



GA5: Legal Committee

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Issue: Establishing international consensus in the Gaza Strip

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## I. Introduction

An “impoverished, densely populated” region that has been a center of conflict in the past century is the Gaza Strip (The Associated Press). The Jewish Zionist and the Palestinian nationalist projects not only



Picture 1: Gaza Strip on the Map of the Coast of the Mediterranean Sea

caused the economy of the enclave to collapse, but also devastated millions of lives. The roots of this conflict extend along the The Arab-Israeli conflict; which is an ongoing inter-communal phenomenon that includes political turmoil, military conflicts, as well as other disputes between Arab countries and Israel that predominantly erupted during the twentieth century. The residents of the tiny enclave live through mass destruction and bombardments, have to bear inhumane living conditions, and are from time to time forced to leave everything behind and flee their land. Innocent citizens being punished with insufficient resources because of political or religious motivations may sound normal in the twenty-first century, but it is neither acceptable nor rightful. The people who had no choice but to stay suffered from lack of water for a long time and didn't have proper access to electricity. An urgent solution to ease the conflict in the Gaza Strip and prevent

possible casualties is a must- the decision must be multilateral and the scope of the consensus has to be international.

## II. Involved Countries and Organizations

### [Palestine Liberation Organization \(PLO\) and Palestinian National Authority \(PA\)](#)

Many researchers use Palestine Liberation Organization (PLO) and Palestinian Authority (PA) as if they are interchangeable terms. There is some confusion about the similarities in the structures and functions of these bodies, yet they are significantly different in theory. The PA has municipal authority. To simply clarify that, it has the authority that is related to the “government of a city or town, rather than the government of a country”. (Cambridge Dictionary) The scope of the jurisdiction of the PA is local issues-



affairs of Palestinians in the **Occupied Palestinian Territories (OPT)**. On the other hand, the PLO makes **broader decisions** about Palestinians living outside of those territories, and the status of Palestine. The PLO does **not** have the legal authority over the inner affairs and local governance of Palestine, but the PA does.

PLO is the body that signed the Oslo Accords and took the step in the establishment of the PA. PA, which was initially established to implement those Accords, and PLO are currently both led by the same person, making them fundamentally related.

The PA has the obligation to report to the PLO and is dependent on the organization in many aspects. While the PLC elections in 1996 and 2006 confirmed its legitimacy, it lacks the sovereignty and the mandate to represent all Palestinians.

The Palestinian Liberation Organization's (PLO) political program is outlined in its National Charter, while the organization is governed internally by its Fundamental Law (also known as a Constitution or Statute), which outlines the powers, responsibilities, and relationships between its **three leading organs: the Palestine National Council (PNC), the Central Council, and the Executive Committee.**

The Palestinian National Authority (PA) executive committee consists of **a cabinet led by the President and Prime Minister, the Palestinian Legislative Council (PLC) as the legislature, and a judiciary with separate courts for criminal and constitutional cases.**

The President of Palestine spoke to BBC about the situation in Gaza, and stated that the chance for ensuring a peaceful two-state solution "may not remain for a long time". (BBC)

### [Palestinian Legislative Council \(PLC\) and Palestinian National Council \(PNC\)](#)

The PLC does not represent all Palestinians as the council members are only elected by Palestinians living in the West Bank, East Jerusalem, and the Gaza Strip. (PASSIA) The PLC is currently inactive due to a lack of quorum and the PNC didn't gather for a long time. The PLC used to operate under the PA, and the PNC used to operate under the PLO.

### [Hamas \(Islamic Resistance Movement\)](#)

Hamas is the de facto governing authority of the Gaza Strip since the 2007 Battle of Gaza. It is a militant Palestinian nationalist and Islamist movement committed to establishing an independent Islamic state in historic Palestine. The party has opposed any attempt or decision to give away any part of Palestine.

### [Fatah \(Former Name: Palestine National Liberation Movement\)](#)



Fatah is a Palestinian nationalist social democratic political party. It began seeking a two-state solution through diplomatic channels in the late 1980s. The leaders of Fatah were key players in the Oslo peace process that established the Palestinian Authority.

## Israel

Israelis are trying to take back the lands (which are between the Nile and the Euphrates) where their ancestors were born. Before Christ, they used to call that portion of land their “homeland”. The region also has an importance as it was shown to Jews as the place they will live in by the western countries of the time. The region, which includes the Gaza Strip, was mentioned as the promised land in their holy books-Torah.

## Egypt

Even though being fundamentally against Israel, Egypt remained in the background when it conflicted with some Palestinian organizations, despite being the region's historically most powerful state and trusted third party. The Egyptian government has played a crucial role in mediating between the de facto governing authority Hamas and Israel, and helped with the reconstruction of the Gaza Strip after many attacks. Furthermore, the government tried to maintain peace in the area, aiming not to jeopardize their own national security. Despite not being quite successful, Egypt had several important attempts to solve both the disputes between Hamas and Fatah, and Hamas and Israel.

## Germany

The antisemite policies of the National Socialist German Workers' Party and more importantly the Holocaust resulted in thousands of Jews to flee from Europe to the Gaza Strip and the surrounding region. World War II had an impact on what happened to both Jewish people and Palestinians. The atrocious history of this eventually played a role in the Arab-Israeli conflict, and even though the effect that Germany's policies created was not direct, it is clear that they led up to the 1948 Arab-Israeli war and the establishment of Israel. It is a common belief that what is going on in the Gaza Strip today is a result of the sufferings of the Jewish people in Germany back in the early 1940s.

## United States of America

The United States has been a central player in the Israel-Palestine conflict for the past couple decades. Due to the strong Jewish lobby activities that grew in the United States after World War II, the US government turned a blind eye to the persecution of Palestine and remained silent about Israel's acts. Over the years, some U.S. administrations have proposed road maps for a peace process that would include

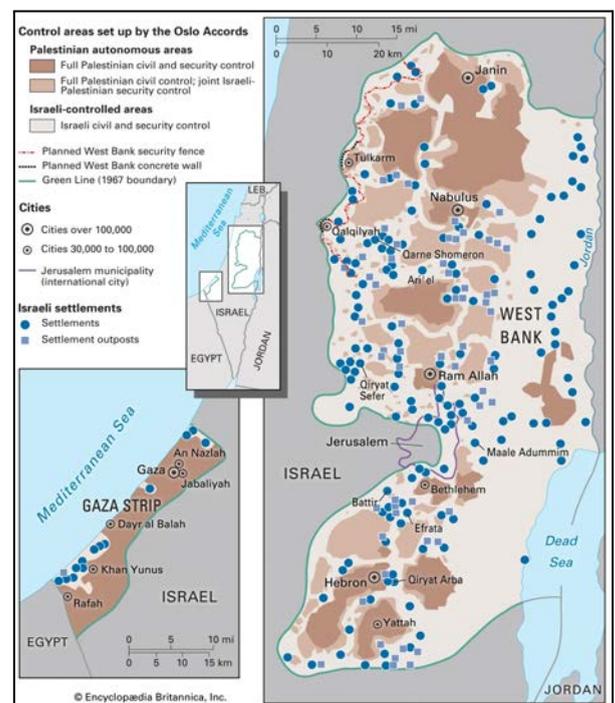
two-state solutions instead of directly supporting Israel. However, during the Trump administration, controversial policies were implemented and the negotiation for a feasible two-state resolution was shelved. The Biden administration has partially reiterated U.S. support for the two-state solution, yet many decisions including the recognition of Jerusalem as Israel's capital still remains. In 2017, the announcement of the plans to move the US Embassy from Tel Aviv to Jerusalem has resulted in Palestinian outrage, which is clear evidence of how the United States is a key party in the Israeli-Palestinian conflict. The Middle East has long been essentially significant to the United States, with successive administrations pursuing a wide range of interconnected goals. The objectives of the past US administrations include securing important energy resources, and countering Soviet and Iranian influence (Robinson). The conflict has been a major source of concern for the American Jewish community too, who are supporters of Israel, which resulted in the US attempting to achieve their objectives and resolve the conflict.

### III. Focused Overview of the Issue

#### 1. History of the Territory

From the 16th to the 20th century, the Gaza territory has been ruled by the Ottoman Empire.

The region fell under the British mandate for Palestine, or in simpler words British control, after the Ottoman Empire's rule there came to an end following World War 1. During the British mandate, the Jews were, at some points, allowed to migrate to the occupied Palestinian area, causing conflict and resulting in the tensions between the Jews and Arabs growing. The holocaust that began in 1941 lead to the flee of thousands of Jews from Europe to the British Palestine.



Picture 2: Israeli and Palestinian settlements in the West Bank and Gaza Strip

On the 15th of May 1948, the British mandate ended, and the first Arab-Israeli war started the same day. Egyptian forces quickly entered Gaza, and made the region the headquarters of Egypt's expeditionary force in Palestine. The area around the town under Arab occupation was reduced to a strip of territory 40 km long and 6-8 km wide as a result of heavy fighting in the fall of 1948. This area is now known as the Gaza Strip, whose borders were established in the Egyptian-Israeli armistice agreement signed on February 24, 1949. For about 20 years, the area was occupied by Egypt. The **All-Palestine Government** operated in the first half of this duration.



Egypt was in control of Gaza until the **Six-Day War** in 1967, when Israel occupied the strip, among several other important areas of land. Israel soon gained control of a significant amount of the Gaza territory. Hundreds of thousands of Palestinians have decided to flee from their homes, and many were forced to displace. Some historians believe that forcing Palestinians to leave the strip was an essential part of the Zionist project. Soon after the occupation of the strip, a series of measures, including restrictions to the access to basic humanitarian needs and monetary incentives to move abroad, were implemented by the Israeli government to encourage Palestinians to emigrate elsewhere.

## 2. Legal and Political Status of the Gaza Strip

Oslo I Accord and Oslo II Accord were signed between Israel and the Palestine Liberation Organization (PLO) in 1993 and 1995, following the relevant UN resolutions. The agreements established the general framework for future negotiations and laid the groundwork for a “five-year transitional period of Palestinian interim self-government in the West Bank and Gaza” (United Nations Peacemaker).



Picture 3: President Clinton, Yitzhak Rabin, and Yasir Arafat at the signing ceremony for the Oslo I Accord

## IV. Key Vocabulary

**Governing Authority:** The body in charge of a political subdivision's legislative functions. The governing authority mentioned in this report is Hamas- the de facto governing authority of the Gaza Strip following the 2007 Battle of Gaza.

**Intifada:** Palestinian armed uprising against Israeli occupation in the West Bank and Gaza Strip.

**Liberation:** A protest for a specific group's equal rights and status.



**Blockade:** The isolation of an enemy area to prevent the passage of people or supplies.

**Jurisdiction:** A sovereign power's authority to govern or legislate

**Enclave:** A distinct territorial, or social unit enclosed within or appearing to be contained within a foreign territory.

**de jure:** A state of affairs that is in accordance with law, usually referred as “by right”

**de facto:** A state of affairs that is in accordance with authority, usually referred as “by power”

## V. Important Events & Chronology

Date (Day/Month/Year)	Event
May 15, 1948	The British mandate came to an end and the first Arab-Israeli war began.
1948	The 2 decade Egyptian administration in the area started.
February 24, 1949	Egyptian-Israeli General Armistice Agreement was made, which includes an agreement by the parties to strictly follow the Security Council's prohibition on using military force to settle the Palestine question.
June 1967	The “Six-Day War” began, and Israeli Forces occupied the Gaza Strip.
December 1987	A Palestinian <b>intifada</b> - in other words an uprising- took place in Gaza, the West Bank, and Israel. It caused protests and resulted in the death of many people.
1993 and 1995	Oslo I Accord and Oslo II Accord were signed between Israel and the Palestine Liberation Organization (PLO), following the relevant UN resolutions.
2006	Legislative elections for the Palestinian Legislative Council (PLC) were held in Palestinian territories for the second time. Hamas won the elections. Legitimacy of the Palestinian National Authority (PA) was confirmed.
June 10-15, 2007	The Battle of Gaza happened. Hamas took over the Gaza Strip.



December 2017	The Trump administration announced that the United States recognizes Jerusalem as Israel's capital.
May 2021	Several weeks of tension in Jerusalem resulted in an Israeli police raid on al-Aqsa Mosque, one of Islam's holiest sites. Hamas launched rockets toward the city for the first time in years, prompting Israel to fight back with airstrikes. The conflict was vigorous- thousands of rockets were fired from Gaza. Over 200 people in Gaza and at least 10 in Israel were dead.

## VI. Past Resolutions and Treaties

- United Nations Security Council Resolution 242

<https://peacemaker.un.org/sites/peacemaker.un.org/files/SCRes242%281967%29.pdf>

This resolution was adopted unanimously by the UNSC in 1967, after the Six-Day War. The emphasis is the concern on the Middle East in general.

- United Nations Security Council Resolution 338

<https://peacemaker.un.org/sites/peacemaker.un.org/files/SCR338%281973%29.pdf>

This resolution calls for an immediate ceasefire in the area, and asks for the implementation of Resolution 242. It aims to create a peaceful and stable environment in the area.

- United Nations General Assembly resolution ES-10/L.23

<https://undocs.org/Home/Mobile?FinalSymbol=A%2FES-10%2FL.23&Language=E&DeviceType=Desktop&LangRequested=False>

The resolution, which is from the United Nations General Assembly's Tenth Emergency Special Session, condemns Israel's response to the 2018 Gaza border protests. Algeria, Turkey, and Palestine were the submitters of the resolution, which was approved with an overwhelming majority.

## VII. Failed Solution Attempts

A proper solution such as one that do not include religious motives could not be implemented due to the power of the Jewish lobby in the western states, especially the United States of America and the United



Kingdom, and the absence of a Palestinian/Arab lobby. No sanction other than "condemnation" was applied, and mediation attempts have been inconclusive for these reasons. Many nations expressed their disapproval of the atrocious actions of both parties of the conflict, yet most of them have not even attempted to broker peace negotiations and settled with inefficient announcements.

## VIII. Possible Solutions

An international consensus must promptly be reached to stabilize the region. Past UN resolutions, statements of the Secretary General and Security Council directions should be closely examined. To reach a consensus, both parties should approach the issue with a constructive manner. Religion lies deep in the roots of this conflict, so to tackle this issue, both Palestine and Israel must put humanitarian values above religious values. Lastly, opinion leaders who won't likely make radical decisions and will focus on the stabilization and peacefulness of the region should be paid attention to, instead of the ones who prioritize their personal greed.

## IX. Useful Links

- [http://passia.org/media/filer\\_public/8a/e7/8ae7c030-ac1d-4688-b3f4-606fbd50cd41/pa-plo2.pdf](http://passia.org/media/filer_public/8a/e7/8ae7c030-ac1d-4688-b3f4-606fbd50cd41/pa-plo2.pdf)

Delegates may benefit from this document prepared by the Palestinian Academic Society for the Study of International Affairs (PASSIA), which elaborates on the differences between PLO, PA and PLC and aims to clarify theoretically similar yet functionally different aspects of the bodies. **I highly encourage that delegates carefully read through this document before writing a clause concerning the involvement of any Palestinian governing body to prevent confusion.**

- <https://www.youtube.com/watch?v=iRYZjOuUnIU>

This video briefly summarizes the Israel-Palestine conflict, by listing the important events of the century and describing the situation in the Gaza Strip, West Bank and Jerusalem. It also explains how self-determination movements (the Jewish Zionist project and the Palestinian nationalist project) lie in the heart of the conflict. While revealing the roots of what has been going on between Israel and Palestine in the past century, the video connects it to the result of both countries laying claims on the same land. Keeping in mind that the YouTube channel is owned by an American mass media company, delegates might want to watch the video to further understand the conflict, by not just focusing on the Gaza Strip but learning about the region and the struggles holistically.



- <https://www.un.org/unispal/document/auto-insert-203742/>

This study explains two lands which are part of Palestine and are occupied by Israel- the West Bank and the Gaza Strip. For more information on the historical background and legal status of the areas, delegates are encouraged to skim through this document.

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