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The situation in the Middle East, including the Palestinian question

Report of the FEMUN Secretary-General

Summary

The report provides the main information about the peace and security in the Middle East, particularly focusing on the Palestinian question. The document explains why the Middle East is considered as one of the most insecure and unsafe regions all over the globe and requires considerable emphasis and special care from the international community. In the first section the historical background of the issue is provided. The paper contains relevant documents and sources related to the question and introduces the most important pillars on the way to solving the Palestinian question for the past half century. It also provides answer the question why this long-lasting issue in context of the Middle East possesses one of the biggest threats to international peace and security, and as a result, distinctly stalls the economic and social development of the region for decades. The report contains the set of recommendation that could be taken into account by the Member States on their aspiration to maintaining peace and security in the world, alongside promoting prosperity and protecting the planet constitutes the key goals for the United Nations' work.

I. Content and context

1. After World War I, the political map of the Middle East was completely transformed in ways it had not been for centuries. Thus, as a result of the war, the Middle East territories of the collapsed Ottoman Empire were taken over by the Antanta states under the supervision of the League of Nations. The League of Nations mandate carved up the exempted Ottoman territories into the French and British zones of control, each containing various cultures, ethnicities and religious beliefs. This resulted in the formation of new conflicts and the re-flaring of old ethnic, religious and political conflicts among the inhabitants of the region.

2. The issue of Palestine possesses a long history and is directly connected with the issue of the Jewish-Arab confrontation. Adopted in the interests of the Zionist movement in 1917, the Balfour Declaration of the British Government declared its goal of "the establishment in Palestine of a national home for the Jewish people". This launched the program for creating the future Jewish state of Israel. The act resulted in increasing worldwide Jewish immigration to Palestine, which had been consistently opposed by the Arab inhabitants of Palestine. This initiated the Inter-communal conflict in British Palestine between Palestinian Arabs and Jews from 1920-1948.¹

3. The new stage of Jewish immigration that began after World War II increased the Jewish presence in British Palestine and expanded the level of tensions in the region. In February 1947, The British government decided to bring the question of Palestine before the new United Nations. In order to assess "the desirability of an early settlement in Palestine", the United Nations General Assembly conducted a special meeting to establish and instruct a special committee to preliminarily study the Palestinian question for consideration by the Assembly at its next session.²

4. At the special session in 1947, the General Assembly established the United Nations Committee on Palestine (UNSCOP) to investigate the conflict in Palestine and to find possible solutions to the issue. After the Committee finished its work, the Assembly adopted resolution A/RES/181 (II) of 29 November 1947, which admitted the Plan of Partition of Palestine, proposed by the UNSCOP. The final document provided the expiration of the British mandate, withdrawal of its forces, creation of a Jewish state and an Arab state and the establishment of an international regime for the city of Jerusalem.³ The adoption of the resolution was followed by outbreaks of violence in Palestine, and in response the UN Security Council called for the cessation of all military activities and established a Truce Commission via resolution S/RES/49 (1948) to supervise it.

5. The State of Israel was established on 14 May 1948 after the termination of the British mandate and the withdrawal of British forces. This process fostered the deterioration of relations

¹ "The Balfour Declaration"

http://avalon.law.yale.edu/20th century/balfour.asp

² "The Question of Palestine and the United Nations" https://unispal.un.org/pdfs/DPI2499.pdf

³ The United Nations General Assembly resolution A/RES/181 (II) https://undocs.org/en/A/RES/181(II)

between the Jewish and Arab communities and resulted the entry of armed troops of neighboring Arab states entered the territory of Palestine. During the conflict, Israel took over significant parts of regions assigned for an Arab state. Israel officially joined the UN on 11 May 1949. The hostilities had created a major humanitarian crisis, and the UN on 11 December 1948 established the UN Conciliation for Palestine for the implementation of resolution A/RES/194 (III). The Conciliation consisted of France, Turkey and the United States and conducted the Lausanne Conference.⁴

6. By the 1950's, the tension between Israel and Arab States had not been terminated, thus a new armed conflict erupted when Egypt nationalized the Suez Canal in July 1956 and Israel began its military operation against Egypt. The conflict, known as the Suez Crisis, involved Egypt, Israel, Britain and France. As a response to the hostilities, on 7 November 1956 the United Nations with resolution A/RES/1001 (ES-1) established its first peacekeeping force – the United Nations Emergency Forces.⁵

7. In June 1967, further hostilities broke out betwixt Israel and Egypt involving Jordan and Syria. During this war, known as the Six-Day War, Israeli military forces occupied significant territories in Gaza and the West Bank. The Security Council called for a ceasefire and in its resolution S/RES/237 adopted on November 1967, the Council called upon the State of Israel to ensure the safety, welfare and security of the population of these occupied territories.⁶ After the situation was improved, the Security Council adopted resolution S/RES/242 on 22 November 1967, in which it provided the principles for a peaceful settlement in the Middle East. The resolution stipulated several steps for the establishment of peace, such as the withdrawal of Israeli armed forces from recently-occupied territories, acknowledging of political and territorial independence, as well as the territorial inviolability of every state in the region.⁷

8. The next stage of confrontation in the Middle East broke out in October 1973 between Israel, Egypt and Syria. In response to the changes, the Security Council adopted resolution S/RES/338 on 22 October, which reaffirmed the principles of resolution S/RES/242 and called for negotiations aimed at peace in the region. Later, the ceasefire was confirmed in resolution S/RES/339 and at the request of Egypt, the Security Council established the Second United Nations Emergency Force. The military working group played an important role in reaching agreements on the disengagement of forces between Egypt and Israel, as well as in disengagement agreements between Israel and Syria in 1974 at the Geneva Peace Conference.⁸

9. The peace accords between Israel and Egypt, known as the Camp David Accords, were signed in 1977 and in 1979. It was a result of the number of Israeli Prime Minister meetings with

https://unispal.un.org/DPA/DPR/unispal.nsf/0/14BCD994EE8F6558852560DF0067939D ⁶ United Nations Security Council resolution S/RES/237 (1967)

http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/237(1967)

⁴ The United Nations General Assembly resolution A.RES/194 (III)

https://unispal.un.org/DPA/DPR/unispal.nsf/0/C758572B78D1CD0085256BCF0077E51A ⁵ The United Nations General Assembly resolution A/RES/1001 (ES-I)

⁷ United Nations Security Council resolution S/RES/242 (1967) http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/242(1967)

⁸ United Nations Security Council resolution S/RES/339 (1973) http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/339(1973)

Palestinian authorities during these years, and this breakthrough led to the withdrawal of Israeli forces from the Sinai peninsula in April 1982. One of the key points of the agreements were the full realization of the adopted United Nations Security Council resolutions S/RES/338 and S/RES/242, and the mutual recognition of both states under the formula "land for peace".⁹

10. On 1 September 1982 the so-called "the Reagan plan" was conducted, based on the formula of "land for peace" under Security Council resolutions S/RES/242 and S/RES/338 and called for a freeze on the establishment of Israeli settlements on the Arab territories. A month later, the Twelfth Summit Conference of the League of Arab States at Fez adopted a declaration calling for the establishment of an independent Palestinian state under the control of the United Nations. As a result, at the International Conference on the Question of Palestine in 1983, the UN established the "Programme of Action for the Achievement of Palestinian Rights".¹⁰ The Programme reaffirmed the essential role of the UN in the peacebuilding process in Palestine and recommended all parties to the Arab-Israeli conflict to participate in this process on an equal footing. However, the Programme did not receive the support of Israel.

11. The further stage of Israeli-Arab relations in 1987 was impeded by the Intifada – a series of Palestinian boycotts, demonstrations and strikes against Israeli presence. The Israeli response to the protests was marked with violence against civilians and the Security Council reacted with resolution S/RES/605 of 22 December 1987, in which the Council raised the question of ensuring the safety of Palestinians in revolting regions. This measure reduced the level of tensions and violations of human rights in the region. Nevertheless, the conflict was resolved only in 1989.¹¹

12. Further, a series of steps towards peace were undertaken in the 1990's. As a result of the "Oslo channel" and the "Washington handshake" meetings in 1993, Israel and the Palestine Liberation Organization (PLO) exchanged mutual recognitions and signed the "Declaration of Principles on Interim Self Government Arrangements" (the Oslo Accord). Significant progress was also made by the Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip of 2 September in Washington, D. C., which provided the termination of Israeli civil administration and withdrawal of its military forces from the territories assigned for an Arab state. What is more important, all of the above-mentioned treaties acknowledged the essential and principal role of the United Nations in the peace building process in the region and insisted on the implementation of all related Security Council resolutions, especially resolutions S/RES/242 and S/RES/338.

13. Nevertheless, a new wave of violence in the occupied Palestinian territory began with the "Second Intifada" in September 2000. After that, in March 2001 the Security Council met to consider establishment of a United Nations observer force in the occupied Palestinian territory, but finally failed to adopt a resolution. As a response to the series of shocking suicide bombings

⁹ The Question of Palestine and the United Nations" <u>https://unispal.un.org/pdfs/DPI2499.pdf</u>

¹⁰ Geneva Declaration on Palestine and the Programme of Action for the Achievement of Palestinian Rights https://unispal.un.org/DPA/DPR/unispal.nsf/0/19842F5F9635FF248525643E00632C6B

¹¹ United Nations Security Council resolution S/RES/605 (1987) http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/605(1987)

and assassination of politicians, the Israeli forces re-occupied parts of the northern Gaza Strip and West Bank.¹²

14. The diplomatic efforts were resumed in 2003, in the midst of the escalation of violence. In December 2003 the Secretary General launched the Quartet, an international mechanism for searching for a peace solution on the issue, which included the European Union, United States, Russia and the United Nations. The Quartet formally presented the "Road Map" to the solution of the Israeli-Palestinian Conflict. The Road Map was a three-phase plan of the realization of: the principle of land for peace of Security Council resolutions S/RES/242, S/RES/338 and S/RES/1397 agreements previously reached by the parties, and the Arab Peace Initiative.¹³The Map became a comprehensive and effective solution programme, albeit its full realization was not reached due to the contradiction of the sides of the conflict.¹⁴

15. The departure of the last Israeli soldier from the Gaza Strip marked the first Israeli withdrawal from the occupied Palestinian territory since 4 June 1967. Nevertheless, the Sunni fundamentalist organization Hamas, which supervises Gaza, won the election for a new Palestinian legislative council, and this has frozen the peaceful settlement process due to the official position of Hamas on the issues of Israel's recognition and the recognition of previous agreements. In March 2005, the Quartet met again to commend the announced Israeli withdrawal. The UN Secretary General also visited the region to assist in further talks between Israeli and Palestinian leaders.¹⁵

16. After years of efforts to establish peace in Palestine, in September 2011, the president of the Palestinian Authority requested full membership for the PLO in the United Nations. Nevertheless, this request was not recognized and in 2012 the PLO asked the General Assembly for a non-member observer status. 138 of 193 Member States voted in favor. This step allowed the Palestinian Arabs to participate in General Assembly debates and to join other UN agencies and bodies, but what is more important, it gave them access to the International Criminal Court. The Palestinian Authority was officially admitted as a non-member observer state to the UN on 29 November 2012.¹⁶

17. The next round of tensions began in the summer of 2014, after the kidnapping of Israeli teenagers in Gaza. Additionally, a series of bombings were conducted from the Gaza territory, and thus began the Israel-Gaza conflict of 2014. As a response, Israel announced on 7 July 2014 the initiation of "Operation Protective Edge" as a defensive airstrike operation against the Gaza Strip. During the operation, Israel destroyed the Gaza tunnel system and initiated a ground invasion of Gaza. By 5 August, when all Israeli ground forces had withdrawn, both sides had a large number of casualties, and the damage was calculated to total about 6-8 million dollars for

¹² The Question of Palestine and the United Nations"

https://unispal.un.org/pdfs/DPI2499.pdf ¹³ United Nations Security Council resolution S/RES/1397 (2002)

²⁹ United Nations Security Council resolution S/RES/1397 (200 <u>https://undocs.org/ru/S/RES/1397(2002)</u>

¹⁴ A performance-based roadmap to a permanent two-state solution to the Israeli-Palestinian conflict <u>http://www.un.org/News/dh/mideast/roadmap122002.pdf</u>

¹⁵ Ibid.

¹⁶ Mission of Palestine – official site

http://palestine.dk/palestine/palestine-in-the-un/

both sides. The conflict was also connected with the violation of the UN premises: the United Nations Relief and Work Agency for Palestinian in the Near East (UNRWA) was disturbed by the Gaza bombings and closing of its schools for the military needs of Hamas. As a result, the Secretary General of the UN ordered an investigation into these violations.¹⁷

18. A wave of violence between Israelis and Palestinians emerged after clashes erupted at a Jerusalem holy site in September 2015. Amidst calls from the United Nations Security Council to ease tensions, Palestinian President Mahmoud Abbas announced that the Oslo Accords, which provided the framework for an Israeli-Palestinian peace deal since 1993, could no longer bind Palestine.

19. On 6 December 2017 the President of the United States Mr. Donald Trump formally announced the relocation of the U. S. embassy to the city of Jerusalem as the official capital of the State of Israel. This decision by the US government resurrected the contentious issue of the status of Jerusalem and caused new unrest in the West Bank and Jerusalem. As a response, the Security Council met in December 18 to establish a diplomatic mission in Jerusalem, but failed to adopt a resolution due to the veto of one of the permanent members.¹⁸

II. Potential challenges, problems, issues the Committee has to address

20. The issue on the status and rights of Palestinian refugees is one of the cornerstones of the Palestinian question. Since the mass exodus of Palestinian Arabs after the establishment of the State of Israel, the problem of refugees in Palestine is not yet been solved, due to the nearly endless conflicts in the region. Furthermore, there are large numbers of Palestinian refugees living in other countries of the region, including the Arab Gulf States, Egypt, Iraq and Yemen, and even further afield in the rest of the world. The status of all of these fleeing people is not determined yet, and their human rights are not ensured and protected. This issue is under the United Nations Relief and Works Agency for Palestine Refugees in the Near East mandate although without international assistance it is not able to operate worldwide according to its regional frames.¹⁹

21. The existence of the Israeli settlements in the Palestinian territory since its occupation in 1967 constitutes a significant issue on the topic. The United Nations Security Council alongside the General Assembly insists that this settling is controversial to international law. Nevertheless, the Special Rapporteur of the Commission on Human Rights reports on the construction of new buildings in Israel settlements in Gaza and West bank, as well as Israel's unwillingness to implement its obligations under the Road Map for removing additional outposts.

https://www.un.org/press/en/2014/sc11252.doc.htm

¹⁷ Secretary-General Tells Security Council 2014 Will Be 'Decisive' Year in Helping Israelis, Palestinians Draw Back from 'Unsustainable Status Quo'

¹⁸ Permanent Member Vetoes Security Council Draft Calling upon States Not to Establish Diplomatic Missions in Jerusalem

https://www.un.org/press/en/2017/sc13125.doc.htm

¹⁹ United Nations Relief and Works Agency for Palestine Refugees in the Near East official site <u>https://www.unrwa.org/who-we-are</u>

22. The question on the status of Jerusalem stalls the peace process in Palestine the most. According to General Assembly resolution A/RES/181 (II), the city of Jerusalem should possess the unique international status under the administration of the United Nations for the 10 years following the adoption of the resolution. Nevertheless, the confrontation among the states in the region and the division of the city to the zones of control by Israel, Jordan and Palestinian Authority prevent the implementation of this status and thus, there came into existence a de facto division of Jerusalem, which create tensions and affects such situations as unrest after the U. S. President relocated the embassy of the United States.²⁰

23. The international efforts to resolve the Palestinian question consists of the frameworks established by the United Nations and the international community in general. The implementation of the essential frameworks of the issue, such as the "Road Map", the Fez Declaration, the Arab Initiative, Security Council resolutions S/RES/242, S/RES/338 and S/RES/1397, as well the basic founding resolution A/RES/181 (II) of the GA, is the essential and compulsory condition for the resolving of the Palestinian question. Nevertheless, the sides of the conflict are not able to meet all the requirements of these documents due to their different views on the most controversial issues, such as the status of the city of Jerusalem, the Israeli presence in the Arab territories, and the status of rights of the Arab Palestinian refugees.

24. Israel and the Palestinian Authority are not recognized by each other, and that creates another barrier between these two sides of the conflict and impedes the negotiation and peacebuilding processes in the region. Moreover, the Palestinian Authority, being recognized by the majority of states, still does not possess official recognition from some Security Council permanent members the United States, United Kingdom and France.

25. The year of 2017 brought new tensions in the region. During the period from June to December, a series of clashes between Israeli and Palestinian civilians and police forces, as well as a number of other hostilities took place in the region. The level of violence enlarged after the United States decided to move their embassy, and the new unrests gradually broke up. The United Nations alongside the whole international community oversees the situation in order to prevent future tensions and should be able to provide an international response to them.

III. Recommendations and suggestions, priorities for future actions

26. The Palestinian question is the longest-tenured issue for the United Nations. The organization has adopted more than 70 different documents for the establishment of peace and security in the region, but the question is still unsolved. The problem of peaceful regulation of the Israeli-Arab confrontation consists of the unwillingness of both states and the whole international community to fulfill the needs of all sides of the conflict, and of the activity of other related sides that stalls the negotiations and feeds the confrontation.

²⁰ The United Nations General Assembly resolution A/RES/181 (II) <u>http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/A%20RES%20181%20(II).pdf</u>

27. The United Nations is supposed to be the main mediator between Israel and Palestinian Authority, as the partitioning of Palestine was conducted under the UN supervision. The United Nations possesses a plethora of instruments of maintaining peace and security in the region, such as its missions for Palestine and other related organizations that work with different aspects of the problem, such as the refugees issue, the issue of demilitarization of Palestine and etc. In this regard, the organization has the frameworks to act effectively in the region, but taking into account the ineffective efforts in the past, the United Nations alongside the whole international community are supposed to elaborate new approaches.

28. The general situation in the Middle East and hostilities which take place in the region are strongly affected by the Palestinian question. In this regard, since the beginning of the Syrian Civil War the sides of the Palestinian Question are highly involved into this conflict because of the economic and political issues. Moreover, the Palestinian question is also connected with the issue of countering terrorism in the Middle East, according the involvement of Israel and the Palestinian Authority in anti-terrorist efforts. Finally, overall economic and political sustainability of the issue affects the peacebuilding process in Palestine and in other conflicting regions of the Middle East.

29. The resolving of the Palestinian question also depends on political and economic issues outside the region. The diplomatic and political efforts of Israeli and Palestinian allies and partners, as well as of the international and regional organizations affect the current state of affairs in Palestine and play an essential role in the process of establishing peace in Palestine. In this regard, the latest decision of the United States to move their embassy underlines its firm stand on one of the most significant and controversial issues of the Palestinian Question - the status of the city of Jerusalem, that could affect to new confrontation between the sides of the conflict.

30. The already established frameworks constitute the current system of the regulation of the Palestinian question. In this regard, the full and mutual implementation of the points mentioned in them is the first obligation for resolving problem. In this way, Member States are supposed to make all efforts to ensure the implementation of the "Road Map", Security Council resolutions S/RES/242, S/RES/338 and S/RES/1397; the Fez Declaration and Arab Initiative; as well as the other agreements reached before.

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