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OHCHR: Office of High Commissioner for Human Rights

# Research Report

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Topic 1: Strongly condemning the human rights violation on both sides of the Israel-Palestine conflict.



By Samuela Ssuubi Nataizya and Chloe Chin Xi Huei

## Outline

Introduction	2
Definition of Key Terms	2
Background Information	3
Major Countries and Organisations Involved	4
Israel	4
Palestine	4
Hamas	4
United Nations Relief and Work Agency (UNRWA)	4
United States of America	5
Relevant UN Resolutions	5
A/RES/43/177	5
A/RES/ES-10/21	5
S/RES/1397	5
Previous Attempts to Solve the Issue	6
Arab Peace Initiative (API)	6
The Geneva Initiative	6
Israeli Peace Initiative (IPI)	6
Possible Solutions	6
Bibliography	7

## Introduction

The Israeli-Palestinian conflict stems from a dispute for land. The “Holy Land” is a piece of land that holds historical and religious significance to Christians, Jews and Muslims.<sup>1</sup> In 1947 the UN adopted the Partition Plan which aimed to divide the British Mandate of Palestine into Arab and Jewish states, this plan was never fully implemented by the UN; a year later Israel was created, and that sparked the first Israel-Arab War. 750,000 Palestinians were displaced as a result of the war and the territory was then divided into: The State of Israel, the West Bank and the Gaza Strip.<sup>2</sup> Following that in 1987 there was a mass uprising against the Israeli occupation in occupied Palestine, due to the Israeli’s method of defence there was a major loss of life and mass injuries in the Palestinian population.<sup>3</sup> Today as the conflict continues, the UN and other humanitarian organisations have expressed deep frustration for Israel’s refusal to leave Gaza. Death tolls in Gaza have risen to the point that many are “convinced that the Palestinian people are at grave risk of genocide”.<sup>4</sup>

## Definition of Key Terms

**Two-state solution:** An independent state of Palestine as well as the State of Israel, west of the Jordan River.<sup>5</sup>

**Ceasefire:** An agreement that regulates the halting of all military activity for a certain amount of time in a given area.<sup>6</sup>

**Refugee:** Are persons who are forced out of their country of origin due to conflict, persecution or generalised violence and as a result need international protection.<sup>7</sup>

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<sup>1</sup>Kali Robinson, “What Is U.S. Policy on the Israeli-Palestinian Conflict?,” Council on Foreign Relations, July 12, 2023, <https://www.cfr.org/backgrounder/what-us-policy-israeli-palestinian-conflict>.

<sup>2</sup>Global Conflict Tracker, “Israeli-Palestinian Conflict | Global Conflict Tracker,” Global Conflict Tracker, 2015, <https://www.cfr.org/global-conflict-tracker/conflict/israeli-palestinian-conflict>.

<sup>3</sup>DPR 3, “History of the Question of Palestine - Question of Palestine,” Question of Palestine, October 20, 2023, <https://www.un.org/unispal/history/>.

<sup>4</sup>OHCHR, “Gaza Is ‘Running out of Time’ UN Experts Warn, Demanding a Ceasefire to Prevent Genocide,” OHCHR, 2023, <https://www.ohchr.org/en/press-releases/2023/11/gaza-running-out-time-un-experts-warn-demanding-ceasefire-prevent-genocide>.

<sup>5</sup>Wikipedia Contributors, “Two-State Solution,” Wikipedia (Wikimedia Foundation, December 29, 2023), [https://en.wikipedia.org/wiki/Two-state\\_solution](https://en.wikipedia.org/wiki/Two-state_solution).

<sup>6</sup>Medecins Sans Frontieres, “Doctors without Borders | the Practical Guide to Humanitarian Law,” Guide-humanitarian-law.org, 2023, <https://guide-humanitarian-law.org/content/article/3/cease-fire/#:~:text=CeaseFire,between%20parties%20to%20a%20conflict>.

<sup>7</sup>United Nations High Commissioner for Refugees, “Definitions,” Refugees and Migrants, April 12, 2016, <https://refugeesmigrants.un.org/definitions#:~:text=Refugees%20are%20persons%20who%20are,a%20result%2C%20require%20international%20protection>.

**Human shields:** A warfare method where the presence or movement of the civilian population is used to shield military objectives or military operations.<sup>8</sup>

**Genocide:** A crime or the act of killing with the intent to partially or fully destroy an ethnic, racial, religious or national group.<sup>9</sup>

## Background Information

In 1967 there was the Six Day War between Israel and a coalition of Arab states (Egypt, Syria and Jordan). This war lasted from 5 June to 10 June 1967 and resulted in more than 13000 casualties and 413000 Palestinians displaced.<sup>10</sup> On October 7 2023, Hamas sent multiple troops from Gaza along with RPGs and explosives to invade the south of Israel, while also firing numerous rockets towards Israel. This attack resulted in 1300 civilians murdered and 200 missing.<sup>11</sup> Since the early 2000's there have been many efforts to create peace in the area, with two-state solutions, demilitarisation of both Israel and Palestine as well as the sharing of Jerusalem as both Israel's and Palestine's capital. Israel in its retaliation against Hamas has failed to minimise civilian casualties, resulting in at least 21,320 people being killed.<sup>12</sup><sup>13</sup> The IDF has accused Hamas of using civilians as human shields by purposefully hiding behind Palestinian civilians in hospitals.<sup>14</sup> It is estimated that 1.4 million people are internally displaced within Gaza with 629,000 seeking refuge in UNRWA sites.<sup>15</sup>

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<sup>8</sup>International Committee of the Red Cross, "Human Shields | How Does Law Protect in War? - Online Casebook," Icrc.org, 2014, [https://casebook.icrc.org/a\\_to\\_z/glossary/human-shields](https://casebook.icrc.org/a_to_z/glossary/human-shields).

<sup>9</sup>United Nations, "THE CONVENTION on the PREVENTION and PUNISHMENT of the CRIME of GENOCIDE (1948)," 2019, <https://www.un.org/en/genocideprevention/documents/Genocide%20Convention-FactSheet-ENG.pdf>.

<sup>10</sup>Wikipedia Contributors, "Six-Day War," Wikipedia (Wikimedia Foundation, January 16, 2024), [https://en.wikipedia.org/wiki/Six-Day\\_War](https://en.wikipedia.org/wiki/Six-Day_War).

<sup>11</sup>IDF, "War against Hamas What Happened in the October 7th Massacre in Israel?," IDF, October 17, 2023, <https://www.idf.il/en/mini-sites/hamas-israel-war-23/all-articles/what-happened-in-the-october-7th-massacre/#:~:text=On%20October%207th%2C%202023%2C%20thousands,thousands%20of%20rockets%20toward%20Israel.>

<sup>12</sup>Linah Alsaafin and Joseph Stepansky, "Israel-Hamas War Updates: Children among Dead as Israeli Strike Hits Rafah," Al Jazeera (Al Jazeera, December 28, 2023), <https://www.aljazeera.com/news/liveblog/2023/12/28/israel-hamas-war-live-israel-kills-palestinians-in-central-gaza-attacks#:~:text=In%20Gaza%2C%20at%20least%2021%2C320,on%20Israel%20stands%20at%201%2C139.>

<sup>13</sup>BBC News, "What Is Hamas and Why Is It Fighting with Israel in Gaza?," BBC News (BBC News, October 7, 2023), <https://www.bbc.com/news/world-middle-east-67039975>.

<sup>14</sup>Peter Beaumont, "What Is a Human Shield and How Has Hamas Been Accused of Using Them?," the Guardian (The Guardian, October 30, 2023), <https://www.theguardian.com/world/2023/oct/30/human-shield-israel-claim-hamas-command-centre-under-hospital-palestinian-civilian-gaza-city>.

<sup>15</sup>OHCHR, "Gaza Is 'Running out of Time' UN Experts Warn, Demanding a Ceasefire to Prevent Genocide,"

## Major Countries and Organisations Involved

### Israel

Under the current government of Benjamin Netanyahu, Israel aims to “*strengthen the status of Jerusalem*” which contradicts the many years of the aim to a two-state solution.<sup>16</sup> The Israel Defense Forces (IDF) have carried out multiple airstrikes on Gaza, with the “*clear goal of destroying Hamas’s military and governing capabilities*”.<sup>17</sup>

### Palestine

Palestine came is divided into the West Bank, Gaza Strip. The Palestinian Authority (PA) has been in rule of the Palestinian state with attempts to sign with other parties in the past years.<sup>18</sup> According to the Gaza health Ministry, at least 21,000 people have been killed due to this conflict. Millions of Palestinians are displaced and thousands are seeking refuge; the state suffers from lack of fuel, electricity and clean water, due to IDF troops limiting the supplies that cross the Palestine-Israel border.<sup>19</sup>

### Hamas

A Palestinian militant and Islamist group that operates in the West Bank and Gaza strip. It is dedicated to establishing Palestine as an independent Islamic state.<sup>20</sup> Founded in 1987 the group is best known for its armed resistance to Israel.<sup>21</sup> The group has run Gaza since 2007 and wants to destroy Israel so it can be replaced with an Islamic state.<sup>22</sup>

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<sup>16</sup>Lucy Kurtzer-Ellenbogen, “What Does Israel’s New Government Mean for the Israeli-Palestinian Conflict?,” United States Institute of Peace, January 6, 2023, <https://www.usip.org/publications/2023/01/what-does-israels-new-government-mean-israeli-palestinian-conflict>.

<sup>17</sup>BBC News, “Israel Gaza: UN General Assembly Demands Immediate Ceasefire,” BBC News (BBC News, December 13, 2023), <https://www.bbc.co.uk/news/world-middle-east-67699508>.

<sup>18</sup>Al Jazeera, “What Is the Palestinian Authority and What Is Its Relationship with Israel?,” Al Jazeera (Al Jazeera, October 11, 2023), <https://www.aljazeera.com/news/2023/10/11/what-is-the-palestinian-authority-and-how-is-it-viewed-by-palestinians>.

<sup>19</sup>OHCHR, “Gaza Is ‘Running out of Time’ UN Experts Warn, Demanding a Ceasefire to Prevent Genocide,”

<sup>20</sup>Britannica, “Hamas | Definition, History, Ideology, & Facts | Britannica,” in *Encyclopædia Britannica*, December 29, 2023, <https://www.britannica.com/topic/Hamas>.

<sup>21</sup>Kali Robinson, “What Is Hamas?,” Council on Foreign Relations, October 31, 2023, <https://www.cfr.org/backgrounder/what-hamas>.

<sup>22</sup> BBC News, “Israel Gaza: UN General Assembly Demands Immediate Ceasefire,”

## United Nations Relief and Work Agency (UNRWA)

The largest UN organisation in the Gaza strip, its main goal is to provide emergency assistance to Palestine refugees in Gaza. It also specialises in human development services such as education and health.<sup>23</sup>

## United States of America

Since the 2021 Israel-Hamas conflict, the United States provided an additional \$1 billion in missile defence on top of \$4 billion it usually provides to Israel that already included \$500 million for missile defence.<sup>24</sup> The United States voted against ceasefire resolutions under the belief of the possibility of Hamas regrouping.<sup>25</sup>

## Relevant UN Resolutions

### A/RES/43/177

#### *“Question of Palestine”*

Focuses on achieving peace in the Middle East and its significant contribution to international peace and security. Guaranteeing freedom of access to Holy Places, religious buildings and sites.<sup>26</sup>

### A/RES/ES-10/21

#### *“Protection of civilians and upholding legal and humanitarian obligations.”*

Reaffirming the obligation of nations to respect and uphold the international humanitarian law in all situations. Recalling Security Council resolutions on the protection of civilians in conflict, including children.<sup>27</sup>

### S/RES/1397<sup>28</sup>

*“Adopted by the Security Council at its 4489th meeting, on 12 march 2002”*

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<sup>23</sup>UNRWA, “Gaza Emergency UNRWA,” UNRWA, 2023, <https://www.unrwa.org/gaza-emergency>.

<sup>24</sup>Kali Robinson, “What Is U.S. Policy on the Israeli-Palestinian Conflict?,”

<sup>25</sup>BBC News, “Israel Gaza: UN General Assembly Demands Immediate Ceasefire,” BBC News (BBC News, December 13, 2023), <https://www.bbc.co.uk/news/world-middle-east-67699508>.

<sup>26</sup>United Nations, “ODS HOME PAGE,” documents-dds-ny.un.org, December 15, 1988, <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/531/56/IMG/NR053156.pdf?OpenElement>

<sup>27</sup>United Nations, “ODS HOME PAGE,” documents-dds-ny.un.org, October 26, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/LTD/N23/319/20/PDF/N2331920.pdf?OpenElement>.

<sup>28</sup>United Nations, “ODS HOME PAGE,” documents-dds-ny.un.org, March 12, 2002, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/283/59/PDF/N0228359.pdf?OpenElement>.

Stresses the importance of respecting the international humanitarian law, and ensuring the safety of civilians. Demands the elimination of all acts of violence including terror, provocation, incitement and destruction.

## Previous Attempts to Solve the Issue

### Arab Peace Initiative (API)

A comprehensive peace plan proposed in 2002, that called for an end to the conflicts between Israel and Palestine, as well as fix the relations between Israel and the Arab world. This included that Israel withdrew from the areas it gained in the 1967 Six Day War.<sup>29</sup>

### The Geneva Initiative

A peace plan proposed after the Arab peace Initiative. It mainly focused on the recognition of Palestine and Israel as two separate states, a solution for the refugee problem, recognition of Jerusalem as an Israeli and Palestinian capital for the Jewish and Arab neighbourhoods, respectively and a demilitarised Palestinian state.<sup>30</sup>

### Israeli Peace Initiative (IPI)

A peace plan presented by the political left within Israel in response to the API. They accepted that the API was the framework for peace in the region and considered the IPI to be an Israeli contribution to the initiative. Within this there was emphasis on the coexistence of both Jew and Muslim groups, as well as Jerusalem being the capital of the two states of Israel and Palestine. It also considered a plan for refugees that they would gain financial compensation.<sup>31</sup>

## Possible Solutions

1. Creating violence free zones to ensure the safety of civilians, while permitting complete access to unlimited humanitarian aid and resources, that ensures the survival and well-being of civilians.
2. Building hospitals and residence areas in the violence free zones to support victims of conflict, while also having infrastructure such as schools and communication to create safer spaces for children and families..

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<sup>29</sup>ADL, “Arab Peace Initiative,” ADL, 2016, <https://www.adl.org/resources/backgrounder/arab-peace-initiative>.

<sup>30</sup>Geneva Initiative, “The Accord – Geneva Initiative,” Geneva-accord.org, October 12, 2003, <https://geneva-accord.org/the-accord/>.

<sup>31</sup>Middle East Policy Council, “The Israeli Peace Initiative (IPI) | Middle East Policy Council,” Mepc.org, April 6, 2011, <https://mepc.org/commentary/israeli-peace-initiative-ipi>.

3. Calling for a ceasefire within Palestine and Israel for the foreseeable future until all civilians affected by the conflict have gotten the attention needed and have been compensated for the damages caused by both states.

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[https://casebook.icrc.org/a\\_to\\_z/glossary/human-shields](https://casebook.icrc.org/a_to_z/glossary/human-shields).

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<https://www.aljazeera.com/news/liveblog/2023/12/28/israel-hamas-war-live-israel-kills-palestinians-in-central-gaza-attacks#:~:text=In%20Gaza%2C%20at%20least%2021%2C320,on%20Israel%20stands%20at%201%2C139..>

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[https://documents-dds-](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/283/59/PDF/N0228359.pdf?OpenElement)

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