

The Right to Education Amidst the Palestine-Israel Conflict: A Human Rights Perspective

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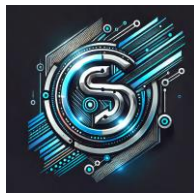
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Abstract: The protracted conflict between Israel and Palestine, rooted in historical and geopolitical tensions since the Balfour Declaration of 1917, has resulted in widespread human rights violations, particularly impacting the right to education. This article examines how the ongoing conflict has obstructed access to basic human rights for Palestinians, with a focus on the education sector. Utilizing a qualitative approach through literature review, the study analyzes the impact of military aggression, occupation policies, and systemic restrictions imposed by Israel on Palestinian educational infrastructure, curriculum, and students. The findings reveal significant violations, including school demolitions, curriculum control, displacement of educators and students, and psychological trauma experienced by children. Despite the involvement of international legal instruments and humanitarian organizations such as the UN, ICC, and UNICEF, efforts remain insufficient due to political obstacles and enforcement limitations. The study underscores the urgent need for stronger international accountability and the protection of educational rights in conflict zones, emphasizing that education is not only a fundamental human right but a key to peace, development, and the preservation of cultural identity.

Keywords: Israeli-Palestinian Conflict, Right to Education, Human Rights Violations, International Law, Children in Conflict Zone.

INTRODUCTION

The Israeli-Palestinian geopolitical conflict is one of the most complicated and protracted international issues. The history of the Israeli-Palestinian conflict dates back to the late 19th and early 20th centuries, when the Zionism movement, which sought to establish a Jewish homeland, gained momentum. Many people consider the pamphlet *The Jewish State* written by Theodor Herzl (1860-1904), an Austro-Hungarian Jew, as the foundation of modern political Zionism. The movement's goal was to establish a Jewish homeland in Palestine, which at the time was part of the Ottoman Empire. For many years, the Palestinian territories had a predominantly Arab population consisting of Palestinian Arabs, Jews, and Christian communities. As Jewish immigration to Palestine increased, tensions in the region began to rise. The British government adopted the 1917 Balfour Declaration during World War I and supported the establishment of a



“national home for the Jewish people” in Palestine. This declaration exacerbated conflicts and identity differences among communities living in the Palestinian territories (Iwan, 2023). Beyond political conflicts and territorial struggles, this conflict has a severe impact on the human rights of civilians. International organizations such as the United Nations, Human Rights Watch, and Amnesty International have also highlighted the human rights violations that occur in the Palestinian territories. (Iklima Nur Sya`bani et al., 2024)

Various literatures that discuss the Israeli-Palestinian conflict also highlight human rights violations. A study conducted by Anam and Ilmih (2024) analyzed human rights violations in the Palestinian-Israeli conflict. Many violations occurred during Israeli military operations and they violated the laws of war (Aina et al., 2024). Research by Juwanta (2024) also discusses human rights in the context of the protection of human rights of prisoners based on International Humanitarian Law (HHI) because many of those who are prisoners experience torture. One of the efforts of the agreement that has been made by the Palestinians with Israel is to hold the 1993 Oslo Agreement to create various agreements towards peace. When the agreement was signed by Israel. However, in the middle of the 1993 Oslo Agreement it turned out that both parties carried out attacks, massacres carried out in extreme by Jews to Palestinians, resulting in 30 fatalities and hundreds of injuries (Badjodah et al., 2021).

Meanwhile, the United Nations participated in resolving the conflict between Palestine and Israel by issuing a resolution requiring Israel to leave the Palestinian territories, but Israel did not want to leave the territory. The United Nations proved to have no strong power against Israel because until this moment Palestine and Israel are still in conflict and have not found a point of resolution. (Christian Max, 2024). Where it should be known that Israel has committed human rights violations, and deprivation of rights owned by the Palestinian people.

This protracted conflict is heating up again and there are many human rights violations. This problem is very serious, because it disturbs the dignity and freedom of a person and is not in line with human values. Civilians are the victims of atrocities by armed forces, they are kidnapped, tortured, restricted in their freedom, and killed (Christian Max, 2024). Bombings on civilian facilities and restrictions on humanitarian aid caused crises and killed many civilians. Prisoners of war from civilian communities often have their human rights violated inhumanely. Various resolution and advocacy efforts have been made as a step in resolving the conflict between Israel and Palestine, but still have not produced positive results.



Israel controls territories taken over during wars with Arab states, such as the West Bank, Gaza Strip, and part of East Jerusalem. This has led to a long conflict over Israeli settlements in these areas. Hundreds of thousands of Palestinians have been displaced and now live in various countries and refugee camps. Meanwhile, around 2 million Palestinians are in open prisons in the West Bank and Gaza Strip. Their rights to live are restricted by the Israeli regime, not only that they cannot receive education, clothing and food. However, the solution to the problem of education in Palestine has not yielded the desired results. Palestinian families highly value education in all environments. One of the most serious problems that still hinders educational progress in Palestine is the attacks or threats of attacks on schools in Gaza and the West Bank, which continue until 2022. The problem of education in the region is worsened by the blockade of Palestinian schools and the presence of the Israeli military that controls school land (Bonyan, 2022).

Education is one of the most important pillars in the development of a nation. Education in Palestine is not only a means to improve the quality of human resources, but also a source of hope in the midst of various challenges that must be faced. Education in Palestine faces considerable challenges due to the prolonged conflict. However, behind the difficulties, there is hope that continues to grow thanks to the unity of the community and the help of various parties (Amil SDM, 2025). One of the most basic human rights that has been recognized globally is the right to education. This provision is found in Article 26 of the Universal Declaration of Human Rights (UDHR), and reinforced in Articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as in the Convention on the Rights of the Child (CRC). Education is seen not only as a means of knowledge transfer, but also as an important tool for building social awareness, tolerance and reconciliation. The right to education in armed conflict is not only a moral recommendation, but also an international legal obligation. Moreover, the importance of realizing this right depends on the role of education in ensuring the realization of other rights, such as social, economic, political and civil rights. Without adequate education, people's ability to fight for their rights will be severely limited.

In September and October 2022, a large wave of protests took place in Jerusalem involving thousands of Palestinian parents and teenagers. This action was a form of rejection of the Israeli Ministry of Education's policy that seeks to implement a new curriculum in Palestinian schools. Palestinians believe that this policy could threaten the identity and national identity of their young generation (Jaramaya, R., 2025a). The Israeli side, through a statement by Education Minister Yifat Shasha-Biton, stated that this



policy was driven by concerns over the content of Palestinian textbooks that are considered to portray the Israeli military negatively and glorify figures considered a threat to Israel's national security. This difference of view reflects the contrasting narratives between the two sides: Israel views Palestinian resistance as a form of terrorism, while Palestine sees it as a legitimate struggle for independence (Jaramaya. R., 2022b). In this context, education becomes a battleground for meaning and ideology. In response to the deteriorating conditions, UNESCO, UNICEF and the Sustainable Development Goals (SDGs) agenda and focus on protecting children in Palestine, especially in the areas of education, science and culture. For example, UNICEF has helped children feel safe when they go to school and return home by establishing protection systems for them, especially for children living in the Gaza region (UNICEF, 2022). UNICEF has also launched other outstanding programs to address the educational challenges of children in Palestine.

However, as stated in the previous paragraph, the author concludes that the role and attitude of UNICEF towards the protection of children in Palestine is still uncertain along with the increasingly complex educational crisis and even threatens the loss of identity or culture of children in Palestine in 2022. Thus, Palestinian resistance groups and Israeli Zionists continue to fight each other. Clashes between them in August 2022 caused damage to schools in Palestine. As a result, many children in Palestine are still unable to attend school and learn. (Adhi, 2022)

Research by Sulubara, et al (2024) analyzed human rights in the Palestinian-Israeli conflict using legal protection theory (Sulubara et al., 2023). Legal protection theory starts from the idea that law exists to coordinate various conflicting interests in society. Fitzgerald in this study explains that the law functions to determine which interests are worth regulating and protecting, by limiting the interests of other parties. Therefore, legal protection is the result of social agreements in the form of norms that are jointly compiled to regulate relationships between individuals. This weakness in analyzing human rights violations in Palestine is because this theory implicitly presupposes that all interested parties are in a relatively balanced position. This theory tries to mediate between two parties, but it can obscure the fact that one party is being oppressed by another stronger party.

This title was chosen because it will discuss and analyze how the conflict between Israel and Palestine affects human rights, including education, which is one of the basic rights internationally, but is often neglected in the context of conflict, including in Palestine. This research is important to highlight how prolonged conflict has a direct impact on the education system and the future of the younger generation. The purpose of writing this journal is for readers to understand (1) How the Israeli-Palestinian conflict affects access and quality of education in Palestine. (2) Why the right to education is important in the



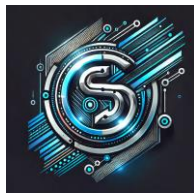
international human rights framework. (3) What are the forms of violations of the right to education that occur in Palestine.

METHOD

This article uses a qualitative research method with a literature study approach to examine the abuse of human rights that is happening in Palestine. In John Creswell's book, qualitative research is an approach to exploring and understanding the meaning given by individuals or groups to a social or human problem (*Creswell, 2009.*). The article uses qualitative research methods to deeply understand individual perceptions of the Palestinian issue that occurred in the Middle East region. The purpose of this qualitative approach is also to explore the meaning behind the actions taken against the Palestinian people, such as what is the background of the human rights violations. Qualitative research is considered to be able to provide in-depth information about perceptions in the social context of human rights violations that are happening.

Literature data collection will use various sources such as books, journals, and research from previous studies. (Magister et al., 2007.) This library data collection strategy was carried out due to limited physical access to the conflict area. In addition, data was also obtained through documentation in news reports and social media that contained incidents of human rights violations in Palestine. This technique was used by researchers to respond, assess, and analyze the pattern of violence that occurred, as well as to see how the community responded to it. The literature study approach was used to examine various perspectives related to human rights violations, such as from a legal, socio-political, and humanitarian perspective. Thus, the data that has been collected comes from written documents that have been published. Of course, this is also adjusted to the sensitivity of the issues raised and the limited access to conflict areas.

The strategy is to analyze and select the literature that has been collected to meet the matters to be discussed in the article. The sources used are reports from the United Nations (UN), as well as national and international journals to see perspectives on human rights violations in Palestine. The use of informants was not carried out in this research because the approach chosen was a literature study. Methodologically, a literature study does not require interaction with the research subject, unlike the field study approach. Literature study focuses more on sources from written documents, which are used as the basis for analyzing articles. However, the author will still pay



attention to the views of experts related to this matter conveyed through their written works. This is done by researchers to further deepen understanding and also to expand information related to the issues discussed. The views of experts are found through written works such as their scientific articles, analysis reports and also published research results from trusted institutions.

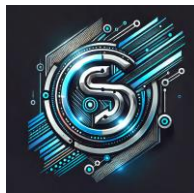
The documents collected to support the research data are data sources that contain various information related to the forms of human rights violations that occur in Palestine. Researchers focus on data that provides information related to acts of violence that occur in the community, restrictions on access to health and education, to detention without legal process. The data obtained will be re-analyzed using a descriptive analysis approach, to describe how conditions occur systematically. The data will also be linked to principles and norms related to human rights. Through this method, it is hoped that researchers can provide information related to human rights violations that have occurred in Palestine. In addition, it is hoped that researchers can provide understanding and awareness of the importance of protecting human rights (Zed, 2007).

RESULT AND DISCUSSION

Early History of the Palestinian-Israeli Conflict

Conflicts can occur due to clashes between individuals, between groups, or groups with individuals. One example is the conflict between Palestine and Israel. This is one of the prolonged and difficult conflicts to be resolved in the world. The conflict certainly has a history behind it. This conflict stems from the confiscation of territory by Israel to Palestine. The background is the Balfour Declaration which was officially declared on November 2, 1917. The name of this declaration is taken from the name of the Foreign Secretary General named Lord Balfour. The declaration said that Arthur James Balfour approved and was pleased with the British government towards the Zionist aspirations that had been approved by the British government cabinet. (Nurjannah & Fakhruddin, 2019) The British government agreed that there would be the establishment of a homeland for Jews in the Palestinian territories. With this, the Jews benefited because the British government would try to facilitate the establishment of a homeland for them.

The Balfour Declaration was motivated by a request from a British Jew named Chaim Weizmann. For his services in helping to create a weapon formula to win the war, Chaim was rewarded by British Minister David Lloyd George. Weizman asked for territory for the Jews,

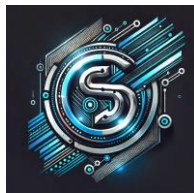


namely the Palestinian territories which were then in British hands. Finally David Lloyd George agreed to Weizmann's request. This triggered a debate between Palestinians and Jews in terms of territorial struggle. The Jews felt more powerful to occupy the Palestinian territories, until the formation of the State of Israel in 1948. (Wahidin & Wati, 2024) The Palestinian Arabs did not accept when their territory was occupied by the Jews. However, the Jews had various ways of realizing their goal of inhabiting the Palestinian territories. The Jews carried out gradual immigration such as by purchasing the land of the Arab population and also closing the daily needs of the Palestinian Arab population so that they experienced poverty and could immediately sell their land to the Jews. So this will also trigger disputes between Palestinians and Israelis.

The conflict between Palestine and Israel has been going on for a long time. There are several factors that cause the war to continue, namely, first in the economic field, Palestine is a country rich in black gold and is an area that is a connecting route between three continents namely Africa, Asia and Europe. (Erashah, 2019) Second, in terms of politics, Palestine and Israel want to control each other's territory. Palestine and Israel want the territory to belong to one of them. So that there is a war that is still ongoing until now. Third, there are identity and religious factors that involve social identity, religious beliefs and also a long history of hostility. Some of these factors are triggers that cause the war to continue to this day.

Human Violations of Education and Human Rights in the Palestine–Israel Conflict

Human rights are fundamental rights that cannot be interfered with or revoked by anyone. This is inversely proportional to the current conflict in Palestine. The prolonged conflict between Palestine and Israel has led to gross human rights violations in almost all aspects of people's lives, including their access to educational services. Efforts to fulfil the right to education for the Palestinian people are facing an unprecedented crisis. Israel's relentless military attacks have violated International Humanitarian Law (IHL), particularly with regard to the protection of civil society rights. The Palestinian people are displaced from their own homeland and more than 78% of the territory is controlled by Israel, most Palestinians live in the Gaza region which has been blockaded by the Israeli military since 2007. (Ardaffa, 2024) This strict blockade not only limits the freedom of the civilian population to move in and out, but also causes a humanitarian crisis, humanitarian assistance is limited, including access to food and clean water, as well as health services and proper education (Aina et al., 2024). Attacks by Israel on Gaza and the West Bank



have become a crucial problem in the effort to improve access to education in Palestine. Education is a universally recognised human right, yet attacks on civilians and civilian infrastructure restrict and ignore this right. For example, Israel's Protective Edge military operation in 2014 caused significant damage to many civilian infrastructures. The operation, which lasted for almost five months, claimed the lives of 2,251 Palestinian civilians, more than 500 of whom were children (Ardaffa, 2024). Around 700 buildings were completely destroyed, while others suffered severe damage, including school buildings. With the infrastructure paralysed, some schools have been converted into refugee camps, which are not conducive to teaching and learning activities. Due to the limited number of educational facilities, many people have to travel long distances to access proper schools, where they are intimidated and closely monitored by the Israeli military.

The education crisis experienced by the Palestinian people shows no sign of improvement and continues to get worse. Israel openly intervenes in the Palestinian education system and threatens the safety of students and teachers by strictly monitoring learning activities and blockading several school areas. In 2022, the United Nations reported that 56 schools in the West Bank, including Jerusalem, had been targeted for demolition, and there have been 115 violations of education rights in the Palestinian West Bank, particularly against children by Israel resulting in the deaths of as many as 20 students (Jaramaya, 2022). The Israeli Ministry of Education imposes a Zionist education system that emphasises Jewish values, history and culture, while Palestinian values and culture are excluded (Ilham, 2020). There were massive protests against the Jewish education system by the parents of students and teenagers there because it was feared that it could threaten the fading identity of Palestinian children. Many Palestinian children cannot read or write due to increasingly difficult access to education, and they are forced to sign an agreement written in a known language by Israeli soldiers (Dewantara et al., 2023).

Military operations continued to be carried out by Israel to suppress Palestine until at the end of 2023 the conflict escalated again. Human rights violations that occurred in Palestine forced Hamas, an organisation that fights for Palestinian independence, to carry out military attacks on Israeli territory. However, this only prompted Israel to declare war on Palestine. This has impacted access to education, which is becoming more limited, and the quality of education is poor due to the absence of excellent teaching staff and a relevant education system. According to the United

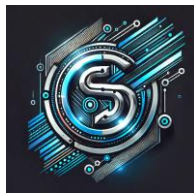


Nations, ongoing attacks on the Gaza Strip have left 23,000 teachers unable to work and 625,000 students unable to access proper education (United Nation Palestine, 2024). Since the conflict escalated in 2023, almost 93% of Gaza's 564 school buildings have been severely damaged, with 85% requiring rebuilding (Ibrahim, 2024). Israel has also targeted higher education centres, such as universities, converting them into Israeli military bases and causing them to be completely paralysed. Armed attacks on Palestinian land have caused losses in the education sector to exceed 32.5 trillion, killing more than 800 educators and 12,800 students (Razi. R, 2025). The Palestinian–Israeli conflict has attracted a great deal of criticism because it has not only become a disaster by destroying access to and the quality of education for Palestinian youth, but it has also had a far-reaching impact on the mental health of children and caused psychological trauma as a result of this prolonged humanitarian conflict.

The Role of Law in Resolving the Right to Education in the Israeli & Palestinian conflicts

The role of international law in resolving the Palestinian-Israeli conflict lies in its ability to provide a normative basis for justice, state responsibility and the protection of human rights. Legal instruments such as the UN Charter, the 1949 Geneva Conventions, and the Rome Statute that established the International Criminal Court (ICC), should serve as accountability mechanisms for violations that occur in armed conflict. In the Palestinian case, Israeli actions such as the construction of illegal settlements in the occupied territories, attacks on civilians, and the blockade of Gaza are violations of international humanitarian law. However, enforcement is often ineffective due to the lack of strong coercion and weak implementation by international institutions. The ICC, for example, despite opening an investigation into the situation in Palestine, has been slow to proceed and has faced political pressure from major powers. (Ramadhan, 2024)

On the other hand, UNICEF as an organization under the United Nations (UN) has an important role in efforts to overcome the humanitarian crisis, especially in the field of education for Palestinian children affected by conflict. By law and international mandate, UNICEF is tasked by the UN General Assembly to protect children's rights and provide basic services such as education, health and protection. In Palestine, UNICEF runs programs such as Life Skills and Citizenship Education (LSCE) to equip children with life and citizenship skills, and teacher



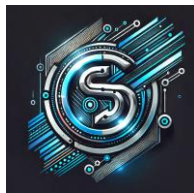
training through interactive learning methods (Ismalia et al., 2022). In addition, UNICEF runs the BRAVE (Building Resilience and Addressing Violence from Early Years through Adolescence) program, funded by the Government of Finland, to address domestic violence and support the mental health of children living under the stress of conflict. (Ismalia et al., 2022)

However, UNICEF's role is considered to have not touched the root of the main problem, which is Israel's occupation of Palestine. UNICEF tends to use neutral language such as “conflict-related violence” and does not explicitly condemn Israeli actions such as curriculum imposition, school demolitions and restrictions on access to education. UNICEF programs are considered more technocratic and geared towards short-term solutions, such as psychosocial assistance or skills training, without political pressure on the main perpetrators of violations, namely Israel. In the perspective of Gayatri Spivak's subaltern theory, UNICEF is considered to voice the suffering of the oppressed (Palestinian children), but still carries the narrative and interests of the dominant party (Ismalia et al., 2022). As a result, UNICEF is unable to provide a comprehensive and fair solution to the education crisis in Palestine.

The phenomenon of double standards in international responses to human rights violations also undermines the credibility of international law. While similar violations in other countries such as Syria or Myanmar have received international sanctions and condemnation, Israel's actions against Palestine are often not dealt with firmly. This shows that the application of international law is not fully objective and is still influenced by geopolitical dynamics. International law should be a neutral umbrella that guarantees justice for all parties indiscriminately. In the future, reform of the international legal system is needed so that it is not only a tool for political legitimacy, but also an effective, fair and universally applicable instrument of justice (Christie et al., 2024)

The Impact of the Conflict Between Israel & Palestine on the Right to Education

The conflict between Palestine and Israel has had a serious impact on the right to education, especially for children and youth in the Palestinian territories. Many schools have been damaged or destroyed by attacks, while those that are still standing are often unable to operate normally due to the volatile security situation. Blockades, movement restrictions and military attacks prevent students and teachers from getting to school, especially in areas such as Gaza and the West Bank.



In addition to physical disruptions, children also experience psychological distress and trauma from the violence they witness, which adversely affects their concentration and motivation to learn. Lack of educational facilities, power outages, and limited access to learning resources further exacerbate these conditions. This has led to more than 658,000 school-age children being cut off from formal learning activities, with around 45,000 six-year-olds unable to start the new school year. This long-standing conflict threatens the future of Palestinian youth, as they are deprived of the opportunity for a decent, safe and sustainable education.

CONCLUSION

The conflict between Palestine and Israel has been longstanding and has had a serious impact on human rights conditions in the region. Human rights violations such as restrictions on access to health care and education, as well as acts of violence against civilians, represent an alarming humanitarian crisis. Israeli military attacks targeting civilian facilities, as well as the blockade of Gaza, exacerbate the suffering of the Palestinian people. Efforts to resolve the crisis through international law are often ineffective due to global political pressure and weak enforcement of sanctions. In this context, the protection of the basic rights of civilians has become increasingly urgent, especially in access to education. The Israeli-Palestinian conflict has a serious impact on the right to education, especially for Palestinian children. School damage, access restrictions, psychological trauma, and curriculum intervention are concrete forms of human rights violations that threaten the future of the younger generation. In fact, education is a basic right and the key to development and peace. Therefore, the protection of the right to education in conflict areas is urgent. International support must be strengthened, both through direct assistance and political and legal pressure to stop these violations.

International organizations such as the PBB, UNICEF and UNESCO need to strengthen monitoring of violations of the right to education and promote legal accountability of perpetrators through international mechanisms. They should also support the development of education infrastructure and alternative learning systems in conflict zones. Education policymakers need to design contextualized curricula, protect educators and students, and provide training to address trauma. Meanwhile, humanitarian actors should integrate psychosocial support in education programs, provide safe learning spaces and work with local communities. Future research on



trauma, mental resilience and psychosocial needs of children affected by armed conflict is recommended.

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