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2nd Year, BBA LL.B.**UNITED NATIONS ACTIONS PERTAINING TO THE ONGOING
ISRAEL AND PALESTINE DISPUTE****Abstract**

The United Nations (UN) was established as the second multipurpose international organization in the 20th century after the failure of its predecessor, the League of Nations, with the view of being worldwide in scope and membership. Palestine had been governed by Great Britain since 1922. Since then, Jewish immigration to the region had increased, and tensions between Arabs and Jews had grown. In April 1947, exhausted by World War II and increasingly intent upon withdrawing from the Middle East region, Britain referred the issue of Palestine to the UN¹. United Nations then formed an inquiry committee made up of members from 11 countries to investigate a suitable course of action. This committee was called UN Special Committee on Palestine (UNSCOP). UN played a major role in establishing Israel as a state more than 70 years ago. Today it is being seen as the authority that can address and find a solution to the deadly ongoing Israeli-Palestinian conflict through its resolutions. This paper aims to study the UN's take on the situation and how the organization has attempted to deal with the problems in the present situation.

Introduction

¹ <https://www.britannica.com/topic/United-Nations-Resolution-181>

The United Nations(UN) General Assembly passed a resolution (United Nations Resolution 181) in 1947 that called for the partition of Palestine into Arab and Jewish states, with the city of Jerusalem as a *corpus separatum* (Latin for “separate entity”) to be governed by a special international regime. The Jewish community in Palestine considered the resolution to be a legal basis for the establishment of Israel but the Arab community rejected the idea and succeeded almost immediately by violence. The present conflict as well is linked to the age-old tussle over identity and land starting with Jerusalem.

In the first Arab Israel war of 1948, the Israelis captured the western half of the city, and Jordan took the eastern part which Israel later captured and annexed. Since then, Israel has expanded settlements in East Jerusalem. The Palestinians wanted to make East Jerusalem the capital of their yet to be formed state. Israel views the whole city as its “unified, eternal capital”, whereas the Palestinian leadership denies for any compromise unless East Jerusalem is recognised as the capital of future Palestinian state. This conflict has turned Jerusalem, the place that historically has the most religious significance, into one of the most dangerous cities in the world.

Here, the point of view of the Israeli’s seems fair but also on listening to the Arab point cause, the anger that the Palestinians and other Arab state feel towards the Jewish state seems justified. It is important to understand that this matter is very sensitive. The conflict here is not only over land, but over faith as well, which is an extremely dangerous territory. The decisions made by the UN have been viable alternatives to the conflicts that cause it to intervene in different countries. With that hope we seem to hope its successful intervention in this conflict. To understand that we need to know that what was the role that the United Nations played in the conflict between Palestine and Israel since the 1940s, up until the beginning of the 21st century first. This paper aims at answering the same and to understand its actions pertaining to the ongoing Israel and Palestine dispute and ultimately finding out why, with all the UN’s decision making, a peace agreement between Israel and Palestine has not yet been reached.

Origin of UN Intervention

After the Second World War, the creation of the state of Israel was followed by numerous cases of aggression towards this state as a protest against its existence in the area. Palestinian refugees wanted to return to their homeland after the 1947-48 war between Arab and Jewish communities in the area, six months before the separation of the British mandate of Palestine.

The UN passed Resolution 194², which gave Palestinian refugees the right to return, in addition to them receiving compensations for their losses. The UN Partition Plan was drawn up under Resolution 181³ in November 1947, giving recommending the separation of the region into an Arab state of Palestine, a Jewish state of Israel and the city of Jerusalem. The establishment of the state of Israel was declared in 1948, which was followed by an all-out attack by surrounding Arab countries in support of their Palestinian counterparts. This was the start of a long and painful struggle for both Israel and Palestine, a conflict which has yet to be resolved, with its violence and extremism only increasing in later years.

Involvement of UN in the Pre-Six Day War

After the partition plan and the creation of Israel, the UN was not heavily involved in the conflict, nor was it particularly concerned with it in terms of political and humanitarian aid to the region. The concern was that war would occur between Egypt and Israel, as Egypt opposed Israel's foreign policies. The UN placed peacekeepers on the border between both countries and the UN Refugee Works Agency (UNRWA) took care of refugees until they could return home. The refugees were the same that had been mentioned in Resolution 194. This can be explained by the dominant European and American power's interests in the region after the Second World War. These powers were leading the Security Council and had the power to prevent extra UN involvement in solving the conflict. These powers supported the Israeli state and would not openly admit to supporting their cause because of the huge number of refugees fleeing Palestine.

In 1966, as tensions increased between Israel and the surrounding Arab countries, the US supplied the Jewish state with advanced military equipment, for it felt that in order to keep its ally in the Middle East, it should at least be able to defend itself against possible and likely invasion from neighbouring countries. The tensions between Israel and its Arab neighbours culminated to the point where Nasser demanded the removal of UN troops from Egypt and closed the Straits of Tiran to Israel, leading to the latter bombing the Egyptian air force in Cairo, sparking the Six Day War in 1967⁴. By the end of this war, Israel had taken over the rest of the Palestinian land, including the West Bank, Gaza and East Jerusalem, including the Golan

² <https://www.unrwa.org/content/resolution-194>

³ <https://unispal.un.org/DPA/DPR/unispal.nsf/0/7F0AF2BD897689B785256C330061D253>

⁴ <https://www.ukessays.com/essays/politics/united-nations-intervention-in-the-palestine-israel-conflict-politics-essay.php#ftn4>

Heights in Syria and Sinai in Egypt.⁵ Over a million more Palestinians found themselves under Israeli authority while US-Israeli relations eased greatly.

Involvement of UN in the Post-Six Day War

The UN reacted to this war by passing Resolution 242⁶ which condemned the actions taken by Israel. It called for the withdrawal of Israeli forces in the occupied territories, yet made little reference to the Palestinian refugees. Years later, this would cause more tensions between the two states, as allowing that Palestinian refugees back in to their former lands would mean relocating thousands of Israelis who had made their homes there.

In 1970, Nasser's successor, al-Sadat, began reconciliation with the USA, for he strongly believed that it was the only power which was able to convince Israel to return Sinai to Egypt. As a sign of good faith to the American power, he demanded the withdrawal of all Soviet troops from Egypt. This was not enough to get the USA's support however, as American diplomats did not take kindly to the Egyptians, who began to believe that war was the only solution. The US was starting to feel that it would lose its Arab supporters in the region, which was troubling as it had a steady relation with OPEC⁷. Saudi Arabia in May 1973 signalled that this could not continue as long as USA backed Israel as local Arab powers would not be willing to support their enemy's friend. This was agreed with American oil companies, who recognized the huge financial benefits of having a good relation with a country rich in oil. The economic superiority that the USA would gain over Europe would be huge and would allow for massive American interest's development in Arab countries. All of a sudden, Israel found itself being pressured by its long-time ally to leave the occupied territories. Soon after that, on 6th October 1973, Egypt and Syria worked in a coalition against Israel to take back their lost territories. OPEC soon decided to cut oil production by 25% and put a prohibition on US oil shipments.

UN actions after 1973

The UN Security Council called for peace talks between USA and the USSR as tensions were rising over USSR's determination of protecting Egypt against Israeli aggression. The oil embargo set on the USA by OPEC was a big stressor for the US, so it worked with the USSR

⁵ <https://www.ukessays.com/essays/politics/united-nations-intervention-in-the-palestine-israel-conflict-politics-essay.php#ftn4>

⁶ <https://www.britannica.com/topic/United-Nations-Resolution-242>

⁷ <https://en.wikipedia.org/wiki/OPEC>

to call for a ceasefire between Israel and the other warring countries. All were invited to the conferences. The USSR had not stopped its communication with Egypt, even after the expulsion of its troops, for it felt that it was a country that could counter the US's advances in the region through Israel. Naturally, the peace talks achieved little due to differed interests between each country and the US sponsored peace agreements between Israel and the Arab nations without the aid of the UN.

Once again, these talks did not include Palestine, which resulted in huge international support for the PLO⁸, led by Yasser Arafat. He appealed to the UN General Assembly and called for a recognition of the right of Palestinian right to self-determination. This, in addition to giving the PLO an observer's status within the UN, was granted in a vote with an overwhelming for the Palestinian cause. Only USA and Israel, as well as two other countries voted against the recognition.

The peace talks sponsored by the USA between Israel and Egypt ended very well, with Sinai being returned to Egypt and the later signing a non-aggression pact in 1975. The instalments, however, were slowed until 1977, when al-Sadat travelled to Jerusalem to finalize the evacuation of Israeli residents from Sinai. The UN was not needed in the agreements, which the US took advantage of by moving quickly to take control of the diplomatic situation. It hoped that other countries would follow suit and move to make peace negotiations with Israel after Egypt and Israel had signed the Camp David Accords, but this did not happen, for the Arab nations would only negotiate peace terms under UN auspices.

In June 1980, the European common market supported Israeli security but this time included the Palestinian cause in their discussions. They stressed that Palestine had the right to self-determination and called for the PLO's involvement in a peace talk. This was issued in the Venice Declaration, to which the USA retaliated by stressing on its opposition of the PLO, causing Europe to pull out of Middle Eastern diplomatic manoeuvres. The UN reacted quickly to Israel's invasion of Lebanon in 1978, passing Resolution 425⁹ which called for an immediate withdrawal of Israeli forces from the country. This was done, however Israel ignored that Resolution in 1982, when it invaded again, under anti-PLO pretences. It withdrew eighteen years later.

⁸ https://en.wikipedia.org/wiki/Palestine_Liberation_Organization

⁹ https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_425

UN and the Oslo Process

UN exclusion continued throughout the 80s and 90s in Israel-Palestine peace talks. In participated in a few minor international conflicts but could do nothing against the Israeli occupation of the Gaza strip and West Bank. The Oslo Declaration of Principles was signed in 1994, after which the General Assembly discovered that the Resolutions made by the UN regarding the Israel-Palestine conflict were to be made obsolete by the US as negotiations were taking place. Israel bombed a UN refugee camp in Lebanon, wounding and killing many. The report issued to the General Assembly caused a lot of anger towards Israel from other countries, as it showed Israel's non-commitment to the United Nations. Western European powers were invited to spend billions on its infrastructure. They were still kept out of any political or military decisions regarding the opposed peoples.

UN and Camp David Summit

By 2000, no progress had been made regarding the most important problems facing Israel and Palestine during the Oslo interim period. Problems such as the Palestinian border and state, what to do about Jerusalem, Israeli settlers and Palestinian refugees had yet to be resolved and smaller issues had yet to be resolved, despite the promise of a quick solution. Gaza still had problems with its air and seaports as well as security arrangements. American president Clinton, taking the initiative for a resolution to the problem, invited both parties once again to Camp David to discuss the issues at hand and possible answers to the existing problems. Discussion failed and the situation worsened when Ariel Sharon declared Temple Mount (third holiest site for Muslims and first holiest for the Jews) to be under complete Israeli control. This infuriated Palestinians, who protested and were shot down by Israeli forces during a march the following day.

This was a signal to the UN and other countries in the region that the USA's control of Israel had grown weaker over the past years. If Israel dared to shoot down protesters, it was a sign that it was confident enough without the USA's backing, even with their disapproval, to decide on its own actions without first consulting its closest ally. Outside powers suddenly came into play, once again opening diplomatic relations with Israel.

Growing UN Involvement within the Conflict

USA's diminished control over Israel's actions and over the Middle East is a crucial factor for the growing intervention of outside powers, as a result of a lessening number of options as to what to do about the crisis. Protests in Arab countries led to worsening relations with the US as they showed clear signs of defiance; the most obvious of those being the landing of planes in and out of Baghdad, despite the sanctions imposed on Iraq by the USA. Palestine refused to stop the second Intifada and the propagation of pro-Palestinian media, namely Al-Jazeera, gave people another insight on the power struggle between Arabs and Jews in the Middle East. This limited the potential of the USA to intervene as effectively as it had in the past. Kofi Annan appeared with a solution after three Israeli soldiers were kidnapped on the Lebanese border.

Annan led UN efforts to achieve peace in the region for the Arab countries, urging all governments to follow the plans drawn up by the UN. He hoped for lasting peace and understanding, urging the Palestinians to accept the Israeli ceasefire terms, which include the demand for an international commission of inquiry, allowing for the UN to gather information on the general affairs of Palestine. The UN recently recognized Palestine as an official state, making it much easier for Palestinian economy to develop.

Diminutive UN Involvement in the Conflict

In order to maintain control over the diplomatic situation in Israel, it was essential for the US to disregard established international understandings. The UN attempted to solve the crisis numerous times by calling for international peace conferences, based on existing UN Resolutions dealing with Israel and Palestine, such as Resolutions 194 and 242 amongst others. Israel refused to take part and the US backed its decision.

The US referred to Resolution 242¹⁰ when speaking of a peace process and a viable option to a unanimous agreement in the region, all the while keeping Israel-Palestine interaction and diplomacy under its control. Requirements in international law such as the agreements made at the Geneva Conventions, which required Israel to protect civilians of the occupied territory and illegalize the settling of Israeli nationals into occupied land, as well as pre-existing UN Resolutions were largely ignored to accommodate for the American sponsored equal opportunity peace talks between Israelis and Palestinians to come to an agreement as to how to resolve the conflict. Naturally, neither power would come to an agreement by themselves, even

¹⁰ <https://www.umcjustice.org/who-we-are/social-principles-and-resolutions/united-nations-resolutions-on-the-israel-palestine-conflict-6112>

with the USA as a mediator in the talks, for their aims were too different. The main disagreements were over what do with about the refugees and how to deal with Jerusalem, both cultures regarding the city as a place of piousness and sanctity. Neither side would agree to stop the bombings as long as an agreement in favour of themselves was not reached.

The US-Israeli coalition stated in 1991 at the Madrid talks that it would not allow the UN to take part in the crisis. The UN was ignored again at the Oslo Process. The USA also informed the General Assembly that Madeleine Albright, who had warned the UN that the US planned on ignoring the Resolutions passed concerning Israel-Palestine, that the dismantlement of a consensus regarding Palestine was her primary objective. At the same time, final status issues were simply disregarded for at least seven years. Signatories of the Geneva Conventions came together in 1999 to examine Israel's dedication and following of the Conventions. It was an inconclusive meeting, for it lasted ten minutes to avoid angering the new Israeli government at the time. The list goes on.

The necessity of returning the crisis to UN supervision was growing essential, as there were rising numbers of casualties caused by the conflict, a strict ongoing siege and serious military occupation of Palestine. The UN Resolutions remained largely ignored and people called for a new, UN-led peace process.

UN Involvement Now

After the recent conflict in May, 2021, the United Nations Secretary-General Antonio Guterres said at a UN General Assembly meeting that the fighting in the Middle East must stop immediately and urged Israel and the Palestinians to call an immediate ceasefire and pledged to launch a full humanitarian appeal for funding.

Humanitarian agencies and NGOs have pleaded for the council to do something and the council held one public meeting for speeches and at least three private sessions since heavy violence broke out in Israel and the Palestinian territories. But the United States keeps using its veto power to block any formal reaction by the council, saying it prefers to use its own diplomatic powers to calm things down.

Conclusion

UN involvement has not been consistent since the intensification of the crisis in 1948. It has been faced with numerous difficult situations, to which it could do little or nothing. The reason for this would be the already heavy involvement of the United States, due to its interests in Israel and securing a powerful ally in a region rich in oil and other resources. However, limited the United Nations' physical intervention was, the resolutions passed regarding the crisis seemed reasonable and would certainly have helped to deal with the situation, had they been adhered to by the countries concerned. The recent recognition of the State of Palestine by the UN is a huge step forward in the struggle for peace in the region. It gives the Palestinian cause more weight when appealing to the United Nations and will surely give it more international support. The problem for the UN when getting involved in this conflict is that it is such a long-lasting struggle, with horrors caused by one side towards the other still fresh in people's minds, as is the case for many long-standing conflicts. The UN has made several accusations regarding Israel, claiming a "grave and massive violations of human rights of the Palestinian people by Israel".

Victimizing the Palestinians will not help them in their fight against occupation. " Hamas, which has long been calling for a two-state settlement in accord with the international consensus"¹¹ yet it has never been understood, it seems, by Israel or the USA. A fresh perspective is needed in the matter. One for example, would be to draw up a new partition plan giving Israel access to the northern part of the region, given to Palestine in the original partition plan, giving it access to the sea. The countries should then be split more or less diagonally while still leaving a corridor for the Palestinians to access Jerusalem. Unlike the original plan that a country is stronger if it is not split into different regions as presented by the UN. Jerusalem should have been made a dual-state capital, forcing Muslims and Jews to work together for the benefit of the city, while keeping its religious importance intact. Had the plan been drawn better, the conflict could have been easily solved. Persuading other Arab states to recognize Israel would have only been a matter of time, for they would have followed the Palestinian example and accepted its right to exist.¹²

¹¹ <https://www.drishtiiias.com/loksabha-rajyasabha-discussions/the-big-picture-israel-palestine-conflict>

¹² <https://edition.cnn.com/2021/05/18/world/meanwhile-in-america-may-18-intl/index.html>