

The Role of the United Nations in Protecting Human Rights in Palestine (The Phase of Post-Al-Aqsa Flood)

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ABSTRACT

This article examines the United Nations' capacity to protect human rights in the Occupied Palestinian Territory in the post-7 October 2023 phase by combining doctrinal legal analysis of the UN Charter, international human rights law and international humanitarian law with an institutional case study of UN decision-making and implementation. It analyses (i) the normative obligations and competence of key UN organs and mechanisms, (ii) the extent to which their responses generated protection outcomes, and (iii) how institutional paralysis—particularly veto politics in the Security Council—mediated the gap between legal norms and effective protection. The study triangulates primary UN documentation (Security Council/General Assembly resolutions, OHCHR/OCHA reports, and official UN communications) with peer-reviewed scholarship and selected NGO evidence used only for corroboration. It argues that the UN's contribution has been strongest in documentation, agenda-setting and humanitarian coordination, yet structurally weak in coercive protection and accountability, producing a persistent norm-implementation gap.

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1. Introduction

The Palestinian issue is one of the most prominent international issues that has been a constant test of the effectiveness of the international system and the United Nations (UN) system since its inception. The recent October war has once again revealed the extent of gross violations of Human Rights (HRs) and international humanitarian law in the occupied Palestinian territories, including the targeting of civilians, widespread destruction of infrastructure, imposition of siege, and forced displacement. In this context, questions have been raised about the UN's ability to fulfil its legal and moral obligations to protect HRs in Palestine, and the effectiveness of its various mechanisms in moving from condemnation and documentation to protection and accountability. This study,

thus, seeks to answer the following key question: To what extent has the UNs succeeded in protecting HRs in Palestine after the October War?

Research question: How, and with what effectiveness, did the UN's legal and institutional mechanisms translate (or fail to translate) human-rights and IHL obligations into protection outcomes in the OPT from 7 October 2023 through July 2025?

Contribution: The article develops an institutional-paralysis model that links veto politics, mandate fragmentation and compliance deficits to measurable protection outputs (ceasefire enforcement, humanitarian access, and accountability pathways). It further operationalises this model through a comparative lens (Bosnia/Syria/Ukraine) to explain variation in UN performance across conflicts.

Structure: Section 2 reviews the literature and sets out the theoretical framework; Section 3 explains the methodology and source selection; Sections 4–8 provide the legal and institutional analysis and comparative discussion; Section 9 concludes with policy-oriented recommendations.

2. Literature Review and Theoretical Framework

This article is situated at the intersection of (a) UN institutional effectiveness and international governance, (b) the norm-implementation gap in human rights protection, and (c) Security Council veto politics. Drawing on international governance theory, the analysis treats the UN as a multi-level regime whose outputs depend on mandate design, coalition formation, and compliance incentives. The 'norm-implementation gap' is used to assess why strong legal norms may yield weak protection where enforcement authority is fragmented. Veto politics theory explains how permanent-member preferences can produce institutional paralysis even amid mass-atrocity risks. Finally, the Responsibility to Protect (R2P) framework is employed as an evaluative lens for prevention, reaction, and accountability—without assuming that R2P automatically authorises coercive force.

3. Methodology

The study employs a doctrinal legal method combined with a qualitative institutional case study. First, it conducts doctrinal analysis of the UN Charter, IHL and IHRL instruments applicable to the OPT, and relevant UN practice to identify legal duties and institutional competences. Second, it applies a structured case-study protocol to UN action from 7 October 2023 to 23 July 2025: (i) identification of key decision points (Security Council votes, GA emergency sessions, HRC special sessions, OHCHR/OCHA reporting); (ii) extraction of observable outputs (binding/non-binding decisions, humanitarian access arrangements, investigative mandates, and referrals to accountability mechanisms); and (iii) assessment of outcomes against pre-defined indicators

(cessation of hostilities, civilian protection measures, and progress toward accountability). Source selection prioritises primary UN documents and peer-reviewed scholarship; NGO and media materials are used only as supplementary corroboration where primary evidence is unavailable. A short comparative module contrasts the OPT case with Bosnia, Syria, and Ukraine to test the explanatory power of the paralysis model.

4. The legal framework for the role of the United Nations in Palestine

The role of the UNs in protecting URs is based on its Charter, in particular the articles relating to the promotion of respect for HRs and the essential freedoms (1). It also includes applying the rules of international humanitarian law, in particular the Fourth Geneva Convention relating to the protection of civilians in time of war (2), as well as the two international covenants on civil and political rights and economic, social and cultural rights (3). The resolutions of the General Assembly and the Security Council constitute important legal and political references, but the lack of effective enforcement mechanisms has limited their practical impact in the Palestinian context. (4)

5. Context: the post–7 October 2023 phase

The October War broke out on October 7, 2023, following a widespread military escalation in the occupied Palestinian territories, particularly the Gaza Strip, leading to one of the most violent confrontations in the history of the Palestinian-Israeli conflict. The war was characterised by the intensive use of military force, including aerial, ground, and naval bombardment of densely populated residential areas. The military operations resulted in a huge number of civilian casualties, mostly women and children, and widespread destruction of civilian infrastructure (5). A comprehensive blockade was imposed on the Gaza Strip, including the cutting off of water, electricity, and fuel supplies and the prevention of humanitarian aid from entering. The war led to widespread internal displacement and an unprecedented deterioration in humanitarian and health conditions. These events sparked widespread international reactions, including condemnations and diplomatic moves within the UNs, but there was a clear inability to stop the military operations. The war raised once again the issue of protecting civilians and applying international humanitarian law. It also revealed the limited effectiveness of the international system in dealing with major humanitarian crises.

The war broke out when Palestinian resistance brigades, led by the Al-Qassam Brigades (the military wing of Hamas), launched a large-scale operation called “Al-Aqsa Flood,” targeting Israeli

military positions in settlements surrounding Gaza and resulting in the capture of several soldiers and settlers (7).

Israel responded with a large-scale military offensive on the Gaza Strip, involving intensive air and ground operations, which resulted in significant civilian casualties and damage to infrastructure (8).

The war was marked by heavy losses among Palestinian civilians, high rates of death, injury, and displacement, and widespread destruction of vital infrastructure such as hospitals, roads, and water networks (9).

Scientific studies have shown that this conflict has caused a complex humanitarian and health crisis, leading to the spread of disease, the collapse of services, and difficulties in accessing humanitarian aid, thereby weakening the population's ability to adapt and continue with their daily lives (10).



Source: Suspend Arms Transfers to End US Complicity in Israeli Abuses, US-Supplied Weapons Linked to Israel's Atrocities in Gaza, Human Rights Watch, December 7, 2024, Link: <https://www.hrw.org/news/2025/02/04/suspend-arms-transfers-end-us-complicity-israeli-abuses>

Moreover, a number of researchers have pointed out that the bombing led to serious violations of international humanitarian law, including the targeting of civilians and protected facilities, as well as restrictions on the entry of humanitarian supplies (11).

Some studies have also addressed the security and geopolitical dimensions of the conflict and its impact on stability in the Middle East, reflecting the nature of the war as a major regional and international conflict (12).

Academic literature has repeatedly used concepts associated with violent practices that may amount to discrimination, ethnic cleansing, or human rights violations in describing these events, which require independent investigations to determine responsibilities under international law (13).

Other researchers in the humanities and social sciences have also discussed the psychological and social impact of war, including the deepening sense of identity and collective suffering among Palestinian society after the conflict (14).

¶This war sparked widespread international reactions in the Security Council and the UN General Assembly, with calls for a ceasefire and for the protection of civilians and accountability for violations (15).

The conflict also had a significant impact on media reporting and political analysis, with numerous studies focusing on how the conflict was documented and covered in newspapers and various media outlets, reflecting the importance of knowledge and monitoring in understanding the war (16).

6. Patterns of violations and the protection challenge

After the October War, the occupied Palestinian territories, particularly the Gaza Strip, witnessed a series of massacres and grave violations that amount to war crimes and crimes against humanity under international law. These violations took the form of widespread and deliberate targeting of civilians, including women and children, through intensive aerial and artillery bombardment of densely populated residential neighbourhoods, resulting in thousands of casualties and the destruction of entire neighbourhoods.

Furthermore, the massacres also targeted vital facilities protected under international humanitarian law, such as hospitals, shelters, schools, places of worship, and basic infrastructure such as water, electricity, and communications networks. This has led to the near-total collapse of the health and humanitarian system in the Gaza Strip and created catastrophic living conditions for the civilian population.



A Palestinian man looks at the destruction caused by Israeli attacks on the Al-Farouq Mosque and other nearby homes in the Shabura refugee camp in Rafah on February 22, 2024. © 2024 Abed Rahim Khatib/picture-alliance/dpa/AP Images, 2024 Abed Rahim Khatib/picture-alliance/dpa/AP Images , Source: <https://www.hrw.org/report/2024/11/14/hopeless-starving-and-besieged/israels-forced-displacement-palestinians-gaza>



source: Tents housing displaced Palestinians crowd the beach and Mediterranean coast in Deir al-Balah in central Gaza on May 28, 2024. © 2024 Magdi Fathy/Noorphoto via Associated Press, <https://www.hrw.org/report/2024/11/14/hopeless-starving-and-besieged/israels-forced-displacement-palestinians-gaza>



Satellite images show a large crowd of people gathered along Salah al-Din Road in southern Gaza as they attempt to flee southward through the evacuation corridor designated by Israel on November 17, 2023.

Satellite image © 2023 Maxar Technologies, Source: <https://www.hrw.org/report/2024/11/14/hopeless-starving-and-besieged/israels-forced-displacement-palestinians-gaza>

One of the most serious violations accompanying the war was the imposition of a comprehensive blockade and the prevention of food, medicine, and fuel from entering the Gaza Strip, which constituted the use of starvation as a means of warfare, in clear violation of the Geneva Conventions. There were also reports of widespread forced displacement, with hundreds of thousands of Palestinians forced to flee internally in inhumane conditions, without safe passage or guarantees of protection.

UNs reports and international HRs organisations have documented these massacres and confirmed the existence of a recurring pattern of grave violations that warrant independent international investigations and immediate legal accountability.

Timetable of basic statistics on the massacre and victims (since October 7, 2023)

Item	Estimated number
Number of Palestinian martyrs in Gaza	Martyr + 59,219
Number of Palestinians injured in Gaza	Wounded + 143,045
Victims killed while accessing humanitarian aid	Martyr+ 1,060
Number of casualties during the delivery of humanitarian aid	Injury +7,207

The researcher designed the table based on a report by the United Nations Office for the Coordination of Humanitarian Affairs.

source: Humanitarian Situation Update #307 | Gaza Strip, OCHA United Nations office for the coordination of humanities affairs, 23 Jul 2025, Link: <https://www.ochaopt.org/content/humanitarian-situation-update-307-gaza-strip?utm>

Table: combined damage to vital facilities in Gaza

Item	Estimated
Number of hospitals in Gaza	38 hospitals before the war
Hospitals that were directly attacked	27 hospitals
Number of strikes on hospitals and clinics	136 strikes
Health clinics that have been attacked	12 clinics
Number of the schools damaged/affected	493 out of 564 schools
Schools completely damaged (including those unusable)	71 schools
Percentage of schools affected among Gaza residents	87% of the schools

Victims in schools used as shelters	836 martyr
Schools that were directly attacked on specific days	10 schools during only July 2025

Source: The researcher designed the table regarding the references 17, 18 and 19.

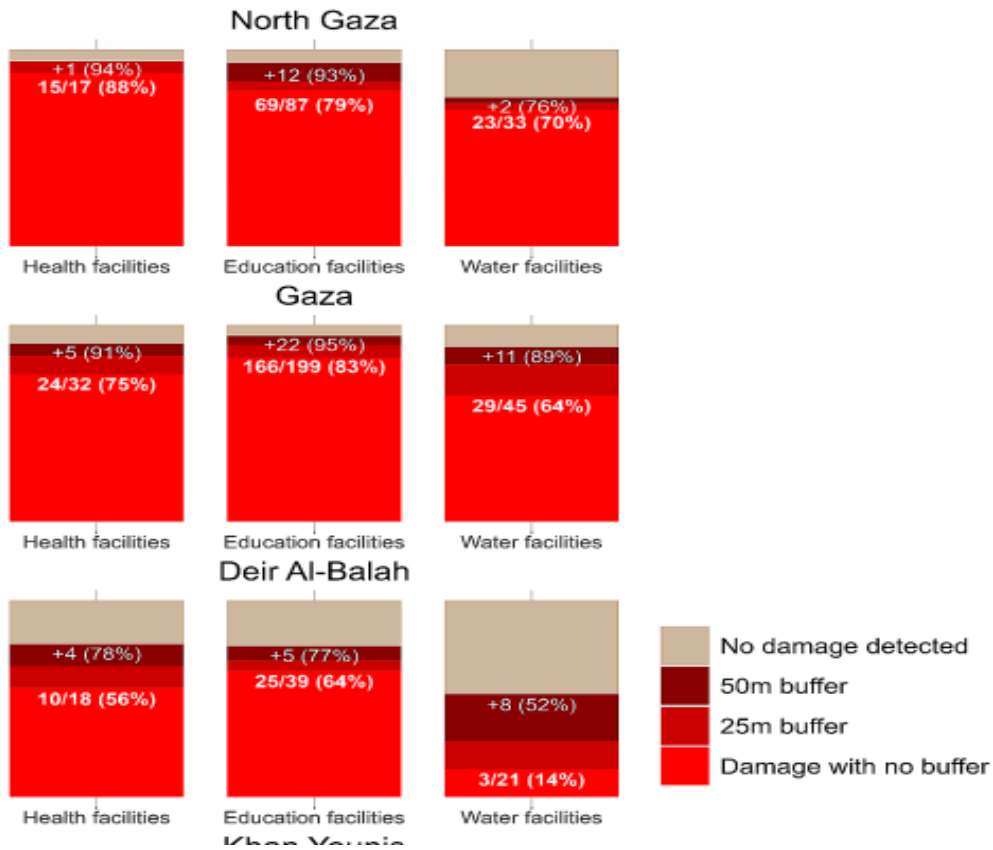
The above table demonstrates the extent of damage to infrastructure, facilities, and public services in the Gaza Strip, where more than 75% of hospitals in Gaza have been destroyed, and the remaining hospitals are also vulnerable to bombing at any moment. These hospitals lack medical staff, medicines, and other supplies. More than 87% of schools have been destroyed, and the remaining schools have been turned into shelters.

Table 3 Percent and counts of damaged facilities in the Gaza Strip by facility type, stratified by whether more or less than half of each facility's boundary intersected with SAR-detected damage

Buffer level (meters)	Facility Type	N	Any damage	<50%	>=50%
2	Health facilities	97	59 (60.8%)	25 (25.8%)	34 (35.1%)
25			68 (70.1%)	41 (42.3%)	27 (27.8%)
50			76 (78.4%)	49 (50.5%)	27 (27.8%)
0	Education facilities	475	324 (68.2%)	133 (28%)	191 (40.2%)
25			360 (75.8%)	199 (41.9%)	161 (33.9%)
50			392 (82.5%)	243 (51.2%)	149 (31.4%)
0	Water facilities	152	64 (42.1%)	8 (5.3%)	56 (36.8%)
25			78 (51.3%)	17 (11.2%)	61 (40.1%)
50			89 (58.6%)	31 (20.4%)	58 (38.2%)

Source: Asi, Y., Mills, D., Greenough, P.G. *et al.* 'Nowhere and no one is safe': spatial analysis of damage to critical civilian infrastructure in the Gaza Strip during the first phase of the Israeli

military campaign, 7 October to 22 November 2023. *Confl Health* 18, 24 (2024).
<https://doi.org/10.1186/s13031-024-00580-x>



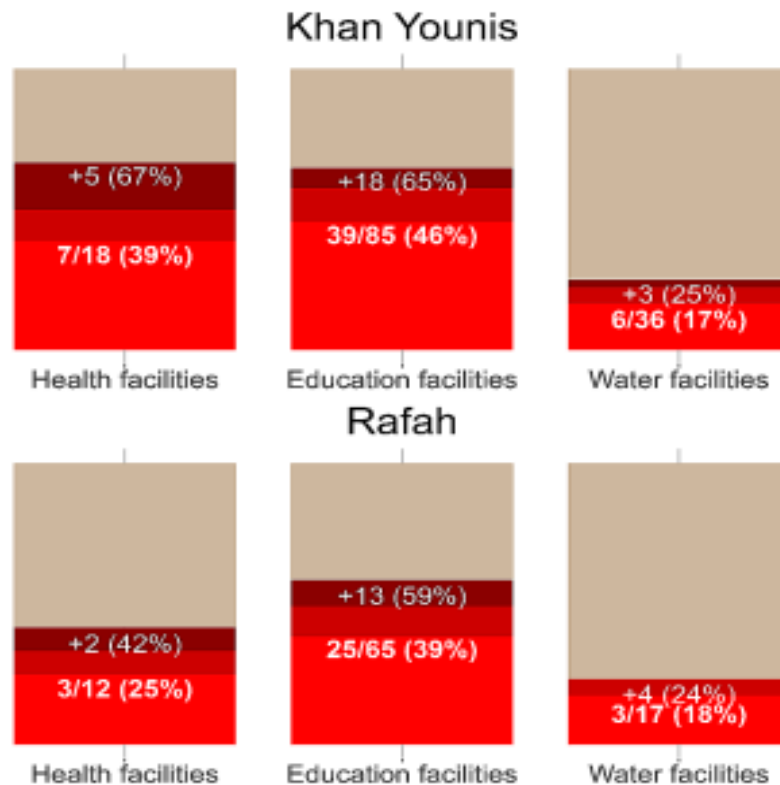


Fig. 4 Number of damaged facilities and percent damage to health, education, and water facilities by governorate and buffered area

Source: Asi, Y., Mills, D., Greenough, P.G. *et al.* 'Nowhere and no one is safe': spatial analysis of damage to critical civilian infrastructure in the Gaza Strip during the first phase of the Israeli military campaign, 7 October to 22 November 2023. *Confl Health* 18, 24 (2024). <https://doi.org/10.1186/s13031-024-00580-x>

Appendix A. Selected weapons and tactics (supplementary)

There are no accurate and published figures on the number of aircraft and the nature of Israeli weapons used in the bombing of Gaza. However, the reports indicate that:

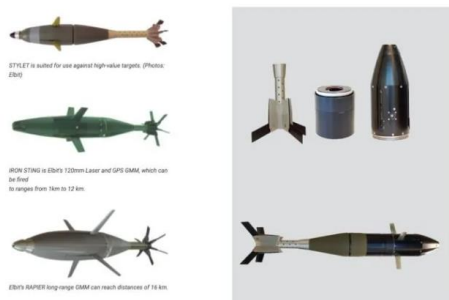
- a) The strikes were carried out by the Israeli Air Force (warplanes and drones), using air-to-air missiles, precision-guided missiles, and air-to-surface missiles to cause widespread damage in civilian areas (20).
- b) Weapons used to strike hospitals and schools often include wide-area explosives that cause massive damage to non-military buildings, which is legally unjustifiable if there are no clear military targets within civilian facilities (21).

- c) Reports indicate that some strikes resulted in mass killings of civilians inside health facilities and schools due to the use of heavy munitions in populated areas without adequate measures of distinction in accordance with international humanitarian law (22).
- d) F-35I aircraft — An advanced version of the American F-35 aircraft used for air strikes, considered one of the most advanced in the Israeli arsenal and used to strike targets in Gaza (23).
- e) Guided air-to-ground bombs such as the Bunker Buster, GBU-31, Small Diameter Bomb, GBU-39 (small diameter bomb) — accurately guided to strike underground targets and infrastructure (24).
- f) M-109 155 mm shells and cannons — heavy artillery widely used to bombard ground targets, some of which carry white phosphorus, the use of which against civilians is prohibited under the laws of war (25).
- g) Shells (M107A3) and other trajectories — multiple explosive shells used by Israeli artillery systems on the battlefield (26).
- h) Shoulder-fired missiles “Hawlet” and “Yitid” — newer than previous shoulder-fired missiles, with greater destructive power and range, used in urban combat (27).
- i) 120 mm guided missiles Iron Sting, Steel Sting — advanced mortar projectiles that use laser and GPS guidance systems to accurately hit the targets. (28)
- j) Emer White armoured vehicles — combat vehicles equipped with cannons and advanced protection mechanisms, used for ground movements inside Gaza (29).
- k) 7.62 mm Negev machine guns — heavy machine guns used by the army during ground operations. (30).
- l) Saar 5 frigates — German/American naval units armed with cannons and missiles, used to support naval attacks on Gaza.(31).
- m) Israel has used **Artificial Intelligence AI-powered weapons systems** to improve guidance and targeting, including real-time target tracking and analysis systems in air and sea attacks (32).



Left image: 120mm CARDOM/ Iron Sting mortar system onboard an IDF M1064 Armoured Personal Carrier in 2022. Source: [IDF](#)

Right Image: Lt. Col. Liron Cohen holds a cross-section of Israel's Iron Sting mortar. Source: [Breaking Defence](#).



Left image: EBIR 120mm Guided Mortar Munitions. Source: [EBIR](#)

Right image: EBIR Laser and GPS-Guided Mortar boir-on kit. Source: [EBIR](#)



Left image: SPICE 2000 mounted on the middle pylons of this F-16I aircraft. Source: [Rafael](#)

Right image: 2000 lb bomb site in Gaza. Source: [New York Times](#)

Source: Luke Woodall-Gillard, “Israel’s Dirty Dozen: The IDF’s Deadliest Weapons in Gaza,” AOAV, November 5, 2024, link: <https://aoav.org.uk/2024/israels-dirty-dozen-the-idfs-most-lethal-weapons-in-gaza/?utm>

Many of these weapons were provided with the support and cooperation of the United States (US), and have raised legal and humanitarian concerns regarding the use of heavy weapons in populated areas (33). International reports (such as those by the United Nations Human Rights Office) have raised concerns about the intensive use of heavy bombs under the laws of war.(34).

7. UN political and human-rights mechanisms

7.1 Security Council

The Security Council discussed developments in the war. However, the political divisions and the use of the veto prevented the adoption of binding resolutions to ensure the protection of Palestinian civilians, reflecting the limitations of the collective international security system (35).

7.2 General Assembly

The General Assembly played a relatively more active role by issuing resolutions condemning the violations and calling for a ceasefire and the facilitation of humanitarian aid. However, its resolutions remained within the realm of political and moral pressure without any executive power (36).

7.3 Human Rights Council

The Human Rights Council held special sessions, formed fact-finding commissions, and contributed to documenting serious violations, providing an important legal basis for future accountability, despite its limited enforcement tools. These efforts included collecting field testimonies and statements, analysing digital evidence, and documenting patterns of systematic violations against civilians and civilian infrastructure. The reports of the commissions of inquiry helped highlight the widespread and systematic nature of some violations, which may amount to war crimes or crimes against humanity under international law. These reports also provided an important reference for international organisations and judicial bodies, including the International Criminal Court, if accountability mechanisms are activated (37). Nevertheless, the role of the Human Rights Council remains limited by its advisory nature and lack of direct enforcement powers. Its reports also face political challenges related to the extent to which the countries concerned accept their findings or cooperate with the commissions of inquiry. Despite these limitations, the Council remains a central tool in preserving the legal memory of armed conflicts. Its work contributes to preventing the obliteration of facts and promoting the principle of non-impunity in the long term. Its activities also reflect the importance of the human rights dimension in the management of contemporary international conflicts (38).

7.4 OHCHR and special procedures

The Office of the High Commissioner for Human Rights documented the situation in the Gaza Strip, describing it as an unprecedented HRs and humanitarian crisis. Special rapporteurs also played an important role in highlighting violations and framing them legally, yet their recommendations faced political obstacles that prevented their implementation (39).

7.5 UN agencies and humanitarian protection

The UNs Relief and Works Agency for Palestine Refugees (UNRWA) is the most prominent humanitarian actor in protecting the economic and social rights of Palestinian refugees. Other UN agencies have also been involved in providing emergency humanitarian assistance, but restrictions

on humanitarian access, combined with financial and political pressures, have limited the effectiveness of these efforts (40).

7.6 Accountability pathways under IHL and the Rome Statute

To move beyond documentation, the legal analysis should specify how key patterns of conduct may satisfy the elements of war crimes and (where applicable) crimes against humanity under the Rome Statute, including (i) intentional attacks on civilians and civilian objects, (ii) disproportionate attacks, (iii) starvation of civilians as a method of warfare, (iv) forcible transfer, and (v) obstruction of humanitarian relief. The section should also distinguish attribution and responsibility: state responsibility under the law of state responsibility, individual criminal responsibility before the ICC, and the duties of third states regarding aid/assistance, arms transfers, and cooperation. Finally, it should evaluate the practical routes to accountability through ICC jurisdiction, domestic universal jurisdiction, and UN investigative mandates.

8. Discussion: institutional paralysis and the norm-implementation gap

The study shows that the UNs has succeeded in keeping the Palestinian issue on the international agenda, documenting violations, and mobilising global public opinion, but has failed to achieve tangible protection for Palestinian civilians or ensure effective legal accountability for perpetrators of violations, reflecting a structural flaw in the international governance system.

8.1 Security Council resolutions (Oct 2023–present)

(a) Resolution No. 2712 (November 15, 2023)

It called for temporary humanitarian pauses and the opening of humanitarian corridors in the Gaza Strip to allow aid to reach civilians and ease their suffering. It was adopted by a majority vote of the Council members (12 + 3 abstentions) (41).

b) Resolution No. 2720 (December 22, 2023)

Increase humanitarian aid in Gaza, open all crossings, appoint a senior relief and reconstruction coordinator, and call for improved delivery of essential supplies (42).

(c) Resolution No. 2728 (March 25, 2024)

It called for an immediate truce in the Gaza war during Ramadan and the release of all hostages, and was accepted by a majority vote with the United States abstaining (43).

d) Resolution No. 2735 (June 10, 2024)

It called for Hamas to accept the proposal for a ceasefire and prisoner exchange as part of a broader peace plan, with a commitment to support a two-state solution (44).

Furthermore, in November 2025, the Security Council voted on a resolution supporting an international force and initiatives for a long-term ceasefire and the revitalisation of Gaza as part of an international plan, a resolution that includes support for a step-by-step cessation of hostilities (45).

e) Repeated attempts at ceasefire resolutions in the Security Council in 2025.

In June 2025, the ten non-permanent members of the Security Council drafted a resolution calling for an immediate and unconditional ceasefire and the delivery of humanitarian aid, but the United States used its veto to block it, despite the support of the majority of members (46).

It is obvious that the US veto has, on more than one occasion, prevented the adoption of binding resolutions on ceasefires.

8.2 General Assembly resolutions (Oct 2023–present)

The resolutions of the General Assembly are not as “legally binding” as Security Council resolutions; however, they carry strong international political weight:

a) In June 2025, a majority of the General Assembly voted in favour of a resolution calling for an immediate and unconditional ceasefire in Gaza, the lifting of the blockade, and the protection of civilians, after the Security Council failed to pass a similar text (47).

b) In December 2024, the General Assembly adopted a resolution calling for a ceasefire and the release of hostages, condemning Israel's practices towards the (UNRWA) for Palestine Refugees in the Near East and calling for respect for international law (48).

9. Conclusion

This study concludes that the role of the UNs in protecting human rights in Palestine, particularly in the aftermath of the October War, remained limited in its effectiveness, governed by deep-rooted political and structural constraints. Despite the broad legal framework on which the international organisation is based and the multitude of UN mechanisms concerned with human rights, the reality of practice revealed a clear gap between international legal texts and the mechanisms for their actual implementation on the ground.

Through its various bodies, the UNs has played an important role in documenting the grave violations suffered by Palestinian civilians and in providing emergency humanitarian assistance

through its specialised agencies, foremost among them UNRWA and the Office for the Coordination of Humanitarian Affairs. However, despite their humanitarian and legal importance, these efforts have not translated into real deterrent measures or binding legal accountability to ensure that violations are stopped or prevented from recurring.

This failure is primarily due to a lack of international political will, particularly within the Security Council, where the repeated use of the veto has prevented the adoption of decisive and binding resolutions that would provide effective protection for civilians or pave the way for international accountability. Structural imbalances in the international system and the imbalance of power have also contributed to weakening the UNs' ability to fulfil its role as an impartial guarantor of international humanitarian law and human rights law.

Accordingly, the study affirms that the continuation of this situation not only infringes on the rights of the Palestinian people but also negatively affects the credibility of the entire international protection system and raises fundamental questions about the effectiveness of the UN system in dealing with conflicts in which the political interests of major powers intersect. Hence, there is an urgent need to reform the working mechanisms of the United Nations, strengthen its independence, and activate international accountability tools, in order to ensure the transition from condemnation and documentation to effective protection and legal accountability, in line with the principles on which the international organisation was founded.

10. Recommendations

1. Activate international accountability mechanisms, including support for the jurisdiction of the International Criminal Court.
2. Reduce the paralysis of the Security Council on serious humanitarian issues.
3. Provide sustainable political and financial protection for UNRWA.
4. Strengthen coordination between the United Nations and independent international human rights Organisations.

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