Research Report

Leiden Model United Nations 2017

~ fresh ideas, new solutions ~

Forum: *General Assembly Fourth Committee*
Issue: *Palestinian refugees in the Syrian Border region*

Position: *Deputy Chair*

Introduction

Dear delegates,

The Palestines are among the biggest group among refugees, with more then 5 million refugees registered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Without any land to safely return to, the Palestines have spread throughout neighbouring countries over the past few years. However, with the armed conflict in Syria, increasing tension in Israel and discriminatory laws being adopted in those neighbouring countries, Palestinians have no place to go. With the increase in violence in the border region of Syria, it has been increasingly hard for humanitarian aid to reach those who need it the most.

Since the merging of the General Assembly Fourth Committee with the General Assembly Seventh Committee, previously also known as the Special Political Committee, has been tasked with guiding the Israel-Palestine peace talks and the consequences of the conflict. Therefore, this issue is perfect for the this forum. Without the legal instruments of binding resolutions, it will form a great challenge to find a solution that can be agreed upon by all parties.

I am looking forward to meeting all of you at LEMUN 2017.

Yours faithfully,

Ties Peters, Deputy chair

Definition of Key Terms

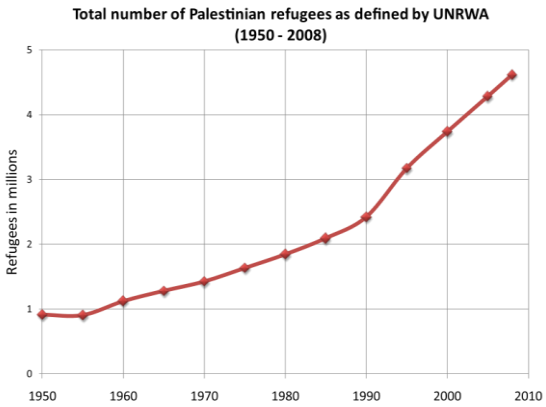
Palestinians
An ethnonational group comprising the modern descendants of the peoples who have lived in Palestine over the centuries, including Jews and Samaritans, and who today are largely culturally and linguistically Arab.

Refugees
According to the 1951-1967 Convention Relating to the Status of Refugees, a refugee is: '...[A]ny person who: owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and

being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it…'

Demilitarized Zone (DMZ)
An area in which treaties or agreements between nations, military powers or contending groups forbid military installations, activities or personal. A DMZ often lies along an established frontier or boundary between two or more military powers or alliances. Examples are the 38th parallel between North and South Korea and the DMZ on Cyprus.

General Overview



The Palestinians are among the highest number of refugees, with more then 5 million refugees registered by UNRWA. Currently, over 550,000 Palestine refugees remain in Syria, spread over 13 refugee camps monitored by the UNRWA in the border area with Syria, of which three remain 'unofficial'. The majority of Palestinian refugees have been displaced at least once within Syria -with some having been displaced multiple times- and over 95 per cent of them remain in continuous need of humanitarian aid just to meet their most basic needs, such as, but not limited to, food, clean drinking water and medical supplies. The ever escalating violence makes movement and access to basic human rights more difficult.

Palestinian refugee camps have existed for over 50 years now. The Palestinians lived in both refugee camps, as well as villages and cities in the border region. Multiple waves of exile for the Palestinians have caused more and more camps to pop up in the region over the years. Since 1948, around 5 million Palestinians are estimated to have fled their home grounds. Before the outbreak of the current conflict, Palestine refugees in Syria were a vulnerable but recognized population. Despite the fact they had many rights of a Syrian citizen, Palestine refugees lagged behind on almost all development indicators. Most of the Palestinian refugees who fled to the Syrian Arab Republic in the period between 1948 and the Six-Day war were from the northern parts of the country. As the Golan Heights were occupied by the Israeli army, a further 100,000 people fled into the Syrian Arab Republic. UNRWA worked closely with the General Administration for Palestine Arab Refugees (GAPAR), but this cooperation has been cut short due to the current conflict. Since the outbreak of the conflict, Palestinians have been increasingly vulnerable to the violence as it has increasingly encroached upon the Palestine refugee camps and the regions around these camps, causing over 40 recorded deaths due to violence in the region in the refugee camps, but it is believed more deaths have occurred in the region. However, with the fighting still going on as we speak, a handful of refugee camps and cities and/or villages cannot be reached and therefore, shortages off the basic human needs are occurring in an increasing rate. Due to insufficient hygiene and

medical supplies, all sorts of diseases can spread in a high rate. Some of these refugee camps have, as you have read, existed since 1950, which causes fear among other national governments that the Palestinians, if they are allowed to find a safe haven for the duration of the violent conflict in Syria, will settle for a longer period of time, just as they were doing before the war in Syria started.

Why are the Palestinians in need for help?

Palestinian refugees have been exiled for as long as fifty years. However, their situation in the border region with Syria is unlike the situation in other refugee camps and cities in the Middle East. With violence threatening the camps and the regions around the camps, it is not safe in the camp, nor in the region. Therefore, the delivery of humanitarian aid is very hard and full of risks. Then there is the 'conflict' between the UNRWA and the UNHCR. Palestinian refugees who have fled Syria and fall under the Mandate of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), cannot obtain recognition as refugees from United Nations High Commissioner for Refugees (UNHCR). Therefore, Palestinian refugees from Syria are not always able to access equivalent services to those provided by UNHCR to Syrian refugees, according to the NGO Amnesty International. This inequality is seen as problematic and should be resolved as soon as possible. Palestinians do not just face problems in the refugee camps in the region, they are also unable to flee to neighboring countries due to discriminatory border protocols. The Palestinians are currently facing a humanitarian crisis with little to no solution for or bettering of the situation.

What is next for the Palestinians?

Following resolution 194, signed by the United Nations General Assembly (11th of December 1948), Palestinians gained their right to their homeland, if they wish to "live at peace with their neighbors". The resolution also states that "refugees who wish to return to their homes and who are willing to live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible'. The resolution also called for peace talks, led by the newly founded United Nations Conciliation Commission. However, many of the articles were not fulfilled since they were opposed to by Israel, rejected by Arab states and the region was overshadowed by the war between Israel and Transjordan. Further talks about the 'Palestinians right of return' are yet to follow, but are believed to not resolve the situation as we know it.

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Major Parties Involved

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

Following the 1948 Arab-Israeli conflict, UNRWA was established by United Nations General Assembly Resolution 301 of the 8th of December 1949 to carry out direct relief and works programmes for palestine refugees. The organisation itself does not run camps, has no police powers or administrative role, but simple provides services in the camp. It is funded by the UN and donations from governments and organisations.

Office of the United Nations High Commissioner for Refugees (UN Refugee Agency /UNHCR)

The UNHCR is a United Nations programme mandated to protect and support refugees at the request of a government or the UN itself and assists in their voluntary repatriation, local integration or resettlement to a third country. It works together with the UNRWA.

Israel

As Israel refuses to participate in multilateral talks on the allocation of the Palestinian people and is often seen as one of the main reasons for the exile of the Palestinians, Israel plays a key part in this issue. However, polls show that a vast majority of Palestinians does not wish to return to their home grounds.

The Syrian Arab Republic

As the conflict in Syria goes on, Palestinian refugees are not safe and unable to recieve humanitarian aid. As one of the biggest hosts for Palestinian refugees, a peaceful solution for the current conflict on the territorial grounds of the Syrian Arab Republic could prove of high importance.

Timeline of Events

8th of December 1949	Founding of the United Nations Relief and Works Agency (UNRWA);
1951	The 1951 Refugee Convention, which forms the key legal document to outline the rights of refugees;
March 2011	Start of the conflict in Syria;
September 2012	UNRWA estimates that approximately 225,000 refugees have been affected and are in immediate need of humanitarian assistance;
18th of December 2012	Two of the biggest camps monitored by the UNRWA are emptied of its over 150,000 inhabitants due to an increase in violence in the region;
October 2013	For the first time in thirty years a widespread polio outbreak is reported in the border region due to a lack of medical supplies.;
December 2013	The conflict has now overwhelmed most of the regions in Syria where refugee camps are located. Palestine refugees

	fleeing Syria encounter discriminatory treatment when trying to cross borders to neighbouring countries;
22nd of February 2014	The United Nations Security Council unanimously adopts resolution 2139 to support aid delivery and provide relief to Syrians;
July 2014	Increasing reports of Palestinian refugees using the Sea route to flee from Syria, which is often seen as a clear sign that life in the Syrian border region is worsening;
2013 - 2014	Peace talks led by the United States of America on the conflict between Israel and Palestine starts;
April 2015	Ex-Secretary-General Ban Ki-moon advocates for Palestine refugees stating "Yarmouk refugee camp is the deepest circle of hell… The people of Yarmouk must not be abandoned";
4th of Februari 2016	Ex-Secretary-General Ban Ki-moon pledges for Palestinian refugees during the London Pledging Conference on Syria;
24th of Januari 2017	The total amount of Palestinian refugees surpasses 500,000;
July - November 2017	Over fourty Palestinian refugees have been killed while residing in the refugee camps and cities in the region due to an increase in violence in the region;

Previous Attempts to solve the issue

With multiple emergency appeals from the UNRWA, a handful of mentions by the ex-Secretary-General Ban Ki-moon and the 1948 talks, not a lot has been done by the international community regarding the situation of the Palestine refugees. This issue is particularly complex due to its ever changing character, caused by the changing stance of the neighboring countries. Policy changes, wars and other crisis have shaped this issue into the form as we know it now. No country is willing to adopt the large number of refugees on its own as a consequence of the long-stretched character of the issues revolving the Palestinian refugees and the problems they are currently facing.

The UNRWA has been working for over sixty years with the Palestinian refugees and manages to help through the help of both bilateral and multilateral help. However, especially in the Syrian border region, they need increasing help with keeping their staff and volunteers as safe as possible, in accordance with international law. The biggest donors (as of 2015) are The United States, Europe, the United Kingdom, Saudi Arabia and Germany. Non-Government donors also form a part in the funding of the UNRWA. Despite this funding, the UNRWA struggles to keep up with the growing demand for basic human supplies.

With the adoption of General Assembly Resolution 194, a first step was made to create a safe environment, however, due to the opposition from countries in the Arab League, these articles have never been followed up upon. Israel has stated multiple times it feels

no need to continue on these talks, since the UN General Assembly resolutions have no force under international law. However, Israel has pressured the Palestinians into bilateral talks, but this has been widely criticized due to the current stance of power of Israel. Israel is a military superpower and has way more power in the region then the exiled Palestinians.

Possible Solutions

It may be clear to all that a solution is needed, however, it seems to be a world away. One way to solve the issue is negotiations -including territorial claims, secure borders and the future of (East) Jerusalem- in order to resolve the Palestinian refugee crisis. Multilateral talks are opposed to by Israel, whilst bilateral talks are condemned by the international community. Therefore, a new form of negotiation could be the foundation of the solution.

Another solution might be the founding of new Demilitarized Zones (DMZ), where, in accordance with international law, volunteers and staff of NGO's and the UNRWA are able to provide the basic human needs for the refugees. However, these DMZ must be formed in the territorial grounds of neighboring countries and must be kept under military control.

Lastly, new talks with neighboring countries on taking in more Palestinian refugees and offering them citizenship and their basic human rights in accordance with the Universal Declaration of Human Rights could be a final and lasting solution for this issue. However, these negotiations take up significant time, whilst immediate help is needed.

Relevant Treaties/ Resolutions

United Nations Security Council Resolution 242 (S/RES/242):

https://unispal.un.org/DPA/DPR/unispal.nsf/0/7D35E1F729DF491C85256EE700686136

United Nations Security Council Resolution 2139:

http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2139.pdf

United Nations General Assembly Resolution 194

https://unispal.un.org/DPA/DPR/unispal.nsf/0/C758572B78D1CD0085256BCF0077E51A:

United Nations General Assembly Resolution 3376 and the founding of the Committee

on the Exercise of the Inalienable Rights of the Palestinian People:

https://unispal.un.org/DPA/DPR/UNISPAL.NSF/0/B5B4720B8192FDE3852560DE004F3C47

Useful documents

1947 UN Partition plan:
http://www.un.org/Depts/dpi/palestine/ch2.pdf

The Syria Emergency Appeal, drafted by the UNRWA:
https://www.unrwa.org/sites/default/files/content/resources/2017_syria_emergency_appeal.pdf

A description of the United Nations and Palestine Refugees:
https://www.unrwa.org/userfiles/2010011791015.pdf

Draft resolution of the GA4 on relevant topics:
http://undocs.org/A/C.4/71/L.11

Appendix/Appendices

https://en.wikipedia.org/wiki/Universal_Declaration_of_Human_Rights
https://www.unrwa.org/syria-crisis#Syria-Crisis-and-Palestine-refugees
http://www.booksandideas.net/Jordan-and-Syrian-Refugees.html
https://en.wikipedia.org/wiki/Palestinian_refugee_camps
https://en.wikipedia.org/wiki/Palestinian_refugees
https://en.wikipedia.org/wiki/Palestinian_refugees#Palestinian_refugees_as_part_of_the_Syrian_refugee_crisis
http://www.aljazeera.com/indepth/features/2016/03/palestinian-syrians-refugees-160321055107834.html
https://www.unrwa.org/palestine-refugees
https://www.unrwa.org/where-we-work/syria
https://www.unrwa.org/sites/default/files/content/resources/2017_syria_emergency_appeal.pdf
https://www.un.org/press/en/2008/gaspd413.doc.htm
https://www.un.org/press/en/2016/gaspd628.doc.htm
https://www.huffingtonpost.com/alon-benmeir/a-solution-to-the-palesti_b_716867.html
http://www.bbc.com/news/world-middle-east-11104284
https://en.wikipedia.org/wiki/Two-state_solution
https://en.wikipedia.org/wiki/UNRWA