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Towards Protection of Necessary Infrastructure and
Promotion of Social Wellbeing in Al Quds

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Inclusion of Balfour Declaration in the mandate system for post WWI settlement changed the dynamics of the region as well as the fate of both Palestine and Jerusalem. According to the mandate system, Britain was entrusted with temporary administration of Palestine until it was capable enough to be independent. Instead the Balfour Declaration written by the British Foreign Secretary Arthur Balfour to Lionel Walter Rothschild triggered a mass Jewish migration to the soil of Palestine. Many Arabs saw the influx of Jews as a European colonial movement, and the two peoples fought bitterly. The British couldn't control the violence, and in 1947 the United Nations voted to split the land into two countries (Beauchamp, VOX, 2018). The UN Resolution 181 (II), endorsed the establishment of Israel, and Jerusalem was declared as an international city. This miss calculated design could not stop the future wars and Jerusalem remained as perennial fault-line in the Palestine and Arab-Israeli conflict. Palestine has been under Israeli occupation since 1948, and June 5th, 2017 marked 50 years of Israeli occupation. Occupation has deeply affected many aspects of the Palestinian society. Palestine ranks as one of the world’s least-developed countries due to decades of violence and war. The Israeli government is considered the biggest obstacle to development and lack of infrastructure in the Palestinian region.

As a result of this occupation, the Palestinian economy has lost access to 40 percent of its West Bank land, 82 percent of its ground water, and more than two-thirds of its grazing land (Reuters, 2012). In addition, Israeli security measures imposed on the mobility of all Palestinians in the West Bank and the Gaza Strip have limited the workforce, leaving many Palestinians little choice except to work in Israeli labor markets, mainly in the construction of Israeli settlements.

Jerusalem has its great geographical & geopolitical as well as religious significance along with its historical sites. Over the years there have been numerous violent incidents in the area, resulting in grave loss of life among Muslims as well as Christians and caused damage to their sanctuaries and causing harm to the historical sites. Establishment of Israel led to the subsequent war and 1967 altered the legal landscape of Jerusalem. In the 1967 war Israel occupied the East Jerusalem: the holy place to all major monotheistic (Abrahamic) religion. Since then the area is under the domain of Israeli forces. Jewish settlement in East Jerusalem has not stopped yet and is not tolerable by the Palestinians.
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Lack of Infrastructure and Its effects on Jerusalem/ Palestine:
Infrastructure enables trade, businesses, creates opportunities for struggling communities and protects any nation from deteriorating. Infrastructure is considered as the backbone of a healthy economy, because it is vital to economic growth. Infrastructure provides opportunities for employment, healthcare and education, and the Palestinians are in dire need of all these necessary facilities.

Access to infrastructure is considered a basic human right, irrespective of where people live, their race, gender or income level. Between the start of Israel’s occupation of East Jerusalem in 1967 and the end of 2016, Israel revoked the status of at least 14,595 Palestinians from East Jerusalem, according to the Interior Ministry. Authorities have justified most revocations based on a failure to prove a “center of life” in Jerusalem but, in recent years, they have also revoked the status to punish Palestinians accused of attacking Israelis and as collective punishment against relatives of suspected assailants. The discriminatory system pushes many Palestinians to leave their home city in what amounts to forcible transfers, a serious violation of international law. (Human Rights Watch, 2017)

The Economic and Social Commission for Western Asia (ESCWA) has prepared and submitted a report in compliance with the resolutions of the Council and the Assembly. The report covers Israeli practices and policies, in particular those that are in violation of international humanitarian law and international human rights law and that affect the social and economic conditions of the people living under its military occupation. Israel has employed discriminatory policies and practices, use of force that has at times been deemed excessive and restrictions on the freedom of movement, including the closures in Gaza, settlement expansion, destruction of property and the exploitation of natural resources in the Occupied Palestinian Territory and the occupied Syrian Golan. The cumulative impact of such policies and practices is not confined to violations of international law, including the rights of the population under occupation; it also exacerbates the social and economic conditions of that population. (Reliefweb, 2017)

Limited Education and Health Facilities:
Adolescent boys, aged 14 and 15, make up nearly half of all children, up to the compulsory school age of 15, who are out of school. The report notes that more boys in this age group are missing out on education in the West Bank (18.3 percent), compared to the Gaza Strip (14.7 percent). The main reasons for drop out include low quality education that is also often seen as not relevant to their lives, physical and emotional violence in schools, including from teachers and peers, and the ongoing armed conflicts. Getting to school can also be a distinct challenge for children in the State of Palestine. In the West Bank, children are often forced to pass through several checkpoints, roadblocks and to go around Israeli settlements just to reach their classrooms. This can be especially difficult for adolescent boys, as they are more likely to be stopped and questioned on the way to school. The report also notes that violence affects education in many ways. More than two-thirds of children in Grades 1 to 10 report being
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exposed to emotional and physical violence in their schools, and – due to the conflict - more than 29,000 children in 2017 had their schooling interrupted in 170 attacks and threats of attacks on schools, students or teachers that further affects school attendance. (UNICEF, 2018)

Palestinians living in the West Bank and Gaza find themselves in difficult and dangerous circumstances. The most dominant feature that has a direct impact on many aspects of their livelihoods is “the wall” in the West Bank, which for Palestinians living within their own land creates unacceptable conditions. The Israelis erected the wall for their protection in 2002, and it resulted in interruption of the territorial integrity of the Palestinian homeland. Ditches, concrete slabs, and electric wired fences are now part of the environment of the West Bank. One of the features that impacts both preventive and curative services in the Palestinian territory relates to the funding and organization of the existing healthcare system. The Palestinian Authority allocates an annual budget based on its resources and the return of tax receipts. The Israeli government consistently interrupts the flow of these receipts. During the current fiscal year, the Palestinian Authority cut its allocation for the Ministry of Health by 30 percent. We have no data on the budget in Gaza. The multiplicity of providers and the absence of a coordinated plan add to challenges of provision of adequate healthcare. The hurdles to providing adequate healthcare for people living in the West Bank and Gaza are inescapably connected to the political situation in the region. To separate health from overall conditions is almost impossible, but some effort in designing a healthcare system for Palestinians is a moral and urgent necessity.

The difficult circumstances that Palestinians in the West Bank and Gaza face have a major impact on their demographic and health conditions. These conditions complicate administering services for the Palestinian Authority in the West Bank and for Hamas in Gaza, as well as for relief agencies. The remarkable increase in loss of lives in the latter decades of the twentieth century exemplifies the demographic impact of these conditions. As a result, the West Bank and Gaza have a relatively young population—46 percent of Palestinians are under fifteen. Fertility in the Palestinian population averages five children per female, which adds more to the young ranks. (Science & Diplomacy, 2013)

About Economic and Social Condition of Palestinian People:

In the Palestinian territory poverty rate is said to be 25 percent of the total population, with an unemployment rate of 27 percent. After the recession in 2014, the World Bank reported in 2015 that the region was becoming poorer for the third consecutive year. Jerusalem's economy is based on service industries, including government, education, religion, and tourism, with manufacturing playing a relatively small role. Preservation of the city's historic character has also prevented the establishment of large-scale industry in the city and the surrounding area. (Cities of the world, Jerusalem, Economy, n.d.). The growth of income in developed economies is generated internally whereas growth of income in Palestine has been induced by external factors, primarily the demand for Palestinian labor in the Gulf States, before the Gulf War, and in Israel. The long-standing conflict between Israel and the Palestinian territories has created political instability and has been a cause of economic turmoil in the region. (The Borgen Project,
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2017). One example of this is the Gaza Blockade that Israel instated in the 1990s and intensified in 2007. This blockade severely reduced the mobility of Palestinians in the area and their ability to find work.

Food insecurity in Palestine is also driven by high poverty rates that have soared on account of mass displacement and loss of income sources due to deaths, unemployment, destruction of homes and economic restrictions on businesses and individuals. Since 2010, Israel has engaged in several large-scale military operations in Palestine, imposed restrictions on movement and access, withheld transfer of clearance 14 revenues and suspended humanitarian assistance. These factors have contributed to increased poverty and food-insecurity rates. In 2012, 34 percent of Palestinian families were classified as food-insecure, 7 points higher than in 2011. Palestinian Authority’s fiscal difficulties led to delays in wage payment, and increases in borrowing by Palestinian Authority employees. The Palestinian Authority’s liquidity crisis also gnawed public trust and pushed households to reduce consumption, according to WFP 2012.

Respect for human rights is an essential ingredient to the development of civil society and economy. Respect for human rights is the most basic indicator of quality of life in a society and the degree of inclusiveness of that society. Palestinian citizens do not feel very strongly that human rights are respected in their area. As many as 52 percent of Palestinians feel there is low to no respect for individual human rights, while only 7 percent feel citizens are afforded a great deal of respect. The low perception of respect for human rights in Palestine is not surprising in view of the chronic security threats and restrictions facing various communities in Palestine and in view of evidence on the ground of arbitrary mistreatment, extrajudicial punishments and other human rights violations from various parties. Human rights violations do not occur only randomly, but constitute a systematic and deliberate aspect of economic and security policies of Israeli forces in Palestine. Palestinians have been detained, restricted in their movement within and out of Palestine by various barriers, and faced restrictions on access to resources, on home construction and on other economic activities. In Palestine, low public perception regarding ethnic tolerance can be understood by referring to the polarization of society and people’s rights along ethnic and religious lines. In West Bank, Palestinians suffer systematic discriminatory practices by the authorities merely because of their ethnicity. Palestinians are treated differently from next door Jewish settlers, and profiled as posing a security risk. While Israeli settlements expand, Palestinian communities become barely inhabitable with residents increasingly deprived of necessities, denied access to land and resources, and oftentimes forcibly displaced. (Hlasny, Vladimir, Battal, Lea & El-ahmadih, Lida, 2016)

Electricity crisis:

Electricity supplies have faltered since April 2017 following a dispute between the Palestinian authorities in Ramallah and Gaza about how to pay for fuel for the Gaza Power Plant. The situation has been compounded by the decline in electricity supplies from Israel following the Palestinian Authority’s decision, in June 2017, to reduce payments. There have also been
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ongoing problems with electricity supplied by Egypt from recurrent malfunctioning and lack of repairs to feeder lines.

Gaza has had only four to six hours of electricity per day for the past seven months and this situation continues despite the reconciliation agreement reached between the Palestinian Authority and the Gaza de facto authorities in October 2017. During periods of rainfall, the sewage/storm water station receives rainwater mixed with sewage. This must be pumped out to the stormwater infiltration ponds, to the sea or to open areas. When electricity from the grid is not available, these plants rely on backup generators that run on expensive fuel. The Khan Younis and Rafah areas that depend on Egyptian feeder lines to a greater extent have been the most affected. (OCHA, 2017)

Considering all facts, it is necessary for the Muslim states to put efforts for the welfare of all the residents of Jerusalem. The aim of development and their progress must be accomplished. There is a grave need to focus on all matters and find a best way in favor of innocent people.

This committee is set up to look into the matter on how all of these policies morphed the infrastructure of Jerusalem and how social stability has frequently been disturbed due to the geopolitical transformation of land control and roads network, which favors one group (Israeli Jews) over another (Palestinian Arabs—Christian and Muslim).

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War Crimes and Human Rights Violation within the Muslim World

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War crimes and human rights violation within the Muslim world

The contemporary world is witnessing a rising number of grave political and military combat. The momentous clashes around the world, is tremendously causing harm to social order within states and high human cost. The Muslim world is the serious victim of the highly contentious conflicts within states and subsequently, has to face of war crimes and human rights violation. resultantly they are also coping with war crime and human rights violation. The war crimes and human rights violations are grave issues of the time and it needed to be understand. In international politics, War Crime is understood by the definition given in Article 8 of the Rome Statute of the International Criminal Court. It says breaches of the Geneva Conventions of 12 August 1949 that elaborate any act against persons or property protected under the provisions of the relevant Geneva Convention would consider a war crime. The provision includes wilfully causing harm to unlawful deportation, Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated. (Rome Statute of the International Criminal Court, 2011, p. 4).

Whereas the most commonly accepted definition of Human Rights is written in the Universal Declaration of Human Rights (see, The Universal Declaration of Human Rights, 2015). Human rights refer to all tenacious matters of the society from the “liberty of life, property, freedom and its safety, more broadly freedom of speech expression, gender right, racial-ethnic rights, slavery, torture persecution, unemployment” all come under its definition. The OIC seems to accept
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internationally defined criteria regarding both issues along with Islamic values. The OIC stand regarding human right is enclosed in the excerpt from the preamble of the OIC charter. It declares that the member states are

“to uphold the objectives and principles of the present Charter, the Charter of the United Nations and international law as well as international humanitarian law while strictly adhering to the principle of non-interference in matters which are essentially within the domestic jurisdiction of any State.” (Organisation of Islamic Cooperation. preamble).

The war crimes and humanitarian atrocities is surprisingly more observable within the Muslim States. Muslim states are incapable to protect human right values those are endorsed in the charter of the Organization of Islamic Cooperation to which most of them are associated. Internal conflict and civil strife within Muslim states are responsible for loss of life and ignorance of human rights. The situation is worse in all victimized states. Extremely outraged countries by war crimes are Syria and Yemen. In fact the responsibility of war crimes lies onto the shoulders of all those groups who are fighting directly or indirectly, even the government in certain cases is too find guilty of this as they failed to protect human rights values. There are numbers of news reports mentioning about war crimes, horrific tortures, forced persecution, harassment, heinous act of sexual violence, brutal murder of activists, extortion, increasing attacks on social activist etc.

Freedom House report of 2011 mentioned about world’s worst and most repressive societies which include most of the Muslim states. The report labelled Muslim countries as worst of the worst. According to reports Libya, Somalia, Sudan, Turkmenistan, and Uzbekistan rank as the worst in human rights violations. It also includes some other states like Burma where
sever humanitarian atrocities upon Muslim habitant is awful. (Report Freedom House, 2011, p.6)

The Syrian regime is under the allegation of the serious war crime of using chlorine gas, a chemical agent, in eight separate incidents in April and May 2014. Later on, in June UN investigated report listed Syrian President Bashar al-Assad in the list of 20 sample war crimes indictments of government officials and rebels, the list compiled by the expert group included members of Syria’s military and political elite including Islamist rebel groups ISIS and al-Nusra Front, while other names were not disclosed (Nebehay, 2014). There have been number of research findings discussing conduct of the warring parties in the Syrian Arab Republic which have caused civilians immeasurable suffering, also massacre and unlawful killing by government forces. (see, Report of the independent international commission of, 2014).

Human right watch mentioned the spread and intensification of fighting in Syria have led to a dire humanitarian crisis. The ‘death toll from the conflict as of February 2016 was 470,000’. Torture and ill-treatment are rampant in detention facilities; thousands have died in detention. More than 117,000 have been detained or disappeared since 2011, the vast majority by government forces, including 4,557 between January and June 2016, according to the Syrian Network for Human Rights. Abuses done by security forces are common in countries like Egypt, Pakistan, Libya etc. According to the Egyptian Commission for Rights and Freedoms, an independent rights group, 378 persons had been disappeared over the previous 12 months and the whereabouts of at least 87 remained unknown. These numbers do not include those who were found killed after having gone missing. Similarly in Libya Human Rights Watch
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claimed Libyan National Army forces (LNA) as convector of a war crime (Human Rights Watch, 2017). Afghanistan is under constant scrutiny by international bodies with regards to a human right. (Afghanistan 2017/2018, 2017).

The terrorist organizations carrying out a deadly attacks between 2011 till now, killing and wounding dozens of people, damaging the cities and citizens properties. ISIS, since declaring its caliphate in June 2014, has conducted more than 140 terrorist attacks in 29 countries other than Iraq and Syria, where carnage has taken a much deadlier toll. Those attacks have killed at least 2,043 people and injured thousands more (Tim Lister, 2018). Similarly, in the recent Yemen crisis, Saudi Arab and its coalition are alleged of committing War Crimes. Myanmar crisis witnessed “the mass exodus of almost 700,000 Rohingya civilians from Rakhine state in Myanmar, to Cox’s Bazar, Bangladesh, shaped a humanitarian crisis that seized the attention of the world.” (Report of the Secretary-General on conflict-related, 2018, pp. 16-17). At the end of 2016, the number of displacement due to global wars and conflict exceed 65.6 million. (Edwards, 2017)

Through the above study, it can be evaluated that responsible factor of war crimes and human right violations are the continuous influx of foreign fighters, extremism in societies, rising sectarian tensions, racism, competition for resources such as water, oil or gas, and the increasingly vulnerable socioeconomic situation of refugees. These are the factors that contribute to the spill over of violence, affecting regional peace and stability. The encouraging factor of war crimes are the ethnic, racial and sectarian differences.

There are certain groups in third world countries who believe human rights as defined and developed by the western liberal tradition so this sometimes keeps them aloof to understand
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and accept the western defined Human right values. Such pertaining
biases protruded the Cairo Declaration on Human Rights in Islam, it says in Article 1,

“All human beings form one family whose members are united by submission to God and
descent from Adam. All men are equal regarding basic human dignity and basic obligations
and responsibilities, without any discrimination on the grounds of race, colour, language,
sex, religious belief, political affiliation, social status or other considerations.” – (Cairo
Declaration on Human Rights, n.d)

Cairo declaration explicitly declares for the dignity of all human being. OIC member states,
respecting their own adopted principle, must come up with the clear strategy in order to avoid
war crimes and effort for the betterment of human rights in the Muslim world. The
information contained in the overall study is not complete yet analysable, so considering all
the findings mentioned in above discussion OIC must unanimously find the dynamics of
these problems to sort it out and pull the people out of this miserable condition. The
substantial energies must apply to protect civilians and their freedom. A flawless monitory
system must be fixed in order to deliver socio-economic sustainability in societies. It is
necessary for the states to owe their own law and respect it. An attempt must be made at grass
root level to spread the notion to strictly prohibit violent means in relation to the submission
of religious law, with due respect for a diversity of religious groups and practices. With this
platform of Council of Foreign Ministers, OIC member will look into this matter and will
take every possible measure that should be taken in favour of the Muslim Ummah.
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References


Further Readings


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