

Human Rights Council

The situation of human rights in the Palestinian Territories



Forum	Human Rights Council
Issue:	The situation of human rights in the Palestinian Territories
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Introduction

In 1967 the West Bank and the Gaza Strip, both Palestinian territories, were captured by Israel after the events of the Six-Day War. This marked the start of a series of tumultuous episodes in the history of the region, with consequences and repercussions of these events lasting until current days, the recent war between Hamas and the Israeli government foremost among them. The causes for the ever-rising tensions are deeply rooted and predate even the Six-Day War, reaching all the way back to the United Nations Plan for the Partition of Palestine dated on November 29th, 1947, just after the Second World War. The plan recommended economically linked Arab and Jewish States to be created in an attempt to reconcile both parties and find a solution acceptable to all. However the plan had many detractors, including many of the already settled Palestinian Arab population, who considered the repartition unfair, due to the large majority of Palestinian Arabs in the region, and argued that, in addition to being more numerous, the Arab population already owned the majority of the land. The Arab League, Arab Higher committee and other Arab governments, also rejected the plan. The rising tensions following the passing of the resolution concerning said plan gave rise to the civil war that raged in the region until 1948 and almost immediately escalated to the 1948 Arab-Israeli War.

These tensions have persisted to this day. Polarisation between Palestinians and Israelis is at an all-time high, which culminated in the Hamas-led assault on Israeli, kidnapping approximately 240 civilians and killing thousands more. This led to the Israeli government declaring war on Gaza and launching a large-scale ground assault that is ongoing as of the day of writing this report. The situation of the civilian population in Gaza deteriorates a bit more every day. Large amounts of housing and infrastructure have been destroyed and rendered unusable throughout the Gaza Strip, and influx of humanitarian aid into the Strip is being severely impeded by Israeli authorities,



increasing the need for an agreement between both parties all the more important as time passes. Evidence of human right violations by both parties has been severely increasing since the attacks of October 7th, and serious measures have yet to be taken by both Israeli and Palestinian authorities against further violations.

Definition of Key Terms

Human Rights

A specific set of rights inherent to all human beings, regardless of race, belief, sex, nationality or any other characteristic. These rights are outlined in the United Nations Charter and the Universal Declaration of Human Rights and include rights such as the right to freedom of opinion and expression, the right to work and education, and many more.

Genocide

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a. Killing members of the group;
- b. Causing serious bodily or mental harm to members of the group;
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d. Imposing measures intended to prevent births within the group;
- e. Forcibly transferring children of the group to another group.

Permanent Observer (United Nations)

Permanent Observers in the United-Nations are representatives of non-member states or regional and international organisations, who are given free access to most General Assembly debates and relevant documents. They are, however, not allowed to vote.

Apartheid



A discrimination system where two groups are kept separated and treated separately, often at the disadvantage of one of the groups.

General Overview

The regions of Israel, the Gaza Strip and the West Bank are situated in the Middle-East, bordering the Mediterranean Sea, Egypt, Jordan, Lebanon and Syria. They are separated from one another by armistice lines, which were outlined in the 1949 Armistice Agreements that ended the 1948 Arab-Israeli War. The populations in these regions are heavily segregated with a majority of the population in Israel being Jewish, and the Gaza Strip and West bank being characterised by a vast Islamic majority. The United States has recognised Jerusalem as the capital of Israel, however internationally Israeli sovereignty over East Jerusalem is still disputed, as it is officially part of the West Bank.

Conflict

After the First World War, the region of Israel was put under supervision of the British Empire as part of the League of Nations Mandate for Palestine. Dissatisfaction with the United Nations Plan for the Partition of Palestine, which advocated for the creation of two separate states, then led to a civil war in the region between the groups of Jewish and Arab ethnicity. This lasted until May 14th, 1948, when the British Empire removed themselves from the region as part of said plan, whereupon the State of Israel declared its independence, officially escalating the civil war to a war between separate states. This war was called the 1948 Arab-Israeli War, which opposed the newly-created state of Israel to the Arab League. The war lasted until March 1949, when the 1949 Armistice Agreements were signed between Israel, Egypt, Lebanon, Jordan, and Syria. This Agreement gave Israel control over not only the territory that was agreed upon in the United Nations Plan for the Partition of Palestine, but over one-third more than was originally allocated to them. These lines became known as the 'Green Line' delimiting the Israeli borders to this day. A period of relative peace ensued between the fledgling state of Israel and its

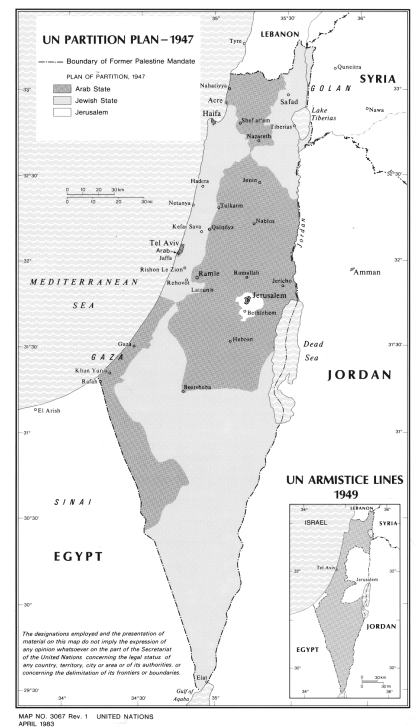


Image 1: United Nations partition plan of 1947 and UN 1949 armistice lines (Map 3067, UNISPAL)



neighbours.

This lasted until Egypt prevented maritime access through the Suez canal for Israel in 1956 by nationalising the waters. In an attempt to reestablish maritime access Israel then proceeded to invade a portion of the Sinai Peninsula. The rising tensions that followed ended escalating into the conflict that became known as the Six-Day War. Results of the war were extended Israeli territory in, among others, the Gaza Strip and the Sinai Peninsula. Additionally the war was of great benefit to the Israeli economy and international relations. These territorial changes brought about a mass exodus of Arabs to Jordan and other surrounding countries. This happened despite the fact that Israel had offered the inhabitants of these regions full Israeli citizenship, which many refused. In 1973 Egypt and Syria would try to recapture the lost territory during the Yom Kippur War. Israel received much aid from Western Nations, such as the United States, which advantaged them militarily during the conflict and once again permitted an Israeli victory.

Tensions persisted in the region until, finally the Oslo Accords were signed in 1993 in Washington by Israel and the Palestinian Liberation Organisation. They agreed upon the creation of the Palestinian National Authority, that would be responsible for the, although limited, self-governance of the Gaza Strip and West Bank regions. As ever there was strong opposition from more extremist branches from both sides, but an attempt at the implementation of the process was made nonetheless. It was suspended seven years later, when Israeli and Palestinian authorities failed to reach an agreement at the 2000 Camp David Summit, whereupon violent incidents of Palestinian protesting against the Israeli occupation significantly increased in the Palestinian territories, which became known as the Second Intifada. This persisted until 2006 when Hamas won control of the Palestinian territories by obtaining an unexpected majority in the Palestinian Legislative Council, overtaking the previous largest nationalist party Fatah and taking control of the Gaza Strip. This reignited conflict on an international level, with a blockade of the region and multiple wars a consequence.

Most recently on October 7th, 2023, Hamas launched an attack on Israel. The attacks started with a barrage of approximately three-thousand rockets and was followed by armed incursion of Hamas forces into Israel. There Hamas assailants proceeded to kill approximately a thousand Israelis including a considerable majority of civilians. Approximately 240 Israelis were taken back into the Gaza strip, presumably for the purpose of hostage exchanges. Israel retaliated by launching



an extensive bombing on the Gaza Strip, killing approximately 37,000 Palestinians as of the day of writing this report. Nearly all inhabitants of the Gaza Strip have been displaced and

both the Israeli ground and bombing campaign continue to this day. In addition to the previously mentioned military actions Israel has also greatly tightened their blockade on the Gaza Strip preventing sufficient quantities of aid from entering Gaza. This, combined with the demolition of necessary infrastructure by the bombing campaign, has catapulted the Gaza Strip into a humanitarian crisis.

Notable Human Right Violations

As stated above the escalation of tensions and blockade imposed upon the Gaza Strip have had serious repercussions upon its inhabitants, and, as the conflict progresses, an increasing amount of worrying reports regarding human right violations in the regions are published. First and foremost among these is the report of the Special Rapporteur on the Situation of Human Rights in the Palestinian territories occupied since 1967, Francesca Albanese, a rapporteur directly affiliated with the United Nations. In this report the situation in Gaza is outlined in detail, and genocide-related acts are further explained, such as “killing members of the group”, “Causing serious bodily or mental harm to members of the group”, and “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part”. The report also specifies genocidal intent towards the population of the Gaza Strip.

In another report by the United Nations High Commissioner for Human Rights, various other human rights violations are outlined such as “measures of collective punishment in the West-Bank including East-Jerusalem”, “unlawful killings and injuries in the context of law enforcement”, “undue restrictions of freedoms of expression and association”, “gender-based violence”, and “arbitrary detention, torture and ill-treatment”. Many of these, particularly the last two, have been committed by both parties, but steps have yet to be taken to ensure accountability for said violations. Furthermore, due to very limited access to the region of the Gaza Strip, accurate investigation of the situation is strained and near impossible. However the systematic violation of human rights in this region is still perceivable. The limited access to food and water is in and of itself already in discordance with the UN charter and the UDHR.

It is sadly not unfamiliar for wars to seriously affect the everyday lives of innocent civilians and for their rights to be violated or even stripped away. Neither party involved in the conflict in the



Gaza Strip is blameless, but for lasting actions to be taken in preventing further human rights violations accountability must be established. The Gaza Strip is currently in crisis. The aforementioned lack of cooperation on both sides means that serious actions need to be taken, to limit further loss of life and human rights violations.

Major Parties Involved

Israel

Israel is one of the major belligerents of the conflict. The country and its population have been central in the rising tensions and the increased polarisation in the region and as such are also a key participant in the deescalation and resolution of the issue. An important component of the polarisation between Palestinians and Israelis is the Zionist belief, that the region of Israel must be reconquered as the homeland of the Jewish people. As an important part of the problem Israel has also been part of almost all attempts of solving the issue up until this, demonstrating their willingness to try to find a solution. An example of such attempts is among others Oslo Accords. With the passing of time and the aggravation of the situation in the Gaza Strip Israel is getting increasing amounts of negative feedback from its Western allies, with the ICJ even going as far as mandating the arrest of the Israeli Prime Minister and Defence Minister.

Hamas

Hamas is a political and military movement currently governing parts of the Gaza Strip since their election in 2007. The movement was founded in 1987 during the First Intifada, a series of protests and riots against the Israeli authorities. Together with Israel Hamas is one of the two major belligerent groups of the most recent conflict. The movement initially sought to reestablish Mandatory Palestine, the Palestinian territory from before the creation of Israel, but this ideology has since been tempered, and, although the movement doesn't recognize Israel, they have accepted the border changes defined in 1967. The precise goals of Hamas regarding border changes are unclear, and interpretations of these goals differ. However in their 2017 Charter Hamas removed antisemitic language instead acknowledging their struggle with the Zionists, thus redefining the character of the conflict.



United States of America (USA)

For a long time the USA have been an indefectible ally to Israel providing weapons and international support to the country. But recently this inexhaustible support to Israel seems to become increasingly strained as the situation in the Gaza Strip deteriorates and international pressure on Israel increases. After the initial period of Western support for the Israeli offensive the USA grew isolated from other countries as they vetoed three cease-fire resolutions in the Security Council. Their stance has been shifting however, with the USA calling for a cease-fire linked to hostage releases and becoming more and more critical of the Israeli actions in the Strip.

This changing stance has strained the relations between the USA and Israel isolating the latter more than ever internationally.

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

The UNRWA is the UN association tasked with providing all manner of humanitarian aid for Palestinian refugees. This aid encompasses primary and vocational education, primary health care, relief and social services, infrastructure and camp improvement, microfinance and emergency response, including in situations of armed conflict. They are one of the most important organisations in providing aid to refugees that decide to flee or were displaced from Palestine.

Timeline of Key Events

Date	Description of event
November 29 th , 1947	Resolution 181 is passed, initiating the Partition Plan
May 14 th , 1948	Israel declares its independence
May 14 th , 1948 - July 20 th 1949	First Arab-Israeli War
October 29 th , 1956	Start of the Suez Crisis
June 5 th - June 10 th , 1967	Six-Day War
October 6 th - October 26 th , 1973	Kippur War
December 8 th , 1987	Start of the First Intifada / Creation of Hamas
September 13 th , 1993	Signing of the Oslo Accords / End of the First Intifada
June 28 th - November 26 th , 2006	2006 Israel-Gaza conflict (Operation "Summer Rains")



July 8 th - August 26 th , 2014	2014 Gaza War (Operation “Protective Edge”)
October 7 th - October 8 th , 2023	7 October attacks on Israel
October 7 th , 2023	Start of the Israeli aerial bombardment campaign on the Gaza Strip
October 27 th , 2023	Start of the Israeli invasion of the Gaza Strip
November 24 th , 2023	First hostage-for-prisoner swap between Israel and Hamas
March 18 th - April 1 st , 2024	Israeli raid of the Al-Shifa hospital
July 13 th , 2024	Major Israeli strike targeting two Hamas commanders
July 23 rd , 2024	12 Palestinian factions, including Fatah and Hamas sign an agreement aimed at maintaining Palestinian control over Gaza after the war

UN involvement, Relevant Resolutions, Treaties and Events

There have been a lot of UN resolutions about the human rights situation and situation as a whole in Palestine and the Gaza Strip, without only a small number of the most important and relevant resolutions stated below. Additional resolutions concerning the topic can be found on the resolution find or the UN digital library.

- The question of the future government of Palestine, 29 November 1947 (A/RES/181(II))
- Convention on the Prevention and Punishment of the Crime of Genocide, 12 January 1951 (A/RES/3/260)
- Cease-Fire in the Middle East, 22 October 1973 (S/RES/338)
- The question of Palestinian Insurgency in South Lebanon, 19 March 1978 (S/RES/426)
- The Status of Jerusalem, 10 December 2017 (A/RES/ES 10-19)
- Right of the Palestinian people to self-determination, 27 March 2018 (A/RES/37)
- Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice, 5 April 2024 (A/HRC/RES/55/28)



Previous Attempts to solve the Issue

There have been numerous attempts to solve this issue, with only a select proving to be remotely effective. Sadly however none of these attempts have succeeded in actually ending the tensions in the region of Israel and ensuring the human rights of its civilians. A few of such attempts are outlined here.

One of the first attempts at resolving this conflict is the already named Partition Plan. This plan divided the region of Palestine into an Israeli region, while maintaining a part of the region for the Palestinian. This sparked controversy on both sides, with the Zionists deeming that not enough territory was given to Israel, while the Palestinians protested the loss of land that they considered theirs. This dissatisfaction on both sides caused tensions and violent acts to rise, and ultimately caused the escalation of the conflict up to this point. Repartition of territory is one of the in not the most important part of the issue, but a viable bilateral solution is yet to be found.

Other more direct attempts at reducing casualties and allowing for humanitarian aid to be provided are often associated with attempts at establishing a cease-fire in the region. These are also often paired with attempts at the release of hostages on both sides. These urges for a ceasefire have proved largely ineffective in convincing Israel to bring a halt to their offensive manoeuvres and aerial bombing campaign. This, in combination with loosening of the blockade, would however be the most effective way of achieving a direct improvement in the humanitarian situation in Gaza.

Lastly, associations such as the UNRWA have been working hard to bring relief to refugees from the region that had to leave before the conflict due to bad living conditions or displacement. However helpful these associations were in the past, they are quite powerless in helping civilians currently trapped in the Gaza Strip.

Possible Solutions

As discussed under the previous heading there have been many unsuccessful attempts at improving the situation in the Gaza Strip, before and after the 7 October attacks and the Israeli



invasion of the Strip. Due to the urgency of the situation long-term solutions are currently of lesser importance than an immediate improvement of the situation. Short-term solutions could include cease-fires, hostage exchanges, loosening of the blockade, evacuation of civilians. Notably many solutions are almost impossible to put into action without a cease-fire. This entails that, in the absence of a cease-fire, other attempts to provide humanitarian aid should be made that can work even with a blockade in place or during the aerial bombing campaign. Focus should not be on ending the conflict but on providing aid to the Gaza Strip and improving the humanitarian situation despite the continuation of the conflict.

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