

Forum: Human Rights Council (HRC)

Issue: Enforcing Palestinian Rights in the Israel-Palestine Conflict

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A photograph showing a woman in a white headscarf shouting at a line of Israeli soldiers in riot gear. The soldiers are wearing helmets with visors and carrying rifles. The scene is outdoors, possibly in a conflict zone.

ENFORCING PALESTINIAN RIGHTS IN THE ISRAEL-PALESTINE CONFLICT

Definition of key terms

Apartheid state - An institutionalised systemic oppression on the basis of ethnicity.

Uprising - The outbreak of conflict in an attempt to overthrow powers that be.

Militant group - An unofficial group that uses acts of violence in a militant fashion.

Extrajudicial killings - Executions that are carried out without a legal verdict from a trial, independent of the justice system.

Collective punishment - Penalties enacted on individuals who did not necessarily commit any crime.

Forcible displacement - The forced or coerced displacement of a population against their will. It is a crime against humanity punishable by the International Criminal Court (ICC).

Bureaucracy - An overly-complicated multi layered administrative procedures in government.

Introduction

The Israel-Palestine conflict has been ongoing for over a century. The culmination of violence, provocation, religious-discrimination, and failed attempts at peace, the conflict dramatically escalated in the late 1940s, following several tumultuous agreements. The conflict lies within the state of Israel and the partitions that make up the Palestinian territories, the Israeli-occupied West Bank and the self-governing Gaza Strip.

In recent years, concern has greatly increased over the question of the humanitarian situation in the Palestinian territories. The Israeli Defence Forces (IDF) have continued to increase violence against Palestinian civilians, under the guise of anti-terror operations against Hamas. Passage into and out of Palestinian territories is heavily restricted, both for people and

goods, which compounds with the violence and creates a dire situation for many. In addition to the brutality on the ground, the international community has also raised concern over the considerable number of air strikes against the Palestinian territories. These attacks are indiscriminate, and frequently kill both women and children.

Overview

Conflict

Following the cease of the First World War, Britain occupied the area that was then Palestine. At the time, the citizens of the area consisted of the Jewish minority Israelites, and an Arab majority. Due to Abrahamic religious texts, both the Muslims and the Jews believe the land to be rightfully theirs. Britain aimed to create a Jewish region within Palestine in attempts to appease both sides and lower the rapidly rising tensions between the two. With the rise of Jewish persecution in Europe and elsewhere, many more Jews sought refuge amongst each other, in particular following the Holocaust. Tensions rose further and violence began, both between the citizens and British rule. The United Nations (UN) passed resolution 181 in the General Assembly in 1947. The resolution outlined a partition plan in Palestine. The idea was to create Arab and Jewish states, and leave Jerusalem, a sacred place for both sides, as a separate location for both sides, governed internationally. The resolution was popular amongst the Jews and Zionists who saw it as an opportunity to establish the Jewish state, whereas the Arabic population was vehemently against it.

Violence quickly broke out following the resolution's passing. Nine years later, in 1956 following the establishment of the Jewish state of Israel, Egypt nationalised the Suez canal, which subsequently led to the Israeli invasion of Egypt. The conflict was later resolved with a peace deal, however the tensions never ceased. 11 years later, in 1967, the Six-day War begins as Israeli bombers carry out attacks in Egypt, as the Sinai peninsula is invaded on the

ground. The conflict lasted less than a week, although by the end of it Israel gained control over the Sinai, the Golan Heights, the West Bank, the Gaza strip, and the Arab-partition of Jerusalem. Palestinians were displaced in the hundreds of thousands. In October of 1973 the Arab coalition launched an unsuccessful counteroffensive, in which Israel was greatly aided by the United States, which remains their greatest ally.

Following Palestinian uprisings in the West Bank and the Gaza Strip, a 1993 peace deal is brokered between the Israeli state and the Palestinian Liberation Organisation (PLO), that is then ratified by a second in 1995. However, violence breaks out in the early 2000's following religious provocation, and political strains within Palestinian territories. The militant group Hamas grows in force in the Gaza Strip, leading to attacks on the strip in the form of airstrikes by Israel, who view it as a national security threat. These attacks have been intermittent since the mid to late 2010's, resulting in thousands of Palestinian deaths, and a few dozen Israeli deaths.

A notable escalation includes the summer of 2014. Hamas kills three Israeli teenagers, provoking a military response and a seven-week spike in violence, leaving more than 2,000 Palestinians dead, and 73 Israelis, 67 of which are soldiers. In 2018, the IDF kill more than 170 Palestinian protestors. Perhaps the greatest provocation of all however, occurred in May 2021, with the Israeli raid of the al-Aqsa Mosque. This event in particular sparked international outrage, and the fallout ended with 200 deaths in Gaza and more than 10 in Israel.

Apartheid-state

In March of 2022, concerns over what appears to be a situation fitting the definition of an apartheid state rose in the UN. Due to the blatant prioritisation of Israeli rights, and the discrimination of Palestinians on the basis of ethnicity and religion, the situation in Israel-occupied Palestinian territories has been deemed by many as an apartheid state. Such

infringements of human rights and international law include those of but not limited to; extrajudicial killings, torture, and collective punishment.

Additionally, much criticism has fallen onto UN bodies for failing to hold Israel accountable for more than 40 years of condemnation. The Security Council and General Assembly have repeatedly identified the occupation, construction of Jewish settlements, and suppression of Palestinian autonomy are all illegal. However, largely in part to the United States, little other than damning words have been issued.

Humanitarian situation

The United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories reported a multitude of human rights violations in their end of mission statement in July of 2022. These findings included the continued practice of administrative detention or internment, of which over 800,000 Palestinians have suffered from since 1967. At the time of the statement, there were approximately 640, 4 of which children, held in such detainment indefinitely. With no guarantee whatsoever of a fair trial for Palestinians, both display a concerning situation with regards to the civil rights of Palestinians. In Palestinian territories, the destruction of property and illegal military orders with intentions to procure land continues, displacing the Palestinian civilians previously resident. These forced evictions are permitted under the Israeli High Court. These displacements arguably constitute forcible transfer, which is a severe humanitarian crime. UN resolutions have previously condemned such practices, with no recognition from the Israeli state.

Additionally, infringements upon the following rights were also found; access to health, safe drinking water, sanitation, and a healthy environment. The restrictions to healthcare

access are particularly discriminatory towards Palestinian men aged 18-40, regardless of medical requirements. Water supply to Palestinians is also heavily restricted, failing to exceed minimum standards for drinking and sanitation. As well as this, there are also reports of the dumping of commercial, agricultural, industrial, and chemical waste on arable Palestinian land. In addition, there is little to no framework for accountability of the IDF, and it is seldom enforced. This allows for the ongoing violence and severe mistreatment of Palestinians with impunity.

Land, air, and sea blockades have also essentially trapped more than 2 million Palestinians in the Gaza Strip for 15 years, in what has been described as an “open-air prison.” The unemployment rate is over 44%, and there is a severe economic crisis and struggles of livelihood to the residents, following conflict, and in addition to the pandemic. As aforementioned, those requiring medical aid outside of Gaza require permits from Israel, that are rarely granted in a timely manner if at all, that has led to accounts of infants and children dying entirely preventable deaths whilst waiting for the Israeli bureaucracy to issue such permits.

According to the mission, the situation is a deliberate, and intentionally perpetual humanitarian catastrophe, used to control the Palestinian population. There are also allegations of the murder of journalists both foreign and domestic by the IDF, however lack of accountability framework makes prosecution almost impossible. There is a huge and increasing amount of evidence indicating the Israeli state is responsible for the conscious discrimination of Palestinians based on ethnicity and religion, in all areas of life.

Major parties involved

Israel - internationally recognised state, occupies Palestinian territories.

Palestinian National Authority/PLO - recognised governing body over the Palestinian territories, autocratic and has come under scrutiny following alleged human rights abuses.

Hamas - militant group in Palestinian territories, holds effective control within Gaza Strip. Designated terrorist organisation by the United States Department of State.

United Nations Office of the High Commissioner of Human Rights - UN body responsible for the monitoring of human rights worldwide.

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) - UN mission in surrounding countries providing humanitarian aid for displaced Palestinian refugees.

Possible solutions

Possible solutions to the conflict are varied, and take different approaches. As delegates in the Human Rights Council, the lens should be less focused on security and the economy, and more so on the humanitarian crises that continue to arise in the Palestinian territories. Of course, there is obviously overlap between these areas and more, but the solutions should primarily centre around how to ensure that the rights of the Palestinians are secure. Although the extent of what can be done outside the Security Council (SC) remains limited, it is by no means impossible to create effective resolutions to mitigate the infringements.

One such solution to do this, would be to call upon the establishment of an independent human rights watchdog within the territories. This solution has several advantages, the first of which is that it creates a neutral entity tasked with simply documenting instances of human rights violations against Palestinians, as the magnitude of these abuses remains unclear in many cases. The second is that it can be used in conjunction with other solutions to form an evidence-based approach to combating the issue. One downside to this, is that the likelihood of Israel and their allies agreeing to such a watchdog is very low, and could therefore be difficult to pass.

Another possible solution that may exist in conjunction to the first, is demanding that Israel change several administrative practices with regards to medical leave permits to the citizens of Gaza, to ensure that the cases of preventable deaths due to bureaucracy are reduced. The advantage of this solution is that Israel is more likely to be in accordance.

Solutions to avoid are ones that heavily influence the political atmosphere within Israel and the Palestinian territories, or ones that are overtly biased towards one side or the other. Remember, the resolutions must be voted on, and it is therefore vital that compromises and concessions be made.

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