General Assembly Fourth Committee

**Topic A: Human Rights of the Palestinian People in the Occupied Territory, including East Jerusalem**

“This occupation has imposed a heavy humanitarian and development burden on the Palestinian people. Among them are generation after generation of Palestinians who have been compelled to grow-up and live in ever more crowded refugee camps, many in abject poverty, and with little or no prospect of a better life for their children.”

—António Guterres, Secretary General of the United Nations

In 2017, the world recognizes fifty years of occupation in the West Bank, East Jerusalem, and Gaza Strip. Throughout the occupation, the Israeli occupying forces have been accused of systematically limiting the rights of Palestinian peoples, including carrying out unlawful killings, forced displacement, and preventing economic development in the occupied Palestinian territory (oPt).

Israel has contended that it is acting defense of its people and territory, that its occupation is not illegal, and that they have legitimate claims to the disputed territory. Israel has ratified a number of applicable international human rights agreements, but reports of continued human rights abuses through the restriction of access to basic services persist. International discussions are now increasingly focusing on how to improve the human rights situation in the oPt, rather than finding a permanent solution for peace in the region. The General Assembly has discussed the rights of Palestinians numerous times, and has even created bodies specifically to address the issue.

**Background:**

The conflict between Israel and Palestine is one of the longest running situations addressed by the United Nations. Hostilities began in 1948, when the United Kingdom concluded its administration of the territory and proposed the Plan of Partition with Economic Union, which would have created independent Israeli and Palestinian States and placed Jerusalem under international control. Conflict lasted over several months and over 700,000 Palestinians were displaced. In response to the growing refugee crisis, the UN created the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). A cease-fire concluded the major conflict, but the area was still tense, and a dispute led to the establishment of the UN Emergency Force, the first UN

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6 Ibid.
peacekeeping operation, in 1956. While there were many minor incursions, large-scale violence did not break out again until 1967, when Israel initiated attacks on Egypt, Iraq, Jordan, and Syria in response to Egypt’s request for the removal of Suez Canal peacekeepers and subsequent closing of sea routes to Israel. Israeli forces took control of Egyptian territory in the Sinai Peninsula and Syrian territory in the Golan Heights, leading to the adoption of S/RES/242, which called for the withdrawal of those forces. This conflict, known as the 1967 Arab-Israeli War, or Six-Day War, marked the beginning of occupation, which was thought at the time to be a temporary measure. Over five decades later, the whole of the territory occupied by Israel in 1967 remains so, with the exception of the Sinai Peninsula.

In the immediate aftermath of the conflict, the imposition of the occupation was immense, with Palestinians having extremely limited ability to move or carry out day-to-day activities. Over time, the realities of occupation have shifted, and the extent to which occupying forces in the oPt impose on the lives of Palestinians has changed, often in reaction to outbreaks of violence or political shifts in Israel. Palestinians have built up a functioning society based on the limitations and realities of lacking international recognition as a State and occupation by Israel. A major shift in the human rights situation occurred in 2002, when Israel began to construct a barrier wall separating the oPt from Israeli territory. The combination of wall and fence, referred to by some as “security fence” and others as “the separation barrier,” severely inhibited the movement of Palestinians, impacting their ability access services, travel, and find employment.

The UN has consistently responded to the occupation with harsh rhetoric, often citing fundamental human rights documents, including: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. In 1975, the General Assembly created the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) with the goal of examining how to enable Palestinians to realize their human rights, particularly the right to self-determination. Two years later, the Division for Palestinian Rights was established under the Department of Political Affairs, which now serves as the Secretariat for CEIRPP and organizes UN activities on Palestine. CEIRPP, which reports to the General Assembly annually, and the Division for Palestinian Rights both host numerous events each year to discuss the rights of Palestinians and also liaise with non-governmental organizations and Member States regarding methods to improve the realization of

11 Ibid.
those rights. UNRWA continues to operate to this day, providing education, health, social, finance, and security services to Palestinians both within the oPt and abroad.

**Current Issues:**

*Refugees and Settlements*

Today, the occupation remains in full effect and, according to UNRWA, the West Bank is home to almost 775,000 refugees and another 1.3 million reside in the Gaza Strip. Many classified as refugees in the oPt have extremely limited access to housing or live in camps, where there are few jobs, and there can often be limited access to food and water. Even those who are not classified as refugees often lead difficult lives in the oPt; they often are subject to security checkpoints or are unable to move about freely in their towns and cities due to restrictions placed on them by the occupying forces. The situation has worsened over the past decade as Israeli settlers have increasingly moved into or built residences in the oPt. As these settlements are established, even when they are done without consent of the Israeli government, they often have security implications that result in Israeli forces increasing patrols and checkpoints in the oPt with the goal of protecting Israeli citizens.

The General Assembly has regularly condemned the creation and expansion of Israeli settlements; in its most recent session, the General Assembly passed thirteen resolutions on the subject of Palestine. Among these was A/RES/71/197, which recognized the tremendous humanitarian hardship imposed on the Palestinians by the wall in the oPt and condemned the building up of Israeli settlements, especially in East Jerusalem. The General Assembly also passed resolutions regarding the Palestinian peoples’ rights to sovereignty and self-determination, which are at the core of the Palestinian peoples’ civil and political rights, in addition to resolutions addressing the economic and development rights of Palestinians in the oPt.

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13 Ibid.
16 Ibid.
21 http://undocs.org/a/res/71/197
The Inhibition of Economic Rights

By some estimates, occupation of the West Bank and Gaza Strip diminishes the Palestinian economy by as much as $4.4 billion each year, or about 85% of their gross domestic product. Among the largest impositions is the blockade of the Gaza Strip, which has been in place since the 1990s, but had much stricter rules placed upon it in 2007. In recent years, rules have been relaxed, but the blockade still prevents most trade, especially exports, and limits Palestinians’ access to international markets. When paired with roadblocks and movement restrictions on land-based trade routes, the result is an economy that is severely inhibited. A 2016 report from the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 stated that the blockade and related economic impediments are creating "an environment plagued by poverty, epic unemployment, and economic stagnation." Moreover, the Special Rapporteur stated that “the Palestinian economy is without parallel in the modern world,” and that “Israel’s occupation is denying Palestine’s right to development and severely hampering its ability to attain even the minimum targets of the Sustainable Development Goals (SDGs)."

Future Outlook:

Despite numerous international discussions, the possibility of a just and lasting peace in the Middle East seems distant; the international community now expends greater resources in attempting to support and uphold the human rights of Palestinians. At forward-looking international meetings, means to improve the human rights situation using international mechanisms, including bolstering UNRWA and non-governmental and civil society organizations that operate in the oPt, are commonly discussed. Discussions also include the possibility of promoting the concept of reconciliation in the oPt, where there is fear that the economic situation and feelings of hopelessness may make Palestinians easy targets for radicalization. Improving the human rights situation will likely continue to be difficult, but, as the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 stated at a meeting in 2016, “peace starts with human rights.”

25 Ibid.
26 Sherwood, “Israeli occupation hitting Palestinian economy, claims report.”
28 Ibid.
29 Ibid.
31 Ibid.
**Focus Questions:**

1. Does your Member State recognize the independence of Palestine? Has it expressed a position on actions taken by Israel in the oPt?
2. How can the UN improve the human rights situation in the oPt without having peace as a prerequisite?
3. What UN bodies or agencies could be strengthened in order to promote human rights in the oPt?
4. What actions can Member States take to improve the human rights situation in the oPt?
5. Are there any precedents that could be set by international action?
6. Has your region had any history of occupation that would influence how it collectively views the human rights situation in the oPt?
Bibliography


United Nations Department of Public Information. “Statement of the Secretary-General on the occasion of the anniversary of the 1967 Arab-Israeli War and the 50 years of Israeli


