross (ICRC) has also coordinated with the authorities so that they can ensure that victims, especially the civilian population, get enough food regardless of any military siege. In terms of health security, the International Committee of the Red Cross (ICRC) has provided assistance in the form of medicines and other medical equipment supplied to every hospital in Gaza. In addition, the International Committee of the Red Cross (ICRC) also prepares medical personnel to treat the victims. For them, medicines and other medical supplies are important considering that many victims have been killed in the conflict. In terms of personal security, the International Committee of the Red Cross (ICRC) has done its best to take care of the victims affected by the conflict and ensure their safety. However, this cannot be properly supervised by the International Committee of the Red Cross (ICRC). In terms of political security, the International Committee of the Red Cross (ICRC) has urged various parties to take decisive steps so that the threats and dangers experienced by the civilian population can end immediately.

The International Committee of the Red Cross (ICRC) also brings the basis of international humanitarian law and reveals that the killing and ill-treatment of civilians is prohibited by the Geneva Conventions. From these things, it is clear that the existence of the International Committee of the Red Cross (ICRC) in the Palestinian-Israeli conflict exists and they also play an active role in promoting humanity based on the theory of human security. The International Committee of the Red Cross (ICRC) urges many parties to resolve the conflict with various efforts. The reason the International Committee of the Red Cross (ICRC) urges to resolve the conflict is based on the threat of human security that will continue to occur and the loss of humanity and human rights in living life.

The state in international law is considered the main legal subject. In relations between subjects of international law, especially between states, conflicts sometimes occur due to differences in interests. Not always these conflicts can be resolved peacefully. These disagreements are referred to as conflicts, which can be triggered by a number of factors such as politics, economics, ideology, military strategy, or a combination of several factors. Conflicts can be external conflicts between countries, or internal conflicts that occur within a country. Conflict resolution can be grouped into two main categories. First, peaceful resolution methods, in which the parties involved in the conflict agree to find a solution that is friendly and beneficial to all parties. Second, violent resolution methods, in which conflict resolution is carried out using force or violent action. If a country is unable to resolve a dispute peacefully, the use of force is often the only option available. Non-violent resolution approaches involve principles such as war, non-military armed action, retaliation, reprisals, pacific blockade, and intervention.

Intervention is a deliberate action by a state, a group of states, or an international agency against the policies or practices of another state, unless the targeted state consents. Intervention can also be defined as authoritarian interference in a country's internal affairs, including threats of violence or attempts to significantly weaken its economy. Some analysts use the term "forced" or "coercion" which has two levels. Intervention at a low level can be interpreted as an attempt to influence a country's domestic politics, while at a higher level, it can include military action. However, intervention still remains part of the dynamic in international relations today, even though it goes against clear legal and moral norms.

The term "humanitarian" is now commonly used to refer to interventions aimed at saving foreign individuals from threats perpetrated or intended by public officials who are supposed to protect them. In this definition, humanitarian intervention refers to situations where a state or coalition of states uses military force to help address a series of serious human rights violations on the territory of another state. The issue of humanitarian intervention arises when the government of a state uses military force against its own citizens or when the state has collapsed and lost the rule of law. Serious violations of human rights are now a global problem, but the

question of the legitimacy of using military force to prevent such violations is a major issue. R.J. Vincent argues that if a state systematically and massively violates human rights, the international community has a responsibility to intervene humanely.

As is currently the case in Gaza, Israel is clearly violating human rights and killing innocent civilians. In addition to the ceasefire agreement between Israel and Hamas intended to facilitate the exchange of hostages and prisoners, the Biden administration has emphasized the need for a comprehensive peace plan to resolve the conflict between Israel and Palestine. The importance of providing balanced support to both Palestinians and Israelis has been highlighted. On the other hand, it is expected that the United States will intervene in this conflict, for humanitarian purposes and the benefit of all parties. An alarming humanitarian catastrophe is unfolding in the Gaza Strip. Diplomacy and peace efforts aimed at ensuring the delivery of humanitarian aid have failed. On October 16, the UN Security Council unsuccessfully adopted a resolution (S/2023/772) calling for a humanitarian ceasefire. Then, on October 18, the United States used its veto against resolution (S/2023/773) proposing the suspension of full, rapid, safe, and unimpeded access to humanitarian assistance.

Peace agreements are often thought of as something static, akin to a handshake signaling the end of a dispute. It is clear that peace agreements are important and can be very complicated. However, these agreements are only the starting point of a process, not the end of the peace dynamic. The cessation of conflict is only the first stage towards a true state of peace—when communities begin to recover, reconcile, and rebuild. To see peace as fixed is to ignore its true nature: volatile, difficult to achieve, and often fragile. Peace depends on a humane attitude towards the other, on the ability to see the greater benefits of cooperation, and on a rejection of demonization. Too often we assume that when the fighting stops or the tanks withdraw, it is a 'victory' for peace. Yet, we forget or deliberately ignore that conflicts that are allowed to fester are not resolved, and peace agreements do not necessarily reduce tensions between communities. Our lack of long-term commitment and ignorance is becoming evident around the world in an alarming variety of situations.

The global community is currently in a situation where it is faced with the choice to allow a humanitarian disaster to continue or to intervene on humanitarian grounds to stop it. The doctrine of humanitarian intervention essentially emphasizes the use of force as a last resort in extremely dire humanitarian situations, either without authorization from the UN Security Council or in cases of self-defense. There are two exceptions to the general prohibition on the use of force under Article 2(4) of the UN Charter: self-defense pursuant to Article 51 or authorization by the UN Security Council under Chapter VII of the UN Charter. On October 25, China and Russia used their veto power as part of the P5 group to stop a resolution tabled by the United States (S/2023/792) at the UN Security Council, causing a deadlock. An emergency session was convened under UN General Assembly Resolution 377A(V) 'United for Peace'. On October 26, the UN General Assembly adopted the resolution (A/ES-10/L.25) with a majority of 120 votes in favor, 14 against, and 45 countries abstaining.

The resolution calls for the provision of necessary, sustained, adequate and unimpeded assistance to civilians throughout the Gaza Strip, including water, food, medical equipment, fuel and electricity. This is emphasized as an urgent need under international humanitarian law to ensure that the indispensable rights of civilians to survive are not interrupted. Although this resolution does not have binding legal force, it has great influence in international opinion and has moral authority in the global community. Israel rejected the resolution and called on other countries to withhold UN funds. Humanitarian intervention should be legal because firstly Article 2(4) of the UN Charter prohibits states from threatening or using force against the territorial integrity or political independence of any state, in accordance with the primary purpose of the United Nations. However, this rule does not directly exclude the possibility of humanitarian intervention in contexts such as Gaza. The use of force in Gaza is not contrary to Israel's territorial

integrity or political independence. The primary purpose of such intervention is not to fight Israel, but rather to stop a humanitarian disaster occurring outside of Israel. Such actions are also in line with the UN Charter's principles encouraging civilianization and the prevention of genocide.

Second, there are state-level practices that, based on customary international law, adopt violence on humanitarian grounds. During the Gulf War of 1990-1991, the United States, United Kingdom and France established a no-fly zone in Iraq on humanitarian grounds. In April 1991, the zone was established in northern Iraq to provide humanitarian assistance to Kurdish tribes. In March 1999, NATO intervened in Kosovo to stop a humanitarian disaster after diplomatic efforts failed. On March 24, 1999, the UK stated to the UNSC that, "Everything possible has been done to avoid this situation. In these circumstances, as an exceptional measure on the basis of great humanitarian need, military intervention can be legally justified." On March 26, 1999, the UNSC rejected a resolution (S/1999/328) condemning NATO's use of force in Kosovo by a margin of twelve to three. In 2018, the US and UK intervened in Syria on the grounds of "alleviating severe humanitarian suffering for the Syrian population, by targeting the Syrian regime's chemical weapons capabilities and preventing their further use."

Based on factual and legal conditions, now is the right time to conduct humanitarian intervention in Gaza to end the ongoing humanitarian disaster. Humanitarian intervention does not intend to attack Israel, but aims to ensure the smooth flow of aid, distribution of humanitarian assistance, and protection of humanitarian workers. If Israel continues to obstruct humanitarian aid that is vital to saving civilian lives and preventing genocide, then a coalition of willing nations must be prepared to use appropriate and proportionate force.

CONCLUSION

The International Committee of the Red Cross (ICRC) is an independent, impartial and neutral organization based in Geneva, Switzerland, with branches in about 80 countries. Its mission is to safeguard and protect the human rights and dignity of individuals affected by armed conflict and violence. The ICRC is actively involved in disputes between Israel and Palestine, particularly in the Gaza region, and has played an important role in resolving conflicts and alleviating suffering through humanitarian assistance. The recent crisis between Israel and Palestine has created a humanitarian crisis in Gaza, leading to shortages of fuel, water, food and medical supplies. The ICRC has requested a temporary halt to the conflict in Gaza to alleviate the suffering of residents and requested permission for humanitarian aid and first aid teams to enter the territory.

The organization's efforts to address the humanitarian consequences of the conflict in Gaza were affected by evacuation measures taken by the Israeli authorities, resulting in serious humanitarian impacts. The ICRC has been actively involved in initiatives to improve access to clean and safe water for the population in Gaza, as well as improving sanitation facilities to prevent the spread of disease. Its advocacy for the rights of civilians and the promotion of international humanitarian law has played an important role in minimizing adverse impacts on the civilian population. The issue of humanitarian intervention arises when a state uses military force against its own citizens or when a state has collapsed and lost the rule of law. The global community is now faced with the choice of allowing a humanitarian disaster to continue or intervening on humanitarian grounds to stop it. Based on factual and legal conditions, now is the right time to intervene in Gaza to end the ongoing humanitarian disaster.

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