



## The Role of International Organizations in Protecting Human Rights in Palestine.

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DOI: <https://doi.org/10.55248/gengpi.5.0124.0314>

### ABSTRACT:

*For more than 70 years, the Israel-Palestine conflict has remained unsolved, with Israeli forces occupying Palestinian territory and a continuing humanitarian catastrophe in Palestine. In religious terms, the country of Palestine is immensely important for everybody, including Jews, Muslims, and Christians. In 1948, the United Nations recognized Israel as an independent and sovereign state and a full member of the UN. The independence of Palestine has yet to be resolved, and it may be tough to settle in the near future. This abstract explores the crucial role of international organizations in safeguarding and advocating for human rights in Palestine. International organizations have helped to monitor and report on human rights breaches in Palestine. The United Nations Organization (UN) and the Organization of Islamic Countries (OIC) have taken a neutral posture on the Palestine problem, with a sequence of triumphs and failures. The purpose of research is to highlight the historical context of the conflict and to understand how International Organizations can be more effective in promoting and protecting the human rights of Palestinians. It explores the legal framework provided by international law, particularly focusing on the United Nations and its specialized agencies, such as the United Nations Human Rights Council and the International Criminal Court. This research aims to identify challenges faced by international organizations and best practices for addressing them, thereby improving their effectiveness in promoting and protecting Palestinian human rights during the ongoing conflict between Hamas and Israel. It acknowledges criticism and controversies surrounding these organizations' actions and effectiveness, using a comparative analytical study and conceptual approach.*

**Keywords:** Human Rights Challenges; International Organizations; legal Obligation; Palestine Refugees; War Crimes

### 1. Background

From 1517, the Ottoman Empire ruled Palestine for over four centuries and during this long period; Palestine was a relatively peaceful and prosperous province of the empire. However, after the collapse of the Ottoman Empire in 1920, Palestine came under British rule and there was a resurgence of Jewish interest in Palestine in the late nineteenth century, owing in part to the growth of the Zionist movement, which pushed for the formation of a Jewish state in Palestine. During British rule, Arab-Jewish populations were deeply divided and there were frequent clashes between the two groups.

**First Aliyah<sup>2</sup>:** The first wave of Zionist immigration to Palestine, known as the First Aliyah, began in the 1880s and motivated by religious and idealistic reasons.

**Second Aliyah<sup>3</sup>:** The Second Aliyah, began in 1904 and lasted until 1914, was motivated by a combination of factors, including religious, idealistic as well as economic and political reasons. Immigrants were fleeing pogroms and persecution in Eastern Europe and seeking a better life in Palestine.

**Third Aliyah<sup>4</sup>:** The Third Aliyah, began in 1919 and lasted until 1923, was motivated by a desire to build a Jewish homeland in Palestine and by the Balfour Declaration<sup>5</sup> (**Annex-A**), a statement issued by the British government in 1917 that expressed support for the establishment of a Jewish national home in Palestine.

**Balfour Declaration:** On November 2, 1917, Foreign Secretary Arthur James Balfour writes an important letter to Britain's most illustrious Jewish citizen, Baron Lionel Walter Rothschild, expressing the British government's support for a Jewish homeland in Palestine. The letter would eventually become known as the Balfour Declaration.

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<sup>2</sup> S. Adler, "The First Aliyah: A Demographic Profile" (Jerusalem: Magnes Press, 1989).

<sup>3</sup> R. Patai, "The Second Aliyah" (London: Routledge, 1967), pp. 12-15.

<sup>4</sup> R. Vital, "Zionism: The Formative Years, 1875-1948" (Oxford: Oxford University Press, 1987).

<sup>5</sup> Retrieved from: [http://en.wikipedia.org/wiki/Balfour\\_Declaration\\_of\\_1917](http://en.wikipedia.org/wiki/Balfour_Declaration_of_1917) - 24.11.2010

**Fourth Aliyah**<sup>6</sup>:The Fourth Aliyah, which began in 1924 and lasted until 1929, was motivated by a desire to escape economic hardship in Europe and by the 1929 Hebron massacre, an attack by Arab rioters on Jewish residents of Hebron.

**Fifth Aliyah**<sup>7</sup>:The Fifth Aliyah, which began in 1930 and lasted until 1939, was motivated by a desire to flee the rise of Nazism in Germany and by the 1936–1939 Arab revolt in Palestine, a violent uprising against British rule and Jewish immigration.

**Aliyah Bet**<sup>8</sup>:The sixth and final wave of Jewish immigration to Palestine, known as the Aliyah Bet, began after World War II and brought hundreds of thousands of Holocaust survivors to Palestine. The Aliyah Bet was controversial because it was illegal under the British Mandate, but the British government was unable to stop the influx of immigrants, and the Aliyah Bet played a significant role in the establishment of the State of Israel in 1948.

Since 1948, there has been a continuous flow of Jewish immigrants to Israel, motivated by a variety of factors, including religious and idealistic reasons, as well as economic and political reasons.

## 2. Introduction

The Ottoman Empire ruled Palestine in the early nineteenth century and during this period, Palestinians lived autonomously, enjoyed their rights and get justice in light of the Islamic Rulings. On the other side, the Jews had no proper place to reside and a few colonies in Europe, North America, and Africa, but for various reasons including religious, idealistic, economic and political reasons, they began moving towards Palestine and in get controlled over the land of Palestine.

### *The Peel Commission*<sup>9</sup>

The Peel Commission, formally known as the Palestine Royal Commission, was a British Royal Commission of Inquiry chaired by Lord Peel that was appointed in response to the 1936–1939 Arab revolt in Palestine, which was a violent uprising against British rule and Jewish immigration. The commission was tasked with investigating the causes of the revolt and to recommend solutions to the problems in Palestine, which was governed by the United Kingdom, following a six-month Arab general strike. In 1937, the Peel Commission report<sup>10</sup> suggested partitioning Mandate Palestine into an Arab state and a Jewish state, though the proposal was rejected as unworkable by the government and was at least partially to blame for the renewal of the 1936–39 Arab revolt.

### *The Woodhead Commission*<sup>11</sup>

The Woodhead Commission was a British technical commission appointed in 1938 headed by Sir John Woodhead, a former civil servant in India to investigate the feasibility of the Peel Commission's partition plan. The Woodhead Commission held its hearings in Palestine in 1938 and 1939. The commission heard testimony from a wide range of individuals and groups, including Arab and Jewish leaders, British officials, and economic experts and published its report<sup>12</sup>, in November 1938, the Woodhead Commission concluded that the Peel Commission's partition plan was impractical. The commission found that the proposed boundaries of the two states would be difficult to implement and that the partition would be economically unfeasible. The Woodhead Commission also found that the partition would lead to a large-scale transfer of population, with hundreds of thousands of Arabs being displace from their homes. The commission warned that such a transfer would be "**impracticable and unjust.**"

### *The Biltmore Conference*<sup>13</sup>

The Biltmore Conference, held from 09<sup>th</sup> to 11<sup>th</sup> May 1942 at the Biltmore Hotel in New York City, was a pivotal event in the Zionist movement. The conference, organized by the Zionist Organization of America, aimed to establish a Jewish state in Palestine, a departure from the previous Zionist policy that focused on a "homeland" or "national home" for Jews in Palestine. The conference's most significant outcome was the adoption of the Biltmore Program, which called for the immediate immigration of Jewish refugees to Palestine, land purchase, and a Jewish commonwealth with democratic institutions. This program laid the groundwork for future diplomatic efforts and the eventual creation of the State of Israel.

### *The British Mandate for Palestine*<sup>14</sup>

The British Mandate for Palestine was established in 1920, by the League of Nations. The mandate gave the British government responsibility for administering Palestine until it was ready for self-government. The British Mandate was a controversial one. The Arab and Jewish populations of Palestine were deeply divided, and there was frequent violence between the two groups. The British Mandate for Palestine expired on May 15, 1948. This was the date on which the British government withdrew all of its forces from Palestine. The expiration of the British Mandate for Palestine led to the establishment of the State of Israel. On May 14, 1948, one day before the mandate expired, the Jewish leadership in Palestine declared the establishment of the State of

<sup>6</sup> A. Shapira, "The Fourth Aliyah and the Making of the Zionist State" (Berkeley: University of California Press, 1992), pp. 123-125.

<sup>7</sup> G. Sheffer, "Zionism in Late Modernity: The Transformation of Zionist Thought, 1897-1917" (Detroit: Wayne State University Press, 2010), pp. 200-205.

<sup>8</sup> Y. Bauer, "Aliyah Bet: The Illegal Immigration of Jews to Palestine, 1945-1948" (New York: Cambridge University Press, 1977), p. 34.

<sup>9</sup> Palestine Royal Commission Report (Peel Commission Report), Cmd. 5479, 1937. Available online at: <https://unispal.un.org/UNISPAL.NSF/0/02A4A2E576A6A6A4052565C3006E10F3>

<sup>10</sup> Royal Commission on Palestine, "Report of the Royal Commission on Palestine" (Cmd. 5479, London: HMSO, 1937)

<sup>11</sup> Palestine Partition Commission, Report of the Palestine Partition Commission (London: His Majesty's Stationery Office, 1938), 123.

Report of the Palestine Partition Commission (Woodhead Commission Report), Cmd. 5854, 1938. Available online at: <https://unispal.un.org/UNISPAL.NSF/0/6E89E8B4B1A6F2E4852565C3006E10F3>

<sup>12</sup> Woodhead Commission Report (1938).

<sup>13</sup> "Biltmore Conference Program" (May 1942), as reprinted in The Future of Palestine: Documents, ed. by Mordechai Eliav (New York: Theodor Herzl Institute, 1981), 211-213.

<sup>14</sup> United Kingdom Foreign and Commonwealth Office. "The British Mandate for Palestine"

Israel. In 1948, the United Nations recognized Israel as an independent and sovereign state and on May 11, 1949, Israel was admitted as the 59<sup>th</sup> member of the United Nations. At least 167 of the 193 UN member states officially recognize Israel with the UAE, Bahrain, Sudan, Morocco, and Bhutan the most recent in 2020.

### *The Palestine Liberation Organization (PLO)*<sup>15</sup>

The Palestine Liberation Organization (PLO) was established in 1964 to establish a Palestinian Arab state on land occupied by Israel. Initially dedicated to destroying Israel, it later accepted Israel's right to exist in exchange for PLO recognition. Palestinian leader Yasser Arafat held the PLO chairman title until 2004.

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### 3. Literature Review

Because of the ongoing Israeli-Palestinian conflict, the preservation of human rights in Palestine has been a source of tremendous concern and worldwide attention. In this setting, international organizations have a critical role in monitoring, documenting, and campaigning for human rights protection. There is no recent research have been conducted on the role of IOs in protecting Palestinian human rights and therefore no literature have been found and therefore the author examine the role of international organizations in safeguarding human rights in Palestine, focusing on their efforts to address violations and promote accountability by collecting data from original sources. The complex and contentious situation in Palestine has been the subject of numerous studies and analyses. A vital strand examines the role of international organizations (IOs) in protecting human rights in the region. This research aims to provide a critical overview on this crucial topic, highlighting key findings, debates, and limitations. The legal framework underpinning IO involvement in Palestine rests on numerous UN resolutions, human rights treaties, and international customary law. The Fourth Geneva Convention and the Universal Declaration of Human Rights play key roles in defining the obligations of both Palestinian authorities and occupying powers. Numerous IOs operate in Palestine, each with distinct mandates and approaches. The UN Office for the Coordination of Humanitarian Affairs (OCHA) coordinates aid delivery, while the UN Human Rights Monitoring Mission documents human rights violations. Regional organizations like the Organization of Islamic Cooperation (OIC) also play a role in advocacy and humanitarian assistance. IO efforts in Palestine face significant challenges. Political pressure from powerful states, particularly the U.S., often hampers meaningful action against Israeli violations. Gauging the effectiveness of IOs in protecting Palestinian human rights is a complex endeavor.

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### 4. Role of International Organizations in protecting human rights in Palestine

International organizations have played a significant role in the Palestine-Israel conflict since its inception in 1947. The most prominent international organization involved in the conflict is the United Nations (UN).

#### **United Nations General Assembly**<sup>16</sup>

The United Nations General Assembly's involvement in the Palestine-Israel conflict has a significant history reproduced below:-

##### *a. The United Nations Resolution 181 (II) (1947) (Partition of Palestine)*<sup>17</sup>

The first Resolution 181 (II) (also known as the Partition Plan) passed by the United Nations (UN) General Assembly in 1947 that called for the partition of Palestine into Arab and Jewish states, with the city of Jerusalem as a *corpus separatum* (Latin: "separate entity") to be governed by a special international regime. This resolution was a pivotal moment in the international recognition of the need for a Jewish homeland. The resolution was considered by the Jewish community in Palestine to be a legal basis for the establishment of Israel but rejected by the Arab community and the Arab-Israeli War of 1948-1949 began. Following the war, the UNGA issued several resolutions concerning the Palestine-Israel conflict, including:

**1948:**

**November 19: Resolution 212:** Assistance to Palestinian refugees

**1949:**

**December 11: Resolution 194 (III):** Right of return for Palestinian refugees

**December 9: Resolution 303(IV):** International Regime for Jerusalem

**1950:**

**December 14: Resolution 394 (V):** Calls for Arab-Israeli peace negotiations, and a solution for Palestinian refugees.

**1967:**

**July 4: Resolution 2252:** Humanitarian assistance in the 1967 war.

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<sup>15</sup> Palestine Liberation Organization (PLO) official website. Available online at: <http://www.plo.ps/>

<sup>16</sup> United Nations General Assembly official website. Available online at: <https://www.un.org/en/ga/>

<sup>17</sup> United Nations General Assembly Resolution 181 (II) (1947) - "Future government of Palestine." Available online at: [https://undocs.org/A/RES/181\(II\)](https://undocs.org/A/RES/181(II))

**July 4: Resolution 2253 (ES-V):** Condemns Israel's measures to change the status of Jerusalem as invalid

**July 14: Resolution 2254:** "Deplores" Israel's failure to abide by UN General Assembly Resolution 2253 (ES-V)

**1968:**

**December 19: Resolution 2443:** Establishes the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People.

**1969:**

**December 10: Resolution 2535:** UNRWA Report. "Reaffirms" the "inalienable rights" of the Palestinian people and requests the Security Council to take "effective measures" to force implementation of previous UN resolutions

**December 11: Resolution 2546:** Condemns Israeli "violations of human rights and fundamental freedoms" in the occupied territories

**1970:**

**November 4: Resolution 2628:** Urges the speedy implementation of UN Security Council Resolution 242 and recognizes that "respect for the rights of the Palestinians is an indisputable element in the establishment of a just and lasting peace in the Middle East"

**December 5: Resolution 2727:** Calls on Israel to implement the recommendations of the UN special committee investigating Israeli practices in the occupied territories

**December 15: Resolution 2728:** Report of the Special Committee to investigate Israeli practices affecting the Human Rights of the population of the Occupied Territories.

**1974:**

**October 14: Resolution 3210:** Invites the Palestine Liberation Organization to participate in General Assembly deliberations on the question of Palestine.

**November 22: Resolution 3236:** Recognizes the right of the Palestinian people to regain its rights, including the right to self-determination and the right of return.

**1975:**

**November 10: Resolution 3376:** Founding of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP).

**November 10: Resolution 3379:** Equated Zionism with racism. This resolution was revoked in 1991 by Resolution 46/86.

**December 5: Resolution 3414:** Calls for economic sanctions and an arms embargo on Israel until it withdraws from all territories occupied in 1967 and grants the Palestinians their "inalienable national rights".

**1976:**

**November 24: Resolution 31/20:** Expresses deep concern that no "just solution" to the "problem of Palestine" has been achieved, refers to the problem as the core of the Middle East conflict, and reaffirms the "inalienable rights" of the Palestinians, including the right of return and the right to national independence.

**1977:**

**November 25: Resolution 32/20:** Reaffirms previous calls for a full Israeli withdrawal from the occupied territories and an international peace conference with PLO participation.

**December 2: Resolution 32/40:** Reaffirms the "inalienable rights of the Palestinian people", including the right to national sovereignty and the right of return.

**1981:**

**October 28: Resolution 36/15:** Demanding that Israel desist any archaeological excavations in East-Jerusalem in general with emphasis on the Temple Mount.

**1982:**

**December 16: Resolution 37/123:** Condemnation of Israel's alleged responsibility for the Sabra and Shatila massacre by Kataeb Party in Beirut, Lebanon; resolves that the massacre was an act of genocide; condemns acts of plundering Palestinian cultural heritage; condemns the occupation of the West Bank, Gaza and the Golan Heights; and condemns the annexation of Jerusalem.

**1983:**

**December 19: Resolutions 38/180:** Calls all nations to suspend or sever all diplomatic, economic and technological ties with Israel. Condemnation of Israel on various topics including the occupation of the West Bank, Gaza and the Golan Heights, war in Lebanon and the annexation of Jerusalem.

**1988:**

**April 20: Resolution 43/233:** Expressing shock over killing of Palestinian civilians in Nahalin.

**2012**

**November 29: Resolution 67/19:** Grants non-member observer state status to Palestine, recognizing it as a "non-member observer state."

**December 22: Resolution 66/225:** Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory.

**2017**

**December 21: Resolution ES-10/19:** Criticizing US policy on Jerusalem.

**2018**

**June 13: Resolution ES-10/20:** Criticizing the Israeli response to the 2018 Gaza border protests.

**October 16: Resolution 73/5:** Appoints Palestine as presiding chair for the 2019 sessions for the Group of 77.

**2023**

**October 27: Resolution ES-10/21:** Criticizing Hamas actions in the 2023 Israel–Hamas war.

**October 27: Resolution ES-10/L.25:** Protection of civilians and upholding legal and humanitarian obligations in the Occupied Palestinian Territory, including East Jerusalem

*b. United Nations Security Council*

The UN Security Council is a key organ responsible for ensuring international peace, recommending new members, and approving changes to the UN Charter. It establishes peacekeeping operations, enacts sanctions, and issues binding resolutions on member states. The United Nations Security Council's involvement in the Palestine-Israel conflict has a significant history reproduced below:-

**1948:**

**17 April: Resolution 46:** The Palestine Question, As the United Kingdom is the Mandatory Power, "it is responsible for the maintenance of peace and order in Palestine." The Resolutions also "Calls upon all persons and organizations in Palestine" to stop importing "armed bands and fighting personnel ... whatever their origin; ... weapons and war materials; ... Refrain, pending the future government of Palestine...from any political activity which might prejudice the rights, claims, or position of either community; ... refrain from any action which will endanger the safety of the Holy Places in Palestine."

**1967:**

**November 22: Resolution 242:** Calls for Israeli withdrawal from territories occupied during the Six-Day War and for respect for the sovereignty, territorial integrity, and political independence of all states in the region.

**June 14: Resolution 237:** Urges Israel to allow the return of new 1967 Palestinian refugees and called on Israel to ensure the safety and welfare of inhabitants of areas where fighting had taken place.

**1968:**

**March 24: Resolution 248:** Condemns' Israel for its massive attack on Karameh in Jordan.

**April 27: Resolution 250:** Calls' on Israel to refrain from holding military parade in Jerusalem.

**May 2: Resolution 251:** Deeply deplores' Israeli military parade in Jerusalem in defiance of Resolution 250.

**May 21: Resolution 252:** Declares invalid' Israel's acts to unify Jerusalem as Jewish capital.

**August 16: Resolution 256:** Condemns' Israeli raids on Jordan as 'flagrant violation'.

**September 18: Resolution 258:** Expressed 'concern' with the welfare of the inhabitants of the Israeli-occupied territories, and requested a special representative to be sent to report on the implementation of Resolution 237, and that Israel cooperate.

**September 27: Resolution 259:** Deplores' Israel's refusal to accept UN mission to probe occupation.

**December 31: Resolution 262:** Condemns' Israel for attack on Beirut airport.

**1969:**

**April 1: Resolution 265:** Condemns' Israel for air attacks on Salt".

**July 3: Resolution 267:** Censures' Israel for administrative acts to change the status of Jerusalem.

**August 26: Resolution 270:** Condemns' Israel for air attacks on villages in southern Lebanon.

**September 15: Resolution 271:** Condemns' Israel's failure to obey UN resolutions on Jerusalem.

**1970:**

**May 12: Resolution 279:** Demands the immediate withdrawal of all Israeli armed forces from Lebanese territory.

**May 19: Resolution 280:** Condemns' Israeli's attacks against Lebanon.

**September 5: Resolution 285:** Demands' immediate Israeli withdrawal from Lebanon.

**1973:**

**October 22: Resolution 338:** Calls' for a cease fire" in Yom Kippur War and "the implementation of Security Council Resolution 242 (1967) in all of its parts", and "Decides that, immediately and concurrently with the cease-fire, negotiations shall start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East."

**2003:**

**November 19: Resolution 1515:** Endorses the Roadmap for Peace, a plan outlining steps towards a two-state solution to the Israeli-Palestinian conflict.

**2009:**

**January 9: Resolution 1860:** Call for the full cessation of war between Israel and Hamas.

**2016:**

**December 23: Resolution 2334:** Condemns Israeli settlements in the occupied Palestinian territories as a violation of international law and an obstacle to peace.

*c. The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)<sup>18</sup>*

UNRWA established in 1949 by the United Nations General Assembly to provide direct relief and support to Palestinian refugees who were displaced during and after the 1948 Arab-Israeli war. Its mandate has been renewed repeatedly since then.

*d. The Human Rights Council (HRC)<sup>19</sup> and the Office of High Commissioner for Human Rights (OHCHR)<sup>20</sup>*

The HRC and OHCHR both have roles in addressing human rights issues in Palestine and published numerous reports documenting human rights violations in the Occupied Palestinian Territories, including extrajudicial killings, torture, and arbitrary detention.

*e. The UN Special Coordinator for the Middle East Peace Process (UNSCCP)<sup>21</sup>*

The UN Special Coordinator for the Middle East Peace Process (UNSCCP) is a senior UN official responsible for promoting a peaceful resolution of the Israeli-Palestinian conflict. It works with parties, regional partners, and civil society to advance a two-state solution. The UN Special Coordinator for the Middle East Peace Process (UNSCCP) plays a key role in mediating peace talks between the two sides. The UNSCCP supports negotiations, promotes regional engagement, mobilizes resources for Palestinian institution-building and economic development, and coordinates UN humanitarian and development assistance. Tor Wennesland, appointed in May 2022, is committed to promoting peace in the Middle East. The UNSCCP has facilitated dialogue on key issues, promoted regional and international engagement, mobilized resources, and advocated for Palestinian rights.

*f. World Health Organization (WHO)<sup>22</sup>*

The World Health Organization (WHO) is actively working in Palestine to enhance the health and well-being of the Palestinian people. The WHO supports the Palestinian Ministry of Health in strengthening the health system through capacity building, technical assistance, and essential medical supplies. It also works to reduce the burden of non-communicable diseases (NCDs) such as cardiovascular disease, cancer, diabetes, and chronic respiratory diseases. The WHO also works to prevent and control communicable diseases like COVID-19, measles, and mumps. The WHO also supports the Palestinian Ministry of Health in emergency preparedness and response. The WHO's work in Palestine is crucial in achieving the health and well-being of the Palestinian people.

*g. The International Committee of the Red Cross (ICRC)<sup>23</sup>*

The International Committee of the Red Cross (ICRC) is a humanitarian organization that has been present in Palestine since 1967, providing vital assistance and protection to the Palestinian people. The ICRC's work in Palestine focuses on four key areas: protecting detainees, providing humanitarian

<sup>18</sup> UNRWA official website. Available online at: <https://www.unrwa.org/>

<sup>19</sup> United Nations Human Rights Council official website. Available online at: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx>

<sup>20</sup> Office of the High Commissioner for Human Rights official website. Available online at: <https://www.ohchr.org/EN/pages/home.aspx>

<sup>21</sup> United Nations Special Coordinator for the Middle East Peace Process official website. Available online at: <https://unsco.unmissions.org/>

<sup>22</sup> World Health Organization official website. Available online at: <https://www.who.int/>

<sup>23</sup> International Committee of the Red Cross official website. Available online at: <https://www.icrc.org/>

assistance, promoting respect for international humanitarian law, and maintaining family links. The organization visits detainees held by Israeli and Palestinian authorities, provides essential items to those affected by armed conflict, supports hospitals and clinics, and trains people on international humanitarian law. The ICRC also facilitates the exchange of Red Cross Messages between families separated by conflict. The ICRC is an impartial and neutral organization, working with all parties to ensure the protection and well-being of people affected by armed conflict and violence.

***h. European Union (EU)***<sup>24</sup>

The EU is a major donor of humanitarian aid to the Palestinian people and has also played a role in mediating peace talks between the Israelis and Palestinians. The EU has also been critical of Israeli actions in the Occupied Palestinian Territories, such as the construction of the separation barrier and the blockade of the Gaza Strip.

***i. The European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah)***<sup>25</sup>

The European Union Border Assistance Mission for the Rafah Crossing Point (EUBAM Rafah) is a civilian mission that provides a Third-Party Presence at the crossing point between the Gaza Strip and Egypt. Its activities include mentoring and advising Palestinian border personnel on border management, supporting the development of modern border management infrastructure and systems, and facilitating and coordinating the work of different Palestinian border agencies and international counterparts. EUBAM Rafah's work is crucial for improving border management at the crossing point, generating revenue, facilitating trade, and improving the movement of people and goods. Examples of EUBAM Rafah's work include providing training on risk analysis techniques, developing a new border management system, and improving coordination between the Palestinian Authority and Egyptian authorities.

***j. The Human Rights Watch (HRW)***<sup>26</sup>

The Human Rights Watch (HRW) is an international non-governmental organization that conducts research and advocacy on human rights, particularly in Palestine since 1989. HRW focuses on four key areas: documenting and reporting on human rights violations, advocating for human rights through various channels, educating the public about human rights through its website, publications, and social media, and supporting human rights defenders in Palestine through financial support, training, and capacity building. HRW has documented and reported on various human rights violations in the Occupied Palestinian Territories, including excessive use of force by Israeli forces, arbitrary detention and torture by Palestinian authorities, and the use of child soldiers by armed groups. HRW's work is crucial in holding those responsible for human rights abuses accountable and promoting justice and accountability for the Palestinian people.

***k. The International Federation for Human Rights (FIDH)***<sup>27</sup>

The International Federation for Human Rights (FIDH) is an NGO that defends all human rights, including civil, political, economic, social, and cultural, as outlined in the Universal Declaration of Human Rights. FIDH has been working in Palestine since the 1980s, focusing on documenting and reporting on human rights violations in the Occupied Palestinian Territories. It conducts rigorous research, advocates for human rights through lobbying governments, testifying before international bodies, and engaging with the media. FIDH educates the public about human rights through its website, publications, and social media platforms, and organizes events and outreach activities. It supports human rights defenders in Palestine by providing financial support, training, and capacity building. FIDH's work is crucial in holding those responsible for human rights abuses accountable and promoting justice and accountability for the Palestinian people.

***l. OXFAM***<sup>28</sup>

Oxfam, an international group of 21 charitable organizations, has been working in Palestine since the 1950s, providing humanitarian assistance and development support to the Palestinian people. Their focus is on four key areas: water and sanitation, agriculture and livelihoods, economic development, and humanitarian assistance. Oxfam has built and repaired water and sanitation infrastructure for over 1 million people, provided agricultural training to 10,000 farmers, supported 2,000 small businesses, and provided humanitarian assistance to 100,000 Palestinians annually. Their work is crucial for improving the lives of Palestinians and advocating for a lasting solution to the Israeli-Palestinian conflict, including an end to Israeli occupation and an independent Palestinian state.

***m. Doctors without Borders (MSF)***<sup>29</sup>

Doctors without Borders (MSF) is an international humanitarian organization that provides emergency assistance to people affected by armed conflict, epidemics, natural disasters, and endemic diseases. MSF has been working in Palestine since 1989, providing vital medical assistance to the Palestinian people. Their work focuses on four key areas: emergency response, chronic healthcare, capacity building, and advocacy. MSF provides medical care to Palestinians wounded in armed conflict, supports Palestinian healthcare facilities, and trains Palestinian healthcare workers to provide high-quality care. They also advocate for the rights of the Palestinian people and access to healthcare for all Palestinians, speaking out against human rights violations and abuses. MSF is neutral and impartial, working with all parties to ensure healthcare access.

<sup>24</sup> Union External Action - Humanitarian Aid to Palestine. Available online at: [https://ec.europa.eu/echo/where/middle-east/palestine\\_en](https://ec.europa.eu/echo/where/middle-east/palestine_en)

<sup>25</sup> European Union External Action - EUBAM Rafah. Available online at: [https://eeas.europa.eu/csdp-missions-operations/eubam-rafah\\_en](https://eeas.europa.eu/csdp-missions-operations/eubam-rafah_en)

<sup>26</sup> Human Rights Watch official website. Available online at: <https://www.hrw.org/>

<sup>27</sup> International Federation for Human Rights official website. Available online at: <https://www.fidh.org/>

<sup>28</sup> Oxfam official website. Available online at: <https://www.oxfam.org/>

<sup>29</sup> Doctors without Borders official website. Available online at: <https://www.msf.org/>

*n. Organization of Islamic Cooperation (OIC)<sup>30</sup>*

The Organization of Islamic Cooperation (OIC) is a group of 57 Muslim-majority countries that has been a strong supporter of the Palestinian cause. The OIC has condemned Israeli actions in the Occupied Palestinian Territories and has called for a just and lasting peace based on the two-state solution. The OIC is a key player in the Palestinian conflict, advocating for the rights of the Palestinian people and their right to self-determination. It supports political efforts, such as condemning Israeli actions, and engages in diplomatic efforts to promote a peaceful resolution. The OIC provides humanitarian assistance to Palestinians, particularly in the Gaza Strip and West Bank, and encourages member states to support the Palestinian Authority and invest in development projects. It also supports legal initiatives and cultural exchanges between member states and Palestine.

*o. United States of America (USA)<sup>31</sup>*

The USA is a close ally of Israel and has provided it with billions of dollars in military and economic aid. The USA has also played a role in mediating peace talks between the Israelis and Palestinians. However, the USA has also been criticized for its bias in favor of Israel, such as its use of the veto to block UN Security Council resolutions that would have condemned Israeli actions in the Occupied Palestinian Territories.

## 5. International Laws

The Israeli-Palestinian conflict is governed by several international laws and legal frameworks. The United Nations Charter, Fourth Geneva Convention, International Humanitarian Law, and International Human Rights Law are key principles. The international law of the Palestine conflict is based on fundamental principles such as self-determination, prohibition of force, protection of civilians, and responsibility. These principles are enshrined in treaties and conventions like the United Nations Charter, Geneva Conventions, and the Rome Statute of the International Criminal Court. The United Nations General Assembly has passed resolutions on issues like self-determination, settlements, and Jerusalem status.

The international law of the Palestine conflict applies to various contexts, including Israel's illegal occupation of Palestinian territories, the blockade of the Gaza Strip by Israel and Egypt, the construction of the West Bank barrier by Israel, and the settlement of occupied territories. These violations of international law are a violation of Palestinian rights and humanitarian law, and the international community has a responsibility to uphold and hold those responsible accountable.

The international community considers the establishment of Israeli settlements in the Israeli-occupied territories illegal on one of two bases: that they are in violation of Article 49 of the Fourth Geneva Convention, or that they are in breach of international declarations<sup>32,33,34,35</sup>.

The United Nations Security Council, the United Nations General Assembly, the International Committee of the Red Cross, the International Court of Justice and the High Contracting Parties to the Convention have all affirmed that the Fourth Geneva Convention applies to the Israeli-occupied territories.

## 6. International Court of Justice, 9 July 2004:-

Upon formal request from the United Nations General Assembly, the International Court of Justice (ICJ) has issued an advisory on Palestine, in 2004<sup>36</sup>. The ICJ ruled that Israel's building of a barrier in the occupied Palestinian territory is illegal and said construction must stop immediately and Israel should make reparations for any damage caused. The ICJ observed that the barrier was illegal under international law, finding that it violated the right of the Palestinian people to freedom of movement, the right to property, and the right to work. The Court also found that the barrier constituted a form of collective punishment, which is prohibited under international humanitarian law. Here are some of the key takeaways from the ICJ's advisory opinion on the West Bank barrier:

- **The barrier is illegal under international law because it violates the rights of the Palestinian people to freedom of movement, property, and work.**
- **The barrier is a form of collective punishment, which is prohibited under international humanitarian law.**

<sup>30</sup> Organization of Islamic Cooperation official website. Available online at: <https://www.oic-oci.org/home/?lan=en>

<sup>31</sup> U.S. Department of State - Israel and the Palestinian Authority. Available online at: <https://www.state.gov/countries-areas/israel-and-palestinian-authority/>

<sup>32</sup> The establishment of the Israeli settlements in the Occupied Palestinian Territory has been considered illegal by the international community and by the majority of legal scholars." (Pertile 2005, p. 141).

<sup>33</sup> The real controversy hovering over all the litigation on the security barrier concerns the fate of the Israeli settlements in the occupied territories. Since 1967, Israel has allowed and even encouraged its citizens to live in the new settlements established in the territories, motivated by religious and national sentiments attached to the history of the Jewish nation in the land of Israel. This policy has also been justified in terms of security interests, taking into consideration the dangerous geographic circumstances of Israel before 1967 (where Israeli areas on the Mediterranean coast were potentially threatened by Jordanian control of the West Bank ridge). The international community, for its part, has viewed this policy as patently illegal, based on the provisions of the Fourth Geneva Convention that prohibit moving populations to or from territories under occupation." (Barak-Erez 2006, p. 548).

<sup>34</sup> It can thus clearly be concluded that the transfer of Israeli settlers into the occupied territories violates not only the laws of belligerent occupation but the Palestinian right of self-determination under international law. The question remains, however, whether this is of any practical value. In other words, given the view of the international community that the Israeli settlements are illegal under the law of belligerent occupation." (Drew 1997, pp. 151–152).

<sup>35</sup> The international community considers Israeli settlements within the occupied territories illegal and in breach of, inter alia, United Nations Security Council resolution 465 of 1 March 1980 calling on Israel 'to dismantle the existing settlements and in particular to cease, on an urgent basis, the establishment, construction and planning of settlements in the Arab territories occupied since 1967, including Jerusalem.'" (ILC 2005, p. 14)

<sup>36</sup> International Court of Justice - Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion of 9 July 2004. Available online at: <https://www.icj-cij.org/en/case/131>



- **Israel must dismantle the barrier and compensate Palestinians for the damage it has caused.**
- **The international community has a responsibility to ensure that Israel complies with the ICJ's advisory opinion.**
- **The ICJ's advisory opinion on the West Bank barrier is a significant legal victory for the Palestinian people. The advisory opinion also sends a strong message to Israel that its violations of international law will not be tolerated.**

Now after 19 Years on January 20, 2023, The International Court of Justice confirmed that it had officially received a request from the United Nations General Assembly to give an advisory opinion on the legal consequences of Israel's occupation of the Palestinian territories. The ICJ is expected to draw up a list of states and organizations that will be able to file written statements.

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## 7. International Criminal Court

The International Criminal Court (ICC) has yet to rule on Israel's case. However, in 2015, the International Criminal Court (ICC) started a preliminary investigation into suspected war crimes and crimes against humanity perpetrated in Palestinian areas since 2014<sup>37</sup>. The ICC is presently looking at potential charges against Israeli and Palestinian citizens.

The preliminary probe against Israel is still underway, and it is unclear if the ICC will launch a full investigation. The ICC's decision to launch a preliminary investigation, on the other hand, is a major move since it implies that the ICC is ready to hold individuals accountable for severe crimes perpetrated in Palestinian territory. Here are some of the specific allegations that the ICC is investigating:

- **The use of excessive force by Israeli forces against Palestinian civilians in the Gaza Strip and the West Bank**
- **The targeting of civilians by Israeli forces in the Gaza Strip and the West Bank**
- **The destruction of Palestinian property by Israeli forces**
- **The denial of access to basic services to Palestinians by Israeli forces**
- **The violation of the right of self-determination of the Palestinian people by Israel**

The ICC's investigation into Israel is in its early stages, but it suggests it may hold individuals accountable for serious crimes in Palestinian territories. This development could deter future crimes and send a message against impunity.

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## 8. The European Court of Justice (ECJ)

The European Court of Justice (ECJ) has issued a number of decisions on Israel, including the following:

**In 2010**, the ECJ ruled that products originating from Israeli settlements in the Occupied Palestinian Territories must be labeled as such. The Court found that this was necessary to protect consumers from being misled about the origin of the products and to avoid supporting the Israeli occupation of the Palestinian Territories<sup>38</sup>.

**In 2019**, the ECJ reaffirmed its ruling on the labeling of products from Israeli settlements. The Court also ruled that European Union (EU) member states are prohibited from importing goods from Israeli settlements if they are labeled as "**Made in Israel**"<sup>39</sup>.

**In 2021**, the ECJ annulled a decision by the European Commission to register an initiative that aimed to prevent settlement products from entering the EU market. The Court found that the Commission's decision was unlawful because it did not take into account the fact that the Israeli settlements are illegal under international law<sup>40</sup>.

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## 9. The European Court of Human Rights (ECHR)

The European Court of Human Rights (ECHR) has also issued a number of decisions on Israel, including the following:

**In 2013**, the ECHR ruled that the Israeli blockade of the Gaza Strip was illegal under the European Convention on Human Rights. The Court found that the blockade was a form of collective punishment and that it had caused a humanitarian crisis in the Gaza Strip<sup>41</sup>.

<sup>37</sup> International Criminal Court - Situation in Palestine. Available online at: <https://www.icc-cpi.int/palestine>

<sup>38</sup> European Court of Justice - Case C-386/08, Brita GmbH v. Hauptzollamt Hamburg-Hafen, Judgment of 25 February 2010. Available online at: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=76472&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=784967>

<sup>39</sup> European Court of Justice - Case C-363/18, Organization Juive Européenne and Vignoble Psagot Ltd v. Ministre de l'Économie et des Finances, Judgment of 12 November 2019. Available online at: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=219110&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=1017712>

<sup>40</sup> European Court of Justice - Case C-817/18 P, Organisation des Modjahedines du peuple d'Iran (OMPI) v European Commission, Judgment of 9 June 2021. Available online at: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=244679&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=2707327>

<sup>41</sup> European Court of Human Rights - Case of V.C. v. France (Application No. 62816/10), Judgment of 17 January 2013. Available online at: <https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22001-116280%22%5D>

In 2019, the ECHR ruled that Israel's use of lethal force against Palestinian protesters in the Gaza Strip was illegal under the European Convention on Human Rights. The Court found that Israel had used excessive force and that it had failed to protect the lives of Palestinian civilians<sup>42</sup>.

European courts' decisions on Israel are crucial in holding Israel accountable for its violations of international law and promoting the Palestinian people's right to self-determination. Other European courts, such as the Belgian Court of Cassation and the French Court of Cassation, have also issued similar decisions, demonstrating the international community's commitment to supporting the Palestinian people's rights.

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## 10. The United States Role

The US has been a significant supporter of Israel's independence since 1948, providing billions of dollars in military and economic aid. The US's close relationship with Israel, its influential Jewish population, and strategic interests in the Middle East have contributed to its involvement in the Israeli-Palestinian conflict. The US has played various roles in the conflict, including acting as a mediator, providing military and economic aid to Israel, and using its veto power at the United Nations to block resolutions critical of Israel. The US's role in the conflict has been controversial, with some arguing that the US has been too supportive of Israel, contributing to the conflict's continuation, while others argue that the US has played a constructive role in preventing the conflict from escalating into a wider war. The US's role in the Israeli-Palestinian conflict is likely to continue, as it has a strong interest in maintaining Israel's security and promoting stability in the Middle East. However, the US's role as a mediator is less clear, as the US has been unsuccessful in resolving the conflict to date. It is uncertain whether the US will be able to play a more successful role in the future<sup>43</sup>.

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## 11. Methodology

The methodology used in this research article is a qualitative analysis of primary and secondary sources. The primary sources include interviews with experts on the topic, as well as reports and documents from international organizations. The secondary sources include scholarly articles, books, and reports of International Organizations. The research began by collecting data from original sources like UN, OIC, ECHR, ECJ, ICRC, WHO etc. to identify the key issues and debates related to the role of international organizations in protecting human rights in Palestine followed by discussions with experts and then analyzed reports and documents from international organizations to understand their role in protecting human rights in Palestine. This methodology is appropriate for the research topic because it allows for a comprehensive and in-depth analysis of the role of international organizations in protecting human rights in Palestine. Specific methods that are used while writing this research article is as under:

- Literature review
- Interviews
- Document analysis
- Case Study
- Court Decisions
- Legal analysis

The methodology is rigorous and systematic and aims to provide valuable insights into how best policymakers can navigate complex legal environments when developing policies involving impact-based regulations. In this research multiple data sources and qualitative data analysis methods to ensure that the research findings are valid and reliable. The author's research contributes to the understanding of the role of international organizations in protecting human rights in Palestine.

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## 12. Arguments

### a) Arguments in favor of Palestine

This is a complex and sensitive topic with diverse perspectives. Here are some common arguments made by advocates for Palestine:-

**11.1 International Legal Framework:** The occupation of Palestinian territories by Israel is considered illegal under International laws. The United Nations Security Council has passed several resolutions, including Resolution 242 and 338, which call for the withdrawal of Israeli forces from occupied territories and the establishment of a just and lasting peace in the region.

**11.2 Fourth Geneva Convention:** The Israeli occupation of Palestinian territories is in violation of the Fourth Geneva Convention, which prohibits an occupying power from transferring its own civilian population into the territory it occupies. The establishment and expansion of Israeli settlements in the West Bank and East Jerusalem are seen as clear violations of this convention.

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<sup>42</sup> European Court of Human Rights - Case of Al-Haq v. Israel (Application No. 43426/18), Judgment of 22 July 2019. Available online at: <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-195352%22%7D>

<sup>43</sup> The CFR is an independent think tank that provides analysis and policy recommendations on various international issues, including the Israeli-Palestinian conflict. Their website contains a wealth of information and analysis on U.S. involvement. (<https://www.cfr.org/>)

**11.3 Advisory Opinion of the International Court of Justice (ICJ):** In 2004, the ICJ issued an advisory opinion stating that the construction of the Israeli barrier/wall in the occupied Palestinian territories, including East Jerusalem, is illegal under international law. The ICJ called for the dismantling of the barrier and restitution for the damage caused.

**11.4 United Nations Resolutions:** The United Nations General Assembly and Security Council have passed numerous resolutions condemning the Israeli occupation and calling on Israel to cease its settlement activities and comply with international law. These resolutions reflect the international community's consensus against the occupation.

**11.5 Human Rights Violations:** The illegal occupation of the Palestinian territories has resulted in a number of human rights abuses, including the arbitrary detention of Palestinians, the demolition of Palestinian homes, and the use of excessive force by Israeli security forces. The United Nations Human Rights Council has found that Israel has committed war crimes and crimes against humanity in the Palestinian territories.

**11.6 Demolition of Palestinian homes:** Israel has demolished thousands of Palestinian homes since the occupation began in 1967. These demolitions are often carried out without prior notice, and leave families homeless.

**11.7 Land Confiscation and Displacement:** Palestinians have faced land confiscation and displacement due to the expansion of Israeli settlements and the construction of the separation barrier. These actions have resulted in the loss of homes, agricultural land, and natural resources, contributing to the fragmentation of Palestinian territories.

**11.8 Blockade of the Gaza Strip:** The Israeli blockade of the Gaza Strip has been in place since 2007. The blockade has prevented the free movement of goods and people, and has led to a humanitarian crisis. The United Nations has said that the blockade is "unlawful and must be lifted".

**11.9 Peace and security:** The occupation of the Palestinian territories is a major obstacle to peace and security in the region. The occupation has led to violence and instability, and has made it difficult to find a just and lasting solution to the Israeli-Palestinian conflict.

**10.10 Arbitrary detention:** According to the Palestinian Center for Human Rights, there are currently over 4,500 Palestinian political prisoners held in Israeli prisons. Many of these prisoners are held without charge or trial, and some have been held for years without being brought to court.

**10.11 Use of excessive force:** Israeli security forces have repeatedly used excessive force against Palestinian civilians. This has resulted in the deaths and injuries of thousands of Palestinians.

**10.12 Economic Impacts:** The Israeli occupation has had detrimental effects on the Palestinian economy. Restrictions on movement and access to resources, coupled with the control of borders, have hindered economic development, trade, and investment in the occupied territories, exacerbating poverty and unemployment rates.

**10.13 Historical and Cultural Connection:** Advocates emphasize the historical and cultural connection of Palestinians to the land of Palestine. They argue that Palestinians have deep-rooted historical ties to the region, with a rich cultural heritage dating back centuries. The Palestinian people have the right to self-determination, which includes the freedom to choose their political status and pursue economic, social, and cultural development. This is a fundamental right recognized by international law, including the United Nations Charter. Palestinians have the right to return to their homes and lands after being forcibly removed since 1948, protected by UN General Assembly Resolution 194. They also have the right to form their own state on their own territory, with East Jerusalem as its capital.

#### **b) Arguments in favor of Israel**

On the other hand, Supporters argue that Israel's historical and biblical ties to the land justify its presence and control over certain territories. Advocates argue that the occupation is necessary for Israel's security, allowing it to maintain control over borders, monitor potential threats, and prevent terrorist attacks. Some proponents argue that Israel's occupation is a result of failed negotiations and the absence of a mutually agreed-upon solution. Supporters also highlight the circumstances surrounding the establishment of the State of Israel in 1948, viewing it as a defensive measure to ensure survival. Some argue that the occupied territories, such as the West Bank, have strategic importance for Israel's defense and provide a buffer zone against potential threats. Advocates argue that the legality of Israel's occupation is a matter of interpretation and dispute, citing historical legal agreements like the League of Nations Mandate for Palestine and the Oslo Accords. These arguments represent the perspective of some who support Israel's occupation, but they are not universally accepted.

## **13. Findings**

International organizations play an important role in protecting human rights in Palestine. They do this by:

- **Documenting and reporting on human rights abuses:** This helps to raise awareness of the human rights situation in Palestine and to put pressure on the Israeli government and other actors to improve their human rights records.
- **Promoting and protecting human rights through a variety of mechanisms, such as advocacy, capacity-building, and technical assistance:** This helps to strengthen the capacity of Palestinian human rights defenders and to build a culture of respect for human rights in Palestine.

- **Advocating for reforms to the Israeli military and legal systems:** This is essential for ensuring that human rights abuses are investigated and prosecuted, and that victims are able to obtain justice.
- **Policy Influence:** International organizations have played a significant role in advocating for policy changes and legal reforms to protect human rights. Their advocacy efforts have led to increased attention on human rights issues in these countries, resulting in policy changes and the enactment of laws that promote human rights and address violations.
- **Legal Accountability and Justice:** International organizations have contributed to promoting legal accountability and justice for human rights violations. They have supported investigations into alleged crimes, provided technical assistance to strengthen legal systems, and advocated for the establishment of tribunals or commissions to address past abuses. These efforts aim to ensure that perpetrators are held accountable and victims receive justice.
- **Capacity Building and Empowerment:** International organizations have provided capacity-building programs and training to local human rights organizations and activists. By enhancing their skills and resources, they have empowered local actors to effectively document violations, provide legal aid, and advocate for human rights. This has strengthened the local human rights movement and increased its impact.
- **Humanitarian Assistance and Protection:** International organizations have provided essential humanitarian assistance to affected populations in these countries. They have worked to ensure access to healthcare, education, and shelter for vulnerable groups, such as refugees, internally displaced persons, and marginalized communities. Their efforts have helped protect the rights and well-being of those affected by conflicts and crises.
- **Collaborative Partnerships:** International organizations have often collaborated with local civil society organizations, human rights defenders, and other stakeholders to amplify their impact. By working together, they have been able to coordinate efforts, share resources, and advocate for change more effectively.

It is important to note that the impact of international organizations' actions can vary depending on the specific context, political dynamics, and the willingness of governments to cooperate. While progress has been made, challenges and limitations remain, and sustained efforts are needed to address ongoing human rights issues in these countries.

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## 14. Challenges

International organizations play important role in protecting human rights in Palestine, their work is often hampered by a number of challenges, including:

- **The ongoing political conflict:** The Israeli occupation of the Palestinian territories is a major obstacle to the promotion and protection of human rights. The Israeli government often restricts the access of international organizations to the Palestinian territories, and it has also cracked down on Palestinian human rights defenders.
- **The lack of enforcement mechanisms:** International organizations have few tools to enforce their recommendations or to hold governments accountable for human rights abuses. This can make it difficult for international organizations to have a real impact on the ground.
- **The resistance of some states to international scrutiny:** Some states, such as the United States, have resisted international scrutiny of their human rights records. This can make it difficult for international organizations to hold governments accountable for human rights abuses in Palestine.

Despite these challenges, international organizations continue to play an important role in protecting human rights in Palestine. They provide a vital lifeline to the Palestinian people and help to keep the spotlight on the human rights situation in the Palestinian territories.

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## 15. Recommendations

International organizations play a crucial role in protecting human rights in Palestine:

- a. They should enhance their monitoring and documentation efforts, advocating for accountability mechanisms and supporting investigations into alleged crimes.
- b. They should also provide comprehensive support to local civil society organizations and human rights defenders, including capacity building, training, and resources.
- c. They should engage in diplomatic efforts to promote human rights in Palestine, advocating with governments, international bodies, and relevant stakeholders to influence policy changes and legal reforms.
- d. They should emphasize the importance of international humanitarian law (IHL) in protecting civilian rights in conflict-affected areas.
- e. Establishing a permanent commission of inquiry by the United Nations Human Rights Council (UNHRC).
- f. Opening a full investigation by the International Criminal Court (ICC)

- g. Conditioned military aid to Israel on respect for human rights, using trade agreements with Israel to pressure Israel to improve its human rights record.
- h. Providing more financial and technical assistance to Palestinian human rights organizations, and advocating for the release of Palestinian political prisoners and the closure of Israeli administrative detention centers.
- i. Working more closely with each other to coordinate their efforts and to maximize their impact.
- j. Advocating more forcefully for the implementation of the recommendations of their commissions of inquiry and fact-finding missions.
- k. Working to ensure that states are held accountable for human rights abuses, including through the use of international sanctions.

These recommendations should be tailored to the specific context of Palestine, respecting local perspectives, cultural sensitivities, and the principles of self-determination.

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## 16. Conclusion

The occupation of Palestinian territories by Israel is widely considered a violation of International law. Numerous legal frameworks, including United Nations resolutions, the Fourth Geneva Convention, and the advisory opinion of the International Court of Justice, support this conclusion. These legal instruments highlight that the establishment and expansion of Israeli settlements, the construction of the separation barrier, and other actions taken by Israel in the occupied territories are in contravention of International law. The occupation is seen as a violation of the right to self-determination of the Palestinian people and the prohibition on acquiring territory through force. It is important to note that this view is widely held by the international community and legal experts, although there may be differing interpretations and perspectives on specific aspects of the issue. International organizations are vital in protecting human rights in Palestine through monitoring, documentation, advocacy, legal accountability, capacity building, and humanitarian assistance. They raise awareness about human rights abuses, pressure governments to address violations, advocate for policy changes, legal reforms, and accountability mechanisms. They support local civil society organizations, documenting violations and providing legal aid to mitigate the war crimes and human rights violation in Palestine.

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## 17. Implication

The recent war in Palestine has highlighted the importance of international organizations in safeguarding human rights. By examining their actions, shortcomings, and potential biases, we can gain insights to strengthen their effectiveness. Key areas of focus include documentation and accountability, advocacy and pressure, power dynamics and bias, humanitarian assistance and access, and long-term impact and future engagement. Documentation and accountability involve assessing the effectiveness of international organizations in documenting human rights violations and identifying challenges they faced in their investigations. Advocacy and pressure involve assessing the impact of international organizations' calls for ceasefires, investigations, and respect for human rights. Power dynamics and bias involve identifying potential biases within organizations, such as political alliances or historical narratives, and developing more neutral and equitable responses. Humanitarian assistance and access are crucial, as evaluating the effectiveness of aid delivery can inform strategies for improving access and ensuring aid reaches its intended recipients. Long-term impact analysis can inform strategies for more sustainable and impactful interventions in the future. By examining the implications of the recent war on international organizations in Palestine, we can gain valuable insights to strengthen their effectiveness in protecting human rights, including improving documentation, advocating for accountability, addressing biases, ensuring access to humanitarian assistance, and developing long-term impact strategies.

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## 18. Future Study

The ongoing Palestinian struggle for human rights necessitates a comprehensive understanding of the role of international organizations. Future research should focus on adapting to evolving conflict dynamics, navigating political polarization, utilizing new technologies like artificial intelligence and data analytics, engaging local communities, and assessing long-term impact. These areas will help international organizations better document and address human rights violations, navigate political polarization, monitor human rights violations in real-time, improve evidence collection, and strengthen advocacy. Furthermore, future studies should explore how international organizations can engage and empower local communities in human rights protection efforts, building trust and responsiveness to their specific needs. Assessing the long-term impact of these interventions is crucial, ensuring they address the root causes of human rights violations and promote sustainable peacebuilding. By examining these areas, future research can help international organizations play a more impactful role in protecting human rights in Palestine. Understanding the complexities of the conflict, adapting to new challenges, and working in genuine partnership with local communities are essential for building a future where Palestinian human rights are not violated but fully realized.

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## 19. Acknowledgment Statement

The authors express his sincere gratitude to all those who contributed to the publication of this article. Further thank the editors and reviewers for their valuable feedback, which improved the article's quality. The author also thank the research assistants and colleagues for their invaluable contributions in data collection, analysis, and discussions. The author also acknowledge the institutions and organizations that provided resources, funding, and access to

research materials. The authors also thank his family and friends for their unwavering support and encouragement. The authors acknowledge that without the collective efforts and support of these individuals and entities, this article would not have been possible. They are truly grateful for their contributions.

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## 20. Dedication

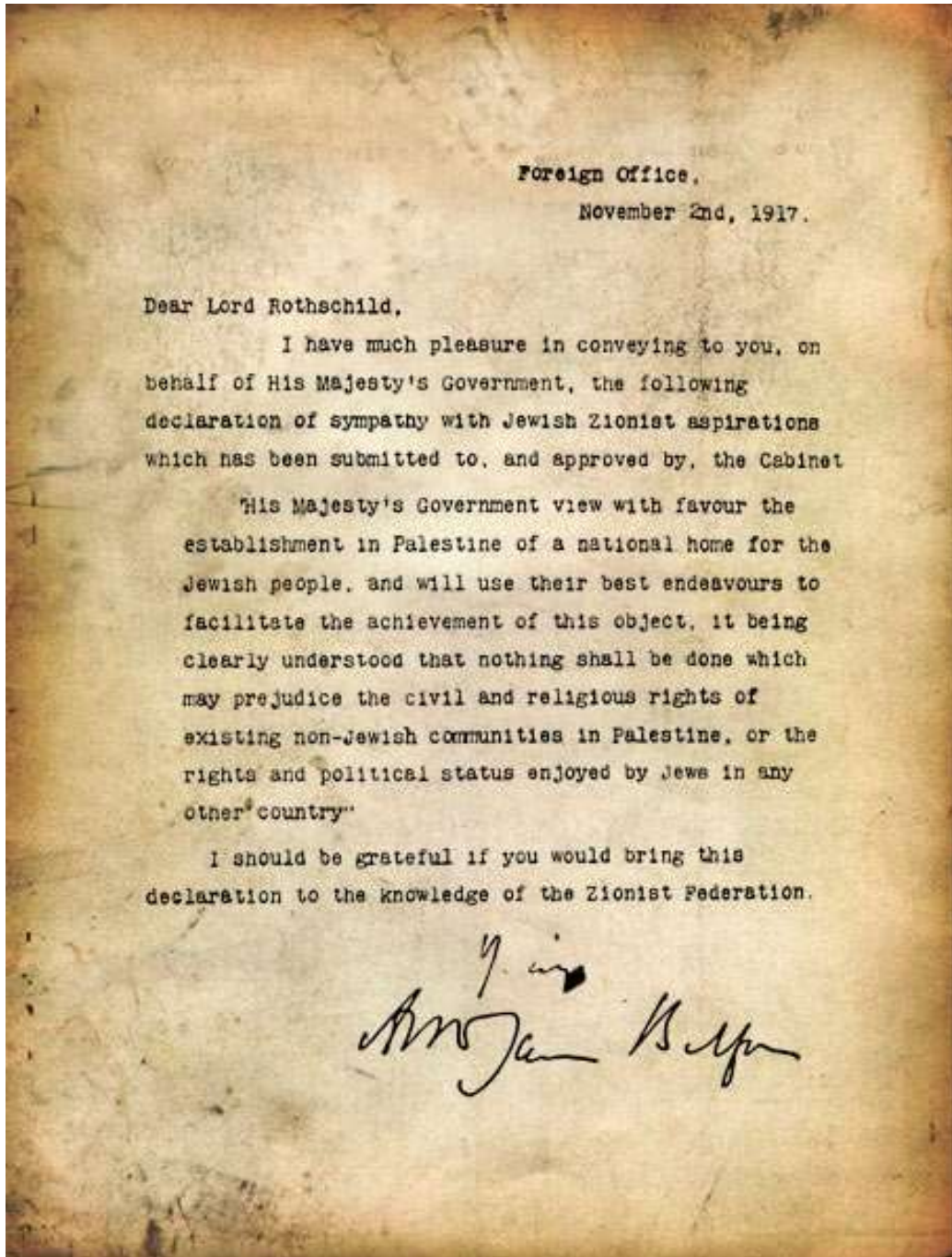
With a heart brimming with both sorrow and determination, the author dedicate this exploration of international organizations' role in protecting Palestinian human rights to the memory of two guiding lights in his life. Firstly, to his **late biological father, Mr. Abdul Sattar Butt**, whose unwavering belief in justice and equality instilled a passion for fighting for the oppressed and taught the author that silence in the face of suffering is complicity, and that the pursuit of human rights transcends borders and backgrounds. Secondly, the author dedicate this work to his **late spiritual father, Malik Asif Javeed, Advocate High Court, DSP Police (Rtd.), Punajb Police, Government of the Punjab** whose unwavering faith and compassion instilled a deep understanding of the inherent dignity of every human being, regardless of their faith or nationality. He showed the author that love and empathy are the strongest weapons against injustice, and that true peace can only be built upon a foundation of respect for all. Their legacies intertwine within this research, guiding the author every step as the author delve into the complexities of human rights in Palestine. In examining the effectiveness of international organizations, the author honor their shared values of fairness, accountability, and the inherent right to life and dignity. May this work, born from their guiding spirits, illuminate the path towards a brighter future for Palestine, where human rights are not merely protected, but celebrated and cherished.

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## 21. About Author

The Author Mag. Junaid Sattar BUTT, LL.M (AHC), is a highly qualified legal professional with a diverse educational background. The author holds a (2Y) Master of Laws degree from the University of Lahore, Pakistan, after completing a (3Y) Bachelor's degree in Law, specializing in Comparative Laws, International Laws, Criminal Procedural Laws, Constitutional Laws, and Administrative Laws. The author also holds a Master's degree in Business Administration from the Virtual University of Pakistan and a Master's degree in Political Science from University of the Punjab, Pakistan. With this rich educational background, the author brings a multidisciplinary approach to his research and legal practice. His research interests primarily lie in the areas of International Laws, Criminal Procedural Laws, Administrative Laws, Environmental Laws, Constitutional and Comparative Laws. The Author is committed to exploring and analyzing the complexities of these legal domains, contributing to the development of legal scholarship and promoting justice and fairness. Professionally, Mag. Butt serves as an Advocate High Court at AJ&K (Pakistan Occupied Azad Jammu and Kashmir), where he actively practice in the administration of justice and ensures the proper implementation of legal procedures. Additionally, the author holds the position of Law Officer at Malik Law Associates, where he provides legal advice and expertise to clients, advocating for their rights and interests. With his extensive knowledge and experience, Mag. Junaid Sattar Butt, LL.M (AHC), is dedicated to making a positive impact in the legal field and continues to engage in research, legal practice, and professional collaborations, striving to contribute to the advancement of legal knowledge and the effective implementation of legal principles.

## Annex-A



THE BALFOUR DECLARATION, 1917

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