

#Reach for the Stars

YTUMUN 2025

UNSC STUDY GUIDE

Agenda Item:

The Question of Palestine: Ensuring Peace and Security in the West Bank and Addressing the Escalation of Violence in Gaza and Its Implications for International Peace

Board Members

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YTUMUN



1. Letter from the Secretary-General





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3. Introduction

3.1. Introduction to the Committee

The United Nations Security Council (UNSC) is the primary organ of the United Nations responsible for maintaining international peace and security, as established under Chapter V of the UN Charter (Articles 23–32). The Council has 15 members—five permanent with veto power (China, France, the Russian Federation, the United Kingdom, and the United States) and ten non-permanent members elected for two-year terms.

The UNSC holds unique authority to adopt binding resolutions, impose sanctions, authorize peacekeeping operations, and, when necessary, take enforcement measures under Chapter VII of the UN Charter. It serves as the central platform for crisis response, conflict resolution, and peacebuilding efforts across the globe.

In addressing complex and long-standing conflicts such as the Question of Palestine, the Security Council plays a vital role in mediation, international law enforcing, and upholding the principles of sovereignty, territorial integrity, and the protection of civilians.

The Council's actions—or inactions—on this issue carry profound implications for regional stability, global security, and the credibility of the whole international system in safeguarding human rights and promoting peace in the Middle East.

3.2. Introduction to the Agenda Item

The Question of Palestine remains one of the most important and sensitive issues for the international community. Despite years of negotiations, many UN resolutions, and international mediation efforts, the situation continues to deteriorate, marked by recurring cycles of violence, humanitarian crises, and political stalemates.

Recent escalations in Gaza have resulted in devastating civilian casualties, large-scale displacement, and destruction of infrastructure, while increasing tensions in the West Bank have further undermined prospects for peace and stability. The situation not only threatens the Palestinians, but also poses significant challenges to regional and international peace.

The Security Council faces the urgent task of balancing immediate humanitarian concerns with long-term political solutions. Delegates must consider how to:



- Ensure protection of civilians and adherence to international humanitarian law;
- Support sustainable mechanisms for ceasefires and de-escalation;
- Address root causes of instability, including occupation, settlement expansion, etc; and
- Revitalize efforts toward a two-state solution, in line with relevant UN resolutions such as Resolutions 242 (1967), 338 (1973), and 2334 (2016).

This agenda also requires reflection on the broader implications for international peace and security, including the credibility of multilateral diplomacy and the role of the UN in upholding justice and human rights.

Delegates are encouraged to approach the issue with respect for international law and a commitment to achieving a just, lasting peace in the region.

4. Key Terminology

Permanent Members (P5)

The five states with permanent seats and veto power in the UNSC: China, France, Russia, the United Kingdom, and the United States.

Non-Permanent Members

Ten countries elected for two-year terms in the UNSC. They do not have veto power but can vote on resolutions.

Veto Power

The ability of any P5 member to block the adoption of a draft resolution, regardless of the level of support it receives.

Binding Resolution

A UNSC resolution that all UN member states are legally obligated to follow under international law.

Chapter VI (UN Charter)

Deals with the peaceful settlement of disputes, including negotiations, mediation, and diplomacy.



Chapter VII (UN Charter)

Allows the UNSC to take enforcement measures, including sanctions and authorization of military force, when there is a threat to international peace.

Ceasefire

An agreement between conflicting parties to suspend hostilities, either temporarily or permanently.

Sanctions

Non-military measures imposed by the UNSC, such as economic restrictions, travel bans, or arms embargoes.

Peacekeeping Mission

A UN-authorized operation deployed to monitor ceasefires, protect civilians, or support peace agreements.

International Humanitarian Law (IHL)

A body of law governing armed conflict, aimed at protecting civilians and limiting methods of warfare (includes the Geneva Conventions).

West Bank

A territory occupied by Israel since 1967, home to millions of Palestinians. It is central to discussions on statehood and security.

Gaza Strip

A densely populated Palestinian territory under Israeli blockade since 2007. Recurrent violence here has major humanitarian and regional implications.

Occupation

Control of a territory by a foreign military power. Under international law, an occupying power has specific legal responsibilities.

Settlements

Israeli civilian communities built in the occupied West Bank. Considered illegal under international law by most of the international community.



Two-State Solution

A proposed resolution to the conflict involving an independent State of Palestine existing alongside Israel, based roughly on pre-1967 borders.

Self-Determination

The right of a people to freely determine their political status and pursue economic, social, and cultural development.

Blockade

Restrictions placed on the movement of goods and people. The Gaza blockade is a major humanitarian and security concern.

Escalation of Violence

A rapid increase in armed conflict, often involving airstrikes, rocket fire, ground operations, and civilian casualties.

Civilian Protection

Measures required under international law to safeguard non-combatants during armed conflict.

Disproportionate Use of Force

Use of military force exceeding what is necessary to achieve a legitimate military objective, potentially violating IHL.

Collective Punishment

Punishing an entire population for the actions of a few, prohibited under international humanitarian law.

Armed Non-State Actors

Groups not formally part of a state's military that engage in armed conflict (e.g., Hamas, other palestinian resistance groups, Hezbollah, militias in Iraq).

Humanitarian Access

The ability of aid organizations to deliver food, medical supplies, and essential services to civilians in conflict zones.



Internally Displaced Persons (IDPs)

People forced to flee their homes due to conflict but who remain within their country or territory.

Refugees

Individuals forced to flee across international borders due to conflict or persecution; Palestinian refugees are a central issue in negotiations.

Regional Destabilization

The spread of conflict beyond national borders, potentially affecting neighboring states and regions.

Accountability

Ensuring that violations of international law are investigated and perpetrators are held responsible.

De-Escalation

Actions aimed at reducing tension and preventing further violence..

5. Historical Background

5.1. The Origins of the Israeli–Palestinian Conflict

1917 – 1947: British mandate

Palestine was among former Ottoman territories placed under UK administration by the League of Nations in 1922. All of these territories eventually became fully independent States, except Palestine, where in addition to “the rendering of administrative assistance and advice” the British Mandate incorporated the “Balfour Declaration” of 1917, The Balfour Declaration (“Balfour’s promise” in Arabic) was a public pledge by Britain in 1917 declaring its aim to establish “a national home for the Jewish people” in Palestine.

The statement came in the form of a letter from Britain’s then-foreign secretary, Arthur Balfour, addressed to Lionel Walter Rothschild, a figurehead of the British Jewish community. It was made during World War I (1914-1918) and was included in the terms of the British Mandate



for Palestine after the dissolution of the Ottoman Empire. The so-called mandate system, set up by the Allied powers, was a thinly veiled form of colonialism and occupation. The system transferred rule from the territories that were previously controlled by the powers defeated in the war – Germany, Austria-Hungary, the Ottoman Empire and Bulgaria – to the victors.

During the Mandate, from 1922 to 1947, large-scale Jewish immigration, mainly from Eastern Europe took place, the numbers swelling in the 1930s with the Nazi persecution. Arab demands for independence and resistance to immigration led to a rebellion in 1937, followed by continuing terrorism and violence from both sides. The UK considered various formulas to bring independence to a land ravaged by violence. In 1947, the UK turned the Palestine problem over to the UN.

Foreign Office,
November 2nd, 1917.

Dear Lord Rothschild,

I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to, and approved by, the Cabinet

His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country"

I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Y. in
Am Jan B. J. J.



Figure 1. The Balfour Declaration

5.2. The 1947 UN Partition Plan and the 1948 Arab–Israeli War

5.2.1. 1947 – 1977: Partition plan, 1948, 1967, 1973 wars, inalienable rights

After looking at alternatives, the UN proposed terminating the Mandate and partitioning Palestine into two independent States, one Palestinian Arab and the other Jewish, with Jerusalem internationalized (Resolution 181 (II) of 1947). One of the two envisaged States proclaimed its independence as Israel and in the 1948 war involving neighbouring Arab States expanded to 77 percent of the territory of Mandate Palestine, including the larger part of Jerusalem.

Over half of the Palestinian Arab population fled or were expelled. Jordan and Egypt controlled the rest of the territory assigned by resolution 181 to the Arab State. In the 1967 war, Israel occupied these territories (Gaza Strip and the West Bank) including East Jerusalem, which was subsequently annexed by Israel. The war brought about a second exodus of Palestinians, estimated at half a million. Security Council Resolution 242 (1967) formulated the principles of a just and lasting peace, including an Israeli withdrawal from territories occupied in the conflict, a just settlement of the refugee problem, and the termination of all claims or states of belligerency.

The 1973 hostilities were followed by Security Council Resolution 338, which inter alia called for peace negotiations between the parties concerned. In 1974 the General Assembly reaffirmed the inalienable rights of the Palestinian people to self-determination, national independence, sovereignty, and to return. The following year, the General Assembly established the Committee on the Exercise of the Inalienable Rights of the Palestinian People and conferred on the PLO the status of observer in the Assembly and in UN conferences.



Figure 2. UN partition plan for Israel and Palestine in 1947

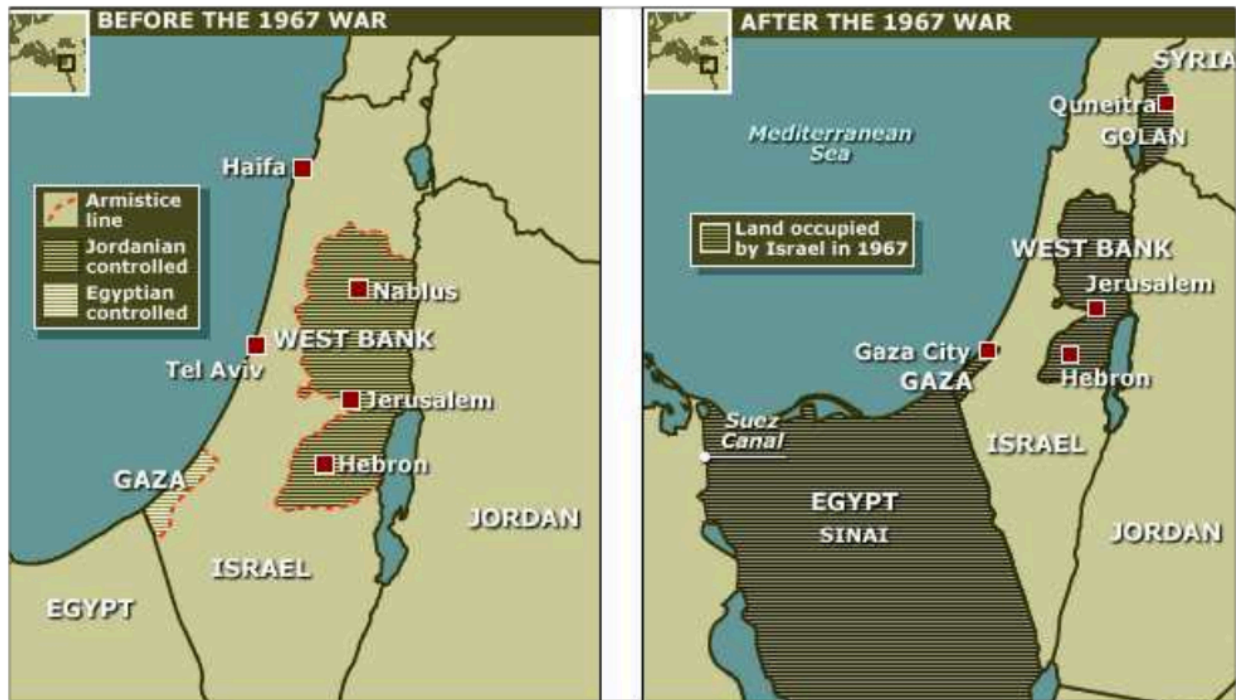


Figure 3. A series of two maps of the territorial gains by Israel in the six days war in 1967

5.2.2. 1977 – 1990: Lebanon, ICQP, Intifada

In June 1982, Israel invaded Lebanon with the declared intention to eliminate the PLO. A cease-fire was arranged. PLO troops withdrew from Beirut and were transferred to neighboring countries. Despite the guarantees of safety for Palestine refugees left behind, a large-scale massacre took place in the Sabra and Shatila camps. In September 1983, the International Conference on the Question of Palestine (ICQP) adopted the following principles: the need to oppose Israeli settlements and Israeli actions to change the status of Jerusalem, the right of all States in the region to existence within secure and internationally recognized boundaries, and the attainment of the legitimate, inalienable rights of the Palestinian people. In 1987, a mass uprising against the Israeli occupation began in the Occupied Palestinian Territory (the intifada). Methods used by the Israeli forces resulted in mass injuries and heavy loss of life among the civilian Palestinian population. In 1988 the Palestine National Council meeting in Algiers proclaimed the establishment of the State of Palestine.



5.2.3. The Peace Process of the 1990s

A Peace Conference was convened in Madrid in 1991, with the aim of achieving a peaceful settlement through direct negotiations along 2 tracks: between Israel and the Arab States, and between Israel and the Palestinians, based on Security Council resolutions 242 (1967) and 338 (1973). The multilateral track negotiations were to focus on region-wide issues such as the environment, arms control, refugees, water, and the economy.

A series of subsequent negotiations culminated in the mutual recognition between the Government of Israel and the PLO, the representative of the Palestinian people, and the signing in 1993 of the Declaration of Principles on Interim Self-Government Arrangements (DOP or “Oslo Accord”), as well as the subsequent implementation agreements, which led to the partial withdrawal of Israeli forces, the elections to the Palestinian Council and the Presidency of the Palestinian Authority, the partial release of prisoners and the establishment of a functioning administration in the areas under Palestinian self-rule. The involvement of the UN has been essential both as the guardian of international legitimacy and in the mobilization and provision of international assistance. The 1993 DOP deferred certain issues to subsequent permanent status negotiations, which were held in 2000 at Camp David and in 2001 in Taba, but proved inconclusive.

5.2.4. 2000-2008: Second intifada, separation wall, Road Map, negotiations.

The visit by Ariel Sharon of the Likud to Al-Haram Al-Sharif (Temple Mount) in Jerusalem in 2000 was followed by the second intifada. Israel began the construction of a West Bank separation wall, located mostly within the Occupied Palestinian Territory, ruled illegal by the International Court of Justice. In 2002, the Security Council affirmed a vision of two States, Israel and Palestine. In 2002 the Arab League adopted the Arab Peace Initiative. In 2003, the Quartet (US, EU, Russia, and the UN) released a Road Map to a two-State solution. An unofficial Geneva peace accord was promulgated by prominent Israelis and Palestinians in 2003. In 2005, Israel withdrew its settlers and troops from Gaza while retaining control over its borders, seashore and airspace. Following Palestinian legislative elections of 2006, the Quartet conditioned assistance to the PA on its commitment to nonviolence, recognition of Israel, and acceptance of previous agreements. After an armed takeover of Gaza by Hamas in 2007, Israel imposed a blockade. The Annapolis process of 2007-2008 failed to yield a permanent status



agreement. Escalating rocket fire and air strikes in late 2008 culminated in Israeli ground operation “Cast Lead” in Gaza. The UN Security Council adopted resolution 1860. Violations of international law during the Gaza conflict were investigated by the UN (“Goldstone report”).

5.2.5. State-building programme, Israeli-Palestinian negotiations, UN membership drive

The 2009 PA programme to build State institutions received wide international support. A new round of negotiations in 2010 broke down following the expiration of the Israeli settlement moratorium. In 2011 President Mahmoud Abbas submitted the application of Palestine for membership in the UN. UNESCO admitted Palestine as a Member. Exploratory Israeli-Palestinian talks were held in early 2012 in Amman. In November another cycle of violence between Israel and Gaza concluded with an Egyptian-brokered cease-fire. On 29 November 2012 Palestine was granted non-member observer State status in the UN. The General Assembly proclaimed 2014 an International Year of Solidarity with the Palestinian People. A new round of negotiations begun in 2013 was suspended by Israel in April 2014 following the announcement of a Palestinian national consensus Government. Another round of fighting between Israel and Gaza took place in July-August 2014. In 2016 the Security Council adopted resolution 2334 on settlements. In 2017, the US Administration announced recognition of Jerusalem as the capital of Israel, and subsequently, the US and certain other embassies were moved to Jerusalem. In 2020, the US mediated agreements to normalize relations between Israel and the UAE, Bahrain, Sudan, and Morocco (“Abraham Accords”).

5.2.6. Gaza war, International Court of Justice, Two-State Solution Conference

In May 2023 the UN commemorated the Nakba anniversary. In October, a major escalation between Gaza and Israel began. South Africa filed an ICJ case against Israel alleging genocide. While the case progressed, the Court ordered Israel to prevent genocide, enable provision of basic services and aid in Gaza, and curb incitement to genocide. In May 2024 State of Palestine was granted additional rights and privileges at the UN. In July the International Court of Justice found Israel’s presence in the OPT unlawful: Israel should bring it to an end as rapidly as possible, cease settlement activities, evacuate settlers, and make reparations. In September the General Assembly demanded that Israel end its occupation in 12 months. In January 2025 a Gaza ceasefire came into effect. However, the pause was short lived as Israel launched airstrikes on Gaza on 18 March, effectively ending the ceasefire.



From 28 to 30 July 2025, a High-Level International Conference took place in the UN Headquarters which adopted a final outcome document entitled “New York Declaration on the Peaceful Settlement of the Question of Palestine and Implementation of the Two-State Solution” (A/CONF.243/2025/1). On 12 September, the General Assembly adopted a resolution by 142 votes in favor to 10 against (12 abstained) endorsing the “New York Declaration.” On 22 September 2025, the resumed Conference concluded with groundbreaking momentum as Heads of State and Government and other senior officials from 10 countries (Andorra, Australia, Belgium, Canada, France, Luxembourg, Malta, Monaco, Portugal and the United Kingdom) announced their recognition of an independent State of Palestine.

On 22 August 2025, the Integrated Food Security Phase Classification (IPC) Famine Review Committee confirmed in a new analysis that Famine (IPC Phase 5) was occurring in Gaza Governorate. On 16 September, the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel issued a new report stating that “Israel has committed genocide against Palestinians in the Gaza Strip”.

5.3. History Timeline Summary

- 1885: The term “Zionism” first coined by the Viennese writer, Nathan Birnbaum.
- 1896: Theodor Herzl, founder of the Zionist movement, calls for “restoration of the Jewish State”.
- 1897: First Zionist congress takes place in Basel, Switzerland and the first Zionist organization is founded.
- 1907: Zionist leader Chaim Weizmann visits Palestine.
- 1908: Arab Christian Najib Nassar publishes the First Palestinian anti-Zionist weekly newspaper.
- 1915: British cabinet member Herbert Samuel calls for the British annexation of Palestine in memorandum “The Future of Palestine”.
- 1916: European Powers conclude secret Sykes-Picot agreement dividing future spheres of influence in Ottoman Empire territories.



- 1917: The Balfour Declaration promises a “national home for the Jewish people in Palestine”.
- 1919: Emir Feisal presents a memorandum to the Paris Peace Conference, outlining the case for independence of Arab countries.
- 1922: The League of Nations grants mandate over former Ottoman territory Palestine to UK. Provisions include terms of the Balfour Declaration, including a “Jewish national home”.
- 1933: Palestinians riot amid sudden rise in Jewish immigration from Nazi persecution in Germany.
- 1936/1939: Palestinian rebellion against the British Mandate and Jewish immigration.
- 1937: UK Peel Commission Report publicly recognizes conflict’s irreconcilable terms and recommends partition of Palestine.
- 1939: UK issues White Paper limiting Jewish immigration.
- 1942: US Zionists meet in NY and adopt the “Biltmore Programme,” calling for establishment of Palestine as a Jewish Commonwealth and for unlimited immigration.
- February 1947: UK proposes to relinquish its mandatory role and places the question of Palestine before the UN.
- September 1947: The UN Special Committee on Palestine (UNSCOP) issues a report to the General Assembly with plans for partition or a federal state in Palestine.
- November 1947: The UN General Assembly adopts resolution 181(II) which called to divide Palestine into an un-named “Jewish State” and an un-named “Arab State” with Jerusalem under UN trusteeship.
- April 1948: Deir Yassin massacre: Zionist paramilitary groups kill hundreds of Palestinian Arabs in Deir Yassin, a village near Jerusalem.



- May 1948: Great Britain terminates the Mandate over Palestine and Israel declares independence on 15 May.
 - First large-scale displacement of Palestine refugees; 15 May becomes an official day to mark the Palestinian Nakba (“catastrophe”).
 - The first Arab-Israeli War broke out when five Arab nations – Egypt, Transjordan (Jordan), Iraq, Syria, and Lebanon – invaded firstly the areas in southern and eastern Palestine not apportioned to the Jewish State by the UN partition of Palestine, and later, East Jerusalem.
- 1948 (May onwards):
 - Count Folke Bernadotte appointed UN Mediator in Palestine by the UN General Assembly. He is assassinated four months later by a Zionist militant group.
 - Security Council establishes a group of military observers to supervise truce, which later became UNTSO.
- November 1948: UN establishes UNRPR special fund to provide relief to over 500,000 Palestine refugees.
- December 1948: UN General Assembly passes resolution 194 calling for refugees to be allowed to return, Jerusalem to be under international regime, UN Conciliation Commission for Palestine (UNCCP) replaces UN mediator.
- February/July 1949: Israel signs armistice agreements with Egypt, Jordan, Lebanon and Syria.
- April 1949: UN Conciliation Commission convenes Lausanne Conference to reconcile the parties.
- May 1949: UNGA adopts Resolution 273 (III) admitting Israel as UN member.
- December 1949: UN establishes UNRWA to replace UNRPR (GA Resolution 302 (IV)).



- 1950: Israel moves its capital from Tel Aviv to the western part of Jerusalem, in defiance of UN resolutions, and the West Bank is brought formally under Jordanian control.
- 1964: Palestine Liberation Organization (PLO) is founded in Cairo.
- 1967:
 - Six-day war: Israel occupies West Bank, including East Jerusalem, Gaza, Golan Heights, and Sinai Peninsula.
 - In November, the UN Security Council unanimously adopts Resolution 242 (Land for peace).
- 1968: Establishment of UN Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.
- 1973:
 - Following the Middle East war of October, the UN Security Council passes resolution 338 calling for ceasefire, implementation of res. 242, negotiations between parties.
 - The UN General Assembly and the Arab League recognize the PLO as the sole legitimate representative of the Palestinian people.
 - General Assembly reaffirms inalienable rights of Palestinian people to self-determination, independence and sovereignty, and refugee return (resolution 3236).
- 1975: The Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) is founded by Resolution 3376 of the UNGA.
- 1976: The CEIRPP submits its programme to the Security Council and General Assembly to enable Palestinians to exercise their inalienable rights.
- 1977: Pursuant to UNGA Resolution 32/40 B, International Day of Solidarity with the Palestinian People is celebrated annually on 29 November.



- 1978: Following two weeks of secret negotiations at Camp David (USA), the Egyptian President and the Israeli Prime Minister agree on a Framework for Peace in the Middle East.
- 1979: The UNGA re-designates the Special Unit on Palestinian Rights as the Division for Palestinian Rights (Resolution 34/65 D).
- 1980: Israeli Knesset enacts the so-called ‘Basic Law’ on Jerusalem, proclaiming that “Jerusalem, whole and united” is the capital of Israel; the Security Council and GA resolution 35/169 E censure this law.
- 1981:
 - UNESCO adds the Old City of Jerusalem to the UNESCO World Heritage Site list.
 - UN Security Council adopts resolution 497, calling on Israel to rescind action to annex the Golan Heights.
- 1982: Israel invades Lebanon with the intention of eliminating the PLO.
 - After a ceasefire, PLO forces withdraw to neighboring countries.
 - Despite guarantees of safety for Palestine refugees left behind, there are massacres at Sabra and Shatila camps.
- 1987: First “Intifada” begins in the Jabaliya Refugee Camp in the Gaza Strip.
- 1988:
 - In July, Jordan renounces claims to the West Bank and recognizes PLO as “the sole legitimate representative of the Palestinian people.”
 - In November, in Algiers, the Palestinian National Council adopts declaration of independence of the State of Palestine.
 - In December, PLO Chair Yasser Arafat addresses UN in Geneva; says Palestine National Council accepts UNSC Resolutions 242 and 338.
- 1991: Middle East peace conference in Madrid brings together all the parties to the Arab-Israeli conflict.



- 1993: Israel and the PLO sign the Declaration of Principles on Interim Self-Government Arrangements, also known the Oslo accords. Several “permanent status”
- 1994: The Office of the UN Special Coordinator in the Occupied Territories (UNSCO) is established, and Mr. Terje Roed-Larsen of Norway is appointed as the first UN Special Coordinator.
- 1995: Israel and the PLO sign the Palestinian-Israeli Interim Agreement on the West Bank and the Gaza Strip (“Oslo II”).
- 1996: Palestinian general elections are held.
- 1997: Israel and the PLO sign the Hebron Protocol.
- 1998: Israel and the PLO sign the Wye River Memorandum, which consists of steps to facilitate implementation of previous agreements.
- 2000:
 - In July, the US President Clinton convenes a Middle East Peace Summit at Camp David which concludes without agreement.
 - Ariel Sharon’s al-Haram al-Sharif visit in September 2000 triggers the Second Palestinian Intifada.
- 2001:
 - Outgoing US President Clinton proposes the Clinton Parameters for a permanent status agreement to resolve the Israeli–Palestinian conflict.
 - Shortly afterwards, the Taba Summit is held between Israel and the Palestinian Authority but fails to resolve the “permanent status” issues.
- 2002:
 - The UN Security Council passes resolution 1397 affirming vision of a two-State solution to the conflict.



- The Quartet, consisting of the UN, the EU, the US, and Russia is established with a mandate to help mediate Israeli-Palestinian conflict and support Palestinian economic development and institution-building.
- During a summit in Beirut, the League of Arab States adopts the Arab Peace Initiative.
- 2003: Roadmap for Peace is published by the Quartet and is endorsed by the Security Council in resolution 1515.
- 2004: The International Court of Justice (ICJ) issues Advisory Opinion on the legality of construction of a wall in the Occupied Palestinian Territory.
- 2006:
 - In January, Hamas wins Palestinian Legislative Elections; forms Palestinian Authority government. The Quartet responds with Quartet Principles.
 - In July, Israel goes to war with Hezbollah in Lebanon.
- 2007:
 - Israel imposes a blockade on the Gaza Strip after an armed takeover of Gaza by Hamas.
 - In November, the Annapolis Conference ends with parties issuing a joint statement committing to immediately implement their respective obligations under the Roadmap and working towards a peace treaty by the end of 2008.
- 2008:
 - Israel broadens its sanctions and completely seals off the Gaza Strip.
 - Later in the year, Israel launches Operation Cast Lead, a massive 22-day military assault on the Gaza Strip.
- 2009: Security Council passes resolution 1860 calling for a ceasefire in Gaza. HRC creates the UN Fact Finding Mission on the Gaza conflict to investigate



violations of international humanitarian and human rights law. Their findings are issued in the “Goldstone Report”.

- 2012:
 - In November, Israel launches ‘Pillar of Defense’ an 8-day military operation against the Gaza Strip.
 - Later that month, the General Assembly adopts resolution 67/19 granting Palestine the status of non-member observer State in the UN.
- 2013: Direct negotiations between Israel and Palestine are held following an initiative by US Secretary of State John Kerry to restart the peace process.
- 2014: Israel launches a large scale military operation codenamed “Protective Edge” on the Gaza Strip.
- 2016: UN Security Council adopts resolution 2334, stating that Israel’s settlement activity constitutes a “flagrant violation” of international law and has “no legal validity”.
- 2017: US President Donald Trump announces that the United States would recognize Jerusalem as the capital of Israel.
- 2018: United States moves its embassy in Israel from Tel Aviv to Jerusalem.
- 2020:
 - US President Trump helps mediate Abraham Accords to normalize Israel’s relations with some Arab States.
 - US President Trump proposes a Peace Plan.
 - General Assembly adopts resolution A/RES/77/23 of 30 November 2022 requesting the Committee to Commemorate the 75th anniversary of the Nakba for the first time in the history of the UN.
- 2023: Israel launches Gaza war following Hamas attack. South Africa initiates a genocide case against Israel at ICJ.



- 2024: ICJ declares Israeli occupation unlawful. UNGA demands an end to occupation in 12 months.

6. The Current Situation on the Matter

6.1. The situation in the Occupied Palestinian Territories:

(OPT) remains critical as of late 2025. While the ceasefire agreement implemented on October 10, 2025, has paused major hostilities in the Gaza Strip, the region faces a fragile stabilization period characterized by a catastrophic humanitarian legacy and continued volatility in the West Bank.

6.2 The West Bank:

Settlements, Security, and Checkpoints

The West Bank has experienced a sharp escalation in violence and structural expansion throughout 2024 and 2025, distinct from the dynamics in Gaza.

Settlement Expansion: In 2025, settlement advancement indicators reached their highest levels since UN tracking began in 2017. Over 6,300 housing units were advanced or approved in late 2025 alone, threatening the territorial contiguity of a future Palestinian state.

Settler Violence: Security conditions have deteriorated due to a rise in settler violence, which averaged five incidents per day throughout 2025. This violence often targets Palestinian agricultural communities during the olive harvest, resulting in property damage, crop destruction, and displacement.

Checkpoints and Raids: Israeli Security Forces (ISF) have intensified operations in the northern West Bank, particularly in Jenin and Tubas. These operations frequently involve the imposition of curfews, the seizure of residential buildings for military posts, and severe movement restrictions. As of December 2025, mobility remains heavily restricted by a complex network of fixed checkpoints and "flying" (temporary) barriers, isolating Palestinian communities and disrupting access to essential services.

6.3 Gaza Strip:

Humanitarian Crisis and Security Challenges



Following the October 10, 2025, ceasefire, the Gaza Strip has entered a phase of early recovery, yet the security and humanitarian landscape remains perilous.

Security Vacuum: The withdrawal of major combat units has left a security vacuum in parts of Gaza. Looting of aid convoys and the breakdown of civil order continue to hamper the distribution of relief.

Unexploded Ordnance (UXO): A primary security challenge for returning civilians is the widespread presence of unexploded ordnance in residential areas, complicating the return of the 90% of the population that remains displaced.

Infrastructure Collapse: Over 87% of schools and all universities have been damaged or destroyed. While market conditions have slightly improved since the ceasefire—with food prices dropping from 3,000% above pre-war levels to roughly 132% above average—the essential infrastructure for water, electricity, and sanitation remains non-functional in most governorates.

6.4 The Role of Jerusalem in the Current Tensions:

Jerusalem remains a flashpoint for broader regional tensions, with friction centering on the status of holy sites and demographic changes.

Status Quo of Holy Sites: Tensions at the Haram al-Sharif/Temple Mount compound persist. Recent months have seen an increase in visits by nationalist groups, which Palestinian authorities view as a violation of the historical Status Quo.

Social Unrest: The city has also been a focal point for internal Israeli unrest. In late 2025, massive protests occurred in Jerusalem regarding the conscription of Haredi (ultra-Orthodox) men into the military, adding a layer of domestic instability to the volatile security situation.

Evictions and Demolitions: Forced evictions in neighborhoods such as Sheikh Jarrah and Silwan continue to drive localized unrest, with 2025 seeing a steady rate of demolition orders issued for Palestinian homes lacking Israeli-issued building permits, which remain nearly impossible to obtain.



7. International Legal and Political Framework

7.1 Relevant UN Resolutions

UN Security Council Resolution 242 (1967)

This resolution calls for the withdrawal of Israeli armed forces from territories occupied during the 1967 war and emphasizes the right of all states in the region to live in peace within secure and recognized borders. It is a cornerstone of peace negotiations.

UN Security Council Resolution 338 (1973)

This resolution calls for an immediate ceasefire following the Yom Kippur War and urges implementation of Resolution 242, reinforcing land-for-peace principles.

UN Security Council Resolution 1515 (2003)

Endorses the “Roadmap for Peace,” which outlines steps toward a two-state solution involving Israel and Palestine.

UN Security Council Resolution 2334 (2016)

Reaffirms that Israeli settlements in the occupied Palestinian territory, including East Jerusalem, have no legal validity and constitute a violation under international law.

UN General Assembly Resolution 67/19 (2012)

Upgrades Palestine’s status at the UN to a non-member observer state, strengthening its ability to participate in international legal institutions.

7.2 International Humanitarian Law and the Occupied Territories.

Geneva Conventions (1949)

The foundation of modern international humanitarian law. Universally ratified.

- 1. First Geneva Convention**

Protection of wounded and sick members of armed forces on land.

- 2. Second Geneva Convention**

Protection of wounded, sick, and shipwrecked members of armed forces at sea.

- 3. Third Geneva Convention**

Treatment of prisoners of war (POWs).



4. Fourth Geneva Convention

Protection of civilian persons in time of war, including civilians under military occupation.

Application to the West Bank and Gaza

The international community generally considers the West Bank, East Jerusalem, and Gaza as occupied territories. As such, Israel, as the occupying power, is bound by IHL obligations regardless of disputes over status.

Principle of Distinction

Requires parties to distinguish between civilians and combatants, and between civilian objects and military targets.

Principle of Proportionality

Prohibits attacks where expected civilian harm would be excessive in relation to the anticipated military advantage.

7.3. Status of Statehood and Recognition of Palestine

7.3.1. Concept of Statehood in International Law

Statehood in international law is traditionally assessed using the Montevideo Convention (1933) criteria, which identify four elements:

1. A permanent population
2. A defined territory
3. An effective government
4. The capacity to enter into relations with other states

While the Montevideo Convention is a regional treaty, its criteria are widely accepted as reflecting customary international law.

7.3.2. Application to Palestine

Permanent Population

Palestine has a clearly identifiable and permanent population residing primarily in the West Bank (including East Jerusalem) and the Gaza Strip.



Defined Territory

Palestine claims territory based on the pre-1967 borders (the Green Line). Although borders are disputed and subject to occupation, international law does not require fully settled borders for statehood. Many recognized states emerged with unresolved boundary disputes.

Government

Palestine has governing institutions, including the Palestinian Authority (PA), which exercises limited administrative control in parts of the West Bank, and governing authorities in Gaza. While internal political division weakens governance, international law does not require perfect or unified control for recognition.

Capacity for International Relations

Palestine maintains diplomatic relations with numerous states, hosts foreign missions, and is a party to multiple international treaties, demonstrating functional international capacity.

Recognition by States

As of today, over 157 UN member states recognize Palestine as a sovereign state, with an increase in recognition from Western countries during the last months.

Recognition in international law is declaratory, not constitutive. This means that recognition acknowledges an existing reality rather than creating a state.

United Nations Status

UN General Assembly Resolution 67/19 (2012)

Granted Palestine the status of a non-member observer State. This resolution explicitly uses the term “State of Palestine,” marking a significant political and legal development.

While this status does not confer full UN membership, it allows Palestine to:

Participate in General Assembly debates;

Join international treaties and organizations;

Access international judicial bodies;

Full UN membership requires a recommendation from the UNSC, which Palestine has not received due to opposition and veto considerations among permanent members.



7.4. Role of the International Criminal Court (ICC) and International Court of Justice (ICJ)

The International Criminal Court (ICC) and the International Court of Justice (ICJ) are the two principal judicial institutions of international law that have become deeply involved in the Israel–Palestine conflict, particularly since the escalation of violence in Gaza from October 2023 onward. Although both courts are located in The Hague and are often confused, they have fundamentally different mandates, jurisdictions, and legal functions. Together, however, they play a central role in shaping international legal accountability, defining state obligations, and influencing diplomatic and political responses to the conflict.

The International Criminal Court is a permanent international tribunal established under the Rome Statute to prosecute individuals, rather than states, for the most serious crimes of concern to the international community: genocide, crimes against humanity, war crimes, and the crime of aggression. The ICC operates on the principle of complementarity, meaning it intervenes only when national legal systems are unwilling or unable genuinely to investigate or prosecute alleged crimes. In the context of Israel and Palestine, the Court’s jurisdiction is based on Palestine’s accession to the Rome Statute in 2015. The ICC has asserted that it has territorial jurisdiction over crimes committed in the Occupied Palestinian Territory, including Gaza, the West Bank, and East Jerusalem, for acts committed since June 2014.

This jurisdictional position has been strongly contested by Israel, which is not a party to the Rome Statute and rejects the ICC’s authority, arguing that Palestine does not qualify as a sovereign state capable of conferring jurisdiction. Despite these objections, the ICC’s Pre-Trial Chamber confirmed in 2021 that the Court does have jurisdiction, allowing the Prosecutor to open a formal investigation. Following the events of 2023–2024, the investigation accelerated significantly. By 2024, the ICC Prosecutor sought and obtained arrest warrants against senior Israeli officials, including Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant, as well as against senior leaders of Hamas, alleging war crimes and crimes against humanity. These warrants were unprecedented in both their political sensitivity and their symbolic significance, as they targeted high-level decision-makers on both sides of the conflict.

The ICC’s involvement has faced substantial political resistance. Israel has refused to cooperate with the Court, while the United States and several allied states have criticized the



Prosecutor's actions and, in some cases, threatened sanctions or funding restrictions against the Court and its officials. These pressures have raised serious concerns about the independence and effectiveness of international criminal justice. Nevertheless, as of December 2025, the ICC investigation remains ongoing, and the arrest warrants remain legally valid, even though their enforcement depends entirely on the willingness of states to arrest suspects if they enter ICC member territory. The Court's role in the Israel–Palestine context therefore lies primarily in establishing individual criminal responsibility and challenging the culture of impunity that has historically characterized the conflict.

In contrast, the International Court of Justice deals not with individual criminal liability but with the legal responsibility of states under international law. As the principal judicial organ of the United Nations, the ICJ adjudicates disputes between states that consent to its jurisdiction and issues advisory opinions when requested by UN organs or specialized agencies. Its decisions in contentious cases are binding on the parties involved, while its advisory opinions, although not legally binding, carry significant legal and moral authority.

The ICJ's most prominent involvement in the Israel–Palestine conflict in recent years has been through the case brought by South Africa against Israel under the Genocide Convention. South Africa alleged that Israel's conduct in Gaza amounted to acts prohibited under the Convention, including the killing of members of a protected group, causing serious bodily or mental harm, and deliberately inflicting conditions of life calculated to bring about physical destruction. In response, Israel rejected the accusations, arguing that its military operations were acts of self-defence against Hamas and that it was taking steps to mitigate civilian harm.

In early 2024, the ICJ issued provisional measures, concluding that there was a plausible risk of irreparable harm to the rights protected under the Genocide Convention. The Court ordered Israel to take steps to prevent acts prohibited by the Convention, to ensure that its military forces comply with international law, to prevent and punish incitement to genocide, and to allow humanitarian assistance into Gaza. While the ICJ did not order an immediate ceasefire, its provisional measures placed Israel under binding legal obligations and significantly intensified international scrutiny. As of December 2025, the case remains ongoing, with Israel granted an extension to file its substantive response, pushing the next major procedural phase into early 2026.



Beyond the genocide case, the ICJ has also been involved through advisory proceedings requested by the United Nations General Assembly concerning Israel's legal obligations as an occupying power. These proceedings address issues such as access to humanitarian aid, the protection of civilians, the status and treatment of UN agencies operating in the Occupied Palestinian Territory, and the legality of prolonged occupation. Public hearings in 2025 involved dozens of states and international organizations, reflecting the global significance of the legal questions at stake. The advisory opinions expected from these proceedings are likely to further clarify the scope of Israel's obligations under international humanitarian law and international human rights law.

The differences between the ICC and the ICJ are central to understanding their respective roles in the conflict. The ICC focuses on criminal accountability of individuals and seeks to determine whether specific leaders or commanders bear responsibility for international crimes. The ICJ, by contrast, evaluates the conduct of states and determines whether they are complying with their treaty obligations and customary international law. While ICC proceedings can lead to arrest warrants and potential imprisonment, ICJ judgments and orders shape state behavior by defining legal duties and authoritatively interpreting international law.

Together, these courts exert significant legal and political influence despite their enforcement limitations. Neither the ICC nor the ICJ has its own enforcement mechanism, relying instead on state cooperation and, in the case of the ICJ, the broader UN system. Nevertheless, their decisions have far-reaching consequences. ICC warrants can restrict international travel and stigmatize political leaders, while ICJ rulings can influence UN resolutions, arms transfer decisions, sanctions debates, and diplomatic relations.

As of December 2025, the involvement of both courts underscores a broader shift in the international legal treatment of the Israel–Palestine conflict. Issues that were once addressed primarily through political negotiation and diplomacy are increasingly being framed in legal terms of accountability, rights, and obligations. While legal proceedings alone cannot resolve the conflict, the ICC and ICJ have become central arenas in which the boundaries of lawful conduct are contested and clarified. Their work highlights the tension between international law and geopolitical power, and it will continue to shape debates about justice, responsibility, and the future of the conflict for years to come.



8. Positions of Key Stakeholders

The primary parties in this conflict are Israel and Palestine, and here we have to split Palestine into Hamas and Fatah, as even within Palestine, as described above, there are different positions to the relationship with Israel. The secondary parties in conflict, having a direct interest in the development of the conflict and the outcome of any possible conflict resolution, are Egypt, Jordan, the USA, Iran, and Saudi Arabia.

Egypt used to control the Gaza Strip until Israel defeated the Egyptian army in 1967. And although Egypt was the first Arab state to sign a peace treaty with Israel back in 1978, due to which both Egypt and Israel receive massive amounts of American aid, and Egypt is forbidden to locate military troops at the border of Sinai Peninsula, there are still animosities between these two countries.

Jordan also has a peace treaty with Israel, and it is home to the largest concentration of Palestinian refugees. Additionally it is offering full citizenship rights to Palestinians. However, Palestinians are not completely convinced of Jordan's support, considering that the Palestinians in the refugee camps live in crowded spaces and are generally poorly treated.

The USA always had a good relationship with Israel. During the Cold War, the USA saw Israel as an important ally against Soviet influence in the Middle East and supported it henceforward. But this alliance didn't quite cement until the 1973 war when the USA helped Israel survive an unexpected war. Currently, Israel is the biggest recipient in the world of US foreign aid.

In contrast, **Iran** believes that Israel is an illegitimate state, and so, it has been a huge supporter of anti-Israeli Arab factions. Both Iran and Israel fear each other's nuclear programs as a direct and existential threat. Throughout the years, Iran has provided military and financial support to the Axis of Resistance, formed by Hezbollah, Hamas, and Syria to oppose Israel and other pro-Israel interests in the Middle East.

Saudi Arabia has not yet recognized Israel, but the hostility towards Iran makes it align with Israel in developing a working relationship. In the same time, Saudi Arabia funds the PA in the West Bank with millions of dollars, and it is behind the Arab League peace plan as an alternative to the American Oslo peace negotiations. It has a dual interest in the existence of



another Arab nation in the region, which is Palestine, but also in a military strong partner against Iran, which is Israel.

The tertiary parties, having mostly an indirect interest in the conflict, are **Lebanon**, **Syria**, **Türkiye**, and the **UN**. Lebanon is home to **Hezbollah**, which is an extremist anti-Israel Shia Islamic group financed by Iran, reason why it would not support any peacemaking process between Israel and Palestine.

Apart from fighting its own war at the moment, **Syria** is aligned with Iran in this matter, as it still holds a grudge over the Golan Heights, a military valuable land that Israel took from Syria during the six days war in 1967.

Türkiye has been for a long time on good terms with Israel, although, in the past years, it became more pro-Palestinian due to the shared ideological, domestic, and geopolitical grounds with Palestine. And the raid Israel conducted on 31 May 2010, on a Türkiye aid mission to Gaza really severed the relations between these two countries that have yet to be normalized.

And lastly, **the UN**, being a conglomerate of countries' interests, primarily on their own political and geopolitical positions and only secondly on peace, has been acting so far as a supporter of Palestine, being the weaker player in the Middle East conflict, but in the same time not necessarily opposing Israel, apart from some voted resolutions in the Security Council that were meant to condemn Israel because of the international law violations.

9. Humanitarian and Security Dimensions

9.1 Civilian Casualties and Displacement:

The human toll of the conflict has been staggering, with long-term demographic impacts. Casualties: As of December 2025, the Gaza Ministry of Health reports over 66,000 fatalities since the escalation began in October 2023. In the West Bank, 2025 has been one of the deadliest years on record, with hundreds of Palestinians killed in ISF raids or settler attacks.

Displacement: Displacement in Gaza remains near-total. Despite the ceasefire allowing some movement, approximately 1.9 million people (roughly 90% of the population) are still displaced, many living in makeshift shelters in the Al-Mawasi "humanitarian zone" or the ruins of Khan



Younis. Winter conditions in late 2025 have exacerbated the misery, with fewer than 50,000 adequate tents available for over a million people in need.

9.2 Access to Healthcare, Food, and Water in Gaza

Despite the cessation of major airstrikes, the "silent killers" disease, hunger, and lack of care remain potent threats.

Healthcare Collapse: The health sector is in critical condition. As of December 8, 2025, 52% of essential drugs are completely out of stock. There are severe shortages in primary healthcare supplies (50%), mother and child health resources (47%), and chemotherapy drugs (63%). Only a fraction of Gaza's hospitals are partially functional, operating with limited fuel and staff.

Food Security: While the entry of commercial goods has resumed post-ceasefire, increasing the availability of fresh produce, affordability remains a major barrier. Malnutrition rates, which reached catastrophic levels in July 2025, are slowly stabilizing, but reliance on food aid remains near 100% for the northern population.

Water and Sanitation (WASH): Access to clean water is critically low. Desalination plants are operating at partial capacity due to energy shortages. The destruction of sewage infrastructure has led to the spread of waterborne diseases, with the UN reporting that half a million women and girls lack sufficient hygiene materials and 60% of households lack soap.

10. Implications for International Peace and Security

10.1. Impact on UN Credibility and Peacekeeping Operations

Set up in May 1948, UNTSO was the first ever peacekeeping operation established by the United Nations. Since then, UNTSO military observers have remained in the Middle East to monitor ceasefires, supervise armistice agreements, prevent isolated incidents from escalating and assist other UN peacekeeping operations in the region to fulfil their respective mandates. UNTSO can be classified as a shortcoming more than having a negative effect on the area. While the United Nations has been trying their best to deescalate the violence in the Middle East, it has not been able to find a solution. The regional mission of UNTSO has been able to help deescalate conflicts in the area but not necessarily prevent them nor create lasting peace. Their recent mandates have changed to being more realistic thus creating clear, credible, and achievable



solutions in the region. The United Nations, however, is not the only one to blame. The Security Council has passed resolutions to help with peace in the region but most times the parties involved do not agree with the resolution.

The unrest in the area can be partially traced back to the 1947 partition plan. The United Nations did its best to hear from both sides of the aisle when it came to the state in question but there was ultimately no way to make both ends content with whatever solution they would produce. With both sides having the same demands, there would be no resolution where peace is found within UNTSO. It is important to also take into account the recent developments in the region. The conflict stemming from the October 7th attack reignited the conversation on what the global community should do about the ongoing conflict and how they should help the people being affected by it.

One of the biggest critiques the United Nations has is their lack of legal power in the international stage. Unless something is passed by the Security Council, resolutions have no legally binding power. The problem with the Security Council is the veto power within the permanent 5 members (US, UK, France, Russia, and China). If any of those members veto a resolution that is discussed in the Security Council then, it does not pass. Given the relationship between Israel and the United States, it is unlikely that there will be any resolutions passed in the Security Council that would solve the issue in the Middle East in a peaceful manner. The United States with its veto power would override a resolution that is not beneficial to themselves or their allies. UNTSO will maintain their presence in the Middle East until a consensus can be reached, one that will most likely not be negotiated under the United Nations.

10.2. Threats to International Law and Norms

Recent reports by United Nations mechanisms and international legal bodies indicate that the situation in the Occupied Palestinian Territory poses a serious challenge to the international legal order. Allegations of widespread violations of international humanitarian law and international human rights law include the use of force against civilians, large-scale destruction of civilian infrastructure, forced displacement, collective punishment, and restrictions on humanitarian access. These practices, if substantiated, undermine core principles such as distinction, proportionality, and the protection of civilian populations during armed conflict.



Furthermore, the document highlights concerns regarding the erosion of peremptory norms of international law, including the prohibition of territorial acquisition by force, the right to self-determination, and the prohibition of racial discrimination and apartheid-like practices. The continued expansion of settlements, prolonged occupation, and failure to comply with binding and advisory decisions of the International Court of Justice raise questions about the effectiveness of international legal enforcement mechanisms. Persistent non-compliance risks normalizing impunity and weakening respect for international law globally, setting dangerous precedents for other protracted conflicts.

Finally, the lack of accountability for alleged violations, combined with obstacles faced by international investigative bodies and humanitarian agencies, threatens the credibility of the rules-based international system. The document emphasizes that selective application or disregard of international law may contribute to its gradual erosion, diminishing its deterrent value and undermining collective efforts to maintain international peace and security.

11. Previous Attempts at Resolution

The Question of Palestine has been the subject of sustained international diplomatic engagement for over seven decades, making it one of the most enduring and complex conflicts addressed by the United Nations. Early international involvement began with the United Nations Partition Plan of 1947, adopted by the General Assembly as Resolution 181, which proposed the creation of separate Jewish and Arab states with Jerusalem under international administration. While accepted by Jewish leadership, the plan was rejected by Arab representatives, since it essentially took the land and sovereignty from the palestinian population.

Following the 1967 Six-Day War, international diplomacy shifted toward a land-for-peace framework. UN Security Council Resolution 242 became the cornerstone of subsequent peace efforts by affirming the inadmissibility of the acquisition of territory by war and calling for Israeli withdrawal from occupied territories alongside mutual recognition and secure borders. Resolution 338 later reinforced this framework, emphasizing negotiation as the path toward peace. Despite their centrality, these resolutions left critical ambiguities—particularly regarding the extent of withdrawal—which allowed divergent interpretations and limited enforcement.



The Oslo Accords of the 1990s marked the most significant bilateral attempt at resolution. Facilitated by international actors, particularly Norway and the United States, the accords established mutual recognition between Israel and the Palestine Liberation Organization and created the Palestinian Authority as an interim self-governing body. However, Oslo deferred core issues such as borders, Jerusalem, settlements, refugees, and security to final-status negotiations. The absence of binding enforcement mechanisms, continued settlement expansion, and outbreaks of violence ultimately eroded trust and led to the collapse of the process by the early 2000s.

Subsequent initiatives, including the 2003 Roadmap for Peace endorsed by the UN Security Council, sought to revive negotiations through phased confidence-building measures. The Roadmap explicitly linked Palestinian statehood to security reforms and Israeli withdrawal steps, but its implementation stalled amid mutual accusations of non-compliance. Later efforts, such as the Annapolis Conference and various US-led negotiations, similarly failed to overcome entrenched political divisions, asymmetries of power, and changing regional dynamics.

More recently, diplomatic momentum has shifted away from comprehensive negotiations toward unilateral and regional approaches. These include recognition initiatives within the UN system, advisory proceedings before international courts, and regional normalization agreements that largely bypass the Palestinian issue. While these efforts have altered the diplomatic landscape, they have not produced a durable resolution to the core conflict, leaving the UNSC repeatedly confronted with cycles of violence, humanitarian crises, and unresolved legal questions.

12. Possible Avenues for Resolution

Any sustainable resolution to the Question of Palestine must address both immediate security concerns and the underlying legal and political drivers of the conflict. One widely endorsed framework remains the two-state solution, which envisions Israel and a sovereign Palestinian state coexisting in peace based on internationally recognized borders. Despite decreasing confidence in its feasibility, this approach continues to be supported by much of the international community due to its grounding in UN resolutions and international law.

Another avenue involves strengthening international legal mechanisms as a complement to political negotiations. Increased reliance on international humanitarian law, accountability



through international courts, and adherence to UN resolutions could create normative pressure that alters the cost-benefit calculations of continued conflict. While legal processes alone cannot resolve political disputes, they may contribute to deterrence and clarify obligations that underpin future negotiations.

A third approach emphasizes incremental de-escalation and conflict management rather than immediate final-status agreements. This includes sustained ceasefires, humanitarian access, economic stabilization, and confidence-building measures overseen or guaranteed by international actors. For the UNSC, this pathway aligns closely with its mandate to maintain international peace and security, even in the absence of a comprehensive settlement. However, at the same time, this approach serves just as a “painkiller” instead of a comprehensive solution to the issue.

Regional and multilateral engagement also presents potential avenues for progress. Greater involvement by regional organizations and neighboring states could support security arrangements, reconstruction, and political dialogue, provided such efforts remain anchored in international law and Palestinian self-determination. Importantly, inclusive diplomacy that incorporates Palestinian representation alongside Israeli security concerns remains essential to legitimacy and durability.

Ultimately, any viable resolution pathway requires political will, credible guarantees, and international coherence, particularly within the Security Council. Without consensus among major powers and consistent enforcement of international norms, past patterns of negotiation failure and conflict recurrence are likely to continue. For UNSC deliberations, the challenge lies not in identifying solutions, but in mobilizing the collective authority necessary to translate them into lasting peace.

13. Examining examples from world history and a critical analysis of the “point of no return”

The most pertinent question regarding a “point of no return” is whether this is an essentially technical or political question. If it is a technical matter, it should be possible for analysts and decision-makers to reach consensus that there is a particular territorial or demographic reality beyond which mustering the political will to reverse it becomes superfluous.



They might agree, for example, that once the settler population reaches half the total population of the West Bank and the Al-Aqsa Mosque is replaced by a Jewish temple, the 1967 boundaries will be rendered irrelevant, and the international community should therefore either recognize Israel's faiths accomplish or adopt an entirely different paradigm to resolve the Palestine question.

If, by contrast, the occupation and all it has produced are not more than obstacles to the application of the international consensus, then there is essentially no “point of no return” and the Israeli occupation can be reversed and terminated irrespective of reality on the ground through the application of sufficient political will or a transformation of political calculations. The degree of Israeli entrenchment may of course enormously complicate such an endeavour and affect the extent to which various actors are prepared to expend political capital and resources to end the occupation. But unless the occupied territories go the way of the Americas in the centuries after 1492, their future—and that of the refugee question—will be resolved on the basis of political rather than technical considerations.

There is certainly no denying that in the more than half century since 1967 the occupied territories have become a very different place, and Israel is in greater control of them than ever before, particularly if compared to the eve of the much-vaunted Middle East Peace Process. Indeed, it would be disingenuous to trivialize or seek to play down the sheer scope of either Israel's colonial project or the extent of its success. Yet when put in historical perspective, there is no intrinsic reason to compare it to the Americas or Australia rather than the more numerous and recent instances in which colonial projects that have been indisputably more successful than Israel's simply vanished.

Algeria, for example, was for more than a century an integral part of France and recognized as such; as late as the mid-1950s its colonial regime enjoyed levels of domestic and international support—not least in the shape of formal recognition—that Israeli leaders can only dream of. Within Algeria, the French had greater control of land and the economy than Israel has managed to achieve in the occupied territories, and significant areas of the country were dominated demographically by its *pieds-noirs* (France's settlers). To most reasonable people in 1954, the year the struggle against French domination was launched, the prospect of Algerian independence within a decade would have seemed preposterous. Yet this is exactly what



happened, as the FLN successfully managed to make Algérie française a losing proposition and in doing so swing the international community decisively against its perpetuation.

Ireland, which in the scholarly literature has like Algeria been compared to Palestine, during the twentieth century managed to overcome no less than a near-millennium of British colonial encroachment and domination, initially through the 1916 Easter Rising and proclamation of the Irish Republic in 1919, then by means of the establishment of the Irish Free State and Republic of Ireland over most of the Emerald Isle in 1922 and 1937 respectively, and more recently when the Irish republican movement compelled the United Kingdom of Great Britain and Northern Ireland to formally accept the proposition of a united Ireland in the 1998 Good Friday Agreement.

A particularly interesting case, not least because it is compared to Israel with increasing frequency, is that of South Africa (and Namibia). Initially colonized in the mid-seventeenth century, the apartheid regime was formally established in 1948, the same year as Israel. Although universally reviled outside the Reagan-Thatcher orbit by the 1980s, all appearances indicated that several centuries of colonialism culminating in decades of institutional segregation enforced by the most powerful security regime on the African continent had made it virtually impregnable to transformation. Crucially, this assessment was shared by many leaders of the African National Congress (ANC) and South West Africa People's Organization (SWAPO), who did not expect to see a rainbow nation in their lifetimes precisely because they appreciated the extent to which apartheid was successfully entrenched. Yet decades of struggle within and throughout southern Africa complemented by a global solidarity campaign that included not only the United Nations but also most of the world's governments (and in the case of Cuba direct military participation) ultimately paid off; the white minority regime agreed to relinquish Namibia (which had been physically incorporated into South Africa to a far greater degree than the West Bank into Israel), and Pretoria capitulated and sued for peace. A decade earlier, a similar process had transformed Rhodesia into Zimbabwe.

If, and despite the available evidence, one were to maintain that the European settler-colonial template does not apply to the occupied Palestinian territories, there is always the example of Eritrea, whose wholesale, formal integration by the Ethiopian state was recognized by both the Organisation of African Unity and United Nations until Eritrea successfully seceded



as an independent republic during the early 1990s. The annexation of East Timor by Indonesia during the 1970s was by contrast not internationally recognized yet was in practice less contested than Israeli rule in the West Bank and Gaza Strip. Until it wasn't and East Timor acquired independence in 2002.

Each of the above examples, and others that might be cited, of course differ from the case of Palestine in various and even fundamental respects. The point however is not to argue their historical similarity, but rather to demonstrate that in the absence of extreme scenarios like wholesale extermination of the colonized population, politics trumps facts on the ground virtually without exception. If there were indeed a “point of no return” in the entrenchment of colonial regimes, then Algeria, Ireland, and South Africa would have discovered and reached them long ago.

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