



The Question of Palestine

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Introduction

No issue divides the 193 Member States of the United Nations more sharply than the question of Palestine. Seventy years after the establishment of the State of Israel, the UN Member States are still dealing with the consequences of the creation of a predominantly Jewish homeland in a region previously dominated by its Arab residents. The right of the Palestinian people to self-determination is a basic principle of international law, and a fundamental demand of most of the UN's Member States. For its states from the Arab League and the Non-Aligned Movement, Israeli domination of the Palestinians people is a fundamental offense to international principles and a barrier to regional peace. They believe that regional peace is impossible until a fully independent Palestinian state is created. This position carries the greatest weight in UN deliberations.

The heart of the dispute is the fate of the Palestinian people. In 1947 there were roughly 900,000 non-Jewish Palestinian Arabs living in Palestine, ninety percent Muslim, the rest mostly Christian. Most of those people—over 700,000—lost their homes and land the following years in the subsequent chaos and fighting surrounding the establishment of the State of Israel.

Today there are some 12.4 million Palestinians world-wide. This includes 1.7 million still living in Israel (Israeli Arabs), 2.9 million in the West Bank under the Palestinian Authority, 1.9 million in Gaza ruled by Hamas (a Palestinian

political party), and 4.5 million international refugees mostly in Jordan, Lebanon and Syria.¹ It is the rights and fate of these people that lies at the heart of the Palestinian question today.



Israel and Palestine in the year 2007, showing lands conquered by Israel in 1967 and subsequent Israeli settlements in the West Bank

Israel and its supporters are greatly outnumbered in the UN, but Israel's control over much of the land and unconditional support from the United States (much more so under President Donald Trump) gives Israel a dominant voice on the

¹ 'Palestinians', Wikipedia,
<https://en.wikipedia.org/wiki/Palestinians>



issue. While Israel almost always loses UN votes, it remains unwilling to alter its policies, leading to a diplomatic stalemate. This stalemate, which perpetuates the unresolved status and rights of Palestinian residents and refugees, is the underlying cause of armed violence between Israeli and Palestinians. The result is constant political agitation, acts of terrorism against Israelis, rocket and mortar

attacks, and Israeli aerial bombing and raiding of Palestinian-controlled territory. With no diplomatic solution in sight, there is no solution to the violence either.

Landmarks in Israel-Palestine conflict		
1948	Establishment of the State of Israel	
1948	First Middle East War	Israel gets control of mandated territory and expels much of the Palestinian population
1967	Second Middle East War	Israel conquers the West Bank from Jordan and Gaza from Egypt
1979	Camp David Accords	End the State of War between Egypt and Israel
1987-93	First Intifada	A popular Palestinian revolt against Israeli rule
1993	Oslo Peace Accords	The Palestinian Authority gains partial self-rule of the West Bank
2000-05	Second Intifada	A popular Palestinian revolt against Israeli rule
2005	Israel leaves Gaza	Palestinians in Gaza gain self-rule

Background

The original UN resolution on Israel—drafted and co-sponsored by the United States in 1947—was a General Assembly resolution, Resolution 181. This called for the creation of a Jewish homeland in Palestine, an Arab State for the region’s Palestinian residents, and for Jerusalem to be a shared ‘international city’ available to both sides.

With Jews claiming Jerusalem as their Biblical capital, Muslims as the site of the Prophet Muhammed’s ascent to heaven, and Christians

as the center of their faith, the proposal was appealing to a majority of UN Member States.

This remains the basic formula for international efforts, often called the Two State Solution. The same formula was the basis of the 1993 Oslo Accords between Israel and Palestinian leaders, and all multilateral diplomatic activity since. Under the Oslo Accords, an independent Palestinian state would control most of the West Bank and Gaza, with its capital in East Jerusalem. The Two State Solution remains the official position of the Palestinian Authority (the Palestinian government of the West Bank), and the international community.



Others, however, have drifted away from the Two State Solution in recent years. A growing number of Israeli leaders believe that any deal with Palestinian leaders is unsustainable, doomed to be undermined by Palestinian radicals. Instead they advocate some form of permanent Israeli control over Jerusalem and no more than semi-independent status for Palestinian self-rule in the West Bank and Gaza. The one state solution lacks international support, but it is gradually developing as a fact on the ground, as Israel takes control of progressively more land in the West Bank through building of new towns (settlements).

Similarly, many Palestinian leaders, most famously Hamas, the political party that controls Gaza, advocate a one-state solution of their own based on Palestinian dominance of the entire region of Palestine, including regions now controlled by Israel. They believe that the growing Palestinian population will give them a basis for legitimate control over the entire region.

Prior to the United Nations

‘The Question of Palestine’ is not just one of the most difficult, it also is one of the most emotional issues facing the international community. Palestine refers to the entire region, today including Gaza, Israel and the West Bank.

The holy sites there range from the site of the ancient Jewish Temple to the birthplace of Jesus and the site where the prophet Muhammad made his night journey to heaven.

In 1917, during World War I, Britain seized control of Palestine, taking it from the Turkish Ottoman Empire. London announced the Balfour Declaration, stating its intent to establish, ‘a national home for the Jewish people,’ there. British leaders, aware of the tensions that would be created by the restoration of a Jewish state, sought to assuage Arab concerns by saying the Jewish settlement



would not infringe upon the rights of ‘existing non-Jewish communities’. The total of Palestine population then was about 80 percent Muslim.



Most of the rest was Christian or Druze, with a small population of Jewish Zionist settlers.²

For the next thirty years British officials struggled to balance the rights of indigenous Arab residents with the demands of Jewish settlers. Their efforts mostly won them the hatred of both sides, making British citizens in the region the target of terrorist attacks by all sides.

Enter the United Nations

However, in the 1940s the tragedy of the Holocaust, in which almost six million European Jewish people were killed, would initiate mass migration of surviving European Jews to Palestine. Later they would be joined by large numbers of Jews forced from their homes throughout the Middle East, as well as migrants from many other countries.

Following UN General Assembly Resolution 181 of 1947, the British mandate over Palestine ended in a quick British withdrawal, prompting Israel's declaration as an independent state in 1948. This declaration of sovereignty was rejected by the surrounding Arab states. The war that followed cemented Israel's existence, but at the cost of leaving most Palestinian's homeless.

The 1967 Six Day War and the start of Israeli Settlements

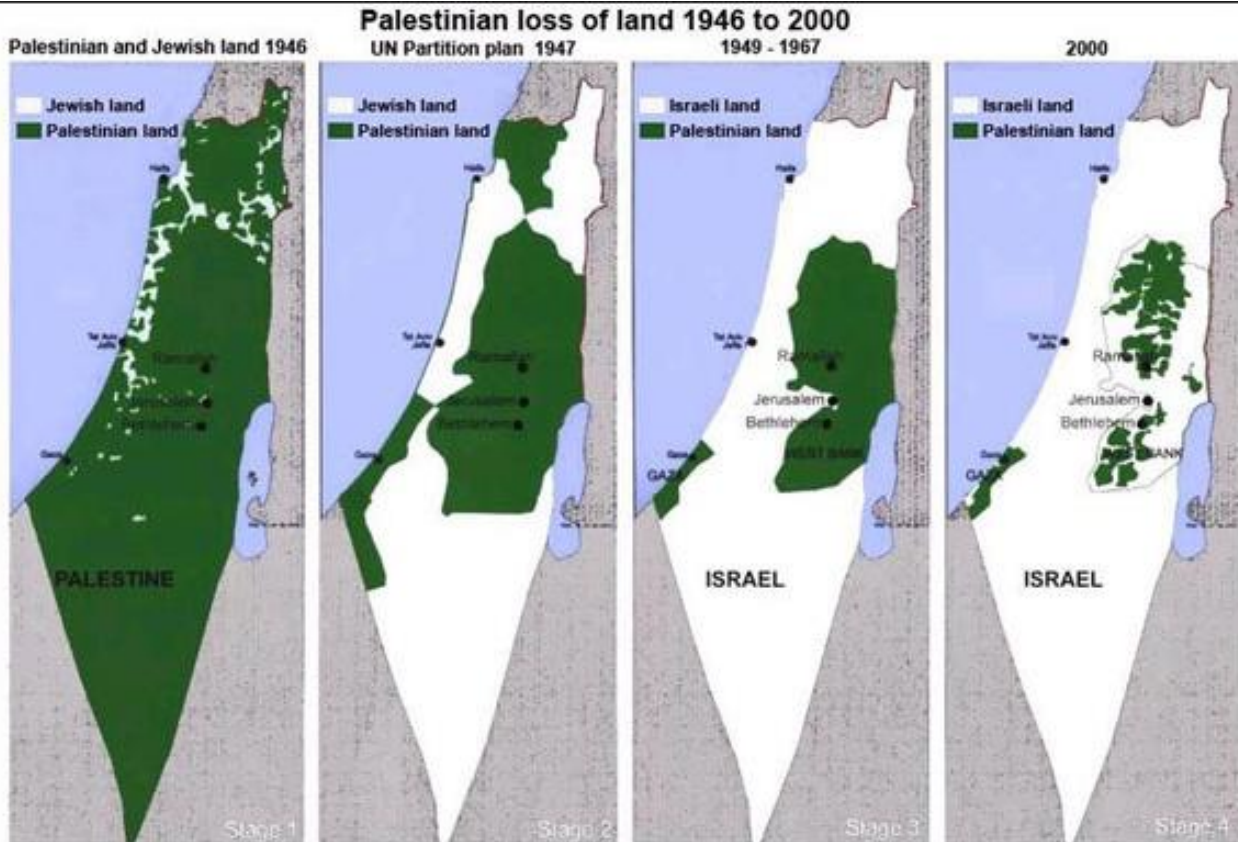
Tensions continued culminating in Egypt's decision to expel UN peacekeeping forces in Sinai and closed the Straits of Tiran to Israeli shipping. This led Israel to launch a preemptive attack. The neighboring forces, Jordan and Syria, joined the war. The war only lasted six days but left Israel in control of the entire West Bank, Gaza and the Golan Heights of Syria.

This would be the beginning of government-sanctioned Jewish new towns or settlements in occupied territory. The settlements remain a point of fundamental contention to this day. Many Israelis cite the Bible and thousands of years of Jewish history as justification for the settlements.

They have grown to the size of large towns and even sizable cities. These settlements not only displace the Palestinian people in West Bank, but they make a Two State Solution harder to achieve. As they grow they will become harder to remove and they give the Israeli Defense Forces (IDF) legitimacy to travel at will through the West Bank.

Following the annexation of East Jerusalem in 1967, Israel declared the whole of Jerusalem to their eternal and indivisible capital. In 2017 the United States became the first foreign government to recognize Jerusalem as Israel's capital, while virtually all other governments kept their diplomatic missions in Tel-Aviv and insisted that the city must be shared, under the 1947 UN resolution.

² "Balfour Declaration." *Encyclopædia Britannica*, Encyclopædia Britannica, n.d., www.britannica.com/event/Balfour-Declaration



The First Intifada, 1987-1993

Palestinians felt abandoned after Egypt made its separate peace with Israel after the 1973 War in the Camp David Accords of 1977-78. Instead the Palestinian Liberation Organization (PLO), with support from other Arab governments and the Soviet Union, developed its own military capabilities from its base in Lebanon. This led Israel to invade Lebanon in 1982, militarily destroying the PLO. Instead Palestinian leaders moved to other Arab countries, including Tunisia.

With the PLO remote and weak, more radical factions took the vanguard of the Palestinian struggle with a wave of terrorist attacks. Meanwhile, Israel found it harder and harder to rule the West Bank, which it occupied in the 1967 war. Rising popular Palestinian anger culminated in an outbreak of violent protests against Israeli rule, the Intifada or uprising,

which started in 1987. Unable to effectively rule the West Bank, Israel agreed in 1993 to accept limited Palestinian self-rule over the parts of the West Bank where no Israelis lived.

Oslo Declaration of 1993

Talks in Norway between Israeli Prime Minister Yitzhak Rabin and PLO Chairman Yasser Arafat, ended the first intifada with a plan for Palestinian limited self-government. Israel withdrew from the West Bank making room for Arafat to create the Palestinian Authority (the PA). Just one year after the Oslo declaration Jordan and Israel would sign a peace treaty and the work done by Yasser Arafat, Prime Minister Yitzhak Rabin and the Israeli foreign minister was awarded the Nobel peace prize.

But frustration with the agreement was widespread. Palestinians widely dismissed the



Oslo Accords as a surrender of their key demands, especially complete national self-determination and the Right of Return to the lands they lost in 1948. Jewish extremists were angry over the surrender of much of the Biblical Covenant of Judea and Samaria.

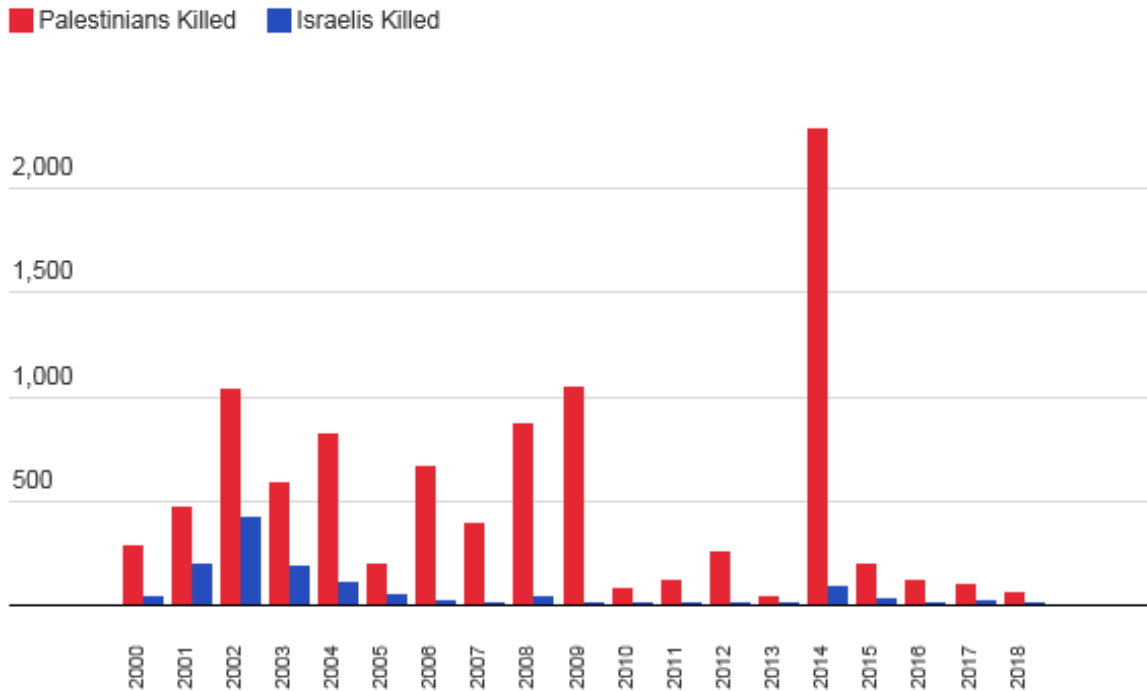
In 1995 Israeli Prime Minister Yitzhak Rabin, the co-signer of the Oslo Accords, was assassinated by a Jewish extremist. Both sides stopped making concessions. Rabin was replaced by a series of Israeli Prime Ministers who pledged to halt further concessions with the Palestinians. Israeli continued to build new towns (settlements) in the West bank, especially in regions near Jerusalem. The result was growing Israeli control over disputed territory, reducing the region of Palestinian self-rule to kind of archipelago, with Palestinian villages and towns separated by Israeli settlements and Israeli controlled access roads.

The Second Intifada, 2000-05

These tensions culminated in the outbreak of a Second Intifada in 2000, much more violent than the First Intifada, with an unprecedented new wave of suicide bombings and rocket attacks. Among Israel’s responses was construction of a comprehensive wall sealing the West Bank from the rest of Israel, albeit located always on Palestinian territory, and guarding the security fo Israeli settlements in the West Bank.

The West Bank Wall is justified by the Israeli government as a defense against terrorist attack and suicide bombers. It is condemned by much of the international community as violation of Article 2 of the UN Charter, which, “prohibits the use of force and emphasizes the illegality of any territorial acquisition by such means.” The wall helped reduce suicide bombings in Israel and continued to political stabilization, even as it separated Palestinian communities and created new obstacles to agreement.

Major Gaza-Israel conflicts, 2008-18			
duration	names	Palestinian fatalities	Israeli fatalities
Dec 2008-Jan 2009	Cast Lead	1200	13
Nov-Dec 2012	Pillar of Defense	158	5
July-Aug 2014	Gaza War, Protective Edge	2,250	71
Mar-Nov 2018	Land Day protests, border protests	168	0



This chart shows how many Palestinians have been killed by Israelis (red bar) and how many Israelis have been killed by Palestinians (blue bar) each year since the Second Intifada began on September 28, 2000. In total, at least 9,600 Palestinians and 1,251 Israelis have been killed.

In 2005, Israel withdrew from Gaza but maintained control of its airspace, coastal borders and border crossings. Elections in 2006 in Gaza gave victory to the more radical Hamas over the Palestinian Liberation Organization, which was associated with concessions. The new Hamas government in Gaza felt empowered to launch attacks on Israeli border communities. Hamas violence prompted a series of Gaza-Israel wars, continuing to this day, including the border conflict of 2018.

Issues before the General Assembly

United Nations action on Palestine and Israel is led by the Security Council, which focuses on issues of peace and security. The most famous

Security Council resolution on the Middle East is UN Security Council Resolution of 242 of 22 November 1967, which calls on Israel to withdraw to its pre-1967 borders, calls on all parties to live in peace, and calls for 'just settlement' of the refugee issue. This establishes the basic UN formula of 'land for peace'; Israel is expected to return conquered territory in exchange for peace with its neighbors.³

The General Assembly is responsible for the principles and norms of action. It establishes international expectations for what should happen, how the conflict should be resolved. Unlike the Security Council, the General Assembly does not make international law, it cannot demand action. It can only establish

³ 'United Nations Security Council Resolution 242, Wikipedia,

https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_242



principles and request the Member States to uphold them.

There are a number of important issues on Israel and Palestine before the General Assembly. These include:

The Status of Jerusalem: A classic example of General Assembly action on Israel and Palestine came in December 2017, when the General Assembly reacted to the statement by U.S. President Donald Trump that his country would unilaterally move its embassy to Israel from Tel Aviv to Jerusalem.

President Trump's decision, intended to show support for the policies of Israel and the Netanyahu government, effectively accepts Israeli's claim to complete control over all of the disputed city, rejects Palestinian rights to East Jerusalem as assured under SC Resolution 242, and takes Israel's side in its conflicts. The American initiative was an explicit rejection of the fifty years of UN diplomacy and America's own history of Middle East negotiating efforts.

In response the General Assembly passed a resolution declaring the American decision to move its Embassy to Israel to Jerusalem 'null and void'. The resolution 'Status of Jerusalem' also criticized any actions intended to alter Jerusalem's character, status or demographic composition. Sponsored by Turkey and Yemen, the resolution passed by a vote of 128 in favor to 9 against (Guatemala, Honduras, Israel, Marshall Islands, Federated States of Micronesia, Nauru, Palau, Togo, United States), with 35 abstentions, and 21 countries not present.⁴ The United States, as a sovereign state, is free to act as it pleases, despite the criticism, but the resolution shows that any country that

follows the American initiative will be diplomatically isolated.

Palestinians maintain that Jerusalem must be their capital as well. They demand complete access to Jerusalem as guaranteed under past UN resolutions. Currently their capital is in the nearby suburb of Ramallah, but the plan of the Palestinian Authority is to move there as soon as possible.

Palestinian refugees and the Right of Return: For the decedents of the 750,000 Palestinians forced to leave their homes in the War of 1948, their Right of Return has sacred status. Living as refugees mostly in Jordan, Lebanon, Syria and the West Bank, they expect to return to their ancestral lands now controlled by Israel. The Right of Return is a basic demand in all peace negotiations.⁵

There is no way to determine the proportion of Palestinians who actually would want to return and live in Israel. But virtually all want title to the land, whether they plan to live there or not.

The usual formula for making this happen is a proposal of 'land swaps', whereby Palestinians would regain control of their family's lost land now in Israel, and Israelis would be compensated with permanent control over settlements they have established in the West Bank. Many landowners in Israel would have to be compensated financially for their losses.

Israel also would require security guarantees to be sure the changes in ownership and residence would not create new security threats. Conflict would be likely within Israel, as many Israelis living on land conquered from Palestine

⁴ 'General Assembly Overwhelmingly Adopts Resolution Asking Nations Not to Locate Diplomatic Missions in Jerusalem', GA 11995, *UN News Centre*, 21 December 2017, <https://www.un.org/press/en/2017/ga11995.doc.htm>

⁵ Jonathan Ferziger, 'Why Palestinians Demand a 'Right of Return' to Israel', *Bloomberg*, 14 May 2018, <https://www.bloomberg.com/news/articles/2018-05-14/why-palestinians-demand-a-right-of-return-to-israel-quicktake>



probably will not all surrender the land voluntarily.

Two State Solution: remains the basic internationally accepted formula for Middle East peace.⁶ Although it is formally accepted by Israel and Palestine, the chances for the Two State Solution have been declining. It lacks popular support among Israelis or Palestinians, who generally favor a one-state solution in which they rule everything. Since that is not sustainable—it would inevitably cause widespread warfare, some version of a Two State Solution is widely regarded as unavoidable. No acceptable alternatives have been identified.

Progress toward a Two State solution remains the greatest problem facing the General assembly. It could simply demand that Israel acknowledge Palestinian sovereignty over the West Bank and Gaza. But this would cause difficulty among Palestinians, who are divided on who should govern a formally sovereign Palestinian state, Hamas or the Palestinian Authority. For Israel major security guarantees would be essential, probably involving a massive international peacekeeping force.

Israeli security concerns: The UN General Assembly has not been willing to support Israeli demands for international action to stop Palestinian terror attacks, rocket and mortars, or tunneling attacks into Israel. But the Armed Struggle is accepted by a majority of General Assembly Major States as part of all nations' basic right to national self-determination. A majority of Member States see statements critical of Palestinian violence as concessions that reward Israeli conquests and repression or Palestinian rights. Member States from the Arab

League and Non-Aligned Movement insist that Israel withdraw within its pre-1967 borders before Palestine is required to give up its right to armed struggle.

Not all Member States share this perspective. Especially among North American, European, and some Latin American and Northeast Asian Member States, there is greater emphasis on Israeli rights to peace and a willingness to accept that peace is a precondition to negotiation. They say that Israel is not likely to negotiate while it is being attacked. But these views remain a minority in the General Assembly.

Financing Palestine: As a landlocked state, the Palestinian Authority of the West Bank must send all its trade through ports in Israel or Jordan. Israeli ports are much closer and cheaper. But this arrangement gives Israel control over Palestinian revenue and taxation. Israel intermittently steps such revenue in times of tension, a practice Palestinian leader's insist violates international law.

Also controversial is financing for Palestinian refugees. UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Near East) is a relief and human development agency, which supports more than 5 million registered Palestinian refugees and their descendants. For seventy years, it has been the basis of Palestinian refugee survival. With funding coming from donor government's UN contributions, UNWRA furnishes food, shelter, energy and basic services to much of the Palestinian refugee community. Its support is essential.

In 2018, President Trump announced that his country will no longer support UNRWA.⁷

⁶ Zack Beauchamp, 'What are the "two-state solution" and the "one-state solutions"', *Vox*, 14 May 2018, <https://www.vox.com/2018/11/20/18080094/what-are-the-two-state-solution-and-the-one-state-solution>

⁷ Karen DeYoung, Ruth Eglash and Hazem Balousha, 'U.S. ends aid to United Nations agency supporting Palestinian refugees', *Washington Post*, 31 August 2018, https://www.washingtonpost.com/world/middle_east/



President Trump demands that the Palestinian Authority stop its assistance to the families of terrorists killed or caught attacking Israel, people viewed by Palestinian leaders as freedom fighters. As a result, the General Assembly may face pressure to ask other Member States to increase their donations to UNRWA.

The organization is not without controversy. Critics in Israel say it indirectly reduces pressure on the host countries to make Palestinian refugees full citizens, their preferred solution to the Palestinian problem. But none of the host countries are willing to make Palestinians full citizens, which would reduce the likelihood they will ever leave, and upset their own fragile domestic political balances.

Israeli settlements in the West Bank: Large parts of the West Bank are home to Israeli settlements or new town developments. Many of these were started by Israeli Jews trying to fulfill the Biblical Covenant to live in the land they see as ancient Judea and Samaria. For many other Israelis the settlements are convenient suburbs, with affordable homes in easy commuting distance to several major cities. Israel has built a network of its own roads through the West Bank allowing settlement residents ready access and ensuring their security from attack. But these measures create complications for Palestinian resistance, often making it impossible for them to travel short distances. Palestinians want the

settlements removed as part of a comprehensive peace.

Gaza blockade: The 1.9 million Palestinians of Gaza are often described as residents of the world's biggest prison, with borders completely controlled by the blockade of Egypt and Israel, including a naval blockade of Gaza's coast. Ending the blockade is the principle goal of Palestinians in Gaza and their supporters, especially in the Arab world.⁸

The blockade is in response to the Gaza leadership, under the political party Hamas, which Israel regards as a terrorist organization for its support of border attacks, rockets and mortar attacks, and tunnel attacks into Israel. Hamas demands free access and return to Israeli territory. There is general agreement, that the Gaza's extreme poverty and depravation can be solved only once it can trade and send workers abroad, including to work in Israel. Only then can the economy of Gaza provide its people with their basic needs. But Israel refuses to end the blockade and permits only small numbers of rigorously inspected trucks to cross each day. In times of conflict—which are common—the blockade becomes complete. Egypt also enforces the blockade, reflecting its own tensions with Hamas, which supports the Egyptian Islamist Muslim Brotherhood, regarded as a terrorist group by the Egyptian government led by General Abdel Fattah al-Sisi.

[us-aid-cuts-wont-end-the-right-of-return-palestinians-say/2018/08/31/8e3f25b4-ad0c-11e8-8a0c-70b618c98d3c_story.html?utm_term=.d99ed7b81fa8](https://www.independent.co.uk/news/world/middle-east/gaza-economy-palestinian-world-bank-israel-west-bank-a8554466.html)

⁸ Bel Trew, 'Gaza's economy 'collapsing' due to Israeli blockade and massive funding cuts, World

Bank warns', *The Independent*, 25 September 2018, <https://www.independent.co.uk/news/world/middle-east/gaza-economy-palestinian-world-bank-israel-west-bank-a8554466.html>



Bibliography

Britannica, “Balfour Declaration.” *Encyclopædia Britannica*, Encyclopædia Britannica, www.britannica.com/event/Balfour-Declaration

Beauchamp, Zack, ‘What are the ‘two-state solution’ and the ‘one-state solutions’’, *Vox*, 14 May 2018, <https://www.vox.com/2018/11/20/18080094/what-are-the-two-state-solution-and-the-one-state-solution>

DeYoung, Karen , Ruth Eglash and Hazem Balousha, ‘U.S. ends aid to United Nations agency supporting Palestinian refugees’, *Washington Post*, 31 August 2018, https://www.washingtonpost.com/world/national-security/trump-administration-to-end-us-funding-to-un-program-for-palestinian-refugees/2018/08/30/009d9bc6-ac64-11e8-b1da-ff7faa680710_story.html?utm_term=.ae06ceb58c1c

Ferziger, Jonathan , ‘Why Palestinians Demand a ‘Right of Return’ to Israel’, *Bloomberg*, 14 May 2018, <https://www.bloomberg.com/news/articles/2018-05-14/why-palestinians-demand-a-right-of-return-to-israel-quicktake>

Myre, Greg, and Larry Kaplow. “7 Things to Know About Israeli Settlements.” *NPR*, NPR, 29 Dec. 2016, www.npr.org/sections/parallels/2016/12/29/507377617/seven-things-to-know-about-israeli-settlements

‘Palestinians’, Wikipedia, <https://en.wikipedia.org/wiki/Palestinians>

Trew, Bel, ‘Gaza's economy 'collapsing' due to Israeli blockade and massive funding cuts, World Bank warns’, *The Independent*, 25 September 2018, <https://www.independent.co.uk/news/world/middle-east/gaza-economy-palestinian-world-bank-israel-west-bank-a8554466.html>

UN. ‘United Nations Security Council Resolution 242, *Wikipedia*, https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_242

UN. ‘Remarks at the Opening of the 2007 Session of the Committee on the Exercise of the Inalienable Rights of the Palestinian People Secretary-General’, *United Nations*, 27 February 2007, www.un.org/sg/en/content/sg/statement/2007-02-27/remarks-opening-2007-session-committee-exercise-inalienable-rights.

UN. United Nations Special Committee on Palestine. ‘A/364 Of 3 September 1947’, *United Nations*, United Nations, <https://unispal.un.org/DPA/DPR/unispal.nsf/0/07175DE9FA2DE563852568D3006E10F3>

UN. United Nations General Assembly. ‘A/RES/181(II) of 29 November 1947’, *United Nations*, United Nations, <https://unispal.un.org/DPA/DPR/unispal.nsf/0/7F0AF2BD897689B785256C330061D253>

United Nations Security Council. ‘UNSCR//106’, *Security Council Resolution 2147 - UNSCR*, United Nations, https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_106

UN News. ‘General Assembly Overwhelmingly Adopts Resolution Asking Nations Not to Locate Diplomatic Missions in Jerusalem’, GA 11995, *UN News Centre*, 21 December 2017, <https://www.un.org/press/en/2017/ga11995.doc.htm>