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COMMITTEE: UN GENERAL ASSEMBLY

TOPIC: DISCUSSING THE FEASIBILITY OF A NEGOTIATED CEASEFIRE FOR CONFLICT IN THE GAZA STRIP TOPIC PACK

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INTRODUCTION



At its core, the Gaza conflict is a multifaceted struggle rooted in historical grievances, territorial disputes and competing claims to sovereignty. This ongoing conflict serves as a reminder of the urgent need for peace in one of the most volatile parts of the This paper seeks to explore the significance of a ceasefire in the context of the Gaza conflict, examining why its implementation is not merely desirable, but imperative for the wellbeing of all parties involved. By delving into the root cause of the conflict, the dynamics of power at play, and the human consequences on continued hostilities, we can gain a deeper understanding of the pressing need for a cessation of violence and the commencement of meaningful negotiations. The conflict in Gaza has outlined a need for

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collaboration and discussion by all the nations in the world in order to bring an end to it.¹ The need for a ceasefire is pressing as the current conflict has had overarching implications on human rights, access to basic needs, employment and economic well being of Gaza and the surrounding areas. These issues are discussed in detail in the paper in exploring the origins of the conflict in Gaza, Israel's apartheid, history of Israel, Hamas and its political context, atrocities committed by Israel and why there is a pressing need for a Ceasefire.

THE ORIGINS OF THE PALESTINE PROBLEM & APARTHEID

The origins of the Palestine problem can be traced back to events that took place towards the end of World War I. Due to these circumstances, the League of Nations decided to implement the Mandates System, which placed Palestine under the governance of Great Britain as the Mandatory Power. Although the League's Covenant provisionally recognized Palestine's status as an independent nation, the Mandate was never intended

¹ United Nations. *The Question of Palestine*. <u>https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-</u>

<u>1947/#:~:text=The%20origins%20of%20the%20Palestine,System%20adopted%20by%20the%20League</u>.(Accessed on 22 January 2021).

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to be more than a transitional phase. In actuality, Palestine did not become an independent nation as a result of the Mandate's historical development. Despite the Covenant's provisions, the Mandate decision did not consider the desires of the Palestinian people.

During the period of the mandate, the Zionist Organisation worked to ensure the establishment of a Jewish National Home in Palestine. The native inhabitants of Palestine, whose ancestors had lived there for about two millennia before, believed that this plan violated their inherent and unalienable rights. They also saw it as a violation of the promises of independence that Arab leaders received from the Allied Powers in exchange for their assistance during the conflict. As a result, Palestinian Arabs began to oppose the Mandate more and more, and as the Second World War came to an end, the Jewish community resorted to violence.

The United Nations took on the duty of resolving the Palestine conflict in 1947, and it is still working to do so now. Decades of strife and politico-legal arguments have clouded the basic issues and have obscured the origins and evolution of the Palestine problem.²

<u>1947/#:~:text=The%20origins%20of%20the%20Palestine,System%20adopted%20by%20the%20League</u>.(Accessed on 22 January 2021).

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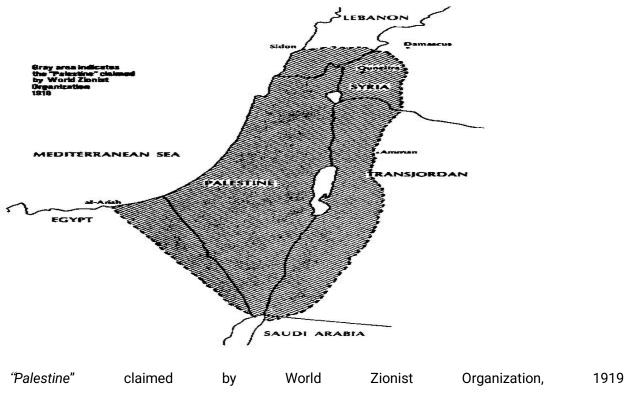




² United Nations. *The Question of Palestine*. <u>https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-</u>



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(Source: Alan R. Taylor, in Abu-Lughod, *The Transformation of Palestine*)

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ISRAEL'S APARTHEID AGAINST PALESTINE

A system of apartheid is an institutionalized regime of oppression and domination by one racial group over another. It is a serious human rights violation which is prohibited in public international law. Israeli authorities enact multiple measures to deliberately deny Palestinians their basic rights and freedoms, including draconian movement restrictions in the OPT, chronic discriminatory underinvestment in Palestinian communities in Israel, and the denial of refugees' right to return.

The dispossession and displacement of Palestinians from their homes is a crucial pillar of Israel's apartheid system. Since its establishment the Israeli state has enforced massive and cruel land seizures against Palestinians, and continues to implement myriad laws and policies to force Palestinians into small enclaves. Since 1948, Israel has demolished hundreds of thousands of Palestinian homes and other properties across all areas under its jurisdiction and effective control.

80% of Israel's state land is essentially off limits to Palestinian leasing. One of the best examples of how Israel's planning and construction policies purposefully exclude

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Palestinians is the situation in the Negev/Naqab region of southern Israel. In an effort to "Judaize" the Negev and Naqab, Israeli authorities have implemented a number of policies since 1948. These include establishing goals for growing the Jewish population and reserving substantial portions of the region as nature reserves or military firing zones. For the tens of thousands of Palestinian Bedouins who reside in the area, this has had disastrous effects.

Thirty-five Bedouin villages, home to about 68,000 people, are currently "unrecognized" by Israel, which means they are cut off from the national electricity and water supply and targeted for repeated demolitions. As the villages have no official status, their residents also face restrictions on political participation and are excluded from the healthcare and education systems. These conditions have coerced many into leaving their homes and villages, in what amounts to forcible transfer. Decades of deliberately unequal treatment of Palestinian citizens of Israel have left them consistently economically disadvantaged in comparison to Jewish Israelis. This is exacerbated by blatantly discriminatory allocation of state resources: a recent example is the government's Covid-19 recovery package, of which just 1.7% was given to Palestinian local authorities.³

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UNITED NATIONS ASSOCIATION

³ Amnesty International. *Israel's apartheid against Palestinians: a cruel system of domination and a crime against humanity.* <u>https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/</u> (accessed on 1 February, 2022)



HISTORY OF ISRAEL

Israel is a small Middle Eastern nation, roughly the size of New Jersey, that shares borders with Egypt, Jordan, Lebanon, and Syria. It is situated on the eastern beaches of the Mediterranean Sea. With a population of over 9 million, the most of whom are Jewish, the country of Israel boasts a complicated history marked by both peaceful and turbulent times, as well as numerous significant religious and archaeological sites that are revered by Christians, Muslims, and Jews.

When one looks at the geographical and geopolitical situation of the twenty-first century, one can hardly believe that the Land of Israel predates 1948, and this was due to World War I. Prior to 1948 There were 600,000 Jews residing there. Roughly one-fifth, or as many as 120,000 Jews, were thought to reside in Jerusalem, the recently anointed capital of the fledgling state. Within the 500-year-old city walls of Jerusalem resided about 2,000 Jews, as they had for several centuries prior, most notably since their return from exile in Babylon in the sixth century BCE. The Ottoman Empire's 400-year rule came to an end with the Allied victory in World War I in 1918, and Great Britain assumed control of what became known as Palestine (modern-day Israel, Palestine and Jordan).

Jews began to organize into a political and religious movement known as Zionism in the late 19th and early 20th centuries. The goal of Zionism was to restore the Jewish homeland in Palestine. Jewish settlers were established in the ancient holy land by large

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numbers of immigrants. In all, around 35,000 Jews moved to Palestine between 1882 and 1903. Between 1904 and 1914, another 40,000 people made the area their home. Fearing persecution during the Nazi era, a large number of Jews from Europe and beyond sought safety in Palestine and converted to Zionism. The creation of an autonomous Jewish state was the main goal of Zionists after the Holocaust and World War II.

Much of the conflict has centred around who is occupying the following land:

- Golan Heights: A rocky plateau between Syria and modern-day Israel.
- West Bank: A territory that divides part of modern-day Israel and Jordan.
- Gaza Strip: A piece of land located between Egypt and modern-day israel.

In May 1948, Israel was officially declared an independent state, which marked the beginning of more violence with the Arabs.⁴

HAMAS: A HISTORICAL AND POLITICAL BACKGROUNG

⁴ History. Israel. <u>https://www.history.com/topics/middle-east/history-of-israel</u> (accessed on 10 October, 2023)

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Hamas (also an Arabic word meaning "zeal") was founded by members of the Muslim Brotherhood and religious factions of the Palestine Liberation Organisation in December 1987, at the start of the Palestinian intifada (Arabic: intifāḍah, "shaking off") uprising against Israeli occupation. The new organization quickly gained a large following. Hamas said in its 1988 charter that it is the religious responsibility of Palestinian Muslims to fight a holy war in order to seize control of Palestine from Israel and that Palestine is an Islamic homeland that can never be given up to non-Muslims.

Early in 2006, the organization won parliamentary elections in the Palestinian territories, upending the secular Fatah party's hegemony over the Palestinian Authority and casting doubt on Fatah's role as the movement's leader. In addition to carrying out multiple rocket and mortar assaults that have injured people, HAMAS carried out a suicide bombing in early 2008, killing one civilian. The organization also refuses to acknowledge or give up physical opposition against Israel. HAMAS is now considered a foreign terrorist organization by the US government. In June 2008, HAMAS and Israel signed a six-month deal that drastically curtailed rocket assaults. After a brief period of quiet, HAMAS started firing rockets again, which sparked a significant Israeli military operation in late December 2008. Following the extensive destruction of HAMAS's infrastructure in the Gaza Strip.

Today, both the European Union and the United States classify Hamas as a terrorist organisation, while others see it as a resistance movement. Over the years, Hamas'

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reliance on armed resistance has ebbed and flowed. But it has remained committed to its fight for Palestinian self-determination.⁵

Atrocities Committed by Israel:

The current ongoing conflict in Gaza, characterised as a war has seen multiple situations in which Israeli forces' actions have caused the casualties of civilians and has had a great adverse effect on the infrastructure of the Gaza strip. This raises multiple concerns to contravention of international humanitarian law.

Targeting Civilians:

Airstrikes in densely populated residential use areas are actions that have been made by Israeli forces have perpetuated the amount of civilian and innocent peoples lives and injuries and severe trauma of civilians. These reports come from reliable and trustworthy organisations such Amnesty International and Human Rights watch that have shed light on these attacks by the Israeli forces. This is as a result of very limited information provide

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⁵ Britannica. Hamas. <u>https://www.britannica.com/topic/Hamas</u> (accessed on 4 April, 2024)



by the very limited journalists on the ground due to further security risks that journalists face as they are also not protected as regular civilians.⁶

Attacks on families and communities: Israel's attack on the Gaza strip goes as far as attacking whole families and communities in residential areas. This further underscores the violation on international law by Israel with regards to war and conflict. Israeli forces conducted airstrikes on residential buildings in Gaza City on October 7 and 10 2023, resulting in significant civilian casualties. On October 7, a three-storey residential building in al-Zeitoun neighbourhood was struck, killing 15 members of the al-Dos family, including seven children. No warning was given, and there were no military targets in the area, suggesting a deliberate attack on civilians, which constitutes a war crime. Similarly, on October 10, an airstrike on a family home killed 12 members of the Hijazi family and four neighbours, including three children. Again, there were no military targets present,

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⁶ Amnesty International report on Israel and Occupied Palestinian Territories: "Israel's military offensive 'Operation Protective Edge' resulted in the death of 1,523 Palestinian civilians, including 519 children, and the injury of 11,231 others, including 3,436 children." <u>https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/israel-and-occupied-palestinian-territories/</u>



indicating another possible war crime. The attacks were sudden and without warning, causing extensive civilian casualties and destruction.⁷



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⁷ Amnesty International "Damning evidence of war crimes as Israeli attacks wipe out entire families in Gaza." <u>https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/</u>



Blockade and Siege:

For the past 17 years, Israel has had a blockade that it placed on the Gaza strip, this blockade has had adverse effects on the area and it has been further condemned multiple times by many multiple international organisation as it has had an impact on civilians that has far reaching implications to human rights. This blockade has restricted the movement and travel of people and goods and thus almost bringing the economy to a stand still further increasing the stability of job security, increasing food insecurity and exacerbating poverty at alarming rates.⁸

⁸: United Nations Office for the Coordination of Humanitarian Affairs (OCHA) report: "The blockade has severely limited imports and exports, devastated Gaza's economy, and led to high unemployment and poverty rates."

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Figure 1The development challenges of Gaza: 2.3 million Palestinians locked in a small area, no way in or out.

Cut to Essentials: The Israeli government has enforced a blockade on Gaza for over a month, severely restricting access to water, fuel, electricity, and essential supplies. This has led to a dire situation where clean water shortages pose a significant risk of infectious disease outbreaks, including cholera and typhoid. The UNRWA reports that children in Gaza are pleading for basic necessities like bread and water.

The Israeli government halted water supply to Gaza on October 7, only partially restoring it to some areas since then. However, the majority of Gaza's population remains without adequate water access. The UN states that over 96 percent of the water in Gaza is unfit for consumption. Wastewater and desalination facilities have been non-operational due to fuel and electricity shortages.

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The blockade has severely impacted healthcare, leading to increased illness and outbreaks of diseases. Healthcare facilities are unable to function properly without clean water, making basic infection prevention measures challenging. Children, in particular, are at high risk of waterborne diseases. Human Rights Watch and UNICEF have expressed concerns over the rising death toll and health crisis among Gaza's population.⁹



⁹ : Human Rights Watch "Israeli Authorities' Cutting of Water Leading to Public Health Crisis in Gaza."

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Figure 2Palestinians stand in line to get water in the city of Rafah in the southern Gaza Strip amid ongoing hostilities between Israeli forces and Palestinian armed groups, November 13, 2023.

The Geneva Convention:

The Geneva Convention of 1949, as a result of efforts by the United Nations provisions for the protection of all humans especially civilians in situations that involve armed conflict and places a significance on upholding the fair and humane treatment of people without any consideration of the persons status in society and also making provision for the prohibition of acts of violence on civilians and civilian infrastructure. This convention was as a result of ensuring that human rights and peace amongst society especially in times of war, as the recent war had outlined a need for internation law and relations to protect civilians.

Protection of Civilians in Times of War:

The Geneva Convention directly and strictly makes provision for the prohibition of purposeful and malicious attacks on civilian persons and civilian infrastructure. The convention ensures to require states or parties to a conflict to particularly make a clear

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distinction between military zones and civilians and to take extra care of duty to ensure that civilians do not get caught in the cross hairs. ¹⁰

Occupied Territories:

Access to essential utilities such as education, humanitarian assistance and healthcare is important in times of conflict as civilians tend to be compromised in that regard. For this reason, the Geneva convention makes provision for the occupying power of a conflict to ensure the protection of the civilian populus and their welfare. This can be outlined as the case in the Gaza conflict, Israel has been acting in a manner that may be seen as contrary to this provision as the Israeli forces have been seen to be making it more difficult for civilians to access essential services.¹¹

The Genocide Convention:

The Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly in 1948, aims to prevent and punish acts of

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¹⁰ International Committee of the Red Cross (ICRC) overview of the Geneva Conventions: "The Fourth Geneva Convention protects civilians during times of war or armed conflict. It prohibits violence to life and person, in particular, murder, mutilation, cruel treatment, and torture."

¹¹ Article 27 of the Fourth Geneva Convention: "Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs."



genocide, defined as actions committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.

Prevention of Genocide: While the conflict in Gaza has not been officially classified as genocide, the principles enshrined in the Genocide Convention underscore the importance of preventing mass atrocities and protecting vulnerable populations from violence and persecution.¹²

Applicability to Conflict in Gaza: The scale of civilian deaths and injuries, as well as the deliberate targeting of civilian infrastructure, raises concerns about potential violations of the Genocide Convention. While intent may vary, the devastating impact on civilian populations necessitates urgent international action to prevent further loss of life and ensure accountability for any violations.

Why a Ceasefire is Required:

Humanitarian Imperative: The ongoing violence in Gaza has led to immense suffering among civilians, including widespread displacement, injuries, and loss of life. A ceasefire

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¹²: United Nations overview of the Genocide Convention: "The Convention defines genocide as acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group."



is necessary to alleviate humanitarian suffering and provide relief to affected populations, allowing for the delivery of essential humanitarian aid and access to medical care.¹³

Promotion of Peace and Stability: A sustainable ceasefire in Gaza is essential for rebuilding trust, facilitating humanitarian assistance, and creating an environment conducive to long-term peace negotiations. Ceasing hostilities is a crucial step towards de-escalating tensions and fostering dialogue between conflicting parties, with the ultimate goal of achieving a just and lasting peace.

Regional Stability and Security: The conflict in Gaza has broader implications for regional stability and security. Escalating violence in Gaza can have destabilizing effects on neighbouring countries and the wider region, exacerbating tensions and fuelling radicalization and extremism. A ceasefire is essential to prevent the spread of conflict and promote stability and security in the region.¹⁴

¹⁴ International Monetary Fund Blog "Middle East Conflict Risks Reshaping the Region's Economies"

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¹³ United Nations statement on Gaza: "A ceasefire is urgently needed to protect civilians and allow humanitarian aid to reach those in need."