Academic Paper

Multinational Forces in the Gaza Strip

A Study of Their Legal Basis and Mandate



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Table of Contents

Table of Contents 1

Abstract 2

Introduction 3

First: The Legal Basis for Establishing Multinational Forces 4

Second: The Scope of the ISF's Mandate in the GS under the UNSC Resolution 8

Third: The Use of Force by Members of the International Force 13

Fourth: The ISF and the Fallacy of Ending the Israeli Occupation 15

Fifth: Immunities of International Force Personnel 19

Sixth: Privileges of Members of International Forces 22

Conclusion 22



Abstract

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This study examines the legal framework governing the deployment of multinational forces in the Gaza Strip (GS), focusing on the scope of their mandates and their compliance with public international law and international humanitarian law. It analyzes the legal basis for deploying these forces and assesses whether their mandates respect peoples' sovereignty and the Palestinian people's right to self-determination, with particular attention to the GS's status as part of the occupied Palestinian territory.

The study also examines the legal and practical challenges these forces may face amid a complex security environment and overlapping jurisdictions among international, regional and Palestinian actors, which may give rise to disputes over authority and responsibility. Furthermore, it draws on previous multinational deployments to identify relevant lessons while accounting for the fundamental differences between those missions and the Palestinian case, particularly the continued Israeli occupation and the resulting obligations under international law.

The study concludes that the legitimacy and effectiveness of deploying international forces depend not only on an international mandate but also on a clearly defined scope of authority, accountability and compliance with international law. These forces must not become instruments for perpetuating the occupation or imposing international trusteeship over the GS. Accordingly, their mandates must include clear legal safeguards to protect civilians and uphold Palestinian rights, while any international security arrangements must be tied to a process leading to the end of the occupation and the realization of the Palestinian people's right to self-determination.

Keywords:

Multinational forces	Gaza Strip	legal basis	Security Council	Peacekeeping	International mandates
Israeli occupation	Right to self-determination	Use of force	International accountability	Humanitarian aid	

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Multinational Forces in the Gaza Strip
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Introduction

The war in the Gaza Strip (GS), together with international and regional initiatives to manage the post-conflict phase, has revived proposals for deploying multinational forces to help restore security and stability, protect civilians and support transitional arrangements. Accordingly, several international initiatives and resolutions have envisaged roles for such forces that extend beyond traditional peacekeeping to include security and operational functions, such as monitoring ceasefires, facilitating humanitarian assistance, overseeing disarmament, and supporting Palestinian security forces.



On 17/11/2025, the UN Security Council (UNSC) adopted Resolution 2803, endorsing what US President Donald Trump described as his "Comprehensive Plan to End the Gaza Conflict." The resolution was adopted by 13 votes in favor, with no votes against and two abstentions by Russia and China. It also established two new institutional mechanisms: the Board of Peace (BoP), which would serve as a transitional administration under Trump's leadership, and a temporary International Stabilization Force (ISF) tasked with supporting the demilitarization of the GS and maintaining security.

On 19/6/2026, Hebrew media have reported that dozens of personnel from the multinational force arrived near the GS in recent days. The BoP also released images purportedly showing the arrival of vehicles and logistical equipment for the ISF. Meanwhile, *The Guardian* newspaper reported that members of the international force operating in the GS would be granted sweeping legal immunity.[2]

On 26/7/2026, Israel's Security Cabinet approved the deployment of the ISF, operating under the BoP, in the GS.

The deployment of a multinational force in the GS nevertheless raises a range of legal questions, including the legal basis for its establishment, the authority competent to authorize its deployment, whether the consent of the parties concerned is required, the scope of its mandate and authority to use force, and the nature of the immunities afforded to its personnel. It also raises questions about mechanisms for holding them accountable for violations committed in the course of carrying out their duties.

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[2] Site of Aljazeera.net, 19/6/2026, https://aja.ws/wfgt69 (in Arabic); Board of Peace (@BoardOfPeace), site of X (Twitter), 30/6/2026, 1:43 PM, https://x.com/BoardOfPeace/status/2071907547271897210; and Cate Brown and Aram Roston, Trump's Board of Peace plans to grant itself sweeping immunity, documents show, site of The Guardian newspaper, 27/6/2026, https://www.theguardian.com/law/2026/jun/27/board-of-peace-legal-immunity-un

This paper examines the principal legal issues surrounding the deployment of the ISF in the GS under UNSC Resolution 2803. In particular, it considers the legal basis for its establishment, its mandate and powers, the immunities afforded to its personnel, and the implications of its presence for the legal status of the GS.

First: The Legal Basis for Establishing Multinational Forces

The term "multinational forces" refers to forces composed of personnel from more than one state that operate jointly to pursue specific objectives under a defined legal or political framework. They may operate under the auspices of the UN, pursuant to a UNSC resolution, under an international or regional agreement, or as part of a military alliance. Such forces are characterized by the multinational composition of their personnel and units and by unified command or operational coordination, while each participating state generally retains authority over its forces unless otherwise provided in the agreement establishing the force.[3]

International law contains no single instrument governing the establishment of multinational forces. Rather, their legal basis depends on the nature of the mission, the entity establishing the force, the powers conferred upon it, and the circumstances of its deployment. Accordingly, such forces may be established under the UN Charter, pursuant to UNSC resolutions, through international or regional agreements, or at the request and with the consent of the host state. This legal basis, in turn, determines the scope of the force's mandate, the limits on its use of force, the scope of its international legal responsibility, and its relationship with the state in whose territory it operates.[4]

The UNSC may establish international peace forces through "authorization," including by forming purpose-specific coalitions to perform designated tasks and then authorizing them to carry out peace and security operations. This approach was reflected in Resolution 1244 (1999), which authorized the deployment of an international security presence in Kosovo, with the North Atlantic Treaty Organization (NATO) playing a central role. Similarly, Resolution 1973 (2011) authorized Member States, "acting nationally or through regional organizations… to take all necessary measures… to protect civilians and civilian populated areas" in Libya and "enforce compliance with the ban on flights."



[3] Ghassan al-Jundi, "Multinational Forces in Sinai," *Journal of Law*, Kuwait, vol. 12, no. 1, 1988, p. 167, https://journals.ku.edu.kw/jol/index.php/jol/issue/view/81

[4] "UN peace operations are deployed on the basis of mandates from the United Nations Security Council. Their tasks differ from situation to situation, depending on the nature of the conflict and the specific challenges it presents." See Mandates and the legal basis for peacekeeping, site of the United Nations (UN) Peacekeeping, 10/7/2026, https://peacekeeping.un.org/en/mandates-and-the-legal-basis-for-peacekeeping

Pursuant to this mandate, NATO launched "an operation to enforce the arms embargo against the country" and "enforce the UN-mandated no-fly zone over Libya."[5] The same applies to UNSC Resolution 2803, which endorsed the Trump plan for the GS.

In principle, establishing a multinational force in the GS is not unprecedented under international law or in international relations. Since the mid-20th century, the international community has witnessed numerous deployments of international or multinational forces in conflict zones, with their mandates, legal foundations and powers varying according to the political and legal circumstances of each case. Accordingly, assessing the legality and legal basis of the ISF in the GS should not rest on the premise that deploying international forces in a territory is unprecedented. Rather, it should examine whether the force's legal basis, mandate, scope of authority, and rules governing the use of force are consistent with the relevant rules of international law.



One of the most prominent precedents was the UN Emergency Force (UNEF), established following the Suez Crisis and the Tripartite Aggression against Egypt in 1956.[6] Similar deployments subsequently occurred in various international and regional conflicts and crises. Following the 1973 Egypt-Israel War, the UNSC established the Second UN Emergency Force (UNEF II) to monitor the ceasefire and supervise the separation of forces. It also established the UN Disengagement Observer Force (UNDOF) in the Golan Heights.[7] In 1978, following Israeli military operations in southern Lebanon, the UNSC established the UN Interim Force in Lebanon (UNIFIL), assigning it tasks that included confirming the withdrawal of Israeli forces, restoring international peace and security, and assisting the Lebanese government in restoring its authority in the area.[8] In the Democratic Republic of

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[5] Resolution 1973 (2011) / adopted by the Security Council at its 6498th meeting, on 17 March 2011, S/RES/1973 (2011), site of United Nations Digital Library, 17/3/2011, paras. 4 and 8, https://digitallibrary.un.org/record/699777?ln=en&v=pdf; and NATO and Libya (February - October 2011), site of North Atlantic Treaty Organization (NATO), 4/4/2012, https://www.nato.int/en/what-we-do/operations-and-missions/nato-and-libya-february-october-2011

[6] Resolution 1000 (ES-I), UN. General Assembly (1st emergency special sess.: 1956), A/RES/1000 (ES-I), United Nations Digital Library, 5/11/1956, https://digitallibrary.un.org/record/208417?ln=en&v=pdf; and Resolution 1000 (ES-I), UN. General Assembly (1st emergency special sess.: 1956), A/RES/1001 (ES-I), United Nations Digital Library, 7/11/1956.

[7] Resolution 340 (1973)/ [adopted by the Security Council at its 1750th meeting], of 25 October 1973, UN. Security Council (28th year: 1973), S/RES/340 (1973), United Nations Digital Library, 25/10/1973, https://digitallibrary.un.org/record/93468?ln=en&v=pdf; and Resolution 340 (1973)/ [adopted by the Security Council at its 1750th meeting], of 25 October 1973, UN. Security Council (28th year: 1973), S/RES/341 (1973), United Nations Digital Library, 27/10/1973.

[8] Resolution 425 (1978)/ adopted by the Security Council at its 2074th meeting, on 19 March 1978, UN. Security Council (33rd year: 1978), S/RES/425 (1978), United Nations Digital Library, 19/3/1978, https://digitallibrary.un.org/record/71622?ln=en&v=pdf

the Congo, the UN established the UN Operation in the Congo (ONUC) in 1960 to address the crisis following independence. Its mandate was later expanded to permit the use of force under specific circumstances.[9] In Cyprus, the UN established the UN Peacekeeping Force in Cyprus (UNFICYP) in 1964 to monitor ceasefire lines and help prevent renewed fighting between Greek Cypriots and Turkish Cypriots.[10] Similarly, in Kosovo, NATO deployed the Kosovo Force (KFOR) in 1999, pursuant to UNSC Resolution 1244, to maintain a secure environment and ensure public safety and order.[11] In East Timor, the UN established the UN Transitional Administration in East Timor (UNTAET) in 1999, granting it broad authority to administer the territory, "provide security and maintain law and order," and "assist in the development of civil and social services." UNTAET thus went beyond the traditional peacekeeping model.[12] In Bosnia and Herzegovina, NATO led the Implementation Force (IFOR), deployed in 1995 to implement the military provisions of the Dayton Peace Agreement. It was subsequently succeeded by the Stabilization Force (SFOR), before security responsibilities were transferred to the EU-led EUFOR Althea mission.[13] In Sierra Leone, the UN Mission in Sierra Leone (UNAMSIL) began operations in 1999 to support implementation of the peace agreement and "the disarmament, demobilization and reintegration of ex-combatants." Similarly, the UN established the UN Mission in Liberia (UNMIL)

[9] Resolution 143 (1960)/ [adopted by the Security Council at its 873rd meeting], of 14 July 1960, UN. Security Council (15th year: 1960), S/RES/143 (1960), United Nations Digital Library, 14/7/1960, https://digitallibrary.un.org/record/112108?ln=en&v=pdf; and Resolution 161 (1961)/ [adopted by the Security Council at its 942nd meeting], of 21 February 1961, UN. Security Council (16th year: 1961), S/RES/161 (1961), United Nations Digital Library, 21/2/1961, https://digitallibrary.un.org/record/112132?v=pdf&ln=en

[10] Resolution 186 (1964)/ [adopted by the Security Council at its 1102nd meeting], of 4 March 1964, UN. Security Council (19th year: 1964), S/RES/186 (1964), United Nations Digital Library, 4/3/1964, https://digitallibrary.un.org/record/112185?ln=en&v=pdf

[11] Bullets 7 and 9, in Resolution 1244 (1999)/ adopted by the Security Council at its 4011th meeting, on 10 June 1999, UN. Security Council (54th year: 1999), S/RES/1244 (1999), United Nations Digital Library, 10/6/1999, https://digitallibrary.un.org/record/274488?ln=en&v=pdf

[12] Bullets 1 and 2, in Resolution 1272 (1999)/ adopted by the Security Council at its 4057th meeting, on 25 October 1999, UN. Security Council (54th year: 1999), S/RES/1272 (1999), United Nations Digital Library, 25/10/1999, https://digitallibrary.un.org/record/291410?ln=en&v=pdf

[13] Resolution 1031 (1995)/ adopted by the Security Council at its 3607th meeting, on 15 December 1995, UN. Security Council (50th year: 1995), S/RES/1031 (1995), United Nations Digital Library, 15/12/1995, https://digitallibrary.un.org/record/201088?v=pdf; Resolution 1088 (1996)/ adopted by the Security Council at its 3723rd meeting, on 12 December 1996, UN. Security Council (51st year: 1996), S/RES/1088 (1996), United Nations Digital Library, 12/12/1996, https://digitallibrary.un.org/record/229523?v=pdf; Resolution 1551 (2004)/ adopted by the Security Council at its 5001st meeting, on 9 July 2004, UN. Security Council (59th year: 2004), S/RES/1551 (2004), United Nations Digital Library, 9/7/2004, https://digitallibrary.un.org/record/525720?v=pdf; and EUFOR Bosnia-Herzegovina Military Operation ALTHEA, site of European External Action Service (EEAS), 30/11/2020, https://www.eeas.europa.eu/eufor-althea/eufor-bosnia-herzegovina-military-operation-althea_und_en



in 2003 to support implementation of the peace agreement and rebuild security institutions.[14]

The examples above illustrate the broad range of international forces and missions, from monitoring ceasefires and separating combatants to protecting civilians, implementing peace agreements, overseeing disarmament, rebuilding institutions, and temporarily administering certain territorial functions. Accordingly, deploying a multinational force in the GS is permissible in principle under international law, particularly in light of UNSC Resolution 2803, which provides the legal basis for the ISF's deployment.[15] However, the legality of its operations depends not simply on UNSC authorization, but also on the scope of its mandate, the powers and responsibilities assigned to it, its independence and impartiality, and the rules governing its use of force.[16]

Paragraph 7 of UNSC Resolution 2803 is particularly significant in this regard. It grants the ISF a broad mandate that extends beyond monitoring the ceasefire and separating the parties to taking "all necessary measures to carry out its mandate consistent with international law, including international humanitarian law." These include "ensuring the process of demilitarizing the Gaza Strip, including the destruction and prevention of rebuilding of the military, terror, and offensive infrastructure, as well as the permanent decommissioning of weapons from non-state armed groups." Accordingly, the ISF's role extends beyond traditional peacekeeping to encompass enforcement measures and the use of force to achieve specific security objectives. In this respect, its mandate more closely resembles peace enforcement operations, such as certain phases of UN operations in the Congo and other international missions authorized to implement peace agreements or enforce disarmament.[17] Nevertheless, the ISF's mandate in the GS remains distinctive in combining ceasefire monitoring with coercive measures, particularly the disarmament of armed groups, the dismantling of their infrastructure, and measures to prevent its reconstruction.

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[14] Resolution 1270 (1999) / adopted by the Security Council at its 4054th meeting, on 22 October 1999, UN. Security Council (54th year: 1999), S/RES/1270 (1999), United Nations Digital Library, 22/10/1999, https://digitallibrary.un.org/record/287753?ln=en&v=pdf; and Resolution 1509 (2003)/ adopted by the Security Council at its 4830th meeting, on 19 September 2003, UN. Security Council (58th year: 2003), S/RES/1509 (2003), United Nations Digital Library, 19/9/2003, https://digitallibrary.un.org/record/500149?ln=en&v=pdf

[15] UN Security Council authorizes temporary international force for Gaza, site of United Nations News, 17/11/2025, https://news.un.org/en/story/2025/11/1166391

[16] Jabir al-Rawy, *Al-Usus al-Qanuniyyah li Quwwat al-Salam al-Dawliyyah* (The Legal Foundations of International Peacekeeping Forces (Baghdad: Al-Salam Print House, 1979), pp. 131–140.

[17] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), United Nations Digital Library, 17/11/2025, https://digitallibrary.un.org/record/4093207?v=pdf&ln=en; and Muhammad Khalil Musa, *Istikhdam al-Quwwah fi al-Qanun al-Dawli al-Mu'asir* (The Use of Force in Contemporary International Law) (Amman: Wael Publishing and Distribution, 2004), p. 196ff.

Second: The Scope of the ISF's Mandate in the GS under the UNSC Resolution



Paragraph 7 of the UNSC resolution makes clear that the ISF's role extends beyond traditional peacekeeping to encompass security, military, police, humanitarian and administrative functions, bringing it closer to a peace enforcement force or a multidimensional transitional mission. Moreover, its authorization to take "all necessary measures" grants it broad enforcement authority under a "mandate consistent with international law, including international humanitarian law."

The main tasks assigned to the ISF under the UNSC resolution include the following:

1. Restoring security and facilitating the transition to civilian governance

Under paragraph 7 of the resolution, the ISF's primary task is to restore security in the GS by preventing a resumption of hostilities and enabling civilian governing institutions to resume their functions.[18]

This mandate shifts the ISF's role from monitoring security conditions to directly managing the security environment during the transition. In this respect, it resembles international transitional arrangements established in territories emerging from armed conflict. Kosovo offers a relevant example: under UNSC Resolution 1244, adopted on 10/6/1999, an international security presence was deployed alongside an international civil presence, with NATO participating in the security arrangements to maintain security and prevent renewed hostilities.[19]

UNSC Resolution 2803 assigns the BoP and the ISF responsibility for restoring security and facilitating the transition to civilian governance, while Israel remains the occupying power. This arrangement presents a complex legal and institutional dilemma, where the ISF is tasked with restoring security in the GS and preparing for a transition to Palestinian civilian governance, yet Israel retains significant control over the Strip. Unlike traditional international transitional administrations, which were established following the collapse or termination of the preceding military authority within the territory, with executive powers subsequently transferred to the international administration, the proposed arrangement in the GS would operate alongside a continuing occupation. In Kosovo and East Timor, international transitional administrations assumed governing responsibilities under distinct circumstances involving the displacement of previous authorities. In contrast, Israel continues to exercise effective control over key aspects of the GS, including its borders, airspace, maritime access and crossings. This structural contradiction leaves

[18] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), para. 7.

[19] Resolution 1244 (1999)/ adopted by the Security Council at its 4011th meeting, on 10 June 1999, UN. Security Council (54th year: 1999), S/RES/1244 (1999).

an international force operating within an occupied territory without authority over the occupying power or the legal authority to compel it to fulfill its obligations under international law.[20]

2. Securing border areas and regulating the movement of people and goods

The resolution tasks the ISF with helping secure border areas in cooperation with Egypt and Israel and in coordination with Palestinian police forces. Its responsibilities include preventing munitions from entering Gaza, regulating the movement of people and goods, and curbing cross-border arms trafficking, thereby strengthening security and preventing the resurgence of armed threats.[21]

International practice shows that international forces may be tasked with securing borders and crossings, although the scope of their authority varies by mandate. In some cases, they have been empowered to administer borders rather than merely monitor them. In Kosovo, for example, the UN mission exercised broad executive and administrative powers during the transitional period, including overseeing a customs system, collecting duties at international crossings, and deploying international police to monitor the movement of people and goods. By contrast, other missions have been limited to monitoring borders, without authority over their administration or operations. In Lebanon, for instance, the UNIFIL has been limited to monitoring.[22]

In light of the foregoing, defining the scope of the ISF's authority over border areas in the GS is particularly important. Previous international experiences offer a useful point of comparison. In Kosovo, for example, the UN mandate explicitly assigned executive and administrative responsibilities to the international administration, including functions related to border management.[23] By contrast, Resolution 2803 does not authorize the ISF to administer borders or crossings directly. Instead, paragraph 7 stipulates that the "ISF shall work with Israel and Egypt, without prejudice to their existing agreements, along with the newly trained and vetted Palestinian police force, to help secure border areas." This wording suggests that securing border areas does not encompass regulating entry

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[20] For examples of international transitional administration, see Resolution 1244 (1999), which authorized an international civil presence in Kosovo: Resolution 1244 (1999), adopted by the UN Security Council at its 4011th meeting on 10 June 1999, UN Doc. S/RES/1244 (1999).
See also Resolution 1272 (1999), which established the United Nations Transitional Administration in East Timor (UNTAET): Resolution 1272 (1999), adopted by the UN Security Council at its 4057th meeting on 25 October 1999, UN Doc. S/RES/1272 (1999).

[21] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), para. 7.

[22] Abdullah al-Ash'al, "Peacekeeping Operations in the United Nations," *Al-Siyasah al-Dawliyyah* journal, no. 117, year 30, 1994, p. 152.

[23] For a discussion of the responsibilities of the international security presence in Kosovo, see Resolution 1244 (1999), adopted by the UN Security Council at its 4011th meeting on 10 June 1999, UN Doc. S/RES/1244 (1999), para. 9.

and exit, inspecting goods, enforcing customs and immigration rules, or making administrative decisions concerning border crossings. Such powers remain with the competent authorities. Moreover, the resolution's emphasis on coordination with Israel and Egypt and cooperation with Palestinian police reinforces the interpretation that the ISF's role is primarily security-oriented and supportive, rather than that of an independent authority replacing the competent national authorities in exercising border-management powers.



A key legal concern arises from paragraph 7 of UNSC Resolution 2803, which tasks the ISF with securing border areas in cooperation with Israel. This wording appears to treat Israel as an external party and an ostensibly equal partner in the new security arrangements, rather than addressing its legal status as the occupying power. Consequently, occupation risks being reframed from a legal status entailing specific obligations into a mere component of a new security framework. Although the resolution does not assign Israel responsibility for securing the borders, Israel retains substantial control over the movement of goods and people, the imposition of buffer zones, and access to the territory. This arrangement risks obscuring the legal reality of occupation, allowing Israel to exercise control without bearing the corresponding legal responsibility.[24]

3. Disarmament and the Dismantling of Military Infrastructure

Resolution 2803 assigns the ISF responsibility for disarmament. Its provisions extend beyond weapons collection to include "the destruction and prevention of rebuilding of the military, terror, and offensive infrastructure, as well as the permanent decommissioning of weapons from non-state armed groups."[25]

The UNAMSIL illustrates the role international forces can play in disarmament. Under the Lomé Peace Agreement, the mission supported a disarmament, demobilization and reintegration (DDR) program. Beyond monitoring the process, it helped provide the security needed for implementation, secure disarmament/ reception centers and demobilization centers.[26] By 2014, more than 75 thousand ex-fighters had been disarmed and demobilized, while over 42 thousand weapons and 1.2 million rounds of ammunition had been collected and destroyed. The deployment of a substantial peacekeeping force

[24] Muhammad Khalil Al-Musa, "UNSC Resolution 2803 on Gaza: Dismantling the Trusteeship, Hegemony, and the Problems of Sovereignty and Occupation: A Critical Legal Study," *Middle Eastern Studies Journal*, no. 114, year 29, 2026, p. 37.

[25] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), para. 7.

[26] Resolution 1270 (1999) / adopted by the Security Council at its 4054th meeting, on 22 October 1999, UN. Security Council (54th year: 1999), S/RES?1270 (1999), United Nations Digital Library, 22/10/1999, para. 8.

helped accelerate the process and build confidence among the parties.[27] Similarly, the UNMIL, established following the 2003 peace agreement, was explicitly mandated by the UNSC to support the DDR program, including voluntary disarmament and the organized collection and destruction of weapons and ammunition. It also secured assembly sites and monitored combatant demobilization. The program led to the disarmament of more than 100 thousand ex-fighters and the collection of over 20 thousand weapons and five million rounds of ammunition.[28]

The ISF's broad mandate, particularly its responsibility for disarmament, dismantling military infrastructure, and preventing the reconstitution of armed capabilities, extends well beyond traditional ceasefire monitoring. Although disarmament has featured in international operations in various conflict settings, the Palestinian case is distinctive because of the legal and political context in which the mission would operate. The ISF would not be deployed following a definitive settlement between two independent states, but in a territory under Israeli control. Moreover, the mandate rests on the premise that Palestinian weapons, rather than the occupation itself, constitute the central problem. This is a political rather than a legal premise, reflecting a security framework in which security serves to control political conduct rather than protect the population. Consequently, this approach raises questions about the ISF's neutrality, as its mandate appears directed toward specific political objectives, particularly dismantling the Palestinian resistance, rather than providing comprehensive protection in accordance with international humanitarian law.[29]

4. Facilitating Humanitarian Operations and Ensuring Aid Reaches Civilians

The UNSC resolution tasks the ISF with helping facilitate humanitarian operations and ensuring that aid reaches civilians. This includes providing a secure environment for humanitarian organizations, securing humanitarian corridors and supply routes, protecting aid convoys and medical and food supplies, and coordinating with relevant international, regional and local actors.[30]



[27] Secretary-General's Remarks at the Closing Ceremony of the United Nations Integrated Peacebuilding Office in Sierra Leone, site of UN: United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), 5/3/2014, https://unipsil.unmissions.org/en/speeches-and-statements/secretary-generals-remarks-closing-ceremony-united-nations

[28] Boutros Boutros-Ghali, *Khams Sanawat fi Bayt min al-Zujaj* (Five Years in a Glass House) (Cairo: Al-Ahram Publishing Center, 1999), p. 67.

[29] Muhammad Khalil Al-Musa, "UNSC Resolution 2803 on Gaza: Dismantling the Trusteeship, Hegemony, and the Problems of Sovereignty and Occupation."

[30] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), para. 7.

However, this does not mean that the force itself is responsible for distributing humanitarian aid. Rather, its primary role is to provide the security and protection necessary for humanitarian organizations to operate independently and impartially. Accordingly, it is essential to distinguish between the force's security functions, including securing routes and corridors and protecting aid convoys and facilities, and the humanitarian responsibilities of UN agencies and international and nongovernmental organizations, which include assessing needs, providing food and medicine, and managing relief operations and aid distribution.

This role is consistent with established international peacekeeping practice, under which international forces often protect humanitarian personnel and help ensure that aid reaches areas inaccessible due to conflict or insecurity.[31]

5. Overseeing the Gradual Withdrawal of Israeli Forces

The UNSC resolution links the gradual withdrawal of Israeli forces from the GS to tangible progress in implementing security arrangements, particularly disarmament and security stabilization.[32] This approach is particularly relevant to international peacekeeping and peacebuilding, where experience has shown that a fixed withdrawal date alone may not ensure lasting peace. Accordingly, some international missions use measurable benchmarks and performance indicators to assess whether security conditions permit a transition to the next phase. In its deliberations on peacekeeping exit strategies, the UN has likewise emphasized the need to link withdrawal timelines to measurable benchmarks, ensuring that troop reductions and withdrawals reflect progress on the ground rather than the mere passage of time.[33]

6. Monitoring and Verifying Compliance with the Ceasefire Agreement

The UNSC resolution tasks the ISF with monitoring implementation of the ceasefire agreement, verifying the parties' compliance, identifying and documenting violations that could jeopardize the ceasefire, and reporting its findings to the body overseeing implementation of the plan.[34]

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[31] The UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) offers a relevant example. Operating amid armed group activity and widespread insecurity, the mission has had a mandate to protect civilians and support humanitarian access, including by protecting humanitarian personnel, facilities and supplies and helping establish the security conditions necessary for aid to reach populations in need.

[32] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), para. 7.

[33] Statement by the President of the Security Council, Security Council, UN, S/PRST/2010/2, UN, site of Security Council Report, 12/2/2010, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20SPRST20102.pdf

[34] Resolution 2803 (2025)/ adopted by the Security Council at its 10046th meeting, on 17 November 2025, UN. Security Council (80th year: 2025), S/RES/2803 (2025), para. 7.



The UNIFIL offers a relevant regional example, given Lebanon's geographic and political proximity to the Palestinian context. Under the arrangements for ending hostilities in southern Lebanon, UNIFIL participates in a multilateral mechanism to monitor implementation of the cessation-of-hostilities understanding. It also reports violations of UNSC Resolution 1701, with relevant information reviewed before inclusion in official UN reports. UNIFIL's experience therefore demonstrates that ceasefire monitoring can be conducted through multilateral coordination rather than leaving the international force solely responsible for addressing violations.[35] Such an approach may be particularly relevant to the Palestinian case, where multiple parties are involved in security arrangements. Accordingly, addressing violations may require coordination among the international force, Palestinian authorities, guarantor states and other relevant parties.



Third: The Use of Force by Members of the International Force

Multinational forces generally operate under mandates aimed at maintaining or restoring peace and are authorized to use force primarily in self-defense. Peacekeeping personnel are typically equipped with light weapons for defensive purposes, which they may use to protect themselves or, with authorization from the military command, to resist attempts to prevent them by force from carrying out their duties. Depending on their mandate, however, international forces may also be authorized to use force to repel attacks and respond to hostile fire. Enforcement action involving the use of force may also be authorized under Article 42 of the UN Charter.[36]

The scope of the authorization to use force in self-defense depends on the nature of the force's mandate. In his report on the United Nations Emergency Force (UNEF) deployed to Egypt in 1956, Dag Hammarskjöld stated that the force could use force only in self-defense or when attacked in an attempt to dislodge it from a position under its control.[37] Similarly, in his 1978 report to the UNSC on the establishment of the UNIFIL, the UN Secretary-General specified that the force would be equipped with defensive

[35] See the section addressing the mechanism for monitoring implementation of the understanding on the cessation of hostilities and the handling of violations of Resolution 1701, in: UNIFIL FAQs, site of United Nations Interim Force In Lebanon (UNIFIL), 9/1/2026, https://unifil.unmissions.org/en/unifil-faqs

[36] 'Abdul Wahed al-Far, *Al-Tanzim al-Dawli* (International Organization) (Cairo: Alam al-Kutub, 1979), p. 246.

[37] Summary study of the experience derived from the establishment and operation of the Force: report of the Secretary-General, UN. Secretary-General, A/3943, United Nations Digital Library, 9/10/1958, para. 179, https://digitallibrary.un.org/record/594711?ln=en&v=pdf

weapons and would use force only in self-defense. This included "resistance to attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council."[38]

In any event, engaging in offensive operations would exceed the international force's mandate and violate the resolution establishing it. If operations requiring the use of force beyond the existing authorization become necessary, additional authorization from the UNSC is required. This occurred in the Congo in 1960, when the UN peacekeeping force used force and engaged in combat against troops loyal to Moise Tshombe, the governor of Katanga, who declared the province's secession on 11/7/1960. The UNSC subsequently authorized the force to expand its use of force on several occasions.[39]

The scope of peacekeeping mandates is also illustrated by paragraph 3 of UNSC Resolution 425, adopted on 19/3/1978, which established the UNIFIL. Under this paragraph, the force was tasked with "confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the Government of Lebanon in ensuring the return of its effective authority in the area."[40]

A close reading of UNSC Resolution 2803 reveals that the mandate of the ISF in GS differs substantially from those of traditional UN peacekeeping operations. The latter are generally guided by three core principles: the consent of the parties to the conflict, impartiality, and the use of force only in self-defense or in defense of the mandate. By contrast, the resolution authorizes the force to use "all necessary measures," a formula commonly employed in UNSC resolutions under Chapter VII of the UN Charter to authorize the use of military force in pursuit of specified objectives. The mandate thus extends beyond monitoring agreements or protecting civilians to encompass direct security and military enforcement. Its tasks include maintaining security, disarming armed groups, securing critical infrastructure, securing border areas and crossing points, and establishing the conditions necessary for civilian governance and reconstruction. Accordingly, the force is not merely tasked with separating opposing parties; rather, it is granted broad operational and enforcement powers to reshape the security environment in GS in pursuit of its stated objectives.

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[38] Report of the Secretary-General on the implementation of Security Council resolution 425 (1978), S/12611, United Nations Digital Library, 19/3/1978, https://digitallibrary.un.org/record/224511?ln=en&v=pdf

[39] On 24/11/1961, the Security Council "Authorizes the Secretary-General to take vigorous action, including the use of the requisite measure of force, if necessary, for the immediate apprehension, detention pending legal action and/or deportation of al! foreign military and paramilitary personnel and political advisers not under the United Nations Command, and mercenaries… ."
Resolution 169 (1961)/ [adopted by the Security Council at its 982nd meeting], of 24 November 1961, UN. Security Council (16th year: 1961), S/RES/169, United Nations Digital Library, 24/11/1961, https://digitallibrary.un.org/record/112133?ln=en&v=pdf; and Congo in Crisis: The Rise and Fall of Katangan Secession, site of Association for Diplomatic Studies and Training (ADST), September 2015, https://adst.org/2015/09/congo-in-crisis-the-rise-and-fall-of-katangan-secession/

[40] Resolution 425 (1978)/ adopted by the Security Council at its 2074th meeting, on 19 March 1978, UN. Security Council (33rd year: 1978), S/RES/425 (1978).



Nevertheless, the breadth of the ISF's mandate does not necessarily confer the effective control required to carry out its functions independently. Under existing arrangements, Israel retains significant control over GS's borders, airspace and maritime domain, directly affecting the ISF's freedom of movement, deployment, access to civilians and facilities, and ability to fulfill its mandate. Consequently, despite its broad legal authority, the force may be compelled to operate in a security environment in which Israel retains decisive influence over key strategic assets. This gives rise to a fundamental tension between the ISF's legal powers and its limited capacity to exercise them independently. Although authorized to use force in carrying out its mandate, ISF would operate in territory where another actor retains strategic instruments of control. It may therefore depend, directly or indirectly, on coordination with Israel regarding movement, access, borders, airspace, and maritime routes. Such dependence could undermine its operational autonomy and risk making it part of a security framework that sustains and reproduces the occupation rather than one that helps constrain or bring it to an end.

No previous UN operation has operated under a directly comparable mandate. UNIFIL in Lebanon, for example, operates under specific rules governing the use of force, while UN forces in Bosnia had a more limited mandate. Similarly, the missions in Kosovo and East Timor were not tasked with disarming groups through offensive military action or forcibly reshaping the political order. By contrast, the ISF envisaged in Resolution 2803 departs from these precedents by operating in occupied territory and undertaking coercive tasks directed at the occupied population rather than an external military force. Accordingly, authorization to use offensive force is central to the proposed security framework.

Fourth: The ISF and the Fallacy of Ending the Israeli Occupation

The provisions governing the establishment of the ISF under UNSC Resolution 2803 raise a fundamental legal issue: the claim that the force's deployment could end Israel's occupation of GS or transfer the associated legal responsibilities to a new international authority. However, this claim finds no support in international law. Occupation does not end merely because security arrangements change or international forces are deployed; rather, its termination depends on an objective legal criterion: the cessation of the occupying power's effective control over the territory.[41]

International jurisprudence and legal scholarship recognize that military occupation arises when foreign armed forces establish effective control over a territory. Article 42 of the 1907 Hague Regulations defines occupied territory as territory "placed under the authority of the hostile army." Accordingly, occupation depends not solely on the physical

[41] Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, site of International Court of Justice (ICJ), paras. 90–94, https://www.icj-cij.org/case/186

presence of foreign troops but also on the occupying power's ability to exercise effective authority over the territory and its population, whether directly or through other means of control.[42]

Applying the effective-control test under Article 42 of the 1907 Hague Regulations, Israel's occupation of the GS cannot be considered legally terminated. Rather, although the methods of control have changed, the occupation's legal character persists. The decisive factor is not the permanent presence of military forces within a territory, but the occupying power's ability to exercise effective authority over it. In this regard, Israel retains significant forms of control, including control over borders and crossings, airspace and territorial waters; the imposition of a naval blockade; restrictions on the movement of people and goods through inspection regimes and other measures; and the capacity to intervene militarily. Taken together, these factors indicate that effective control, and thus the occupation under international humanitarian law, persists even in the absence of a permanent military presence inside the GS. This interpretation is consistent with the International Court of Justice's (ICJ) 2024 advisory opinion, which addressed the continued application of the law of occupation in the 1967 occupied Palestinian territory in light of Israel's ongoing exercise of authority and control, "despite the absence of a physical military presence on the ground."[43]



From this perspective, establishing the ISF in the GS should not be viewed merely as a temporary security arrangement. Rather, it raises a deeper legal concern: the potential normalization of a "post-occupation" framework before the legal conditions for ending the occupation have been met. Such an approach could effectively recast the GS as a territory under international administration, detached from the context of occupation, and encourage the application of models historically used in territories where central authority had collapsed or internal conflict had produced an institutional vacuum. However, these cases differ fundamentally from Gaza in legal terms. The GS is neither a territory without governing authority nor a legal vacuum; it is Palestinian territory under occupation. The introduction of an international actor does not, in itself, alter that status or automatically establish a new legal framework. This issue becomes even more apparent in light of Israel's continued control over several key aspects of the GS's legal status, including its

[42] Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907, Regulations: Art. 42, site of International Humanitarian Law Databases (Ihl-databases) – International Committee of the Red Cross (ICRC), https://ihl-databases.icrc.org/en/ihl-treaties/hague-conv-iv-1907/regulations-art-42; and Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949, Commentary of 2025, Article 2 - Application of the Convention, Ihl-databases – ICRC, paras. 301–304, https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-2/commentary/2025

[43] Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, ICJ, paras. 90–94.

external borders and crossings, airspace, territorial waters, and the movement of people and goods. Moreover, Israel restricts access to and communication with the Strip while retaining the ability to conduct military operations there and intervene in its security affairs at will. These factors should not be assessed in isolation. Rather, they must be considered cumulatively to determine whether Israel retains the capacity to exercise effective authority over the Strip.

Mischaracterizing the legal status of the occupation does more than distort the legal assessment of the situation in the GS. It also has direct implications for the allocation of legal responsibilities, particularly those relating to civilian protection. If the GS is treated as a territory in transition or under temporary international administration rather than as territory that remains under occupation, responsibility for protecting its population could, in practice, shift from Israel, the occupying power, which has specific obligations under international humanitarian law toward the population under its control, to an international administration that may lack comparable control or the means necessary to fulfill those obligations.

The principal risk of such a shift is a potential disconnect between effective control and legal responsibility. An international force or administration could assume broad security and humanitarian responsibilities while Israel retains key elements of effective control, leaving uncertainty about which party bears the legal obligations arising from the occupation. Consequently, this arrangement could weaken the protections afforded to civilians under international humanitarian law, particularly if the reclassification of the situation were used to exclude or diminish Israel's obligations as an occupying power under the Fourth Geneva Convention of 1949.

The problem, therefore, extends beyond administrative shortcomings or overlapping jurisdictions between the ISF and local authorities; it lies in the risk of a legal accountability gap in the protection of civilians. The presence of an international force does not automatically transfer all civilian protection obligations to it, nor can transitional arrangements absolve the occupying power of its obligations for as long as it retains effective control over the Strip.

This issue is particularly significant in the GS, given the population's dire humanitarian and security conditions. Any ambiguity over responsibility for civilian protection, the provision of basic necessities, and compliance with international humanitarian law could weaken legal safeguards and allow multiple centers of authority to operate without a clear allocation of responsibility. This concern is particularly evident in how UNSC Resolution 2803 addresses Israel's role in the proposed arrangements. Rather than foregrounding Israel's legal status as the occupying power and the obligations arising from that status under international humanitarian law, the resolution treats Israel as an external party that can "coordinate" with the new international administration. This framing risks recasting occupation from the basis of specific legal obligations as merely one element of new security and political arrangements, thereby obscuring its legal consequences without necessarily ending it in practice. In this sense, occupation is not so much terminated as fragmented across multiple actors: an international administration assumes certain civilian functions, a stabilization force undertakes security tasks, and Israel retains key elements

of strategic control over the GS, including influence over its borders, movement, and security, as well as the capacity to intervene militarily. This division of functions produces a complex legal situation in which multiple actors exercise elements of governmental authority, without necessarily transferring effective control fully to any one of them.

The danger of this model is that it may make the occupation less visible in formal terms while obscuring the legal responsibility arising from it, without actually ending the occupation. Instead, occupation is reorganized within a more complex structure of control involving multiple actors, potentially fragmenting responsibility for violations and making it harder to determine which parties bear the legal obligations associated with each form of control.

The false premise that the occupation has ended is not merely a theoretical flaw; it is a political premise that enables major powers to impose a new governance framework on GS without adequately considering its legal status, the rights of its population, or the conflict's historical context. By implying that the occupation has ended, this narrative portrays Palestinians as a failed party in need of external tutelage rather than as victims of an ongoing occupation. In this sense, UNSC Resolution 2803 is not simply an attempt to rebuild GS; it also risks reshaping the legal narrative of the conflict in ways that serve political and security arrangements designed to maintain control at a lower cost. Accordingly, the impact of establishing the ISF should be assessed not merely by whether Israeli forces withdraw from GS or are replaced by international troops, but by whether Israel relinquishes effective control over the Strip fully and permanently. If Israel retains significant control over GS's borders, airspace, maritime access, the movement of people and goods, or security beyond the Strip's borders, declaring the occupation over would be premature. Under such circumstances, the ISF would serve to reorganize the occupation's security arrangements rather than bring the occupation to an end.

In the Palestinian context, a similar legal debate arose following Israel's 2005 disengagement from the GS. Israel argued that its occupation had ended with the withdrawal of its troops and settlers. However, most international bodies, including the UN and the International Committee of the Red Cross (ICRC), maintained that the occupation continued because Israel retained effective control over the borders, airspace, maritime access, and the movement of people and goods. Accordingly, Israel's obligations as an occupying power remained in force despite the absence of a permanent military presence inside the GS.[44]



Furthermore, the establishment of the ISF could give rise to the misleading impression that the international community had assumed responsibility for governing the GS,

[44] Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied by Israel since 1967, Dugard, John; UN. Commission on Human Rights, E/CN.4/2005/29, United Nations Digital Library, 7/12/2004, para. 19, https://digitallibrary.un.org/record/537771?ln=en&v=pdf

potentially allowing Israel to evade its obligations as an occupying power. These obligations include, in particular, protecting civilians and ensuring that their basic needs are met, as required by the Fourth Geneva Convention of 1949. However, international humanitarian law does not permit an occupying power to transfer these responsibilities to a third party merely because that party is present in the territory, for as long as the occupation persists under the applicable legal criteria.[45]

Accordingly, treating the ISF as a means of ending the occupation rests on a legal misconception. The occupation cannot be terminated merely by establishing new security arrangements or transferring certain executive functions to another entity. Rather, it requires the complete termination of Israel's effective control and the restoration of the Palestinian people's full authority over their territory, free from external domination or interference. Accordingly, any proposal to establish such a force must be assessed based on whether it actually dismantles Israeli control, rather than merely on the institutional or political form taken by post-conflict security governance.

Fifth: Immunities of International Force Personnel

Article 4 of UNSC Resolution 2803, concerning the Gaza Plan, provides for arrangements governing the privileges and immunities of the leadership and personnel of the ISF. Specifically, the resolution states: "Authorizes Member States participating in the BoP and the BoP to: (A) enter into such arrangements as may be necessary to achieve the objectives of the Comprehensive Plan, including those addressing privileges and immunities of personnel of the force established in paragraph 7 below;… ."

The UN has traditionally afforded legal protection to peacekeeping personnel, although the scope of this protection and the privileges and immunities they enjoy vary according to the legal framework governing each mission. For example, paragraph 25 of the Regulations for UNFICYP provides that its personnel "are entitled to the legal protection of the United Nations and shall be regarded as agents of the United Nations for the purpose of such protection."[46] Nevertheless, the international legal status of peacekeeping personnel has been the subject of longstanding scholarly debate, reflecting the diversity of functions performed within the UN system. Some scholars argue that their temporary duties preclude their classification as international civil servants. Others maintain that this status depends on the nature of the individual's relationship with the

[45] Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949, Commentary of 2025, Article 47 - Inviolability of rights of protected persons, Ihl-databases – ICRC, https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47

[46] For example, see Regulations for the United Nations Emergency Force, Secretary-General's bulletin (UN. Secretariat), ST/SGB/UNEF/1, United Nations Digital Library, 20/2/1957, para. 19, https://digitallibrary.un.org/record/698748?ln=en&v=pdf; Regulations for the United Nations Force in the Congo, Secretary-General's bulletin (UN. Secretariat), ST/SGB/ONUC/1, United Nations Digital Library, 15/7/1963, para. 20, https://digitallibrary.un.org/record/760425?ln=en&v=pdf; and Regulations for the United Nations Force in Cyprus, UN. Secretariat; UN. Secretary-General, ST/SGB/UNFICYP/1, United Nations Digital Library, 25/4/1964, para. 25, https://digitallibrary.un.org/record/148795?v=pdf

international organization. Under this approach, anyone acting on behalf of and for the benefit of the UN, under its supervision and control, qualifies as an international civil servant, regardless of whether the relationship is statutory or contractual, the duties are permanent or temporary, or the position is paid or unpaid.[47] Despite this debate, a 1994 UN document affirmed the international status of peacekeeping personnel, treating members of international forces as international civil servants subject to the rules and regulations governing such personnel.[48]

Members of international forces may enjoy immunity even if they are not part of the UN but are established under the authority of the UNSC, as is the case with the international force in Gaza. Such immunity may apply even where domestic law provides otherwise. For example, when the First United Nations Emergency Force (UNEF I) was established in Egypt, Article 23 of the relevant agreement stipulated that "The United Nations Emergency Force, as a subsidiary organ of the United Nations established by the General Assembly, enjoys the status, privileges and immunities of the Organization in accordance with the Convention on the Privileges and Immunities of the United Nations."[49]

The immunities of international force personnel are generally governed by separate agreements, with their scope specified in headquarters agreements or status-of-forces agreements (SOFAs).[50] Against this background, the principal rules governing such immunities can be examined with reference to the 1946 Convention on the Privileges and Immunities of the United Nations, established UN practices, principles reflected in model agreements governing the legal status of UN peacekeeping forces, and lessons drawn from previous international experience, as outlined below:

1. All members of the international force's command staff and military personnel enjoy immunity from the host state's criminal jurisdiction. This immunity is understood to extend to all offenses under the host state's criminal law, regardless of the circumstances in which they are committed or whether they occur in the course of official duties, in connection with those duties, or outside that context. Moreover, the immunity is said to remain



[47] Jamal Taha, *Mas'uliyyat al-Munazamat al-Dawliyyah fi Majal al-Wazifah al-Dawliyyah* (Responsibility of International Organizations in the Field of International Civil Service (Cairo: Egyptian General Book Organization, 1986), p. 195.

[48] Convention on the Safety of United Nations and Associated Personnel: resolution / adopted by the General Assembly, UN. General Assembly (49th sess.: 1994-1995), A/RES/49/59, United Nations Digital Library, 9/12/1994, https://digitallibrary.un.org/record/173302?v=pdf

[49] Article 23, in "No. 3704. United Nations and Egypt," *Treaty Series*, vol. 260, 1. Nos. 3702–3721, 1957, pp. 72–74, https://treaties.un.org/doc/Publication/UNTS/Volume%20260/v260.pdf

[50] Al-Walid Mahmud, "Immunities of International Peacekeeping Forces between Theory and Practice: A Comparative Study," *Journal of Sharia and Law*, International University of Africa, no. 33, 2019, p. 165.

in effect even after the individuals cease to be members of the military operation.[51] This principle is reflected in agreements governing international peacekeeping forces. For example, Article 11 of the agreement concluded between the UN and the Egyptian government on 8/2/1957 stipulated that members of the international peacekeeping force would be subject exclusively to the criminal jurisdiction of their respective home states, providing that: "Members of the Force shall be subject to the exclusive jurisdiction of their respective national States in respect of any criminal offences which may be committed by them in Egypt."[52]

2. If a member or commander of an international force commits a criminal offense, the individual is subject to the criminal jurisdiction of their home state and its applicable laws. For example, Canadian soldiers who participated in the international intervention in Somalia were prosecuted in Canadian courts for unlawful acts committed during the operation. Consequently, nine military personnel of various ranks were convicted for their involvement, to varying degrees, in the torture and death of a young Somali man.[53]

3. Regarding civil jurisdiction, members of an international force are generally immune from the host state's jurisdiction for acts performed in the course of their official duties. However, acts unrelated to those duties may fall within the jurisdiction of the host state's courts. The force commander determines whether an act is connected to the performance of official duties.[54]

4. With regard to disciplinary procedures and the jurisdiction of the host state's administrative courts, international personnel serving in the operation remain subject to the disciplinary system of the international organization for which they work.

5. Furthermore, neither members of international forces nor their respective home states may waive judicial immunity at their discretion. This is because such immunity is intended not to protect personal interests, but rather to safeguard the official functions entrusted to members of the operation.

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[51] Mas'ad Zaidan, *Tadakhul al-Umam al-Mutahidah fi al-Niza'at Ghair Zat al-Tabi' al-Dawli* (United Nations Intervention in Non-International Armed Conflicts) (Egypt: Dar al-Kutub al-Qanuniyyah, 2003), p. 454.

[52] Article 11, in "No. 3704. United Nations and Egypt," *Treaty Series*, vol. 260, 1. Nos. 3702–3721, 1957, p. 66.

[53] 'Atwah Muhammad, "The Application of International Humanitarian Law to Peacekeeping Operations" (Master's thesis, Faculty of Law, University of Algiers, 2008), p. 66.

[54] Muhammad Safi Yusuf, *Al-Nizam al-Qanuni li 'Amaliyyat Hifth al-Salam al-Dawliyyah* (The Legal Framework Governing International Peacekeeping Operations) (Cairo: Dar al-Nahdah al-'Arabiyyah, 2008), p. 330.

Sixth: Privileges of Members of International Forces

Members of international forces enjoy various privileges and facilities, including the following:

1. Members of international forces are exempt from customs duties on personal effects imported when they take up their duties. However, their personal property not required for service in the peacekeeping operation remains subject to the host country's customs and foreign exchange laws and regulations.[55]
2. Members of international forces enjoy freedom of movement between headquarters, camps, and other locations within the operational area. They are also entitled to freedom of communication.[56]
3. International forces are entitled to enter the territory of the host state, remain there temporarily or permanently, and subsequently withdraw.
4. Members of international forces may wear their prescribed uniforms and carry weapons while performing their duties, in accordance with the force's regulations. However, authorization to carry weapons is limited to self-defense.

Conclusion

The analysis of the legal framework governing multinational forces demonstrates that the legality of their deployment in the GS depends not only on the existence of an international mandate but also on the mandate's nature, the scope of the force's authority, and its compliance with international law, particularly international humanitarian law and international human rights law. Furthermore, the specific legal status of the GS requires that any security or transitional arrangements respect the Palestinian people's right to self-determination without undermining their legal status or diminishing the rights guaranteed to them under international law.

In this regard, granting ISF broad security and executive powers necessitates a clear legal framework that defines their mandate, establishes effective oversight mechanisms, and specifies the scope of their legal accountability. This framework is essential to ensure that these forces neither exceed their mandate nor become a permanent substitute for Palestinian national institutions. Furthermore, any immunities granted to their personnel must be accompanied by effective accountability mechanisms to prevent impunity for serious violations of international law.

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[55] Ghassan al-Jundi, *'Amaliyyat Hifth al-Salam al-Dawliyyah* (Multinational Forces in Sinai) (Amman: Dar Wael for Publishing, 2000), p. 106.

[56] See Articles 29 and 32, in "No. 3704. United Nations and Egypt," *Treaty Series*, vol. 260, 1. Nos. 3702–3721, 1957, pp. 76 and 78; and see Agreement between the United Nations and the Republic of the Congo, A/4986, S/5004, 27/11/1961, para. 30.



Ultimately, the success of any arrangement involving the deployment of multinational forces in the GS depends on a clear legal basis, a mandate with well-defined objectives and duration, and compliance with international law. Accordingly, such arrangements must strike a balance between security and stability, on the one hand, and the protection of the Palestinian people's legitimate rights and the preservation of the legal status of the occupied Palestinian territory, on the other.