



Committee: International Criminal Court

Director: Jonas Caraza

Moderator: Yahiza Majul

Secretary: Sofia Cortez

Background paper

The enduring Israeli-Palestinian conflict, a historical and deeply entrenched geopolitical issue, continues to shape the landscape of the Middle East. With roots dating back to the late 19th century, the conflict emerged as the Zionist movement sought a homeland for the Jewish people in Palestine. Over the decades, tensions escalated, leading to a series of wars, territorial disputes, and ongoing struggles for self-determination. As of the current date in 2024, the situation remains fraught with complexities, presenting a formidable challenge for all parties involved.

The establishment of the State of Israel in 1948 marked a pivotal moment, triggering the first Arab-Israeli war. The conflict's foundations lie in the competing national narratives of Israelis and Palestinians, each asserting historical and religious ties to the land. Subsequent wars in 1967 and 1973 reshaped territorial boundaries but failed to provide a comprehensive resolution to the deeply rooted issues.

A central aspect of the Israeli-Palestinian conflict revolves around the occupation of territories, including the West Bank, East Jerusalem, and the Gaza Strip. Acquired during the Six-Day War in 1967, these areas have been the focal point of territorial disputes. The construction and expansion of Israeli settlements in the West Bank have become a major point of contention, exacerbating tensions and presenting a significant obstacle to the realization of a two-state solution.

The Gaza Strip, under the control of the Palestinian militant group Hamas since 2007, has been a flashpoint for conflict. The region has witnessed several military engagements, such as the 2008-2009 Gaza War, the 2012 Operation Pillar of Defense, and the 2014 Gaza War. These conflicts have resulted in substantial humanitarian crises, marked by civilian casualties and widespread damage to infrastructure.

Numerous international initiatives have sought to mediate the Israeli-Palestinian conflict, with varying degrees of success. The Oslo Accords in the 1990s aimed at establishing a framework for a two-state solution, addressing issues like borders, refugees, and the status of Jerusalem. However, progress has been slow, hindered by divergent interests and ongoing disputes.

Current Dynamics:

In 2024, the situation remained volatile, characterized by periodic outbreaks of violence and tense standoffs. The socio-political landscape is further complicated by shifts in regional dynamics, including changing alliances and the evolving roles of external actors. The rise of new

leaders on both sides, coupled with internal challenges within Palestinian and Israeli societies, adds layers of complexity to the conflict.

The Israeli-Palestinian conflict remains one of the most intricate and enduring geopolitical challenges of our time. Achieving a resolution necessitates addressing historical grievances, recognizing the rights and aspirations of both Israelis and Palestinians, and navigating the intricacies of regional geopolitics. While finding lasting peace is a daunting task, ongoing international efforts and grassroots movements strive to create a foundation for a more stable and just future in the region.

News Outlets: Reuters, Associated Press (AP), BBC, Al Jazeera, and The New York Times often cover developments in the region.

Academic Journals: Journals like the Journal of Palestine Studies, Israel Studies, and Middle East Policy can provide in-depth analyses and scholarly perspectives.

International Organizations: Reports from organizations like the United Nations (UN), Human Rights Watch (HRW), and Amnesty International can offer insights into the humanitarian aspects of the conflict.

Think Tanks: Organizations like the International Crisis Group, Carnegie Endowment for International Peace, and the Brookings Institution may publish reports and analyses on the Israeli-Palestinian conflict.

Works Cited

YouTube: Home, 9 November 2017,

<https://www.un.org/es/site-search?query=israel+and+palestine>

. Accessed 24 January 2024.

“A brief history of Israel-Palestine conflict in 10 maps.” *Al Jazeera*, 27 November 2023,

<https://www.aljazeera.com/news/2023/11/27/palestine-and-israel-brief-history-maps-and-charts>

. Accessed 24 January 2024.

“Human rights in Israel and Occupied Palestinian Territories.” *Amnesty International*,

<https://www.amnesty.org/en/location/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/>

. Accessed 24 January 2024.

“Israeli-Palestinian Conflict | Global Conflict Tracker.” *Council on Foreign Relations*,

<https://www.cfr.org/global-conflict-tracker/conflict/israeli-palestinian-conflict>

. Accessed 24 January 2024.



Committee: International Criminal Court

Director: Jonas Caraza

Moderator: Yahiza Majul

Secretary: Sofia Cortez

How The Court Works

The International Criminal Court tries individuals who are accused of genocide, war crimes, crimes against humanity, and aggression. The Court's founding treaty called the Rome Statute, grants the committee jurisdiction over these four main crimes. It is comprised of counts with two parties, defense and prosecution. The delegates will assume the role of the judge responsible for reaching a verdict. The assigned chairs will provide information from the defense and prosecution throughout the sessions, which the delegates will be debating on.

The court follows a legal process:

1. Preliminary examinations: the Office of the Prosecutor must determine whether there is sufficient evidence to open an investigation that would serve the interests of justice and the victims.
2. Investigations: after having enough evidence and identifying a suspect, the Prosecution will request an arrest warrant or a summons to appear, which means that the suspects appear voluntarily.

3. Pre-Trial stage: the judges confirm the accused's identity and ensure that the accused understands the charges. After hearing the Prosecution, and the Defence, the judges (delegates) decide if there is enough evidence for the case to proceed.
4. Trial stage: the Prosecution must prove without reasonable doubt that the accused is guilty of the established charges. The delegates must start issuing a verdict and, when there is a verdict of guilt, issue a sentence. Sentences can go up to 30 years of imprisonment, and under exceptional circumstances, a life sentence, per crime. If there is not enough evidence, the case is closed and the accused is released.
5. Appeals stage: both the Prosecution and Defence have the right to appeal the decision on the verdict and the sentence. Victims and convicted persons may appeal an order for reparations. For an appeal to be held, five judges, different from those who gave the original verdict, must decide.
6. Enforcement of sentence: sentences must be served in countries that agreed to enforce ICC sentences.

Key Terms

Genocide: It is characterized by the intent to destroy in part or as a whole a national, racial, or religious group by killing its members or by alternative means: inflicting physical and mental harm to its members; forcing measures to intercept births within the group; or violently transferring children to another group.

Crimes Against Humanity: Violations in part of a large-scale attack against any population. The Rome Statute lists 15 forms of crimes against humanity, such as murder, rape, imprisonment, enforced disappearances, women and children enslavement, sexual slavery, torture, apartheid and deportation.

War Crimes: Violations of the Geneva conventions in the context of armed conflict. The use of child soldiers; torture of civilians or prisoners of war; unjustified destruction and appropriation of property; and biological experiments.

Crime Of Aggression: It is the use of armed force by a State against the sovereignty, integrity, or independence of another State.

Legal Process: Process through which the International Criminal Court operates with.

Verdict: The formal decision or judgment rendered by a court after a trial or legal proceeding

Sentence: This is the punishment a judge or magistrate decides should be given to someone who has been convicted of a crime. It comes at the end of a prosecution.

Prosecution: The act or process of holding a trial against a person who is accused of a crime to see if that person is guilty.

Defense: The Defence teams represent and protect the rights of the defendant (suspect or accused).

Works Cited

“How the Court Works.” *International Criminal Court*,
www.icc-cpi.int/about/how-the-court-works#:~:text=Investigations,arrest%20warrant%20may%20be%20issued. Accessed 10 Dec. 2023.

“How Sentencing Works.” *Sentencing*, 2022,
www.sentencingcouncil.org.uk/sentencing-and-the-council/how-sentencing-works/.

Robinson, Jim. “Verdict.” *Legal Information Institute*, Legal Information Institute, Aug. 2023,
www.law.cornell.edu/wex/verdict#:~:text=A%20verdict%20is%20the%20formal,type%20of%20trial%20and%20jurisdiction.

“Prosecution.” *Encyclopædia Britannica*, Encyclopædia Britannica, inc., 2023,
www.britannica.com/dictionary/prosecution#:~:text=Britannica%20Dictionary%20definition%20of%20PROSECUTION,if%20that%20person%20is%20guilty.

“Defense.” *International Criminal Court*, www.icc-cpi.int/about/defence. Accessed 10 Dec. 2023.

Blokhina, Krystyna. “War Crime.” *Legal Information Institute*, Legal Information Institute, 2019, www.law.cornell.edu/wex/war_crime.