

The EU and Different Paths to Walk the Talk of Promoting Palestinian Self-Determination

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News

By adopting Resolution 2334 on December 23, 2016, the Security Council of the United Nations once more promoted the vision of achieving Israeli–Palestinian peace. However, there is general perplexity how to realize this aim.

Summary

The present contribution focuses on the European Union’s foreign policy toward the Israeli–Palestinian conflict. In terms of political communication, the European Union has for decades put a peaceful settlement of the Israeli–Palestinian conflict high on its foreign policy agenda. The present contribution discusses different paths to walk the European talk of promoting Palestinian self-determination and various means of mapping them. In terms of different options, a two-state approach, a one-state solution, and the idea of international trusteeship are discussed. With respect to procedures, two alternatives to the bilateral approach are presented: unilateralization and multilateralization.

Key Words

Israeli–Palestinian Conflict, European Union, Foreign Policy

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Note

The present contribution heavily draws on a section of the following article: Martin Beck, “How to (Not) Walk the Talk: The Demand for Palestinian Self-Determination as a Challenge for the European Neighbourhood Policy,” *European Foreign Affairs Review* 22(1).

Analysis:

The EU claims to be committed to ending the Israeli occupation of Palestine in order to achieve the aim of the Palestinian people's self-determination. In the last century, the EU also developed concrete ideas of what kind of rule the occupation regime should be replaced by and through which procedure this aim should be achieved: As an outcome of bilateral negotiations between Israel and the PLO, a democratic Palestinian state living in peaceful coexistence with Israel ought to be established. However, the historic bilateral Oslo process, which the EU put its hope in, failed, and all attempts to revitalize it proved to be fruitless. Thus, the question arises what other options might be available in terms of both an alternative rule to occupation and a procedure to achieve it.

The most prominent alternative to a two-state solution is a one-state solution. The idea of a binational state was first propagated in the period between the 1920s and the establishment of the State of Israel, mainly by Jewish intellectual groups, particularly Brit Shalom, which was established in 1925, and Ihud, which—under the leadership of Martin Buber and Judah Magnes—started to be active in the early 1940s. However, these initiatives failed to compete with mainstream Jewish-Zionist and Arab-Palestinian nationalisms and were sidelined at the latest with the establishment of the State of Israel.¹ Since the 1970s, however, the idea has resumed significant ideational support among some prominent Israeli and Palestinian lateral thinkers such as Meron Benvenisti and Edward Said, as well as Sari Nusseibeh, respectively. In the post-June War scenario of a binational state, Israel abolishes occupation by annexing all Palestinian territories, thereby extending full citizenship rights to all Palestinians, i.e. apart from the current Palestinian Israelis to the population of East Jerusalem, the West Bank, and the Gaza Strip. Although the idea of a binational Palestinian–Israeli state is attractive from the viewpoint of the norm of Palestinian self-determination, conditions of success look rather bleak. Social support on the Palestinian side, albeit significantly higher than among Israelis, is lower than for the two-state settlement.² Moreover, the Fatah-dominated PLO is strongly opposed, as it would be deprived of its ideological fundamentals. Even much more pronounced is Jewish Israeli objection to the idea both on the governmental and societal level: The identity of the overwhelming majority of the

¹ T. Hermann, *The bi-National Idea in Israel/Palestine: Past and Present*, 11 Nations and Nationalism, 385-386 (2005).

² Jerusalem Media and Communication Centre (JMCC): *Survey Question: Is a two-state solution or a binational state the preferred solution for the Palestinian-Israeli Conflict?*

http://www.jmcc.org/imagesfolder/45_57_14_20_4_2010.jpg (accessed February 10, 2017).

Jewish population of Israel, which makes up eighty percent of Israel's inhabitants in the borders of 1949, is firmly based on Zionism as an essentially Jewish state project. According to a survey conducted by the Israeli Democracy Institute in 2015, nearly two-thirds of the Jewish Israeli population believe that the Jewishness of the Israeli state is of higher importance than or equal to its democratic character.³

The idea of a trusteeship as a replacement for Israeli occupation, which ought to be legitimized by the United Nations, has been put on the agenda by Martin Indyk in 2003.⁴ As both the PLO and Israel have good reasons to object such a project, it appears to be irrelevant under present conditions. However, if Gaza entered a humanitarian catastrophe and/or a breakdown of the rule of Hamas or if the PA based in the West Bank responded to its failure to achieve self-determination for the Palestinians by announcing self-dissolution, it could become an option. From the Israeli perspective, a trusteeship of the Gaza Strip could be an attractive alternative to a redeployment of troops inside the Mediterranean coastal area. At the same time, however, Israel would have strong incentives to oppose a trusteeship in the West Bank and even more so in East Jerusalem.

If one sticks to the two-state solution, two alternative procedures to the approach of bilateral negotiations are available: unilateralization and multilateralization. By launching its campaign 194, which demands full recognition of the State of Palestine, it was the PLO that recently put the unilateral approach on the agenda.⁵ Although strongly opposed by Israel, some European parliaments opted for it, and Sweden recognized the State of Palestine. However, the benefits for the Palestinians are basically limited to the political and diplomatic class, whereas effects for the people living under occupation are negligible. Sweden's recognition of the State of Palestine did not have any measurable effect on the occupational regime in East Jerusalem, the West Bank, or the Gaza Strip.⁶

³ T. Hermann, E. Heller, C. Cohen & D. Bublil, *The Israeli Democracy Index 2015*, 47-48 (2015), http://www.idi.org.il/media/4256544/democracy_index_2015_eng.pdf (accessed June 10, 2016).

⁴ Martin Indyk, *A Trusteeship for Palestine*, May/June Foreign Affairs (2003), <https://www.foreignaffairs.com/articles/israel/2003-05-01/trusteeship-palestine> (accessed February 10, 2017).

⁵ The first major post-Oslo attempt of launching a unilateral approach was conducted by Israel under the premiership of Ariel Sharon who implemented his "disengagement plan" from the Gaza Strip in 2005.

⁶ Cf. Adam Taylor, *Sweden's Relations with Israel Were Already Bad: They Just Got Much Worse*, <https://www.washingtonpost.com/news/worldviews/wp/2016/01/14/swedens-relations-with-israel-were-already-bad-they-just-got-much-worse/> (accessed June 10, 2016).

The rationale of a multilateral approach, which in recent history the Quartet on the Middle East (composed of the United Nations, the US, the EU, and Russia) proposed by launching the “Roadmap for peace” in 2002,⁷ and French outgoing Foreign Minister Laurent Fabius in January 2016, is that it may mitigate the power gap between Israel and the PLO in two ways.⁸ First, the third parties could monitor the behavior of the conflict parties and assess it. Second, they could sanction one or both parties if they do not stick to mutually agreed obligations and procedures. The potential effectiveness of a multilateral process would indeed depend to a high degree on the establishment of a sophisticated sanctioning mechanism. This, however, is a difficult task. Yet the main obstacle to applying a multilateral approach seems to be that Israel has strong incentives not to accept it, since it would be partially deprived of its superior power position toward the PLO and, if all occupied Palestinian territories were included, Israel would even have to accept constraints in terms of self-claimed sovereignty over East Jerusalem. Accordingly, Israel bluntly rejected the French 2016 initiative.⁹

Some of the alternative options how to rule Palestine and the alternative procedures how to achieve a two-state solution discussed above bear some potential when assessed on the basis of normative attraction in terms of the Palestinian right to self-determination. Yet all of them face strong opposition from the conflict parties, particularly Israel, whereas both Israel and the PLO are not tired of reassuring the international community that they are—in principle—ready to go for bilateral negotiations. Thus, paradoxically, the approach of contributing to the materialization of a two-state settlement in the frame of bilateral Israeli–Palestinian negotiations remains attractive to the EU despite the low likelihood that Palestinian self-determination could be achieved through this means.

⁷ The *Performance Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict* is available on the website of the United Nations,

<http://www.un.org/News/dh/mideast/roadmap122002.pdf> (accessed June 2, 2016).

⁸ See D. Huber & L. Kamel, *The Multilateralisation of the Israeli-Palestinian Conflict: A Call for an EU Initiative*, IAI Working Papers, Jan. 15, 2015, <http://www.iai.it/sites/default/files/iaiw1502.pdf> (accessed June 2, 2016).

⁹ W. Booth, *Israel Tells France It's Not Interested in Multilateral Peace Talks*, Washington Post, May 15, 2016, https://www.washingtonpost.com/world/middle_east/israel-tells-france-its-not-interested-in-multilateral-peace-talks/2016/05/15/30110796-1aab-11e6-82c2-a7dcb313287d_story.html (accessed June 10, 2016).