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Summary

The West Bank and Gaza have been occupied by Israel since 1967, and are collectively known as the Occupied Palestinian Territories (OPTs). Before the 1967 war, the West Bank was part of Jordan whilst Gaza was part of Egypt. Egypt never claimed permanent sovereignty over Gaza, seeing its administration as temporary pending the creation of a Palestinian state, while Jordan renounced its claim to the West Bank in 1988.

Both areas remained under full Israeli control until the mid-1990s, when the Palestinian Authority (PA) was created. The PA controls some areas of the OPTs, but other areas remain under Israeli control. Many in the international community, including the Foreign & Commonwealth Office, still regard the Territories as 'occupied' in their entirety because Israel retains control of their borders. Many Israeli citizens have moved into the OPTs, living in purpose-built Israeli settlements. Many think that the Fourth Geneva Convention prohibits this practice, though Israel argues that the prohibition is not applicable in the OPTs.

2014 Israeli military operation in Gaza

The Israeli military launched a large military operation in Gaza in July and August 2014 following increasing tension between Israel and Hamas. Over 2,250 Palestinians, mostly civilian, and over 70 Israelis, mostly soldiers, were killed in the fighting.¹

Two-state solution

It is widely accepted that the most likely solution to the conflict is a "two-state solution" – the creation of a Palestinian state in the West Bank and Gaza. The Israeli government supports the two-state solution, although it says that the time is not ripe for it.

Fatah, one of the two leading factions in Palestinian politics, also supports the two-state solution but Hamas, its rival, takes a more radical line. Under the Hamas vision, the entire area now covered by the State of Israel would – along with the OPTs – form part of a future Palestinian state.

Deteriorating security 2015-16

In 2015 and 2016 security conditions in Israel deteriorated, and a crisis of legitimacy emerged for the Palestinian Authority. Incidents of individual violence against Israelis proliferated, gaining the title of the 'lone wolf intifada'.

The economy of both the West Bank and Gaza failed to grow enough to give hope to residents in those areas, particularly to young people, who opinion polls show have less faith in a two-state solution and increasingly support violence.

Stalled peace talks

With a view to achieving a two-state solution, there have in recent years been various sets of talks between the Israeli and Palestinian administrations. The most recent set of talks, mediated by US Secretary of State John Kerry, began in August 2013 but collapsed in April 2014 following the decision by Mahmoud Abbas (often known as Abu Mazen), President of the Palestinian Authority and leader of Fatah, to sign a reconciliation agreement with Hamas. Israel was opposed to such an agreement and withdrew from the talks in protest. There has been no resumption of formal peace talks and the prospects of

¹ ["Data featured in the report of the Independent Commission of Inquiry on the 2014 conflict"](#), UN OCHA, June 2015; ["IDF soldiers killed in Operation Protective Edge"](#), Israeli Ministry of Foreign Affairs, 3 January 2017

a two-state solution appear, in some eyes, to be diminishing. The UK Government has warned of a drift towards a one-state solution which, it argues, is in no one's interests.

Settlements and a new UN Security Council Resolution

The UN Security Council has condemned the construction and expansion of settlements in the Occupied Palestinian Territories, most recently in a resolution adopted in December 2016. The UK Government voted in favour of Resolution 2334 and the US, in one of the final acts of the Obama Presidency, chose not to exercise its veto. However, the new US Ambassador to the UN has since described Resolution 2334 as a "terrible mistake".² The resolution also condemned all acts of terror and called for a resumption of peace talks.

Since the inauguration of President Trump the Israeli Government has announced plans for further settlement expansion. The Israeli Knesset has passed a controversial law giving retrospective planning permission to settler buildings built in outposts.

Palestinian domestic politics

Fatah and Hamas remain the two main factions in Palestinian politics and are dominant in the West Bank and Gaza Strip respectively. Recent efforts to reconcile the two groups and form a new national unity government include talks in Moscow early in 2017. However divisions remain and the Palestinian Authority has announced delayed municipal elections will be held in the West Bank only, and not the Gaza Strip as hoped, in May 2017. Presidential and legislative elections have not been held for over a decade.

Palestinian statehood?

The OPTs do not presently meet the criteria for statehood under international law. However, this fact does not inhibit other states from granting diplomatic recognition to "Palestine" if they so wish. Out of 193 UN Member States, 136 have granted diplomatic recognition to Palestine,³ though most Western countries have not. However, this is beginning to change. Sweden recognised Palestine on 30 October 2014, and in a number of countries which have not yet recognised Palestine (including the UK), national Parliaments have passed motions (albeit non-binding ones) calling on their governments to do so.

The Palestinian Authority has in recent years made various attempts to upgrade its status at the United Nations, some more successful than others. Following an unsuccessful application for full membership in 2011, the 'State of Palestine' was admitted as a non-member observer state in 2012. Subsequently, in 2014, Jordan (a key Palestinian ally and then non-permanent member of the UN Security Council) submitted a draft resolution to the Security Council, calling for an end to the occupation by 2017. This resolution was rejected by the Security Council. In protest at the Security Council's decision, Palestine acceded to the Rome Statute, the founding treaty of the International Criminal Court. Israel, and many in the international community, had argued that it should refrain from acceding until agreement was reached on a two-state solution.

Palestine's accession has led the ICC to launch a preliminary investigation into war crimes alleged to have been committed during the military operation in Gaza in 2014. It is not only the actions of the Israel Defence Forces at that time that have come under scrutiny, however; the ICC might also scrutinise alleged abuses by Hamas, which Amnesty accuses

² "[Remarks at a Press Availability Following UN Security Council Consultations on the Middle East](#)", US mission to the United Nations, 16 February 2017

³ The use of the word 'Palestine' without inverted commas in the paper does not imply any recognition of a Palestinian state

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of “abductions, torture, and summary and extrajudicial executions with impunity in 2014.”⁴

UK policy

Successive UK Governments have supported the two-state solution. The current Government’s policy is articulated in the following statement by Foreign Office Minister Baroness Anelay of St Johns:

It has been the position of every British Government since 1948 that the Occupied Palestinian Territories (OPTs, i.e. the West Bank including East Jerusalem and Gaza) were not lawfully part of the state of Israel at its creation or at any point thereafter. We consider that the level of control that Israel retains over these territories amounts to occupation under international law and hence that Israel's presence in the OPTs is governed by the provisions of the Fourth Geneva Conventions of 1949, to which Israel is a state party.⁵

The Foreign Affairs select committee began an inquiry on the UK’s policy towards the Middle East Peace Process in January 2017. Further information can be found on the [inquiry webpage](#).

A note on the update to this paper

This briefing paper provides a short account of recent developments in the Occupied Palestinian Territories. It updates the briefing paper published in August and updated in December 2016.

An earlier House of Commons Library briefing paper provides an historical background to the peace process: [Middle East Peace Process: historical background and a detailed chronology from 1990 to 2010](#), SN02693

⁴ [‘Strangling Necks’ - Abductions, torture and summary killings of Palestinians by Hamas forces during the 2014 Gaza/Israel conflict](#), Amnesty International, May 2015.

⁵ HL4019, 23 December 2016

1. Historical background

Before 1967, the West Bank was part of Jordan, while Gaza was part of Egypt. Attacks on Israel from the West Bank and Gaza had started soon after the creation of the state of Israel. After the replacement of the Egyptian monarchy by the socialist and Arab nationalist Nasser government, the USSR became the chief arms supplier to many Arab states in the region, as Israel turned increasingly to the US. During the 1960s, violence increased.⁶

In 1967, the six-day war broke out. Israel occupied the Gaza strip, the Sinai Peninsula, the West Bank, including all of Jerusalem, and the Golan Heights, part of Syria. The United Nations passed Security Council Resolution 242, calling for the withdrawal from the occupied territories and the restoration of legal frontiers, the recognition of Israel and end of all states of belligerency.⁷

In 1973, the Egyptians mounted an attack on Israeli forces on the East side of the Suez Canal, coordinating with the Syrians who attacked Israeli forces occupying the Golan Heights. In the ensuing Yom Kippur war, the Israelis were ultimately successful, driving back the Egyptians and Syrians to their post-1967 positions.

Despite the UN Resolution 242 calling for withdrawal, both Gaza and the West Bank remained under full Israeli control until the mid-1990s, when a set of negotiations known as the Oslo Process led to the establishment – albeit with limited powers - of a unicameral Palestinian parliament (known as the Palestinian Legislative Council) and a Palestinian government (known as the Palestinian Authority or PA).⁸

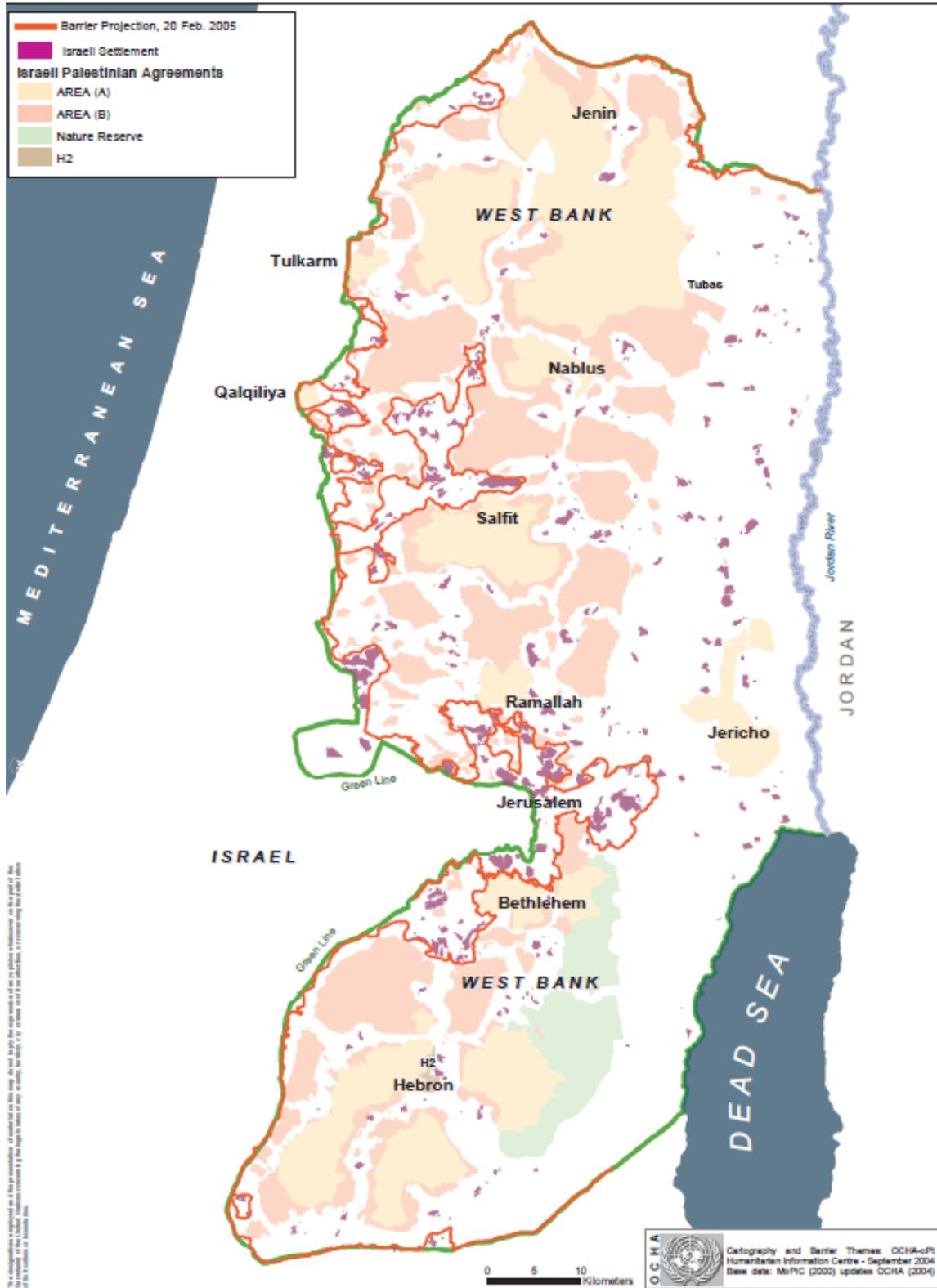
Under the Interim Agreement of September 1995, the West Bank (with the exception of Hebron and East Jerusalem) was split into Areas A, B and C. The new Palestinian Authority was given full control in Area A, and full control of civil matters in Area B (it shares control of security matters with the Government of Israel). In Area C, however, the Government of Israel retained full control. Initially, a similar approach was followed in Gaza, with some areas under PA control and some under Israeli control. However, Israel unilaterally withdrew from Gaza in 2005, leaving the entire area under PA control, with the exception of a “buffer zone” along the border with Israel, which remains under Israeli control and in fact constitutes 40% of Gaza’s entire surface area. All of these measures were nominally temporary: an agreement over the permanent status of the territories remains elusive.⁹

⁶ For a fuller account of the history, see the Library briefing paper [Middle East Peace Process: historical background and a detailed chronology from 1990 to 2010](#), December 2010

⁷ [UN Security Council Resolution 242](#), 22 November 1967

⁸ Parsons, Nigel. Recent History (Palestinian Territories), in Europa World online. London, Routledge. House of Commons. Retrieved 25 March 2015 from http://www.europaworld.com/entry/ps_hi

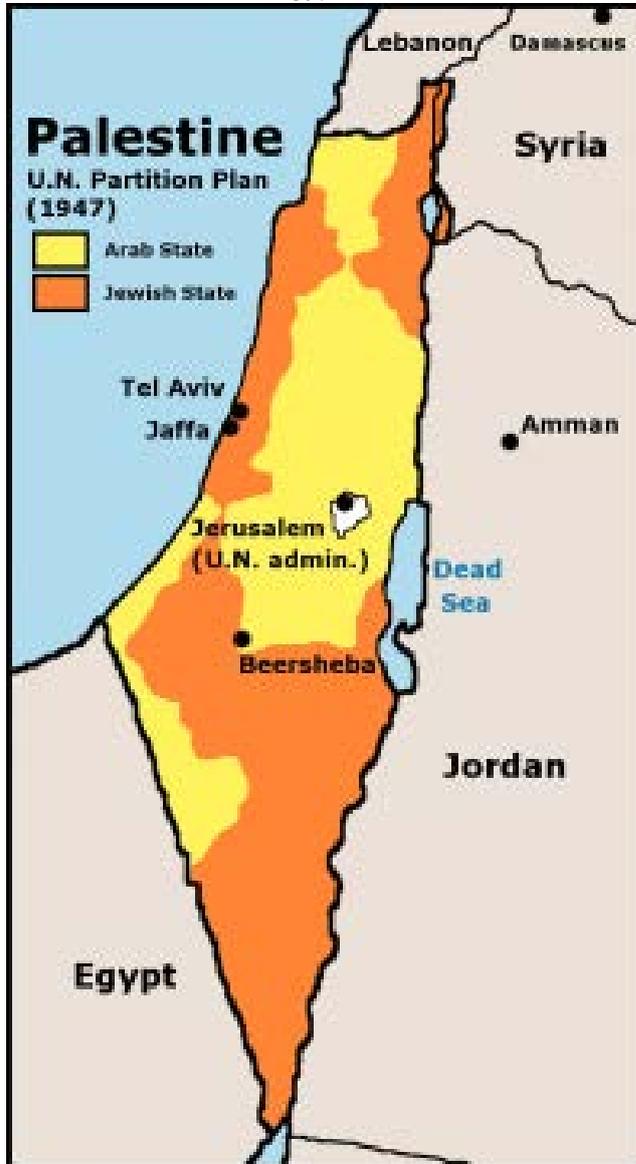
⁹ *Ibid.*



Map showing Palestinian-controlled areas of the West Bank (pale yellow) joint control areas (pink) and Israeli-controlled (white) areas. Information in the map on the separation barrier and Israeli settlements is outdated. Source: [UN OCHA](http://www.unocha.org)

The international community continues to regard the whole of the territories as 'occupied', mainly because the Palestinians do not fully control their own borders. Even in those areas which are nominally under full Palestinian control, Israel retains the right to

close borders. All airports and sea ports in the OPTs were closed down several years ago, and Israel retains control of the West Bank's land borders. Gaza's land borders technically returned to Palestinian control in 2005, but the only two countries with which it shares a border are Israel and Egypt, both of which have – at various points – imposed significant restrictions on the border crossings.¹⁰



For a range of complex socio-political reasons, neither Hebron nor East Jerusalem were included in Area A, B or C. Whilst East Jerusalem is part of the West Bank (unlike West Jerusalem, which is part of Israel), Israel has – ever since 1967 – chosen to regard all of Jerusalem as a part of its own territory. It therefore remains under full Israeli control. The city of Hebron, meanwhile, has since 1997 been divided into two areas, known as H1 and H2. H2 is under full Israeli control, and contains a number of “restricted areas” where the activities of Palestinians are heavily constrained. On many streets in these areas, Palestinian vehicles are prohibited; some streets are off limits to all Palestinians, including pedestrians.¹¹

Palestinian state

The idea of a Palestinian state dates back to the United Nations Partition Plan for Palestine, adopted by the UN General Assembly in 1947.

At this point, all of the areas now known as Israel and the OPTs were under UK control as part of the

British Mandate of Palestine, granted by the League of Nations in 1920. The partition plan proposed the division of this area into a Jewish state, a Palestinian state, and a UN-administered area around Jerusalem, as shown by the map, (Source: [Ohio State University](#)). The Jewish state declared its independence as the State of Israel on 15 May 1948; was immediately invaded by Jordan, Egypt and Syria; and emerged victorious from the war which followed. The proposed Palestinian state, however, never came into being. Much of the territory allocated to it was annexed by Israel during the war, with the exception of the West Bank and Gaza which were incorporated respectively into Jordan and Egypt.¹²

More recently, there has been a series of attempts to end the occupation – not by returning the West Bank and Gaza to Jordanian and Egyptian control respectively, but by

¹⁰ Parsons, Nigel. Recent History (Palestinian Territories), in Europa World online. London, Routledge. House of Commons. Retrieved 25 March 2015 from http://www.europaworld.com/entry/ps_hi

¹¹ UNOCHA OPT, The humanitarian impact of Israeli settlements in Hebron city; November 2013

¹² "Israel: History"; "Palestinian Territories: Recent History", *Europa World Plus* [accessed 13 August 2014]

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means of a “two-state solution” - the creation of a Palestinian state in the West Bank and Gaza. (Egypt never claimed permanent sovereignty over Gaza, seeing its administration as temporary pending the creation of a Palestinian state, whilst Jordan renounced its claim to the West Bank in 1988.)¹³ To this end there have been various sets of direct talks between Israel and the Palestinians since the 1990s to address the main disputed issues (so-called “final status issues”).

These final status issues are: borders, the status of Jerusalem, the status of Israeli settlements and their residents and the status of Palestinian refugees.

The Palestinian people are often said to be stateless. The Palestinian Authority issues its own passports, but these are not universally accepted as travel documents, since many countries do not recognise the Palestinian Authority as a state (see below). Generally speaking, Gazans have been stateless for longer than West Bankers. The people of Gaza were already stateless before 1967: although Gaza was under Egyptian control, Gazans were not generally granted Egyptian citizenship. West Bankers held full Jordanian citizenship prior to 1967, and retained it until 1988, when Jordan formally renounced its claim to the territory and agreed to support the creation of a Palestinian state.¹⁴ In addition, since Israel regards East Jerusalem as part of its own territory, East Jerusalemites were offered Israeli citizenship following the 1967 invasion – though most declined the offer, arguing that accepting citizenship would be tantamount to accepting Israel’s jurisdiction over East Jerusalem.¹⁵

Only 32% of Palestinians believe a two-state solution is viable, an opinion poll conducted in December 2016 found. 65% of respondents said it was no longer viable.

An opinion poll conducted in December 2016 by the Palestinian Centre for Policy and Survey Research asked Palestinians to identify the vital goals of the Palestinian people:

- 46% believe the most vital Palestinian goal should be to end Israeli occupation in the areas occupied in 1967 and build a Palestinian state in the West Bank and the Gaza Strip with East Jerusalem as its capital.
- 30% believe the first most vital goal should be to obtain the right of return of refugees to their 1948 towns and villages
- 13% believe that it should be to build a pious or moral individual and a religious society, one that applies all Islamic teachings
- 11% believe that the first and most vital goal should be to establish a democratic political system that respects freedoms and rights of Palestinians.¹⁶

UK policy

The UK Government strongly supports the idea of a two-state solution.

Foreign Office Minister Baroness Anelay of St Johns laid out the Government’s policy towards Israel on 24 January 2017:

The UK Government’s longstanding policy on the Middle East peace process is well known. We support a negotiated settlement leading to a safe and secure Israel living alongside a viable and sovereign Palestinian state. It has long been the UK Government position that Israeli settlement activity is illegal and undermines the

¹³ J Salmon, ‘The Proclamation of the State of Palestine’, in *Palestine Yearbook of International Law*, 1989, p57

¹⁴ ["Egypt grants citizenship to 50,000 Palestinians"](#), *Jerusalem Post*, 10 November 2012; Human Rights Watch, *Stateless Again* (2010)

¹⁵ ["Who are East Jerusalem's 'permanent residents'?"](#), *Haaretz*, 9 December 2014

¹⁶ [Palestinian public opinion poll no. 62](#), Palestinian Centre for Policy and Survey Research, 29 December 2016, Q40 and PV30

viability of two states for two peoples which is why we supported in the United Nations Security Council Resolution 2334 (2016). But we have also always been clear that settlements are far from the only obstacle to peace: terrorism and incitement must also end.¹⁷

In a separate comment Baroness Anelay said:

It has been the position of every British Government since 1948 that the Occupied Palestinian Territories (OPTs, i.e. the West Bank including East Jerusalem and Gaza) were not lawfully part of the state of Israel at its creation or at any point thereafter. We consider that the level of control that Israel retains over these territories amounts to occupation under international law and hence that Israel's presence in the OPTs is governed by the provisions of the Fourth Geneva Conventions of 1949, to which Israel is a state party.¹⁸

Boris Johnson, the Foreign Secretary, visited Israel and the Occupied Palestinian Territories in a [one day visit](#) on 8 March 2017.

The Foreign Affairs select committee began an inquiry into UK policy towards the Middle East Peace Process in early 2017. Terms of reference, oral and written evidence can be found on the inquiry website: [The UK's policy towards the Middle East Peace Process](#).

¹⁷ HL4541, 24 January 2017

¹⁸ HL4019, 23 December 2016

2. 2014 Israeli military operation in Gaza

Israel has carried three major military operations in the Gaza Strip since the turn of the century, the most recent in 2014.

2.1 Chronology of events

Tensions between Israel and Hamas increased markedly during June 2014, following the abduction and murder of three Israeli teenagers in Area C of the West Bank. Israel claimed that Hamas was responsible for the killings; Hamas accepted that the attackers may have been Hamas members, but claimed that they were acting of their own accord rather than on orders from Hamas HQ. Before the discovery of the bodies on 30 June, Israeli forces entered Palestinian-controlled areas of the West Bank to search for the victims and arrested over 300 suspects. The Palestinian Authority agreed to cooperate with the Israeli search effort, but also criticised the perceived excesses of the Israeli operation. Many Palestinians protested against the Israeli incursions. Some protests turned violent, with a number of Palestinians being killed in clashes with Israeli forces. Another Palestinian boy was killed in a suspected “revenge” attack by Israeli extremists.¹⁹

On 7 July 2014 the Israeli military launched a large military operation in Gaza, known as Operation Protective Edge. The Israeli Prime Minister cited the “hundreds of rockets at Israeli citizens” fired by Hamas in a statement marking the beginning of the hostilities.²⁰

The operation followed a similar pattern to a number of previous ones, including Operation Cast Lead (2008-09) and Operation Pillar of Defence (2012). It initially consisted of air strikes alone, but from 17 July the Israeli military began conducting ground incursions into the Gaza Strip.²¹ Israel’s objectives were to target Hamas militants and the infrastructure used to launch attacks on Israel. In particular, Israel was seeking to destroy underground tunnels leading from Gaza into Israel. All known tunnels were successfully destroyed by early August, and the ground incursions came to an end on 5 August,²² although air strikes (and rocket attacks from Gaza) continued.

The hostilities ended on 26 August 2014, when an open-ended ceasefire came into effect following mediation by Egypt.²³ There were also a number of short-term ceasefires during the Operation, some of which were more fully observed than others.

2.2 Casualties

- 2,251 Palestinians in total including:
 - 1,462 civilians
 - 551 children
 - 299 women²⁴
- 65 Israeli soldiers²⁵

¹⁹ [Abduction and murder of Israeli teenagers](#), House of Commons Library Standard Note SN06928, as amended 3 July 2014

²⁰ [“Statement by PM Netanyahu”](#), Israel Ministry of Foreign Affairs, 8 July 2014

²¹ [“Occupied Palestinian Territory: Gaza Emergency Situation Report \(as of 18 July 2014, 1500 hrs\)”](#), OCHA, 19 July 2014

²² [“New Gaza cease-fire begins as Israel withdraws troops”](#), Los Angeles Times, 5 August 2014

²³ [“What’s in the Gaza peace deal?”](#) Reuters, 26 August 2014.

²⁴ [“Data featured in the report of the Independent Commission of Inquiry on the 2014 conflict”](#), UN OCHA, June 2015

²⁵ [“IDF soldiers killed in Operation Protective Edge”](#), Israel Ministry of Foreign Affairs, 3 January 2017

- 6 Israeli civilians
- 1 Thai national²⁶

2.3 Terms of ceasefire deal

The ceasefire agreement was signed not only by Israel and Hamas, but also by the Palestinian Authority and by Islamic Jihad (another militant group operating in Gaza).²⁷ As part of the ceasefire deal, Israel agreed to loosen some of the restrictions on movement between its own territory and Gaza. From 2 September 2014, for example, both the Palestinian Water Authority and international aid organisations were allowed to import construction materials; a new “mechanism” allowing private firms to do likewise was also set up. Egypt also agreed to relax restrictions at the Egypt-Gaza border crossing at Rafah.

Reconstruction of Gaza

The Palestinian Government published a US\$3.9 billion Detailed Needs Assessment and Recovery Framework for Gaza (DNA), developed with support of the UN, World Bank and the EU, in August 2015.

The Office of the UN Special Representative for the Middle East Peace Process (UNSCO) produced a detailed summary of reconstruction and recovery efforts in Gaza in September 2016 to mark two years since hostilities ended.²⁸ The UN Special Representative found that to date:

Progress has been more focused on hard elements such as housing repair, reconstruction and cash assistance, whereas other components such as urban planning, investments in business and trade, technical and legal assistance, capacity building as well as information management, have received little attention or funding, despite being integral to sustainable recovery.

The report provides the following information about of the physical reconstruction, up to the end of August 2016:

- Nearly all of the estimated 2 million tons of rubble had been removed by the UN, the private sector and homeowners but explosive hazards in the debris makes the clean-up efforts “extremely dangerous.”
- Repair and reconstruction of damaged and destroyed houses was underway in all five governorates in Gaza.
 - 51% of repairs to houses with minor and major damages considered still inhabitable had been completed.
 - Most of these repairs occurred in the first year of conflict but a drop in funding meant a funding gap for the repair of almost 60,000 homes.
 - Of homes considered uninhabitable, significant progress only occurred in 2016 but funding remained lacking for 4,000 totally destroyed homes, and 60,000 people remain displaced.
- Repairs of almost all water, wastewater and energy networks and facilities damaged in 2014 have been completed or are underway. But, the report notes, pre-war issues

²⁶ [“After Thai worker killed, Bangkok urges Israel: move Labourers away from Israel”](#), Haaretz, 24 July 2014

²⁷ [“Gaza ceasefire: Israel and Palestinians agree to halt weeks of fighting”](#), *Guardian*, 27 August 2014.

²⁸ [“Report to the Ad Hoc Liaison Committee”](#), Office of the UN Special Coordinator for the Middle East Peace Process, 18-19 September 2016; UNSCO also published a report in August 2016 entitled [Gaza: two years after](#) which provides a detailed assessment of the recovery and reconstruction effort from the perspective of the UN country team.

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with water and energy shortages means “only 45% of Gaza’s energy needs are currently being met, resulting in daily power cuts of 16-18 hours.”

- All 78 hospitals and primary health care clinics, as well as all 252 schools which were partially damaged during the 2014 conflict, have been repaired.
- Work is ongoing to reconstruct three clinics and six schools which were totally destroyed.²⁹

The report was written for the Ad Hoc Liaison Committee, the donor coordination group set up in 1993 in support of the Palestinian economy. The UN Special Coordinator for Middle East Peace (UNSCO) made the following recommendations to the Committee:

- Donors are encouraged to fast-track disbursement of pledges made in Cairo and to make funding available for these priority areas without delay.
- The Government of Palestine must address the issue of market manipulation and suspend vendors who do not comply with Gaza Reconstruction Mechanism³⁰ agreements, including the agreed price, while Israel must allow for predictable and uninterrupted supply of materials to meet demand in Gaza and lift the artificial ceiling of 90 trucks of cement per day.
- The UN continues to call for a full lifting of the closure on Gaza. In the meantime Israel is encouraged to publish official guidelines for the import of dual use materials, which clearly defines the items considered as “dual use”, and outlines procedures for application and approval, in order to ensure consistent, predictable access to importing these materials in a transparent way.
- The United Nations continues to encourage Israel to lift restrictions on exports and enable import of raw material needed in Gaza’s core industries. Israel should also extend the capacity at crossing points to enable timely and effective processing of the export of larger quantities of produce and other goods, manufactured in Gaza, without unnecessary restrictions and quotas, and reverse the trend of revoking permits.
- The Palestinian Government needs to increase its investment in the National Office for Reconstruction of Gaza to enable the office to effectively lead the development of local planning, coordination and reporting. At the same time, a light review should be undertaken to revalidate the Government’s Detailed Needs Assessment and Recovery Framework.³¹

²⁹ “[Report to the Ad Hoc Liaison Committee](#)”, Office of the UN Special Coordinator for the Middle East Peace Process, 18-19 September 2016

³⁰ The Gaza Reconstruction Mechanism was set up in the aftermath of the hostilities between the Governments of Israel and Palestine – see [factsheet](#), UN Office of the UN Special Coordinator for the Middle East Peace Process

³¹ “[Report to the Ad Hoc Liaison Committee](#)”, Office of the UN Special Coordinator for the Middle East Peace Process, 18-19 September 2016

3. “Lone-wolf intifada”

Perhaps the most significant development in the OPTs in 2015 and 2016 was the upsurge in violence across the West Bank and Israel. The term ‘lone-wolf’ has been applied to these attacks: they were characterised by the UK Government as “uncoordinated random stabbing attacks”.³² The Israeli Government has similarly suggested the violence was conducted by “young lone terrorists” who were not operatives of a terror organisation, nor did the violence appear directed by any such organisation.³³

Israeli Government analysis of the “wave of terrorism” directed at Israelis from September 2015 to the beginning of 2017 found:

- 47 people killed and 659 (including 4 Palestinians) injured
- 169 stabbing attacks and 104 attempted stabbings
- 133 shootings
- 55 vehicular (ramming) attacks
- 1 vehicle (bus) bombing³⁴

The UN Special Coordinator told the UN Security Council in February 2017 he remained “concerned” by the daily violence and that despite being fewer in number, “so-called lone wolf attacks” against Israeli citizens continue.³⁵

Some, like Israeli columnist Shlomi Eldar, described the attacks as an “individual intifada” to differentiate it from the intifadas that began in 1987 and 2000.³⁶ Eldar describes those involved as “insurrectionists”, who usually act alone and are “using basic means, like knives”. He also describes this intifada as “more authentic than its two predecessors” as the pattern of attacks is “unfolding without the guidance of field activists” or any “central command structure”.³⁷ Journalist Neri Zilber summarised the attacks as “unorganized, ad hoc and viral”.³⁸

By contrast, the second intifada (2000 to 2005) was to a large extent orchestrated by Fatah activists. It was also far bloodier than the present uprising, and included a campaign of restaurant and bus suicide bombings, frequently causing multiple fatalities. The carnage of that period still haunts the Israeli national psyche, and many worried that a bus bombing in Jerusalem in April 2016, which injured at least 21 people and for which a branch of Hamas claimed responsibility, might be the harbinger of a return to similarly dark times. Thus far at least, those fears have proved unfounded: the April 2016 bombing was an isolated incident, and, indeed, the frequency of attacks decreased in spring 2016.³⁹

³² [“The state of Israel and the Occupied Palestinian Territories – human rights priority country”](#) report, FCO, 8 February 2017

³³ [“Wave of terror 2015/17”](#), Israel Ministry of Foreign Affairs, 8 January 2017

³⁴ [“Wave of terror 2015/17”](#), Israel Ministry of Foreign Affairs, 8 January 2017

³⁵ [UN Security Council 7885th meeting](#), 16 February 2017, S/PV.7885

³⁶ The word intifada is used to describe an ‘uprising’ and was first applied to the 1987 – 1993 Palestinian uprising. Eldar also calls it the “intifada of attrition” in this piece. Terms used by others include “knife intifada” and “lone-wolf intifada”. The Telegraph provided one explanation of [‘what is an intifada?’](#) in an article in 2014.

³⁷ Shlomi Eldar, [“The Intifada of Attrition”](#), in “Israel Pulse”, Al-Monitor, 14 March 2016.

³⁸ Neri Zilber, [“The business end of Palestinian despair”](#), a blog article in The Times of Israel, 3 March 2016

³⁹ The Israeli Prime Minister has attributed the decrease in violence to IDF vigilance and stricter security measures: see John Reed, [“Netanyahu hails strong ‘security’ for fall in attacks”](#), Financial Times, 10 April 2016.

However, a shooting on 8 June 2016 by two West Bank Palestinians in a Tel Aviv entertainment district killed four and injured many others. Hamas described the perpetrators as “heroic”, while Israel reacted by heightening security and suspending the entry permits of 83,000 Palestinians. The use of automatic weapons was a new departure, previously employed to deadly effect by Islamist terrorists in Mumbai, Paris and elsewhere, and raised the possibility of a fresh wave of attacks in Israel.

The initial spark for the violence in 2015 was renewed confrontations over access rights to the key Jerusalem religious site known to Muslims as the Noble Sanctuary and to Jews as the Temple Mount. It is generally agreed, however, that the underlying causes run much deeper. “Despair, economic distress and personal distress are driving young Palestinians to carry out attacks against Israelis”, Eldar states, a point supported by a leaked EU heads of mission report on Jerusalem, which talks of “growing Palestinian alienation and marginalisation”.⁴⁰

The Israeli Government similarly blames frustration and anger:

(The attacks) were motivated for the most part by the lie spread by the Palestinian media that Israel allegedly threatened Al-Aqsa mosque, as well as by the frustration, desperation and anger of the younger generation.⁴¹

Over a third of Palestinians think armed resistance is the most effective means of building a Palestinian state next to the state of Israel, according to a [December 2016 poll](#) conducted by the Palestinian Centre for Policy and Survey Research. The Centre found Palestinians could be divided into three groups when it came to the most effective means of building a Palestinian state next to the state of Israel:

- 37% think armed action is the most effective
- 33% believe that negotiation is the most effective
- 24% think non-violent popular resistance is the most effective.

The poll also found wide disagreement over what action to take in the absence of peace negotiations:

- 62% support non-violent popular resistance
- 53% support a return to an armed intifada
- 48% support the dissolution of the Palestinian Authority

The number of those expressing support for armed action and a return to armed intifada has increased since a poll conducted three months previously, in September 2016: 34% thought armed action is the most effective and 48% supported a return to an armed intifada.⁴²

⁴⁰ Peter Beaumont, [“Israel-Palestine: outlook bleak as wave of violence passes six-month mark”](#), The Guardian, 31 March 2016.

⁴¹ [“Wave of terror 2015/17”](#), Israel Ministry of Foreign Affairs, 8 January 2017

⁴² [Palestinian Public Opinion poll no. 62](#), Palestinian Centre for Policy and Survey Research, 29 December 2016

4. Stalled peace talks

There have been multiple, internationally mediated talks between Israel and the Palestinians over the past few decades.⁴³

4.1 Kerry-sponsored talks

The most recent set of direct talks began in August 2013, mediated by John Kerry, the then US Secretary of State. Each side's participation in the talks had been conditional on certain concessions made by the other side. For example, Israel agreed to release 104 Palestinians from prison, where they were serving sentences for terrorist attacks against Israelis. For its part, the Palestinian Authority agreed to refrain from upgrading its membership of UN organisations. Israel has consistently argued that such steps are inappropriate until agreement is reached on a two-state solution.

However, the spirit of compromise which brought both sides to the negotiating table did not last. In April 2014 the Palestinian Authority decided to resume its campaign for membership of 15 UN organisations including the Geneva Conventions. Israel then demanded that the talks be placed under "review", and cancelled the release of the final tranche of Palestinian prisoners. For the Palestinians, the decision to pursue the UN "route" was itself a response to delays in the prisoners' release. The direct talks finally collapsed on 24 April 2014, following the announcement of a reconciliation agreement between Fatah – the governing party in the Palestinian Authority – and Hamas.⁴⁴

Josh Ruebner, in examining President Obama's legacy on Israel/Palestine, concluded that ironically, despite the President being the "most rhetorically supportive of Palestinian rights and most energetic in his pursue of Palestinian statehood.... The prospects for a negotiated two-state solution - the formal US policy goal since the waning days of the Clinton administration - appear dim, if not irretrievably extinguished."⁴⁵

4.2 Quartet 2016 report

The Quartet was set up in 2002 to help mediate Middle East peace negotiations. It consists of the United Nations, the European Union, the United States and Russia.

The Quartet's position is:

A negotiated two-state outcome is the only way to achieve an enduring peace that meets Israeli security needs and Palestinian aspirations for statehood and sovereignty, ends the occupation that began in 1967, and resolves all permanent status issues.⁴⁶

The Quartet produced a report in July 2016 analysing the impediments to a lasting resolution to the Israeli-Palestinian conflict and offered recommendations to both sides. In particular it identified several trends which, if not reversed, would entrench a "one-state reality of perpetual occupation." These trends were:

⁴³ See House of Commons Library briefing paper [Middle East Peace Process: historical background and a detailed chronology from 1990 to 2010](#), SN02693 for information on these talks.

⁴⁴ International Development Committee, [The UK's Development Work in the Occupied Palestinian Territories](#), 6 August 2014, HC 565 2014-15, [MID0053](#)

⁴⁵ Josh Ruebner "Obama's Legacy on Israel/Palestine", *Journal of Palestine Studies*, Autumn 2016, Vol XLVI, no 1, issue 181

⁴⁶ [Report of the Middle East Quartet](#), July 2016; House of Commons Library briefing paper provides further information on peace process talks: [Middle East Peace Process: historical background and a detailed chronology from 1990 to 2010](#), SN02693

- Continuing violence, terrorist attacks against civilians, and incitement to violence are greatly exacerbating mistrust and are fundamentally incompatible with a peaceful resolution;
- The continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use, and denial of Palestinian development is steadily eroding the viability of the two-state solution; and
- The illicit arms build-up and militant activity, continuing absence of Palestinian unity, and dire humanitarian situation in Gaza feed instability and ultimately impede efforts to achieve a negotiated solution.⁴⁷

The Quartet called on the Israeli and Palestinian Governments to independently demonstrate, through policies and action, a genuine commitment to the two-state solution.

4.3 Diminishing prospects for a two-state solution?

As indicated above, the UN is becoming increasingly alarmed that developments on the ground, including violence and settlement expansion, might be undermining the prospects of such a solution. This is evident in the ever-more concerned tone of the statements of UN Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, over the past couple of years.

In May 2015 Mladenov said that it was “critical for Israelis and Palestinians to negotiate a two-state solution and end actions that imperil an agreement.” A year later, in March 2017, he warned the prospects for a two-state solution were diminishing:

...amid escalating violence, the international community must move beyond mere condemnations and send a clear message to both sides that a two-State solution was the best road to peace, but acknowledged that the possibility of a two-state solution was diminishing.⁴⁸

In autumn 2016 Mladenov said “despite efforts by the international community, the parties have not taken any meaningful steps to create an enabling environment for a return to meaningful negotiations.”⁴⁹

Questions have started to be raised about Israeli commitment to a two-state peace settlement. Prime Minister Benjamin Netanyahu, on the eve of the 2015 general election, declared there would be no independent Palestinian state on his watch.⁵⁰ More recently, during a visit to President Trump in Washington, Netanyahu appeared to waver on using the term ‘two state solution’ and reaffirmed his view that Israel must have security control over the West Bank.⁵¹ (See section 6 for analysis of the Palestinian position).

The last round of peace talks, brokered by then US Secretary of State Kerry, collapsed in 2014, and there has been no resumption since. France launched a [Middle East Peace](#)

⁴⁷ [Report of the Middle East Quartet](#), July 2016

⁴⁸ Security Council Report, Israel/Palestine, Chronology of Events, [entries for May 2015 and March 2016](#).

⁴⁹ “[Report to the Ad Hoc Liaison Committee](#)”, Office of the UN Special Coordinator for the Middle East Peace Process, 18-19 September 2016

⁵⁰ “[Netanyahu says no to Palestinian state as long as he’s Prime Minister](#)”, Reuters online, 16 March 2015.

⁵¹ “[While refusing to endorse two-state solution, Netanyahu says Israel won’t annex West Bank](#)”, Times of Israel, 16 February 2017. Netanyahu laid out two conditions for Palestinian statehood in his 2009 [Bar Ilan](#) speech: Palestinian recognition of Israel as the state of the Jewish people and a demilitarised Palestinian state. Mazal Mualem analysed Netanyahu’s views ahead of his trip to Washington in “[why Netanyahu won’t abandon the two-state solution](#)”, al-Monitor, 16 February 2017

[Process Initiative](#) at a summit in June 2016, though neither Israel nor the Palestinian Authority attended. France held a further meeting in Paris in January 2017.⁵²

4.4 One-state solution?

In these circumstances, some young Palestinians are abandoning hope of a viable independent Palestinian nation, and are instead pursuing what they see as the more realistic alternative goal of acquiring rights within an expanded Israeli state.

Some see the one-state solution as “a favourable strategic avenue that would lead, eventually, to an Arab-majority, one-state outcome”, given that the Palestinians are winning what has been called “the battle of the womb.” Their higher overall birth rate will in time more than cancel out the population changes effected by Jewish migration to Israel and the expansion of Israeli West Bank settlements.⁵³

However, a recent poll showing a drop in support among Palestinians for a two-state solution also found only a third of Palestinians supported a one-state option.

The Palestinian Centre for Policy and Survey Research [Palestinian-Israeli pulse](#) opinion poll in February 2017 found only 44% of Palestinians supported a two-state solution, down from 51% in June 2016. The poll also ascertained support for a one-state solution “by which Palestinians and Jews will be citizens of the same state and enjoy equal rights.” The poll found only 36% of Palestinians supported it, although 56% of Israeli Arabs were enthusiastic.

4.5 A Confederation?

The poll also questioned Israelis and Palestinians on the concept of a Confederation between the state of Israel and the state of Palestine, whereby citizens of one country would be free to reside in the territory of the other and live under its own laws, and where the two states jointly decide on matters of political, security and economic policy. The Poll found that, as in the case in the one-state solution, support for the confederation idea is highest among Israeli Arabs (standing at 74%, significantly higher than Israeli Arab support for a one-state solution). But only a minority of Palestinians (34%) and Israeli Jews (20%) support the idea.

4.6 New Trump administration

New US President Donald Trump has hinted he would be willing to accept a one state solution. In remarks made during Netanyahu’s visit in mid-February 2017, President Trump said:

So I’m looking at two-state and one-state, and I like the one that both parties like. I’m very happy with the one that both parties like. I can live with either one.

I thought for a while the two-state looked like it may be the easier of the two. But honestly, if Bibi and if the Palestinians -- if Israel and the Palestinians are happy, I’m happy with the one they like the best.⁵⁴

⁵² Haaretz’s [live updates](#) page contains reaction to the summit’s concluding statement, 15 January 2017.

⁵³ “[Israel’s villa in the jungle.](#)” *The Economist*, 14 May 2016; Amos Yadlin, [“Two states, four paths for achieving them”](#), in the “Markaz: Debating Israeli-Palestinian futures” series of essays, Brookings Institution online, 15 January 2016.

⁵⁴ [“Remarks by President Trump and Prime Minister Netanyahu of Israel in Joint Press Conference”](#), White House, 15 February 2017

The US Ambassador to the UN, Nikki Haley, said the following day the US “absolutely” supports a two-state solution.⁵⁵

4.7 UK Government

The UK Government has warned against any shifts towards a one-state solution. Tobias Ellwood, the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, said during a debate on settlements:

Trends on the ground, including violence, terrorism and incitement, as well as settlement expansion, are seemingly leading to a steady drift from peace and making the prospect of a two-state solution look very much impossible. It is in no one’s interests to see that drift towards a one-state solution. It is not in Israel’s long-term interests; it is not in the Palestinians’ interests; and it is not in the region’s interests.⁵⁶

⁵⁵ [“US Ambassador contracts Donald Trump on two-state solution to Israeli-Palestinian conflict”](#), The Independent, 16 February 2017

⁵⁶ [HC Deb 9 February 2017 c722](#)

5. Israeli settlements

Following the beginning of the occupation in 1967, many Israelis moved into purpose-built Jewish settlements in the West Bank and Gaza.⁵⁷ When the West Bank was divided into Areas A, B and C in the mid-1990s, areas containing Jewish settlements were generally classed as Area C, and hence remained under Israeli control. In Gaza, Jewish settlements were the only areas which remained under Israeli control from the mid-1990s until the settlements were demolished by the Israeli Government and the settlers forcibly evacuated in 2005.

Article 49 of the [Fourth Geneva Convention](#) states that: "The occupying power shall not deport or transfer parts of its own population into the territories it occupies." Some supporters of Israel argue that its occupation of the OPTs is not covered by the Geneva Conventions because prior to the Israeli occupation, the OPTs were not sovereign – they were under Egyptian/Jordanian occupation.⁵⁸ Some also argue that settlers were not "transferred" since they moved voluntarily.⁵⁹ However, the international community (including the International Court of Justice, International Committee of the Red Cross and UN Security Council) maintains that the settlements do contravene international law.⁶⁰

5.1 Recent developments

The construction and expansion of Israeli settlements has altered the demographic balance in the West Bank, and that in turn is having profound effects on the political landscape.

UN Security Council Resolution 2334

The UN Security Council has condemned Israeli settlements which, it said, have "no legal validity" and constitute "a flagrant violation under international law". [Resolution 2334](#), adopted in December 2016, added that settlements are a "major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace." The resolution called on Israel to immediately cease all settlement activities.

The Resolution condemned the confiscation of Palestinian land, demolition of homes and displacement of Palestinian civilians. The resolution also condemned all acts of violence against civilians, including acts of terror, and called on the Palestinian Authority's security forces to confront those engaged in terror. It endorsed the vision of two democratic states, Israel and Palestine, living side by side, and called for a resumption of peace talks. The resolution, sponsored by Malaysia, New Zealand and Venezuela, was adopted by 14 votes, with the US abstaining.⁶¹

The UK Government voted in favour of the resolution. The Government's long-standing position is that all settlements are illegal under international law. Ambassador Matthew Rycroft, the UK Permanent Representative to the UN, condemned Palestinian acts of terror in his speech explaining the UK's support for the resolution. The Ambassador argued the

⁵⁷ D McDowall, *Ibid.*

⁵⁸ T Einhorn, "[The Status of Palestine/Land of Israel and Its Settlement Under Public International Law](#)", *NATIV Online*, vol. 1 (2003)

⁵⁹ Diakonia, [International Law and Israeli Settlements in the Occupied Palestinian Territory](#) (2014)

⁶⁰ International Court of Justice, [Legal consequences of the construction of a wall in the Occupied Palestinian Territory: Advisory Opinion of 9 July 2004](#); P Maurer, "Challenges to international humanitarian law: Israel's occupation policy", *International Review of the Red Cross* 94 (888), Winter 2012; UN Security Council Resolutions [446 \(1979\)](#), [452 \(1979\)](#) and [465 \(1980\)](#)

⁶¹ "[Israel's settlements have no legal validity, constitute flagrant violation of international law, Security Council reaffirms](#)", UN Security Council, 23 December 2016. This link contains summaries of speeches by Ambassadors and the full text of the resolution.

“two state solution is slipping away” and repeated the warning from the Quartet in its July 2016 report of sliding into “a one-state reality of perpetual occupation and conflict”. The Ambassador argued that “by undermining the prospects for a contiguous Palestinian state, settlement construction is corroding the possibility of a two state solution.”⁶²

The US, under President Obama, unusually abstained from the resolution. In the past the US has vetoed such resolutions. Former US Ambassador Samantha Power explained that the US did not vote in favour of resolution 2334 because it was too narrowly focused on settlements. She added the issue of settlements was putting the two-state solution at risk.

Abstaining on the resolution was one of the last acts of the Obama administration. Early indications from the Trump administration suggest the US will return to its previous unwavering support of Israel in the Security Council. Nikki Haley, the new US Ambassador to the UN, in remarks after a UN Security Council meeting on the Middle East in February 2017, decried what she described as the “UN’s anti-Israel bias.” The Ambassador added:

We will never repeat the terrible mistake of Resolution 2334 and allow one-sided Security Council resolutions to condemn Israel. Instead, we will push for action on the real threats we face in the Middle East.⁶³

Settlement construction continues

Israeli settlement building and expansion has continued: in December 2016 the activist group Peace Now said that, based on figures provided by the Israeli Central Bureau of Statistics, the construction of 1,723 housing units began in the settlements during the first nine months of 2016. This, Peace Now says, is a 24.8% increase from the same period in 2015.⁶⁴

The Israeli Government announced plans for 3,000 new housing units in the settlements in late January 2017, a few days after the inauguration of President Donald Trump.⁶⁵ UK Foreign Office Minister Tobias Ellwood issued a statement condemning the announcement, saying the spike in settlement activity “undermines trust and makes a two state solution - with an Israel that is safe from terrorism and a Palestinian state that is viable and sovereign - much harder to achieve.”⁶⁶

The Regulation Law

Although settlements are considered illegal under international law, they are legal under Israeli law. So-called “outpost settlements” were illegal even under Israeli law, but a new law passed by the Knesset on 7 February 2017 gives retrospective planning permission to nearly 4,000 settler homes built in outposts on Palestinian land. The Israeli Government says the original Palestinian owners will be financially compensated or given alternative land. The law is highly controversial and according to press reports, the Israeli Attorney considers it unconstitutional.⁶⁷

⁶² [“Explanation of vote by Ambassador Matthew Rycroft, UK Permanent Representative to the United Nations on Israel-Palestine”](#), UK mission to the United Nations, 5 January 2017 (publication date. Speech given on 23 December 2016).

⁶³ [“Remarks at a Press Availability Following UN Security Council Consultations on the Middle East”](#), US mission to the United Nations, 16 February 2017

⁶⁴ “25% increase in construction starts in The Settlements in Q1-3 of 2016”,

⁶⁵ [“Government to promote 3,000 housing units in the settlements”](#), Peace Now, 1 February 2017

⁶⁶ “Minister for the Middle East statement on settlement units in the West Bank”, Foreign Office, 1 February 2017

⁶⁷ [“Israel passes controversial law on West Bank settlements”](#), BBC News, 7 February 2017; For commentary from Knesset members, see [“Knesset passes settlement regulation law”](#), Knesset press release, 7 February 2017

Peace Now says the law will legalise thousands of housing units on Palestinian land, grants the “green light” for settlers to take-over additional private lands in the future, is a “blow to democracy” and is contrary to Israeli and international law.⁶⁸

The Economist said “this is the first time since Israel annexed East Jerusalem in 1967 that Israel has acted to extend Israeli law to the occupied West Bank.” The Economist suggests the fact the Prime Minister supported the Bill, at the behest of his Jewish Home coalition partners, is a sign of his “current vulnerability at home.”⁶⁹

The UN Special Coordinator for the Middle East Peace Process, Nickolay Mladenov, told the Security Council that the new law contravenes international law. Mladenov said if it remains in place the law will have “far-reaching consequences for Israel while seriously undermining prospects for the two-state solution and for Arab-Israeli peace.”⁷⁰

The Israeli Ambassador to the UN argued “settlements in Judea and Samaria are not an obstacle to peace. Palestinian incitement and intransigence are the true obstacles to peace.”⁷¹

Demolitions of Palestinian structures in the West Bank

The rate of demolitions by the Israeli authorities of Palestinian buildings in the West Bank has risen dramatically in the last few years.

1,093 Palestinian-owned structures in the West Bank and East Jerusalem were demolished or seized by the Israeli authorities in 2016, displacing over 1,600 Palestinians. This is nearly double the number in 2015 and the highest since 2009, when OCHA⁷² began the systematic monitoring of demolitions.

The vast majority are located in Area C and East Jerusalem and were destroyed or seized for a lack of an Israel-issued building permit. The rest, OCHA reports, were demolished “on punitive grounds or during military operations.” OCHA estimates nearly 30% of the structures demolished in 2016 were donor-funded humanitarian assistance structures.

During January 2017 alone OCHA recorded more demolitions (140) than the monthly average for 2016.⁷³

Israel claims that demolitions are conducted in order to uphold planning laws and zoning regulations in Area C – the part of West Bank for which Israel was given full civil and security authority under the Oslo accords – and that demolitions are often accompanied by the construction of new housing providing upgraded accommodation and modern amenities, utilities and transport infrastructure for previously deprived communities.

⁶⁸ “[Legalisation Law will stain Israel’s Law books](#)”, Peace Now, 29 January 2017

⁶⁹ “[Israel’s Parliament passes a “regulation” bill on settlements](#)”, The Economist, 7 February 2017

⁷⁰ [UN Security Council 7885th meeting](#), 16 February 2017, S/PV.7885

⁷¹ “[UN envoy: Regulation law ‘undermines’ peace](#)”, Arutz Sheva, 17 February 2017

⁷² The United Nations Office for the Coordination of Humanitarian Affairs, Occupied Palestinian Territories. Full details on www.ochaopt.org

⁷³ “[Record number of demolitions and displacements in the West Bank during 2016](#)”, UN OCHA, 10 February 2017

6. Palestinian domestic politics

The two main factions in Palestinian politics are Fatah (the dominant party in the larger federation known as the Palestine Liberation Organisation or PLO) and Hamas. Both are committed to ending the occupation, but there the similarities end. Fatah is often seen as the more moderate faction, and supports the internationally-backed idea of a two-state solution (although the Israeli government argues that Fatah does not meet the requirement for the recognition of Israel). Hamas takes a more radical line, refusing to recognise the State of Israel. Under the Hamas vision, the entire area presently covered by the State of Israel would – along with the OPTs – form part of a future Palestinian state. Hamas is therefore – almost by definition – opposed to negotiations with Israel; it has a long history of terrorist attacks against Israeli civilians, and seeks the elimination of the Israeli state. Some Hamas leaders have nevertheless indicated that if agreement were reached on a two-state solution (most likely following negotiations between Israel and a Palestinian administration in which Hamas would play no part), and if such a solution were approved by a majority of Palestinians in a referendum, Hamas would accept the outcome.⁷⁴

While Fatah is now committed to pursuing its aims by peaceful means, this has not always been the case. Before 1988, Fatah's position was similar to that of Hamas today: it called for the entire area presently covered by the State of Israel to become – along with the OPTs – part of a future Palestinian state. Fatah changed its position on this in 1988, but continued to support the first *intifada* (uprising) – a prolonged uprising including terrorist attacks which had begun in 1987. In 1993 the *intifada* came to an end, and Fatah officially renounced violence – though it went on to participate in a second *intifada* between 2000 and 2005.⁷⁵

The Palestinian news agency Ma'an has described relations between the two groups thus:

Fatah and Hamas have been embroiled in conflict since Hamas' election victory in 2006 elections in the Gaza Strip, which erupted into a violent conflict between the two movements as both attempted to consolidate control over the territory.

Despite numerous attempts at reconciling the groups, Palestinian leadership has repeatedly failed to follow through on promises of reconciliation and holding long-overdue elections, as both movements have frequently blamed each other for numerous political failures.

Officials from the Fatah-led PA have criticized Hamas for creating a shadow government in the Gaza Strip and blocking efforts to reach political unity.

Hamas has in turn accused the PA of executing a plan to "eradicate" the movement from the West Bank.⁷⁶

6.1 The Palestinian Authority

The Palestinian Authority assumed some of the civil responsibilities formerly exercised by the Israeli civil administration in the Gaza Strip and parts of the West Bank since 1994.

The President of the Palestinian Authority is Mahmoud Abbas, also known as Abu Mazen, who was elected President in 2005.

⁷⁴ ['Hamas proposal for Israel peace plan'](#), *The Australian*, 4 September 2014

⁷⁵ *Ibid.*

⁷⁶ ["PA to hold local elections in West Bank only, after Hamas refuses to participate in Gaza"](#), Ma'an, 28 February 2017

The Palestinian Legislative Council last held elections in 2006 and it has not convened since.⁷⁷ Hamas (contesting the elections as the 'change and reform' party) became the largest party, followed by Fatah.

Following the elections Hamas formed a coalition administration alongside the more moderate (and previously ruling) Fatah. However, in June 2007, tensions between the two parties spilled over into armed conflict. Hamas seized control of Gaza by force, leaving a separate Fatah administration in control of the West Bank.⁷⁸

Reconciliation talks raised the prospect of new legislative and Presidential elections in 2012. However these did not take place.

2014 Reconciliation agreement

On 23 April 2014 it was announced that Fatah and Hamas had signed a reconciliation agreement.⁷⁹ It is known as the Beach Refugee Camp Agreement.

On 29 May 2014 Mahmoud Abbas, the President of the Palestinian Authority, asked Rami Hamdallah to form an interim unity government with jurisdiction over both the West Bank and Gaza.⁸⁰ Whilst the Cabinet had the support of both Fatah and Hamas, its makeup was primarily technocratic. There were no Hamas ministers in the Cabinet, and only one from Fatah (Prime Minister Rami Hamdallah); all the other Cabinet ministers were unaffiliated. Despite Hamas' continuing refusal to recognise the state of Israel, the technocratic government committed itself to the so-called "Quartet principles": recognition of Israel, rejection of violence, and respect for existing agreements.⁸¹ So although Hamas refused to recognise Israel, it was happy to support, to some degree at least, a technocratic Government which took a very different line.

Although the new government was officially sworn in in June 2014, the de facto division of the OPTs (with the West Bank controlled by Fatah and Gaza controlled by Hamas) has continued, due to various disputes between Fatah and Hamas.

Rasha Abou Jalal, a journalist based in Gaza, in 2016 attempted to unravel the reasons why attempts to reconcile Hamas and Fatah keep failing. Jalal identified a number of major differences include managing crossings with the Gaza Strip, holding presidential and legislative elections, and setting a date to convene the Provisional Leadership Framework of the PLO. A significant issue for Hamas is that the government of national consensus assumes full responsibility for the Gaza Strip and the disbursement of salaries to the benefit of Gaza [government] employees appointed by Hamas since 2007. Fatah, Jalal reports, believes Hamas has been intentionally placing obstacles in the way of implementing the Beach Refugee Camp Agreement.⁸²

Recent developments

Rumours of a new unity government

Palestinian journalist Daoud Kuttab wrote in late 2016 of rumours of the creation of a national unity government. He suggested it could include leading political figures from Fatah, the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front, and the People's Party, as well as independent factions such as Mustafa Barghouti's Al-

⁷⁷ "[Palestine's crippled legislative authority](#)", Al-Monitor, 3 June 2015

⁷⁸ Nigel Parsons, "Recent History (Palestinian Territories)", in Europa World online. London, Routledge. House of Commons. Retrieved 26 March 2015 from <http://www.europaworld.com/entry/ps хи>

⁷⁹ "[Fatah and the Hamas agree unity government](#)", *The Telegraph*, 23 April 2014

⁸⁰ "[Abbas asks PM Rami Hamdallah to head Fatah-Hamas unity cabinet](#)", BBC News, 29 May 2014

⁸¹ "[Palestinian unity government of Fatah and Hamas sworn in](#)", The Guardian, 2 June 2014.

⁸² "[Why does Hamas, Fatah reconciliation keep failing?](#)", Al-Monitor, 8 March 2016

Mubadara (Palestinian National Initiative) and others. Kuttub suggested Hamas will most likely be represented by independent Palestinians nominated by the Islamic movement, and that once in power, its mission will be to prepare for elections.⁸³

Three days of talks in Moscow in mid-January 2017 culminated in agreement between Fatah and Hamas to form a unity government. However Al-Jazeera reported one Palestinian leader saying “things are far from clear or final yet.”⁸⁴

Postponed municipal elections

Municipal elections were due to be held on 8 October 2016. These would have been the first elections between Fatah and Hamas in ten years. However a court decided in September 2016 to postpone the elections. This, Nigel Parsons writes in Europa, was prompted by a dispute over the authority of local courts in Gaza which barred certain Fatah candidates from standing, and the exclusion of East Jerusalem from voting.⁸⁵

The Palestinian Authority announced in early 2017 the elections would be held in the West Bank and Gaza Strip on 13 May. However Hamas argued “elections should take place after ending disagreements, achieving reconciliation, and uniting Palestinian institutions, including the political, judicial, and security levels.”⁸⁶ The PA responded by announcing, at the end of February, that municipal elections will be held in the West Bank only on 13 May 2017 and elections in the Gaza Strip postponed indefinitely.⁸⁷

The UN Special Coordinator for Middle East Peace expressed regret at Hamas’ rejection of the planned election and called for all factions to “overcome internal divisions.” Mladenov also called for Gaza and the West Bank to be reunited under a “single, legitimate and democratic Palestinian Authority”.⁸⁸

6.2 A crisis in Palestinian political leadership

Although the moribund peace process and the abandonment by some of the aspiration of establishing a Palestinian state are widely identified as reasons for the upsurge of violence among young Palestinians in 2015 and 2016, others argue that their anger is directed at least as much at their own established political elite, whose promise for decades has been to achieve statehood, and whose strategy for achieving that has now, in the eyes of many, demonstrably failed; Haviv Rettig Gur of *The Times of Israel* argues that they “are battling [...] the growing Palestinian realization that their national movement has no answers, no narrative or political vision that offers a way forward to better days.”⁸⁹

Khaled Elgindy, a former adviser to the PA on peace negotiations with the Israelis, observes that the “anger that fuels the violence” in part “reflects deep-seated Palestinian frustration with their own leadership.”⁹⁰ He notes, too, that the September 2015

⁸³ “[What should Palestinians expect from 2017?](#)”, Al-Jazeera, 26 December 2016

⁸⁴ “[Fatah and Hamas to form unity Government](#)”, Al-Jazeera, 18 January 2017

⁸⁵ Parsons, Nigel. Recent History (Palestinian Territories), in Europa World online. London, Routledge. House of Commons. Retrieved 22 February 2017 from <http://www.europaworld.com/entry/ps.hi:> “Palestinian court delays municipal elections after challenges”, BBC News, 8 September 2016

⁸⁶ “[PA announces new date of local elections, Hamas rejects decision](#)”, Ma’an news agency, 1 February 2017

⁸⁷ “[Palestinian municipal elections in West Bank only: Government](#)”, al-Arabiya, 28 February 2017

⁸⁸ [UN Security Council 7885th meeting](#), 16 February 2017, S/PV.7885

⁸⁹ Haviv Rettig Gur, “[Losing Palestine](#)”, the Times of Israel, 27 October 2015. Yaakov Lappin, an Israeli journalist specialising in police and security writing for *The Jerusalem Post*, makes a similar point, saying that many young Palestinians harbour grievances, some of which are as much against the Palestinian Authority as against Israel: “[Analysis: Palestinian attacks now under control, but could resume full-force](#)”, *The Jerusalem Post*, 11 April 2016.

⁹⁰ Khaled Elgindy, “[The Palestinian leadership crisis](#)”, in the “Markaz: Debating Israeli-Palestinian futures” series of essays, Brookings Institution online, 5 January 2016

Palestinian Center for Policy and Survey Research poll conducted just before the latest violence found that nearly two-thirds of Palestinians wanted Palestinian Authority President Mahmoud Abbas to resign. Indeed, that [poll](#) also found that a majority believed the PA had become a burden on Palestinians and for the first time since the question was posed, demanded the dissolution of the PA.

The PA is increasingly seen by Palestinians as impotent in the face of an assertive and intransigent Israel, incompetent both in exercising its local governance responsibilities and in pursuing its broader goals on the international stage, and irredeemably corrupt.⁹¹ As Khaled Elgindy points out, there is a crisis of political legitimacy:

After ten years in power, Abbas presides over a Palestinian polity that is more divided and dysfunctional than ever. In addition to the debilitating split between the Hamas-ruled Gaza Strip and the Fatah-dominated PA in the West Bank, the Palestinian polity continues to be plagued by institutional decline and growing authoritarianism. [...] Abbas's four-year term has long since expired and the Palestinian Legislative Council (PLC) has not convened in more than eight years. At the same time, Abbas's rule has become increasingly repressive and intolerant of dissent, while the absence of a functioning parliament—or even a viable political opposition—has eliminated any meaningful mechanisms of accountability.

Nor is the problem limited to the PA. The Palestinian Liberation Organization (PLO), once the Palestinians' preeminent political institution, has been in decline since at least the late 1980s, a process that only accelerated after the Oslo Accords. Moreover, the overlapping roles and conflicting mandates of the PA and the PLO has created a host of additional problems, particularly on questions of elections and succession.⁹²

Moreover, the PA continues to engage in a deeply unpopular policy of security co-operation with the IDF. It does intermittently threaten to end the co-operation unless Israel commits to "past agreements", but some argue that the close working relationship with the IDF is an integral part of Abbas's domestic policy and that he needs it to shore up the PA's increasingly precarious control of the West Bank.⁹³

It is also worth noting that the writ of the PA and its policing and security apparatus do not extend to the Gaza Strip, where Hamas retains de facto control, further complicating current domestic Palestinian politics and weakening Abbas's position.

Meanwhile, on the global stage, Abbas has long adopted a policy of pursuing Israel through a series of grand initiatives: at the Palestinian Authority's request, friendly nations threaten to table - or, more rarely, actually table - declamatory EU and UN resolutions, and the State of Palestine⁹⁴ also periodically accedes to various conventions and organisations, including, most notably, the International Criminal Court.

Many, however, view these as empty gestures that have "yielded only symbolic victories"⁹⁵ - getting the Palestinian flag hoisted at UN headquarters alongside those of its full member states, signing up to the Convention on Biological Diversity - or as window-dressing to deflect attention from the PA's inability to effect real positive change for

⁹¹ On PA corruption, see Adnan Abu Amer, "[Palestinians pop up in Panama papers](#)", Al-Monitor, 15 April 2016.

⁹² Khaled Elgindy, "[The Palestinian leadership crisis](#)", in the "Markaz: Debating Israeli-Palestinian futures" series of essays, Brookings Institution online, 5 January 2016

⁹³ See for instance Gil Ronen, "[Again, PA warns it'll end security coordination](#)", israelnationalnews.com, 3 March 2016.

⁹⁴ The term State of Palestine is used by the Permanent Observer Mission of the State of Palestine to the United Nations, and the State of Palestine acceded to the Rome Statute in 2015.

⁹⁵ '[What is the Palestinian Authority for?](#)', *Economist*, 5 August 2015

ordinary Palestinians in the OPTs facing economic hardship and daily difficulties. The PA, some argue, is a “semi-government [...] unable to protect its people, or deliver peace.”⁹⁶

In late 2015 Nathan Thrall, Middle East analyst for the International Crisis Group, summarised the difficulties facing Abbas and the PA, and the link with the wave of violence at the time, thus:

The stabbings, shootings, protests and clashes now spreading across Jerusalem, the West Bank, Gaza and Israel present one of the greatest challenges yet posed to the Palestinian president, Mahmoud Abbas, and his strategy of bilateral negotiations, diplomacy and security co-operation with Israel. The unrest – its proximate cause was increased restrictions on Palestinian access to al-Aqsa Mosque – reflects a sense among Palestinians that their leadership has failed, that national rights must be defended in defiance of their leaders if necessary, and that the Abbas era is coming to an end.⁹⁷

Fatah party congress December 2016

There has been increasing speculation about Abbas’ future in recent months, but he was re-elected as leader of Fatah in December 2016. William Booth, chief of the Washington Post’s Jerusalem bureau, argues:

The Fatah party congress, which ended Sunday, was the closest thing to democracy that Palestinians have seen in recent years — and it wasn’t especially democratic.

The 1,400 [delegates voted unanimously](#) to re-elect Abbas, 81, as leader of the party, guaranteeing that he will rule until he dies or resigns or decides to hold long-overdue elections.

In October, complaining of fatigue, Abbas was hospitalized for cardiovascular surgery. There was speculation that Fatah might soon name a deputy who could serve as successor or an interim president if Abbas dies or falls ill. It didn’t happen at the congress.

His re-election to head Fatah was no surprise. Delegates were hand-picked. Party members who support his arch-rival, [the upstart Mohammed Dahlan](#), were [purged](#) from the lists.⁹⁸

Majority want Abbas to resign: December 2016 opinion poll

64% of Palestinians want Abbas to resign according to a poll by the Palestinian Centre for Policy and Survey Research, conducted after the Convention in December 2016. The poll provided a bleak picture for the PA and Abbas:

- 64% want Abbas’ resignation and 32% want him to stay in office
- Only one third of the Palestinian public has confidence in the newly elected Fatah leadership
- Only one third of the public is satisfied with the Seventh Convention’s selection of Abbas as head of Fatah
- Only one third believes that the Seventh Convention will contribute to Fatah’s unity
- Only one quarter believes that the Seventh Convention will help facilitate Fatah-Hamas reconciliation.⁹⁹

⁹⁶ *Economist*, 5 August 2015, *ibid*.

⁹⁷ Nathan Thrall, “[The end of the Abbas era](#)”, LRB blog in *London Review of Books*, 20 October 2015

⁹⁸ “[Palestinian leader Abbas consolidates power and ousts rivals](#)”, *Washington Post*, 4 December 2016

⁹⁹ [Palestinian public opinion poll no. 62](#), Palestinian Centre for Policy and Survey Research, 29 December 2016

Palestinian opinion poll: Abbas would lose Presidential election

Moreover the poll suggests that if presidential elections were to take place today, Hamas' candidate Ismail Haniyeh would win. But Marwan Barghouti, an imprisoned member of Fatah, remains the most popular among all nationalist and Islamist leaders. He would defeat Haniyeh in a two candidate election, polling 59% to Haniyeh's 36%. Against Abbas, Haniyeh polled 49% to Abbas's 45%.

In parliamentary elections, Fatah would receive 41% of the vote, Hamas 32%, and third factions combined 10%.¹⁰⁰

New Hamas leadership in Gaza: February 2017

Hamas is the dominant party in the Gaza Strip and in February 2017 elected a new leader for the group in Gaza.

Yahya (also spelt Yehiya) Sinwar spent 22 years in an Israeli jail and was released as part of the prisoner swap deal for captured Israeli soldier Gilad Shalit. He is described by the Guardian as a "hardliner" who rejects any reconciliation with Israel.¹⁰¹

Two former leaders of Shin Bet, the Israeli security agency, now Members of the Knesset, warned his election signalled the intent to return to violent confrontation with Israel. One, Avi Dichter, said "the appearance that Hamas has a political branch and a military branch was always wrong and today's it's gone."¹⁰² Mukhaimer Abu Saada, a Palestinian analyst in Gaza, quoted by the Times, said the appointment of Sinwar showed the military wing was asserting its dominance in Hamas.¹⁰³

Tensions between the political and armed wing has been evident for some time. The difficulties facing the organisation prompted American analyst Jonathan Schanzer to argue in early 2016 that Hamas was losing its way:

Hamas appears to be lacking direction. Its military wing and a gaggle of political leaders in exile are locked in a competition. Add to that the public frustration with the Gaza-based government leadership, and it's hard to pinpoint which faction or which leader is actually steering the organization.¹⁰⁴

Sinwar replaces Ismail Haniyeh, who is believed to be competing to replace Khaled Meshaal as the overall leader of the organisation. Meshaal lives in exile in Qatar.¹⁰⁵

Hamas faces myriad other problems. It has, for example, endured chronic financial difficulties as a result of the 2014 war and also of the closure of its smuggling tunnels to Egypt, leaving the organisation unable to cover its civil service and security forces wage bills.

Situation in Gaza "not sustainable"

There are also warnings of a volatile situation in the Gaza Strip.

The UN Special Coordinator for the Middle East Peace Process, Nikolay Mladenov, identified a number of factors hindering Gaza's development in a report in September 2016:

¹⁰⁰ [Palestinian public opinion poll no. 62](#), Palestinian Centre for Policy and Survey Research, 29 December 2016

¹⁰¹ "[Election of new Hamas Gaza Strip leader increases fears of confrontation](#)", The Guardian, 13 February 2017

¹⁰² "[Lawmakers: electing Sinwar reveals Hamas aims to start a new conflict](#)", Jerusalem Post, 13 February 2017

¹⁰³ "New Hamas leader will court ISIS", The Times, 15 February 2017

¹⁰⁴ Jonathan Schanzer, "[Hamas is fracturing, and Israel should be worried](#)", *Newsweek*, 25 February 2016.

¹⁰⁵ "[Hamas hardliner Yehiya Sinwar elected as Gaza leader](#)", BBC News, 13 February 2017

The illicit arms build-up and militant activity by Hamas, the lack of control of Gaza by the Palestinian Government, and the dire humanitarian situation, exacerbated by the highly restrictive closure regime, feed instability, damage Gaza's economic development, and hinder basic service delivery.¹⁰⁶

More recently, in February 2017, Mladenov told UN Security Council members the situation in Gaza is "not sustainable" and warned another escalation "is likely" if the pressing needs of the population are not met. He also warned the "volatile" situation in Gaza is exacerbated by the "persistence of a major humanitarian and development crisis." This is related in "large part" to the "crippling closures" of the Strip and the continued political divide.

Mladenov called on the new Hamas leadership in Gaza to "ensure that Gaza remains calm and avoid the risk of spiralling into another conflict." He condemned a rocket attack in early February and warned "rocket attacks, tunnel construction and smuggling only heighten the risk."¹⁰⁷

Many of Hamas's other international relationships have also become considerably more complicated over recent years, largely as a result of the conflagrations that have ignited across the Middle East, which have in turn been accompanied by a deepening schism between Shia and Sunni Islam.

For Sunni Hamas, the conflict in Syria rapidly led to tensions with the Alawite Assad regime and Hamas's then main international backer, Shia Iran. That resulted in 2012 in the Hamas political leadership dispersing from its long-established base in Damascus to various locations across the Middle East, including Qatar, Lebanon, Turkey and Saudi Arabia, with which Hamas is currently developing ever closer ties. Some in the Hamas leadership are reportedly unhappy about the new alignment of allegiances, however, and are seeking to strengthen again the old ties with Tehran.¹⁰⁸

¹⁰⁶ [Report to the Ad-Hoc Liaison Committee](#), UNSCO, 18-19 September 2016

¹⁰⁷ [UN Security Council 7885th meeting](#), 16 February 2017, S/PV.7885

¹⁰⁸ See, for instance, Ali Hashem, "[Hamas caught between Tehran and Riyadh](#)", Al-Monitor, 23 August 2015.

7. The economy

The UN Special Coordinator for the Middle East Peace Process (UNSCO) identified the key constraints to Palestinian socio-economic development as emanating from the occupation and unresolved conflict:

The key constraints to greater Palestinian socio-economic development and effective functioning of institutions arise primarily from the persistence of the occupation and the unresolved Israeli-Palestinian conflict. Freedom of movement, access to natural resources, to financial capital, to water and energy all hinge on the occupying power. This dependency, along with the Palestinian internal political divide and still maturing institutions, deprives the Palestinian Government of the ability to extend its authority to areas outside its reach, and of key attributes to deliver adequate services to its people.¹⁰⁹

UNSCO provides quarterly overviews of the Palestinian Economy on its website [UNSCO Socio-economic report](#) which details economic activity, trade and the labour market.

In February 2016, the International Monetary Fund observed that economic growth in the West Bank had slowed and noted that although in the Gaza Strip rebuilding after the 2014 war had provided some boost to the economy, the momentum was weak and had been hampered by slow aid disbursements and (Israeli) restrictions on imports of construction materials.

It also noted that: “Unemployment remains stubbornly high in the West Bank and higher still in Gaza, where two-thirds of young people are without a job.”¹¹⁰

A World Bank report published two months later broadly supported the IMF findings, noting that the OPTs’ economy “is not growing enough to raise living standards or reduce high unemployment”, and adding that “The Gaza economy is not expected to rebound to pre-war levels until 2018.”¹¹¹

An Arab World for Research and Development poll conducted at the end of March 2016 illustrates the negative effects of these economic conditions on the attitudes of young Palestinians. It found that 73% of Palestinian youth have a “bleak future outlook”, with their greatest concern being employment, and this negative outlook was even greater in Gaza, where only 21% of respondents said they were positive about their economic prospects.¹¹²

John Kerry, then US Secretary of State, chose to highlight this issue, and hinted at the link with the rising tide of violence, in a December 2015 speech at the Brookings Institution’s Saban Forum: “But right now, you’ve got a lot of young people growing up in the West Bank who don’t have jobs, who [...] don’t see a future. And the question is: What choices are they going to make?”¹¹³

¹⁰⁹ “[Report to the Ad Hoc Liaison Committee](#)”, Office of the UN Special Coordinator for the Middle East Peace Process, 18-19 September 2016

¹¹⁰ “[IMF staff concludes visit to West Bank and Gaza](#)”, International Monetary Fund press release No. 16/57, 11 February 2016.

¹¹¹ “[Palestinian Authority incurs US\\$285 million in annual fiscal losses](#),” World Bank press release, 18 April 2016

¹¹² Arab World for Research and Development “[Youth survey: Political activism and awareness](#)”, 12 April 2016.

¹¹³ John Kerry’s 5 December 2015 [Brookings Institution Saban Forum keynote address](#), as reported on the US Department of State website.

Neri Zilber made the same point more bluntly in a March 2016 *Times of Israel* [blog post](#): “Such feelings of economic despair are a recurring theme in most analyses of the ongoing unrest”.

Box 1: Most serious problems facing Palestinians

The December 2016 Palestinian Centre for Policy and Survey Research poll asked Palestinians to identify the most serious problems facing Palestinian society today:

- 31% identified poverty and unemployment
- 28% identified the continuation of occupation and settlement activities
- 21% said the spread of corruption in public institutions
- 5% said it is the siege of the Gaza Strip and the closure of its crossings
- 3% believed it is the absence of national unity.¹¹⁴

7.1 UK aid

The UK’s Department for International Development (DFID) has a large bilateral aid programme in the OPTs, which consists of two main parts. It provides funding to the UN Relief and Works Agency to support its work on health, education, social protection, and the protection of refugees’ rights (£106.5 million between 2012 and 2015); it also provides funding to the Palestinian Authority through the World Bank’s Palestinian Reform Development Plan (PRDP) Trust Fund (£129.5m between 2011 and 2015).¹¹⁵

DFID’s projected budget for the OPT for 2016/17 is £43,191,985. DFID currently funds seven projects, including funding for UNRWA and projects to improve security and access to justice; support for the PA to improve public financial management; support for Palestinians at risk of displacement in Israeli controlled Area C of the West Bank and Gaza; humanitarian access in the OPT; support for the work of the Quartet; and a Palestinian market development programme to strengthen the private sector in the OPTs. Full details of these projects are available on the DFID website: [Occupied Palestinian Territories](#).¹¹⁶

Recent developments

The UK Government is assessing its funding to the OPTs. In December 2016 the Government confirmed that while it will continue to provide funding to the Palestinian Authority, changes will be made to “ensure this funding delivers the best value for money and maximum impact for Palestinians.” This means “certain critical changes” are to be made, which are:

- UK support will now focus solely on vital health and education services, in order to meet the immediate needs of the Palestinian people and maximise value for money. Funding will only go towards the salaries of health and education public servants on a vetted list.
- UK funds will no longer be used to support the salaries of Palestinian Authority public servants in Gaza who have not been able to work.

¹¹⁴ [Palestinian public opinion poll no. 62](#), Palestinian Centre for Policy and Survey Research, 29 December 2016

¹¹⁵ International Development Committee, *The UK’s Development Work in the Occupied Palestinian Territories*, 6 August 2014, HC 565 2014-15, [MID0053](#)

¹¹⁶ “[Occupied Palestinian Territories](#)”, Department for International Development, Development Tracker, accessed 20 February 2017

- The UK will assess fiscal and public financial management reforms that the Palestinian Authority will need to show progress against in order to secure full future payments from the UK.

The Government said further that DFID will provide up to £25 million to the PA this financial year. Future payments will be subject to annual sign-off by UK Government ministers after reviewing the PA's commitment to the UK Partnership Principles and progress against key reform indicators.¹¹⁷

The International Development Committee examined [the UK's development work in the Occupied Palestinian Territories](#) in a report published in August 2014 (HC 565 2014-15).

7.2 Maritime Activity Zone

Under the terms of the [1994 Gaza-Jericho Agreement](#) and the [1995 Interim Agreement on the West Bank and the Gaza Strip](#) (known as "Oslo II"), an area extending up to 20 nautical miles off the coast of Gaza was designated as a Palestinian-controlled "Maritime Activity Zone." However, the agreements also gave Israel the right to restrict Palestinian access to its territorial waters on security grounds. The limit was reduced on these grounds to 12 nautical miles in 2002, and was further reduced in 2006 (to 6 nautical miles) and again in 2009 (to 3 nautical miles).

In 1999, a large gas field (known as Gaza Marine) was discovered, three-quarters of which fell within the Palestinian Maritime Activity Zone. The PA signed a contract with BG plc (formerly British Gas) for its development. Under the terms of the contract, BG was initially granted 90% ownership of the gas field, with the remaining 10% owned by the PA. Once gas production began, BG was to retain 60% ownership, with 10% owned by the PA and 30% owned by Consolidated Contractors Company, a private Palestinian firm. BG was also granted the right to explore for, extract and sell the gas.¹¹⁸

With weak demand for gas in the Palestinian Territories, however, BG was unwilling to start production unless it was also able to sell gas to Israel. BG and Israel began negotiations in 2000, but no deal was ever reached, due to disagreements about cost, and Israeli concerns that by buying gas from BG (and hence indirectly from the Palestinian Authority) it might indirectly be funding Palestinian militants. Negotiations between BG and Israel officially came to an end in 2007.¹¹⁹

In September 2012, the PA and Israel entered into talks with a view to breaking the deadlock, but no progress was made. A complicating factor was Hamas' opposition to such talks taking place without its involvement.¹²⁰

¹¹⁷ "[Future UK support to the Occupied Palestinian Territories](#)", DFID & FCO, 16 December 2016

¹¹⁸ A. Antreasyan, "Gas Finds in the Eastern Mediterranean", *Journal of Palestine Studies*, 42 (3), Spring 2013, pp. 29-47

¹¹⁹ A. Antreasyan, "Gas Finds in the Eastern Mediterranean", *Journal of Palestine Studies*, 42 (3), Spring 2013, pp. 29-47

¹²⁰ A. Antreasyan, "Gas Finds in the Eastern Mediterranean", *Journal of Palestine Studies*, 42 (3), Spring 2013, pp. 29-47

8. Other final status issues

8.1 Status of Jerusalem; borders

The status of Jerusalem is among the most intractable of the final status issues. Palestinians see East Jerusalem as their future capital, but Israel now regards East Jerusalem as part of its own territory rather than part of the occupied West Bank. For Israel, the entire city of Jerusalem is its own capital.

The question of borders is equally controversial. It has periodically been suggested that an eventual two-state solution might include “land swaps”: in other words, making some modest adjustments to the borders between Israel and the OPTs, incorporating some Palestinian land into Israel and vice versa. However, some have argued that under the Geneva Convention, no negotiations on land swaps should take place until the occupation has ended.¹²¹

8.2 Palestinian refugees

Another source of tension in the region is the position of Palestinian refugees. During the Arab-Israeli war of 1948, thousands of Palestinians were displaced: many fled from their homes in what was now Israel, often into the West Bank and Gaza, and also to such neighbouring states as Lebanon and Syria. The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was formed to provide assistance for these refugees. Its existence is something of an anomaly, since all other refugee populations – worldwide – receive assistance from the UN High Commissioner for Refugees (UNHCR) rather than from a specially-created body. Unlike UNHCR, UNRWA regards male refugees’ descendants as refugees in their own right. It also continues to regard refugees as such even if they acquire new nationalities. The consequence of these policies is that the total number of Palestine refugees today is around five million – including many who were born, and have lived throughout their lives, in the West Bank and/or Gaza.¹²² Amongst Palestinians – almost universally – it is argued that these refugees all have a “right of return” to Israel – though Daniel Levy, of the European Council on Foreign Relations, has argued that this is merely a negotiating position on which Palestinians would compromise in exchange for an end to the occupation.¹²³

Recent developments

A conference for Palestinian refugees, called Palestinians Abroad, was held in Istanbul in late February 2017. The conference ended with a call for the establishment of a new entity to represent the Palestinian diaspora. Comments made by conference organisers suggest dissatisfaction with the PLO and Palestinian leaders based in the Palestinian Territories. A Fatah spokesman accused the conference of being an “attempt to divide the Palestinian people.”¹²⁴

¹²¹ D McDowall, ‘Clarity or ambiguity? The withdrawal clause of UN Security Council Resolution 242’, *International Affairs*, 6 November 2014, pp1367-1381

¹²² “Palestine Refugees”, *UNRWA* [accessed 26 March 2015]

¹²³ International Development Committee, *The UK’s Development Work in the Occupied Palestinian Territories*, 6 August 2014, HC 565 2014-15, [Qq54-55](#)

¹²⁴ “Palestinian diaspora creates new political entity”, Al-Jazeera, 28 February 2017

9. The OPTs at the United Nations

9.1 2011: unsuccessful application to become a member state

Article 4 (2) of the [United Nations Charter](#) states:

The admission of any [...] state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 27 (3) states:

Decisions of the Security Council on all other matters [including the admission of new member states] shall be made by an affirmative vote of nine members including the concurring votes of the permanent members [...].

In practice, this means that before a vote in the General Assembly, full member status would have required the approval of nine members of the 15-member Security Council, with any of the five permanent Members (the US, the UK, France, China and Russia) having the right to veto such a decision.¹²⁵

The Palestinian Authority submitted an [application to become a UN member state](#) on 23 September 2011. The application was never likely to succeed since the US was expected to use its veto. However, some suggested that the objective of the Palestinian Authority was simply to obtain enough support (nine Security Council members) to force the US to use its veto; Chris McGreal, writing for the *Guardian*, argued that this would be a “moral victory.”¹²⁶ By November 2011, however, it became apparent that the bid would only be supported by eight Security Council members (Russia, China, South Africa, India, Brazil, Lebanon, Nigeria and Gabon). As a consequence, the Palestinian Authority decided not to force a vote on the issue.¹²⁷

The UK had indicated that it would abstain. In a statement to the House of Commons on 9 November 2011 (at which point a vote still looked likely), the then Foreign Secretary William Hague said that a negotiated settlement remained the best way to fulfil Palestinian aspirations:

For those reasons, in common with France and in consultation with our European partners, the United Kingdom will abstain on any vote on full Palestinian membership of the UN.¹²⁸

9.2 2012: successful application to become a non-member observer state

In 2012 the Palestinian Authority applied to become a non-member observer state. Unlike full member status, non-member observer state status is granted by a simple majority vote in the General Assembly. On 28 November 2012, the day before the vote, William Hague outlined UK conditions for supporting the application in a statement to the House of Commons. He said that the Palestinians would have to:

- guarantee their return to negotiations

¹²⁵ See section 4.3 for information on UNSC membership

¹²⁶ ["UN vote on Palestinian state put off amid lack of support"](#), *Guardian*, 3 October 2014

¹²⁷ *Ibid.*

¹²⁸ [HC Deb 9 November 2011 c290](#)

- not join the International Criminal Court
- amend the language of the draft resolution so that it would not pre-judge future Security Council deliberations.

Those conditions being met, he said that the UK could vote in favour:

Up until the time of the vote itself, we will remain open to voting in favour of the resolution if we see public assurances by the Palestinians on these points. However, in the absence of these assurances, the United Kingdom would abstain on the vote. That would be consistent with our strong support for the principle of Palestinian statehood, but also with our concern that the resolution could set the peace process back.¹²⁹

The conditions were not satisfied, so the UK decided to abstain.¹³⁰ Despite the UK's abstention, the resolution granting non-member observer state status was adopted by a vote of 138 in favour to 9 against, with 41 abstentions, as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Liechtenstein, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Portugal, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syria, Tajikistan, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Czech Republic, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Panama, United States.

Abstain: Albania, Andorra, Australia, Bahamas, Barbados, Bosnia and Herzegovina, Bulgaria, Cameroon, Colombia, Croatia, Democratic Republic of the Congo, Estonia, Fiji, Germany, Guatemala, Haiti, Hungary, Latvia, Lithuania, Malawi, Monaco, Mongolia, Montenegro, Netherlands, Papua New Guinea, Paraguay, Poland, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Singapore, Slovakia, Slovenia, The former Yugoslav Republic of Macedonia, Togo, Tonga, United Kingdom, Vanuatu.

Absent: Equatorial Guinea, Kiribati, Liberia, Madagascar, Ukraine.¹³¹

Non-member observer state status means the Palestinian representative is now able to take part in General Assembly debates.¹³² It also enables the Palestinian Authority to apply for accession to international conventions and treaties. On 2 April 2014, the PA applied for accession to fifteen treaties and conventions as the State of Palestine.

Palestine successfully acceded to five of these treaties on 2 May 2014:

- Convention Against Torture

¹²⁹ [HC Deb 28 November 2012 c228](#)

¹³⁰ [HC Deb 18 Dec 2012 cc768-9W](#)

¹³¹ UN General Assembly Press Release, [General Assembly votes overwhelmingly to accord Palestine 'non-member observer state' status in United Nations](#), 29 November 2012

¹³² ["Q&A: Palestinians' upgraded UN status"](#), *BBC website*, 30 November 2012

- Convention on the Elimination of Racial Discrimination
- Convention on the Elimination of Discrimination Against Women
- Convention on the Rights of Persons with Disabilities
- Convention on the Rights of the Child.

It acceded to CRC-Operation Protocol on the involvement of children in Armed Conflict on 7 May 2014, and International Convention on Economic and Social Cultural Rights and International Convention on Civil and Political Rights on 2 July 2014.¹³³

9.3 2014: rejection of draft Security Council resolution

A draft resolution on the Israeli-Palestinian issue was presented to the Security Council by Jordan, a Palestinian ally and Security Council member, on 17 December 2014. Its key provisions called for:

- Agreement to be reached on a two-state solution within a year of the resolution's adoption;
- Thereafter, a full Israeli withdrawal from the OPTs, and the coming-into-being of a Palestinian state, by the end of 2017.¹³⁴

The resolution did not explicitly provide for Palestinian membership of the UN, though it did make reference to Member States "looking forward" to future Palestinian membership.¹³⁵ An earlier draft calling for a full Israeli withdrawal by 2016 (as opposed to 2017 in the final draft) had begun circulating on the internet several months previously,¹³⁶ but the Government of France persuaded the Government of Jordan to revise the draft to improve its chances of approval.¹³⁷

The Security Council voted on the resolution on 30 December 2014. The Security Council has fifteen members, including five permanent members (the US, the UK, France, Russia and China); and ten non-permanent members on a rotating basis (including Jordan between 1 January 2014 and 31 December 2015). In order to pass, Security Council resolutions require the support of nine Council members, with none of the permanent members voting against. In the event only eight Council members voted in favour of the resolution (Argentina, Chad, Chile, China, Jordan, Lithuania, Luxembourg, Russia) with five abstaining (France, Nigeria, Rwanda, South Korea, UK) and two voting against (Australia, US).¹³⁸ There was some suggestion that the US had in fact pressured Nigeria into abstaining (rather than voting in favour). Had Nigeria voted in favour, only the US veto would have stood in the way of the resolution's passage – a potentially embarrassing result for the US.¹³⁹

9.4 Palestinian response to Security Council's rebuff: joining the International Criminal Court

Following the Security Council's rejection of the draft resolution, the Palestinian Authority announced its accession to the Rome Statute, the founding treaty of the International

¹³³ OHCHR, [Press briefing notes on South Sudan, Ethiopia, United States, Palestine and Thailand / South East Asia](#), 2 May 2014

¹³⁴ [UN Security Council Draft resolution S/2014/916](#)

¹³⁵ Ibid.

¹³⁶ ["Palestinians: Israeli occupation must end in 2016"](#), *Associated Press*, 1 October 2014

¹³⁷ ["January 2015 Monthly Forecast"](#), Security Council Report [accessed 29 March 2014]

¹³⁸ UN Security Council, Provisional record of 7354th meeting, 30 December 2014, [S/PV.7354](#)

¹³⁹ ["US and Israeli intervention led UN to reject Palestinian resolution"](#), *Guardian*, 31 December 2014

Criminal Court.¹⁴⁰ Under the terms of its founding treaty, the Rome Statute, the ICC's remit is to prosecute individuals (not states) for any of the following:

- Genocide;
- War crimes;
- Crimes against humanity.

Generally speaking, the ICC has jurisdiction only in the case of crimes committed on the territory of a State Party to the Rome Statute, or by a national of a State Party. The ICC's Prosecutor is able to launch investigations of her own accord, but cases may also be referred to the ICC by the UN Security Council and/or by States Parties to the Rome Statute.¹⁴¹

The prospect of Palestinian accession was the subject of much discussion long before the PA announcement. Accession first emerged as a real prospect in 2012, when Palestine was admitted as a non-member observer state in the United Nations. (States wishing to accede to the ICC must be either full Members of the United Nations or non-member observer states: an earlier Palestinian attempt to accede to the Rome Statute had failed on these grounds.)¹⁴²

Palestinian representatives initially refrained from acceding to the Statute, for fear of jeopardising its relations with the international community. Israel and its allies have historically been opposed to Palestinian accession, arguing that it is inappropriate for Palestine to join the ICC until Israel and the Palestinians reach agreement on a two-state solution. The UK has generally followed the same line. The then Foreign Secretary, William Hague, stated in 2012 that the UK would only consider supporting the (ultimately successful) Palestinian application for UN non-member observer state status if the Palestinian Authority refrained from joining the ICC.¹⁴³ (The Palestinian Authority did indeed refrain from doing so at that time, but the UK still chose to abstain in the vote because President Abbas had not given the UK the assurances requested – a willingness to return to negotiations without preconditions.¹⁴⁴) The more radical political elements in the OPTs had long argued in favour of joining the ICC, with some maintaining that the Jordanian-sponsored Security Council resolution was little more than a distraction.¹⁴⁵

Following Palestinian accession, it formally became a State Party to the Statute on 1 April 2015. Additionally – as of 1 January 2015 – it has accepted the Court's jurisdiction over its territory. This means that the ICC's Prosecutor is free to open an investigation into the situation in the Occupied Palestinian Territories.

No full investigation has been opened as yet, but the Prosecutor opened a "preliminary examination" on 16 January 2015.¹⁴⁶ In November 2016, a report on preliminary examination practices was published, in which the Court detailed the reports it had received of alleged crimes in Gaza and the West Bank. These included acts allegedly committed by members of Palestinian armed groups and by the Israeli Defence Force. The report states the Office of the Prosecutor is "continuing to engage in a thorough factual

¹⁴⁰ ["The State of Palestine accedes to the Rome Statute"](#), *International Criminal Court*, 7 January 2015

¹⁴¹ [Rome Statute of the International Criminal Court](#) [accessed 18 February 2015]

¹⁴² ["Palestine: Ratification and Implementation Status"](#), *International Criminal Court* [accessed 24 February 2015]

¹⁴³ [HC Deb 28 November 2012 c228](#)

¹⁴⁴ [HC Deb 18 Dec 2012 cc768-9W](#)

¹⁴⁵ ["Dabbling in distraction: Abbas' costly failure"](#), *Gulf News*, 13 January 2015

¹⁴⁶ ["Palestine: Ratification and Implementation Status"](#), *International Criminal Court* [accessed 24 February 2015]

and legal assessment of the information available, in order to establish whether there is a reasonable basis to proceed with an investigation.”¹⁴⁷

Following the announcement of the Palestinian plan to accede, Binyamin Netanyahu said:

It is the Palestinian Authority – which is in a unity government with Hamas, an avowed terrorist organisation that, like Isis, perpetrates war crimes – that needs to be concerned about the international criminal court in The Hague.¹⁴⁸

The Government of Israel subsequently announced that it would withhold tax revenues from the Palestinian Authority (Israel ordinarily collects taxes on the Palestinian Authority’s behalf).¹⁴⁹ Funds were withheld for a number of weeks before eventually being released in late March 2015.¹⁵⁰

Following the Prosecutor’s decision to open a preliminary examination, Israel’s then Foreign Minister, Avigdor Lieberman, said:

This same court, which after more than 200,000 deaths didn’t see fit to intervene in what was taking place in Syria or in Libya or in other places, now finds it worthwhile to ‘examine’ the most moral army in the world. This decision entirely stems from anti-Israel political considerations.¹⁵¹

Writing in the *Guardian*, Julian Borger argued that the Palestinian militant group Hamas – as well as the Israeli military – may find itself under investigation for war crimes:

ICC membership is a powerful weapon but it is also double-edged. It defines the geographical area in which such crimes can be investigated, and the Palestinian leadership could also define a time period for the prosecutors to examine, but it cannot dictate the target of such an investigation. For example, if Abbas now seeks a retroactive investigation of the last bloody bout of violence in Gaza last summer, as he has the right to do, both the Israel Defence Forces and Hamas would be scrutinised for their actions.¹⁵²

The UK Government initially offered little comment on the developments, but FCO Minister Baroness Anelay underlined the UK’s belief that direct Israeli-Palestinian talks are the best way to end the occupation:

We note the Palestinian Authority’s recent decisions to sign a number of conventions, including the Rome statute of the International Criminal Court. While we understand that the Palestinian Authority is seeking alternate ways to deliver the state that the Palestinian people deserve, there can be no substitute for negotiations with Israel. Negotiations must remain the focus.¹⁵³

The US Government agreed with the Israeli line. On 8 January 2015, a State Department spokesperson said:

As we have said previously, we have made clear our opposition to Palestinian action in seeking to join the Rome Statute of the International Criminal Court. This step is counter-productive, will damage the atmosphere with the very people with whom Palestinians ultimately need to make peace, and will do nothing to further the aspiration of the Palestinian people for a sovereign and independent state.¹⁵⁴

¹⁴⁷ International Criminal Court, [Report on Preliminary Examination Activities 2016](#)

¹⁴⁸ ["Palestinian president signs up to join international criminal court"](#), *Guardian*, 31 December 2014

¹⁴⁹ ["Israel threatens more retaliation against Palestinian court move after tax freeze"](#), *Telegraph*, 4 January 2015

¹⁵⁰ ["Israel to resume tax transfers to Palestinian Authority"](#), *Guardian*, 27 March 2015

¹⁵¹ ["ICC may investigate possible war crimes in Palestinian territories"](#), *Guardian*, 16 January 2015

¹⁵² ["ICC membership could be a double-edged sword for Palestine"](#), *Guardian*, 31 December 2014

¹⁵³ [HL Deb 5 Mar 2015 : Column GC115](#)

¹⁵⁴ US Department of State, question taken at the 7 January 2015 Daily Press Briefing, [Regarding Palestinian Efforts to Accede to the Rome Statute of the International Criminal Court](#)

Further to the Prosecutor's decision to open a preliminary examination, US State Department representative Jeff Rathke said:

It is a tragic irony that Israel, which has withstood thousands of terrorist rockets fired at its civilians and its neighbourhoods, is now being scrutinized by the ICC. The place to resolve the differences between the parties is through direct negotiations, not unilateral actions by either side. We will continue to oppose actions against Israel at the ICC as counterproductive to the cause of peace.¹⁵⁵

9.5 Diplomatic recognition by UN member states

Under international law (the Montevideo Convention), the criteria for statehood include:

- a permanent population
- a defined territory
- effective government
- and the capacity to enter into relations with other states.

At present, the OPTs manifestly do not meet these criteria. They have neither a defined territory (since the borders of a future Palestinian state would have to be negotiated with Israel) nor effective government (since Israel retains varying degrees of control over areas of the OPTs, and full control of their borders). However, this fact has not prevented the OPTs from applying to join the United Nations, nor does it stop other states from granting diplomatic recognition to 'Palestine' if they so wish. Out of 193 UN member states, 136 have granted diplomatic recognition to Palestine. The list of the countries which have done so is as follows:

Afghanistan, Albania, Algeria, Angola, Antigua & Barbuda, Argentina, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Benin, Bhutan, Bolivia, Bosnia & Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chad, Chile, China, Comoros, Congo (Republic of), Costa Rica, Cote d'Ivoire, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Equatorial Guinea, Gabon, Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Romania, Russian Federation, Rwanda, St. Vincent and the Grenadines, Saint Lucia, Sao Tome & Principe, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syria, Tajikistan, Tanzania, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, Ukraine, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.¹⁵⁶

At present, the UK has not extended diplomatic recognition to the State of Palestine. On 9 November 2011 William Hague said: "We reserve the right to recognise a Palestinian state at a moment of our choosing and when it can best help bring about peace."¹⁵⁷

¹⁵⁵ US Department of State press release, [Statement on ICC Prosecutor's Decision](#), 16 January 2015

¹⁵⁶ "[Diplomatic Relations](#)", website of the Permanent Observer Mission of The State of Palestine to the United Nations [accessed 20 February 2017]. The website lists 137 states but this includes The Holy See, which is not a member state of the United Nations (it is a permanent observer).

¹⁵⁷ [HC Deb 9 November 2011 c290](#)

Foreign Office Minister Tobias Ellwood echoed that position in more recent comments made in November 2016:

The UK will recognise a Palestinian state at a time most helpful to the peace process. We judge that a negotiated end to the occupation is the most effective way for Palestinian aspirations of statehood to be met. We continue to be one of the principal supporters of Palestinian state building efforts, assisting them to tackle poverty, build institutions and boost their economy.¹⁵⁸

Until 2014, no existing EU Member State had recognised Palestine (though a number of EU Member States, including Poland and the Czech Republic, had done so before EU accession). On 30 October 2014, Sweden extended diplomatic recognition to Palestine, thus breaking the mould.¹⁵⁹

In countries which have not yet extended diplomatic recognition to Palestine, a trend has also emerged whereby national parliaments hold non-binding votes to express their view as to what position their governments should take. In the UK, Ireland, France, Portugal and Luxembourg, parliaments have called on their governments to recognise Palestine immediately. The Spanish and Italian parliaments called on their governments to recognise Palestine once agreement was reached on a two-state solution. The European Parliament has also passed a motion supporting recognition of Palestine when a two-state agreement is reached.¹⁶⁰

¹⁵⁸ PQ53047, 18 November 2016

¹⁵⁹ *Ibid.*

¹⁶⁰ ["Portugal's parliament calls for recognition of Palestinian state", Haaretz, 13 December 2014](#); [European Parliament resolution of 17 December 2014 on recognition of Palestine statehood \(2014/2964\(RSP\)\)](#); ["European Parliament passes motion in favor of Palestine recognition", Haaretz, 17 December 2014](#); ["Italian lawmakers urge recognition of Palestinian state", Reuters, 27 February 2015](#)

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