

Research Report

Topic 3: Establishing a ceasefire in the Israel-Palestine conflict, thus,
preventing the use of white phosphorus in armed conflict.



Praharshan Aananth Jayasekar Sumithra

Niv O'Regan

Outline

Introduction	1
Definition of Key Terms	2
Background Information	3
Major Countries and Organisations Involved	5
Relevant UN Resolutions	5
Previous Attempts to Solve the Issue	6
Possible Solutions	6
Bibliography	7

Introduction

On October 7, 2023, Hamas, a militant group who is in control of the Gaza Strip, launched a large assault into southern Israel by sending thousands of militants into the country. They overtook many fortified positions, killed over 1,200 people, and seized some 240 hostages, of whom also the vast majority are civilians, before returning to the strip. The present “official” war between Israel and Hamas began with this incident, although there is a very long history of hostilities within the region. The motivations for the attack are numerous, tied to the long-running Israeli-Palestinian conflict, rising tensions in the region, and Hamas' aim to increase its popularity among Palestinians in its goal of replacing Israel with a Palestinian state¹

With both sides engaging in intense retribution and military offensives, the battle has resulted in a humanitarian disaster in the region, tens of thousands of Gazans killed, with suspicions of war crimes taking place on both sides.

¹ Litvak, Meir. “PIJ.ORG: The Anti-Semitism of Hamas By Meir Litvak.” *Palestine-Israel Journal*, <https://pij.org/articles/345/the-antisemitism-of-hamas>.

Definition of Key Terms

White Phosphorus:

A toxic and flammable chemical which is sometimes used for military purposes. (*White Phosphorus itself is not banned, focus on how it's being used. Recommend to study very carefully.*)

Law Of Armed Conflict (LOAC):

Essentially the rules of war, they determine what is a war crime.

The Oslo Accords:

A pair of agreements between Israel and Palestine which laid the groundworks for a “two-state solution”²

Background Information: ³

The conflict between Israel and Palestine is a complex, multifaceted “struggle” that has been unfolding for the past 75 years “stemming from cultural, religious and land disagreements”. The major events that have led to the current conflict include:

1917: The Balfour declaration.

A statement of support from Britain for “the establishment in Palestine of a national home for the Jewish people.” this led to a growth in organised Zionism within Jewish communities, mainly in Europe. This declaration led to large groups of Jewish people to move to Palestine, which increased tension with the Palestinian people.

1948: The establishment of the State of Israel and the Independence war

Following a UNGA vote to end the British mandate and establish two states, Israel and Palestine.

1967: Six-Day War

A short war, in which Israel captured the West Bank and East Jerusalem (Palestinian area which have been under Jordanian control from 1948 and until then). The Gaza Strip (Palestinian area which has been under Egyptian control for most of the time since 1948 and until then), The Golan heights (Syria), the Sinai Desert (Egypt)). .

1987: First Intifada

² Aiesi, Matthew J. “The Jus in Bello of White Phosphorus: Getting the Law Correct.” *Lawfare*, 26 November 2019, <https://www.lawfaremedia.org/article/jus-bello-white-phosphorus-getting-law-correct>

³ Cruz, Margaret. “The Question of Palestine- Timeline of Events - Question of Palestine.” *the United Nations*, 28 December 2023, <https://www.un.org/unispal/timeline/>.

The first major Palestinian rise against Israel since it began the occupation in 1967. Results in a few **battles** and overall unrest.

1993: Oslo Accords⁴

A peace agreement between Palestine and Israel which establishes a Palestinian government with limited control over the West Bank and the Gaza Strip.

2005: Israel Withdraws from Gaza

All Israeli troops and settlers are removed from the Gaza Strip by the Israeli government in a one-sided move.

2006: Hamas Wins Palestinian Elections

The militant group Hamas wins elections and forming a majority government. Hamas banned any other elections.

2008-2009: Operation Cast Lead

Israel launches a large military assault into Gaza in response to smaller disputes with the Hamas. Over a thousand rockets and bombs, dropped with hundreds of casualties on both sides.

2014: Gaza War\ Operation “Protective Edge”

Another major military operation between the two sides, thousands of casualties on both sides.

2021: Escalation in East Jerusalem and Gaza

Tensions spike with the growth of Israeli west bank settlers creating provocations in East Jerusalem and the west bank, other disputes in Gaza.

2023: The 7th of October war (temporary title)

On October 7, 2023, Hamas, a militant group who is in control of the based in the Gaza Strip, launched a large assault into southern Israel by sending thousands of militants into the country, overtaking many fortified positions. They killed over 1,200 people, mostly civilians, and seize some 240 hostages, of whom also the vast majority are civilians, before returning to the strip. Since the beginning of the war, tens of thousands have been killed and reports of war crimes have been surfacing on both sides.

⁴ *AlJazeera*, 27, November, 2023, <https://www.aljazeera.com/news/2023/11/27/palestine-and-israel-brief-history-maps-and-charts>

Major Countries and Organisations Involved:

Israel

As one of the most technologically advanced militaries in the world, the IDF has been able to fight back against the recent Hamas attacks. But reports of white phosphorus munitions being used on civilians have been surfacing, bringing back the discussion on the legality of such weapons.

Palestine

Split in two, Palestine comprises parts of modern Israel, the West Bank, and the Gaza Strip. This small area has been under the control of the Hamas for many years and has been in constant conflict with Israel over territorial, religious and other disputes.

Britain

Before Israel was established, the British had control of the Palestinian and Transjordan region. In 1920 the Mandate for Palestine, which was approved by the League of Nations, set a clear border between the two, which remains in place today. Later in 1947, a resolution by the UN decided the Palestinian territory into a Jewish state and an Arab state, which came into full effect in 1948. Today, while in support of Israel, Britain has urged a humanitarian ceasefire as well as many people in the government calling for Palestinian Authority to be recognised as a legitimate entity.

Hamas

A militant group which controls the Gaza Strip. They are the ones who planned and carried out the October 7 offensive.

Alliance for Middle East Peace (ALLMEP)

A coalition of over 100 organisations working to build people-to-people cooperation, coexistence, and peace among communities in the Middle East⁵.

Relevant UN Resolutions⁵

Older resolutions talking about specific things that occurred and what should be done:

[S/RES/904](#)

Regarding the “massacre committed against Palestinian worshippers in the Mosque of Ibrahim in Hebron, on 25 February 1994”

[S/RES/1397](#)

⁵ “Guide to Israel-Palestine Organisations.” *Solutions Not Sides*, 2023, <https://solutionsnotsides.co.uk/sites/default/files/2023-04/Guide%20to%20Israel-Palestine%20Organisations.pdf>

Regarding violent clashes in September 2000.

[S/RES/2334](#)

Regarding Israeli settlements within Palestinian territory.

[S/RES/1860](#)

Calls for an immediate, fully respected ceasefire which led to the Israeli withdrawal from Gaza

Newer resolutions focused on the current conflict:

[A/ES-10/L.25](#)

Calls for a humanitarian ceasefire and emphasises the importance of protecting civilians.

Previous Attempts to Solve the Issue

Humanitarian ceasefire presented by the UAE⁶

On December 8th, the United Arab Emirates presented a resolution demanding an immediate Humanitarian ceasefire. The resolution listed several demands to each side, including the release of all hostages and the ability to provide essential care to those in need.

Possible Solutions

One viewpoint is a one-state solution in which Israel and Palestine both become one nation. This could either be Israel absorbing Palestine or a new nation being formed. This type of solution would allow for Palestinians and Israelis alike to be able to live anywhere in the region and be equal in the eyes of the law. A problem with this is that it only eliminates the legal separation, while culturally or ideologically the two groups will still oppose each other all the same.

⁶ “Security Council Fails to Adopt Resolution Demanding Immediate Humanitarian Ceasefire in Gaza on Account of Veto by United States | UN Press.” *UN Press*, 8 December 2023, <https://press.un.org/en/2023/sc15519.doc.htm>

Another viewpoint is a two-state solution in which aims to create two separate states, one for Israelis, and one for Palestinians. This is the solution that the Oslo Accords were aimed at and is the one most commonly agreed upon. The main issue with it is determining where the borders should go, considering the complex cultural and agricultural history of the region.

Bibliography

“.” REPORT OF THE SECURITY COUNCIL COMWSSION ESTABLISHED UNDER RESOLUTION 446, 12 July 1979,
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N79/185/99/PDF/N7918599.pdf?OpenElement>.

“.” *Resolution 1397*, 12 March 2002,
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/283/59/PDF/N0228359.pdf?OpenElement>.

“.” *RESOLUTION 904*, 18 March 1994,

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N94/139/85/PDF/N9413985.pdf?OpenElement>.

“.” *Resolution 2334*, 23 December 2016,

<https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/463/89/PDF/N1646389.pdf?OpenElement>.

“Agreement - Declaration of Principles on Interim Self-Government Arrangements (a.k.a. "Oslo Accord”).” *the United Nations*, 13 September 1993, <https://www.un.org/unispal/document/auto-insert-180015/>.

“A brief history of Israel-Palestine conflict in 10 maps.” *Al Jazeera*, 27 November 2023, <https://www.aljazeera.com/news/2023/11/27/palestine-and-israel-brief-history-maps-and-charts>.

Cruz, Margaret. “The Question of Palestine- Timeline of Events - Question of Palestine.” *the United Nations*, 23 October 2023, <https://www.un.org/unispal/timeline/>.

“General Assembly - Question of Palestine.” *the United Nations*, 20 April 2023, <https://www.un.org/unispal/data-collection/general-assembly/>.

“Guide to Israel-Palestine Organisations.” *Solutions Not Sides*, 2023, <https://solutionsnotsides.co.uk/sites/default/files/2023-04/Guide%20to%20Israel-Palestine%20Organisations.pdf>.

“IHL Treaties - Convention prohibiting Certain Conventional Weapons (CCW), 1980.” *International Humanitarian Law Databases*, <https://ihl-databases.icrc.org/en/ihl-treaties/ccw-1980>.

“IHL Treaties - Convention prohibiting Chemical Weapons, 1993.” *International Humanitarian Law Databases*, <https://ihl-databases.icrc.org/en/ihl-treaties/cwc-1993>.

Mehvar, Ameneh. “Fact Sheet: Israel and Palestine Conflict (Updated 31 October 2023).” *ACLEDA*, 10 October 2023, <https://acleddata.com/2023/10/10/fact-sheet-israel-and-palestine-conflict/>.

“Mideast situation/Withdrawal of Israeli forces, termination of states of belligerency - Resolution 242 - SecCo resolution.” *the United Nations*, 11 March 2019, <https://www.un.org/unispal/document/auto-insert-184858/>.

“Operation Cast Lead: Israel strikes back against Hamas terror in Gaza.” *Gov.il*, <https://www.gov.il/en/Departments/General/operation-cast-lead-israel-strikes-back-against-hamas-terr>

[or-in-gaza.](#)

“Secretary-General Urges Security Council to Call for Ceasefire in Gaza, Declaring That Humanitarian Situation Is Now at 'Breaking Point' | UN Press.” *UN Press*, 8 December 2023, <https://press.un.org/en/2023/sc15518.doc.htm>.

“Security Council Fails to Adopt Resolution Demanding Immediate Humanitarian Ceasefire in Gaza on Account of Veto by United States | UN Press.” *UN Press*, 8 December 2023, <https://press.un.org/en/2023/sc15519.doc.htm>.

“Security Council Fails to Adopt Resolution Demanding Immediate Humanitarian Ceasefire in Gaza on Account of Veto by United States | UN Press.” *UN Press*, 8 December 2023, <https://press.un.org/en/2023/sc15519.doc.htm>.

“Treaty Series Recueil des Traites.” *United Nations Treaty Collection*, <https://treaties.un.org/doc/Publication/unts/Volume%2075/v75.pdf>.

“UN General Assembly - Tenth Emergency Special Sessions.” *the United Nations*, <https://www.un.org/en/ga/sessions/emergency10th.shtml>.

“UN on the Ground | United Nations.” *the United Nations*, <https://www.un.org/en/situation-in-occupied-palestine-and-israel/un-on-the-ground>.

“What's the Israel-Palestinian conflict about and how did it start?” *Reuters*, 9 October 2023, <https://www.reuters.com/world/middle-east/whats-israel-palestinian-conflict-about-how-did-it-start-2023-10-30/>.

Zanotti, Jim, et al. “Israel and Hamas 2023 Conflict In Brief: Overview, U.S. Policy, and Options for Congress.” CRS Reports, 6 November 2023, <https://crsreports.congress.gov/product/pdf/R/R47828/4>.

Fenton, Jonathan. “Britain follows the US into isolation over Israel's Gaza war.” *The New Arab*, 19 December 2023, <https://www.newarab.com/analysis/britain-follows-us-isolation-over-israels-gaza-war>.

