

Muammer Dereli Science High School
DERMUN'24

DISEC STUDY GUIDE

3-4-5 May 2024

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WELCOMING LETTERS

Letter from the Secretary-General:

First of all, we would like to start our letter by sincerely greeting all our delegates who will attend our conference. We are proud to be here with the DERMUN conference that we organized for the second time this year. We hope that our conference will leave you with new perspectives, new friendships, and unforgettable memories. At DERMUN we are proud to offer a various array of committees that transcend both borders and time zones, enabling delegates to discover the perfect fit for their interests and preferred style of debate. To offer you the best experience, we have specially selected 3 Special, 2 General Assembly, and 1 JCC committee and topics in our conference with our chairboard team. These various committees will take you on a journey from World War 2 to 2047. However, we would like to remind you that DERMUN'24 does not only consist of committees and discussions; the friendships you will make there and the fun times you will have are at least as important as the academic part. These relationships extend far beyond the 3 days of the conference, where we come together to create a dynamic and inclusive community. We, the secretariat, and our entire organization team are determined to offer you the best experiences. Our excitement is fresh for our second conference; Whether you are joining DERMUN for the first time or have been a part of our journey from the very beginning, we are happy to see you among us with the same excitement.

Best wishes,

Elifsu Gülgün & Arif Kılıç.

Letter from the Chairboard

Dear Delegates,

We would like to extend a warm welcome to the dermun'24! As the Chair of the Disarmament and Security Committee, I am thrilled to be guiding you through this exciting simulation.

The following days will be a fantastic opportunity to hone your research, public speaking, and critical thinking skills. We will be tackling complex global issues, and I am confident that your thoughtful debate and collaboration will lead to productive solutions.

We encourage you to actively participate in the committee discussions, ask questions, and challenge each other's perspectives in a respectful manner. Remember, diplomacy is key in finding common ground and achieving consensus.

We are here to support you throughout the conference. Please do not hesitate to reach out if you have any questions or require any assistance.

Now, let's get started on making this MUN conference a memorable and enriching experience for all!

Sincerely,

Chair: Demir Barkın Çakmak

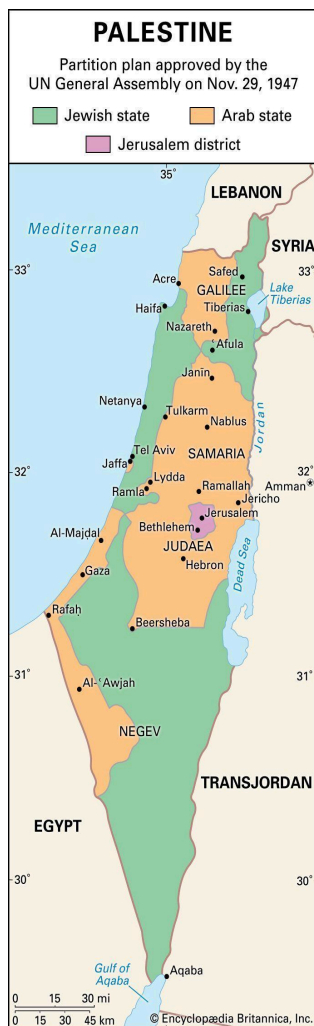
Co-Chair: Bennu Yıldırım

Introduction to the Committee

The First Committee of the United Nations General Assembly is the Committee for Disarmament and International Security (DISEC). This committee concerns itself with “disarmament, global challenges and threats to peace that affect the international community and seeks out solutions to the challenges in the international security regime.” This committee also works in tandem with the United Nations Disarmament Commission and the Conference on Disarmament, which meets in Geneva. As enshrined in the United Nations (UN) Charter, all member states and observers of the UN are permitted to be a members of DISEC.

MEMBER STATES

1. Austria
2. Bahrain
3. China
4. Croatia
5. El Salvador
6. Finland
7. France
8. Germany
9. Greece
10. India
11. Iran
12. Israel
13. Kuwait
14. Lebanon
15. Palestine
16. Qatar
17. Russia
18. Saudi Arabia
19. South Korea
20. Syria
21. Türkiye
22. UAE
23. United Kingdom
24. USA
25. Zimbabwe



The Israel-Palestine Conflict

The roots of the Israeli-Palestinian conflict lie already in the late 19th and early 20th century. The conflict was caused by the birth of major nationalist movements among the Jews as well as among the Arabs whereby both aimed to create a sovereign state for their people in similar regions in the Middle East.

At that time, there was a global nationalist movement going on as people from around the world began to identify themselves as nations and strive to become independent. Furthermore, members of the Jewish diaspora (this refers to the Jews that had been exiled from their kingdoms as far back as 733 BC) sought to create their state with real borders, rather than being a nation spread around the world.

After the Second World War, this new movement in which they tried to identify a place where Jews could come together to form an independent nation grew stronger. The region of Palestine with important religious sites such as the city of Jerusalem seemed, for many, to be the best location. The Jewish nationalist movements, also known as Zionist movements, had already started in 1882 with the first mass

immigration of European Jews. Conflict started to boil up in 1947 with the emergence of Palestinian nationalism which had its roots in the 1920s, and escalated when other Arab states started to get involved. The conflict developed into a crisis between Palestinian Arabs and Israelis in the region.

After having been under Ottoman rule for many years, the area came under British rule during the 1st World War, as stated in the Sykes-Picot Agreement between Britain and France in 1916. The British planned to divide the territory into a made two parts – the Arab state Transjordan (as promised in the McMahon-Hussein Correspondence in 1915) and the Jewish Palestinian state (as promised in the Balfour Declaration of 1917). Although several attempts were made to reconcile both sides to implement this decision such as the Paris Peace Conference in 1919, the London Conference (1920), and finally the San Remo Conference (1920), no agreement was ever lastingly achieved.

The Faisal-Weizmann Agreement, which established the British Mandate and called for a demarcation of the borders for these areas by a special commission therefore was signed by all parties in 1919 but never implemented. Under rising conflicts and in the aftermath of World War II, the British government decided to terminate its mandate in 1947 and referred to the United Nations for all matters regarding the future of Palestine. In reaction to this, the UN formed the United Nations Special Committee on the Status of Palestine (UNSCOP). This committee deliberated for three months until finally proposing what became known as the UN Partition Plan to the UN General Assembly. The proposal recommended a partition with the Economic Union of Mandatory Palestine to follow the termination of the British Mandate. On 29 November 1947, the U.N. General Assembly adopted a resolution recommending the adoption and implementation of the Plan as Resolution 181(II). The recommendation in the resolution included the creation of the independence of the two states, Israel and Palestine, and an International Regime (Corpus Separatum) for the city of Jerusalem.



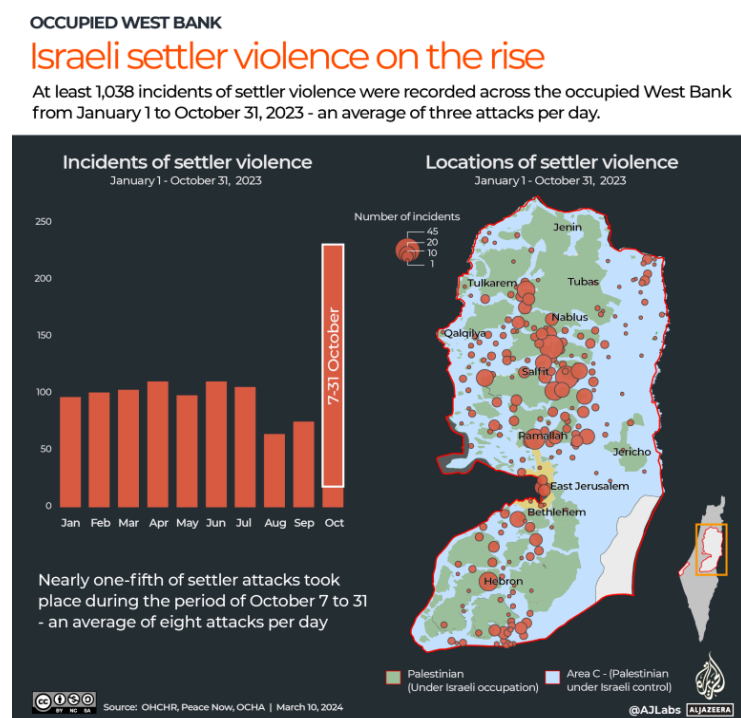
The Partition Plan, a four-part document attached to the resolution, provided for the termination of the British Mandate, the progressive withdrawal of British armed forces, and the delineation of boundaries between the two States and Jerusalem. Part I of the Plan stipulated that the Mandate would be terminated as soon as possible and the United Kingdom would withdraw no later than 1 August 1948. The new states would come into existence two months after the withdrawal, but no later than 1 October 1948. The Plan sought to address the conflicting objectives and claims of two competing movements: Arab nationalism in Palestine and Jewish nationalism.

The Plan also called for Economic Union between the proposed states, and for the protection of religious and minority rights. The Plan was accepted by the Jewish public, except for its fringes, and by the Jewish Agency despite its perceived limitations. Arab leaders and governments rejected the plan of partition in the resolution and indicated an unwillingness to accept any form of territorial division.

Their reason was that it violated the principles of national self-determination in the UN charter which granted people the right to decide their destiny. Immediately after the adoption of the Resolution by the General Assembly, the civil war broke out. The partition plan was not implemented.

In 1967, the Six-Day War broke out in which Israel took the West Bank, Gata Sinai, East Jerusalem, and the Golan. Regarding these threats and invasions, the Security Council unanimously adopted Resolution 242 sponsored by the United Kingdom. It stressed five different principles: withdrawal of Israeli forces, peace within secure and recognized boundaries, freedom of navigation, a just settlement of the refugee problem, and security measures including demilitarized zones. The last Security Council action was in 1973 adopting Resolution 338 which called for a ceasefire in the Yom Kippur War, which broke out in 1973 and constituted an attempt by a coalition of Arab states led by Egypt and Syria against Israel from October 6 to 25. Except for isolated attacks on Israeli territory on 6 and 9 October, the military combat actions during the war took place on Arab territory, mostly in the Sinai and the Golan Heights. Egypt's stated goal for the war was the expelling of the Israeli forces occupying Sinai. In 1974, the UN General Assembly Resolution 3236 recognized the right of the Palestinian people to self-determination, national independence, and sovereignty in Palestine. This was another milestone in the international realm that officially acknowledged the UN's contact with the Palestine Liberation Organisation (PLO) and made them the official representative of the Palestine people to the UN, as well as adding the 'Question of Palestine' to the UN

agenda. Even though U.S. action is still preventing Palestine from becoming an official member state, something the PLO is still fighting for, they were granted Nonmember Observer Status on the 29th of November 2012 by the United Nations Member States. The move was considered mostly symbolic, and although the United States and Israeli Governments strongly contested this measure, former Israeli Prime Minister Ehud Olmert expressed support for it.



The first key issue of the Israeli-Palestinian conflict is the territorial dispute according to the establishment of the Palestinian State. The Jewish population has continued to set up settlements in the West Bank even though the territory belongs to Palestine. Furthermore, another key issue concerns the status of East Jerusalem and whether or not it shall be a part of Israel or become a part of Palestine. Secondly, the status of the Palestinian people has been ignored several times and has hence become another main problem in the conflict.

According to Article 13 of the UN Universal Declaration of Human Rights, everyone has the right to return to their home country of origin. The Israeli however didn't give allowance to the Palestinian refugees to return to their country of origin, as in doing so, they would have lost the majority of their population. A third issue is the political split in Palestine which led to a division in Palestine itself. The politics have remained divided between the Hamas, who have control over the Gaza Strip, and the Fatah who are in control of the West Bank. The Hamas are politically inclined towards a peaceful solution whereas the Fatah believe that Palestinian Arabs need to be liberated by their actions. Both parties declared themselves as the legitimate representatives of the Palestinian population. As fourth and final key issue the lack of clean drinking water in the region can be identified. Israelis are only able to have a one-third water consumption compared to Palestine whereby only 4% are seen as drinking water. 50% are used as agricultural water and therefore cannot be used as drinking water. The scarcity has become worse over the last few years.

The Israel-Palestine conflict, also called the "Question of Palestine", has concerned the UN since the organization's foundation in 1947. It has remained on their agenda until today and remains highly controversial. Questions posed by the conflict concern the development of modern statehood, the necessity of international recognition, and the security of state borders as Palestine remains an occupied territory. Moreover, the availability of drinking water is limited in many areas and therefore further increases tensions between the local populations.

The most important resolutions which the UN has passed are the following:

Resolution 181 (Future government of Palestine)

Resolution 242 (aftermath of the Six-Day War)

Resolution 338 (the Yom Kippur War)

Resolution 3236 (Palestinian people's right to self-determination)

RESOLUTION 181

United Nations Resolution 181, the resolution passed by the United Nations (UN) General Assembly in 1947 called for the partition of Palestine into Arab and Jewish states, with the city of Jerusalem as a *corpus separatum* (Latin: “separate entity”) to be governed by a special international regime. The resolution—which was considered by the Jewish community in Palestine to be a legal basis for the establishment of Israel, and which was rejected by the Arab community—was succeeded almost immediately by violence. Palestine had been governed by Great Britain since 1922. Since that time, Jewish immigration to the region has increased, and tensions between Arabs and Jews have grown. In April 1947, exhausted by World War II and increasingly intent upon withdrawing from the Middle East region, Britain referred the issue of Palestine to the UN. To investigate a suitable course of action, the UN formed the UN Special Committee on Palestine (UNSCOP), an inquiry committee made up of members from 11 countries. Ultimately, UNSCOP delivered two proposals: that of the majority, which recommended two separate states joined economically, and that of the minority, which supported the formation of a single binational state made up of autonomous Jewish and Palestinian areas. The Jewish community approved of the first of these proposals, while the Arabs opposed them both. A counterproposal—including a provision that only those Jews who had arrived before the Balfour Declaration (and their descendants) would be citizens of the state—did not win Jewish favor. Based on a modified version of the UNSCOP majority report, the proposal to partition Palestine was put to a General Assembly vote on November 29, 1947. The fate of the proposal was initially uncertain, but, after a period of intense lobbying by pro-Jewish groups and individuals, the resolution was passed.

Resolution 242

Resolution of the United Nations (UN) Security Council adopted on November 22, 1967, to secure a just and lasting peace in the wake of the Six-Day (June) War, fought primarily between Israel and Egypt, Jordan, and Syria. The Israelis supported the resolution because it called on the Arab states to accept Israel’s right “to live in peace within secure and recognized boundaries free from threats or acts of force.” Each of the Arab states eventually accepted it (Egypt and Jordan accepted the resolution from the outset) because of its clause calling for Israel to withdraw from “territories occupied in the recent conflict.” The Palestine Liberation Organization rejected it until 1988 because it lacked explicit references to Palestinians. Though never fully implemented, it was the basis of diplomatic efforts to end Arab-Israeli conflicts until the Camp David Accords and remains an important touchstone in any negotiated resolution to the Arab-Israeli conflict.

Resolution 338

Resolution of the United Nations (UN) Security Council that called for an end to the Yom Kippur (October) War of 1973, in which Israel faced an offensive led by Egypt and Syria. The ambiguous three-line resolution, which was adopted unanimously (with one abstention) on October 22, 1973, called upon all parties to cease hostilities within 12 hours and to implement UN Resolution 242 (1967) “in all its parts.” It also explicitly called for the immediate start of negotiations (under “appropriate auspices”) aimed at reaching a lasting peace.

The resolution was accepted on October 22 by Egypt and Israel but not by Syria, which finally accepted it under Soviet pressure the following day. Hostilities continued despite the resolution, prompting the adoption of UN Resolutions 339 and 340 on October 23 and 25, respectively. It was only after the adoption of these resolutions, which reiterated the call to cease the fighting, that the Yom Kippur War finally ended.

Resolution 3236

In 1974, the question of Palestine was re-introduced in the Assembly's agenda. Resolution 3236 (XXIX) reaffirmed the inalienable rights of the Palestinian people to self-determination, national independence, and sovereignty, and the right of the Palestinians to return to their homes and property.

The Israel-Palestine conflict is a complex issue with many different factors and interpretations. At its simplest, the conflict is over competing Jewish and Palestinian claims to the same land

1. the Israeli occupation of Palestinian territories
2. the harsh, repressive living conditions imposed on the Palestinian population in occupied areas
3. the continuing growth of Israeli settlements, illegal under international law, in the Occupied Territories
4. the need for Israel to protect its citizens
5. the fate of nearly four million Palestinian refugees made homeless since the creation of the State of Israel and their contested right of return to the land
6. extremists on both sides who deny the other side's right to existence as a nation and state, and sometimes as a people

History of the Problem

In the beginning, the territory now known as Palestine had ancient roots. It has been under the governmental control of many rulers such as Ancient Egypt, Alexander the Great, and the Persian and Roman Empires. In 1922, the British Empire gained control of the territory and turned it into a British Mandate. As more Jewish people began migrating back into Palestine during the coming years, due to its religious history, tensions rose between the two parties. During this time Britain had grown fond of the idea of retracting from the Middle East, and their decision was made final by the end of World War II. The colossal amount of displaced Jews from the Holocaust only made Britain's want to leave greater, and in 1947 they handed Palestine and all its issues over to the United Nations. In 1948 the UN split the land into two states, a Jewish state and an Arab state (Resolution 181), then on May 14 the country of Israel was created. This, however, only angered the Palestinians more, who felt that the land was rightfully theirs and they shouldn't have to share. As soon as the Resolution was passed the first Arab-Israeli war began and it didn't end until late 1949. The conclusion was an Israeli victory but the evenly split land was once again divided into three separate parts. 750,000 displaced Palestinians were located in their two new regions. Gaza, which borders Egypt along the southwestern shores of the Mediterranean Sea, and the West Bank, which borders Jordan on the eastern side of the territory, everything else belonged to the new Israelis. Over the next few decades, Israel sparred with many other Middle Eastern countries. In 1973, Egypt and Syria joined to launch an attack on Israel in an attempt to take back stolen land, the result was not any land taken back in fact a peace treaty (Camp David Accords) signed by both Israel and Egypt. Even though the Palestinians had their separate land, they were still upset with how the Israelis had the power to govern them. 1987 was the start of several revolts against the Israeli government, and over the next 8 years, the Oslo I & Oslo II Accords were passed. These started with the idea that the Palestinians had the right to govern themselves and Israel had to withdraw from large parts of the West Bank. In 2002, a barrier wall was built around the West Bank in response to more Palestinian uprisings, defying the International Court of Justice and the International Criminal Court. 11 After the Israeli withdrawal from the Gaza Strip in 2005, the Palestinian Authority held parliamentary elections to find a new form of government. However, the prevailing group was Hamas, an Islamist militant movement well known for its military wing which most countries consider a terrorist group. Hamas remains to this day the sole political party in the Gaza Strip. Its political opponent, Fatah, which rules over the Palestinian Liberation Organization (PLO) rules over the area of the West Bank. Palestinians have not held legislative elections since 2006, nor a presidential election since 2008. Since the land separations, there have been many disputes and fights throughout the years.

One of the more recent instigators of this problem is the current Prime Minister of Israel, Benjamin Netanyahu. He has served in past terms from 1996-99 and 2009-21, but it's his most recent term starting in 2022 that has caused the most friction between the two states. His extreme right-wing politics have not only sparked aggression with Palestinians but also within his own country. However, on October 7th, 2023 everything from the past boiled over as Hamas carried out an attack on Israel that killed hundreds of people. Since then Israel has been very active in their counter-attack and thousands of innocent people, Israelis and Palestinians, have died.

Past UN Actions

Over many years, the UN has intervened in the conflicts in the Middle East with possible resolutions. In the mid-1900s, the UN decided to split Palestine into two separate independent States. One State declared its independence as Israel and the other remained Palestine. Territorial disputes have occurred ever since. In 1991, a Peace Conference was held in hopes of achieving a settlement through negotiations between both Israel and the Arab States along with Israel and the Palestinians. While these negotiations helped, they only held peace for a short time. In the early 2000s, Israel chose to build a separation wall which was deemed illegal. Fighting continued centered around Gaza and another series of failed negotiations was made. In 2012, Palestine was granted as a non-member observer in the UN. In 2016, the Security Council adopted Resolution 2334, allowing lawsuits to be made.

Proposed Solutions

In more recent times, there have been two possible solutions discussed in the state of Israel-Palestine, the one-state solution and the two-state solution. Currently, Israel and Palestine have been working towards a two-state solution. This would completely separate Palestine from Israel and they would exist as just two neighboring states not affiliated in any way. Even though this solution is supported by many countries such as the United States, President Biden has been quoted as saying the vision of what has to come next must be a two-state solution. However, many believe that a peaceful negotiation ending in a complete separation is improbable. With the reelection of Prime Minister Benjamin Netanyahu, many believe it was the end of a possible two-state solution due to his extreme politics and the world must be confronted with the idea of a one-state solution.¹⁵ The permanent residency of Israelis and Palestinians and the intermingling of these two groups make this solution seem more probable as well. Even though these are the main discussed solutions, other ideas are looked favorably upon and welcomed onto the debate table.

Bloc Positions

Several UN peacekeeping groups such as UNTSO, UNSCO, and the Human Rights Council were called upon to analyze possible solutions for the issues occurring in the Middle East. Along with peacekeeping groups, The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), focuses on providing health, education, relief, and social services to Palestine refugees in countries including Jordan, Lebanon, and the Syrian Arab Republic. Countries across the continent as well as Israel and Palestine are in desperate need of a solution to the ongoing conflict. As of 2023, 139 of the 193 members recognize the State of Palestine, however, powers in the world such as the G7 countries, other Major European powers, and the European Union are not among those who recognize Palestine.¹⁶ In the case of Israel, 163 members of the UN recognize Israel as an independent state. Many major powers such as the US, France, Italy, and others have also provided not only their recognition of Israel but also their support in this ongoing crisis.¹⁷ Many of the countries who do not support Israel are Muslim-majority countries, aside from Egypt and Jordan who signed peace treaties with Israel and therefore recognize it as a state.

LIST OF INTERNATIONAL LAW VIOLATIONS BY THE STATE OF ISRAEL:

Laws Violated: U.N. Charter, Article 2(4) & 51 (1945); Declaration on Principles of International Law Concerning Friendly Relations..., Principle 1 (1970).

Israeli Actions: It is illegal under international law to acquire land by force: Israel annexed land occupied by force during the 1948 and 1967 wars (lands other than those given by the UN 1947-48 partition plan) ILRC article. Military action and occupations are legal only if they are for self-defense, or to directly benefit the native population. But studies show Israel is not just defending itself as it develops de-facto annexation with its settlements and separation barrier on occupied land, as it takes over most of the occupied territories (over 70%) and its natural resources for its own use and economic benefit, at the expense of the native population.

ILLEGAL ISRAELI SETTLEMENTS ON OCCUPIED LAND:

Laws Violated: Geneva Conventions IV, Article 49(6) (1949). It is illegal to colonize occupied land or transfer non-indigenous populations to that land.

Israeli Actions: Immediately following the 1967 war, Israel began building Israeli civilian settlements on Palestinian lands, eventually building over 200 settlements throughout the occupied territories, and settling over 450,000 Israeli civilians in them, displacing hundreds of thousands of Palestinian civilians from their own legally owned lands. In addition, Israeli citizens live in hundreds of Israeli settlements on occupied land not originally given to them in the UN Partition Plan, displacing hundreds of thousands of Palestinians.

ILLEGAL TO TAKE LAND BY FORCE & CLAIM SOVEREIGNTY:

Laws Violated: U.N. Charter, Article 2(4) (1945); Declaration on Principles of International Law Concerning Friendly Relations..., Principle 1 (1970).

Israeli Actions: In violation of the UN Partition Plan, Israel took an extra 15% of the land in 1948, and then, following the 1967 war, Israel confiscated East Jerusalem and the Golan Heights.

ILLEGAL ISRAELI PRACTICE OF ETHNIC CLEANSING:

Laws Violated: Forbidding civilian populations the right to return to their homes following the end of armed conflict is in direct violation of international law and UN resolutions. Geneva Convention IV, Articles 45, 46 & 49 (1949), UN resolutions 194 (III) (General Assembly; 1948) & 237 (Security Council; 1967).

Israeli Actions: Since 1910, in different ways, the Zionists and then Israel have taken Palestinian lands, forced native populations from their land, and then refused the Palestinian landowners or tenants' residency or employment on them. Following fighting in 1948 and then again in 1967, Palestinian civilians who wished to return to their homes in Israel and the Occupied Territories were forbidden re-entry ("right of return"), confining them to increasingly smaller areas of Israel and Occupied Territories. The Israeli government enacted laws and employed its military to keep approximately 750,000 Palestinian Arab civilians from returning to their homes following the end of fighting both in 1948 and in the occupied territories in 1967. Israel then violates UN resolutions ordering them to respect Palestinians' right to return to their homes.

ISRAELI APARTHEID SYSTEM IS ILLEGAL:

Laws Violated: International Convention on the Suppression and Punishment of the Crime of Apartheid (1976).

Israeli Actions: The State of Israel has a formal system of legalized discrimination against Palestinian Arabs which technically fits the official UN definition of Apartheid. ILRC article. Israel's society-wide system of discrimination and isolation of the Palestinian people within Israel, and its system of exploitation, oppression, and isolation in the occupied territories, fits exactly the official, legal UN definition of apartheid, which is considered to be a crime against humanity. The practice of passing laws that give special favor throughout Israeli society to the Jewish people over all other people, and especially the native Palestinian Arab people, embodies the UN definition of apartheid, which is giving special favor to one group of people above all other groups based on criteria like what religion they are. Another example is in 2003 when the Israeli legislature (Knesset) passed legislation that forbade spouses of Arab-Israeli citizens who are in the occupied territories from joining their families in Israel (with some exceptions). The reason for this legislation is to help maintain the Jewish demographic majority family unification. The racist nature is evident in that only Palestinians (no other ethnic groups) are forbidden to live in Israel after marrying an Israeli. ILRC article. General article. Amnesty International argues that this law violates fundamental principles of equity, human dignity, and personal freedom enshrined in basic law as well as the rights of the child to live with both parents and other fundamental rights enshrined in human rights treaties in which Israel is a signer.

MASSIVE VIOLATIONS OF HUMAN RIGHTS (HR):

Laws Violated: U.N. Charter, Article 1 (1945); Declaration on Principles of International Law Concerning Friendly Relations..., Principle 5 (1970).

Israeli Actions: Studies by the UN, I.C.J., and International H.R. organizations have found that Israel violates the human rights of Palestinian people on a massive scale, including torture, imprisonment without charges or trial, land confiscation, harassment at checkpoints, unwarranted civilian shootings, not punishing Israeli settlers' crimes against Palestinians, unwarranted disruption of medical care, commerce, employment, free movement, destruction of public and private property, family separation, etc...

COLLECTIVE PUNISHMENT IS ILLEGAL:

Laws Violated: Geneva Conventions IV, Article 33 (1949); Geneva Conventions (Protocol I), Article 75(2d) (1977).

Israeli Actions: In response to the Arab rebellion, the Israeli Military takes massive action against entire Palestinian communities, for example destroying entire neighborhoods of homes, confiscating communal farmlands, bulldozing homes,

blocking off certain areas, or not allowing civilian populations to leave their houses for extensive periods. This is called collective punishment because it punishes entire communities for the actions of a few.

ILLEGAL MASSIVE TRANSFORMATION OF LOCAL LAWS:

Laws Violated: Hague Regulations IV, Article 43 (1907).

Israeli Actions: Israel has created a dual legal system in the occupied territories – a democratic one linked to Israel for the Israeli settlements, and an oppressive, exploitive one for the Palestinian communities run by the Israeli military committees and Israeli-controlled civic administrations, replacing all Arab government functions with Israeli military committees, and dismissing or deporting all Arab government official.

VIOLATIONS OF U.N. SECURITY COUNCIL RESOLUTIONS:

Laws Violated: Israel has violated 28 resolutions of the United Nations Security Council (which are legally binding on member-nations U.N. Charter, Article 25 (1945); a few sample resolutions - 54, 111, 233, 234, 236, 248, 250, 252, 256, 262, 267, 270, 280, 285, 298, 313, 316, 468, 476, etc.

Israeli Actions: Israel has violated many U.N. Security Council resolutions, especially relating to its occupations, land annexations, military aggression, HR violations, etc.

Separation Barrier Ruled Illegal Law Violated: The International Court of Justice of 2004, in an advisory opinion, ruled the Israeli separation barriers illegal. They condemned the separation wall Israel is building throughout the occupied West Bank in a 14 to 1 ruling. The Court begins by citing, regarding Article 2, paragraph 4, of the United Nations Charter and General Assembly resolution 2625 (XXV), the principles of the prohibition of the threat or use of force and the illegality of any territorial acquisition by such means, as reflected in customary international law. It notes that significant amounts of land are de facto annexed by the separation barrier. It further cites the principle of self-determination of peoples, as enshrined in the Charter and reaffirmed by resolution 2625 (XXV). As regards international humanitarian law, the Court refers to the provisions of the Hague Regulation of 1907, which have become part of customary law, as well as the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949, applicable in those Palestinian territories which, before the armed conflict of 1967, lay to the east of the 1949 Armistice demarcation line (or “Green Line”) and were occupied by Israel during that conflict. The Court further notes that certain human rights instruments (the International Covenant on Civil and Political Rights, the

International Covenant on Economic, Social, and Cultural Rights, and the United Nations Convention on the Rights of the Child) are applicable in the Occupied Palestinian Territory. It finds that the construction of the wall and its associated régime are contrary to the relevant provisions of the Hague Regulations of 1907 and of the Fourth Geneva Convention; that they impede the liberty of movement of the inhabitants of the territory as guaranteed by the International Covenant on Civil and Political Rights; and that they also impede the exercise by the persons concerned of the right to work, to health, to education and to an adequate standard of living as proclaimed in the International Covenant on Economic, Social and Cultural Rights and in the Convention on the Rights of the Child. Lastly, the Court finds that this construction and its associated régime, coupled with the establishment of settlements, are tending to alter the demographic composition of the Occupied Palestinian Territory and thereby contravene the Fourth Geneva Convention and the relevant Security Council resolutions.

Israeli Action: The separation barrier built by Israel snakes its way through the West Bank, isolating Palestinians from each other, from their land, work, schools, and health care. The wall confiscates significant amounts of land and annexes more land to Israel. The court said: The construction of the wall being built by Israel, the occupying power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law.” “Israel is under an obligation to make reparation for all damage caused by the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem.” The court noted that significant amounts of the West Bank are, defacto, annexed by the wall

AGENDA ITEM II:

More than 2 million people in the Gaza Strip are struggling to survive amidst a catastrophic humanitarian crisis, and the level of civilian casualties has been unprecedented. In the face of such unprecedented devastation and suffering, humanity must prevail.

A **war crime** is a violation of the laws of war that gives rise to individual criminal responsibility for actions by combatants in action, such as intentionally killing civilians or intentionally killing prisoners of war, torture, taking hostages, unnecessarily destroying civilian property, deception by perfidy, wartime sexual violence, pillaging, and for any individual that is part of the command structure who orders any attempt to committing mass killings including genocide or ethnic cleansing, the granting of no quarter despite surrender, the conscription of children

in the military and flouting the legal distinctions of proportionality and military necessity.

On Tuesday, the UN General Assembly's Emergency Special Session is set to resume with dozens of countries still to speak out on the current crisis over Gaza, with a large majority of the Member States voting for a humanitarian truce to end the fighting between Israeli forces and Hamas.

According to the United States Department of State and international, Palestinian, and Israeli human rights organizations, there have been credible reports of human rights violations committed against Palestinians by Israel, some amounting to war crimes and crimes against humanity.

Reports of human rights violations against Palestinians by Israel include reports of illegal or random killings, random or unwarranted detention (both of Palestinians in Israel and the occupied territories) restrictions on Palestinians residing in Jerusalem including random or illegal interference with privacy, family, and home, considerable interference with the freedom of peaceful assembly and association, limiting and occasionally restricting access to the Al-Aqsa Mosque compound, random or illegal interference with privacy, punishment of family members for alleged offenses by a relative, restrictions on freedom of expression and media including censorship, illegal routine harassment of nongovernmental organizations, unlawful exercise of physical force or intimidation and threats of violence against Palestinians, targeted killings of Palestinians, and labor rights abuses against Palestinian workers. In addition, human rights organizations have described the state of Israel as an apartheid regime.

Israel's blockade of the Gaza Strip has been described as a form of collective punishment and a serious violation of international humanitarian law. Israel's military campaigns in the Gaza Strip include Operation Cast Lead which was described by the UN Fact Finding Mission as "a deliberately disproportionate attack designed to punish, humiliate and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever-increasing sense of dependency and vulnerability."

Israel has also long been accused of illegally harvesting the organs of Palestinians. The first evidence of illegal organ harvesting of Palestinians dates back to the early 1990s. Israel has admitted that Israeli pathologists harvested organs from dead Palestinians without the consent of their families, and the first Israeli heart transplant was a stolen Palestinian's organ. Some Israeli physicians have spoken against illegal organ harvesting of Palestinians that is performed without family approval.

There are many issues involved in the peace process. Some of the key issues include:

Border Disputes: Resolution 181 originally called for a two-state solution back in 1948, which the international community has also advocated for ever since. But after so many wars, and with Israel occupying Palestine, there is much dispute and controversy over where the borders for both states should be drawn. Additionally, Israelis have settled in the areas that are considered occupied Palestine.

Right of Return: Following the 1948 war, thousands of Palestinians fled their homes as refugees, and today there are millions of Palestinians living in refugee camps. Refugees claim that they have a right of return that includes “a claim to citizenship, financial settlement and, in some cases, return to former homes and property in what is today Israel.”^v However, the Israeli leadership opposes this right of return to keep Israel a Jewish state.

Security and Terrorism: The conflict has created a vicious cycle of fighting by both Israeli and Palestinian sides. The Israeli military occupies parts of Palestine to secure its borders and territory taken throughout the Arab-Israeli wars. However, this also creates tension with Palestinians and leads to insecurity and fighting. Also, groups within Palestine have fired rockets into Israel, and one of Palestine’s leading groups, Hamas, is considered a terrorist organization by the United States.

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