

**Background Paper****Committee:** General Assembly**Topic 1:** The Role of International Law in Addressing the Gaza Blockade**Chairs:** Emiliano Soria Guerrero**School:** Colegio Americano de Durango

The Gaza Blockade, enforced by Israel and supported by Egypt since 2007, represents one of the most complex humanitarian and legal challenges of the 21st century. Following the takeover of Gaza by Hamas, Israel imposed restrictions on land, sea, and air access, citing national security concerns and the prevention of arms smuggling. However, the blockade has resulted in severe humanitarian consequences, raising ongoing debates regarding its legality under international law and its conformity with humanitarian principles established by the United Nations.

The issue has its roots in the political fragmentation of the Palestinian territories after 2006, when Hamas gained control of Gaza while the Palestinian Authority remained in the West Bank. In response, Israel and Egypt closed their borders and restricted the movement of goods and people. While Israel justifies these measures as necessary for its self-defense under Article 51 of the UN Charter, many international organizations and human rights groups argue that the blockade amounts to collective punishment, which is prohibited under Article 33 of the Fourth Geneva Convention. The tension between security and humanitarian obligations has thus become the central legal dilemma of this ongoing crisis.

From the perspective of international law, several key issues have emerged. The first concerns the legality and proportionality of the blockade itself. The United Nations, the International Committee of the Red Cross, and the International Criminal Court have all questioned whether the blockade violates international humanitarian law, particularly regarding its impact on civilians. A second issue is the humanitarian impact of the blockade. Gaza's population faces high unemployment, limited access to medical care, electricity shortages, and restricted entry of essential supplies. These conditions have created a dependency on international aid, undermining long-term development and fueling regional instability. Finally, a third challenge lies in the effectiveness of international enforcement mechanisms. Although numerous UN resolutions and investigations have addressed the situation, the lack of binding enforcement has allowed the

blockade to continue largely unchanged, illustrating the limitations of the international legal system when political interests prevail.

Efforts to address the Gaza Blockade through diplomacy and legal mechanisms have been ongoing for nearly two decades. The most relevant timeline includes Israel's unilateral withdrawal from Gaza in 2005, followed by the imposition of the blockade in 2007 after Hamas took power. In 2010, the interception of the "Gaza Freedom Flotilla" drew international condemnation and led to UN investigations on the legality of the blockade. Subsequent reports, such as those from the 2014 UN Commission of Inquiry, documented the humanitarian consequences of the blockade and possible violations of international humanitarian law. The 2018 preliminary examination by the ICC and the continued discussions within the UN General Assembly and Security Council through 2023–2024 reflect growing international concern and calls for reform, including proposals for humanitarian maritime corridors and independent monitoring mechanisms.

Given this context, several guiding questions arise for the international community. How can international law be more effectively enforced to address humanitarian crises resulting from prolonged blockades? What mechanisms could balance a state's right to self-defense with its obligations to protect civilians under occupation? And finally, should the United Nations establish a permanent body or framework to oversee and regulate military blockades in conflict zones to prevent similar situations in the future? Addressing these questions is crucial for maintaining the integrity of international law and for ensuring that humanitarian principles remain central to global peace and security.

The debate on the Gaza Blockade underscores the urgent need for stronger international cooperation and legal clarity. While security concerns must be respected, they cannot justify measures that deprive civilians of basic human rights. The United Nations Security Council plays a vital role in developing mechanisms that promote accountability, transparency, and humanitarian protection in situations of conflict. Ultimately, resolving the Gaza crisis requires a comprehensive, law-based approach that restores the balance between sovereignty and human

dignity, ensuring that international law continues to serve as a foundation for justice and peace in the region.

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