

# INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

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Volume 6 | Issue 3

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2023

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# The Israel-Palestine Conflict: The Past, Present and Future

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## ABSTRACT

*This research paper comprehensively analyses the Israel-Palestine conflict, examining its past, present, and future implications. The introduction establishes the conflict's significance and relevance to regional and global stability. The history section traces the conflict's origins and highlights critical events shaping its trajectory, including the displacement of Palestinians and Arab-Israeli wars.*

*The involvement of Middle Eastern states in the conflict is explored, considering their interests and concerns in the region. Factors such as political alliances, security considerations, ideological motivations, and economic interests are analysed. The paper also assesses the conflict's impact on the security dynamics of the Middle East, including the rise of non-state actors and the threat of terrorism.*

*Recent developments are examined to provide insights into the evolving state of the conflict. Peace initiatives, diplomatic efforts, and escalations of violence are discussed, offering a nuanced understanding of the current situation. The paper also addresses the ongoing Israeli settlement expansion and its implications for peace negotiations.*

*The role of international actors in the conflict is scrutinized, including global powers, regional organizations, and non-governmental entities. Their motivations, strategies, and potential for conflict resolution are analyzed, focusing on the impact of the United States, European Union, and United Nations on peace efforts.*

*In conclusion, this research paper comprehensively analyses the Israel-Palestine conflict, emphasizing its historical context, current challenges, and future prospects. It stresses the importance of understanding the conflict's complexities and advocates for a nuanced approach that considers the concerns of Middle Eastern states and the involvement of international actors. The paper contributes to the discourse surrounding the conflict. It aims to facilitate the pursuit of lasting peace in the region through diplomatic negotiations, respect for international law, and addressing the root causes of the conflict.*

## I. INTRODUCTION

The Israel–Palestine Conflict is one of the oldest ongoing conflicts in the world. The Israeli-Palestinian conflict dates back to the end of the nineteenth century. In 1947, the United Nations

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adopted Resolution 181, the Partition Plan, which sought to divide the British Mandate of Palestine into Arab and Jewish states. On May 14, 1948, the State of Israel was created, sparking the first Arab-Israeli War. The war ended in 1949 with Israel's victory, but 750,000 Palestinians were displaced, and the territory was divided into three parts: the State of Israel, the West Bank (of the Jordan River), and the Gaza Strip.<sup>2</sup>

The Israel-Palestine conflict is seen as multifaceted, with religious and ethnic aspects as well. Still, it can be boiled down to an international land dispute and yet another consequence of centuries of European colonialism in the region.

## II. HISTORY

The word Palestine is derived from the Greek word Philistia, which dates back to the region's description by ancient Greek writers in the 12th century B.C.<sup>3</sup> From the fall of the Ottoman Empire in World War I until 1948, Palestine generally referred to the geographic area between the Mediterranean Sea and the Jordan River. Since the early 1900s, the Arabs who call this territory home have been called Palestinians. Now, most of this land is considered Israel. Presently, Palestine theoretically includes the West Bank (the territory between present-day Israel and Jordan) and the Gaza Strip (which borders present-day Israel and Egypt).

However, control of the region is a complex and evolving situation. There is no international consensus on borders, and Israel has occupied many areas claimed by the Palestinians for many years. More than 135 member states recognise Palestine as independent, but Israel and some other countries, including the United States, do not distinguish this. The Palestine conflict has been undeniable in the 70 years since the establishment of the State of Israel in 1948, but the roots of the conflict can be traced back at least 1,000 years. Palestine is the birthplace of Judaism and Christianity. It is controlled by many kingdoms and powers, including ancient Egypt, Persia, Alexander the Great and his successors, the Roman Empire, various Muslim dynasties, and the Crusaders. In modern times, the area was ruled by the Ottoman Empire and then by the British, and since 1948 it has been divided into Israel, the West Bank, and the Gaza Strip. This area is one of the first in the world to see human settlements, agricultural communities, and civilisation.<sup>4</sup>

The Palestinian areas are culturally and religiously important to people belonging to

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<sup>2</sup> *Israeli-Palestinian Conflict | Global Conflict Tracker*. (2023, April 25). Global Conflict Tracker. <https://cfr.org/global-conflict-tracker/conflict/israeli-palestinian-conflict>

<sup>3</sup> A. (2021, June 23). *Where is Palestine Located? - Gaza Strip Palestine*. Gaza Strip Palestine - Gaza Strip in Palestine - Sense of Hope. <https://gaza-palestine.com/2021/06/where-is-palestine-located/>

<sup>4</sup> *Israeli-Palestinian conflict – The Book of Esther*. (2022, May 12). Israeli-Palestinian Conflict – the Book of Esther. <https://bookesther.wordpress.com/tag/israeli-palestinian-conflict/>

Christianity, Islam, and Judaism. However, contrary to popular belief, while religion is necessary, the issues at hand today are not solely religious or cultural but rather territorial.

The current conflict can be directly traced back to the establishment of Israel in 1948, after the end of the Second World War. This conflict originated from the inter-community violence between Israelis and Arabs in forced Palestine since 1920, and full-scale hostilities broke out in the civil war in 1947. The conflict continues to this day at all levels. After the war and the establishment of the United Nations, the U.N. proposed a plan to divide Palestine into two parts: an independent Jewish state and an independent Arab state. Palestinian Jews and Arabs once called Jerusalem the capital, an international territory with a special status. The proposal was accepted by Jewish leaders but rejected by Palestinian Arabs, who had vehemently opposed British and Jewish interests since the 1920s. Arab groups argued that they were part of a larger population in certain territories, so they demanded more territories and began to form a volunteer army.

Over the following years, tensions rose in the region, particularly between Israel, Egypt, Jordan, and Syria. Following the 1956 Suez Crisis and Israel's invasion of the Sinai Peninsula, Egypt, Jordan, and Syria signed mutual defence pacts in anticipation of a possible mobilisation of Israeli troops. In June 1967, following a series of manoeuvres by Egyptian President Abdel Gamal Nasser, Israel pre-emptively attacked Egyptian and Syrian air forces, starting the Six-Day War. After the war, Israel gained territorial control over Egypt's Sinai Peninsula and Gaza Strip, the West Bank and East Jerusalem from Jordan, and the Golan Heights from Syria. Six years later, in what is referred to as the Yom Kippur War or the October War, Egypt and Syria launched an attack on Israel to regain their lost territory. The conflict did not result in significant gains for Egypt, Israel, or Syria. Still, Egyptian President Anwar al-Sadat declared the war a victory for Egypt as it allowed Egypt and Syria to negotiate over previously ceded territory. Finally, in 1979, following a series of cease-fires and peace negotiations, representatives from Egypt and Israel signed the Camp David Accords. This peace treaty ended the thirty-year conflict between Egypt and Israel.

Even though the Camp David Accords improved relations between Israel and its neighbours, Palestinian self-determination and self-governance remained unresolved. In 1987, hundreds of thousands of Palestinians living in the West Bank and Gaza Strip rose against the Israeli government in what is known as the first intifada. The 1993 Oslo I Accords mediated the conflict, setting up a framework for the Palestinians to govern themselves in the West Bank and Gaza and enabling mutual recognition between the newly established Palestinian Authority and Israel's government. In 1995, the Oslo II Accords expanded on the first agreement, adding

provisions that mandated the complete withdrawal of Israel from six cities and 450 towns in the West Bank.

In 2000, sparked in part by Palestinian grievances over Israel's control over the West Bank, a stagnating peace process, and former Israeli Prime Minister Ariel Sharon's visit to the al-Aqsa mosque—the third holiest site in Islam—in September 2000, Palestinians launched the second intifada, which would last until 2005. In response, the Israeli government approved the construction of a barrier wall around the West Bank in 2002, despite opposition from the International Court of Justice and the International Criminal Court.

In 2013, the United States attempted to revive the peace process between the Israeli government and the Palestinian Authority in the West Bank. Peace talks were hampered in 2014 when Fatah, the Palestinian Authority's ruling party, formed a unity government with its rival faction, Hamas. Hamas, a spin-off of Egypt's Muslim Brotherhood founded in 1987 following the first intifada, is one of two major Palestinian political parties and was designated a foreign terrorist organisation by the United States in 1997.

In the summer of 2014, Palestinian territory clashes precipitated a confrontation between the Israeli military and Hamas. Hamas fired nearly three thousand rockets at Israel, and Israel retaliated with a major offensive in Gaza. The skirmish ended in late August 2014 with a cease-fire deal brokered by Egypt, but only after 73 Israelis and 2,251 Palestinians were killed. After a wave of violence between Israelis and Palestinians in 2015, Palestinian President Mahmoud Abbas announced that Palestinians would no longer be bound by the territorial divisions created by the Oslo Accords. In March and May of 2018, Palestinians in the Gaza Strip conducted weekly demonstrations at the border between the Gaza Strip and Israel. The final protest coincided with the seventieth anniversary of the Nakba, the Palestinian exodus that accompanied Israeli independence. While most protesters were peaceful, some stormed the perimeter fence and threw rocks and other objects. According to the United Nations, 183 demonstrators were killed, and more than 6,000 were wounded by live ammunition.

Also, in May 2018, fighting broke out between Hamas and the Israeli military in the worst period of violence since 2014. Before reaching a cease-fire, militants in Gaza fired over one hundred rockets into Israel; Israel responded with strikes on more than fifty targets in Gaza during the twenty-four-hour flare-up.

The administration of Donald J. Trump has made reaching an Israeli-Palestinian agreement a foreign policy priority. In 2018, the Trump administration cancelled funding for the U.N. Relief and Works Agency, which provides aid to Palestinian refugees. It relocated the U.S.

embassy from Tel Aviv to Jerusalem, reversing a longstanding U.S. policy. The decision to move the U.S. embassy was met with applause from the Israeli leadership but was condemned by Palestinian leaders and others in the Middle East and Europe. In January 2020, the Trump administration released its long-awaited "Peace to Prosperity" plan, which Palestinians rejected due to its support for future Israeli annexation of settlements in the West Bank and control over an "undivided" Jerusalem. Israel considers "complete and united Jerusalem" its capital, while Palestinians claim East Jerusalem as the capital of a future Palestinian state.

In August and September 2020, the United Arab Emirates (UAE) and Bahrain agreed to normalise relations with Israel, making them only the third and fourth countries in the region—following Egypt in 1979 and Jordan in 1994—to do so. The agreements, named the Abraham Accords, came more than eighteen months after the United States hosted Israel and several Arab states for ministerial talks in Warsaw, Poland, about the future of peace in the Middle East. Palestinian leader Mahmoud Abbas rejected the accords; Hamas also rejected the agreements.

### **III. MIDDLE EASTERN STATES AND THE ISRAELI-PALESTINIAN CONFLICT:**

Middle Eastern countries back the Palestinians. In 1948, six of them—Saudi Arabia, Egypt, Iraq, Jordan, Lebanon, and Syria—entered the war against the newly formed Israel. These states aimed to destroy Israel and establish an Arab state in Palestine. However, the actions of these states after that can hardly be considered pro-Palestinian.

This is most clearly seen in the conduct of the government in Cairo. In 1979, Egypt decided to sign a peace agreement with Israel. As a result, it regained the Sinai Peninsula. During the negotiations, the authorities in Cairo tried to include the Palestinian issue as a topic of discussion. Both sides agreed on forming Palestinian self-government in the West Bank and the Gaza Strip and halting expanding Jewish settlements. However, it turned out that these provisions were interpreted differently by the signatories. The authorities in Cairo did not take any steps to force Tel Aviv to do anything for Palestine.

Later, despite its vocal support for Palestine, the Egyptian government continued cooperating with Israel, e.g., in the area of gas supplies and removing underground tunnels in Gaza. The situation changed only after the outbreak of the so-called Arab Spring when Muslims took over power in Cairo. The new government became more involved in cooperation with Palestine, limiting contacts with Israel. For example, it decided to stop gas supplies to Israel.

The second country that decided to sign a peace treaty with Israel was Jordan, which took place in 1994. Similar to the government in Cairo, the Jordanians also emphasise support for Palestine

but do not put much pressure on the Israeli authorities. A sign of solidarity with the Palestinian community was the recall of the Jordanian ambassador in protest of the actions of Jewish extremists on the Temple Mount.

Palestine was also supported by Syria, which was the only country to support Palestinian claims after 1967, including assisting Palestinian militias that carried out attacks on Israel. However, after Hafez Assad came to power, the approach to the Palestinian problem underwent a significant change. The Syrian authorities extended strict control over Palestinian paramilitary units operating in Syria and prohibited them from raiding Israel.

Iran also supports Palestine, having chosen to become an adversary of Israel since 1979 and supporting the Palestinians in many ways. Year after year, thousands of Iranians participated in marches of support. Tehran itself has allocated considerable funds to help various Palestinian organisations. It is worth noting that the assistance was not limited to financial aid. Namely, the Iranians trained, among others, Hamas militants and supplied them with weapons.

The Gulf States have also taken the Palestinian side. Qatar, for example, has financially assisted Palestinian organisations. On the other hand, Saudi Arabia has attempted to reconcile the various Palestinian factions to form a Palestinian national unity government.

In 2009, Turkey also began to support the Palestinian side, even though it had previously cooperated with Israel quite often. The result of such a decision was the death of nine Turkish citizens who participated in the so-called "Freedom Flotilla." Israel did not apologise for this incident until 2013, but it was only after 2016 that contacts between Turkey and Israel were re-established.

#### **IV. CONCERNS**

There is concern that a third intifada could break out and that renewed tensions will escalate into large-scale violence. The United States is interested in protecting the security of its long-term ally Israel and achieving a lasting deal between Israel and the Palestinian territories, which would improve regional security.

#### **V. RECENT DEVELOPMENTS**

In October 2020, an Israeli court ruled that several Palestinian families living in Sheikh Jarrah—a neighbourhood in East Jerusalem—were to be evicted by May 2021, with their land handed over to Jewish families. In February 2021, several Palestinian families from Sheikh Jarrah filed an appeal to the court ruling, which prompted protests around the appeal hearings, the ongoing legal battle around property ownership, and demanding an end to the forcible

displacement of Palestinians from their homes in Jerusalem.

In late April 2021, Palestinians began demonstrating in the streets of Jerusalem to protest the pending evictions, and residents of Sheikh Jarrah and other activists began to host nightly sit-ins. In early May, after a court ruled in favour of the removals, the protests expanded, with Israeli police deploying force against demonstrators. On May 7, following weeks of daily demonstrations and rising tensions between protesters, Israeli settlers, and police during the month of Ramadan, violence broke out at the al-Aqsa Mosque compound in Jerusalem, with Israeli police using stun grenades, rubber bullets, and water cannons in a clash with protestors that left hundreds of Palestinians wounded.

After the clashes in Jerusalem's Old City, tensions increased throughout East Jerusalem, compounded by the celebration of Jerusalem Day. On May 10, after several consecutive days of violence throughout Jerusalem and using lethal and nonlethal force by Israeli police, Hamas, the militant group that governs Gaza, and other Palestinian militant groups launched hundreds of rockets into Israeli territory. Israel responded with air strikes and later artillery bombardments against targets in Gaza, including launching several air strikes that killed more than twenty Palestinians. While claiming to target Hamas, other militants, and their infrastructure—including tunnels and rocket launchers—Israel expanded its aerial campaign. It struck targets, including residential buildings, media headquarters, and refugee and healthcare facilities.

On May 21, 2021, Israel and Hamas agreed to a cease-fire, brokered by Egypt, with both sides claiming victory and no reported violations. More than two hundred and fifty Palestinians were killed, nearly two thousand others were wounded, and at least thirteen Israelis were killed over the eleven days of fighting. Authorities in Gaza estimate that tens of millions of dollars of damage was done, and the United Nations estimates that the fighting displaced more than 72,000 Palestinians.

Israel's most far-right and religious government was inaugurated in late December 2022. The coalition government is led by Benjamin "Bibi" Netanyahu and his Likud party. It comprises two ultra-Orthodox parties and three far-right parties, including the Religious Zionism Party, an ultranationalist faction affiliated with the West Bank settler movement. Netanyahu made various concessions to his far-right partners to reach a governing majority. Opponents have criticised the government's stated prioritisation of expanding and developing Israeli settlements in the occupied West Bank, which would significantly erode the prospects for a two-state solution. Netanyahu appointed Itamar Ben-Gvir, the head of the Jewish Power party, who



was convicted of racist incitement against Arabs, as national security minister, and Bezalel Smotrich, the leader of the Religious Zionism faction, to a ministerial post overseeing West Bank settlement policy. Coalition manifestos have also endorsed discrimination against LGBTQ+ people on religious grounds and proposed an overhaul of the judiciary to reduce its independence.

According to the U.N. Middle East envoy, the new government has come to power at a tense moment, as 2022 marked the most conflict-related deaths for Israelis and Palestinians since 2015. If enacted, the government's far-right policies could severely hinder relations with Palestinians, undermine Israel's liberal democracy, and challenge Israel's ties with its Arab neighbours, the United States and Europe.

## **VI. THE ISRAELI-PALESTINIAN CONFLICT AND THE SECURITY OF THE MIDDLE EASTERN STATES**

The analysis clearly shows that although the countries of the Middle East region support and advocate for the Palestinian side, concrete and decisive actions have yet to be taken in this regard. Thus, long-term practice allows us to conclude that these countries have little influence on the status and form of the Israeli-Palestinian conflict. Therefore, it should be considered that, except for diplomatic actions at the U.N. or mediation conducted during significant clashes in the Gaza Strip, the influence of Middle Eastern states on the conflict is negligible.

This means that the Israeli-Palestinian conflict does not pose a significant threat to the security of Middle Eastern states<sup>5</sup>. The rise of the so-called Islamic State is considered a much more substantial threat. For many, the conflict in question is strictly internal, hence the diplomatic approach of the rest of the countries in the region. This proves that the significance of the Israeli-Palestinian conflict is decreasing yearly, which means that the dispute will not affect the internal situation of these countries and will not cause the governments of the Middle East region to take more severe actions.

In addition to diplomatic assurances from Middle Eastern countries, it can be expected that states such as Iran and those from the Persian Gulf, which are characterised by anti-Israeli attitudes, will increase their financial assistance to Palestine; however, as already mentioned, this should not have any significant impact on the state of the Israeli-Palestinian conflict.

What makes the likelihood of a security threat to Middle Eastern states low is also the fact that

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<sup>5</sup> A. (2022, October 17). *Advantages That Come With Having A Split Air Conditioning - Orange County Ca Home Info*. Orange County Ca Home Info. <https://orangecountycahomeinfo.com/2022/10/17/advantages-that-come-with-having-a-split-air-conditioning/>

the Jewish state is stable. Its forces can minimise and limit the impact of a potential Palestinian uprising on the functioning of Israel.

As also mentioned, the more significant security problem for the countries in the Middle East region is the existence and activity of the so-called Islamic State.

### **International Actors and the Israeli-Palestinian Conflict:**

In the course of the conflict, Palestine has relied significantly, both politically and economically, on the involvement of foreign actors. Political support is expressed in the international community's criticism of Israel's actions in the West Bank and the Gaza Strip and Palestinian support from multilateral organisations. On the other hand, in terms of economics, according to the World Bank, from 1993 to 2017, Palestine received more than \$31 billion from foreign donors.

Cooperation between the European Union and Palestine and Israel is defined, among other things, by the European Neighbourhood Policy announced in 2004. Key to its formation are three crucial assumptions:

- A two-state solution involving the establishment of a sovereign Palestinian state within the boundaries outlined in the 1949 agreements as a means of ending the conflict, which both Israel and Palestine and the international community should pursue;
- The leading role of the United States in the Middle East Peace Process with the assumption of its support for a two-state solution;
- Member state support for European Union foreign policy efforts, the European Commission, and E.U. instruments that promote the two-state solution

Criticism of the U.N. towards Israel impacted its hostile attitude towards the organisation, and the Israeli authorities perceive its involvement in the conflict as exclusively pro-Palestinian. In contrast, the U.N. advocates the two-state solution, being critical of Israel's occupation policy. It considers the construction of the wall in the West Bank and Israeli settlements on its lands illegal. It is worth noting that from 1948 to 2016, the U.N. Security Council issued 80 resolutions to condemn Israel's actions.

## **VII. SHIFTING THE PARADIGM: A RIGHTS-BASED APPROACH:**

### **The Common Case:**

A rights-based approach that espouses universal values and norms in the conduct of foreign policy is a concept that has been explored previously. In the immediate aftermath of World War

II, the United States consistently centred its arguments for a rules-based international order on values and norms. The effort brought forth by the Geneva Conventions to protect civilians and occupied people during times of war led to the creation of the United Nations system, which includes treaties and associated mechanisms to promote respect for rights and the well-being of people to advance decolonisation. Unfortunately, in pursuing U.S. interests, this architecture has been buckling under the weight of its contradictions for some time. Some say it may be dead and buried, particularly in the wake of former President Donald Trump's<sup>6</sup> establishment of a more transactional method for advancing U.S. policy.

Indeed, the policies of Trump have gone a long way towards undermining the normative framework for international peace and security, particularly in the context of Israel-Palestine conflict resolution. The administration's Peace to Prosperity Plan, which sought to resolve all outstanding final status issues between Palestinians and Israelis with or without the participation of or consultation with Palestinians, is a stark example of the disregard for the rule of law.

U.S. engagement with Israelis and Palestinians—at home and abroad—has and will continue to conflict with the fundamental values the U.S. espouses. This interplay between U.S. domestic and foreign policy was on full display when, with the full backing of the U.S. president, Israeli Prime Minister Benjamin Netanyahu announced he would deny a sitting U.S. congresswoman of Palestinian descent entry into Israel and the occupied Palestinian territories<sup>7</sup> with a congressional delegation because she supports other Americans' right to engage in political boycotts of Israel—activity entitled to the highest protection under the First Amendment of the U.S. Constitution.

However, what are the norms that should shape a rights-based approach? A start would be those encapsulated in the United Nations Charter, in customary international law to which all states are bound, and in the International Bill of Human Rights<sup>8</sup>, consisting of the Universal Declaration of Human Rights, the International Covenant on Economic, Social, and Cultural Rights, and the International Covenant on Civil and Political Rights. Many of the norms contained in these instruments are already built into U.S. foreign policy under Section 502B of the Foreign Assistance Act<sup>9</sup>, which states that "a principal goal of the foreign policy of the

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<sup>6</sup> Ludlow, R. (2022, December 25). *3rd Election Police Case Created by DeSantis Dismissed - High Point Daily*. High Point Daily. <https://highpointdaily.com/3rd-election-police-case-created-by-desantis-dismissed/>

<sup>7</sup> *Palestine Marathon | PennyAppeal.org*. (n.d.). Palestine Marathon | PennyAppeal.org. <https://pennyappeal.org/event/palestinemarathon/faq>

<sup>8</sup> *Human rights governance | AkzoNobel*. (n.d.). Human Rights Governance | AkzoNobel. <https://www.akzonobel.com/en/about-us/position-statements/human-rights-governance->

<sup>9</sup> [https://thirdworldtraveler.com/Human\\_Rights/Out\\_Control\\_USA\\_RFA.html](https://thirdworldtraveler.com/Human_Rights/Out_Control_USA_RFA.html). (n.d.). [https://thirdworldtraveler.com/Human\\_Rights/Out\\_Control\\_USA\\_RFA.html](https://thirdworldtraveler.com/Human_Rights/Out_Control_USA_RFA.html)

United States shall be to promote the increased observance of internationally recognised human rights by all countries."<sup>10</sup>

In an advisory opinion in 2004, the International Court of Justice (ICJ), the judicial arm of the United Nations, determined that Israel had obligations to Palestinians under humanitarian law and international human rights conventions. Among the human rights that the court determined Israel violated in constructing a wall inside the occupied West Bank and its associated regime were the rights to self-determination, work, freedom of movement, protection of families and children, and an adequate standard of living, health, and education. The World Court also determined that all states parties to the Geneva Convention—the United States among them—have an obligation to ensure compliance with the convention and to cease all aid to Israel that supports its convention violations.

Thus, a rights-based approach focuses on values for values' sake and fulfilling an obligation under federal legislation and international law.

### **The Interest-Based Argument:**

Even if a negotiated agreement that is in the interests of the United States seems far off, a rights-based approach would markedly improve the environment for a solution by creating costs for maintaining the status quo. In this sense, a rights-based approach would not be a placeholder policy that prioritises conflict mitigation once more conducive political conditions materialise but rather the conduit that creates those necessary conditions.

First, a rights-based approach makes the United States a more credible mediator, empowering Palestinian and Israeli leaders to reach an agreement. For decades, there has been a credibility gap associated with U.S. mediation. While Israelis and their leaders have wanted exclusive U.S. engagement, the Palestinian public has been much more sceptical. The latest polls show that even under a Biden administration, 51% of Palestinians do not expect fair treatment from the United States, and 48% oppose "a return to Palestinian-Israeli negotiations under U.S. leadership." The lack of faith in U.S. mediation means that Palestinian leaders come into negotiations with little confidence in their ability to sell agreements to their public, thus tying their hands. The knowledge that all required is pro forma participation has strengthened constituencies' support for permanent Israeli control over the West Bank in Israel. If human rights were prioritised and there was accountability for violations of rights and international law, Palestinian trust in American engagement would grow, and Israeli leaders' expectations

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<sup>10</sup> D. (2021, August 5). *'Conditionality': A Broken Tool for Reform in the Middle East*. DAWN. <https://dawnmena.org/conditionality-a-broken-tool-for-reform-in-the-middle-east/>

would be clarified, with repercussions throughout the Israeli electorate.

Second, centred rights can inspire public confidence and create momentum for reaching a political agreement. Some 75 per cent of Palestinians believe that the chances of an independent Palestinian state coming to fruition in the next five years are either low or very low. About 62 per cent believe the two-state solution is no longer possible. Likewise, inside Israel, nearly 85 per cent of Israelis believe a solution in the next five years is unlikely. These views are undoubtedly tied to the repeated failures of the peace process and the worsening realities on the ground.

Today, neither Israeli nor Palestinian leaders are incentivised to create political constituencies to support a negotiated solution. In Israel, the U.S. approach failed to develop any actual costs for right-wing nationalist policies even as Israeli politics continued to leap rightward over the years. The message from Washington was that the U.S.-Israel relationship should not be jeopardised by pressing Israel on its conduct vis-à-vis the Palestinians. <sup>3</sup> In Israel, political parties coalesced around anti-Palestinian policies without fear of alienating a vital ally that ostensibly aimed to broker Israeli-Palestinian peace. Among Palestinians, this incentive structure meant that political parties committed to negotiations would inadvertently undercut their legitimacy by repeatedly committing to a failed peace process that demanded much from them while Israeli settlements expanded without repercussions.

If Israeli policies that violated rights and previous commitments came with costs attached to the U.S.-Israel relationship, it would force a recalculation and promote politics more amenable to political negotiation. On the Palestinian side, it would allow parties committed to negotiation to garner the faith of their populations.

Third, a rights-based approach could correct the power imbalance and give Palestinians some agency to bolster an international consensus around their rights. It might also spur Israel to take its obligations more seriously as an occupying power and negotiate an end to the conflict consistent with principles of international legitimacy. The previous U.S. approach—crafting positions on peace proposals or parameters with Israel's input while inhibiting Palestinian diplomatic and legal manoeuvres at the U.N. or the International Criminal Court—effectively allowed Israel to maintain its occupation at no cost.

Beyond advancing U.S. interests, a rights-based approach to Israel-Palestine conflict resolution holds promise for reinforcing American objectives and interests on issues beyond the Middle East, including authoritarianism, nationalism, nativism, and refugee rights. It would also pull the rug out from under U.S. adversaries who exploit the way the United States has shielded

Israel from accountability in multilateral fora and with third states and would give the United States greater leverage with China and Russia as competition for regional influence becomes more and more pronounced in the years to come.

### **A Rights-Based Approach In Practice:**

In adopting a rights-based approach towards Israel and Palestine, the United States should take the lead.

- Understand that in maintaining current U.S. policy towards Israel and Palestine, the United States is still doing significant harm and contributing to worsening the situation. The United States should thoroughly review its bilateral relationship with Israel, including its security assistance to Israel, to ensure that U.S. policy no longer perpetuates Israel's military occupation or enables human rights abuses.

- Recognise that an asymmetrical relationship exists between Israel (as a state) and the Palestinian people, who live under military occupation or are refugees in third countries. The Fourth Geneva Convention clarifies that occupied people may not be deprived "in any case or any manner whatsoever" of the protections guaranteed under the convention, including in any agreements they may sign. This humanitarian law seeks to mitigate the inherent unfairness associated with people under occupation having to negotiate the terms of their freedom. The U.S. backing of territorial compromises while Palestinians remain under occupation violates the UN Charter and customary international law principles of the inadmissibility of acquiring territory by force.

- The United States should clarify that the status quo in the absence of a two-state outcome is unsustainable and unacceptable. Even as Israel prevents a two-state result and maintains the blockade of Gaza, the United States will support equal protection under the law for Palestinians. As the ICJ determined in a 2004 advisory opinion, Israel has obligations to Palestinians living under its control according to humanitarian and human rights laws. Given the length of Israel's military occupation, the human rights obligations owed to Palestinians should mirror the rights owed to Israel's citizens.

- End the practice of defending Israel from the consequences of violating international law while creating obstacles for Palestinians seeking to access mechanisms for accountability. U.N. Security Council Resolution 2334 calls upon all states to take immediate steps to prevent violence against civilians and hold violators accountable. The United States, as a state party to the Fourth Geneva Convention, is also obligated to uphold the protections contained in the convention for occupied populations. U.S. attempts to shield Israel from the legal consequences

of its settlement enterprise in international fora—via withholding funding from multilateral bodies, undue influence, or diplomatic pressure against third states or the International Criminal Court to avoid taking measures in this regard—undermine U.S. responsibilities.

## VIII. CONCLUSION

In conclusion, the Middle East region is considered one of the least stable areas in the world. The main factor contributing to this state of affairs is the Israeli-Palestinian conflict.<sup>11</sup> This conflict has not been resolved so far. Despite both sides' repeated declarations of willingness to resume peace talks, the criteria they set for each other caused the negotiations to fail. All of this contributes to the conflict being a source of constant tension in the region and posing challenges and threats to the security of the parties involved. At the same time, tensions between the Arab and Jewish populations emerged before establishing the Jewish state. However, the beginning of the first Arab-Israeli war is considered the day when Israel declared independence on May 14, 1948.

Middle Eastern countries backed the Palestinians in 1948, and six of them—Saudi Arabia, Egypt, Iraq, Jordan, Lebanon, and Syria—entered the war against the newly formed Israel. These states aimed to destroy Israel and establish an Arab state in Palestine. However, the actions of these states in the later period can hardly be considered pro-Palestinian.

The United States is at a pivotal moment in its relations with the world, seeking to reassert its leadership and support a rules-based international order. This moment calls for a new approach that puts human rights at the centre of policymaking concerning the Israel-Palestine issue. Given the grave and long-lasting human rights crisis, this approach is a moral imperative and an opportunity for the United States to advance its broader regional policy objectives and beyond.

It is clear from the analysis that even though countries in the Middle East region support and advocate for the Palestinian side, there needs to be more assertive and decisive action in this regard. All this means that the Israeli-Palestinian conflict does not pose a significant threat to the security of Middle Eastern countries. The rise of the so-called Islamic State is considered a much more substantial threat. For many, this conflict is strictly internal, which is why the rest of the countries in the region are acting very diplomatically. This shows that the nature of the Israeli-Palestinian conflict decreases with each passing year, which means that this conflict will not affect the internal situation of these countries and will not cause the Middle Eastern governments to take more severe action.

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<sup>11</sup> *MENA Monitor Articles*. (2020, July 2). Warsaw Institute. <https://warsawinstitute.org/programs/mena-monitor/mena-monitor-articles/>