

Background Guide

United Nations Security Council



Letter from the Executive Board

Dear Delegates,

Welcome to the Security Council at SMIS MUN 2026. Of all the items that have sat on the Council's agenda since 1948, few have returned to it as often, or with as little resolution, as the question of Palestine. You are inheriting a file that predates the Council's own permanent membership arrangements in their current form, that has produced landmark resolutions and equally landmark deadlocks, and that sits at the intersection of nearly every foundational principle of the United Nations Charter.

This agenda asks you to hold three things in view at once. The first is the use of force: when it is lawful, who may resort to it, and against whom. The second is sovereignty: who holds title to territory, what occupation does and does not confer, and how self-determination bears on both. The third is regional stability: the reality that decisions taken about this territory ripple outward across the Middle East and into the Council's broader responsibility for international peace and security.

We would ask you to approach the agenda as Council members, not as advocates. The strongest delegates in this committee will be those who can state the opposing position more persuasively than its own supporters, who reason from the Charter and the applicable law rather than from slogans, and who understand that the Security Council's authority rests on its credibility as a body that applies principle consistently. This is a politically sensitive item. Treat it with the seriousness, the precision, and the restraint it demands.

The guide that follows sets out the legal architecture, the institutional history, the humanitarian framework, the procedure we will follow, and the competing positions. It is a foundation for your research, not a substitute for it. Read the primary instruments. Read the resolutions. Read the Court.

With regards,

The Executive Board

CHAIRPERSON Afnaan Khan

THE COMMITTEE AND ITS MANDATE

The Security Council is the organ of the United Nations on which Member States have conferred primary responsibility for the maintenance of international peace and security. Under Article 24 of the Charter, in carrying out its duties the Council acts on the members' behalf; under Article 25, Member States agree to accept and carry out its decisions. This makes the Council unique among United Nations bodies: its decisions under Chapter VII are binding, not recommendatory.^[1]

The Council has fifteen members: five permanent members (China, France, the Russian Federation, the United Kingdom, and the United States) holding the veto under Article 27(3), and ten non-permanent members elected by the General Assembly for two-year terms, distributed by regional grouping. A substantive decision requires nine affirmative votes and the concurrence, or at least the non-opposition, of all five permanent members. Procedural decisions are not subject to the veto. The distinction between procedural and substantive matters, and the so-called "double veto," is itself a recurring point of Council practice.^[2]

The veto is central to understanding this agenda. The question of Palestine has repeatedly reached the Council only to be blocked, and any realistic committee outcome must reckon with the distribution of the veto among the permanent members. A resolution that cannot survive a veto is a political statement, not an operative instrument, and delegates should be candid with themselves about which they are drafting.^[3]

The Boundaries of the Mandate

Two features of the mandate deserve emphasis. First, the Council’s competence is peace and security, not the adjudication of legal rights; those questions belong to the International Court of Justice. In practice, however, the Council routinely reasons from international law, and the Court has held that it is for the General Assembly and the Security Council to determine the modalities for ending situations that international law deems unlawful.^[4]

Second, the Council shares the Palestine file with the General Assembly. Under the “Uniting for Peace” framework, the Assembly may take up matters of international peace and security where the Council, by reason of a permanent member’s veto, fails to exercise its primary responsibility. The Assembly has convened emergency special sessions on this question on several occasions. Delegates should understand where the Council’s authority is exclusive, where it is primary but shared, and where the Assembly can act in its stead.^[5]

^[1] Charter of the United Nations, 1945, Articles 24 and 25. On the binding character of Council decisions, see ICJ, Legal Consequences for States of the Continued Presence of South Africa in Namibia, Advisory Opinion, ICJ Reports 1971, para 113.

^[2] Charter of the United Nations, Article 27; Security Council Report, The Veto, Research Report No. 3, 2023. On the procedural/substantive distinction, see Repertoire of the Practice of the Security Council, Part IV.

^[3] For the full record of vetoes cast, including on the Middle East and the Palestinian question, see UN Dag Hammarskjöld Library, “Security Council – Veto List,” research guide, continuously updated.

^[4] ICJ, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, paras 280–283.

^[5] General Assembly resolution 377 A (V), “Uniting for Peace,” 3 November 1950; see also the Tenth Emergency Special Session of the General Assembly on the Occupied Palestinian Territory, convened intermittently since 1997.

Historical Background

The Palestine question has been before the United Nations since the Organization's earliest years, and before that before the League of Nations. A working command of the sequence is essential; the legal arguments in committee will constantly refer back to it.

Mandate and Partition

Following the dissolution of the Ottoman Empire after the First World War, Palestine was placed under a Mandate entrusted to Great Britain by the League of Nations, formally confirmed in 1922. The Mandate incorporated the language of the 1917 Balfour Declaration favouring a Jewish national home while providing that nothing should prejudice the civil and religious rights of existing non-Jewish communities. In 1947 the United Kingdom announced its intention to withdraw and referred the question to the United Nations.^[1]

On 29 November 1947, the General Assembly adopted resolution 181 (II), recommending the partition of the territory into an Arab State and a Jewish State, with a special international regime (*corpus separatum*) for the City of Jerusalem. The Jewish leadership accepted the plan; the Arab population of Palestine and the Arab States rejected it as inequitable and contrary to the principle of self-determination. The plan was never implemented.^[2]

1948 and the Armistice

On 14 May 1948, Israel proclaimed its independence with reference to resolution 181 (II). Armed conflict broke out between Israel and neighbouring Arab States. By resolution 62 (1948), the Security Council called for an armistice, and general armistice agreements were concluded at Rhodes in 1949, fixing the demarcation lines later collectively known as the "Green Line." The conflict produced a large-scale displacement of the Palestinian Arab population, a question addressed by the General Assembly in resolution 194 (III), which affirmed a right of return for refugees wishing to return and live at peace with their neighbours.^[3]

Israel was admitted to United Nations membership in May 1949 by General Assembly resolution 273 (III), which recalled resolution 181 (II) and took note of Israel's declarations in respect of its implementation.^[4]

1967 and Resolution 242

In June 1967, the Six-Day War between Israel and Egypt, Syria, and Jordan ended with Israeli forces occupying the West Bank, East Jerusalem, the Gaza Strip, the Sinai Peninsula, and the

Golan Heights. On 22 November 1967 the Security Council unanimously adopted resolution 242 (1967), which emphasised “the inadmissibility of the acquisition of territory by war” and called for the withdrawal of Israeli armed forces “from territories occupied in the recent conflict,” alongside respect for the sovereignty and territorial integrity of every State in the area and their right to live within secure and recognised boundaries.^[5]

Resolution 242 remains the foundational text of the “land for peace” framework. The deliberate ambiguity of its withdrawal clause, “territories” rather than “the territories” or “all the territories,” has been contested ever since: one reading requires withdrawal from all territory occupied in 1967, the other treats the extent of withdrawal as a subject for negotiation. The divergence between the equally authentic English and French texts sharpens the dispute. Delegates should be able to argue both readings.^[6]

1973 to Oslo

The 1973 war produced resolution 338 (1973), which called for a ceasefire and for negotiations to implement resolution 242 “in all of its parts.” The subsequent decades produced the 1974 recognition of the Palestine Liberation Organization by the General Assembly as the representative of the Palestinian people, the 1978 Camp David Accords and the resulting 1979 Israel–Egypt peace treaty, the 1988 Palestinian declaration of independence, and the 1994 Israel–Jordan peace treaty.^[7]

In 1993 and 1995, Israel and the PLO signed the Oslo I and Oslo II Accords. In an exchange of letters, the PLO recognised Israel’s right to exist in peace and security, and Israel recognised the PLO as the representative of the Palestinian people. Oslo established an interim framework of Palestinian self-government and divided the West Bank into Areas A, B, and C, with Area C, more than sixty per cent of the West Bank, remaining under exclusive Israeli administration. Final-status issues, borders, refugees, settlements, security, and the status of Jerusalem, were expressly deferred to later negotiation.^[8]

2005 to the Present

In 2005 Israel implemented its “Disengagement Plan,” withdrawing its military presence and settlements from the Gaza Strip while retaining control over its airspace, territorial waters, and most land crossings. The status of Gaza after 2005 is legally contested and is examined in Section IV. In 2012 the General Assembly accorded Palestine non-member observer State status by resolution 67/19. In 2016 the Council adopted resolution 2334 (2016) on

settlements. In 2024 the Court delivered its advisory opinion on the legal consequences of Israel’s policies and practices, and the Council adopted resolution 2735 (2024) reaffirming the two-State vision.^[9]

^[1] League of Nations, Mandate for Palestine, confirmed 24 July 1922; ICJ Advisory Opinion of 19 July 2024, General Context, paras 51–71.

^[2] General Assembly resolution 181 (II), “Future Government of Palestine,” 29 November 1947.

^[3] Security Council resolution 62 (1948), 16 November 1948; General Assembly resolution 194 (III), 11 December 1948, para 11.

^[4] General Assembly resolution 273 (III), 11 May 1949.

^[5] Security Council resolution 242 (1967), 22 November 1967.

^[6] On the interpretive dispute over the withdrawal clause and the English/French textual divergence, see UN Repertory of Practice of United Nations Organs, Supplement entries on Article 2(4); and the drafting history recorded in the Council’s official records for November 1967 (S/PV.1382).

^[7] Security Council resolution 338 (1973), 22 October 1973; General Assembly resolutions 3210 (XXIX) and 3236 (XXIX), 1974.

^[8] Declaration of Principles on Interim Self-Government Arrangements (Oslo I), 13 September 1993; Interim Agreement on the West Bank and the Gaza Strip (Oslo II), 28 September 1995. The Court discussed the Accords at paras 102 and 140 of the 19 July 2024 Advisory Opinion.

^[9] General Assembly resolution 67/19, 29 November 2012; Security Council resolutions 2334 (2016) and 2735 (2024); ICRC, “Occupation and International Humanitarian Law: Questions and Answers,” 2024.

THE LEGAL ARCHITECTURE I: USE OF FORCE AND SELF-DEFENCE

The first pillar of the agenda is the law governing when force may lawfully be used, the *jus ad bellum*. This body of law is distinct from the law governing how force is conducted, and delegates must keep the two separate throughout.

THE CHARTER FRAMEWORK

Article 2(4) prohibits the threat or use of force against the territorial integrity or political independence of any State, or in any manner inconsistent with the purposes of the United Nations. The Charter recognises only two exceptions:

First, the inherent right of individual or collective self-defence under Article 51, “if an armed attack occurs,” until the Security Council has taken the measures necessary to maintain peace. Measures taken in self-defence must be reported to the Council immediately, and must satisfy the customary requirements of necessity and proportionality.

Second, enforcement action authorised by the Security Council under Chapter VII, where the Council determines under Article 39 the existence of a threat to the peace, breach of the peace, or act of aggression, and decides on measures under Articles 41 (non-forcible) or 42 (forcible).

The prohibition in Article 2(4) is not merely a treaty rule; it is customary international law and is widely regarded as a peremptory norm (*jus cogens*) from which no derogation is permitted. The prohibition of the acquisition of territory by force is its corollary, and it is this corollary that resolution 242 invoked in 1967 and that the Court reaffirmed in 2024.

The Contested Questions

Three interpretive disputes bear directly on this agenda, and delegates should expect all three to surface in debate.

1. Self-defence against non-State actors
2. The traditional reading of Article 51 requires that an “armed attack” be attributable to a State. Following the attacks of 11 September 2001, a number of States, led by the United States and its allies, advanced the view that force may be used against non-State armed groups operating from the territory of a State that is “unwilling or unable” to prevent attacks. This doctrine remains contested; many States and scholars reject it as an unwarranted expansion of Article 51 unsupported by the Charter’s text. The debate is not academic here, because much of the violence at issue in this territory involves non-State armed groups.
3. Self-defence and belligerent occupation
4. In the 2004 Wall Advisory Opinion, the Court took the view that Article 51 had no application to a threat originating within territory over which the occupying Power itself exercises control, a position that attracted significant separate commentary from

members of the Court and from States. The question of how an occupying Power may lawfully respond to armed attacks emanating from occupied territory, and whether such responses are governed by the law of self-defence, the law of occupation, or both, remains genuinely disputed among international lawyers.

5. Reprisals and proportionality
6. Armed reprisals, punitive uses of force intended to compel future compliance rather than to repel an ongoing attack, are generally regarded as unlawful under the modern Charter framework. A lawful exercise of self-defence must be both necessary (no reasonable non-forcible alternative) and proportionate to the attack it answers. These standards are easy to state and notoriously difficult to apply to protracted cycles of attack and counter-attack, where each side characterises its own force as defensive and the other's as aggression.

THE LEGAL ARCHITECTURE II: SOVEREIGNTY, OCCUPATION, AND SELF-DETERMINATION

The second pillar concerns who holds title to the territory and what legal consequences flow from its status. Three concepts interlock: sovereignty, occupation, and self-determination.

Occupation Does Not Transfer Sovereignty

The foundational rule, stated by the ICRC and grounded in the Hague Regulations of 1907 and the Fourth Geneva Convention of 1949, is that an occupying Power does not acquire sovereignty over the territory it occupies. Occupation is understood in law as a temporary situation of effective control, a response to military necessity, not a mode of acquiring title. The occupant administers the territory for the benefit of the local population; it does not own it. The rights of the occupant are limited to the period and purposes of the occupation, and agreements between the occupant and local authorities cannot deprive the protected population of the protections of humanitarian law.^[1]

The test for whether a territory is occupied, under Article 42 of the Hague Regulations, is effective control: territory is occupied when it is actually placed under the authority of a hostile army, and the occupation extends only to territory where such authority has been established and can be exercised. Critically, the law of occupation applies as a matter of fact, regardless of whether the underlying occupation is itself lawful or unlawful under the *jus ad bellum*. This is why a delegation may accept every rule of occupation law while still contesting the separate question of whether the occupation as such is lawful.^[2]

The Special Problem of Gaza

The status of the Gaza Strip after the 2005 withdrawal is one of the most technically contested questions on this agenda. The position articulated by the Court in 2024 applies a “functional” approach: the decisive criterion is not the continuous physical presence of troops but whether authority has been established and can be exercised. On this view, an occupying Power that retains control over borders, airspace, territorial waters, the population registry, and the movement of goods and people continues to bear obligations commensurate with the degree of control it retains.^[3]

Other jurists, including judges of the Court itself, questioned whether there was sufficient information to reach firm conclusions about Gaza, and argued that the situation there should have been analysed separately from the West Bank. Delegates representing different States will take different positions on this point, and should be able to defend them from the text of the applicable law rather than from assertion.^[4]

Self-Determination

The right of peoples to self-determination is enshrined in Article 1(2) of the Charter, in common Article 1 of the two International Covenants of 1966, and in the General Assembly’s 1970 Friendly Relations Declaration and its 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples. The Court affirmed the existence of the Palestinian people’s right to self-determination in 2004 and, in 2024, characterised it as an obligation *erga omnes*, one owed to the international community as a whole, and referred to its peremptory character.^[5]

The Competing Framing

It is important for delegates to understand that a serious body of legal opinion emphasises different elements of this architecture. This view stresses that both peoples possess a right to self-determination and to live in security within recognised borders; that final-status questions were expressly reserved by the parties for negotiation under the Oslo framework and the relevant Security Council resolutions; and that the security concerns of States facing armed attack are themselves cognisable under international law and cannot simply be subordinated. This framing does not dispute that occupation confers no sovereignty; it disputes the sequencing and the modalities by which the situation is to be resolved, and it warns against any approach that would give either party an effective veto over the other's rights. A resolution that ignores this framing will not command consensus in a real Council.

[1] ICRC, "Occupation and International Humanitarian Law: Questions and Answers," 2024; Hague Regulations Respecting the Laws and Customs of War on Land, 1907, Articles 42–56; Fourth Geneva Convention, 1949, Articles 8, 47 and 49.

[2] ICRC, "Occupation and International Humanitarian Law: Questions and Answers," 2024, citing Hague Regulations Article 42 and the ICRC Commentary to the Fourth Geneva Convention (1958); US Military Tribunal at Nuremberg, USA v. Wilhelm List et al. (Hostages case), 1948, on the applicability of occupation law irrespective of the legality of the invasion.

[3] ICJ Advisory Opinion of 19 July 2024, Applicable Law, paras 91–94 (functional approach to Gaza).

[4] Joint opinion of Judges Tomka, Abraham and Aurescu, paras 3–4, and separate opinion of Judge Iwasawa, appended to the ICJ Advisory Opinion of 19 July 2024, questioning the treatment of Gaza.

[5] Charter of the United Nations, Article 1(2); International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, 1966, common Article 1; General Assembly resolutions 1514 (XV) of 1960 and 2625 (XXV) of 1970; ICJ Advisory Opinion of 19 July 2024, paras 230–243.

INTERNATIONAL HUMANITARIAN LAW IN THE OCCUPIED TERRITORY

Whatever position a delegation takes on sovereignty and the use of force, the law of armed conflict applies to the conduct of hostilities and to the administration of occupied territory. This is settled and largely uncontested at the level of principle, however sharply its application is disputed.

For the purposes of international humanitarian law, occupation is a form of international armed conflict, and the Fourth Geneva Convention applies in full. The duties of the occupying Power are set out primarily in the Hague Regulations (Articles 42–56) and the Fourth Geneva Convention (Articles 27–34 and 47–78), supplemented by Additional Protocol I of 1977 and customary international humanitarian law as codified in the ICRC’s 2005 study. The overarching aim of this body of law, as the ICRC frames it, is to strike a balance between the security needs of the occupying Power and the welfare of the protected population.^[1]

Core Obligations of the Occupying Power

- **Humane treatment and basic needs.** The occupying Power must ensure, to the fullest extent of the means available to it, the food, medical supplies, and other essentials for the survival of the population where local resources are inadequate.^[2]
- **Humanitarian access.** Where the population is inadequately supplied, the occupying Power is bound not merely to accept relief but to facilitate it by all the means at its disposal. The ICRC treats this as an obligation of result, subject only to a good-faith right of technical control to verify the humanitarian character of the relief; that right may not be used to delay or defeat delivery.^[3]
- **Prohibition of transfer.** The occupying Power must not deport or transfer the population of the occupied territory, nor transfer parts of its own civilian population into the territory it occupies (Article 49). Individual or mass forcible transfers of protected persons are prohibited regardless of motive.^[4]
- **Respect for property and resources.** Private property must be respected and may not be confiscated; public property is administered under the rules of usufruct, meaning the occupant may use but must safeguard the capital of natural resources for the benefit of the local population.^[5]
- **Preservation of local law.** The occupying Power must, in principle, respect the laws in force in the territory unless absolutely prevented, and may legislate only on the enumerated grounds of security, orderly administration, and giving effect to the Convention.^[6]
- **Access for the ICRC.** The occupying Power must grant the ICRC access to protected persons, including in all places of internment and detention, and must permit

impartial humanitarian organisations to carry out their work.^[7]

The ICRC has been explicit that obligations run in both directions with respect to civilians: it has stated that the occupying Power bears a duty to protect the civilian population against violence, including violence by private actors, and to punish crimes committed against them, and, equally, that deliberate attacks against civilians by any party are clear violations of international humanitarian law. Neither the conduct of one party nor the status of the territory relieves any actor of the obligation to distinguish between civilians and combatants.^[8]

^[1] ICRC, “Occupation and International Humanitarian Law: Questions and Answers,” 2024; Jean-Marie Henckaerts and Louise Doswald-Beck (eds), *Customary International Humanitarian Law*, ICRC/Cambridge University Press, 2005.

^[2] Fourth Geneva Convention, Articles 55 and 56; ICRC, “Humanitarian access: What the law says,” 2026.

^[3] Fourth Geneva Convention, Articles 59 and 60; ICRC, “Humanitarian access: What the law says,” 2026; ICRC Customary IHL Study, Rules 55 and 56.

^[4] Fourth Geneva Convention, Article 49, first and sixth paragraphs; ICRC Customary IHL Study, Rule 130.

^[5] Hague Regulations, Articles 46, 52, 55 and 56.

^[6] Hague Regulations, Article 43; Fourth Geneva Convention, Article 64.

^[7] Fourth Geneva Convention, Articles 30, 55 and 143.

^[8] ICRC, “What does the law say about the responsibilities of the Occupying Power in the occupied Palestinian territory?,” 2 August 2024; ICRC Customary IHL Study, Rules 1 and 7 (principle of distinction).

THE 2024 ICJ ADVISORY OPINION

On 19 July 2024, the International Court of Justice delivered its advisory opinion on the “Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem,” at the request of the General Assembly (resolution 77/247). The proceedings drew participation from fifty-two States and three international organisations, the largest in the Court’s history. Because this opinion frames much of the current debate, delegates should understand both what it held and where it divided.^[1]

The Principal Findings

The Court reached its central conclusions by varied majorities, and the margins matter. It found, by eleven votes to four, that Israel's continued presence in the Occupied Palestinian Territory is unlawful and that Israel is under an obligation to bring it to an end as rapidly as possible. It found, by fourteen votes to one, that Israel must cease all new settlement activity, evacuate settlers, and make reparation for damage caused. It advised, by twelve votes to three, that all States are under an obligation not to recognise the situation as lawful and not to render aid or assistance in maintaining it, and that it falls to the General Assembly and the Security Council to consider the precise modalities for bringing the unlawful presence to an end.^[2]

The Court's reasoning proceeded from the *jus ad bellum*. It held that Israel's settlement policy and its assertion of permanent control amounted to annexation of parts of the territory, in violation of the prohibition of the acquisition of territory by force, and that this, together with the frustration of the Palestinian right to self-determination, rendered the continued presence unlawful. It held that occupation confers no sovereignty and that security concerns cannot override the prohibition on acquiring territory by force. It also found the settlements contrary to Article 49(6) of the Fourth Geneva Convention and identified breaches of the ICCPR, the ICESCR, and the Convention on the Elimination of All Forms of Racial Discrimination.^[3]

The Dissents and Separate Opinions

The opinion was not unanimous, and the reasoned disagreements are as instructive as the majority holding. Vice-President Sebutinde dissented, arguing that the Court lacked balanced and reliable information, that the questions were framed in a prejudicial manner, and that the opinion circumvented both the agreed negotiation framework and Israel's consent to judicial settlement of a bilateral dispute.^[4]

Judges Tomka, Abraham, and Aurescu, in a joint opinion, agreed that violations had occurred but rejected the conclusion that the occupation as such was unlawful. They distinguished the rules governing the conduct of an occupation from those governing the use of force, argued that it was the annexation of Area C rather than the occupation itself that was the wrongful act, and stressed that the Gaza Strip should have been excluded. Several judges who joined the majority nonetheless emphasised, in separate opinions, that both peoples hold a right to

self-determination and to security, and regretted that the request addressed only one party's conduct.^[5]

An advisory opinion is not binding in the manner of a contentious judgment between parties. Its authority is the authority of the Court's reasoning, and its practical effect depends on what the political organs, including this Council, choose to do with it. That, precisely, is the space in which this committee operates.^[6]

^[1] ICJ, Advisory Opinion of 19 July 2024, General List No. 186; ICJ Summary 2024/8, 19 July 2024.

^[2] ICJ Advisory Opinion of 19 July 2024, dispositif, para 285; ICJ Summary 2024/8. The vote on jurisdiction was unanimous.

^[3] ICJ Advisory Opinion of 19 July 2024, paras 111–156 (settlements), 252–264 (annexation and legal status), 267–279 (consequences for Israel and third States).

^[4] Dissenting opinion of Vice-President Sebutinde, appended to the ICJ Advisory Opinion of 19 July 2024.

^[5] Joint opinion of Judges Tomka, Abraham and Aurescu; separate opinion of Judge Cleveland and joint declaration of Judges Nolte and Cleveland, appended to the ICJ Advisory Opinion of 19 July 2024.

^[6] On the legal effect of advisory opinions, see Statute of the International Court of Justice, Articles 65–68, and the Court's own observations at paras 30–49 of the 19 July 2024 Advisory Opinion.

THE SECURITY COUNCIL RECORD

The Council's engagement with this file is long and uneven. A selective map of the key instruments follows; delegates should read the operative paragraphs of each in full, not merely the summaries offered here.

LANDMARK RESOLUTIONS

242 (1967) — Established the “land for peace” framework; emphasised the inadmissibility of the acquisition of territory by war; called for withdrawal and for respect for the sovereignty of every State in the area.

338 (1973) — Called for a ceasefire and for negotiations to implement 242 “in all of its parts.”

446 (1979) & 465 (1980) — Determined that Israeli settlements have no legal validity, called for their cessation, and (465) called for their dismantling.

478 (1980) — Declared measures purporting to alter the status of Jerusalem null and void and called on States not to locate diplomatic missions there.

1397 (2002) — First Council resolution to affirm the vision of two States, Israel and Palestine, living side by side within secure and recognised borders.

1515 (2003) — Endorsed the Quartet “Road Map” to a permanent two-State solution.

2334 (2016) — Reaffirmed that settlement activity has no legal validity and constitutes a flagrant violation of international law; adopted 14–0 with one abstention.

2735 (2024) — Reaffirmed commitment to the two-State vision and to unifying Gaza with the West Bank under the Palestinian Authority.

The pattern that emerges is one of a Council able to articulate principles, the inadmissibility of acquisition by force, the invalidity of settlements, the two-State horizon, but frequently unable to agree enforcement. The veto has been the recurring obstacle: draft resolutions on this file have been blocked by permanent members on numerous occasions across decades, and the General Assembly has repeatedly acted in the Council’s stead under the “Uniting for Peace” procedure. Any resolution this committee produces will be judged, in part, on whether it is realistically adoptable given that constraint.^[1]

^[1] Security Council resolutions 242 (1967), 338 (1973), 446 (1979), 465 (1980), 478 (1980), 1397 (2002), 1515 (2003), 2334 (2016), 2735 (2024);

THE SECURITY COUNCIL RECORD

The question of Palestinian statehood sits at the junction of the agenda's sovereignty pillar and the Council's own procedures, because admission to United Nations membership requires a recommendation of the Security Council.

Under Article 4 of the Charter, membership is open to peace-loving States able and willing to carry out the Charter's obligations; admission is effected by the General Assembly upon the recommendation of the Security Council, which requires at least nine affirmative votes and no permanent-member veto. Palestine has been a non-member observer State since General Assembly resolution 67/19 in 2012, a status that permits participation without a vote in the Assembly's main organs. It renewed its application for full membership in 2024; the matter was taken up by the Council, where it did not secure the required recommendation.^[1]

Recognition of statehood by individual States is a separate matter from United Nations membership, and it is governed by each State's own foreign policy rather than by any single legal test applied centrally. A substantial and growing majority of United Nations Member States extend bilateral recognition to the State of Palestine, and the number increased during 2024 and 2025 as several Western States, including permanent members of the Council, announced recognition. A minority of States do not extend recognition, taking the position that statehood should emerge from a negotiated settlement rather than from unilateral acts. Delegates should verify their own State's current, specific position, as this is an area where policy has shifted and continues to shift.^[2]

^[1] Charter of the United Nations, Article 4; General Assembly resolution 67/19, 29 November 2012; United Nations, "Palestine's status at the UN explained," UN News, 2024.

^[2] United Nations, "Palestine's status at the UN explained," UN News, 2024; Council on Foreign Relations, "The Quest for Palestinian Statehood: What to Know," 2025. Delegates should confirm current recognition figures and their own State's stance from primary governmental sources.

REGIONAL STABILITY AND THE WIDER FIELD

The third pillar situates the territory within its regional setting. The Council's mandate is peace and security, and the practical case for its engagement rests on the demonstrated capacity of this conflict to destabilise the wider region.

Several structural features connect the local situation to regional dynamics. The first is the network of State relationships: Egypt and Jordan maintain peace treaties with Israel and play mediating and custodial roles, Jordan with respect to the Muslim and Christian holy sites in Jerusalem under long-standing arrangements; the 2020 normalisation agreements realigned

parts of the regional map; and other regional States maintain support for Palestinian claims through political, financial, and in some cases material channels. The second is the presence of non-State armed actors whose activities cross borders and implicate the jus ad bellum questions discussed in Section III. The third is the recurring risk of escalation between States, in which incidents in or around the territory serve as triggers for wider confrontation.^[1]

For the Council, the analytical task is to distinguish measures that address the immediate situation from measures that address the structural drivers of instability, and to weigh the risk that any given action, or inaction, will widen rather than contain the conflict. The humanitarian dimension is inseparable from the stability dimension: displacement, deprivation, and the collapse of civil administration are both consequences of instability and causes of further instability. A durable settlement, in the language the Court and the Council have both used, requires the realisation of self-determination for the Palestinian people alongside security within recognised borders for all States in the region.^[2]

^[1] On the regional framework, see the successive reports of the UN Secretary-General to the Security Council on the situation in the Middle East, including the Palestinian question, available through the UN Digital Library; and Security Council resolution 2735 (2024).

^[2] ICJ Advisory Opinion of 19 July 2024, para 283; Security Council resolutions 1397 (2002) and 2735 (2024).

POSITIONS OF KEY ACTORS

The following is a compressed map of stated positions, offered to orient research rather than to substitute for it. Delegates must confirm their own State's current, specific policy from primary sources; positions on this file evolve, and several have shifted recently.

Actor	Broad stated position (verify against current primary sources)
United States	Permanent member; has used the veto on this file repeatedly; supports a negotiated two-State outcome while opposing steps it regards as unilateral, including certain paths to membership; does not currently extend recognition to Palestinian statehood.
Russian Federation	Permanent member; recognises the State of Palestine; supports the two-State framework based on 1967 lines and the relevant resolutions; critical of what it frames as Western selectivity.
China	Permanent member; recognises the State of Palestine; emphasises the primacy of UN resolutions and a negotiated settlement; has positioned itself as a mediator.
United Kingdom	Permanent member; moved to recognise the State of Palestine in 2025; supports two States and the land-for-peace framework.
France	Permanent member; recognised the State of Palestine in 2025; has championed a negotiated two-State settlement and international peace conferences.
Arab & OIC States	Broadly support Palestinian self-determination and statehood on 1967 lines with East Jerusalem as capital; reference the Arab Peace Initiative of 2002.
Israel (non-member, concerned party)	Not a Council member but the State whose conduct is at issue; emphasises security, the reservation of final-status questions for negotiation, and objections to what it regards as prejudicial international processes.

State of Palestine (observer)	Non-member observer State; seeks full membership, an end to the occupation, and realisation of self-determination; invokes the 2024 advisory opinion and the body of Council and Assembly resolutions.
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RULES OF PROCEDURE

This committee will be conducted under UNA-USA Rules of Procedure, the flow of debate familiar to most circuits. The summary below is a working reference for delegates; the Executive Board retains final authority over all procedural matters and may adapt the rules where the tempo of the committee requires. Points of procedure should be raised through the Chair, not asserted unilaterally.^[1]

Roll Call and Quorum

At the start of each session the Chair conducts a roll call in alphabetical order. Delegates respond “present” or “present and voting.” A delegate who declares “present and voting” forfeits the right to abstain during substantive voting. Quorum to open debate is one-third of the members; a simple majority (half plus one of members present) is required to pass procedural motions.

Flow of Debate

Debate proceeds in two modes. Formal debate runs through the General Speakers List. Informal debate takes the form of moderated and unmoderated caucuses, which delegates move to enter and which the committee adopts by simple majority. Absent an active caucus, the committee defaults to the General Speakers List.

General Speakers List (GSL)

The General Speakers List is the spine of formal debate and remains open throughout the session unless exhausted. Delegates are added on request and address the agenda generally. The maximum individual speaking time on the GSL is 90 seconds. A delegate who does not use the full time may yield the remainder (see Yields, below). When the List is exhausted with no further speakers, debate on the agenda closes and the committee moves to voting procedure, so delegates should be attentive to keeping the List populated.

Moderated Caucus

A moderated caucus suspends the General Speakers List to allow focused discussion on a specific sub-topic. The delegate raising the motion must specify the total duration, the individual speaking time, and the topic. Individual speaking time in a moderated caucus is ordinarily 30 or 60 seconds per speaker, and may not exceed the GSL speaking time. The Chair recognises speakers in turn; time not used by a speaker reverts to the Chair. The motion carries by simple majority.

Unmoderated Caucus

An unmoderated caucus is an informal lobbying period during which delegates confer freely, form blocs, and draft. The delegate raising the motion specifies a total duration. Unmoderated caucuses are the principal working time for building the documentation described below.

Points

Points allow a delegate to address the Chair on specific procedural or personal matters. Four are recognised:

- **Point of Order.** Raised to indicate an error in procedure, a departure from the Rules, or a factual inaccuracy in debate. It must concern procedure, not the substance of another delegate's argument, and is directed to the Chair, whose ruling is final.
- **Point of Information.** A question directed to a speaker following their speech, where the speaker has opened themselves to points of information, or to the Chair. It is a question, not a statement, and should be phrased as such.
- **Point of Parliamentary Inquiry.** A question addressed to the Chair regarding the Rules of Procedure or the conduct of committee business, such as what motions are currently in order. It may not interrupt a speaker.
- **Point of Personal Privilege.** Raised when a delegate experiences a condition impairing their ability to participate, such as inaudibility of a speaker or discomfort in the room. It is the only point that may interrupt a speaker, and only when it concerns audibility.

Yields

A delegate recognised on the General Speakers List who does not wish to use, or has not used, the full speaking time must yield that time. Three yields are in order:

- **Yield to another delegate.** The remaining time is transferred to a named delegate, who must have consented in advance. That delegate may not, in turn, yield again.
- **Yield to the Chair.** The remaining time is returned to the Executive Board, which closes the speech. This is the neutral default where a delegate simply finishes early.
- **Yield to points of information or comments.** The remaining time is opened to questions from the committee (points of information) or, at the Chair's discretion, to brief comments on the speech. The speaker's answers count against the yielded time.

A yield is made only from the General Speakers List and only once; yielded time may not be re-yielded. A delegate should state the yield expressly at the close of the speech ("the delegate yields to ...").

Voting

Procedural motions require a simple majority, permit no abstentions, and are not subject to the veto. Substantive votes, on draft resolutions and amendments, permit abstentions except by delegates marked "present and voting." Delegates should note that this is a simulation of the Security Council: the Executive Board may give effect to the negative vote of a permanent member (the veto) on substantive matters, consistent with Article 27(3) of the Charter, and delegates should draft with that reality in view.

Documentation and Paperwork (End of Day 3)

The principal formal output of the committee is the draft resolution. Working papers may be circulated during debate to organise ideas and are informal; a working paper becomes a draft resolution once it is approved in form by the Executive Board and assigned a number. Draft resolutions are the operative documents on which the committee votes and follow the standard structure of preambulatory clauses (which recall context, resolutions, and principles) and operative clauses (which set out the actions the Council decides, calls for, or recommends).

The expectation is that finalised documentation, draft resolutions with their sponsors and signatories, together with any amendments, is submitted to the Executive Board by the close

of Day 3, in time for debate and voting on the final documents. Delegates should manage their unmoderated caucus time across the three days with this deadline in mind, rather than leaving drafting to the final session. Amendments may be friendly (accepted by all sponsors and incorporated without a vote) or unfriendly (put to a substantive vote). The Board will circulate any conference-specific templates for sponsors, signatories, and formatting; where none is circulated, standard Security Council draft-resolution format applies.^[2]

^[1] The procedure described here follows the United Nations Association of the United States of America (UNA-USA) model of Rules of Procedure as commonly adopted at Model United Nations conferences. Where a conference-specific rule differs, the Executive Board's ruling governs.

^[2] For the standard structure and language of Security Council resolutions, including preambulatory and operative phrasing, see the UN Dag Hammarskjöld Library research guide, "Drafting Resolutions," and the model provided by adopted resolutions such as 2334 (2016).

QUESTIONS A RESOLUTION MUST ADDRESS

A credible Security Council resolution on this agenda will have to give an answer, explicit or implicit, to each of the following. These are offered as a framework for drafting and for the questioning of draft resolutions in committee, not as a checklist with predetermined answers.

On use of force

How does the resolution characterise the resort to force by each relevant actor, State and non-State, against the framework of Articles 2(4) and 51? Does it take a position on the "unwilling or unable" doctrine? Does it distinguish self-defence from reprisal, and does it apply the necessity and proportionality standards consistently to all parties?

On sovereignty and status

Does the resolution take a position on the legal status of the occupation and on the legal consequences identified by the Court in 2024? How does it treat settlements, on which the Council has a settled record? Does it address the status of Jerusalem and the “single territorial unit” question, including Gaza?

On self-determination and statehood

How does the resolution give effect to the Palestinian right to self-determination while accounting for the security and self-determination interests the opposing framing raises? Does it address membership, and if so, does it respect the Article 4 procedure? Does it preserve or prejudge final-status issues?

On humanitarian protection

What concrete provision does the resolution make for humanitarian access, the protection of civilians, and the obligations of the occupying Power under the Fourth Geneva Convention? Does it provide for monitoring, reporting, or verification, and by whom?

On enforcement and feasibility

Under what authority does the resolution act, Chapter VI or Chapter VII? What mechanisms, if any, does it establish for implementation, and are they realistic? Crucially, is the resolution adoptable, that is, can it secure nine votes without attracting a permanent-member veto?

On regional stability

Does the resolution address the structural drivers of instability and the roles of regional States, or only the immediate situation? Does it reduce or increase the risk of wider escalation? Does it situate the settlement within a durable regional framework?

Timeline

1922 League of Nations Mandate for Palestine entrusted to Great Britain.

1947 General Assembly resolution 181 (II) recommends partition; accepted by the Jewish leadership, rejected by the Arab States; never implemented.

1948–49 Israel proclaims independence; first Arab–Israeli war; armistice agreements fix the Green Line; resolution 194 (III) on refugees. Israel admitted to the UN (1949).

1967 Six-Day War; Israel occupies the West Bank, East Jerusalem, Gaza, Sinai, and the Golan. Security Council resolution 242 adopted.

1973 October war; Security Council resolution 338 calls for a ceasefire and implementation of 242.

1979–80 Israel–Egypt peace treaty. Security Council resolutions 446, 465, and 478 address settlements and the status of Jerusalem.

1988 The PLO proclaims the establishment of the State of Palestine.

1993–95 Oslo I and Oslo II Accords; interim self-government; division of the West Bank into Areas A, B, and C.

2002 Security Council resolution 1397 affirms the two-State vision. Arab Peace Initiative launched.

2003 ICJ proceedings on the Wall begin; Council resolution 1515 endorses the Quartet Road Map.

2004 ICJ Wall Advisory Opinion.

2005 Israeli “Disengagement Plan”; withdrawal of military presence and settlements from Gaza.

2012 General Assembly resolution 67/19 grants Palestine non-member observer State status.

2016 Security Council resolution 2334 on settlements.

2024 ICJ Advisory Opinion of 19 July on the legal consequences of Israel’s policies and practices. Security Council resolution 2735 reaffirms the two-State vision. Renewed Palestinian membership application considered by the Council.

2025 Further bilateral recognitions of the State of Palestine announced by several States, including permanent members of the Council.

Research links for delegates

The following are primary and institutional sources. Delegates should prioritise these over secondary commentary and news reporting, and should read the operative text of resolutions and the reasoning of the Court directly.

International Court of Justice — Advisory Opinion of 19 July 2024 (Case No. 186) — Full opinion, official summary (2024/8), and appended declarations and separate opinions. <https://www.icj-cij.org/case/186>

United Nations — The Question of Palestine (UNISPAL) — The UN’s documentary portal: resolutions, reports, and the full institutional record. <https://www.un.org/unispal/>

United Nations — Security Council Resolutions — Official text of all Council resolutions, searchable by number and year. <https://docs.un.org/en/S/RES>

ICRC — Occupation and International Humanitarian Law — Questions-and-answers and law-and-policy pages on occupation law and the obligations of the occupying Power. <https://www.icrc.org/en/law-and-policy/occupation>

ICRC — Responsibilities of the Occupying Power in the OPT — Direct statement of the applicable rules and the obligations of all parties, including protection of civilians. <https://www.icrc.org/en/document/ihl-occupying-power-responsibilities-occupied-palestinian-territories>

United Nations — Charter of the United Nations — Articles 1, 2(4), 4, 24, 25, 27, 39, 42, and 51 are directly relevant to this agenda. <https://www.un.org/en/about-us/un-charter/full-text>

ICRC — IHL Treaties Database — Authoritative texts of the Fourth Geneva Convention (1949) and Additional Protocol I (1977). <https://ihl-databases.icrc.org/en/ihl-treaties>

Security Council Report — Independent analysis of Council practice, including the veto, “Uniting for Peace,” and monthly forecasts on the Middle East file. <https://www.securitycouncilreport.org>

United Nations Digital Library — Reports of the Secretary-General on the Middle East, including implementation of resolution 2334. <https://digitallibrary.un.org>

UN Dag Hammarskjöld Library — Drafting Resolutions — Guidance on preambulatory and operative clause structure and language for resolutions. <https://research.un.org/en/docs/resolutions>

Delegates are strongly encouraged to consult the official position statements and foreign-ministry publications of their assigned State directly, as these are the authoritative source for the policy each delegation is expected to represent.

Note to Delegates

This is a demanding agenda, legally and politically. The Executive Board’s expectation is not that you will resolve a question the United Nations has not resolved in seventy-five years, but that you will engage it with rigour, precision, and intellectual honesty.

Reason from the instruments. Cite the applicable law accurately. Represent your State’s position faithfully, and steelman the positions you oppose. Draft resolutions that are not only principled but adoptable, that reckon with the veto and with the real distribution of power on the Council.

Above all, hold the seriousness the subject deserves. The strongest delegates will be those who can disagree sharply on substance while maintaining the decorum and good faith on which the Council’s work depends.

