




COMMENTRAY


The Israeli-Palestinian Conflict: Limits and Opportunities for the EU's Involvement

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1. Background

Over the years the EU has become more and more interested in having a direct political role in the management and resolution of the Israeli-Palestine conflict. Although it has poured much diplomatic effort and money in the idea of a two-state solution, a resolution still seems to be far off. Looking at the recent escalation between the Israeli Army and Palestinian militants in Gaza, the outlook for negotiations between the two states is very bleak.¹

The Israel-United Arab Emirates normalisation agreement of September 2020 also seems to be reducing the likelihood of new talks between Israel and the Palestinian Authority (PA). Calling it “a betrayal against Jerusalem, Al-Aqsa Mosque and the Palestinians”, the Palestinian leadership officially rejected the agreement.² Prime Minister Netanyahu thereby declared that there is no change to his plans to annex parts of the West Bank, but that they are simply on hold because of the normalisation deal.³

The declining interest of the United States (US) in the conflict is not improving the situation either. Besides domestic priorities linked to COVID-19 and the economy, the new administration is likely to focus more on foreign policy issues such as its relationship with Iran and China.⁴ Given this context, wherein the US leaves behind a diplomatic vacuum in the region, the EU and its member states seem to be offered an opportunity to play a greater role in the Middle East Peace process.

The question only remains whether the EU will be able to seize that opportunity. Although the shortcomings of the EU as a foreign and security policy actor often surface, this paper will examine why precisely the EU could be the right actor to intervene in the conflict and provide a lasting solution. Besides that, it will explore how it could tackle hurdles along the way, in order to keep alive the idea of a two-state solution, and to not lose its own credibility as a security and foreign policy player.

2. Current State of play

2.1 The US: disappearing from view?

Despite the US' declining interest in the conflict, a clear shift from the pro-Israel discourse of Donald Trump can be noted. Biden's language of multilateralism, international law and human rights is much closer to that of the EU and from the Palestinian perspective it is certainly a welcome alteration. Besides announcing a recommitment to a two-state solution, Biden declared to restore US relations with the Palestinian leadership and restart aid to Palestinian refugees.⁵

Although the American president defends a two-state solution in his discourse, his administration has not yet announced any initiatives to take steps forward in the peace process. US secretary of state Antony Blinken communicated in a press release that the US will (initially) take a 'do not harm' approach, as Israel and

¹ B. OPPENHEIM, 'Can Europe overcome its paralysis on Israel and Palestine?', *Centre for European Reform*, February 2020 (<https://www.cer.eu/publications/archive/policy-brief/2020/can-europe-overcome-its-paralysis-israel-and-palestine>). Consulted on 13 April 2021.

² S. FARRELL, 'Palestinian leader 'rejects and denounces Israel-UAE deal: statemen'', *Reuters*, August 2020 (<https://www.reuters.com/article/us-israel-emirates-trump-palestinians-ab/palestinian-leader-rejects-and-denounces-israel-uae-deal-statement-idUSKCN2592T5>). Consulted on 18 April 2021.

³ K. ROBINSON, 'What is US Policy on the Israeli-Palestinian Conflict', *Council on Foreign Relations*, February 2021 (<https://www.cfr.org/background/what-us-policy-israeli-palestinian-conflict>). Consulted on 11 April 2021.

⁴ J. PLEYDELL-BOUVERIE and G. TALLONE, 'An opportunity to rethink the Middle East Peace Process', *European Institute of Peace*, November 2020 (<https://www.eip.org/an-opportunity-to-rethink-the-middle-east-peace-process/>). Consulted on 11 April 2021.

⁵ Press Briefing by Press Secretary Jen Psaki and Domestic Policy Advisor Susan Rice, *White House Government*, January 2021 (<https://www.whitehouse.gov/briefing-room/press-briefings/2021/01/26/press-briefing-by-press-secretary-jen-psaki-and-domestic-policy-advisor-susan-rice-january-26-2021/>). Consulted on 23 April 2021; A. MAY, 'Israel-Palestine Policy Under Biden', *E-International Relations*, January 2021 (<https://www.e-ir.info/2021/01/01/opinion-israel-palestine-policy-under-biden/>). Consulted on 13 April 2021.

Palestine are not ready to negotiate.⁶ A policy of this nature will unfortunately not provide a solution for the manifold humanitarian and security issues in the region.

The US administration will probably not be an impartial mediator in the conflict either. Although Biden clearly is more concerned with the Palestinian side than his predecessor, he does have a track record of strong support for Israel as well.⁷ Just like Trump, he is a committed proponent of the US security guarantee to Israel and opposes the reduction of US aid to stop Israeli settlement activity. Despite his promising language, it is important to observe this too and realise that most likely he will have to honour some earlier made promises to Israel.⁸

Whereas the US have always been the main mediator in the region, it was never easy for the EU to take political action and to maintain its credibility as a representative of human rights and peace. Yet today, when US interest in the region is waning, the EU does no longer have an excuse to effectively assert its values and norms in the region.

2.2 No lack of leverage and policy options

In recent years, European leadership has shown that it is an indispensable actor in the region. Besides preserving a framework for conflict resolution based on international law, it also discouraged Israel's 'annexation' of West Bank territory.⁹

The EU's actions in the region undoubtedly contributed to 68% of the Palestinians indicating in the EU's 2020 Annual Opinion Survey that they feel the Union has brought peace and stability in the region. This nevertheless stands in stark contrast to only 25% on the Israeli's part, which is undoubtedly related to High Representative Josep Borrell's critical tone towards Israeli Prime Minister Benjamin Netanyahu.¹⁰

Although opinions are clearly divided, European leadership is paramount to push Israel towards a fair peace agreement and to strengthen the Palestinian negotiating position.¹¹ Due to its specific structure and organisation, the EU has plenty of leverage and political capital it could carry out. Besides its economic impact, it has an experienced and extensive diplomatic service and strong defence capabilities.

By not taking full advantage of these, few concrete steps have been taken towards sustainable peace – quite the contrary. After all those years and despite its positive contribution, there still remains a gap between the rhetoric on a two-state solution and a one-state reality.

2.3 Becoming a player instead of only a payer?

Besides the American influence in the region, the main stumbling block for the EU to undertake effective political action has obviously been the great division among member states. Not only the nature of EU foreign policy-making, but also divergent ideological and political agendas restrict the effectiveness of the EU's institutional decision-making.

⁶ Secretary Antony J. Blinken with Wolf Blitzer of CNN's The Situation Room, *US Department of State*, February 2021 (<https://www.state.gov/secretary-antony-j-blinken-with-wolf-blitzer-of-cnns-the-situation-room/>). Consulted on 24 April 2021.

⁷ 'Joe Biden and the Jewish community: a record and a plan of friendship, support and action', *Joe Biden* (<https://joebiden.com/joe-biden-and-the-jewish-community-a-record-and-a-plan-of-friendship-support-and-action/>). Consulted on 14 April 2021.

⁸ J. PLEYDELL-BOUVERIE and G. TALLONE, 'An opportunity to rethink the Middle East Peace Process'.

⁹ *Ibidem*.

¹⁰ Opinion Poll 2020 – Palestine (factsheet), *EU Neighbours south*, November 2020 (<https://www.euneighbours.eu/en/south/stay-informed/publications/opinion-poll-2020-palestine-factsheet>). Consulted on 1 May 2021; G. WERMENBOL, 'The EU and the Israeli-Palestinian Peace Process in a Post-Mogherini Era', *Carnegie*, October 2019 (<https://carnegieendowment.org/sada/79985>). Consulted on 13 April 2021.

¹¹ B. OPPENHEIM, 'Can Europe overcome its paralysis on Israel and Palestine?'.

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While most Western European states remain committed to a two-state solution, Eastern states are more supportive of Israel for geopolitical and ideological reasons.¹² Member states thereby disagree on the recognition of Palestine as a state. Even global players like Germany and France, who strongly believe in a two-state solution, have so far refused to take that step.¹³

Trump's fait accompli politics in the region made member states however more united behind a rights-based approach.¹⁴ Now with the appointment of President Biden, the EU has been offered an opening to effectively reshape the international agenda in that direction. As promoting human rights is explicitly a part of Biden's agenda, his administration could be an ideal partner in the EU's reframed approach without imposing too much.

Hence, one of the main obstacles still standing in the way seems to be the EU's will to safeguard its strong economic relationship with the Palestinian Authority and Israel. While the peace process has foundered, the EU remained the first trading partner of Israel and the first financial support for the Palestinian Authority.¹⁵ Afraid of damaging its economic relations, it seemingly does not dare to address the power asymmetry between the two sides by imposing sufficient conditions.

3. Policy Recommendations

If Europe truly wants to contribute to peace between Israel and Palestine, it must urgently show leadership. An appropriate step for this could be recognising the state of Palestine, as it would help to balance scales in negotiations and clarify the framework for peace. Not doing this because of fear of damaging bilateral relations would be a poor reason to ruin all hope of sustainable peace in the region. A recognition will thereby not ultimately lead to worsening bilateral relations, as the experience of Sweden proves.¹⁶

To make progress in peace building in the region and to unite member states on the matter, new priorities must also be set. Now is the ideal time to do so, as President Biden offers the opportunity and space for a rethink. By focusing on human rights over conflict resolution, it will hence be easier to transcend ideological differences and unite as a credible European Union. In order to champion this 'rights-based' approach, it is nevertheless important to clearly communicate the EU's priorities and parameters to the Biden administration.¹⁷

The decision-making on foreign policy will however most of the times throw a spanner in the works, as long as it remains consensus-driven. It is therefore appropriate to come up with a different format or forum for peace processes in which a decision among EU member states can be reached quickly and efficiently. This could for example take the form of contact groups of willing member states, or a European Security Council after the idea of French President Emmanuel Macron.¹⁸

There is no certainty that the EU will be brave enough, but it definitely does have the necessary policy options to make a difference. To begin with Israel, the EU's policy of 'differentiation' should be applied to all agreements in order to exclude the Israeli settlements from benefits of the bilateral relationship. Until now, only 6 out of 17 include a strong differentiation clause.¹⁹ Without any progress on the peace process, the EU

¹² G. WERMENBOL, 'The EU and the Israeli-Palestinian Peace Process in a Post-Mogherini Era'.

¹³ L. LEHRS, 'To recognize or not to recognize: EU recognition of Palestine', *Middle East Institute*, August 2020 (<https://www.mei.edu/publications/recognize-or-not-recognize-eu-recognition-palestine>). Consulted on 2 May 2021.

¹⁴ G. WERMENBOL, *Idem*.

¹⁵ Trade: Israel, *European Commission*, April 2021 (<https://ec.europa.eu/trade/policy/countries-and-regions/countries/israel/>). Consulted on 2 May 2021; Trade: Palestine, *European Commission*, April 2021 (<https://ec.europa.eu/trade/policy/countries-and-regions/countries/palestine/>). Consulted on 2 May 2021.

¹⁶ A. PERSSON, 'Sweden's Recognition of Palestine: A Possible Snowball Effect?', *Palestine-Israel Journal*, 2015, 20 (2).

¹⁷ J. PLEYDELL-BOUVERIE and G. TALLONE, 'An opportunity to rethink the Middle East Peace Process'.

¹⁸ B. OPPENHEIM, 'Can Europe overcome its paralysis on Israel and Palestine?'.

¹⁹ H. LOVATT, 'Differentiation Tracker', *European Council on Foreign Relations*, 2021 (<https://ecfr.eu/special/differentiation-tracker/>). Consulted on 14 May 2021.

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should furthermore also resist calls to deepen its relationship with Israel, as this will only damage its credibility and cause confusion.²⁰

With regard to Palestine, the EU needs to urgently review its financial assistance in the context of gross undemocratic records.²¹ Putting economic pressure has however already proven not to be enough to influence Palestinian leadership. The recent postponement of the Palestinian elections shows that the EU must be more active in promoting a pluralistic and democratically representative Palestinian polity through fair and free elections, and in contributing to reconciliation between Hamas and Fatah.²²

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²⁰ Ibidem.

²¹ J. JENSEHAUGE, J. PALIK and others, 'A House Divided: EU Policy on the Israeli-Palestinian conflict', *PRIO Middle East Centre*, MidEast Policy Brief 2, 2020, 3-4.

²² J. PLEYDELL-BOUVERIE and G. TALLONE, Idem; Palestine: Statement by High Representative Josep Borrell on the postponement of the elections, *EEAS*, April 2021 (https://eeas.europa.eu/headquarters/headquarters-homepage/97541/palestine-statement-high-representative-josep-borrell-postponement-elections_en). Consulted on 3 May 2021.