

**Forum:** General Assembly 3<sup>rd</sup> Committee

**Issue:** The Question of Israeli Settlements in the Occupied Palestinian Territory

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## Introduction

The Question of Israeli Settlements in the occupied Palestinian territory has been discussed, negotiated, and fought over since the beginning of the United Nations itself. Arabs and Jews, along with the neighboring peoples like Egyptians and Jordanians, had existed in peace for centuries before this conflict.

The conflict is one over the territories which Israel and Palestine want control over. The Israeli government refuses to see Palestine as a state. Similarly, most Arabs did not consider Israel to be legitimate<sup>1</sup>. War arose in the 1950s between the two nations over the land they both inhabited. However during the 1970s, both countries saw the need for compromise. The Palestinian government proposed taking the territories outside the 1948 ceasefire lines, which were the territories that Israel had occupied in the 1967 war. This proposition was well accepted by other nations. Hence, Israel was asked to leave the land in both UN Security Council Resolutions 242 and 338. Since Israel has not left the land, almost all of the international community considers Israel's occupation of the land illegal under the Geneva Convention<sup>2</sup>.

## Definition of Key Terms

### Occupied territory

An occupied territory is a part of land belonging to a country, which another country has taken authority and effective control over<sup>3</sup>.

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<sup>1</sup><https://www.globalpolicy.org/security-council/index-of-countries-on-the-security-council-agenda/israel-palestine-and-the-occupied-territories.html>

<sup>2</sup> Barak-Erez, Daphne (2006). "Israel: The security barrier—between international law, constitutional law, and domestic judicial review". *International Journal of Constitutional Law*. Oxford University Press

<sup>3</sup> <https://en.oxforddictionaries.com/>

## **Intifada**

The two Intifadas were a set of Palestinian uprising which lasted for years. They were uprising against the Israeli occupation of the West Bank and Gaza<sup>4</sup>.

## **Zionism**

The Zionist movement refers to the national movement of people, Jewish or not, who believe that the Jews should be allowed to return to and re-establish Jewish sovereignty in the historic land of Israel (the Holy Land)<sup>5</sup>.

## **Guerrilla**

An independent band of soldiers characterized by holding surprise raids, harassment, and sabotaging enemy communications or supply lines.

## **Antisemitism**

Prejudice, hostility, hatred or discrimination against the Jews as a religion, ethnic group, or race<sup>6</sup>.

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<sup>4</sup> <https://www.merriam-webster.com/dictionary/intifada>

<sup>5</sup> <https://dictionary.cambridge.org/>

<sup>6</sup> <https://www.adl.org/anti-semitism>

## Background

The Israeli-Palestinian conflict has been going on for decades. To fully understand it, one must look back to the beginnings of the conflict. After the British conquered Mandate Palestine from the Ottomans, was the first time Arabs started to rally against the Jews. The Second World War was a devastating time for the Jews. As the war arose, Jews in Germany tried to migrate to many countries and were turned down. The Jews wanted to migrate back to their home in Israel, however were unable to as the British in control did not allow it. This caused outrage in Israel, and the Jews in Israel fought against the British. WWII caused the Jews to believe that there needed to be a safe place for Jews if they ever needed to flee from antisemitism. In 1947 when Britain gave up control over the territory, the UN recommended splitting the territory into two separate Arab and Jewish states but the Arabs wanted all of the land so nothing went forward. Therefore, the next year Israel and Jordan declared independence but Palestine did not. The Arabs tried and failed to overthrow the Israelis, and then were left to flee the country. At this point, Jordan is given control over the West Bank and Egypt given the Gaza Strip. For ten years, the Palestinians were scattered in refugees camps in Lebanon, Syria and Jordan until the Arab League set up the Palestine Liberation Organisation (PLO) and Palestine Liberation Army under Ahmad Shukeiri.

In June of 1967, after many attacks against Israel from Palestinian guerrillas, war broke out. Egypt, Jordan and Iraq openly made an alliance, and since Egypt had been openly mobilizing their army and blockading an Israeli city, it was only a matter of who was to strike first. In response to the mobilization of the Arab countries armies, on June 5th, Israel staged an air assault on Egypt's and Syria's air force bases. This left Egypt's Gaza Strip vulnerable and after three days, Israel took the Gaza Strip and the Sinai Peninsula up to the Suez Canal on the ground. On the east side, Jordan had attacked but faced Israel's strong counterattack. Israel was able to take force Jordan out of East Israel and most of the West Bank. Syria held out on the UN called ceasefire although all other countries accepted on June 7 which turned out to be a **Mandate Palestine before Britain gave up control**. bad idea as Syria lost Golan Heights to Israel on June 9th. The Six Day War ended the next day<sup>7</sup>.



Great Britain's Division of the Mandated Area, 1921-1923

<sup>7</sup> <https://www.britannica.com/event/Six-Day-War>

In the beginning of the 1970's, tension over the growing strength of PLO in Jordan lead to Jordanian forces driving the PLO out of Jordan and into Southern Lebanon<sup>8</sup>. During the next two decades, tension and violence constantly rose between Israelis and Palestinians. The PLO, Palestinian guerrillas, and many other armed Palestinian groups highlighted their cause by hijacking airlines and attacking Israeli soldiers, officials, and civilians in Israel and abroad. Israel's few counterattacks are directly towards the PLO's military bases. PLO is also recognised by the Arab League as the "sole legitimate representation of the Palestinian people" and admitted as a member.

The First Palestinian Intifada began in 1987 and lasted until 1993. This included demonstrations, mass boycotts, small attacks and Palestinian refusal to work in Israel. In 1988, Jordan abandoned the West Bank, leaving it to PLO. Palestinian National Council writes the Declaration of Palestinian independence and proclaims the State of Palestine.

In the early 1990's, Israeli and Palestinian governments began to recognise the need for peace and began talking and negotiating. In 1992, Israel leaves most of Gaza and the West Bank city of Jericho. This gave PLO administration chance to set up the Palestinian National Authority back in their home country.



Negotiations and peace talks break

down over when and how much land Israel is to give up from the West Bank. Palestinians protests escalate

#### The control of the region over time.

from protests into the Second Intifada lasting from 2000-2005. Unlike the First Intifada, the second was brutally violent. The main Palestinian tactics were suicide bombings, rocket attacks, and sniper fire. Israel defended itself in return with deadly force. Over 4,200 Israelis and Palestinians died in the Second Intifada. Due to the Second Intifada, Israel launched a controversial operation to defend the West Bank. The Operation Defensive Shield was the building of a barrier wall on the West Bank, controversial because it often deviated from the pre-1967 ceasefire lines.

Peace talks start up again between Israel and Palestine. In 2005, Israel withdraws all settlements and military personnel from Gaza, however keeps control over airspace, ports, and border crossings. The next year, Large scale clashes between Israel and Hamas Islamist group's government's armies in Gaza. At the same time, fear of a civil war breaking out in Palestine rises as the prime minister and

<sup>8</sup> <http://www.bbc.com/news/world-middle-east-29362505>

Hamas fight for primacy. Major clashes between their supporters begin in Gaza. Hamas also turns down previous peace negotiations, refuses to acknowledge Israel or put a stop to the violence.

From the late 2000s to now, Israel and Palestine have on-and-off pursued a peace between the nations. Palestine has been accepted as a 'non-member observer state' in the UN. In 2012 Fatah and Hamas, the two different organizations who believe themselves to be the legitimate representation of Palestine, signed the Cairo Agreement which promises to maintain non-violent resistance to Israeli occupation. This was done in pursuit of an independent state within the 1967 ceasefire lines. However, the violence has continued and an agreement has not been reached.

## Cultural Background

In this case, one must look at the historical and cultural background, as it is one of the core reasons for the clashes. The Palestinians are Arabs whose roots are Islamic. The Israelis roots are Jewish. Both of their cultures come from their religion. Both groups have a rich history in the region which date back to ancient times<sup>9</sup>.

Since 1000 BCE, the Jewish religious people have lived in Israel<sup>10</sup>. When Moses led the Israelites out of slavery in Egypt, they went to the land of Canaan, or the Promised Land. This is present day Israel. A central part of the Jews cultural and religious development happened in Israel. Messianic Jews even believe that their Messiah was born in the region.

Islam came to Israel in the 7th century during the Early Muslim conquests. The armies of Rashidun Caliphate conquered Persia, Mesopotamia, Syria, and the regions of Palestine, Egypt, North Africa and Spain. They conquered by converting people to Islam and through the immigration of Muslims to these territories.

## Key member states and NGOs

### Israel

Israel has been the representation of the Jewish people in the region since they declared independence in 1948.

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<sup>9</sup> <http://www.everyculture.com/Ge-It/Israel.html>

<sup>10</sup> Yossi Feintuch, *U.S. Policy on Jerusalem*, Greenwood Publishing Group, 1987

## Palestine

Palestine is the representation of the Arabs in the region. Although it must be noted that not all countries have recognized Palestine as an independent country. For example, the USA, Israel, Australia, Canada, and many European states such as Finland and the UK have not.

## United States of America

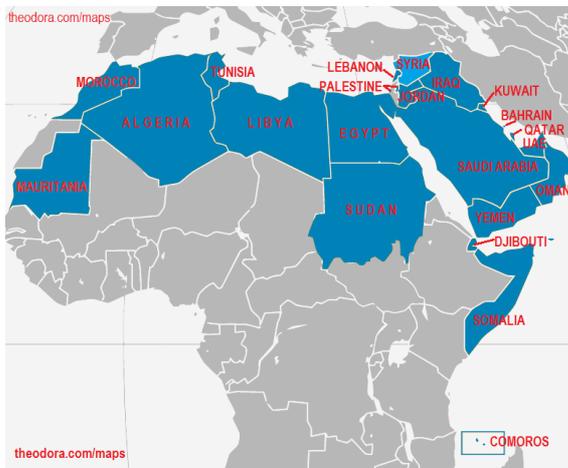
The United States has been an ally of Israel for a long time, and puts importance on the maintenance of a close and supportive relation. Most of this support has been shown in the form of foreign aid. USA has given billions of US Dollars annually for over thirty years. The USA has also given military support and used its UN Security Council veto right in respect to passing resolutions concerning Israel. The USA has supported the two-state solution for decades.

## Egypt

Although Egypt and Israel have fought in the past, they are currently in good relations. They were in a state of war between each other since the 1948 Arab-Israeli War. However, in 1979 they reached a peace through the US mediated Egypt-Israeli Peace Treaty<sup>11</sup>. Egypt was instrumental in mediating the

Gilad Shalit prisoner exchange between Hamas and Israel.

Egypt is also a member of the Arab League.



## Arab League

The Arab League is a regional organization consisting of nations in and around North Africa, the Horn of Africa and Arabia. It was created to "draw closer the relations between member States and coordinate collaboration between them, to safeguard their independence and sovereignty, and to consider in a general way the affairs and interests of the Arab countries<sup>12</sup>."

**The member states of the Arab League.**

<sup>11</sup> <http://www.bbc.com/news/world-middle-east-14603812>

<sup>12</sup> ["Pact of the League of Arab States, 22 March 1945"](#)

## Timeline of Events

The conflict between the two states has been going on for a very long time. It must be noted that throughout this timeline, there is constant violence between the two states not mentioned.

<b>Date</b>	<b>Description of event</b>
1917	Britain conquers Palestine from Ottomans.
1930-1935	The Black Hand Islamic group starts violence campaign against Jewish Community and British rule.
1936-1939	Arab revolt begins
1947	UN suggests splitting Palestine into two separate Jewish and Arab countries Israel declares independence as British rule ends. Arab armies try and fail to take down Israel after Britain withdraws. Jordan takes West Bank and East
1948	Jerusalem, Egypt takes Gaza, and Israel takes the rest of Mandate Palestine including West Jerusalem. Over 750,000 Palestinian Arabs flee and become refugees.
1949-1960's	Palestinian fighting groups bases in Egypt and Gaza hold raids on Israel.
1964	Arab League sets up Palestine Liberation Organisation (PLO) and Palestine Liberation Army.
June 1967	Six Day War; left Israel occupying East Jerusalem, West Bank, Gaza, Golan Heights and Sinai where they started setting up settlements in the following years.
1970	Black September clashes with Jordanian forces over the strength of the PLO in Jordan. Drove PLO into exile in Lebanon.
1970's-1980's	PLO and other violent Palestinian groups start airline hijacking and attacks on Israeli soldiers, officials and civilians in Israel and abroad. Israel fights back with raids on PLO bases and other attacks on PLO to weaken and driving them away.
1974	Arab League recognises PLO to be the 'sole legitimate representative of the Palestinian people'
1982	PLO relocates to Tunisia after Sabra and Shatila massacre on hundreds of Palestinians in refugee camps in Beirut by Israel's Phalangist allies.
1987-1993	First Palestinian Intifada

- 1988 Jordan releases hold of the West Bank, leaving it to PLO. Palestine declares itself 'state of Palestine' and writes its Declaration of Independence.
- 1992 Israeli Labour government of Yitzhak Rabin pledges to halt settlement expansion programme and starts private meetings with PLO. Israel leaves most of Gaza and the West Bank city of Jericho. This gives the chance for PLO to move administration from Tunisia and set up the Palestinian National Authority.
- 1993 Yitzhak Rabin and Yasser Arafat, leader of PLO, sign the Oslo Declaration. This is to start planning Palestinian self-government.
- 2000-2001 Meetings between Israeli Labour Prime Minister Ehud Barak and Yasser Arafat break down over when and how much Israel will withdraw from the West Bank. Both sides blamed the collapse of the peace process on the other side, and such created tension.
- 2000-2005 Palestinian protesting escalate into a Second Intifada.
- 2002 Israel launches Operation Defensive Shield on the West Bank. This is the building of a barrier wall to stop Palestinians entering Israel. The barrier is controversial as it does not respect the 1967 ceasefire lines in the West Bank.
- 2005 Arab League meeting says that they will recognise Israel in return for control of all of the territories taken in 1967, recognition of Palestine, and a fair solution to the refugee problem
- 2005 Israel takes all Jewish settlements and military personnel from Gaza but keeps control over airspace, ports, and border crossings.
- 2006 Hamas Islamist group's Ismail Haniyeh forms government once they win the parliamentary elections. Struggle between Fatah, prime minister, and Hamas for primacy. Hamas declines previous peace accords, refuses to acknowledge Israel or stop violence.
- 2007 Large scale clashes between Israel and Hamas armies in Gaza follow.
- Clashes between Fatah and Hamas supporters in Gaza begin.
- Fatah and Hamas unite to form the national unity government in order to stop fighting in Gaza.
- The same year, the unity breaks, when Hamas drives Fatah out of power.

2008	<p>Israel starts Operation Cast Lead, stopping Hamas and other groups from firing rockets into Israel through a month-long invasion of Gaza.</p> <p>UN accepts Palestine as a 'non-member observer state'.</p>
2012	<p>After many tries and negotiations, Fatah and Hamas sign Cairo Agreement which promises to maintain non-violent resistance to Israeli occupation. This was done while seeking an independent state within the 1967 ceasefire lines.</p>
2014	<p>After another break, Fatah and Hamas form unity government. However, Fatah still complains that Hamas has a separate cabinet ruling in Gaza.</p>
2017	<p>Hamas allows Prime Minister Ramallah's unity government to take control of public institutions in Gaza as part of a reconciliation process between the two competing administrations.</p> <p>President of the USA moves the American embassy to Israel from Tel Aviv to Jerusalem, subsequently recognizing Jerusalem as Israel's territory.</p>

## UN Involvement, Relevant Resolutions, Treaties and Events

- Fourth Geneva Convention, 12 August 1949
  - on the Protection of Civilian Persons in Times of War
- Security Council Resolution, 22 November 1967 (**SCR/242**)
  - The legal basis for a negotiated settlement of the Israeli-Palestinian question, calls on Israel to give up control of territories taken in the Six Day War.
- Security Council Resolution, 22 March 1979 (**SCR/446**)
  - States: "determines that the policy and practices of Israel in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East."
- Security Council Resolution, 7 October 2000 (**SCR/1322**)
  - This resolution states the disapproval of violence in Jerusalem and calls upon Israel to follow through on its legal obligation under the 1949 Fourth Geneva Convention on the protection of civilians in times of war.
- Statement of Secretary General on the Situation in the Middle East, 12 March 2002
  - In an open meeting with the Security Council, Secretary General Kofi Annan calls on the Israeli and Palestinian people to stop attacks, and on both leaders to move towards a political settlement through negotiations.
- ICJ Advisory Opinion, 9 July 2004
  - The International Court of Justice (ICJ) has ruled that Israel's West Bank barrier violates international law. The court said to protect Israel's citizens in a legal way and compensate Palestinians for property loss or damage by the building of the wall. The ICJ urges the UN Security Council and General Assembly to consider taking action in ending illegal activity.
- Security Council Resolution, 8 January 2009 (**SCR/1860**)

- In Resolution 1860 the Security Council deals with the situation in Gaza during the Israeli military siege. Condemning all violence directed against civilians, the Council called for an immediate ceasefire followed by the full withdrawal of Israeli forces. The Council also requested unimpeded humanitarian assistance in Gaza.
- Security Council Resolution, 2016 (**SCR/2334**)
  - Reaffirmed the lack of legal validity of Israeli settlements in Palestinian territory. Restated Israel's obligation to leave Palestinian territory and to stop all acts of violence towards civilians.

## Possible Solutions

The **two-state solution**<sup>13</sup> is a well known possible solution to the Israeli-Palestinian conflict and can be said to be the most favoured. It would mean an independent Palestinian state as well as an independent Israeli state. The boundary would need to still be negotiated. This solution has been shown a lot of favour, and has been presented in peace talks multiple times with no successful action. The main opposing countries are Israel and the USA, a great supporter of Israel.

The **one-state solution** is the idea that a united Israeli-Palestinian state could be a possibility. This would be in the current territory of both Israel and Palestine, including the West Bank and Gaza.

The **three-state solution** is a proposed idea that Jordan should take back control of the West Bank, Egypt takes control of Gaza, and Israel has Israel. The Palestinians would be granted Jordanian citizenship. This would replicate the situation during 1949 and 1967, when no Palestinian Arab state existed.

The **zero-state solution** is the proposal similar to the three-state solution. It states that the Palestinians should gain Jordanian citizenship while Egypt takes back Gaza, as Palestine and Jordan were one before the Six Day War and that is where Palestinians originally come from. Hence, Israel has no obligation to provide Palestine a state.

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<sup>13</sup> ["A/RES/65/16. Peaceful settlement of the question of Palestine, United Nations General Assembly".](#)

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