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Palestine and Israel War Conflict During COVID-19

Ilham Martadinata^{1*}, Muhamad Noor Gibran², Elfira Sylviani Kaunang³, Muhammad Hadianto⁴, Helda Risman⁵

Department of Total War Strategy, the Republic of Indonesia Defense University

Corresponding Author: Ilham Martadinata ilhammartadinataqereen@gmail.com

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ABSTRACT

The purpose of this study is to determine how international law affects the Israeli-Palestinian conflict during the COVID-19 pandemic. The approach used in this research is literature study, which entails gathering pertinent material from books and journals, evaluating it, and drawing conclusions. Concerns regarding the socio-economic circumstances of Palestinians have been highlighted by the fast-spreading COVID-19 epidemic. Overcoming two issues at once is becoming more and more difficult. Considering the harm done to infrastructure for sanitation, hygiene, and water, the Palestinians' situation is getting better. The COVID-19 virus is being stopped by impeding the flow of essential supplies into the Palestinian state and causing environmental harm, both of which may affect public health. International humanitarian law is in place to prevent these kinds of tragedies, but the Israeli government and military disobey these laws. From an international law standpoint, this research helps understand how the state of Israel behaved toward Palestine during the COVID-19 epidemic. References to a wide range of national and international periodicals and books were used in the preparation of this research. In addition, it makes use of the most recent news about the subjects covered. The findings of this review of the literature indicate that despite an increase in attacks on Palestinian civilians, the situation between Israel and Palestine has not improved

INTRODUCTION

Among the various nations in the Middle East are Palestine and Israel; when you hear about these two, a protracted struggle naturally comes to mind. For almost 70 years, the two nations have been embroiled in a struggle marked by brutality against civilians. Through the Oslo Agreement, which was signed in 1993, the two sides came to an understanding wherein Israel would recognize Palestine as a state and the Palestine Liberation Organization as the authorized representation of the Palestinian people. According to Wirajaya (2020), the agreement established the Palestinian Authority, which has certain self-governing rights in the West Bank and Gaza Strip. This is a stopgap measure until a full peace accord is finalized within the next five years. About 3,000 Palestinians and 1,000 Israelis have died in the last five years, while other Israeli civilians have also perished in suicide bombs. This deal had far-reaching effects; Israel at the time withdrew from Gaza in the middle of 2000. Many nations see Hamas, a Sunni fundamentalist Palestinian group, as a terrorist organization. Its goal is to annex coastal regions, including the Palestinian state's administrative boundaries. When human rights, international security, and peace are at stake, the conflict between the two nations frequently comes up for discussion on a global scale. One way to characterize the conflict between Israel and Palestine is as an existential struggle between two nations and groups vying for control over the same land as a political state and national homeland. This fight involves issues of national identity and survival in addition to geographical dominance. Conflicts that see other groups' identities and existence as threats can persist and even tend to grow in size. Nowadays, every nation in the world discusses the Palestine-Israel dispute. This war even topped the agenda of the United Nations (UN) General Assembly. This conflict has remained unresolved since the UN was founded. It will always be in contact with international law since it was on the UN session's agenda. The following is a general description of dispute settlement under international law: a. Political course: 1) Fact-finding investigations; 2)

Mediation; 3) Quality services; and 4) Negotiation. b. Lawful Paths: 1) International Court of Justice; and 2) Arbitration. The state can always choose to abstain from any action that could worsen the situation, jeopardize security and stability, or make peace efforts more difficult. This duty includes both using peaceful means of resolving conflicts and being aware of and abstaining from activities that might worsen the situation. Stated differently, the inference is that, if a resolution to the conflict proves impossible, the state can govern and control itself to prevent exacerbating the crisis and jeopardizing global peace and security (Pappe, 2018).

Additionally, since 1920, the acquisition of territory by force and violence—that is, by war—has no longer been justified by international law (Watts & Arthur, 1992). Everyone fears war, not just because of the potential repercussions and money losses but also because of the psychological ones. In addition to military personnel, civilians—including women and children—who frequently flee combat also suffer from war. It's common to see violence against women in times of armed conflict as an exaggerated form of warfare. The language of battle tends to depict women as inferior beings who cannot endure, even under the cover of macho terms like strength, valor, and gallantry. Israel and Palestine are presently engaged in a legal battle over the recognition of citizenship status. Their shared goals are recognition on a national and worldwide scale, as well as equal citizenship status. To prevent humanitarian disasters in the future and ensure that violence can be defeated by clear, affirmative legislation. The economy will get better as a result of this procedure, among other benefits. The financial situation of Palestinian society will be better than it has ever been. In the same vein, they no longer saw themselves as colonized and independent.

The World Health Organization (WHO, 2020) designated the Corona Virus Disease 2019 (COVID-19) to be a global pandemic on March 11, 2020. Following then, the coronavirus has spread widely, infecting hundreds of millions of people worldwide. The World Health Organization recommends social separation as a means of

preventing the virus from spreading. Nevertheless, the advent of this epidemic did not coincide with terrorism perpetrators' worry or attention to the virus's spread. On the other hand, the terror attacks they committed capitalized on this epidemic situation. One of the nations impacted by the virus's quick spread and the ongoing terrorist attacks on its nation during this epidemic is Palestine, which is still at odds with Israel. Whether it is waged by individuals or by groups inside a nation or state, war is an instinctive human response to self-defense. But later on, people understood that to prevent needless casualties during a war, boundaries had to be established. As a result, international humanitarian law was created to govern this issue (Baroud, 2020). Three key purposes of international humanitarian law are as follows: 1. Preventing needless suffering for both fighters and civilians; 2. Upholding fundamental human rights for those captured by the enemy; and 3. Stopping heinous, borderless warfare.

Violations of international humanitarian law are known as war crimes. Any breach of international humanitarian law or the rules of war that carries criminal accountability for a person is considered a war crime. The International Military Tribunal, situated in Nuremberg, elucidated that the law is violated when civilians are killed, abused, or deported from occupied territories; when prisoners of war are killed or mistreated; when hostages are killed; when public goods or property is seized; when cities are destroyed without military necessity; and when destruction occurs without provocation. Regulations about war crimes under international humanitarian law also apply in balancing the conflict between Israel and Palestine. Victims of hostilities are afforded significant safeguards under these laws (Pappe, 2017). Nevertheless, throughout Israel's colonization of Palestine, several laws were broken, particularly those about war crimes. International humanitarian law is a corpus of legislation that focuses on armed conflict. It is a unique set of

regulations that is applicable during times of war and persists even after nations take extra precautions to resist COVID-19. Certain elements of IHL are, in fact, very pertinent in light of the current pandemic and may prove to be highly beneficial in guaranteeing an improved protective reaction for impacted communities worldwide.

The primary objective of the United Nations (UN) upon its founding was to save mankind from the peril of warfare (Roy, 2011). The upkeep of global peace and security is also covered in depth in the UN Charter. To prevent and avert threats to international peace, it is anticipated that the UN will be able to act effectively as a collective. Aside from that, it is anticipated that the UN will be able to put an end to violent activities and other actions. violation of peace and the pursuit of any person's peaceful resolution. One of the disputes that requires UN mediation is the one that separates the disputing parties; this is the continuous conflict between Israel and Palestine.

METHODS

This study employs a literature review methodology, drawing on library resources pertinent to the issue under investigation. The material reviewed in this research was gathered from several national publications and books that addressed the dispute between Israel and Palestine during the COVID-19 pandemic from the standpoint of international law. Various books, papers, and journals documenting the Israeli-Palestinian issue during the COVID-19 epidemic from an international law viewpoint were gathered as part of the data-gathering approach. Following the acquisition of the required data, data analysis is done to produce a summary of the conflicts that transpired throughout the pandemic from the standpoint of international law. To process research data and come to a conclusion at the end of the article, a technique called data analysis is employed.

RESULTS AND DISCUSSION

The State of COVID-19 in the Palestinian Territories

Due to continuous and unresolved territorial disputes, Palestine might be considered one of the countries that experience difficulties, fragility, instability, low living circumstances, and poverty. Aside from that, three tragedies brought about by this pandemic have occurred in the region: the expansion of the COVID-19 virus, the continuation of Israeli occupation, and the splits within the Palestinian population (Pappe, 2017). Since the virus's first introduction, the number of COVID-19 cases in the State of Palestine has surged. The migration of Palestinians is restricted as a policy by the Palestinian Authority. Regardless of the situation, this policy is applied without holding public meetings. Anyone who disobeys this policy will face sanctions. There was pressure on the Israeli military leadership to halt their security movement momentarily. Nevertheless, despite the implementation of this strategy, a growing number of confirmed cases exhibiting moderate symptoms were sent for home isolation since the workers were Palestinians returning from Israel.

On the other side, Palestine is always under attack from Palestine in addition to COVID-19. Significant infrastructure, including power plants, 148 schools, 15 hospitals, and over 20.000 Gazan houses, was damaged by Israeli military operations in 2014. Subsequently, this strike made matters worse for the Palestinian people, particularly in light of the growing COVID-19 epidemic. The Gaza Strip is one of the Palestinian areas that, with 6.028 persons per 1 km², is now the world's most densely inhabited territory. This location serves as a meeting point for refugees who were driven from their homes and countries by Israeli policies. The WHO's recommendation for social distancing in the context of managing the coronavirus outbreak is not feasible due to overcrowding.

Israel-Palestine Conflict During the COVID-19 Epidemic

For almost 13 years, Israel has been encircling Palestine in the Gaza Strip. During that period, the Zionist military's ability to enter and exit Gaza was likewise restricted. There is congestion there as a result of these mobility limitations. Almost two million Palestinians are living in the Gaza Strip, which is just about 365 km², or one person for every 1 m². Furthermore, over the years, a lot of cases have happened there. The Israeli army demolished many temporary structures and took away poles and tarpaulins meant to be used to construct medical tents. COVID-19 has been present in Palestine since the beginning of March 2021, yet the Israeli army's activities have not stopped. Even escalating the level of violence while ignoring the physical precautions that should be taken to stop the infection from spreading. Israeli forces typically use sticks, axes, electric shock devices, stones, and attack dogs to inflict abuse on Palestinians. Even while clean water, sanitation, and hygiene services are highly helpful for personal hygiene and hand washing as a step that is crucial to preventing the transmission of illness, damage to buildings and facilities also affects these services' quality. contagious illnesses like COVID-19. But because of the devastation this attack produced, Palestine had virtually no access to water, sanitation, or hygiene services.

96% of the limited water in the Gaza Strip was unsuitable for human consumption as of March 2021, according to UNICEF, and the Israeli embargo continued to cause delays in the delivery of necessary supplies for maintaining and repairing water systems and water treatment facilities (Niu & Li, 2020). To ensure that Palestinians do not effectively have access to sufficient water resources, Israel controls all water resources and sets a 20% cap on Palestinian water supply. Lack of access to water, sanitary facilities, and hygiene supplies worsens public health issues and increases the possibility that the COVID-19 virus may infect Palestinians. In addition, Israel refuses to fix broken waste and water infrastructure. In addition, Palestine is dealing with health issues as a result of the conflict. Hospitals in the Palestinian

state lack enough supplies and medications. In the Gaza Strip and West Bank, there are only 295 ventilators and 375 intensive care unit beds across all hospitals. This action by the Israeli army will impede the mobilization of medical personnel, supplies, Personal Protective Equipment (PPE), medications, and equipment required in all of Palestine's provinces. Health personnel and facilities have been targeted and destroyed as a result of Israeli attacks on Palestinians; these resources need to be safeguarded to continue providing regular and emergency care. In Palestine, 48,246 people have been hurt by direct Israeli assaults since 2018, and 452 people have died—the majority of them were in the Gaza Strip.

The number of COVID-19 cases that hospitals are having to handle is growing, and the Gaza Strip's frequent power shortages are making matters worse. Power disruptions, strain hospital capacity and are an ongoing concern. For the past five months, Israel has limited electricity to 13 hours per day in the Gaza Strip. Situations like these during the COVID-19 pandemic are predicted to exacerbate the Palestinian health system's already severe overload. This will make it more difficult to handle the epidemic and the Palestinian people's other pressing health needs.

Humanitarian Concerns in the Palestinian Territories During COVID-19

In the middle of the COVID-19 pandemic, Israel has been conducting occupation, deportations, and arrests for 72 years and is still doing so. The UN Security Council resolved to adopt Resolution 181, sometimes known as the "UN Partition Plan", in 1947. By the decision, Jerusalem, 43% of the land where the state of Israel was founded, and 56,5% of the land was designated as international territory (Khalidi, 2020). In response to this vote, the Zionist leaders organized Operation Dalet Plan, a large-scale deportation effort, before Israel's formal founding. Using this operation, the Zionist militia started invading villages one by one in December 1947, setting fire to and detonating explosives to drive out the inhabitants and allow the Zionists to occupy the abandoned territories.

The inclement weather in Palestine has made it difficult for Palestinians to respond to and prepare for COVID-19. Furthermore, unstable living is brought about by Palestinian socioeconomic circumstances, progressively worsening water, sanitation, and hygiene services, as well as a paralyzed and collapsing health system (AlKhalidi et al., 2020). The primary factors contributing to this problem and the deteriorating humanitarian situation during the COVID-19 epidemic are the continuous political unrest in the Palestinian territories and the physical distance between the Gaza Strip and the West Bank. The number of Palestinian refugees in the camps is growing, which is concerning. Most of them come from low-income socioeconomic backgrounds and are refugees. Because of this, measures to stop the COVID-19 virus from spreading cannot be effectively carried out. Together with the numerous negative effects of COVID-19 on Palestinians, including disruptions to their quality of life and health systems, the Israeli occupation of Palestine represents a brutal humanitarian status quo. They are expected to handle this circumstance with greater toughness and responsiveness.

International Law Opposing the Israel-Palestine Conflict

International law mandates that nations ensure the protection and upholding of each person's human rights. To promote global peace and security, as well as to preserve ties between nations that exercise their sovereignty, international law is important (Rasjid, 2005). A collection of international rules known as international law guards both the civilians caught in the crossfire and forbids the armed conflict from employing indiscriminate weaponry and tactics. The goal of this clause is to guarantee that strikes will only be launched against military targets—not civilian targets. This regulation's legal aspect states that while combatants, or "members of the armed forces", are individuals who are actively engaged in fighting and may be used as objects, civilians, or "everyone other than combatants", are to be protected from all aspects of war and cannot be used as objects of violence. brutality during combat, yet they still need to be safeguarded when taken prisoner

of war, as seen by the way the Israeli army treats Palestinians. Public spaces meant for civil society, including sources of energy and drinking water, schools, marketplaces, hospitals, and places of worship, need to be safeguarded (Halper, 2015).

Thus, women and children will undoubtedly suffer the most if this location is targeted. When there is hostilities or war, civilians are always at a disadvantage and always bear the direct costs of the conflict. When under enemy control, the civilian population will be at risk due to their weakest position. To truly protect the civilian population, the above-mentioned principles of differentiation must be further elaborated upon. These principles are as follows: a. To save civilians and civilian objects, the parties to the conflict must distinguish between combatants and civilians; b. Civilians, as well as individual civilians, must not be objects; c. Acts or threats of violence whose primary goal is to spread terror against civilians are prohibited; d. Parties to the conflict must take all reasonable precautions to save the civilian population or at the very least minimize accidental loss and damage; and e. The only people authorized to attack and detain the enemy are members of the armed forces (Shlaim, 2014).

The protection of civilians is therefore governed in detail by the 1977 Additional Protocol, particularly in section IV, and by the Geneva Convention IV, sometimes known as the “Geneva Convention” since it governs civilian protection generally based on “general principles” (Muchsin, 2015). There has been a blatant breach of international law in the way Israeli forces have treated Palestinian civilians during the fighting. There have been several Palestinian civilian casualties in this protracted battle. Attacks against Palestinians with sticks, axes, electric shock devices, stones, and attack dogs were among the violent actions committed. The IV Geneva Convention on the protection of civilians during times of conflict is violated by this action. Israel’s involvement in the COVID-19 outbreak did not lessen the severity of its attacks against Palestine. There is an increasing frequency of damage to water, sanitation, and

hygiene service infrastructures. These factors are crucial in stopping the infection from spreading. Furthermore, Israel maintains tight control over the borders and places limitations on the movement of over 700 people and their belongings through crossings and checkpoints that regulate movement within the Palestinian West Bank and the siege of the Gaza Strip (Finkelstein, 2008). Due to this, goods intended for Palestine—such as food, clothes, medical supplies, and other necessities—are not dispersed appropriately, even though Palestinians are in dire need of them in light of the coronavirus outbreak.

Israel’s Responsibility as a Power to Take Action to Stop COVID-19 from Spreading

A further danger to life in war-torn nations is the COVID-19 pandemic. A practical and adaptable *lex specialis*, international humanitarian law (IHL) offers crucial protection to those impacted by armed conflict or under occupation by nations like Palestine. Its requirements fully consider what is fair and suitable, and its provisions are tailored for exceptional situations. Thus, in nations where there is a war, this shouldn’t be viewed as a barrier to the battle against COVID-19. Conversely, it can supplement existing measures and yield greater results for communities impacted by the combined dangers of violence and COVID-19. During this pandemic, several articles of international humanitarian law are very pertinent and might prove to be highly beneficial in guaranteeing enhanced safety protocols for impacted populations.

In this case, employment law, a subset of IHL, usually applies. The takeover of a region by hostile troops is governed by occupation laws. The Hague Regulations of 1907, the Fourth Geneva Convention for the Protection of the Civilian Population in Times of War of 1949, and Additional Protocol I of 1977 all contain provisions about occupation. “Territory is considered occupied if the territory is controlled. Placed under the rule of the enemy army”, according to Article 42 of the Hague Regulations of 1907 (Smith, 2016). Only those regions where this authority has been constituted and is operational are included in the occupation. Israel

is therefore the entity that rules over the majority of the Palestinian areas, particularly the Palestinian territories. The Gaza Strip needs to fulfill its responsibility for managing and addressing the COVID-19 crisis in the area.

Since Israel is the country occupying the region, it is required by this legislation to take action to stop the COVID-19 virus from spreading on Palestinian territory. It is against international human rights law and IHL regulations to fail to fulfill this commitment. For moral or humanitarian reasons, Israel must continue to provide Palestinians with sufficient health and sanitation services in violation of the legislation. Setting aside the rivalry initially and making efforts to stop COVID-19 from spreading over the area a higher priority would be preferable for Israel. Since the situation is precarious in terms of health facilities and health professionals, it is necessary to act quickly to prevent a worse impact from this virus in the area.

Israel's Responsibilities Regarding the COVID-19 Pandemic Under International Humanitarian Law

According to Pappé (2017), Palestinians residing in war zones are entitled to protection and humanitarian treatment. Palestinians residing in war zones are entitled to humanitarian treatment and protection. Israel is responsible for the welfare of the people living in the occupied territories, and they must make every effort to provide and preserve the amenities that are accessible to them, including hospitals, public spaces, medical facilities and services, and facilities related to health and cleanliness. mostly as an occupying force working in tandem with the Palestinian government. Above all, it is a duty to take the appropriate safety measures and see to it that contagious illnesses and epidemics don't spread. These responsibilities, which may include sharing information about preventative measures, are thought to be crucial in addressing the COVID-19 pandemic. Additionally, Israel needs to make sure that, if the country's resources and medical supplies are insufficient for its people, Israel is required to bring the necessary supplies (Muchsini, 2015). International human rights law reinforces and

supplements Israel's duties under international humanitarian law to establish a health system and public health supplies in war situations.

Israel is obligated by international human rights legislation to address life-threatening elements, including illnesses that pose a threat to public health, to offer a national public health policy grounded in epidemiological evidence, to provide emergency medical care in the case of an epidemic, and to implement containment measures. Stop, cure, and manage endemic and epidemic illnesses. Aid shipments that are not allowed to be redirected from their original destination shall be protected by Israel unless there are emergencies, the population of the occupied territories is at risk, and the protective state agrees (Morris, 2008). Under all circumstances, medical and transport units affiliated with both civilian hospitals and the military forces need to be safeguarded. If it is utilized for purposes other than its humanitarian purpose—that is, for purposes other than harming the occupying country—this protection may be taken away.

CONCLUSION

Conflict over seven decades has passed since Israel and Palestine began their fight. The Israeli army has committed several violent crimes against Palestinian citizens. The COVID-19 epidemic has affected every country in the world, including Palestine, and the conflict is still going on today. Globally, COVID-19 is a major public health concern. Significant deficiencies in the social and public health systems of many nations, including Palestine, have been made evident by the COVID-19 pandemic. Palestinians' ability to maintain their health throughout the pandemic is threatened by the political climate in Palestine. A catastrophic humanitarian crisis resulted from Israel's 72-year occupation of Palestine. In addition to more than 13 years of Israeli blockade, deteriorating living circumstances in the West Bank, Gaza Strip, and East Jerusalem include overcrowding, building restrictions, raids and arrests, Israeli destruction of houses, and restricted freedom of movement across Palestine. International occupation law, which

governs the occupation of all or a portion of a territory by hostile troops, serves as the foundation for the Gaza Strip. The Israeli army, which occupies a portion of Palestine, must carry out the law's requirements by preventing the continued spread of COVID-19 by offering sufficient medical care and hygiene services, supplying supplies for humanitarian relief, respecting and defending medical practices, and shielding those who could be impacted.

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