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The Role of the United Nations in the Implementation of Resolution 181: A Case Study of the Partition Plan in the Israeli-Palestinian Conflict

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A dissertation Submitted to the Department of Letters and English Language in Partial Fulfilment of the Requirements for the Master's Degree in Language and Culture

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Acknowledgments

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Dedication One

To the memory of my parents.

CHAHAT Smain

Dedication Two

To the spirit of my mother whose unwavering love, endless encouragement, and boundless wisdom continued to guide and inspire me every day, I wouldn't be able to reach this point of my life without you Mom. Though you are no longer with us, your spirit has been a constant source of my strength throughout this journey. This work is a testament to the profound impact you had on my life. Forever in my heart and thoughts.

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Abstract

The current dissertation sheds light on the Partition Plan, or United Nations General Assembly Resolution 181, and its significant influence on the Israeli-Palestinian conflict. The study reveals the historical background that led up to 1947, delving into the creation and ratification of Resolution 181, as well as the impact on the geopolitical environment of the area. The research attempts to offer a comprehensive explanation of the UN involvement in carrying out the Partition Plan and its long-lasting effects. This study highlights the difficulties involved in the capacities and constraints of international institutions in resolving territorial and national disputes.

ملخص

تسلط الأطروحة الحالية الضوء على خطة التقسيم، أو قرار الجمعية العامة للأمم المتحدة 181، وتأثيرها الكبير على الصراع الإسرائيلي الفلسطيني. تكشف الدراسة عن الخلفية التاريخية التي أدت إلى احداث عام 1947، والتعمق في إنشاء القرار 181 والتصديق عليه، فضلاً عن التأثير على البيئة الجيوسياسية للمنطقة. يحاول البحث تقديم شرح شامل لمشاركة الأمم المتحدة في تنفيذ خطة التقسيم وآثارها طويلة الأمد. وتسلط هذه الدراسة الضوء على الصعوبات التي تواجهها قدرات المؤسسات الدولية وقيودها في حل المنازعات الإقليمية والوطنية.

List of Abbreviations and Acronym

AHC	Arab Higher Committee
CSCE	Conference on Security and Cooperation in Europe
IDF	Israel Defense Forces
NGO	Non-Governmental Organization
PLO	Palestine Liberation Organization
UN	United Nations
UNICEF	United Nations International Children Emergency Fund
UNITAF	United Nations International Task Force
UNOSOM	United Nations Operation in Somalia
UNPC	United Nations Palestine Commission
UNPROFOR	United Nations Protection Force
UNRWA	United Nations Relief and Works Agency
UNSC	United Nations Security Council
UNSCOP	United Nations Special Committee on Palestine
UNTAC	United Nations Transitional Authority in Cambodia
USSR	Union of Soviet Socialist Republics
WFP	World Food Programme
WZO	World Zionist Organization

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Introduction

The Palestinian-Israeli clash is considered as one of the long-term and disputable conflicts of the contemporary world which developed in the territory which was traditionally called Palestine and was known for competing attempts of Jewish and Arab nations for state formation. The main root of this conflict can be traced back to United Nations General Assembly Resolution 181, more famously known as the Partition Plan. This resolution adopted on the 29th November, 1947 meant the partitioning of the British Mandate for Palestine into two states, Arab and Jewish and Jerusalem was to be governed by the international community.

As a milestone in international diplomacy, Resolution 181 shares the consensus of the international community to resolve the escalating conflict between the growing Jewish and Arab populations in Palestine. This plan was approved by the Jewish community in Palestine and the Zionist movement in general, who viewed it as a legal and very important step towards achieving the dream of a Jewish state, due to the global spread of antisemitism, and mainly to the Holocaust, in which 6 million Jews were systematically killed by the Nazi regime and their allies, in World War II. Upon the vote, the Arab states and Palestinian Arab leaders declared the resolution null and void and a contradiction of the basic principles in the United Nations resolution on the right to national sovereignty.

The adoption of Resolution 181 and the reactions of the parties involved therein, resulted in immediate and widespread conflict. A year after the termination of the British Mandate on Palestine, on May 14, 1948, Israel declared its statehood and this led to further violence and mainly the outbreak of the 1948 Arab-Israeli War between Israel and an alliance of Arab states. In this war, the great territorial changes were the victory of Israel over its allotment of land in the UN Partition Plan. As a result of that war, Israel assumed control of the 78% of the former Palestine Mandate territory, and Jordan and Egypt controlled the West Bank and the Gaza Strip,

respectively, (22% of the subsidiary region in total). The war also led to the displacement of around 700000 Palestinian Arabs, who either fled or were expelled from their homes, this refugee crisis known as the Nakba, remains a key point of the contention in the Israeli-Palestinian conflict.

The United Nations and its involvement in the enforcement of Resolution 181 as well as its engagements in the Arab-Israeli conflict can be described as a topic of intense historic and political interest. To start with, UN's main approach was on ensuring implementation of partition plan through the formation of United Nations Palestine Commission, which had the role of assuming the administration from British Mandatory authorities, its main objective was to supervise the process of forming provisional councils of governments in each of the anticipated states and also ensure law and order during this transition and this was done in collaboration with the provisional councils of governments. However, the immediately ensuing Arab-Jewish fighting and the non-claiming of authority in the region by the British Mandatory government or by the neighboring Arab states which opposed the partition made it challenging for the UN's intervention strategies.

The significance of this research work is the examination of the multifaceted role of the United Nations in the implementation of Resolution 181, scrutinizing the organization's diplomatic, political, and logistical efforts to enforce the partition plan. It explores the historical context leading up to the adoption of the resolution, including the impact of World War II, the Holocaust, and the subsequent international support for a Jewish state. The study also delves into the immediate responses from the Jewish and Arab communities, and the subsequent actions taken by the UN in the wake of the resolution's failure to be implemented as planned.

This dissertation aims to examine the role of the United Nations in the implementation of Resolution 181 and its impact on the Israeli-Palestinian conflict. The study seeks to answer the

following research question: What were the key factors that influenced the United Nations' decision to adopt the Partition Plan? How did the implementation of Resolution 181 affect the political, social, and economic landscape in the region of Palestine? How did the United Nations' General assembly attempted to implement the Partition Plan? What challenges and obstacles did the United Nations face in implementing the Partition Plan, and how did these challenges shape the outcomes of the resolution? Finally, how did the United Nations reacted after failing to achieve the goals of the Partition Plan?

To address the questions raised in this research work, this dissertation employs a qualitative descriptive case study approach, drawing upon primary sources such as United Nations documents, historical records, as well as secondary sources including scholarly articles and books. Qualitative methods such as content analysis is used to analyze documents and articles related to the role of the UNs in the Palestinian-Israeli conflict. This analysis helps identify areas of success and failure of implementing resolution 181 by UN's General Assembly. Descriptive method, such as describing the early roots of the Palestinian-Israeli conflict, and the main events such as the British Mandate on Palestine, the establishment of Israel and what came after it, the series of Wars between Arab states and Israel, and the peace processes that involved both parties.

The implementation of Resolution 181 also known as the Partition Plan by the United Nations' General Assembly has been extensively studied within the context of the Israeli-Palestinian conflict. In his research paper entitled *The UN Partition Plan for Palestine and International Law*, Victor Kattan takes a look at the early proposals to Partition Palestine which came under the British Mandate rule on Palestine when the British government refused the idea of Partitioning Palestine since it did not want to cause trouble for its colonial subjects in India, the Near East or North Africa.

The previously mentioned research describes the transformation of the issue of Palestine from the British government to the newly born organization the United Nations General Assembly, which discussed and adopted Resolution 181. The resolution calls for the division of Palestine into two states: A Jewish state and Arab state with Jerusalem being under international control.

Another valuable source is "The Myth of The U.N. Creation of Israel" written by Jeremmy R. Hammond. This article provides an in-depth analysis of the UN's General Assembly limited efforts in the implementation of Resolution 181 and its attempt to bring peace to the region as well as the declaration of the establishment of the state of Israel.

Additionally, in his edited book *Britain, Palestine and Empire: The Mandate Years*, Rory Miller brings together essays by leading scholars who examine various aspects of British rule in Palestine and its impact on both the Jewish and Arab communities. The book highlights the tensions and contradictions inherent in British rule, which ultimately failed to resolve the conflict between Jews and Arabs in Palestine.

This dissertation is divided into three main chapters each discussing a key element in the research. The first chapter is entitled "The United Nations Partition Plan for Palestine: Historical Background, Principles, and Sovereignty Considerations". This chapter tackles the early proposals to divide Palestine and the UN's decision to adopt Resolution 181, it also digs into the UN's interventions in different continents such as Europe, Asia and Africa, as well as the principles upon which the UN intervenes. Finally, this chapter include a deeper understanding of UN's sovereignty.

The second chapter is entitled "Background of the Israeli-Palestinian conflict", which focuses on the early roots of the conflict and the emergence of the Zionism movement, as well as the British mandate in Palestine which represents a key event in the conflict and the Arab-Jewish

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protests against the British rule, and the main focus is the events that came after the first Arab-Israeli War and Palestinians resistance against the establishment of Israel in their land. Finally, the chapter describes the peace processes between the involved parties and the Israeli settlements on the land of Palestine.

The third chapter comes under the title "The Role of the United Nations General Assembly in implementing Resolution 181" which focuses on how the United Nations General Assembly implemented the Partition Plan of Palestine and examines the success and failure of implementing Resolution 181. It reveals the obstacles that made it difficult for the United Nations to implement the resolution, and how the United Nations handled the region after the failure of implementing Resolution 181.

In conclusion, this dissertation will delve into the pivotal role played by the United Nations in the implementation of Resolution 181, examining its impact on the Israeli-Palestinian conflict. By analyzing the historical context, political dynamics, and the ensuing consequences of the partition plan, this study aims to provide a comprehensive understanding of the UN's influence and effectiveness in mediating one of the most enduring and complex conflicts in modern history.

Chapter One

The History of the Israeli-Palestinian Conflict

The Israeli-Palestinian conflict involves dispute over territories between Israelis and Palestinians and is one of the oldest and bloody conflicts of the present age. From there, it acknowledges its bearings in the late 19th and early 20th centuries, a time of Zionist movements and a shift in population in the geographical area referred to nowadays as historical Palestine. There are many significant events that have occurred within the framework of the conflict – wars, attempts at peacemaking, and international intervention, which are defining the current Israel-Palestine relations.

This chapter briefly outlines the timeline of the major events and developments of the conflict; Zionism and the immigration of Jews to Palestine, the establishment of the state of Israel and the consequent Palestinian displacement to peace processes.

1.1. Early Roots of Zionism

The Jewish people believe they are the people that God has selected to receive the Holy Books. Furthermore, the Jewish people believe that they have been assigned a responsibility that goes beyond simply receiving the message of God and then sharing it and proclaiming His existence and commands. In addition, it is to establish a polity and a society where all human creatures would live in a way that pleases God (Tessler 7). They believe and see themselves as God's chosen people and selected ones, as the orthodox among them say, to be a light unto the nations in addition to being God's messenger. According to them, God gave His chosen people authority over the land of Israel or Eretz Yisrael, so that they would have a nation of their own. It is situated in what is now known as Palestine and was referred to by the ancients as the Land of Canaan.

The growth of antisemitism is the most widely accepted theory explaining the rise of Zionism. Remarkably, antisemitic incidents in the eighteenth century or any other earlier time did not lead to the emergence of any Zionist movement (Maor 1). Therefore, it is possible that antisemitic incidents were a spark rather than a cause for the establishment of Zionism, since that the movement emerged after antisemitic incidents peaked at the end of the nineteenth century. The Jewish community was frequently subjected to physical, spiritual and cultural destruction threats, persecution, killings, and exclusion from public service posts. After the Enlightenment of the nineteenth, the majority of the Jews stayed in exile, others were in different countries across the world like United States, South Africa, Australia, and Canada while others stayed in Europe. Those who remained in Europe were on the edge of the society, making a living as small-time merchants or mediators for towns and villages (Maor 2).

According to Avineri, the nineteenth century was the greatest century Jews have ever lived, both as individuals and as a society, since the Temple was destroyed (5). As the concepts of the Enlightenment expanded after the French Revolution, a new perspective toward the Jews started to dominate. Jews were allowed equal rights, the establishment of neighborhoods, and a progressive expansion of the variety of occupations, with a notable concentration in the wholesale and retail trade sectors (Halpern and Reinharz). Jews started to move from Europe's marginal cities to its major ones, and there was evidence of their presence in educational institutions, science and culture.

Zionism was born out of this world. A small group of Jewish intellectuals came to the conclusion that creating a Jewish national home would be the only way to safeguard their community (Eichler). The only path was self-determination, or what Russian Zionist Leon Pinsker referred it as "auto-emancipation." In his 1882 pamphlet Auto emancipation, Pinsker stated, "The great ideas of the eighteenth century have not passed by our people without leaving a

trace" and added, "We feel not only as Jews; we feel as men." Men that would also desire to live and become a nation like others.

Theodor Herzl made the case in his 1896 pamphlet "The Jewish State" that creating a contemporary, European state for Jews could protect them from persecution and keep them out of the battle wish non-Jews. Jews would be allowed to live at least as free men on their own soil and antisemitism would vanish. Although Argentina and east Africa were suggested as potential countries for the new homeland in the years after the release of the Jewish State, they lacked the appeal of the Holy Land. The dream was Palestine, Herzl called for the First Zionist Congress in Basel a year after the Jewish State was published, in which the World Zionist Organization was founded. According to the WZO, "Zionism seeks to establish a home for the Jewish people in Eretz Israel that is secured under public law." (Eichler).

With the emergency of the modern Zionism movement, Jews who were scattered throughout Europe started to arrive together to create agricultural colonies in Palestine. The Ottoman Empire supervised the first two immigrant waves. The first Aliyah (1881-1903) witnessed the first wave of Jews, they escaped from persecution faced in Eastern Europe. During the second Aliyah, which took place between 1904 and 1914, a second wave of Jews settled in Palestine. The newcomers established kibbutzim and were heavily involved in the construction of Tel-Aviv. The Third (1919-1923), Fourth (1924-198), and Fifth Aliyah (1933-1939) were in charge of the remarkable expansion of industry and cities (Barnavi).

1.2. British Mandate Period

By the end of 1917, Britain negotiated a number of contradictory agreements in an attempt to gain backing of different nations in the Middle East before taking over Palestine. This included the Sykes-Picot agreement in 1916 which created zones of influence for Britain and France through the Middle East, the Husayn-McMahon Correspondence between 1915 and 1916, which

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contained a number of letters between the British government and Husayn ibn Ali, King of Hejaz during World War I, in which Britain promised to acknowledge Arab independence following the war and the Balfour Declaration of 1917, when the British government promised to provide a national homeland for the Jewish people (Ginat).

Great Britain was the main anti-Ottoman force in the Middle East, and the Zionist movement looked to it for political support with the goal of creating a Jewish homeland in Palestine after the Ottomans decided to join Germany in the First World War in November 1914 (Friedman 11-13). Zionists eventually succeeded in their mission in November 1917 with the British government's publication of the Balfour Declaration. The British force, led by General Sir Edmund Allenby, took Jerusalem from the Ottomans the next month, establishing Britain as the ruler of Palestine. At the end of the war, Allenby's victorious march through Jerusalem's Old City highlighted Britain's dominant position in the Middle East and the wider Mediterranean. Only Egypt and Cyprus were directly governed by the British before 1914. By year 1918, the list had been expanded to include Palestine, Transjordan, Mesopotamia, and a client state in Hijaz (Miller 2).

When Britain had been chosen as the mandatory power in Palestine by the League of Nations in April 1920, its position there was significantly strengthened (Miller 3). The Palestine Mandate came into effect on September 9, 1923, after the League of Nations adopted its text on July 24, 1922. In the American-British Palestine Mandate Convention of December 3, 1924, the United States formally acknowledged the Mandate and its contents. Its principal clauses were that it would be entrusted with Palestine's foreign affairs and have full authority to regulate, control and to be in charge of establishing the elements required for a national home for Jews in Palestine (Terry 232).

A dual mandate was granted to the British, meaning that they were to act on behalf of both international society and the people of Palestine. The Mandate for Palestine's preamble and second article both referenced the Balfour Declaration. Therefore, Britain had a dual obligation to both Arabs and Jews. The Mandate required Britain to execute its policies in Palestine in a way that would meet the needs of both Jews and Arabs, even if it contained the essential points of the Balfour Declaration, such as its promise to provide Jewish people a national homeland. This involved establishing the political, executive, and financial frameworks necessary to enable the communities ruled by the British to exercise their independence (Ginat).

1.3. Arab-Jewish clashes and protests against British Rule

Aside from international diplomacy, violence was the main tool at the Arabs of Palestine's disposal to resist the Zionist project. The First coordinated violence by Arab nationalists toward the Yishuv broke out in April 1920, the month that Britain was designated as the obligatory authority for Palestine. The attack, which lasted three days, targeted Jerusalem's long-standing and mainly non-Zionist Jewish community. There were more Arab disturbances in 1921 and 1922 (Miller 3-4).

The Wailing Wall Riots of 1929 indicated a dramatic change in the mandate period for both Jews and Arabs. The Jews believed that a Jewish state was essential, whereas the Arabs saw the Jews as a unified community with national goals. A commission of investigation into the dispute was created by the British, and as a result, Jewish immigration and property purchases were reviewed. This led to a change in British policy regarding the Zionist movement and the Balfour Declaration. Jewish property acquisitions, widespread immigration, and economic problems all contributed to the 1936 Arab rebellion. The rebellion involved a widespread strike and aggressive assaults on Jewish and British targets (Giant).

1.4. Arab-Israeli War of 1948

As Britain declared its plan to end its Mandate on Palestine, the United Nations established the UNSCOP, one month after Britain handed the Palestine issue to the organization. Resolution 181, which called for the division of Palestine into a Jewish state and Arab state, connected by an economic union, and Jerusalem would come under international jurisdiction, per the resolution (Ben-Dror 997). The Palestine Commission was established by the General Assembly and tasked with carrying out the partition plan. In particular, the plan called for the establishment of a Jewish state on over half of Mandate Palestine during a period when Jews made up less than one-third of the overall population and held less than 7% of the country's land. On November 29, the partition plan was ultimately approved with 33 votes in favor, 13 against, and 10 abstentions (Winder).

Jewish communities reacted to the General Assembly resolution on partition with unlimited joy, while the Arab world was deeply outraged. Violence broke out in Palestine almost instantly, triggering an extensive reaction of revenge. Tensions broke into a low-lever battle that rapidly turned into a completely civil war, but the British chose not to become involved. British military assisted Jews in battling against an Arab assault of a Jewish town in 1948. British forces orchestrated ceasefires to evacuate Zionist residents and assisted Arab populations in leaving cities as violence increased. After the Haganah seized power in Haifa, the majority of the Arab residents were permitted to evacuate their homes. British forces intervened to safeguard the status quo after the Irgun assaulted Jaffa. On May 13, Jaffa surrendered, leaving just 3,000 Arab residents (Ovendale 136).

Following the end of the Jewish-Palestinian conflict in April and May, the State of Israel was established, and Arab forces began to enter Palestine. They all desired to stop the state of Israel from being established, but their actions rarely helped that objective. The objective of the Jordanians was to take over Arab lands that lay west of the Jordan River. But the Arab powers'

attempt to stop the creation of the Jewish State was stopped by their incapacity to unite their forces, refusal to finance the Palestine campaign, and mistrust amongst themselves. In addition, the Arab governments were under an arms embargo, yet the Jews were able to acquire all the weapons they required (Tal 472).

One of the main reasons for the Israelis' victory was the growing division among the Arab camp as the conflict went on. The establishment of a united Arab command to coordinate the war effort was blocked by internal disagreements and differences of interest among the Arab nations. The fragmented efforts on the field, with the separate expeditionary troops acting as though and unaware of the requirements of even their close neighbors, was a reflection of each nation's specific goals. Israel effectively pushed Egypt, Jordan, and Syria to sign ceasefire agreements at the end of the war. The military's clear victory over diplomacy was maintained by the armistice limits. The armistice lines were interpreted as temporary rather than as agreed-upon borders, but this was enough for Israel because it recognized its three main wartime victories: the first, and most significant, was the Jews' own ability to survive the Arab attempts to prevent the creation of a Jewish state in Palestine; the following was the State's development; and the third was the shift in the population balance between the Jewish State as defined by the Partition Plan and the armistice lines, which was quite distinct (Tal 475-476).

1.5. 1956 Suez Crisis

Israel invaded the Sinai Peninsula on October 29, 1956, the day it declared war on Egypt. Two days later, an instruction to both Egypt and Israel was announced by the British and French governments to keep distance with the Suez Canal. After that, they occupied the Canal Zone with the help of their armed troops. The United Kingdom and France sought to recapture authority over the Canal, which Egypt had nationalized, while concurrently arranging a military takeover in Cairo (Lahav 1299-1300).

Egypt and the Arab world in general responded positively to the decision of nationalizing the canal. The fact that Nasser's decision was unitary was significant from the standpoint of political structure. He didn't even held talks with his own government nor with any other Egyptian organization. Since Britain was a significant investor in the Suez Canal and a majority of Europe's oil passed through it, British Prime Minister Anthony Eden thought about taking military action as soon as he knew about Nasser's decision to nationalize the canal. Eden also formed an Egypt Committee inside the Cabinet to manage the situation and provide suggestions to the Cabinet. The creation of the Egypt Committee was a step toward Eden's Cabinet's ability to decide whether to declare war on Egypt under the terms of the British parliament (Lahav 1306-1310).

The French were tracking two things at once. They were independently investigating military cooperation with Israel against Egypt and debating the possibility of declaring war against Egypt with the British administration. It seems that the British were first strongly against Israel becoming involved. Furthermore, it seems that the Israeli administration was not keen about the French proposal. A secret group headed by Foreign Minister Golda Meir traveled to Paris in September 1956 to deliberate military alternatives. The meeting ended with no specific results. Nonetheless, Israel's military command and Ministry of Defense Director General Shimon Peres continued to collaborate with General Maurice Challe, the man behind the military plan, to sort out the specific details of the military assault. The French finally made their way to London on October 14, offering Eden cooperation with both France and the Israelis. Rather than elected leaders, they depended on the support they had from Israeli military officers and civilian appointments. The basic idea of the plan was for Israel to launch an aggressive attack, giving the UK and France the justification they needed to military engage without coming off as aggressors or breakers of international law (Lahav 1322).

1.6. The Six-Day War of 1967

The circumstances that triggered the Six-Day War started on May 11, 1967, when an intelligence officer employed at the Soviet Embassy in Tel Aviv provided Syria and Egypt with false information about the massive presence of Israeli forces near the Syrian border. The Soviet ambassador to Egypt wrote a letter to the Soviet foreign minister the following day, stating that the IDF forces were consulting with the government of Egypt to take suitable measures and that they had been tasked with carrying out violent actions aimed at bringing about the downfall of the Syrian regime. The rest of the message reported the location of the Israeli forces as well as the date that Israel planned to attack Syria: between 16 and 22 May. However, these alerts were false and fabricated (Goldstein 1).

Marshal Amer, the head of the military forces of Egypt, placed the army on readiness for war a day following the Soviet warning. The UN peacekeepers who had been policing the Israeli border since 1956 were forced to leave, and forces were sent to the Sinai Desert (Bowen). The conflict began on June 5 when Israel surprised Egypt by attacking its air facilities and destroying the Egyptian air force while it was still in the air. Israel also launched an attack against Syrian airports in the evening. The following day Israel and Jordan fought each other for control of East Jerusalem, which Jordan controlled. Israeli soldiers took control of the Old City from the Jordanian army on June 7. The Israeli forces demolished Palestinian homes in the West Bank cities. As a form of punishment, about 12,000 Palestinians were driven out of Qalqilya alone. Beginning on June 9, Israel launched an invasion on the Syrian Golan Heights. A day after, the Golan was taken, putting Israel far from Damascus, the capital of Syria. On June 9, Israel and Egypt signed a ceasefire, and on June 11, Syria and Israel reached an agreement that was mediated by the UN, thereby putting an end to the conflict (Al Tahhan).

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1.7. The Yom Kippur War

The Yom Kippur War, sometimes referred to as the October War or the Ramadan War, began at 2:00 PM on October 6, 1973, when Egyptian forces entered the Suez Canal and attacked the Bar-Lev Line in the southwest. Israeli forces throughout the Golan Heights were under attack by Syrian army at the same time on Israel's northeastern border. Israel was totally caught off guard by the planned assault and was unready for battle (Bolia 48).

The Israeli army sustained heavy defeats in the early going and had to withdraw from both sides. Israel attempted to strike back on the southern front on the third day, but it was unsuccessful. But in the first several days of the second week, the war's momentum shifted. In less than two weeks, the Israeli army broke through into territory controlled by Egypt, surrounding one of the Egyptian armies and causing significant injuries despite never being able to drive the Egyptian army out of the Sinai Desert and moving northward until it was near firing range of Damascus. At the request from both the US and the USSR, a cease-fire was announced on October 22, and with the direct support of Henry Kissinger, the US Secretary of State at the time, a decision to separate forces was successfully reached (Liebman 399-400).

An important turning point in Middle East politics was Camp David. After thirty years of fighting, Israel and Egypt faced the possibility of yet another catastrophic war, which alarmed both the people and the leadership. This confrontation ended in September 1978. The U.S. President Jimmy Carter, Egyptian President Anwar Sadat, and Israeli Prime Minister Menachem Begin signed the peace deal between Egypt and Israel (Salem 50).

After roughly two weeks of intense negotiations at Camp David beginning on September 6, the parties arrived to a peace agreement that was mostly based on Security Council Resolution 242. Two foundational agreements, one on a general Middle East settlement and the other specifically on the signing of a peace treaty between Egypt and Israel in three months, were

signed in Washington on September 17th as a consequence of these negotiations. In actuality, disagreements over a few key topics prevented an Egyptian-Israeli peace treaty from being completed before the due date. However, additional US mediation efforts, which culminated in some negotiations in the Middle East by President Carter from March 8 to 13, led to the adoption of the first Arab-Israeli Peace Treaty in history on March 26, 1979, in Washington. On March 22, the Knesset adopted the Peace Treaty and the related articles by a vote of 95 to 11. By 328 votes to 15, the People's Assembly of Egypt adopted it on April 10. Additionally, on April 19, 1979, it was accepted by the entire voters in a nationwide vote (Salem 51).

1.8. Intifadas and Peace Process

After two decades of oppressive Israeli military rule, on December 9, 1987, the first Palestinian intifada broke violently. In 1948, they were not only forced to flee their homes and homeland in order to create room for the huge wave of European Jewish immigrants who came to Palestine with the promise of a Jewish state, but they also had to endure the humiliations of being a people who were hated and rejected by the entire world. They were the victims of an attempt by colonialists to deny their statehood and the right to self-determination in the territory they had continually occupied in order to establish a state that would unite Jews from all over the world (Karkar).

The Palestinians came to understand that their most effective weapon was widespread civil disobedience, such as boycotting Israeli products, withholding taxes from Israel, setting up temporary medical facilities, offering social assistance, planning protests and strikes, and engaging in nonviolent conflicts (Karkar). There was no end to the murder for nearly six years. During the first Intifada, at least 1,000 Palestinians were murdered by Israeli soldiers, while over 100 Israelis were killed by Palestinians. On September 13, 1993, Israel and the Palestine Liberation Organization agreed on the Oslo Accords, which established a framework for peace

talks and put an end to the first Intifada. The PLO acknowledged Israel's right to exist in peace, gave up military resistance, and Israel acknowledged the PLO as the Palestinians' representatives (Hawaleshka).

Yasser Arafat, the head of the PLO, and the Prime Minister Rabin agreed to a three-step peace plan when Oslo I was signed. The first phase included the evacuation of Israeli forces from Jericho and the Gaza Strip. The second phase transferred some agreed-upon powers and moved Israeli forces in the West Bank as part of the Interim Agreement Oslo II. The last stage called for the establishment of a Permanent Status Agreement, which was to be completed by May 4, 1999. Oslo II defines Israel's rights under this agreement and lays out the fundamental conditions for the handover of power from Israel to the Palestinians. The first region in which the Israeli military administration will hand over control to the Palestinian Authority is the West Bank (Weiner 241-244).

The reason behind the outbreak of the Second Intifada was because of what was happening on reality did not meet the aspirations set by the peace agreements, popular anger among Palestinians rose during the Oslo peace process. A number of aspects of Israel's control of the West Bank and Gaza Strip strengthened rather than lessened between 1993 and 2000. Palestinians expected their economic situation and freedom of movement to get better; when neither did, a great deal of anger developed within Palestinian society. This unhappiness, which was further aggravated by the Camp David summit's failure in July 2000, created the conditions for the general public to favor a more threatening position against Israel (Pressman 114).

When Ariel Sharon, the leader of the Israeli forces, invaded the al-Aqsa Mosque area on September 28, 2000, with over a thousand heavily armed police and soldiers, he triggered the second Intifada. There were 1,885 Palestinian injuries and 47 Palestinian deaths in the first five days of the Intifada. According to Amnesty International, 80% of Palestinian deaths in the first

month were civilians who didn't pose any threat to Israeli military' lives. Apart from the fatalities and injuries, the Israeli military destroyed almost 5,000 Palestinian homes and severely harmed another 6,500. Saudi Arabia announced the Arab Peace Initiative in 2002 and Arafat approved it, Palestinian authorities intended to put an end to the military conflict. Israel, however, disregarded the suggestion and carried out its military actions (Adam).

1.9. Israeli Settlements and Separation Barrier

All of the settlements are home to Israeli residents and were constructed on a territory that Israel had taken during the 1967 Six-Day War. According to Israel's Ministry of the Interior, settlements are "communities," and in fact, they are dynamic places that offer residents almost everything they could possibly need, such as churches, grocery stores, shopping centers, and libraries. A few of the biggest communities have attained the status of cities, which adds prestige but no particular rights. Settlements can generally be classified as follows: urban, block, outpost, or frontier town. The majority are situated on land in agricultural regions (Darr 79-80).

A right-wing national religious movement called Gush Emunim, which was founded in 1974, was the most significant factor behind the early settlement push in the West Bank. Gush Emunim was mostly made up of young National Religious Party members who were politically and religiously passionate. It was founded on the teachings of charismatic Rabbi Tzvi Yehuda Kook. In an effort to demonstrate its commitment to an Old Testament religious obligation, this movement attempted to unite all the regions under the name Eretz Yisrael (Tenebaum and Eiran 172).

The Oslo Peace accords, which started in 1993, dominated the 1990s, a decade in which West Bank settlers increased from 78,000 to around 200,000. Under Yitzhak Rabin's leadership, the Labor party regained power in 1992 and made a commitment to drastically cut back on the amount of public funds allocated to settlements. In 1995, Israel formally agreed as part of the

Oslo process not to "start or take any action that will change the status of the West Bank and the Gaza Strip awaiting the result of the permanent status negotiations. Additionally, the Labor government pledged to the US that it would not create new settlements or extend existing ones unless it was absolutely required to support the "natural growth" of the people living there. A lot of areas were built as new neighborhoods within pre-existing ones. In actuality, the number of houses in the West Bank and Gaza Strip increased from 20,400 to 31,400 between 1993 and 2001—a 54 percent rise in just eleven years—with the largest increase being in 2000 under Labor Prime Minister Ehud Barak (Tenenbaum and Eiran 174).

Israeli Prime Minister Ariel Sharon started the separation barrier during the second intifada. Sharon's provoking visit to al-Haram al-Sharif/Temple Mount on September 28, 2000, just two months after the collapse of the Camp David negotiations that left many important issues for Palestinians unresolved sparked Palestinian protests and Israeli military suppression that resulted in a much more violent intifada than the previous one. The Ministry of Defense and Israeli politicians stated that the main reason behind building the security barrier is to safeguard the lives of 6.7 million Israeli civilians, prohibit the supply of explosives and secret weapons, and stop terrorist penetration (Durbin 3).

Israel pursued a settlement strategy that created a separation barrier mostly inside the West Bank, while also claiming that this was necessary to protect its residents from suicide bombers and other threats. The Israeli military, which controls the West Bank, used military orders to take control of private Palestinian land in order to build the barrier. This process started even before the first government decision establishing the barrier. The barrier's extensive construction into the West Bank demonstrates how, despite its justification as a temporary and essential security test, its intended path was actually a political tool to seize lands and thus restrict Palestinian space effectively acting as a controlling mechanism. The building of the barrier eastward of the

illegal Israeli settlements in the West Bank facilitates the possible takeover of those settlements. After fifteen years, the Palestinian people saw the separation barrier as more of an ongoing reality than a short-term one (Durbin 3-4).

Israeli-Palestinian conflict can be analyzed as political and rooted back to the early twentieth century and eruption of struggle between Jews and Arabs for control and ownership of Palestine. The British Mandate laid the necessary conditions for exacerbation; the situation worsened in the aftermath of the 1948 Arab-Israeli War after the establishment of the State of Israel. Rather, other events such as Suez Crisis, Israel's capture of territories during 1967 at Six-Day War, establishment of settlements and separation barrier, Intifadas, unsuccessful attempts at peace, and wars for instance Yom Kippur in 1973 have deepened the conflict. Nevertheless, there has been regular dialogue in attained efforts towards formulating and implementing the solutions of fundamental questions that concern boundaries, security, the destiny of territories, Jerusalem status, and the rights of the Palestinian refugees. This brutal and highly complicated conflict has therefore posed significant humanitarian, political and security consequences in the region and/or the entire world. It is for this reason that the details of the background to the problem must be understood for the discernment of attempt towards a solution that is holistic and sustainable.

Chapter Two

The United Nations Partition Plan for Palestine: Historical Background, Principles, and Sovereignty Considerations

The United Nations which was established after the end of World War II with the prime aim of working for the maintenance of international peace and security; however, the United Nations arguably made one of its first political decisions by endorsing the partition of Palestine into Arab and Jewish territories through the Resolution 181 in 1947. Since then the United Nations has gone at varying levels of involvement across continents through peace keeping, military forces, and sanctions to resolve conflict or prevent human rights abuses with the intervention being supported by principle in the Charter which includes prohibition of the use of force in international relations, promotion and encouragement of respect of human rights and fundamental freedoms for all and encouraging the mutual cooperation and settlements of international disputes by peaceful means. However, these objectives must always be observed in the aspect of sovereign immunity of the member states in their internal affairs, which brings understanding on how the UN interventions interplay with national self-governance of the member states.

2.1. Background of Resolution 181

The idea of creating an organization named the United Nations was a result of World War II events which urged the international community to cooperate and establish a peaceful climate among nations. The UN and its charter were the outgrowth of the four affluent nations on general security in what is known as the 1943 Declaration (Czernecki 392).

The idea was first issued by the four mains forces**:** The United States, Great Britain, the Soviet Union. and China attempting to create an international organization for the sake of promoting international peace and preventing what world witnessed during World Wars. The proposals to create this organization commonly named the "Dumbarton Oaks proposals," were

discussed to be later acknowledged as the foundations of the UN Charter. The four powers pointed out that the organization creation purpose was to prevent the threat and use of force by any state against other states. They in addition created a council named Security Council whose primary main role is to maintain security and international peace and allow for forcible measures after determining that peace and security were threatened. In Spring 1945, the four powers and other representatives from 46 nations met in San Fransisco and agreed to adopt the final proposal and sooner on October 24, 1945, the UN charter was established (Czernecki 392).

The Palestine Royal Commission of 1937 first suggested the idea of creating two nations in Palestine to address the nationalist struggle that had arisen in the country, but it was deemed unrealistic from the perspective of colonial policy. However, in the course of British policy proposals the 1930s and 1940s, the idea of creating two states was not abandoned. British plans to divide Palestine were only proposed on paper. The Peel Commission's suggestions were considered in the League of Nations, but they were never put into action since the British government did not support population transfer and did not want to cause trouble for its colonial subjects in India, the Near East, or North Africa (Kattan 2).

Because of this, British support for partition was ended after a technical commission of investigation found that partition was not realistic. Instead, in 1939, the British Government backed the creation of an independent Arab unified state. The Husayn-McMahon correspondence, which had promised the Arabs a state of their own, was revealed and subsequently discussed by Grattan Bushe and Malcolm MacDonald during the Thirty-sixth Session of the Permanent Mandates Commission in Geneva in 1939. This appears to have had an impact on the policy reversal. The 1937 Palestine Royal Commission's proposal, however, remained crucial since it recognized the Arab citizens of Palestine's national rights, including the ability to form an

independent state in union with Transjordan and to apply to join the League of Nations (Kattan 2).

The United Nations General Assembly voted on November 29, 1947 to split the land of Palestine into two separate states: a Jewish state and Arab state in the so-called Resolution 181 or Partition Plan, with 33 votes in favor, 13 opposed and 10 abstaining. These countries would work together economically, and Jerusalem would come under international control ("Israel Ministry of Affairs").

By transferring the issue of Palestine's future administration to the UN General Assembly for consideration in 1947, the United Kingdom acknowledged the assembly's authority to decide the country's political future. The majority of the members of the United Nations Special Committee on Palestine, which was formed at that time, supported a partition plan for Palestine, while a minority supported a federal plan. UNSCOP agreed on two things, First, on the mandate's termination, and second, on both communities' being granted independence. The post-colonial states, led by India and Pakistan, pushed the argument against the partition. Both supported Palestine's independence inside a federal or unitary state, with minority protections for the Jewish people. However, The United Nations General Assembly discussed and adopted Resolution 181 on November 29, 1947, in favor of the creation of two nations in Palestine, as recommended by Subcommittee 1 on November 19, 1947, which was supported by the majority of UNSCOP member states. On 5 March 1948, the United Nations Security Council called its members to discuss with each other to make suggestions that it might give to the Palestine Commission that had been granted executive authority to carry out the partition plan. However, when the United Kingdom terminated its Mandate in Palestine, the UN General Assembly transferred the executive powers to a UN Mediator (Kattan 4).

The United Nations Palestine Commission was established on May 15, 1947, by the United Nations General Assembly to carry out the UN partition plan for Palestine. Under the resolution, Britain would leave Palestine by 1 August 1948, and the UN would take over control until the new governments were set up (Ben-Dror 559).

The Zionists thought the UNCP would set up the two new countries as laid out in the UN Partition Plan. However, the committee couldn't do its job. The Commission worked to carry out the Partition Plan from New York since the British would not permit it to settle in Palestine. With an effort to stop the Plan from being implemented, the Arabs also started violent operations in Palestine, boycotted the Commission, and condemned it. Thus, the Commission concentrated on creating the Jewish State and especially the Jewish militia. However, the Jewish militia never came into existence. The Partition Plan was forgotten, and war struck Palestine, a series of attacks were launched by the Arabs to drive the Jews out; they invaded the newly born Israel with armed forces, and this led to the 1948 Arab-Israeli war instead of a planned process leading to independence. With a help of a military presence, the Jews were able to maintain their position during the war and declare their independence on their own (Ben-Dror 559-560).

2.2. UN Intervention in International Crises

United Nations interventions in international crises are aimed at maintaining global peace and security, addressing severe humanitarian needs, and protecting human rights. These interventions focus on preventing and resolving conflicts, delivering aid to affected populations, and ensuring justice for victims of war crimes and genocide.

2.2.1. Asia

A series of high-level discussions on Cambodia was initiated in January 1990 by the five permanent members of the Security Council, namely China, France, the Soviet Union, the United Kingdom, and the United States. They demanded that the UN play a significant role in

establishing peace in the nation by providing peacekeeping forces, monitoring free and fair elections, and setting up an administrative framework in the months leading up to the elections.

The costliest and ambitious operation the UN had ever undertaken in its history as a peacekeeping force was the 1992–1993 mission in Cambodia. 22,000 military and civilian workers were sent to implement the Paris Agreement, also known as the Comprehensive Political Settlement of the Cambodia Conflict, which was reached at an international meeting in Paris on October 23, 1991, at an estimated cost of US $1.7 billion. That agreement provided for the establishment of a UN Transitional Authority in Cambodia, tasked with maintaining political stability so that elections conducted under its supervision could decide the future political landscape of a nation long affected by bloody conflict and misery (Mayall 32).

On 28 February 1992, the Security Council established UNTAC, with greater powers and responsibilities than the previous UN peacekeeping operations. In its resolution 745 that was passed in 1992, the council committed the organization to one single goal a "just and durable" settlement to the Cambodian conflict within a period not to exceed eighteen months through free and fair elections held in politically neutral setting. UNTAC received significant financing, but its major role was limited to peacekeeping. It was mostly limited to a quasi-administrative role; peace enforcement, which had been proved early in 1991 in Operation Desert Storm, was not within its authority. UNTAC faced a crucial issue almost immediately after it was deployed which is how to carry out its mandate to fill a political void in the face of obstructive violence by rival Cambodian parties. When the UNTAC completed its mission and withdrew from Cambodia in 1993, the country was in a fragile and uncertain state, despite some positive developments ("UNTAC").

2.2.2. Europe

At a ministerial meeting on September 25, 1991, the Security Council unanimously adopted resolution 713, which called on all States to immediately impose a "general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia" and expressed deep concern over the fighting in that nation. This action marked the beginning of the UN's active involvement in the Yugoslavian situation. The Conference on Security and Cooperation in Europe member states have backed the European Community and its member states in their efforts to bring peace and dialogue back to Yugoslavia. The Council applauded and completely supported these efforts. By its resolution, the Council requested that the Secretary-General consult with the Government of Yugoslavia and all other parties to provide his support ("UNPROFOR").

Mr. Cyrus Vance, a former US Secretary of State, was named Secretary-General Javier Pérez de Cuéllar's personal envoy for Yugoslavia on October 8, 1991. In their pursuit of a resolution to the crisis, the Secretary-General and his Personal Envoy were in continual communication with all sides involved in the conflict, the European Community Presidency, the Chairman of the CSCE-participating States, Lord Carrington, Chairman of the European Community's Conference on Yugoslavia, and other interested parties. It rapidly became evident that a peacekeeping mission to provide the necessary conditions for the pursuit of political negotiations for a peaceful resolution was the most significant contribution the UN could make at that point ("UNPROFOR").

The Secretary-General's Personal Envoy made multiple visits to Yugoslavia as part of the collective effort to put an end to the fighting and find a peaceful resolution to the conflict. During these visits, he spoke with all relevant parties about the possibility of sending a UN peacekeeping force there, among other things. The Personal Envoy called a meeting in Geneva on November

23. The Yugoslav parties agreed to an instant cease-fire as well as several other matters during the meeting. Every party involved in the Yugoslav conflict stated that they wanted to see a UN peacekeeping force established as soon as possible. But even when the other issues were resolved, the cease-fire was broken almost instantly ("UNPROFOR").

The Security Council acknowledged the efforts of the Secretary-General and his Personal Envoy on November 27, 1991, when it passed resolution 721. The council also supported the Personal Envoy's statement to the parties, which stated that the deployment of a UN peacekeeping force in Yugoslavia could not be considered possible until all parties had fully fulfilled the Geneva agreement. Following weeks of intense talks with the relevant parties, the Geneva agreement's implementation was pursued and the broad guidelines for a United Nations peacekeeping mission were established. By passing resolution 724 on December 15, 1991, the Security Council authorized the Secretary-General's report, which included a potential peacekeeping operation ("UNPROFOR").

Subsequently, the Secretary-General and his Personal Envoy directed their efforts towards reinforcing the cease-fire and achieving the complete approval of the United Nations plan by all parties involved in the conflict, together with assurances of their willingness to fully collaborate in its implementation. The Secretary-General reported on multiple occasions that although there was broad support in Yugoslavia for a United Nations peacekeeping operation, the necessary conditions for its establishment were still lacking ("UNPROFOR").

The Secretary-General proposed the creation of the United Nations Protection Force on February 15, 1992. On 21 February the Security Council accepted and established UNPROFOR for a 12-month beginning period. The Council affirmed that the Force should serve as a temporary solution to establish the safety and security needed for the negotiations of a comprehensive resolution to the Yugoslav problem within the framework of the Conference on

Yugoslavia of the European Community. In order to help with the development of an implementation plan for the earliest possible full deployment of the Force, it urged that the Secretary-General quickly deploy those elements of the protection force ("UNPROFOR").

On April 7th, the Security Council authorized the complete deployment of the Force by resolution 749 in 1991, following a report from the Secretary-General on April 2nd that stated all of the Force Commander's interlocutors had stressed the necessity for the earliest possible deployment of the protection force ("UNPROFOR").

2.2.3. Africa

The United Nations began their intervention in Somalia in 1992, when the country was in a state of civil war. The country's agriculture was completely destroyed, this led to nationwide famine and humanitarian crisis. The UN Security Council established Operation Restore Hope in order to provide humanitarian assistance. This mission faced difficult challenges including clashes and fights with Somali militias.

The Security Council determined to create a United Nations Operation in Somalia on April 24, 1992, after adopting resolution 751 on the Secretary-General's advice. In addition, the Council requested that the Secretary-General seek talks with all Somali parties in order to arrange a conference on national unity and reconciliation. Additionally, it requested financial and other help from the international community for the Secretary-General's 90-day Plan of Operation for Immediate Aid to Somalia ("UNOSOM I").

There were six main United Nations organizations at work in Somalia coordinating overall humanitarian efforts: The Food and Agriculture Organization of the United Nations, the United Nations Development Programme, UNICEF, the Office of the United Nations High Commissioner for Refugees, WFP and the World Health Organization. In addition, more than 30 NGOs were working in Somalia as "implementing partners" of the United Nations. Moreover,

ICRC continued to provide assistance under the most difficult of situations. There were also many local NGOs that worked with the United Nations and the international NGOs ("UNOSOM I").

In an attempt to speed up humanitarian activities, Mr. Jan Eliasson, the UN's Under-Secretary-General for Humanitarian Affairs at the time, headed a high-level interagency mission to Somalia between September 10 and 12, 1992. The decision to create a Programme for Accelerated Humanitarian Assistance, which would run until the end of 1992, was one of the mission's main results. The First Collaboration Conference on Humanitarian Aid for Somalia was directed by the Special Representative of the Secretary-General for Somalia was convened in Geneva on October 12 and 13, 1992, where the Programme was reviewed. The goal of the program was to draw attention to the critical steps that had to be taken in order to stop the famine and the unacceptably high rates of starvation and death in Somalia. Priority attention was given to the regions and people in the nation that require it ("UNOSOM I").

In response, the Unified Task Force was authorized to be established under the US control and command on December 3, 1992, under Resolution 794, 'in order to establish a secure environment for humanitarian relief operations in Somalia' (Lewis and Mayal 108). On 3rd March 1993, the Secretary-General claimed that since December 1992, when resolution 794 was adopted, UNITAF had placed 37,000 troops in southern and central Somalia, occupying almost 40% of the nation's land. The security environment in Somalia and the effective distribution of humanitarian aid were both improved by UNITAF's presence and activities. But even with the progress, he noted, violence events continued in Somalia since a secure atmosphere had not yet been formed there. The nation still lacked a professional national military force, an organized civilian police force, and an efficient working government. In light of this, the Secretary-General came to the conclusion that, should the Security Council decide that it was time to switch from

UNITAF to UNOSOM II, the latter should be given enforcement authority under Chapter VII of the UN Charter in order to create a safe environment throughout all of Somalia ("UNOSOM I").

After UNITAF's handover, UNUSOM II took over in 1993 in order to safeguard humanitarian workers in Somalia. U.S. President George H.W. Bush suggested to the UN sending combat soldiers from the United States. After Bush's request was approved by the UN, 25,000 American soldiers started to arrive in Somalia on December 9, 1992. However, UNOSOM II faced significant difficulties, including continued fighting and a deadly clash in Mogadishu in 1993 known as the Battle of Mogadishu. By 1995, and due to the lack of progress, the UN withdrew most of its forces from Somali leaving the country in a civil war. This marked an unsuccessful intervention in achieving its goals for the UN ("UNOSOM I").

2.3. Principles of UN Interventions

United nations interventions are guided by some important principles. These principles are very essential part to maintain international peace and security and guide peacekeeping missions around the world. In what follows, some of these principles will be discussed.

2.3.1. Neutrality

Among these principles Neutrality where humanitarian acts do not take sides in hostilities or engage in political or ideological struggles. This ideology is highly criticized and considered as unsuitable concept because of its failure in some regions especially in countries suffering from brutality genocides, ethnic cleansing and many forms of inhuman acts, they refuse UN's position as neutral. Whereas others ensure that it is important to stand neutral without taking part in any of the conflicting sides and that it is a crucial process to keep peace in the world engaging with respect to war's law, implementing peace agreement and mandate (Khan 551-552).

2.3.2. Impartiality

UN interventions follow another principle which is Impartiality**.** This ideology emphasizes on the idea that humanitarian acts are based just on need of urgent cases. The role of United Nation to maintain peace without standing in favor of any partie even there is too much brutality. Its main focus is to protect civilians from genocides, to set negotiations and it is a must to stand impartial and not neutral when dealing with conflicting parties in terms of executing mandates with respect to diversity, loyalty, human rights and independence (Khan 557-558).

2.3.3. Independence

The United Nations deals with countries which suffer from conflicts with another major principle which is Independence which requires humanitarian actors to be free and independent without being controlled or subordinated or being influenced by non-humanitarian objectives. This principle emphasizes on the right of each nation to maintain its own sovereignty and territorial integrity. It deals with conflicts with no interference in internal affairs, it maintains international peace and security with no interference and respect of political independence of all nations. It tries to help sovereign nations coordinate, provide forum and conferences where diplomats can meet and open channels of communications during crisis and provide civilians with the needed services and humanitarian aids especially those who suffer from barbarity (Khan 546-547).

2.3.4. Do No Harm

Barbarity is portrayed in many harmful images such as; genocide acts, ethnic cleansing, sexual exploitation of women and violence, child labor. The United Nations intervenes to fight these brutal acts following an interesting principle; Do No Harm. It attempts to protect civilians and communities from internal violence. It mandates that UNHCR tries to find effective peace keeping missions and make recommendations on how to plan, manage and execute these

missions to settle peace for humanity. This principle is designed to assist countries and help them to fulfill their responsibilities to protect civilians in their territories who are affected by violence and conflicts and to promote their rights and dignity (Khan 572-573).

2.3.5. Humanity

Humanitarian principle is considered as the core of United Nations to protect humans from serious violations and maintain nations sovereignty in a peaceful way. The humanitarian efforts attempt to save lives, protect human dignity, act against threats and provide civilians with the needed weapons.

Secretary-General Kofi Annan demonstrated his vision of the prospects for human security and intervention in the next century in front of the General Assembly which suggests a new definition to the sovereign state based on the concepts of international cooperation and globalization to put the state in the service of its people for individual sovereignty which is highly respected in the UN Charter. However, Kofi Annan arises the question of how the UN can deal with the political, human rights and humanitarian crises spreading in the world with the multifaceted policy in dealing with these crises where military actions through acts of killing and blood shed is unsupported which urged for halting of human rights violation with the interference of regional organizations often lead to crimes or genocide without a United Nations Mandate which poses a real threat to the Security Council, and to the United Nations organization in achieving its task as an organization responsible for keeping peace and security in the world (Khan 565-566).

However, 'Common interest' in the doctrine of powerful states which is based on using force urges for introducing new concepts and values in the international relationship as democracy, pluralism, human rights and the rule of law to build a 'collective interest' to defend the common humanity under the responsibility of the Security Council (Khan 566-567).

Though humanitarian interventions is a complicated issue often confronted with policies where crimes against humanity still occur and efforts to halt them are insufficient, the Security Council has a moral responsibility to act and refrain military interventions unless in cases of mass-murder these interventions becomes inevitable (Khan 568).

2.3.5.1. UN Humanitarian Intervention in Iraq

Following the restraint and mistreatment that many of Iraqi inhabitants had exposed to especially the Kurdish minority which is considered as a threat to international peace and security, resulted in an authorization by the Security Council for forcible act owing to massive escape of Kurdish inhabitants into neighboring countries. The Security Council passed Resolution 688 asking Iraq to ʿease its repressive acts and permit immediate access by international relief organizations to persons in need of assistance". However, the Resolution exceeded its field though it contained no mention of chapter VII of the charter to permit either Security Council or collective forces for military intervention. UN forces were supposed to invade the region to authorize military actions by allied forces and to create safe havens for Kurds. The constitutionality of such measures is simply questioned because the Resolution made no mention of using force (Czernecki 399).

The Iraqi tyranny and its external effects on human rights violation was the major reason for the UN intervention rather than the apparent violations of human rights and it's the first time that the Security Council classified this act as severe human rights deprivation with minimal external effects aa threat to international peace and security (Czernecki 399).

Resolution 688 marked the turning point of the conflict between national sovereignty and humanitarian action. Since Iraq had its own independent government and a single, functioning government, many states questioned whether the UN's humanitarian action was authorized (Gordon 50). Nonetheless, the Resolution considered the discussion as it restated the concepts of

territorial integrity and sovereignty. The Resolution's drafters carefully considered all sides of the contentious discussion while keeping a close eye on the concerns.

2.3.5.2. UN Humanitarian intervention in Somalia

In December 1992, The Security council passed Resolution 794 to be a strong proof for UN humanitarian intervention in Somalia following the deadly conflict resulted in a real human rights tragedy aggravated by the difficulty of distributing the humanitarian aid and which threatened international peace and security. Unlike the intervention in Iraq, the Security Council immediately put chapter VII of the Charter into practice by giving authority to both Secretary General and cooperating Member States to act enabling a safe climate for humanitarian and operations in Somalia. The Security Council claimed that regional instability was the basis behind its intervention in Somalia, but in reality, the Council's use of force was driven by internal human rights violations in Somalia. In contrast to Iraq, where the UN intervened in reaction to regional instability brought on by refugee overflows, the situation in Somalia was entirely contained within Somalian borders. The Security Council decided in an unusual move that strong involvement was only permitted in cases of human rights violations. Despite having no transboundary effects, the internal crisis in Somalia was significant enough to be seen as a threat to international peace (Czernecki 400-401).

2.3.5.3. UN Humanitarian intervention in Haiti

Another example of using force under the reason of a "threat to international peace and security" The UN pushes to pass Resolution 940 which is a response to Haiti's State of political affairs accused with a total decline in social life with wind liberties violation led to a flow of refugees. The Security Council acted immediately to bring safe measures to ameliorate humanitarian situations caused by military government which is considered as a threat to peace and security for the total region. The Resolution urged for a quick return of the legitimately

elected president and its legitimate government. As obvious this act divided viewers to supporters of Resolution 940 which they considered a pure humanitarian intervention while opposers argue that it was beyond the humanitarian purpose and hold political agenda. Moreover, they claim that political influence is a basis for UN intervention though it hides this under human rights protection in almost all crisis situations (Czernecki 401).

2.4. Sovereignty of UN

The idea of supreme and unchallenged authority, known as sovereignty, is represented in the state's assertion that it is the only body with the authority to enact laws within its borders (Rhatore 2). Sovereignty consists of internal and external sovereignty. The former means the power to make laws, enforce them, and settle legal disputes within its borders. The latter means the nation's right to represent itself on the world stage, including through diplomacy, embassies and membership in international organizations like the UN. Sovereignty can also be positive or negative based on the strength of the nation. Powerful countries not only make their own rules but can also ensure they're followed. Weaker nations, on the other hand, might just focus on securing freedom from other states.

The UN placed a strong emphasis on the non-intervention principle during the Cold War, which is linked to states' political and territorial sovereignty. A "firmly non-interventionist idea of sovereignty" did, in fact, predominate (Rathore 3). Regardless of the reason behind, military intervention in the internal affairs of another state was considered as a break of the non-intervention norm through that time.

India's intervention in East Pakistan known now as Bangladesh in 1971; Tanzania's in Uganda in 1978 and Vietnam's in Cambodia known then as Kampuchea in 1979 were seen to be violations of the non-intervention norm. Wheeler and Morris argue that "the international community chose to condemn them as breaches of the principles of non-intervention and non-use

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of force". Even though each of these interventions happened because of genocidal violence, they were all seen as violating the state standard of non-intervention.

Notably, self-defense rather than humanitarianism was typically used as a justification for each intervention. For instance, India claimed Pakistan's actions with refugees and military forced them to intervene. India's interference was seen as a violation of Pakistan's sovereignty since the country's right to sovereignty was considered invincible, independent of its actions. Even when Vietnam stopped the brutal Khmer Rouge regime in Cambodia which may have killed millions Despite this, a number of states expressed their belief during United Nations Security Council meetings that Vietnam had no right to get involved, regardless of what the Khmer Rouge regime was doing to its people. This shows how important the idea of untouchable sovereignty was back then (Rhatore 3).

Then in the 1990s, there was a conceptual change in the idea of sovereignty. There was a sudden surge in interventions with humanitarian justifications. There have been civilian protection-focused interventions in Iraq, Somalia, Haiti and the Balkans. These interventions were backed by humanitarian interventions which marked a significant break with the Cold War period. These series of interventions implied that humanitarian concerns were gradually taking place over the non-intervention norm that dominated the Cold War period (Rhatore 4).

The intervention in Northern Iraq in 1991 showed that states could no longer expect to treat their citizens in a way that would go unpunished without facing consequences and that human rights may take place over national sovereignty. A humanitarian crisis sparked the intervention in response to severe government repression. In response, the UNSC passed Resolution 688, authorizing a Western alliance to begin "Operation Provide Comfort" which included establishing safe havens, a no-fly zone and a supply supplies. This intervention and the ones that followed appeared to indicate a shift in the concept of sovereignty. Due to sovereignty rules, state-

sponsored mass violations of human rights were no longer seen as entirely internal issues, leaving the international community helpless. The intrusive nature of the Iraqi involvement itself, along with the UN's newfound role as a legitimizing agent, seemed to indicate that the sovereignty rulebook was being updated (Rhatore 4).

Based on the justification of self-defense, the United States launched an invasion to Iraq in 2003, claiming that the country constituted an immediate threat to both their security and the security of the global community. They asserted that Iraq was connected to terrorist organizations and had weapons of mass destruction. The invasion of Iraq violated both the people's freedom to self-determination and the integrity of their territory. Iraq may have had weapons of mass destruction, but it was not clear that it intended to use them against the United States.

One Important source of International Law is the United Nations Charter. Internation Law is a body of standards, guidelines, and procedures established by governments and other countries to support a range of goals for society (Baylis et al 280). Today, international law goes beyond just governing countries and directly protects individuals, minorities, and indigenous groups. This protection comes from various sources like the UN Declaration of Human Rights, the Geneva Conventions, European Court of Human Rights, and Rome Statute. International law itself is built on agreements between countries, established practices, past decisions, and even soft law agreements developed by legal scholars. Kratochwil states that international law is essentially formulated by legal concepts figures, be they decision-makers, journalists, public intellectuals, or the proverbial men and women in the street (1).

In order for the United Nations to establish sovereignty to preserve international order it must respect other state's sovereignty while taking any and all actions. Preservation of domestic order is essential for the preservation of international order and by eroding the legal basis of sovereignty, the floodgates of domestic disorder may be opened (Ayoob).

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Since effective humanitarian intervention may be out of their reach and rob them of the most basic necessities for a civilized existence, the weak and vulnerable will be the most disadvantaged. Furthermore, as historical examples demonstrate, no institution but the state is capable of delivering long-term political stability. The United Nations must acknowledge, though, that the United States' dominant role may be decreasing the organization's credibility in general.

The Role of United Nations General Assembly in implementing Resolution 181

The implementation of UN General Assembly Resolution 181, adopted on November 29, 1947, represents a pivotal moment in the history of the Israeli-Palestinian conflict. This chapter examines the mixed outcomes of the resolution's execution, analyzing both the success and failures of the United Nations' efforts to partition Palestine into separate Jewish and Arab states.

Despite the partial success of implementing Resolution 181, which is the establishment of Israel, the implementations were also fraught with challenges and ultimately fell short of its objectives. The outright rejection of the partition plan by Arab states and Palestinian Arabs let to its partial implementation and sparked a violent civil war between Jewish and Arab communities. The United Nations faced significant obstacles, including inadequate enforcement mechanisms and the withdrawal of British forces, which left a power vacuum and contributed to widespread instability in the whole region. The subsequent invasion by neighboring Arab states following Israel's declaration of independence further complicated the situation, leading to the first Arab-Israeli war and a lasting refugee crisis.

3.1. How the United Nations intended to implement Resolution 181

The Special Committee on Palestine was established in May 1947, one month after the United Nations took over the Palestine case from Britain. Eleven unanimous proposals on general principles were listed in UNSCOP's September 1947 report. These included moving Palestine from Mandated territory to independence, maintaining the already existing "status quo" on holy sites, religious communities' rights, and foreign privileges that the Ottomans had conceded, and most importantly making the connection between resolving the Palestine issue and the post-World War II Jewish refugee crisis (Winder). Two suggestions were put up by the Committee: the first would divide Palestine into Jewish and Arab states, while the second would create a separate

federal structure with Jerusalem as its capital and contain both Arab and Jewish states. A minority of the committee chose the second option, while the majority supported the first (Talib et al 98).

After the United Nations General Assembly passed the resolution to partition plan, it formed the Palestine Commission to execute the partition proposal. The General Assembly demanded that the British evacuate the country by August 1st, 1948, and gradually pass over civilian authority to the Palestine Commission. The Commission was instructed to form transitional legislative bodies by 1 April, followed by general elections once the two countries attained complete independence. The changeover phase would end no later than October 1, 1948 (Ben-Dror 997).

Immediately after the elections were done, the Commission unanimously passed its first resolution, which invited the Arab Higher Committee, the Jewish Agency, and the British government to nominate representatives to work with the Commission. It is obvious that the Palestine Commission's immediate aim was to form alliances with all the three parties. From the beginning, the success of its mission was clearly dependent on a productive relationship with all of them: a relationship with the Palestinian and Jewish leaders was required. However, for the Commission, obstacles would arise in its interactions with all three parties (Franco).

The first issue emerged in the shape of a Palestinian boycott. In accordance with its previous position, the AHC informed the Palestine Commission that it had determined to oppose the partition of Palestine, and hence declined to assist with its mission. Consequently, the Commission confronted a serious challenge from the start: it was supposed to aid in the formation of a state whose future leadership opposed its authority as well as labeled it as an enemy (Franco). A nationwide strike and protests followed the UN's acceptance of partition of Arab Palestine; some of these, both in Jerusalem and elsewhere, developed into violent rioting. Furthermore, the Zionist armed groups assaulted Arab villages and residential areas in the

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meantime, using the UN resolution as international validation. This was followed by the carefully coordinated Plan Dalet assaults, which began in early April 1948. Villagers defended their land and assaulted Jewish areas in cooperation with the more disciplined Arab military and guerrilla armies (Winder). Therefore, the United Nations Palestine Committee experienced so many difficulties and struggled to properly carry out its mandate as a result of a lack of support and the violent breakout.

Meanwhile, the Jews created almost the opposite situation for the United Nations Palestine Commission. Eager to swing the Commission in its favor, the Jewish Agency nominated three of its most capable ambassadors as contact agents. Fearing a potential war in Palestine and hostile to the Mandate, the Jewish Agency requested the Commission's aid in three major areas: allowing Jewish immigration to Palestine, legally arming a Jewish militia, and persuading the Security Council to carry out the Partition Plan. The Palestinian protest, along with the strong Jewish acceptance, rendered it difficult for the Commission to function as an impartial mediator of the Partition Plan (Franco).

3.2. Britain's Role in Implementing Resolution 181

After a series of attempts by the British government to reconcile the conflicting demands of both the Arab and Jewish communities, the only option left to His Majesty's Government was to bring the issue to the newly born organization the United Nations for review and request that body to suggest a solution. His Majesty's Principal Secretary of State for Foreign Affairs gave a speech to the House of Commons on February 18, 1947, outlining the reasoning behind this decision (Stein). He said:

> His Majesty's Government have been faced with an irreconcilable conflict of principles. There are in Palestine about 1,200,000 Arabs and 600,000 Jews. For the Jews the essential point of principle is the creation of a sovereign Jewish State. For the Arabs, the essential

point of principle is to resist to the last establishment of Jewish sovereignty in any part of

Palestine. The discussions of the last month have quite clearly shown that there is no

prospect of resolving this conflict by any settlement negotiated between the parties. But if

the conflict has to be resolved by an arbitrary decision, that is not a decision which His

Majesty's Government are empowered, as Mandatory, to take. His Majesty's Government

have of themselves no power, under the terms of the Mandate, to award the country either

to the Arab or to the Jews, or even to partition it between them. (Stein)

The United Kingdom had clarified that the Government of His Majesty could not promise to

enforce any solution on its own that was unacceptable to the Arabs and Jews equally.

The British Delegate from the United Kingdom clarified that, in the event of a settlement,

plans must be made for an early withdrawal of British forces and the British administration from

Palestine, as they weren't ready to take on the task of enforcing a policy in Palestine through the

use of force. Furthermore, he insisted that any recommendations presented by the General

Assembly come with a precise explanation of how they were to be implemented. These cautions

were brought up repeatedly during the Assembly's session, which ended on November 29, 1947,

with the adoption of a revised partition plan to be carried out by a five-member commission that

would operate independently of the armed forces or the police (Stein). It was also obvious that

the British government's choice to stay away from enforcing the partition of Palestine against the

expressed views of the majority of its citizens, the continuation of British troops and officials'

presence there is just unjustified. The withdrawal of the British government made it difficult for

the Palestine Commission to carry out the Partition plan and as a result of this withdrawal, the

1947-1948 Arab-Israeli War outbroke.

3.3. A Plan Never Implemented

The issue of Palestine was brought up by the Security Council when Syrian representative to the UN, Faris El-Khouri, noted on December 9th, 1948 that the General Assembly is not an international government which may set orders, partition countries or enforce constitutions, rules, regulations and agreements on citizens without their approval. The Arab Higher Committee confirmed to the U.N. Secretary General on February 6th, 1948 that the partition proposal was in direct opposition to the letter and principle of the United Nations Charter. The United Nations has no authority to mandate or suggest that Palestine should be divided. Since the Charter contains no provisions granting such authority, the recommendation for partition is unnecessary and, as a result, invalid (Hammond 5). The Arab Higher Committee made it clear that any intention by the Jews or any power to create a Jewish State in territories is an act of invasion which will be opposed in self-defense by violence.

A U.S. delegate named Warren Austin noted after more Security Council deliberations that it was now clear that the Security Council is not ready to put much efforts and take decisive actions to carry out this plan in the current circumstances. Meanwhile, it was obvious that the United Kingdom's May 15th announcement to end its Mandate in Palestine would result in the light of information now available, in intense fighting and a significant loss lives in Palestine. Austin stated that the Security Council had the duty and power under the Charter to take action to stop such a threat to the peace, and that the U.N. could not allow this (Hammond 7-8).

In order to provide Jews and Arabs with additional chances to come to a mutually beneficial solution, the United States also suggested creating a Trusteeship over Palestine. "We believe that the Security Council should instruct the Palestine Commission to suspend its efforts to implement the proposed partition plan." until the calling of a special meeting of the General Assembly ("Historical Documents – Office of the Historian"). A declaration strongly opposed "any proposal

for establishing a trusteeship regime for Palestine" was read out by a representative of the Jewish Agency for Palestine. This plan may inevitably imply a rejection of the Jewish claim to national independence (Hammond 8).

The U.S. offered a second draft resolution, which stated that it would not damage the claims of either side and which does not reference trusteeship, in an effort to avoid more discussion and make it worse in Palestine. The resolution called for a cease-fire between Jewish and Arab armed organizations. On April 1, it was approved as Resolution 43. On the same day, Resolution 44 was also was approved, asking the Secretary General to call for an additional meeting of the General Assembly to discuss properly the question of the future government of Palestine, in accordance with Article 20 of the United Nations Charter. Resolutions 46, 34, and 48 created a Truce Commission to advance the objective of fulfilling the Security Council's demand for the end of fighting in Palestine. Using Resolution 181 as justification for their illegal declaration of the State of Israel on May 14, the Zionist leadership claimed that it represented the acceptance by the United Nations of the sovereign right of the Jewish people to create their State (Hammond 8-9). The resolution was seen by the Jewish delegates as a moral response to European antisemitism in Europe and the Nazi slaughter of six million Jews during World War II. Arab delegates argued that Palestinians should not be made to pay for Hitler's actions. Consequently, war broke out as expected (Sveen).

3.4. Arabs Reaction to the Resolution

Because the United Nations failed to implement Resolution 181 to partition Palestine, and with the total refusal of the Arabs for the establishment of a Jewish State in their land, the Arab League declared war on Israel, and the regular troops of Transjordan, Iraq, Syria, Lebanon, and Egypt advanced towards Palestine (Shlaim 59). Thousands of Palestinians were forced to escape

after Zionist soldiers took control of multiple cities and villages. The Zionist movement's purpose was clear: Palestinians leave or die. As a result, they regularly carried out organized genocide.

Zionist armies continued their efforts to take over Palestinian territory. On the same day that British soldiers formally left, Zionist Agency President David Ben-Gurion announced the establishment of the state of Israel, depriving the Palestinians of their own nation. The two global superpowers, the United States and the Soviet Union, immediately recognized Israel. Here, the Zionists' policy of ethnic purification against the Palestinians led to the outbreak of what the Palestinians refer to as the Nakba, or "catastrophe," between neighboring Arab nations and the newly formed Zionist state (Almassri 7-8).

Over 13,000 Palestinians had been murdered and over 700,000 had been forced into exile by the Israeli IDF by 1949. Israel's membership to the UN in May 1949 solidified its rule over 78% of historic Palestine, as the UN continued to urge an armistice agreement between Israel and the Arab countries it was at war with. The remaining twenty-two percent was defined as the West Bank and Gaza Strip. During this period, hundreds of thousands of Palestinian refugees awaited their return to camps (Almassri 8).

The 1948 Arab-Israeli War left the issue of Palestinian refugees as one of its main complications. The UN reported that 940,000 people had fled their homes from 369 Palestinian towns and villages by June 1949. Whatever the precise number, it is undeniable that the war left a sizable number of Palestinians without a place to live. The resolution to this issue is what sparked more disagreements between Jews and Arabs. Arabs contended that refugees should be allowed to return to their legitimate homes, while Jews believed that Palestinians should be incorporated into Arab states (Rai).

There was pressure on the Yishuv, the group of Jewish inhabitants in the Land of Israel prior to the creation of the State of Israel in 1948, from April 1948 until the State of Israel was

established in 1948, to permit refugees to return. Arab leaders put pressure on the situation by calling for the refugees return. Additionally, two Israeli promises to permit limited repatriation as part of a wider peace agreement were the outcome of Western pressure. Israel declared in July 1949 that it would repatriate "100,000" Palestinians provided the Arab states consented to move the remaining population on their territory and achieve a peaceful resolution. As an alternative, Israel might be open to absorbing the people of the Gaza Strip and assimilating them into its own territory (Almassri 11).

The majority of Arab powers requested that Israel return all refugees because they thought the offer was far too low, and Egypt refused to give up the Gaza Strip. The refugees refused attempts to immigrate in Arab states in the years that followed, and the Arab regimes made barely any effort to accept them. The issue persisted across the Middle East and the entire world because Israel refused to allow them to return, fearing that the refugees would destabilize the region and that it wanted the abandoned territories and homes for new immigration (Almassri 11).

The alterations in territory were another effect of the Arab-Israeli conflict. Given that Israel's area has grown by 21% beyond the bounds established by the partition resolution, this may be seen as a beneficial development. On the other hand, this may also be seen negatively because it raised animosity from the Arabs, who thought Israel should have no territory at all. With Egypt getting the Gaza Strip and Transjordan acquiring the West Bank, the Arab governments expanded their borders. All of this indicates that the Arabs intended to increase their dominance and sphere. However, Palestine lost any hope of a state of their own as a result of Israel's or the Arabs' territorial conquests. Partition is still debatable among Palestinians today. It has been said that since 1948, the Palestinian people have seen unusual change, becoming a mobile nation (Rai).

3.5. Failure of UN Mediation

The Swedish Count Folke Bernadotte was designated by the Security Council as a mediator in an effort to encourage a diplomatic resolution of the Palestinian conflict. In his role as Chief Representative of the Secretary-General, Trygve Lie, the first UN Secretary-General, urged Ralph Bunche, a staff member of the UN, to travel to the Middle East with Bernadotte. For Lie, Bunche was the expert on the situation and the one who could write plans for a solution that would end war (Sveen).

Count Bernadotte thought that in order to guarantee Arab approval, the partition plan needed to be modified. A proposal that was eventually referred to as the Bernadotte Plan was drafted by Bernadotte and Bunche. This plan called for the construction of an independent state of Israel as well as a combined nation of Palestine and Jordan. The plan called for Jerusalem to be part of an Arab state where the Jewish minority would have sovereignty. Furthermore, Palestinian refugees have to be recompensed for the loss of their houses or given permission to go back to their homes in Israeli-occupied land. The idea was rejected by both Jews and Palestinians, and the radical Jewish group Lehi was against it that they decided to kill Bernadotte before he could have any effect on the UN. Trygve Lie called Bunche as soon as word of Bernadotte's passing reached the UN, asking him to take over as mediator and continue the mission. Bunche accepted Lie's request without hesitation, even though he was aware of the risk to his personal safety in the part. In order to debate the new borders that he and Bernadotte had established between Jews and Arabs, Bunche traveled to Paris and spoke with UN members there (Sveen).

The United Nations General Assembly abandoned the Bernadotte Plan, and the Security Council in a resolution first proposed by Bunche insisted that Egypt and Israel should negotiate a truce. In January 1949 Bunche managed to get the Egyptians and Israelis to the negotiating board on Rhodes. At first, the Arab nations declined to hold direct talks with Israel. However, on the

island of Rhodes, Bunche succeeded in convincing the Israelis and Egyptians to gather at the negotiation table and engage in open discussions about the issues facing the Middle East. The truce was agreed on and signed by the end of February 1949 (Sveen).

According to recent studies, the US administration and UN Secretary-General Trygve Lie were far more influential in the negotiations than was previously thought. Bunche repeatedly requested assistance from President Truman and Secretary Lie to keep the discussions from collapsing, and Secretary Lie gave information intended only for the UN to the US delegation. Lie was deeply sympathetic to the Jewish stance, and President Truman backed the Jewish cause after receiving advice from advisors that the Jewish vote in the US was crucial to the Democratic Party's future as well as to his own re-election case in 1948. The Rhodes truce discussions came to an end on July 20, 1949, when Syria and Israel reached an agreement. Israel then became recognized as a member of the UN and the international community acknowledged it as a sovereign nation operating within new borders (Sveen).

In Bunche's opinion, the agreements effectively put an end to the UN's proposal for an independent Palestinian state, and the Palestinian Arabs were the real victims in this battle. Nearly all of the territory that the Israelis had taken had been kept. Israel now occupied 79% of British-ruled Palestine, up from the UN's authorized 55%. What remained was taken over by Jordan and Egypt for the Arab Palestinians. Within a year, the armistice agreements were supposed to serve as the foundation for peace talks, but they never happened. The UN and the US demanded that Palestinian refugees be allowed to return to their homes, but this was never accomplished. The question of what became of the Palestinian refugees stayed unresolved (Sveen).

3.6. Alternatives to Resolution 181

Following the failure of adopting Resolution 181, and the emergency of the Refugee Crisis in the region, the UN explored several alternative approaches to address the ensuing conflict. These alternatives included facilitating numerous peace negotiations and treaties, such as the Camp David Accords and the Oslo Accords, deploying peacekeeping missions to maintain ceasefires and protect civilians, and implementing various humanitarian aid programs to support the refugees that were affected by war.

3.6.1. UNRWA

By resolution 302 (IV) of December 8, 1949, the United Nations General Assembly created the United Nations Relief and Works Agency for Palestine Refugees in the Near East "UNRWA" to offer humanitarian assistance to the over 700,000 refugees and homeless individuals who were forced to leave their homes in Palestine as a result of the 1948 Arab–Israeli war. Problems that impede UNRWA's ability to carry out its duties include limitations on movement, the wall separating the two countries, property seizures, residence destruction, and emergency response, microfinance, primary and professional training, medical assistance, help and social programs, infrastructure and camp development, and primary health care, particularly in armed conflict situations (Almassri 12).

In May 1950, the Agency began its activities, overcoming early expectations that it wasn't going to last much. However, the General Assembly has consistently renewed UNRWA's mandate despite the lack of a meaningful solution to the Palestine refugee problem. The organization accomplished many goals today, including providing food assistance to one million refugees in Gaza, 438K refugees affected by the Syrian conflict, 1.9 M refugees accessing health care, 545K students, 400K refugees receiving social security help, and 5.8M registered refugees protected (Almassri 12).

3.6.2. Resolution 194

Since the refugee crisis still a huge problem in the Arab-Israeli conflict, and since the failure of implementing Resolution 181, the United Nations established Resolution 194 which states that refugees whose want to go back to their homes should be given the opportunity to do so as soon as possible in order to continue living in peace with their neighbors (Rempel 78).

Resolution 194 also calls for the right of Palestinian refugees to the return of their real estate. Paragraph 11 of Resolution 194 states that the Palestine refugees will be able to go back to their homes and regain ownership of the lands they once possessed. Emphasis was added the right to have their real estate back if it was wrongfully taken away hidden, purchased, or imprisoned by the Israeli government. All their lands should go back to them (Rempel 79).

However, the United Nations failed in implementing Resolution 194 since Israel refused the return of Palestinian refugees to their homes and lands. The Israelis emptied numerous Palestinian villages, towns, cities, and neighborhoods of their original inhabitants. Professor Don Peretz claims that the Arabs abandoned 388 towns and villages, over a quarter of Israel's buildings at the time, as well as entire cities like Jaffa, Acre, Lydda, Ramle, Beisan, and al-Majdal. Jews continued to own tens of thousands of enterprises, companies, and retail stores (Abdelrazek 1).

Despite the fact that the United Nations General Assembly adopted resolution 181, which proposed the partition of Palestine into two separate states for Arabs and Jews, more than 75 years ago, the issue is still relevant to the present-day. Due to the inefficiency and lack of enforcement of this United Nations General Assembly resolution, the two nations have remained in conflict. Several negotiations and further actions by the international communities have still not found solutions to the core issues of borders, security, refugees, and the status of Jerusalem. It is now up to the United Nations General Assembly to reclaim its status as the main deliberative

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and policy-making forum in the organization and seek new approaches to help devise a

sustainable, all-encompassing solution that would be satisfactory to both parties.

Conclusion

The UN's role in the execution of the Resolution 181, which was a resolution advocating for the division of Palestine into two independent states, a Jewish state and Arab state has been a significant issue in the Israeli-Palestinian conflict. While this dissertation has analyzed the historical setting of the resolution, the concerns that led to its passage and the partial and contested implementation of its provisions in the long-term, they show that the claims of agency, emancipation and equality were never fully realized.

Resolution 181 was a landmark decision that aimed to address the conflicting national aspirations of Jews and Arabs in the land of Palestine. Although the plan has been welcomed by the Jewish community and rejected by the Arab states and the Palestinian leaders, the plan's format has remained as the basic framework of further attempts at peace-making and negotiations.

The failure to fully implement the partition plan of Palestine and achieving the main goals have had a significant impact on the Israeli-Palestinian conflict. The result was a series of continued wars and genocide crimes caused by the Israeli occupation and despite a series of UN resolutions and peacemaking processes, the conflict is still unresolved.

Additionally, the displacement of hundreds of thousands of Palestinians during the 1948 Arab-Israeli war, which the partition plan failed to provide a proper solution, created a massive refugee problem that remains a key issue of the conflict to this day. Due to the increase and mass influx into other neighboring countries, today the population of Palestinian refugees has grown to several million, aggravating the humanitarian and political challenges.

The analysis reveals that the UN's role in the conflict has been diverse, involving efforts in mediation, peacekeeping, as well as the promotion of humanitarian operations. However, the

failure to fully enforce the partition plan highlighted the limitations of the UN's capacity to implement its resolutions in the face of geopolitical realities and local opposition.

The legacy of Resolution 181 shows the complexities of international intervention in deeply rooted national conflict. It also illustrates the challenges the UN faces in balancing principles of self-determination, state sovereignty, and peace and security.

The inability to realize the borders proposed under Resolution 181 ensured that territorial disputes would become one of the most contentious and enduring aspects of the Israeli-Palestinian conflict. The partition plan proposed the creation of independent Arab and Jewish states, with clearly defined boundaries and economic unions where necessary. However, the rapid outbreak of violence and war in 1948 and the subsequent armistice lines redrawn in 1949 bore little resemblance to the UN's originally proposed map. This disparity laid the seeds for future conflicts over land, as both sides claim to the same contested territories based on differing historical narratives and legal interpretations.

The territorial disputes resulting from the failed partition plan manifested themselves in various ways over the following decades. Israel's occupation of the West Bank, Gaza Strip, and other territories after the 1967 Six-Day War only intensified debates over borders and settlements. Negotiations aimed at a two-state solution repeatedly stumbled over the determination of final borders, the status of East Jerusalem, and the fate of Israeli settlements in the occupied territories. The absence of clear, internationally recognized borders contributed to a repeated cycle of violence, mistrust, and claims over the legitimacy of territorial control. Resolving these long-standing territorial conflicts remains a key obstacle to reaching a comprehensive and lasting peace agreement between both nations.

In conclusion, while Resolution 181 set a precedent for international involvement in the Israeli-Palestinian conflict, its partial implementation and the consequent violence have shown

that sustainable peace requires more than international mandates. It necessitates a continuous dialogue, mutual recognition, and a willingness to compromise from all the parties involved. The lessons drawn from this case study continue to be relevant for current and future efforts to resolve the conflict, demonstrating the absolute need for a comprehensive and global approach to the peacebuilding process.

Looking ahead, the lessons learned from the failure to implement Resolution 181 could make it clear for some future efforts by the international community to resolve long-standing territorial conflicts. As international institutions fight with crises of legitimacy and affirmations of sovereignty by nation-states, understanding the obstacles and limitations faced by the UN in the Palestine case could guide more to effective strategies. This historical analysis shows the importance of collecting genuine buy-in from all parties involved, establishing strong enforcement mechanisms, and crafting comprehensive solutions that address issues like population displacement and contested territories.

Moreover, the enduring legacy of the Palestinian refugee crisis and the unresolved question of Palestinian statehood serve as a stark reminder that the consequences of unsuccessful conflict resolution can last for generations. While the two-state solution based on the principles first outlined in Resolution 181 remains a core framework for Israeli-Palestinian peace efforts, innovative approaches that learn from past mistakes may be required to break the current stagnation. Ultimately, this examination highlights the vital role that historical context and international cooperation play in transforming intractable conflicts into durable and just political settlements.

Bibliography

Abdelrazek, Adnan. "Israeli Violation of UN Resolution 194 (III) and Others Pertaining to

    Palestinian Refugee Property." *The Palestine-Israel Journal*, vol. 15, no. 4. Accessed 1

    Juin 2024.

Aboo, Kartini, et al. *The Failure of the United Nations in Resolving the Palestine-Israel Conflict:*

    A Neorealist Perspective. 2015, journalarticle.ukm.my/8909/1/9x.geografia-feb15-kartini-

    edam1.pdf. Accessed 25 May 2024.

Adam, Ali. "Palestinian Intifada: How Israel Orchestrated a Bloody Takeover."

    Www.aljazeera.com, 28 Sept. 2020, www.aljazeera.com/news/2020/9/28/palestinian-

    intifada-20-years-later-israeli-occupation-continues. Accessed 15 May 2024.

Al Tahhan, Zena. "The Naksa: How Israel Occupied the Whole of Palestine in 1967."

    Www.aljazeera.com, 4 June 2018, www.aljazeera.com/features/2018/6/4/the-naksa-how-

    israel-occupied-the-whole-of-palestine-in-1967. Accessed 13 May 2024.

Ayoob, Mohammed. "Humanitarian Intervention and State Sovereignty." *The International*

    Journal of Human Rights, vol. 6, no. 1, Mar. 2002, pp. 81–102, doi: 10.1080/714003751.

    Accessed 27 Mar. 2024.

Barnavi, Eli. "Jewish Immigration to Pre-State Israel." *My Jewish Learning*,

    www.myjewishlearning.com/article/jewish-immigration-to-palestine/. Accessed 3 May

    2024.

Baylis, John, et al. *Globalization of World Politics*. 9th ed., Oxford University Press, 2023.

    Accessed 27 Mar. 2024.

Ben-Dror, Elad. "How the United Nations Intended to Implement the Partition Plan: The

    Handbook Drawn up by the Secretariat for the Members of the United Nations Palestine

    Commission." *Middle Eastern Studies*, vol. 43, no. 6, Nov. 2007, pp. 997–1008,

doi:10.1080/00263200701568402. Accessed 25 May 2024.

Bolia, Robert S. "Overreliance on Technology in Warfare: The Yom Kippur War as a Case
Study." *The US Army War College Quarterly: Parameters*, vol. 34, no. 2, May 2004, doi:
10.55540/0031-1723.2197. Accessed 15 May 2024.

Bowen, Jeremy. "1967 War: Six Days That Changed the Middle East." *BBC News*, 5 June 2017,
www.bbc.com/news/world-middle-east-39960461. Accessed 14 May 2024.

Czernecki, Jennifer. *Duquesne Law Review Duquesne Law Review the United Nations' Paradox:
The Battle between Humanitarian the United Nations' Paradox: The Battle between
Humanitarian Intervention and State Sovereignty Intervention and State Sovereignty*.
2003, dsc.duq.edu/cgi/viewcontent.cgi?article=3374&context=dlr. Accessed 24 Apr.
2024.

Darr, Sahdya. "The Expansion of Israeli Settlements in the West Bank and Their Impact on
Displacement." *Journal of Palestinian Refugee Studies*, vol. 4-5, no. 2-1, 2015, pp. 79–
85, doi: 10.12816/0014079. Accessed 19 May 2024.

Durbin, Tyler. *Library Faculty Publications*. June 2021, doi: 10.15760/libdata. Accessed 20 May
2024.

Eichler, William. "Herzl's Troubled Dream: The Origins of Zionism | History Today."
Www.historytoday.com, 6 June 2023, www.historytoday.com/archive/feature/herzls-
troubled-dream-origins-zionism. Accessed 4 May 2024.

Franco, Jonathan. "The Palestine Commission: The Forgotten Chapter in United Nations
Peacemaking and Peacekeeping in the Arab-Israeli Conflict." *Middle Eastern Studies*,
Taylor & Francis, Nov. 2023, pp. 1–14, doi: 10.1080/00263206.2023.2280232. Accessed
24 May 2024.

Ginat, Avital. "British Mandate for Palestine | International Encyclopedia of the First World War

(WW1)." *1914-1918-Online.net*, 7 Dec. 2018, encyclopedia.1914-1918-online.net/article/british_mandate_for_palestine. Accessed 7 May 2024.

Goldstein, Yossi. "The Six Day War: The War That No One Wanted." *Israel Affairs*, vol. 24, no. 5, Aug. 2018, pp. 767–84, doi: 10.1080/13537121.2018.1505475. Accessed 13 May 2024.

Halpern, Ben, and Jehuda Reinharz. *Zionism and the Creation of a New Society*. University Press Of New England, 2000. Accessed 7 May 2024.

Hammond, Jeremy R. "The Myth of the U.N. Creation of Israel." *Jeremy R. Hammond*, 26 Oct. 2010, www.jeremyrhammond.com/2010/10/26/the-myth-of-the-u-n-creation-of-israel/?feed_id=38. Accessed 29 May 2024.

Hawaleshka, Danylo. "History Illustrated: The First Intifada against Israel." *Al Jazeera*, 8 Dec. 2023, www.aljazeera.com/gallery/2023/12/8/history-illustrated-the-first-intifada-against-israel. Accessed 20 May 2024.

"Historical Documents - Office of the Historian." *State.gov*, history.state.gov/historicaldocuments/frus1948v05p2/d105. Accessed 29 May 2024.

Israel Ministry of Foreign Affairs. "1947: The International Community Says YES to the Establishment of the State of Israel." *Mfa.gov.il*, 2020, mfa.gov.il/Jubilee-years/Pages/1947-UN-General-Assembly-Resolution-181-The-international-community-says-Yes-to-the-establishment-of-the-State-of-Israel.aspx. Accessed 6 Apr. 2024.

Juliana, Almassri. "Forced Migration: The 1948 Palestinian Refugees." *Hadtudományi Szemle*, vol. 16, no. 1, June 2023, pp. 5–15, doi: 10.32563/hsz.2023.1.1. Accessed 3 Juin 2024.

Karkar, Sonja. "The First Intifada 20 Years Later." *The Electronic Intifada*, 10 Dec. 2007, electronicintifada.net/content/first-intifada-20-years-later/7251. Accessed 18 Mai 2024.

Kattan, Victor Matthew. "The UN Partition Plan and International Law." *SSRN Electronic Journal*, 2020, doi: 10.2139/ssrn.3756194. Accessed 27 Mar. 2024.

Kaur Rai, Selina. "What Were the Causes and Consequences of the 1948 Arab-Israeli War?" *E-International Relations*, 15 Jan. 2014, www.e-ir.info/2014/01/15/what-were-the-causes-and-consequences-of-the-1948-arab-israeli-war-2/. Accessed 28 May 2024.

Khan, Rahmatullah. *United Nations Peace-Keeping in Internal Conflicts Problems and Perspectives*. www.mpil.de/files/pdf2/mpunyb_khan_4.pdf. Accessed 25 Apr. 2024.

Kratochwil, Friedrich V. *The Status of Law in World Society: Meditations on the Role and Rule of Law*. Cambridge University Press, 2014. Accessed 29 Mar. 2024.

Lahav, Pnina. "The Suez Crisis of 1956 and Its Aftermath: A Comparative Study of Constitutions, Use of Force, Diplomacy and International Relations." *Social Science Research Network*, 20 Nov. 2015, papers.ssrn.com/sol3/papers.cfm?abstract_id=2693269. Accessed 14 May 2024.

Liebman, Charles S. "The Myth of Defeat: The Memory of the Yom Kippur War in Israeli Society." *Middle Eastern Studies*, vol. 29, no. 3, July 1993, pp. 399–418, doi: 10.1080/00263209308700958. Accessed 19 May 2024.

Maor, Moshe. *The History of Zionism*. 2009, www.jewishvirtuallibrary.org/jsource/isdf/text/maor.pdf. Accessed 4 May 2024.

Mayall, James. *The New Interventionism: 1991-1994: United Nations Experience in Cambodia, Former Yugoslavia, and Somalia*. University Press, 1996. Accessed 13 Apr. 2024.

Miller, Rory. *Britain, Palestine and Empire: The Mandate Years*. 2016, doi: 10.4324/9781315570006. Accessed 12 May 2024.

Nichols, David A. *Eisenhower 1956: The President's Year of Crisis: Suez and the Brink of War*. Simon & Schuster Paperbacks, 2012. Accessed 14 May 2024.

Pressman, Jeremy. "The Second Intifada: Background and Causes of the Israeli-Palestinian Conflict." *Journal of Conflict Studies*, vol. 23, no. 2, 2014,

journals.lib.unb.ca/index.php/jcs/article/view/220/378. Accessed 17 May 2024.

Rathore, Gayatri. "United Nations and State Sovereignty." *SSRN Electronic Journal*, 2022, doi:

    10.2139/ssrn.4096514. Accessed 16 Apr. 2024.

Ritchie Ovendale. *Origins of the Arab Israeli Wars*. Taylor & Francis, 2016. Accessed 13 May

    2024.

Salem, Mostafa F. *The Way Ahead? An Analisis of the Camp David Accords and the Egyptian-*

    Israeli Peace Treaty. July 1991. Accessed 18 May 2024.

Shlaim, Avi. "Britain and the Arab-Israeli War of 1948." *Journal of Palestine Studies*, vol. 16,

    no. 4, July 1987, pp. 50–76, doi: 10.1525/jps.1987.16.4.00p01134. Accessed 29 May

    2024.

Sholomo Avineri. *The Making of Modern Zionism: The Intellectual Origins of the Jewish State*.

    Basic Books, 2017. Accessed 4 May 2024.

Stein, Ken. "Great Britain. Palestine: Termination of the Mandate." *CIE*, 4 Jan. 2022,

    israeled.org/resources/documents/great-britain-palestine-termination-of-the-mandate/.

    Accessed 30 May 2024.

Sveen, Asle. "The Nobel Peace Prize 1950." *NobelPrize.org*,

    www.nobelprize.org/prizes/peace/1950/bunche/article/. Accessed 26 May 2024.

Tal, David. *War in Palestine, 1948*. Routledge, 2004. Accessed 16 May 2024.

Tenenbaum, Karen, and Ehud Eiran. "Israeli Settlement Activity in the West Bank and Gaza: A

    Brief History." *Negotiation Journal*, vol. 21, no. 2, Apr. 2005, pp. 171–75, doi:

    10.1111/j.1571-9979.2005.00055.x. Accessed 18 May 2024.

Terry, Patrick. "Britain in Palestine (1917-1948) - Occupation, the Palestine Mandate, and

    International Law." *DOAJ (DOAJ: Directory of Open Access Journals)*, vol. 2, no. 2, Jan.

    2018, doi: 10.6092/issn.2531-6133/7663. Accessed 8 May 2024.

Tessler, Mark. *A History of the Israeli-Palestinian Conflict, Second Edition*. Indiana University

    Press, 2009, doi: 10.2307/j.ctt1d10hf6. Accessed 4 May 2024.

United Nations. "UNITED NATIONS OPERATION in SOMALIA I (UNOSOM I) -

    Background (Full Text)." *Un.org*, 2019,

    peacekeeping.un.org/mission/past/unosom1backgr2.html. Accessed 12 Apr. 2024.

"UNITED NATIONS TRANSITIONAL AUTHORITY in CAMBODIA (UNTAC) -

    Background (Summary)." *Peacekeeping.un.org*,

    peacekeeping.un.org/mission/past/untacbackgr1.html. Accessed 16 Apr. 2024.

"UNPROFOR." *Peacekeeping.un.org*, peacekeeping.un.org/mission/past/unprof_b.htm.

Weiner, JillAllison. "Israel, Palestine, and the Oslo Accords." *Fordham International Law*

    Journal, vol. 23, no. 1, 1999,

    ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1664&context=ilj. Accessed 7 Apr.

    2024.

Winder, Alex. "1956 War." *Interactive Encyclopedia of the Palestine Question – Palquest*,

    www.palquest.org/en/highlight/161/1956-war. Accessed 16 May 2024.

---. "UN Partition Plan, 29 November 1947." *Interactive Encyclopedia of the Palestine Question*

    – Palquest, www.palquest.org/en/highlight/159/un-partition-plan-29-november-1947.

    Accessed 14 May 2024.