



SECURITY COUNCIL
UNITED NATIONS

CUIMUN XXIV

Study Guide

UN Security Council



STUDY GUIDE

CONTENTS

Welcome Letter from the Chairs	p. 3
Introduction to the Committee	p. 4
Topic A: Reviewing the R2P Policies to Ensure Accountability and Practical Implementation	
1) Introduction	p. 5
2) Timeline of Events	p. 6
3) Discussion	p. 8
4) Bloc Positions	p. 10
5) Conclusion – Key Issues	p. 12
6) Bibliography	p. 14
Topic B: The situation in the Gaza Strip	
1) Introduction	p. 15
2) Timeline of Events	p. 16
3) Discussion	p. 18
4) Bloc Positions	p. 20
5) Conclusion – Key Issues	p. 21
6) Bibliography	p. 22

Welcome Letter

Greetings Delegates!

We are looking forward to welcoming you to the 25th Session of the Cambridge University International MUN conference. We will be simulating the United Nations Security Council debate for this year and cannot wait to see you all represent your respective assignments. The UNSC is an advanced committee and we will expect the best from you but will look forward to everyone having a good conference and productive debate. The topics we are running for the committee spoke volumes to us about fundamental issues that the UN needs to solve to return to its prime position as the chief mediator and forum for positive change in the world. The R2P refers to the processes involved in humanitarian intervention to ensure that atrocities are prevented, their impact limited and the vulnerable supported. We look forward to developing fresh ideas on solving the Gaza conflict considering renewed bloodshed during the past year, making it the longest unsolved UN crisis, and we hope you learn and discover the topics from this guide and show up ready to enact change through policy at CUIMUN 2018!

Best Regards,

Gonzalo Cervera & Muqaddam Malik

Introduction to the Committee

The UN Charter established six main organs for the United Nations, one being the Security Council. It gives primary responsibility for maintaining international peace and security to the Security Council, which may meet whenever peace is threatened.

According to the Charter, the United Nations has four purposes:

- to maintain international peace and security;
- to develop friendly relations among nations;
- to cooperate in solving international problems and in promoting respect for human rights;
- and to be a centre for harmonising the actions of nations.

All members of the United Nations agree to accept and carry out the decisions of the Security Council. Whereas other organs of the United Nations can make recommendations to member states, only the Security Council has the power to make decisions that member states are then obligated to implement under the Charter.

TOPIC A: Reviewing the R2P Policies to Ensure Accountability and Practical Implementation

Introduction

As mass atrocities plagued the world in the 1990s, the United Nations (UN) was criticised for its inaction in the Balkans and in Rwanda. The genocides against the Muslims and the Tutsi respectively demonstrated the worst forms of violence and persecution. These incidences demonstrated the need for a harmonisation between the pre-existing obligations of member states of the UN and the reality faced in affected areas. There was a gap in the existing system of international protections for people who were at risk of genocide, war crimes, ethnic cleansing and crimes against humanity.

In an address to the general assembly at the end of 1999, Kofi Annan, then Secretary General of the UN, explained the importance of this issue:

“Our reflections on these critical questions derive not only from the events of last year, but from a variety of challenges that confront us today, most urgently in East Timor.

From Sierra Leone to the Sudan to Angola to the Balkans to Cambodia and to Afghanistan, there are a great number of peoples who need more than just words of sympathy from the international community. They need a real and sustained commitment to help end their cycles of violence and launch them on a safe passage to prosperity.

While the genocide in Rwanda will define for our generation the consequences of inaction in the face of mass murder, the more recent conflict in Kosovo has prompted important questions about the consequences of action in the absence of complete unity on the part of the international community.

It has cast in stark relief the dilemma of what has been called humanitarian intervention: on one side, the question of the legitimacy of an action taken by a regional organization without a United Nations mandate; on the other, the universally recognized imperative of effectively halting gross and systematic violations of human rights with grave humanitarian consequences.

The inability of the international community in the case of Kosovo to reconcile these two equally compelling interests -- universal legitimacy and effectiveness in defence of human rights -- can only be viewed as a tragedy.

It has revealed the core challenge to the Security Council and to the United Nations as a whole in the next century: to forge unity behind the principle that massive and systematic violations of human rights -- wherever they may take place -- should not be allowed to stand.”¹

¹ United Nations. “SECRETARY-GENERAL PRESENTS HIS ANNUAL REPORT TO GENERAL ASSEMBLY.” Available at: <https://www.un.org/press/en/1999/19990920.sgsm7136.html>

His words resonate now more than ever as we face the loss of innocent lives in Myanmar, Syria, Iraq, Gaza, Burundi, and Yemen, amongst others. Kofi Annan may no longer be with us but he introduced us to ideals that must be respected and enforced now, and in the future. These ideals are embodied in paragraphs 138-9 of the World Summit Outcome Document on the commitments to which member states of the UN agree follow. The Right to Protect (R2P) is the foremost principle regarding the protection of vulnerable populations. It was debated in the General Assembly (GA) on the 25th of June 2018 where the President of the GA reminded the committee of the origins of the R2P and the contents of the adopted resolution from 2009. This marked the first formal meeting on R2P in spite of eight informal dialogues taking place over a decade, demonstrating inaction and a hint of disinterest from member states of the UN. The principles of the R2P are heavily reliant on the frameworks of the Universal Declaration of Human Rights (UDHR) and the Genocide Convention, and seek to uphold the fundamental values of the UN. The R2P is linked to the UN and any action therein must fall in line with the UN Charter and its principles that include the principle of state sovereignty which sometimes results in inaction. The guiding principle of the UN charter however is to save future generations from the scourge of war. There is therefore much room for discussion on the review of the R2P, its implementation, and the accountability of both the UN and its member states on matters of major crimes and violations. At the time the R2P was debated in the General Assembly, a record 68.5 million people in the world had been displaced by persecution, conflict and mass atrocities.² The 2000 Millennium Report discussed the notion of whether humanitarian intervention is an unacceptable assault on sovereignty of a state and how this should be addressed.

Timeline of Events

- 1999 - Kofi Annan discusses the need for intervention to ensure human security.
- 2000 - Kofi Annan asserts the need for principles to dictate humanitarian intervention.
- 2001 - The ICISS issued the first report on the Responsibility to Protect.
- 2005 - The UN World Summit Leaders adapt and adopt concept of R2P.
- 2006 - UNSC reaffirms the provisions in paragraphs 138-139 of World Summit document.
- 2006 - UNSC refer to R2P in the deployment of troops to Darfur.
- 2009 - UN General Assembly resolution acknowledges the R2P debate.
- 2010 - Secretary General issues report on R2P identifying gaps on early warning facilities.
- 2011 - UNSC advises and assists the South Sudan government as a preventative process.

² Relief Web. “The 2018 UN General Assembly Debate on the Responsibility to Protect and the Prevention of Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity.” Available at: <https://reliefweb.int/report/world/2018-un-general-assembly-debate-responsibility-protect-and-prevention-genocide-war>

2011 - UNSC quotes R2P in passed resolution on Ivory Coast election.

2011 - Secretary General's report outlines need for regional arrangements to support R2P.

2011 - R2P quoted on human rights resolution condemning Yemeni authorities' violations.

2012 - Special Adviser of the UN on Genocide quotes R2P on condemning Syria.

2012 - Secretary General presents the importance of 'timely and decisive'

2013 - UNSC uses R2P obligation in resolution on Central African Republic conflict.

2013 - Secretary General issues 5th report on R2P providing a strategy going forward.

2018 - First formal meeting on R2P hosted to debate its practical implementation.

Discussion

In 2001 the Canadian government issued the report *The Responsibility to Protect* based on Francis Deng's idea of 'state sovereignty as a responsibility'. There is a major division in international relations relating to the notion of sovereignty, that it not only means refers to respect for borders and protection from foreign interference, but also implies the responsibility of a state to provide for its people's welfare. The burden of responsibility for the protection of a state's people rests above all on the state itself. Nevertheless, 'residual responsibility' also lies with the broader community of states, which is 'activated when a particular state is clearly either unwilling or unable to fulfil its responsibility to protect or is itself the actual perpetrator of crimes or atrocities.'³ This argument was adopted in the Secretary General's report of 2005, which endorsed the principle that a state must protect its people. If that state neglected this, the responsibility would shift to the international community. Documents that formalised the principle from this period did not assert the basis for use of force other than the prescription in Chapter 7 of the UN Charter that grants this authorisation to the UNSC as a final resort in the case of a major crime or violation under the R2P framework. The principle of the Right to Protect was adopted at the high-level UN World Summit meeting of 2005. There were, however, omissions from the initial International Commission on Intervention and State Sovereignty (ICISS) version. The focus was maintained on the prevention of and response to the major violations of international human rights and humanitarian law. The text adopted is as follows:

Paragraphs on the Responsibility to Protect

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing

³ United Nations Office on Genocide Prevention and Responsibility to Protect. "Responsibility to Protect." Available at: <http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html>

and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.⁴

Major criticism of the R2P revolves around the underlying set of international legal obligations for participating states which are contained in international instruments, and that structure of case-law in international courts and tribunals causes delays in bureaucratic function. These do, however, create an adequate space to prevent and punish major crimes and violations including genocide, war crimes, ethnic cleansing and crimes against humanity. The R2P provides an opportunity for member states to make use of the UN to prevent major crimes and violations, and to protect the vulnerable through programmes such as capacity building, early warning and other proactive measures. Member state accountability with regards to the practical implementation has been lacking over the years, and there have been open disagreements about when R2P should be in effect. The lack of an independent enforcement infrastructure is a major problem for the UN, just as it had been with the League of Nations. The interventions are highly politicised and are often slowed down by long negotiations, thereby delaying the effectiveness of the protection principle. Moreover there is strong evidence to suggest that some states have been avoid intervention from the UN and its member states in state rebuilding following a period of conflict. The exit of the US from UN Human Rights Commission (UNHRC) set a dangerous precedent reminiscent of Japan's actions in the 1930s. The UN needs to ensure the accountability of member states and establish an infrastructure that can enforce rulings independently. There needs to be a space for discussion about reforming the R2Ps practical implementation, not only in terms of UNSC reform but also in overall increases in accountability and action when infractions are identified. Furthermore, the UN needs to ensure that forfeit is not an action that other states begin to follow when they disagree with a certain aspect of the UN. This phenomenon is occurring presently at the International Criminal Court (ICC) with an impending exodus of African states.

The R2P is relevant today as the past two decades have seen increased conflicts in the world and cases for R2P in Middle East, Africa, South America, Eastern Europe and Asia. In the past year there have been calls by various members states for some kind of UN action in Myanmar, Yemen, Syria, Iraq, Sudan, Burundi, Venezuela, China, Saudi Arabia and others on account of human rights abuses and war crimes there. The growth of nationalist and right-wing populism is creating negative spaces that encourage ideals that have many times preceded incidences of ethnic cleansing. This is a particular threat for Muslims and Jews in the northern hemisphere and dissident tribes/communities in the southern hemisphere. Muslims are being targeted as a result of the rise of Islamophobia are there are clear signs of impending violations in countries such as India, with the attacks by Hindu nationalists; China, with the establishment of internment camps; Myanmar, with the persecution by the military forces; and the West, with the rise in hate crimes. Jews similarly are struggling with increase in anti-Semite sentiments in many places, with intensity ranging to include hate crimes. These are only a few examples as to the violations are being committed against numerous groups across the world, but are nonetheless the most prevalent and recognisable cases with characteristics that transcend borders.

⁴ Ibid.

Bloc Positions

The Secretary-General contributes actively to the implementation of the responsibility to protect principle through his good offices, his briefings to the inter-governmental bodies of the United Nations and the work of the different departments that compose the Secretariat on issues. In particular, the Secretary-General is mandated to bring issues or situations threatening the maintenance of peace and security, including those where atrocity crimes are likely to occur or are ongoing, to the attention of other United Nations organs. The joint office on Genocide Prevention and on the Responsibility to Protect is tasked with preserving and enhancing existing arrangements, including for capacity building and for the gathering and analysis of information from the field, while adding value on its own in terms of new arrangements for advocacy, cross-sectoral assessment, common policy, and cumulative learning on how to anticipate, prevent and respond to crises relating to the responsibility to protect.⁵

China: No comment on R2P. Advocates for the status-quo by hedging on the international community's responsibilities, requesting further discussion and deferring to the Security Council. Thus far does not agree with the principles set out.

France: Embraces language of R2P. Notes it should highlight the international community's duty to step in through the Security Council. France respects the issue of sovereignty, but believes that there must be limits on the scope of state sovereignty. R2P must be robust. Sometimes talking is not enough and we should consider the use of force as a last resort.

Russia: There is not sufficient understanding of the concept of R2P. The UN is capable of responding to crises under current situation. Russia states R2P undermines the Charter of the UN regarding state sovereignty. Endorses changing the heading in DOD2 to "Responsibility to Protect Civilian Populations."

United Kingdom - Believes in the need for an international consensus on framework to protect vulnerable. Only in extreme cases would military force be used. Fulfils responsibilities to the weak on case-by-case basis. This is not about the West trying to find excuses to intervene.

United States of America - Supportive language of the principles of R2P, however, the statement never refers to 'responsibility' and uses weak language with respect to considering reaction.

African Group - There is need for certainty that R2P is not open to subjective interpretation. Proposes a new paragraph 2 for the Values and Principles section of the report that emphasises strict adherence to the principles of sovereignty and territorial integrity. The situations R2P addresses are not theoretical, but a reality, particularly in Africa and need to be treated as such.

⁵ United Nations. "Background Information on the Responsibility to Protect." Available at: <http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml>

European Union - Supports R2P as presented in the HLP report. Addressed R2P in the same paragraph as 'use of force.' EU states that the R2P is long overdue and is an extension from the Universal Declaration on Human Rights. Explanation of R2P includes a continuum of measures.

Non-Aligned Movement - R2P is a reincarnation of humanitarian intervention. No basis for 'humanitarian intervention' in the Charter or Law. NAM has noted the divergence of views on R2P and is studying the concept and its implications. NAM hopes to conclude these studies soon.

Conclusion – Key Ideas

In summation the R2P commitment is outlined in three pillars:

Pillar 1: The sovereign states have an obligation and carry the primary responsibility to protect their citizens from mass atrocities.

Pillar 2: The International Community has the responsibility to assist states in their best capacity, in order to mass atrocities before, during and after conflict.

Pillar 3: If the state in question fails to act appropriately, the responsibility to do so – in a timely and decisive matter either diplomatically, humanitarily, peacefully and as a large resort by stronger measures - falls to a larger community of states.⁶

R2P works on the premise of three additional elements;

The Responsibility to Prevent: The obligation to prevent mass atrocities, develop early warning systems and address the root causes of conflict.

The Responsibility to React: A commitment of measures which should be taken in the face of mass atrocities.

The Responsibility to Rebuild: The obligations of the International Community post-intervention to rebuild and prevent the re-occurrence of mass violence.⁷

The principles of the R2P have not been adhered to by member states of the UN due to the lack of understanding and clarity around the responsibilities of states. The major point of contention is that of state sovereignty. The UNSC needs to develop a resolution that addresses the changes that need to be adopted to ensure the R2P can be implemented to limit the outcome of conflict across the world. There are infractions regarding to major crimes and violations listed in this brief that need to be addressed and states' that need to be held accountable. Most importantly, a framework to rebuild states needs to be formed.

⁶ World Federation of United Nations Associations. “What is the Responsibility to Protect?” Available at: <http://www.wfuna.org/what-is-the-responsibility-to-protect—q-and-a>

⁷ Ibid.

The UN Security Council and the Responsibility Not to Veto

ICRtoP

A QUICK GUIDE FROM THE INTERNATIONAL COALITION FOR THE RESPONSIBILITY TO PROTECT



WHAT HAS BEEN DONE SO FAR?

The idea that the PS has a "responsibility not to veto" in situations of mass atrocities has been gaining traction over the past few years.



ACCOUNTABILITY, COHERENCE, & TRANSPARENCY (ACT) INITIATIVE

- The ACT is a group of 27 states working to improve the working methods of the UNSC.
- Member States would sign a Code of Conduct committing them not to vote against resolutions aimed to prevent or respond to genocide, war crimes, or crimes against humanity.
- The Code of Conduct would extend to all members of UNSC and not just its permanent members.
- 112 Member States and counting have signed the pledge.

FRENCH AND MEXICAN VETO PROPOSAL

- France and Mexico have created a political declaration, open to signature by UN member states, on the suspension of veto powers in cases of mass atrocities.
- The declaration reiterates the belief that the veto is not a privilege but a responsibility.
- Signatories would support France and Mexico's initiative to propose a voluntary agreement under which permanent members of the Security Council would refrain from using their veto in situations of mass atrocities.

WANT UPDATES ON THESE INITIATIVES? VISIT

WWW.RESPONSIBILITYTOPROTECT.ORG

AND CLICK ON OUR WORK/VETO TO LEARN MORE

Bibliography

Relief Web. “The 2018 UN General Assembly Debate on the Responsibility to Protect and the Prevention of Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity.” Available at: <https://reliefweb.int/report/world/2018-un-general-assembly-debate-responsibility-protect-and-prevention-genocide-war>

United Nations. “Background Information on the Responsibility to Protect.” Available at: <http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml>

United Nations Office on Genocide Prevention and Responsibility to Protect. “Responsibility to Protect.” Available at: <http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html>

United Nations. “SECRETARY-GENERAL PRESENTS HIS ANNUAL REPORT TO GENERAL ASSEMBLY.” Available at: <https://www.un.org/press/en/1999/19990920.sgsm7136.html>

World Federation of United Nations Associations. “What is the Responsibility to Protect?” Available at: <http://www.wfuna.org/what-is-the-responsibility-to-protect---q-and-a>

TOPIC B: The situation in the Gaza Strip

Introduction

The Gaza Strip is one of the most densely populated regions on the planet. With an area of 360 square kilometres, it is home to a population of around 1.8 million Palestinians, most of which rely on the eight recognised United Nations refugee camps for their survival. Despite military disengagement from the strip, Gaza is still considered under Israeli occupation by several international human rights organisations and the United Nations. In fact, as far as international law is concerned, whether or not a state exercises “effective control” over its own territory is a key element for determining the occupation status of a foreign actor.

The Gaza Strip is already suffering the consequences of a decade-long blockade imposed by Israel after the Hamas militant group violently swept to power in 2007. As it happens, there exists an ongoing land, air, and sea blockade of the strip imposed by Israel and Egypt since Hamas’s takeover. According to UN estimates, years of conflict and blockade have left 80% of the population dependent on international assistance.⁸ On top of that, poverty rates in the Gaza Strip have increased from 38.8% in 2011 to 53% by the end of 2017, despite humanitarian assistance.⁹ In addition, 1.8 million Palestinians in Gaza remain ‘locked in’, denied free access to the remainder of the territory and the outside world, according to UNOCHA numbers.¹⁰

In recent months, tensions between Hamas and Israel have reached their peak since the 2014 Gaza war. This comes as a consequence of large demonstrations within the strip as part of the so-called “Great March of Return”, and the Israeli attack on both armed militants and unarmed demonstrators. Despite hostilities, Hamas is said to be currently engaging in ceasefire negotiations with Israel through Egyptian and United Nations mediation. These have reportedly



⁸ United Nations Relief and Works Agency for Palestine Refugees in the Near East. “Where we work”. Available at: <https://www.unrwa.org/where-we-work/gaza-strip>

⁹ United Nations Office for the Coordination of Humanitarian Affairs. (May 2018). “53 per cent of Palestinians in Gaza live in poverty, despite humanitarian assistance”. Available at: <https://www.ochaopt.org/content/53-cent-palestinians-gaza-live-poverty-despite-humanitarian-assistance>

¹⁰ United Nations Office for the Coordination of Humanitarian Affairs. “Gaza Blockade”. Available at: <https://www.ochaopt.org/theme/gaza-blockade>

included discussions on easing the decade-long blockade imposed on the strip. Both parties have also set channels for indirect talks on prisoner exchanges. Nevertheless, what this Council is mainly concerned with here is ensuring the implementation of an actual cease-fire agreement between Hamas and the Jewish state, which may help prevent what looks like a very possible war in Gaza. Furthermore, this Council is expected to guarantee the continuity of humanitarian assistance into the strip, which has been already halted by the Israeli tightening of its blockade in the past few weeks. Whether or not Israel remains the occupying power on the territory, increasing hostilities pose a very serious threat to international peace and security.

Timeline of Events

Although these are not the only important events regarding the situation in Gaza, this section is a starting point to be taken into account when doing your own research.

- September 2005:** Israeli disengagement from the Gaza Strip. Israel withdraws its army from inside the strip, as well as dismantles Israeli settlements within the territory.
- 25 January 2006:** Hamas wins a majority in the elections for the Palestinian Legislative Council (PLC), which Fatah refuses to recognise as legitimate.
- 18 February 2006:** Israel imposes sanctions on the Palestinian National Authority (PNA), followed by the United States. These includes restrictions on movement, which do not allow newly PLC deputies to travel freely between Gaza and the West Bank. This is partly because of Hamas' reluctance to recognise Israel as a legitimate state, and partly because previous agreements between Israel and the PNA had been rejected, interrupting the conditions for continued aid.
- 10-15 June 2007:** Hamas takes control of the Strip during the Battle of Gaza, a struggle of power between Fatah and Hamas. The battle concluded in the dissolution of the unity government, with the Palestinian territories being divided in two different entities with their own administrations. In addition, Fatah supporters are expelled from the strip, and Israel imposes its siege on Gaza as a result.
- 19 June 2008:** Israel and Hamas sign a cease-fire agreement through Egyptian mediation. This calls on Israel to allow for the increase of goods coming into Gaza, as well as the opening of border crossings between the strip and Israeli territory. However, due to increasing hostilities, Hamas rejects the agreement's renewal by the end of the year.
- 8 July 2014:** Israel launches a military operation in Gaza, following the kidnapping and murder of three Israeli teenagers by Hamas members. The conflict came to an end with the signing of an Egyptian-brokered armistice on August 26th. According to UN estimates, Israel killed more Palestinian civilians in

2014 than in any other year since the occupation of the West Bank and Gaza Strip began in 1967¹¹.

12 October 2017: Hamas and Fatah officials sign a reconciliation agreement in Cairo, Egypt. As part of the deal, Hamas commits itself to give Fatah full civilian control of the strip, in exchange for the PNA government easing of its economic blockade on Gaza. This involves cutting off salaries to PNA employees living within the strip, as well as reducing the electricity supply coming into the territory.

30 March 2018: The “Great March of Return” was launched within Gaza, a six-week protest campaign which intends to ensure the Palestinian “right of return” to their land. Protesters also march against the tightened blockade of the strip, as well as the recent moving



of the US Embassy from Tel Aviv to Jerusalem. Since the protests began, Israeli forces have killed at least 166 Palestinians in the besieged coastal enclave and wounded more than 18,000 people, according to health officials in Gaza.¹²

9 July 2018: Israel announces its decision to close the Kerem Shalom commercial crossing, thus prohibiting all imports but food, animal fodder, livestock, fuel and medical supplies into Gaza. As part of its closing decision, Israel banned all exports coming from the strip. This in retaliation to cross-border incendiary kite and balloon attacks by Palestinians.¹³

15 August 2018: Israel reopens the Kerem Shalom crossing, in the midst of international pressure and a period of “relative calm” within the strip.

19 August 2018: The State of Israel stops people crossing from the Gaza Strip, after border clashes over the weekend. A spokesperson for the Israeli Defence Ministry unit that oversees the Erez crossing confirmed its reopening a week later¹⁴.

¹¹ The Guardian. (27 March 2015). “Israel killed more Palestinians in 2014 than in any other year since 1967”. Available at: <https://www.theguardian.com/world/2015/mar/27/israel-kills-more-palestinians-2014-than-any-other-year-since-1967>

¹² Al Jazeera. (31 August 2018). “Gaza protests: All the latest updates”. Available at: <https://www.aljazeera.com/news/2018/04/gaza-protest-latest-updates-180406092506561.html>

¹³ BBC. (15 August 2018). “Israel reopens Gaza cargo crossing after calm”. Available at: <https://www.bbc.com/news/world-middle-east-45185306>

¹⁴ The Times of Israel. (27 August 2018). “Israel reopens Erez crossing with Gaza after period of relative calm”. Available at: <https://www.timesofisrael.com/israel-reopens-erez-crossing-with-gaza-after-period-of-relative-calm/>

Discussion

Following the fall of the Ottoman Empire, the League of Nations entrusted the United Kingdom with the Mandate for Palestine in the early 1920s. The Gaza Strip was a province of what was known as the region of Palestine for the time of the mandate and, after the 1948 Arab-Israeli War, the strip remained under Egyptian military administration. During the 1967 Six-Day War, Gaza was rapidly occupied by Israeli forces and remained so until 1994, when the Oslo Accords were signed between Israel and the Palestine Liberation Organisation (PLO). As part of the treaty, the Palestinian National Authority received 80% of the territory and since then it has been in charge of the civil and security administration of the area until June 2007, with the dissolution of the unity government.



As of today, there are three main issues to be considered when analysing the situation in Gaza:

1) *Fatah-Hamas conflict over the Gaza Strip*

In June 2007, Hamas, claiming that Fatah forces were trying to launch a coup, took control of the Gaza Strip by force, which concluded in the dissolution of the unity government. The Palestinians in Gaza have then been governed separately since the deadly clashes that erupted between the two political organisations.

An agreement for a unity government was announced in 2014, but this was not effectively fulfilled. In 2017, Hamas and Fatah bet again on a Palestinian reconciliation agreement, seeking to implement the articles of the deal signed back in 2011.

Last year, Hamas and Fatah officials finally signed a reconciliation agreement, sponsored by Egypt. As part of the deal, Hamas committed itself to give Fatah full civilian control over Gaza, in exchange for the Palestinian Authority easing of its economic blockade on Gaza imposed the same year. This blockade included cutting off salaries to PNA employees living within the strip, as well as reducing the electricity supply coming into the territory.

Despite the 2017 Fatah-Hamas agreement, both parties gave failed to ensure its implementation. One of the main issues arising from this agreement is the lack of specific deadlines for the parties to meet. In addition to that, Hamas seems to remain reluctant to support a national government which has control over Gaza and the West Bank.

2) *The Palestinian right of return*

Unlike other wars in which refugee status is temporary, Palestinians have been systematically prevented from returning to their land by Israel, and also their descendants.

UN General Assembly resolution 194/1948, which stipulates the right of Palestinian refugees to return to their lands in article 11, has been reiterated more than a hundred times in UN resolutions, implying an international commitment to realising that right: convert the right to return into factual return.

Despite UN resolutions, Israel has rejected this right in several occasions. In this scenario, the “Great March of Return” rallies started in March, where hundreds of thousands of Gaza’s residents began marching towards Israel weekly, demanding Jewish authorities the right to return to ancestral homes they were forced from or fled during the conflict which surrounded the creation of Israel in 1948.¹⁵

3) Israeli blockade and movement restrictions

Gaza is already suffering under a decade long blockade imposed by Israel after the Hamas militant group violently swept to power in the Palestinian territory in 2007.¹⁶ Despite military disengagement, Gaza is still considered to be under Israeli occupation.

In September 2007, Israel declared the Gaza Strip hostile and exerted a blockade by restricting supplies to the territory in response to the continued rocket attacks carried out by Hamas against Israel. This blockade takes place by land, air and sea, where the Jewish state controls what comes in and out of the strip. Not long since, the Israeli Ministry of Defence tightened the blockade by announcing the reduction of the fishing area and the closure of the Kerem Shalom, the only merchandise crossing between Israel and the strip.

The United Nations has already made several warnings about the grave and disturbing conditions that prevail in Gaza. In fact, it said that, if the situation does not improve, the Gaza Strip would become uninhabitable by 2020.

¹⁵ The Independent. (23 August 2018). “UN urges Israel not to withhold aid from Gaza, as crisis deepens”. Available at: <https://www.independent.co.uk/news/world/middle-east/gaza-strip-israel-aid-stop-un-medicine-fuel-petrol-oil-un-palestinian-a8504216.html>

¹⁶ Ibid.

Bloc Positions

United States of America: Following a review of US assistance to the Palestinian Authority, President Trump recently directed the State Department to withdraw USD 200 million in aid that was originally planned for programs in the West Bank and Gaza.¹⁷ Despite reduction of humanitarian assistance, the United States is calling on countries to fill the gap. In addition, America's UN Ambassador Nikki Haley rejected the idea of the Palestinian right of return, which claims to be "off the table" for the US. The United States remains as Israel's main representative in the Security Council, with its recent veto of Kuwaiti-drafted UNSC resolution condemning Israeli violence against Palestinians.

European Union: Unlike the United States, the European Union as a coalition has been highly critical of Israeli military actions against Palestinians. The EU condemns Israel's excessive use of force in the strip, and calls on both parties to achieve and implement an immediate ceasefire. In terms of humanitarian assistance, the British government announced at the end of July that it will double its economic aid to both Gaza and the West Bank. In addition, Germany pledged to significantly increase its funding for the support of Palestinian refugees after the US announced its reduction of humanitarian aid.

Russian Federation and People's Republic of China

Russia and China have repeatedly condemned the United States for protecting Israel's indiscriminate use of violence against Palestinians. Just recently, the Kremlin accused President Trump of provoking protests and the rise in tensions between Hamas and the Jewish state, because of his decision to move the American embassy in Israel to Jerusalem. Along the same lines, China supports what it calls "the just cause" of the Palestinian people to restore their legitimate national rights, and supports the establishment of a fully sovereign, independent State of Palestine based on the 1967 borders with East Jerusalem as its capital¹⁸.

Non-Aligned Movement (NAM)

The NAM as a coalition has been historically opposed to the indiscriminate use of force by Israel over the Palestinian population. On top of that, they call for a complete end to the Israeli occupation of the land, claiming it must withdraw to territories possessed before 1967. The NAM also condemns the illegal policies of the Jewish state regime, especially the killing and injuring of thousands of protesters within the strip as a consequence of the "Great March of Return".

¹⁷ CNN. (24 August 2018). "Trump orders US to strip \$200 million in aid from Palestinians". Available at: <https://edition.cnn.com/2018/08/24/politics/trump-palestinian-authority-aid/index.html>

¹⁸ The Times of India. (15 May 2018). "China expresses concern over situation in Gaza". Available at: <https://timesofindia.indiatimes.com/world/china/china-expresses-concern-over-situation-in-gaza/articleshow/64178987.cms>

Conclusion – Key Issues

Whilst researching delegates should consider the following questions:

1. Given UN General Assembly resolution 194/1948, how could the United Nations ensure the non-violation of the Palestinians' right to return to their land?
2. What measures should the Security Council take in order to guarantee the effective implementation of the 2017 reconciliation agreement between Hamas and Fatah? If delegates find the deal not feasible enough, what alternative could they propose?
3. Should the Palestinian territory be divided into two separate entities with their own independent administrations?
4. Is it legal for Israel under international law to keep the control of Gaza's borders? What measures should the United Nations take to ensure the autonomy of the Palestinian territory?
5. How can the Security Council ensure the effective provision of humanitarian aid into the Gaza Strip? What should be its response to a possible blockade of aid shipments by Israel?

Further Reading

The Responsibility to Protect, 2001 - <http://responsibilitytoprotect.org/ICISS%20Report.pdf>

UN Millenium Report, 2000 -

https://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf

Kofi Annan Speech, 1999 - <https://www.un.org/press/en/1999/19990920.sgsm7136.html>

FP Article - <https://foreignpolicy.com/2011/10/11/responsibility-to-protect-a-short-history/>

Examples of R2P Use -

<http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml>

Academic Overview - <https://www.brookings.edu/blog/brookings-now/2013/07/24/what-is-the-responsibility-to-protect/>

Country Positions - http://www.responsibilitytoprotect.org/files/Chart_R2P_11August.pdf

Bibliography

- Al Jazeera. (31 August 2018). "Gaza protests: All the latest updates". Available at: <https://www.aljazeera.com/news/2018/04/gaza-protest-latest-updates-180406092506561.html>
- BBC. (15 August 2018). "Israel reopens Gaza cargo crossing after calm". Available at: <https://www.bbc.com/news/world-middle-east-45185306>
- CNN. (24 August 2018). "Trump orders US to strip \$200 million in aid from Palestinians". Available at: <https://edition.cnn.com/2018/08/24/politics/trump-palestinian-authority-aid/index.html>
- The Guardian. (27 March 2015). "Israel killed more Palestinians in 2014 than in any other year since 1967". Available at: <https://www.theguardian.com/world/2015/mar/27/israel-kills-more-palestinians-2014-than-any-other-year-since-1967>
- The Independent. (23 August 2018). "UN urges Israel not to withhold aid from Gaza, as crisis deepens". Available at: <https://www.independent.co.uk/news/world/middle-east/gaza-strip-israel-aid-stop-un-medicine-fuel-petrol-oil-un-palestinian-a8504216.html>
- Homans, Cook, Walt and Walt (2018). *Responsibility to Protect: A Short History*. [online] Foreign Policy. Available at: <https://foreignpolicy.com/2011/10/11/responsibility-to-protect-a-short-history/> [Accessed 5 Sep. 2018].
- Responsibilitytoprotect.org.(2018). [online] Available at: http://www.responsibilitytoprotect.org/responsibilityt_6199963_7d14ae3aa6e228e669dd657e60df537e1fa6b047.jpeg [Accessed 5 Sep. 2018].
- ReliefWeb. (2018). *The 2018 UN General Assembly Debate on the Responsibility to Protect and the Prevention of Genocide, War Crimes, Ethnic Cleansing and Crimes Against Humanity*. [online] Available at: <https://reliefweb.int/report/world/2018-un-general-assembly-debate-responsibility-protect-and-prevention-genocide-war> [Accessed 5 Sep. 2018].
- Responsibilitytoprotect.org. (2018). [online] Available at: http://www.responsibilitytoprotect.org/files/Chart_R2P_11August.pdf [Accessed 5 Sep. 2018].
- The Times of India. (15 May 2018). "China expresses concern over situation in Gaza". Available at: <https://timesofindia.indiatimes.com/world/china/china-expresses-concern-over-situation-in-gaza/articleshow/64178987.cms>
- The Times of Israel. (27 August 2018). "Israel reopens Erez crossing with Gaza after period of relative calm". Available at: <https://www.timesofisrael.com/israel-reopens-erez-crossing-with-gaza-after-period-of-relative-calm/>
- United Nations Office for the Coordination of Humanitarian Affairs. (May 2018). "53 per cent of Palestinians in Gaza live in poverty, despite humanitarian assistance". Available at:

<https://www.ochaopt.org/content/53-cent-palestinians-gaza-live-poverty-despite-humanitarian-assistance>

United Nations Office for the Coordination of Humanitarian Affairs. “Gaza Blockade”. Available at: <https://www.ochaopt.org/theme/gaza-blockade>

United Nations Relief and Works Agency for Palestine Refugees in the Near East. “Where we work”. Available at: <https://www.unrwa.org/where-we-work/gaza-strip>

Un.org. (2018). *SECRETARY-GENERAL PRESENTS HIS ANNUAL REPORT TO GENERAL ASSEMBLY / Meetings Coverage and Press Releases*. [online] Available at: <https://www.un.org/press/en/1999/19990920.sgsm7136.html> [Accessed 5 Sep. 2018].

UN (2018). *Outreach Programme on the Rwanda Genocide and the United Nations*. [online] Available at: <http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml> [Accessed 5 Sep. 2018].

Un.org. (2018). *Responsibility to protect / General Assembly of the United Nations*. [online] Available at: <https://www.un.org/pga/72/2018/06/25/formal-debate-of-the-general-assembly-under-agenda-item-the-responsibility-to-protect-and-the-prevention-of-genocide-war-crimes-ethnic-cleansing-and-crimes-against-humanity/> [Accessed 5 Sep. 2018].

United Nations. (2018). *United Nations Office on Genocide Prevention and the Responsibility to Protect*. [online] Un.org. Available at: <http://www.un.org/en/genocideprevention/secretary-general.html> [Accessed 5 Sep. 2018].

United Nations. (2018). *United Nations Office on Genocide Prevention and the Responsibility to Protect*. [online] Un.org. Available at: <http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html> [Accessed 5 Sep. 2018].