

Article history: Submitted 16 April 2025; Accepted 23 June 2025; Available online 30 June 2025.

How to cite: Yordan Gunawan, Setiyantoro Wahyu Aditama and Irvan Mareto, 'Protection of Medical Facilities and Personnel in Gaza Conflict: Humanitarian Law Perspective' (2025) 8 Media Iuris.

Protection of Medical Facilities and Personnel in Gaza Conflict: Humanitarian Law Perspective

Yordan Gunawan¹, Setiyantoro Wahyu Aditama², Irvan Mareto³

¹ Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia.

E-mail: yordangunawan@umy.ac.id

² Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia.

E-mail: wahyu.aditama.law22@mail.umy.ac.id

³ Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia.

E-mail: irvanmareto@umy.ac.id

Keywords:

ICRC;
International Law;
Legal Protection;
Medical
Protection.

Abstract

The ongoing conflict in Gaza has significantly exacerbated the humanitarian crisis, particularly impacting the health sector. This study examines the forced expulsion of medical personnel from hospitals by the Israeli army in Gaza on December 25, 2024, which raises serious concerns regarding violations of international humanitarian law. This article analyzes the role of the International Committee of the Red Cross (ICRC) in safeguarding medical personnel and health facilities during armed conflicts, with a particular focus on the application of the Geneva Conventions. Employing a normative legal approach and case study method, this research utilizes international legal instruments, ICRC reports, and independent assessments of the Gaza conflict. The findings revealed that the expulsion of medical personnel violates fundamental principles of international humanitarian law, specifically concerning the protection of medical services in conflict zones. This study highlights the critical role of the ICRC in addressing such violations and ensuring that medical personnel can carry out their duties safely. Furthermore, it emphasizes the necessity of strengthening enforcement mechanisms and imposing sanctions against perpetrators to uphold the integrity of international humanitarian law.

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Published in Media Iuris. Published by Universitas Airlangga, Magister Ilmu Hukum.



Introduction

The protracted armed conflict in the Gaza Strip has generated a multifaceted and deeply rooted humanitarian crisis.¹ One of the most critical dimensions of this crisis is the collapse of healthcare services, which has not merely been a collateral consequence of war but a deliberate strategy in military operations that systematically target medical infrastructure.² Israeli attacks on medical facilities in Gaza—including

¹ Maj SL Kipsamu and Martin Otundo Richard, 'International Humanitarian Law Is Not Only Poorly Implemented but in Need of Additional Enforcement Mechanisms' [2022] SSRN Electronic Journal <<https://www.ssrn.com/abstract=4039123>>.

² Dzhenet-Mari Akhmatova and Malika-Sofi Akhmatova, 'Promoting Digital Humanitarian Action in Protecting Human Rights: Hope or Hype' (2020) 5 Journal of International Humanitarian Action.

hospitals, ambulances, and healthcare personnel—have had devastating effects on civilian protection and access to essential health services. The incident on December 25, 2024, involving the forced expulsion of medical staff from hospitals in Gaza, stands out as a significant violation of international humanitarian law and urgently calls for global attention.³

Under the 1949 Geneva Conventions—specifically the First and Fourth Conventions—hospitals and medical personnel are granted special protections in times of armed conflict. These conventions stipulate that medical facilities must not be attacked, and that patients and healthcare workers must be ensured safety and security.⁴ The 1977 Additional Protocol I further reinforces these protections, emphasizing that attacks against medical personnel and facilities not involved in hostilities constitute grave breaches of the laws of war. The forced removal of medical personnel from hospitals not only endangers the lives of patients under care but also represents an indirect assault on the civilian population, which heavily relies on Gaza’s already fragile healthcare system.⁵

In addition, the Hague Regulations on the Responsibilities of Occupying Powers stipulate that occupying forces are legally obligated to ensure the well-being of the civilian population under their control, particularly in providing healthcare services. Actions that deliberately obstruct medical access and disrupt health infrastructure breach this obligation, exacerbating humanitarian suffering and deepening social and economic instability.

The situation is further aggravated by restricted access for international humanitarian organizations, including the International Committee of the Red Cross (ICRC), which serves as a neutral actor in delivering aid and protection to victims of conflict. The ICRC, mandated by the Geneva Conventions to uphold humanitarian principles, has repeatedly condemned attacks on medical facilities in Gaza and urged

³ Shmuel P Reis and Hedy S Wald, ‘The Hamas Massacre of Oct 7, 2023, and Its Aftermath, Medical Crimes, and the Lancet Commission Report on Medicine, Nazism, and the Holocaust’ (2024) 13 Israel Journal of Health Policy Research 19 <<https://ijhpr.biomedcentral.com/articles/10.1186/s13584-024-00608-w>>.

⁴ Shmuel P Reis and Hedy S Wald, ‘The Hamas Massacre of Oct 7, 2023, and Its Aftermath, Medical Crimes, and the Lancet Commission Report on Medicine, Nazism, and the Holocaust’ (2024) 13 Israel Journal of Health Policy Research 19 <<https://ijhpr.biomedcentral.com/articles/10.1186/s13584-024-00608-w>>.

⁵ Jerome Teitel and Joel Zivot, ‘Health-Care Workers Can Take the Lead in Ending the War in Gaza’ (2024) 404 The Lancet 122 <[http://dx.doi.org/10.1016/S0140-6736\(24\)01251-0](http://dx.doi.org/10.1016/S0140-6736(24)01251-0)>.

all parties to respect international humanitarian law. Nevertheless, the ICRC's ability to respond effectively is frequently hampered by hazardous conditions on the ground, administrative barriers imposed by authorities, and a lack of political will within the international community to enforce accountability for such violations.⁶

The destruction of healthcare infrastructure and the displacement of medical staff generate far-reaching consequences beyond immediate physical harm. The resulting collapse of essential services – such as maternal care, treatment for chronic illnesses, and emergency medical response – jeopardizes the health of countless civilians. Over time, this can escalate into a widespread public health crisis, deepen psychological trauma, and perpetuate a cycle of suffering that is difficult to break.⁷

This study seeks to examine the forced expulsion of medical personnel from hospitals in Gaza on December 25, 2024, within the framework of international humanitarian law.⁸ It is grounded in the legal principles established in the 1949 Geneva Conventions, the 1977 Additional Protocols, and the Hague Regulations on the Duties of Occupying Powers. The primary aim is to identify the legal violations committed, evaluate the response of international humanitarian actors, particularly the ICRC, and analyze the structural obstacles to effectively enforcing legal protections for healthcare workers in conflict zones.⁹

This paper is structured into several key sections. The first section explores the conceptual and legal foundations of protections for medical personnel and facilities under international humanitarian law.¹⁰ The second chapter investigates the ICRC's

⁶ Muhammad Sher Abbas, 'Challenges To The Successful Prosecution Of War Crimes' [2021] SSRN Electronic Journal <<https://www.ssrn.com/abstract=3760300>>.

⁷ Lara Hakki, Eric Stover and Rohini J Haar, 'Breaking the Silence: Advocacy and Accountability for Attacks on Hospitals in Armed Conflict' (2020) 102 *International Review of the Red Cross* 1201 <https://www.cambridge.org/core/product/identifier/S1816383121000382/type/journal_article>.

⁸ Mutaz Qafisheh, 'Genesis of Citizenship in Palestine and Israel. Palestinian Nationality during the Period 1917-1925' (2009) 11 *Journal of the History of International Law / Revue d'histoire du droit international* 1 <https://brill.com/view/journals/jhil/11/1/article-p1_1.xml>.

⁹ Motti Golani, '1948: A History of the First Arab-Israeli War' (2010) 29 *Journal of Israeli History* 125 <<http://www.tandfonline.com/doi/abs/10.1080/13531041003595191>>.

¹⁰ Mohammadreza Salehi and others, 'War Attacks on Medical Staff, Hospital and Healthcare System During 225 Days in Gaza: A Scoping Review and Efficiency Assessment of the International Humanitarian Law' (2024) 8 *Journal of Iranian Medical Council* 13 <<https://publish.knepublishing.com/index.php/JIMC/article/view/17056>>.

strategic and operational responses to medical protection violations in Gaza.¹¹ The third chapter assesses the practical challenges to enforcing international law on the ground, including access, security, and accountability issues.¹² The final section presents the research findings and offers recommendations for strengthening the legal and institutional frameworks for protecting healthcare workers and enhancing coordination among international bodies in future conflict situations.¹³

Research Method

This study utilized a normative analysis approach with a focus on international law, especially the Geneva Conventions, in examining the forced expulsion of medical personnel from hospitals in Gaza carried out by Israeli forces. This method was used to evaluate the extent to which Israel's actions violate international humanitarian law in the context of the protection of medical personnel and health facilities in conflict zones. A normative analysis was applied to discuss and evaluate the application of international humanitarian law principles, paying attention to how the Geneva Convention should protect medical personnel in conflict zones. This study considers the recommendations of the ICRC regarding medical protection measures that can be taken and the challenges encountered in applying international law amid complex and prolonged situations. Through this approach, readers will understand the effectiveness of protection in the context of armed conflict and the contribution of international law in addressing human rights violations in Gaza.

Israel's Violation of International Humanitarian Law in the Protection of Medical Personnel and Healthcare Services During War

The application of war to resolve a conflict must comply with the applicable rules of International Humanitarian Law, indicating that all parties are obliged to obey, do,

¹¹ Teitel and Zivot (n 4).

¹² Mohamed Elsayi and others, 'Health in the Crossfire-Analyzing and Mitigating the Multifaceted Health Risks of the 2023 War on Gaza' (2024) 2024 Public Health Research 1 <<https://www.researchgate.net/publication/377471651>>.

¹³ Cosette D Creamer and Beth A Simmons, 'The Proof Is in the Process: Self-Reporting Under International Human Rights Treaties' (2020) 114 American Journal of International Law 1 <https://www.cambridge.org/core/product/identifier/S0002930019000708/type/journal_article>.

and not ignore the agreed provisions and regulations.¹⁴ The provisions of International Humanitarian Law have several forms, such as international treaties and protocols. It includes the 1949 Geneva Convention and its additional protocols. The application of this law is to regulate the protection of parties involved in the armed conflict, especially the medical team; effort is made so that the medical team is not involved in the conflict and focuses on treating sick and injured civilians and soldiers.¹⁵

In the event of conflict or war, in addition to the parties directly involved in the war conflict, namely the combatant (direct) parties who are open to carrying weapons and medical groups that act as providers of humanitarian assistance to help both military and volunteer status, have been listed in the 1949 Geneva Convention.¹⁶ Not only to the community as an object, protection is also given to buildings and health units in all situations and conditions that should not be the target of fire. The protection to which civilian hospitals are entitled will not end unless the hospital is used to commit, beyond their humanitarian duties, actions that are detrimental to the enemy.¹⁷ However, protection can only end after a proper warning has been given, namely, in all appropriate cases, a reasonable time limit, and after such warning has not been heeded, as set out in Article 19 of the 1949 Geneva Convention.¹⁸

International humanitarian law is governed by the 1949 Geneva Convention, which consists of four conventions and three additional protocols, as one of the international treaties.¹⁹ As explained earlier, in Article 19 of the Geneva Convention,

¹⁴ Carmit Katz and Noa Cohen, 'Invisible Children and Non-Essential Workers: Child Protection during COVID-19 in Israel According to Policy Documents and Media Coverage' (2021) 116 *Child Abuse and Neglect* 104770 <<https://doi.org/10.1016/j.chiabu.2020.104770>>.

¹⁵ Eran Bendavid and others, 'The Effects of Armed Conflict on the Health of Women and Children' (2021) 397 *The Lancet* 522 <<https://linkinghub.elsevier.com/retrieve/pii/S0140673621001318>>.

¹⁶ Adelia Ratna Suraningsih and others, 'An Exploration of The Existence and Humanitarian Role of The Icrc in Resolving the Palestinian-Israeli Conflict in The Gaza Region' (2024) 9 *Al Ijarah : Jurnal Pemerintahan dan Politik Islam* 11 <<https://ejournal.uinfasbengkulu.ac.id/index.php/alimarah/article/view/4851>>.

¹⁷ *ibid.*

¹⁸ Liudmila Ulyashyna, 'Withdrawal from a Human Rights Treaty and Preemptory Norms of International Law: The Case of "Belarus 2020"' (2024) 17 *Baltic Journal of Law & Politics* 70 <<https://www.sciendo.com/article/10.2478/bjlp-2024-0004>>.

¹⁹ Kushartoyo Budisantosa, 'Studi Komparatif Konflik Bersenjata Non-Internasional dalam Hukum Humaniter Internasional (Comparative Study on Non-International Armed Conflict in International Humanitarian Law)' (2021) 2 *terAs Law Review : Jurnal Hukum Humaniter dan HAM* 1 <<https://e-journal.trisakti.ac.id/index.php/terAs-Lrev/article/view/9051>>.

civil society is the object of protection in war and includes buildings and their health units. Article 3 of the four Geneva Conventions of 1949 regulates acts prohibited during war. It states that in the event of an armed dispute of a non-international nature occurring in the territory of one of the Great Contracting Parties, each party must comply with at least the following provisions:²⁰

1. Those who do not take an active part in the dispute, including members of the armed forces who have laid down their weapons and those who no longer participate in combat due to illness, injury, detention, or any other reason, shall in any circumstances be treated with humanity, without any adverse distinction whatsoever based on ethnicity, color, religion or belief, sex, heredity or wealth, or any other similar criteria. For this purpose, the following acts are prohibited and will remain banned from being committed against the aforementioned persons at any time and in any place:
 - a. Acts of violence against the soul and body, especially all kinds of murder, defamation, cruel treatment, and persecution;
 - b. Standoff;
 - c. Rape of personal honor, especially degrading and degrading treatment.
2. Punishing and carrying out the death penalty without being preceded by a judgment handed down by a court established regularly, which provides all judicial guarantees deemed necessary by civilized nations.
3. The sick and wounded must be collected and treated. For example, the International Committee of the Red Cross can assist dissenting parties. The disputing parties shall then endeavor to satisfy all or part of the other provisions of this Convention by consent. The legal condition of the parties to the dispute will not be affected by the implementation of the above provisions.

International humanitarian law regulates medical personnel to organize and care for the wounded during wartime. Therefore, medical personnel should not be attacked or

²⁰ Shenny Shenny and others, 'Penggunaan Senjata Kimia oleh Suriah Dikaitkan Dengan Konvensi Internasional' (2023) 19 *Supremasi Hukum* 45 <<http://ejournal.unis.ac.id/index.php/JSH/article/view/3342>>.

detained and should be protected as humanitarian aid providers in times of conflict. Some relevant International Humanitarian Law documents can also be used to protect medical personnel in situations of armed conflict, such as the Rome Statute (1998), Additional Protocol I/1977, and the Geneva Convention IV/194 on the Protection of Civilians in War.²¹ It is emphasized in international humanitarian law that medical personnel must be respected by all parties to the conflict; they are responsible for providing medical care to all victims, and they must not be targeted in conflict or war.

It is very unfortunate that, in this case, the Israeli forces do not care about the rules and regulations that have been made and agreed upon by many countries. They committed acts that violated the application of the basic principles stipulated by international humanitarian law, where they forced the expulsion of medical personnel, patients, and refugees, and stopped the operation of health units.²² As explained earlier in Article 19 of the Geneva Convention, civil society is the object of protection in war and includes buildings and their health units.

Completely devoid of humanity, Israeli forces have not only expelled medical personnel, patients, and refugees, they also set fire to the hospital and killed and injured medical personnel and patients.²³ Thus, the remaining medical staff, patients, and survivors were forced to be expelled from the hospital at gunpoint. By looking at the content of the Geneva Convention and other international conventions, it can be seen that there is a human value instilled in providing special treatment, action, and protection for medical personnel who perform special duties in conflict situations.²⁴

²¹ Waldemar A Solf, 'Protection of Civilians Against the Effects of Hostilities Under Customary International Law and Under Protocol', *The Conduct of Hostilities in International Humanitarian Law, Volume I*, vol 1 (Routledge 2023) <<https://www.taylorfrancis.com/books/9781003417255/chapters/10.4324/9781003417255-3>>.

²² Eyal Ben-Ari, Elisheva Rosman and Eitan Shamir, 'Neither a Conscript Army nor an All-Volunteer Force: Emerging Recruiting Models' (2023) 49 *Armed Forces & Society* 138 <<http://journals.sagepub.com/doi/10.1177/0095327X211048216>>.

²³ Zouheir A Maalej and Aseel Zibin, 'Metaphors They Kill by: Dehumanization of Palestinians by Israeli Officials and Sympathizers' (2025) 25 *International Journal of Arabic-English Studies* 201 <<https://ijaes2011.net/index.php/IJAES/article/view/693>>.

²⁴ Ben Bornstein, 'Shades of Universality: Variation of Performances in the Globalized Israeli Human Rights Discourse' (2021) 64 *Sociological Perspectives* 411 <<https://journals.sagepub.com/doi/10.1177/0731121420950762>>.

ICRC's Approach and Response to Protecting Medical Personnel in Conflict Zones

Medical personnel and health facilities are often in high danger during armed conflict, especially when the rule of international humanitarian law is ignored. One of the most prominent cases is the expulsion of patients, medical personnel, and refugees from hospitals in Gaza by the Israeli military. This action poses a humanitarian crisis and challenges the implementation of international law, especially the Geneva Conventions.²⁵

The International Committee of the Red Cross (ICRC), a neutral organization whose main task is to ensure the protection of victims of armed conflict, is responsible for addressing these violations strategically. The ICRC does not only focus on direct rescue; it also seeks to encourage law and humanitarian diplomacy to raise awareness of the importance of protecting medical personnel in conflict zones.²⁶

The establishment of the ICRC is solely to ensure that victims of armed conflict receive protection and assistance as regulated by International Humanitarian Law. The ICRC not only provides direct assistance on the ground but also encourages the development and promotion of humanitarian law to governments and international organizations.²⁷

In every armed conflict around the world, such as the one currently taking place in Gaza, the ICRC is committed to being available and responsive in providing the necessary humanitarian assistance to the victims, including journalists. It is very difficult for the ICRC to provide humanitarian assistance to the victims in Gaza because of the conflict there, including the prolonged humanitarian tragedy and the blockade imposed by Israel. However, in accordance with International Humanitarian Law, all parties involved must ensure an evacuation route that is free of obstacles.

The International Committee of the Red Cross (ICRC) plays an active role in assisting victims of the armed conflict in Palestine. However, it is unfortunate that the Israeli army often attacks humanitarian aid provided by the ICRC. The Israeli army

²⁵ Creamer and Simmons (n 12).

²⁶ Sridevi Krishna, 'Implementing International Humanitarian Law through ICRC' (2024) 10 SSRN Electronic Journal 24 <<https://www.ssrn.com/abstract=4898832>>.

²⁷ Emily Crawford and Alison Pert, *International Humanitarian Law*, vol 3 (Cambridge University Press 2015) <<https://www.cambridge.org/highereducation/books/international-humanitarian-law/F97E9EA23E78309DABA8E239BE362035#contents>>.

attacked two vehicles belonging to the International Committee of the Red Cross (ICRC) and five trucks carrying humanitarian aid in the Gaza Strip.²⁸ The ICRC strongly condemned Israel's actions and called on Israel to stop the attack. The ICRC reminded the international community to increase its pressure on Israel to immediately end the blockade of the Gaza Strip, which has lasted for two years and is causing suffering to Gazans. Humanitarian aid alone is not enough to alleviate the suffering of Gazans, and there needs to be a decisive political solution to restore their lives.²⁹ The ICRC has always played an important role in every war that takes place around the world. Its role includes providing necessities, visiting detainees, uniting families of missing persons, recording and evacuating victims, providing protection to children and women who are victims, socializing International Humanitarian Law to the international community, and carrying out human rights violations.³⁰ According to journalists, the presence of the ICRC is very helpful in dealing with victims of armed conflict. The ICRC is present in every armed conflict around the world and works with the United Nations to better meet the needs of the victims.³¹ The ICRC will not take sides with anyone; it is only tasked with assisting the victims of armed conflict and ensuring that International Humanitarian Law is properly applied. No obstacles are preventing the ICRC from carrying out its mandate to help victims of armed conflict.³²

The ICRC provides an approach to medical personnel and patients by providing significant support to health facilities, such as sending medicines, medical equipment, and other necessities needed for hospital operations. Even though it is in a slumped

²⁸ Robert Jackson Courtney, 'Robert Jackson Courtney, MD Mark E. Pennesi, MD, PhD' (2014) 129 802 <https://www.traumamon.com/article_183231.html>.

²⁹ Rama Fatihul Ihsan, 'Peran the International Committee of the Red Cross (ICRC) Pada Perlindungan Jurnalis Korban Perang Menurut Hukum Humaniter Internasional' (2024) 17 Proceedings Series on Social Sciences & Humanities 387 <<https://conferenceproceedings.ump.ac.id/pssh/article/view/1150>>.

³⁰ Olena Chuprynska, 'The Role And Efficiency Of The International Committee Of The Red Cross In Providing Assistance During Humanitarian Crises' [2022] InterConf 20 <<https://archive.interconf.center/index.php/2709-4685/article/view/1140>>.

³¹ Miriam Bradley, 'From Armed Conflict to Urban Violence: Transformations in the International Committee of the Red Cross, International Humanitarianism, and the Laws of War' (2020) 26 European Journal of International Relations 1061 <<https://journals.sagepub.com/doi/10.1177/1354066120908637>>.

³² Fitri Adi Setyorini, 'The Role of The Humanitarian Action International Committee for The Red Cross (Icrc) in The 2011 Libya Revolution' (2021) 5 Journal of Islamic World and Politics 35 <<https://journal.umy.ac.id/index.php/jiwp/article/view/6694>>.

condition in the conflict area, the ICRC will continue to strive to ensure vital assistance in achieving the objectives that it firmly upholds.³³ In a situation where several hospitals in Gaza have been forced to shut down, the Israeli government has deliberately damaged the health system. As such, the ICRC seeks to support facilities that are still functioning, such as Al-Awda or Al-Shifa hospitals, focusing on providing more supplies to hospitals that are still operating to treat patients and survivors of war.³⁴

In carrying out its role, the ICRC divides its activities into several areas, namely protection and coordination of operations, Central Tracing Agency activities, medical activities, assistance activities, implementation, research, and development of international humanitarian law, dissemination of international humanitarian law, relations activities with international organizations, and activities in the development of the Movement.³⁵

Challenges in the Implementation of International Law

Although international rules, principles, and laws have been applied by many countries, there are certainly many challenges that will be faced. In particular, international law regulates the protection of medical personnel in situations of conflict or humanitarian crisis through various legal instruments such as the 1949 Geneva Convention and other rules, as well as human rights principles regulated by the United Nations. However, the implementation of international law in the case of the expulsion of medical personnel faces various challenges. In terms of the expulsion of medical personnel, many problems hinder the implementation of international law. The clash between state sovereignty and international obligations is a major problem. The state has the right to control its immigration and domestic security policies, including expelling foreign medical personnel. However, the expulsion of foreign medical personnel can be contrary to international obligations,

³³ Kokha, Ayad Yasin Husein., Qadir, Amanj Ali, 'The Role of ICRC in Establishing Protected Areas' (2024) 22 27.

³⁴ Suraningsih and others (n 15).

³⁵ Diego Stöcklin, 'Redefining the Neutral Intermediary Role: Balancing Theoretical Ideas with Practical Realities through the ICRC's Experience in Yemen' [2024] International Review of the Red Cross 1 <https://www.cambridge.org/core/product/identifier/S1816383124000493/type/journal_article>.

especially if it is carried out amid a humanitarian crisis or pandemic that requires the intervention of foreign medical personnel. In some cases, the expulsion of foreign medical personnel is also carried out for political or national security reasons, where the state suspects that foreign medical personnel have a hidden agenda that could threaten their interests.³⁶

In addition, the uncertainty and weakness of the international law enforcement system hinder the protection of medical personnel. Although a number of international legal instruments have protected medical personnel, enforcement mechanisms are often ineffective due to the lack of binding jurisdiction and the lack of effective sanctions for countries committing violations. Politicization is also a big problem, as some countries use national security reasons to expel medical personnel who behave genuinely humanely. It is further exacerbated by human rights violations, as the expulsion of medical personnel can hamper health services, especially in conflict areas or developing countries that rely on international medical personnel.³⁷

The forced expulsion of medical personnel from hospitals in Gaza on December 25, 2024, constitutes a serious violation of international humanitarian law, particularly the protections enshrined in the 1949 Geneva Conventions, the 1977 Additional Protocols, and the Hague Regulations on Occupying Powers. This act not only jeopardizes the lives of patients and undermines the integrity of the Palestinian healthcare system but also sets a dangerous precedent for the treatment of medical workers in armed conflict zones. The study highlights that such violations are compounded by systemic obstacles, including restricted access for humanitarian actors, the lack of enforceable accountability mechanisms, and the unwillingness of certain state actors to cooperate with international organizations such as the ICRC and WHO. These factors collectively create a legal vacuum where medical personnel are left vulnerable, operating without clear legal protections or institutional support.

³⁶ Hilmi S Salem, 'Difficulties, Problems, Limitations, Challenges, and Corruption Facing Cancer Patients in the Occupied Palestinian Territories: The West Bank, Including East Jerusalem, and the Gaza Strip' (2023) 2 *Med Discoveries* <<http://meddiscoveries.org/articles/1024.html>>.

³⁷ Osama Tanous, Bram Wispelwey and Rania Muhareb, 'Beyond Statelessness: "Unchilding" and the Health of Palestinian Children in Jerusalem' (2022) 4 *Statelessness & Citizenship Review* 88 <<https://statelessnessandcitizenshipreview.com/index.php/journal/article/view/323>>.

Despite these challenges, the ICRC continues to play a crucial role in advocating for the protection of healthcare services and monitoring violations. However, its efforts are often constrained by political resistance and limited enforcement capabilities. The situation in Gaza underscores the urgent need for stronger legal instruments and institutional frameworks that can enforce compliance and provide tangible protections for healthcare workers in conflict settings. To address this critical issue, the paper recommends: (1) the establishment of international investigative bodies with authority to document and prosecute violations against medical personnel; (2) enhanced coordination and cooperation between states, international organizations, and NGOs; and (3) the harmonization of national legal frameworks with international humanitarian standards to ensure consistent protection and enforcement. Only through a multifaceted and collaborative approach can the international community ensure that medical personnel are not only legally protected but also empowered to carry out their humanitarian missions without fear of reprisal.

Conclusion

The compelled expulsion of medical personnel, patients, and refugees from hospitals in Gaza represents a grave infringement of international humanitarian law, namely the Geneva Conventions, which require the safeguarding of healthcare workers and facilities amid armed hostilities, notwithstanding explicit legislative prohibitions against assaults on medical staff and facilities, such infractions persist, intensifying the humanitarian crisis in Gaza. The intentional assault on hospitals not only denies citizens critical medical services but also signifies a wider effort to undermine the Palestinian healthcare infrastructure. Entities such as the International Committee of the Red Cross (ICRC) have been instrumental in mitigating these transgressions by delivering humanitarian assistance, promoting adherence to international law, and bolstering operational healthcare facilities.

The efficacy of international legal systems is impeded by inadequate enforcement, political obstacles, and the lack of rigorous punitive measures against offenders. The inability to hold violators accountable diminishes the legitimacy of international

humanitarian law and establishes a perilous precedent for future wars. To tackle these persistent issues, it is imperative to bolster legal accountability via institutions such as the International Criminal Court (ICC), augment international collaboration to safeguard medical staff, and refine enforcement mechanisms for humanitarian law. Failure to take decisive action will result in ongoing neglect of medical safeguards in conflict zones, leading to additional fatalities and the deterioration of essential humanitarian standards. The global community must implement definitive measures to maintain medical protections and ensure the integrity of healthcare services in conflict-affected areas.

Acknowledgments

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Disclosure Statement

No potential conflict of interest was reported by the author.

Funding

No funding was received for this research.

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