



Ireland should recognise a Palestinian state in the 1967 borders

Executive Summary

In November 1988, the Palestine Liberation Organisation (PLO) declared the establishment of a Palestinian state in the 1967 borders, that is, in the West Bank, East Jerusalem and Gaza. With this declaration, Palestinians accepted the objective of a state on just 22% of their historic homeland, with Israel continuing to exist in the other 78%.

In response, close to a hundred states in the world recognised it and granted it full diplomatic relations. Other states, including Ireland, while not going as far as recognition, established some form of diplomatic relations with it. Ireland has just upgraded the Palestinian representation in Dublin to that of a “mission”.

Recently, the PLO has renewed its campaign to get international recognition for a Palestinian state within the 1967 borders, with a view to taking the matter to the UN in September 2011. The purpose of this is to maximise international pressure on Israel to overcome its resistance to the creation such a state. This resistance has been amply demonstrated in the leaked Palestine Papers, which show that Israel rejected out of hand extremely generous offers from Palestinian negotiators.

In response, other states have recognised a Palestinian state within the 1967 borders, including nine in Latin America (Brazil, Argentina, Chile, Uruguay, Paraguay, Bolivia, Peru, Ecuador and Guyana), as has Cyprus, the first state in the EU to do so. While visiting Palestine recently, President Medvedev reaffirmed Russia’s recognition, which dates from the Soviet era. The EU is edging towards recognition, saying last December that it would recognise a Palestinian state “when appropriate”.

We, in Sadaka, believe that Ireland should take a lead in the EU in this matter and, as soon as possible,

- (a) recognise a Palestinian state in the 1967 borders, that is, in the West Bank, including East Jerusalem, and Gaza, and
- (b) accord that state full diplomatic relations.

Ireland should recognise a Palestinian state in the 1967 borders

At a meeting in Algiers on 15 November 1988, the Palestine National Council, then led by Yasser Arafat, declared the establishment of a Palestinian state in the West Bank, including East Jerusalem, and Gaza, with its capital in Jerusalem [\[1\]](#).

These territories, which Israel took over by force in 1967 and has held on to by force ever since, constitute 22% of mandatory Palestine. In other words, in this 1988 Declaration, Palestinians adopted the objective of establishing a Palestinian state on only 22% of their historic homeland, with the Israeli state continuing to exist in the other 78%.

This was an historic compromise of extraordinary generosity on the part of Palestinians.

Historical background

To appreciate the significance of this compromise, it is necessary to recall the historical background. The UN partition plan approved by the UN General Assembly in November 1947 assigned 56% of mandatory Palestine to a Jewish state, even though at the time Jews were less than a third of the population and owned less than 7% of the land.

Israel expanded this territory by force to 78% in 1947/48, and around 750,000 Arabs were expelled into the rest of Palestine and the surrounding Arab states, where they and their descendants live today. Over 500 Palestinian villages were destroyed by Jewish forces. The nascent state of Israel subsequently took measures to bar the return of the displaced Palestinians and confiscated their homes and lands. That is how a viable Jewish state was established in 1948 in 78% of historic Palestine.

Israeli control was extended further in 1967, when Israel took over by force the remaining 22% of historic Palestine – the West Bank, including East Jerusalem, and Gaza – along with other Arab lands.

Prior to the 1988 Declaration, the Palestinian objective had been to create a single, secular, democratic state in the whole of mandatory Palestine. The acceptance of a two-state solution was therefore a revolutionary development. It involved ceding sovereignty over 78% of mandatory Palestine to Israel and seeking the creation of a Palestinian state on the other 22%. The way was now open to a solution based on two states existing side by side, with Israel continuing to exist in the 78% of mandatory Palestine.

It is often said today that, if there is to be a negotiated settlement between Israel and the Palestinians, there will have to be “painful concessions” on both sides. The Palestinians made an extremely painful concession in 1988, when they settled for a state in 22% of their historic homeland. They should not be put under international pressure to concede more and accept a Palestine state in even less than 22% of their historic homeland.

Israeli occupation must end

A necessary condition for a two-state solution was, and is, that Israel ends its military occupation of the West Bank, including East Jerusalem, and Gaza, so that a Palestinian state can be established on that territory.

However, in the 22 years since Palestinians made their generous offer, Israel has not withdrawn from any of the West Bank, including East Jerusalem, and shows no sign of a willingness to do so today. The present Prime Minister, Benjamin Netanyahu, declared during his election campaign in February 2009 that he would “not withdraw from one inch” [\[2\]](#) of the occupied territories.

Israel did withdraw its ground troops and settlers from Gaza in 2005. However, it is still in effective control of the territory, since it continues to exercise:

- substantial control of Gaza’s land crossings
- control on the ground through incursions and sporadic ground troop presence, and ground fire from Israel into Gaza
- complete control of Gaza’s airspace
- complete control of Gaza’s territorial waters

Israel’s occupation regime in Gaza is very different from that applied in the West Bank, but it is occupation nevertheless.

Israel consolidates its control

In the past 22 years, Israel has gone to enormous lengths to consolidate its control over the West Bank, including East Jerusalem. In particular, Israeli colonisation has accelerated dramatically. In 1988, around 190,000 Jewish settlers lived there. Today, there are around 500,000. According to a recent report by B’Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, the settlements in the West Bank “control 42 percent of the land area” there [\[3\]](#).

(It should be emphasised that this settlement building by Israel is contrary to international law, because it involves the transfer of Israeli civilians into territory occupied by Israel. This is forbidden under Article 49, paragraph 6, of the 4th Geneva Convention, which states that an occupying power “shall not deport or transfer parts of its own civilian population into the territory it occupies” [\[4\]](#). The UN Security Council has made this clear in resolutions 446, 452 and 465, all of which demand that Israel cease settlement building and remove existing settlements.)

The construction of settlement-related infrastructure, such as the network of settler bypass roads and tunnels, the Jerusalem Light Rail and the Wall that snakes in and out of the West Bank, serve both to strengthen links between Israel and its settlements in the occupied territories and to disrupt or destroy the ability of Palestinians to travel between their communities or to reach their schools, hospitals and arable land.

Today, Israel continues to colonise the West Bank, including East Jerusalem, and to build more and more infrastructure to support this colonisation. And it isn’t even prepared to halt this process temporarily in order to allow negotiations with Palestinians to proceed.

These are not the actions of a state that intends to withdraw from the occupied Palestinian territories and allow the creation of a Palestinian state. On the contrary, they are the actions of

a state that is intent upon holding on permanently to some or all of the territory it acquired by force in 1967 and obstructing, or preventing, the creation of a Palestinian state and limiting its territorial extent.

It is clear that, whereas Palestinians are prepared to settle for a state in 22% of mandatory Palestine, Israel is not willing to settle for a state in the other 78%.

Security Council action?

Ideally, the UN Security Council should be the international forum through which Israel is forced to reverse its aggression of 1967 and withdraw. It is supposed to be the body which, by applying sanctions if necessary, enforces the rules laid down in the UN Charter, the most fundamental (in Article 2.4) being that “all [UN] Members shall refrain in their international relations from the threat or use of force” [\[5\]](#).

Israel's use of force in 1967 was in breach of that fundamental rule, yet in the intervening 43 years the Security Council has never applied any sanctions to Israel to make it withdraw from the territory it acquired by that use of force.

Contrast that with the Security Council's response when Iraq used force to take over Kuwait in August 1990. Then, economic sanctions were imposed on Iraq immediately and, when that didn't work, within months a large military force was assembled to expel Iraq from Kuwait. Iraq was forced to withdraw from the territory it acquired by the use of force in August 1990. Israel has yet to be forced to withdraw from the territory it acquired by the use of force in 1967.

Of course, any proposed Security Council resolution that sought to apply sanctions to Israel to force it to withdraw from the occupied territories would be vetoed by the US (and perhaps by other members of the Council) – which means that the possibility of action through the Security Council is limited, if not nil.

General Assembly action?

The UN General Assembly regularly passes a series of resolutions expressing support for the Palestinian cause, and in particular for the creation of a Palestinian state. General Assembly resolutions are merely recommendations, but they demonstrate the feeling of the world community on issues – and, on the issue of Palestine, Israel and the US are virtually on their own.

Shortly after the Palestinian declaration of statehood in November 1988, the General Assembly backed it in resolution 43/177, passed on 15 December 1988. This acknowledged “the proclamation of the State of Palestine by the Palestine National Council on 15 November 1988” and affirmed “the need to enable the Palestinian people to exercise their sovereignty over their territory occupied since 1967” [\[6\]](#). This resolution was passed by 102 votes to 2, only the US and Israel voting against. There were 36 abstentions, which included the 12 states of the EU at that time.

At every session of the General Assembly since, it has passed a resolution backing the creation of a Palestinian state. For example, resolution 64/150, passed on 18 December 2009, reaffirmed “the right of the Palestinian people to self-determination, including the right to their independent State of Palestine” [\[7\]](#). It was passed by 176 votes to 6, the only opponents apart from Israel and the US being four tiny Pacific states – Marshall Islands, Micronesia, Nauru and Palau – which are US clients.

Overwhelming support for Palestinian state

There is overwhelming support in this world for the creation of a Palestinian state. The difficulty is how to bring pressure to bear on Israel to withdraw from the occupied territories, so that such a state can come into being, given

- the refusal by the US and/or the EU to apply sanctions to Israel to make it withdraw
- the near certainty that the US would veto any attempt to pass a Security Council resolution imposing sanctions on Israel until it withdraws, as the Council did to Iraq in 1990 to force it to withdraw from Kuwait.

Recently, the PLO has embarked on a campaign to seek international recognition for a Palestinian state within the 1967 borders and to seek normal diplomatic relations with other states. The objective is to maximise political pressure on Israel, and its backers, to bring about a Palestinian state.

(In principle, a Palestinian state, even one that isn't sovereign, could become a member of the UN. It has happened in the past, for example, some constituent republics of the Soviet Union were members. But a Palestinian application is likely to run up against a US veto in the Security Council – a state is admitted to UN membership by decision of the General Assembly upon the recommendation of the Security Council [\[8\]](#).)

Recognition of a Palestinian state

After the 1988 Declaration of statehood, close to a hundred states in the world recognised a Palestinian state within the 1967 borders and accorded the PLO full diplomatic relations. Other states, including Ireland, accorded the PLO some form of diplomatic relations, without formally recognising a Palestinian state. At the time of writing, 110 states have formally recognised a Palestinian state within the 1967 borders and the PLO has diplomatic relations with almost every state in the world (see map at [\[9\]](#)).

In response to the Palestinian campaign, this number is growing all the time, notably in Latin America, where nine states – Brazil, Argentina, Chile, Uruguay, Paraguay, Bolivia, Peru, Ecuador and Guyana – have recently recognised a Palestinian state within the 1967 borders, as has Cyprus, the first EU state to do so [\[10\]](#). While visiting Palestine on 18 January 2011, President Medvedev also reaffirmed Russia's recognition, which dates from the Soviet era [\[11\]](#).

Recently, other states – Spain, France, Portugal and Ireland – have upgraded diplomatic relations with Palestine, as has Norway [\[12\]](#).

As yet, the EU is hanging back from recognising a Palestinian state in the 1967 borders. An EU Council statement of 13 December 2010 reiterates the EU's "readiness, when appropriate, to recognize a Palestinian state" [\[13\]](#), but doesn't indicate when it will be appropriate.

Ireland should take a lead

In the Bahrain Declaration in February 1980, Ireland was the first European state to declare explicitly that the Palestinian people "had a right to self-determination and to the establishment of an independent State in Palestine".

We, in Sadaka, believe that Ireland should take a lead in the EU on this matter and

- (c) recognise a Palestinian state in the 1967 borders, that is, in the West Bank, including East Jerusalem, and Gaza, and
- (d) accord that state full diplomatic relations.

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February 2011

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Sadaka supports a peaceful settlement in Israel/Palestine based on the principles of democracy and justice, be that in two states or in one state. We maintain an independent position on internal politics within Palestine, favouring neither Fatah, Hamas nor any other Palestinian political organisation.