

Position Paper of the Ukrainian Soviet Socialist Republic at MOVENU 2011

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Committee: Historical Security Council

Topic: Revision of the Palestinian Mandate / The Palestine Question



How do we call the right of the people of having its rightful home, after suffering the worst horrors in the history of mankind? Do we call it compassion and pity? Or should we call it Justice? This claim should not be based on religious arguments, but under the principle of self determination of peoples, the right all of the peoples of the United Nations have to exist, develop and be respected. How do we call forgetting the promises and pledges made to different peoples that assured them, what they desired the most? How do we call not ensuring a Non Self Governing Territory they rights enshrined in article 73? What is it worse, to deny a right? Or to remain silent until the rightful owners of such a claim turn to each other? As we can see inaction is also a weapon of mass destruction.

We Ukrainian Soviet Socialist Republic believe that colonialism had taken its toll on the Palestinian people; it consumed the hope that was left after so much pain, and gave its way for the hate to grow. We saw this when in the General Assembly at its second meeting of September 26 of 1947 the parties concerned established their positions regarding the recommendations of the United Nations Special Committee on Palestine (UNSCOP), Our delegation saw something that determined why is the Security Council discussing this now, each of the parties had a different stance, and all of them were intransigent with the other parties concerned. This lead the UNSCOP to make a series of recommendations that embodied two plans, one that embraced all

the peoples in Palestine in one country, and the other that was a consequence of what we saw in the General Assembly, that is the Partition Plan we voted in favor of.

Our delegation strongly believes that the path to peace is marked by the spirit of this Partition plan and by resolution 181(I) of the General Assembly. However the implementation of this resolution requires the strong will of the members of the United Nations to be carried out. Here we make mention to paragraphs a, b and c which establishes the duty the Security Council must take in the implementation of this plan. Naturally the task the Security Council must embody is the one established in chapter V of the Charter which is to safeguard international peace and security. Regarding paragraph a, in the Report of the United Nations Palestine Commission(S/663 of January 31<sup>st</sup> of the present year) we can find several setbacks that the report points out to be taken into consideration, specially the highly technical problems that they are facing and that they can't manage because they are not prepared to do so, these problems are pointed out in part 5, 13 and summarized in part 14.

In part 14 we can acknowledge the priority the Commission has given to the negotiations with the mandatory power, the Council must help the commission and ask the mandatory power to cease its inaction policy and to fully cooperate with the commission and the implementation of the partition plan. Regarding the technical help the president of the Council should send a letter to the General Assembly and the Secretary General to answer the petitions made by the Commission regarding the technical help. The Security Considerations stated in part 13 of the report show us that the parties concerned must cooperate in order to solve the issues affecting the security in Palestine. Also to reinforce this action the Security Council must call all the member states to refrain from any action that can further deteriorate the situation in Palestine.

Regarding paragraphs b and c we consider that two things should be done, first a more deep report regarding the security situation in the region should be requested to the Commission, and when this report arrives the permanent members should debate and consult between them if article 39 of the charter is applicable and report to the Council if such a threat exists and they must also report how the Council should address the situation and consider also the application of article 42 under the scope of article 106 and its implications regarding the partition plan, but if such a threat does not exist then they should also develop recommendation on how the Council should address the situation. Furthermore we believe that the supplement of the authority of the General Assembly through paragraph b of Resolution 181 should be one of the last resources in the addressing of a critical moment in the situation so the council can empower the commission not only with article 41 but also with article 42 for the establishment of the conditions for the partition plan. The Ukrainian Soviet Socialist Republic considers that the claims of the rightful parties to the situation must be taken into account when the policies and actions, regardless if it's under chapter VI or chapter VII, are drawn.

The fundamental rights and freedoms of Arabs and Jews alike must be respected by these actions. The United Kingdom cannot continue playing its colonialist, apathetic and selfish policy of waiting that the parties come along through an act of magic instead of taking responsibility of its unfulfilled pledges and cooperate with the Commission and with the Council in the settlement of the dispute. We must remember that the decision of remaining silent and not taking actions it also has consequences, and as we can see these consequences are of the most hideous ones.

There are few actions that can be actually taken under article 33 of the charter, establishing in order to maintain international peace and security must seek a solution by first: Negotiation, we have seen the disputes between the parties and it has been present the unwillingness to

negotiated; Enquiry, it's under the Commissions duties established in paragraph 14 in part B of the resolution 181 to report to the Council its founding; Mediation; It's responsibility of the Commission and the Mandatory Power to respond to this duty of founding a middle point of conciliation between the parties; Conciliation, it's clear that neither of the parties is willing to proceed to a conciliation process; Arbitration, the legal conditions of the Palestine situation hasn't existed because it's a non Self – Governing Territory; Judicial Settlement, there is no need for it since the plan already exists; Resort to regional agencies or arrangements, None of the regional agencies can assure the impartiality that the situation needs, furthermore it's only composed of Arab Nations; Other peaceful means of their own choice, If they cannot agree to any kind of negotiation process It would be harder to establish this other peaceful means. However the Ukrainian Soviet Socialist Republic will be glad to call for the use of article 36 of the charter. We believe peace can return to this region, we believe that just as peace returned to Europe, peace can return to Palestine.

Since the council actually cannot use the measures under article 33 for the reasons exposed in the previous lines, we believe that in order to prevent the aggravation of the situation the Council should use provisional measures under article 40 of the charter that shall bolster the security situation in Palestine. Calling the Member States of the Organization to refrain from any action that can worsen the political and security situation it's a head start that with the help of the council transform into a policy for peace. Another measure that can be taken under the scope of this article is calling the Mandatory Power to cooperate with the commission under its duties enshrined in article 73.

***“Justice and power must be brought together, so that whatever is just may be powerful, and whatever is powerful may be just.” – Blaise Pascal***