

Middle East

Israel and the United Nations

by Karin Leukefeld,* Germany/Syria



Karin Leukefeld
(Photo ma)

Israel has problems with the United Nations. When it comes to the country's conflict with Palestine, Israeli diplomats quickly are out of control and challenge the world organisation and its member states. The ongoing bombardment of the population in Gaza, of densely populated neighbourhoods, refugee camps, schools, hospitals, civilian infrastructure, journalists and their families show that Israel is ignoring central agreements of international law.

Background – Admission of Israel to membership in the United Nations

Resolution 273 of the General Assembly on 11 May 1949,¹

having received the report of the Security Council on the application of Israel for membership in the United Nations,

noting that, in the judgment of the Security Council, Israel is a peace-loving State and is able and willing to carry out the obligations contained in the Charter,

noting that the Security Council has recommended to the General Assembly that it admit Israel to membership in the United Nations,

noting furthermore the declaration by the State of Israel that it “unreservedly accepts the obligations of the United States Charter and undertakes to honour them from the day when it becomes a Member of the United Nations”,

recalling its resolutions of 29 November 1947 and 11 December 1948 and taking note of the declarations and explanations made by the representative of the Government of Israel before the ad hoc Political Committee in respect of the implementation of the said resolutions,

The General Assembly,

acting in discharge of its functions under Article 4 of the Charter and rule 125 of its rules of procedure,

1. decides that Israel is a peace-loving State which accepts the obligations contained in the Charter and is able and willing to carry out those obligations;

2. decides to admit Israel to membership in the United Nations.

Source: <https://www.un.org/unispal/document/auto-insert-187677/>

UN membership subject to conditions

“[...] that Israel is a peace-loving state which is able and willing to carry out the obligations contained in the Charter [...]”

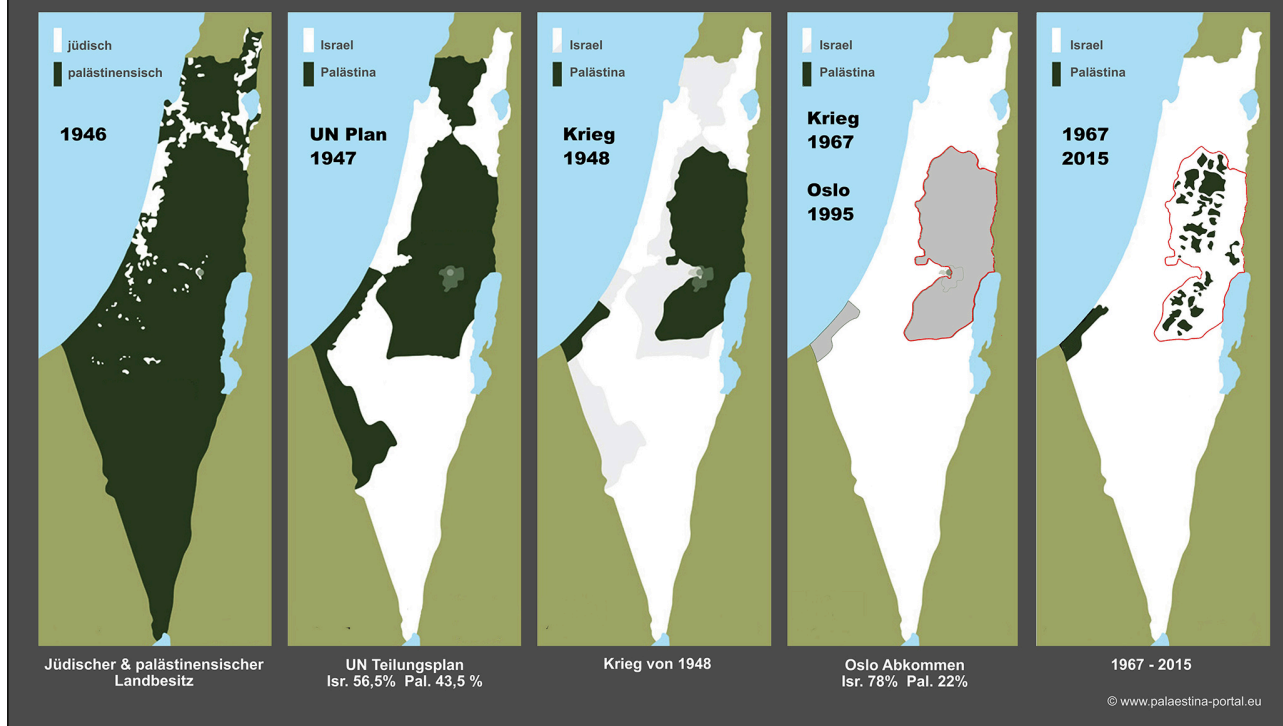
Not sparing people in the hail of bombs, cutting off their water, electricity, fuel, medical supplies, food, and communication links is also considered a war crime. While more and more countries are recalling their ambassadors from Israel or – like Bolivia – breaking off diplomatic relations, the [German] federal government in Berlin remains loyal to Israel. *Foreign Minister Baerbock declared²* that Israel – like every state in the world – has a duty to protect its population and defend itself against attacks. Baerbock described the people in the Jabaliya refugee camp – bombed twice by Israel within 24 hours – as “human shields” of the “terrorist organisation Hamas”. This not only reveals contempt for the victims of the bombings, but it also shows that the German Foreign Minister does not know the history of the state of Israel and Palestine.

The UN carves up Palestine

Before the end of the British Mandate (1920 to 1948), Palestine was partitioned under the UN Partition Plan (*UN Resolution 181 II*). The newly founded UN thus followed a promise made by the British colonial power in 1917, when the

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Der Verlust palästinensischen Landes (Vertreibung - Nakba)



The loss of Palestinian land. (expulsion – Nakba)

British Foreign Secretary Lord *Balfour* promised the British Crown's support to the Zionist national movement in establishing a "Jewish homeland" in Palestine. The population living in Palestine rejected this, and even before and during the discussion of the UN partition plan, there were protests and fights.

The partition plan adopted in November 1947 (UN Resolution 181 II) divided Palestine into a Jewish and an Arab state. Although more than two thirds of the approximately 1,900,000 inhabitants at the time were Muslim, Christian and Druze Palestinians and one third were mostly immigrant Jews, the Palestinian population originally living there had no voice. A referendum was rejected.

The Jewish state was to comprise 56.47 per cent of Palestine, the Arab state 42.88 per cent. The city of Jerusalem, with 0.65 per cent, was to be placed under UN administration as a "corpus separatum". All three parts were to be combined in an economic union. The harbour city of Jaffa belonged to the Arab state. The UN had 56 member states at the time, of which 33 voted in favour, 13 against and ten abstained. All Arab states voted against.

The expulsion

Although the Zionists regarded the partition resolution as the founding document of their state,

they launched military operations to expel the Palestinians immediately after the partition plan was passed to expand the territory granted to them in the partition plan. *They attacked villages*,³ killed and displaced the population. Some 530 Palestinian villages were destroyed.

At the turn of the year 1948/49, the Palestinians only had 22 per cent of the land that the UN partition plan had intended for them. East Jerusalem had been defended by Jordanian Arab legions against the Zionist militias. West Jerusalem, on the other hand, had been taken early on by the Zionist underground army *Haganah* and the Palestinian population expelled. In doing so, the Zionists also ignored the part of the UN partition plan according to which Jerusalem was to be placed under international administration as a "corpus separatum".

The State of Israel was proclaimed on 14 May 1948. The following day, on 15 May 1948, Israel applied for membership of the *United Nations*. The application was not considered by the UN Security Council. Also on 15 May 1948, the Arab states declared war on Israel. On 20 May 1948, the UN General Assembly appointed the Swedish diplomat Count *Folke Bernadotte* as UN mediator for Palestine.

Bernadotte was able to negotiate a ceasefire and laid the foundations for the *UN relief organisation for Palestinian refugees* (UNRWA). He cri-

ticised the “ethnic cleansing” of the Palestinians and the fact that “Israel claimed all of Jerusalem for itself”, which contradicted the UN partition plan. On 17 September 1948, the UN special mediator Bernadotte was murdered by the *Stern Group*, a Zionist militia. *Yitzhak Shamir*, who later became Israeli Prime Minister, was also a member of the Stern Group. The UN Security Council condemned Bernadotte's assassination.

On 11 December 1948, the UN General Assembly adopted *Resolution 194*, which defined the status of Jerusalem and the right of return of Palestinian refugees (if feasible) as well as compensation for their losses. On 17 December 1948, a second application by Israel for membership of the United Nations was rejected by the UN Security Council.

After parliamentary elections in 1949, Israel applied for membership of the United Nations for the third time. On 4 March 1949, the UN Security Council voted in favour of membership with Resolution 69.

Reservations came from Great Britain, which abstained from the vote on the grounds that Israel did not adhere to UN principles and did not accept the UN partition plan.

The UN General Assembly approved Israel's membership on 11 May 1949, but formulated conditions. Israel was accepted as a member of the United Nations on the condition that Israel accepts and implements *Resolutions 181 I* and *194*, the UN Partition Plan and the right of return of the Palestinians (if feasible) as well as their reparations.

Since then, Israel has ignored more than 200 resolutions of the UN Security Council alone.

In 1967, after the *Six-Day War*, another important United Nations resolution was passed, this time by the UN Security Council. This was Resolution 242 of 22 November 1967, which stated that the “conquest of land by war is inadmissible” and that Israeli troops must withdraw from the occupied territories (1967). The territories in question were East Jerusalem, the West Bank, the Gaza Strip and the Syrian Golan Heights, which Israel had occupied in the *Six-Day War* (June 1967). However, Israel had already begun to colonise the occupied territories, in particular through the illegal construction of settlements. In doing so, Israel violated international law and the 4th *Geneva Convention*.

At the UN General Assembly on 22 September 2023, Prime Minister *Benjamin Netanyahu* took to the lectern with a map⁴ to demonstrate that Israel and Saudi Arabia – then engaged in a political rapprochement process supported by the USA – were on the verge of an agreement. On the map of the region that Netanyahu held up, Israel encompassed the entire territory of Palestine, without showing the Palestinian West Bank, Gaza or East Jerusalem, the intended capital of a state of Palestine. The Palestinian territories that were to form a Palestinian state were wiped out.

The attack by the Qassam Brigades

Israel responded to the unprecedented attack by the *Qassam Brigades* from the Gaza Strip on areas in southern Israel on 7 October 2023 with unprecedented violence against the Palestinians, initially in the Gaza Strip and now also in the occupied West Bank. Calls in the UN Security Council and the General Assembly for a ceasefire and aid for the civilian population were met with threats and accusations from Israeli diplomats. UN Secretary-General *Antonio Guterres* was also insulted and asked to resign when he pointed out at a UN Security Council meeting (24 October 2023) that the attack had not come from a vacuum. For more than 56 years, the Palestinians have been living under an oppressive Israeli occupation and have been denied their own state. No party in an armed conflict is above international humanitarian law, *said Guterres*,⁵ referring to the clear violations of humanitarian law that can be observed in Gaza.

The USA prevented several draft resolutions for an immediate ceasefire that did not include Israel's “right of defence” and the condemnation of Hamas as a “terrorist organization”. During the political battles in the UN Security Council, more than 8,700 people were killed (as of 2 November) by the Israeli bombardment of the Gaza Strip, including more than 3,600 children.

On 27 October 2023, *the UN General Assembly adopted*⁶ a resolution of Arab states by 121:14:44 votes [yes:no:abstention] calling for an “immediate, durable and sustainable humanitarian ceasefire” between Israeli forces and Hamas militants in Gaza. In addition, “continuous, sufficient and unhindered” supplies must be ensured for the civilian population trapped in Gaza.

Israel refused and intensified its bombardment of the Palestinian coastal strip from the air

with artillery and from the navy on the same day. The supply of water, medicine and fuel has been interrupted. Communications in Gaza have been cut, neither telephones nor internet connections are working.

On Monday [30 October 2023], Israeli UN Ambassador *Gilad Erdan* appeared with a yellow Star of David on his suit jacket. “Never again” was written on it, “never again”. The two words are reminiscent of German fascism and its extermination of Jews, religious, ethnic, and social groups, and political opponents. Erdan said that he was wearing the star “just as his grandparents and the grandparents of millions of Jews” had worn the star. The star would be worn until the United Nations condemned the atrocities committed by Hamas and demanded the immediate release of the hostages.

*The action was criticised*⁷ by the chairman of the *Yad Vashem* memorial, *Dani Dayan*. Pinning on the star was a “disgrace for the victims of the Holocaust and for Israel”. The yellow star symbolises the helplessness of the Jewish people. But today Israel has an independent state and a strong army, Dayan continued: “We are the masters of our own destiny. Today we will pin a blue and white flag on our lapels, not a yellow star.”

Numerous UN diplomats, UN organisations and institutions have appealed to stop Israel’s violation of international law. It is not explicitly stated, but the appeal is directed at the governments that arm Israel – like the USA and Germany – support it politically and in the media and – like the USA – prevent the UN Security Council from unanimously and immediately calling for a ceasefire. On 14 October 2023, *Francesca Albanese*,⁸ the *UN Special Representative for Human Rights in the Palestinian Territories* occupied by Israel since 1967, declared that “under the

guise of war [...] Israel is once again trying to justify, in the name of self-defence, what would amount to ethnic cleansing.”

As a reminder, on 11 May 1949, Israel was accepted as a member of the United Nations on the condition that it accepts and implements Resolutions 181 II (the UN Partition Plan) and 194 (the UN Partition Plan and the right of return of the Palestinians [if feasible] and their reparations). To date, Israel has never considered it “feasible” for the Palestinians to return. On the contrary, Israel has done everything in its power to appropriate the land of Palestine. The USA has always held a protective hand over Israel.

The Palestinians are expelled, arrested, killed. In October 2023, high-ranking Israeli politicians and personalities described the Palestinians as “animal people”.

Source: <https://www.nachdenkseiten.de/?p=106177>, 4 November 2023

(Translation “Swiss Standpoint”)

¹ <https://www.un.org/unispal/document/auto-insert-187677/>

² <https://www.deutschlandfunk.de/baerbock-verteidigt-israels-vorgehen-im-gazastreifen-100.html>

³ <https://www.youtube.com/watch?v=4bxyQl4msaY>

⁴ https://www.timesofisrael.com/liveblog_entry/netanyahu-brandishes-map-of-israel-that-includes-west-bank-and-gaza-at-un-speech/

⁵ <https://www.zdf.de/nachrichten/politik/guterres-ruecktrittsforderung-un-botschafter-israel-100.html>

⁶ <https://www.youtube.com/watch?v=W9wAZVTIAZM>

⁷ <https://www.haaretz.com/israel-news/2023-10-31/ty-article/.premium/yad-vashem-chairman-slams-israels-un-envoy-for-donning-yellow-star/0000018b-849e-df47-a3df-e9ffa010000>

⁸ <https://www.ohchr.org/en/press-releases/2023/10/un-expert-warns-new-instance-mass-ethnic-cleansing-palestinians-calls>