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# COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE

## BACKGROUND GUIDE 2015

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Written By: Alice Bauer, Alfie Jones, M. Ismail Dogar



# NATIONAL MODEL UNITED NATIONS





# THE 2015 NATIONAL MODEL UNITED NATIONS

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Dear Delegates,

We are pleased to welcome you to the 2015 National Model United Nations Conference New York (NMUN•NY)! This year's Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) staff is: Directors Alice Bauer (Conference A) and Alfred Jones (Conference B). This is Alice's third year on staff. She is a Master's student in Business Economics from Germany and holds a Bachelor's degree in Management and Economics. Currently, Alice works as a research assistant at her university and as a student assistant in the field of machinery and plant engineering. Alfie graduated from the University of Bristol with a Master's degree in History in 2013. He now works at [kayak.com](http://kayak.com) as a localization specialist. This is his third year on NMUN staff.

The topics under discussion for CEIRPP are:

- I. International Action for the Release of All Palestinian Political Prisoners
- II. Strengthening Partnerships with Civil Society
- III. Promoting Cooperation through Shared Water Resources

CEIRPP is a United Nations committee that addresses international matters related to the Question of Palestine and the analysis of the human rights situation of the Palestinian people. The issues of the occupied Palestinian territory, peace and security, as well as the recognition and exercise of the inalienable rights of the Palestinian people shall be resolved through diplomacy. At the Conference, CEIRPP is a report, rather than a resolution, writing committee. For the purposes of NMUN•NY 2015 and the educational mission of the Conference, we hope to see the diplomatic spirit in your position papers and draft report segments during the simulation.

We hope you will find this Background Guide useful as an introduction to the topics for this committee. It is not meant to replace further research. We highly encourage you to explore your countries' policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge of these topics.

In preparation for the Conference, each delegation will submit a [position paper](#). Please take note of all [NMUN policies](#) on the website and in the [Delegate Preparation Guide](#), particularly those regarding plagiarism, conduct, dress code, sexual harassment, and evaluation method. Adherence to all guidelines is mandatory.

The [NMUN Rules of Procedure](#) are available to download from the NMUN website. This document includes the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure. It is thus an essential instrument in preparing for the conference, and a reference during committee.

If you have any questions concerning your preparation for the Committee or the Conference itself, feel free to contact the Under-Secretaries-General for Human Rights and Humanitarian Affairs, Andrea Wong (Conference A) and Rubai Aurora (Conference B). You can reach either USG at: [usg\\_hr\\_ha@nmun.org](mailto:usg_hr_ha@nmun.org).

We wish you all the best with your preparation and look forward to seeing you at the Conference!

Sincerely,

**Conference A**

Alice Bauer, *Director*

**Conference B**

Alfred Jones, *Director*



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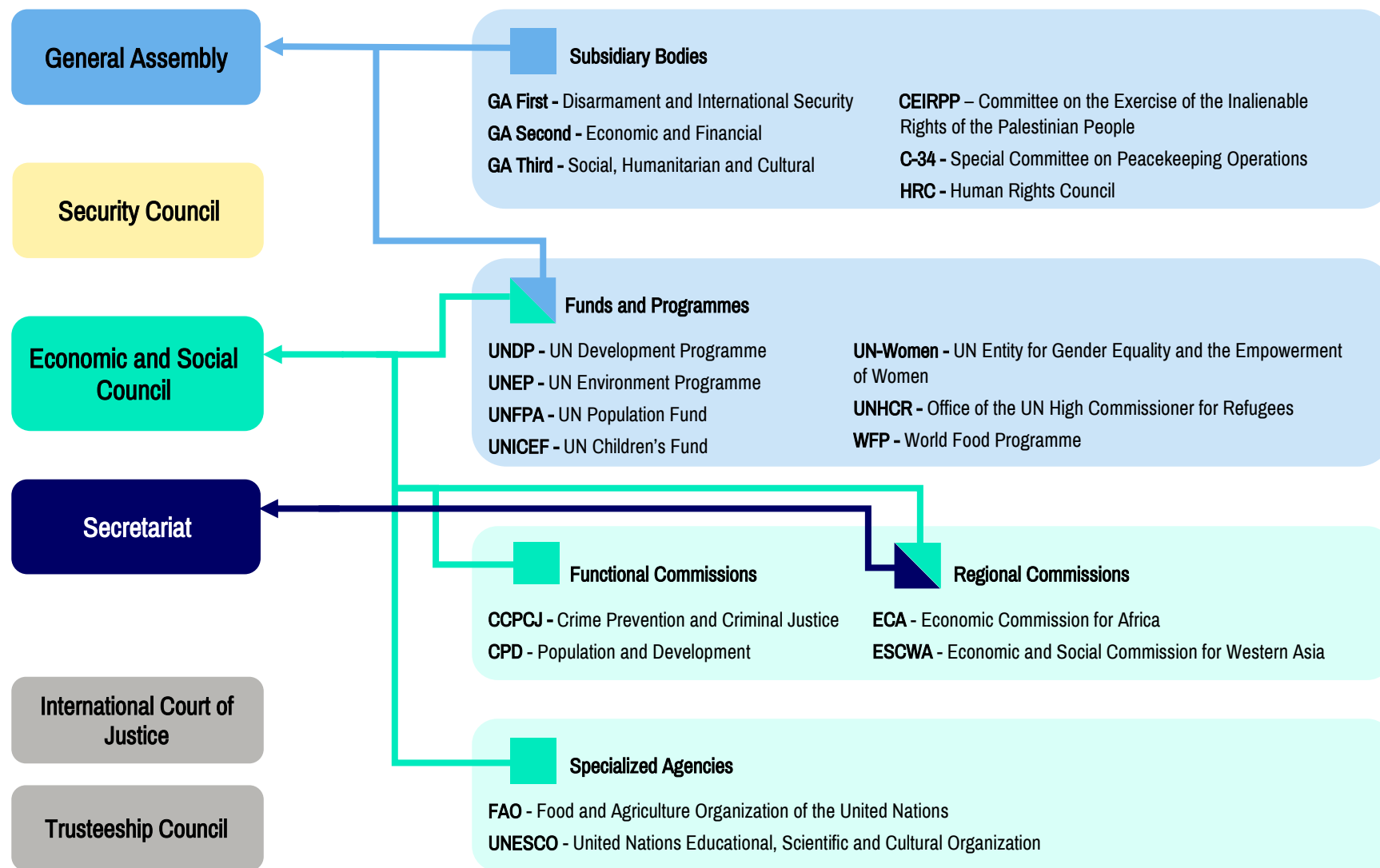
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## Abbreviations

<b>CAT</b>	Convention against Torture
<b>CCDP</b>	Center on Conflict, Development, and Peacebuilding
<b>CEIRPP</b>	Committee on the Exercise of the Inalienable Rights of the Palestinian People
<b>CESR</b>	Center for Economic and Social Rights
<b>CSO</b>	Civil society organization
<b>DCI</b>	Defense for Children International
<b>DPA</b>	Department for Political Affairs
<b>DPI</b>	Department for Public Information
<b>DPR</b>	Division for Palestinian Rights
<b>ECOSOC</b>	Economic and Social Council
<b>FoEME</b>	Friends of the Earth Middle East
<b>GA</b>	General Assembly
<b>GDP</b>	Gross Domestic Product
<b>HRC</b>	Human Rights Council
<b>ICC</b>	International Criminal Court
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>IYSPP</b>	International Year of Solidarity with the Palestinian People
<b>JWC</b>	Joint Water Committee
<b>MDG</b>	Millennium Development Goals
<b>NDC</b>	NGO Development Centre
<b>NGO</b>	Non-governmental organization
<b>OCHA</b>	Office for Coordination of Humanitarian Affairs
<b>PHG</b>	Palestine Hydrology Group
<b>PLO</b>	Palestinian Liberation Organization
<b>SDG</b>	Sustainable Development Goals
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Programme
<b>UNEP</b>	United Nations Environment Programme
<b>UNICEF</b>	United Nations Children’s Fund
<b>UNISPAL</b>	United Nations Information System on the Question of Palestine
<b>UNPFP</b>	United Nations Platform for Palestine
<b>UNRWA</b>	United Nations Relief and Works Agency for Palestine Refugees in the Near East
<b>UNSCOP</b>	United Nations Special Committee on Palestine
<b>WASH</b>	Water, Sanitation and Hygiene Program
<b>WFP</b>	World Food Programme
<b>WHO</b>	World Health Organization
<b>YMCA</b>	Young Men’s Christian Association

## United Nations System at NMUN·NY

This diagram illustrates the UN System simulated at NMUN·NY. It shows where each committee “sits” within the system, to help understand the reportage and relationships between the entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee's position, purpose and powers within the UN System.





## Committee Overview

### Introduction

Adopted in 1947, United Nations General Assembly (GA) resolution 181 called for the partition of Palestine into two separate states, one Arab and one Jewish.<sup>1</sup> To this day, Arab Palestinians remain without a state, and the protracted and ongoing violence and instability in the region makes the longest running occupation of modern times.<sup>2</sup> This overview provides a background on the history, mandate, structure, functions, and powers of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP), before discussing current priorities and recent sessions of the committee.

The **Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP)** is a subsidiary body, reporting to the General Assembly. The Division for Palestinian Rights (DPR) serves as the secretariat for the Committee, implementing many of its decisions and supporting its efforts to fulfil its mandate.

### History

In 1919, *The Mandates System* was set up by the League of Nations, the precursor to the United Nations (UN), designed to apply and safeguard the well-being and development of peoples “not yet able to stand by themselves” after the First World War.<sup>3</sup> It established authority for “advanced nations” to administer a non self-governing territory that “as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them,” until the area in question was ready for statehood or self-government.<sup>4</sup> Following the First World War, the United Kingdom controlled the territory of Palestine, and administered it as a Mandate from 1918.<sup>5</sup> From the late 19<sup>th</sup> century, Zionist emigration from Europe increased and the Jewish population swelled.<sup>6</sup> Throughout the 1920s, 1930s, and 1940s, violence escalated between Palestinians and Jews living in the territory.<sup>7</sup> In 1947, in response to the violence, Britain requested that the UN set up the United Nations Special Committee on Palestine (UNSCOP), which was mandated to “ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine.”<sup>8</sup> However, from the outset UNSCOP was hindered by non-cooperation. The Arab Higher Committee was the main executive body for Palestinian Arabs living under the British Mandate at that time.<sup>9</sup> It felt that Arab Palestinian rights were self evident under the *Charter of the United Nations* (1945), and did not need further investigation or justification by an additional committee.<sup>10</sup> It also argued that UNSCOP was not considering the forced repatriation of Jews from Palestine, and felt religious interests were overshadowing national interests.<sup>11</sup> For these reasons, the Arab Higher Committee refused to engage with UNSCOP, and encouraged all Palestinians not to do so.<sup>12</sup>

Ultimately, based on UNSCOP’s findings, the General Assembly recommended the partition of British Mandate Palestine into two states, one Jewish, and one Palestinian.<sup>13</sup> The violence and unrest that occurred after Israel declared independence in 1948 led to the displacement of over 700,000 Palestinians.<sup>14</sup> International intervention resulted in Egypt establishing control of the Gaza strip, Jordan control of the West Bank and Jerusalem split between

<sup>1</sup> UN General Assembly, *The Future Government of Palestine (A/RES/181)*, 1947.

<sup>2</sup> Jews for Justice for Palestinians, *Longest running occupation in the world is entering its 46<sup>th</sup> year amidst deafening silence*, 2012.

<sup>3</sup> League of Nations, *The Mandates System (LoN/1945/VI.A.1)*, 1945, art. 1.

<sup>4</sup> League of Nations, *The Mandates System (LoN/1945/VI.A.1)*, 1945, art. 2; Negar, *Point of View: A History of the Israeli/Palestinian Conflict*, 2001, p. 1.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> UN General Assembly, *Special Committee on Palestine (A/RES/106)*, 1947.

<sup>9</sup> Encyclopedia Britannica, *Amin al-Husayni*.

<sup>10</sup> UN General Assembly, *Transmission by the Secretary-General of a cable dated 13 June 1947 from the Arab Higher Committee to the Secretary-General concerning collaboration with the Special Committee (A/AC.13/NC/16)*, 1947.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> UN General Assembly, *Future Government of Palestine (A/RES/181)*, 1947.

<sup>14</sup> Negar, *Point of View: A History of the Israeli/Palestinian Conflict*, 2001, p. 2.

Israeli and Jordanian control.<sup>15</sup> In 1967, Israel, acting on intelligence that the Arab States were preparing an attack, launched a pre-emptive strike on Jordan and Egypt, quickly winning the “six-day war” and seizing the West Bank and Gaza strip.<sup>16</sup> In defiance of international law, Israel began building settlements in this newly occupied territory, and has continued to do so ever since.<sup>17</sup> By 1975, the GA had noted in resolution 3376, “The Question of Palestine,” with “grave concern” that no progress had been made either to establish a sovereign Palestinian state, or to establish the conditions by which Palestinians could exercise their “inalienable rights,” including the “right of return to their homes and property.”<sup>18</sup> In the same resolution the decision was made to establish CEIRPP, as a body exclusively dedicated to the pursuing of Palestinian rights.<sup>19</sup>

### ***Mandate***

In the original mandate, the General Assembly instructed members of CEIRPP to make recommendations to the GA and other UN bodies on measures to help the Palestinians realize their rights and authorized it to reach out to all states, intergovernmental organizations and the Palestinian Liberation Organization (PLO) to gather information to support their findings.<sup>20</sup> Over time, as renewed by the General Assembly, this mandate has evolved and expanded. Central to the mandate is the right to self-determination, nationhood and the exercise of inalienable human rights, including the right of return.<sup>21</sup> However, much has been added, including an acknowledgment that the UN has a responsibility to address the Palestinian question until it is resolved, a commitment to the two-state solution and perhaps most significantly, the instruction to “mobilize international support and solidarity” for the Palestinian cause.<sup>22</sup> It is still mandated to collaborate with states and intergovernmental organizations, particularly civil society.<sup>23</sup> The Committee has built a network with over 1000 civil society organizations, which enables it to reach a wider international audience.<sup>24</sup> Every year, each society must report back on its activities to CEIRPP, and once every four years, they must submit a formal report on their activities related to the question of Palestine.<sup>25</sup>

### ***Governance, Structure, and Membership***

The following Member States are full members of the committee: Afghanistan, Belarus, Bolivia, Cuba, Cyprus, Ecuador, Guinea, Guyana, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Namibia, Nicaragua, Nigeria, Pakistan, Senegal, Sierra Leone, South Africa, Tunisia, Turkey, Ukraine and Venezuela.<sup>26</sup> In addition, there are a number of observers to the committee. They are Algeria, Bangladesh, Bulgaria, China, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Niger, Qatar, Saudi Arabia, Sri Lanka, Syrian Arab Republic, United Arab Emirates, Viet Nam, Yemen, State of Palestine, African Union, League of Arab States, and Organization of Islamic Cooperation.<sup>27</sup>

The membership of CEIRPP is determined by the GA, which must approve and elect any state that wishes to become a full member.<sup>28</sup> Only full members can vote on the reports that CEIRPP produces, but the committee has a long standing policy that any state or body wishing to participate as an observer is free to do so.<sup>29</sup> There is no formal

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<sup>15</sup> Negar, *Point of View: A History of the Israeli/Palestinian Conflict*, 2001, p. 2.

<sup>16</sup> *Ibid.*, p. 3.

<sup>17</sup> Negar, *Point of View: A History of the Israeli/Palestinian Conflict*, 2001, p. 3; Charbonneau, *Israel's settlement plans cast doubt on peace commitment: UN*, 2014.

<sup>18</sup> UN General Assembly, *Committee of the Exercise of the Inalienable Rights of the Palestinian People (A/RES/3376)*, 1975.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> UN General Assembly, *Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/68/12)*, 2013.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> UN CEIRPP, *Civil Society and the Question of Palestine*.

<sup>25</sup> *Ibid.*

<sup>26</sup> UN CEIRPP, *Homepage*, 2014.

<sup>27</sup> *Ibid.*

<sup>28</sup> UN General Assembly, *Enlargement of the membership of the Committee for the Exercise of the Inalienable Rights of the Palestinian People (A/DEC/62/553)*, 2008.

<sup>29</sup> UN General Assembly, *Report of the Committee for the Exercise of the Inalienable Rights of the Palestinian People (A/66/35)*, 2011.

provision within the *Charter of the United Nations* regarding the functions of observer states, their rights are based on custom and practice alone.<sup>30</sup> Generally, however, they are free to speak and participate in committee meetings.<sup>31</sup>

### ***Functions and Powers***

The powers and functions of CEIRPP are focused on directing executive actions and initiatives to be implemented by Division for Palestinian Rights (DPR), which provides substantive and administrative support to the work of the committee.<sup>32</sup> To implement its mandate, the Committee is authorized to mobilize international support and assistance for the Palestinian people, including capacity-building; hold conferences and meetings to raise awareness; and promote dialogue and action between all stakeholders in support of inalienable rights.<sup>33</sup>

The DPR was established in 1977 as part of the United Nations Department for Political Affairs (DPA) specifically to support the work of CEIRPP.<sup>34</sup> The work of the DPR includes organizing conferences, maintaining contacts and communication with various civil society organizations, organizing events for the International Day of Solidarity with the Palestinian People, preparing and disseminating written studies on the situation in Palestine and maintaining the online United Nations Information System on the Question of Palestine (UNISPAL).<sup>35</sup> DPR is also intimately involved with the actual governance of the Occupied Palestinian Territories. For example, it runs an annual governance training day for staff working for the Palestinian Authority.<sup>36</sup> The DPR works closely with the UN Department for Public Information (DPI), particularly in regards to raising international awareness and support for the cause of Palestinian rights, mainly through the dissemination of reports or related documents.<sup>37</sup>

The Committee is responsible for drafting and submitting an annual report to the GA.<sup>38</sup> The annual report is a comprehensive document that reiterates the mandate of the committee, before going on to review the current situation in Palestine, gives a summary of action taken by CEIRPP and DPR, before making conclusions and recommendations.<sup>39</sup> Every year, the GA endorses this report, and urges the UN system to act on its findings.<sup>40</sup> The 2013 report endorsed the 2012 vote according Palestine Non-Member Observer State status at the UN; it also condemned the Israeli response, which included the swift approval of new settlement units in the occupied territories, and the suspension of transfer payments to the Palestinian Authority.<sup>41</sup> The report also lamented that Palestinian state-building efforts are held back by a large budget deficit, and urged donor countries to meet their obligations.<sup>42</sup> The report also welcomed the resumption of peace talks under United States mediation.<sup>43</sup> In addition to the GA, CEIRPP makes recommendations to the United Nations Security Council in a similar report format.<sup>44</sup>

Finally, CEIRPP and DPR work closely with civil society, for whom there are both formal and informal avenues for engagement. Formally, civil society organizations can become accredited to the committee, and enjoy an official, institutional relationship in order attend meetings of CEIRPP, and take part in debates.<sup>45</sup> To be accredited to the committee an organization must fulfill several criteria. First, they must be a non-profit organization officially recognized at either the local, national, or international level; they must formally endorse the *Charter of the United Nations*; respect international law; and demonstrate a commitment to the inalienable rights of the Palestinian people,

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<sup>30</sup> United Nations, *About Permanent Observers*.

<sup>31</sup> Ibid.

<sup>32</sup> UN Division for Palestinian Rights, *Homepage*, 2014.

<sup>33</sup> UN General Assembly, *Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/66/14)*, 2011.

<sup>34</sup> UN General Assembly, *Question of Palestine (A/RES/32/40 (A+B))*, 1977.

<sup>35</sup> UN Division for Palestinian Rights, *About UNISPAL*, 2014.

<sup>36</sup> UN Department of Political Affairs, *Division for Palestinian Rights*, 2014.

<sup>37</sup> Permanent Observer Mission of the State of Palestine to the United Nations, *The United Nations Division for Palestinian Rights*.

<sup>38</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/68/35)*, 2013.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> UN CEIRPP, *Civil Society and the Question of Palestine*.



particularly the right to national self-determination.<sup>46</sup> Primarily, the process of accreditation establishes links with non-governmental organizations (NGOs) but also promotes partnerships with churches, trade unions, charities, academic institutions and professional organizations.<sup>47</sup>

In 2013, DPR reactivated the Working Group on cooperation with civil society.<sup>48</sup> Named the United Nations Platform for Palestine (UNPfp), it aims to bring together more than 1,000 organizations and provides them with an opportunity to “inform, share, and mobilize” across the world in support of Palestinian rights.<sup>49</sup> This new platform places particular focus on social media, and their homepage contains direct links to sites like Facebook and Twitter.<sup>50</sup> UNPfp also aims to foster communication and cooperation between civil society groups and the UN system, including CEIRPP, the United Nations Office for Coordination of Humanitarian Affairs (OCHA), United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), United Nations Development Programme (UNDP), World Food Programme (WFP), and many others.<sup>51</sup>

### ***Current Priorities***

UN General Assembly resolution 68/35 endorsed CEIRPP’s 2013 report, reaffirmed its mandate and further proclaimed 2014 to be the *International Year of Solidarity with the Palestinian People* (IYSPP) in order to highlight the ongoing struggle to achieve Palestinian rights.<sup>52</sup> CEIRPP was requested to organize activities alongside governments, international organizations, UN entities, and civil society.<sup>53</sup> The purpose of the IYSPP is to promote solidarity with the Palestinian people and to raise awareness on the situation in Palestine regarding to barriers to the peace process such as settlements and the blockade of Gaza.<sup>54</sup> Further, to mobilize global public opinion and public action in support of a negotiated, fair, comprehensive and peaceful solution to the question of Palestine.<sup>55</sup> Events thus far have included a UN meeting of civil society in support of Israeli-Palestinian peacebuilding in Quito, a joint meeting of CEIRPP and the Arab League in Cairo, a round-table discussion of the legal aspects of the Palestinian question in Geneva, and a seminar on assistance to the Palestinian people in Nairobi.<sup>56</sup> Most recently, CEIRPP hosted an event presided over by Professor Noam Chomsky, on the prospects of resolving the Israeli-Palestinian conflict.<sup>57</sup>

### ***Recent Sessions***

The most recent sessions of CEIRPP focused on the ongoing violence between Israel and Hamas in Gaza. On 11 July 2014, the committee released a statement condemning “in the strongest possible terms, the excessive and disproportionate use of force by the Israeli occupying forces.”<sup>58</sup> The committee condemned the “indiscriminate rocket fire” from Gaza, but added that these attacks do not justify what amounts to “collective punishment.”<sup>59</sup> The statement also indicated that the committee would support the State of Palestine if it decided to sign the Rome Statute and join the International Criminal Court (ICC).<sup>60</sup> Such a move would allow Palestine to call for an ICC investigation into alleged war crimes by Israel in the Occupied Territories, although Hamas could also be investigated.<sup>61</sup> The committee released a further statement ten days later, reiterating the above points but adding support for peace initiatives led by Ban Ki-moon and Mahmoud Abbas, as well as urging the United Nations Human

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<sup>46</sup> UN CEIRPP, *Civil Society and the Question of Palestine*.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> UN Platform for Palestine, *Welcome Page*.

<sup>50</sup> Ibid.

<sup>51</sup> UN Platform for Palestine, *Partner UN Entities*.

<sup>52</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/68/35)*, 2013.

<sup>53</sup> Ibid.

<sup>54</sup> UN CEIRPP, *International Year of Solidarity with the Palestinian People 2014*.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> UN CEIRPP, *Statement on situation in the Gaza Strip*, 2014.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> *Palestinian leaders poised to join ICC in order to pursue Israel for war crimes*, The Guardian, 2014.

Rights Council (HRC) to conduct an international investigation into alleged atrocities.<sup>62</sup> The statement also called on the international community to contribute towards the emergency appeal from UNRWA to support emergency assistance and shelter in the area.<sup>63</sup> UNRWA faces major challenges in aid delivery with only 12,500 staff in Gaza, mostly local volunteers; many of them were killed or injured in Israeli attacks.<sup>64</sup> Further, UNRWA operates on a very low budget and requires an additional \$47 million to improve basic living conditions in Gaza, purchase temporary accommodation for displaced persons and repair doors and windows before winter sets in.<sup>65</sup>

### ***Conclusion***

The very existence of CEIRPP acknowledges that the UN has a historic responsibility to help the Palestinian people realize their human rights. Palestine's upgraded status at the UN, and last year's *International Year of Solidarity with the Palestinian People*, have increased the momentum of this cause. However, the committee is faced with many challenges to fulfill its mandate. On the ground in the Occupied Territories, fundamental Palestinian rights, like the right to self-determination, and to return to their homes, remain elusive. The fragile nature of the peace process, and sporadic, ruinous violence has made negotiations difficult. This being said, CEIRPP has a duty to rise up above these challenges and work collaboratively with its NGO partners in the spirit of the UN to produce meaningful, well-constructed contributions to the debate on how best to achieve the realization of the inalienable rights of the Palestinian people. This year, the Committee will be discussing International Action for the Release of All Palestinian Prisoners, Strengthening Partnerships with Civil Society, and Promoting Cooperation through Shared Water Resources.

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<sup>62</sup> UN CEIRPP, *Committee strongly condemns ongoing Israeli military operation in Gaza*, 21 July 2014.

<sup>63</sup> Ibid.

<sup>64</sup> UNRWA, *There is crying need for financial support in Gaza, commissioner-general tells Arab League foreign ministers*, 2014.

<sup>65</sup> U Ibid.

## Annotated Bibliography

United Nations, Division for Palestinian Rights. *Homepage* [Website]. Retrieved 12 July from <http://unispal.un.org/unispal.nsf/div.htm?OpenForm>

*This is the homepage for DPR, CEIRPP's secretariat. It is important for delegates to familiarize themselves with the work of the DPR in order to more fully understand how decisions, requests and recommendations made in CEIRPP translate into tangible results and achievements. DPR organizes conferences, liaises with civil society, and disseminates reports and studies carried out by CEIRPP. In order to draft realistic responses it is important to, explore the DPR website for examples of how CEIRPP's instructions are interpreted and carried out in the real UN system.*

United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People. (2014). *Draft Program of work for 2014*. Retrieved 11 July 2014 from:

<http://unispal.un.org/unispal.nsf/634ea0efe460133c852570c0006d53f2/515eaa8805bbb39185257c6700502df4?OpenDocument>

*This is the 2014 program of work for CEIRPP, which maps out the key thematic issues and priorities for the year ahead. It contains an update on the situation in the occupied territories, particularly East Jerusalem, the priorities of the committee for the next year, upcoming action by the committee, details of conferences and meetings it intends to organize, details of liaisons with civil society organizations, and much more. It is a comprehensive guide to the actual intentions and priorities of CEIRPP, which delegates should consider as they write their position papers and prepare for the conference.*

United Nations, General Assembly, Sixty-eighth session. (2013). *Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/68/12)* [Resolution]. Retrieved 11 July 2014 from:

<http://unispal.un.org/unispal.nsf/c02a4595a6de2b2685257a8d004cd252/1860b97af34a2b2e85257c6100582b4c?OpenDocument>

*This resolution is the most recent renewal of the mandate of CEIRPP. This document provides an in-depth and comprehensive understanding of the mandate of the committee. As well as setting out CEIRPP's mandate, and highlighting the main tasks that the GA has set for CEIRPP this year, it also references other resolutions and initiatives surrounding the Middle East peace process, such as the Quartet Road Map, which delegates should look into further on their own initiative. This resolution also proclaimed 2014 to be the Year of International Solidarity with the Palestinian People. As such, it provides an ideal starting point for more research.*

United Nations, General Assembly, Sixty-eighth session. (2013). *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/68/35)*. Retrieved 11 July 2014 from:

<http://unispal.un.org/unispal.nsf/22ac1c448107b874852578f8006157d0/1683866093dc836585257c13004ade86?OpenDocument>

*CEIRPP is a report-writing committee. As such, it could be argued that the writing and presenting of their annual report to the General Assembly is its single most important function. This is the 2013 report, and includes a review of the situation in Palestine, a summary of action taken by the committee, including action done in cooperation with the Department of Public Information, and a section on conclusions and recommendations. Delegates should read this report, not only for the comprehensive insight to the workings of the committee which it provides, but also for an indication of the style and tone of work produced by CEIRPP.*

United Nations Platform for Palestine. (2013). *Welcome* [Website]. Retrieved 20 October 2014 from:

<http://unpfp.un.org/home.html>

*This is the homepage of Platform for Palestine, the working group activated by the DPR in order to foster increased communication and cooperation among civil society groups, and between civil society and various organs of the UN. It is an interactive platform designed to make it easier for groups to share information and mobilize support for campaigns they are running related to Palestinian rights. The hope is that by working together, non-governmental organizations and the UN can increase their impact. This site is an example of how UN engagement with civil society in order to mobilize support, something CEIRPP is mandated to do, can work in practice.*

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## I. International Action for the Release of all Palestinian Political Prisoners

*“Since the beginning of the Israeli occupation in 1967, at least 750,000 Palestinian civilians have been arrested, detained and imprisoned by Israel. Currently, thousands of Palestinians are held in political detention by Israel, including children, women and elected officials. The Bureau is alarmed by credible well-documented reports of the systematic abuse; mistreatment; medical neglect; denial of due process, legal assistance and visits; arbitrary detention; humiliation; and torture to which Palestinian prisoners are subjected on a daily basis at the hands of the Israeli occupying forces, in blatant contravention of international humanitarian and human rights instruments, including the Geneva Convention.”*<sup>66</sup>

### Introduction

Palestinians define political prisoners as any person “who has been arrested [...] for an act carried out on ideological grounds to advance Arab Palestinian national liberation.”<sup>67</sup> Since 1967, citing political-national reasons, Israel has detained thousands of Palestinians from the West Bank and the Gaza Strip, as well as Palestinians living in Israel, Syria, Lebanon, Jordan and Egypt.<sup>68</sup> According to Israeli military forces, detention of Palestinians is necessary in certain cases to maintain security and public order.<sup>69</sup> Even though article 76 of the *Geneva Convention relative to the Protection of Civilian Persons in Time of War* (1949) prohibits transferring prisoners from occupied territories or any other country, Israel military power does not act according to the convention but proclaims that according to Israeli law, residents from occupied territories can be moved to Israel.<sup>70</sup> According to data released by Addameer in May 2014, there are 5271 Palestinian political prisoners under Israeli detention.<sup>71</sup> Among them are 17 female prisoners and most seriously 196 children of which 27 are under the age of 16.<sup>72</sup> It is assumed that at least one fifth of Palestinians living in the occupied Palestinian territory (oPT) have been arrested and held in 23 Israel prisons and detention centers.<sup>73</sup> Most prisoners did not have a trial or are held under administrative detention, which is a military procedure that allows authorities to hold suspects in detention centers indefinitely.<sup>74</sup>

The Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP), which considers Palestinian political prisoners a core priority, is eager to have all “all remaining Palestinian political prisoners, particularly children, women, the sick and legislators” released “immediately and unconditionally.”<sup>75</sup> CEIRPP has welcomed the release of Palestinian political prisoners pursuant to the *Oslo I Accord* (1993), which has enhanced the peace process and encouraged future relations between Palestinians and Israelis.<sup>76</sup> To date, three rounds of prisoner releases have taken place, with the most recent occurring in December 2013.<sup>77</sup> However, given the large number of prisoners still in Israeli detention, a significant part of CEIRPP’s work remains focused on the situation of Palestinian political prisoners and their role in the peace process between Israel and Palestine.<sup>78</sup>

The issue of political imprisonment is one of the most important topics for Palestinians, and “former freed prisoners have said that it is not possible to reach a peace settlement between Palestinians and Israelis without ending the issue of prisoners forever.”<sup>79</sup> In 2004, Yasser Arafat called for the release all political prisoners, without which there

<sup>66</sup> CEIRPP, *Statement by the bureau of Committee on Exercise of inalienable rights of Palestinian people on situation of Palestinian prisoners in Israeli prisons (GA/PAL/1211)*, 2011.

<sup>67</sup> Baker, *Palestinian Political Prisoners*, 2011, p. 100.

<sup>68</sup> Baker, *Palestinian Political Prisoners*, 2011, p. 100; CEIRPP, *Statement by the Bureau of CEIRPP on situation of Palestinian prisoners in Israeli prisons (GA/PAL/1211)*, 2011.

<sup>69</sup> Baker, *Palestinian Political Prisoners*, 2011, p. 100.

<sup>70</sup> *Ibid.*, p. 102.

<sup>71</sup> Addameer, *Prisoner Support and Human Rights Association – Our Work*, 2014.

<sup>72</sup> *Ibid.*

<sup>73</sup> *Ibid.*

<sup>74</sup> Hussein, *Palestinian political prisoners pay the price of freedom*, 2014.

<sup>75</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>76</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014; Addameer, *Reaching the ‘No-Peace’ Agreement: The Role of Palestinian Prisoner Releases in Permanent Status Negotiations*, 2009, p. 8.

<sup>77</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>78</sup> Addameer, *Reaching the ‘No-Peace’ Agreement: The Role of Palestinian Prisoner Releases in Permanent Status Negotiations*, 2009, p. 8; CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>79</sup> Hussein, *Palestinian political prisoners pay the price of freedom*, 2014.

would be no peace in the occupied Palestinian territories (oPT).<sup>80</sup> According to Israeli authorities, political prisoners play an instrumental role, especially in term of political events such as release talks and the overall peace process in the region.<sup>81</sup> Furthermore, the topic of Palestinian political prisoners unites the different Palestinian groups, namely Fatah and Hamas, despite their significant differences in ideology and sponsorship.<sup>82</sup>

Since June 2014, the conflict between Israelis and Palestinians has escalated.<sup>83</sup> Three Israeli teenagers vanished in mid-June and their bodies were found in the beginning of July 2014.<sup>84</sup> Consequently, Israeli forces engaged in air and land strikes against the oPT.<sup>85</sup> By 1 July 2014, seven Palestinians, including one Palestinian teenager, had been killed.<sup>86</sup> On 12 August 2014, United Nations (UN) Secretary-General Ban Ki-moon deplored the situation and attributed the crisis to “the lack of will of the parties concerned. . . . They simply have not listened to the voices of reason and they have not cared [for] their own people. In the name of protecting their own people, they have been letting their people be killed by others.”<sup>87</sup> He stressed that the ongoing destruction in the region is intolerable and called for a peaceful settlement.<sup>88</sup> Securing the freedom of Palestinian political prisoners would represent a significant step towards ceasefire and peaceful settlement of the Israeli-Palestinian conflict.<sup>89</sup>

### ***International and Regional Framework***

The *Geneva Conventions* (1949) were created after the Second World War as a direct reaction to the catastrophic loss of human life, especially that of non-combatants.<sup>90</sup> The four conventions sought to rectify the failure of international humanitarian law of the time, and are the contemporary foundation of humanitarian law, especially as it pertains to victims of conflict.<sup>91</sup> The rights of the political prisoner are outlined specifically in the *Geneva Convention relative to the Treatment of Prisoners in War* (1949), known as the *Third Geneva Convention*.<sup>92</sup> The 143 articles in this document contain numerous provisions on who is categorized as a prisoner of war and the rights that are guaranteed to them while under detention.<sup>93</sup> Article 3 states that people who are not taking an active part in hostilities should be treated humanely, “with no adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria.”<sup>94</sup> Article 3 also explains how non-combatants should not be treated.<sup>95</sup> Their lives need to be protected and the article prohibits mutilation and the taking of hostages; it also forbids parties from conducting humiliating treatment, as well as the passing of sentences and executions without a fair trial conducted in a proper constitutional court.<sup>96</sup>

The *Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)* (1949) contains several notable provisions regarding non-combatant persons that have been detained.<sup>97</sup> According to article 76, protected people that are arrested and accused of crimes committed can be detained only within the occupied country, and must be given fair and adequate treatment.<sup>98</sup> Furthermore, under article 78, civilians that are deemed a potential security risk by the occupying power can, at most, be subjected to internment or an assigned residence.<sup>99</sup> Individuals who are required to leave their homes must be given the opportunity to find either paid,

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<sup>80</sup> Addameer, *Reaching the ‘No-Peace’ Agreement*, 2009, p. 4.

<sup>81</sup> *Ibid.*, pp. 4-5.

<sup>82</sup> Foundation for Defense of Democracies, *Hamas vs. Fatah: The Palestinian Civil War*, 2012.

<sup>83</sup> UN DPI, *UN urges ‘maximum restraint’ as tensions rise after missing Israeli teens found dead*, 2014.

<sup>84</sup> *Ibid.*

<sup>85</sup> *Ibid.*

<sup>86</sup> *Ibid.*

<sup>87</sup> UN Secretary-General Ban Ki-moon, *Off-the-cuff: Secretary-General’s remarks at press encounter*, 2014.

<sup>88</sup> UN DPI, *As latest ceasefire holds in Gaza, Ban urges both sides to address root causes of conflict*, 2014.

<sup>89</sup> *Ibid.*

<sup>90</sup> International Committee of the Red Cross, *Address by Philip Spoerri, Director of International Law, ICRC*, 2009.

<sup>91</sup> *Ibid.*

<sup>92</sup> *Ibid.*

<sup>93</sup> *Geneva Convention relative to the Treatment of Prisoners of War*, 1949, art. 4.

<sup>94</sup> *Ibid.*, art. 3.

<sup>95</sup> *Ibid.*, art. 3.

<sup>96</sup> *Ibid.*, art. 3.

<sup>97</sup> *Geneva Convention relative to the Protection of Civilian Persons in Time of War*, 1949.

<sup>98</sup> *Ibid.*, art. 76.

<sup>99</sup> *Geneva Convention relative to the Protection of Civilian Persons in Time of War*, 1949, art. 78.

meaningful employment or financial support as written in article 39.<sup>100</sup>

There has been much debate regarding the expansion of who can be considered a prisoner of war, especially as it pertains to the Israeli-Palestinian conflict.<sup>101</sup> This debate, as it relates to political prisoners, is due to what defines political prisoners.<sup>102</sup> Israel sees the Palestinian uprising as terrorists threatening law, order, and security, while Palestinians see Israel as a colonizer.<sup>103</sup> In the Palestinian narrative, the *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)* (1977) expands the definition of war to include “armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist régimes in the exercise of their right of self-determination.”<sup>104</sup> This means that those individuals fighting in an armed resistance against their occupier are considered to have the rights afforded to them by all the *Geneva Conventions*.<sup>105</sup> Therefore, according to the Palestinian perspective, political activists and resistance fighters arrested in an occupied territory should not be treated as terrorists, but rather as prisoners of war.<sup>106</sup> However, Israel has not ratified this amendment; it maintains that Palestinian political prisoners are not prisoners of war.<sup>107</sup>

Article 9 of the *Universal Declaration of Human Rights* (1948) lays out provisions regarding the rights of individuals in times of arrest and trial.<sup>108</sup> No human being should be subjected to arbitrary arrest, detention, or exile.<sup>109</sup> Furthermore, article 10 states that everyone is entitled to a fair and equal trial before an independent, impartial tribunal.<sup>110</sup> The first UN Congress on the Prevention of Crime and the Treatment of Offenders adopted the *Standard Minimum Rules of the Treatment of Prisoners* in 1955.<sup>111</sup> While this document is not legally binding, the second portion contains specifics regarding individuals that have been arrested or detained without cause.<sup>112</sup> This document confirms that such persons are afforded all the rights afforded to those arrested or detained, and that these people will not suffer from reeducation or rehabilitation for crimes for which they have not been convicted.<sup>113</sup>

The *International Covenant on Civil and Political Rights* (ICCPR) (1966) entered into force on 23 March 1976.<sup>114</sup> The ICCPR allows in some instances the deviation from international law as stated in article 4.<sup>115</sup> This is meant to be in times of national emergency when the existence of the “nation” is threatened.<sup>116</sup> However, the framework does not allow the deviation from international law to be discriminatory on the basis of race, color, sex, language, religion, or social origin.<sup>117</sup> Furthermore, the ICCPR explicitly states that while an allowance for political prisoners is acceptable under the specific, aforementioned crises, a state is not allowed to deviate from the rights established for those held individuals.<sup>118</sup> Some of these rights include the right to life, no cruel and inhumane torture or punishment, and no forced compulsory labor.<sup>119</sup>

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<sup>100</sup> *Geneva Convention relative to the Protection of Civilian Persons in Time of War*, 1949, art. 39.

<sup>101</sup> O’Brien, *Thousands Of Palestinians Are Behind Bars In Israeli Jails: Are They Terrorists Or Political Prisoners?*, 2013.

<sup>102</sup> *Ibid.*

<sup>103</sup> *Ibid.*

<sup>104</sup> *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 1977.

<sup>105</sup> *Ibid.*

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.*

<sup>108</sup> UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.

<sup>109</sup> *Ibid.*

<sup>110</sup> *Ibid.*

<sup>111</sup> United Nations Congress on the Prevention of Crime and the Treatment of Offenders, *Standard Minimum Rules for the Treatment of Prisoners*, 1955.

<sup>112</sup> *Ibid.*

<sup>113</sup> *Ibid.*

<sup>114</sup> United Nations Congress on the Prevention of Crime and the Treatment of Offenders, *Standard Minimum Rules for the Treatment of Prisoners*, 1955.

<sup>115</sup> UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966.

<sup>116</sup> *Ibid.*, art. 4.

<sup>117</sup> UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966.

<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*, arts. 6-8.

Article 9 of the ICCPR deals with detention, concerning arbitrary and unlawful arrest of human beings.<sup>120</sup> Specifically, article 9.1 states that individuals will not be subject to arbitrary arrest or detention.<sup>121</sup> Article 9.3 states that individuals arrested on a criminal charge have the right to be brought promptly before a judicial authority.<sup>122</sup> Article 9.5 guarantees that those who have been victims to an unlawful arrest have the enforceable right to be compensated.<sup>123</sup>

The *Rome Statute* (1998), which entered into force in 2002, created the International Criminal Court (ICC).<sup>124</sup> Article 7 defines “crimes against humanity” as certain acts knowingly committed in a widespread or systematic manner and directed against a civilian population.<sup>125</sup> These acts include murder, extermination, enslavement, deportation or forcible transfer of population, imprisonment or other severe deprivation of physical liberty, and the enforced disappearance of persons.<sup>126</sup> Additionally, article 7.2 discusses the definition of enforced disappearance, which occurs when a state or authority in power arrests, detains, or abducts an individual, with the intention of removing him or her from the protection of the law for a prolonged period of time, while refusing to reveal the detained person’s whereabouts or acknowledge the deprivation of freedom.<sup>127</sup> Article 8 lists actions categorized as war crimes, which include “grave breaches of the Geneva conventions” such as “willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial” and “unlawful deportation or transfer or unlawful confinement.”<sup>128</sup>

### ***Role of the International System***

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has played a central role in helping to release Palestinian political prisoners.<sup>129</sup> The body primarily has raised awareness of the situation and gathered relevant, important information such as statistics and current updates.<sup>130</sup> In October 2011, CEIRPP released a statement expressing concern about the grave conditions faced by political prisoners, and also provided information regarding the hunger strike launched in early 2012 undertaken by many in custody.<sup>131</sup> Additionally, as part of its role as host of the *International Year of Solidarity with the Palestinian People*, CEIRPP organized roundtable discussions on the legal aspects of the question of Palestine in April 2014.<sup>132</sup> In this forum, several experts as well as Member States and observers of the Committee discussed the legality of Palestinian political prisoners.<sup>133</sup> Further updates on the state of affairs in the oPt and Palestinian political prisoners were discussed in June 2014 during CEIRPP’s 361<sup>st</sup> session.<sup>134</sup>

The UN, through its various institutions, has called on Israel to release all Palestinian political prisoners and to give the rights established to prisoners of war as outlined by the *Geneva Conventions* and the *Additional Protocols of 1977 to the Geneva Conventions*.<sup>135</sup> General Assembly resolution 3103 (XXVIII) reinforced the fact that groups fighting against a colonial power, occupier, or racist regime for self-determination should be considered under humanitarian principles.<sup>136</sup> The resolution also states that these combatants are struggling against colonial and alien domination; if they are captured and imprisoned by the colonizing state, they should be considered prisoners of war

<sup>120</sup> UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966, art. 9.

<sup>121</sup> *Ibid.*

<sup>122</sup> *Ibid.*

<sup>123</sup> *Ibid.*

<sup>124</sup> *Rome Statute of the International Criminal Court*, 1998.

<sup>125</sup> *Ibid.*, art. 7.

<sup>126</sup> *Ibid.*, art. 7.

<sup>127</sup> *Ibid.*, art. 7.

<sup>128</sup> *Ibid.*, art. 8.

<sup>129</sup> CEIRPP, *Roundtable on Legal Aspects of the Question of Palestine Opens in Geneva*, 2014.

<sup>130</sup> CEIRPP, *Draft programme of work 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>131</sup> CEIRPP, *Statement by the Bureau of the Committee on the Exercise of Inalienable Rights of Palestinian People on Situation of Palestinian Prisoners in Israeli Prisons (GA/PAL/1211)*, 2011.

<sup>132</sup> CEIRPP, *Roundtable on Legal Aspects of the Question of Palestine Opens in Geneva*, 2014.

<sup>133</sup> *Ibid.*

<sup>134</sup> UN DPI, *Installation of Unity Government Ends Years-Long Rift Between Rival Political Factions, Palestinian Rights Committee Told (GA/PAL/1299)*, 2014.

<sup>135</sup> UN DPI, *Israel’s Release of Palestinian Political Prisoners Could Boost Peace Prospects – Ban*, 2011.

<sup>136</sup> UN General Assembly, *Basic principles of the legal status of the combatants struggling against colonial and alien domination and racist regimes (A/RES/3103(XXVIII))*, 1973.



and shall be granted all the rights outlined under this designation.<sup>137</sup>

The UN Human Rights Council (HRC) is very vocal in attempting to realize the rights of Palestinians and regularly addresses the human rights situation in the oPT.<sup>138</sup> HRC resolution 25/29 condemned a list of human rights abuses against Palestinians, which included the “detention of thousands of Palestinians, including many children and women and elected members of the Palestinian Legislative Council.”<sup>139</sup> The resolution also raised concerns regarding the human rights conditions in Israeli prisons and detention centers and their associated detention practices.<sup>140</sup> The resolution called prison environments “harsh” and “unhygienic.”<sup>141</sup> Additionally, it stated that prisoners were subjected to “solitary confinement, lack of proper medical care, denial of family visits and denial of due process, [which] impair their well-being.”<sup>142</sup>

The HRC has assigned a Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967.<sup>143</sup> The Special Rapporteur is an independent expert on human rights who reports annually to the HRC.<sup>144</sup> These reports often outline human rights violations and provide recommendations regarding various issues that are relevant to the Special Rapporteur’s mandate.<sup>145</sup> In 2013, the Special Rapporteur’s report outlined the violations of international law in Israel, including violations relevant to Palestinian political prisoners.<sup>146</sup> Additionally, the report stated that torture, while “absolutely prohibited by international law,” was applied on Palestinian political prisoners through practices such as sleep deprivation, sexual assault, and house demolitions.<sup>147</sup>

In addition, the HRC has a special Working Group on Arbitrary Detention.<sup>148</sup> This working group specifically investigates cases of “deprivation of liberty imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights or in the relevant international legal instruments accepted by the States concerned.”<sup>149</sup> Additionally, it gathers information and acts on these cases by sending urgent appeals to the government in question.<sup>150</sup> The HRC has mandated this working group to formulate recommendations, conduct field missions upon request of a state, and submit an annual report to be presented to the Council.<sup>151</sup> The working group has frequently addressed Palestinian political prisoners.<sup>152</sup> In its 2011 report, two specific cases involve Palestinians who were arrested without a warrant and held under administrative detention.<sup>153</sup> Opinion five describes two individuals who were arrested, physically tortured, interrogated, denied access to a lawyer, and subjected to months of administrative detention.<sup>154</sup> Both individuals were minors at the time of occurrence.<sup>155</sup> Opinion nine describes another Palestinian prisoner who was taken in the middle of the night and has served over a year of administrative detention without knowledge of the charges against him, access to a lawyer, or visits from his family.<sup>156</sup> The working group concluded that Israel was in violation of the ICCPR and the *Convention on the Rights of the Child* (CRC) (1989), which respectively guarantee the right to a fair trial and the protection of

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<sup>137</sup> UN General Assembly, *Basic principles of the legal status of the combatants struggling against colonial and alien domination and racist regimes (A/RES/3103(XXVIII))*, 1973.

<sup>138</sup> UN Human Rights Council, *Human Rights Situation in Occupied Palestinian Territory, Including East Jerusalem (A/HRC/RES/25/29)*, 2014.

<sup>139</sup> *Ibid.*

<sup>140</sup> *Ibid.*

<sup>141</sup> *Ibid.*

<sup>142</sup> *Ibid.*

<sup>143</sup> OHCHR, *Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*, 2014.

<sup>144</sup> OHCHR, *Special Procedures of the Human Rights Council: Introduction*, 2014.

<sup>145</sup> *Ibid.*

<sup>146</sup> UN Human Rights Council, *Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk (A/HRC/25/67)*, 2014.

<sup>147</sup> *Ibid.*

<sup>148</sup> OHCHR, *Working Group on Arbitrary Detention: Introduction*, 2014.

<sup>149</sup> *Ibid.*

<sup>150</sup> *Ibid.*

<sup>151</sup> *Ibid.*

<sup>152</sup> UN Human Rights Council, *Addendum to the Report of the Working Group on Arbitrary Detention (A/HRC/16/47/Add.1)*, 2011.

<sup>153</sup> *Ibid.*

<sup>154</sup> *Ibid.*

<sup>155</sup> *Ibid.*

<sup>156</sup> *Ibid.*

children.<sup>157</sup> Under both opinions, the working group gave Israel 90 days to respond to the accusations.<sup>158</sup> Neither case received a reply.<sup>159</sup> The working group also explored a similar case in 2012.<sup>160</sup>

The United Nations Children’s Fund (UNICEF) released a report on children in Israeli military detention in February 2013.<sup>161</sup> The report reviewed and analyzed practices used on children in military detention, and concluded that ill treatment is “widespread, systematic, and institutionalized.”<sup>162</sup> Furthermore, according to the report, “it is understood that in no other country are children systematically tried by juvenile military courts that, by definition, fall short of providing the necessary guarantees to ensure respect for their rights.”<sup>163</sup> UNICEF also gave 38 specific recommendations to help Israel resolve its violations when it comes to the arrest, detention, and trial of children.<sup>164</sup> Some of these recommendations called for compliance with international norms and regulations, higher accountability, and the cessation of certain detainment and interrogation practices.<sup>165</sup>

There are numerous civil society organizations (CSOs) that are dedicated to empowerment of the Palestinian people through efforts to address a wide spectrum of human rights issues; the fight to release political prisoners is no exception. UN bodies addressing the issue of Palestinian political prisoners rely heavily upon the statistics and research generated by Addameer Prisoner Support and Human Rights Association, a non-governmental organization (NGO) working to support Palestinian political prisoners held in Israeli and Palestinian prisons.<sup>166</sup> In addition to providing pro bono legal services to Palestinian political prisoners, Addameer researches and documents human rights violations against them, while maintaining international lobbying and awareness departments.<sup>167</sup> Addameer, along with other human rights advocacy groups such as Amnesty International and Human Rights Watch, has called on Palestine to ratify the Rome Statute, a move that would put Palestine under the jurisdiction of the ICC.<sup>168</sup> Such a move would allow Palestine to hold Israel legally accountable for human rights violations, including the treatment of Palestinian political prisoners.<sup>169</sup>

Another civil advocacy group invested in the human rights of Palestinian political prisoners is Defense for Children International (DCI), which deals with numerous children’s rights issues throughout the world.<sup>170</sup> In addition to publishing annual reports, it engages governments and raises awareness of human rights violations of children.<sup>171</sup> As detailed in the group’s most recently published report, DCI worked with Psycho-Active, a mental health professionals’ group in Israel, to provide “guidance in activities involving children in detention or incarceration.”<sup>172</sup> Additionally, DCI engaged with the Israeli Knesset as a civil advocacy group through the Children’s Rights Committee regarding the reports of arrest, detention, and incarceration of Palestinian children.<sup>173</sup>

### ***Background and Process of Detention***

Israeli statements allege that political prisoners are arrested because they constitute a threat to peace and security.<sup>174</sup> In order to enforce detention, Israeli authorities set up two ways under which prisoners can be kept under Israeli

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<sup>157</sup> UN Human Rights Council, *Addendum to the Report of the Working Group on Arbitrary Detention (A/HRC/16/47/Add.1)*, 2011.

<sup>158</sup> *Ibid.*

<sup>159</sup> *Ibid.*

<sup>160</sup> UN Human Rights Council, *Opinions Adopted by the Working Group on Arbitrary Detention at its Sixty-third Session, 27-31 August 2012 (A/HRC/WGAD/2012/20)*, 2012.

<sup>161</sup> UNICEF, *Children in Israeli Military Detention: Observations and Recommendations*, 2013.

<sup>162</sup> *Ibid.*, p. 13.

<sup>163</sup> *Ibid.*, p. 1.

<sup>164</sup> UNICEF, *Children in Israeli Military Detention: Observations and Recommendations*, 2013

<sup>165</sup> *Ibid.*

<sup>166</sup> Addameer, *Prisoner Support and Human Rights Association – Our Work*, 2014.

<sup>167</sup> *Ibid.*

<sup>168</sup> Human Rights Watch, *Joint Letter to President Abbas on the International Criminal Court*, 2014.

<sup>169</sup> *Ibid.*

<sup>170</sup> Defense for Children International, *Organisation Profile, Defense for Children International Palestine*, 2014.

<sup>171</sup> *Ibid.*

<sup>172</sup> Defense for Children International, *Annual Report 2012, 2013*, p. 46.

<sup>173</sup> *Ibid.*, p. 47.

<sup>174</sup> Addameer, *Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 5; Addameer, *Reaching the ‘No-Peace’ Agreement*, 2009, p. 5.

control.<sup>175</sup> First, prisoners may simply be detained without trial.<sup>176</sup> Israeli Military Order 1651 (Art. 285) states that if there are “reasonable grounds to presume that the security of the area or public security” is endangered, people, usually Palestinians, can be detained. The longest amount of time that an individual has spent under administrative detention without a trial is eight years.<sup>177</sup>

The second possibility is that arrested Palestinians are presented to one out of two Israeli military courts.<sup>178</sup> They are accused of endangering security or committed crimes, which are defined by Israeli authorities.<sup>179</sup> The trials lead to a 99% rate of conviction and sentences of several years in Israeli prisons.<sup>180</sup> Prisoners have the right to consult a lawyer; however, it is common practice that they are questioned for 60 days without being allowed to see a lawyer.<sup>181</sup> Additionally, during questionings and trials, protocols lack sufficient translations.<sup>182</sup> Israeli authorities usually write their reports and protocols in Hebrew, which most Palestinian political prisoners do not understand.<sup>183</sup> Thus, they have to sign documents without knowing what has been written.<sup>184</sup>

An example from May 2012 demonstrated the arbitrary nature of arrests by Israeli forces.<sup>185</sup> Two Palestinian prisoners were arrested for no concrete reasons; one spent 22 months and the other spent nine months in a detention center without trial or sentence.<sup>186</sup> Both prisoners went on a hunger strike for 70 days, thereby using “the only available tool left to fight for their basic rights.”<sup>187</sup> However, the Israeli Supreme Court stated that both men posed a threat to security and thus could not be released.<sup>188</sup> According to the Physicians for Human Rights, an NGO that uses “medicine and science to document and call attention to mass atrocities and severe human rights violations,” the decision is the “effective equivalent of handing down a death sentence.”<sup>189</sup> Additionally, Physicians for Human Rights pointed out that no human being could survive longer than 75 days without food.<sup>190</sup>

### ***Human Rights Violations in Israel Detention***

Arrested Palestinians in Israeli prisons face systematic torture, namely “cruel, inhuman and degrading treatment.”<sup>191</sup> Israel justifies the use of torture by arguing that Palestinians live under exceptional circumstances where security has to be ensured for Israeli inhabitants as well as for Palestinians themselves.<sup>192</sup> According to Israeli law, jail officials are offered legal immunity from prosecution for mistreatment of Palestinian political prisoners.<sup>193</sup>

The mistreatment of Palestinian political prisoners violates Israeli’s obligations pursuant to the *Convention against Torture* (CAT) (1984).<sup>194</sup> Article 2 emphasizes that no special situation or circumstance justifies any mistreatment of imprisoned human beings.<sup>195</sup> Article 16 states that every single state is responsible to prevent inhuman behavior of

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<sup>175</sup> Addameer, *Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 5.

<sup>176</sup> *Ibid.*, p. 5.

<sup>177</sup> *Ibid.*, p. 7.

<sup>178</sup> *Ibid.*, p. 5.

<sup>179</sup> *Ibid.*, p. 5.

<sup>180</sup> *Ibid.*, p. 5.

<sup>181</sup> *Ibid.*, p. 6.

<sup>182</sup> *Ibid.*, p. 6.

<sup>183</sup> *Ibid.*, p. 6.

<sup>184</sup> *Ibid.*, p. 6.

<sup>185</sup> Sherwood, *Israeli court rejects Palestinian hunger strike prisoners’ appeal*, 2012.

<sup>186</sup> *Ibid.*

<sup>187</sup> Addameer, *Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 13; Sherwood, *Israeli court rejects Palestinian hunger strike prisoners’ appeal*, 2012.

<sup>188</sup> Sherwood, *Israeli court rejects Palestinian hunger strike prisoners’ appeal*, 2012.

<sup>189</sup> Physicians for Human Rights, *About PHR*, 2014; Sherwood, *Israeli court rejects Palestinian hunger strike prisoners’ appeal*, 2012.

<sup>190</sup> Sherwood, *Israeli court rejects Palestinian hunger strike prisoners’ appeal*, 2012.

<sup>191</sup> Addameer, *Torture of Palestinian Political Prisoners in Israeli Prisons*, 2003, p. 7.

<sup>192</sup> *Ibid.*, p. 11.

<sup>193</sup> *Ibid.*, p. 12.

<sup>194</sup> *Ibid.*, p. 11.

<sup>195</sup> UN General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (A/RES/39/46), 1984, art. 2.

authorities.<sup>196</sup> Moreover, the CAT declares that all authorities that convicted torture against prisoners “must be criminally held responsible” for their actions.<sup>197</sup> Having ratified the CAT, Israel has officially committed to preventing torture and ill-treatment within its borders.<sup>198</sup> Additionally, in 1999, Israeli courts banned the use of torture during the interrogation process.<sup>199</sup> However, “beatings, tying prisoners in ‘stress positions’, interrogation sessions that last up to 12 consecutive hours, depriving prisoners of sleep and other sensory deprivation, isolation and solitary confinement, and threats against the lives of their relatives” are used to fight political opponents.<sup>200</sup> Ill-treatment and “moderate physical pressure” are still used against prisoners.<sup>201</sup> Torture has led to the death of 72 Palestinian prisoners since 1967.<sup>202</sup>

According to article 10 of the ICCPR, “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.”<sup>203</sup> Thus, isolation should only be used exceptionally.<sup>204</sup> However, in June 2013, approximately 58 Palestinian political prisoners were isolated in their respective cells for periods ranging from 12 hours to 12 months in length.<sup>205</sup> An isolated prisoner is allowed to spend only one hour outside of his or her cell per day.<sup>206</sup> Long-term effects on mental health and the obvious violation of international agreements make isolation one of the most severe mistreatments of Palestinian political prisoners.<sup>207</sup> Additionally, Israeli authorities deny many Palestinian political prisoners the possibility of family visits.<sup>208</sup>

Every Israeli prison has its own medical supply, which covers basic health care.<sup>209</sup> While there are physicians who are responsible for all prisoners, they work only irregularly.<sup>210</sup> Medical aid may be received only after days, weeks or months of waiting.<sup>211</sup> Therefore, Palestinian political prisoners suffer from medical negligence.<sup>212</sup> Further, Israeli detention centers do not provide adequate shelter or hygienic conditions.<sup>213</sup> Hygiene products are usually obtained with the prisoner’s own financial resources.<sup>214</sup> Palestinian political prisoners also suffer from malnutrition as they only receive an insufficient amount of food, which tends to be of poor quality, and thus can be considered in terms of human rights violations.<sup>215</sup> As a result, freed prisoners frequently suffer from long-term, chronic diseases caused by their imprisonment, such as “skin diseases, fatigue and weakness, kidney problems and ulcers.”<sup>216</sup> Prisoners who experience torture may suffer from psychiatric distress and somatic symptoms.<sup>217</sup> Additionally, long-term effects of imprisonment include impaired social relationships and poor cognitive functioning.<sup>218</sup> Therefore, it is essential that Palestinian authorities support released prisoners by ensuring access to higher education, health care, and steady employment.<sup>219</sup> A positive environment may assist released prisoners with social reintegration.<sup>220</sup>

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<sup>196</sup> UN General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/39/46)*, 1984, art. 16.

<sup>197</sup> Addameer, *Torture of Palestinian Political Prisoners in Israeli Prisons*, 2003, p. 11-12.

<sup>198</sup> Addameer, *Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 5.

<sup>199</sup> *Ibid.*, p. 5.

<sup>200</sup> *Ibid.*, p. 5.

<sup>201</sup> *Ibid.*, p. 5.

<sup>202</sup> *Ibid.*, p. 5.

<sup>203</sup> UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200/21)*, 1966.

<sup>204</sup> Addameer, *Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 7.

<sup>205</sup> *Ibid.*, p. 7.

<sup>206</sup> *Ibid.*, p. 7.

<sup>207</sup> *Ibid.*, 2013, p. 7.

<sup>208</sup> *Ibid.*, 2013, p. 9.

<sup>209</sup> *Ibid.*, p. 8.

<sup>210</sup> *Ibid.*, p. 8.

<sup>211</sup> Addameer, *The Palestinian Prisoners of Israel*, 2014.

<sup>212</sup> Addameer, *Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 8.

<sup>213</sup> Addameer, *The Palestinian Prisoners of Israel*, 2014.

<sup>214</sup> *Ibid.*

<sup>215</sup> *Ibid.*

<sup>216</sup> *Ibid.*

<sup>217</sup> Salo et al., *Adult attachment, posttraumatic growth and negative emotions among former political prisoners*, 2005, p. 361.

<sup>218</sup> Rosenheck & Fontana, *Long-term sequelae of combat in World War II, Korea and Vietnam: A comparative study*, 1994, p. 330; Sutker et al., *Cognitive deficits and psychopathology among former prisoners of war and combat veterans of the Korean conflict*, 1991, p. 67.

<sup>219</sup> Salo et al., *Adult attachment, posttraumatic growth and negative emotions among former political prisoners*, 2005, p. 369.

<sup>220</sup> Salo et al., *Adult attachment, posttraumatic growth and negative emotions among former political prisoners*, 2005, p. 362.

As many Palestinian political prisoners are minors or students from universities, education in prisons plays an important role.<sup>221</sup> Some prisoners are allowed to take classes from the Open University of Israel, assuming they can afford to do so and are sufficiently proficient in one of the university's languages of instruction.<sup>222</sup> However, students cannot continue with their studies at their previous university, as they are not allowed to take classes from Arab universities due to alleged security reasons.<sup>223</sup> While prisoners can order books or get them from family members during visits, the amount and type of books are restricted.<sup>224</sup> Political prisoners who are kept in isolation or in detention centers are prohibited from taking classes.<sup>225</sup>

### ***Palestinian Children in Israeli Detention***

The detention of children is of major concern to the international community.<sup>226</sup> Currently, there are approximately 196 children under arrest, of which 27 are under 16.<sup>227</sup> It is assumed that 75% of the imprisoned children suffer from physical mistreatment.<sup>228</sup> However, Israel is eager to change the situation of imprisoned children and has stated an intention to work with UNICEF in this regard.<sup>229</sup> Thus, the release of minors from Israeli detention is a topic important for both Palestinian and Israeli authorities, particularly because the “historical narrative of past peace processes has indicated [that] the release of political prisoners is an integral step in any just and durable peace process.”<sup>230</sup> In other words, the improvement of the situation of imprisoned children is of major importance for the settlement of the Israel-Palestine conflict.<sup>231</sup>

The mistreatment of children is prohibited absolutely and unconditionally without exceptions in accordance with the CRC.<sup>232</sup> Article 37 provides that states are obliged to ensure that children are not tortured, treated inhumanely, or arbitrarily imprisoned.<sup>233</sup> If imprisoned as a measure of last resort, children shall be treated according to their age and not be imprisoned with adults.<sup>234</sup> They shall always have the possibility to stay in contact with their family through visits.<sup>235</sup> Lastly, imprisoned children must have immediate access to legal support.<sup>236</sup> The treatment of Palestinian children in detention centers and prisons is also against Israel's own domestic laws.<sup>237</sup> However, reports concerning the ill-treatment of Palestinian children under Israeli detention have been produced by “international, Palestinian and Israeli lawyers; human rights organizations; and independent UN experts and bodies such as the Committee on the Rights of the Child, the Committee against Torture and the Human Rights Committee.”<sup>238</sup> According to these reports, Israel continually violates its obligations to children in national and international law.<sup>239</sup>

On average, 2 Palestinian children are detained, interrogated, prosecuted, and mistreated every day.<sup>240</sup> These children experience a traumatic situation where soldiers take them from their homes early in the morning or in the middle of the night and transfer them to interrogation sites.<sup>241</sup> Prison officials deny children any access to lawyers or

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<sup>221</sup> Addameer, *The Palestinian Prisoners of Israel*, 2014.

<sup>222</sup> Ibid.

<sup>223</sup> Ibid.

<sup>224</sup> Ibid.

<sup>225</sup> Ibid.

<sup>226</sup> CEIRPP, *Draft programme of work 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>227</sup> Addameer, *The Palestinian Prisoners of Israel*, 2014.

<sup>228</sup> Ibid.

<sup>229</sup> UNICEF, *Children in Israeli Military Detention – Observations and Recommendations*, 2013, p. 2.

<sup>230</sup> Addameer, *Reaching the ‘No-Peace’ Agreement*, 2009, p. 23.

<sup>231</sup> Zulfikar, *The reality of Palestinian children in Israeli jails*, 2014.

<sup>232</sup> UN General Assembly, *Convention on the Rights of the Child (A/RES/44/25)*, 1989.

<sup>233</sup> Ibid., art. 37.

<sup>234</sup> Ibid., art. 37.

<sup>235</sup> Ibid., art. 37.

<sup>236</sup> Ibid., art. 37.

<sup>237</sup> United Nations International Meeting on the Situation of Palestine, *The question of the Palestinian political prisoners in Israeli prisons and detention facilities: legal and political implications*, 2012.

<sup>238</sup> UNICEF, *Children in Israeli Military Detention – Observations and Recommendations*, 2013, p. 2.

<sup>239</sup> Ibid., p. 2.

<sup>240</sup> Ibid., p. 14.

<sup>241</sup> UNICEF, *Children in Israeli Military Detention – Observations and Recommendations*, 2013, p. 14; United Nations International Meeting on the Situation of Palestine, *The question of the Palestinian political prisoners in Israeli prisons and detention facilities: legal and political implications*, 2012.



family members during their interrogations.<sup>242</sup> During trial, children’s rights are restricted; UNICEF reports that children are subject to “shackling, ... denial of bail and imposition of custodial sentences.”<sup>243</sup> Furthermore, child prisoners are typically treated as adults; they are not charged in accordance with their age.<sup>244</sup> Israeli Military Order 1644 created a court that deals specifically with children.<sup>245</sup> However, when children are presented to this respective court, often they are sentenced according to their current age, instead of their age when they committed the crime in question.<sup>246</sup> During detention, many children are denied the right to education.<sup>247</sup> Most Palestinian children are not allowed to bring their parents to interrogations, whereas Israeli children have this specific right.<sup>248</sup> Imprisoned children experience torture and sleep deprivation; they are sometimes blindfolded.<sup>249</sup> Children also face sexual abuse during their imprisonment.<sup>250</sup> Long-term effects on the physical and psychological health of children are devastating, and “regardless of the length of their detention, imprisonment [is] always a traumatizing experience for children.”<sup>251</sup>

As the primary target for mistreatment, abuse, and violence, Palestinian youth, who comprise 41% of the Palestinian population, are suffering most from the Israeli occupation of Palestine.<sup>252</sup> The Young Men’s Christian Association (YMCA) in East Jerusalem tries to help children after their traumatizing experiences under Israeli detention through a rehabilitation program, jointly operated with DCI, that offers psychological counseling.<sup>253</sup> The program works closely with the children and their parents throughout the West Bank.<sup>254</sup> Remaining challenges include: “(a) the reimprisonment of children, which hinder[s] effective counseling; (b) the lack of commitment on the part of older child detainees, who [are] often forced to seek employment in order to provide for their families; and (c) the lack of accurate statistics on the number of former child detainees in the West Bank.”<sup>255</sup>

### **Conclusion**

The topic of Palestinian political prisoners is of major concern for CEIRPP and is included as one of the main fields of work in the Committee’s draft program of work for 2014.<sup>256</sup> CEIRPP’s ultimate goal is to secure the release of every Palestinian political prisoner.<sup>257</sup> However, given that this goal is difficult to achieve, CEIRPP’s intermediate target is to improve the living conditions of Palestinian political prisoners, especially children, in Israeli prisons.<sup>258</sup> Delegates should consider this topic in the context of advancing the peace process between Israel and Palestine. If the international community is to succeed in achieving peace and security, while ensuring the well-being of Palestinians, it must incorporate these considerations into its discussion on the Israeli-Palestinian conflict.

### **Further Research**

When researching this topic, delegates should consider the following questions: what role do Palestinian political prisoners play in the conflict between Israel and Palestine? How would the release of Palestinian political prisoners enhance the peace process between the two parties? Why is the mistreat political prisoners and children able to continue? What can be done to ensure the rights of prisoners, especially children? What can be done to improve the living conditions of prisoners in Israeli jails? In terms of future development, how severe are the long-term effects of imprisonment and what can be done to assist released prisoners? The preparation should concentrate on specific,

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<sup>242</sup> UNICEF, *Children in Israeli Military Detention – Observations and Recommendations*, 2013, p. 14.

<sup>243</sup> *Ibid.*

<sup>244</sup> Addameer, *Torture of Palestinian Political Prisoners in Israeli Prisons*, 2013, p. 10.

<sup>245</sup> *Ibid.*

<sup>246</sup> *Ibid.*

<sup>247</sup> *Ibid.*

<sup>248</sup> Zulfikar, *The reality of Palestinian children in Israeli jails*, 2014.

<sup>249</sup> *Ibid.*

<sup>250</sup> United Nations International Meeting on the Situation of Palestine, *The question of the Palestinian political prisoners in Israeli prisons and detention facilities: legal and political implications*, 2012.

<sup>251</sup> *Ibid.*

<sup>252</sup> *Ibid.*

<sup>253</sup> *Ibid.*

<sup>254</sup> *Ibid.*

<sup>255</sup> *Ibid.*

<sup>256</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>257</sup> Baker, *Palestinian Political Prisoners*, 2011, p. 106; CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>258</sup> *Ibid.*



detailed, original, and forward-looking ideas on how to improve the situation of Palestinian political prisoners and bring forward peace talks.

## Annotated Bibliography

Addameer. (2009). *Reaching the 'No-Peace' Agreement: The Role of Palestinian Prisoner Releases in Permanent Status Negotiations*. Retrieved 12 September 2014 from: <http://www.addameer.org/files/Reports/addameer-report-reaching-the-no-peace-agreement.pdf>

*The source is a first example of an important report by Addameer and includes a list of agreements and frameworks, such as the Oslo agreements, that have affected the situation of Palestinian political prisoners. For preparation purposes this might be really helpful as most agreements are described in an easy way. But most importantly, the source provides detailed information on how political prisoners influence the peace process, especially the conclusion provides brainstorming ideas on future actions. Two examples of countries, namely South Africa and Northern Ireland, where similar happenings took place are provided. Additionally, quotes and opinions from Palestinian and Israeli officials are presented. This source is probably the most detailed in comparison to the other important sources from Addameer and might be helpful for a deeper understanding of the topic and further research.*

Addameer. (2013). *Palestinian Political Prisoners in Israeli Prisons*. Retrieved 13 September 2014 from: [http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/dplc/dv/palestinianpoliticalprisoners/palestinianpoliticalprisonersen.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/dplc/dv/palestinianpoliticalprisoners/palestinianpoliticalprisonersen.pdf)

*The report, published in 2013 by Addameer, focuses on the mistreatment of Palestinian political prisoners and provides most of the relevant information for the topic. Pages 4 to 10 discuss the different kinds of ill-treatment, such as torture, medical neglect, and isolation, to which prisoners are subjected. However, the source also considers Israeli military courts and their work. Thus, delegates can obtain information on the Israeli military orders that enable Israeli authorities to imprison Palestinians arbitrarily. Additionally, the report includes a sub-chapter on children and women under Israeli detention. Delegates should use this report as a more in-depth source on the mistreatment of Palestinians.*

Addameer. (2014). *Addameer Prisoner Support and Human Rights Association* [Website]. Retrieved 13 July 2014 from: <http://www.addameer.org/index.php>

*The website of the NGO Addameer will be a crucial source for the topic, as its main purpose is to support Palestinian prisoners. The Human Rights Association provides detailed information on the situation of imprisoned Palestinians and delegates should use the website as a starting point for their position papers and research. Among other detailed information, the website states how many people are imprisoned and where the prisons are located. Additionally, the website describes specific human rights violations experienced by prisoners under Israeli detention. Addameer also publishes reports on torture and living conditions of Palestinian political prisoners which are of major importance to delegates seeking to obtain a better understanding of the topic.*

Addameer. (2014). *The Palestinian Prisoners of Israel* [Website]. Retrieved 13 August 2014 from: <http://www.addameer.org/etemplate.php?id=229>

*The websites and reports by Addameer provide most of the key sources concerning the topic of Palestinian political prisoners. This particular website focuses on Palestinian political prisoners. Thus, delegates can start familiarizing themselves with key terms and broad concepts to get a general overview of the topic. The website introduces the issue, includes information on arrest procedures, and names the locations of prisons and detention centers located in Israel. Furthermore, the conditions of prisons are described. Other topics are family visits, education, and discrimination in Israeli prisons. Delegates should refer to this website to enhance their understanding of the issue and the extent and dimensions of the problem.*

Hussein, J. (2014, April 12). *Palestinian political prisoners pay the price of freedom*. *Middle East Monitor*. Retrieved 13 August 2014 from: <https://www.middleeastmonitor.com/articles/middle-east/10860-palestinian-political-prisoners-pay-the-price-of-freedom>

*In contrast to other sources, this news article shows the real-life consequences of imprisonment rather than any theoretical approach. The article first provides some general comments and then*

*presents some individual cases, such as the case of an imprisoned magazine editor. Most interestingly, the author focuses more on civil society and the opinion of Palestinians themselves concerning imprisonment. He summarizes what the people think about the topic of Palestinian political prisoners and how they see the role of prisoners in the peace process to show how the topic is affecting people.*

United Nations Children’s Fund. (2013). *Children in Israeli Military Detention – Observations and Recommendations* [Report]. Retrieved 17 August 2014 from: [http://www.unicef.org/oPT/UNICEF\\_oPT\\_Children\\_in\\_Israeli\\_Military\\_Detention\\_Observations\\_and\\_Recommendations\\_-\\_6\\_March\\_2013.pdf](http://www.unicef.org/oPT/UNICEF_oPT_Children_in_Israeli_Military_Detention_Observations_and_Recommendations_-_6_March_2013.pdf)

*This source is a key source for delegates’ preparation, especially on the topic of imprisoned children. The report by the United Nations Children’s Fund provides a detailed description of what happens to children when they are arrested. Focus lies on detailing aspects of arrest of children and conviction of minors that are not in accordance with international as well as Israeli law. Some issues are summarized in tables that delegates can easily use for research. For example, there is a chart where the respective legal sentence is shown for each age group. The report also discusses applicable legislation and shows where work has to be done, thereby illustrating opportunities for action.*

United Nations International Meeting on the Situation of Palestine. (2012, April 4). *The question of the Palestinian political prisoners in Israeli prisons and detention facilities: legal and political implications* [Report]. Retrieved 14 September 2014 from: <http://unispal.un.org/UNISPAL.NSF/0/722CDEC4B2D33F3A85257A52006103F8>

*The outcome document of the International Meeting on the Situation of Palestine includes opinions and remarks from several UN entities, in particular the Secretary-General and representatives from the General Assembly and CEIRPP. The first part is on legal and humanitarian aspects of the issue and includes comments from several politicians. The second part concentrates on the legal status of Palestinian political prisoners in international law. Additionally, the supplement by CEIRPP focuses on the political aspects of Palestinian political prisoners and the peace process. Generally, the document describes the situation of children and other detained people in Israeli prisons and also discusses long-term effects on the imprisoned. Additionally and most important for delegates, the document names some programs which aim at helping children after their detention. Moreover, areas of improvement are identified that can easily be included in future ideas and proposed action plans.*

United Nations, Committee on the Exercise of the Inalienable Rights of the Palestinian People. (2014). *Draft programme of work 2014 (A/AC.183/2014/CRP.1)*. Retrieved 13 July 2014 from: <http://unispal.un.org/unispal.nsf/634ea0efe460133c852570c0006d53f2/515eaa8805bbb39185257c6700502df4?OpenDocument>

*The draft program of work 2014 by CEIRPP may not specifically respond to the topic of Palestinian political prisoners but demonstrates the centrality of this topic to CEIRPP’s agenda. Delegates should definitely consider the source, which shows the pressing nature of the issue of Palestinian political prisoners that merits inclusion in CEIRPP’s everyday work. Additionally, CEIRPP names some areas of improvement and future actions that should be taken to address the situation of Palestinian political prisoners. Thus, delegates should use this document as a starting point for their respective position papers. The document also shows delegates how CEIRPP operates and how it is planning to reach its goals.*

United Nations, Committee on the Exercise of the Inalienable Rights of the Palestinian People. (2011). *Statement by the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People on Situation of Palestinian Prisoners in Israeli Prisons (GA/PAL/1211)*. Retrieved 13 September 2014 from: <http://unispal.un.org/UNISPAL.NSF/0/148580983B876BDF8525792900487940>

*CEIRPP is highly engaged in the topic of Palestinian political prisoners. This source shows delegates how the committee is approaching the topic. As CEIRPP is a report-writing committee, delegates will write a report with a tone similar to that of this statement. It also includes some details on what has been done before and shows in which directions CEIRPP is headed.*

United Nations, General Assembly. (1984). *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (A/RES/39/46)*. Retrieved 12 September 2014 from: <http://undocs.org/A/RES/39/46>  
*The topic of Palestinian political prisoners includes issues of torture and mistreatment. The arbitrary imprisonment of Palestinians and the torture and mistreatment of Palestinian political prisoners by Israeli authorities violates human rights protected by international law. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is thus one of the most important documents for this topic. Delegates must be familiar with this document, particularly with respect to the most important provisions as previously indicated in the background guide, such as article 2 and article 16.*

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## II. Strengthening Partnerships with Civil Society

*“Indeed, civil society is central to advancing the work of the United Nations across our agenda, not only for human rights but also for peace and security, as well as development. Civil society has never been more important or needed.”*<sup>259</sup>

### **Introduction**

The Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) has a mandate to engage civil society and civil society organizations (CSOs) in its work in order to ensure the inalienable rights of the Palestinian people.<sup>260</sup> 2014 was planned to be a crucial year for the Israeli-Palestinian peace process.<sup>261</sup> The United Nations (UN) General Assembly declared 2014 as the *International Year of Solidarity with the Palestinian People* in adopting resolution 68/12 in 2013.<sup>262</sup> The year was dedicated to coordinating worldwide activities organized by all relevant parties, namely “Governments, relevant organizations of the United Nations system, intergovernmental organizations and civil society organizations,” to raise awareness for the topic.<sup>263</sup> To that end, CEIRPP’s main task is to work with other parties, particularly CSOs, to promote the inalienable rights of the Palestinian people; enhance the peace process between Palestine and Israel; address challenges “such as settlements, the situation in Jerusalem, the blockade of Gaza and the humanitarian situation in the Occupied Palestinian Territory”; and advocate for a just solution to the question of Palestine.<sup>264</sup>

Civil society comprises of voluntary actors, including non-governmental organizations (NGOs) and not-for-profit organizations, which work to affect positive change in different segments of public life.<sup>265</sup> As an essential element of a democratic state, civil society operates in the space between government, political parties, the economy, and the private sector.<sup>266</sup> Civil society plays a crucial role during conflict as a result of its ability to look beyond the interests of negotiators and mediate between opposing parties.<sup>267</sup> As CSOs actively engage locals in their work, they are able to address the needs of citizens directly.<sup>268</sup> Thus, in comparison to external parties or governments, CSOs are more effective in terms of promoting conflict resolution.<sup>269</sup>

This guide will provide information on international frameworks and international organizations that are concerned or cooperate with civil society. A detailed definition of civil society and CSOs will provide insight into the relationship between civil society and peacebuilding. CEIRPP’s relationships with civil society will be explored, including the ways in which CEIRPP is collaborating with civil society to enhance political engagement among youth and women. Lastly, social media will be examined as a method of increasing civil society’s influence.

### **International and Regional Framework**

The UN has consistently recognized the importance of civil society.<sup>270</sup> In 1999, the General Assembly adopted the *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, which acknowledged that “individuals, non-governmental organizations and relevant institutions have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and

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<sup>259</sup> UN Secretary-General Ban Ki-moon, *Secretary-General's remarks at High-Level Event on Supporting Civil Society [delivered by the Deputy Secretary-General]*, 2013.

<sup>260</sup> CEIRPP, *Civil Society and the Question of Palestine*, 2014.

<sup>261</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>262</sup> UN General Assembly, *Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/68/12)*, 2014.

<sup>263</sup> *Ibid.*

<sup>264</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>265</sup> Mikhelidze & Pirozzi, *Civil Society and Conflict Transformation in Abkhazia, Israel-Palestine, Nagorno-Karabakh, Transnistria and Western Sahara*, 2008, p. 5.

<sup>266</sup> *Ibid.*

<sup>267</sup> *Ibid.*

<sup>268</sup> *Ibid.*, p. 6.

<sup>269</sup> *Ibid.*, p. 6.

<sup>270</sup> United Nations, *UN and Civil Society*, 2014.

advancement of democratic societies, institutions and processes.”<sup>271</sup> Through the *Millennium Declaration*, adopted on 8 September 2000, heads of state and government formalized their commitment to “develop strong partnerships” with CSOs and create further opportunities for civil society “to contribute to the realization of the [UN’s] goals.”<sup>272</sup> In 2002, in his report on “Strengthening of the United Nations,” former Secretary-General Kofi Annan recognized the necessity of reviewing and improving upon partnerships with civil society, which has become “increasingly involved in international cooperation at every level, from the local to the global.”<sup>273</sup> In its 2004 report, the Panel of Eminent Persons on United Nations-Civil Society Relations recommended that the UN strengthen relationships between governments, civil society, and the private sector by investing in partnerships, particularly at the country level, and depoliticizing and streamlining the accreditation process for NGOs to become involved in the UN’s programs.<sup>274</sup> In 2009, at the World Economic Forum, Secretary-General Ban Ki-moon stated, “Our times demand a new definition of leadership – global leadership. They demand a new constellation of international cooperation – governments, civil society and the private sector, working together for a collective global good.”<sup>275</sup> In 2014, the UN Human Rights Council convened a panel discussion on “the importance of the promotion and protection of civil society space” and adopted a resolution that “[urged] States to create and maintain, in law and in practice, a safe and enabling environment in which civil society can operate free from hindrance and insecurity.”<sup>276</sup>

In the West Bank and the Gaza Strip, the Law of Charitable Associations and Community Organizations defines the legal framework for charitable associations and organizations under the supervision of the Palestinian Authority.<sup>277</sup> This law allows for the setup of organizations that are non-profit, charitable, and politically independent; such organizations would include Palestinian CSOs.<sup>278</sup> However, Palestinian civil society faces obstacles due to the Israeli occupation and the legal framework set by the *Oslo Accords*, pursuant to which “Palestinian organizations are bound by the ‘Israeli Law of Association’ under the Israeli Ministry of Justice and organizations to register with and report to two authorities (i.e. Israel and the Palestinian Authority) to be considered legal by each.”<sup>279</sup> Palestinian CSOs must obtain approval from the Israeli government to operate, which leaves the door open for political manipulation and undermines the essence of a legitimate civil society mechanism.<sup>280</sup>

Recently, the Palestinian Authority passed new laws regarding the regulation of CSOs that provide authorities with greater influence and control.<sup>281</sup> In 2012, the Palestinian Authority, under presidential decree, created the NGO Affairs Committee to organize relations between the Palestinian Authority and civil society.<sup>282</sup> The Palestinian Independent Commission for Human Rights has questioned the motives for such a body, which could use its mandate as a mechanism of control instead of mediating and promoting plurality within Palestinian civil society as intended.<sup>283</sup>

### ***Role of the International System***

The UN recognizes civil society’s positive contribution to the international community, and has developed mechanisms that allow CSOs to participate in the UN system.<sup>284</sup> CSOs provide reliable information, help implement

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<sup>271</sup> UN General Assembly, *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (A/RES/53/144)*, 1999, art. 18.

<sup>272</sup> United Nations Office at Geneva, *The United Nations and Civil Society*, 2014; UN General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000, pp. 5, 9.

<sup>273</sup> UN General Assembly, *Strengthening of the United Nations: an agenda for further change: Report of the Secretary-General (A/57/387)*, 2002, p. 23.

<sup>274</sup> UN General Assembly, *Strengthening of the United Nations: an agenda for further change (A/58/817)*, 2004.

<sup>275</sup> United Nations, *UN and Civil Society*, 2014.

<sup>276</sup> UN Human Rights Council, *Summary of the Human Rights Council panel discussion on the importance of the promotion and protection of civil society space (A/HRC/27/33)*, 2014; UN Human Rights Council, *Civil Society Space (A/HRC/RES/27/31)*, 2014, p. 3.

<sup>277</sup> European Union, *Palestine: EU Country Roadmap for Engagement with Civil Society*, 2014.

<sup>278</sup> *Ibid.*

<sup>279</sup> *Ibid.*

<sup>280</sup> *Ibid.*

<sup>281</sup> *Ibid.*

<sup>282</sup> *Ibid.*

<sup>283</sup> *Ibid.*

<sup>284</sup> UN Non-Governmental Liaison Service, *UN-NGO Relations*.



and monitor agreements, and work with UN sister agencies through private partnerships in a variety of capacities.<sup>285</sup> CSOs may apply and become involved with the UN after successfully meeting several criteria.<sup>286</sup> To obtain accreditation from the UN Department of Public Information (DPI), a CSO must support and recognize the UN Charter, be a reputable organization that has national or international recognition, operate on a not-for-profit basis, have been operational for at least three years, and have a successful partnership with a UN agency.<sup>287</sup> There is a variety of information about CSOs and the numerous UN branches with which they are affiliated in the *Non-Governmental Liaison Service Handbook*.<sup>288</sup> The handbook, which is updated every two years, breaks down each agency and describes the types of cooperation mechanism each has with NGOs.<sup>289</sup>

CSOs can also apply to participate in the Economic and Social Council (ECOSOC), which has partnered with over 30,000 CSOs around the world.<sup>290</sup> This mechanism was set up under resolution 1296 (XLIV), which described the role that civil society should play in regards to its relationship with the UN.<sup>291</sup> Organizations that wish to arrange consultative relationships with ECOSOC should have aims and purposes that conform to the spirit, purposes, and principles of the UN.<sup>292</sup> Additional requirements outline that organizations should be representative in nature and must have international recognition.<sup>293</sup> CSOs should represent a substantial portion of the population it is trying to serve; they should also “express the views of the major sections, of the population, or of the organized persons within the particular field of its competence, covering, where possible, a substantial number of countries in different regions of the world.”<sup>294</sup> These requirements are very similar to those of UN DPI.<sup>295</sup> The one limitation is that the CSO’s work must be related to economic and social development.<sup>296</sup>

CEIRPP works with more than 1,000 CSOs from around the world to fulfill its objectives pursuant to its mandate.<sup>297</sup> Regular correspondence between the different parties is essential and CSOs report relevant actions to CEIRPP.<sup>298</sup> CEIRPP engages CSOs in all its work and welcomes them at all meetings.<sup>299</sup> CEIRPP regularly takes part in different national, regional, and international meetings with CSOs, including the UN Meeting of Civil Society in Support of the Palestinian People, the UN Public Forum in Support of the Palestinian People, and the UN International Meeting in Support of the Israeli-Palestinian Peace Process.<sup>300</sup> CEIRPP engages in new technologies and maintains the “Question of Palestine” website, where civil society has the opportunity to network and exchange information.<sup>301</sup> In 2013, CEIRPP accredited eight additional CSOs and reactivated a working group that would help implement its Programme of Cooperation with civil society.<sup>302</sup> As part of this plan, CEIRPP created the United Nations “Platform for Palestine,” which is an online tool that serves as a source of information and a platform for CSOs to organize efforts and events.<sup>303</sup> CEIRPP will encourage CSOs to establish steering committees at the national and regional levels as appropriate.<sup>304</sup> Existing international, regional, and local umbrella organizations will take the lead in mobilizing the public for specific events.<sup>305</sup> Additionally, CEIRPP has employed Facebook as a platform to keep civil society updated, and publishes an online bulletin entitled “NGO Action News” where

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<sup>285</sup> UN DPI, *Membership*; UN Non-Governmental Liaison Service, *UN-NGO Relations*.

<sup>286</sup> UN DPI, *Membership*.

<sup>287</sup> *Ibid.*

<sup>288</sup> UN Non-Governmental Liaison Service, *UN-NGO Relations*.

<sup>289</sup> UN Non-Governmental Liaison Service, *NGLS Handbook*.

<sup>290</sup> UN ECOSOC, *Consultative Arrangements (E/RES/1296 (1968))*, 1968; United Nations, *UN and Civil Society*, 2014.

<sup>291</sup> UN ECOSOC, *Consultative Arrangements (E/RES/1296 (1968))*, 1968

<sup>292</sup> *Ibid.*

<sup>293</sup> *Ibid.*

<sup>294</sup> *Ibid.*

<sup>295</sup> UN DPI, *Membership*.

<sup>296</sup> UN Non-Governmental Liaison Service, *UN-NGO Relations*.

<sup>297</sup> CEIRPP, *Civil Society and the Question of Palestine*, 2014.

<sup>298</sup> *Ibid.*

<sup>299</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/65/35)*, 2010.

<sup>300</sup> *Ibid.*

<sup>301</sup> *Ibid.*

<sup>302</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/68/35)*, 2013.

<sup>303</sup> *Ibid.*

<sup>304</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>305</sup> *Ibid.*

CSOs can publish information about their initiatives. Lastly, CEIRPP organizes various activities in partnership with CSOs to mark the *International Day of Solidarity with the Palestinian People*, which is observed every year on 29 November.<sup>306</sup>

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is tasked, under clause seven of GA resolution 302 (IV), with “[c]arrying out in collaboration with local governments the direct relief and works programs as recommended by the Economic Survey Mission.”<sup>307</sup> These programs today involve a large portion of private partnerships, most commonly between NGOs and sister UN organizations with similar mandates.<sup>308</sup> In many ways, the existing civil society that can be seen in the Palestinian territories today is based on the presence of UNRWA.<sup>309</sup>

The NGO Development Centre (NDC) has played a vital role in helping to establish and strengthen the civil society mechanism in Palestine.<sup>310</sup> The NDC’s *Strategic Framework to Strengthen the Palestinian NGO Sector* is a recent attempt to reduce fragmentation of Palestinian civil society through a sector strategy on the macro level that will be implemented jointly by the NGOs registered with the Palestinian Authority.<sup>311</sup> This five-year plan has the central objective of “a more viable and independent NGO sector that is more effectively engaged in advancing the steadfastness, liberation and sustainable economic and social development of Palestine and the empowerment of the Palestinian people.”<sup>312</sup> This goal is broken down into five sub-objectives which include achieving a more effective engagement of NGOs in the process of liberation and democratization, better relationships between the NGO sector and Palestinian development partners, improved access to quality services that are based upon the needs of the communities served, better transparency in NGO governance, and adequate financial resources.<sup>313</sup> Specific indicators will measure progress using a monitored system of evaluation.<sup>314</sup>

### ***Defining Civil Society Organizations***

CSOs are a “wide area of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations.”<sup>315</sup> Additionally, CSOs characteristically endeavor to counterbalance state actions that aim to influence society.<sup>316</sup> According to Alan Fowler, CSOs “range from groups based on religion and ethnicity to more fluid voluntary associations organized around ideology, professionalism, social activities or the pursuit of money, status and interests of power.”<sup>317</sup> He points out the main purpose and aims of civil society, which “allow[s] the citizens of a country to act for what they think is the benefit of society; it gives room for debate on the direction of social development; it makes it possible for people to influence government and business.”<sup>318</sup> Civil society is diverse and includes a wide range of organizations, “such as community groups, women’s associations, labor unions, indigenous groups, youth groups, charitable organizations, foundations, faith-based organizations, independent media, professional associations, think tanks, independent educational organizations and social movements.”<sup>319</sup>

Civil society plays an important role in conflict and post-conflict societies.<sup>320</sup> The Center on Conflict, Development, and Peacebuilding (CCDP), having recognized a lack of research on civil society and conflict, conducted a

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<sup>306</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/66/35)*, 2011.

<sup>307</sup> UN General Assembly, *Assistance to Palestinian Refugees (A/RES/302 (IV))*, 1949.

<sup>308</sup> UNRWA, *NGO Partners*, 2014.

<sup>309</sup> NGO Development Center, *NDC*, 2014.

<sup>310</sup> NGO Development Center, *A Strategic Framework to Strengthen the Palestinian NGO Sector*, 2013, p. 7.

<sup>311</sup> European Union, *Palestine: EU Country Roadmap for Engagement with Civil Society*, 2014.

<sup>312</sup> NGO Development Center, *A Strategic Framework to Strengthen the Palestinian NGO Sector*, 2013, p. 7.

<sup>313</sup> *Ibid.*

<sup>314</sup> *Ibid.*

<sup>315</sup> World Bank, *Civil Society and Peacebuilding: Potentials, Limitation and Critical Factors*, 2006, p. 2.

<sup>316</sup> Gellner, *The Importance of Being Modular*, 1995, p. 32.

<sup>317</sup> Fowler, *Strengthening Civil Society in Transition Economies—From Concept to Strategy*, 1997, p. 36.

<sup>318</sup> *Ibid.*

<sup>319</sup> World Bank, *Civil Society and Peacebuilding: Potentials, Limitation and Critical Factors*, 2006, p. 2.

<sup>320</sup> Spurr, *Understanding Civil Society*, 2010.

comparative research project evaluating the relationship between authorities and CSOs.<sup>321</sup> In a working paper, CCDP identified seven functions of civil society in peacebuilding:

1. “Protection of citizens against all violent parties;
2. Monitoring of human rights violations and implementation of peace agreements;
3. Advocacy for peace and human rights, socialization to the values of peace and democracy;
4. Inter-group social cohesion (i.e. bringing people together from adversarial groups);
5. Facilitation of dialogue on the local and national level between all sorts of actors;
6. Service delivery to create entry points for peacebuilding.”<sup>322</sup>

Three main factors have defined the nature of Palestinian civil society: the absence of a sovereign and democratic state in the Palestinian territories; the repressive Israeli organization, and the heavy dependence of CSOs on foreign funds.<sup>323</sup> Traditionally, within the occupied Palestinian territory, only government and military were considered as legitimate actors when dealing with critical issues.<sup>324</sup> These state actors were the directing power in the region and all civil society action was understood as action against the state.<sup>325</sup> CSOs were limited to political confrontation in the form of bringing complaints and criticism to the attention of Palestinian authorities.<sup>326</sup> It is commonly agreed that the minor role of CSOs was due to the Israeli occupation.<sup>327</sup> Nonetheless, CSOs developed over time and eventually began to engage in professional confrontation rather than in political confrontation.<sup>328</sup> Since 1994, CSOs have been actively working to complement the work of state authorities and government organizations on a professional level.<sup>329</sup> With origins in a relatively unstable political environment, Palestinian civil society is characterized as being “remarkably vibrant, decentralized, pluralistic, and secular,” as well as moderate in terms of political and religious attitude.<sup>330</sup>

Palestinian civil society now plays “a vital and effective role in initiating democratic and developmental debate.”<sup>331</sup> CSOs increase the participation of Palestinians in the political process and serve “as a foundation for the national struggle, providing basic and important services as part of Palestinian resistance and steadfastness.”<sup>332</sup> CSOs challenge Palestinian authorities and are also integrated in political life.<sup>333</sup> The democratic function of civil society positively influences political life; citizens in states with an active civil society are described as having a large “political competence.”<sup>334</sup> The causal chain shows that “as the density and complexity of economic and secondary organizations increases, greater proportions of the population find themselves in life situations that lead to increased political information, political awareness, sense of personal political efficacy, and other relevant attitudes.”<sup>335</sup>

Thus, CSOs act as good governance examples and take a key role in peacebuilding.<sup>336</sup> CSOs are engaged in transferring knowledge and skills related to conflict transformation and resilience, thereby encouraging peaceful relations between Palestinian and Israeli civilians.<sup>337</sup> However, due to reticence to work with their Israeli counterparts and to accept funding from external sources, such as the United States Agency for International Development, many CSOs have shifted their focus from conflict resolution to emergency and relief services.<sup>338</sup> At

<sup>321</sup> Spurk, *Understanding Civil Society*, 2010., p. 15.

<sup>322</sup> *Ibid.*, p. 5.

<sup>323</sup> Jarrar, *The Palestinian NGO Sector: Development Perspectives*, 2005.

<sup>324</sup> Mikhelidze & Pirozzi, *Civil Society and Conflict Transformation in Abkhazia, Israel-Palestine, Nagorno-Karabakh, Transnistria and Western Sahara*, 2008, p. 46.

<sup>325</sup> *Ibid.*

<sup>326</sup> Sadiq, *Civil Society Organizations: Oslo as a Turning Point in Their Work Among the Masses*, 2012.

<sup>327</sup> *Ibid.*

<sup>328</sup> *Ibid.*

<sup>329</sup> *Ibid.*

<sup>330</sup> Abusrour, *The Atkin Paper Series Palestinian Civil Society: A time for action*, 2009, pp. 4-5.

<sup>331</sup> Sadiq, *Civil Society Organizations: Oslo as a Turning Point in Their Work Among the Masses*, 2012.

<sup>332</sup> *Ibid.*

<sup>333</sup> Abusrour, *The Atkin Paper Series Palestinian Civil Society: A time for action*, 2009, p. 6; Salem, *Civil Society in Palestine: Approaches, Historical Context and the Role of the NGOs*, 2012.

<sup>334</sup> Guo, *Civil Society: Definitions, Causes and Functions*, 1998.

<sup>335</sup> *Ibid.*

<sup>336</sup> Abusrour, *The Atkin Paper Series Palestinian Civil Society: A time for action*, 2009, p. 6.

<sup>337</sup> *Ibid.*

<sup>338</sup> *Ibid.*

present there are relatively few CSOs specifically engaged in “peacebuilding activities in Palestine,” such as the Palestinian Center for Research and Cultural Dialogue, the Palestinian Center of Alternative Solutions, the People’s Campaign for Peace and Democracy and the Children of Abraham.<sup>339</sup>

### ***Encouraging Youth Engagement***

Young people are an active and important part of civil society; however, they are often marginalized due to historical role assumptions.<sup>340</sup> Engaging youth and harnessing their potential to contribute to the peace process between Israel and Palestine are key aspects of CEIRPP’s work.<sup>341</sup> In order to enhance its work with young people, CEIRPP is eager to work closer with different actors, especially with NGOs, government organizations, and citizens from different countries.<sup>342</sup> In 2012, CEIRPP held an event on “Civil society action towards ending the occupation: Harnessing the power of youth and women.”<sup>343</sup> Participants were organized in five breakout groups, each of which had a thematic perspective; for example, the first two groups concentrated on the role of women in humanitarian assistance and the general situation of youth and women in the occupied Palestinian territory.<sup>344</sup> The meeting concentrated on securing the increased engagement of youth through empowerment and education; economic empowerment was considered separately.<sup>345</sup>

In 2014, the topic of youth was again included in the work of CEIRPP.<sup>346</sup> In February 2014, in cooperation with CSOs and as a platform for dialogue, the committee set up a briefing by Defence for Children International Palestine, an NGO that aims to ensure the strict observance of children’s rights.<sup>347</sup> The briefing was held by Mr. Brad Parker, International Advocacy Officer & Attorney for Defence for Children International Palestine.<sup>348</sup> Additionally, CEIRPP raised awareness through new media by screening an acclaimed movie entitled “Flying Paper” at UN headquarters in May 2014.<sup>349</sup> The main topic of the movie is Palestinian youth in the Gaza strip.<sup>350</sup> The audience was briefed by Mr. Robert Turner, UNRWA Director of Operations in Gaza, on the situation in Gaza before the movie.<sup>351</sup> Afterwards, members of CEIRPP were able to direct any questions to the co-director of the movie, Nitin Sawheny.<sup>352</sup> The screening of movies represents a new possibility for CEIRPP to disseminate information through publicly accessible and commonly used media.<sup>353</sup> The documentaries are generally used to inform civil society and official organs on relevant issues.<sup>354</sup>

Several other CSOs in Palestine engage actively in supporting youth.<sup>355</sup> The International Palestinian Youth League aims at “empower[ing] youth aged 15-35 against social, economical, and political challenges in Palestinian society, which the Israeli occupation has aggravated.”<sup>356</sup> The NGO offers several different programs through which it attempts to engage young people in the political life of Palestine.<sup>357</sup> Examples of such programs are language

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<sup>339</sup> Mikhelidze & Pirozzi, *Civil Society and Conflict Transformation in Abkhazia, Israel-Palestine, Nagorno-Karabakh, Transnistria and Western Sahara*, 2008, p. 50.

<sup>340</sup> Deutsche Gesellschaft für Internationale Zusammenarbeit, *Strengthening civil-society organisations in the Palestinian territories*, 2014.

<sup>341</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>342</sup> Ibid.

<sup>343</sup> CEIRPP, *Civil Society and the Question of Palestine – calendar of events*, 2014.

<sup>344</sup> United Nations Meeting of Civil Society in Support of Israeli-Palestinian Peace, *Civil society action towards ending the occupation: Harnessing the power of youth and women*, 2012.

<sup>345</sup> Ibid.

<sup>346</sup> CEIRPP, *Civil Society and the Question of Palestine – calendar of events*, 2014.

<sup>347</sup> CEIRPP, *Briefing by Defence for Children International Palestine*, 2014; Defence for Children International Palestine, *Organisation Profile*, 2014.

<sup>348</sup> Defence for Children International Palestine, *Briefing by Brad Parker of Defence for Children International Palestine*, 2014.

<sup>349</sup> CEIRPP, *Screening of “Flying Paper”, a documentary on Palestinian youth in Gaza*, 2014.

<sup>350</sup> Ibid.

<sup>351</sup> Ibid.

<sup>352</sup> Ibid.

<sup>353</sup> UN DPI, *Frustration Expressed in Palestinian Rights Committee over Obstructed Diplomatic Efforts; UN Secretariat’s Launch of Facebook Page for Outreach Highlighted*, 2010.

<sup>354</sup> Ibid.

<sup>355</sup> NGO Monitor, *NGO Index*, 2014.

<sup>356</sup> International Palestinian Youth League, *Activities*, 2014.

<sup>357</sup> Ibid.

courses, training groups, courses on new technologies and media, and artistic activities.<sup>358</sup> Wi'Am Palestinian Conflict Resolution & Transformation Center is a CSO that works with youth in Bethlehem and surrounding areas.<sup>359</sup> It offers “international youth exchanges, social activism, non-violence training, or voluntary service.”<sup>360</sup> The Palestinian Center for Research and Cultural Dialogue promotes cooperation between any cultural, political and social parties, mainly focusing on youth and modern technologies.<sup>361</sup> One recent project involved an Internet platform intended to teach young people about democracy and the role of new technologies.<sup>362</sup>

### ***Enhancing the Participation of Women***

A “functioning civil society” requires equal levels of engagement from men and women.<sup>363</sup> In 2014, the Security Council adopted resolution 2171, which “emphasize[d] the important role that women and civil society, including women’s organizations and formal and informal community leaders, can play in exerting influence over parties to armed conflict.”<sup>364</sup> The resolution also “reiterate[d] the continuing need to increase success in preventing conflict by increasing the participation of women at all stages of mediation and post-conflict resolution and by increasing the consideration of gender-related issues in all discussions pertinent to conflict prevention.”<sup>365</sup> Thus, while women have the recognized potential to play a crucial role in peacebuilding, they typically have only a minor role in efforts related to conflict resolution and reconciliation.<sup>366</sup> To engage women more fully in the peace process, CEIRPP has worked to strengthen partnerships with CSOs that present women with increased opportunities to participate in peacebuilding.<sup>367</sup> CEIRPP strongly supports the empowerment of Palestinian women and is eager to engage and cooperate with CSOs that have similar goals.<sup>368</sup> Palestinian authorities also cooperate with CSOs “for women’s education and health, training and the constant struggle to uphold women’s rights in the face of occupation and outdated traditions.”<sup>369</sup>

CEIRPP is concerned about the role of women in the peace process and has previously called several meetings on the topic of women.<sup>370</sup> In May 2012, the UN International Meeting on the Question of Palestine addressed “the role of youth and women in the peaceful resolution of the question of Palestine.”<sup>371</sup> Special emphasis was placed on empowerment through “education, training and economic opportunities, and [...] the political process.”<sup>372</sup> Social media was named as a key means to better coordinate and engage Palestinian and Israeli youth and women.<sup>373</sup> Even though the Israeli side did not actively participate in the meeting, Israeli CSOs and other actors used social media to provide comments and input.<sup>374</sup> In June 2012, the United Nations Meeting of Civil Society in Support of Israeli-Palestinian Peace on “Civil society action towards ending the occupation: Harnessing the power of youth and women” took place.<sup>375</sup> The meeting focused on the influence of social media and its power and named CSOs as the main “platform for empowering youths and women.”<sup>376</sup>

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<sup>358</sup> International Palestinian Youth League, *Activities*, 2014.

<sup>359</sup> Wi’Am Palestinian Conflict Resolution & Transformation Center, *Youth Program*, 2014.

<sup>360</sup> *Ibid.*

<sup>361</sup> Palestinian Center for Research & Cultural Dialogue, *Vision and mission*, 2014.

<sup>362</sup> Palestinian Center for Research & Cultural Dialogue, *Ongoing projects*, 2014.

<sup>363</sup> Deutsche Gesellschaft für Internationale Zusammenarbeit, *Strengthening civil-society organisations in the Palestinian territories*, 2014.

<sup>364</sup> UN Security Council, *Maintenance of international peace and security – Conflict prevention (S/RES/2171 (2014))*, 2014.

<sup>365</sup> *Ibid.*

<sup>366</sup> NATO, *The role of women’s civil society organizations in the prevention and resolution of armed conflicts and peace building: Statement by Mari Skåre, NATO Secretary General’s Special Representative in the open debate in the Security Council on women, peace and security*, 2012.

<sup>367</sup> Sadiq, *Civil Society Organizations: Oslo as a Turning Point in Their Work Among the Masses*, 2012.

<sup>368</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>369</sup> UN DPI, *Civil society’s role in ending Israeli occupation spotlighted at United Nations – meeting in Paris on Israeli Palestinian peace*, 2012.

<sup>370</sup> CEIRPP, *Civil Society and the Question of Palestine – calendar of events*, 2014.

<sup>371</sup> CEIRPP, *Civil Society and the Question of Palestine – calendar of events*, 2014.

<sup>372</sup> UNESCO, *The role of youth and women in the peaceful resolution of the question of Palestine*, 2012.

<sup>373</sup> *Ibid.*

<sup>374</sup> UNESCO, *The role of youth and women in the peaceful resolution of the question of Palestine: Chairman’s Summary*, 2012.

<sup>375</sup> CEIRPP, *Civil Society and the Question of Palestine – calendar of events*, 2014.

<sup>376</sup> United Nations Meeting of Civil Society in Support of Israeli-Palestinian Peace, *Civil society action towards ending the occupation: Harnessing the power of youth and women*, 2012.



In addition to their work with young people, Wi'Am Palestinian Conflict Resolution & Transformation Center also works closely with women.<sup>377</sup> The CSO has identified women as having an “integral role in the development of the community” and it is aware of the fact that women are willing to cooperate for development.<sup>378</sup> Therefore, it offers women support in “education, health, employment and legal rights,” which provides women with the opportunity to evolve “networks, develop their leadership and work-related skills, and take a more active role in their community and in Palestinian society.”<sup>379</sup> Another CSO, Women against Violence, offers Palestinian women different services that aim to protect them from conflicts and any domestic issues.<sup>380</sup> Additionally, the CSO is eager to engage women in community activities and offers different programs and opportunities to do so.<sup>381</sup> Women against Violence also works in the advocacy branch to empower women.<sup>382</sup> An additional example of a CSO that works for the empowerment of women is the Women’s International League for Peace & Freedom.<sup>383</sup> Its main focus lies on three different branches: challenging militarism, investing in peace, and strengthening multilateralism.<sup>384</sup>

### ***Strengthening Partnerships through Communication Technology***

As CEIRPP has noted in its reports to the General Assembly, online platforms play an important role in the work of the committee.<sup>385</sup> For example, the UN Platform for Palestine gives CSOs an opportunity to share information and coordinate with each other, allowing them “to produce a multiplier effect, connect with other groups and hopefully raise greater awareness and support for collective efforts.”<sup>386</sup> The platform also connects the UN, Member States, and CSOs working on the topic of Palestine.<sup>387</sup> The website defines CSOs as their “strategic partners” in order to ensure peace and security between Palestine and Israel.<sup>388</sup> The platform is a space where “800+ accredited organizations, the 100+ observer organizations, and the 200+ friend organizations that represent millions of people across the globe” can share and obtain information.<sup>389</sup> The screening of popular movies and summarizing briefings and meetings via YouTube further demonstrate the importance of these new channels.<sup>390</sup> Availability of diverse information is crucial for civil society and CSOs can easily use the information provided on new communication technologies to gain more influence.<sup>391</sup> As media and new communication opportunities allow people to share information worldwide quickly and publicly, CSOs are able to utilize these platforms to interact with the public and engage civilians more effectively.<sup>392</sup>

Social media is defined as “Internet-based applications” where people can actively engage in the substance of the website by sharing information interactively.<sup>393</sup> There are three main forms of social media: content communities; blogs; and social networking.<sup>394</sup> For example, CEIRPP’s “Question of Palestine” website corresponds to a content community.<sup>395</sup> Social networking corresponds to websites such as Facebook, YouTube, or Twitter.<sup>396</sup> CEIRPP, for example, has its own Facebook page where the committee can share information.<sup>397</sup> Civil society thus has the

<sup>377</sup> Wi'Am Palestinian Conflict Resolution & Transformation Center, *Women's Program*, 2014.

<sup>378</sup> *Ibid.*

<sup>379</sup> *Ibid.*

<sup>380</sup> Women against Violence, *Units & projects*, 2014.

<sup>381</sup> *Ibid.*

<sup>382</sup> *Ibid.*

<sup>383</sup> Women’s International League for Peace & Freedom, *What we do*, 2014.

<sup>384</sup> *Ibid.*

<sup>385</sup> CEIRPP, *Civil Society and the Question of Palestine – CEIRPP reports*, 2014.

<sup>386</sup> Permanent Observer Mission of The State of Palestine to the United Nations, *UN Platform for Palestine*, 2013.

<sup>387</sup> *Ibid.*

<sup>388</sup> UN Platform for Palestine, *Welcome to UNPFP*, 2014.

<sup>389</sup> *Ibid.*

<sup>390</sup> CEIRPP, *Screening of "Flying Paper", a documentary on Palestinian youth in Gaza, 2014; CEIRPP, Briefing by Defence for Children International Palestine*, 2014.

<sup>391</sup> Wild, *Strengthening Global Civil Society*, 2006, p. 9.

<sup>392</sup> *Ibid.*

<sup>393</sup> Kaplan & Haenlein, *Users of the world, unite! The challenges and opportunities of social media*, 2010, p. 61; Joseph, *Social Media, Political Change and Human Rights*, 2012, p. 146.

<sup>394</sup> Kaplan & Haenlein, *Users of the world, unite! The challenges and opportunities of social media*, 2010, pp. 62-63.

<sup>395</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/65/35)*, 2010.

<sup>396</sup> Holcomb et al., *News Use across Social Media Platforms*, 2013.

<sup>397</sup> UN General Assembly, *Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/65/35)*, 2010.

opportunity to get detailed information on what has happened.<sup>398</sup> Today, there are over 100 million blogs online.<sup>399</sup> In contrast to the other forms of social media, blogs are only for sharing information and an active interaction between the author and readers does not take place.<sup>400</sup> Examples of relevant websites are “Palestine Blogs,” which presents a list of blogs that discuss issues related to Palestine, and “Occupied Palestine,” which is a blog focused on human rights issues in Palestine.<sup>401</sup> Notably, 50% of adults who frequently use Facebook and Twitter also rely on these social media sites as their main news provider.<sup>402</sup> New communication technologies thus have the potential to enhance the capacity of CEIRPP and CSOs to engage with civilians, “affect domestic politics,” and positively influence the Israeli-Palestinian peace process.<sup>403</sup>

### **Conclusion**

Civil society is the key to CEIRPP’s primary efforts to promote peace in the occupied Palestinian territories; thus, CEIRPP should strengthen its partnerships with CSOs.<sup>404</sup> Through collaboration with civil society, CEIRPP has already successfully included Palestinians in its everyday work.<sup>405</sup> However, there is always room for improvement and the topic of how to promote the engagement of civil society in the peace process remains a pressing issue.<sup>406</sup> Therefore, new goals can be set, particularly with respect to communication technology.<sup>407</sup> Within this framework, CEIRPP can address new ways of channeling the power of civil society, promoting the use of social media, and emphasizing the importance of the influence of CSOs.

### **Future Research**

When researching this topic, delegates should consider the following questions: How can the engagement of civil society be enhanced in order to solve the recent conflict? What actions can be taken in terms of new technologies to solve the recent conflict? Are new technologies the breakthrough for peacebuilding? How can the UN Platform for Palestine be promoted? What roles do youth and women play in peacebuilding? How can the engagement of women and youth in CSOs and civil society activities be enhanced? How effective are the measures taken so far to include women and youth in any cooperation with civil society? How effective was the *International Year of Solidarity with Palestinian People* in terms of enhancing the peace process and engaging more civil society members in the work of CEIRPP? Delegates’ preparation should concentrate on specific, detailed, original, and forward-looking ideas on how to use the power of civil society more efficiently and how it can be channeled.

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<sup>398</sup> CEIRPP, *Briefing by Defence for Children International Palestine*, 2014; Defence for Children International Palestine, *Briefing by Brad Parker of Defence for Children International Palestine*, 2014.

<sup>399</sup> Kaplan & Haenlein, *Users of the world, unite! The challenges and opportunities of social media*, 2010, pp. 62-63.

<sup>400</sup> Ibid.

<sup>401</sup> *Palestine Blogs*, 2014; Occupied Palestine, *Occupied Palestine Blogging 4 Human Rights & Liberation of Palestine*, 2014.

<sup>404</sup> CEIRPP, *Draft programme of work for 2014 (A/AC.183/2014/CRP.1)*, 2014.

<sup>405</sup> Ibid.

<sup>406</sup> Ibid.

<sup>407</sup> Holcomb et al., *News Use across Social Media Platforms*, 2013; Pew Research, *Social Networking Fact Sheet*, 2014.

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Abusrour, A. (2009). *Palestinian Civil Society: A time for action*. Retrieved 17 August 2014 from: <http://icsr.info/wp-content/uploads/2012/10/1242995685ICSRAmalAbusrourReport.pdf>

*This paper provides detailed knowledge on civil society in general and civil society in Palestine. The paper provides definitions from different authors explaining the term civil society. The paper then explores specific characteristics of Palestinian civil society. Special emphasis lies on the various roles that civil society plays; for example, it is used to supplement good governance and in support of the peacebuilding process.*

Defence for Children International Palestine. (2014). *Briefing by Brad Parker of Defence for Children International Palestine*. Retrieved 10 September 2014 from:

<https://www.youtube.com/watch?v=5yTkaGpgkEU&feature=youtu.be>

*The source is an example of how CEIRPP meetings are conducted. It is a short video of a briefing that was delivered by a representative of Defence for Children International Palestine during a CEIRPP meeting. Thus, it is an example of cooperation between a CSO and CEIRPP. Delegates have the chance to experience the work of the committee from a realistic point of view, which will be useful for research and conference preparation.*

Jarrar, A. (2005). The Palestinian NGO Sector: Development Perspectives. *Palestine-Israel Journal of Politics, Economics and Culture*, 12 (1). Retrieved 22 August 2014 from: <http://www.pij.org/details.php?id=324>

*Jarrar specifically writes about the involvement of NGOs in the Israeli-Palestinian conflict. He explains how NGOs are cooperating with civil society and how they are integrated in all processes. Additionally, a historical perspective explains how the work of civil society organizations has been shaped over time and how civil society developed. Furthermore, the author describes how civil society organizations are cooperating among each other and how they interact with governments. Delegates will become familiar with the work of the committee and with possible directions for their proposed actions.*

Mikhelidze, N. & N. Pirozzi. (2008). *Civil Society and Conflict Transformation in Abkhazia, Israel-Palestine, Nagorno-Karabakh, Transnistria and Western Sahara*. MICROCON. Retrieved 17 August 2014 from:

[http://www.microconflict.eu/publications/PWP3\\_NM\\_NP.pdf](http://www.microconflict.eu/publications/PWP3_NM_NP.pdf)

*The authors provide detailed definitions and explanations on what civil society means and how it can be characterized. Delegates will gain a deeper understanding of the topic. Additionally, the source includes the specific example of civil society in the conflict of Israel and Palestine. Thus, it describes how CSOs are involved in the conflict and how their power can be used.*

Pfaffholz, T. (2009). *Civil Society and Peacebuilding*. Retrieved 24 August 2014 from:

[https://www.sfcg.org/events/pdf/CCDP\\_Working\\_Paper\\_4-1%20a.pdf](https://www.sfcg.org/events/pdf/CCDP_Working_Paper_4-1%20a.pdf)

*The source has a good overview of the characteristics and role of civil society in peacebuilding. Additionally, the author presents seven key findings on which role or position civil society takes when it comes to peacebuilding. Delegates with an interest in peacebuilding will find this source particularly useful.*

Sadiq, N. (2012). Civil Society Organizations: Oslo as a Turning Point in Their Work Among the Masses. *Palestine-Israel Journal of Politics, Economics and Culture*, 18 (2). Retrieved 22 August 2014 from:

<http://www.pij.org/details.php?id=1441>

*The document provides a good introduction to the topic. It defines the terms “civil society” and “civil society organization” and specifically describes civil society in Palestine. The source also provides some information about the development of civil society organizations over time in the occupied Palestinian territory. This source will help delegates to understand the topic in general.*

Salem, W. (2012). Civil Society in Palestine: Approaches, Historical Context and the Role of the NGOs. *Palestine-Israel Journal of Politics, Economics and Culture*, 18 (2&3). Retrieved 24 August 2014 from:

<http://www.pij.org/details.php?id=1437>

*The source from Salem provides a more critical examination of the topic, as the author begins his article by asking the question whether a civil society can exist in Palestine. He presents three scenarios: civil society exists, civil society does not exist, and civil society is developing. The author also takes a historical approach and writes about the development of civil society over time. He also considers the role and structure of NGOs in the civil society of Palestine. Delegates should focus on the conclusion, which identifies and analyzes past mistakes. Thus, delegates can use the conclusion as a base for their future actions. Additionally, the author names challenges that provide delegates with potential fields of action.*

United Nations, Committee on the Exercise of the Inalienable Rights of the Palestinian People. (2014). *Civil Society and the Question of Palestine* [Website]. Retrieved 13 July 2014 from: <http://unispal.un.org/unispal.nsf/ngo.htm>

*The website is essential for delegates to develop an understanding of how CEIRPP operates. The website provides information on the mandate of the committee and how CEIRPP cooperates with civil society. The website also describes the process through which NGOs may obtain accreditation from CEIRPP. Additionally, the website lists the partners working with CEIRPP and what responsibilities each partner has.*

United Nations, Committee on the Exercise of the Inalienable Rights of the Palestinian People. (2014). *The question of Palestine – calendar of events* [Website]. Retrieved 22 August 2014 from:

[http://unispal.un.org/databases/dprtest/ngoweb.nsf/ViewTemplate%20for%20v\\_Cal?OpenForm](http://unispal.un.org/databases/dprtest/ngoweb.nsf/ViewTemplate%20for%20v_Cal?OpenForm)

*This website provides an overview of all events under the auspices of CEIRPP. It summarizes CEIRPP's activities from 2011 to 2014 and leads to several other documents and websites where delegates can access detailed reports or even watch videos of meetings that have taken place. Delegates will benefit from developing a better understanding of the committee's past and present actions.*

United Nations, Committee on the Exercise of the Inalienable Rights of the Palestinian People. (2014). *The question of Palestine – CEIRPP reports* [Website]. Retrieved 22 August 2014 from:

<http://unispal.un.org/unispal.nsf/fCEIRPPreports?OpenView>

*This website links to all written reports by CEIRPP to the General Assembly. As delegates will write a similar report during the conference, it is important for them to be familiar with CEIRPP's previous work and how CEIRPP structures and formulates their reports to the General Assembly. The website will also serve as a starting point for delegates when writing position papers.*

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### III. Promoting Cooperation through Shared Water Resources

“Without water there is no dignity.”<sup>408</sup>

#### **Introduction**

The pressure to maintain sustainable resources in the water scarce Middle East has been a topic of much contention between Israelis, Palestinians and neighboring Arab states. As early as the creation of the Jewish state in 1948, water related conflicts have been present between these three parties.<sup>409</sup> On 28 July 2010, the General Assembly adopted resolution 64/292 on “the human right to water and sanitation”, and declared clean drinking water and sanitation a universal human right.<sup>410</sup> The same resolution called for states and international organizations to work to increase the availability of “safe, clean, affordable and accessible” water across the world.<sup>411</sup> Groundwater, which refers to the water found underground in the spaces between rocks and soil, flows back to the surface via springs and seeps, or can be accessed by drilling wells.<sup>412</sup> An underground geological formation that yields a meaningful amount of water over a longer term is referred to as an aquifer.<sup>413</sup> Sustainable use of these resources is key to solving the water crisis around the world and in Palestine. Currently, Palestinian per capita consumption of water in the occupied Palestinian Territories (oPT) stands at 70 liters per day; significantly lower than the WHO recommended per capita consumption of 100 liters per day.<sup>414</sup>

UN-Water, the United Nations inter-agency mechanism on all freshwater related issues including sanitation, defines water security as the ability of a population to access enough clean water for health, nutrition, economic development and environmental sustainability.<sup>415</sup> As the committee tasked to help Palestinians achieve their human rights, CEIRPP has a unique role in promoting instruments to secure the right to water for all Palestinians.<sup>416</sup> CEIRPP can address these issues and promote cooperation in management of shared resources through the existing international and legal framework around water rights, and the role the international system has in shaping them. The committee must also take into account the facts on the ground, from the geology of the area, Israeli water policies, and the daily struggles for Palestinians living through a water crisis. Most importantly, CEIRPP must consider and evaluate existing proposals to improve the water rights and access to clean water through partnerships with other members of civil society.

#### **International and Regional Framework**

In the 1950s, the United States played an active role in helping to mediate and equitably share water resources set forth by the *Unified Plan for the Development of the Jordan Valley* (1955), also known as the “Unified Plan” or “Johnston Plan.”<sup>417</sup> Through a series of visits, the United States special envoy to the Middle East, Eric Johnston brokered the agreement between Arab States and Israel.<sup>418</sup> This plan was the first bilateral agreement of the Jordan River Basin between Israel and the Hashemite Kingdom of Jordan.<sup>419</sup> The United States enforced the plan with financial incentives to both sides to uphold the newly devised agreement.<sup>420</sup> The plan called for improved Palestinian water infrastructure, specifically, the proposed West Ghor Canal from the Jordan River Basin.<sup>421</sup> Momentum to implement the plan died after the Arab League refused to ratify it in 1955, as doing so would have implied recognition of Israel as a state.<sup>422</sup> However, the plan laid down the framework for the future bilateral agreements between Israel and Jordan.

<sup>408</sup> Ban Ki-moon, *Secretary-General’s message for World Water Day*, 2011.

<sup>409</sup> Wolf & Ross, *The Impact of Scarce Water Resources on the Arab-Israeli Conflict*, 1992, pp. 919-958.

<sup>410</sup> UN General Assembly, *The human right to water and sanitation (A/RES/64/492)*, 2010.

<sup>411</sup> Ibid.

<sup>412</sup> New York State, *Department of Environmental Conservation. Groundwater definitions*.

<sup>413</sup> Ibid.

<sup>414</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 3.

<sup>415</sup> UN Water, *Topics: Water Security*, 2013.

<sup>416</sup> UN General Assembly, *Committee on the Exercise of the Inalienable Rights of the Palestinian People (A/RES/68/12)*, 2013.

<sup>417</sup> Haddadin, *The Jordan River Basin: Water Conflict and Negotiated Resolution*, 2003, pp. 1-20.

<sup>418</sup> Elmusa, *Toward a Unified Management Regime in the Jordan Basin: The Johnston Plan Revisited*, 1998, pp. 297-313.

<sup>419</sup> Haddadin, *The Jordan River Basin: Water Conflict and Negotiated Resolution*, 2003, pp. 1-20.

<sup>420</sup> Ibid.

<sup>421</sup> Programme in Conflict Management and Resolution, *Case Studies: The Jordan River*.

<sup>422</sup> Isaac, *The Role of Groundwater in the Water Conflict and Resolution between Israelis and Palestinians*, 2008, p. 276.

The *Declaration of Principles on Interim Self-Government Arrangements*, more often known as the *Oslo Accords* are two sets of documents negotiated in Oslo, Norway 1993 (*Oslo I*) and Taba, Egypt 1995 (*Oslo II*).<sup>423</sup> These documents are a set of agreements between the Palestinian Liberation Organization (PLO) and Israel, which aim at building a peace process to culminate with a two-state solution to the conflict.<sup>424</sup> Management of water was one of the issues addressed in the Accords.<sup>425</sup> Article 40 of the Oslo Accords II sets the foundation for all water management between the Palestinians and Israelis, with the focus around water resources in the West Bank.<sup>426</sup> Significantly, the accords acknowledge Palestine's rights to water in the West Bank.<sup>427</sup> Previous agreements like the *Cairo Agreement*, signed in 1994, transferred water and sewer responsibilities of non-settlement and military land in Gaza directly to the Palestinians.<sup>428</sup> The *Cairo Agreement* in particular specified the conditions for Israeli withdrawal from Jericho and the Gaza Strip, thereby transferring the powers and responsibilities to the Palestinians in Gaza.<sup>429</sup>

The *Oslo Accords* also created a commission that was mandated to oversee the water development and allocation of water resources between the two parties, formally known as the Joint Water Committee (JWC).<sup>430</sup> The JWC has an equal number of representatives from each side and requires decisions to be made by consensus.<sup>431</sup> The commission oversees many facets related to water management, but its most important task is related to the development of all new water resources, especially the licensing of new wells in the West Bank.<sup>432</sup> The Oslo Accords established Palestinian rights over water resource management in a number of ways.<sup>433</sup> First and foremost, the Israelis acknowledged Palestinian riparian rights, or the right to the access and use of water resources.<sup>434</sup> Additionally, temporary infrastructure for the development and enforcement of these rights were established through the JWC mechanism.<sup>435</sup> However, outside of these successes, the *Oslo Accords* and the institutions created have several shortcomings.<sup>436</sup> At Israel's request, water rights were deemed to be a final status negotiation topic, which meant that the finalization of water agreements was to happen at the successful conclusion of the peace talks, and the subsequent creation of a Palestinian State.<sup>437</sup> At the time of the *Oslo Accords*, this was estimated to be within five years.<sup>438</sup>

However, some twenty years after the ratification of the first *Oslo Accords*, the Israeli-Palestinian conflict is ongoing and Palestinians in Gaza and the occupied West Bank are considered water insecure.<sup>439</sup> The World Health Organization (WHO) stipulates that 100 liters of water for domestic consumption as the minimum standard.<sup>440</sup> However, many Palestinian households are forced to use less due to a lack of resources.<sup>441</sup> It is also noted that the water insecurity does not stem from climate related events, but rather through lack of control of resources and regional politics.<sup>442</sup> This insecurity stems from the limited capability of the institutions set up by the Accords, chiefly the JWC.<sup>443</sup> Further, the JWC has been unable to approve most new water infrastructure projects for the

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<sup>423</sup> Shlaim, *Rise and Fall of the Oslo Peace Process*, 2005, pp. 241-161.

<sup>424</sup> Ibid.

<sup>425</sup> Berland, *The Water Component of the Peace Process Between the Israelis and the Palestinians, Chapter Three: The Israeli-Palestinian Water Accords*, 2000.

<sup>426</sup> Ibid.

<sup>427</sup> Ripley, *The Human Right to Water and its Application in the Occupied Palestinian Territories*, 2011, p. 116.

<sup>428</sup> Berland, *The Water Component of the Peace Process Between the Israelis and the Palestinians, Chapter Three: The Israeli-Palestinian Water Accords*, 2000.

<sup>429</sup> Isaac, *Core Issues of the Palestinian-Israeli Water Dispute*, 1995, p. 57-74.

<sup>430</sup> Shamir, *Water Agreements Between Israel and Its Neighbors*, 1998, pp. 274-296.

<sup>431</sup> Ibid.

<sup>432</sup> Ibid.

<sup>433</sup> Obidallah, *Water and the Palestinian-Israeli Conflict*, p. 104.

<sup>434</sup> Ibid.

<sup>435</sup> Bukart, *The politicization of the Oslo Water Agreement*, 2012.

<sup>436</sup> Ibid.

<sup>437</sup> Ibid.

<sup>438</sup> Ibid.

<sup>439</sup> Zahra, *Water Crisis in Palestine*, 2001, p. 93-99.

<sup>440</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 3.

<sup>441</sup> Ibid.

<sup>442</sup> Zahra, *Water Crisis in Palestine*, 2001, pp. 93-99.

<sup>443</sup> Selby, *Cooperation, Domination and Colonization: The Israeli-Palestinian Joint Water Committee*, 2013, pp. 1-24.



Palestinians.<sup>444</sup> Even after JWC approval, Palestinians must seek additional approval from the Israeli military, which often leads rejected or indefinitely delayed permit approval.<sup>445</sup> According to the Center for Economic and Social Rights (CESR), after the second Intifada, Israel banned all new water permits for wells to Palestinians in 2002.<sup>446</sup> The fifteen-year evaluation of the water policy in the region by the University of Sussex, Brighton has revealed several key metrics.<sup>447</sup> For example, between 1995 and 2010, gross per capita supply of water has fallen by 31.5 percent, and dependence on imported water from Israel has increased by 98.6 percent.<sup>448</sup>

The *Convention on the Use of Transboundary Watercourses and International Lakes*, drafted in 1992 and entering into force in 1996, is primarily focused on ecological and environmental safeguards. It also defines riparian parties as groups that share a border with transboundary water resources.<sup>449</sup> Further, it calls for measures to promote conservation and to prevent and reduce water pollution.<sup>450</sup> The convention also endorsed the “precautionary principle” whereby states should monitor the release of potentially hazardous substances to prevent potential environmental damage, especially on transboundary watercourses.<sup>451</sup>

The *Convention on the Law of the Non-navigational Uses of International Watercourses* (1997), calls upon parties not to pollute, or attempt to gain control of international water sources and to share these resources in an equitable manner.<sup>452</sup> Although drafted in 1997, this convention only came into affect with its ratification by 35 Member States in August 2014.<sup>453</sup> Nevertheless, some of the provisions have been regulated as customary international law, which is binding on all states.<sup>454</sup> These provisions include, “the obligation to utilize an international watercourse in an equitable and reasonable manner, duty to prevent significant harm to other riparian states; and obligation to provide prior notification of planned measures that might affect other states sharing a watercourse.”<sup>455</sup> Furthermore, states have a responsibility not to cause serious impairment to another state sharing the same watercourse, and that riparian cooperation must be based on “sovereign equality and territorial integrity.”<sup>456</sup>

### ***Role of the International System***

The United Nations has played a large role in working to solve the Israeli-Palestinian conflict and create international water policies through a variety of mechanisms. The 2014 World Water Week included a seminar on how the 1992 and 1997 water conventions support one another and how best to implement them.<sup>457</sup> The overall theme of the week was centered on the “water, energy and food security nexus,” and highlighted “systemic interdependence” of transboundary actors with regard to water supply.<sup>458</sup> Additionally, the first plenary session of the United Nations Seminar on the Assistance to the Palestinian People took place in Nairobi, Kenya in July 2014 where water security, especially for the Palestinians in Gaza City, was discussed.<sup>459</sup>

The Millennium Development Goals (MDGs) served as the primary mechanism to operationalize the international community’s commitment to water resources. Under MDG goal seven, of ensuring environmental sustainability, the target was set to “halve by 2015, the proportion of the population without sustainable access to safe drinking water and sanitation.”<sup>460</sup> Under this goal, it is estimated that 2.3 billion people have gained access to clean drinking water

<sup>444</sup> Selby, Cooperation, *Domination and Colonization: The Israeli-Palestinian Joint Water Committee*, 2013, pp. 1-24.

<sup>445</sup> Amnesty International, *Troubled Waters-Palestinians Denied Fair Access to Water*, 2009, p. 2.

<sup>446</sup> Center for Economic and Social Rights, *The Right to Water in Palestine: A Background*, 2002.

<sup>447</sup> Selby, Cooperation, *Domination and Colonization: The Israeli-Palestinian Joint Water Committee*, 2013, pp. 1-24.

<sup>448</sup> Ibid.

<sup>449</sup> UN General Assembly, *Convention on the Protection and Use of Transboundary Watercourses and International Lakes*, 1992.

<sup>450</sup> Ibid.

<sup>451</sup> Ibid.

<sup>452</sup> UN General Assembly, *Convention on the Law of Non-navigational Uses of International Watercourses*, 1997.

<sup>453</sup> UN Secretary General, *Convention on the Law of Non-navigational Uses of International Watercourses: Entry Into Force*, 2014.

<sup>454</sup> Kurukulasuriya & Robinson, *Training Manual on International Environmental Law*, 2006.

<sup>455</sup> Ibid.

<sup>456</sup> UN General Assembly, *Convention on the Law of Non-navigational Uses of International Watercourses*, 1997.

<sup>457</sup> World Water Week, *Programme: How the Two Global Water Conventions Support Transboundary Water Cooperation*, 2014.

<sup>458</sup> World Water Week, *Thematic Scope: Energy and Water*, 2014.

<sup>459</sup> Palestine, *UN Seminar on Assistance to the Palestinian People*, 2014.

<sup>460</sup> United Nations General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

through a variety of international programs.<sup>461</sup> The UN has stipulated in numerous areas of action that the access to clean water is one of the largest contributing factors to independence and better quality of life; all seven of the MDGs are linked to access to clean water resources for all. In 2009 the United Nations Development Program (UNDP) evaluated the likelihood of attainment of the MDGs in Palestine, and scored goal seven as being “unlikely.”<sup>462</sup> The agency attributed this low prospect of attainment to the Palestinians lack of control of natural resources, particularly water and land due lack of governmental control over resources.<sup>463</sup> Focus has now shifted onto the Sustainable Development Goals (SDGs), which, while not finalized, seem certain to maintain the focus on water security.<sup>464</sup> For example, proposed goal six calls on states to “ensure availability and sustainable management of water and sanitation for all.”<sup>465</sup> Water security is also a component in a further five of the 17 goals.<sup>466</sup>

CEIRPP has in the past prepared reports that indicate the status of current Palestinian water resources.<sup>467</sup> These reports discussed restrictions Israel has placed on Palestinian water consumption as well as institutional constraints and the effects of Israeli settlement and subsequent annexation has had on Palestinian water resources.<sup>468</sup> The most recent report, however, was written in 1992, and built on a previous report from 1980.<sup>469</sup> CEIRPP has not produced a comprehensive report on the water situation in Palestine in more than 20 years.

The United Nations, General Assembly deemed 2013 the *International Year of Water Cooperation* in resolution 65/154, describing water as “critical” for sustainable development.<sup>470</sup> Further, the UNDP established the occupied Palestinian territories one of the areas that could most benefit from improved water cooperation.<sup>471</sup> In 2012, resolution 66/225 adopted by the GA, reaffirmed the right of the Palestinian people to their own resources, including water.<sup>472</sup> The resolution insists that Israel cease the “exploitation and damage” of Palestine’s natural resources.<sup>473</sup> Additionally, the right of Palestinians to claim compensation for damage, loss and depletion of resources was recognized.<sup>474</sup> Further, General Assembly resolution 68/12, adopted in 2014, establishes 2014 as the *International Year of Solidarity with the Palestinian People*.<sup>475</sup> This year’s awareness campaigns are focused around finding a lasting, peaceful solution to the occupation and ending the humanitarian crisis in Palestine.<sup>476</sup>

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is mandated by GA resolution 302 (IV) to provide direct relief and work programs to Palestinian refugees.<sup>477</sup> UNRWA has played a large role in information gathering and advocacy of shared water rights of the Palestinian people.<sup>478</sup> As early as the 1950s, it was one of the first agencies to commission a unified plan for the development and shared use of water resources.<sup>479</sup> This plan formed the basis of the ultimately abandoned Johnston Plan for the Jordan River Basin.<sup>480</sup> UNRWA also carries out various “safety net” projects that support over 282,944 refugees, and have led infrastructure and camp improvement projects that have assisted more than one million people.<sup>481</sup> One example of

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<sup>461</sup> United Nations General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

<sup>462</sup> UNDP, *MDG attainment in a Palestinian context*, 2010.

<sup>463</sup> Ibid.

<sup>464</sup> UN Water, *Water proposed as a sustainable development goal*, 2014.

<sup>465</sup> UN Sustainable Development Knowledge Platform, *Introduction to the proposal of the open working group for Sustainable Development Goals*, 2014.

<sup>466</sup> UN Water, *Water proposed as a sustainable development goal*, 2014.

<sup>467</sup> UN CEIRPP, *Water Resources of the Occupied Palestinian Territory*, 1992.

<sup>468</sup> Ibid.

<sup>469</sup> Ibid.

<sup>470</sup> UN General Assembly, *International Year of Water Cooperation (A/RES/65/154)*, 2011.

<sup>471</sup> UNDP, *2013: International year of water cooperation*, 2013.

<sup>472</sup> UN General Assembly, *Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources, (A/RES/66/225)*, 2012.

<sup>473</sup> Ibid.

<sup>474</sup> Ibid.

<sup>475</sup> UN CEIRPP, *International Year of Solidarity with the Palestinian People*.

<sup>476</sup> Ibid.

<sup>477</sup> UNRWA, *Who we are: resolution 302*.

<sup>478</sup> Ibid.

<sup>479</sup> Shapland, *Rivers of Discord: International Water Disputes in the Middle East*, 2007, p. 14.

<sup>480</sup> Ibid.

<sup>481</sup> UNRWA, *Who we are: Resolution 302*.

these is the Water, Sanitation and Hygiene Program (WASH), which aims to improve water infrastructure, water quality monitoring, and awareness of hygiene and water related issues throughout the refugee camps in the West Bank.<sup>482</sup>

The Human Rights Council (HRC) has been vocal on the issue of human rights and the access to water.<sup>483</sup> HRC resolution 24/18 reaffirms the human right to safe drinking water and sanitation.<sup>484</sup> The report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the occupied Palestinian Territory, including East Jerusalem, as requested under HRC resolution 19/17, also raises the precarious water and sanitation condition of the Palestinians.<sup>485</sup> The report indicates that the cause of many of the problems is that Palestinians do not themselves have control of water resources.<sup>486</sup>

Civil society organizations (CSOs) also play a large role in protecting human rights under the Israeli-Palestinian conflict. The Palestine Hydrology Group (PHG) works to protect and improve the water supply in Palestine.<sup>487</sup> PHG is a non-governmental organization (NGO) with funding from UNDP, European Union and Member States like Japan.<sup>488</sup> They are the largest organization that works to improve access to water and sanitation, and monitors pollution and climate change, within the occupied territories.<sup>489</sup> PHG conducts a range of programs including rehabilitation of existing infrastructure, improving nonconventional water collecting methods and awareness campaigns for women, who are the main users and collectors of water in rural regions.<sup>490</sup> They have 65 staff members spread across six offices in the occupied Territory and an annual budget of around \$5 million.<sup>491</sup>

Similarly, Friends of the Earth Middle East (FoEME) is another NGO supporting Palestinians in water resource management. FoEME has consultative status with United Nations Economic and Social Council (ECOSOC) and is directly affiliated with the EU Partnership for Peace.<sup>492</sup> FoEME brings together Jordanian, Palestinian and Israeli environmentalists to promote the shared cooperation of the environment through sustainable development, capacity-building and a lasting peace.<sup>493</sup> The group conducts advocacy, research and awareness work on a variety of environmental issues, particularly shared water resources.<sup>494</sup> One hallmark program that FoEME conducts is the Good Water Neighbor program, bringing together cross-border communities who share water resources as a strategy to promote dialogue and cooperation on sustainable water management.<sup>495</sup> The group has also proposed a new Water Accord, “A Modern Agreement to Share Water Between Israelis and Palestinians: The FoEME Proposal.”<sup>496</sup> The framework intends to replace article 40 regarding water resource management in the *Oslo Accords*.<sup>497</sup> The new structure would create a bilateral water commission and a mediation board to replace the JWC in the development of water resources within the occupied territories. The proposed system focuses on the equality of rights and emphasizes partnership and cooperation.<sup>498</sup> The new Accord has garnered significant international support and has the potential to become the foundation for future agreements for the shared use of water between both of the parties.<sup>499</sup>

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<sup>482</sup> UNRWA, *WASH Programme, 2011 Emergency Appeal*, 2011.

<sup>483</sup> UN HRC, *The Human Right to Safe Drinking Water and Sanitation, (A/HRC/RES/24/18)*, 2013.

<sup>484</sup> *Ibid.*

<sup>485</sup> UN HRC, *The Report of the Independent International Fact-Finding Mission to Investigate the Implications of the Israeli Settlements on the Civil, Political, Economic, Social and Cultural Rights of the Palestinian People Throughout the Occupied Palestinian Territory, Including East Jerusalem (A/HRC/22/63)*, 2013.

<sup>486</sup> *Ibid.*

<sup>487</sup> Palestinian Hydrology Group, *We Are: PHG the Organization*.

<sup>488</sup> Palestinian Hydrology Group, *We Are: Our Allies*.

<sup>489</sup> Palestinian Hydrology Group, *We Are*.

<sup>490</sup> Palestinian Hydrology Group, *We Are: PHG the Organization*.

<sup>491</sup> *Ibid.*

<sup>492</sup> Friends of the Earth Middle East, *About Us*.

<sup>493</sup> *Ibid.*

<sup>494</sup> *Ibid.*

<sup>495</sup> Friends of the Earth Middle East, *Projects*.

<sup>496</sup> Friends of the Earth Middle East, *A Modern Agreement to Share Water Between Israelis and Palestinians*, 2010.

<sup>497</sup> *Ibid.*

<sup>498</sup> *Ibid.*

<sup>499</sup> Brooks, T. & Trotter, J, *Confronting Water in an Israeli-Palestinian peace agreement*, 2009.

### ***The State of Water Resources in Palestine***

The Palestinian per capita consumption of 100 liters per day is already well below what is recommended, and in rural areas it can be as low as 20 liters per day.<sup>500</sup> Up to 200,000 Palestinians in the West Bank have no access to running water due to over all unequal access to water resources.<sup>501</sup> The Mountain Aquifer is the main groundwater source in Israel and the occupied Territories. According to Amnesty international, Palestinians have access to less than 20% of the annual available water.<sup>502</sup> In addition, according to the World Bank, Israel extracts up to 50% more than its allocated renewable share of this water supplied by the Mountain Aquifer.<sup>503</sup> The Hydrological Service of Israel estimates the annual yield at 734 million cubic meters per year (MCM/y).<sup>504</sup> However, in calculating the amount it is obliged to provide to the Palestinians under the Oslo accords, Israel uses the more conservative estimate of 679 MCM/y.<sup>505</sup> This creates long-term risks for the viability of the aquifer and as the groundwater level drops, it becomes harder for Palestinians to access water by the drilling of wells.<sup>506</sup> Consequently, Palestinian water yields have actually dropped since the *Oslo Accords* were signed, from 139 MCM/y in 1995 to 114 MCM/y in 2007.<sup>507</sup> Some reports have suggested that up to half of all Palestinian wells have dried up in the last twenty years.<sup>508</sup> Additionally, the smaller aquifer underneath the Gaza strip has been contaminated by sewage with 95% of the water it supplies not fit for drinking.<sup>509</sup>

Since the start of the occupation in 1967, Israel has controlled the River Jordan, restricting Palestine's access.<sup>510</sup> Furthermore, Israel has diverted part of the flow of the river upstream, into Lake Kinneret, which has reduced the flow of the river through the West Bank.<sup>511</sup> Further, Amnesty International reports that this water is highly contaminated with sewage, and is causing the Dead Sea to fall to unprecedentedly low levels.<sup>512</sup> Additionally, further upstream, Jordan, Syria, and Lebanon, also divert the river or its tributaries.<sup>513</sup> The River Jordan is by far the largest source of surface water (as opposed to groundwater) in the region and provides Israel with 700 MCM yearly.<sup>514</sup> Unlike the Mountain Aquifer, use of the River Jordan is not governed by the water protocols agreed in the *Oslo Accords*.<sup>515</sup>

### ***The Impact of Israeli Action on Palestinian Water Supply***

It is too soon to reliably assess the impact of the latest large-scale Israeli military assault on Gaza, Operation Protective Edge, which ran from 8 July to 6 August 2014, on the water infrastructure in Gaza.<sup>516</sup> Early estimates indicate that at least one pipeline and two wells in Gaza City were destroyed, cutting off around 100,000 Palestinians.<sup>517</sup> Additionally, damage to a sewage plant caused 25 million liters of raw sewage to spill into the sea.<sup>518</sup> The last Israeli incursion into Gaza, Operation Cast Lead, which lasted 22 days between December 2008 and January 2009, caused \$6 million worth of damage to Gaza's water and sewage infrastructure.<sup>519</sup> A United Nations Environment Programme (UNEP) report following the conflict states that Gaza's water resources were at crisis point

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<sup>500</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 3.

<sup>501</sup> *Ibid.*

<sup>502</sup> *Ibid.*, p. 8.

<sup>503</sup> World Bank, *Assessment on Restrictions on Palestinian Water Sector Development*, 2009, p. 9.

<sup>504</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 8.

<sup>505</sup> World Bank, *Assessment on Restrictions on Palestinian Water Sector Development*, 2009, p. 10.

<sup>506</sup> *Ibid.*

<sup>507</sup> *Ibid.*, p. 12.

<sup>508</sup> *Ibid.*, p. 13.

<sup>509</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 8.

<sup>510</sup> *Ibid.*, p. 9.

<sup>511</sup> *Ibid.*

<sup>512</sup> *Ibid.*

<sup>513</sup> *Ibid.*

<sup>514</sup> *Ibid.*

<sup>515</sup> *Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II)*, 1995.

<sup>516</sup> Al-Haq, *Briefing Note I: The destruction of water and sewage infrastructure under international law*, 2014.

<sup>517</sup> *Ibid.*

<sup>518</sup> *Ibid.*

<sup>519</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 58.

even before the latest round of hostilities, only exacerbated by military action.<sup>520</sup> Additionally, the halting of sewage treatment or the destruction of sewage facilities led to an increase in contamination of the groundwater.<sup>521</sup> The lack of reliable water supply during the fighting forced the residents of Gaza to drink any water they had access to, without regard to where it came from or whether it was clean.<sup>522</sup> Lastly, even water supplied through normally more reliable means, like tankers or municipal networks, was frequently untested or untreated.<sup>523</sup>

Military action aside, there are other less direct ways Israeli control over water resources have consequences on the water supply situation in region, particularly the effects of farming. Agriculture accounts for no more than 3% of Israel's GDP and employs no more than 4% of its population, but it uses as much as 50% of its clean water supply.<sup>524</sup> Professor Shuval Hillel, Director of Environmental Health Sciences at Hadassah College in Jerusalem, claims Israel maintains a "romantic vision of a pastoral Israel which still influences water policy."<sup>525</sup> Agriculture was a priority for the early State of Israel, both as a means to ensure food security, and to provide jobs for newly arrived settlers.<sup>526</sup> The Israeli agricultural sector today, while highly efficient, remains heavily subsidized and ultimately uses more water than environmentally sustainable.<sup>527</sup> Hillel describes the practice of exporting flowers to Europe grown with subsidized drinking water as "illogical and immoral."<sup>528</sup> About 5,000 hectares in Israel are given over to floriculture, with 800 million cut flowers being exported each year, mainly to Europe.<sup>529</sup>

The humanitarian impact of the water crisis on Palestinians is severe and water rationing is widespread, particularly in summer.<sup>530</sup> Palestinians are thus forced to buy water from mobile tankers, which is often expensive and poor quality.<sup>531</sup> Some Palestinian families spend up to a quarter of their income on purchasing additional water.<sup>532</sup> Additionally, these sources are prone to vicious waterborne diseases, are a common causes of death.<sup>533</sup> Further, to save water, people minimize sanitation practices and reuse dirty water for different tasks: the same water that was used to boil the vegetables is used again to wash the floors and finally flush the toilet.<sup>534</sup> The UN Deputy Special Coordinator for the Middle East Peace Process, Maxwell Gaylard, has described the water crisis as "compounding an already severe and protracted denial of human dignity in the Gaza Strip."<sup>535</sup>

### ***Promoting Shared Resources***

In terms of action, CEIRPP has the freedom to innovate but can also be inspired by existing projects. For example, FoEME's "Good Water Neighbors" project seeks to build cross-community cooperation by encouraging communication and joint enterprise between Israeli and Palestinian communities who share a water resource.<sup>536</sup> Participants from the selected communities include young people, political leaders, and environmental professionals.<sup>537</sup> This project encompasses local political leadership, the wider population, and civil society groups, while the project itself seeks both to gradually build trust between communities as well as achieve tangible environmental goals.<sup>538</sup>

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<sup>520</sup> UNEP, *Environmental assessment of the Gaza strip following the escalation of hostilities January 2008-December 2009*, p. 55.

<sup>521</sup> Ibid.

<sup>522</sup> Ibid.

<sup>523</sup> Ibid.

<sup>524</sup> Shuval, Hillel, *The Agricultural Roots of Israel's Water Crisis*, 2009.

<sup>525</sup> Ibid.

<sup>526</sup> Ibid.

<sup>527</sup> Ibid.

<sup>528</sup> Ibid.

<sup>529</sup> The Israel Export & International Co-operation Institute, *Israel's Exports*, 2010.

<sup>530</sup> Amnesty International, *Troubled Waters: Palestinians Denied Fair Access to Water*, 2009, p. 3.

<sup>531</sup> Ibid.

<sup>532</sup> Ibid.

<sup>533</sup> Ibid., p. 25.

<sup>534</sup> Ibid., p. 15.

<sup>535</sup> Ibid., p. 25.

<sup>536</sup> Kramer & Annika, *Regional Water Co-operation and Peacebuilding in the Middle East*, 2008, p. 23.

<sup>537</sup> Ibid., p. 24.

<sup>538</sup> Ibid., p. 24.



In addition to the “Good Water Neighbors” project, FoEME has proposed a more ambitious “Jordan River Peace Park,” which would include a bird sanctuary, an eco-lodge and a visitor’s center.<sup>539</sup> This project would encourage biodiversity, eco-tourism, cooperation between Israel, Jordan, and Palestinians, education, and collaboration based on developing eco-tourism.<sup>540</sup> However, while local leaders have signaled a cautious enthusiasm for the project, it remains in an embryonic stage.<sup>541</sup> The project has not yet been endorsed by national governments in either Israel or Jordan, which given the cross-border nature of the proposal, is crucial.<sup>542</sup> This is perhaps where CEIRPP is best placed to intervene, as there is precedent for outside parties helping the negotiations required to establish transnational peace parks.<sup>543</sup> Encouraging dialogue between different parts of civil society also includes the private sector. Businesses and entrepreneurs on the ground are often better placed to build meaningful cross-border relationships with governments, and are less vulnerable to political realities that can impede governments.<sup>544</sup>

### ***Conclusion***

This topic is a challenging one, both in its technical complexity, and in the sense that finding a humanitarian solution to the water crisis facing Palestinians is inextricably linked to finding a solution to the political and military conflict with Israel. The reports by the World Bank and Amnesty International examine the hardship and inequality faced by Palestine in much detail. Perhaps most crucially, CEIRPP will need to arrive with knowledge of some existing proposals to solve these problems, such as the “Jordan River Peace Park.” CEIRPP should engage civil society, governments, and international bodies and find creative solutions to the water crisis that besets Palestine. In addition to building on and adding to existing solutions, the committee should look to innovate, and craft responses that, while realistic given the difficult political context, could deliver real change and reliable clean water to Palestine.

### ***Further Research***

To further discuss this topic, consider what are the pros and cons of the water institutions set up by the *Oslo Accords*? Are they fit for purpose? What areas of civil society are best placed to engage with this issue? How can the international community balance the need for an ambitious solution with the practical limitations that the security environment in the region creates? Within its mandate, what can CEIRPP contribute to the debate?

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<sup>539</sup> Friends of the Earth Middle East, *Projects*.

<sup>540</sup> *Ibid.*

<sup>541</sup> Kramer & Annika, *Regional Water Co-operation and Peacebuilding in the Middle East*, 2008, p. 25.

<sup>542</sup> Jerusalem Post, *Peace on the ground, through ecological conservation*, 2014.

<sup>543</sup> *Ibid.*

<sup>544</sup> Jerusalem Post, *Palestinian Water Engineer: Regional co-operation possible on private sector level*, 2013.

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*Al-Haq is a Palestinian NGO established in 1979 to promote human rights and the rule of law in the occupied territories. They focus on documenting collective and individual human rights violations suffered by Palestinians. This article focuses on the impact of Israeli occupation on sewage and water infrastructure. There is a section giving an overview of Israel's control, a section detailing the impact of Operation Protective Edge on water infrastructure, and finally a longer section offering a legal analysis of the situation. This section cites a number of international and legal conventions, and argues that Israel is in breach of international law regarding the conduct of its occupation of Palestine.*

Amnesty International. (2009). *Troubled Waters: Palestinians Denied Fair Access to Water*. Retrieved 10 July 2014 from: <http://www.amnestyusa.org/pdf/mde150272009en.pdf>

*This pamphlet gives an in-depth overview of the water crisis in the occupied territories. It combines personal accounts of individuals with a wide-ranging analysis. It explains the geographical, institutional, political and historical problems facing the Palestinians, as well as introducing an international law perspective, and also offers some policy recommendations that delegates may wish to investigate.*

Friends of the Earth Middle East. (2010). *A Modern Agreement to Share Water Between Israelis and Palestinians*. Retrieved 5 August 2014 from:

[http://foeme.org/uploads/12990739030~%5E\\$%5E~Model\\_Water\\_Agreement\\_Map.pdf](http://foeme.org/uploads/12990739030~%5E$%5E~Model_Water_Agreement_Map.pdf)

*This document is a draft proposal for a long lasting solution to the water crisis in Palestine, drafted by a group of academics working for the Friends of the Earth Middle East, an NGO devoted to environmental peacekeeping and brings together Israeli, Palestinian and Jordanian environmentalists. It contains a number of proposals that delegates could use as a starting point when drafting their own proposals. Additionally, the annex containing responses to the proposals give an indication of what major regional actors think of them.*

Haddadin, M. (2003). *The Jordan River Basin Water Conflict and Negotiated Resolution*. Retrieved 13 July 2014 from: [http://webworld.unesco.org/water/wwap/pccp/cd/pdf/case\\_studies/jordan\\_haddadin\\_2.pdf](http://webworld.unesco.org/water/wwap/pccp/cd/pdf/case_studies/jordan_haddadin_2.pdf)

*This source serves as a good historical introduction to the water crisis that is currently affecting Jordan, Israel and Palestine. It serves as a relatively balanced account of the situation and some of the previous attempts to resolve it. It does not explore present day developments, but is a useful historical overview. The historical context describes the environment around the creation of Israel, the hostilities between the Palestinians/Arabs and the Israelis, as well as US involvement in finding a way to equitably share water resources between all parties. The Johnson Plan is highlighted and explained in much depth. This agreement serves as the foundation of many future bilateral, water management agreements in the region.*

International Committee of the Red Cross. (2013). *Water and Habitat: Public Health Engineering During Armed Conflict 1983-2013*. Retrieved 13 July 2014 from: <http://www.icrc.org/eng/assets/files/publications/icrc-002-4123.pdf>

*This booklet, published by the International Committee of the Red Cross, gives a brief history of the organization's role in assisting water supply to conflict-ridden areas. Palestine is not one of the examples it draw upon, but delegates will still find this booklet useful for finding real-world examples of how NGOs could assist them in the implementation of their ideas. It is also an example of the kind of civil society led public information campaign that CEIRPP would endorse.*

*Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II)*. (1995). Retrieved 14 July 2014 from: <http://www.refworld.org/docid/3de5ebbc0.html>

*Delegates will see from reading the background guide that the successes and failures of the water protocols in the Oslo Accords lay at the heart of this topic. In order for delegates to be able to*

*seriously engage with or challenge the institutions set up by Oslo II and the realities they created, they will need to be familiar with these protocols. Crucial are the sections outlining the principal that Israeli water usage would not be reduced, as well as the 80/20 split in water coming from the Mountain Aquifer and the Joint Water Committee.*

Rosenthal, E., & R. Sabel. (2009). *Water and Diplomacy in the Jordan River Basin*. Retrieved 13 July 2014 from: <http://www.internationalwaterlaw.org/bibliography/articles/general/Rosenthal+Sabel.pdf>

*This source serves an informative tool to understanding the Jordan River water management through an international affairs perspective. The source also explores international and regional frameworks of the crisis. Delegates will find the background helpful in understanding how water resource management has played a role in both the Middle East, and Palestine.*

United Nations, General Assembly. (1992). *Convention on the Protection and Use of Water Transboundary Watercourses and International Lakes*. Retrieved on 10 August 2014 from:

<http://www.unece.org/fileadmin/DAM/env/water/pdf/watercon.pdf>

*The 1992 convention, along with its counterpart, the 1997 Convention on the Non-Navigational Use of International Watercourses, are the most important legal documents relating to the use of transboundary water resources. As mentioned in the guide, this convention establishes the terminology of “riparian parties” and “riparian rights,” and endorses the “precautionary principle.” It also focuses on the importance of conservation, and of preventing pollution.*

United Nations, General Assembly. (1997). *Convention on the Law of Non-navigational Uses of International Watercourses*. Retrieved 14 October 2014 from:

[http://legal.un.org/ilc/texts/instruments/english/conventions/8\\_3\\_1997.pdf](http://legal.un.org/ilc/texts/instruments/english/conventions/8_3_1997.pdf)

*The 1997 convention was only ratified in August 2014, but has long been part of customary international law. It complements the 1992 convention. The focus of this document is on the sustainable and equitable management of shared water resources. It prohibits states from causing one another “significant harm” and stipulates that riparian negotiations must be based on equal sovereignty.*

World Bank. (2009). *Assessment on Restrictions on Palestinian Water Sector Development*. Retrieved 31 July 2014 from:

<http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/WaterRestrictionsReport18Apr2009.pdf>

*This report, like the one by Amnesty International, is an external examination of the water crisis in Palestine. It provides a good technical analysis of the water resources availability in the region. The report examines external contributing factors such as international law, cross-border movement and access, as well as internal limitations such as weak Palestinian regulatory institutions. Delegates will find this source useful for understanding the complete picture and the many contributing factors to water security in the region.*

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*Declaration of Principles on Interim Self-Government Arrangements (Oslo Accords)*. (1993). Retrieved 14 July 2014 from: <http://www.refworld.org/docid/3de5e96e4.html>

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