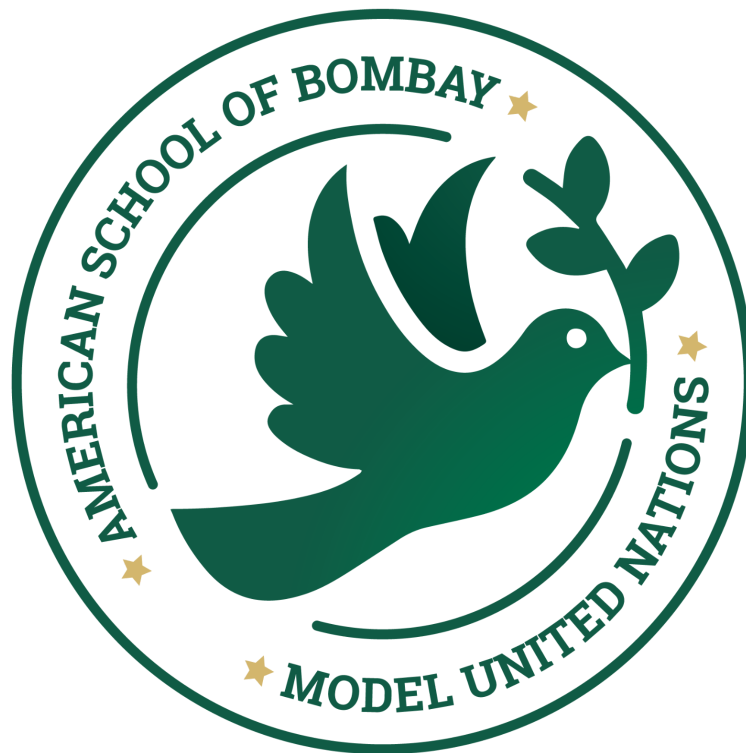




ASBMUN 2025

UNHRC Topic 2 Research Report



American School of Bombay

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Forum: ASBMUN 2025

Committee: United Nations Human Rights Council

Topic: Addressing Human Rights Violations in the Israel-Palestine Conflict

Chair: Anya DeYoung

Letter from Student Officers

Greetings, delegates! I would first like to welcome you all to the annual ASBMUN conference! My name is Anya, and it is my utmost pleasure to serve as your Deputy Chair for this year's simulation of the United Nations Human Rights Council (UNHRC)

The United Nations Human Rights Council plays a pivotal role in promoting and protecting human rights all throughout the world. It is dedicated to solving urgent issues and ensuring accountability for violations of human rights. This conflict, in particular with its historical roots and present tensions, is a topic of high urgency that merits global attention and action. With this committee focusing on this issue, we aim to foster a solution that upholds human rights principles. In the world today, addressing conflicts like this is essential for achieving lasting peace and justice.

Considering the critical nature of the agendas being discussed, every delegate of the United Nations Human Rights Council must remember that the decisions they make will have far-reaching consequences and that the opportunity afforded here is to potentially change the world profoundly.

Through the course of the three days of this conference, we trust that you all will discharge your duties aptly and have loads of fun in the process! Never forget that the aim of this conference is to enhance your understanding of the situation worldwide in the most interesting and enjoyable way possible! We look forward to seeing you all on the committee and presiding over your deliberations! Good luck!

Anya DeYoung

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Introduction

The ongoing war with Palestine and Israel has led to numerous human rights violations, which has led to a point where it is receiving international concern, starting in 1948 and the most recent war



starting 18 months ago. Over the last few decades, this conflict has led to territorial disputes, military operations, and political strife. This all was further worsened by several intifadas against Israeli occupation, followed by multiple reprisals and crackdowns by Israel. This has led to severe consequences, like displacement, civilian casualties, and restrictions on basic freedoms. Several human rights violations have been reported during this conflict, like the use of excessive force, arbitrary state arrests and detentions, and limiting the access to essential services.

Furthermore, in this conflict, multiple sides and perspectives contribute to the complexity. On one hand, Israel's government asserts its right to defend its nation from the attacks done by Palestinian militant groups like the Hamas. They believe this war is about national security, sovereignty, and survival. Contradicting this, the Palestinian Authority and the Hamas view their resistance as a fight against occupation and for the right to self-determination. They accuse Israel of occupying their land illegally, putting systemic oppression into place, and violating human rights; hence, they look to create a separate independent state. This issue dates back to the early 20th century, having problems like the status of Jerusalem, Israeli settlements in the West Bank, and Palestinian refugee's right to return. There have been many efforts by the international community, which will be explained in more depth later, but all have failed so far.

This issue, altogether regarding human rights violations, holds a strong connection to this year's theme: Sustainable Development Goal 16: Peace, Justice, and Strong Institutions. The numerous and ongoing violations go against the efforts and core ideas of building peaceful and inclusive societies, which, at the same time, lead many to question judicial and institutional integrity. This also led to continued ongoing cycles of violence and instability. When ignoring international legal frameworks and the creation of systems that achieve accountability, getting to a place of peace and justice is nearly impossible in this region. Solving this issue will protect people's fundamental human rights; doing this will allow development and bring stability to this region.

Definition of Key Terms.

Human Rights Violations

Human rights are 'rights inherent to all human beings' that which the state is required to protect and put forward. A human rights violation is when the state itself violates them and doesn't put effort and steps into putting them forward.

Occupation

International law states that occupation is a situation in which territory, or sections of it, are effectively placed under the provisional authority of a foreign power during an international armed



conflict, even when there is no armed resistance present.

International Humanitarian Law (IHL)

The International Humanitarian Law (IHL) is a set of regulations and rules that intends to limit the consequences of armed conflict for humanitarian reasons.

Collective Punishment

Collective punishment is when a sanction or punishment is forced on a group for a crime committed by one of them or a member of the group.

Apartheid

Apartheid is a racial segregation/discrimination.

Displacement

Displacement is the situation where people are made to leave the place where they normally live.

Blockade

A blockade is when a place is surrounded by military powers like soldiers or ships to prevent goods or people from receiving them.

Two-State Solution

The two-state solution was a proposed solution for the Israeli-Palestinian conflict. It aimed to have an independent state of Palestine alongside the state of Israel, with its own independent sovereign government and borders that both sides agreed upon through negotiations. This would hypothetically allow peaceful coexistence and mutual recognition.

Refugee Rights

These are the rights that refugees are entitled to because they have been granted refugee protection, and their host country is responsible for guaranteeing them. These rights can be found in the Refugee Convention and in human rights treaties. They provide assurance for education, health care, housing, and employment, to name a few when they are in a situation where they cannot be returned to their country of origin.

War Crimes

A war crime is a breach of international law during armed conflict. Such as targeting civilians, using prohibited weapons, torturing prisoners, and committing genocide, to name a few.

Intifadas

It is a Palestinian uprising against Israeli occupation.

Background Information

The conflict between Palestine and Israel all started in 1948 when five Arab nations invaded the former Palestinian mandate's territory right after Israel declared its Independence. This then started a chain of events which have been running continuously till the present day. However, before 1948, Britain controlled the region after WW I. In this place, it held an overwhelming Arab majority and a small amount of Jewish people. However, these two groups didn't get along, forcing tensions to rise, especially when the UK set the "national home" for all Jewish people to be in Palestine in a pledge called the Balfour Declaration. Increased Jewish immigration, specifically at the start of the Holocaust, worsened the Arab's fear of displacement, reaching a breaking point in 1947 when the UN proposed a plan to create separate Jewish and Arab states. This plan was opposed by Arab leaders but accepted by the Jews. After the war started at the beginning, Israel ended up winning and expanding its territory. This then caused the displacement of thousands of Palestinians, this event being known as the Nakba(catastrophe

Major Countries and Organizations Involved

Israel:

Established in 1948, it is a important state in this conflict. The Israeli government looks to provide the security and safety of its citizens against threats from Palestinian militant groups like Hamas. Israel's control over the certain territories, like the West Bank and East Jerusalem, have led to a ongoing conflict. The country argues that the measures they are currently taking are needed for national security and survival amidst hostility. Israel's policies, including a settlement expansion in the West Bank, have been a significant point of contention explicitly present in peace negotiations. As of 2023, around 700,000 Israeli settlers live in the West Bank and East Jerusalem; these areas are what Palestinians want for their future independent state. However, international bodies like the United Nations have constantly said these settlements are illegal under international law, which Israel argues against. Moreover, Israel has launched several military operations and introduced several policies in their occupied Palestinian territories, which have raised numerous human rights-related concerns. International organisations have created several reports highlighting problems like restrictions on movement, excessive use of force, and limitations on essential resources. Furthermore, the blockade on Gaza, which has been imposed since 2007, has caused a humanitarian crisis which has heavily impacted civilians and continues to do so. The expansion of the Israeli settlements in the West Bank has also been a place where there have been violations of international law, displacement of Palestinian communities, and limiting their right to fundamental rights such as housing.

Palestinian Authority (PA):

The Palestinian Authority (PA) controls parts of the West Bank and looks to establish its own independent Palestinian state. It has and does engage in diplomatic efforts and negotiations with Israel, persistently advocating for the end of occupation and recognition of Palestine as an independent state. Currently facing challenges like political division, with it governing the West Bank, and Hamas controlling Gaza since 2007 due to when HAMAS which took away the PA's power. This division had led the PA to face struggles in governance and advancement in their territory. However, efforts at reconciliation between Fatah and Hamas have been going on, but there still isn't a Palestinian government. Under the PA's leadership, aggressively repressing political opposition, limiting free expression, and employing excessive force against demonstrators have all resulted in multiple allegations of human rights violations. According to a number of accounts, its authority has resulted in crackdowns on journalists and activists as well as arbitrary detentions without repercussions. Furthermore, political divisions and economic struggles have led the PA to be unable to offer necessary basic services. Many Palestinians have struggled for basic human rights as a result of these.

Hamas:

Hamas is the acronym for Harakat al-Muqawama al-Islamia (Islamic Resistance Movement)-one of the largest and strongest military groups in the territory, which emerged in 1987, which was formed during the first uprising or intifada, which was a creation that sprung from the Muslim Brotherhood's Palestinian branch. Hamas is one of the two major parties that has strong beliefs in armed resistance against Israel and the creation of the independent state of Palestine. This group has started several violent attacks against Israel, the most recent one being on October 7th 2023, killing ~1200 people. They do not believe that Israel is an independent state and advocate at most opportunities to showcase resistance in all forms against the country. In 2017, however, Hamas had amended their charter, which was to call for Israel's destruction. Both within the Palestinian territory and throughout its confrontation with Israel, Hamas has been accused of violating human rights. According to reports, the group severely restricts freedoms in Gaza, kills political opponents, and represses criticism. International humanitarian law is also broken by its military actions, which include indiscriminate rocket attacks directed against Israeli people. The Palestinian population is also put in danger when military operations are conducted in residential areas, which leads to extensive casualties and destruction.

United States(US):

The United States (US) has been a central aspect of the conflict for over half a century. Its involvement started right after World War II when it joined the United Kingdom in a 1946 inquiry which recommended that one hundred thousand Holocaust survivors relocate to Palestine. The US was also

the first country to recognise Israel as a sovereign nation in 1948. Throughout the conflict, the US has given substantial aid to Israel in the forms of military and economic, which has helped Israel reinforce its security and military prowess over the region. Simultaneously, the US has also made efforts to mediate peace, as seen in its two-state solution, including the Oslo Accords and the Road Map to Peace. However, certain efforts in the US's impartial mediation role have been following patterns, which lead many to view that they have bias supporting Israel, leading to global criticism. Nonetheless, the United States is still advocating for a negotiated settlement which deals with and respects their respective desires, Israel's right to self-defence and Palestine's desire for independence. As the US has provided financial and military support for Israel, it has been a path for criticism, as it gives them a part in human rights violations. The military aid contributes to the military operations in the region, which has raised countless questions about the complicity in the displacement of civilians, along with the destruction of buildings and deaths. However, the US has been advocating for peace efforts; however they are being accused of having a clear bias, which has led to several diplomatic struggles and accusations. Furthermore, its selective condemnation of human rights abuses in the region has drawn scrutiny from international bodies and activists.

Egypt:

Egypt holds a pivotal role in the conflict due to its geographical location and influence. 1979 marked the first peace treaty signed by an Arab nation, Egypt; this led Egypt to take up the role of a mediator between the two factions. The Egyptian government has also facilitated countless ceasefires and negotiations, specifically between Israel and Hamas, due to its control over the Rafah border crossing, which is the primary passage between Gaza and the rest of the world, which Israel does not control. Cairo's interests have been apparent: maintaining regional stability, curbing the influence of Islamist groups in its borders, and stopping the spillover of violence into the Sinai Peninsula. It does, however, confront several difficulties as a result, such as managing the local public opinion, which is primarily in favour of Palestine, and striking a balance between its support for Palestine's independence and its relations with Israel. Egypt's role as a mediator is a cornerstone for peace; however, due to its history in matters like this, such as the Rafah border crossing, which had led to several human rights concerns due to its frequent closures, making it harder for Gazans to receive food and other basic necessities. In addition, Egyptian officials have come under fire for how they have handled Palestinian refugees, with claims of detentions, deportations, and travel restrictions. Egypt aims to keep things stable, yet its security policies frequently worsen the humanitarian crisis.

Iran:

Iran is another major player in this conflict; this is seen through its views publically opposing Israel's existence, agreeing with several Palestinian groups. Iran's government provides assistance to organisations like the Hamas and Palestinian Islamic Jihad through financial, military and logistic aid.

Hamas and the Palestinian Islamic Jihad are designated as terrorist organisations by Israel and several Western countries. The country's involvement is there due to its ideological commitment to opposing Israel and as they have plans and desires to expand its influence in the region. Their ongoing support has provided assistance in the militarisation of Palestinian fractions and has been a factor in the ongoing hostilities. The cycle of violence that leads to numerous civilian deaths and human rights abuses is made worse by Iran's military and financial assistance to organisations like Hamas and the Palestinian Islamic Jihad. Iran has shown support for armed groups, which has affected the rights and security of individuals outside of the immediate fighting zone, leading to further instability in the region.

Timeline of Events

Date	Description of Event
Nov 19th, 1947	Resolution 181 was passed by the UN General Assembly, which calls for the separation of the Palestinian territories into two states, one Arab and one Jewish.
May 14th, 1948	Israel Declares Independence
June 5–10, 1967	Six-Day War→Israel launches strikes against Egypt, Syria, and Jordan, capturing the West Bank, East Jerusalem, Gaza Strip, Sinai Peninsula, and Golan Heights
Oct 6-25, 1973	Yom Kippur War
Mar 26, 1979	Israel Withdraws from the Sinai Peninsula
Jun 6, 1982	Israel invades Lebanon
Dec 1, 1987	First intifada
Jul 31st, 1988	Jordan Surrenders Claims on the West Bank and East Jerusalem
Sep 13th, 1993	The Oslo Accords
Oct 26th, 1994	Israel and Jordan Sign a Peace Treaty
Mar 26th, 2002	In the Passover Massacre, a terrorist kills 30 people, leading the Israeli military to reoccupy fractions of the West Bank
Jun 23rd, 2002	Israeli West Bank Barrier Building Begins
Apr 30th, 2003	The Quartet was created with the United States, Russia, the UN, and the EU, putting forward a Road Map for Peace for Middle Eastern Peace.
Aug 15th, 2005	Israeli disengagement with Gaza

Jan 29, 2006	Hamas Expands Power in Gaza
Dec 27th, 2008	Israel attacks the Gaza strip
Sep 15th 2020	Relations between some arab countries and Israel normalise
2021	Israel-Hamas crisis
Oct 7th, 2023	Hamas launches surprise attack on Israel
Oct 1st, 2024	Israel expands operations into Lebanon, Iran retaliates

Relevant UN Treaties and Events

- United Nations General Assembly Resolution 181, 29 November 1947 (**A/RES/181(II)**)
- United Nations General Assembly Resolution 194, 11 December 1948 (**A/RES/194(III)**)
- United Nations Security Council Resolution 242, 22 November 1967 (**S/RES/242**)
- United Nations Security Council Resolution 338, 22 October 1973 (**S/RES/338**)
- United Nations Security Council Resolution 446, 22 March 1979 (**S/RES/446**)
- International Court of Justice Advisory Opinion on the Occupied Palestinian Territory, 19 July 2024

Previous Attempts to Solve the Issue

- **Security Council Resolution UNSC 2334 (2016):** This resolution stated that Israel's settlement in the occupied Palestinian territories held no legal validity and broke international law. This then caused them to call for an immediate cessation of the settlement activities and heavily urged both member parties to prevent any acts of violence. However, while the resolution provided international legal consensus, it held no enforcement mechanisms. This means that without consequences, the expansion of the settlements followed. In this, the US's abstention allowed it to pass instead of them just vetoing it. However, the subsequent administrations did not implement it first.
- **The Oslo Accords (1993 & 1995):** The Oslo Accords were one of the main diplomatic efforts, as they created the Palestinian Authority (PA) and set the foundation for a two-state solution. It was meant to lead Palestine to self-governance as well as drive peace negotiations between the PA and Israel. Though at the start it held lots of potential and progress, the agreements did not resolve key issues like the final borders, the status of Jerusalem, or address the issue of

Palestinian refugees. The second intifada(2000-2005) caused a massive increase in Israeli settlement activity, which then weakened the framework. Moreover, the internal Palestinian divisions have caused a unified government to be tricky.

- **The International Criminal Court (ICC) Investigations:** The International Criminal Court, or ICC, began looking into the alleged war crimes committed by the Israeli and Palestinian fronts in 2021. The investigation had covered attacks on citizens, military operations, and settlement expansions. The investigation was an attempt to give legal accountability for the human rights violations; however, as Israel did and still doesn't recognise the ICC's jurisdiction, and as the US and several other important international countries opposed the probe, it limited its reach. The ICC's ability to enforce rulings isn't solid due to the fact that cooperation from state actors is key.
- **Ceasefire Agreements (e.g., 2021, 2023 Mediated by Egypt, Qatar, and the UN):** Numerous ceasefires have been brokered throughout the entire conflict, usually seen after escalations of violence, with Egypt, Qatar, and the UN playing key roles. The agreements have provided temporary halts on violence and have given humanitarian relief. Nevertheless, as they are short-term, they do not address the root causes and the bigger picture. After a short break, violence has always seemed to resume due to the absence of a long-term political resolution. Furthermore, blockades and restrictions in Gaza have been seen to exacerbate humanitarian conditions even throughout ceasefires.

Possible Solutions

- **Independent Conflict Mediation Council:**

This would be a dedicated mediation council made up of all neutral states, and independent organisations would be established to oversee all negotiations and facilitate all communications between the Israeli and Palestinian groups. As in previous diplomatic efforts, they would only convene during escalations, and this would continuously run throughout. This would provide a stable platform for negotiations and dialogue, preventing miscommunications and providing accountability. For the sake of accountability, all member states and organisations would have to not hold a geopolitical stake in the conflict and be accepted by both Palestine and Israel.

- **International Safe Zones for Civilians**

Regurailly, many would be entirely dependent on temporary ceasefires, but now, due to the establishment of designated internationally protected safe zones in high-risk areas, that would not be a worry if implemented. Said zones would be overseen by neutral peacekeeping forces, which both sides accept, ensuring that all civilians would have a guaranteed place of refuge and would be free from

military engagement. Unlike previous demilitarised zones, these would be permanent and legally protected, bound by international agreements, with violations resulting in extreme repercussions.

- **Ethical Arms Trade Restrictions**

Having strict ethical arms trade regulations would reduce the escalation of violence. Countries that support weapons to the parties who are also involved in human rights violations would be held accountable through international sanctions. Moreover, an independent Arms Trade Oversight Committee would be established to monitor weapon flaws and enforce accountability for violations.

Connection to ASBMUN Theme: SDG 16 Peace, Justice, and Strong Institutions

The connection of addressing human rights violations in the war is embedded in SDG 16, as seen in its core ideas of promoting peace, resolving conflicts, ensuring justice and accountability, building stronger institutions for governance and human rights protections, and finally, protecting civilians and humanitarian aid access.

Peace Promotion and Conflict Resolution

The primary idea of SDG 16 is to reduce violence and foster peaceful societies. The war serves as a direct challenge to this goal, as seen with its ongoing hostilities, civilian deaths and injuries, and forced displacement.

Ensuring Justice and Accountability

Numerous war crimes, targeting of civilians, and subpar military responses have all been factors which have led to violations of international law. The SDG stresses equal access to justice, which means crucial accountability mechanisms like the ICC are needed. If legal institutions are strengthened this will help better the progress on this SDG.

Creation of Stronger Institutions for Governance and Human Rights Protection

The primary idea of SDG 16 is to reduce violence and foster peaceful societies. The war serves as a direct challenge to this goal, as seen with its ongoing hostilities, civilian deaths and injuries, and forced displacement.

Protection of Civilians and Humanitarian Aid Access

SDG 16's goal of protecting fundamental freedoms and preventing the targeting of civilians would only be made possible by ensuring humanitarian aid reaches populations in need

without political or military obstructions.

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