



EKIN SNY JMUN BACKGROUND GUIDE

COMMITTEE: UNSC

**THE SITUATION IN THE MIDDLE EAST &
PALESTINE**

THE SITUATION IN THE MIDDLE EAST & PALESTINE (UNSC)

Description of the Committee

INTRODUCTION

The Israel-Palestine conflict remains one of the most enduring and complex territorial disputes in the world, involving deep-seated historical, religious, and nationalistic elements. It centers on the contestation between the State of Israel and the Palestinian people over the right to sovereignty, self-determination, and control over the land spanning current-day Israel, the West Bank, and the Gaza Strip.

The origins of the conflict trace back to the late 19th and early 20th centuries, amid the rise of nationalist movements among both Jews and Arabs in the region. The establishment of the State of Israel in 1948, following a United Nations plan to partition the British Mandate of Palestine into Jewish and Arab states, was met with resistance and led to the first of several Arab-Israeli conflicts. This and subsequent wars resulted in significant displacement and enduring grievances among Palestinians, who seek the establishment of an independent state in territories occupied by Israel since 1967, including the West Bank, Gaza Strip, and East Jerusalem.

Over the decades, multiple attempts at peace negotiations have been made, including high-profile initiatives like the Oslo Accords and the Camp David Summit, but a lasting resolution has eluded both parties. The issues at the heart of the conflict include the borders of Israel and a future Palestinian state, the status of Jerusalem, security concerns, and the rights of Palestinian refugees.

The situation is further complicated by internal divisions within Israeli and Palestinian societies, including political fragmentation and differing views on the path to peace. Israel's concerns about security and the recognition of its right to exist as a Jewish state stand in contrast to Palestinian aspirations for sovereignty and the right of return for refugees.

The international community remains deeply involved in efforts to mediate a resolution, but geopolitical interests, regional dynamics, and the deep historical grievances of both Israelis and Palestinians pose significant challenges to achieving a comprehensive peace agreement.

Updated from UNA-USA Materials 2024



HISTORY OF THE CONFLICT

The conflict between Israel and Palestine is longstanding, and the exact origin of the issue is disputed. Some consider the beginning of the conflict to be after the Second World War, but important events of the conflict happened many years prior. In 1917, the Balfour Declaration pledged to establish a national home for the Jewish people in Palestine. In 1922, the League of Nations, the precursor to the United Nations, granted the mandate over Palestine to the United Kingdom. Due to the persecution of Jews in Germany and Europe starting in 1933 and leading up to the Second World War in 1939, there was an increase in Jewish immigration to Palestine. Between the years of 1936 and 1939, there was Palestinian Resistance to both the British Mandate of Palestine and Jewish immigration. Partition was first proposed by the UK Peel Commission in 1937, proposing to partition the territory into three zones: An Arab state, a Jewish state, and a neutral territory for the holy sites. Recognizing that the question of Palestine was complicated due to the differing objectives of the Jewish/Zionist and Arab groups, the UK brought the question of Palestine to the UN in 1947 giving up its mandate.

In November 1947, A/RES/181(II) was adopted by the United Nations General Assembly recommending the partition of Palestine into one Jewish state, one Arab state, and Jerusalem under UN administration. Most countries in the Arab world rejected the plan as unfair and in violation of international law. The unrest escalated, and Jewish militias launched attacks on Palestinian villages. In May 1948, Israel Declared independence, and the Arab-Israeli war of 1948 broke out, triggering the beginning of the Palestinian Nakba, or catastrophe. The outcome of the war was the displacement of 700,000 Palestinians and the destruction of 500 villages. In 1949, Israel signed armistice agreements with the Arab countries involved in the war Egypt, Jordan, Lebanon, and Syria. In May 1949, the UN General Assembly adopted A/RES/273 (III) admitting Israel to the UN as a member, Palestine was granted non-member observer state status by GA resolution 67/19 in 2012. In 1964, the Palestine Liberation Organization (PLO) was founded in Cairo, Egypt, and ten years later in 1974, the UNGA and Arab League recognized the PLO as the legitimate representative of the Palestinian people. In 1967, the Six-Day War broke out when Israel occupied the West Bank, East Jerusalem, Gaza, Golan Heights, and the Sinai Peninsula. The outcome of the war effectively doubled the territory under Israel's control. In 1987, the First Intifada (1987-1993) began in the Jabaliya refugee camp in Gaza. During the intifada, there were demonstrations, boycotts, unarmed protests, and strikes against Israel who responded with lethal force.

The declaration of independence for the Palestinian state was adopted in Algiers by the Palestinian National Council in 1988, and PLO Chair Yasser Arafat addressed the UN, stating that the Palestine National Council accepted the UN Security Council resolutions 242 and 338, acknowledging Israel's right to exist. In 1993, Israel and the PLO signed the Oslo Accords, and in 1995 the Oslo II agreement. The Second Intifada started in 2000, and in 2001 the US tried to broker peace without success. The violence continued to escalate, and in 2003 the Israeli Prime Minister Ariel Sharon created a disengagement plan calling for Israel to withdraw soldiers and remove settlers from Gaza and part of the West Bank, but the intifada continued. In late 2005, Yasser Arafat, leader of PLO passed away, and a more moderate Palestinian leadership continued negotiations in 2005 which led to a ceasefire. In 2006, Hamas won the Palestinian Legislative Elections, forming the Palestinian Authority government. Consequently, Israel imposed a blockade on Gaza in 2007 following an armed Hamas takeover of Gaza. The blockade was broadened in the following year when Israel completely sealed off the Gaza Strip and launched "Operation Cast Lead" an assault on Gaza lasting 22 days. Israeli military operations against the Gaza Strip have continued, with large-scale military operations occurring in 2012 and 2014. In 2016, the UN Security Council took a stance against Israel's military operations in resolution 2334 claiming them as violations of international law. The question of Palestine and the situation in the Middle East has many actors, not only Israel and Palestine. In 2017, United States President Donald Trump recognized the contested territory of Jerusalem as the capital of Israel, later moving the US embassy from Tel Aviv to Jerusalem. Recently, the US, as well as other prominent donors such as Germany, Canada, and Switzerland cut funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) due to allegations that 12 members of the UNWRA staff were involved in the October 7th attack. The agency, immediately terminated these employees and launched an investigation into the allegations. About 2 million out of 2.3 million in Gaza depend on UNWRA's humanitarian aid.

Current Situation and Actions Taken By International Actors

On October 7th, 2023, Hamas launched a surprise attack on Israel, breaching the border that separates the Gaza Strip and Israel. Launching over 5000 rockets into Israel. The attack resulted in 1200 fatalities, and Hamas took 253 hostages. As a response to the attack, Israel launched "Operation Swords of Iron against Gaza. The violence that broke out on October 7th is ongoing, with nearly 30,000 Palestinian casualties and more than 67,000 injured. Around 2 million Palestinians have had to flee their homes in the Gaza Strip, making up 85% of the population of Gaza. Due to the blockade imposed by Israel, resources are scarce in Gaza, and the World Health Organization has warned that famine in Gaza is imminent and that there will be long-term negative effects on health.

Updated from UNA-USA Materials 2024



The US has been a central actor in the ongoing conflict, taking a clear stance siding with Israel, and supplying military support and weapons to Israel. Since October 7th the US has vetoed three UNSC resolutions on the situation in the Middle East including the Palestine question, and the Russian Federation has vetoed two additional resolutions on the same topic. Other relevant actors have been Hezbollah in Lebanon and the Houthi rebels in Yemen. Israel has exchanged attacks with Hezbollah almost daily, Syrian military targets have been attacked with airstrikes, the Houthis have launched several missiles toward Israel since October, and the Islamic Resistance of Iraq has claimed responsibility for attacks on US military targets in both Iraq and Syria. Egypt and Jordan, which have previously accepted large numbers of Palestinian refugees have been reluctant to do so during this war due to concerns that they will not be able to return to Gaza. Around 1000 people have left Palestine through the Rafah border crossing.

Other attacks consist of bride burning, eve teasing, and acid throwing. Bride burning consists of the murder of the wife or daughter in law due to insufficient dowries. Eve teasing is the act of public sexual assault of the women by various men. Finally, acid throwing when the majority of the time the husband or the entire family throw acid at the wife's face to re-insure that there will be no cheating in a relationship.

International Actors

1. United Nations

The United Nations has been deeply involved in addressing the Israel-Palestine crisis, with its efforts spanning humanitarian aid, diplomatic engagement, and calls for a ceasefire. The situation on the ground, particularly in Gaza, has been dire, with significant displacement, damage to infrastructure including UN facilities, and a blockade affecting the availability of essential supplies like food, water, and electricity. The UN has been active in providing shelter, food, and emergency healthcare services to the affected population. Its agencies, notably UNRWA (United Nations Relief and Works Agency For Palestine Refugees in The Near East), have been working around the clock to assist civilians and coordinate aid distribution despite the challenging conditions.

Diplomatically, the UN Security Council has discussed the crisis, with representatives from various nations, including Palestine, expressing urgent calls for a ceasefire and highlighting the devastating impact of the conflict on civilians. The Security Council has seen appeals for immediate, durable, and sustained humanitarian truces, with emphasis on protecting civilians and ensuring humanitarian access. Despite these calls, achieving consensus on a resolution has been challenging, reflecting broader geopolitical tensions and disagreements on the best path forward.

Internationally, there have been strong reactions from various countries during Security Council meetings. Nations like Iran and Libya have criticized the role of certain countries in exacerbating the conflict, while others, like Germany and Egypt, have highlighted the need for a balanced approach that recognizes the rights and needs of both Israelis and Palestinians. The discussions have underscored the complex international dynamics at play and the varying perspectives on how to achieve a resolution to the ongoing violence.

Throughout, the UN has maintained a focus on the need for protecting civilians and upholding international humanitarian law, emphasizing the immediate need for humanitarian pauses and access to allow for the delivery of aid to those in need. The calls for action from the UN and its member states reflect a broader consensus on the urgency of addressing the humanitarian crisis, even as diplomatic efforts to resolve the conflict continue to face challenges

2. European Union

The European Union has been actively engaged in the Israel-Palestine situation, demonstrating a multifaceted approach that emphasizes condemnation of violence, advocacy for a ceasefire, and the promotion of a peace process. EU High Representative Josep Borrell has articulated a clear stance on the conflict, condemning the terrorist attacks by Hamas on October 7 and emphasizing the necessity of addressing the humanitarian crisis in Gaza and breaking the cycle of violence. The EU acknowledges the complex nature of the conflict, influenced by external factors such as the war in Ukraine, and is keen on proving its commitment to universal principles and values, highlighting the importance of international and humanitarian law in its foreign policy.

To advance peace, Josep Borrell proposed a 10-point peace roadmap, central to which is a Preparatory Peace Conference involving key international actors and both Israeli and Palestinian officials, indirectly through separate consultations. This conference aims to lay the groundwork for a comprehensive peace plan within a year, focusing on establishing an independent Palestinian State alongside Israel and ensuring full normalization of relations between Israel and the Arab world. Despite the challenges, including the unilateral stance of Israeli officials who have prioritized military objectives over diplomacy, the EU continues to advocate for dialogue and a long-term solution to the conflict.

Furthermore, the EU's collective call for a ceasefire, despite Hungary's refusal to join the other 26 member states, illustrates the bloc's commitment to ending the violence and restarting the Middle East peace process. The EU's efforts aim not only to stop the current hostilities but also to address the underlying issues fueling the conflict, with an emphasis on reviving political processes and ensuring humanitarian aid.

3. Arab Peninsula

The reaction of Arab governments to Israel's actions in Gaza has been criticized for being tepid and insufficient, particularly in light of the escalating violence and humanitarian crisis. There is a sentiment that Arab leaders need to take more substantial action beyond mere condemnation to stop what has been described as a genocide of Palestinians in Gaza. This stance is driven by widespread public sentiment across the Arab world, demanding decisive action in support of the Palestinians.

Despite the grave situation in Gaza, including the alarming malnutrition among children and the urgent need for more humanitarian aid as highlighted by WHO chief Tedros, official Arab reactions have varied. Some actions, like the Jordanian airdrop of aid over Gaza, indicate regional efforts to provide immediate relief amidst the crisis. U.S. Secretary of State Blinken's discussions with key Arab officials, including the Egyptian President and the Crown Prince of Saudi Arabia, suggest international efforts towards an 'enduring end' to the Gaza crisis, indicating the involvement of Arab leaders in broader diplomatic engagements aimed at resolving the situation.

However, the effectiveness of these diplomatic and humanitarian efforts is questioned within the context of the broader Arab response to the conflict. Historically, Arab states have demonstrated a fluctuating commitment to the Palestinian cause, influenced by regional wars, internal politics, and shifting alliances. The recent normalization agreements between some Arab states and Israel, coupled with Iran's regional influence, have added complexity to the Arab world's stance on the conflict. Public demonstrations across the Arab world, reflecting solidarity with the Palestinians and condemnation of Israeli actions, underscore the deep-rooted connection between the Arab populace and the Palestinian cause, even as official policies may appear to be more cautious or divided.

Concisely, while there is a strong public outcry in the Arab Peninsula and beyond against the ongoing violence in Gaza and a call for more decisive action in support of Palestinians, official Arab responses have been more measured, balancing between condemnation of violence, diplomatic engagement for a ceasefire, and humanitarian assistance. The dynamics of regional politics, historical legacies of the Arab-Israeli conflict, and recent geopolitical shifts significantly influence the Arab Peninsula's perspective and actions regarding the Israel-Palestine situation.

Provisions on International Humanitarian Law

International humanitarian law, also known as the law of armed conflict or the law of war, sets the legal boundaries for conducting armed conflicts. It aims to limit the effects of armed conflict by protecting those who are not participating in hostilities and by restricting the means and methods of warfare available to combatants. The principles of distinction, proportionality, and necessity are core to international humanitarian law, governing the conduct of armed forces during an armed conflict. Violations of these laws by either side in a conflict can lead to significant civilian suffering and destruction of civilian infrastructure.

In the context of the Israel-Palestine conflict, several key provisions of International Humanitarian Law (IHL), particularly from the Geneva Conventions and their Additional Protocols, are frequently referenced regarding allegations of violations by both parties. Below, the provisions are listed as they are written in the protocols, followed by explanations of their implications in the conflict.

Article 48 (Additional Protocol I to the Geneva Conventions) - Basic Rule

In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

This core principle mandates that all parties in a conflict must differentiate between civilian entities (people and infrastructure) and military targets, directing their operations solely against the latter. In the Israel-Palestine conflict, this has been a significant concern. For example, Israel's military operations in densely populated Palestinian territories have faced criticism for causing civilian casualties and damage to civilian infrastructure, suggesting challenges in upholding the principle of distinction. Similarly, Palestinian armed groups' rocket attacks on Israeli cities indiscriminately threaten civilian populations, violating this fundamental rule

Article 51(4) and (5)(b) (Additional Protocol I to the Geneva Conventions) - Indiscriminate Attacks and Proportionality

51(4) Indiscriminate attacks are prohibited. Indiscriminate attacks are: (a) those which are not directed at a specific military objective; (b) those which employ a method or means of combat which cannot be directed at a specific military objective; or (c) those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol; and consequently, in each such case, are of a nature to strike military objectives and civilians or civilian objects without distinction.

51(5b) Among others, the following types of attacks are to be considered as indiscriminate: [...] (b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

These provisions outlaw attacks that cannot be directed specifically at military targets or whose effects cannot be limited, resulting in harm to civilians and civilian objects. They also prohibit attacks where the anticipated civilian harm is disproportionate to the expected military gain. In the conflict, allegations of disproportionate attacks have been directed at Israel, particularly regarding airstrikes in Gaza that resulted in high civilian casualties. Conversely, the firing of rockets by Palestinian factions into Israeli civilian areas, with their inherently indiscriminate nature, also constitutes a violation of these principles.

Article 57 (Additional Protocol I to the Geneva Conventions) - Precautions in Attack

In the conduct of military operations, constant care shall be taken to spare the civilian population, civilians and civilian objects.

This article obliges combatants to take all feasible precautions to minimize harm to civilians and civilian objects when planning and executing attacks. This includes doing everything practicable to verify that targets are indeed military objectives and assessing whether the attack may be expected to cause disproportionate civilian harm. The complexities of urban warfare in the Israel-Palestine conflict, where military objectives are often located in densely populated areas, pose significant challenges to complying with this obligation. Accusations of failing to take sufficient precautions to protect civilians have been made against both Israeli forces and Palestinian armed groups.

Article 58 (Additional Protocol I to the Geneva Conventions) - Precautions Against the Effects of Attacks

The Parties to the conflict shall, to the maximum extent feasible: (a) without prejudice to Article 49 of the Fourth Convention, endeavor to remove the civilian population, individual civilians and civilian objects under their control from the vicinity of military objectives; (b) avoid locating military objectives within or near densely populated areas; (c) take the other necessary precautions to protect the civilian population, individual civilians and civilian objects under their control against the dangers resulting from military operations.

This provision requires parties to a conflict to take proactive steps to protect civilians and civilian objects from the dangers of military operations. This includes, where feasible, moving civilians away from military objectives and avoiding placing military assets in or near populated areas. The ongoing conflict has seen residential areas in Gaza used for military purposes by Palestinian armed groups, thereby putting civilians at risk. On the Israeli side, the conduct of military operations in populated Palestinian areas has raised concerns about the adequacy of precautions taken to shield civilians from harm.

Customary International Humanitarian Law Rules

The International Committee of the Red Cross (ICRC), founded in 1863, is the driving force behind international humanitarian law. It initiated the process that led to the conclusion of the Geneva Conventions for the protection of the victims of War of 1864, 1906, 1929, and 1949. It was at the origin of the 1899 Hague Convention (III) and 1907 Hague Convention (X), which adapted, respectively, the 1864 and 1906 Geneva Conventions to maritime warfare and were the precursors of the Geneva Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea of 1949. It took the initiative to supplement the Geneva Conventions which led to the adoption in 1977 of two Additional Protocols. The ICRC has both encouraged the development of and been involved in negotiating numerous other treaties, such as the 1980 Convention on Certain Conventional Weapons, the 1997 Ottawa Convention banning anti-personnel landmines and the 1998 Statute of the International Criminal Court. Recognition of this role is reflected in the mandate given to the ICRC by the international community to work for “the faithful application of international humanitarian law applicable in armed conflicts” and for “the understanding and dissemination of knowledge of international humanitarian law applicable in armed conflicts and to prepare any development thereof”

The general opinion is that violations of international humanitarian law are not due to the inadequacy of its rules, but rather to a lack of willingness to respect them, a lack of means to enforce them, and uncertainty as to their application in some circumstances, but also to ignorance of the rules on the part of political leaders, commanders, combatants, and the general public.

In December 1995, the 26th International Conference of the Red Cross and Red Crescent endorsed this recommendation and officially mandated the ICRC to prepare a report on customary rules of international humanitarian law applicable in international and non-international armed conflicts.

Rule 1, underscores the fundamental distinction between civilians and combatants, a principle at the heart of IHL and central to the allegations of violations in this conflict.

Rule 14, reflecting the principle of proportionality, prohibits attacks expected to cause excessive civilian harm, an area of significant concern given the civilian casualties reported in the conflict.

Rule 15, emphasizes the need for precautions in attack, requiring verification that targets are military objectives and assessment of the potential for civilian harm.

Rule 23, advises against locating military objectives within or near densely populated areas to minimize civilian casualties, a practice under scrutiny on both sides.

Rule 24, stresses the importance of removing civilians from the vicinity of military objectives, aiming to protect civilian populations from the effects of military operations.

Provision/Rule	Violated by Israel	Violated by Hamas
Article 48, 51(2) and (4), 51(5)(b), 54, 57, 58 (Additional Protocol I)	Yes	Yes
Rule 1: Distinction between Civilians and Combatants	Yes	Yes
Rule 14: Proportionality in Attack	Yes	Yes
Rule 15: Precaution in Attack	Yes	Yes
Rule 23: Location of Military Objectives	Yes	Potentially
Rule 24: Removal of Civilians and Civilian Objects	Potentially	Yes

Recommendations for Creating a Resolution

When crafting a resolution on this issue, delegates should consider the following steps:

- First, identify a possible solution that Member States could ultimately support, taking into consideration the veto power of the permanent members of the council, the mandate, and the authority of the Security Council.
- Second, consider the significant civilian impact of this conflict, and come up with solutions that center civilian lives and health.
- Third, understand relevant actors and previous frameworks that may aid the search for a solution.

Delegates should consider the long-term implication of this conflict and recommend relevant actions and follow up mechanisms regarding civilians and infrastructural destruction in collaboration with other relevant UN bodies.



Questions to Consider:

1. What specific elements should be included in a UN framework to ensure that any peace agreement addresses the core issues of the Israel-Palestine conflict, including sovereignty, self-determination, borders, security, and the rights of refugees?
2. How can the UN more effectively engage with all stakeholders, including Israeli and Palestinian leadership, neighboring countries, and non-state actors, to ensure a comprehensive and inclusive approach to peace negotiations?
3. What strategies should the UN adopt to ensure immediate and unrestricted humanitarian access to all affected areas in Gaza and the West Bank, and what long-term plans are needed for the reconstruction and economic revitalization of these territories?
4. How can the UN and international actors reinforce the application of international humanitarian law and accountability for violations in the context of the Israel-Palestine conflict, to protect civilians and prevent future violations?
5. What innovative approaches can the UN introduce to revitalize support for a two-state solution that respects the rights and aspirations of both Israelis and Palestinians?
6. What role can regional actors play in supporting a UN-led peace process, and how can the UN facilitate their involvement to ensure a coordinated and unified approach to peace and stability in the region?

Updated from UNA-USA Materials 2024





RESEARCH AID

- For more information on the perspective of UN:
<https://news.un.org/en/story/2023/10/1142127>
- For more information on the perspective of EU:
https://www.eeas.europa.eu/eeas/what-eu-stands-gaza-and-israeli-palestinian-conflict_en
<https://www.euronews.com/my-europe/2024/01/19/revealed-josep-borrells-10-point-peace-process-for-the-israeli-palestinian-conflict>
<https://www.aljazeera.com/news/2021/5/18/eu-minus-hungary-calls-for-israel-gaza-truce-concerned-conflict-could-spread>
- For more information on the perspective of the Arab Peninsula:
<https://www.aljazeera.com/opinions/2023/10/30/arab-leaders-must-walk-the-talk-on-palestine>
<https://www.aljazeera.com/tag/israel-palestine-conflict/>
- The Customary Rules of IHL from ICRC:
<https://ihl-databases.icrc.org/en/customary-ihl/v1>

Updated from UNA-USA Materials 2024



TERMS AND CONCEPTS

Sovereignty: The authority of a state to govern itself or another state. In this context, the struggle for sovereignty between Israel and the Palestinians refers to both parties' claim to the right to govern and control their territories independently.

Self-determination: The right of peoples to determine their own political, economic, social, and cultural systems and their future. This term captures the Palestinians' desire for an independent state and the Israelis' wish to live within secure and sovereign state boundaries.

Partition: The division of a territory, especially a country, into two or more territories. This refers to the 1947 United Nations plan to partition the British Mandate of Palestine into Jewish and Arab states.

Oslo Accords: Significant peace agreements between Israel and the Palestine Liberation Organization (PLO) were conducted in 1993 and 1995. These accords aimed at establishing the Palestinian Authority and laying the groundwork for permanent peace between Israelis and Palestinians.

Camp David Summit: A summit in 2000 where Israeli and Palestinian leaders met in the United States to negotiate a two-state solution under the hosting of the U.S.

Geopolitical Interests: The political and economic interests of a state or states, considered in the context of their geographical location and international relations.

International Humanitarian Law: A set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It includes protections for civilians and prisoners of war and regulates the means and methods of warfare available to combatants on all sides of a conflict.

Normalization: The process of establishing or resuming normal diplomatic relations between formerly hostile or non-diplomatic nations. This term often refers to the recent initiation of diplomatic relations between Israel and some Arab countries.