

**Forum:** Fourth General Assembly

**Issue:** The Question of Illegal Settlements in Occupied Palestinian Territory

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## Introduction

The present Israeli-Palestinian clash goes back to the twentieth century, amid the time of hostility towards Semitism, in which European Jews were abused and heavily persecuted for their ethnicity. This wanton supposition brought about Jewish displacement out of their past European homes, escaping unjustified mistreatment, and looking for a state in which was previously an Arab and Muslim-majority region in the Ottoman and subsequent British Empire. Arguing their legitimate privilege of the West Bank and East Jerusalem, the Arabs opposed and resisted, hence, prompting the 1948 Israeli-Arab war, when the Israelites pronounced their power in the "Declaration of the Establishment of the State of Israel". With innumerable member-state's attempting to facilitate negotiations and fostering peace, the two states could go to a concurrence on border demarcations; yet, the tensions never cease to remain unsettled.

As of recent times, the Israeli government has attempted to grow their geological and political influence by utterly disregarding prior settlements pertaining to the division of Palestinian land (especially the West bank, which involves Jerusalem). In this area - although nominally controlled by Palestinian authorities - the Israeli government have decided to situate troops, in this manner - restricting the land to Palestinians. What's more is that in light of these Israeli infringements, major multifaceted issues emerge which can be recognized into three classes: the economic abuse of the Palestinian domain, the social influence on the Palestinian populace, and the religious hostility and tensions amidst Judaism and Islam.

Upon closer scrutiny, geographically, over 40% of the West Bank situated in Palestine is under control of the Israeli state, and land that previously was deemed as Palestinian land is being invaded at alarming rates after Israelites



establish increasing settlements and entrench previous accords. On the foundation of the Palestinian economy within the Occupied Palestinian Territories (OPT), all illicit actions and happenings caused by Israel have been documented and have tracked the economic exploitation of Palestine's economic assets including but not limited to: tourist attractions, geographic locations, and natural resources. OPTs have also faced a ban against the development of hospitals, educational facilities and forbidden from basic commodities such as water and electricity. Hence, the economic oppression has necessitated a \$918 million in net losses.

Other than economic exploitation, a main source of controversy is the detrimental social impacts to Palestinian residents. Ever since the 1960 mass migration of the Jewish masses, a wide scope of Muslim societies and communities have been forced to depart their homes following the territorial gains of the Israelites. Moreover, subsequent to the 1948 Arab-Israeli War and the Six Day War of 1967, over a million Palestinians have been displaced from their homes. This translated into high unemployment rates and homelessness.

The contemporary matter of OPTs does not restrict itself to solve social and economic tension, but also stems from the deeply rooted religious differences. The West Bank encompasses Jerusalem - a fundamental and important landmark for all Ibrahimic religions. Hence, with Islam and Judaism beliefs arguing that Jerusalem rightly belongs to them, it has been the engine of the conflict.

## Definition of Key Terms

### Ibrahimic Religions

Ibrahimics encompass the religions of Christianity, Islam and Judaism. As stated previously, Jerusalem is a major religious landmark for most Ibrahimic religions, and appears in Islamic and Judaic religious narratives. As Jerusalem is a state bordering that of Jewish Israel and Islamic West Bank, it has become a frontrunner in the conflicts stemming from OPT due to the importance both Ibrahimic religions place on the region. To pacify both parties involved, Jerusalem has effectively been divided into 2 halves: East Jerusalem, pertaining to the non-Israeli sector, and the West, referring to that of Israel's possession after the 1948 Israeli-Arab war.

### Zionism

Zionism is the national ideology of Israel asserting that Judaism, along with being a religion, is a state. It was the driving influence for the mass migration of the 60s, after the wave of European anti-Semitism.

## **Nakba**

The 1948 Palestinian exodus, commonly labelled Nakba, is the Arabic phrase for the repercussions of the 1948 Arab-Israeli war, when over 70% of a million Palestinians were forced to depart from their residency. Its literal translation is “catastrophe” and is widely recognized as a tragic event in Palestinian history books.

## **Intifadas**

Consequent to the Israeli annexation of certain Palestinian territories, the Palestinian population organized two uprisings named the Intifadas to try and regain the land lost. The primary included nonviolent demonstrations such as boycotts which was responded to with the placement of Israeli armed forces in the areas. The second Intifada at the dawn of the new millennium was far more violent.

## **Hamas**

Hamas is the front running Palestinian political foundation that is rooted in Sunni-Islamic ideology. Their dogma is rather radical, calling for the complete and utter extirpation of the entire Israeli state, and executed terroristic actions against the Israeli body.

## **Green Line**

The Israeli Green line pertains to the demarcation lines enacted in the 1949 Armistice Agreements to conclude concrete geographic limits amongst Israel and its surrounding countries, including Palestine.

## **The Agreement of Disengagement**

Following the hostilities amidst the Arab state of Syria and Israel - the Golan Heights were obtained by Israel. This occurred due to the invasion of the land within the space of two nights by the Jewish army through infantry - it was conquered by Israel. This was officially recognized in The Agreement of Disengagement. The Golan Heights are imperative in terms of strategy: the plurality of Southern Syria as well as Damascus can easily be maintained and seen from the mountains. Thus, Israel being handed the capacity to monitor Syria's army at all times. As well as this, the Heights demonstrate a fundamental source of water for the nation as they provide for over 33% of their water needs. However, the unilateral annexation has not been acknowledged by international authorities.

## Background Information

### Creation of Israel

Palestine used to be part of the Ottoman Empire dating back in the 19th century and a region with a majority populace of Arabs. In accordance with the Sykes-Picot accord, which was formulated by European nations in an attempt to divide Middle Eastern Land, there was a fraction of the territory that would be mandates of the British Empire whilst still being given to the Arabs. After the rise of Anti-Semitic rhetoric and policy, by the early 20th century, socio-political happenings crafted conditions in which the British were convinced the only way to solve them would be to move Jews to these mandates (for protection and safety). Pacifying the aggressive Zionist Federation, Great Britain issued the Balfour Declaration that in essence, advocated for the establishment of a national home for Jews within the borders of established Palestine. Following this official decree, a gargantuan influx of European Jews reached Palestine and claimed it was the home of their religion — hence, belonging to them. This concluded in deeply rooted resentment as the Palestinian people's genuinely believed it was a threat to their sovereignty and especially, holy land.

After the British were unable to adequately deal with the violence stemming from this, they withdrew from contemporary Israel in 1947 - which led to its official establishment of the Israeli State. The United Nations suggested a territorial split amidst the two powers as a means of solving the prevailing conflict, however, while the Jews accepted - the Palestinians did not. Within less than a year, the Arab states of Lebanon, Syria, Egypt, Iraq, Jordan, and Saudi Arabia declared war on Israel. Miraculously, Israel pulled through to overpower the belligerents and obtained autonomy in various Arab-majority regions, soon possessing 77% of former British Palestine. Hence, it was obvious that Israel had a state, nonetheless, the Palestinians did not. The resulting armistice remained until another war broke out in 1967, the Six Day War - when the Israeli powers launched a series of attacks on the Arab state of Egypt.

### Conflict with the Arab State's and attempts at resolution

Subsequent to this event, the nations of Syria, Iraq and Jordan decided to pour resources into the war against Israel and for Egypt. Following six entire days of battle and conflict, Israel sufficiently managed to defeat the Arab states and augmented its territorial bank to West Bank and the Gaza Strip. The 1967 war implemented the notion that Israel was a dominant regional military power. The thoroughness and efficiency of the state's victory humiliated the Arab powers' regimes. Nevertheless, a Palestinian national movement was birthed because of this acting as military and political groups to eventually make up the Palestinian Liberation Organization.

However, Israel never recognized the PLO and refused to negotiate with it after deeming the organization as one made up by terrorists. Israel insisted on only negotiating with Jordan or any other Arab states that the nation recognized. Hence, rejecting the establishment of a Palestinian state and advocating for the complete incorporation of Palestine into bordering Arab states. By 1933, the Oslo Declaration of Principles formed following the complete intransigence ended when Israeli representatives entered secret negotiations with the PLO. It was this declaration that finally had both member-states mutually recognize each other's establishment within the geographic region. Furthermore, the Oslo accords formulated a negotiating method that the two states would have to follow for all issues.

These settlements are Jewish-confined zones and locales developed by the Government of Israel for the utilization of its subjects inside the involved regions. As indicated by B'Tselem there were roughly 124 authority settlements in West Bank with around 350,000 inhabitants starting at 2013.

### **Humanitarian aspect**

The majority of all Palestinian settlements are geographically beside Israeli ones. Nonetheless, the presence of "two tier system of laws, rules, and services... which provide preferential services, development, and benefits for Jewish settlers while imposing harsh conditions on Palestinians," as per the Human Rights Watch still exists. There is an array of prevailing humanitarian inequalities caused due the OTP including but not limited to: the fashions in which settlers and settlements contribute to discrimination, inequality, and violence in the occupied territory of Palestine.

#### ***Separate Legal Regimes***

Even if Palestinian people and Israeli settlements within the West Bank reside in one geographic zone, they pertain to separate and unequal systems of legislation. Israeli citizens and Palestinian citizens share differences as Israelites follow the civil and criminal laws and the rights afforded by them, whilst Palestinians are subject to its military law.

#### ***Discriminatory Movement Restriction***

In accordance to reports put out by the UN Office for the Coordination of Humanitarian Affairs, as of September 2012 the Israeli government has set up an approximate 542 obstacles in the West Bank to hinder Palestinian movement. The obstacles include but are not limited to include roadblocks, gates, checkpoints, segregated roads, and other impediments. Whilst these obstacles are strategically placed to restrict the movement of Palestinians through no access to roads, another system of transport and roads has been constructed for the utilization of Settlers to provide them with unrestricted movement along the state and into Israel.

### *Unequal Access to Water*

Israel holds all autonomy over the resources of water within the West Bank and decides the quotas in which it is provided to people, including the Palestinians. According to staggering numbers provided by the World Health Organization, around 50,000 Palestinians consume under 20 liters per capita per day, whilst the average West Bank Settler is accustomed to having access to twelfefold of this value.

### *Violence by Settlers*

The record of violent attacks conducted by Settlers towards native Palestinians as well as those on their property has grown substantially in recent years. By 2011, the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) reported that there were 121 violent attacks on Palestinians which concluded in 183 injuries and 3 deaths. Furthermore, this also stems into “theft of property, vandalism, blocked access to land, burning fields, destruction of crops, cutting down olive trees, attacks on homes and mosques, and killing livestock”. The Israeli government has also criminalized Palestinian nationalism after it was deemed a threat to the sovereignty and security of the Israeli state; the display of Palestinian colors is a punishable act and policies and punishments such as curfews, closure of schools, roads and community institutions, and house demolitions have been put in place. Palestinian activists, following the deportation of a few to neighboring member states, have justified their rationale behind the illegality of this within Article 49 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, August 12, 1949. This states that an individual or mass forcible transfers, as well as deportations of protected persons from occupied territory to the territory of the occupying power or to that of any other country...are prohibited; and also that any Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.”

Palestinians strongly believe that Israel is a belligerent occupant that has annexed the OTPs through forceful entry and their policies have only inhibited humanitarian laws of the right to equality, self-determination, property, an adequate standard of living, and freedom of movement.

## **Legal**

Within the Fourth Geneva Convention, Article 49 clashes with the happenings of the OTP, as it strives to inhibit any sort of ‘Occupying Power’ from exchanging any segment of its own civilian population into an occupied territory. Furthermore, the 1907 Hague Convention forbids an occupying power from establishing permanent manipulations in the territories they occupy if they do not serve as a military

necessity or directly benefit all local populations. Israel is now being accused of violating both of these statements of legislation by the international community including but not limited to: the European Union, the United Nations, and the United States Government.

## Israeli Settlements

There are additionally around 100 "station" (informal) settlements arranged in West Bank. These groups are informal, yet have detailed economic assistance from the Israeli offices and services. The Israeli Government may not perceive these as legitimate, but still grants them with access to water, power, state-subsidized assurance and different comforts and administrations. In totality, stations and settlements roughly control 42% of the West Bank arrive zone. After 1967, Israel set up 17 settlements in Gaza as well, however they were destroyed in 2005.

Amid the *Likud's* (Political group of Israel) come back to control in 1996-1999, Prime Minister Benjamin Netanyahu abstained from following with the Oslo procedure, which he in a general sense disregarded. Amid the Oslo agreements, Israel's Labor and Likud Governments drastically heightened settlement building and land reallocations in the Occupied Territories and developed a system of routes to encourage Israeli residents to set out from their settlements to the actual Israeli State without going through Palestinian-owned regions. The vast majority of the undertakings were deciphered by most Palestinians as an endeavor by Israel to infiltrate its domain — which it would claim or add to its own state. The Oslo agreement did not have any system to piece or control these infringements of Palestinian social equality in the Occupied Territories. Before the Oslo concurrence was created, there were around 110,000 Israeli residents residing in West Bank and 146,000 lived in East Jerusalem. In 2013, however, there has already been an increment in the aggregate Israeli populace with around 350,000 Israelis living in West Bank and roughly 300,000 living in East Jerusalem.

## Major Countries and Organizations Involved

### Palestinian Liberation Organization (PLO)

The Palestinian Liberation Organization is the national representative for the populace of Palestine. The PLO dictates the semi-autonomous Government responsible to control and manage the territories of the Palestinian State called the Palestinian National Authority or PA. However, the PLO only operates the Palestinian Government within the West Bank whilst Hamas does so for the Gaza Strip. Although the PLO strives to facilitate negotiations regarding Palestine on behalf of the people of its state, it is sometimes hindered by the radical policies of Hamas, who tend to take a more violence-oriented approach. The PLO's primary objective was to extirpate the Israeli State as a whole, however, after Palestinian recognition of

Israel - their aim is to now have the international stage recognize them as a legitimate and singular nation, as well as have Israel acknowledge itself as a singular representative of the Palestinian State.

## Israel

As one of the major players within the context of the half-century between Israel and Palestine, Israel have an opposing viewpoint towards the plurality of Palestinian ones. Currently being governed by Prime Minister Benjamin Netanyahu of a right wing coalition government, he has expressed interest in gaining more territorial gains and has consequently, entrenched several prior accords in the quest for these policies. Netanyahu has also expressed interested to completely eradicate the autonomy of Palestinian rule and seeks to appropriate Palestinian territories.

## Palestine

To a certain degree, Palestine also shares antithetical viewpoints compared to Israel and regards Netanyahu's entrenchments as quite alarming. Palestine regards the OTP's to have been extremely detrimental to the overall well-being of Palestinian residents after displacing them and also negatively influencing its economy. By hampering with the socioeconomic progress that Palestine had achieved prior to the settlements, the Israeli state is not viewed favorably by the state. Just like the PLO, the state also wished for independence and international acknowledgement as a singular entity. Nonetheless, despite these requests and movements, due to geographical dilemmas begot by geographical confusions, political recognition is unobtainable.

## United States of America

Over the past few years, the United States has sided with the Israeli state to a certain degree; especially since Israel is viewed as a stable and secure democracy situated in the Middle East. The United States, as a result, has provided Israel with the support to facilitate their operations through commodities. However, more recently, antithetical views have been noticed in the light of illicit settlement policies followed by Israel. In the Security Council, during a vote to stop Israeli settlements in the Palestinian territories, the United States had abstained - acquiescing with the overall international outlook on the question of OTPs. This lack of support created tension amidst the two nations. However, the two are still considered allies but antagonism of their actions is clearly evident.

## France

Just like the United States, France demonstrates a clear antagonism of Israelite actions towards their Palestinian settlements. In fact, France shares strong relationships to both the State of Palestine as well as Israel. Furthermore, France is completely for the establishment of a Palestinian state and has been a major constituent to the advocacy of anti-settlement building and terrorism as a means of obtaining certain goals.



## Timeline

- 1948 Arab-Israeli War                      May 15th, 1948
- Six-Day War                                      June 5-10, 1967
- Camp David Accords                            1978-1979
- Oslo Accords, 1993                              September 13th, 1993
- Palestinian Uprising                            September 2000
- Taba Summit                                      January 21st-27th 2001

## Relevant United Nations Treaties and Events

In accordance with the Permanent Observer of the Mission of the State of Palestine to the United Nations, a whopping 89 United Nations Security Council resolutions along with those crafted by the General Assembly addressing the question of OTPs have been passed and endorsed by member states. Furthermore, over 200 of them address the Arab-Israeli conflict in its entirety. These include but are not limited to:

- Resolution 46: S/RES/46 (1948) of 17 April 1948
- Resolution 242: S/RES/242 (1967) of 22 November 1967
- Resolution 607: S/RES/607 (1988) of 5 January 1988
- Resolution 1397: S/RES/1397 (2002) of 12 March 2002
- Resolution 2334: S/RES/2334 (2016) of 23 December 2016

## Previous Attempts

### Resolution 181 (II)

The resolution was passed and unanimously approved in November of 1947 after stating the partition plan for Palestine. This was the first and ultimate attempt at forming a concrete and justified plan to divide Palestine's land into what would be geographically maintainable. Following an ad hoc committee finally reaching consensus on the division of Palestine into three main constituents: an Arab State, a Jewish State, and the City of Jerusalem linked by extraterritorial crossroads, the plurality of international member state's regarded the occurrence with satisfaction. Nonetheless, the Resolution was not acknowledged by Arab States, who affirmed that "*the vote in regard to the Partition of Palestine has been given under great pressure and duress, and that this makes it doubly invalid*". The Resolution had failed after the emergence of outbreaks of immense violence within the Mandatory Palestine under British Rule amidst Arabs and Jewish Palestinians.

## Resolution 242

Also renowned as the Land for Peace resolution, the resolution had two forefront constituents - “the complete and utter withdrawal of Israeli forces and militia from all OTPs and the entire termination of all statements and states of belligerency, the acknowledgement of sovereignty of a state, territorial integrity, political independence of every State in the Middle Eastern area, rights to live in peace within secure and recognized boundaries free from threats or acts of force”. However, a huge issue that stemmed from this resolution were the discrepancies visible within the French and English editions. This is because the French text delineated the complete number of territories that Israel’s army had to withdraw from, whilst the English one left it susceptible to interpretation. Nonetheless, the resolution could not go into effect as the PLO rejected its ideas, asserting that it neglected the notion of self-determination for Palestinian people

## Oslo Accords

The set of agreements and accords signed in Norway within the span of two years dating from 1993 to 1995 pertaining to the Israelite Government along with the PLO. The conventional wisdom of these accords was to establish a treaty that outlined future negotiations and methods of discourse between the two parties. As a result of the Oslo Accords, the Palestinian Authority/PA was birthed in order to possess exclusive control over several regions in the West Bank. However, the Oslo Accords were soon to be disregarded by the Israelites, President Bill Clinton of the United States attempted to revive negotiations through the Camp David Summit in 2000. However, the failure of the summit resulted in the Second Intifada amidst the Middle Eastern States.

## Arab League

From the Arab perspective, the Arab League was formulated with territories ranging from Northern and North-Eastern Africa and South-Western Asia. Encompassing 21 member states, its conventional wisdom is to maintain economic, cultural, national, religious and political well-being and interests. Hence, by 1945, the Arab League Council implemented an official and effective boycott of any Jewish-run business or establishment within Mandatory Palestine. Nonetheless, this only created a platform that fostered the further growth of international tensions amidst the two.

## Possible Situations

There are two prospective solutions that could help dilute the hostility apparent as a cause of the Occupation of Palestinian Territories - the first being the one-state or binational solution. This encompasses having proponents advocate for the State of Israel, the Gaza Strip and the West Bank respectively. Furthermore, there are equal rights distributed amidst the three, irrespective of any religious or ethnic differences. The next solution calls for two separate and independent states. Nonetheless, this would be

substantially difficult to enforce seeing as Israel rejects all proposals of Palestine wishing for border demarcations unique to those of pre-1967. However, seeing as the issue at hand pertains to the question of the Occupation of Palestinian Territories, it will be imperative for Delegates to attempt to halt Israel and Netanyahu in their further designs of appropriating more Palestinian territory. Subsequently, construction activities must be halted by international pressure. For example, the establishment of economic sanctions would be beneficial seeing as Israel's economy is deeply rooted in international exports. On the contrary, this could beget additional tensions amidst member states in respect to any robust trade relationships that Israel shares with other countries. Seeing as the Palestinians demand the complete and utter withdrawal of Israel from OTPs, this could be substantially softened by providing the general public with basic amenities and commodities that the Israeli Settlers are provided with that are not accessible to the Palestinian residents.

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